



# DELEGATIONS MANUAL 2022-2025

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Clutha District Council's Delegations to Committees,  
Community Boards and the Chief Executive  
for the 2022-2025 triennium.

December 2022

Amended February 2024

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## Purpose

1. This manual sets out the Council's delegations to standing committees, special committees, subcommittees, working parties, community boards and the Chief Executive.
2. The purpose of the manual is to clearly define the parameters under which committees and staff are able to act. It provides a mechanism to give effective management of Council's affairs.

## Operative date

3. This manual came into effect on 31 October 2001 and this revised version will take effect from 8 December 2022. It will continue in force until revoked by the Council.
4. All earlier policies which conflict with or duplicate any provisions in this manual are revoked as from 8 December 2022.

## General matters of delegation

### Introduction

5. Councils are authorised by various statutes to delegate in order to facilitate the efficient and effective conduct of their business. Commonly, delegation of a statutory power is granted under the legislation by a local authority to a committee or to one or more of its officers.
6. "Delegation" within this register means conferring authority to exercise a responsibility, power, or duty from one party ("the delegator") to another party ("the delegate").
7. With the passage of the Local Government Act 2002, many of a council's powers and functions that in the past were covered by specific statutory provisions are no longer referred to. These powers and functions are now authorised under section 12 of the Local Government Act 2002, which is commonly described as granting the council "power of general competence". Where, in this manual, no specific statutory source is given for a power or function, it should be assumed that the source is section 12 of the Local Government Act 2002.
8. The legislation specifically referring to Council's power to delegate comes from the Local Government Act 2002, Schedule 7, Clause 32 as follows:
  - (1) *Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except—*
    - (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 council community plan; or*
    - (d) *the power to adopt a long-term council community 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 council community plan or developed for the purpose of the local governance statement; or*
    - (g) ~~*Repealed*~~
    - (h) *the power to adopt a remuneration and employment policy*

It should also be noted that Clause 32 says:

- (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 delegation.*
  - (4) A committee, subcommittee, or 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.*
9. Elected members and staff must take care when exercising a decision-making power given to the Council, especially where a person's rights may be affected. Where an act or regulation empowers the Council to do something, elected members and staff should check whether the matter has been delegated, and if so, to which committee or person. The decision or action would then have to be made by that committee or person.
  10. If a matter or issue does not fall within any of the delegations in this register, then a decision on a matter or issue is one for the full Council.

## Lowest level of competence

11. It would be impossible for the elected Council or its committees and community boards to deal with everything themselves. With this in mind Council have adopted a philosophy of delegation to the lowest level of competence. This will achieve the best use of the abilities of Councillors and officers, minimise costs, develop effective managers and minimise bureaucratic interference in the lives of the residents of the Clutha District.
12. Delegation also avoids the need for all Councillors to be involved in all the organisation's business and allows them to specialise by developing skills in specific areas.
13. Generally, the principle legislation that Council uses on a day-to-day basis, provides for delegations. The delegations in this manual are intended to reflect delegation to the lowest competence level to allow the Council to delegate its powers and functions to the most efficient and effect levels.
14. Council delegates to the Chief Executive who may delegate further to staff.

## Policy and fact

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

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

## Reporting decisions

17. Every committee and subcommittee will report decisions taken under delegated authority in the manner required by standing order, i.e., in minutes submitted to the next available meeting of the Council or the committee to which a subcommittee reports.
18. Decisions taken by officers under delegated authority will be reported when:
  - a. a regular report is required under the delegation, or
  - b. a report is required under section 4 of the Public Bodies Contract Act 1959, or
  - c. where other acts require reporting in a particular way, or
  - d. where the decision is one of a class which the Council has directed should be reported upon, or
  - e. where the Council, for any reason, should be aware of the decision.

## Call-up procedure

19. Nothing in this manual will limit the power of the delegate to exercise a duty, power or function concurrently with, or in substitution for, a delegatee.
20. Except in exceptional circumstances a delegate should not:
  - a. if the Council, act without the advice of a committee or the Chief Executive
  - b. if the delegation involves a community board, act without consultation with the appropriate board chairman
  - c. if the Chief Executive, act without advice from the appropriate officer.
21. The Mayor may, on behalf of the Council, call up to the Council any matter which has been delegated by the Council. The delegatee will then take no further action on that matter until the Council has either decided that the matter should be referred back to the delegatee (with directions if any), or determined the matter.
22. In calling up any matter to the Council the Mayor should consult with the chairperson of the relevant committee or community board involved, if any, and the Chief Executive.
23. A delegatee may, rather than make a decision, refer a matter back to the delegate with a suitable recommendation. The delegate will then decide the matter.
24. Community Boards and committees of Council cannot act contrary to policies of the Council and in particular the Council's Long-Term Plan.

## Delegation to be in writing and recorded

25. Every delegation will be in writing and clearly define the nature, purpose and limitation of the power, function or duty delegated.
26. Every delegation to staff will be recorded in a register kept for that purpose by the Chief Executive. The register of delegations can be located in the Appendix C of this manual.
27. Unless a contrary intention is indicated, every delegation shall be to the stated officer or position, and not to an individual or the membership of a group in their personal capacities. In every case of this type of delegations shall survive any change in the occupier of any such office.

## Term of delegation

28. Each new council on the commencement of its term should review and revise (if applicable) the delegations made to committees, subcommittees, working parties and community boards.
29. All delegations will continue until altered or revoked by the Council or withdrawn by operation of law.

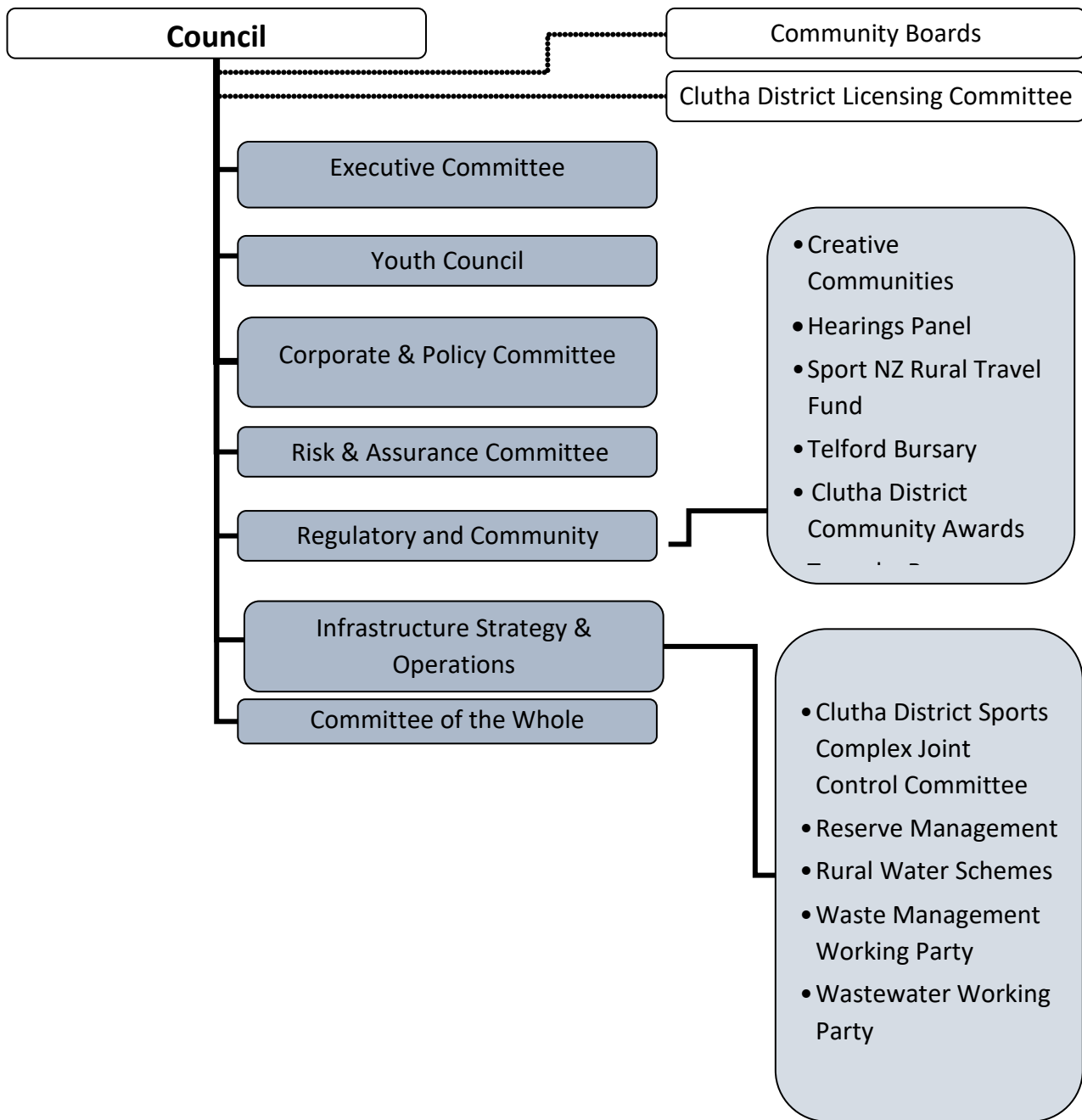
## Delegation to affix Council seal and authority to sign

30. Delegated authority is granted to the Chief Executive to authorise, sign and affix the Common Seal of Council to documents.
31. The Chief Executive will be responsible for the custody of the Council's seal and maintain records as to its use.
32. That a list of documents executed under this delegation be placed before the Ordinary Meeting of Council each month for information and to be received.

## Amendments to this manual

33. Decisions made by Council or under the delegated authority that result in changes being required to the manual are to be signed off by the Chief Executive (with changes to be recorded on Appendix D – Delegations Manual Changes Register).
34. The above applies to any typographical, grammatical or other minor amendments where the intention of the Council is the matter of a delegation is not altered. These are not required to be recorded in Appendix D – Delegation Manual Changes Register
35. This manual will be revised after each triennial election.

## Council and its Committees



### An overview of delegation to committees and working parties

36. Like most councils, the Clutha District Council conducts the majority of its business through committees. The governing body of the Clutha District Council is the Council. The Council's authority to delegate to committees, subcommittees, community boards, members or staff, comes from Clause 32, Schedule 7 of the Local Government Act 2002.

37. The Council can choose to delegate any of its functions, powers and responsibilities, but there are some matters **Council cannot delegate**. Only Council has the power to do the following:
  - a. Make a rate.
  - b. Make a bylaw.
  - c. Borrow money or dispose of assets (unless this is in accordance with the Long-Term Plan).
  - d. Adopt a Long-Term Plan, Annual Plan or Annual Report.
  - e. Appoint a CEO.
  - f. 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.
  - g. Repealed.
  - h. Adopt a remuneration and employment policy.
38. Note: Committees, subcommittees, community boards, members or staff can be delegated the power to do anything in preparation of, or make recommendations on any of the above, but the ultimate decision must be made by the Council.
39. **Special committees** are committees reporting directly to Council that are not a standing committee, subcommittee or the Committee of the Whole. These are the Executive, and Hearings committees.
40. The **Corporate & Policy, Infrastructure Strategy & Operations, Regulatory and Community, and Youth Council** committees are the permanent standing committees that are responsible for much of the work of Council. These committees can set up a subcommittee to do some parts of its work, but only in the areas for which it has delegated authority.
41. **The Committee of the Whole** is the fifth standing committee of Council. Set up to allow a logical meeting flow, it is the final meeting on standing committee meeting day and considers public excluded items from the Corporate Services, Service Delivery or Regulatory and Policy areas of Council.
42. Committees only have the powers, functions and duties specifically given to them by the Council. Likewise, subcommittees only have the powers, functions and duties specifically given to them by the committee they report to.
43. Committees may only make a decision on a matter that comes under their delegated authority. In all other instances' committees can make a recommendation to their superior committee or to Council, whichever applies. This allows a system of '*double debate*' where a matter may be considered by a subordinate committee and then after further consideration either confirmed or amended by Council.
44. Any committee may, at any time, refer any matter the committee it reports to, or to Council for direction and/or determination.
45. A **Working Party** can be set up by a committee or Council. They have an investigative, advisory and fact-finding role. Working parties shall report their findings back to Council or the committee that formed them through the Chief Executive or relevant Group Manager.
46. Each committee has defined objectives and fields of activity it is responsible for. Committees have authority to act on or make recommendations on matters within their scope as stated in this Delegation Manual.
47. The constitution, membership, areas of responsibility and delegated authority of specific committees and subcommittees of the Clutha District Council can be found on the following pages.

## Committees and their membership

48. Committees can be discharged or reconstituted by Council at any time. Committee members can be appointed or removed at any time by a resolution of the Council. *Refer to the Clutha District Council's Standing Orders for further information.*
49. Council or a committee may appoint to any committee or subcommittee a person who is not a Council



member, if in the opinion of Council, that person has knowledge and expertise that will assist the work of the committee or subcommittee.

50. The Mayor is ex-officio to all committees with one full voting right.
51. Unless stated otherwise every delegation will be unaffected by changes in the membership of a committee or the holder of an office.

## Sub-delegation

52. Powers functions and duties granted by the Council to a standing committee may be sub-delegated to a subcommittee or Chief Executive.
53. Subcommittees may not delegate powers and functions granted to them. They may establish working parties to advise them.
54. Delegations to officers will be made by the Chief Executive who may delegate a power, function or duty to another officer or subcommittee of officers. As well as the discretionary delegations made under this manual there are provisions in various acts applying to the Council which provide for powers, duties and functions to be exercised directly by specified staff.

## Council's financial role

55. The Council is the ultimate decision-maker on financial matters. The Committees have limited financial delegations which should be exercised only when the matter, for timing reasons, cannot wait to be decided by Council. On important matters such as budgets, the various committees will make recommendations to the Council.

## Financial role of the standing committees

56. The role of the Corporate & Policy, Infrastructure Strategy & Operations, Regulatory and Community and Youth Council committees in financial management is to:
  - a. Consider and make recommendations to the Council on the Council's goals and objectives and Long-Term Plan, Annual Plan, and annual estimates;
  - b. Receive and consider the quarterly financial reports and annual report; and
  - c. Take political responsibility for the finances of the activities reporting to them.
57. Financial delegations are detailed in Appendix B.

# Terms of Reference

## Council

<b>Constitution</b>	All members of Council
<b>Meeting Frequency</b>	Six weekly or as required
<b>Objective</b>	The governing body of the Clutha District Council
<b>Quorum</b> <sup>1</sup>	8 members

## Areas of responsibility

1. Overseeing and approving the Long-Term Plan, Annual Plan and Annual Report (and their associated policies)<sup>2</sup>. This includes determining funding and priorities derived from these, including rates setting and other forms of funding.
2. To consider proposals for a change to the political structure of Council including the nature and authority of committee delegation to the Chief Executive, the size of Council, the nature of wards, and communities<sup>3</sup>.
3. To confirm proposals for the remuneration of elected members.

**Note:** In accordance with the Local Government Act 2002, Clause 32 (1) only Council has the power to do the following:

- a. Make a rate.
- b. Make a bylaw.
- c. Borrow money, or purchase or dispose of assets (other than in accordance with the Long-Term plan).
- d. Adopt a Long-Term plan, Annual Plan or Annual Report.
- e. Appoint a Chief Executive
- f. 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.
- ~~g. The power to warrant enforcement officers. (repealed)~~
- h. Adopt a remuneration and employment policy.

## Financial Delegations

4. Financial delegations are identified in Appendix B – Financial Delegations.

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<sup>1</sup> Ref: Local Government Act 2002. Schedule 7, 23 (3)(a).

<sup>2</sup> Includes Revenue & Financing Policy and Significance & Engagement Policy.

<sup>3</sup> Note: The next review of representation arrangements required under Section 19H of the Local Electoral Amendment Act 2002 ahead of the 2025 election.

## Clutha District Community Service Awards Selection Panel

<b>Reporting To</b>	Regulatory & Community Committee
<b>Constitution</b>	4 members of Council including the Mayor
<b>Meeting Frequency</b>	Annually or as required
<b>Objective</b>	To consider nominations for the Community Service Award and grant awards in accordance with Council policy.
<b>Quorum</b>	Majority

### Power to act

1. To grant Community Service Awards in accordance with the policy.

## Clutha District Sports Complex Joint Control Committee

<b>Reporting To</b>	Infrastructure Strategy & Operations Committee
<b>Constitution</b>	2 members of Council and the Chief Executive Officer 3 members appointed by the South Otago A & P Society
<b>Meeting Frequency</b>	At least annually and as required.
<b>Objective</b>	To oversee the management of the Clutha District Sports Complex.
<b>Quorum</b>	Majority

### Areas of responsibility

1. To oversee the management and development of the jointly owned Clutha District Sports Complex, as set out in the Joint Control Agreement between the South Otago Agricultural and Pastoral (A & P) Society and the Clutha District Council. This includes:
  - a. Ensuring maintenance and housekeeping of the grounds.
  - b. Overseeing the management of the adjacent land and grounds known as the Riverside Reserve.
  - c. Ensuring maintenance of the Grandstand complex, including any associated toilets.
  - d. Ensuring maintenance of other facilities on the grounds.
  - e. Overseeing the fixing and payment of rentals of the Grandstand complex.
  - f. Ensuring an effective and efficient booking system is maintained for the grounds and facilities.
  - g. Ensuring the promotion of the facilities with community and sports groups, with a view to ensuring maximum usage.
  - h. Reporting annually to the A & P Society and Council on the operation of the land and facilities.

### Power to recommend to the Infrastructure Strategy & Operations Committee

2. To consider and report proposals for further development of the grounds and facilities to the A & P Society and Council.

**Note:** Council and the A & P Society, by mutual agreement, can extend the role and powers of this Committee from time to time, to include future developments of the facilities and grounds.

## Clutha District Licensing Committee

<b>Reporting To</b>	The District Licensing Committee is appointed by Council and operates within the statutory powers conferred by the Sale and Supply of Alcohol Act 2012 (Act)
<b>Constitution</b>	Chairperson (elected member or independent commissioner) Deputy Chairperson (elected member) Up to 5 approved members, as appointed by Council
<b>Meeting Frequency</b>	As required
<b>Objective</b>	To carry out Council's responsibilities, as conferred by the Act
<b>Quorum</b>	3 members unless it is to consider and determine an unopposed application for a licence; manager's certificate; or renewal of licence or manager's certificate. In this situation, the quorum consists of 1 member, being the Chairperson (or Deputy Chairperson acting in the capacity of Chairperson, in their absence).

### Areas of responsibility

1. Administer Council's alcohol licensing framework and deal with licensing matters, as conferred by the Act.

### Power to resolve

2. To consider and determine applications for:
  - a. Licences and manager's certificates.
  - b. Renewal of licences and manager's certificates.
  - c. Temporary authority to carry on the sale and supply of alcohol in accordance with section 136 of the Act.
  - d. Variation, suspension, or cancellation of special licences.
  - e. Variation of licences (other than special licences), unless the application is brought under section 280 of the Act (Note: section 280 relates to applications by constables or inspectors to the Alcohol Regulatory Licensing Authority (ARLA) for variation, suspension or cancellation of a licence, other than a special licence).
3. With leave of the Chairperson of the licensing authority (ARLA), to refer applications to the licensing authority.
4. To conduct inquiries and make reports as may be required of it by the licensing authority under section 175 of the Act.
5. Any other functions conferred on licensing committees by or under the Act or any other enactment.

## Committee of the Whole

<b>Reporting To</b>	Council
<b>Constitution</b>	All members of Council
<b>Meeting Frequency</b>	Six weekly or as required
<b>Objective</b>	To receive, decide and/or recommend on items or matters arising from standing committees that are to be considered under 'public excluded'.
<b>Quorum</b>	8 members

### Areas of responsibility

1. To receive, decide and/or recommend on items or matters arising from standing committees that are to be considered under Appendix 1 of the Clutha District Council's Standing Orders.

