



Waitaki

DISTRICT COUNCIL

TE KAUNIHERA Ā ROHE O WAITAKI

Register of Delegations to Elected Members

Adopted 29 March 2017

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Part 1 - Introduction

- 1.01 The Local Government Act 2002 states the purpose of local government is “*to enable democratic local decision-making and action by, and on behalf of, communities; and to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. In this Act, good-quality, means infrastructure, services, and performance that are efficient; and effective; and appropriate to present and anticipated future circumstances*” (Section 10 LGA).
- 1.02 This *Register of Delegations to Elected Members* assists Council to meet this purpose and in accordance with the legal principles set out in sections 14 and 39 LGA (Schedule 6 of this Register). The Register of Delegations describes the roles and relationships of Council, Committees, Subcommittees, Community Boards and elected members relating to Council governance. In specific instances it also clarifies the relationship in roles between elected members and the Chief Executive.
- 1.03 Written delegations ensure that decision-making processes are effective, open and transparent and assists in the better achievement of the respective functions of elected members and officers.

Elected Member Role

- 1.04 The elected members governance role broadly consists of three elements being:
- 1.04.01 Representing the community. This includes making decisions to promote community well-being; keeping in contact with the community and bringing their views to the Council table; advocating for the community with other bodies; and explaining Council decisions to affected parties.
 - 1.04.02 Setting Policy. This involves deciding what Council should be doing, ie what activities Council should engage in and why; what regulations and bylaws the Council should make and why.
 - 1.04.03 Monitoring and Review. Monitoring involves evaluating a policy performance during a particular project. Review is about evaluating performance at a predetermined time such as the monthly operational reporting to the standing committees and the Annual Report.
- 1.05 Managing relationships with the community, the Council’s Chief Executive and the organisation is an important component of this role along with the scope of the role as described in 1.01 above and section 11 of the LGA.
- 1.06 Section 11 “*to give effect, in relation to its district..., to the purpose of local government; and perform the duties, and exercise the rights, conferred upon it by or under this Act or any other enactment.*”
- 1.07 The effectiveness of delegation must be monitored and the approach amended where necessary. This is a key role of elected members.

- 1.08 Council's role with the Chief Executive is one of appointing a suitable person; setting performance expectations; establishing powers and authorities to be delegated; monitoring achievement of performance targets and standards and being a good employer.
- 1.09 The role of the Chief Executive and the organisation is to give policy advice and implement the policies and decisions made by the Council to achieve desired community outcomes and objectives.
- 1.10 Council and Committees monitor progress towards community outcomes and objectives. If progress is not satisfactory, then elected members must review and, if necessary, revise those outcomes and objectives.
- 1.11 With all these matters in mind, Council has adopted a philosophy of delegation to the lowest competent level. This will achieve the best use of the abilities of councillors and officers, minimise costs, develop effective managers and enable effective and efficient service to communities of the Waitaki District.

Part 2 - General Matters of Delegation

The Meaning of Delegation

- 2.01 Delegation in this Register means the assignment of a power, function or duty of action to a Committee, Subcommittee, Portfolio or Community Board together with the authority to carry out that duty or complete the action assigned with responsibility for the outcome.
Schedule 7 provides relevant sections of the LGA relating to delegation.

Delegation by Exception

- 2.02 Council has adopted the principle of delegation to the lowest competent level. This means that all the powers of Council are delegated to Committees, Subcommittees, Portfolios, Community Boards or the Chief Executive unless a matter is specifically reserved to Council or other subordinate body.
- 2.03 The matters reserved to Council are:

Powers restricted by law

- 2.03.01 The powers restricted to Council by Clause 32(1) of Schedule 7 LGA and any other power which must by law be exercised by full Council;
- 2.03.02 Any other power, functions and duties reserved to Council by resolution.

Powers restricted under policy

- 2.03.03 Matters which are outside the scope of a committee, subcommittee, portfolio, community board or the chief executive;
- 2.03.04 Any decision which is inconsistent with any policy or strategy which has or may be adopted by Council. Committees, Subcommittees, Portfolios and Community Boards will at all times pursue the goals and objectives set by Council.

Powers relating to finance

- 2.03.05 Authorisation of variations to actual expense compared to budgets relating to material under-expenditure, material and recoverable over-expenditure, and material and unrecoverable over-expenditure. (Refer to clauses 2.15 to 2.18).
- 2.03.06 Approval of fees and charges. (These powers will ordinarily be exercised in association with the adoption of the Annual Plan or the Long-Term Plan).
- 2.03.07 The following powers, functions and duties are reserved to Council under its Liability Management and Investment Policy:
- a. authority to open and close bank accounts;
 - b. acquisition and disposition of investments other than financial investments;
 - c. approval of borrowing programme;
 - d. approval for charging assets as security over borrowing; and

- e. approval of interest rate risk management instruments.

Powers relating to governance

- 2.03.08 The consideration and adoption of proposals for a change to the political structure of Council including the nature and authority of committees and subcommittees, delegations to committees, subcommittees and community boards, delegations to the Chief Executive, the size of Council, the nature of wards and communities, and representation for wards and communities.
- 2.03.09 The appointment of:
 - 1 the deputy mayor and chairs of committees, where the Mayor chooses not to exercise his/her powers of appointment or where Council chooses to exercise its powers to veto the Mayor's appointments; and
 - 2 the appointment of the members of committees, subcommittees, portfolios and Council appointees to Community Boards.
- 2.03.10 The consideration and adoption of proposals to the Remuneration Authority for the remuneration of elected members.
- 2.03.11 The appointment and remuneration of paid directors appointed to Council-controlled Organisations and Council appointees to Council organisations.
- 2.03.12 The appointment or dismissal of the Chief Executive.

Powers relating to Council Controlled Organisations

- 2.03.13 The exercise of the powers of a shareholder under schedule 8 of the Act to comment on draft statements of intent, to resolve to modify statements of intent and to receive half-year and annual reports from Council Controlled Organisations.
- 2.03.14 The authority to create a new Council Controlled Organisation or to disestablish an existing Council Controlled Organisation.

Powers relating to Tenders and Subcommittees

- 2.03.15 The authority to decide that a contract for supply of goods and services will not be put to tender, where that contract is likely to involve Council in substantial expenditure or financial commitment.
- 2.03.16 The authority to award a contract for supply of goods and services where that contract exceeds approved budgets.
- 2.03.17 The authority to award any other contract where, in the opinion of the Chief Executive, the circumstances deem it appropriate for Council to make the decision.

Powers relating Development Contributions

- 2.03.18 The authority to decline, amend or adopt the recommendations of the Development Contributions Committee in regard to the waiver, reduction, or deferred payment on any grounds including, but not limited to, financial hardship.

Delegations to Committees

- 2.04 Subject to the exceptions in clause 2.03, the Waitaki District Council delegates to the committees and subcommittees described in this Register the powers, functions and duties relating to the scope of activity allocated to them. Each committee and subcommittee is discussed in detail in Part III of this Register and listed in chart form in Schedule 4.
- 2.05 All standing committees have the authority to approve the minutes of their meetings and those of any subcommittee under their delegated authority.

Delegations to Community Boards

- 2.06 Subject to the exceptions in clause 2.03, Waitaki District Council delegates to the Community Boards described in this Register the powers, functions and duties relating to the scope of activity allocated to them. Each Community Board is discussed in detail in Part III of this Register and Listed in Chart Form in Schedule 4.

Delegations to Subcommittees and Portfolios

- 2.07 Subcommittees and portfolios will have the following powers:
- 2.07.1 Subcommittees will have only the powers, functions and duties specifically given to them by Council.
 - 2.07.2 Portfolios will have only the power to offer advice to Council officers for the purpose of exercising officers' delegated authority or to assist officers to formulate advice to Council. (See also 3.05.15)
 - 2.07.3 For the avoidance of doubt, the role of portfolios is purely advisory and no decision-making authority is delegated to portfolios.

Term of Delegation

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

Delegation to Office

- 2.09 Unless stated otherwise every delegation in this Register is to a committee, subcommittee, or community board and will be unaffected by changes in the membership of those bodies.

Reporting Decisions

- 2.10 Every committee, subcommittee and community board will report decisions taken under delegated authority in the manner required by Standing Orders to a designated reporting body within an agreed timeline, ie in minutes submitted to the next available meeting of the Council or the committee to which a subcommittee reports, as the case may be.

Delegation from the Committees and Subcommittees

- 2.11 Committees may recommend that Council delegate powers and functions to new or existing committees or subcommittees. Committees may not sub-delegate the

powers and functions delegated to them.

2.12 Subcommittees may not sub-delegate powers and functions delegated to them.

Sub-delegations to be in writing and recorded

2.13 Every delegation under clause 2.10 will be in writing and will clearly define the nature, purpose and limitation of the power, function or duty delegated.

2.14 Every delegation under clause 2.10 will be recorded in a Register kept for that purpose by the Chief Executive.

Policy and Fact

2.15 In making a decision every elected member, committee, subcommittee or community board will consider:

- 2.14.01 statutory requirements;
- 2.14.02 any policy established by Council; and
- 2.14.03 the facts relevant to a matter.

2.16 If the facts relevant to any matter do not support a decision consistent with a Council policy, the elected member, committee, subcommittee or community board should submit the matter to Council with a suitable explanation and recommendation.

Appeals

2.17 Except where decisions are made under the Resource Management Act 1991, the Sale and Supply of Alcohol Act 2012, or other enactment or policy with explicit appeal provisions, every person affected by the decision of an elected member, committee, subcommittee or community board may appeal that decision in writing to Council within five working days.

2.18 Council will not generally over-rule a decision made under delegated authority unless:

- 2.18.01 it breaches some policy set by Council; or,
- 2.18.02 some material fact was overlooked or misinterpreted; or,
- 2.18.03 it contains serious implications for Council of which the elected member, committee, subcommittee or community board was unaware; or,
- 2.18.04 it is manifestly wrong or manifestly inconsistent with goals and objectives set by Council.

Long Term Plan and Annual Plan

2.19 Budgets are one of the key safeguards over delegation. As such Council reserves to itself any decision relating to material variations of actual expense in total compared to budgets.

- 2.20 Council approval in advance is required for every variation of actual expense in total compared to budgets relating to:
- 2.20.01 material under-expenditure;
 - 2.20.02 material and unrecoverable over-expenditure; and
 - 2.20.03 material and recoverable over-expenditure.
- 2.21 Council approval in terms of clause 2.19 shall be sought after the event where it is not possible to seek approval in advance.

Reporting against the Long Term Plan and Annual Plan

- 2.22 The Chief Executive shall report to Council:
- 2.22.01 each three months a review of performance against the Annual Plan financial and non-financial performance measures.
 - 2.22.02 Each three months on proposed variations to actual expense compared to budgets for material under-expenditure or material and unrecoverable over-expenditure.
 - 2.22.03 Each year an Annual Report in accordance with Section 98 of the Act.

