

**Register of Delegations  
to  
Community Boards,  
Committees  
and  
Chief Executive Officer**

**AS AT OCTOBER 2016**



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## **PART I - INTRODUCTION**

### **Philosophy**

1. The statutory function of Council is to lead and guide the good management of the District by determining primary goals and objectives, by setting strategies and policies for their achievement and encouraging this through the considered use of committees and the appointment of skilled staff.
2. Elected members as individuals have no statutory authority. Their role is therefore closely linked to meetings of the Council and its Committees allowing issues to be raised, debated and resolved.
3. The task of putting Council's policies to work is the responsibility of the Chief Executive Officer acting through Council staff. The Council, Committees and Community Boards then monitor progress towards any objective. They do this not by putting each staff action under the microscope but rather by seeing that key milestones are met.
4. These are best translated into action when the Council is planning and reviewing its plans and policies. When it comes to day to day matters, the Council's Chief Executive Officer and staff are in the best position to immediately resolve any individual problems. When necessary a problem, along with all the options and implications of any policy changes, may be referred to the Council, a Community Board or a Committee for consideration.
5. The Council has therefore adopted a philosophy of delegation to the lowest competent level. This achieves the best use of the skills of Councillors and officers, minimises costs, develops effective managers and minimises bureaucratic interference in the lives of the residents of the Central Otago district.

### **General Principles of Delegation**

6. The Council's powers, functions and duties are all prescribed either expressly or implicitly by various Acts of Parliament or Regulations. These set a framework within which the Council must operate.
7. Where Council is empowered by legislation to carry out a decision making function, the decision to act must be by way of resolution of the full Council, unless otherwise provided in the legislation, or where the decision to act has lawfully been delegated to a Committee, Subcommittee, Community Board or officer.
8. Without delegation, the operation of the Council and its administration would not be effective, efficient or timely in delivering services. Delegation to officers generally implements the basic principle that elected members make policy and officers implement that policy.

### **The Legal Situation**

9. Council's principal authority to delegate derives from Schedule 7, clause 32(2) of the Local Government Act 2002, which states:

*“(2) Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise of the local authority (after consultation with the committee or body or person) of any power or duty specified in sub clause (1).”*

Sub clause 32(1) states:

*“Unless expressly provided otherwise in this Act or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority’s business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties or powers except ....”* The exceptions are set out in paragraph 44.

### **Operative Date**

10. This Register will come into effect on 27 October 2016 and will continue in force until revoked by the Council.

All earlier policies, which conflict with or duplicate any provision in this Register are revoked as from 27 October 2016.

## **PART II - GENERAL MATTERS OF DELEGATION**

### **The Meaning of Delegation**

11. Delegation means the assignment of a power, function or duty of action to another together with the authority to carry out that duty or complete the action assigned with responsibility for the outcome.
12. Decisions made by any Community Board or Committee pursuant to this delegation may be acted on without further reference to the Council.

### **Delegation by Exception**

13. The Council has adopted the principle of delegation by exception. This means that all the powers of the Council are delegated to Community Boards, Committees or the Chief Executive Officer unless a specific exception applies.

The exceptions are set out in Part III of this Register.

14. Subject to the exceptions, the Central Otago District Council delegates to Community Boards, Committees and Standing Committees all the powers, functions and duties relating to the scope and activity allocated to them, including the power to convene extraordinary meetings in terms of clause 22, Schedule 7 of the Local Government Act 2002.

### **Delegations to Community Boards**

15. A Community Board may, at any time, refer any matter to Council for direction and/or determination.
16. Council cannot override a Community Board decision made pursuant to a delegation and consistent with Council policy. If the Council wishes to reduce the role of the Community Board it must *effectively* consult with that Board first.
17. Each Community Board will select its own chairperson at the first meeting of its electoral term.

### **Delegations to Committees**

18. Any Standing or Special Committee may, at any time, refer any matter to Council for direction and/or determination.
19. The Mayor has the right to determine the structure of Committees and appoint the Chair but this can be changed by resolution of Council.

### **Delegations to Special Committees and Subcommittees**

20. Special Committees and Subcommittees will have only the powers, functions and duties specifically given to them by the Council or a Standing Committee.

### **Sub-delegations to be in Writing and Recorded**

21. Every sub-delegation will be in writing and will clearly define the nature, purpose and limitation of the power, function or duty delegated.
22. Every sub-delegation will be recorded in a register kept for that purpose by the Chief Executive Officer.

### **Term of Delegation**

23. Unless any delegation is stated to be for a defined term, it will continue until revoked by the delegator or the Council or withdrawn by operation of law.

### **Delegation to Office**

24. Unless stated otherwise every delegation is to a Committee or office and will be unaffected by changes in the membership of a Committee or the holder of an office.

### **Reporting Decisions**

25. Every Committee will report decisions taken under delegated authority in minutes submitted to the next available meeting of the Council unless the Committee is made up of the full Council.
26. Decisions taken by officers under delegated authority will be reported:
  - a) when:
    - i) a regular report is a condition of the delegation; or
    - ii) where any legislation requires reporting in a particular way; or
    - iii) where the decision is one of a class which the Council has directed should be reported; or
    - iv) where the Council, for any reason, should be aware of the decision;
  - b) as a regular comparison of performance against budget and approved plans:
    - i) a quarterly report on financial out-turn;
    - ii) each year an Annual Report in accordance with section 98 and Schedule 10 of the Local Government Act 2002.

### **Sub-delegation**

27. Powers, functions and duties granted by the Council to a Committee may be sub-delegated to a Council officer and that sub-delegation will be in writing.
28. Delegations to officers will be made to the Chief Executive Officer who may delegate a power, function or duty to another officer or subcommittee of officers. As well as the discretionary delegations made under this Register there are provisions in various Acts applying to the Council which provide for powers, duties and functions to be exercised directly by specified staff.
29. Officers (other than the Chief Executive Officer) may not delegate powers and functions given to them. They may appoint working parties or other officers to advise them.

## **Call-Up Procedure**

30. Nothing in this Register will limit the power of a delegator to exercise a duty, power or function concurrently with, or in substitution for, a delegatee.
31. Except in exceptional circumstances, a delegator should not:
  - a) if the Council, act without the advice of a Standing Committee, appropriate Community Board Chairperson or the Chief Executive Officer;
  - b) if a Community Board, act without consultation with the appropriate chairperson or the Chief Executive Officer;
  - c) if the Chief Executive Officer, act without the advice of the appropriate officer.
32. The Mayor may, on behalf of the Council, 'call up' to the Council any matter which has been delegated by the Council, other than one delegated to a Community Board and acted on in accordance with Council Policy. The delegatee will then take no further action on that matter until the Council has either:
  - a) decided that the matter should be referred back to the delegatee (with directions if any); or
  - b) determined the matter.
33. In calling up any matter to the Council the Mayor should consult with the chairperson of the relevant Committee or Community Board involved, and the Chief Executive Officer.
34. A delegatee may, rather than make a decision, refer a matter back to the delegator with a suitable recommendation. The delegator will then decide the matter.
35. Community Boards and Committees of Council cannot act contrary to policies of the Council and in particular the Council's Long Term Plan (LTP).

## **Appeals**

36. Every person affected by the decision of a delegatee may appeal that decision:
  - a) in the case of a decision by an officer, to the Chief Executive Officer; or
  - b) in the case of a decision by the Chief Executive Officer or Committee, to the Council.
37. The Chief Executive Officer and the Council will not generally overrule a decision of delegatee unless:
  - a) it breaches some policy set by the Council; or,
  - b) some material fact was overlooked or misinterpreted; or,
  - c) it contains serious implications for the Council of which the delegatee was unaware; or,
  - d) it is manifestly wrong.

## **Policy and Fact**

38. In making a decision every delegatee will consider:
  - a) any policy established by the Council;
  - b) the facts relevant to a matter.



39. If the facts relevant to any matter do not support a decision consistent with a Council policy, the delegatee should submit the matter to the Council with a suitable explanation and recommendation.

### **Estimates and Expenditure**

40. The Chief Executive Officer may vary any sum or sums making up cost centre detail where:
- a) the net expenditure/surplus in that activity cost centre is not altered; and
  - b) the change is to allow for the more effective management of that activity in accordance with the LTP or Annual Plan.