### Financial Delegations

2. Financial delegations are identified in Appendix B – Financial Delegations.

### Power to act

3. Identical to that of the Corporate & Policy, Infrastructure Strategy & Operations and Regulatory & Community committees.

### Power to recommend

4. Identical to that of the Corporate & Policy, Infrastructure Strategy & Operations and Regulatory & Community committees.

## Community Boards

### Introduction

1. A community board is a separate legal entity to Council. It is not a committee of Council but can be empowered by Council to act under delegation.

### The Role of the Community Board:

2. To represent and act as an advocate for the community on any issue.
3. To consider and report on any matter referred to the community board by Council.
4. To consider and report to Council on any matter of interest or concern to the Community Board.
5. To maintain an overview of services provided within the community.
6. To provide input into the budgetary processes of Council.
7. To communicate with organisations and special interest groups within the community.
8. To provide local input into Council policy making and decisions.
9. A Community Board may, at any time, refer any matter to Council for direction and/or determination.

## Lawrence/Tuapeka and West Otago Community Boards

<b>Reporting To</b>	Council
<b>Constitution</b>	West Otago - 6 Community Representatives, 2 Councillors Lawrence/Tuapeka - 6 Community Representatives, 1 Councillor
<b>Meeting Frequency</b>	Six weekly or as required
<b>Quorum</b>	West Otago: 5 members Lawrence/Tuapeka: 4 members

### The Community Board should:

1. Provide their local community's input (through submissions) on:
  - a. Council's Long-Term Plans and Annual Plans. This could include suggested actions, programmes and facilities within the community for consideration by the Council. This also includes recommending levels of charges for community services as outlined in the Fees and Charges schedule and the community board's annual budget requirements.
  - b. Council's policies, programmes (including district roading) and bylaws.
  - c. Changes or variations to the District Plan which impact on the Board's community.
  - d. Resource management issues which it believes is relevant to the local community.
  - e. Road safety, including road safety education within its area.
  - f. The sale and acquisition of Council property within the Board's boundaries.
2. Coordinate:
  - a. Local community consultation on district-wide issues the Council has called for consultation on.
3. Maintain:
  - a. An overview of roadworks, footpaths, car parking and traffic management in its local area.
  - b. An overview of water supply, sewerage, stormwater drainage, waste management in its local area.

- c. An overview of cemeteries, parks, libraries, community centres, public halls, playgrounds and community activities within its local area.
4. Promote:
  - a. Promote recreational facilities and opportunities in its area with a view to ensuring maximum usage.
5. Consider and make recommendations to Council on:
  - a. Major issues (as notified from time to time by Council).
  - b. Naming new roads (in the local area).
  - c. Naming local purpose and utility recreation reserves (in the local area).
6. Decide:
  - a. The allocation of a discretionary fund, in accordance with established guidelines.

## Project Fund Guidelines

7. In allocating its project funds, the community board must ensure that:
  - a. Decisions conform with Council policies and plans (for example, the District Plan or Long-Term Plan), legislative requirements and Annual Plan goals and objectives.
  - b. Advice and agreement is sought from the Chief Executive if needed.
  - c. The approval of spending must be by resolution of the Community Board.
  - d. If funding is to be provided for a project Council has declined to fund (without prohibiting the community board from funding it) the Community Board must state the reasons why it has decided to provide funding for that project.
  - e. When funding is approved an accountability, form is provided to the recipient and the recipient advised that a requirement of receiving the funding is reporting back on expenditure and;
  - f. A report is submitted at the end of each financial year to the Corporate & Policy Committee detailing expenditure over the year.

## Power to resolve

8. Those powers identified in Appendix C – Delegations Register.
9. Those financial delegations identified in Appendix B – Financial Delegations.



## Community Centre/Hall Committees

<b>Reporting To</b>	Regulatory & Community Committee
<b>Constitution</b>	Minimum of 6 community representatives elected at a triennial general meeting Minimum of 1 Council member and 1 community board member (where applicable) appointed by Council Chairperson elected at General Meeting
<b>Meeting Frequency</b>	General Meeting held three yearly following triennial elections Other meetings at least annually or as required
<b>Objective</b>	To operate and maintain the community centre/hall for the use of the community.
<b>Quorum</b>	2 members

### Areas of responsibility

1. To ensure the maintenance, operation and development of the centre/hall so that the facility meets the needs and aspirations of the community it serves.
2. The following delegations apply to the committees that oversee the following community assets:

Clutha Valley Community Centre	Paretai Hall
Hillend Community Centre	Waihola Hall
Kaka Point Community Centre	Waipahi Community Centre
Lovells Flat Community Centre	Waitahuna War Memorial Hall
Moneymore Community Centre	Waiwera Community Centre
Owaka Community Centre	

### Power to resolve

3. Deciding on administration and maintenance of the community centre/hall, within the agreed budgets.

### Power to recommend to the Infrastructure Strategy & Operations Committee

4. Annual budgets and community centre/hall maintenance and development programmes.
5. Level of fees or charges relating to the community centre/hall.

## Corporate and Policy Committee

<b>Reporting To</b>	Council
<b>Constitution</b>	All members of Council
<b>Meeting Frequency</b>	Six weekly or as required
<b>Objective</b>	To develop; ensure the implementation of; and monitor performance and policy and in relation to the activities and services set out below. To manage and develop the Council property and investments portfolio to the best commercial advantage, whilst encouraging economic and community development within the district.
<b>Quorum</b>	8 members

### Areas of responsibility

1. To ensure the maintenance and development of all corporate services necessary to an effective and efficient organisation, including regular reviews.
  - a. To monitor the overall financial performance of the Council and report accordingly.
  - b. To monitor levels of service and performance of the activities and services under the Committee's areas of responsibility. Those areas are as follows:
    - i. administration
    - ii. information systems and technology
    - iii. investments, including forestry and property
    - iv. Long Term Plan, Annual Plan and Annual Report
    - v. Treasury (including rating and financial forecasts).
  - c. To confirm work programmes and priorities (within Council approved budgets) for activities and services under the Committee's areas of responsibility.
  - d. Categorising Council land in accordance with Policy.
  - e. Monitor and review compliance with Council's direction and parameters for the property portfolio to provide best benefits to Council and the community.
  - f. Advising and determining when a variance to the market rate is required for leases and rentals on Council property.

### Financial Delegations

2. Financial delegations are identified in Appendix B – Financial Delegations.

### Power to resolve

3. To write off debts owed to Council (where value of the debt exceeds cost of collection).
4. To lodge submissions to external bodies on policies and legislation relevant to the delegated areas of responsibility.

5. To assess and approve policies that relate to activities and services under the Committee's areas of responsibility<sup>4</sup>.
6. Those powers identified in Appendix C – Delegations Register.
7. Authority to allow lease and rental agreements for Council-owned land/property that vary from the market rate.
8. Authority to categorise land in accordance with Policy.
9. Authority to monitor and review compliance with Council's direction and parameters for the lease, sale, purchase or development of all Council land.

## Power to recommend to Council

10. Relevant parts of the Council's Long-Term Plan, Annual Plan, and Annual Report.
11. Changes levels of service for the activities and services under the Committee's areas of responsibility.
12. Level of fees and charges for activities and services under the Committee's areas of responsibility
13. To evaluate, investigate and consult with the public over rating systems and make subsequent recommendations to Council.
14. To recommend policies on rating, loans, and funding of capital works.
15. Sale or purchase relating to property.
16. For uplifting or designation of reserves.
17. Council policy relating to property.
18. Actions proposed arising from monitoring and review responsibilities being fulfilled.
19. Any other matter within the areas of responsibility above.

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<sup>4</sup> With the exception of policies only Council can approve in accordance with Schedule 7, Clause 32 of the Local Government Act 2002.

## Creative Communities Funding Scheme Assessment Committee

<b>Reporting To</b>	Regulatory & Community Committee
<b>Constitution</b>	2 members of Council (The Chair to be appointed by the Committee) 6 Community Representatives, including 1 Local Māori representative (Note: A maximum of two consecutive terms is allowed for community representatives)
<b>Meeting Frequency</b>	Quarterly or as required
<b>Objective</b>	To support arts and cultural activities with the Clutha District within the criteria set by Creative Communities New Zealand.
<b>Quorum</b>	Majority

### Power to act

1. To consider local community arts applications to the Creative Communities Scheme and make grants in terms of the criteria specified by the Scheme's funder, Creative New Zealand.

## Executive Committee

<b>Reporting To</b>	Council
<b>Constitution</b>	Mayor, Deputy Mayor, Chair of the Corporate & Policy, Infrastructure Strategy & Operations, Regulatory & Community Committees and three Councillors appointed by Council
<b>Meeting Frequency</b>	Quarterly, or as required
<b>Objective</b>	To assist Council to discharge its responsibilities as follows: a) to oversee matters relating to the employment and principal accountabilities of the Chief Executive, b) any code of conduct matters, and c) any emergency issues.
<b>Quorum</b>	4 members

### Areas of responsibility

1. To liaise with the Chief Executive on the following matters:
  - a) Principal accountabilities of the Chief Executive and
  - b) Review of salary of the Chief Executive.
  - c) Compliance with applicable laws, regulations, and standards.
  - d) Robustness of internal and external reporting and accountability requirements
    - i. establishment and maintenance of controls to safeguard Council's financial and non-financial assets
    - ii. addressing code of conduct matters.
2. Matters of emergency not able to be dealt with immediately by Council or committee.

### Financial Delegations

3. Financial delegations are identified in Appendix B – Financial Delegations.

### Power to resolve

4. To review the Chief Executive's employment agreement with the Chief Executive on a regular basis, including determination of remuneration.
5. To discuss and set new objectives for the Chief Executive in his/her contract.
6. To take appropriate action on code of conduct matters.
7. To take appropriate action on matters of emergency.
8. Power to recommend to Council.
9. To make recommendations to Council on the initial employment, reemployment, resignation or dismissal of the Chief Executive.

## Hearings Panel

<b>Reporting To</b>	Regulatory and Community Committee
<b>Constitution</b>	7 members of Council Note: membership of the panel to comply with any specific requirements of the relevant Act. Make up of members for any hearing will be determined by the Mayor in consultation with the Regulatory and Community Chair and Manager Planning and Regulatory Services.
<b>Meeting Frequency</b>	As and when required
<b>Objective</b>	To provide suitable commissioners for hearings.
<b>Quorum</b>	3 members

### Areas of responsibility:

1. Hearing and deciding resource management applications and other matters where a hearing is required under the Resource Management Act or Dog Control Act, where applicable.

### Power to resolve

2. To hear and decide applications for:
  - a. Resource consents.
  - b. Reviews of resource consents.
  - c. Objections to resource consent decisions/conditions.
  - d. Notices of requirement and heritage orders.
  - e. Objections to classification of a dog as menacing or dangerous.
  - f. Objections to probationary owner and dog owner disqualifications.
  - g. Objections to notices issued for barking dogs.
  - h. Authorities under the Clutha District Council Regulatory Bylaw 2018.
  - i. To hear and decide on submissions to the District Plan and plan changes.

### Power to recommend to Regulatory & Community Committee

3. Not applicable.

## Infrastructure Strategy & Operations Committee

<b>Reporting To</b>	Council
<b>Constitution</b>	All members of Council
<b>Meeting Frequency</b>	Six weekly or as required
<b>Objective</b>	To develop; ensure the implementation of; and monitor performance and policy in relation to the activities and services set out below.
<b>Quorum</b>	8 members

### Areas of responsibility

1. To monitor levels of service and performance of the activities and services under the Committee's areas of responsibility.
2. To confirm work programmes and priorities (within Council approved budgets) for activities and services under the Committees areas of responsibility. Those areas are as follows:
  - a. Activity management plans.
  - b. Camping grounds.
  - c. Cemeteries.
  - d. Engineering services.
  - e. Parks and reserves including sportsgrounds and playgrounds.
  - f. Public conveniences.
  - g. Roading services, including roading, bridging, footpaths and street lighting.
  - h. Solid waste management.
  - i. Water services, including rural and urban water supply, stormwater and sewerage.

### Financial Delegations

3. Financial delegations are identified in Appendix B – Financial Delegations

### Power to resolve

4. To lodge submissions to external bodies on policies and legislation relevant to the delegated areas of responsibility.
5. To approve policies that relate to activities and services under the Committee's areas of responsibility.<sup>5</sup>
6. Those powers identified in Appendix C – Delegations Register.
7. Those financial delegations identified in Appendix D – Financial Delegations.

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<sup>5</sup> With the exception of policies only Council can approve in accordance with Schedule 7, Clause 32 of the Local Government Act 2002.

## Power to recommend to Council

8. The relevant parts of the Council's Long-Term Plan, Annual Plan, and Annual Report.
9. Changes to the levels of service for the activities and services under the Committee's areas of responsibility.
10. Reserve management plans in accordance with the Reserves Management Act 1977.
11. Level of fees and charges for activities and services under the Committee's areas of responsibility.
12. Any other matter within the areas of responsibility above.



## Regulatory & Community Committee

<b>Reporting To</b>	Council
<b>Constitution</b>	All members of Council
<b>Meeting Frequency</b>	Six weekly or as required
<b>Objective</b>	To develop; ensure the implementation of; and monitor Council policy in relation to the areas of responsibility set out below.
<b>Quorum</b>	8 members

### Areas of responsibility

1. To monitor levels of service and performance of the activities and services under the Committee's areas of responsibility. Those areas are as follows:
  - a. Alcohol.
  - b. Amusement devices.
  - c. Animal control.
  - d. Building control.
  - e. Bylaws.
  - f. Civil Defence Emergency Management.
  - g. Community Centres & Halls
  - h. Community Libraries
  - i. Council Community Housing Units
  - j. Environmental health.
  - k. Freedom camping.
  - l. Food and other registered premises.
  - m. Hazardous substances.
  - n. Litter.
  - o. Noise control.
  - p. Nuisances.
  - q. Parking enforcement.
  - r. Psycho-active substances.
  - s. Remotely piloted aircraft systems.
  - t. Resource management and land use planning.
  - u. Shop trading hours.
  - v. Swimming Pools
  - w. Administration and enforcement of the District Plan.
2. To develop and recommend strategies and plans to the Council that advance Council's vision and goals, and comply with the purpose of local government, as specified in the Local Government Act 2002.

## Financial Delegations

Financial delegations are identified in Appendix B – Financial Delegations.

### Power to resolve

1. Approve submissions to government, local authorities and other organisations relating to its areas of responsibility.
2. To assess and approve policies that relate to activities and services under the Committee’s areas of responsibility.<sup>6</sup>
3. To lodge an appeal, objection or submission to any application for a District Plan change or resource consent under s120 Resource Management Act 1991.
4. To lodge an appeal to the Environment Court under Clause 14 of Schedule 1 of the Resource Management Act 1991 where Council made a submission on a proposed policy statement or plan.
5. To become party to a proceeding under section 274 of the Resource Management Act 1991.
6. To authorise prosecutions and other actions in the District Court and/or Environment Court.
7. To approve and lodge submissions to external bodies on policies and legislation relevant to the delegated areas of responsibility.
8. Changes to the District Plan, including the decision to publicly notify a District Plan, plan change or variation to a plan under Clause 5 of the First Schedule of the Resource Management Act 1991.
9. Modify a request for a plan change under Clause 24 of the First Schedule of the Resource Management Act 1991.
10. Adopt, accept or reject a plan change request under Clause 25 of the First Schedule of the Resource Management Act 1991.
11. Decline, approve or approve with modifications a plan change request and initiate a variation under Clause 29 of the First Schedule of the Resource Management Act 1991.
12. Changes to objectives and policies contained in the District Plan or other strategic policies where those conflict with those in the District Plan or Long-Term Plan.
13. Withdrawal a change to Council’s District Plan and lodge submissions or cross submissions to a plan review or change.
14. Appoint independent commissioners to a Consents Panel and/or Hearings Panel, when required under the Resource Management Act 1991.
15. Those powers identified in Appendix C – Delegations Register.
16. Those financial delegations identified in Appendix B – Financial Delegations.

### Power to recommend to Council

17. The relevant parts of the Council’s Long-Term Plan, Annual Plan, and Annual Report.
18. Changes to levels of service to the activities and services under the Committee’s areas of responsibility.

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<sup>6</sup> Excludes policies only Council can approve in accordance with Schedule 7, Clause 32 of the Local Government Act 2002.

19. Level of fees and charges for activities and services under the Committee's areas of responsibility.
20. Adoption of the Clutha District Civil Defence Plan under the Civil Defence Emergency Management Act 2002 and subsequent plan changes.
21. Changes to bylaws and the adoption of new bylaws.
22. Any other matter within the Committee's areas of responsibility.

## Reserve Management Subcommittees

<b>Reporting To</b>	Infrastructure Strategy & Operations Committee
<b>Constitution</b>	Minimum 1 person appointed by Council. Minimum 5 community representatives elected at triennial general meeting. Chairperson elected by the subcommittee.
<b>Meeting Frequency</b>	General meeting held three yearly following triennial (within 6 months). Other meetings at least yearly or as required.
<b>Objective</b>	Through community involvement, ensure that the appropriate operation, maintenance and development of named reserves within a community in accordance with adopted management plans and the Reserve Act 1977.
<b>Quorum</b>	Majority

### Area of responsibility

1. Ensure the appropriate operation, maintenance and development of named reserves within the community, in accordance with adopted reserve management plans under the Reserves Act 1977.
2. Collection of fees and charges relating to that reserve.
3. To undertake any physical maintenance and development work that:
  - a. is permitted and programmed in the Reserve Management Plan or Council Reserves Strategy; and
  - b. has funding available or has no funding requirements of Council;
  - c. is not part of a contract administered by Council.
4. The above responsibilities apply to the committees that oversee the following reserves:

Hinahina	Taieri Mouth
Moore Park	Taylor Park
Mt Stuart	Willsher Bay
Riverside	

### Power to recommend to the Infrastructure Strategy & Operations Committee

3. Recommend budgets and any changes to fees and charges.
4. Recommend any leases or long-term rentals.
5. Recommend review of the Reserve Management Plan.
6. To recommend any matters concerning policy, management plans and associated Council funding.

## Risk & Assurance Committee

<b>Constitution</b>	<p>Members of the Committee will be made up of an Independent Chair, Mayor, Deputy Mayor, Chair of the Corporate &amp; Policy, Infrastructure Strategy &amp; Operations and Regulatory &amp; Community Committees and three other Councillors appointed by Council.</p> <p>Members will be appointed for an initial period not exceeding three years after which they will be eligible for extension or re-appointment, after a formal review of their performance. The Chief Executive and the Deputy Chief Executive will not be members of the Committee but may attend meetings as observers as determined by the Chairperson. The members, taken collectively, will have a broad range of skills and experience relevant to the operations of the Council. At least one independent member of the Committee should have accounting or related financial management experience with an understanding of accounting and auditing standards in a public sector environment.</p>
<b>Meeting Frequency</b>	<p>6 times per year, or as required.</p> <p>To oversee aspects relating to audit and risk management.</p>
<b>Objective</b>	<p>The Risk &amp; Assurance Committee is an independent committee of Council.</p> <p>The purpose of the committee is to oversee:</p> <ul style="list-style-type: none"><li>• risk management</li><li>• internal control</li><li>• external accountability</li><li>• internal audit</li><li>• external audit and</li><li>• compliance with legislation, policies and procedures.</li></ul> <p>The Committee has no executive powers and will conduct itself in accordance with the values and ethics of the Council. The Committee is directly responsible and accountable to the Council for the exercise of its responsibilities. In carrying out its responsibilities, the Committee must always recognise that primary responsibility for management of the Council rests with the Chief Executive. The responsibilities of the Committee may be revised or expanded in consultation with, or as requested by, the Clutha District Council from time to time.</p> <p>The Council, at its meeting on 27 October 2022, established the Risk and Assurance Committee for the 2022-25 triennium.</p> <p>The Council authorises the Committee, within the scope of its role and responsibilities, to:</p> <ul style="list-style-type: none"><li>• obtain any information it needs from any employee and/or external party (subject to their legal obligation to protect information);</li></ul>

- discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- request the attendance of any employee, including the Chief Executive, Deputy Chief Executive and the Managers of Corporate & Policy, Infrastructure Strategy & Operations and Regulatory & Community
- obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the Council's expense

**Quorum**

5 members

**Additional Attendees**

The Committee may invite various parties to attend its meetings. These parties may include other members of senior management or line managers as appropriate. When the Committee is considering a report, the manager responsible for the area under review will be given the opportunity to discuss the report with the Committee. Other elected members may attend but have no voting rights.