Definitions of Terms relating to the Annual Plan

- 2.23 For the purposes of clauses 2.19 and 2.21, the following definitions shall apply:
- 2.23.01 “unrecoverable over-expenditure” is defined as expenditure which cannot be recovered within the total expenditure from that group of activities for the financial year.
 - 2.23.02 “material” is defined as a variance of not less than 5% of the budgeted expenditure for the significant activity.

Part 3 – Delegations to Committees, Subcommittees and Portfolios

Introduction

- 3.01 This part covers Council's governance structure insofar as it relates to the powers and functions of committees and subcommittees and portfolios of Council.
- 3.02 The general delegations to committees, subcommittees and portfolios can be found in clauses 2.04 and 2.07 to 2.18 of this Register.
- 3.03 Delegation of “Powers to Act” to committees are made on the understanding that it is normal practice for committees to make recommendations to a Council meeting, unless there is some reason of urgency or practicability, for exercising the Power to Act. This convention allows opportunity for public feedback and reflection before Council decides on a recommendation.
- 3.04 The terms of reference (including constitution, membership, and scope of activities) and delegated authority of specific committees, subcommittees and portfolios, can be found in clauses 3.05.01 to 3.05.13. A chart of committees, subcommittees, portfolios and community boards can be found in Schedule 3.

3.05.01 Assets Committee

REPORTING TO:	Council
CONSTITUTION:	Seven members appointed by Council
MEMBERS:	Crs Kingan (Chair), Percival (Deputy Chair), Dawson, Garvan, Hopkins, Tavendale, Wheeler & Mayor Kircher
QUORUM:	Four members
MEETING FREQUENCY:	Six weekly or as required

OBJECTIVE:

1. To meet the current and future needs of Waitaki communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses, for matters within the Committee's scope of activity.
2. To monitor, evaluate and report on the effectiveness and efficiency of service delivery within the Committee's scope of activity.
3. To receive the minutes and monitor the performance of subcommittees reporting to the Committee.

SCOPE OF ACTIVITY:

The Committee has authority to address matters in relation to the following Council activity as described in the 2015 -25 Waitaki District Council Long-term Plan:

- Roading and footpaths
- Township amenity, parking, litter bins, cleaning
- Waste water collection, treatment and disposal
- Storm water drainage
- Water treatment and supply
- Waste management and minimisation
- Property;
 - Community and operational
 - Commercial property
 - Land development and sales
 - Community housing
- Oamaru Airport
- Oamaru Port
- Council vehicle fleet management

POWER TO ACT:

Within its scope of activity, and noting the convention in clause 3.03 of this Register, the Committee shall have Power to Act to:

General Powers

- a) Determine any matter within existing policy.
- b) Authorise prosecutions and other actions in the District Court.
- c) Authorise submissions to Government, local authorities and other bodies.
- d) Approve the committee meeting minutes and those of any subcommittee under its delegated authority.

Matters relating to Roads

- e) Receive, hear and consider written objections to any proposal by Council under statute to stop any road and decide whether to allow or disallow any objection.
- f) Authorise location and layout of road markings, road signs and other regulatory signage or markings within the Council-controlled road corridor.
- g) Makes determinations under the Extended Network Policy.

Matters relating to Water Supply

- h) No matters relating to Water Supply.

Finance

- i) Approve waiver of fees and charges in excess of \$1,000 by making a grant in the sum of the waiver.
- j) Authorise expenditure associated with development contribution and renewal funds for unplanned capital works consistent with asset management plans and Council's policy on development contributions, up to a maximum of \$500,000 for any capital work.

Property

- k) Approve the disposal of freehold property (excluding endowments and reserve land) at market value.
- l) Approve the purchase of property, to a value not exceeding \$500,000 in any single transaction.
- m) Approve the sale of residential leasehold properties subject to meeting policy as to variation and terms of payment.
- n) Enter into leases exceeding a term of three years.
- o) Enter into conditional contracts for the purchase or sale of Council property not covered by the powers set out in h) to k) above, where conditions include approval of the transactions by Council.

POWER TO RECOMMEND

The Committee shall have Power to Recommend:

- a) New policy.
- b) Review of existing policy.
- c) Adoption of statutory plans, policies, strategies and bylaws within the scope of activity.¹
- d) Adoption of non-statutory plans, policies and strategies.

¹ These include but are not limited to asset management plans, waste minimisation strategy, roading bylaw, trade wastes bylaw, land transport strategy, assessment of water and sanitary services, etc.

- e) Programmes of consultation for the adoption of statutory and non-statutory plans, policies and strategies and the adoption of bylaws.
- f) The level of fees and charges for goods and services within the scope of activity not adopted within the Annual Plan.
- g) Expenditure of development contribution funds for capital works consistent with asset management plans and Council's policy on development contributions.
- h) Sale of real property.
- i) Purchase of real property to a value exceeding \$1 million in any single transaction.
- j) Any matter within the Scope of Activities.

3.05.02 Community Services Committee

REPORTING TO:	Council
CONSTITUTION:	Six members appointed by Council
MEMBERS:	Crs Perkins (Chair), Wheeler (Deputy Chair), Garvan, Holding, Hopkins, Kingan, Mayor Kircher
QUORUM:	Four members
MEETING FREQUENCY:	Six weekly or as required.

OBJECTIVE:

1. To meet the current and future needs of Waitaki communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses, for matters within the Committee's scope of activity.
2. To monitor, evaluate and report on the effectiveness and efficiency of service delivery within the Committee's scope of activity.
3. To receive the minutes and monitor the performance of subcommittees reporting to the Committee.

SCOPE OF ACTIVITY:

The Committee has authority to address matters in relation to the following Council activity as described in the 2015 -25 Waitaki District Council Long-term Plan:

- Parks & Recreation;
 - Parks, gardens and green spaces
 - Playgrounds and playscapes
 - Walking and cycling tracks
 - Alps to Ocean cycle trail
 - Sports fields
 - Aquatic Centre
 - Camping grounds
 - Public Toilets
 - Cemeteries and burial service
 - Streetscapes
 - Forestry on commercial and operational property.
- Arts, Heritage and Community;
 - Community development
 - Forrester Gallery, North Otago Museum
 - Libraries and Archive
 - Opera House
 - Community Safety and Development
 - Safer Waitaki Project

- Liaison, facilitation or support for community projects
- Youth Council
- Relationship with Runanga.

POWER TO ACT:

Within its scope of activity, and noting the convention in clause 3.03 of this Register, the Committee shall have Power to Act to:

General Powers

- a) Determine any matter within existing policy.
- b) Authorise prosecutions and other actions in the District Court.
- c) Authorise submissions to Government, local authorities and other bodies.
- d) Approve the committee meeting minutes and those of any subcommittee under its delegated authority.

Finance

- d) Approve waiver of fees and charges in excess of \$1,000 by making a grant in the sum of the waiver.

Reserves Act 1977

- e) Adopt management plans for reserves.
- f) Deal with reserves management issues where members of the public have requested to be heard under Section 120 of the Reserves Act 1977 and to grant or decline leases, licences or rights of way under the Reserves Act 1977.
- g) Exercise the delegations under the Reserves Act 1977 as set out in Schedule 3 of this Register.

POWER TO RECOMMEND

The Committee shall have Power to Recommend:

- a) New policy.
- b) Review of existing policy.
- c) Adoption of statutory plans, policies, strategies and bylaws within the scope of activity.²
- d) Adoption of non-statutory plans, policies and strategies.
- e) Programmes of consultation for the adoption of statutory and non-statutory plans, policies and strategies and the adoption of bylaws.
- f) The level of fees and charges for goods and services within the scope of activity not adopted within the Annual Plan.
- g) Any matter within the Scope of Activities.

² These include but are not limited to activity management plans, memoranda of understanding with Maori, Culture and Heritage Strategy, Reserves Management Plans, etc.

3.05.03 Customer Services Committee

REPORTING TO:	Council
CONSTITUTION:	Eight members appointed by Council
MEMBERS:	Crs Tavendale (Chair), Dawson (Deputy), Holding, Percival, Perkins, Wollstein & Mayor Kircher
QUORUM:	Four members
MEETING FREQUENCY:	Six weekly or as required.

OBJECTIVE:

1. To meet the current and future needs of Waitaki communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses, for matters within the Committee's scope of activity.
2. To monitor, evaluate and report on the effectiveness and efficiency of service delivery within the Committee's scope of activity.
3. To receive the minutes and monitor the performance of subcommittees reporting to the Committee.

SCOPE OF ACTIVITY:

The Committee has authority to address matters in relation to the following Council activity as described in the 2015 -25 Waitaki District Council Long-term Plan:

- Customer Services;
 - Customer Service Centres
 - Customer enquiries and contact
- Environment Regulations & Safety;
 - District Planning
 - Resource Consents
 - Building control and property information
 - Consents, Inspections, Code of Compliance
 - BCA Accreditation
 - Parking enforcement
 - Environmental health and safety
 - Licencing and enforcement regarding food and liquor
 - Animal Control
 - Licencing, response and enforcement.
- Democracy and Accountability;
 - Information, advice and support to Elected Members
 - Long-term and Annual Planning
 - Community engagement

- Planning approach
- Information to the Community.

POWER TO ACT:

Within its scope of activity, and noting the convention in clause 3.03 of this Register, the Committee shall have Power to Act to:

General Powers

- a) Determine any matter within existing policy.
- b) Authorise prosecutions and other actions in the District Court.
- c) Authorise submissions to Government, local authorities and other bodies.
- d) Approve the committee meeting minutes and those of any subcommittee under its delegated authority.

Finance

- e) Approve waiver of fees and charges in excess of \$1,000 by making a grant in the sum of the waiver.

POWER TO RECOMMEND

The Committee shall have Power to Recommend:

- a) New policy.
- b) Review of existing policy.
- c) Adoption of statutory plans, policies, strategies and bylaws within the scope of activity.³
- d) Adoption of non-statutory plans, policies and strategies.
- e) Programmes of consultation for the adoption of statutory and non-statutory plans, policies and strategies and the adoption of bylaws.
- f) The level of fees and charges for goods and services within the scope of activity not adopted within the Annual Plan.
- g) Exercise of the powers reserved to Council for the administration of the Resource Management Act 1991, as set out in Schedule VI to this Register.
- h) Appointment of a Controller under the Civil Defence Emergency Management Act 2002.
- i) Any matter within the Scope of Activities.

³ These include but are not limited to Activity Management Plans, Customer Relationship Strategy, Dog Control Policy and Bylaw, Significance Policy, Dangerous, Insanitary and Earthquake-prone Buildings Policy, etc.