### **Use of Council Seal and Authority to Sign**

41. The Chief Executive Officer will be responsible for custody of the Council's seal and maintain records as to its use.
42. The seal may be attached to all documents that must be executed in this way by the Council. It will be attached, however, only when:
- a) the Council or a Committee has authorised the transaction involved; or
  - b) the transaction involved has been authorised by an officer under delegated authority.
43. The seal will be affixed in the presence of one person from each of the following groups:
- a) the Mayor or any elected member of the Council;
  - b) the Chief Executive Officer (or any other officer authorised by the Chief Executive Officer).

## PART III - COUNCIL

44. The following matters CANNOT be delegated by Council (Schedule 7, clause 32(1) of the Local Government Act 2002):

The power to:

- make a rate;
- make a bylaw;
- borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan (LTP);
- adopt a LTP, Annual Plan or Annual Report;
- appoint a Chief Executive Officer;
- adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the LTP or developed for the purposes of the Local Governance Statement;
- adopt a remuneration and employment policy

45. Additionally:

- Recommendations made to Council by the Ombudsman under section 32 of the Local Government Official Information and Meetings Act 1987 may not be delegated.
- Under section 12 of the Fencing of Swimming Pools Act 1987, the Council's powers and functions may only be delegated to a Committee comprising only members of the Council.

46. Council reserves the following powers and functions to itself:

- dismissal of the Chief Executive Officer;
- any proposal to promote legislation;
- overall budgetary control of the total operations of Council;
- stopping of roads (section 319(h) of the Local Government Act 1974);
- acquisition or holding of shares or interests in a body corporate, partnership, joint venture or other association of persons;
- the co-ordination of advice from Committees and Community Boards in respect of the Annual Plan and LTP process, and the determination of the funding and priorities derived from that for rates setting and other funding purposes;
- the right to appeal decisions of external bodies;
- proposals for the remuneration of elected members;
- proposals for a change to the political structure of Council, delegations to officers, the size of Council, the nature of wards and communities, and representation for wards and communities.

## PART IV - DELEGATIONS TO COMMUNITY BOARDS

### Introduction

47. Community Boards are established under section 49 of the Local Government Act 2002 (“the Act”) and exercise such powers as are delegated to them by the Council (section 53 of the Act).

48. Boards are NOT Committees of Council. They are separate legal entities. Section 51 of the Act states:

*“A community board -*

- (a) is an unincorporated body; and*
- (b) is not a local authority; and*
- (c) is not a Committee of the relevant territorial authority”*

49. Community Boards, under section 53(3) of the Act cannot:

- acquire, hold or dispose of property;
- appoint, suspend or remove staff.

## COMMUNITY BOARDS

**REPORTING TO:** Council

**CONSTITUTION:**

Vincent Community Board	Five directly elected representatives and three appointees
Cromwell Community Board	Four directly elected representatives and three appointees
Teviot Valley Community Board	Four directly elected representatives and one appointee
Maniototo Community Board	Four directly elected representatives and one appointee

**MEETING FREQUENCY:** Every six weeks or as required

**OBJECTIVES:**

*(Local Government Act, 2002 - section 52)*

1. To represent, and act as an advocate for, the interests of its community.
2. To consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the Community Board.
3. To maintain an overview of services provided by the territorial authority within the community.
4. To prepare an annual submission to the territorial authority for expenditure within the community.
5. To communicate with community organisations and special interest groups within the community.
6. To undertake any other responsibilities that are delegated to it by the territorial authority.

**POWER TO ACT:**

The Council delegates to the Community Boards the following functions, duties, powers and discretions, as they apply to their respective Ward(s), subject to any delegation made by the Council on a “district-wide” basis:

1. In relation to bridging, financially assisted and unassisted roading programmes, the authority to make recommendations to the Council on priorities for works within the Community Board Ward(s).
2. In relation to non-financially assisted roading works, the power to determine appropriate works programmes, provided that the works are funded from the Community Board’s own resources.
3. The general provision (including maintenance and upgrading as required) of parks, reserves, public recreational facilities, cemeteries, community centres and public halls.
4. The provision and maintenance of such other works, facilities, and amenities in the Community Board Ward(s) as the Board sees fit in line with Council policy and the new purpose statement.
5. Monitor and take such action as necessary to ensure the adequacy of traffic activity (including temporary road closures, naming of streets and so on) in line with Council policy.

6. Provide input to the Council's Revenue and Financing Policy, Annual Plan and Long Term Plan.
7. Monitor the Community Board's budget and make such alterations as are necessary during the course of the fiscal year.
8. Make grants and donations.
9. Negotiate the acquisition and disposal of Council property within the Community Board's jurisdiction, subject to any property transactions being formally approved by the Council.
10. Approval of fees and charges relating to ward services.

### **Limitations on Authority**

11. The Community Board's "power to act", pursuant to this delegation, is limited to matters which relate *solely* to the Ward.
12. The Community Board has a responsibility to ensure that its policies, actions and decisions are always within the overall strategic plans, policy guidelines and priority programmes adopted by the Council. Whenever this is either not possible or in the circumstances of the case not felt to be desirable, the Community Board's decision will be by way of a recommendation to the Council.
13. Before making any decision pursuant to these delegated functions, duties and powers, the Community Board will satisfy itself (where appropriate) that adequate provision has been made in the approved estimates for the proposed works.

### **Power to Advise**

14. Community Boards will be asked to advise Council in relation to the provision of library services within their ward(s).

## **COMMITTEES AND SUB-COMMITTEES OF COMMUNITY BOARDS**

### **VINCENT COMMUNITY BOARD**

- Chatto Creek Recreation Reserve Committee
- Clyde Recreation Reserve Committee
- Joint QLDC/CODC Afforestation Committee – 1 representative (with QLDC)
- Manorburn Recreation Reserve Committee
- Omakau Recreation Reserve Committee

### **MANIOTOTO COMMUNITY BOARD**

- Patearoa Recreation Reserve Committee
- Taieri Lake Recreation Reserve Committee

### **TEVIOT VALLEY COMMUNITY BOARD**

- Millers Flat Recreation Reserve Committee
- Teviot Valley Walkways Committee

## **COMMUNITY BOARD APPOINTEES TO EXTERNAL COMMITTEES**

Community Boards (on behalf of Council) may appoint one or more members or other persons to Committees outside of Council to act as representatives of that Community Board. Community Board representative(s) are appointed to each of the following Committees:

### **VINCENT COMMUNITY BOARD**

- Alexandra and Clyde Districts Business Group – 2 representatives
- Alexandra Community House Trust – 1 representative
- Alexandra Community Plan Group – 1 representative
- Alexandra Council for Social Services – 1 liaison
- Alexandra District Historical Association Inc (Central Stories) – 1 representative
- Alexandra Suspension Bridge, 1882 Working Group – 2 liaison
- Alexandra Blossom Festival Committee – 2 representatives
- Alexandra and Districts Youth Trust – 1 liaison
- Clyde Community Centre Committee – 1 representative
- Clyde Community Plan Group – 1 representative (plus 1 community representative)
- Clyde Districts Business Group – 1 liaison
- Clyde Historical Museum Committee – 1 representative
- Elderly Persons – 1 liaison
- Keep Alexandra-Clyde Beautiful Society – 1 representative
- L&M Mining – 1 liaison
- Ophir Welfare Association Committee – 1 liaison
- Promote Alexandra Inc – 1 liaison
- St Bathans Area Community Association Inc – 1 representative

### **CROMWELL COMMUNITY BOARD**

- Bannockburn Community Centre Management Committee Inc – 1 representative
- Bannockburn Recreation Reserve Management Committee Inc – 1 liaison
- Cromwell and Community Districts Trust – 1 liaison
- Cromwell Community Plan Group – 1 liaison
- Cromwell District Museum – 1 liaison
- Cromwell Resource Centre Trust – 5 representatives
- Cromwell Youth Trust – 1 liaison
- Central Otago Sports Turf Trust – 2 representatives
- Old Cromwell Incorporated – 1 representative
- Lowburn Hall Committee – 1 liaison
- Pisa Moorings Community Plan Group – 1 liaison
- Ripponvale Hall Committee - 1 liaison
- Tarras Community Plan Group – 1 liaison
- Tarras Hall Committee – 1 representative
- The Community Board Chair can appoint two members to the Cromwell College Charitable Trust in the case of retirement or replacement of a member