## Areas of responsibility

### 1. Risk Management

- Ensure that Council has in place a current and comprehensive risk management framework and associated procedures and review for effective identification and management of Council's financial and business risks including fraud.
- Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings.
- Review the effect of the Council's risk management framework on its control environment and insurance arrangements.
- Review whether a sound and effective approach has been followed in establishing the Council's business planning continuity arrangements, including whether disaster recovery plans have been tested periodically and
- Review the Council's internal controls in relation to preventing fraud and satisfy itself that the Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information and to ensure appropriate action is taken against perpetrators of fraud.

### 2. Internal Control

- Review whether management's approach to maintaining an effective internal control framework, including over external parties such as contractors and advisers, is sound and effective.
- Review whether management has in place relevant policies and procedures, and that these are periodically reviewed and updated.
- Determine whether the appropriate processes are in place to assess, at least once a year, whether policies and procedures are complied with.
- Review whether appropriate policies and procedures are in place for the management and exercise of delegations.
- Consider how management identifies and required changes to design or implementation of internal controls and
- review whether management has taken steps to embed a culture that is committed to ethical and lawful behaviour.

### 3. External Accountability

The Committee's responsibilities are to:

- a. Review the financial statements and provide advice to the Council, including whether appropriate action has been taken in response to audit recommendations and adjustments.
- b. Satisfy itself that the financial statements are supported by appropriate management sign-off on the statements and on the adequacy of the systems of internal controls.
- c. Review the processes in place designed to ensure that financial information included in the Council's annual report is consistent with the signed financial statements.
- d. Review the processes and risk assessments that are in place for the development and adoption of the Council's Long-Term Plan.
- e. Satisfy itself that the Council has appropriate mechanisms in place to review and implement, where appropriate, relevant external audit reports and recommendations; and
- f. Satisfy itself that the Council has a performance management framework that is linked to organisational objectives and outcomes.

### 4. Internal audit

The Committee's responsibilities are to:

- a. Act as a forum for communication between the Chief Executive, senior management, and internal and external auditors.
- b. Review the internal audit coverage and annual work plan, ensure that the plan is based on the Council's risk management plan, and recommend approval of the plan on behalf of the Council.
- c. Advise the Mayor and Chief Executive on the adequacy of resources to carry out the internal audit, including completion of the approved internal audit plan.
- d. Oversee the co-ordination of audit programs conducted by the internal and external auditors and other review functions.
- e. Review all audit reports and provide advice to the Council on significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of good practice.
- f. Monitor management's implementation of the internal auditor's recommendations.
- g. Review the internal audit charter to ensure that appropriate organisational structures, authority, access, and reporting arrangements are in place.

### 5. External audit

The Committee's responsibilities are to:

- a. Act as a forum for communication between the Chief Executive, senior management, and internal and external auditors.
- b. Provide input and feedback on the financial statements and the audit coverage proposed by the external auditor and provide feedback on the audit services provided.
- c. Review all external plans and reports for planned or completed audits and monitor management's implementation of audit recommendations.
- d. Oversee the co-ordination of audit programs conducted by the internal and external auditors and other review functions and
- e. Provide advice to the Council and Chief executive on action taken on significant issues raised in relevant external audit reports and good practice guides.

### 6. Compliance with legislation, standards and good practice guidelines

The Committee's responsibilities are to:

- a. Determine whether management has appropriately considered legal and compliance risks as part

- of the Council's risk assessment and management arrangements and
- b. Review the effectiveness of the system for monitoring the Council's compliance with relevant laws regulations, and associated government policies.

## Financial Delegations

7. Financial delegations are identified in Appendix B – Financial Delegations.

## Power to resolve

8. In exercising the delegated powers, the committee will operate within policies, plans, standards or guidelines that have been established and approved by Council, the overall priorities of Council, the needs of the local communities and the approved budgets for the activity.

## Power to recommend to Council

9. Strategic Finance
  - a. Financial Strategy.
  - b. Revenue and Financing Policy matters (excluding rates reviews).
  - c. Treasury Management and Borrowing and Investment Policies.
  - d. Adoption of Annual Report.
  - e. Investment strategy.
  - f. Borrowing.
  - g. Management policies (e.g. fraud, sensitive expenditure).
10. Risk
  - a. Risk Management Policy (setting Council's appetite for risk).
  - b. Risk Management outside of budgets (e.g. insurance).
  - c. Risk Management outside of Risk Management Policy.
  - d. Delegations Policy to Chief Executive and direct to officers where required.
  - e. Insurance (including self-insurance) within policy and budgets.

## Power to monitor

11. Strategic Finance
  - a. Investment Policy compliance.
  - b. Debt Policy compliance.
  - c. Financial Strategy compliance
    - i. risk and opportunities monitoring
    - ii. capital programme monitoring.
  - d. Financial Strategy monitoring.
  - e. Investment monitoring (including return on investment for cash and property).
  - f. Debt monitoring.
12. Risk
  - a. Risk management framework.
  - b. Major project monitoring.
  - c. Debt risk management.



- d. External audit.
- e. Internal control framework
  - i. internal audit
  - ii. sensitive expenditure
  - iii. conflicts of interest.
- f. Legal compliance.
- g. Health and Safety culture and compliance.

## Rural Water Scheme Consumer Committees

<b>Reporting To</b>	Infrastructure Strategy & Operations Committee
<b>Constitution</b>	<ul style="list-style-type: none"><li>• Minimum of 6 consumers elected at a triennial general meeting.</li><li>• 1 Council member and 1 community board member (where applicable) appointed by Council.</li><li>• Chairperson and secretary elected at General Meeting</li></ul>
<b>Meeting Frequency</b>	<ul style="list-style-type: none"><li>• General meeting held three yearly following triennial Council elections.</li><li>• Annual meeting to approve budgets.</li><li>• Other meetings as required</li></ul>
<b>Objective</b>	To represent the needs and aspirations of scheme consumers, ensuring the proper maintenance, operation and development of their rural water scheme.
<b>Quorum</b>	Majority

### Areas of responsibility

1. Overview of the operation and development of the applicable rural water scheme including:
  - a. Reviewing estimates and recommending budgets, for example, unit rates.
  - b. Reviewing scheme development, including activity management plans and public health risk management plans.
  - c. Reviewing Council policy relating to rural water and making recommendations.
  - d. Representing scheme consumers.
2. The above responsibilities apply to the committees that oversee the following rural water schemes:

Balmoral 1	Moa Flat	Tuapeka
Balmoral 2	North Bruce	Wangaloa
Clydevale/Pomahaka	Richardson	Waipahi
Glenkenich	South Bruce	

### Financial Delegations

3. Financial delegations are identified in Appendix B– Financial Delegations.

### Power to resolve

4. Authority to decide on applications for changes to existing connections or for additional connections or disconnection to the rural water scheme.

### Power to recommend to the Infrastructure Strategy & Operations Committee

5. To recommend any matters concerning operations, maintenance, development and policy for the scheme.

## Sport NZ Rural Travel Fund Assessment Committee

<b>Reporting To</b>	Regulatory & Community Committee
<b>Constitution</b>	2 members of Council Up to 6 community representatives, including 1 local Māori representative and 1 Regional Sports Trust representative. A maximum of two consecutive terms is allowed for community representatives)
<b>Meeting Frequency</b>	Annually or as required
<b>Objective</b>	To support sport and physical leisure activities within the Clutha District.
<b>Quorum</b>	Majority

### Area of responsibility

2. Allocate funds received from the Sport NZ Rural Travel Fund.

### Power to act

3. To approve grants from applications received in terms of the approved criteria from the Sport NZ Rural Travel Fund.

## **Telford Rural Polytechnic Bursary Panel**

<b>Reporting To</b>	Regulatory & Community Committee
<b>Constitution</b>	3 members of Council
<b>Meeting Frequency</b>	Annually or as required
<b>Objective</b>	To consider all applications for the Telford Rural Polytechnic Bursary.
<b>Quorum</b>	Majority

### **Power to act**

1. To conduct interviews and award bursaries in accordance with the agreed conditions.

## Tuapeka County Bursary Panel

<b>Reporting To</b>	Regulatory & Community Committee
<b>Constitution</b>	1 Councillor from West Otago Ward 1 Councillor from Lawrence/Tuapeka Ward 1 Councillor from Roxburgh Ward of Central Otago District Council The Chief Executive as Chair
<b>Meeting Frequency</b>	Once a year or as required
<b>Objective</b>	To administer the deed of trust for the Tuapeka County Bursary.

### Power to act

1. To conduct interviews and award bursaries in accordance with the trust deed.

## Waste Management Working Party

<b>Reporting To</b>	Infrastructure Strategy & Operations Committee
<b>Constitution</b>	6 members of Council
<b>Meeting Frequency</b>	As required
<b>Objective</b>	Address ongoing waste management for the Clutha District.
<b>Quorum</b>	Majority

### Areas of responsibility

1. To review the existing solid waste and waste minimisation management practices, and after consulting with all affected parties, recommend a plan for continued management of solid waste in the Clutha District.
2. To undertake an investigation on current and proposed objectives, standards and expectations for solid waste management in New Zealand, the region and Clutha District.
3. To undertake an investigation into options available for the future delivery of services to meet the objectives, standards and expectations for solid waste and waste minimisation management in the district, for example, recycling services.
4. To undertake an investigation into options available for the funding of proposed services for solid waste and waste minimisation management to be delivered by Council.
5. To undertake consultation during the development of issues, options and recommendations with parties affected by or have an interest in solid waste and waste minimisation management.

### Power to recommend to Infrastructure Strategy & Operations Committee

6. To recommend the adoption of a Solid Waste Management Plan, in compliance with the Local Government Act 2002.
7. To recommend the methodology for delivering and funding solid waste management and waste minimisation services.

## Wastewater Working Party

<b>Reporting To</b>	Infrastructure Strategy & Operations Committee
<b>Constitution</b>	6 members of Council 2 Iwi representatives Representative from Department of Conservation Representative from Fish and Game
<b>Meeting Frequency</b>	As required
<b>Objective</b>	To undertake an investigation into options for re-use and/or disposal of sewerage and stormwater in the Clutha District.
<b>Quorum</b>	Majority

### Areas of responsibility

1. To consider alternative options for the re-use and/or disposal of treated sewage and stormwater, particularly in communities within the District not currently serviced.

### Power to act

2. To undertake an investigation, in consultation with the community, Iwi and other interest groups into:
  - a. Options for treatment, reuse and/or disposal of sewage and stormwater.
  - b. Treatment processes that will render treatment discharge acceptable to Iwi.
  - c. The need and affordability of new systems for communities that do not have a system (e.g. Taieri Mouth, Papatowai, Pounawea, Tokoiti, Benhar).
3. To investigate funding options for any new works, including the costs of ongoing operation and maintenance costs.

### Power to recommend

4. To report findings and recommendations to the Infrastructure Strategy & Operations Committee.

## Youth Council

<b>Constitution</b>	Maximum of 2 representatives aged between 14-24 from each of the Clutha District's secondary/area schools (South Otago High, Tokomairiro High, Blue Mountain College, Lawrence Area and Catlins Area schools). 2 workplace representatives (aged between 16-24). 2 on-campus student representatives from Telford (aged between 16-24). 2 members of Council.
<b>Meeting Frequency</b>	Formal meetings to take place six weekly or as required during the school year (February to October).  Workshops, training or project meetings will take place as required.
<b>Objectives</b>	To encourage youth involvement in the planning and development of Council services  To provide a youth perspective to the Council on a range of issues covered by Council, as well as issues relating directly to youth.  To act as a consultative link between young people and Council.  To provide a forum where the views of young people are voiced and heard.
<b>Quorum</b>	At least half the current members (not including any vacancies).

### Areas of responsibility

1. Ensuring the views of youth are canvassed and conveyed to Council, including providing advice on or assistance when formal consultations are being undertaken.
2. Working with Council staff and elected members to initiate and support programmes.
3. Participating in the planning and running of youth focused events that aim to get young people involved in the community doing positive activities.
4. Reporting progress on Youth Council initiatives and projects to Council.

### Power to resolve

5. Authority to make decisions on projects and events (within delegated budgets).
6. Authority to second advisors to the Youth Council for their input and expertise.

### Power to recommend to Council

7. To provide feedback to Council on matters, such as projects, policy and planning documents, such as the Long-Term Plan and District Plan.

### Responsibilities

8. Members are required to:
  - a. attend formal meetings.
  - b. attend training and project meetings.
  - c. be available to attend other training/meetings as they occur.



- d. feedback Youth Council information to their networks.
- e. bring youth issues to the Youth Council.
- f. assist Clutha District Council to canvas youth views.

9. In return for their commitment, Clutha District Council will provide members with:
  - a. training to fulfill their role as a Youth Council member.
  - b. assistance with transport costs to and from meetings.
  - c. training on and exposure to the local government political system.
  - d. opportunities to be a youth representative on working parties/committees/projects teams as these arise.
  - e. opportunities to attend conferences as budgets allow.
10. Agreed Council officers will oversee the administration of the Youth Council. Officers will write minutes, compile the agenda in conjunction with the Chair and provide general administrative and advisory support.

## Term of Appointment

11. Any person appointed to the Youth Council shall be appointed for a maximum of three years.
12. If a Youth Council member resigns, the Youth Council can choose to co-opt a new representative for the remainder of the term.
13. If a Youth Councillor serves three years, he/she may offer themselves for re-election. Nominations shall be called, and if more nominations are received than positions vacant, the Mayor shall determine the person/s appointed.
14. If a Youth Council member reaches the age of 24 during their term, they may complete their term.

## Conduct

15. The views of the Youth Council are their own, not necessarily that of the Clutha District Council as well.
16. Youth Council members are expected to adhere to the same standards as other elected members as set out in the Clutha District Council Code of Conduct and Standing Orders.
17. If a Youth Council member misses more than two meetings in a row without a formal apology, their membership will cease.
18. In the event of gross misconduct by a Youth Council member, dismissal may be required, at the discretion of the Mayor.

## Positions

19. A Chair and Deputy Chair will be appointed at the first meeting of each newly appointed Youth Council.
20. The role of the Chair is to:
  - a. Advocate of behalf of Clutha District Youth and the Youth Council. (Most effective when done so with the knowledge and support of other Youth Council members).
  - b. Act as spokesperson for the Youth Council.
  - c. Responsible for ensuring orderly conduct of Youth Council meetings.
  - d. May be required to attend certain events on behalf of Youth Council.
  - e. May be required to attend Council meetings.
21. In the absence of the Chair, the Deputy Chair will run the meeting or take on the above duties as required. The Deputy Chair will be given the opportunity to chair 1-2 meetings during their term.
22. The Chair may hold this position for a maximum of two years.

# The Chief Executive

## Introduction

1. The Chief Executive is the head of the Council's staff appointed under section 42(1) in accordance with Schedule 7, clauses 33 and 34 of the Local Government Act 2002 and shall have all the authority necessary or incidental to that position as defined in the job description, performance objectives, and in this manual.
2. The Chief Executive is responsible under section 42 of the Local Government Act 2002 for:
  - a) *implementing the decisions of the local authority; and*
  - b) *providing advice to members of the local authority and to its community boards, if any; and*
  - c) *ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and*
  - d) *ensuring the effective and efficient management of the activities of the local authority; and (da) facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001; and*
  - e) *maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and*
  - f) *providing leadership for the staff of the local authority; and*
  - g) *employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and*
  - h) *negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).*

Section 42 also states:

*A chief executive appointed under subsection (1) is responsible to his or her local authority for ensuring, so far as is practicable, that the management structure of the local authority –*

- i) reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and*
- j) is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.*

## Delegations to Chief Executive

3. In order to fulfill these responsibilities, the Chief Executive is delegated all the powers, functions and duties necessary for the management of Council activities and the implementation of Council policy except for any power, function or duty reserved to the Council or a committee under this manual.
4. The authority delegated to the Chief Executive may be delegated to any other officer of the Council or subcommittee of officers in accordance with Clause 32, Schedule 7 of the Local Government Act 2002.
5. Every delegation by the Chief Executive shall be in writing and suitability recorded (refer to the Delegations Register). Every delegation may be withdrawn or amended or made subject to conditions in the same manner.
6. During the Chief Executive's absence, the Deputy Chief Executive is delegated to carry out duties and actions on his/her behalf.
7. Sub delegation of delegated authority to another officer is not permitted.

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

8. The Chief Executive may subject to any policy established by the Council and within approved budgets, accept, negotiate or decline contracts, tenders, purchasing agreements or any other arrangements for:
  - a. The employment of staff (under section 42 Local Government Act 2002), consultants or advisers.
  - b. The supply of goods and services plant items or other assets (excluding real property) to the Council (Refer to the Policy on Procurement for details).
  - c. The provision of services by the Council, and the sale, leasing, or disposal of goods plant capital items (excluding real property), or other assets owned by the Council the settlement of claims for compensation.
  - d. Easements, rights of way, caveats, registrable interests and similar minor dealings with property.
9. In exercising this delegated authority, the Chief Executive must comply with:
  - a. Any policies adopted by the Council; and
  - b. Budget requirements; and
  - c. Value for money procurement principles based on the right quality, quantity and price, at the right place and time; and
  - d. The obligation to report decisions.

## Sensitive Expenditure

10. For expenditure deemed as sensitive refer to the policy on this matter.

## Planning and Development

11. The Chief Executive is delegated all administrative and operational functions, powers and duties under the Resource Management Act Funds Management
12. The management of the Council's funds shall be conducted in accordance with the Treasury Management and Liability Management Policy (which includes the Investment Policy). This policy states the levels of reporting and of delegation to the Chief Executive.

## Employment of Staff

13. Under section 42 of the Local Government Act 2002 the Chief Executive is responsible to the Council for employing the staff of the Council and negotiating their terms of employment. This includes staffing structures, authority for disciplinary action and dismissal, recruitment, good employer obligations and the equal employment opportunities programme.

## Warrants of Appointment

14. Council delegates to the Chief Executive the powers to appoint enforcement officers, and to issue warrants to enforcements officers. The Chief Executive will issue identity cards to any Council officer where required as the result of tasks to be undertaken by the officer concerned.

## Powers of Entry

15. Any officer of the Council permitted by law to enter property, conduct investigations or seize property for a lawful purpose is authorised to do so. Such an officer must carry a written warrant under seal as evidence of that authorisation as provided in section 174 of the Local Government Act 2002.

## Appendix A – Elected Member Appointments 2022-25

### Representation on Council Committees

<b>Key:</b>	● Appointed member	CE	Chief Executive
	<sup>c</sup> Chair	<sup>DM</sup>	Deputy Mayor
	<sup>DC</sup> Deputy Chair		

Note: The Mayor is ex-officio to all committees of Council.