3.05.04 Finance, Audit & Risk Committee

REPORTING TO: Council

CONSTITUTION: Six members appointed by Council

MEMBERS: Crs Wollstein (Chair), Dawson, Garvan, Hopkins, Percival & Mayor Kircher

QUORUM: Three members

MEETING FREQUENCY: Monthly or as required.

OBJECTIVE:

1. To meet the current and future needs of Waitaki communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses, for matters within the Committee's scope of activity.
2. To monitor, evaluate and report on the effectiveness and efficiency of service delivery within the Committee's scope of activity.
3. To act as Council's Audit Committee.
4. To receive the minutes and monitor the performance of subcommittees reporting to the Committee.

SCOPE OF ACTIVITY:

The Committee has authority to address matters in relation to the following Council activity as described in the 2015 -25 Waitaki District Council Long-term Plan:

- Accountability to the community:
 - Annual Report.
 - LTP financial statements and forecasts.
 - Financial statement and/or LGA policy associated with amendments to the LTP.
 - Local Government Act Funding and Financial Policies.
 - Core Information Systems, Financial and Reporting.
 - External and Internal Audit.
- Community Halls

Other Matters

- Council Risk Policy, implementation of risk management approach, including reporting and approval of strategy and practice that aligns the Council's exposure to risk with the Council's risk appetite.
- Deployment of insurance as a means of risk management.

POWER TO ACT:

Within its scope of activity, and noting the convention in clause 3.03 of this Register, the Committee shall have Power to Act to:

General Powers

- a) Determine any matter within LGA policy.
- b) Authorise prosecutions and other actions in the District Court.
- c) Authorise submissions to Government, local authorities and other bodies.
- d) Approve the committee meeting minutes and those of any subcommittee under its delegated authority.

Finance

- e) Write off debts owed to Council (where the value of that debt exceeds the cost of collection).
- f) Approve waiver of fees and charges in excess of \$1,000 by making a grant in the sum of the waiver.
- g) Approve the Quarterly Treasury Management Strategy.
- h) To hear and decide upon appeals to officer decisions on amendments to the rating information database.

Community Centres and Halls

- i) Approve alterations to Community Centres and Halls exceeding the authority delegated to Community Centre and Hall Subcommittees.

POWER TO RECOMMEND

The Committee shall have Power to Recommend:

- a) New policy.
- b) Review of existing policy.
- c) Adoption of statutory plans, policies, strategies and bylaws within the scope of activity.⁴
- d) Adoption of non-statutory plans, policies and strategies.
- e) The level of fees and charges for goods and services within the scope of activity not adopted within the Annual Plan.
- f) The annual insurance renewal programme.
- g) Any matter within the 'Scope of Activity'.

⁴ These include but are not limited to Annual Report, LTP Activity Management Plans, Funding and Financial Policy

3.05.05 Executive Committee

REPORTING TO:	Council
CONSTITUTION:	Five Members appointed by Council
MEMBERS:	Mayor Kircher (Chair), Crs Dawson, Garvan, Tavendale & Wollstein
QUORUM:	Three members
MEETING FREQUENCY:	As required.

OBJECTIVE:

1. To enable that Council carries out its statutory and contractual responsibilities as employer of the Chief Executive.
2. To implement Council policies and processes for the selection, appointment and remuneration of directors to Council-controlled organisations and trustees to Council organisations.
3. To maintain an ongoing liaison with Boards of Directors of Council Controlled Organisations in regard to Council's interest as a shareholder.
4. To determine matters within the authority of Council where the urgency of those matters precludes a full meeting of the Council.

SCOPE OF ACTIVITY:

Employment of Chief Executive

1. All matters arising under Section 42 and Clauses 33, 34, 35 and 36 of Schedule 7 of the Local Government Act 2002.
2. All matters arising from Council's employment agreement with the Chief Executive, including, but not limited to, the conduct of performance reviews and remuneration reviews.

Appointment of Directors and Trustees

3. All matters pertaining to the selection, appointment and remuneration of directors to Council-controlled organisations and trustees to Council organisations.

Emergency Powers

4. All matters within the authority of Council, other than those reserved to Council under Section 48 and Schedule 7 of the Local Government Act 2002.

Economic Development

5. All matters pertaining to the allocation and distribution of the fund held for Economic Development with the District.

POWER TO ACT:

Employment of Chief Executive

- a) To decide all matters arising under Section 42 and Clauses 33, 34, 35 and 36 of Schedule 7 of the Local Government Act 2002 and all matters arising from Council's employment agreement with the Chief Executive, except for:
 - (i) The appointment of a Chief Executive; and
 - (ii) The re-appointment of a Chief Executive for a second term under Clause 34 of Schedule 7 of the Local Government Act 2002; and
 - (iii) The termination of employment of the Chief Executive

Appointment of Directors and Trustees

- b) All matters pertaining to the selection, appointment and remuneration of directors to Council-controlled organisations and trustees to Council organisations.

Emergency Powers

- c) To decide all matters within the authority of Council where urgency precludes convening a full meeting of Council, except for those matters reserved to Council under Section 48 and Schedule 7 of the Local Government Act 2002.

Economic Development

- d) To decide all matters pertaining to the allocation and distribution of the fund held for the purpose of encouraging Economic Development within Waitaki District.

POWER TO RECOMMEND

Council Controlled Organisations

- a) Any matters pertaining to Council's interest as a shareholder in Council Controlled Organisations.

Economic Development

- b) Any matters pertaining to the allocation and distribution of the fund held for the purpose of encouraging Economic Development within Waitaki District.

3.05.06 Development Contributions Committee

REPORTING TO:	Council
CONSTITUTION:	Four members appointed by Council
MEMBERS:	Crs Percival (Chair), Dawson, Garvan, Hopkins & Perkins
QUORUM:	Three members
MEETING FREQUENCY:	As required.

OBJECTIVE:

1. To hear and/or consider submissions and make recommendations on the waiver, reduction or deferred payment of development contributions levied under Council's policy on development contributions; and review the Development Contribution Strategy as or when required.

SCOPE OF ACTIVITY:

The Committee has authority to address requests for waiver, reduction or deferred payment of development contributions levied under Council policy.

POWER TO ACT:

Within its scope of activity, and noting the convention in clause 3.03 of this Register, the Committee shall have Power to Act to:

- a) Conduct a hearing to consider any request for a waiver, reduction or deferred payment of development contributions; or
- b) Consider any request for waiver, reduction or deferred payment of development contributions on the basis of written evidence.
- c) Reduce or waive up to 100% of development contributions on any one development where there is an error of calculation or an incorrect application of policy and where the sum involved exceeds the Officer delegation of \$5,000 excluding GST, and where the Committee is satisfied that the exercise of this authority promotes the economic, environmental, social or cultural wellbeing of the district.
- d) Reduce or waive development contributions on any one development up to a maximum of \$40,000 excluding GST where, in the judgement of the Committee, the correct application of the policy without error of calculation has produced an anomalous result and where the Committee is satisfied that the exercise of this authority promotes the economic, environmental, social or cultural wellbeing of the district.
- e) Approve deferred payment arrangements by way of development agreements provided that the agreement complies with the Local Government Act 2002, that the total sum involved does not exceed \$40,000 excluding GST, the period for deferred payment does not exceed three years, and the Committee is satisfied that the exercise of this authority promotes the economic, environmental, social or cultural wellbeing of the district.

POWER TO RECOMMEND:

The Committee shall have Power to Recommend:

- a) The waiver of development contributions in excess of \$40,000 excluding GST where in the judgement of the Committee the correct application of the policy without error of calculation has produced an anomalous result and where the Committee is satisfied that the recommendation promotes the economic, environmental, social or cultural wellbeing of the district; and/or
- b) The reduction of development contributions in excess of \$40,000 excluding GST where in the judgement of the Committee the correct application of the policy without error of calculation has produced an anomalous result and where the Committee is satisfied that the recommendation promotes the economic, environmental, social or cultural wellbeing of the district; and/or
- c) Arrangements for the deferred payment of development contributions by way of development agreements where the total sum involved exceeds \$40,000 excluding GST or the period for deferred payment exceeds three years, provided that the agreement complies with the Local Government Act 2002 and the Committee is satisfied that the recommendation promotes the economic, environmental, social or cultural wellbeing of the district
- d) Arrangements for the waiver or reduction of development contributions on the grounds of financial hardship by way of development agreements where the Committee is satisfied that the recommendation promotes the economic, environmental, social or cultural wellbeing of the district.

3.05.07 Harbour Area Committee

REPORTING TO:	Council
CONSTITUTION:	Six Waitaki District Councillors
MEMBERS:	Mayor Kircher (Chair), Crs Holding, Hopkins, Percival, Tavendale & Wollstein
QUORUM:	Three members
MEETING FREQUENCY:	As required.

OBJECTIVE:

- 1 To review and implement the Oamaru Harbourside Development Strategy Plan, ensuring balance between Conservation, Restoration and Development.
- 2 To approve asset management plans within Council budgets for Harbour assets.
- 3 To oversee property activities in the Harbourside area.

SCOPE OF ACTIVITY:

- All matters pertaining to the Oamaru Harbourside Development Strategy Plan, other than District Plan aspects and including day-to-day asset management and operation of Council services in the Harbourside area.
- The Harbourside area is defined in the map below.
- Other matters in scope include:
 - Parks and Reserves
 - Commercial development and leases
 - Infrastructure Assets (ie Roading and Three Waters)
 - Harbour, Breakwater and Dredging
 - Slipways, Boat-ramps and Moorings
 - Wharfs
 - District Plan Review
 - Heritage
 - Whitestone Civic Trust
 - Oamaru Blue Penguin Colony and Natural Heritage

POWER TO ACT:

Within its scope of activity, and noting the convention in clause 3.03 of this Register, the Committee shall have Power to Act:

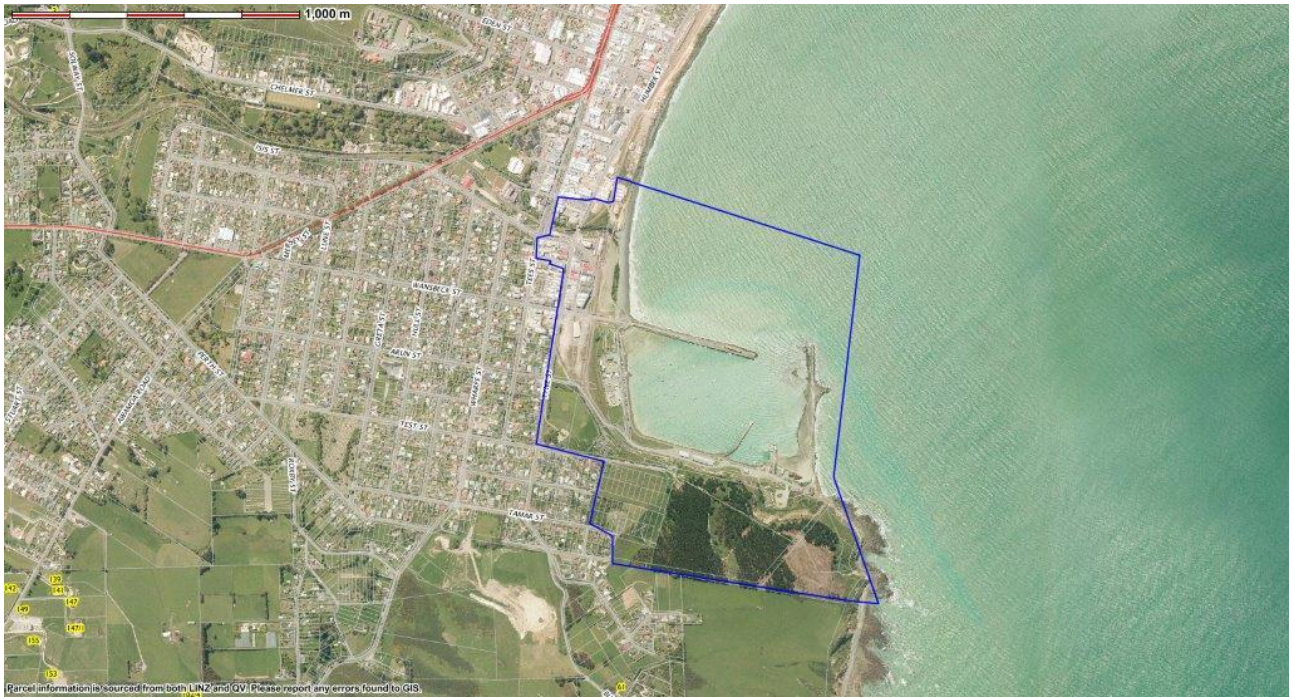
- a) To co-opt extra members to the Committee as required.
- b) To approve Harbour Area Committee meeting minutes.
- c) To consult stakeholders on matters pertaining to the implementation of the Harbourside Strategy Plan, Harbour asset management and Harbour operations.

- d) To apply approved budgets for the implementation of the Harbourside Strategy Plan
- e) Develop new projects for the Councils consideration.
- f) To communicate publicly on implementation matters relating to the Harbour.

POWER TO RECOMMEND

- a) To advise and make recommendations to Council on matters in connection with the implementation of the Harbourside Strategy Plan, Harbour asset management and Harbour operation.
- b) To advise and make recommendations to Council on the disposal of property or entering of leases on commercial terms.

Harbour Committee Area



3.05.08 District Plan Review Committee

REPORTING TO: Council

CONSTITUTION:

MEMBERS: Crs Hopkins, Dawson, Garvan, Kingan, Percival,
Wheeler & Mayor Kircher

QUORUM:

MEETING FREQUENCY: As required.

OBJECTIVE:

SCOPE OF ACTIVITY:

- a) Resource Management Act 1991 proceedings including district plan hearings.

POWER TO ACT:

Within its scope of activity, and noting the convention in clause 3.03 of this Register, the Committee shall have Power to Act to:

General Powers

- a) Determine any matter relating to RMA/District Plan content.
- b) Delegate the function of pursuing prosecutions and other actions in the District Court.
- c) Authorise submissions to Government, local authorities and other bodies.
- d) Approving the Draft District Plan for public consultation.

3.05.09 District Licensing Committee

REPORTING TO: Council

CONSTITUTION: Committee A: Chair or Deputy Chair and two members drawn from the approved members list
Committee B: Commissioner and two members drawn from the approved members list

MEMBERS: Crs Garvan (Chair), Hopkins & Perkins

QUORUM: Three members

MEETING FREQUENCY: Monthly or as required.

OBJECTIVE:

1. To hear and determine matters of a quasi-judicial nature under the Sale and Supply of Alcohol Act 2012.

SCOPE OF ACTIVITY:

The Committee has authority to carry out the functions specified in s 187 of the Sale and Supply of Alcohol Act 2012.

POWER TO ACT:

Within its scope of activity, and noting the convention in clause 3.03 of this Register, the Committee shall have Power to Act to:

- a) Consider and determine applications for licences and manager's certificates.
- b) Consider and determine applications for renewal of licences and manager's certificates.
- c) Consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136 of the Act.
- d) Consider and determine applications for the variation, suspension, or cancellation of special licences.
- e) Consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280 of the Act.
- f) With the leave of the chairperson for the licensing authority, refer applications to the licensing authority.
- g) To conduct inquiries and to make reports as may be required of it by the licensing authority under section 175 of the Act.

3.05.10 Hearings Committee

REPORTING TO: Council

CONSTITUTION: Four elected members appointed by Council who have completed an approved course of training and/or appropriately qualified RMA Hearings Commissioners

MEMBERS: Crs Hopkins (Chair), Garvan, & Perkins

MEETING FREQUENCY: As required

OBJECTIVE:

1. To hear matters of a quasi-judicial nature under the Resource Management Act 1991 and the Dog Control Act 2004.

SCOPE OF ACTIVITY:

1. Applications for notified resource consents and any applications for reviews of conditions of notified resource consents (Sections 127(i)(b), 128 and section 357 Hearings).
2. Other issues where a full formal hearing is required by law or considered desirable by the Council.

POWER TO ACT:

Resource Management Act

- a) Delegate the administration of the Resource Management Act 1991, as set out in Schedule 2 to this Register.

The following points can be noted as general background to the delegations set out in Schedule 2:

- Allow delegated officers to complete functions as intended under the RMA. In exercising these delegated functions officers must exercise good practice and judgement to ensure the Committee Chair and/or elected members are appropriately involved and/or informed.
- Clause 120, Right to Appeal, refers to the 15 March 2017 Council Oceana Gold report as an example of how this particular delegation is given effect.

Dog Control

- b) To hear and decide upon objections to the classification of a dog owner as a probationary owner.
- c) To hear and decide upon objections to the disqualification of a dog owner.
- d) To hear and decide upon objections to the classification of a dog as a dangerous dog.
- e) To hear and decide upon objections to abatement notices issued for barking dogs.

3.05.11 Grants and Awards Committee

- REPORTING TO: Council
- CONSTITUTION: Six Councillors as resolved by Council
- MEMBERSHIP: Crs Holding (Chair), Kingan, & All Councillors and Community Board Chairs (generally up to five members to attend one meeting).
- QUORUM
The quorum shall be the minimum number of Council and community representatives necessary to satisfy the conditions of externally funded grants schemes.

In the case of Council-funded grants and awards, the quorum shall be three members.
- MEETING FREQUENCY: Annually and as required.
- OBJECTIVES:
1. To evaluate nominations and confer Citizens' Awards on nominated citizens in accordance with the Award criteria.
 2. To support and encourage community participation in sport, physical activity and physical leisure by allocation of funding from the Sport NZ Rural Travel Fund.
 3. To support arts and cultural activities taking place within the Waitaki District by allocation of funding from the Creative Communities New Zealand Scheme.
 4. To encourage the retention, preservation, conservation and maintenance of historic buildings and sites in the Waitaki district by advancing monies from the Heritage Committee or making other financial assistance available to the owners of any building in the region of national or regional or local historic interest for the purpose of management, maintenance or preservation of the building.
 5. To promote the economic, environmental, social and cultural well-being of the people of the Waitaki District by allocation of community grants.

SCOPE OF ACTIVITY:

1. All matters pertaining to conferring of Citizens' Awards and the allocation of funding from Sport NZ Rural Travel Fund, the Creative Communities NZ Scheme, the Waitaki Heritage Fund and Council Community Grants funding.

POWER TO ACT:

- a) To approve Grants and Awards Committee meeting minutes.
- b) To determine all matters necessary for the presentation of the Waitaki Citizens' Awards, including the final selection of awardees, or deal with any other body on any other event as required.
- c) To determine all matters pertaining to the allocation of funding from the SPARC Rural Travel Fund, the Creative Communities NZ Scheme, the Waitaki Heritage Fund and Council Community Grants funding.
- d) To co-opt up to two other Councillors in accordance with Council resolution 04/231 and community representatives as necessary to ensure compliance with the terms of externally funded schemes.
- e) Where a maximum of three members is required for compliance with funding criteria, the Chairperson shall have authority to consult and determine who shall attend.
- f) To determine all matters pertaining to the allocation of funding for the Oamaru Trustpower Awards.

3.05.12 Youth Council

REPORTING TO: Council

CONSTITUTION: Minimum of 2 and maximum of 4 members from each of the district's High Schools, from Years 12 and 13

Other representatives from youth organisations up to age 24 years
One Council representative being Melanie Tavendale (Deputy Mayor)

Not more than 20 members

QUORUM The quorum shall be 5 members

MEETING FREQUENCY: As required

OBJECTIVES:

1. To give young people of the Waitaki district a voice on issues affecting them
2. To inform and advise Council on issues concerning young people within the district
3. To identify local youth needs and resources
4. To provide young people with experience and education on local government processes
5. To provide a mechanism in which Council can communicate and consult with young people

SCOPE OF ACTIVITY:

1. All matters pertaining to issues affecting young people within the Waitaki district

POWER TO ACT:

- a) To approve Youth Council meeting minutes
- b) To co-opt others onto the Youth Council who can help with achieving their aims and objectives
- c) To apply for external funding to advance projects
- d) To allocate budget provided by Council

e) To form project teams to work on specific issues, that report to Youth Council

POWER TO RECOMMEND:

- (a) To advise and make recommendations to Council or Customer Services Committee on matters and issues relating to young people in the district.
- (b) Appointments to the role of Youth Councillor.

3.05.13 Cultural Facility Development Committee

REPORT TO:	Community Services Committee
CONSTITUTION	Crs Perkins (Chair), Holding, Hopkins, Percival, Tavendale
QUORUM	Three members
MEETING FREQUENCY:	As required

OBJECTIVE:

1. The Cultural Facilities Development Committee will direct and guide the Cultural Facilities Development Project Team with specific regard to the development of the business case and acting as a champion for the project internally and externally.

SCOPE OF ACTIVITY:

1. All matters related to the development and approval of the business case for the Cultural Facilities Development project for the Forrester Gallery.
2. Any other matter referred by Council.

POWER TO ACT:

- a) To approve the Cultural Facilities Development Committee meeting minutes.
- b) To co-opt other Councillors and community representatives on an ongoing or temporary basis as necessary for the achievement of specific tasks.
- c) To provide feedback to officers to assist them in the discharge of delegated authorities.
- d) To approve the lodging of grant applications with funding bodies on behalf of Council.