### **TEVIOT VALLEY COMMUNITY BOARD**

- I and H MacPhail Charitable Trust – 2 representatives
- Ida McDonald Charitable Trust – 2 representatives
- Roxburgh and District Medical Services Trust – 1 representative
- Roxburgh Cemetery Trustee Committee – 1 representative
- Roxburgh Entertainment Centre and Improvement Committee – 1 representative
- Roxburgh Events Centre Trust – 1 representative

- Teviot Museum Committee – 1 representative
- Teviot Prospects – 1 representative
- Tuapeka County Bursary Fund Committee – 1 representative

## **MANIOTOTO COMMUNITY BOARD**

- Maniototo Community Arts Council – 1 representative
  - Maniototo Ice Rink Committee – 1 representative
  - Maniototo Promotions Group – 1 representative
  - Patearoa Water Scheme Liaison Committee – 1 representative
- A liaison appointment will require an elected member to keep in contact with the organisation.
  - A representative will be required to attend the meetings of the organisation.
  - If an elected member is given voting rights at the organisation's meeting then the minutes of that group should then be put on a future agenda of the Community Boards agenda.



## **PART V - DELEGATIONS TO COMMITTEES OF COUNCIL**

### **STANDING COMMITTEES**

#### **PLANNING AND ENVIRONMENT COMMITTEE**

<b>REPORTING TO:</b>	Council
<b>CONSTITUTION:</b>	Mayor and all Councillors
<b>MEETING FREQUENCY:</b>	Every six weeks, or as required
<b>QUORUM:</b>	No less than six members of the Committee

#### **OBJECTIVE:**

To ensure the maintenance and development of all specified facilities and services in accordance with goals and objectives set by the Council.

#### **SCOPE OF ACTIVITY:**

Any matters, other than those specifically listed below, relating to health inspection, building inspection, heritage orders, dangerous goods inspections, plumbing and drainage inspection, animal and dog control, liquor licensing, gambling and any other areas or issues of an inspectorial and/or regulatory nature applying throughout the Central Otago District.

#### **POWER TO ACT:**

The Council delegates all regulatory powers, functions and duties (with the exception of issues within the specific responsibility of another standing, special or joint Committee of the Council) as follows:

1. Unless specifically excluded by legislation, all of its powers, duties and discretions under the Resource Management Act 1991 but only where those matters have not been delegated to the Chief Executive Officer or Hearings Panel.
2. Notwithstanding clause 1 above, the Hearings Panel may refer any matter to the Planning and Environment Committee for its direction on the matter or for its determination of the matter.
3. Notwithstanding clause 1 above, the Chief Executive Officer may refer any matter to the Hearings Panel for its direction on the matter or for its determination of the matter.
4. The consideration of and approval of submissions on government legislation, national policy statements, regional policy statements, regional plans and adjoining territorial local authorities' district plans.

#### **Objections to Decisions**

5. The Planning and Environment Committee will consider objections lodged in terms of section 357 to decisions issued by the Hearings Panel.

#### **Plan Changes**

6. Consideration of requests for District Plan changes under Part II of the First Schedule of the Act.

7. Initiation or variations to the District Plan and Plan changes.

## **SUB-COMMITTEES OF THE PLANNING AND ENVIRONMENT COMMITTEE**

### **A. HEARINGS PANEL**

<b>Reporting to:</b>	Planning and Environment Committee
<b>Constitution:</b>	Three members, selected from Councillors and independent commissioners, by the CEO and ratified by Council
<b>Meeting Frequency:</b>	Monthly or as required
<b>Substitutions:</b>	The Chief Executive Officer to arrange appropriate substitutes, that may include the Mayor, as and when required

#### **OBJECTIVE:**

To consider and execute decisions relating to designations, reviews, objections, and applications for resource consent.

#### **SCOPE OF ACTIVITY:**

Any matters relating to resource consent applications or approvals pertaining to those functions of the Resource Management Act 1991 which have not been delegated to the Chief Executive Officer.

#### **POWER TO ACT:**

The Planning and Environment Committee delegates to the Hearings Panel all regulatory powers, functions and duties (with the exception of issues within the specific responsibility of another standing, special or joint committee of the Council) as follows:

1. Unless specifically excluded by legislation, all of its powers, duties and discretions under the Resource Management Act 1991 but only where those matters have not been delegated to the Chief Executive Officer.
2. Notwithstanding clause 1 above, the Hearings Panel may refer any matter to the Planning and Environment Committee for its direction on the matter or for its determination of the matter.
3. Notwithstanding clause 1 above, the Chief Executive Officer may refer any matter to the Hearings Panel for its direction on the matter or for its determination of the matter.

#### **Designations**

*(Section references are taken from the Resource Management Act 1991):*

4. The power to consider a requirement and submission made in response to it and to make a recommendation to the requiring authority in terms of section 171.
5. To consider a requirement to alter a designation in terms of section 181.
6. Amend the District Plan to remove a designation and to advise the Otago Regional Council accordingly in terms of section 182.
7. The fixing of a longer period for the expiry of a designation in terms of section 184.

## **Heritage Orders**

8. The consideration of a requirement by a heritage protection authority and all submissions lodged with respect to such requirement and the making of a recommendation to the heritage protection authority in terms of section 191.
9. The alteration of a heritage order from the requirement of a heritage protection authority in terms of section 192.
10. The removal of a heritage order from the District Plan and providing advice to the Otago Regional Council of this removal in terms of section 196.

## **Resource Consents:**

*(Section references are taken from the Resource Management Act 1991):*

11. To jointly hear, with one or more other consent authorities, applications for resource consents (section 102).
12. To decide on reasonable grounds whether or not it is appropriate for a joint decision on jointly heard applications (section 102).
13. To determine whether two or more applications for the same proposal are sufficiently unrelated so that it is unnecessary to hear and decide the applications together (section 103).
14. To arrange the commencement date, time and venue of a resource consent application hearing and any submissions to such application (section 101).
15. When considering an application for a resource consent, the Hearings Panel shall have regard for the terms of section 104 (this includes land use and subdivision applications).
16. To decide whether to grant or not grant a resource consent. Upon granting consent, the decision must take into account any conditions or terms in sections 104 and 105.
17. To determine the proceedings for any hearing, in keeping with sections 39-42.

## **Lapsing of Consents**

*(This section applies only to those consents granted by the Hearings Panel)*

18. The holder of a Resource Consent may apply to the Hearings Panel for the change or cancellation of any condition in the consent (other than conditions relating its duration) subject to the conditions outlined in section 127.
19. The Hearings Panel may change any condition in the consent (other than conditions relating its duration), subject to the conditions outlined in section 132.

## **Objections to Decisions**

20. To consider objections lodged in terms of section 357 to decisions issued by the Chief Executive Officer.

## **Plan Changes**

21. Hearing of submissions to variations to the District Plan and Plan changes, pursuant to Section 34 of the Act.

## **Dog Control**

22. To consider objections in terms of Section 31(3) and 33B of the Dog Control Act 1996.

## **Health Registration of Premises**

23. To consider and make decisions on the revocation of registration of registered premises under the Health (Registration of Premises) Regulations 1966.

## District Licensing Committee

The District Licensing Committee has all the powers conferred on it by or under the Sale and Supply of Alcohol Act 2012 or any other Act, and all powers as may be reasonably necessary to enable it to carry out its functions.

The District Licensing Committee's functions are:

- (a) to consider and determine applications for licences and manager's certificates; and
- (b) to consider and determine applications for renewal of licences and manager's certificates; and
- (c) to consider and determine applications for temporary authority (d) to consider and determine applications for the variation, suspension, or cancellation of special licences; and
- (e) to consider and determine applications for the variation of licences (other than special licences) unless the application is brought under [section 280](#) of the Sale and Supply of Alcohol Act 2012; and
- (f) with the leave of the chairperson for the licensing authority, to refer applications to the licensing authority; and
- (g) to conduct inquiries and to make reports as may be required of it by the licensing authority under [section 175](#) of the Sale and Supply of Alcohol Act 2012; and
- (h) any other functions conferred on licensing committees by or under the Act or any other enactment.

