



# Delegations Manual

December 2021

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# 1. INTRODUCTION

Hurunui District Council ('Council') relies on a clear distinction between governance and management activities for effective operation. Council is comprised of:

- **Elected Members**, who have overall responsibility for Council decisions and activities
- **The Chief Executive**, who is the sole employee of the elected members, and
- **Council Officers**, who are employed by the Chief Executive.

Governance activities are the remit of elected members. Management activities are the remit of the Chief Executive, which include the provision of policy advice, as well as implementing the governance decisions made by elected members.

In order for a Council to operate efficiently and effectively, the Chief Executive delegates a range of powers to Council Officers.

## 1.1 The Legal Basis

### 1.1.1 Council's Principal Responsibility

**The purpose of Local Government as per section 10 of the Local Government 2002 Act is:**

- To enable democratic local decision-making and action by, and on behalf of, communities; and
- To promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

**The governance principles of Local Government as set out in section 39 of the Act are:**

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

### Delegation of Powers

The Delegations Manual records all delegations made from the Council to its Committees and the Chief Executive and from the Chief Executive to Council Officers. Schedule 7 (s32B) of the Act provides (with some restrictions) powers for a Council Officer to further delegate to any other Officer.

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
  - b. The power to make a bylaw
  - c. The power to borrow money, or purchase or dispose of assets, other than in accordance with the long term Council community plan
  - d. The power to adopt a long term Council community plan, annual plan or annual report
  - e. The power to appoint a Chief Executive
  - 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
  - g. The power to Warrant Enforcement Officers

2. Nothing in this clause shall restrict 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) or 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 power to a sub-committee or person, subject to any conditions, limitation, or prohibitions imposed by the local authority or by the committee or body or person that makes the delegation.
4. A committee, subcommittee, other subordinate decision-making body, Community Board, or Member or Officer of the local authority to which or to whom any responsibilities, powers or duties are delegate 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.

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

## 1.2 Purpose

The purpose of the Delegations Manual is to define and authorise the scope of:

- The division between governance and management activities
- Council’s delegations of governance activities to Council Committees
- Council’s delegations of management activities to the Chief Executive
- The Chief Executive’s delegations to Council Officers, including the Leadership Team.

Other aspects of Council’s work programme can be delegated by Council resolution. This includes the work programme detailed in the Long Term Plan and Annual Plan. Separate delegations are not required for Council Officers to undertake any work included in these documents, which are adopted by Council.

The Delegations Manual also provides for specific delegations relating to finance, regulatory functions and specific statutory responsibilities devolved to Council through legislation.

## 1.3 Structure

The Delegations Manual (“the manual”) is structured as follows:

- **Delegations Framework** – this section outlines Council’s guiding principles for delegating authority and establishes the legal power for making these delegations. It then establishes the framework through which the delegations are made and structured.
- **Governance Delegations** – this section sets out the delegation of governance powers from Council to Committees and the Community Board.
- **Financial Delegations** – the delegation of financial powers enables the achievement of Council’s objectives and work programme, as adopted in the Long Term Plan and Annual Plan. This section sets the limits of financial delegations to Council Committees and Council Officers.
- **Management Delegations** – This section of the manual sets out the delegations made by the Chief Executive of the management powers to facilitate the effective and efficient operation of the Council administration.
- **Contractor Delegations** – Council has determined to contract out the delivery of many of its services to contractors. The contracts in place with each contractor specify the detail of the services and levels of service to be provided.

This part of the delegations register sets out the delegations of powers and functions required by contractors to carry out their contracted services.

- **Sub Delegations** - The Sub Delegations Register has been separated out from the Delegations Manual for two purposes:
  1. To make it clear which decision making powers are delegated by the Council to the Chief Executive and other governance bodies and which are sub delegated by the Chief Executive Officer to other Council Officers.
  2. To make the delegations documents easier to read and understand. It will allow changes to the Sub Delegations Register, which happens on a regular basis, to be enacted simply as directed and overseen by the Chief Executive. The Sub Delegations Register also contains delegations to Council Officers that are prescribed in a range of relevant legislation and are not a Council delegation matter.
- **Warrants** – This section sets out the warrants of powers issued to individual Officers of Council and employees of contractors. The Warrant Register can be found within the Sub Delegations Register.

## 1.4 Term of Delegation

Unless any delegation is expressed to be for a defined period it will continue until revoked by the Council, the Chief Executive or withdrawn by operation of law. The Delegation Manual is a 'living' document and as such will be reviewed and amended from time to time. The delegation is normally to the position, not to the individual. The delegation survives any change in the occupier of any position.

# 2. DELEGATION FRAMEWORK

Delegations are “the assignment of a duty or power of action to another, together with the authority to carry out that duty or complete the action assigned with responsibility for the outcome.”

The powers, functions and duties of Council are prescribed by central government either expressly or implicitly by statute and associated regulations. The legislative framework imparts various different powers, functions and duties to the elected Council or the Chief Executive.

Primary statutes that impact Council include but are not limited to:

- Local Government Act 2002 ('the Act')
- Resource Management Act 1991 (RMA)
- Building Act 2004
- Reserves Act 1977
- Local Government Official Information and Meetings Act 1987 (LGOIMA)

## 2.1 Guidelines

### 2.1 Key Principles

In making decisions about delegated authority, Council and the Chief Executive will consider the following, to enable Council to:

- Operate efficiently and effectively
- Concentrate on its policy making role, empowering the Chief Executive and Council Officers to implement and administer those policies
- Carry out Council functions openly and fairly
- Provide delegates with the necessary authority to effectively carry out delegated responsibilities
- Properly observe all statutory requirements.

Other principles observed in the development of the manual are that delegations will:

- Be made to positions, not people

- Be recorded in the Delegations Manual or Sub Delegations Register
- Delegations are to be made in writing and recorded
- Prevent decisions made under delegated authority from being subsequently overturned by Council
- Be reviewed and amended as required, including a review at the beginning of each new term of Council.

## 2.2 Restricted Powers and Responsibilities for Council

Council cannot delegate any power which is required by law to require a resolution of Council, including under Schedule 7 Clause 32 of the Local Government Act 2002.

Council cannot delegate the power to:

- Set rates
- Adopt bylaws
- Borrow money, purchase or dispose of assets, outside of the Long Term Plan
- Adopt a Long Term Plan, Annual Plan, or Annual Report
- Appoint the Chief Executive
- Adopt policies with consultation requirements prescribed by the Local Government Act 2002, including those associated with the Long Term Plan
- Approve, adopt, and set operative dates for changes and/or variations to resource management plans and policies under the Resource Management Act 1991
- Approve and adopt the District Plan and Notices of Requirement
- Adopt a remuneration or employment policy
- Make a final decision following an Ombudsman's recommendation that rejects or modifies that recommendation
- Appoint or discharge the Deputy Mayor
- Approve or amend Council's Standing Orders
- Approve or amend the Code of Conduct for elected members
- Establish and determine the structure, terms of reference, and delegated authorities of committees
- Appoint and discharge members of committees
- Establish a joint committee with another local authority or public body.

## 2.3 Powers and Responsibilities Retained by Council

The Council also retains the following additional powers and responsibilities:

- The powers and duties conferred or imposed on the local authority by the Public Works Act 1981
- Approval of a draft Long Term Plan or draft Annual Plan prior to community consultation
- Approval of a draft bylaw prior to community consultation
- Approval of policies and approval of draft policies prior to community consultation
- Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of electoral Officer
- The power to institute any proceedings in the High Court that are not injunctive proceedings
- The power to enter into a contract other than in accordance with the provisions of s.4 of the Public Bodies Contracts Act 1959
- The power to appoint Council representation on any body
- The power to sell or purchase land
- The power to authorise or otherwise commit Council to any expenditure exceeding that in the current Annual Plan / Long Term Plan
- The power to cease any existing function or commence any new significant activity
- Formulation or amendment of Council's corporate goals and objectives
- Submissions to any external body where the subject of the submission is not the responsibility of a standing committee
- Approval of alterations to the adopted Long Term Plan / Annual Plan budget
- Adoption of the Local Governance Statement
- Adoption of the Triennial Agreement

- Power to sell or dispose of parks, reserves and endowment properties
- Power to set fees and charges
- Representation review and elections
- Remuneration (and other policies affecting roles /responsibilities of Councillors)
- Relationship with the Hanmer Springs Community Board
- Council's relationship with other bodies with a role in influencing the planning of the district (e.g., The Canterbury Regional Council (ECan))
- The Council's cultural relationship with Te Rūnanga O Ngāi Tahu (TRONT), and Te Ngāi Tūāhuriri Rūnanga and Te Rūnanga O Kaikoura.

## 2.4 Delegated Parties

In most cases the Council has the primary power of delegation, as it is this body that is specified as the delegate in the empowering legislation. In some specific instances, the legislation empowers the Chief Executive directly who will have the primary power of delegation.

Under this policy, delegations of responsibilities, powers or duties may be made to any of the following parties:

- Committees
- Hanmer Springs Community Board
- Ward/Community Committees
- Water Advisory Groups
- Subcommittees and Working Parties
- Individual Members
- Hearings Commissioners
- Chief Executive
- Council Managers
- Council Employees
- Service Delivery Contractors

Certain delegations will be made to specific positions within the wider Council structure (including contractors) that require that the position holder has and maintains appropriate technical qualifications for the position. As provided in section 3 (Governance Delegations) it is the responsibility of the delegator to ensure that the holder of the position that has the delegated powers has and retains appropriate technical competence.

## 2.5 The Chief Executive

- 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.
- The Chief Executive is responsible under section 42 of the Local Government Act 2002 for:
  - Implementing the decisions of the local authority; and
  - Providing advice to members of the local authority and to its community boards, if any; and
  - 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
  - Ensuring the effective and efficient management of the activities of the local authority; and
  - Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and
  - Providing leadership for the staff of the local authority, the staff of the local authority; and
  - Employing, on behalf of the local authority, the staff of the local authority; and
  - Negotiating the terms of employment of the staff of the local authority.
- 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 –

- Reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and
- Is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.

In addition to the above responsibilities, the Council delegates the following powers to the Chief Executive:

- The power to initiate the review of any policy, strategy or plan (for which there is funding if required)
- The power to undertake any action delegated or ascribed to the Chief Executive in any policy, strategy or plan adopted by the Council or a Committee
- The power to monitor and assess the performance of all service delivery contractors, to vary or modify the contract to the extent provided for in the contract and to issue warnings for performance where necessary
- The power to seek and obtain funding from any external source by way of grant or donation or other form of gifted funding for any project or programme or other activity that has been approved by Council or a committee of Council
- The authority to communicate with the media on all matters on behalf of the Council other than comment on policies made by Council or comment on the performance of any Councillor or group of Councillors
- All arrangements and contracts for the supply of goods, services, plant and labour
- The management of operations and maintenance
- Capital expenditure to the limit approved in the Annual Plan and/or Long Term Plan
- The power to sub-delegate these powers.

## **2.5. Delegations to Chief Executive**

- 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.
- 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.
- Every delegation by the Chief Executive shall be in writing and suitability recorded (refer to the Sub Delegations Register). Every delegation may be withdrawn or amended or made subject to conditions in the same manner.
- Sub delegation of delegated authority to another Officer is not permitted.

### **2.5.2 Acting Chief Executive**

- One of the three Executive Team members will Act as Chief Executive in the absence of the Chief Executive.
- The Chief Executive may request any person appointed by the Council to act as Chief Executive during temporary periods of absence from duties together with such of the Chief Executive's powers as he or she considers appropriate.

### **2.5.3 Statutory Delegations**

May be made to staff where:

- The responsibilities are expressly provided for in legislation; or
- The Council holds the power and delegates this responsibility to the Chief Executive.

Delegations to staff, if required by any enactment, are made through the Chief Executive by virtue of inclusion in this register.

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

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:

- The employment of staff (under section 42 Local Government Act 2002), consultants or advisers.
- 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).
- The provision of services by the Council, and the sale, leasing, or disposal of goods and plant capital items (excluding real property), or other assets owned by the Council or the settlement of claims for compensation.
- Easements, rights of way, caveats, registrable interests, and similar minor dealings with property.



In exercising this delegated authority, the Chief Executive must comply with:

- Any policies adopted by the Council; and
- Budget requirements; and
- Value for money procurement principles based on the right quality, quantity, and price, at the right place and time; and
- The obligation to report decisions.

### **2.5.5 *Employment of Staff***

- 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.
- Subject to budget approval, the Chief Executive may authorise the creation of a new position. A new position is one not shown on the Council's current organisation chart. This includes new positions arising from a substantial restructuring and consequent regard of existing positions.

### **2.5.6 *Temporary Delegations***

Council Officers who are charged with increased duties in a temporary capacity also receive the delegated powers, duties, and responsibilities relevant to the position in which they are acting.

## **3. GOVERNANCE DELEGATIONS**

The delegations made in the governance section of the manual and other delegations of statutory and financial powers to committees and subcommittees and all the delegations made to the Chief Executive were adopted by Council at its meeting on 16 December 2021. The new governance structure for the 2022-25 triennium was approved by the Council on 1 November 2022.