POWER TO RECOMMEND:

- a) Changes in the scope of the project.
- b) Any other matter within the scope of activities.

NB: This is an abridged version of a detailed draft terms of reference.

3.05.14 Portfolios

REPORT TO:	Nil
CONSTITUTION	Membership as appointed by Council
MEMBERSHIP:	<u>Communications:</u> Crs Hopkins, Tavendale & Mayor Kircher <u>Emergency Management:</u> Mayor Kircher <u>Rural Roads:</u> Crs Dawson, Kingan, Percival & Wheeler <u>Solid Waste and Recycling:</u> Crs Kingan, Perkins & Wheeler <u>Property Advisory:</u> Mayor Kircher, Crs Garvan, & Perkins <u>Sport and Recreation:</u> Mayor Kircher <u>Cultural Facility Development Funding:</u> Mayor Kircher Crs Perkins, Tavendale <u>Waitaki Recreation Centre:</u> Cr Holding
QUORUM	As portfolios are purely advisory in their role, there is no quorum. Notice of a portfolio meeting is expected to be communicated to all portfolio members.
MEETING FREQUENCY:	As required
OBJECTIVE:	<ol style="list-style-type: none">1. To provide feedback and direction to officers on the exercise of their delegated authority for operational matters, both proactively and where requested by officers.2. To provide feedback and direction to officers in regard to recommendations and advice to Council, Committees and Council workshops, both proactively and where requested by officers.

SCOPE OF ACTIVITY:

Feedback and direction to provide guidance to officers, either proactively or as requested, in regard to strategy, plans, policy, procedures or practise within the following scopes of activity:

Communications: Corporate communications.

Emergency Management: Civil defence

Rural Roads

Cultural Facility Development Funding

Solid Waste and Recycling: Waste management and minimisation

Property Advisory: Commercial property, operational property, and Oamaru Airport

Sport and Recreation: Sports, Recreation and Aquatic Centre

Waitaki Recreation Centre

POWER TO ACT:

Nil

POWER TO RECOMMEND:

Nil

Part 4 – Delegations to Community Boards

Introduction

- 4.01 The Order in Council establishing the Waitaki district provided for the creation of two community boards, to be known as the Ahuriri Community Board and the Waihemo Community Board. The most recent determination of the Local Government Commission reaffirmed these Boards.
- 4.02 The Ahuriri Community Board serves communities in the Ahuriri Ward, including the townships of Kurow, Otematata, Omarama and Lake Ohau.
- 4.03 The Waihemo Community Board serves the communities of the Waihemo Ward, including the townships of Hampden, Moeraki, Palmerston, Shag Point, Dunback and Macraes Flat.
- 4.04 Community Boards are not Committees of Council. They are separate legal entities.

Purposes and powers of delegations to Community Boards

- 4.05 The role and powers of Community Boards are described in Sections 52 and 53 of the Local Government Act 2002.

The role of a community board is to:

- (a) represent, and act as an advocate for, the interests of its community; and*
- (b) consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board; and*
- (c) maintain an overview of services provided by the territorial authority within the community; and*
- (d) prepare an annual submission to the territorial authority for expenditure within the community; and*
- (e) communicate with community organisations and special interest groups within the community; and*
- (f) undertake any other responsibilities that are delegated to it by the territorial authority.*

Powers of community boards—

- (1) A community board has the powers that are*
 - (a) delegated to it by the relevant territorial authority in accordance with clause 32 of Schedule 7; or*
 - (b) prescribed by the Order in Council constituting its community.*
- (2) The powers of a community board prescribed by Order in Council expire at the close of 6 years after the order comes into force.*
- (3) Despite subsection (1), a community board may not—*
 - (a) acquire, hold or dispose of surplus property*
 - (b) appoint, suspend, or remove staff.*

- 4.02 The powers of territorial authorities to delegate functions and duties to community boards are described in Clause 32 of Part 1 of Schedule 7 of the Local Government Act 2002. (see clause 15). It is relevant to repeat Clause 32(6) here.

- (6) *A territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.*

Delegations to Community Boards

- 4.07 Council recognises that delegated authority to Boards should focus on local matters. Local matters are those that affect communities in the respective Board area and for which Council activity is wholly or predominantly funded within that area.
- 4.08 Wherever practicable, Committees of Council should refer matters of local importance to the respective community board. District issues, including Oamaru and Corriedale Ward issues, are to be considered by the Council or its Standing Committees.
- 4.09 Community Boards should exercise the delegations to the fullest extent within the constraints imposed by the Waitaki District Council Long Term Plan, Annual Plan and Council policy.
- 4.10 Community Boards will have only the delegated powers, functions and duties specifically given to them by the Council.
- 4.11 The constitution, membership, scope of activities and delegated authority of Community Boards can be found on the following pages.

Sub-delegation from Community Boards

- 4.12. Community Boards' authority to delegate derives from Section 54 and Clauses 32, 32A and 32B of Schedule 7 of the Local Government Act 2002, which, in overview, provides for Boards to have the same powers of delegation as councils.

Reporting Decisions

- 4.13. Every Community Board and subcommittee of a Community Board will report decisions taken under delegated authority in the manner required by Standing Orders, ie in minutes submitted to the next available meeting of Council or the Community Board to which a subcommittee reports, as the case may be.

4.14.01 Ahuriri Community Board

REPORTING TO: Council

CONSTITUTION: Five elected community representatives
One Councillor appointed from the Ahuriri Ward
being Craig Dawson

QUORUM Three members

MEETING FREQUENCY: Six weekly or as required

OBJECTIVE:

The good governance of the Waitaki District by the resolution of Ahuriri community issues within the community.

SCOPE OF ACTIVITY:

1. Representation, and acting as advocate for, the interests of the Ahuriri community; and
2. The consideration of and reporting on all matters referred to it by Council, or any matter of interest or concern to the community board; and
3. The overview of all services provided by Waitaki District Council within the community; and
4. Establishing priorities and programmes for operational and capital expenditure on works and services funded wholly and principally within the Ahuriri Ward. Those works and services, and their rates sources are:

Works and Services	Rates
Ahuriri Community Board	Ahuriri Ward Services Rate; Ahuriri Ward Community Board Rate
Open Space	Ahuriri Ward Services Rate
Beautification and Playgrounds	Ahuriri Ward Services Rate
Omarama Airfield	Ahuriri Ward Services Rate
Township Works in the Ward	Ahuriri Ward Services Rate
Local Amenity (streetlights, stormwater, kerb and channel) in Kurow, Lake Ohau, Omarama and Otematata	Local Amenity Rates
Sewerage treatment and disposal in Kurow, Lake Ohau, Omarama and Otematata	Sewerage rates
Urban water supply in Kurow, Lake Ohau, Omarama and Otematata	Water rates

5. The preparation of an annual submission to Waitaki District Council for expenditure within the community; and
6. Communication with community organisations and special interest groups within the community; and
7. Undertaking any other responsibilities that are delegated to it by Waitaki District Council.
8. Any other matter referred to the Board by Council.

POWER TO ACT:

- (a) To establish priorities and programmes, consistent with Council adopted asset and activity management plans, for operational expenditure on works and services funded wholly or principally within the community board area, provided that overall funding levels are consistent with the Waitaki District Council Long Term Plan, Annual Plan, Council policy or otherwise approved by Council.
- (b) To approve projects funded wholly or principally within the Community Board's area provided that overall funding levels are consistent with the Waitaki District Council Long Term Plan, Annual Plan, Council policy or otherwise approved by Council.
- (c) To make submissions to Waitaki District Council on the Waitaki District Long Term Plan, Annual Plan and any other policy, plan or statement required under the Local Government Act 2002 or any other enactment, or any other matter.
- (d) To operate a discretionary fund for local community purposes in the community board area.
- (e) To provide feedback to officers to assist them in the discharge of delegated authorities.

POWER TO RECOMMEND:

- (a) Long Term Plan and Annual Plan Service levels and budgets for the activities funded wholly or principally from the community board area.
- (b) Changes to priorities and programmes, consistent with Council approved asset and activity management plans, for operational expenditure on any other works and services delivered, but not funded wholly or principally within the community board area, provided that overall funding levels are consistent with the Waitaki District Council Long Term Plan and Annual Plan or otherwise approved by Council.
- (c) Increased operational expenditure on works and services delivered within the community board area, provided that:
 - i. The Board shall recommend the means to fund increased expenditure; and
 - ii. The funding recommendation shall be consistent with Council's financing and revenue policy.

- (d) Changes to design and implementation parameters of projects delivered, but not funded, wholly or principally within the community board area provided that:
 - i. Overall funding levels are approved by Council; and
 - ii. Proposed projects conform to Council approved activity and asset management plans.

- (e) Increased expenditure on projects delivered within the community board area, provided that:
 - i. The Board shall recommend the means to fund increased expenditure; and
 - ii. The funding recommendation shall be consistent with Council's financing and revenue policy.

- (f) Policies affecting services delivered, but not wholly or principally funded, in the ward. (These recommendations shall be submitted to Council via the appropriate Committee).

- (g) Any other matter within the scope of activities above.

4.14.02 Waihemo Community Board

REPORTING TO:	Council
CONSTITUTION:	Five elected community representatives One Councillor appointed from the Waihemo Ward being Jan Wheeler
QUORUM	Three members
MEETING FREQUENCY:	Six weekly or as required
OBJECTIVE:	

The good governance of the Waitaki District by the resolution of Waihemo community issues within the community.

SCOPE OF ACTIVITY:

1. Representation, and acting as advocate for, the interests of the Waihemo community; and
2. The consideration of and reporting on all matters referred to it by Council, or any matter of interest or concern to the community board; and
3. The overview of all services provided by Waitaki District Council within the community; and
4. Establishing priorities and programmes for operational and capital expenditure on works and services funded wholly and principally within the Waihemo Ward. Those works and services, and their rates sources are:

Works and Services	Rates
Waihemo Community Board	Waihemo Ward Services Rate; Waihemo Ward Community Board Rate
Open Space	Waihemo Ward Services Rate
Beautification and playgrounds	Waihemo Ward Services Rate
Township Works in the ward	Waihemo Ward Services Rate
Local Amenity (streetlights, stormwater, kerb and channel) in Hampden, Moeraki, Shag Point and Palmerston	Local Amenity Rates
Sewerage treatment and disposal in Palmerston and Moeraki	Sewerage Rates
Water supply in the Waihemo Water Zone (including Dunback, Goodwood and Palmerston)	Water Rates

5. The preparation of an annual submission to Waitaki District Council for expenditure within the community; and

6. Communication with community organisations and special interest groups within the community; and
7. Undertaking any other responsibilities that are delegated to it by Waitaki District Council.
8. Any other matter referred to the Board by Council.