## THREE WATERS INFRASTRUCTURE COMMITTEE

<b>REPORTING TO:</b>	Council
<b>CONSTITUTION:</b>	Mayor and all Councillors
<b>MEETING FREQUENCY:</b>	Every six weeks, or as required
<b>QUORUM:</b>	No less than six members of the Committee

### OBJECTIVES:

To provide a basis for policy decision making for water, waste water and storm water and funding of programmes for these activities.

### SCOPE OF ACTIVITY

Any matters that relate to the areas of Council's service delivery operations generally described as water, waste water and storm-water. The powers delegated encompass all matters incidental to and consequential upon the Committee's operations.

### POWER TO ACT:

- Approval of Asset Management Plans Forward Programmes in respect to water, waste water and storm-water
- Determine levels of service for water, waste water and storm water and recommend funding of that service
- Approve improvement programmes and recommend funding for that work
- Approve Three Water strategies
- Approve Three Water policies
- Recommend Three Water Bylaws for adoption by Council
- Provide governance input into Three Waters issues where these are not covered by adopted strategies and policies
- Provide submissions to changes in legislation, Government strategies, and policies related to Three Waters
- Liaise with Ministry of Health regarding Three Water issues which affect Central Otago
- Compliance with requirements for Ministry of Health funding of Three Water activities
- Make decisions and give guidance in respect to policy issues, on water, waste water and storm water

## WASTE AND PROPERTY INFRASTRUCTURE COMMITTEE

<b>REPORTING TO:</b>	Council
<b>CONSTITUTION:</b>	Mayor and all Councillors
<b>MEETING FREQUENCY:</b>	Every six weeks, or as required
<b>QUORUM:</b>	No less than six members of the Committee

### OBJECTIVES:

To provide a basis for policy decision making for waste, property and other District Infrastructure (excluding Roding and Three Waters), and funding of programmes for these activities.

### SCOPE OF ACTIVITY

Any matters that relate to the areas of Council service delivery operations, generally described as public utilities, including waste minimisation, public toilets, property, community facilities and aerodromes.

### POWER TO ACT:

- Represent the Council and make decisions in dealings with Queenstown Lakes District Council regarding solid waste disposal.
- Provide guidance to Officers in the development, review and implementation of Infrastructural Strategies and Policies.
- Approve Asset Management Plans, Levels of Service, and Forward Programmes in respect to waste minimisation, public toilets, property, community facilities and aerodromes and recommend funding for these activities
- To consider environmental sustainability initiatives, energy supply, and funding for these.
- Make decisions and give guidance in respect to policy issues on solid waste, recycling, public toilets, property, community facilities and aerodromes.
- Make submissions to Central and Regional Government on Infrastructure legislation, policies and strategies.



## **ROADING COMMITTEE**

<b>REPORTING TO:</b>	Council
<b>CONSTITUTION:</b>	Mayor and all Councillors
<b>MEETING FREQUENCY:</b>	Every six weeks, or as required
<b>QUORUM:</b>	No less than six members of the Committee

### **OBJECTIVE:**

To provide a basis for policy decision making for roading, and funding roading programmes.

### **SCOPE OF ACTIVITY**

Any matters that relate to those areas of the Council's service delivery operations generally described as roading and transportation. The powers delegated encompass all matters incidental to and consequential upon the Committee's operations.

### **POWER TO ACT:**

- Approval of roading and transportation activity management plans
- Determine levels of service for roading, and recommend funding for that service
- Approve improvement programmes and recommend funding for that work
- Approve Roading Hierarchy Policy and exceptions to this policy
- Approve road strategies
- Approve roading policies
- Recommend Roading Bylaws for adoption by Council
- Provide governance input into roading regulatory issues where these are not covered by adopted strategies and policies
- Provide submissions to changes in legislation, Government strategies, and policies related to transportation
- Provide feedback, support and representation to the Regional Land Transport Committee
- Provide input into the Regional Land Transport Strategy
- Liaise with New Zealand Transport Agency (NZTA) Highway Network Operations Group regarding state highway matters which affect Central Otago
- Compliance with requirements for NZTA funding of roading and transportation activities

## COMMUNITY SERVICES COMMITTEE

<b>REPORTING TO:</b>	Council
<b>CONSTITUTION:</b>	Mayor and all Councillors
<b>MEETING FREQUENCY:</b>	Every six weeks, or as required
<b>QUORUM:</b>	No less than six members of the Committee

### OBJECTIVE:

The Committee's purpose is to oversee and encourage the sustainable development of the Central Otago economy, including tourism and promotions, and to contribute to regional economic development strategies (via the Mayoral Forum).

To provide a basis for policy decision making as to the standard of parks and recreational facilities (including swimming pools, Lake Dunstan and the Clutha tributaries), libraries and visitor centres.

To ensure that there is an appropriate management strategy for Lakes Dunstan and Roxburgh and the Clutha River and tributaries.

### SCOPE OF ACTIVITY:

Generally any matters that concern Council interests in facilitation of libraries, the economy, tourism and community development including the regional identity; along with management of Lakes Dunstan and Roxburgh and the Clutha River and tributaries.

Specifically the Committee will:

1. Define and implement an economic development strategy that gives effect to the community's views about the appropriate direction and pace of economic development in Central Otago.
2. Ensure that there is appropriate economic development content and direction in the Council's Long Term Plan (LTP), and that the economic development strategy reflects the thrust of the LTP.
3. Identify projects and initiatives that will support the overall economic development strategy.
4. Provide information on trends in the economy that enable other Council Committees to anticipate demands and adjust investment programmes and policy frameworks to suit.
5. Liaise and cooperate with other economic development agencies.
6. Manage promote and develop the Central Otago district as an attractive visitor destination now and in the future.
7. Provide broad policy direction for tourism strategies .
8. Monitor the effectiveness of the Lake Dunstan Navigation and Safety Bylaws and any future bylaws for Lake Roxburgh, the Clutha River and tributaries.
9. Liaise with the Crown and other appropriate agencies for the effective management of the riverbank, lake edge and foreshore.

10. Advocate for and, where appropriate, arrange for Council's participation in the effective control of invasive weeds within Lakes Dunstan and Roxburgh.
11. Maintain the role of Harbourmaster for Lake Dunstan.
12. The governance of all aspect of the joint library service.
13. The adoption of a collection policy and the negotiation of service level agreements with each Council.
14. The formulation of budgets each year for recommendation at Annual Plan time.

Any matters that relate to the area of the Council's service delivery operation generally described as parks and recreation (including swimming pools and Lake Dunstan and its tributaries.), libraries and visitor centres.

**POWER TO RECOMMEND:**

1. Major changes to policy relating to the management control and ownership of Lakes Dunstan and Roxburgh, the foreshore, riverbanks and amenities directly relating to the Clutha catchment.
2. Changes to the Lake Dunstan Navigation and Safety By-law, and any future by-laws for Lake Roxburgh, the Clutha River and tributaries.

**POWER TO ACT:**

1. Except in relation to those areas of operations falling within the specific purview of Community Boards, all of Council's powers, functions and duties relating to the facilitation of business, economic and tourism strategies for the Central Otago community.
3. Strategies and policies for parks and recreation (including swimming pools, Lake Dunstan and the Clutha tributaries), libraries and visitor centre
4. Approve Asset Management Plans, Levels of Service, and Forward Programmes in respect to parks and recreation (including swimming pools).
5. Budgets for expenditure and funding for activities relating to Lakes Dunstan and Roxburgh and Clutha riverbanks including tributaries.
6. Implementation of policy relating to management control and ownership of Lakes Dunstan and Roxburgh, the foreshore, riverbanks and amenities directly relating to the Clutha catchment.

## **AUDIT AND RISK COMMITTEE**

**REPORTING TO:** Council

**CONSTITUTION:** Mayor, three Councillors plus an independent representative as chair or not.

**QUORUM:** No less than three members of the Committee

**MEETING FREQUENCY:** Three times per year and then as and when required

**OBJECTIVE:**

To provide governance and oversight in the areas of audit and risk to ensure systems and practices are of a standard to provide assurance that there is sufficient risk identification and mitigation in place.