Council's delegation model is designed to enable committees of Council to fully and completely undertake their roles consistent with their terms of reference. The use of delegated authority to the most appropriate level of the organisation enables Council to achieve the purpose of local government as prescribed in the Local Government Act 2002, which is:

- To enable democratic local decision-making and action by, and on behalf of, communities; and
- To promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

When a statute or regulation empowers Council to carry out a decision-making function, that decision must be made by resolution of the full governing body, unless the statute or regulation permits delegation to a committee, subcommittee, or Council Officer.

The business to be delivered and administered by Council is significant and wide-ranging, implementing the requirements of many statutes and associated regulations, Council plans, policies, bylaws, and other services. Without delegation, Council's operations and administration would not be efficient, effective, or timely in delivering services.

The body or person to whom powers are delegated will usually exercise the delegated power but is not obliged to do so. Delegates may choose not to exercise authority when a matter becomes of high public interest, or the issues involved are contentious or high-risk.

When urgency, public-interest or risk requires, matters that would normally be delegated for decision to a Council committee will go to the full elected Council for decision.

## 3.1 Council Governance Structure

### Community Boards

- Hanmer Springs Community Board (established by statute)

### Committees:

- Audit and Risk Committee
- Chief Executive Officer Performance Review Subcommittee
- Code of Conduct Committee
- District Licensing Committee
- Hanmer Springs Thermal Pools & Spa Management Committee
- Hurunui Tourism Board
- Operations Committee
- Strategy and Community Committee
- Temporary Road Closure Subcommittee
- Water Liaison Committee
- Youth Council

### Ward/Community Committees:

- Amuri Community Committee
- Cheviot Community Committee
- Hurunui Community Committee
- Glenmark Community Committee
- South Ward Committee

### Joint Committees of Council (or Regional Committees that have Council representation):

- Canterbury Regional Landfill Joint Committee
- Canterbury Regional Transport Committee
- Canterbury Waste Joint Committee
- Civil Defence Emergency Management Group
- Enterprise North Canterbury Trust Board (Joint Council Controlled Organisation)

### Advisory Groups and Outside Bodies:

In addition to the Council's governance structure, there are a number of groups that meet which impact on certain Council activities or administer funds which are paid to the Council from external sources for various reasons. Advisory Groups have no power to act or decide, unless delegated specifically to distribute funding. They generally have an investigative, consultative, advisory and fact-finding role.

Council is currently represented on the following advisory groups and outside bodies:

- Creative Communities New Zealand Funds Assessment Committee
- Mainpower Environmental Fund and Hurunui Heritage Fund
- North Canterbury Biosecurity Advisory Group
- Road Safety Coordinating Committee
- Sport New Zealand Assessment Committee
- Secondary School Achievers Awards Assessment Committee

### Principles and Procedures

Within the overall model of participative democracy, Council's delegation model is designed to enable committees of Council and Hanmer Springs Community Board (HSCB) to undertake their roles fully and completely and consistent with their terms of reference. The principles incorporate the reporting and monitoring process that enables the Council to ensure that the powers they have delegated are not exceeded.

- The powers, duties and responsibilities required for each committee and the HSCB to undertake the roles determined for them as documented in the delegations and for some committees the terms of reference for each committee and the HSCB are determined and agreed by the Council members and the HSCB members.
- Following agreement, Council will resolve to delegate the appropriate powers to the committees and the HSCB.

- Each of these subordinate governance bodies is bound to the requirements of the Local Government Official Information and Meetings Act 1987 and Council's Standing Orders for the provision of agendas in advance of meetings, the conduct of their meetings and the keeping of accurate minutes of the proceedings of meetings.
- The Governance Advisors will scrutinise the agendas for all subordinate meetings to ensure that the recommended actions on items for decision by the Committee or HSCB are within the powers delegated to them.
- Where there is a potential breach of delegated powers the Governance Advisors will notify the Committee/Board Chair and advise an alternative recommendation for consideration.
- The Governance Advisors will review the draft minutes of each meeting of Committees and the HSCB within 5 working days to ensure the decisions made are consistent with the delegated powers.  
The Governance Advisors and Chief Executive will review the proposed agenda for Council meetings to ensure that no items that can be determined by committees under delegated authority are being brought forward unnecessarily to the Council.

## 3.2 Expectations of Council Committees

Within its areas of jurisdiction, each Council Committee is expected to:

- Observe and pursue the goals, objectives and strategies in any strategic plan adopted by full Council
- Maintain regular communications with other committees and full Council to ensure that the widest possible good is achieved for the community
- Approve expenditure that exceeds delegated authority of Council Officers, within the financial parameters of the Long Term Plan and Annual Plan
- Ensure appropriate consultation and communication is undertaken with the community and affected stakeholders
- Monitor and respond to changes in legislation governing their jurisdiction
- Support Council staff to achieve programmes and projects contained in the Long Term Plan
- Support the responsibilities of the Council to advise on strategy and policy

Council Committees shall not:

- Exercise any power reserved to the full Council by operation of law (e.g., making a rate, borrowing, etc.)
- Authorise or otherwise commit the Council to any expenditure (either in the current year or subsequent years) exceeding that in the current Annual Plan without the prior authority of full Council. That authority may be found in the Long Term Plan
- Commit the Council to any binding decisions in any areas other than those delegated by the Council
- Appoint any subcommittee other than those implicit in these terms of reference (e.g., contracts)
- Make appointments to any body
- Publicly advocate for activities under its control to the detriment of other Council responsibilities or priorities.

## 3.3 Community Board Delegations and Terms of Reference

### 3.3.1 Hanmer Springs Community Board

<b>Type of Body</b>	Community Board
<b>Subordinate To</b>	Not applicable
<b>Subordinate Committees</b>	None
<b>Legislative Basis</b>	Community Board delegated powers by the Council as per Schedule 7, Section 32, LGA 2002. Appointment of Councillor to the Hanmer Springs Community Board as per Section 50, LGA 2002 and Section 19F, Local Electoral Act.
<b>Membership</b>	<ul style="list-style-type: none"> <li>• Five Community Board elected members (5)</li> <li>• One West Ward Councillor (1)</li> </ul>
<b>Delegations</b>	Where funded by the Hanmer Springs rating area, the Council delegates governance responsibility and local policy determination in respect of: <ul style="list-style-type: none"> <li>• Recreation reserves (in consultation with any Local Reserve Advisory Groups)</li> <li>• Hanmer Springs beautification</li> <li>• Stormwater</li> </ul>

	<ul style="list-style-type: none"> <li>• Footpaths</li> <li>• Street lighting</li> <li>• Township maintenance</li> <li>• Public halls</li> </ul> <p>Governance in the above areas will include:</p> <ul style="list-style-type: none"> <li>• Setting priorities for work programmes approved in the Long Term Plan and Annual Plan for the Hanmer Springs Rating Area.</li> <li>• Monitoring Activities.</li> <li>• Approval of tenders for contract (within the above areas of responsibility) within budget and which exceeds Officer authorisation.</li> </ul> <p>With respect to local reserves, the Council delegates responsibility:</p> <ul style="list-style-type: none"> <li>• For the disbursement of funds from the reserves funding account for the day-to-day maintenance of these reserves in accordance with the Financial Delegations Policy.</li> <li>• To prioritise and recommend to Council future capital development on reserves as part of the Long Term Plan and Annual Plan development.</li> <li>• To consider disbursement and recommend expenditure from the reserves funding account in accordance with the priorities identified in the Long Term Plan and the Reserve Management Plan's individual reserve policies.</li> <li>• To liaise with local reserve advisory groups where they exist, to provide appropriate delegations and to ensure accountability and transparency in the management of local reserves.</li> </ul> <p><u>Advisory Role</u></p> <ul style="list-style-type: none"> <li>• With respect to governance of the district's water schemes, the Hanmer Springs Community Board may appoint one representative to the Council's Water Liaison Committee, with specific focus on the Hanmer Springs water supply. This role includes representing local concerns and recommending priorities for the services and development within the water supply scheme.</li> <li>• The Hanmer Springs Community Board will have an advisory role and be consulted with respect to levels of service for contracts for lawn mowing and toilet cleaning (where funded district-wide), in the ward area.</li> </ul> <p>The Hanmer Springs Community Board may delegate its powers to distribute funds from the Hanmer Springs Tourism Promotion Fund to a committee comprising all members of the Hanmer Springs Community Board and one representative from Wood Scenic Line Limited trading as "Welcome Aboard".</p>
<b>Limits to Delegations</b>	<p><b>Matters that must be processed by way of recommendations to the Council include:</b></p> <ul style="list-style-type: none"> <li>• District Plan policy which affects the Hanmer Springs rating area</li> <li>• Hanmer Springs public toilets (funded by the general rate)</li> <li>• Hanmer Springs cemetery</li> <li>• Pensioner flats</li> <li>• Annual estimates</li> <li>• Roading (including traffic management and controls)</li> <li>• Temporary road closures</li> <li>• Local Civil Defence</li> <li>• Waste management</li> <li>• Amuri Avenue Reserve, Conical Hill Reserve and Dog Creek Reserve funded from the general rate</li> </ul>

## 3.4 Committees – Delegations and Terms of Reference

### 3.4.1 Audit and Risk Committee

<b>Type of Committee</b>	Council Committee
<b>Subordinate To</b>	Council
<b>Subordinate Committees</b>	None

<b>Legislative Basis</b>	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
<b>Membership</b>	<ul style="list-style-type: none"> <li>• The Mayor (1)</li> <li>• Four Councillors (4)</li> <li>• One Independent member (1)</li> </ul>
<b>Delegations</b>	<p>The Council delegates to the Committee responsibility for governance in the following areas:</p> <ul style="list-style-type: none"> <li>• Assisting the Council in assuring it exercises due care and diligence in its practices and processes with a focus on finance, audit and risk.</li> <li>• Preparation of submissions to relevant bills, discussion and policy documents, for recommendation to the Council.</li> <li>• To operate in accordance with its approved <u>Terms of Reference</u>.</li> </ul> <p><b>Audit and Risk Functions:</b></p> <ul style="list-style-type: none"> <li>• Review the Council’s annual financial statements with Council management and the Auditors prior to their approval by the Council.</li> <li>• Oversee statutory compliance in terms of financial disclosure.</li> <li>• Monitor corporate risk assessment and the internal risk measures that have been instituted.</li> <li>• Make recommendations to the Council on the appointment of auditors and audit fees.</li> <li>• Review annually the internal audit programme, ensuring emphasis is placed on areas where either the Council or Council Management or the Auditors believe attention is necessary.</li> <li>• Review insurance arrangements annually.</li> <li>• Oversee the Council’s: <ul style="list-style-type: none"> <li>○ risk management framework</li> <li>○ internal control environment</li> <li>○ legislative and regulatory compliance</li> <li>○ internal audit and assurance</li> <li>○ external audit</li> <li>○ financial reporting structure</li> <li>○ statutory compliance in terms of financial disclosure</li> <li>○ management of significant projects</li> <li>○ compliance to Treasury Risk Management Policies</li> <li>○ health and safety obligations</li> <li>○ activities of the Council’s forestry assets</li> </ul> </li> <li>• Review the effectiveness of the Council’s external accountability reporting (including non-financial performance).</li> <li>• Scrutinise financial performance and risk management matters with respect to the Hanmer Springs Thermal Pools and Spa. (Note: The Chairperson of the Hanmer Springs Thermal Pools and Spa Management Committee will report to the Committee twice a year on financial performance and risk management matters, or as required.).</li> <li>• Review all future capital expenditure requests by the Hanmer Springs Thermal Pools &amp; Spa Management Committee, prior to being presented to the Council for approval.</li> </ul>
<b>Limits to Delegations</b>	<p><b>Matters that cannot be delegated by the Council include:</b></p> <ul style="list-style-type: none"> <li>• the power to make a rate.</li> <li>• the power to make a bylaw.</li> <li>• the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.</li> <li>• the power to adopt a long-term plan, annual plan, annual report or strategic plan.</li> <li>• the power to appoint a Chief Executive.</li> <li>• the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.</li> <li>• the power to adopt a remuneration and employment policy.</li> </ul>
<b>Terms of Reference</b>	<b>Objectives of the Committee</b>

The objectives of the Audit and Risk Committee are to assist the Council to discharge its responsibilities for:

- The robustness of the internal control framework and financial management practices.
- The integrity and appropriateness of internal and external reporting and accountability arrangements.
- The robustness of risk management systems, processes and practices.
- The independence and adequacy of internal and external audit functions
- Compliance with applicable laws, regulations, standards and best practice guidelines; and
- The establishment and maintenance of controls to safeguard the Council's financial and non-financial assets.

In fulfilling their role on the Audit and Risk Committee, members shall be impartial and independent at all times.