POWER TO ACT:

- (a) To establish priorities and programmes, consistent with Council adopted asset and activity management plans, for operational expenditure on works and services funded wholly or principally within the community board area, provided that overall funding levels are consistent with the Waitaki District Council Long Term Plan, Annual Plan, Council policy or otherwise approved by Council.
- (b) To approve projects funded wholly or principally within the Community Board's area, provided that overall funding levels are consistent with the Waitaki District Council Long Term Plan, Annual Plan, Council policy or otherwise approved by Council.
- (c) To make submissions to Waitaki District Council on the Waitaki District Long Term Plan, Annual Plan and any other policy, plan or statement required under the Local Government Act 2002 or any other enactment, or any other matter.
- (d) To operate a discretionary fund for local community purposes in the community board area in accordance with Board resolution AB02/33.
- (e) To provide feedback to officers to assist them in the discharge of delegated authorities.

POWER TO RECOMMEND:

- (f) Long Term Plan and Annual Plan Service levels and budgets for the activities funded wholly or principally from the community board area.
- (g) Changes to priorities and programmes, consistent with Council approved asset and activity management plans, for operational expenditure on any other works and services delivered, but not funded wholly or principally within the community board area, provided that overall funding levels are consistent with the Waitaki District Council Long Term Plan and Annual Plan or otherwise approved by Council.
- (h) Increased operational expenditure on works and services delivered within the community board area, provided that:
 - i. The Board shall recommend the means to fund increased expenditure; and
 - ii. The funding recommendation shall be consistent with Council's financing and revenue policy.
- (i) Changes to design and implementation parameters of projects delivered, but not funded, wholly or principally within the community board area provided that:
 - i. Overall funding levels are approved by Council; and

- ii. Proposed projects conform to Council approved activity and asset management plans.
- (j) Increased expenditure on projects delivered within the community board area, provided that:
- i. The Board shall recommend the means to fund increased expenditure; and
 - ii. The funding recommendation shall be consistent with Council's financing and revenue policy.
- (k) Policies affecting services delivered, but not wholly or principally funded, in the ward. (These recommendations shall be submitted to Council via the appropriate Committee).
- (l) Any other matter within the scope of activities above.

Part 5 – Delegations to Individual Elected Members

Delegations to the Mayor

- 5.01 The Mayor is authorised to appoint the Deputy Mayor and Committee Chairs at the Triennial Inaugural Meeting, subject to the provisions of Part 4 and Schedule 7 of the Local Government Act 2002.
- 5.02 The Mayor is authorised to approve the attendance of Councillors to represent Council at events within and outside the District. Councillors so appointed will be entitled to claim expenses within the framework of Council's approved expenses policy.
- 5.03 The Mayor is authorised to approve the attendance of Councillors at training related to their governance role, provided that this can be approved within overall budget allocations and all training approved is reported in the next Mayor's report to Council.
- 5.04 The Mayor is authorised to approve or decline expense claims where the circumstances of the claim are such that there is genuine ambiguity as to whether such claims should be accepted as falling within the scope of Council's policy. Such approvals should be reported to the next meeting of the Executive Committee.
- 5.05 The Mayor is delegated authority to expend the Mayoral Discretionary Fund, within budget constraints.

Delegations to the Deputy Mayor

- 5.06 The Deputy Mayor is authorised to approve expense claims from the Mayor where the claims fall within the scope of Council's policy.
- 5.07 The Deputy Mayor is authorised to approve or decline expense claims from the Mayor where the circumstances of the claim are such that there is genuine ambiguity as to whether such claims should be accepted as falling within the scope of Council's policy. Such approvals should be reported to the next meeting of the Executive Committee.

Delegations to Elected Members – external appointments & joint committees

- 5.08 Schedule 4 provides a diagram showing Council appointments of elected members to external boards. They include:
- a) Safer Waitaki Coalition – Cr Kingan
 - b) Donald & Nellye Malcolm Trust – Mayor Kircher; Cr Holding
 - c) Oamaru Whitestone Civic Trust – Mayor Kircher
 - d) Otago Regional Land Transport Committee – Cr Percival; Cr Kingan (alternative)
 - e) Apls2Ocean Joint Committee – Cr Wollstein
 - f) Upper Waitaki Zone Committee – Cr Dawson
 - g) Lower Waitaki & South Coast Zone Committee – Cr Holding

Schedule 1 – Key Local Government Legislation

Biosecurity Act 1993
Building Act 2004
Burial and Cremation Act 1964
Bylaws Act 1910
Civil Defence Emergency Management Act 2002
Dog Control Act 1996
Fencing of Swimming Pools Act 1987
Food Act 1981
Forest and Rural Fires Act 1977
Gambling Act 1992
Hazardous Substances and New Organisms Act
Health Act 1956
Historic Places Act 1993
Land Transport Act 1998
Land Transport Management Act 2003
Litter Act 1979
Local Authorities (Members' Interests) Act 1968
Local Electoral Act 2001
Local Government (Rating) Act 2002
Local Government Act 1974
Local Government Act 2002
Local Government Official Information and Meetings Act 1987
Maritime Transport Act 1994
Privacy Act 1993
Prostitution Law Reform Act 2003
Public Bodies Contracts Act 1959
Public Works Act 1981
Rating Valuations Act 1998
Rates Rebate Act 1973
Reserves Act 1977
Resource Management Act 1991
Sale and Supply of Alcohol Act 1989
Soil Conservation and Rivers Control Act 1941
Transit New Zealand Act 1989
Transport Act 1962

Schedule 2 – Resource Management Act Delegations

Section of RMA	Purpose of Section	Delegation
10	Certain existing uses in relation to land protected	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
10A	Certain existing activities allowed	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
10B	Certain existing building works allowed	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
22	Duty to give certain information	Warranted Officer
32	Consideration of alternatives, benefits and costs	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
34A	Approve Hearing Commissioners	Hearings Committee (appointment is by Planning Manager in consultation with the Chairperson of the Hearings Committee)
36(3)	Pay additional charges	Chief Executive Officer, Group Manager, Planning Manager
36(3A)	Provide estimate of any additional charges	Chief Executive Officer, Group Manager, Planning Manager
36(5)	Remit the whole or any part of any charge	Chief Executive Officer, Group Manager,
36AA (1)	Power to provide a discount	Chief Executive Officer, Group Manager, Planning Manager
36AA (3)	Adopt a policy on discounting administrative charges	Council
37	Power of waiver and extension of time limits	Chief Executive Officer, Group Manager, Planning Manager
37A(6)	Notify people affected by extensions of time limits or waivers	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
38(5)	Supply enforcement officer with warrant	Chief Executive Officer, Group Manager,
41B	Direction to provide evidence within time limits	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
41C	Directions and requests before or at hearing	Hearings Committee
42A	Reports to Local Authority	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
44A	Make amendments to the Plan if directed by a national environment standard, without using the Schedule 1 process	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
55	Make amendments to the Plan if directed by a national policy statement, without using the Schedule 1 process	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
86D	Apply to Environment Court to make rule have effect	Chief Executive Officer
86E	Identify any rule that has legal effect	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
87E	Consent Authority's process on receiving a request to have the Environment Court determine a resource consent	Council
87F	Prepare a report on application for the Environment Court to consider	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
87G	Provide the Environment Court with documents relating to the application	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer

88	Determine application is incomplete and return	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
89A	Refer applications affecting navigation to Maritime New Zealand for comment	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
91	Deferral pending application for additional consents	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
92	Request for further information	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
92A	Response to request	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
95A-F	Determination of processing of consent applications e.g. notified or non-notified	Chief Executive Officer, Group Manager, Group Manager, Planning Manager
98	Advice of submissions to applicant	Chief Executive Officer, Group Manager, Planning Manager, Planning Office, Planning Administration Officer
99	Pre-hearing meetings	Chief Executive Officer, Group Manager, Planning Manager, Planning Office
99A	Mediation	Chief Executive Officer, Group Manager, Planning Manager, Planning Office
100	Obligation to hold a hearing	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
101	Hearing date and notice	Chief Executive Officer, Group Manager, Planning Manager, Planning Administration Officer
102	Joint hearings	Hearings committee
103	Combined hearings	Hearings Committee
104	Consideration of applications	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
104A	Determine an application for a controlled activity	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
104B	Determine an application for a discretionary or non-complying activity	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
104C	Determine an application for a restricted discretionary activity	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
104D	Determine an application for a non-complying activity	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
106	Refuse subdivision consent in certain circumstances	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
108	Conditions on resource consents	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
108A	Bonds	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
109	Special provisions in respect of bonds and covenants	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
110	Refunds of money and return of land where an activity does not proceed.	Chief Executive Officer, Group Manager, Planning Manager
113	Decision to be in writing	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager, Planning Officer, Planning Administration Officer
114	Notification of decision and appeal process	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager, Planning Officer, Planning Administration Officer
120	Right to appeal	Council's representative on the Hearings Panel, Planning Manager (see Council Report 15March2017 OceaniaGold)

126	Cancellation of consent	Chief Executive Officer, Group Manager, Planning Manager
127	Change or cancellation of consent condition	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
128	Circumstances when consent conditions can be reviewed	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
132	Decision on review of consent conditions	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
133A	Minor correction of resource consents	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
138	Surrender of consent	Chief Executive Officer, Group Manager, Planning Manager
139	Certificate of compliance	Chief Executive Officer, Group Manager, Planning Manager
139A	Existing use certificates	Chief Executive Officer, Group Manager, Planning Manager
142	Express view to Minister about whether a matter should be called in, or request the Minister to call a matter in	Council
149B	To provide EPA any information or any submissions received the Local Authority has on a matter that has been called in`	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
149E	Make submission to a matter that has been called in	Council
149F	Make a further submission to a matter that has been called in	Council
149G	Prepare a report for EPA for matter that has been called in	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
149K	Suggestions to the Minister on appointing members of boards of inquiry	Council
149M(3)	Consultation with board of inquiry of local authority view whether to reject or accept private plan change request	Council
149N	Prepare a proposed plan or change if board of inquiry accepts a request under s149M(3) and inform EPA if rule has legal effect	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
149Q	Provide comments on minor or technical aspects of a board of enquiry's draft report	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
149V	Appeal to High Court on question of law arising from board of inquiry's decision	Council
149W	Implement a decision of a board or court about a proposed change or variation	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
149ZD	To recover from the applicant the costs of complying with Part 6AA of the Resource Management Act 1991	Chief Executive Officer, Group Manager, Planning Policy Manager
168(5) and 189(5)	Withdrawal of notice of requirement	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
168A	Whether to notify a notice of requirement made by the territorial authority	Chief Executive Officer, Group Manager, Planning Policy Manager