Committee	Mayor Cadogan	Cr Catherwood	Cr McAtamney	Cr Felts	Cr Finch	Cr Martin	Cr Graham	Cr Herbert	Cr Kennedy	Cr Ludemann	Cr Payne	Cr Barron	Cr Mackie	Cr Vollweiler	Cr McCrostie	Other Elected Appointee/s	Chief Executive or Other Appointee/s
<b>Remuneration Proposed</b>	X				Chr		Chr			Chr	DM						
<b>Council</b>	✓ <sup>c</sup>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
<b>Risk and Assurance Committee</b>	✓				✓		✓	✓	✓	✓	✓			✓			✓ <sup>c</sup> 1
<b>Committee of the Whole</b>	✓ <sup>c</sup>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
<b>Corporate &amp; Policy Committee</b>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓ <sup>c</sup>	✓	✓	✓	✓	✓		
<b>Executive Committee</b>	✓				✓		✓	✓	✓	✓	✓			✓			
<b>Infrastructure Strategy &amp; Operations Committee</b>	✓	✓	✓	✓	✓	✓	✓ <sup>c</sup>	✓	✓	✓	✓	✓	✓	✓	✓		
<b>Regulatory &amp; Community Committee</b>	✓	✓	✓	✓	✓ <sup>c</sup>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
<b>Youth Council</b>					✓						✓						✓ <sup>2</sup>
<b>Hearings Panel<sup>3</sup></b>	✓	✓			✓						✓			✓ <sup>c</sup>			
<b>Creative Communities Funding Scheme Assessment Committee</b>	✓								✓		✓						✓ <sup>4</sup>

<sup>1</sup> S Halliwell, independent chair.

<sup>2</sup> Also includes representatives from Blue Mountain College, Catlins Area, Lawrence Area, South Otago High, Tokomairiro High, 2 representatives from Telford and 2 workplace representatives (aged between 16-24 years).

<sup>3</sup> Membership for a Hearings Panel hearing will be subject to successful training and/or retraining (as applicable).

<sup>4</sup> Includes up to 6 community representatives, including 1 local Māori representative.

Committee	Mayor Cadogan	Cr Catherwood	Cr McAtamney	Cr Felts	Cr Finch	Cr Martin	Cr Graham	Cr Herbert	Cr Kennedy	Cr Ludemann	Cr Payne	Cr Barron	Cr Mackie	Cr Vollweiler	Cr McCrostie	Other Elected Appointee/s	Chief Executive or Other Appointee/s
Sport NZ Rural Travel Fund Assessment Committee	✓ <sup>5</sup>			✓				✓									6
Telford Rural Polytechnic Bursary Panel			✓			✓				✓							
Tuapeka County Bursary Panel						✓											CE <sup>7</sup>
Clutha District Sports Complex Joint Control Committee				✓								✓					
<i>Halls and Community Centre Committees</i>																	
Clutha Valley Community Centre			✓														
Hillend Community Centre			✓														
Kaka Point Community Centre		✓															
Lovells Flat Community Centre							✓										
Moneymore Community Centre							✓										
Owaka Memorial Community Centre		✓															
Paretai Hall										✓							
Toko Mouth Hall															✓		
Waihola Hall													✓				
Waipahi Community Centre													✓				
Waitahuna War Memorial Hall						✓										✓ <sup>8</sup>	
Waiwera Community Centre													✓				

<sup>5</sup> Ex-officio membership.

<sup>6</sup> Includes up to 6 community representatives, including 1 local Māori and 1 Regional Sports Trust representative.

<sup>7</sup> Also includes a Central Otago District Council representative on behalf of the Roxburgh area.

<sup>8</sup> T Dickey, Lawrence/Tuapeka Community Board.

Committee	Mayor Cadogan	Cr Catherwood	Cr McAtamney	Cr Felts	Cr Finch	Cr Martin	Cr Graham	Cr Herbert	Cr Kennedy	Cr Ludemann	Cr Payne	Cr Barron	Cr Mackie	Cr Vollweiler	Cr McCrostie	Other Elected Appointee/s	Chief Executive or Other Appointee/s
<i>Reserve Management Subcommittees</i>																	
Hina Hina		✓															
Mt Stuart					✓												
Riverside												✓					
Taieri Mouth					✓												
Taylor Park					✓												
Tuapeka Mouth			✓														
Willsher Bay		✓															
<i>Rural Water Scheme Consumer Committees</i>																	
Balmoral 1			✓														
Balmoral 2			✓														
Clydevale/Pomahaka			✓														
Glenkenich								✓	✓							✓ <sup>9</sup>	10
Moa Flat								✓								✓	11
North Bruce													✓				
Richardson		✓	✓														
South Bruce											✓						
Tuapeka						✓										✓	12
Waipahi									✓				✓				

<sup>9</sup> C Crawford from West Otago Community Board.

<sup>10</sup> Also includes a Gore District Councillor.

<sup>11</sup> L Roulston, West Otago Community Board.

<sup>12</sup> G Davidson, Lawrence/Tuapeka Community Board.

Committee	Mayor Cadogan	Cr Catherwood	Cr McAtamney	Cr Felts	Cr Finch	Cr Martin	Cr Graham	Cr Herbert	Cr Kennedy	Cr Ludemann	Cr Payne	Cr Barron	Cr Mackie	Cr Vollweiler	Cr McCrostie	Other Elected Appointee/s	Chief Executive or Other
Wangaloa							✓										
<b>Clutha District Licensing Committee</b>				✓										✓ <sup>c</sup>			✓ 13
<b>Lawrence-Tuapeka Community Board</b>						✓										✓ 14	
<b>West Otago Community Board</b>								✓	✓							✓ 15	
Community Service Awards Committee	✓					✓	✓			✓							
Clutha Foundation					✓												
Clutha Community Riding										✓							
Clutha Development Inc										✓							
Community Committees																	
Catlins Partnership Group		✓															
Clinton Community Committee													✓				
Kaitangata Promotions							✓										
Kaka Point Community Group		✓															
Milton Area Promotions					✓												
Owaka Going Forward		✓															
Taieri Mouth Amenities Society					✓								✓	✓			
Tapanui West Otago Promotions									✓							✓ 16	
Waihola Looking Forward					✓								✓	✓			
Waste Management Working Party							?	✓					✓				✓ 17

<sup>13</sup> Also includes J McKenzie, C Sutherland and T Surrey.

<sup>14</sup> Elected Lawrence-Tuapeka Community Board members: L Chinnery, G Davidson, T Dickey, M Little, R Cotton, S Stephenson.

<sup>15</sup> Elected West Otago Community Board members are C J Crawford, B A Hanna, S Richardson, B Robertson, L Roulston, M Diamond.

<sup>16</sup> B Hanna, S Richardson & L Roulston, West Otago Community Board.

<sup>17</sup> Also includes 2 iwi representatives and a representative from Department of Conservation and Fish & Game.



## Representation on Committees and Organisations Outside of Council

Committee	Mayor Cadogan	Cr Gatherwood	Cr McAtamney	Cr Felts	Cr Finch	Cr Martin	Cr Graham	Cr Herbert	Cr Kennedy	Cr Ludemann	Cr Payne	Cr Barron	Cr Mackie	Cr Vollweiler	Cr McCrostie	Other Elected Appointee/s	Chief Executive or Other Appointee/s
<b>Health Committees</b>																	
Clutha Health Inc									✓								
West Otago Health Trust									✓								
Lake Mahinerangi Weed Management Committee						✓										✓ 18	
Lake Waihola Waipori Wetlands Society					✓												
Local Government NZ Zone 6 <sup>19</sup>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		CE
Local Government NZ Rural Sector <sup>20</sup>	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		CE
Lower Clutha Flood Protection & Drainage Scheme			✓														
Mahinerangi Wind Farm Consultative Group						✓											
Otago Civil Defence & Emergency Management Group	✓																
Otago Correctional Facility Community Liaison Group					✓									✓			
Otago Museum Trust Board					✓												
Otago Regional Land Transport Committee							✓										

<sup>18</sup> R Cotton, Lawrence/Tuapeka Community Board.

<sup>19</sup> All Councillors are eligible to attend Zone 6 meetings.

<sup>20</sup> All Councillors are eligible to attend Rural Sector meetings.

Committee	Mayor Cadogan	Cr Gatherwood	Cr McAtamny	Cr Felts	Cr Finch	Cr Martin	Cr Graham	Cr Herbert	Cr Kennedy	Cr Ludemann	Cr Payne	Cr Barron	Cr Mackie	Cr Vollweiler	Cr McCrostie	Other Elected Appointee/s	Chief Executive or Other
<b>Recreation/Domain Committees</b>																	
Black Gully Recreation Reserve									✓							✓ 21	
Clutha Recreation Centre Inc										✓							✓ 22
Dunrobin Recreation Reserve								✓									
Heriot Domain								✓								✓ 23	
Litchfield Park Therapeutic Riding/RDA																	
Parkhill Recreation Reserve																✓ 24	
Simpson Park Sport Complex Inc						✓										✓ 25	
Sport Clutha Steering Group				✓													
Waikoikoi Recreation Domain																✓ 26	
Waitahuna Domain																✓ 27	
Whisky Gully Recreation Reserve									✓								

<sup>21</sup> B Robertson & M Diamond, West Otago Community Board.

<sup>22</sup> J Witt, Deputy Chief Executive.

<sup>23</sup> S Richardson, West Otago Community Board.

<sup>24</sup> L Roulston, West Otago Community Board.

<sup>25</sup> S Stephenson, Lawrence/Tuapeka Community Board.

<sup>26</sup> C Crawford, West Otago Community Board.

<sup>27</sup> T Dickey, Lawrence/Tuapeka Community Board.

## Appendix B – Financial Delegations

Table 1a: Delegations for Expenditure and Procurement – Council, Committees, Community Boards and Rural Water Scheme Committees

Ref	Authority to:	Council	Committees: Corporate & Policy, Infrastructure Strategy & Operations, Regulatory & Community **	Rural Water Scheme Committees	Community Boards***
D1	Approve Long Term Plan/Annual Plan budgets	✓			
D2	Authorise any unbudgeted expenditure	✓	✓		
D3	Authorise over expenditure of activity budget	If >15%	If ≤15%	If ≤15%	
D4	Initiate contracts	No limit			
D5	Exempt submitting contracts to open tender*	If >\$500,000*	\$300,000 – \$500,000*	\$300,000 – \$500,000*	
D6	Award contracts	If >\$300,000 AND >15% over budget	If >\$300,000 AND <15% over budget	If >\$200,000 AND <15% over budget	
D7	Confirm price premium using the price/quality method with a >15% price premium	Premium >\$300,000	Premium >\$200,000 and <\$300,000	Premium >\$200,000 and <\$300,000	
D8	Approve variations to contracts	If >\$300,000 AND >15% over budget	If >\$300,000 AND <15% over budget	If >\$300,000 AND <15% over budget	

\* Note: For closed tenders >\$300k NZ Transport Agency (NZTA) must also approve the closed tendering process for financially assisted work.

\*\* Within the Committee's area of responsibility and only if the matter for timing reasons cannot be held back until the next Council meeting.

\*\*\* Community Board Chair has an additional financial delegation as listed in table 2.

**Table 1b: Delegations for Expenditure and Procurement – Organisation levels**

Ref	Authority to:	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Level 7	Level 8	Level 9	Level 10
D1	Approve Long Term Plan/Annual Plan budgets										
D2	Authorise any unbudgeted expenditure										
D3	Authorise over expenditure of activity budget	Up to 10%	Within approved, delegated budgets, if net expenditure is not altered								
D4	Initiate contracts	No limit	Within approved, delegated budgets								
D5	Exempt submitting contracts to open tender**	≤\$300,000*	≤\$200,000		≤\$150,000	≤\$30,000					
D6	Award contracts**	>\$300,000	≤\$300,000		≤\$150,000	≤\$30,000					
D7	Confirm price premium using the price/quality method with a >15% price premium <i>or</i> :	Premium ≤\$300,000	Premium ≤\$150,000		Premium ≤\$100,000	Premium ≤\$30,000					
D8	Approve variations to contracts**	≤\$300,000	≤\$200,000		≤\$150,000	≤\$30,000	≤\$25,000				
D9	Authorise contract payments**	No limit within awarded contract price									
D10	Authorise one-off payments within delegated budgets	No limit within budgets	≤\$150,000	≤\$150,000	≤\$100,000	≤\$30,000	≤\$25,000	≤\$10,000	≤\$5,000	≤\$2,000	≤\$500
D11	Authorise wages & salary payments	Chief Executive		Chief Financial Officer & Financial Accounting Team Leader (\$600K per pay period)							

\* Note: For closed tenders >\$300k NZ Transport Agency (NZTA) must also approve the closed tendering process for financially assisted work.

\*\* Within approved delegated budgets and contract prices (all contract payment certificates require two staff signatures)

\*\*\* Within the Committee’s area of responsibility and only if the matter for timing reasons cannot be held back until the next Council meeting.

**Table 2: Financial Delegations by Position**

Please refer to Table 1 for details of approved financial delegations.

Clutha District Council Chief Executive Officer (CEO)	Level 1
Clutha District Council Staff	The CEO under delegated authority approves delegation levels to positions. The delegation will be in writing and will also be reflected within a position description.
Community Board Chair	Level 10
Consultants	To be specified within contract documentation.

**Table 3: Levels of Financial Delegation – Civil Defence**

Civil Defence Position Title	Delegated Financial Limits		
	Outside a state of emergency	During a state of emergency	During recovery phase
Controller*	\$200,000	\$1,000,000	
Logistics Manager*	\$20,000	\$50,000	
Welfare Manager*	\$10,000	\$20,000	
Recovery Manager			\$1,000,000

\* These delegations apply during an emergency response, where the Clutha District Emergency Operations Centre (EOC) is activated. They apply to the on-duty appointee in the position listed.

## Appendix C – Delegations Register



### **Clutha District Council Delegations Register 2022-2025**

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## **Introductory Notes**

1. This register intends to record all delegations made by the Council to committees, subcommittees, working parties, community boards, the Chief Executive and staff.
2. The register has been prepared to help provide transparency for the Council decision-making process, and to provide a tool for checking authority and delegation to assist elected members and staff.
3. If a matter or issue does not fall within any of the delegations in this register, then a decision on a matter or issue is one for the full Council.
4. Nothing in this register limits the Call Up procedure (paras 19-24 of the Delegation Manual) for delegator and delegate.
5. Only staff with statutory delegated authority appear in this register, including in the department diagrams.

### ***Related Documents***

6. This register complements the Council Delegations Manual and Policy Manual.
7. These delegations will, at all times, be read subject to the delegations made by the Council to the Chief Executive and other requirements set out in the Council Delegations Manual.
8. Every delegation will also be exercised in accordance with any other policy, guideline or procedure set down by the Council or the Chief Executive.

### ***Amendments to Committee, Subcommittee, Working Party and Community Board Delegations***

9. Each new Council on the commencement of its term should review and revise (if applicable) the delegations made to committees, subcommittees, working parties and community boards.

### ***Amendments to Staff and Contractor Delegations***

10. Every delegation to a position and/or contractor in this register may be revoked or changed by a written amendment signed by the Chief Executive.
11. Each amendment will take effect at the later of:
  - a. a time nominated by the Chief Executive; or
  - b. immediately after it is signed by the Chief Executive.
12. All decisions taken under delegated authority will be reported in accordance with, and will be the subject of prior consultation where that is required by:
  - a. The Council Delegations Manual;
  - b. This Delegation Register; and
  - c. Any directions given in that regard by the Chief Executive or the relevant Group Manager and (where appropriate) any other Activity Officer.
13. The Chief Executive may review any particular decision or decisions, and, in that case, the Chief Executive's decision will override any other decision.



## Corporate Department

No	Applicable section of the Act	Description	Delegated Authority														
			Council	Corporate & Policy Committee	Chief Executive	Deputy Chief Executive	Chief Financial Officer	Senior Rates Officer	Rates Contact Database Officer	Contracted Valuer	Contracted Valuation Service Provider		Creative Communities Committee	Telford Bursary Panel	Clutha District Community Awards Committee	Tuapeka County Bursary Panel	Sport NZ Rural Travel Fund Committee
✓ indicates lowest level of downward-delegated authority. * indicates relevant levels of authority for upward-delegation.																	
<b>General Delegations</b>																	
CS1.		Authority to approve easements on Council land	*	*	✓												
CS2.		Authority to plan and review silviculture activities in Council-owned forestry blocks.	*	✓	✓												
CS3.		Power to set lease and rental agreements for Council-owned land/property in accordance with Policy 01-01-020 (Policy on Market rentals on Property).	*	*	✓												
CS4.		Authority to allow lease and rental agreements (as above) that vary from the market rate.	*	✓													
CS5.		Authority to enter into leases of non-Council property.	*	✓													

No	Applicable section of the Act	Description	Delegated Authority															
			Council	Corporate & Policy Committee	Chief Executive	Deputy Chief Executive	Chief Financial Officer	Senior Rates Officer	Rates Contact Database Officer	Contracted Valuer	Contracted Valuation Service Provider		Creative Communities Committee	Telford Bursary Panel	Clutha District Community Awards Committee	Tuapeka County Bursary Panel	Sport NZ Rural Travel Fund Committee	Communications Manager
CS6.		Leasing arrangements for recreation reserves in accordance with Council policy and strategies.	*	*	✓													
CS7.		Signing of approved lease agreements.	*	*	✓													
CS8.		Marketing of properties, signing of sale and purchase agreements and any other property transfer related documents that meet Council policies and/or directions.	*	*	✓													
CS9.		Authority to grant or decline, subject to any reasonable terms and conditions, or consent to dealings with the Council's property (includes consenting to the registration, variation and discharge of mortgages, easements, leases and subleases, caveats and other documents and similar dealings).	*	*	✓													
CS10.		Authority to consider and award grants under the Creative Communities Scheme.	*	*														

No	Applicable section of the Act	Description	Delegated Authority															
			Council	Corporate & Policy Committee	Chief Executive	Deputy Chief Executive	Chief Financial Officer	Senior Rates Officer	Rates Contact Database Officer	Contracted Valuer	Contracted Valuation Service Provider		Creative Communities Committee	Telford Bursary Panel	Clutha District Community Awards Committee	Tuapeka County Bursary Panel	Sport NZ Rural Travel Fund Committee	Communications Manager
CS11.		Authority to interview and award bursaries in accordance with the agreed conditions of the Telford Rural Polytechnic Bursary.	*	*														
CS12.		Authority to consider nominations and grant Community Service awards in accordance with policy.	*	*														
CS13.		Authority to conduct interviews and award bursaries in accordance with the Tuapeka Bursary Trust deed.	*	*														
CS14.		Authority to consider applications and allocate funds received from Sport and Recreation NZ.	*	*														
<b>Local Government Act 2002</b>																		
CS15.	138-141	Sale or purchase of endowment land, and parks and reserve land under sections 138-141 of the LGA 2002.	✓															
CS16.		Uplifting or designation of reserves.	✓															

No	Applicable section of the Act	Description		Delegated Authority															
				Council	Corporate & Policy Committee	Chief Executive	Deputy Chief Executive	Chief Financial Officer	Senior Rates Officer	Rates Contact Database Officer	Contracted Valuer	Contracted Valuation Service Provider		Creative Communities Committee	Telford Bursary Panel	Clutha District Community Awards Committee	Tuapeka County Bursary Panel	Sport NZ Rural Travel Fund Committee	Communications Manager
CS17.		Authority to sell, transfer, purchase or develop property.	To categorise land in accordance with Policy.	*	✓														
CS18.		Authority to sell, transfer, purchase or develop property	To provide direction and parameters for the sale, purchase or development of any Council land categories except Asset property.	*	✓														
CS19.		Authority to sell, transfer, purchase or develop property	To monitor and review compliance with Council's direction and parameters for the lease, sale, purchase or development of all Council land.	*	✓														