#### **Terms of Reference**

- Internal Control Framework
  - Review whether management's approach to maintaining an effective internal control framework is sound and effective.
  - Review whether management has taken steps to embed a culture that is committed to probity and ethical behaviour.
  - Review whether there are appropriate processes or systems in place to capture and effectively investigate fraud.
- Internal Reporting
  - To consider the processes for ensuring the completeness and quality of financial and operational information being provided to the Council.
- To seek advice periodically from internal and external auditors regarding the completeness and quality of financial and operational information that is provided to the Council.
- External Reporting and Accountability
  - Consider the appropriateness of the Council's existing accounting policies and principles and any proposed changes:
  - Enquire of internal and external auditors for any information that affects the quality and clarity of the Council's financial statements and assess whether appropriate action has been taken by management in response to the above.
  - Satisfy itself that the financial statements are supported by appropriate management signoff on the statements and on the adequacy of the systems of internal control (i.e. letters of representation) and recommend signing of the financial statements by the Chief Executive/Mayor and adoption by Council.
  - Confirm that processes are in place to ensure that financial information included in the entity's annual report is consistent with the signed financial statements.
- Risk Management
  - Review whether management has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of the Council's significant risks.
  - Consider whether appropriate action is being taken by Management to mitigate Council's significant risks.
- Internal Audit
  - Review and approve the internal audit coverage and annual work plans, ensuring these plans are based on the Council's risk profile.
  - Review the adequacy of management's implementation of internal audit recommendations.
  - Review the internal audit charter to ensure appropriate organisational structures, authority, access, independence, resourcing and reporting arrangements are in place.
  - Conduct a session comprised only of committee members and elected members (i.e. without any management being present) with internal audit to discuss any matters that the auditors wish to bring to the Committee's attention.

- Should there be a disagreement between Management and the Internal Auditor on a particular issue, that:
  - The Committee to meet with the Internal Auditor without Management present so the auditor can outline the issue of disagreement.
  - The Committee can then allow the Management to put forward their assessment of the issue.
  - The Committee can make an assessment on which group they agree with.
  - Should the Committee agree with Management, then a formal request for the issue to be removed from the Internal Auditor's Report will be made
  - Should the Committee agree with the Auditor, then it can instruct the Management to comply with the Auditor's issue.
- External Audit
  - At the start of each audit, confirm the terms of the engagement, including the nature and scope of the audit, timetable and fees, with the external auditor.
  - Receive the external audit report(s) and review action to be taken by management on significant issues and audit recommendations raised within.
  - Conduct a session comprised only of committee members and elected members (i.e. without any management being present) with external audit to discuss any matters that the auditors wish to bring to the Committee's attention and/or any issues of independence.
  - Ensure any recommendation by management that the Office of the Auditor-General replace the external auditor is referred to and examined by the Audit and Risk Committee.
  - Should there be a disagreement between Management and the External Auditor on a particular issue that:
    - The Committee to meet with the External Auditors without Management present so they can outline the issue of disagreement.
    - The Committee can then allow the Management to put forward their assessment of the issue.
    - The Committee can make an assessment on which group they agree with.
    - Should the Committee agree with Management, then a formal letter would be sent to the External Auditors outlining its assessment and requesting that the issue be removed from the Management Report.
    - Should the External Auditors not agree with the removal of the issue, then the Committee shall write a formal letter to the Officer of the Auditor-General for clarification.
    - Should the Committee agree with the External Auditors, then it can instruct the Management to comply with the Auditor's issue.
- Compliance with Legislation, Standards and Best Practice Guidelines
  - Review the effectiveness of the system for monitoring the Council's compliance with laws (including governance legislation, regulations and associated government policies), with Council's own standards, and Best Practice Guidelines as applicable.
- Insurance
  - Review the level of insurance on an annual basis to ensure that it is appropriate.
- Treasury Function
  - Monitor the Council's compliance with its Treasury Risk Management Policies and compliance with the relevant debt covenants.
  - Make recommendations to changes to the Treasury Risk Management Policy where appropriate.
- Hanmer Springs Thermal Pools & Spa
  - Review the annual financial performance for the pools and spa. The Committee will act as a watchdog, to look at the risk profile for the activity, look for gaps and request or conduct investigations if considered necessary. The Audit and Risk Committee would then report to the full Council on any issues of concern.
  - Conduct a review and scrutiny over proposed capital projects and provide a recommendation to the Council, when it is considering approval of those projects.

### 3.4.2 Chief Executive Officer Performance Review Subcommittee

Type of Committee	Council Subcommittee
Subordinate To	Council
Subordinate Committees	None
Legislative Basis	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
Membership	<ul style="list-style-type: none"> <li>The Mayor</li> <li>Two Councillors (2)</li> </ul>
Delegations	<ul style="list-style-type: none"> <li>To review the Chief Executive Officer's performance and make recommendations to the Council</li> </ul>
Limits to Delegations	<p><b>Matters that cannot be delegated by the Council include:</b></p> <ul style="list-style-type: none"> <li>Remuneration payment for coming year</li> <li>Performance objectives for coming year</li> </ul>

### 3.4.3 Code of Conduct Committee

Type of Committee	Council Committee
Subordinate To	Council
Subordinate Committees	None
Legislative Basis	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
Membership	<ul style="list-style-type: none"> <li>The Mayor</li> <li>Deputy Mayor</li> <li>One Independent Member (1) – with relevant mediation skills (appointed by the Chief Executive Officer)</li> </ul> <p><i>(If a member is required to withdraw due to potential conflict of interest, the Chief Executive Officer will appoint a replacement Councillor at his/her discretion. Factors that may be considered include leadership roles, seniority of service and possibly ward representation.)</i></p>
Delegations	<ul style="list-style-type: none"> <li>To hear allegations of breaches to the Code of Conduct.</li> <li>To receive a report from the Chief Executive Officer, Mayor or Independent Investigator regarding alleged breaches of the Code of Conduct.</li> <li>To consider if a complaint received in a report as above, warrants further investigation.</li> <li>To provide any member who may be the subject of a complaint, the opportunity to speak to their defence.</li> <li>Where there are statutory provisions dealing with the breach, the Committee may refer the breach to the relevant body.</li> <li>To assess and rule on any complaints following its investigations.</li> <li>Determination of sanctions for identified breaches of the Code of Conduct.</li> <li>The Committee will report breaches, the findings of its investigations and any sanctions imposed to the Council in accordance with the Code of Conduct provisions.</li> </ul>
Limits to Delegations	<ul style="list-style-type: none"> <li>The Committee has full delegations to hear, determine findings and impose sanctions with respect to breaches, in accordance with the Code of Conduct provisions. The Committee must provide a report to the Council for information only regarding its findings and decision on sanctions.</li> </ul>

### 3.4.4 District Licensing Committee

Type of Committee	Council Committee
Subordinate To	Council
Subordinate Committees	None
Legislative Basis	Sale and Supply of Alcohol Act 2012. Part 2, s 187 - 211
Membership	<ul style="list-style-type: none"> <li>The Mayor</li> </ul>



	<ul style="list-style-type: none"> <li>• One Local Elected Member (1) Pauline White</li> <li>• Two Independent Members (2) – David Kidd &amp; Michael Ward (Chairperson)</li> </ul> <p><i>(The Council has approved list members from Waimakariri District Licensing Committee to the Hurunui District Licensing Committee list, to be used only if a quorum of three cannot be reached from elected members of the HDC).</i></p>
<b>Delegations/Functions</b>	<p><b>Functions of licensing committees</b> (Sale and Supply of Alcohol Act s187)</p> <ul style="list-style-type: none"> <li>• to consider and determine applications for licences and manager's certificates; and</li> <li>• to consider and determine applications for renewal of licences and manager's certificates; and</li> <li>• to consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136; and</li> <li>• to consider and determine applications for the variation, suspension, or cancellation of special licences; and</li> <li>• to consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280; and</li> <li>• with the leave of the chairperson for the licensing authority, to refer applications to the licensing authority; and</li> <li>• to conduct inquiries and to make reports as may be required of it by the licensing authority under section 175; and</li> <li>• any other functions conferred on licensing committees by or under this Act or any other enactment.</li> </ul> <p><b>Powers of licensing committees</b> (Sale and Supply of Alcohol Act s188)</p> <ul style="list-style-type: none"> <li>• A licensing committee has all the powers conferred on it by or under the Sale and Supply of Alcohol Act or any other Act, and all powers as may be reasonably necessary to enable it to carry out its functions.</li> </ul>

### 3.4.5 Hanmer Springs Thermal Pools & Spa Management Committee

<b>Type of Committee</b>	Council Committee
<b>Subordinate To</b>	Council
<b>Subordinate Committees</b>	None
<b>Legislative Basis</b>	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
<b>Membership</b>	Elected members (The Mayor, three Councillors (3) and one Hanmer Springs Community Board member (1)) Independent members (2) – Grant Lilly (Chairperson) and Tony Sewell Advisor (Chief Financial Officer)
<b>Delegations</b>	The Council delegates to the Management Committee responsibility for governance in the following areas: <ul style="list-style-type: none"> <li>• The Hanmer Springs Thermal Pools and Spa.</li> <li>• The Café on the Hanmer Springs Thermal Pools and Spa site.</li> <li>• The Visitor Information Centre (located in Hanmer Springs)</li> <li>• The development and construction of the proposed fly-ride, in accordance with the Council's Letter of Expectation. (27 August 2020)</li> </ul>
<b>Limits to Delegations</b>	<b>Matters that cannot be delegated by the Council include:</b> <ul style="list-style-type: none"> <li>• the power to make a rate.</li> <li>• the power to make a bylaw.</li> <li>• the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.</li> <li>• the power to adopt a long-term plan, annual plan, annual report or strategic plan.</li> <li>• the power to appoint a Chief Executive.</li> </ul>

	<ul style="list-style-type: none"> <li>the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.</li> <li>the power to adopt a remuneration and employment policy.</li> </ul>
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### 3.4.6 Hurunui Tourism Board

<b>Type of Committee</b>	Council Committee
<b>Subordinate To</b>	Council
<b>Subordinate Committees</b>	None
<b>Legislative Basis</b>	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
<b>Membership</b>	<ul style="list-style-type: none"> <li>The Mayor</li> <li>Three Councillors (3)</li> <li>Five Independent members (5) made up of: <ul style="list-style-type: none"> <li>Member of the Hanmer Springs Thermal Pools &amp; Spa Management Committee</li> <li>Member of the North Canterbury Winegrowers Inc.</li> <li>Member of the Hanmer Springs Business Association</li> <li>Member of AmberleyNZ Inc.</li> <li>One independent member (1) (Currently vacant)</li> </ul> </li> </ul>
<b>Delegations</b>	<ul style="list-style-type: none"> <li>Destination marketing and destination management of the Hurunui district.</li> <li>Utilise the resources and capabilities already in place in the form of the Marketing Manager, Hanmer Springs Thermal Pools and Spa, and existing advertising agency arrangements servicing the Hanmer Springs Thermal Pools and Spa, and the Hurunui i-site, in agreement with the Hanmer Springs Thermal Pools and Spa Management Committee.</li> <li>Oversee the expenditure of targeted tourism rate funds in promotion of the Hurunui district.</li> <li>Marketing associated development of business, activities, services and communities.</li> <li>Collaborate with and utilise the resources of Enterprise North Canterbury with regard to regional development and business capability to boost tourism opportunities.</li> </ul> <p>On a triennial basis, review Hurunui's regional tourism organisation (RTO) status and membership to ensure there is value for the industry and the Hurunui district in continuing to be an RTO.</p>
<b>Limits to Delegations</b>	<p><b>Matters that cannot be delegated by the Council include:</b></p> <ul style="list-style-type: none"> <li>the power to make a rate.</li> <li>the power to make a bylaw.</li> <li>the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.</li> <li>the power to adopt a long-term plan, annual plan, annual report or strategic plan.</li> <li>the power to appoint a Chief executive.</li> <li>the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.</li> <li>the power to adopt a remuneration and employment policy.</li> </ul>

### 3.4.7 Operations Committee

<b>Type of Committee</b>	Council Committee
<b>Subordinate To</b>	Council
<b>Subordinate Committees</b>	Water Liaison Committee