169	Whether to notify a notice of requirement made by requiring authority	Chief Executive Officer, Group Manager, Planning Policy Manager
170	Requirement included in proposed district plan	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
171, 181 & 191	Recommendation on notice of requirement	Hearings Committee, If not notified or no submissions the Planning Manager has authority to make the recommendation.
173	Notification of decision on designation	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
174	Appeals	Council
175	Confirm designation in the District Plan	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
176A	Outline Plan	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
182	Removal of designation	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
184	Determining if effect has been given to a designation	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
189A	Whether to notify a notice of requirement for heritage order made by the territorial authority	Chief Executive Officer, Group Manager, Planning Policy Manager
190	Request further information	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
195A	Alteration of heritage order	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
198C(1)	Return request to have matter heard by Environment Court	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
198C(2)&(3)	Decide whether to defer request for the requirement	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
198C(4)&(5)	Decision on request to have a requirement heard by the Environment court	Council
198D	Processing the requirement	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
198E(3)	Respond to the Environment Court requirements	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
198J	Prepare report for Environment Court on requirement	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
198K	Provide the Environment Court with information required	Chief Executive Officer, Group Manager, Planning Policy Manager, Planning Officer
220	Conditions on subdivisions	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
220(3)	Consult with the Registrar-General of Land as to the practicality of that condition	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer, Planning Administration Officer
221	Authority to issue a consent notice	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager
222	Completion certificates	Chief Executive Officer, Group Manager, Planning Manager
223	Approval of survey plan	Chief Executive Officer, Group Manager, Planning Manager
224	Deposit of survey plan	Chief Executive Officer, Group Manager, Planning Manager
226(1)(e)	Issue of certificates of title for subdivision	Chief Executive Officer, Group Manager, Planning Manager
234	Vary or cancel esplanade strips	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager

235	Creation of esplanade strips by agreement	Chief Executive Officer, Group Manager, Planning Manager
237	Approve survey plans where esplanade reserves or esplanade strips are required	Chief Executive Officer, Group Manager, Planning Manager
237B	Access Strips	Chief Executive Officer, Group Manager, Planning Manager
237C	Closure of strip to public	Chief Executive Officer, Civil Defence Controller
237D	Transfer to the crown or regional council	Council
237E-H	Compensation for taking of esplanade reserves or strips	Council
240	Cancelling Covenants	Chief Executive Officer, Group Manager, Planning Manager
241	Covenant against transfer of allotments	Chief Executive Officer, Group Manager, Planning Manager
243	Survey plan approved subject to grant or reservation of easements	Chief Executive Officer, Group Manager, Planning Manager
S274(1)(b)	Become a party to a proceedings (redundant wording removed)	Council
300	Notice of Appeal	Council
301	Right to appear and be heard on appeal	Council
305	Additional appeals on questions of law	Council
311	Application for declaration	Council
S316	Power to apply for enforcement order	Chief Executive Officer, Group Manager, Planning Manager Group Manager, Regulatory Services Manager
317	Notification of application	Chief Executive Officer, Group Manager, Planning Manager, Regulatory Services Manager
S320	Power to apply for interim enforcement order.	Chief Executive Officer, Group Manager, Group Manager, Planning Manager, Regulatory Services Manager in consultation with the Chairperson of Customer Service Committee
S322	Abatement notice served by an enforcement officer	Warranted Officer
S323(2)	To take appropriate action to reduce noise to a reasonable level or seize equipment to ensure compliance with an abatement notice	Warranted Officer
S325A	Cancel an abatement notice or approve a request for change or cancellation of an abatement notice	Chief Executive Officer, Group Manager, Group Manager, Planning Manager, Regulatory Services Manager
S327 S328	To give a directive to reduce excessive noise and take action to control the excessive noise	Warranted Officer

S330	Emergency work, power to take preventative or remedial action	Warranted Officer
S332 S333	Power of entry for inspection survey, collect samples	Warranted Officer
S334	Authority to make application to the District Court for a warrant for entry and search	Chief Executive Officer, Group Manager, Planning Manager, Regulatory Services Manager
S336(2)	Power to decide the return of seized property	Warranted Officer
S336(5)&(6)	Dispose equipment seized under section 323 and 328 of the Act.	Chief Executive Officer, Group Manager, Regulatory Services Manager, Senior Environment Health Officer
S343B	Commission of infringement offence	Chief Executive Officer, Group Manager, Planning Manager, Regulatory Services Manager
S343C	Serving of infringement notices	Warranted Officer
S357C & D	Power to make decisions on objections	Hearings Committee
S388	Power to require information to be supplied about an activity	Warranted Officer
S405A	Power to reduce the width of or waive the requirement to provide an esplanade reserve or strip	Chief Executive Officer, Group Manager, Planning Manager, Hearings Committee
	Decide upon all non-notified consent applications and all notified consent applications that attract no submissions	Chief Executive Officer, Group Manager, Planning Manager
	Recommendation on a non-notified notice of requirement or notified notice that attracted no submission	Chief Executive Officer, Group Manager, Planning Manager
	To appoint Hearings Commissioner approved by Council in consultation with the Chairperson of the Hearings Committee	Chief Executive Officer, Group Manager, Planning Manager
	Form 4 Building Act	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer, Planning Administration Officer
Schedule 1 Clause 1(2)	Power to grant extension of time in terms of Section 37	Chief Executive Officer, Group Manager, Planning Manager
3(2)	Power to determine who is to be consulted	Chief Executive Officer, Group Manager, Planning Manager
4(1) and 4 (10)	Notice to Requiring Authority	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
4(2) and (5)	Public notification – placement of notice and distribution	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
5(1A) & (1B)	Power to determine affected parties to be notified	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer

5(2) and 5(5)	Public notification – placement of notice and distribution	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer, Planning Administration Officer
6 and 8	Making submissions on variations or plan changes	Council
7	Summary of submissions and notification of submissions	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer , Planning Administration Officer
8AA	Resolution of disputes and mediation	Chief Executive Officer, Group Manager, Planning Manager
8B	Power to set hearing date and notice (including reports)	Hearings Committee, Chief Executive Officer, Group Manager, Planning Manager , Planning Officer, Planning Administration Officer
8C	Hearing not needed	Hearings Committee
8D(1)	Decision to withdraw a proposed plan	Council
8D(2)	Notification of withdrawal and providing reasons	Chief Executive Officer, Group Manager, Planning Manager , Planning Officer, Planning Administration Officer
9(1)	Recommendation on requirement	Hearings Committee
9(2)	Decision on requirement	Council
10(1) and 2	Decision of local authorities	Hearings Committee
10(4)	Public notification of decisions	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer, Planning Administration Officer
11(1) and (2)	Notification of decision to submitters, and owners and affected parties	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer, Planning Administration Officer
13(3)	Amend the District Plan in respect of the designations	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
13(4)	Notification of decision of Requiring Authority to submitters, and owners and affected parties	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer, Planning Administration Officer
13 (6)	Summary of decisions to be made available	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer, Planning Administration Officer
14(1) and (3)(b)	Making an appeal to the Environment Court	Council
14(4)&(5)	Administration of appeals	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer, Planning Administration Officer
16 (1) and (3)	Amend District Plan to give effect to national environmental standards or national policy statements	Council
16(1)	Amend District Plan according to Court's directions	Council

16(2)	Make minor amendments to correct minor errors	Chief Executive Officer, Group Manager, Planning Manager, Policy Planner
16A(1)	Approve Variations	Council
17	Final consideration of District Plan	Council
20	Notification of Operative District Plan	Chief Executive Officer, Group Manager, Planning Manager, Policy Planner
20A	Making minor amendments to correct the Operative District Plan	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
23(1) and (2)	Request of further information on a plan change	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
23(3)	Commission a report on a plan change	Chief Executive Officer, Group Manager, Planning Manager
23(3)	Notification of information	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer, Planning Administration Officer
23 (6)	Declining of plan change due to lack of information	Hearings Committee
24	Modification of request for plan change	Council
25(1), (2) (a) & (b) (3) & (4)	Decision to 'adopt', 'accept', 'reject' a plan change or change to a resource consent	Council
25(2)(a)(i)	Public notification of plan change 'adopted' – see Clause 5	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer, Planning Administration Officer
25(5)	Notification of Decision	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer, Planning Administration Officer
26(a)	Preparation of documents if plan change was 'accepted'	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
26(b)	Public notification of plan change was 'accepted' – see Clause 5	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
28 (2) (4), (5) and (6)	Exercise notification of decisions with regard to withdrawals	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
29(2) & (5)	Exercise notification of parties of submissions and decisions	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
29(4)	Decisions to decline, approve or modify plan change	Council
29(9)	Decision to initiate a variation	Council
32	Certification of inclusion of material into the District Plan	Council
34 (2) (a) – (d)	Notification of material to be referenced	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
34 (2) (e)	Consider public comments	Council

34 (3)	Distribution of referenced material	Chief Executive Officer
35	Access of material by reference and notification as to where it is available	Chief Executive Officer, Group Manager, Planning Manager, Planning Officer
Various appeal sections	Manage and negotiate all appeals that arise under the RMA (Resolution by Council)	Chief Executive Officer, Group Manager, Planning Manager.
Various appeal sections	Resolve by consent order, any appeal to the Environment Court	Council

Principles of Delegation

- Decisions should be made at the lowest possible competent level.
- Appropriate delegation is essential in achieving timeliness of actions.
- The level of responsibility must be commensurate with the level of authority that is delegated.
- All staff must be made aware of the delegations that are approved.
- Delegations must be directed back up to the next level if the lowest delegated officer is unavailable.