No	Applicable section of the Act	Description	Delegated Authority															
			Council	Corporate & Policy Committee	Chief Executive	Deputy Chief Executive	Chief Financial Officer	Senior Rates Officer	Rates Contact Database Officer	Contracted Valuer	Contracted Valuation Service Provider		Creative Communities Committee	Telford Bursary Panel	Clutha District Community Awards Committee	Tuapeka County Bursary Panel	Sport NZ Rural Travel Fund Committee	Communications Manager
CS20.		Authority to sell, transfer, purchase or develop property	Authority to act on Council's behalf for all matters relating to Council's Asset property and to act within Council direction and parameters for the sale, purchase or development of all other Council land.	*	*	✓												
<b>Local Government (Rating) Act 2002</b>																		
CS21.		Amending any entries in the valuation roll or the Council's rating records which are the result of an error or which are no longer correct as a result of changed circumstances.		*	*													
CS22.	27(5)	The decision on whether to divide rating units.		*	*													
CS23.	27(5)	The decision on the methodology for division of rating units.		✓														

No	Applicable section of the Act	Description	Delegated Authority															
			Council	Corporate & Policy Committee	Chief Executive	Deputy Chief Executive	Chief Financial Officer	Senior Rates Officer	Rates Contact Database Officer	Contracted Valuer	Contracted Valuation Service Provider		Creative Communities Committee	Telford Bursary Panel	Clutha District Community Awards Committee	Tuapeka County Bursary Panel	Sport NZ Rural Travel Fund Committee	Communications Manager
CS24.	28(2)	The decision on whether the disclosure of the name of any person is necessary to identify a rating unit.	*	*	*													
CS25.	28(3)	The authority to determine a fee for being supplied a copy of Rating Information Database (RID) data.	✓															
CS26.	29	Authority to determine objections to the RID.	*	*	*													
CS27.	35	Authority to remove a name from the RID.	*	*	*													
CS28.	39	Authority to determine objections to rates records.	*	*	*													
CS29.	40	Authority to correct errors in the RID and Rates Records.	*	*	*													
CS30.	52(2)	Authority to agree methods of payments for rates.	*	*	*													
CS31.	54	Authority not to collect rates that have been struck that are under \$10.	✓															

No	Applicable section of the Act	Description	Delegated Authority															
			Council	Corporate & Policy Committee	Chief Executive	Deputy Chief Executive	Chief Financial Officer	Senior Rates Officer	Rates Contact Database Officer	Contracted Valuer	Contracted Valuation Service Provider		Creative Communities Committee	Telford Bursary Panel	Clutha District Community Awards Committee	Tuapeka County Bursary Panel	Sport NZ Rural Travel Fund Committee	Communications Manager
CS32.	54	Authority not to collect small amounts (up to \$5).	✓	*	*													
CS33.	58	Authority to impose rates penalties.	✓	*	*													
CS34.	61	Authority to collect unpaid rates from the owner.	✓	*	*													
CS35.	62	Authority to collect unpaid rates from persons other than the owner.	✓	*	*													
CS36.	63	Ability to commence legal proceedings for the recovery of rates that are in default.	✓	*	*													
CS37.	67	Commencement of rating sale or lease provisions.	✓	*	*													
CS38.	72	Authority to sell land by private treaty.	✓	*	✓													
CS39.	77-83	Authority to sell abandoned land.	✓	*	*													
CS40.	85	Approving or declining application for remission of rates according to the Council's Rates Remission Policy.	✓	*														

No	Applicable section of the Act	Description	Delegated Authority															
			Council	Corporate & Policy Committee	Chief Executive	Deputy Chief Executive	Chief Financial Officer	Senior Rates Officer	Rates Contact Database Officer	Contracted Valuer	Contracted Valuation Service Provider		Creative Communities Committee	Telford Bursary Panel	Clutha District Community Awards Committee	Tuapeka County Bursary Panel	Sport NZ Rural Travel Fund Committee	Communications Manager
CS41.	85	Approving or declining application for remission of rate penalties under the Council's Rates Remission Policy.	*	*	*													
CS42.		Authority to remit rates penalties and rates charged in error	*	*	*													
CS43.	135	Authority to sign documents for court proceedings.			✓													
<b>Local Government Official Information and Meetings Act 1987</b>																		
CS44.	5	Power to determine availability of information.	*	*	✓													
CS45.	6	Authority to determine withholding of information.	*	*	✓													
CS46.	7	Other reasons for withholding official information.	*	*	✓													
CS47.	10	Request for official information.	*	*	✓													
CS48.	11	Assistance with requesting information.	*	*	✓													



No	Applicable section of the Act	Description	Delegated Authority															
			Council	Corporate & Policy Committee	Chief Executive	Deputy Chief Executive	Chief Financial Officer	Senior Rates Officer	Rates Contact Database Officer	Contracted Valuer	Contracted Valuation Service Provider		Creative Communities Committee	Telford Bursary Panel	Clutha District Community Awards Committee	Tuapeka County Bursary Panel	Sport NZ Rural Travel Fund Committee	Communications Manager
CS49.	12	Transfer of requests.	*	*	✓													
CS50.	13	Decisions on requests.	*	*	✓													
CS51.	14	Extension of time to provide official information.	*	*	✓													
CS52.	15	Power to determine the manner of presenting information.	*	*	✓													
CS53.	16	Power to determine deletions of some information from documents.	*	*	✓													
CS54.	17,18	Refusal of requests for information.	*	*	✓													
CS55.	21,22	Access to internal rules affecting decisions	*	*	✓													
CS56.	24	Precautions regarding access to personal information	*	*	✓													
CS57.	25	Correction of information	*	*	✓													
CS58.	26	Refusal to supply personal information	*	*	✓													

No	Applicable section of the Act	Description	Delegated Authority															
			Council	Corporate & Policy Committee	Chief Executive	Deputy Chief Executive	Chief Financial Officer	Senior Rates Officer	Rates Contact Database Officer	Contracted Valuer	Contracted Valuation Service Provider		Creative Communities Committee	Telford Bursary Panel	Clutha District Community Awards Committee	Tuapeka County Bursary Panel	Sport NZ Rural Travel Fund Committee	Communications Manager
CS59.	33	Requirements to notify decision of ombudsman	*	*	✓													
CS60.	42(1), 43(1), Parts II to V	Authority to respond to all formal requests for Official Information from whatever source.	*	*	✓													
CS61.	46	Public notification of meetings	*	*	✓													
CS62.	51A	Public notification of resolution at emergency meeting	*	*	✓													
Privacy Act 1993																		
CS63.	23	Authority to appoint privacy officer.	*	*	✓													
CS64.	23	Appointed privacy officer			✓													✓
Public Records Act 2005																		
CS65.	13, 20	Authority as administrative head, e.g. to authorise the disposal of public records.	*	*	✓													

No	Applicable section of the Act	Description	Delegated Authority															
			Council	Corporate & Policy Committee	Chief Executive	Deputy Chief Executive	Chief Financial Officer	Senior Rates Officer	Rates Contact Database Officer	Contracted Valuer	Contracted Valuation Service Provider		Creative Communities Committee	Telford Bursary Panel	Clutha District Community Awards Committee	Tuapeka County Bursary Panel	Sport NZ Rural Travel Fund Committee	Communications Manager
Rating Powers Act 1988																		
CS66.	133	Authority to approve or decline the waiver of rates penalties.	*	*	*													
Rating Valuations Act 1998																		
CS67.	10	Duty to prepare and maintain district valuation roles.	*	*	*													
CS68.	14-17	Powers regarding specific revaluations during the currency of a general revaluation.	*	*	*													
CS69.	32-40	Objections to valuations.	*	*	*													
CS70.	41-42	Powers for information to be disclosed.	*	*	*													
CS71.	43	Authority to obtain contribution to the cost of preparing and maintaining the valuation role from the regional council.	*	*	*													
CS72.	45	Authority to enter on to private property to carry out valuations.			✓													

## Infrastructure Operations Department - Roading

No	Applicable section of the Act	Description	Delegated authority									
			Council	Infrastructure Strategy & Operations Committee	Chief Executive	Deputy Chief Executive	Head of Infrastructure Strategy & Delivery	Transportation Engineer Senior A.M.	Head of Infrastructure Operations Manager	Transportation Operations Manager	Contract Supervisor	Network Control Officer
<b>General Delegations</b>												
D1.		Authority to assess licence to occupy applications.	*	*	*							
D2.		Authority to assess temporary fencing applications.	*	*	*							
D3.		Authority to assess vehicle access way applications.	*	*	*							
D4.		Authority to assess road opening permits.	*	*	*							
<b>Heavy Motor Vehicle Regulations 1974</b>												
D5.	Reg 11, Section 3	Authority to impose weight and speed restrictions on roads and bridges.	*	*	✓							
D6.	Reg 11, Section 3	Authority to impose weight and speed restrictions on roads and bridges (in emergency situations e.g. flooding).	*	*	✓							
<b>Land Transport Act 2003</b>												
D7.	12	Power to initiate and conduct a special consultative procedure in order to develop and recommend to Council for adoption Council's annual Land Transport Programme, inline with the requirements set by NZTA.	*	*	✓							

No	Applicable section of the Act	Description	Delegated authority											
			Council	Infrastructure Strategy & Operations Committee	Chief Executive	Deputy Chief Executive	Head of Infrastructure Strategy & Delivery	Senior A.M. Engineer Transportation	Head of Infrastructure Operations Manager	Transportation Operations Manager	Contract Supervisor	Network Control Officer	GIS Officer	
D8.		Authority to adopt/approve Council's annual Land Transport Programme.	*		✓									
D9.		Authority to sign and submit all claims to the NZ Transport Agency for financial assistance on the Council's roading programme. <sup>1</sup>	*	*	✓									
<b>Local Government Act 1974</b>														
D10.	319	General powers of Council in respect of roads.	✓		✓									
D11.	319A	Authority to name roads.	✓											
D12.	319B	Authority to allocate property numbers			✓									✓
D13.	320	Authority to rename roads	✓											
D14.	331	Authority to determine construction specifications for footpaths and kerb and channel.	*	*	*									
D15.	335	Authority to seek financial contributions regarding damage/wear to vehicle crossings.	*	*	✓									
D16.	336	Authority to consider installation pedestrian crossings in accordance with Council policy.	*	*	✓									
D17.	338	Authority to determine conditions and standards relating to the above grant.	*	*	✓									

<sup>1</sup> Note: The Finance Team have delegated authority to electronically submit claims to NZ Transport Agency.

No	Applicable section of the Act	Description	Delegated authority										
			Council	Infrastructure Strategy & Operations Committee	Chief Executive	Deputy Chief Executive	Head of Infrastructure Strategy & Delivery	Transportation Engineer	Senior A.M. Operations Manager	Head of Infrastructure Operations Manager	Transportation Operations Manager	Contract Supervisor	Network Control Officer
D18.	340(1)	Authority to grant permit for the erection of private motor garages adjacent to the line of the road or to a line intermediate between the line of the road and the building line.	<i>Refer to the Regulatory Services section</i>										
D19.	340(1)	Authority to determine conditions and standards relating to the above permit.	*	*	✓								
D20.	341	Authority to determine conditions and standards relating to the above permit.	*	*	*								
D21.	341A	Authority with respect to railway, subway or bridge, e.g. stock underpasses, in accordance with Council policy.	*	*	*								
D22.	342	Authority to stop a road.	*		✓								
D23.	342(1)(b)	Authority to temporarily close a road.	*	*	*								
D24.	344	Authority to determine whether a swing gate or cattle stop can be put in place across a road (in accordance with Council roading policy).	*	*	*								
D25.	345	Authority to sell or lease out land no longer required for road.	*	*	✓								
D26.	346A	Authority to declare limited access roads.	*		✓								
D27.	348(1)	Authority to grant permission to lay out or form any private road or private way, or grant or reserve a right of way over any private way.	<i>Refer to the Regulatory Services section</i>										

No	Applicable section of the Act	Description	Delegated authority											
			Council	Infrastructure Strategy & Operations Committee	Chief Executive	Deputy Chief Executive	Head of Infrastructure Strategy & Delivery	Head of Transportation	Senior A.M. Engineer Operations Manager	Head of Infrastructure Operations Manager	Transportation Operations Manager	Contract Supervisor	Network Control Officer	GIS Officer
D28.	348(3)	Authority to extend the time period regarding right of way construction.	*	*	✓									
D29.	348(2) & (4)	Authority to determine conditions and standards for the right of way.	*	*	✓									
D30.	355	Authority to give notice requiring the removal of overhanging trees etc affecting roads or footpaths (in accordance with Council policy or bylaws).	*	*	*									
D31.	Tenth Schedule	Authority whether Council should allow otherwise any objections received to road stopping procedures.	✓											
<b>Resource Management Act 1991</b>														
D32.	109	Authority to enter land to assess whether or not matters secured by bond or covenant have been completed. <sup>2</sup>	*	*	*									
<b>Clutha District Council Roading Bylaw 2018</b>														
D33.		Authority to serve orders or notices as required under the roading bylaw.	*	*	*									
D34.	63 - 68	Authority relating to danger or damage to roads.	*	*	*									
D35.	71 - 73	Authority to declare roads, or parts of roads, under Council's jurisdiction as one-way.	*		✓									

<sup>2</sup> Note: Development Engineer also has designated authority.

No	Applicable section of the Act	Description	Delegated authority											
			Council	Infrastructure Strategy & Operations Committee	Chief Executive	Deputy Chief Executive	Head of Infrastructure Strategy & Delivery	Senior A.M. Engineer Transportation	Head of Infrastructure Operations Manager	Transportation Operations Manager	Contract Supervisor	Network Control Officer	GIS Officer	
D36.	71 - 73	Authority to amend or revoke declarations that roads are to be one-way.	*		✓									
D37.	87	Authority to declare restricted parking areas or conditions relating to restricted parking areas.	*		✓									
D38.	83	Authority to discontinue the use of any restricted parking.	*		✓									
D39.	84	Authority to permit temporary use of discontinued restricted parking by certain persons and for such fees as is considered appropriate.	*		✓									
D40.	87-89	Creating, abolishing, or varying special parking areas in streets for goods and services vehicles and passenger service vehicles.	*		✓									



## Infrastructure Operations - Water Services (Water, Stormwater, Sewerage and Trade Waste)

No	Applicable section of the Act	Description	Council	Infrastructure Strategy & Operations Committee	Rural Water Scheme Committees	Wastewater Working Party	Chief Executive	Deputy Chief Executive	Head of 3 Waters	Head of Infrastructure Strategy & Delivery	3 Waters Operations Manager	3 Waters Engineering Manager	Team Leaders 3 Waters	Reticulation Supervisor	Treatment Supervisor	Water Services Officer	Council Contractor
<b>General Delegations</b>																	
W1.		Authority to represent consumers on respective rural water schemes.			✓												
W2.		Authority to review estimates and recommend budgets regarding the respective rural water scheme.		*	✓												
W3.		Authority to recommend any matters concerning operations, maintenance, development and policy for the respective rural water scheme.		*	✓												
W4.		Authority to determine applications for new connections or additional water units ( <b>outside</b> scheme design capacity).	*	*	✓												
W5.		Authority to determine applications for new connections or additional water units ( <b>within</b> scheme design capacity).	*	*	*		*										
W6.		Authority to allow disconnection from an urban water supply	*	*			*										
W7.		Authority to determine applications for stormwater or sewerage connections and disconnections	*	*			*										

No	Applicable section of the Act	Description	Council	Infrastructure Strategy & Operations Committee	Rural Water Scheme Committees	Wastewater Working Party	Chief Executive	Deputy Chief Executive	Head of 3 Waters	Head of Infrastructure Strategy & Delivery	3 Waters Operations Manager	3 Waters Engineering Manager	Team Leaders 3 Waters	Reticulation Supervisor	Treatment Supervisor	Water Services Officer	Council Contractor
W8.		Authority to investigate options with respect to sewerage services in the district.	*	*			*										
W9.		Authority to investigate funding options for any new sewerage, water supply or stormwater works, including the costs of ongoing operation and maintenance costs.	*	*			*										
W10.		Authority to assess and set trade waste charges in accordance with Council policies/bylaws and Fees and Charges.	*	*			*										
<b>Local Government Act 1974</b>																	
W11.	446	Power to cover in watercourses to make a public drain.	✓														
W12.	459	Power to require owners to construct private drains.	✓														
W13.	460	Power to construct private drains through adjoining premises.	✓														
W14.	459, 460	Authority to hear objections and recommend to the Council concerning private drains notices or orders.		✓													
W15.	462	Power to declare private drains to be public drains	✓														

No	Applicable section of the Act	Description	Council	Infrastructure Strategy & Operations Committee	Rural Water Scheme Committees	Wastewater Working Party	Chief Executive	Deputy Chief Executive	Head of 3 Waters	Head of Infrastructure Strategy & Delivery	3 Waters Operations Manager	3 Waters Engineering Manager	Team Leaders 3 Waters	Reticulation Supervisor	Treatment Supervisor	Water Services Officer	Council Contractor
W16.	468(1)	Authority to give notice to occupier to remove tree roots obstructing public drains.	*	*			*										
W17.	509	Council's general powers regarding drainage channels and land works.	✓														
<b>Local Government Act 2002</b>																	
W18.	125, 126 and 127	Authority to approve initiation of assessments of Council's Water and Sanitary Services.	*	✓													
W19.	125, 126 and 127	Authority to adopt assessments of Water and Sanitary Services	✓														
W20.	163	Power to authorise the removal of works that have been constructed in breach of a bylaw.	*	*			*										
W21.	171	Power to authorise entry on to land (other than a dwelling house).	*	*			*										
W22.	171	Authority to enter onto land (other than a dwelling house).	*	*			*										
W23.	173	Power to enter land in an emergency.	*	*			*										
W24.	175	Power to recover costs of wilful or negligent damage to Council property.	*	*			*										

No	Applicable section of the Act	Description	Council	Infrastructure Strategy & Operations Committee	Rural Water Scheme Committees	Wastewater Working Party	Chief Executive	Deputy Chief Executive	Head of 3 Waters	Head of Infrastructure Strategy & Delivery	3 Waters Operations Manager	3 Waters Engineering Manager	Team Leaders 3 Waters	Reticulation Supervisor	Treatment Supervisor	Water Services Officer	Council Contractor
W25.	181	Power to authorise construction of works on private land.	*	*	*		*										
W26.	182	Power of entry to check utility services ( <b>as enforcement officers</b> ) for waste or misuse of water or related drainage and equipment.					*										
W27.	187	Authority to recover costs.	*	*			*										
W28.	193	Power to restrict water supply under certain circumstances.	*	*	*		*										
W29.	194	Power to stop water services temporarily to undertake repairs, or to respond to a situation or event that is or may become a nuisance or danger to public health.	*	*			*										
W30.	196	Authority to grant consent for the discharge of trade waste into Council sewerage drains.	*	*			*										
<b>Resource Management Act 1991</b>																	
W31.	34A(1)*	Authority to sign off resource consent applications on behalf of Council					*										
<b>Clutha District Council Water Services Bylaw 2019</b>																	

No	Applicable section of the Act	Description	Council	Infrastructure Strategy & Operations Committee	Rural Water Scheme Committees	Wastewater Working Party	Chief Executive	Deputy Chief Executive	Head of 3 Waters	Head of Infrastructure Strategy & Delivery	3 Waters Operations Manager	3 Waters Engineering Manager	Team Leaders 3 Waters	Reticulation Supervisor	Treatment Supervisor	Water Services Officer	Council Contractor
W32.	7 (1)	<p>Authority to grant permits to persons to give them the right to access and draw water from fire hydrants or tanker filling points for uses other than firefighting.</p> <p>The Council requires all applications relating to the supply of water to be made in writing on the form provided by the Council, and to include, where relevant, a plan showing proposed works and to be accompanied by payment of the prescribed charges (if any).</p>	*	*			*										
	9 (1)	<p>Authority to give approval for the point of supply to be located anywhere other than the location, or near the location, shown in Appendix A of the Bylaw.</p> <p>For each individual Customer, there shall be only one Point of Supply unless otherwise approved. For individual Customers, the point of supply shall be located on the Service Pipe which marks the boundary of responsibility between the Customer and Council, irrespective of property boundaries.</p>	*	*			*										