**SCOPE OF ACTIVITY:**

The Committee will review, evaluate and provide feedback to Council on a broad range of matters including:

- Internal and external audits
- External financial reporting
- Financial and non-financial risk management
- Internal systems and controls
- Strategic management and operational performance
- Policy review
- Appointment of an external committee member
- Appointment of the Audit and Risk Chair and Deputy Chair
- Legislative compliance

**POWER TO ACT:**

The Committee can report to and make recommendations to Council on matters and proposals relevant to risk management and internal control practices.

## **EMERGENCY MANAGEMENT COMMITTEE**

<b>REPORTING TO :</b>	Council
<b>CONSTITUTION :</b>	Mayor (Chairperson) Deputy Mayor Chairperson from each Community Board except the Board represented by the Deputy Mayor
<b>MEETING FREQUENCY :</b>	As required
<b>SUBSTITUTIONS :</b>	The Chief Executive Officer to arrange appropriate substitutes as and when required
<b>QUORUM:</b>	No less than three members of the Committee

### **OBJECTIVE :**

To assist Council to discharge its responsibilities under the Civil Defence Emergency Management Act 2002 and/or the Forest and Rural Fires Act 1977 and to ensure Council is in a prepared state to respond to a civil defence emergency and or rural fire event.

### **SCOPE OF ACTIVITY :**

Generally any matter that concerns Council interests in emergency management and or rural fire and related Policy.

Specifically the Committee will:

- Provide broad policy direction and support for the Council's Emergency Management and Rural fire management
- Approve strategy that gives appropriate effect to rural fire and emergency management
- Identify projects and initiatives that will support the overall emergency management and rural fire strategy
- Review annual works programmes for rural fire and emergency management

### **POWER TO ACT**

All of Councils powers, functions and duties related to the facilitation of emergency management and rural fire, which includes approving specific project related expenditure for work in support of overall strategy.

## **SPECIAL COMMITTEES**

### **EXECUTIVE COMMITTEE**

**REPORTING TO:** Council

**CONSTITUTION:** Mayor (Chairperson)  
Deputy Mayor  
Councillor from each Board (four members) except the ward represented by the Deputy Mayor

**MEETING FREQUENCY:** As required

**SUBSTITUTIONS:** The Chief Executive Officer to arrange appropriate substitutes as and when required

**QUORUM:** No less than three members of the Committee

#### **OBJECTIVE:**

To deal with Council, Committee and Community Board issues that require immediate response.

#### **SCOPE OF ACTIVITY:**

Any matters relating to Council, Committee and Community functions.

#### **POWER TO ACT:**

1. Any of the Council's powers, functions and duties when an immediate response is required.
2. Providing guidance, when sought from time to time by the Chief Executive Officer, on specific or general matters.
3. Accepting tenders other than the lowest tender, where the work is estimated at more than \$100,000, or where the lowest acceptable tender is higher than the budget for the work (above \$100,000).
4. Undertake Chief Executive Officer performance planning and associated review with Chief Executive.
5. The selection of elected members of Council (and Community Boards if appropriate) to form working parties to undertake research and make submissions, as is deemed appropriate from time to time by the Council.

## ASSESSMENT COMMITTEE

<b>REPORTING TO:</b>	Council
<b>CONSTITUTION:</b>	Two Councillors plus the following community representatives:
<b>For Creative Communities Funding:</b>	One representative from each Community Arts Council within the district One representative from the Roxburgh community One representative from Tangata Whenua
<b>MEETING FREQUENCY:</b>	As required
<b>SUBSTITUTIONS:</b>	The Chief Executive Officer to arrange appropriate substitutes as and when required

### OBJECTIVE:

To manage and distribute funds allocated to the Central Otago District Council by national funding organisations for the purpose of supporting worthy projects within the Central Otago district, in accordance with national funding criteria and in a manner that best meets the needs of Central Otago's local communities.

### SCOPE OF ACTIVITY:

1. Allocate *Creative Communities New Zealand* and *SPARC* funds to worthy applicants, in accordance with Creative New Zealand and SPARC funding criteria and in a manner that best meets the needs of the local communities within the Central Otago district;

Note: Non-elected members are included in the Assessment Committee to provide representation and input from the respective 'communities of interest' throughout the district. Nominations for these positions are forwarded to Council for appointment.

2. Consider applications for funds from the Central Otago District Council.

### POWER TO ACT:

Disbursement of funds from Creative Communities and SPARC.

### POWER TO RECOMMEND:

Allocation of grants from District Funds.

## **AWARDS SELECTION COMMITTEE**

**REPORTING TO:** Council

**CONSTITUTION:** Mayor (Chairperson)  
Chairpersons of each Community Board

**MEETING FREQUENCY:** As required

**SUBSTITUTIONS:** The Chief Executive Officer to arrange appropriate substitutes as and when required

### **OBJECTIVE:**

To consider nominations and make recommendations for the TrustPower Award programmes and any additional award programmes as required.

### **SCOPE OF ACTIVITY:**

1. Consider nominations received for awards.
2. Make inquiries in relation to the nominees as the Committee deems appropriate.
3. Make an annual presentation to winners and runner-ups in each of the categories of the TrustPower awards in conjunction with representatives of TrustPower Limited.
4. Determine presentation arrangements for all award programmes as appropriate.



## **PART VI – COUNCIL REPRESENTATION ON EXTERNAL COMMITTEES**

Council may appoint one or more members from time to time to committees outside of Council. These appointees act as representatives of the Council.

Elected member(s) of the Central Otago District Council is/are nominated at the beginning of each triennial term to serve as Council representatives on each of the following Committees:

- a) Otago Regional Transport Committee – Chairperson of Roothing Committee
- b) Central Otago Health Incorporated – one representative
- c) Otago Museum Trust - a Clutha District Council nominee
- d) Central Cultural Centre Trust – 1 representative
- e) Alexandra District Historical Association Inc. (Central Stories) – 1 representative
- f) Central Otago Wilding Conifer Control Group – 1 representative

## PART VII – DELEGATIONS TO STAFF

### THE CHIEF EXECUTIVE OFFICER

#### Functions

47. Section 42 of the Local Government Act 2002 states:

- “(1) *A local authority must, in accordance with clauses 33 and 34 of Schedule 7, appoint a Chief Executive Officer.*
- (2) *A Chief Executive Officer appointed under subsection (1) is responsible to his or her local authority for -*
- (a) implementing the decisions of the local authority; and*
  - (b) providing advice to members of the local authority and to its community boards, if any; and*
  - (c) ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and*
  - (d) ensuring the effective and efficient management of the activities of the local authority; and*
  - (e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and*
  - (f) providing leadership for the staff of the local authority; and*
  - (g) employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and*
  - (h) negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).*
- (3) *A Chief Executive Officer appointed under subsection (1) is responsible to his or her local authority for ensuring, so far as is practicable, that the management structure of the local authority -*
- (a) reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and*
  - (b) is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.*
- (4) *For the purposes of any other Act, a Chief Executive Officer appointed under this section is the principal administrative officer of the local authority. ”*

48. Clause 33, Schedule 7 of the Act states:

*“Appointment of Chief Executive Officer*

*The local authority must, in making an appointment under section 42, have regard to the need to appoint a person who will -*

- (a) discharge the specific responsibilities placed on the appointee; and*
- (b) imbue the employees of the local authority with a spirit of service to the community; and*
- (c) promote efficiency in the local authority; and*
- (d) be a responsible manager; and*
- (e) maintain appropriate standards of integrity and conduct among the employees of the local authority; and*
- (f) ensure that the local authority is a good employer; and*
- (g) promote equal employment opportunities. ”*

## **Delegations to Chief Executive Officer**

49. The Chief Executive Officer is delegated all the powers, functions and duties necessary for the management of the Council's activities and the implementation of Council policy in order to fulfil his or her responsibilities, except:
- a) those reserved to the Council under Part III; and
  - b) any other power, function or duty reserved to the Council or a committee under this Register.
50. The authority delegated to the Chief Executive Officer may be delegated to any other officer of the Council. Every delegation by the Chief Executive Officer will be in writing and suitably recorded. Every delegation by the Chief Executive Officer may be withdrawn or amended or made subject to conditions in this manner.
51. In the case of power to enter into financial commitments the Chief Executive Officer may delegate authority:
- a) of unlimited value to members of the Executive Team;
  - b) to other staff positions up to a value of \$20,000 for any individual transaction.