Group Manager includes

Assets Group Manager

Planning Manager includes

Planning Consents Manager, Planning Policy Manager, Planning Manager, District Planner or Approved Hearings Commissioners

Planning Officer includes

Assistant Resource Consent Planner, Resource Consent Planner, Senior Resource Consent Planner, Assistant Policy Planner, Policy Planner, or Senior Policy Planner

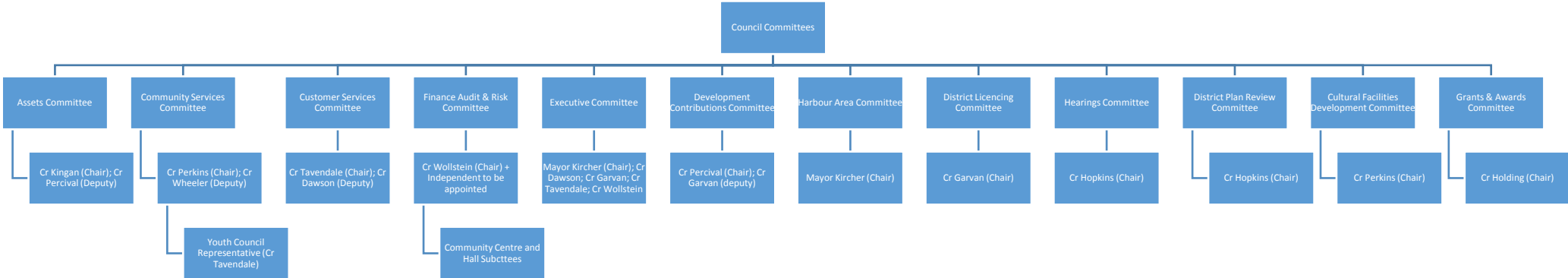
Warranted Officer

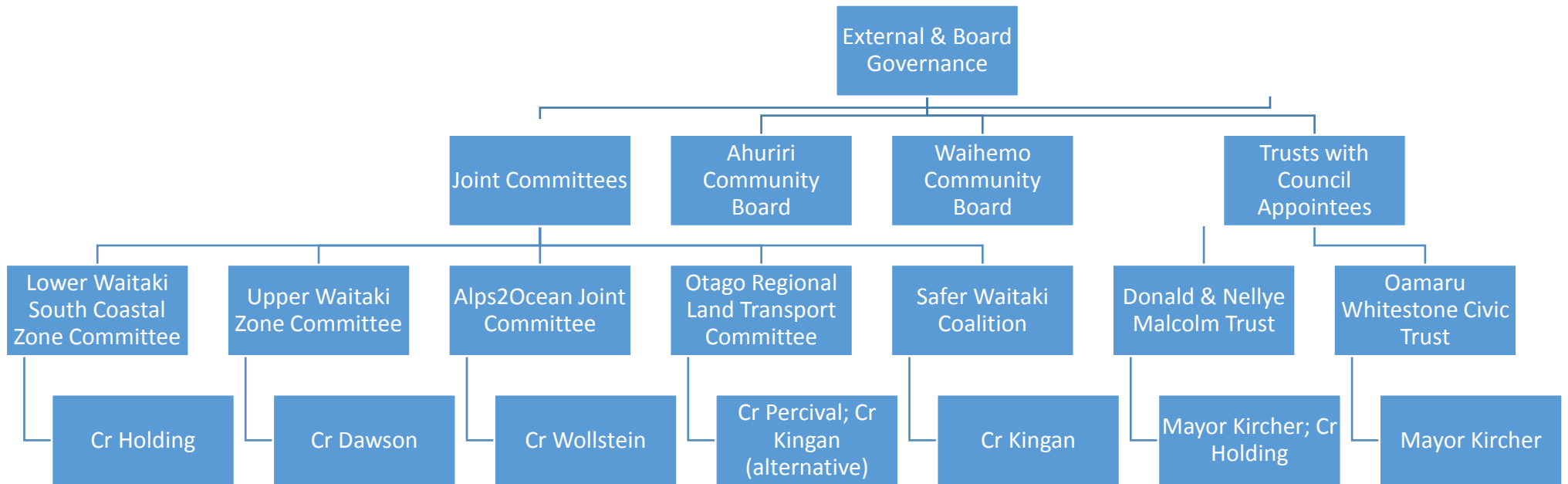
A person who Council has made an Enforcement Officer under Section 38 of the Resource Management Act 1991

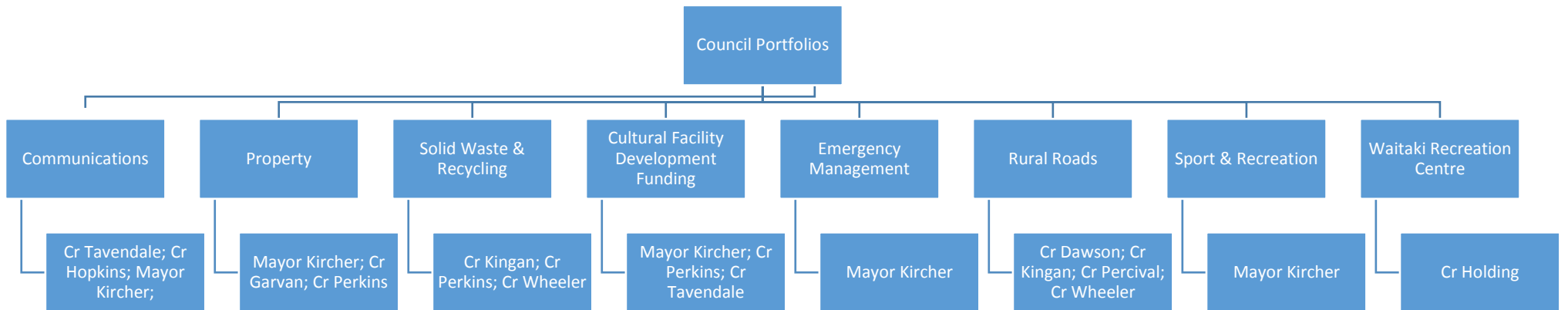
Schedule 3 – Reserves Act Delegations

Section of Reserves Act	Purpose of Section	Delegation
54, 61, 73 and 74	Leasing of reserve where the lease/ licence is consistent with Appendix 2 of the Waitaki Reserves Management Plan 2014 (e.g. Grazing, commercial camp grounds).	CEO, Community Services Group Manager, Recreation Manager
59A	Issuing of concessions on reserves where the activity is a permitted activity, or a discretionary activity (that has been assessed by officers under the guidelines in Appendix 3 as having no detrimental effect on the reserve or community) in the Waitaki Reserves Management Plan 2014 and in accordance with Council's fees and charges schedule.	CEO, Community Services Group Manager, Recreation Manager, Recreation Officers.

Schedule 4 – Committee, Portfolio, and External Governance Structures







Schedule 5 – Local Government Act Delegations

Section(s) of LGA	Purpose of Section	Delegation
S199A & 199B	Right to reconsideration of requirement for development contribution.	<p>Chief Executive Officer and Customer Services Group Manager, shall be authorised to waive or reduce development contributions of all types up to \$5,000 excluding GST on any one development where there is an error of calculation or an incorrect application of policy.</p> <p>Development Contributions Committee shall have the powers to act and powers to recommend set out in clause 3.05.06A of this Register.</p> <p>Council shall reserve the powers specified in clause 2.03.18 of this Register.</p>

Schedule 6 – Guiding Principles (S.14 & S.39 LGA)

The performance of Council's role is guided by certain principles set out in Section 14 of the LGA.

- (1) *In performing its role, a local authority must act in accordance with the following principles:*
 - (a) *a local authority should—*
 - (i) *conduct its business in an open, transparent, and democratically accountable manner; and*
 - (ii) *give effect to its identified priorities and desired outcomes in an efficient and effective manner:*
 - (b) *a local authority should make itself aware of, and should have regard to, the views of all of its communities; and*
 - (c) *when making a decision, a local authority should take account of—*
 - (i) *the diversity of the community, and the community's interests, within its district or region; and*
 - (ii) *the interests of future as well as current communities; and*
 - (iii) *the likely impact of any decision on the interests referred to in subparagraphs (i) and (ii):*
 - (d) *a local authority should provide opportunities for Māori to contribute to its decision-making processes:*
 - (e) *a local authority should actively seek to collaborate and co-operate with other local authorities and bodies to improve the effectiveness and efficiency with which it achieves its identified priorities and desired outcomes; and*
 - (f) *a local authority should undertake any commercial transactions in accordance with sound business practices; and*
 - (fa) *a local authority should periodically—*
 - (i) *assess the expected returns to the authority from investing in, or undertaking, a commercial activity; and*
 - (ii) *satisfy itself that the expected returns are likely to outweigh the risks inherent in the investment or activity; and*
 - (g) *a local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region, including by planning effectively for the future management of its assets; and*
 - (h) *in taking a sustainable development approach, a local authority should take into account—*
 - (i) *the social, economic, and cultural interests of people and communities; and*
 - (ii) *the need to maintain and enhance the quality of the environment; and*
 - (iii) *the reasonably foreseeable needs of future generations.*
- (2) *If any of these principles conflict in any particular case, the local authority should resolve the conflict in accordance with the principle in subsection (1)(a)(i).*

Governance principles are set out in section 39 LGA.

“A local authority must act in accordance with the following principles in relation to its governance:

- (a) a local authority should ensure that the role of democratic governance of the community, and the expected conduct of elected members, is clear and understood by elected members and the community; and*
- (b) a local authority should ensure that the governance structures and processes are effective, open, and transparent; and*
- (c) a local authority should ensure that, so far as is practicable, responsibility and processes for decision-making in relation to regulatory responsibilities is separated from responsibility and processes for decision-making for non-regulatory responsibilities; and*
- (d) a local authority should be a good employer; and*
- (e) a local authority should ensure that the relationship between elected members and management of the local authority is effective and understood.”*

Schedule 7 – Sections of the LGA relating to Delegation

The Council's authority to appoint and delegate to committees, subcommittees and other subordinate decision-making bodies derives from Section 48 and clauses 30, 31, 32AA, 32, 32A, 32B of Part 1 of Schedule 7 LGA.

The provisions of clauses 32, 32A and 32B of Part 1 of Schedule 7 LGA:

Clause 32 - Delegations

- (1) *Unless expressly provided otherwise in the LGA, 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—*

 - (a) the power to make a rate; or*
 - (b) the power to make a bylaw; or*
 - (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*
 - (d) the power to adopt a long-term plan, annual plan, or annual report; or*
 - (e) the power to appoint a chief executive; or*
 - (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or*
 - (g) [Repealed]*
 - (h) the power to adopt a remuneration and employment policy.*
- (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 by the local authority (after consultation with the committee or body or person) of any power or duty specified in sub-clause (1).*
- (3) *A committee or other subordinate decision-making body, community board, or member or officer of the local authority may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the local authority or by the committee or body or person that makes the original delegation.*
- (4) *A committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, or duties are delegated may, without confirmation by the local authority or committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.*
- (5) *A local authority may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing, and administration related to bylaws and other regulatory matters.*
- (6) *A territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.*
- (7) *To avoid doubt, no delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure performance of any function or duty.*

- (8) *The delegation powers in this clause are in addition to any power of delegation a local authority has under any other enactment.*

Clause 32A -Delegation of power to issue warrants to enforcement officers

- (1) *A local authority may delegate to a committee or member or officer of the local authority the power to issue warrants to enforcement officers.*
- (2) *A delegation under subclause (1) may-*
- (a) limit or restrict the exercise of the power; or*
 - (b) impose conditions on the exercise of the power; or*
 - (c) prohibit, in specified circumstances, the exercise of the power.*
- (3) *The local authority must determine the matters in subclause (2) before acting under subclause (1).*
- (4) *Clause 32(2) to (8), with all necessary modifications, applies to a delegation made under this clause.*