<b>Legislative Basis</b>	Committee established by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
<b>Membership</b>	<ul style="list-style-type: none"> <li>• The Mayor (1)</li> <li>• Five Councillors (5)</li> </ul>
<b>Delegations</b>	<p>The Council delegates to the Committee responsibility for governance in the following areas:</p> <ul style="list-style-type: none"> <li>• Roading.</li> <li>• 3Waters.</li> <li>• Amenities.</li> <li>• Regulatory Functions.</li> <li>• Customer Advocacy.</li> <li>• Capital Programme and Contracts.</li> </ul> <p>Governance in the above areas will include:</p> <ul style="list-style-type: none"> <li>• Monitoring activities.</li> <li>• Review and establish levels of service in all areas of operations.</li> <li>• Review of Activity Management Plans or those plans to establish the Long Term operation of services.</li> <li>• Variations to budgeted costs within the Long Term Plan provisions.</li> <li>• Approval of long standing maintenance contracts.</li> <li>• Waiver of fees and charges outside delegated authorities, where considered less than high significance according to the Significance and Engagement Policy.</li> <li>• Matters which are determined to be of high significance by the Committee will be recommended to the Council for a decision.</li> <li>• Powers to conduct statutory hearings on regulatory matters under the following areas: <ul style="list-style-type: none"> <li>○ Animal Control (Dog Control Act 1996 and Impounding Act 1955)</li> <li>○ Litter Act 1979</li> </ul> </li> </ul>
<b>Limits to Delegations</b>	<p><b>Matters that cannot be delegated by the Council include:</b></p> <ul style="list-style-type: none"> <li>• the power to make a rate.</li> <li>• the power to make a bylaw.</li> <li>• the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.</li> <li>• the power to adopt a long-term plan, annual plan, annual report.</li> <li>• the power to appoint a Chief Executive.</li> <li>• the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.</li> <li>• the power to adopt a remuneration and employment policy.</li> </ul>

### 3.4.8 Strategy and Community Committee

<b>Type of Committee</b>	Council Committee
<b>Subordinate To</b>	Council
<b>Subordinate Committees</b>	Nil
<b>Legislative Basis</b>	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
<b>Membership</b>	<ul style="list-style-type: none"> <li>• The Mayor (1)</li> <li>• Five Councillors (5)</li> </ul>
<b>Delegations</b>	<p>The Council delegates to the Committee responsibility for the development, monitoring and review of strategy and policy where appropriate.</p> <p><b>The Committee's role will include:</b></p> <ul style="list-style-type: none"> <li>• Advice and recommendations to the Council on the implementation of the Council Strategy and the policies and work programme which fall out of the Strategy.</li> <li>• To review all proposed relevant bills, amendment Acts, National Policy Statements and National Environmental Standards, regulations and higher order strategy and policy documents and approve submissions on behalf of the Council after appropriate consultation.</li> </ul>

	<ul style="list-style-type: none"> <li>• Initiate District Plan changes.</li> <li>• Approve strategies and policies after appropriate consultation.</li> <li>• Matters which are determined to be of high significance by the Committee will be recommended to the Council for a decision.</li> <li>•</li> </ul>
<b>Limits to Delegations</b>	<p><b>Matters that cannot be delegated by the Council include:</b></p> <ul style="list-style-type: none"> <li>• the power to make a rate.</li> <li>• the power to make a bylaw.</li> <li>• the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.</li> <li>• the power to adopt a long-term plan, annual plan, annual report.</li> <li>• the power to appoint a chief executive.</li> <li>• the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.</li> <li>• the power to adopt a remuneration and employment policy.</li> </ul>

### 3.4.9 Water Liaison Committee

<b>Type of Committee</b>	Council Committee
<b>Subordinate To</b>	Council
<b>Subordinate Committees</b>	None
<b>Legislative Basis</b>	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
<b>Membership</b>	<ul style="list-style-type: none"> <li>• The Mayor (1)</li> <li>• One Councillor (1)</li> <li>• The Chairperson (or alternate) of each of the Local Water Advisory Groups (up to 6)</li> <li>• A representative appointed by each of the Ward/Community Committees (up to 5)</li> <li>• A representative of the Hanmer Springs Community Board (1)</li> <li>• An elected member of the Waimakariri District Council and a member appointed to represent the Rangiora-Ashley &amp; Woodend-Sefton Community Boards. (2)</li> </ul>
<b>Delegations</b>	The Council delegates to the Water Liaison Committee responsibility for coordinating local input and providing recommendations to the Operations Committee in respect of funding priorities for district water schemes.
<b>Limits to Delegations</b>	<p><b>Matters that cannot be delegated by the Council include:</b></p> <ul style="list-style-type: none"> <li>• the power to make a rate.</li> <li>• the power to make a bylaw.</li> <li>• the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.</li> <li>• the power to adopt a long-term plan, annual plan, annual report or strategic plan.</li> <li>• the power to appoint a Chief Executive.</li> <li>• the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.</li> <li>• the power to adopt a remuneration and employment policy.</li> </ul>

### 3.4.10 Temporary Road Closures Subcommittee

<b>Type of Committee</b>	Council Subcommittee
<b>Subordinate To</b>	Council
<b>Subordinate Committees</b>	None
<b>Legislative Basis</b>	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
<b>Membership</b>	<ul style="list-style-type: none"> <li>• The Mayor</li> </ul>

	<ul style="list-style-type: none"> <li>Two Councillors (2) nominated at the Mayor's discretion, for each individual application</li> </ul>
<b>Delegations/Functions</b>	<ul style="list-style-type: none"> <li>The Council delegates to the Subcommittee authority to approve temporary road closures, subject to the required notification and objection process.</li> <li>Minutes of the Subcommittee will be confirmed at a subsequent meeting of the Council.</li> </ul>

### 3.4.11 Youth Council

<b>Type of Committee</b>	Council Committee
<b>Subordinate To</b>	Council
<b>Subordinate Committees</b>	None
<b>Legislative Basis</b>	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
<b>Membership</b>	<p>The Youth Council shall have a maximum of 15 members which includes:</p> <ul style="list-style-type: none"> <li>The Mayor</li> <li>Councillors – Two (2)</li> </ul> <p>The remaining 12 youth members will be elected by an application and selection process made by a selection committee comprising of one councillor, three retiring youth councillors, the Hurunui Youth Development Officer and the Youth Worker. Otherwise the selection committee will comprise of two councillors, the Hurunui Youth Development Officer and the Youth Worker only.</p> <p>All Youth Councillor positions are open for application on an annual basis. Application forms will be available for youth to apply through-out the Hurunui District.</p> <p>The youth membership will consist of at least one youth councillor with permanent residence in the Hurunui District being aged 15, or turning aged 15 prior to 1 July, and above to represent youth from:</p> <ul style="list-style-type: none"> <li>Hurunui College</li> <li>Amuri Area School</li> <li>Cheviot Area School</li> <li>Rangiora High School</li> <li>Boarding School</li> <li>Tertiary Education</li> <li>Home-School</li> </ul> <p>If a delegated organisation cannot be represented, their seat may be filled by a representative from one of the other categories.</p> <p>The Councillors shall be appointed by the Council to the Youth Council.</p>
<b>Delegations</b>	The Youth Council is delegated to make recommendations to the Council on any areas that involve or have influence on youth related activities in the district, including the Hurunui Youth Programme.

## 3.5 Ward/Community Committees

### 3.5.1 Amuri Community Committee

<b>Type of Committee</b>	Council Committee
<b>Subordinate To</b>	Council
<b>Subordinate Committees</b>	None
<b>Legislative Basis</b>	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
<b>Membership</b>	<ul style="list-style-type: none"> <li>The Mayor</li> <li>Two Councillors (2)</li> <li>One Youth Member (1)*</li> </ul> <p>Independent members (up to 10) made up of:</p>

	<p>Up to Two (2) representative (where possible) from each of the following:</p> <ul style="list-style-type: none"> <li>• Waiau Citizens</li> <li>• Rotherham Citizens</li> <li>• Culverden Citizens</li> </ul> <p>One (1) representative from Mt Lyford</p> <p>Three (3) members elected at large at the triennial meeting.</p> <p>(Where a representative cannot be found for an identified community or group, an additional independent member may be elected at large from the Amuri Community area.)</p> <p><i>* It is intended that the youth position first be made available to a local member of the Hurunui Youth Council, but if not taken up then it could be a general youth member appointed from the community.</i></p>
<p><b>Delegations</b></p>	<p>Where funded by ward (amenity) rates, the Council delegates governance responsibility and local policy determination in respect of:</p> <ul style="list-style-type: none"> <li>• Recreation reserves (in consultation with Local Reserve Advisory Groups)</li> <li>• Ward beautification</li> <li>• Stormwater</li> <li>• Footpaths</li> <li>• Street lighting</li> <li>• Township maintenance</li> <li>• Public halls</li> <li>• Medical centres (where they exist)</li> </ul> <p>Governance in the above areas will include:</p> <ul style="list-style-type: none"> <li>• Setting priorities for work programmes approved in the Long Term Plan and Annual Plan for the Amuri Community area.</li> <li>• Monitoring Activities.</li> <li>• Approval of tenders for contract (within the above areas of responsibility) within budget and which exceeds Officer authorisation.</li> </ul> <p>With respect to local reserves, the Council delegates responsibility:</p> <ul style="list-style-type: none"> <li>• For the disbursement of funds from the reserves funding account for the day-to-day maintenance of these reserves in accordance with the Financial Delegations Policy.</li> <li>• To prioritise and recommend to Council future capital development on reserves as part of the Long Term Plan and Annual Plan development.</li> <li>• To consider disbursement and recommend expenditure from the reserves funding account in accordance with the priorities identified in the Long Term Plan and the Reserve Management Plan's individual reserve policies.</li> <li>• To liaise with local reserve advisory groups where they exist, to provide appropriate delegations and to ensure accountability and transparency in the management of local reserves.</li> </ul> <p><u>Advisory Role</u></p> <ul style="list-style-type: none"> <li>• With respect to governance of the district's water schemes, the Amuri Community Committee may appoint one representative to the Council's Water Liaison Committee.</li> <li>• The Community Committee will have an advisory role and be consulted with respect to levels of service for contracts for lawn mowing and toilet cleaning (where funded district-wide), in the Amuri Community area.</li> </ul>
<p><b>Limits to Delegations</b></p>	<p><b>Matters that must be processed by way of recommendations to the Council include:</b></p> <ul style="list-style-type: none"> <li>• Township public toilets</li> <li>• Cemeteries</li> <li>• Pensioner flats</li> <li>• Roading</li> <li>• Temporary road closures</li> <li>• Local Civil Defence</li> <li>• Waste management</li> <li>• Noxious plants and Pest destruction (Recommendations to the Council for consideration of referral to the Canterbury Regional Council.)</li> </ul>

## 3.5.2 Cheviot Community Committee

<b>Type of Committee</b>	Council Committee
<b>Subordinate To</b>	Council
<b>Subordinate Committees</b>	None
<b>Legislative Basis</b>	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
<b>Membership</b>	<ul style="list-style-type: none"> <li>• The Mayor</li> <li>• Councillor (2)</li> <li>• One Youth Member (1) *</li> </ul> <p>One (1) representative from each of the following:</p> <ul style="list-style-type: none"> <li>• Cheviot Reserves Advisory Group</li> <li>• Port Robinson Reserves Advisory Group</li> <li>• Domett Reserves Advisory Group</li> <li>• Spotswood Reserve Advisory Group</li> <li>• Gore Bay Ratepayers Association Three (3) members elected at large at the triennial meeting.</li> </ul> <p>Three (3) members elected at large at the triennial meeting. (Where a representative cannot be found for an identified community or group, an additional independent member may be elected at large from the ward.) * <i>It is intended that the youth position first be made available to a local member of the Hurunui Youth Council, but if not taken up then it could be a general youth member appointed from the community.</i></p>
<b>Delegations</b>	<p>Where funded by ward (amenity) rates, the Council delegates governance responsibility and local policy determination in respect of:</p> <ul style="list-style-type: none"> <li>• Recreation reserves (in consultation with Local Reserve Advisory Groups)</li> <li>• Ward beautification</li> <li>• Stormwater</li> <li>• Footpaths</li> <li>• Street lighting</li> <li>• Township maintenance</li> <li>• Public halls</li> <li>• Medical centres (where they exist)</li> </ul> <p>Governance in the above areas will include:</p> <ul style="list-style-type: none"> <li>• Setting priorities for work programmes approved in the Long Term Plan and Annual Plan for the Cheviot Community area.</li> <li>• Monitoring Activities.</li> <li>• Approval of tenders for contract (within the above areas of responsibility) within budget and which exceeds Officer authorisation.</li> </ul> <p>With respect to local reserves, the Council delegates responsibility:</p> <ul style="list-style-type: none"> <li>• For the disbursement of funds from the reserves funding account for the day-to-day maintenance of these reserves in accordance with the Financial Delegations Policy.</li> <li>• To prioritise and recommend to Council future capital development on reserves as part of the Long Term Plan and Annual Plan development.</li> <li>• To consider disbursement and recommend expenditure from the reserves funding account in accordance with the priorities identified in the Long Term Plan and the Reserve Management Plan's individual reserve policies.</li> <li>• To liaise with local reserve advisory groups where they exist, to provide appropriate delegations and to ensure accountability and transparency in the management of local reserves.</li> </ul> <p><u>Advisory Role</u></p> <ul style="list-style-type: none"> <li>• With respect to governance of the district's water schemes, the Cheviot Community Committee may appoint one representative to the Council's Water Liaison Committee, with specific focus on the Cheviot water supply.</li> <li>• The Community Committee will have an advisory role and be consulted with respect to levels of service for contracts for lawn mowing and toilet cleaning (where funded district-wide), in the community area.</li> </ul>