## **Employment of Staff**

52. Under Section 42(g) and (h) of the Local Government Act 2002 the Chief Executive Officer is responsible to the Council for employing the staff of the Council and negotiating their terms of employment. This includes delegated responsibility to arrange staff structure to achieve plans and performance measures of Council within financial constraints of planned budget result.

## **Contracts, Tenders, Purchasing, Sale of Assets and Services**

53. The Chief Executive Officer may, subject to any policy established by the Council and within the approved Annual Plan and Long Term Plan, accept, negotiate or decline contracts, tenders, purchasing agreements or any other arrangements for:
- a) the sale, purchase, leasing or exchange of real property;
  - b) the employment of staff, consultants or advisers;
  - c) the supply of goods, services, plant, capital items or other assets (excluding real property) to the Council;
  - d) the provision of services by the Council and the sale, leasing or disposal of goods, plant, capital items (excluding real property) or other assets owned by the Council;
  - e) the settlement of claims for compensation;
  - f) easements, right of way, caveats, registrable interests and similar minor dealings with property.
54. In exercising this delegated authority the Chief Executive Officer must comply with:
- a) any policy adopted by the Council affecting the matters dealt with in clause 56;
  - b) budget requirements;
  - c) the obligation to report decisions in accordance with clause 26.
55. The Chief Executive Officer has authority to execute all documents required to be executed by the Council, other than those required to be executed under seal. In the Chief Executive Officer's absence, the Acting Chief Executive Officer has delegated authority to execute these documents.

56. All administrative and operational functions, powers and duties under the Resource Management Act other than those excluded in section 34A of that Act, and other than those delegated to a Standing or Special Committee, unless that Committee so delegates, are delegated to the Chief Executive Officer.
57. The Chief Executive Officer may, in relation to the District Plan, grant the following consents:  
All controlled discretionary and discretionary (restricted) activities where:
- a) the application is non-notified; and
  - b) where necessary, has the consent of the affected parties; and
  - c) the applicant has not requested to be heard; or
  - d) where the application is notified; and
  - e) there are no submissions; and
  - f) the applicant has not requested to be heard.
58. A Resource Consent “lapses” after five years from its date of commencement or after the expiry of such shorter or longer period as was expressly provided for in the consent. If the consent was granted by the Hearings Panel, the Chief Executive Officer may permit a longer period with an expiry of a resource consent, in terms of sections 125 and 126.
59. When a consent granted by the Hearings Panel is not continuously exercised over a two-year period, the Chief Executive Officer may cancel that consent by written notice, subject to conditions listed in section 126.
60. Legalisation of Road Reserves  
Ability to accept road reserves legalising current formed roads through the tenure review process.
61. Appointment of commissioners to consider and execute decisions relating to designations, reviews, objections and applications for and changes to resource consent.
62. To provide the consent of the requiring authority pursuant to Section 176 of the Resource Management Act 1991, to undertake any activity on land that is designated.
63. The Chief Executive may change any condition in a resource consent (other than conditions relating to its duration) subject to conditions outlined in Section 132.

## **SUB-DELEGATIONS FROM THE CHIEF EXECUTIVE OFFICER**

### **A. FINANCIAL DELEGATIONS**

#### **Contracts**

63. Any expenditure which commits Council to expenditure beyond one year i.e. contracts, leases, hire purchase, etc may be entered into by:

- Chief Executive Officer
- Chief Financial Officer
- Executive Manager, Planning and Environment
- Executive Manager - Infrastructure Services
- Executive Manager, Community Services

provided such expenditure is within budget, and except that such arrangements greater than \$50,000 may only be entered into by the Chief Executive Officer.

Financial commitments beyond one year for more than \$100,000 per annum may only be entered into with the prior approval of Council.

#### **Amendments**

64. The Chief Executive Officer or Chief Financial Officer may add or remove officers from this list of financial delegations and vary amounts from time to time.

#### **Budget Constraints**

65. Expenditure may only be incurred if budget is available.

#### **Cost Centre and Cost Code Constraints**

66. Delegations are to named cost centres and cost codes only.

## SCHEDULE AS AT SEPTEMBER 2017

<b>Title</b>	<b>Amount \$ (excl GST)</b>	<b>Cost Centre</b>
<b>Chief Executive Officer</b>	<b>Unlimited</b>	<b>all cost centres, all codes</b>
Communications Coordinator	10,000	1913, 1043
Emergency Management Officer	10,000	1611
Regional Identity Manager	10,000	1042, 1043, 1431
Electoral Officer	5,000	1221
Deputy Electoral Officer	5,000	1221
Manager, Human Resources	5,000	1920
Senior Officer, Governance Support	3,000	1211, 1464, 2211, 3211, 5211, 7211
Governance Support Officer	1,000	1211, 2211, 3211, 5211, 7211
Administration Officer, Governance Support	1,000	1211, 2211, 3211, 5211, 7211, 1913
Senior Officer, Governance Support	1,000	1913
Manager, Human Resources	1,000	1913
Executive Assistant - Community Services	1,000	1041
Health and Safety Officer	5,000	1240
<b>Chief Financial Officer</b>	<b>To budget</b>	
Customer Service and Library Manager	10,000	Library Cost Centres 1912, 1951, 1954, all other cost centres \$1000
Collections Development Manager	10,000	Library Cost Centres
IS Manager	10,000	1919
Finance Manager	5,000	1914 (rates items only)
Rates Officer	5,000	1914 (rates items only)
Executive Assistant - Corporate Services	3,000	2660, 2670, 19133280, 24922690, 34912690, 10008453
Alexandra Library Team Leader	2,000	1442
Cromwell Library Team Leader	2,000	1443
Maniototo Library Team Leader	2,000	1445
Roxburgh Library Team Leader	2,000	1447
Service Desk Engineer	500	19192160, 19192190
Records Officer	500	19193100
NCS Coordinator	500	19192190
IS Engineer	500	19192160, 19192190
CSOs	500	All cost centres, all codes
Water Billing Officer	none	
Project Accountant	none	
GIS Officer	none	
GIS Coordinator	none	
Financial Accountant	none	
Debtors Officer	none	
Risk and Procurement Officer	none	
Accounting Administrator	none	
<b>Executive Manager, Infrastructure Services</b>	<b>To budget</b>	
Economic Development Manager	10,000	1039, 10008120, 10008124
Water Services Manager	10,000	Own cost centres
Major Capital Projects Manager	10,000	Same as WSM
Waste Minimisation Officer	10,000	Own cost centres
Roading Manager	10,000	Own cost centres
Environmental Engineering Manager	10,000	Own cost centres
Water Services Engineer	5,000	Same as WSM
Capital Works Programme Manager	5,000	Same as WSM

Capital Projects Engineer	5,000	Same as WSM
Roading Engineer	5,000	Same as RM
Water Services Officer	2,000	Same as WSM
Community Road Safety Advisor	2,000	1747
Executive Assistant - Infrastructure Services	1,000	1915
Roading Services Officer	1,000	Same as RM
Roading Assistant	none	
<b>Manager, Planning and Environment</b>	<b>To budget</b>	
Executive Assistant - Planning and Environment	1000	1651, 1655, 1653, 1671
Community Development Manager	10,000	1213, 1431, 7431, 2431, 3418, 3431, 5431
Building Control Team Leader	5,000	1651
Building Control Officers	none	
Consent Officer – Building	500	1651
Planning Team Leader	5,000	1671
Planning Officer	1,000	1671
Consents Officer Planning	none	
Environmental Health Officer and Licensing Inspector	5,000	1653, 1655, 1671
Licensing Inspector (Suzanne)	none	
Food Safety Auditor	500	1653
Maintenance Officer	500	Back end codes 2100, 2101, 2630 (All CC)
Administration Officer – P&E	500	1631, 1671
Property and Facilities Manager	10,000	Own cost centres
Property and Facilities Officers	5,000	Own cost centres
Parks and Recreation Manager	10,000	All Parks & Rec cost centres
Parks and Recreation Admin Officer	1,000	Own cost centres
Parks Team Leader	10,000	Own cost centres
Parks Officer - Projects	10,000	Own cost centres
Molyneux Aquatic Centre Team Leader	2,000	2492
Cromwell Swim Centre Team Leader	2,000	3491
Swim School Coordinator	2,000	24923020, 34913020
<b>Manager, Community Services</b>	<b>To budget</b>	
<b>General Manager, Tourism</b>	<b>To budget</b>	
Visitor Centre Manager	10,000	1031, all Info Centre CC
Alexandra VIN Centre Team Leader	10,000	1032
Cromwell VIN Centre Team Leader	10,000	1033
Maniototo VIN Centre Team Leader	10,000	1035
Teviot Valley VIN Centre Team Leader	10,000	1037
Trade and Consumer Marketing Manager	10,000	Own cost centres
Marketing Support	10,000	Own cost centres
Digital/Social Media Marketing	5,000	Own cost centres