No	Applicable section of the Act	Description	Council	Infrastructure Strategy & Operations Committee	Rural Water Scheme Committees	Wastewater Working Party	Chief Executive	Deputy Chief Executive	Head of 3 Waters	Head of Infrastructure Strategy & Delivery	3 Waters Operations Manager	3 Waters Engineering Manager	Team Leaders 3 Waters	Reticulation Supervisor	Treatment Supervisor	Water Services Officer	Council Contractor
W33.	8 (2)	Authority to approve multiple points of supply. There will be only one point of supply for each premises, except where specifically approved in exceptional circumstances.	*	*			*										
W34.		Authority to allow decrease in units or disconnection from rural water scheme.	*	*	✓												
W35.	8 (8)	Authority to fit a meter and charge any property for water use. Where the Council determines, either at the time of application or subsequently (e.g. as a result of monitoring of the actual use), that the use of water at a residential premises is significantly in excess of an ordinary use, the Council may, at any time, reclassify the supply of water to the premises as a commercial supply and charge the Customer at the commercial supply rate.	*	*			*										

No	Applicable section of the Act	Description	Council	Infrastructure Strategy & Operations Committee	Rural Water Scheme Committees	Wastewater Working Party	Chief Executive	Deputy Chief Executive	Head of 3 Waters	Head of Infrastructure Strategy & Delivery	3 Waters Operations Manager	3 Waters Engineering Manager	Team Leaders 3 Waters	Reticulation Supervisor	Treatment Supervisor	Water Services Officer	Council Contractor
W36.	20 (1)	If at any time the Chief Executive considers that because of drought or for any other reason an adequate supply of drinking water may be at risk and that measures are necessary in order to conserve the available water supply, the Chief Executive may, by notice, restrict or prohibit the use of water for any specified purpose or for any specified period. Any restriction or prohibition may apply to the whole of the District, a portion of the District or any individual within the District.	*	*			*										

No	Applicable section of the Act	Description	Council	Infrastructure Strategy & Operations Committee	Rural Water Scheme Committees	Wastewater Working Party	Chief Executive	Deputy Chief Executive	Head of 3 Waters	Head of Infrastructure Strategy & Delivery	3 Waters Operations Manager	3 Waters Engineering Manager	Team Leaders 3 Waters	Reticulation Supervisor	Treatment Supervisor	Water Services Officer	Council Contractor
W37.	7 (4) (h)	<p>Authority to assess applications for proposed connections to the water supply for fire protection.</p> <p>Except where the Council exercises its discretion under clause 7(2) or 7(3) not to require a new application, a written water supply application is required for any of the following: (a) A connection to the water supply system and supply of water; (b) A change to the type of supply (e.g. from restricted to on demand); (c) A change to classification (e.g. from urban to commercial supply) or to the terms and conditions of supply; (d) A change to the location of the point of supply; (e) An additional point of supply/ supply of water; Clutha District Council Water Services Bylaw 12 (f) A change in the level of service of supply e.g. quantity of water; (g) A temporary water supply for an event; and (h) A connection and supply for a fire protection system.</p>	*	*			*										
	14 (3)	<p>Authority to allow the supply of water for the purposes of firefighting to bypass the meter.</p> <p>The Council will not charge for water used for the purpose of extinguishing fires.</p>	*	*			*										



No	Applicable section of the Act	Description	Council	Infrastructure Strategy & Operations Committee	Rural Water Scheme Committees	Wastewater Working Party	Chief Executive	Deputy Chief Executive	Head of 3 Waters	Head of Infrastructure Strategy & Delivery	3 Waters Operations Manager	3 Waters Engineering Manager	Team Leaders 3 Waters	Reticulation Supervisor	Treatment Supervisor	Water Services Officer	Council Contractor
W38.	22 (1)	Authority to approve testing of fire protection systems in a manner that requires drawing of water. No person other than a member of the Fire and Emergency New Zealand (and performing permitted Fire and Emergency New Zealand duties) may take water from standpipes or hydrants or any other part of the water supply system without prior written approval of the Council.	*	*			*										
W39.	25 (3)	Authority to assess and make adjustments to water charges. The Customer must pay all charges for the supply of water as determined by the Council.	*	*			*										
W40.	25 (4)	Authority to estimate water consumption. Where a restrictor or meter is damaged, without prejudice to other remedies available, the Council may assess and recover the estimated value of the unauthorised water that was taken.	*	*			*										

No	Applicable section of the Act	Description	Council	Infrastructure Strategy & Operations Committee	Rural Water Scheme Committees	Wastewater Working Party	Chief Executive	Deputy Chief Executive	Head of 3 Waters	Head of Infrastructure Strategy & Delivery	3 Waters Operations Manager	3 Waters Engineering Manager	Team Leaders 3 Waters	Reticulation Supervisor	Treatment Supervisor	Water Services Officer	Council Contractor
W41.		Authority to allow certain prohibited equipment to be used on water piping beyond the point of supply in special circumstances.	*	*			*										
W42.	21 (1)	The Council supplies potable water for consumptive use not as an energy source and unless specifically approved by the Council the Customer must not use water for: (a) a single pass cooling system; (b) the dilution of trade waste prior to disposal; (c) driving lifts, generators, condensers, machinery, or other similar devices; or (d) ponds or water features that run to waste.	*	*			*										
W43.	15 (5)	In particular and not in limitation of the above, any water which the Customer draws from the Council supply must not be provided to any other party or premises without the prior written permission of the Council.	*	*			*										
W44.	8 (9)	The Council retains the right to impose limits on consumption when and/or where it sees fit.	*	*			*										

No	Applicable section of the Act	Description	Council	Infrastructure Strategy & Operations Committee	Rural Water Scheme Committees	Wastewater Working Party	Chief Executive	Deputy Chief Executive	Head of 3 Waters	Head of Infrastructure Strategy & Delivery	3 Waters Operations Manager	3 Waters Engineering Manager	Team Leaders 3 Waters	Reticulation Supervisor	Treatment Supervisor	Water Services Officer	Council Contractor
	11 (4)	<p>Authority to charge for additional water consumption not recorded or allowed to pass where a water pipe or fitting has been tampered with, and recover any costs incurred.</p> <p>Any tampering or interfering with Council equipment, either directly or indirectly, shall constitute an offence. Without prejudice to its other rights and remedies, Council shall be entitled to estimate and charge for the additional water consumption not recorded or allowed to pass where a meter or restrictor has been tampered with, and recover any costs incurred.</p>	*	*			*										

## Infrastructure Strategy & Delivery Department – Solid Waste Management

No	Applicable Section of the Act	Situation/Description	Delegated authority									
			Council	Infrastructure Strategy & Operations Committee	Waste Management Working Party	Chief Executive	Deputy Chief Executive	Head of Infrastructure Strategy & Delivery	Senior Asset Manager Facilities & Waste	Waste Management Officer	Head of Infrastructure Operations	Contract Supervisor Waste Management
<b>Waste Minimisation Act 2008</b>												
S1.	26,27	Duty to pay levy.				*						
S2.	32	Duty to spend levy money received on waste minimisation initiatives or in accordance with a waste management and minimisation plan.				*						
S3.	51	Mandatory requirements for waste assessment.				*						
S4.	76	Authority to authorise any officer to be an enforcement officer.				✓						
S5.	86-87	Duty to keep records and provide details if required.				*						
<b>Clutha District Council Solid Waste Bylaw 2019</b>												
S6.	7.1 (b)	Council will specify the maximum weight permitted within the approved container.				*						
S7.	7.2 (b)	From time-to-time Council may specify other waste that is prohibited from kerbside collection.	*	*		*						

S8.	7.3	The Chief Executive of Council will advise by public notice, from time to time, the list of recyclable materials that may be collected	*	*		v							
S9.	7.4	Only authorised collection agents may remove an approved container or its contents when waste has been placed for collection at the kerbside				*							
S10.	8.1 (b)	Council specifies the maximum quantity of waste that may be deposited at a transfer station by any one household.				*							
S11.	8.3	Removal of recyclables from a landfill, transfer station or drop off facility by anyone other than the occupier of the property of origin or those authorised by Council to do so, is prohibited.				*							
S12.	11 (a)	An authorised officer of Council may specify prohibited types of waste from time to time in any of the waste categories given in the schedule to this bylaw.	*	*		*							
S13.	12 (a)	An authorised officer of Council will determine which materials are acceptable for reuse or recycling.				*							
S14.	13	The Council may accept specified clean fill at the landfill.				*							
S15.	14 (c)	An authorised officer of Council will determine which green waste materials are acceptable.				*							
S16.	15 (c)	An authorised officer of Council will determine whether car bodies meet requirements for disposal.				*							
S17.	17 (c)	An authorised officer of Council will determine whether fridges and freezers meet the requirements for disposal.				*							

S18.	18	Hazardous, difficult, and special waste				*							
S19.	18.1 b	Council will only accept special waste at the landfill where a Council permit accompanies it, or the special waste has been specified by an authorised officer at Council.				*							
S20.	18.1 d	Permits for special waste disposal will be issued at Council's sole discretion.				*							
S21.	18.1 f	Council may seek specialist advice with respect to the granting of, and conditions of, any permit.				*							
S22.	18.1 g	Council may issue a standing permit for regular disposal of special waste, subject to any conditions or special pre-disposal treatment that is deemed necessary.				*							
S23.	18.1 (i)	Council may revoke any such permit or consent held by such person where any person fails to comply with, or does any act or acts in contravention of, any condition, term, restriction, obligation, prohibition, specification or requirement of any permit or consent granted or issued pursuant to this bylaw.				*							
S24.	20 a	Council may by resolution prescribe fees or charges payable in respect of the use of any facility or service provided for by this bylaw or the processing and consideration of any application of permits made under this bylaw.	✓										

S25.	20 d	Council may require a deposit, which may be refunded when the costs incurred by Council are less than the amount of the application fee and deposit paid.				*							
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## Community Services (Toilets, Cemeteries, Parks, Reserves and Sportsgrounds)

No	Applicable Section of the Act	Description	Delegated Authority												
			Council	Infrastructure Strategy & Operations Cmte	Sports Complex Joint Control Committee	Community Centre/ Hall Committees	Reserve Management Committees	Cemetery Trustee Committees	Chief Executive	Deputy Chief Executive	Head of Infrastructure Operations	Contract Supervisor Greenspace	Community Facilities Supervisor	Administrators Waste & Greenspace	Transportation & Waste & Greenspace
<b>General Delegations</b>															
C1.		Authority to ensure maintenance of the Grandstand complex, facilities and grounds.			✓										
C2.		Authority to oversee fixing and payment of rentals regarding the Grandstand complex.			✓										
C3.		Authority to undertake any physical maintenance or development work permitted and programmed in the respective Reserve Management Plan/Council Reserves Strategy that has funding available, or has no funding requirements of Council, and is not part of a contract administered by Council.						✓							
<b>Burial and Cremation Act 1968</b>															



C4.	5	Authority to oversee the management of Balclutha, Fairfax, Kaitangata, Lawrence, Port Molyneux, Romahapa, Taieri Beach, Tapanui, Waihola, Waikoikoi, Waipahi, Waipori and Waitahuna cemeteries.							*						
C5.	5	Authority to oversee management of Clinton, Crookston, Owaka and Tuapeka cemeteries						✓							
C6.	8, 9	Management of cemeteries including powers regarding vaults and monuments							*						
C7.	10	Authority to sell rights to burial in parts of the cemetery and to construct vaults.							*						
C8.	11, 12	Authority to set portions of a cemetery for certain denominations and for servicemen.	*	✓											
C9.	16	Authority to make bylaws with respect to cemeteries	✓												
C10	50	Authority to ensure burials are registered and a register is maintained.							*						

**Reserves Act 1977**

C11	14 and 16	Power to classify a reserve.	✓												
C12	24, 24A	Power to reclassify and revoke reserves.	✓												
C13		Authority to hear applications and objections made in accordance with the Reserves Act 1977.	*	✓											
C14		Power to determine applications and objections made in accordance with the Reserves Act 1977.	✓												

C15	Part II, III & V	Authority to temporarily prohibit the use of any reserve or other property under their control and exercise any power granted to Council in regard to such reserves.	✓											
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## Community Services (Halls and Community Centres and Community Housing)

No	Applicable Section of the Act	Description	Delegated Authority												
			Council	Regulatory & Community Committee	Sports Complex Joint Control Committee	Community Centre/ Hall Committees	Reserve Management Committees	Cemetery Trustee Committees	Chief Executive	Deputy Chief Executive	Operations	Head of Community & Facilities	Contract Supervisor Greenspace & Waste	Community Facilities Supervisor	Community & Facilities Administrator
<b>General Delegations</b>															
CC1.		Authority to administer Community Centre/Hall within agreed budgets.				✓									
CC2.		Authority to grant tenancies of housing units owned by Council.						*							
CC3.		Authority to adjustment rentals on Council community housing units.	*	✓											
<b>Local Government Act 2002</b>															
CC4.	171	Power to authorise entry on to land (other than a dwelling house).							*						
CC5.	171	Authority to enter onto land (other than a dwelling house).							*						
CC6.	173	Power to enter land in an emergency.							*						

CC7.	175	Power to recover costs of wilful or negligent damage to Council property.							*						
<b>Residential Tenancies Act 1986 No 120 (as at 01 December 2022), Public Act Contents – New Zealand Legislation</b>															
CC8.		Tenancy Agreements							*						
CC9.		Landlords right of entry to rental premises							*						
CC10.		Maintenance of the property							*						
CC11.		Breaches of the Act							*						
CC12.		Dispute process and mediation							*						
CC13.		Applications to the Tenancy Tribunal and enforcing Orders.							*						
<b>Residential Tenancies (Healthy Homes Standards) Amendment Regulations 2022 (SL 2022/109) – New Zealand Legislation</b>															
CC14.		Ongoing Maintenance to comply with the Healthy Homes Standards							*						
CC15.		Healthy Homes Compliance Certificate provided to all tenants (valid for 3 years)							*						
CC16.		Healthy Homes Inspection Report available to tenants as requested.							*						

**Privacy Act 2020 No 31 (as at 30 November 2022), Public Act Contents – New Zealand Legislation**

CC17.		Tenancy Application							*						
CC18.		Tenancy Agreement							*						

## Regulatory Services

Note: Manager Building Control, Senior Building Control Team Leader, Building Control Officer, Environmental Health Officer, Monitoring and Compliance Officer and Animal Control Officer positions undertake roles as defined by various legislation depending upon individual skills and qualifications, as delegated by the Chief Executive.

No	Applicable Section of the Act	Situation/Description	Delegated authority											
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Team Leader Building and Regulatory Administrator
							As "Compliance Officer" or "Enforcement Officer"					As "Administratio n Officer"		
<b><i>Amusement Devices Regulations 1956</i></b>														
R1.	23	Powers of entry.				*								
<b><i>Animal Welfare Act 1999</i></b>														
R2.	139	Obligation to destroy sick, diseased or injured animals.				*								
R3.	173	Authority to recover costs from owner or person in charge of animal.				*								
<b><i>Building Act 2004</i></b>														
R4.	7	Authority to accept, or withdraw acceptance of, a person as an Independently Qualified Person (IQP).				*								
R5.	34	Authority to issue a project information memorandum (PIM).				*								
R6.	35	Authority to determine the content of a PIM.				*								
R7.	37	Authority to attach and issue certificates regarding resource consent.				*								

No	Applicable Section of the Act	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory
							As "Compliance Officer" or "Enforcement Officer"			As "Administration Officer"					
R8.	38/39	Authority to advise network utility operators/NZ Historic Places Trust/				*									
R9.	46	Authority to advise NZ Fire Service Commission.				*									
R10.	48	Authority to request further information following receipt of application of building consent.				*									
R11.	48	Authority to process applications for building consent				*									
R12.	49	Authority to grant an application for building consent ( <i>as warranted authorised officers</i> ).				*									
R13.	50	Authority to refuse an application for building consent.				*									
R14.	51	Authority to issue building consent.				*									
R15.	52	Authority to allow a further period for the lapse of a building consent				*									
R16.	59	Authority to pay building consent levy.				*									
R17.	62	Authority to recover unpaid levies from applicants.				✓									
R18.	64	Duty to keep in safe custody all records and Building Consents issued including the estimated value of the building work.				*									
R19.	67	Authority to grant building consents ( <i>as warranted authorised officers</i> ).				*									

No	Applicable Section of the Act	Situation/Description	Delegated authority													
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory	Regulatory Services Officer
							As "Compliance Officer" or "Enforcement Officer"			As "Administration Officer"						
R20.	67	Authority to grant waivers or modifications				*										
R21.	71	Authority regarding building on land subject to natural hazards.				*										
R22.	72	Building consents for building on land subject to natural hazards must be granted in certain cases.				*										
R23.	75-77	Authority in respect of buildings over boundaries.				*										
R24.	83	Authority where an owner may apply for entry to be removed.				*										
R25.	90	Authority with respect to inspections by building consent authorities ( <i>as warranted authorised officer</i> ).				*										
R26.	91	Authority on behalf of the building consent authority that grants building consent to issue code compliance certificates.				*										
R27.	95	Authority to issue certificates of compliance.				*										
R28.	96	Authority to issue certificate of acceptance in certain circumstances				*										
R29.	98	Authority to process application for certificate of acceptance				*										
R30.	99	Authority to issue certificates of acceptance				*										



No	Applicable Section of the Act	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Regulatory Services Officer	Team Leader Building and Regulatory Administrator
R31.	102	With respect to compliance schedules, authority to issue code compliance certificate in certain cases				*									
R32.	104	Obligation of building consent authority to notify territorial authority of issue of compliance schedule.				*									
R33.	107	Authority where territorial authority may amend compliance schedule on own initiative.				*									
R34.	109	Authority where territorial authority must consider recommendation to amend compliance schedule.				*									
R35.	111	Authority to inspect buildings, <b>(as warranted authorised officers)</b> .				*									
R36.	112	Authority in relation to alterations to buildings, <b>(as warranted authorised officers)</b> .				*									
R37.	113	Authority with respect to buildings with specified intended lives, <b>(as warranted authorised officers)</b> .				*									
R38.	116	Authority with respect to code compliance requirements: extension of life and subdivision, <b>(as warranted authorised officers)</b> .				*									
R39.	124	Authority to issue a notice in accordance with s.125 in respect of dangerous, affected or insanitary buildings				*									

No	Applicable Section of the Act	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory
							As "Compliance Officer" or "Enforcement Officer"				As "Administration Officer"				
R40.	126	Authority to apply to the District Court for order to carry out work				*									
R41.	129	Authority to undertake (after CEO approval) measures to avoid immediate danger or to fix insanitary conditions.				*									
R42.	164	Authority to issue notice to fix.				*									
R43.	167	Authority for inspection of building work under notice to fix, <b>(as warranted authorised officers)</b> .				*									
R44.	220	Authority with respect to territorial authority carrying out building work by default.				*									
R45.	222	Power to inspect any land and building work and building and enter any premises for the purposes of inspection and be awarded authorised officers or agent.				*									
R46.	363	Authority to issue certificate of public use				*									
R47.	371(B)	Authorisation as enforcement officers.				*									
R48.	371	Authority with respect to proceedings for infringement offences.				*									
R49.	372	Authority to issue infringement notices <b>(as warranted enforcement officers)</b> .				*									