<b>Limits to Delegations</b>	<p><b>Matters that must be processed by way of recommendations to the Council include:</b></p> <ul style="list-style-type: none"> <li>• Township public toilets</li> <li>• Cemeteries</li> <li>• Pensioner flats</li> <li>• Roothing</li> <li>• Temporary road closures</li> <li>• Local Civil Defence</li> <li>• Waste management</li> <li>• Noxious plants and Pest destruction (Recommendations to the Council for consideration of referral to the Canterbury Regional Council.)</li> </ul>
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### 3.5.3 Hurunui Community Committee

<b>Type of Committee</b>	Council Committee
<b>Subordinate To</b>	Council
<b>Subordinate Committees</b>	None
<b>Legislative Basis</b>	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
<b>Membership</b>	<ul style="list-style-type: none"> <li>• The Mayor</li> <li>• One Councillor (1)</li> <li>• One Youth Member (1)*</li> </ul> <p>Representatives from the following:</p> <ul style="list-style-type: none"> <li>• Hawarden Hall and Reserve Advisory Group (1)</li> <li>• Waikari Hall and Reserve Advisory Group (1)</li> <li>• Hurunui Racecourse Reserve Advisory Group (1)</li> </ul> <p>Three (3) members elected at large at the triennial meeting. (Where a representative cannot be found for an identified community or group, an additional independent member may be elected at large from the Hurunui Community area.) <i>* It is intended that the youth position first be made available to a local member of the Hurunui Youth Council, but if not taken up then it could be a general youth member appointed from the community.</i></p>
<b>Delegations</b>	<p>Where funded by ward (amenity) rates, the Council delegates governance responsibility and local policy determination in respect of:</p> <ul style="list-style-type: none"> <li>• Recreation reserves (in consultation with Local Reserve Advisory Groups)</li> <li>• Ward beautification</li> <li>• Stormwater</li> <li>• Footpaths</li> <li>• Street lighting</li> <li>• Township maintenance</li> <li>• Public halls</li> <li>• Medical centres (where they exist)</li> </ul> <p>Governance in the above areas will include:</p> <ul style="list-style-type: none"> <li>• Setting priorities for work programmes approved in the Long Term Plan and Annual Plan for the Hurunui Community area.</li> <li>• Monitoring Activities.</li> <li>• Approval of tenders for contract (within the above areas of responsibility) within budget and which exceeds Officer authorisation.</li> </ul> <p>With respect to local reserves, the Council delegates responsibility:</p> <ul style="list-style-type: none"> <li>• For the disbursement of funds from the reserves funding account for the day-to-day maintenance of these reserves in accordance with the Financial Delegations Policy.</li> <li>• To prioritise and recommend to Council future capital development on reserves as part of the Long Term Plan and Annual Plan development.</li> <li>• To consider disbursement and recommend expenditure from the reserves funding account in accordance with the priorities identified in the Long Term Plan and the Reserve Management Plan's individual reserve policies.</li> </ul>



	<ul style="list-style-type: none"> <li>To liaise with local reserve advisory groups where they exist, to provide appropriate delegations and to ensure accountability and transparency in the management of local reserves.</li> </ul> <p><u>Advisory Role</u></p> <ul style="list-style-type: none"> <li>With respect to governance of the district's water schemes, the Hurunui Community Committee may appoint one representative to the Council's Water Liaison Committee, with specific focus on the Hurunui-Waikari water supply.</li> <li>The Community Committee will have an advisory role and be consulted with respect to levels of service for contracts for lawn mowing and toilet cleaning (where funded district-wide), in the Hurunui Community area.</li> </ul>
<b>Limits to Delegations</b>	<p><b>Matters that must be processed by way of recommendations to the Council include:</b></p> <ul style="list-style-type: none"> <li>Township public toilets</li> <li>Cemeteries</li> <li>Pensioner flats</li> <li>Roading</li> <li>Temporary road closures</li> <li>Local Civil Defence</li> <li>Waste management</li> <li>Noxious plants and Pest destruction (Recommendations to the Council for consideration of referral to the Canterbury Regional Council.)</li> </ul>

### 3.5.4 Glenmark Community Committee

<b>Type of Committee</b>	Council Committee
<b>Subordinate To</b>	Council
<b>Subordinate Committees</b>	None
<b>Legislative Basis</b>	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
<b>Membership</b>	<ul style="list-style-type: none"> <li>The Mayor</li> <li>Councillor (2)</li> <li>One Youth Member (1)*</li> </ul> <p>One (1) representative from each of the following:</p> <ul style="list-style-type: none"> <li>Glenmark</li> <li>Greta Valley</li> <li>Motunau</li> <li>Omihi</li> <li>Scargill</li> <li>Waipara</li> </ul> <p>Independent members (three (3) members elected at large at the triennial meeting).</p> <p>(Note: This is an aspirational membership and in general a representative will initially be sought from established reserve advisory groups in each identified community. Where a representative cannot be found for an identified reserve advisory group or community, an additional independent member may be elected at large from across the ward.)</p> <p><i>* It is intended that the youth position first be made available to a local member of the Hurunui Youth Council, but if not taken up then it could be a general youth member appointed from the community.</i></p>
<b>Delegations</b>	<p>Where funded by ward (amenity) rates, the Council delegates governance responsibility and local policy determination in respect of:</p> <ul style="list-style-type: none"> <li>Recreation reserves (in consultation with Local Reserve Advisory Groups)</li> <li>Ward beautification</li> <li>Stormwater</li> <li>Footpaths</li> <li>Street lighting</li> <li>Township maintenance</li> <li>Public halls</li> </ul>

	<ul style="list-style-type: none"> <li>• Medical centres (where they exist)</li> </ul> <p>Governance in the above areas will include:</p> <ul style="list-style-type: none"> <li>• Setting priorities for work programmes approved in the Long Term Plan and Annual Plan for the Glenmark Community area.</li> <li>• Monitoring Activities.</li> <li>• Approval of tenders for contract (within the above areas of responsibility) within budget and which exceeds Officer authorisation.</li> </ul> <p>With respect to local reserves, the Council delegates responsibility:</p> <ul style="list-style-type: none"> <li>• For the disbursement of funds from the reserves funding account for the day-to-day maintenance of these reserves in accordance with the Financial Delegations Policy.</li> <li>• To prioritise and recommend to Council future capital development on reserves as part of the Long Term Plan and Annual Plan development.</li> <li>• To consider disbursement and recommend expenditure from the reserves funding account in accordance with the priorities identified in the Long Term Plan and the Reserve Management Plan's individual reserve policies.</li> <li>• To liaise with local reserve advisory groups where they exist, to provide appropriate delegations and to ensure accountability and transparency in the management of local reserves.</li> </ul> <p><u>Advisory Role</u></p> <ul style="list-style-type: none"> <li>• With respect to governance of the district's water schemes, the Glenmark Community Committee may appoint one representative to the Council's Water Liaison Committee, with specific focus on the Waipara water supply.</li> <li>• The Community Committee will have an advisory role and be consulted with respect to levels of service for contracts for lawn mowing and toilet cleaning (where funded district-wide), in the community area.</li> </ul>
Limits to Delegations	<p><b>Matters that must be processed by way of recommendations to the Council include:</b></p> <ul style="list-style-type: none"> <li>• Township public toilets</li> <li>• Cemeteries</li> <li>• Pensioner flats</li> <li>• Roading</li> <li>• Temporary road closures</li> <li>• Local Civil Defence</li> <li>• Waste management</li> <li>• Noxious plants and Pest destruction (Recommendations to the Council for consideration of referral to the Canterbury Regional Council.)</li> </ul>

### 3.5.5 South Ward Committee

Type of Committee	Council Committee
Subordinate To	Council
Subordinate Committees	None
Legislative Basis	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002. Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002.
Membership	<ul style="list-style-type: none"> <li>• The Mayor</li> <li>• Four Councillors (4)</li> <li>• One Youth Member (1)*</li> </ul> <p>Independent members (up to 10) made up of: One representative (where possible) from each of the following:</p> <ul style="list-style-type: none"> <li>• Amberley Residents Association</li> <li>• Amberley Beach Residents Association</li> <li>• Leithfield Residents Association</li> <li>• Leithfield Beach Residents Association</li> <li>• Amberley Reserve Advisory Group</li> </ul> <p>Three (3) members elected at large at the triennial meeting.</p>

	<p>(Where a representative cannot be found for an identified community or group, an additional independent member may be elected at large from the Ward.)</p> <p><i>* It is intended that the youth position first be made available to a local member of the Hurunui Youth Council, but if not taken up then it could be a general youth member appointed from the community.</i></p>
<p><b>Delegations</b></p>	<p>Where funded by ward (amenity) rates, the Council delegates governance responsibility and local policy determination in respect of:</p> <ul style="list-style-type: none"> <li>• Recreation reserves (in consultation with Local Reserve Advisory Groups)</li> <li>• Ward beautification</li> <li>• Stormwater</li> <li>• Footpaths</li> <li>• Street lighting</li> <li>• Township maintenance</li> <li>• Public halls</li> </ul> <p>Governance in the above areas will include:</p> <ul style="list-style-type: none"> <li>• Setting priorities for work programmes approved in the Long Term Plan and Annual Plan for the South Ward.</li> <li>• Monitoring Activities.</li> <li>• Approval of tenders for contract (within the above areas of responsibility) within budget and which exceeds Officer authorisation.</li> </ul> <p>With respect to local reserves, the Council delegates responsibility:</p> <ul style="list-style-type: none"> <li>• For the disbursement of funds from the reserves funding account for the day-to-day maintenance of these reserves in accordance with the Financial Delegations Policy.</li> <li>• To prioritise and recommend to Council future capital development on reserves as part of the Long Term Plan and Annual Plan development.</li> <li>• To consider disbursement and recommend expenditure from the reserves funding account in accordance with the priorities identified in the Long Term Plan and the Reserve Management Plan's individual reserve policies.</li> <li>• To liaise with local reserve advisory groups where they exist, to provide appropriate delegations and to ensure accountability and transparency in the management of local reserves.</li> </ul> <p><u>Advisory Role</u></p> <ul style="list-style-type: none"> <li>• With respect to governance of the district's water schemes, the South Ward Committee may appoint one representative to the Council's Water Liaison Committee, with specific focus on the Amberley water supply.</li> <li>• The Ward Committee will have an advisory role and be consulted with respect to levels of service for contracts for lawn mowing and toilet cleaning (where funded district-wide), in the ward area.</li> </ul>
<p><b>Limits to Delegations</b></p>	<p><b>Matters that must be processed by way of recommendations to the Council include:</b></p> <ul style="list-style-type: none"> <li>• Township public toilets</li> <li>• Cemeteries</li> <li>• Pensioner flats</li> <li>• Roothing</li> <li>• Temporary road closures</li> <li>• Local Civil Defence</li> <li>• Waste management</li> <li>• Noxious plants and Pest destruction (<i>Recommendations to the Council for consideration of referral to the Canterbury Regional Council.</i>)</li> </ul>

### 3.6 Joint Committees of Council

The Hurunui District Council is party to a number of joint committees with other local authorities. These committees are already established and only require Council to appoint its members.