## **B. DELEGATIONS TO EXECUTIVE TEAM**

67. The following employment matters are delegated to all members of the Executive Team:
- temporary reallocation of duties, provided they do not require payment of a higher duties allowance;
  - approval of all leave, except for leave without pay in excess of one week;
  - approval of mileage payments for use of an employee's car in line with Council's vehicle usage policy;
  - attendance of staff at conferences, courses and seminars;
  - advertising and interviewing for replacement staff, with the Chief Executive Officer's prior approval.
68. The following are delegated to the Chief Financial Officer:
- release of information under the Local Government Official Information and Meetings Act 1987;
  - issues arising under the Privacy Act 1993;
  - disposal of records, in accordance with the Public Records Act 2005.
69. The following are delegated to the Executive Manager, Planning and Environment:
- responsibility for the administration of the:
    - Sale and Supply of Alcohol Act 2012
    - Dog Control Act 1996;
    - General Bylaws 2001;
    - Hazardous Substances and New Organisms Act 1996;and any other statutes, regulations and bylaws of a regulatory nature which may be determined by the Chief Executive Officer.
70. The following is delegated to the Executive Manager, Infrastructure Services:
- the responsibility to appoint the Engineer to Contract under NZS3910.

## **C. DELEGATIONS RELATING TO RATING**

71. The following delegations relate to the Local Government (Rating) Act 2002:
- The decision whether disclosure of a name is necessary to identify a rating unit (s28 (2) of the Act) – to the Chief Executive Officer and Chief Financial Officer, acting singly.
  - Authority to determine the fee payable for supplying a copy of the Rates Information Database (RID) (Section 28 (3) of the Act) – to the Chief Financial Officer.
  - Authority to determine objections to the RID – to the Chief Executive Officer, Chief Financial Officer and Revenue and Financing Manager, acting jointly.
  - Authority to remove names from the RID (Section 35 (b) of the Act) – to the Chief Financial Officer and Revenue and Financing Manager, acting singly.
  - Authority to determine objections to rates records (Section 39 of the Act) – to the Chief Executive Officer, Chief Financial Officer and Revenue and Financing Manager, any two acting jointly.
  - Authority to correct errors in RIDs and Rate Records (Section 40 of the Act) – to the Chief Financial Officer, Revenue and Financing Manager and Rates Officer, any two acting jointly.
  - Authority to fix the interest rate to be charged on reassessed rates (Section 41 (3) of the Act) – to the Chief Financial Officer.
  - Authority to issue invoices based on previous year's rates (Section 50 of the Act) – to the Chief Financial Officer and Revenue and Financing Manager, acting singly.



- Determine agreeable method of rates payments (Section 52 (2) of the Act) – to the Chief Financial Officer.
- Authority to recover unpaid rates from owner (Section 61 (1) of the Act) – to the Chief Financial Officer, Revenue and Financing Manager and Rates Officer, any two acting jointly.
- Authority to recover unpaid rates from persons other than owners (Section 62 of the Act) – to the Chief Financial Officer, Revenue and Financing Manager and Rates Officer, any two acting jointly.
- Authority to commence proceedings for unpaid rates (Section 63 of the Act) – to the Chief Executive Officer and Chief Financial Officer, acting jointly.
- Commencement of rating sale or lease provisions (Section 67 of the Act) – to the Chief Executive Officer and Chief Financial Officer, acting jointly.
- Authority to sell by private treaty (Section 72 of the Act) – to the Chief Executive Officer and Chief Financial Officer, acting jointly.
- Authority to sell abandoned land (Section 77 to 83 of the Act) – to the Chief Financial Officer and Revenue and Financing Manager, acting jointly.
- Authority to administer remission and postponement policies (Sections 85/87/114/115 of the Act) – to the Chief Financial Officer.
- Authority to impose penalties on unpaid rates (Section 57 and 58 of the Act) - to the Chief Financial Officer.

#### **D. OTHER DELEGATIONS**

##### **Oaths and Declarations**

72. The Chief Executive Officer may make and take any declaration or oath as requested in relation to the Council.
73. Any Council officer may certify as to any state of affairs within their jurisdiction and knowledge.

##### **Minor Property Dealings**

74. The Chief Executive Officer may grant or decline consent to minor dealings with the Council's property, subject to any reasonable terms and conditions. This includes consent to the registration, variation and discharge of mortgages, easements, leases and subleases, caveats and other documents and similar dealings.

##### **Operating Hours/Conditions of Use**

75. The Chief Executive Officer may determine the operating hours of any facility, being at all times mindful of the public interest and any Council policy or resolution.

## **Reserves**

76. The Property and Facilities Manager or Parks and Recreation Manager may temporarily prohibit the use of any reserve or other property under their responsibility and exercise any power granted to Council under Part II, III and V of the Reserves Act 1977 in regard to such reserves.

## **Roads**

77. The Council's Roding staff may exercise any power granted to the Council in regard to the construction, repair, alteration, layout, occupation and use of roads, footpaths, verges and vehicle crossings, including but not limited to those under the Local Government Act 1974, the Transit New Zealand Act 1989, the Public Works Act 1989, the Heavy Motor Vehicle Regulations 1974, the Resource Management Act; and Regulations made there under, except where any power is reserved to the Council or a Committee of Council, or where more specific delegations of this manual apply.

## **Bylaws**

78. Any member of the Executive Team, or warranted or authorised officer, may administer and exercise all powers granted under bylaws regarding the activities within the District in relation to their specific area of responsibility, and may authorise prosecutions and actions under any bylaw (after advising the Chief Executive Officer of the intention to commence such actions and prosecutions).

## **Other Legal Actions**

79. Any legal action not otherwise referred to may be commenced by any Council officer after approval from the Chief Executive Officer. Following discussion with the Chief Executive Officer, the relevant officer will take all necessary steps to protect the Council's interests in the case of actions and prosecutions taken against the Council (and will keep any other affected officers fully informed of all such proceedings).

## **Authorised Officer Delegations and Warrants**

80. Staff are delegated as follows and will be provided with warrants as or if required (the Council may appoint other members of staff, contractors or other appropriate people to warranted positions from time to time):
- A "Ranger" for the purpose of the Reserves Act 1977: Parks and Recreation Manager, Property and Facilities Manager, Property and Facilities Officer (PFO) and Executive Manager, Planning and Environment.
  - All Planning and Environment inspectorial staff holding the qualification of "Environmental Health Officer" or "Food Act Auditor" are enabled to administer the duties related to that designation as set out in the Health Act 1956 and the Food Act 2014.
  - All Planning and Environment staff for enforcement under the Resource Management Act 1991. An "Inspector" for the purpose of the Sale and Supply of Alcohol Act 2012.
  - An "Authorised Officer" for the purpose of the General Bylaws 2008.
  - A "Dog Control Officer" for the purpose of the Dog Control Act 1996.
  - A "Dog Control Ranger" for the purpose of the Dog Control Act 1996.

## **Litter Act 1968**

81. The powers granted to officers under the Litter Act 1968 may be exercised by the warranted officers from time to time.

## **Health Act**

82. The Executive Manager, Planning and Environment may exercise any powers granted to the Council and authorise prosecutions where appropriate in regard to public health, including, but not limited to, those under the Local Government Act 2002; the Health Act 1956; the Food Act 1981; the Burial and Cremations Act 1964; the Resource Management Act 1991; and regulations made there under.