No	Applicable Section of the Act	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory
							As "Compliance Officer" or "Enforcement Officer"				As "Administration Officer"				
R50.	375	Authority with respect to prosecution of offences.				*									
R51.	377	Authority with respect to laying information.				*									
R52.	Schedule 1	Authority with respect to exempt building work (2).				*									
<b>Dog Control Act 1996</b>															
R53.	11	Authority to appoint dog control officers	*			*									
R54.	12	Authority to appoint Dog Rangers.	*			*									
R55.	14	Authority to inspect any dog on the land or premises; and if authorised under any other provision of this Act, to seize or take custody of any dog on the land or premises.				*									
R56.	19 & 19A	Authority to request dog and dog owner information.				*									
R57.	21	Authority to classify as a probationary owner.		*		*									
R58.	22	Authority to hear objections and uphold or terminate classifications as a probationary owner	*	✓											
R59.	23A	Authority to require a dog owner education programme or obedience course (or both).				*									
R60.	25	Authority to disqualify as a dog owner.		*		*									

No	Applicable Section of the Act	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory
							As "Compliance Officer" or "Enforcement Officer"				As "Administration Officer"				
R61.	26	Authority to hear objections and make determinations for dog owner disqualifications	*	✓											
R62.	31, 33	Authority to classify certain dogs as dangerous or menacing.	*	*		*									
R63.	33	Authority to consent to the disposal of a dangerous dog.				*									
R64.	33A	Power to classify menacing dog.				*									
R65.	33B	Authority to hear objections and make determinations for menacing dog classifications.	*	*		*									
R66.	37	Authority to set dog registrations fees	✓												
R67.	39	Power to issue refund or reduce fee				*									
R68.	40	Authority to require a written statement that a dog is a working dog of a specified class and to require production of a certificate that the dog has been neutered.				*									
R69.	55, 56, 57, 57A, 58, 59, 60	Powers with respect to barking dog, dog attacks, rushing, endangering protected wildlife.				*									
R70.	66	Authority to issue infringement notices				*									
R71.	69A	Authority to microchip and register impounded dogs before release.				*									

No	Applicable Section of the Act	Situation/Description	Delegated authority													
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory	Regulatory Services Officer
R72.	70	Authority to determine whether a barking dog should be returned to its owner				*										
<b>Freedom Camping Act 2011</b>																
R73.	11	Authority to make a bylaw	✓													
R74.	13	Authority to review bylaws	✓													
R75.	27	Power to issue an infringement notice ( <b>as warranted authorised officer</b> )				*										
R76.	28	Power to issue reminder notice				*										
R77.	32	Power to appointment of enforcement officers				*										
R78.		Power to seize and impound certain property ( <b>as warranted authorised officer</b> )				*										
<b>Food Act 2014</b>																
R79.	54	Power to refuse to process application for registration.				*										
R80.	55	Power to require further information for registration application.				*										
R81.	56	Power to decide to register a Food Control Plan				*										

No	Applicable Section of the Act	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory
							As "Compliance Officer" or "Enforcement Officer"				As "Administration Officer"				
R82.	57	Power to decide to refuse to register a Food Control Plan				*									
R83.	60	Power to impose conditions on registration of a Food Control Plan				*									
R84.	63	Power to extend mandatory suspension				*									
R85.	67	Power to determine to cancel registration of a Food Control Plan.				*									
R86.	69	Power to decide whether food should be sold after cancellation of registration				*									
R87.	70	Power to decide to remove food business from coverage of Food Control Plan.				*									
R88.	84	Power to refuse to process application for registration (National Programme)				*									
R89.	85	Power to request further information for registration (National Programme)				*									
R90.	87	Power to refuse to register food business (National Programme)				*									
R91.	89	Power to impose conditions on registration of food business (National Programme)				*									
R92.	90	Power to suspend operations of business (National Programme).				*									
R93.	91	Power to extend a suspension (National Programme).				*									

No	Applicable Section of the Act	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory
							As "Compliance Officer" or "Enforcement Officer"				As "Administration Officer"				
R94.	95	Power to cancel registration of business (National Programme)				*									
R95.	165	Power to surrender recognition (agency or person)				*									
R96.	173	Power to carry out functions of a Territorial Authority				*									
R97.	176	Power to transfer Territorial Authority functions.				*									
R98.	182	Power to change, revoke or relinquish transfer of functions.				*									
R99.	218	Power to lay charging document				*									
R100.	219	Infringement Notice – Food Safety Officer (warrant required)				*									
R101.	280	Power to give directions under sections 281 to 286				*									
R102.	294	Verifier's rights of access and certain powers.				*									
R103.	296	Powers of Food Safety Officer (warrant required)				*									
R104.	297	Power of Food Safety Officer to ask for assistance (warrant required).				*									
R105.	299	Power of Food Safety Officer to facilitate entry, search and seizure (warrant required).				*									

No	Applicable Section of the Act	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory
							As "Compliance Officer" or "Enforcement Officer"				As "Administration Officer"				
R106.	301	Power of Food Safety Officer of examination, identification and rectification and associated detention (warrant required)				*									
R107.	302	Power of Food Safety Officer to issue infringement notice (warrant required).				*									
R108.	304	Power of Food Safety Officer to take, purchase and sample (warrant required)				*									
R109.	305	Power of Food Safety Officer to interrupt operations and five certain directions.				*									
R110.	306	Power of Food Safety Officer to seize, condemn and require disposal				*									
R111.	307	Power of Food Safety Officer to restrict use of or close place (warrant required)				*									
R112.	310 & 311	Powers to enter and powers to enter without search warrant (warrant required).				*									
R113.	312	Power of Food Safety Officers to test samples of food or examples of food-related accessories				*									
R114.	331	Power to apply for a compliance order				*									
R115.	355	Power to decide to determine application for review				*									
R116.	358	Power to decide review of decision				*									
R117.	Reg 103	Power to issue corrective action and verification (warrant required)				*									



No	Applicable Section of the Act	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory
							As "Compliance Officer" or "Enforcement Officer"			As "Administration Officer"					
R118.	Reg 106	Power to decide on verification decision				*									
R119.	<b>Gambling Act 2003</b>														
R120.	98-100	Authority to receive and process consent applications pursuant to the Gambling Policy.				*									
R121.	101-102	Authority to recommend a gambling venue policy and to recommend revisions when it is reviewed triennially.				*									
R122.	101-102	Authority to adopt or amend a gambling venue policy.				*									
<b>Hazardous Substances and New Organisms Act 1996</b>															
R123.	97	Authority to enforce provisions in the Act ( <b>as warranted enforcement officers</b> ).				*									
R124.	98	Coordination of inspection and appointment of inspection officers.				*									
R125.	100	Authority to warrant enforcement officers.				*									
R126.	103	Powers of entry for inspection ( <b>as warranted enforcement officers</b> ).				*									
<b>Health Act 1956</b>															
R127.	28	Authority to appoint environmental health officers.				*									

No	Applicable Section of the Act	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory
							As "Compliance Officer" or "Enforcement Officer"			As "Administration Officer"					
R128.	34	Authority to cause the abatement of nuisance at the cost of the owner/occupier ( <b><i>as warranted enforcement officers</i></b> ).				*									
R129.	41	Authority to issue cleansing order/require owners or occupiers to cleanse property.				*									
R130.	42	Authority to declare a dwelling-house unfit for human habitation, and authority to require repair or issue cleansing order/require owners or occupiers to cleanse property.				*									
R131.	54	Authority to grant consent for offensive trade.				*									
R132.	58	Authority to grant consent for stock sale yards.				*									
R133.	81	Power to authorise an environmental health officer to enter premises for cleaning and disinfection.				*									
R134.	82	Obligation to disinfect and cleanse when ordered to do so by the Medical Officer of Health				*									
R135.	83	Authority to destroy articles that cannot be effectively disinfected.				*									
R136.	84	Authority to establish mortuary and cleansing stations				*									
R137.	128	Authority to authorise entry and inspection of specified facilities.				*									

No	Applicable Section of the Act	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory
<b>Impounding Act 1955</b>															
R138.	8	Powers, duties and functions of a pound keeper and ranger.				*									
<b>Litter Act 1979</b>															
R139.	5	Authority to exercise any of the powers granted to officers as Litter Control Officers.				*									
R140.	9(1)	Authority to provide and maintain suitable litter receptacles.	Within existing budgets	<i>Refer to Service Delivery – Sanitary Services section</i>											
			Outside existing budgets												
R141.	9	Authority to require private land owner to provide receptacles if litter is emanating into a public place.				*									
R142.	10	Authority to require owners of private property to clear litter from their property.				*									
R143.	11	Authority to make grants or spend money for the abatement or prevention of litter.	Within existing budgets	<i>Refer to Service Delivery – Sanitary Services section</i>											
			Outside existing budgets												
R144.	13	Authority to adopt infringement notice provisions, for example, fine amount.	✓												
R145.	14	Authority to issue litter infringement notices.				*									
<b>Local Government Act 1974</b>															

No	Applicable Section of the Act	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory
							As "Compliance Officer" or "Enforcement Officer"			As "Administration Officer"					
R146.	327A	Authority to cancel building line restrictions.				✓									
R147.	340(1)	Authority to grant permit for the erection of private motor garages adjacent to the line of the road or to a line intermediate between the line of the road and the building line.				*									
R148.	348	Authority for right of way consents and cancellation of a right of way.				*									
R149.	356	Authority to exercise any power granted to Council relating to the impounding of any motor vehicle; including those relating to the disposal of unclaimed vehicles.				*									
R150.	357	Authority to penalise a person who commits an offence which encroaches on the road				*									
R151.	650B	Authority to appoint Harbourmasters, enforcement officers and Honorary Launch Wardens.	✓												
<b>Local Government Act 2002</b>															
R152.	163	Power to authorise the removal of works that have been constructed in breach of a bylaw.				✓									
R153.	164	Authority to seize property not on private land.				*									
R154.	165	Authority to seize property on private land <b>(as warranted enforcement officer)</b> .				*									

No	Applicable Section of the Act	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Administrator	Team Leader Building and Regulatory
							As "Compliance Officer" or "Enforcement Officer"				As "Administration Officer"				
R155.	171	Power to authorise entry on to land (other than a dwelling house).				✓									
R156.	171	Authority to enter onto land (other than a dwelling house).				*									
R157.	172	Power of entry for enforcement purposes ( <b>as warranted enforcement officer</b> ).				*									
R158.	173	Power to enter land in an emergency.				*									
R159.	175	Power to recover costs of wilful or negligible damage to Council property.				✓									
R160.	Sch 7, Part I, 32 (1)(g)	Power to warrant enforcement officers.				✓									
<b>Official Information and Meetings Acts 1987</b>															
R161.	44A	Land Information Memoranda – release of information.				*									
<b>Plumbers, Gasfitters and Drainlayers Act 1976</b>															
R162.	63	Power of ( <b>as warranted enforcement officer</b> ) to enforce provisions relating to plumbing and drainlaying.				*									

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									As "Compliance Officer" or "Enforcement Officer"					As "Administration Officer"		
<b>Resource Management Act 1991</b>																
R163	10,10A, 10B	Determination of whether existing rights in terms of Section 10 apply.				*										
R164	17	Authority to issue an abatement notice ( <b>as enforcement officer</b> ) to avoid, remedy or mitigate adverse effects				*										
R165	22	Authority to acquire information ( <b>as enforcement officer</b> )				*										
R166	27	To provide information to the Minister for the Environment.				*										
R167	32	Consideration of alternatives, benefits and costs.				*										
R168	34A	Authority to delegate functions, powers and duties to Hearing Commissioner.	*		✓											
R169	36(3)	Power to require the payment of additional charges to cover processing costs in accordance with Council's approved Schedule of Fees and Charges under the Resource Management Act 1991.				*										
R170	36(3)(a)	Power to provide on request an estimate of additional charges over and above processing deposits.				*										
R171	36(5)	Power to remit the whole or any part of any charge.				*										

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													As "Compliance Officer" or "Enforcement Officer"	As "Administration Officer"			
R172	36AA(1)	Power to provide a discount.				*											
R173	36AA(3)	Power to adopt a policy on discounting administrative charges.	✓														
R174	36AAA and 36AAB	Criteria for fixing administrative charges.				*											
R175	37	Authority to waive or extend time periods provided in this section.		*		*											
R176	37A(6)	Notify people affected by extensions of time limits or waivers.				*											
R177	38	Authorisation of enforcement officers.				*											
R178	38(5)	Supply enforcement officer with a warrant.				*											
R179	41B	Direction to provide evidence within time limits.				*											
R180	41C	Directions and request before or at hearing.	*	✓													
R181	42	Power to protect sensitive information (e.g. trade secret or cultural issue).	*	*	✓												
R182	42A	Authority to prepare staff reports on resource consent applications and other relevant matters.				*											
R183	42A(4)	Authority to waive compliance regarding timeframes for distributing reports, where no material prejudice.			*	*											

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								As "Compliance Officer" or "Enforcement Officer"					As "Administration Officer"				
R184	44A	Make amendments to the Plan if directed by a national environment standard, without using the Schedule 1 process.				*											
R185	55	Make amendments to the Plan if directed by a national policy statement, without using the Schedule 1 process.				*											
R186	58L-U	Mana Whakahono a Rohe: Iwi participation arrangements.	*		*	*											
R187	80A, B and C	80A Use of collaborative planning process; 80B Purpose, scope and application of Schedule 1 and definitions; 80C Application to responsible Minister for direction.				*											
R188	86D	Apply to the Environment Court to make rule have effect.	*		*	*											
R189	86E	Identify any rule that has legal effect.				*											
R190	87AAB-D	Boundary activities and fast-track applications.				*											
R191	87BA-BB	Give notice that the activity is a permitted activity.				*											
R192	87E	Consent Authority's process on receiving a request to have the Environment Court determine a resource consent.	✓														
R193	87F	Prepare a report on application for the Environment Court to consider.				*											



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													As "Compliance Officer" or "Enforcement Officer"	As "Administration Officer"			
R194	87G	Provide the Environment Court with documents relating to the application.				*											
R195	88	Authority to determine if an application is incomplete and return to the applicant.				*											
R196	89A	Refer applications affecting navigation to Maritime New Zealand for comment.				*											
R197	91	Authority to defer application pending application for additional consents.		*		*											
R198	92(1)	Authority to request further information from resource consent applicant/s.		*		*											
R199	92(2)	Authority to commission report for further information.		*		*											
R200	92A	Authority to set time limit for further information where the applicant agrees to provide it.		*		*											
R201	92A(3) & 92B(2)	Authority to decline an application on the basis that it is considered that the Council has insufficient information to enable it to make a decision on the application.		*		*											
R202	95, 95A-E	Decide when public notification or limited notification of a consent application is required.				*											
R203	95A	Authority to notify application.		*		*											

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													As "Compliance Officer" or "Enforcement Officer"	As "Administration Officer"			
R204	95D to 95F	Determining whether an activity will have or is likely to have adverse effects on the environment that are more than minor, and determining whether any person is an affected person or affected order holder.		*		*											
R205	98	Advice of submissions to applicant.				*											
R206	99	Pre-hearing meetings.		*		*											
R207	99A	Mediation.		*		*											
R208	100	Authority to determine whether a hearing should be held in respect of any application for resource consent.		*		*											
R209	101	Authority to determine date, time and place of a hearing.				*											
R210	102	Authority to determine issues concerning joint considerations by two or more consent authorities.				*											
R211	102	Authority to make decisions on the holding of joint hearings with other authorities	✓														
R212	103	Authority to determine whether two or more applications are sufficiently unrelated so that it is unnecessary to hear and decide the applications together.				*											
R213	104A	Authority to determine		*		*											
		Where <i>no</i> hearing required															

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									As "Compliance Officer" or "Enforcement Officer"					As "Administration Officer"			
R214		applications for controlled activities.	Where hearing required	✓													
R215	104B	Authority to determine applications for discretionary or non-complying activities.	Where <i>no</i> hearing required	*		*											
R216			Where hearing required	✓													
R217	104C	Determination of applications for restricted discretionary activities.	Where <i>no</i> hearing required	*		*											
R218			Where hearing required	✓													
R219	104D	Determination of applications for non-complying activities.	Where <i>no</i> hearing required	*		*											
R220			Where hearing required	✓													
R221	106	Authority to grant or decline subdivision consents applications not attracting standard conditions of approval.	Where <i>no</i> hearing required	*		*											
R222			Where hearing required	✓													
R223	106	Authority to grant subdivision consents attracting standard conditions of approval including:	For non-notified consents	*		*											

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															As "Compliance Officer" or "Enforcement Officer"	As "Administration Officer"	
R224		<ul style="list-style-type: none"> <li>Amalgamation conditions</li> <li>Service connections (in accordance with established Council policy)</li> <li>Reserve and financial contributions</li> <li>Combined land use/subdivision consents.</li> </ul>	For notified consents where hearing required		✓												
R225	108	Bonds		*		*											
R226	108A	Special provisions in respect of bonds and covenants		*		*											
R227	109	Authority to enter land to assess whether or not matters secured by the bond or covenant have been completed.				*											
R228	110	Authority to refund money paid if an activity does not proceed.				*											
R229	114	Authority to notify decisions to applicant and other appropriate authorities.				*											
R230	120	Authority to lodge an appeal to the Environment Court.	*		*	✓											
R231	124	Authority to permit the exercise of consent while applying for renewal.				*											

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													As "Compliance Officer" or "Enforcement Officer"	As "Administration Officer"			
R232	125	Authority to fix a longer period where any resource consent lapses.		*		*											
R233	126	Authority to cancel a resource consent.		*		*											
R234	127	Authority to change or cancel a condition on a consent.		*		*											
R235	128	Authority to determine whether to serve notice on a consent holder, of Council's intention to review the conditions of consent.				*											
R236	129	Authority to decide whether to include in the notice to consent holder a proposal or invitation to the consent holder to prepare the consent conditions, public notification and procedural measures.				*											
R237	130	Authority to exercise the Council's discretion relating to the notification, submissions and hearing of a review of any resource consent.				*											
R238	132	Decisions on review of consent conditions.		*		✓											
R239	132 (4)	Cancel consent where inaccuracies/significant adverse effects on environment etc.		*		✓											
R240	133A	Minor correction of resource consents.		*		*											
R241	134(4)	Authority to approve transfer of resource consents (written notice).		*		✓											

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													As "Compliance Officer" or "Enforcement Officer"	As "Administration Officer"			
R242	138	Refuse to accept surrender of part of a consent.		*		✓											
R243	139	Authority to consider and issue Certificates of Compliance for any activity which could be lawfully done in a particular location without a resource consent.		*		*											
R244	139A	Authority to consider and issue existing use certificates.		*		*											
R245	142	Express view to Minister about whether a matter should be called in, or request the Minister to call a matter in.				✓											
R246	149B	To provide EPA any information or any submissions received the Local Authority has on a matter that has been called in.				✓											
R247	149E	Make submission to a matter that has been called in.				✓											
R248	149F	Make a further submission to a matter that has been called in.				✓											
R249	149G(3)	Authority to provide Environment Court or Board of Inquiry a report on key issues for a matter of National Importance.					*										
R250	149K	Suggestions to the Minister on appointing members of boards of inquiry.				✓											
R251	149M(3)	Consultation with board of inquiry of local authority view whether to reject or accept private plan change request.	✓														

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													As "Compliance Officer" or "Enforcement Officer"	As "Administration Officer"			
R252	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.				*											
R253	149Q(4)	Authority to provide comments on a draft report produced by a Board of Enquiry.				*											
R254	149V	Authority to appeal a decision on a Matter of National Importance.	✓														
R255	149W	Implement a decision of a board or court about a proposed change or variation.				*											
R256	149ZD	Power to recover Council's costs in complying with Part 6AA of the Act.				*											
R257	168(5) & 189(5)	Duty to receive notification of withdrawal of requirement for designations.				*											
R258	168A	Whether to notify a notice of requirement made by the territorial authority.		*		*											
R259	169	Authority to request further information and publicly notify applications for requirements of a designation.		*		*											
R260	170	Authority to include requirements in proposed plan, subject to consent of the requiring authority.				*											
R261	171	Authority to consider and make decisions on requirements for a designation.		*		*											
R262	173	Notification of decision on designation				*											