### 3.6.1 Canterbury Regional Landfill Joint Committee

<b>Description</b>	Christchurch City Council and Ashburton, Selwyn, Waimakariri and Hurunui District Councils are local authority shareholders in Kate Valley Landfill which is situated in the Hurunui district. The joint interests of these councils on the board of Transwaste Canterbury Ltd (TCL) which owns Kate Valley Landfill are managed through this committee. The remaining shareholders in TCL are companies involved in commercial waste management.
<b>Membership</b>	Membership from the Hurunui District Council includes: <ul style="list-style-type: none"> <li>• <b>Dave Hislop</b></li> </ul>
<b>Functions</b>	To establish and implement solid and hazardous waste strategies that have the minimum practicable adverse environmental effects.
<b>Powers</b>	Councils have irrevocably delegated their powers in relation to the landfill

### 3.6.2 Canterbury Regional Transport Committee

<b>Description</b>	The Regional Transport Committee (RTC) is established under the auspices of the Land Transport Act 2003 (as amended). It is responsible for preparing the Regional Land Transport Strategy, the Regional Land Transport Programme, and for advising the Regional Council on strategic land transport planning and funding matters. The Regional Council requires that the Council has one appointee (plus an alternate) on the body. Other Councils in the region have a similar entitlement.
<b>Membership</b>	The committee comprises of: <ul style="list-style-type: none"> <li>• An elected member from each of the following councils: <ul style="list-style-type: none"> <li>– Kaikoura</li> <li>– Hurunui</li> <li>– Waimakariri</li> <li>– Christchurch</li> <li>– Selwyn</li> <li>– Ashburton</li> <li>– Timaru</li> <li>– Waimate</li> <li>– Mackenzie</li> </ul> </li> <li>• Two Environment Canterbury elected members</li> <li>• A representative from the New Zealand Transport Agency</li> <li>• Six elected 'community representatives' with expertise in access &amp; mobility, safety &amp; personal security, public health, economic development, environmental sustainability and cultural interests.</li> </ul> Membership from the Hurunui District Council includes: <ul style="list-style-type: none"> <li>• <b>Mayor Marie Black</b></li> </ul>
<b>Functions</b>	To make sure that arrangements for land transport throughout the region are integrated. Participation in this committee should contribute to this objective.
<b>Powers</b>	<ul style="list-style-type: none"> <li>• To report to the Council on discussions and resolutions of CRTC meetings.</li> <li>• Recommend changes to Council on matters arising from the Regional Land Transport Committee</li> </ul>

### 3.6.3 Canterbury Waste Joint Committee

<b>Description</b>	The Regional Water Management Committee is a committee of The Canterbury Waste Sub-committee was established in 1996 to develop a management framework for solid waste, including waste minimisation and options for regional disposal. In 2006 the sub-committee was replaced by the Canterbury Waste Joint Committee which comprises all territorial authorities located in Canterbury (except Waitaki) plus Environment Canterbury.
<b>Membership</b>	Membership from the Hurunui District Council includes: <ul style="list-style-type: none"> <li>• <b>Dave Hislop</b></li> </ul>
<b>Functions</b>	To develop a management framework for solid waste, including waste minimisation and options for regional disposal. Advancing regional waste minimisation is the aim of the

	committee, and actions initiated by the committee are over and above what each authority achieves on its own.
<b>Powers</b>	<ul style="list-style-type: none"> <li>• Report to the Council on discussions and resolutions of meetings.</li> <li>• Recommend changes to the Council on matters arising from the Canterbury Waste Joint Committee.</li> </ul>

### 3.6.4 Civil Defence Emergency Management Group

<b>Description</b>	The Canterbury CDEM Group is a partnership of local authorities, emergency services and other Organisations tasked with providing effective and comprehensive management of major hazards and their consequences anywhere in Canterbury. Civil Defence is a major function of this Council and the availability of resources from outside the district in the case of a major incident is important. In addition, the Civil Defence and Emergency Management Act 2002 intensified the relationships within the region on these issues.
<b>Membership</b>	Membership from the Hurunui District Council includes: <ul style="list-style-type: none"> <li>• <b>Mayor Marie Black</b></li> </ul>
<b>Functions</b>	Liaise on regional Civil Defence plans.
<b>Powers</b>	Recommend to the Council any changes to the district civil emergency plan as a consequence of regional plans.

### 3.6.5 Enterprise North Canterbury Trust Board

<b>Description</b>	The Waimakariri and Hurunui District Councils established the North Canterbury Economic Development Trust as the economic development agency for North Canterbury. This not-for profit charitable trust is a Council Controlled Organisation and trades as "Enterprise North Canterbury".
<b>Membership</b>	Membership from the Hurunui District Council includes: <ul style="list-style-type: none"> <li>• <b>Mayor Black (Trustee)</b></li> </ul>
<b>Functions</b>	To promote, sustain, grow and stimulate business enterprise within the North Canterbury region. The Trust focuses on developing existing businesses and promoting new businesses within the region to enhance the region's competitiveness, retain and increase jobs, improve incomes and enhance economic wellbeing. The Trust also promotes the region as a visitor destination.
<b>Powers</b>	To provide economic development services on behalf of the Waimakariri and Hurunui District Councils to existing and new businesses within the region.

## 3.7 Advisory Groups and Outside Bodies

In addition to the Council's governance structure, there are a number of groups that meet which impact on certain Council activities or administer funds which are paid to the Council from external sources for various reasons. Council is also currently represented on the following advisory groups and outside bodies:

Committee Name	Membership
Canterbury Museum Trust Board	<ul style="list-style-type: none"> <li>David Ayers</li> </ul>
Creative Communities New Zealand Funds Assessment Committee	<ul style="list-style-type: none"> <li>Pauline White</li> <li>Vanessa McPherson</li> </ul>
Mainpower Environmental Fund and Hurunui Heritage Fund	<ul style="list-style-type: none"> <li>Community Representatives appointed annually by the Council</li> </ul>
Road Safety Coordinating Committee	<ul style="list-style-type: none"> <li>Dave Hislop</li> <li>Garry Jackson</li> </ul>
Secondary School Achievers Awards Assessment Committee	<ul style="list-style-type: none"> <li>Tom Davies</li> <li>Vanessa McPherson</li> </ul>
Sport New Zealand Assessment Committee	<ul style="list-style-type: none"> <li>Robbie Bruerton</li> </ul>
Wellbeing North Canterbury Community Trust	<ul style="list-style-type: none"> <li>Pauline White</li> </ul>

## 4. FINANCIAL DELEGATIONS

### 4.1 Introduction

This section outlines the delegated financial authority to committees and Council Officers. The roles and responsibilities of elected members and officials within the financial management system are quite different. Elected members set the overarching policy setting, while Council Officers implement the policy. The different roles are more specifically set out below.

#### 4.1.1 Principles and Procedures

The delegation of financial powers enables the objectives of the Council as set out in the Long Term Plan and Annual Plan to be achieved. Achieving the proposed outcomes is the objective, not spending the budget.

Financial management is a shared responsibility between:

- Executive Leadership Team
- Managers
- Committees and HSCB; and
- Council

Financial delegations will only be made in compliance with the following principles and procedures:

- Financial delegations are based around the cycle of the Annual Plan (or the Long Term Plan (LTP) each three years). For simplicity, the annual financial planning process is described as the Annual Plan despite it being a part of the LTP every third year.
- Only the Council may approve expenditure that is not provided for or exceeds 10% overall of what is provided to undertake activities in the Annual Plan. Any such decisions may not be consistent with section 97 of the Act, which requires the Council to act in accordance with the LTP on the matters specified in the section
- No financial delegation empowers the delegate to commit expenditure or enter into contracts that are not provided for in the Annual Plan. The Annual Plan sets out the expenditure to be incurred and income to be received for the activities the Council is planning to undertake in the financial year the plan covers. As such, the Annual Plan sets out the financial limits and will be the basis against which all financial decisions will be judged
- The Council will approve all financial delegations
- The Council will determine the levels of delegation for staff based on recommendations from management
- Financial delegation limits may be established for the following different types of transactions:
  - Expenditure approval, including different limits for:
    - Expenditure for specific projects of works
    - Discretionary expenditure for services

- Entering in to binding contracts (subject to the Council's policy on contracts).

## 4.2 Council's Responsibility

The responsibility of Council in financial management is to:

- Ensure Council remains financially stable while giving focus to financing key Council priorities
- Promote the prudent use of ratepayer's money together with other funding available to deliver agreed levels of service, cater for growth and maintain a sound asset management approach
- Ensure Council rates and fees are kept to a level commensurate with its levels of service obligation
- Provide financial parameters within which Council's work programmes are to be achieved.

## 4.3 The Chief Executive's Responsibility

The responsibility of the Chief Executive in financial management includes:

- Overall responsibility of Council for sound financial management
- Delivery of the financial outcomes of Council's Long Term Plan
- Responsibility for the performance of managers with delegated financial powers
- Arbitrating any conflict relating to finance which may arise from time to time, in which the Chief Executive's decision is final
- Compliance with the Local Government Act 2002, the Local Government (Rating) Act 2002, Rates Rebate Act 1973, Financial Reporting Act 1993 and other statutory provisions. (They relate principally to keeping adequate financial records and to reporting regularly to the Council).

## 4.4 The Chief Financial Officer's Responsibility

The Chief Financial Officer (CFO) has additional responsibilities as follows:

- Primary responsibility for the management of Hurunui District Council's funding, interest rate risk management and investment activities
- Recommend Treasury Risk Management Policy changes to the Hurunui District Council for approval
- Ongoing risk assessment of borrowing and investment activity including procedures and controls'
- Approve treasury transactions in accordance with delegated authority
- Authorise the use of approved interest rate risk management instruments within discretionary authority
- Recommend authorised signatories and delegated authorities in respect of all treasury dealing and banking activities;
- Review and make recommendations on all aspects of the Treasury Risk Management Policy to the Chief Executive, including dealing limits, approved instruments, counterparties, and general guidelines for the use of financial instruments
- Conduct a review, at least triennially, of the Treasury Risk Management Policy, treasury procedures and counterparty limits
- Manage the long-term financial position of Hurunui District Council as outlined in the LTP
- Ensure management procedures and policies are implemented in accordance with this Treasury Risk Management Policy
- Ensure all financial instruments are valued and accounted for correctly in accordance with current best practice standards
- Monitor and review the performance of the treasury function in terms of achieving the objectives of minimising and stabilising funding costs
- Monitor treasury exposure on a regular basis, including current and forecast cash position, investment portfolio, interest rate exposures and borrowings
- Manage the relationships with financial institutions/brokers
- Negotiate new or amended borrowing facilities
- Authorise interest rate hedge transactions (swaps, Forward Rate Agreements (FRAs) and options) with bank counterparties to change the fixed:floating mix to re-profile Hurunui District Council's interest rate risk profile on borrowing

- Design, analyse, evaluate, test and implement risk management strategies to position the Hurunui District Council's net interest rate risk profile to be protected against adverse market movements within the approved Treasury Risk Management Policy limits
- Execute treasury transactions in accordance with set limits
- Complete deal tickets for treasury transactions
- Update treasury spread sheet for all new, re-negotiated and maturing transactions;
- Monitor credit ratings of approved counterparties
- Investigate financing alternatives to minimise borrowing costs, margins and interest rates, making recommendations to the Chief Executive as appropriate
- Account for all treasury transactions in accordance with legislation and generally accepted accounting principles, Hurunui District Council's accounting and funding and financial policies
- Prepare treasury reports
- Update credit standing of approved counterparty credit list on a quarterly basis.
- Check compliance against limits and prepare report on an exception's basis
- Forecast future cash flow and debt requirements
- Handle all administrative aspects of bank counterparty agreements and documentation such as loan agreements and ISDA swap documents
- Delegates his/her duties and responsibilities as appropriate.

## 4.5 Managers' Responsibility

Council Executive Managers' responsibility in financial management is to:

- Deliver the work programme outlined in the Long Term Plan within the agreed budget
- Take responsibility for the performance and management of specified activity budgets
- Monitor and control finances of their activities. (A few matters affecting the department finances, such as loans, will remain the responsibility of the CFO, but the managers have responsibility to stay informed of such matters and to keep the CFO advised of their requirements. The CFO has the responsibility to give the information)
- Keep the appropriate Council committee and Chief Executive informed of the state of the finances for the areas under their delegated jurisdiction
- Liaise with the CFO on all financial matters
- Produce Annual Plan and Long Term Plan activity budgets in a form specified by the CFO
- Obtain and provide services within the limits to their delegations for different transaction types as set out in the table in Section 4.12
- Take responsibility and accountability for activity expenditure.

In all cases, financial delegations are made only to enable the commitment or expenditure of funds provided for in the Annual Plan or Long Term Plan.

Financial delegations are made relative to the specified sum as outlined further below.

## 4.6 Council Committees' Responsibility

The responsibility of Council committees in financial management is to:

- Consider issues and make recommendations to Council on how best to achieve goals and objectives
- Consider issues and make recommendations on how best to reflect this in the Long Term Plan, Annual Plan and Annual Report
- Take responsibility for the finances of activities within the committee's jurisdiction
- Recommend changes to full Council when required.
- Approve the transfer of funding between projects or programmes within the same categories, when the transfer is beyond the delegated authority of the Chief Executive and within the scope of the Long Term Plan
- Consider and (where deemed appropriate) to approve contracts or expenditure if recommended by a manager.



## 4.7 Financial Delegations to Council Committees

Council authorises the following delegated authority of financial powers to Council committees in regard to matters within each committee's jurisdiction.

### 4.7.1 Contract Acceptance

Committees are authorised to:

- Accept or decline any contract for the purchase of goods, services, capital works or other assets where the total value of the lump sum contract or the annual value of the term contract does not exceed the sum allocated in the Long Term Plan/Annual Plan.

### 4.7.2 Budget Reallocation

Committees are authorised to reallocate funds from one existing budget item to another.

Reallocation of this kind must not impact on current or future levels of service and must be:

- Reported to the next Council meeting
- Funded by way of savings on existing budget items
- Within the jurisdiction of the committee
- Consistent with the Revenue and Financing Policy.

## 4.8 Monitoring and Reporting Delegations

The Executive Team are responsible for monitoring financial delegations under their areas of responsibility and for reporting any budget variances to the appropriate reporting level.

## 4.9 Chief Executive Sub-Delegated Transactions

The Chief Executive's sub-delegation is made within three different categories of financial delegation that may be made. Each category of delegation conveys different powers, regarding either the type of transaction or the timing of the transaction.

### 4.9.1 Enter into - Contracts

The authority provided under this category of financial delegation allows the delegate to commit the Council to a future expenditure of funds, up to the limit of the delegation, provided that the proposed expenditure is approved in the Long Term Plan or Annual Plan. The delegation is for the total of all stages of a contract. For the avoidance of doubt, this requires that an assessment must be made of the total of any contracts that will flow from the issuing of the contract under consideration. It is the total value of this resulting 'chain' of contracts which is the value for consideration under the delegation.