## **Dangerous Goods Act**

83. Inspectors qualified to be Dangerous Goods Inspectors and warranted may exercise any power granted under the Dangerous Goods Act and regulations made there under.

## **Resource Management Act 1991**

84. The Executive Manager, Planning and Environment is delegated all the authorities delegated to the Chief Executive Officer in relation to the Resource Management Act 1991, except for appointment of Commissioners.

85. The Planning Team Leader may, in relation to the District Plan grant the following consents:

All controlled, discretionary and discretionary (restricted) activities where:

- a. the application is non notified; and
- b. where necessary, has the consent of affected parties; and
- c. the applicant has not requested to be heard

and may approve the processing of those consents non notified in accordance with Section 95 of the Resource Management Act 1991.

86. The Planning Officer may, in relation to the District Plan grant the following consents:

All discretionary (restricted) activities relating to breaches of bulk and location requirements where:

- a. the application is non notified; and
- b. where necessary, has the consent of affected parties; and
- c. the applicant has not requested to be heard.

## **Affected Party - Resource Consent Applications**

87. The Executive Manager, Infrastructure Services or Manager, Planning and Environment are delegated to decide on those applications received from the Otago Regional Council.

## **Temporary Road Closures**

88. The Executive Manager, Infrastructure Services or the Roading Manager, with the assistance of any PFO, may exercise any power to impose temporary restrictions in regard to traffic and restrict vehicular access of any kind on roads within the district granted under and in accordance with the Local Government Act 2002 and the Transport Act 1962 and all regulations made there under.

## **Civil Defence and Emergency Management**

89. During the period of a civil defence emergency the appropriate delegations made under the Civil Defence Emergency Management Act 2002 and the Central Otago District Council Civil Defence Plan shall be adhered to.

## **Sale and Supply of Alcohol (Fees) Regulations 2013**

90. The Chief Executive assign a fees category to premises that is 1 level lower than the fees category in Section 6 of the Regulation
91. The Chief Executive Officer has the power pursuant to Regulation 16(4) of the Sale and Supply of Alcohol (fees) Regulations 2013 in the period 18 December 2013 and 1 July 2014, to waive annual fees payable for an on-licence, off-licence, or club licence issued under the Sale of Liquor Act 1989 if the annual fee is payable before 1 July 2014.
92. The Executive Manager, Planning and Environment determines that a fee be charged for a special licence in terms of Section 10 of the Regulations that is 1 class below the class of the licence that is issued, but not less than the fee payable for a class 3 special licence.
93. The Executive Manager, Planning and Environment is authorised to sign correspondence, licences, certificates and decisions; including any licences subject to the criteria in Section 105 of the Sale and Supply of Alcohol Act 2012; “for and on behalf of” the Secretary as defined by Section 102 of the Act, but is not to assume the position of Secretary.

## **Abandoned Vehicles**

94. The Executive Manager, Infrastructure Services, the Executive Manager, Planning and Environment, may exercise any power granted to Council relating to the impounding of any abandoned motor vehicle on roads which come under the Council’s authority.

## **Paper Roads**

95. The Executive Manager, Infrastructure Services may provide consent to form a paper road when all affected and interested parties are in agreement.

## **Building Consent Authority**

96. Building Control functions are carried out by Building Control staff in accordance with Council’s Quality Assurance Manual, staff job descriptions and warrants of appointment.

### Building Act 2004

<u>Section</u>	<u>Description</u>	<u>Delegated Authority</u>
28	Limits of issuing building consents and CCCs for banned products	BCTL, SBCO, BCO
31	BCA must apply for PIM	BCTL, SBCO, BCO
34	Authority to issue a PIM	BCTL, SBCO, BCO, COB
35	Authority to determine the content	BCTL, SBCO, BCO

of a PIM

37	Authority to attach and issue certificates regarding resource consents	EMPE, PTL, PO, CO
38/39	Authority to advise network utility Operators/NZ Historic Places Trust	EMPE, PTL, PO BCTL, SBCO, BCO, COB, CO
46	Authority to advise NZ Fire Service	BCTL, SBCO, BCO, COB
48	Authority to request further information for application for building consent	BCTL, SBCO, BCO, COB
49	Authority to grant building consent	BCTL, SBCO, BCO, COB
50	Authority to refuse Building Consent	BCTL, SBCO, BCO, COB
51	Authority to issue Building Consent	EMPE, BCTL, SBCO, BCO, COB
52	Authority regarding lapse of a building consent	BCTL, SBCO, BCO, COB
62	Authority to recover unpaid levies from applicants	EMPE
64	Duty to keep safe custody all records and Building Consents issued, included estimated value of work	CEO
67	Authority to grant waivers or modifications	BCTL, SBCO, BCO
71	Authority regarding building on land subject to natural hazards	EMPE, BCTL, SBCO, BCO
72	Building consent for building on land subject to natural hazards must be granted in certain cases	BCTL, SBCO, BCO
73	Conditions on building consents granted under Section 72	EMPE, BCTL, SBCO, BCO
74	Steps after notification	EMPE, BCTL
75/77	Authority in respect of buildings over 2 or more allotments	EMPE, BCTL, SBCO, BCO, BC/LO
83	Authority for removal of entry	EMPE, BCTL, BC/LO
90	Authority to carry out inspections by BCA	BCTL, SBCO, BCO
91	Authority on behalf of BCA to issue CCC	BCTL, SBCO, BCO
94	Matters for consideration by BCA in deciding whether to issue CCC	BCTL, SBCO, BCO
95	Authority to issue CCC	BCTL, SBCO, BCO, COB
95A	Authority to refuse CCC	BCTL, SBCO, BCO, COB
96	Authority to issue Certificate of Acceptance in certain circumstances	BCTL, SBCO, BCO

98	Authority to process application for Certificate of Acceptance	BCTL, SBCO, BCO
99	Authority to issue Certificate of Acceptance	BCTL, SBCO, BCO
102	Compliance schedule must be issued with CCC in certain cases	BCTL, SBCO, BCO, BC/LO
104	Obligation of BCA to notify TA of issue of CCC	BCTL, SBCO, BCO
107	Authority to amend Compliance Schedule on own initiative	EMPE, BCTL, SBCO, BCO BC/LO
109	TA must consider recommendation to amend Compliance Schedule	EMPE, BCTL, SBCO, BCO BC/LO
111	Authority to inspect buildings as TA	BCTL, SBCO, BCO
112	Authority in relation to alterations to buildings	BCTL, SBCO, BCO
113	Authority with respect to buildings with specified lives	BCTL, SBCO, BCO
116	Authority with respect to CCC requirements: Extension of life and subdivision	BCTL, SBCO, BCO
121,124,126	Authority with respect to earthquake prone, or insanitary buildings	CEO, EMPE, BCTL, SBCO, BCO
129	Authority to approve measures to avoid danger/ fix insanitary conditions	CEO, EMPE, BCTL, SBCO, BCO
164	Authority to issue Notice to Fix	EMPE, BCTL, SBCO, BCO
167	Authority to inspect work under Notice to Fix	BCTL, SBCO, BCO
177	Authority to apply for a determination	BCTL, SBCO, BCO
220	Authority with respect to TA carrying out Building work by default	CEO, EMPE, BCTL, SBCO, BCO
222	Authority with respect to inspections by TA	BCTL, SBCO, BCO
229	Authorisation as Enforcement Officers	BCTL, SBCO, BCO
371	Authority with respect to proceeding for infringement offences	EMPE, BCTL, SBCO, BCO
372	Authority to issue infringement notices	EMPE, BCTL, SBCO, BCO
375	Authority with respect to prosecution of offences	CEO, EMPE, BCTL
377	Authority with respect to laying information	CEO, EMPE, BCTL

### ***Key to Abbreviations***

CEO	Chief Executive
EMPE	Executive Manager, Planning and Environment
BCTL	Building Control Team Leader
SBCO	Senior Building Control Officer
BCO	Building Control Officer
COB	Consents Officer Building
BC/LO	Consents/LIM Officer
PTL	Planning Control Team Leader
PO	Planning Officer
CO	Consents Officer

CCC	Code Compliance certificate
PIM	Project Information Memorandum
TA	Territorial Authority
BCA	Building Consent Authority