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									As "Compliance Officer" or "Enforcement Officer"				As "Administration Officer"				
R263	174	Appeals	*		✓												
R264	175	Confirm designation in the District Plan				*											
R265	176A	Authority to request changes to an outline plan.		*		*											
R266	181 (3)	Authority to consider a requirement to alter a designation to a minor extent.		*		*											
R267	182 (2)	Authority to recommend an amendment to the District Plan to remove a designation.		*		*											
R268	182 (5)	Authority to recommend to decline to remove a designation that is more than minor from the District Plan.		*		*											
R269	184	Authority to fix a longer period for the expiry of a designation which has not been given effect to.			*	*											
R270	189A	Whether to notify a notice or requirement for heritage order made by the territorial authority.		*		*											
R271	190	Request further information.		*		*											
R272	191	Authority to consider a requirement by a heritage protection authority and submissions lodged and make a recommendation to the authority.		*		✓											



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													As "Compliance Officer" or "Enforcement Officer"	As "Administration Officer"			
R273	192 (a-f)	Serve decision by heritage protection authority and give notice on persons and authorities interested.				*											
R274	192 (a-f)	Alter a heritage order from the requirement of a heritage protection agency (minor).		*		✓											
R275	195A	Alteration of a heritage order.				*											
R276	196	Authority to recommend a decision to decline to remove a heritage order from the District Plan (minor)		*		✓											
R277	198C(1)	Return request to have matter heard by Environment Court.				*											
R278	198C(2)&(3)	Decide whether to defer request for the requirement.				*											
R279	198C(4)&(5)	Decision on request to have a requirement heard by the Environment Court.	*		✓												
R280	198D	Processing the requirement.				*											
R281	198E(3)	Respond to the Environment Court requirements.				*											
R282	198J	Prepare report for Environment Court on requirement.				*											
R283	198K	Provide the Environment Court with information required.				*											

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										As "Compliance Officer" or "Enforcement Officer"		As "Administration Officer"					
R284	220 & 240	Authority to issue certificates relating to requirement to comply on ongoing basis with consent conditions and endorsement of titles.				*											
R285	220(3)	Consult with Registrar-General of Land as to the practicality of that condition.				*											
R286	221-222	Authority to issue consent notice or completion certificate including extension of a period for the completion of work on subdivision consents.				*											
R287	223	Authority to approve survey plan, ( <i>as "authorised officer"</i> ).				*											
R288	224	Authority to issue completion certificates indicating all or any of the conditions on subdivision consent have been complied with.				*											
R289	226	Certification that allotments on the plan meet the requirements of the District Plan.				*											
R290	229	Creation of esplanade reserves and strips and associated conditions.				*											
R291	234	Vary or cancel esplanade strips.		*		*											
R292	235	Creation of esplanade strips by agreement.				*											
R293	237	Approve survey plans where esplanade reserves or esplanade strips are required.				*											
R294	237B	Access Strips.				*											

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								As "Compliance Officer" or "Enforcement Officer"					As "Administration Officer"			
R295	237C	Closure of strip to public.				*										
R296	237D	Transfer to the crown or regional council.	✓													
R297	237E-H	Compensation for taking of esplanade reserves or strips.	✓													
R298	240, 241	Authority for the cancellation of amalgamation conditions and restrictive covenants.				*										
R299	243	Authority for revoking a condition specifying easements.				*										
R300	274 (1)(b)	Become a party to proceedings.	*		✓											
R301	300	Notice of Appeal.	*		✓											
R302	301	Right to appear and be heard on appeal.	✓													
R303	305	Additional appeals on questions of law.	✓													
R304	310 & 311	Application to Environment Court for a declaration.				✓										
R305	314 & 316	Power to seek and/or respond to an enforcement order.				✓										
R306	317	Notification of application				*										

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								As "Compliance Officer" or "Enforcement Officer"				As "Administration Officer"				
R307	320	Power to seek and/or respond to an interim/enforcement order.				✓										
R308	321	Power to seek and/or respond to a change or cancellation of an order.				✓										
R309	322	Power to serve or cancel an abatement notice.				*										
R310	322	Power to serve or cancel an abatement notice relating to noise.				*										
R311	323	Power to serve abatement notice (power to seize).				*										
R312	327	Issue and effect of excessive noise direction.				*										
R313	328	Compliance with excessive noise direction.				*										
R314	330	Emergency works and power to take preventative or remedial action.				*										
R315	332	Powers of entry for inspection.				*										
R316	333	Powers of entry for survey, collect samples.				*										
R317	334	Authority to make application to the District Court for a warrant for entry and search.				*										
R318	336(2)	Power to decide the return of seized property ( <i>as warranted officer</i> ).				*										

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													As "Compliance Officer" or "Enforcement Officer"	As "Administration Officer"			
R319	343B	Commission of infringement offence				*											
R320	343C	Serving of infringement notices				*											
R321	357 to 357D	Authority to decide objections against decision.		✓													
R322	388	Power to require information to be supplied about an activity.				*											
R323	Schedule 1 Clause 1(2)	Power to grant extension of time in terms of Section 37.				*											
R324	3(2)	Power to determine who is to be consulted.				*											
R325	4(1) and 4(10)	Notice to Requiring Authority.				*											
R326	4(2) and (5)	Public notification – placement of notice and distribution.				*											
R327	5(1A) & (1B)	Power to determine affected parties to be notified.				*											
R328	5(2) and 5(5)	Public notification – placement of notice and distribution.				*											
R329	6 and 8	Making submissions on variations or plan changes.			✓												
R330	7	Summary of submissions and notification of submissions.				*											

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								As "Compliance Officer" or "Enforcement Officer"					As "Administration Officer"			
R331	8AA	Resolution of disputes and mediation.				*										
R332	8B	Power to set hearing date and notice (including reports).				*										
R333	8C	Hearing not needed.		✓												
R334	8D(1)	Decision to withdraw a proposed plan.			✓											
R335	8D(2)	Notification of withdrawal and providing reasons.				*										
R336	9(1)	Recommendation on requirement.		✓												
R337	9(2)	Decision on requirement.		✓												
R338	10(1) and 2	Decision of local authorities.		✓												
R339	10(4)	Public notification of decisions.				*										
R340	11(1) and (2)	Notification of decision to submitters, and owners and affected parties.				*										
R341	13(3)	Amend the District Plan in respect of the designations.				*										

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								As "Compliance Officer" or "Enforcement Officer"					As "Administration Officer"			
R342	13(4)	Notification of decision of Requiring Authority to submitters, and owners and affected parties.				*										
R343	13 (6)	Summary of decisions to be made available				*										
R344	14(1) and (3)(b)	Making an appeal to the Environment Court.			✓											
R345	14(4) & (5)	Administration of appeals.				*										
R346	16 (1) and (3)	Amend District Plan to give effect to national environmental standards or national policy statements.				*										
R347	16(1)	Amend District Plan according to Court's directions.				*										
R348	16(2)	Make minor amendments to correct minor errors.				*										
R349	16A(1)	Approve Variations.	*		✓											
R350	17	Final consideration of District Plan.	✓													
R351	20	Notification of Operative District Plan.				*										
R352	20A	Making minor amendments to correct the Operative District Plan.				*										

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													As "Compliance Officer" or "Enforcement Officer"	As "Administration Officer"			
R353	23(1) and (2)	Request of further information on a plan change.		*		*											
R354	23(3)	Commission a report on a plan change.		*		*											
R355	23(3)	Notification of information.				*											
R356	23(6)	Declining of plan change due to lack of information.		*	✓												
R357	24	Modification of request for plan change.	*		✓												
R358	25(1), (2)(a) & (b)(3) & (4)	Decision to 'adopt', 'accept', 'reject' a plan change.	*		✓												
R359	25(2) (a)(i)	Public notification of plan change 'adopted' – see Clause 5.				*											
R360	25(5)	Notification of Decision.				*											
R361	26(a)	Preparation of documents if plan change was 'accepted'.				*											
R362	26(b)	Public notification of plan change was 'accepted' – see Clause 5.				*											
R363	28 (2) (4), (5) and (6)	Exercise notification of decisions with regard to withdrawals.				*											



No	Section	Situation/Description	Delegated authority														
			Council	Hearings Panel	Regulatory and Community Committee	Chief Executive	Deputy Chief Executive	Manager Planning and Regulatory Services	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer/Team Leader	Animal Control Officer	Council Contractor	Planning and Regulatory Administrator	Regulatory Services Officer?
													As "Compliance Officer" or "Enforcement Officer"	As "Administration Officer"			
R364	29(2) & (5)	Exercise notification of parties of submissions and decisions.				*											
R365	29(4)	Decisions to decline, approve or modify plan change.	*		✓												
R366	29(9)	Decision to initiate a variation.	*		✓												
R367	32	Certification of inclusion of material into the District Plan.	✓														
R368	34 (2) (a)–(d)	Notification of material to be referenced.				*											
R369	34 (2) (e)	Consider public comments.	*		✓												
R370	34 (3)	Distribution of referenced material.				*											
R371	35	Access of material by reference and notification as to where it is available.				*											
R372	Various appeal sections	Manage and negotiate all appeals that arise under the RMA (Resolution by Council).				*											
R373	Various appeal sections	Resolve by consent order, any appeal to the Environment Court.				*											

No	Section	Situation/Description	Delegated authority												
			Council	District Licensing Committee	Regulatory & Community Committee	Chief Executive	Deputy Chief Executive	Manager Planning & Regulatory Services	Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance Officer	Animal Control Officer	Planning and Regulatory Administrator
											As "Compliance Officer" or "Enforcement Officer"	As "Administration Officer"			
<b>Sale and Supply of Alcohol Act 2012</b>															
R374.	64	Authority to issue licences, certificates and authorities.				*									
R375.	196, 198	Secretary of the District Licensing Agency.				*									
R376.	197	Authority to appoint inspectors.				✓									
R377.	199	Authority to prepare and submit an annual report to the licensing authority.				*									
R378.	267	Authority to enter premises ( <b>as warranted officers</b> ).				*									
R379.	296	Authority to keep and maintain a list of licensees and managers who hold licences or manager's certificates.				*									
R380.	299	Authority to make the list of licensees and managers who hold licences or manager's certificates available to constables and inspectors.				*									
R381.	397	Authority to reduce the fee category of an applicant by one level, as per the regulations associated with the Sale and Supply of Alcohol Act 2012.				*									

No	Section	Situation/Description	Delegated authority												
			Council	Hearings Panel	Regulatory and Planning Committee	Chief Executive	Deputy Chief Executive	Manager Planning and Regulatory Services	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance/Freedom Camping Officer	Animal Control Officer	Planning and Regulatory Administrator
									As "Compliance Officer" or "Enforcement Officer"			As "Administration Officer"			
<b>Swimming Pools Act 1987</b>															
R382.	11	Powers of entry for territorial officers.				*									
<b>Transport Act 1962</b>															
R383.	42A(4)(b)	Authority to issue infringement notices for alleged parking offences.				*									
<b>Clutha District Council Regulatory Bylaw 2018</b>															
R384.	103	Authority to serve orders or notices as required under the regulatory bylaws.				*									
R385.	103	Authority to extend the time given on an order or notice served under the Regulatory Bylaws to carry out remedial action.	*	*	*	*									
R386.	107	Power to revoke or suspend licenses granted under the bylaw.	*	*	*	*									
R387.	108	Authority to require the removal of buildings or structures encroaching on a public place without Council's permission.	*	*	*	*									
R388.	109	Authority to remove or alter works, materials, or things erected, or being in contravention of the Regulatory Bylaw.	*	*	*	*									
R389.	110	Power to dispense with the requirement for full compliance with the provisions of the Regulatory Bylaw.	*	*	*	*									

No	Section	Situation/Description	Delegated authority															
			Council	Hearings Panel	Regulatory and Planning Committee	Chief Executive	Deputy Chief Executive	Manager Planning and Regulatory Services	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance/Freedom Camping Officer	Animal Control Officer	As "Compliance Officer" or "Enforcement Officer"		As "Administration Officer"	
R390.	202	Authority to place a temporary ban on the possession of glass drinking vessels or containers from any public place.	*		✓													
R391.	203	Authority to amend the schedule of prohibited areas for freedom camping.	✓															
R392.	203	Authority to amend the Schedule of Council approved dump points.	✓															
R393.	203	Authority to request that those freedom camping in breach of the Bylaw move from their chosen camping spot.				*												
R394.	203	Authority to issue infringement fines to those who breach the freedom camping provisions of the bylaw.				*												
R395.	208	Authority to permit and place conditions on the exposing of articles for sale where it encroaches on a public place.				*												
R396.	210	Authority to give consent to any person who wishes to organise or conduct any meeting, gathering, demonstration, parade, procession or competition in a public place.	*	*	*	*												
R397.	211	Authority to permit awnings, blinds, or screens to encroach onto a public place.	*	*	*	*												
R398.	212	Authority to permit any obstruction or projection of any kind on, over, or under a public place.	*	*	*	*												
R399.	213	Authority to permit to be erected any electrified fencing or barbed wire within one metre of any public place.	*	*	*	*												

No	Section	Situation/Description	Delegated authority													
			Council	Hearings Panel	Regulatory and Planning Committee	Chief Executive	Deputy Chief Executive	Manager Planning and Regulatory Services	Senior Planning Officer	Manager Building Control & Regulatory Services	Building Control Officer	Environmental Health Officer	Monitoring & Compliance/Freedom Camping Officer	Animal Control Officer	Planning and Regulatory Administrator	Regulatory Services Officer
									As "Compliance Officer" or "Enforcement Officer"			As "Administration Officer"				
R400.	402	Authority to inspect trading in public places complies with the conditions of operation.				*										
R401.	402	Authority to give approval to trading in public places where food products are involved.				*										
R402.	704	Authority to specify public places to be included in liquor bans.	✓													
R403.	704	Authority to modify the boundaries of specified liquor ban areas, or remove specified public places from liquor ban areas.	✓													
R404.	704	Authority to specify additional periods and public places to be subject to liquor bans for planned public events.	✓													
R405.	705	Authority to grant a waiver or dispensation from a liquor ban for a specified time at a specified location.			*	*										

# Emergency Services

## Civil Defence

No	Section	Description	Civil Defence Emergency Management Group	Otago Civil Defence Management Group	Mayor (Deputy Mayor or Executive Committee Chair in their absence)	Chief Executive	Deputy Chief Executive	Civil Defence Controller or Alternative Controller	District Court Judge	Police
<b><i>Civil Defence Emergency Management Act 2002</i></b>										
E1.	13(4)	Representative on Otago Civil Defence Emergency Group.			✓					
E2.	20(1)(a)	Chief Executive's representative on Coordinating Executive Group.				✓				
E3.	25	Authority to declare a state of local emergency.			✓					
E4.	27	Authority to appoint Local Controller	✓							
E5.	68, 71, 72	Authority to declare, extend and terminate a state of local emergency			✓					
E6.	78	Authority to warrant/authorise police to enter and search property (via warrant)							✓	
E7.	86	Authority to evacuate premises/places or exclude persons or vehicles entering any public place.						✓ <sup>a</sup>		✓ <sup>a</sup>
E8.	87	Authority to enter premises.						✓ <sup>a</sup>		✓ <sup>a</sup>
E9.	88	Authority to close roads or public places.						✓ <sup>b</sup>		✓ <sup>b</sup>
E10.	89	Authority to remove aircraft/vessels/vehicle.						✓ <sup>a</sup>		✓ <sup>a</sup>

No	Section	Description	Civil Defence Emergency Management Group	Otago Civil Defence Management Group	Regulatory Services Committee	Mayor (Deputy Mayor or Executive Committee Chair, in their absence)	Chief Executive	Civil Defence Controller or Alternative Controller	District Court Judge	Police
E11.	90	Requisitioning powers.						✓ <sup>a</sup>		✓ <sup>a</sup>
E12.	91	Power to give directions verbally or in writing.						✓ <sup>a</sup>		✓ <sup>a</sup>
E13.	92	Power to carry out inspections.						✓ <sup>a</sup>		✓ <sup>a</sup>

<sup>a</sup> Or person/s acting under the authority of the Civil Defence Controller or Police.

<sup>b</sup> Or person/s acting under the authority of the Civil Defence Controller, Police or as authorised in the Civil Defence Plan.

**Rural Fire**

E14.								
E15.								



## Appendix D – Amendments Register for Delegations Manual

Page	Date	Changes made
P51-2	12/01/2017	Changes to delegation level in lines CS11, CS13, CS14, CS15, CS16 and CE9
P49-51	10/05/2017	Changes to wording in Appendix B, Table 1a D7 and Table 1b D7, changes to Position Titles SD2, SD3, SD4, SD6, SD19 and SD20
P67-85	10/05/2017	Changes and additions to Position Titles and Delegations
P49-50	19/07/2017	Changes to minor wording ( <b>and</b> changed to <b>or</b> )
P99-101	08/11/2017	<p>Additional Resource Management Act delegations added to Appendix D - Delegations Register:</p> <ul style="list-style-type: none"> <li>• 36AAA and 36AAB Criteria for fixing administrative charges.</li> <li>• 58L-U Mana Whakahono a Rohe: Iwi participation arrangements.</li> <li>• 80A, B and C 80A Use of collaborative planning process; 80B Purpose, scope and application of Schedule 1 and definitions; 80C Application to responsible Minister for direction.</li> <li>• 87AAB-D Boundary activities and fast-track applications.</li> <li>• 87BA-BB Give notice that the activity is a permitted activity.</li> <li>• 95, 95A-E Decide when public notification or limited notification of a consent application is required.</li> </ul> <p>As approved by Council on 2 November 2017.</p>
P52	02/04/2019	Update of Financial Delegation for Community Support / Development Advisor from Level 9 to Level 6.
All	12/12/2019	Council Delegations Manual 2019-21 Adopted by Council on 12 December 19 with the following change: <i>“That Council agrees that on any committee where 2 are the quorum, these are amended to having the majority as the quorum.”</i>
All	25/6/2020	<p>Update to reflect changes in position titles, committees and legislation. Adopted by Council on 29 October 2020.</p> <p><i>That Council adopts the updated Council Delegations Manual for the 2019-21 triennium.</i></p>

Page	Date	Changes made
All	29/10/2020	Update to reflect changes in position titles, committees and legislation. Adopted by Council on 29 October 2020.  <i>That Council adopts the updated Council Delegations Manual for the 2019-21 triennium.</i>
P53	29/6/2021	Update of financial delegations for Customer Experience Team Leader Balclutha Library CS11 (formerly Librarian Team Leader). Signed by CE.
All	18/12/2022	Council Delegations Manual 2022-2025 adopted by Council.  Noting the 2019 version of Appendix C Delegations Register will remain extant until revised in early 2023.
Front Section	2023-2024	Updates made as a result of Clutha Stars restructure to rename committees, amend committee responsibilities and update delegations to committees and working parties.
Appendix C	2023-2024	Updates made all throughout Appendix C due to the staff restructure aligning with Clutha Stars.
Appendix B	2023-2024	Update Ref D7 Levels 2 & 4 to the same as D10 Levels 2 & 4, add D7 Level 5 then update D5, D6, D7, D8 and D10 to ≤\$30,000.
Appendix D	2023-2024	Update D11 Level 3 wording:  <i>Chief Financial Officer &amp; Financial Accounting Team Leader (\$600K per pay period).</i>