### 4.9.2 Approve Expenditure – Special Projects or Works

The authority under this delegation is to approve one-off types of special expenditure on behalf of the Council, up to the delegated limits established and recorded in the register, and where the expenditure is provided for in the Long Term Plan or Annual Plan. The delegation limit applies to the approval of each transaction, not the aggregate of transactions. For the avoidance of doubt, an individual transaction would be a monthly progress payment due under a contract for construction. Special Projects or Works expenditure is expenditure where periodic payments are made related to specific projects or capital works and conclude when the projects or works are completed.

*Examples include road construction works projects, policy, or bylaw development projects.*

### 4.9.3 Approve Expenditure - Operations

The authority under this delegation is to approve generally recurring types of expenditure on behalf of the Council, up to the delegated limits established and recorded in the register, and where the expenditure is provided for in the Long Term Plan or Annual Plan. The delegation limit applies to the approval of each transaction approved not the aggregate of transactions. Operational or transactional expenditure is expenditure of an on-going or recurring nature.

Examples include fortnightly salary and wage payments, monthly lease payments for assets, monthly payments to contractors for services provided.

## 4.10 Policy on Procurement of Goods and Services

Refer to Procurement Policy for details.

## 4.11 Expenditure Delegations

### 4.11.1 Contract and Expenditure Authorisation

The Council delegated to the Officers and Committees listed below, the power to incur expenditure on the Council's behalf as allowed in Schedule 7(32) of the Local Government Act 2002 provided that:

- in reaching a supplier's price the Council's general policy on procurement shall be observed and
- all delegates must first be wholly satisfied that sufficient finance is available in the budget allocations from the LTP or Annual Plan for the matters which are the subject of the contract and
- all items of expenditure in excess of \$50,000 that are not allowed for in the LTP or Annual Plan shall be clearly reported to the next meeting of the Council.

Position	Contractual Authority within Budgeted Levels in the Long Term Plan / Annual Plan	Purpose
Chief Executive Officer and Mayor Jointly (or in the absence of the Mayor, another Councillor)	>\$1,000,000	All Activities
<b>Executive Team</b>		
Chief Executive Officer	<\$1,000,000	All Activities
Chief Operational Officer	<\$500,000	Areas of responsibility
Chief Strategy & Community Officer	<\$200,000	Areas of responsibility
Chief Financial Officer	<\$200,000	Areas of responsibility
Executive Assistant	<\$5,000	Areas of responsibility
<b>Operations Team</b>		
Roading Manager	<\$50,000	Areas of responsibility
Manager Three Waters Field Operations	<\$50,000	Areas of responsibility
Team Leader – Water Safety	<\$20,000	Areas of responsibility
Utilities Supervisors	<\$5,000	Areas of responsibility
Manager Building and Property	<\$30,000	Areas of responsibility
Manager Compliance and Waste	<\$30,000	Areas of responsibility
Team Leader – Property and Amenities Planning	<\$10,000	Areas of responsibility
Team Leader – Waste and Recycling	<\$10,000	Areas of responsibility
Team Leader – Amenities Maintenance	<\$10,000	Areas of responsibility
Customer Service and Dispatch Manager	<\$10,000	Areas of responsibility
District Librarian	<\$5,000	Areas of responsibility
Team Leader – Customer Support	<\$5,000	Areas of responsibility
Manager Programme Management and Amenities Maintenance	<\$75,000	Areas of responsibility
Team Leader – Three Waters Planning	<\$50,000	Areas of responsibility
<b>Strategy and Community Team</b>		
Senior Planner	\$10,000	
Community Partnerships Manager	<\$10,000	Areas of responsibility
Information Technology Manager	<20,000	Areas of responsibility
Team Leader – Human Resources	<\$5,000	Areas of responsibility
Governance Team Leader	<\$5,000	Areas of responsibility
<b>Finance Team</b>		
Management Accountant	<\$5,000	Areas of responsibility
Financial Accountant	<\$5,000	Areas of responsibility
<b>Hanmer Springs Thermal Pools and Spa</b>		

Executive General Manager	<\$200,000	Areas of responsibility
Manager – Finance and Support Services	<\$25,000	Areas of responsibility
Manager – Sales and Marketing	<\$20,000	Areas of responsibility
Manager – Engineering and Maintenance	<\$30,000	Areas of responsibility
Manager – Operations and Customer Service	<\$25,000	Areas of responsibility
Business Development Manager	<\$25,000	Areas of responsibility
Senior Marketing Executive	<\$10,000	Areas of responsibility
Spa Manager	<\$10,000	Areas of responsibility
Maintenance Operator	<\$10,000	Areas of responsibility
i-Site Supervisor	<\$5,000	Areas of responsibility
Café Front of House Manager	<\$5,000	Areas of responsibility
Head Chef	<\$5,000	
Team Leader	<\$5,000	Areas of responsibility
Training Manager	<\$5,000	Areas of responsibility
Cashier Supervisor	<\$5,000	Areas of responsibility
Administration Assistant	<\$5,000	Areas of responsibility
<b>Civil Defence - (only during a Civil Defence Emergency)</b>		
Civil Defence Controller	<\$500,000	Areas of responsibility
Logistics Manager or Acting Logistics Manager	<\$1,000	Areas of responsibility
Recovery Manager	<\$100,000	Areas of responsibility

Practical applications of the expenditure delegations:

- All staff have the ability to initiate purchase orders.
- Only those positions listed have the ability to authorise purchase orders.
- The initiator of a purchase order cannot also authorise the purchase order.
- For those individual transactions of greater than \$1,000,000, the invoice shall be countersigned by the Chief Executive and the Mayor (or another Councillor).
- The relevant manager or team leader shall carry out monitoring of expenditure and alignment with approved budgets.

#### 4.11.2 Compliance

Compliance to the approved delegations is the responsibility of individual delegates and is monitored by the CFO:

- The CFO will review the exercise of financial sub delegations on a random basis periodically to ensure they are within the limits established by Council, both financial and jurisdictional.
- The CFO will also periodically review the monthly payments schedule(s) and review the authorities for the highest 5% of payments. Where a potential ultra vires transaction is identified, the CFO will advise the Chief Executive of the transaction and the potential breach of policy and expand the scope of her or his testing to determine the scope of the potential breach.
- Any individual willful failure to comply or persistent failure to comply with these delegations is considered serious misconduct.

## 4.12 Schedule of Financial Delegations

The Council makes the following additional delegations of financial powers:

What	Description	Delegate
Agency Payments	Collection and transfer of funds, not subject to limits in 4.11.1	<ul style="list-style-type: none"> <li>• CFO</li> <li>• Management Accountant</li> </ul>
Approve Expenditure	All expenditure shall be initiated through a purchase order. The purchase order can be initiated by any staff member but can only be authorised by those with the delegated authority. The initiator cannot also authorise the purchase order	<ul style="list-style-type: none"> <li>• Employee who organised the purchase, and</li> <li>• the authorisor</li> </ul>

<b>Bad Debts</b>	The writing-off of debts considered to be bad or uncollectable	<ul style="list-style-type: none"> <li>• Council</li> </ul>
<b>Bank Signatories</b>	Authorised to operate Hurunui District Council accounts	Any two (2) within the following <ul style="list-style-type: none"> <li>• Executive Leadership Team</li> </ul>
<b>Bonds</b>	Forfeiture of Bonds (partial or total)	<ul style="list-style-type: none"> <li>• CFO</li> <li>• CEO</li> </ul>
<b>Credit Cards</b>	Issue of credit cards	<ul style="list-style-type: none"> <li>• CEO</li> </ul>
<b>Credit Notes</b>	Authority to issue credit notes	<ul style="list-style-type: none"> <li>• CFO</li> </ul>
<b>Debt</b>	Enter into any arrangement for payment of a debt owed to Council over a period	<ul style="list-style-type: none"> <li>• CFO</li> </ul>
<b>Deposit of Funds</b>	Authorise the deposit of funds as allowed for in Council's Treasury Risk Management Policy	<ul style="list-style-type: none"> <li>• CFO</li> </ul>
<b>Development Contributions</b>	Power to require contributions for developments	<ul style="list-style-type: none"> <li>• COO</li> </ul>
	Powers if development contribution not paid or made	<ul style="list-style-type: none"> <li>• COO</li> </ul>
	Refunds of money and return of land if development does not proceed	<ul style="list-style-type: none"> <li>• COO</li> </ul>
<b>Discontinue Service</b>	Authority to discontinue any service for non-payment and authorise resumption of service where appropriate	<ul style="list-style-type: none"> <li>• CFO</li> </ul>
<b>Donations</b>	Authority to make donations. Donations must be within Annual Plan/Long Term budgets and not exceeding \$1,000	<ul style="list-style-type: none"> <li>• CEO</li> <li>• CFO</li> </ul>
<b>Interest</b>	Authority to negotiate loan interest rates and terms with brokers and/or lending institutions for loans raised by the Council	<ul style="list-style-type: none"> <li>• CFO</li> </ul>
<b>Investment</b>	Authority in accordance with Council Policy monies. A regular report is to be prepared for Audit and Risk Committee stating what investments are made, with whom, term and interest rate	<ul style="list-style-type: none"> <li>• CFO</li> </ul>
<b>Oath / Declaration</b>	Make any oath or declaration in regard to Council's financial affairs	<ul style="list-style-type: none"> <li>• CFO</li> </ul>
<b>Overdraft</b>	Authority to arrange overdraft facilities up to statutory limit	<ul style="list-style-type: none"> <li>• CFO</li> </ul>
<b>Public Tenders</b>	Authority to open public tenders received	Any two (2) of the following <ul style="list-style-type: none"> <li>• Executive Leadership Team</li> <li>• Programme &amp; Contracts Manager</li> </ul>
	Prepare recommendations for tenders, above personal limit.	<ul style="list-style-type: none"> <li>• Executive Leadership Team</li> </ul>
	Prepare recommendations of acceptance by appropriate committee	<ul style="list-style-type: none"> <li>• Executive Leadership Team</li> </ul>
<b>Rates Penalties</b>	Remission of penalties in accordance with Council's rating policy	<ul style="list-style-type: none"> <li>• CFO</li> </ul>
<b>Rates Remission and Postponement</b>	Authority to postpone or remit rates in accordance with Council's rates remission and postponement policy	<ul style="list-style-type: none"> <li>• Council</li> </ul>
<b>Financial Contributions</b>	Authority to consider and decide upon any application for remission or reduction of financial contributions	<ul style="list-style-type: none"> <li>• Council</li> </ul>
<b>Small Claims</b>	Authority to meet without prejudice small claims for damage arising from minor accidents to personal property by way of ex gratia payments not exceeding \$2,000	<ul style="list-style-type: none"> <li>• CEO</li> </ul>
<b>Timesheets</b>	Authority to authorise the timesheets submitted by employees through the payroll system	<ul style="list-style-type: none"> <li>• Team Leaders, Managers, Executive Leadership Team</li> </ul>
<b>Valuations</b>	Amend any entries in the valuation roll or Council's rating records which are the result of an error, or	<ul style="list-style-type: none"> <li>• CFO</li> </ul>

	which are no longer correct as a result of changed circumstances	
	Vary or waive any fee within jurisdiction and only if permitted by law and not inconsistent with Council policy	<ul style="list-style-type: none"> <li>• CEO</li> </ul>
	Authority to apply to the Valuer General for valuation equalization certificates for rating purposes	<ul style="list-style-type: none"> <li>• CFO</li> </ul>

### 4.13 Approval of Variances

The Annual Plan and related activity budgets are one of the major controls over the exercise of delegations. Managers are therefore required to inform the Chief Executive as soon as they become aware of any activity exceeding budget and must take all possible steps to avoid this occurring. Notwithstanding this, managers are entitled to expect the Chief Executive and the Council to adopt a reasonable attitude. In no way, however, will significant unidentified over-expenditure caused by bad financial management be tolerated.

If the variance is unavoidable, then this must be reported to the Chief Executive for further action.

The Chief Executive may or may not authorise any manager to vary from budget when:

- The variance is no more than 10% of the original budget on any individual budget line
- The relevant manager confirms the variation will be funded from savings made on other sums within the same activity budget or from additional income from the activity
- The variation will allow the department concerned to better achieve the purpose or purposes for which the budget was set.

A Council Committee may vary from budget when:

- The relevant manager confirms the variation will be funded from savings made on other sums within its areas of responsibility or from additional income from those areas
- The variation will allow the department concerned to better achieve the purpose or purposes for which the budget was set.

All other variances need to be reported to the Council for approval.

## 5. MANAGEMENT DELEGATIONS

### 5.1 Introduction

The relationship between elected members and Council employees is critical to the effective functioning of Council. This section of the Delegations Manual sets out the powers, duties and responsibilities that are delegated to Council employees, through the Chief Executive, and any specific non-governance delegations made to individual elected members.

Generally, managers will be delegated sufficient powers to enable them to fulfil all responsibilities and key accountabilities of their position as set out in the position description and the annual performance objectives agreed with them. The delegations put in place will recognise the growth in skills and competencies of managers with time and experience in their positions and additional training undertaken. The underlying principle is that accountability accompanies delegation. All delegations are noted throughout the Delegation Manual and, along with the principle expressed above, with the caveat that no delegation gives any delegate the power to exceed any financial limit expressed in the Annual Plan or Long Term Plan (LTP) or to undertake any action that is not provided for in the LTP.

### 5.1.1 Principles and Procedures

The management of the Council is the responsibility of the Chief Executive. The Chief Executive's primary statutory responsibilities are set out in section 42 of the Act and are detailed in part 3 of this policy document. The CEO employs staff and leads those staff and service delivery agencies towards the achievement of the statutory responsibilities and other responsibilities that the Council may establish.

Whilst the management of the Council assets and resources is the Chief Executive's responsibility, he/she will delegate some management responsibilities to Council managers. The Chief Executive retains the prerogative at all times over the delegation of management functions. In making these delegations, the Chief Executive will be guided by the following principles and procedures:

- Managers and staff will be delegated the authority and accountability to be able to effectively complete their performance objectives. Clear links will be established between the agreed performance targets and the delegations necessary to reach those targets.
- Consistent with this, the management philosophy of Council is that delegations will be made to the level at which competent and efficient decisions can be made.
- Whilst delegations are made to individual positions it is expected that when significant or sensitive decisions are being made under delegated authority managers will collaborate in the decision making process to ensure the best outcome for the Council.
- As the organisation evolves over time through development and responding to Council requirements, changes will be made to management delegations.
- Significant and sensitive decisions made by managers under delegated authority will be reported to the management team at management meetings. This forum will also ensure that delegations are not being exceeded.
- Whilst the management of Council staff is the sole responsibility of the Chief Executive, he or she may choose to delegate some of the functions of appointment, remuneration, performance review and termination of staff to managers.

## 5.2 Delegations

The Chief Executive has made a number of sub delegations as per the Sub Delegations Register.

## 5.3 Policy Development and Setting

- Development of policy and particular policy setting is the **responsibility of elected members**.
- The Chief Executive, and through him or her, delegated Officers may assist elected members in the policy process. This may include providing assistance and advice on identifying options and the evaluation of options, implementing and monitoring the effects of policy and reporting to Councillors on these matters. Staff are expected at all times to give free, frank and politically neutral advice.
- The Management Team is delegated the responsibility for providing and coordinating the provision of policy advice and managing the delivery of other services to all of the Council's committees as applicable.

## 5.4 General Management

### 5.4.1 Media Contact

In accordance with the Media Policy and Council Code of Conduct.

## 6. STATUTORY DELEGATIONS

### 6.1 Introduction

Local authorities have a wide range of legislative responsibilities. Some of these are general, in that they apply to all organisations in New Zealand. These include the Employment Relations Act 2000, Health and Safety at Work Act 2015 and Goods and Services Tax Act 1985.

However, many statutes contain provisions specific to local government, setting out specific powers and responsibilities. Most of Council's regulatory powers, along with the rules around their implementation, are contained in statute. These include but are not limited to the Resource Management Act 1991 and Building Act 2004.

This section of the Delegations Manual sets out the delegations of these statutory responsibilities.

Section 145 of the Local Government Act 2002 empowers Council to develop bylaws. The purpose of any bylaw must be one or more of the following:

- Protect the public from nuisance
- Protect, promote, and maintain public health and safety
- Minimise the potential for offensive behaviour in public places.

Bylaw development and adoption cannot be delegated, although the powers created by bylaws and their enforcement of bylaws can be.

The delegation of these powers, duties and functions is also specified in this section of the Delegations Manual.

### 6.2 Principles and Procedures

The following specific principles and procedures apply to the delegation of statutory powers, duties, and responsibilities. The mix of service delivery option that the Council uses is specifically provided for by sub-clause 5, clause 32 of the Seventh (7) Schedule, which provides that:

*"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."*

- All powers, duties and responsibilities reside with the Council unless the legislation specifically prescribes delegations of powers to the Chief Executive as Principal Administrative Officer
- Council has the obligation to confirm that powers can be delegated under the Act and what restrictions there might be on any delegation
- Where the statutory power is optional (rather than required) Council will determine whether and the extent to which it wishes to exercise the power
- Council may separately delegate responsibility for the monitoring of activities from the responsibility for carrying out the activities
- The Chief Executive determines the extent of the sub delegation of powers made to employees or service delivery agencies which is located in the Sub Delegation & Warrant Register Manual
- All delegations of statutory powers will be referenced to the specific statute or regulation that provides the power.

### 6.3 Resource Management Act 1991

#### 6.3.1 Appointment of Hearing Panel

The appointment of a hearing panel shall be carried out in accordance with the following:

- That the composition of a hearing panel be considered by the Council.
- That if the composition of a hearing panel cannot be considered by Council in time to enable the Council to meet the timeframes outlined within the Resource Management Act 1991, the Council delegates to the Mayor, Chair of

the Strategy and Policy Committee and Chief Executive acting together, the ability to determine the composition of a hearing panel.

- The Deputy Mayor will substitute for the Mayor or Strategy and Policy Committee Chair if either is unavailable.
- That an independent hearing commissioner be a current accredited certificate holder.

## 7. CONTRACTOR DELEGATIONS

### 7.1 Introduction

Council has chosen to deliver a range of services through contractors and Council Controlled Organisations (CCOs). The Chief Executive is responsible for the performance of those contractors and Council Controlled Organisations. Generally, contractors will be delegated sufficient powers to enable them to fulfil all responsibilities and deliver all the services to the specified standards as set out in the service agreements in place. All delegations to contractors are made through the Chief Executive.

#### 7.1.2 Principles and Procedures

Contractors are appointed to deliver a range of services. Delegations made under this category are designed to provide sufficient authority for the contractor to deliver the services they are contracted to deliver against the contract specifications.

Contractor delegations are powers and responsibilities made to Council contractors to facilitate the effective and efficient delivery of the services that the contractor delivers on behalf of Council that are not otherwise covered in other delegation categories. The powers delegated will reflect the requirements and conditions of the service agreements in place. Delegations that will be made under this category include the powers to:

1. Provide professional and administrative services to and for Council
2. Undertake regulatory services on behalf of Council
3. Enforce and administer Council bylaws and policies
4. Administer, maintain and improve Council assets

The responsibility for the provision and management of all contracted services sits with the Chief Executive. The Chief Executive will delegate some responsibilities for the management, monitoring and reporting on contractors' performance to Council managers. The Chief Executive retains the prerogative at all times over the delegation of contractor functions. In making these delegations, the Chief Executive will be guided by the following principles and procedures:

- Contractors will be delegated the authority and accountability to be able to complete their contracted service deliverables effectively. Clear links will be established between the agreed performance targets and the delegations necessary to reach those targets.
- Delegations will be made jointly and severally to the contracting company and the principle(s) of the contracting company. Contractors are responsible for the exercise of the delegations within their organisations by their employees.
- Whilst delegations are made to specific contractors it is expected that when significant decisions are being made under delegated authority that contractors will collaborate with the Council management in the decision making process to ensure the best outcome for the Council.
- As the contract specification evolves over time through development and responding to Council requirements, changes will be made to contractor delegations to ensure they remain current and complete.
- Significant decisions made by contractors under delegated authority will be reported to the Chief Executive through the contractor's performance reporting.



## 7.4 Delegations

The Chief Executive of the Hurunui District Council makes the following delegations of powers pursuant to sections 3, 4 and 5 that follow in this part of the delegation manual.

Except as specifically provided, delegates may not sub-delegate these powers. The delegation is made jointly and severally to the named company and to the principal Officer(s) of that company. Whilst employees of the company may deliver the services, the delegation of powers is made only to the company and the principal(s).

Where delegations of specific statutory or financial powers are made, they are documented in that specific part of the delegations register.

## 7.3 Contract Engineer to Council Contracts

Under NZS 3910 and NEC 3, the Council (through the Chief Executive) appoints an engineer to the contract and or service manager. The engineer/service manager may be an external agent such as a consulting engineer staff member or an internal staff member. The delegations in this register do not restrict the engineer/service manager in the exercise of his or her duty to certify payment under NZS 3910 and NEC 3. The engineer/service manager appointed may sub-delegate the powers, duties and obligations delegated to them.

The performance of the engineer/service manager to the contract will be measured against the standard of NZS 3910 or NEC 3, the requirement of the Council to be properly and continuously advised on the likely completion cost of the contract as well as the performance of the contract and contractor compliance to statutory obligations.

Any engineer/service manager to Council contracts is delegated the functions, duties and powers set out below. The responsible Council Manager will record the appointment of the engineer to any contract in writing, record the delegation and provide a copy of the functions, duties and responsibilities delegated to the engineer/service manager.

- Any amount over the tendered value will be referred to the responsible Council Manager in the first instance. The signatory authority limit within the Expenditure Delegations in Section 4.11 of the Delegations Manual shall apply
- Subject to the terms of NZS 3910 or NEC 3, the engineer shall not implement a discretionary increase in the scope of a contract without specific instruction from the person with the delegated authority.
- The engineer/service manager shall monitor continuously the likely completion cost of the contract. The engineer/service manager shall advise the Council of all potential variations to the contract, as soon as such circumstances arise
- It will be the engineer's/service manager's responsibility to keep the relevant Council Manager informed on contract progress and to make all financial arrangements for contracts.

# 8. WARRANTS

## 8.1 Introduction

The purpose of granting of a warrant by Council is to facilitate the conduct of the regulatory functions of Council. Warranted Officers are expected to apply good judgement at all times in the exercise of their duties under warrant.

Officers must carry their warrants at all times when undertaking duties for which they are warranted and must display their warrant when requested to do so.

## 8.2 Delegations

The Council delegates the power to issue warrants of enforcement to the Chief Executive, or in his absence, to the Chief Operations Officer or the Chief Strategy & Community Officer.

### 8.3 Warranted Officers

Council and Contractor staff members have been granted warrants for the Council for the specific Acts, Regulations and Bylaws detailed for each Officer. Staff of contractors may be appointed as Officers of the Council.

Warrants are granted to Officers only for the period of time the Warranted Officer holds the position of responsibility necessitating the warrant. In the event a Warranted Officer changes his/her position or resigns as an Officer of Council his/her warrant is forfeit at the time the change or resignation becomes effective. Officers to whom warrants have been issued are required to surrender their warrant to the Council at that time.

Contractors are responsible for keeping and maintaining current at all times a register of all their staff who are Warranted Officers of Council. When any staff member resigns or leaves the employment of the contractor, they are to ensure that the warrant issued to that staff member is withdrawn and any warrant documents are returned.

### 8.4 Warrants Schedule

Refer to the Sub Delegations & Warrant Register for details.

## 9. AMENDMENTS TO THIS MANUAL

This manual shall be maintained by the Executive Officer who shall amend it in accordance with:

- Any instruction to that effect given by Council and any delegate authorised to amend this manual
- Any need for typographical, grammatical or other minor amendment where the intention of Council in the matter of a delegation is not altered
- Any changes as required by the Office of the Auditor General and as agreed by the Council

**The Delegations Manual will be reviewed after each triennial election.**

Date	Changes	By
29/10/2015	Changes to reflect new position titles Other changes to update council decisions: <ul style="list-style-type: none"> <li>• Expenditure delegations approved by Finance, Audit and Risk Committee 20/08/2015</li> </ul>	Production Officer
8/2/2017	Changes to reflect latest committee structure. <ul style="list-style-type: none"> <li>• Updated committee names and delegations</li> <li>• Deleted water committees</li> <li>• Deleted Reserves committees</li> <li>• Various name changes</li> <li>• Minor editing changes</li> </ul>	Production Officer
30/10/2018	Changes to reflect the latest job titles in Regulatory and Building. Approved under Chief Executive's sub delegation.	Production Officer
17/10/2019	Changes to reflect the latest job titles following reorganisation. Also includes changes to descriptions in 5.3.38 (pages 88 and 89). Approved under Chief Executive's sub delegation.	Production Officer
28/11/2019	Governance structure and delegations approved by the incoming Council.	
10/11/2021	Changes to layout Changes to reflect latest Councillor appointments Changes to reflect new staff structures	Executive Officer
16/12/2021	Council approval of new Delegations Manual.	Council
23/01/2023	Changes to reflect latest Council & Committee structures	Principal Governance Advisor &

		Governance Team Leader
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## 9.1 Delegations Approved

I **Hamish Ian Dobbie**, Chief Executive, approve all sub delegations made from the Chief Executive to Council Officers as contained within this Delegations Manual and the associated Sub Delegations Register.



17 January 2022

Signed \_\_\_\_\_ Dated \_\_\_\_\_