



Notice is hereby given that an Ordinary meeting of Southland District Council will be held on:

**Date:** Wednesday, 24 January 2024  
**Time:** 9.30am  
**Meeting room:** Council Chamber  
**Venue:** Level 2  
20 Don Street  
Invercargill

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## **Council Agenda OPEN**

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### **MEMBERSHIP**

#### **Mayor**

Rob Scott

#### **Deputy mayor**

Christine Menzies

#### **Councillors**

Jaspreet Boparai

Don Byars

Derek Chamberlain

Paul Duffy

Darren Frazer

Sarah Greaney

Julie Keast

Tom O'Brien

Margie Ruddenklau

Jon Spraggon

Matt Wilson

### **IN ATTENDANCE**

#### **Chief executive**

Cameron McIntosh

#### **Committee advisor**

Fiona Dunlop

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Online: [Southland District Council YouTube](https://www.youtube.com/watch?v=SouthlandDistrictCouncil)

**Full agendas are available on Council's website**

**[www.southlanddc.govt.nz](http://www.southlanddc.govt.nz)**

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**Note:** The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.

## Health and safety – emergency procedures

**Toilets** – The toilets are located outside of the chamber, directly down the hall on the right.

**Evacuation** – Should there be an evacuation for any reason please exit down the stairwell to the assembly point, which is the entrance to the carpark on Spey Street. Please do not use the lift.

**Earthquake** – Drop, cover and hold applies in this situation and, if necessary, once the shaking has stopped we will evacuate down the stairwell without using the lift, meeting again in the carpark on Spey Street.

**Phones** – Please turn your mobile devices to silent mode.

**Recording** - These proceedings are being recorded for the purpose of live video, both live streaming and downloading. By remaining in this meeting, you are consenting to being filmed for viewing by the public.

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	Mā te wairua	From the spirit
	Mā te manaaki mai	Through giving
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	Ka puawai te maramatanga	Understanding will bloom
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## PUBLIC EXCLUDED

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#### C8.1 Milford Community Trust - appointment of an interim chair

##### Karakia Whakamutunga

Kia hora te marino

Kia whakapapa pounamu te moana

Hei huarahi mā tātou i te rangi nei

Aroha atu, aroha mai

Tātou i a tātou katoa

Hui e! Tāiki e!

May peace be widespread

May the sea be like greenstone

A pathway for us all this day

Let us show respect for each other

For one another

Bind us all together!

#### Workshop to be live streamed post the meeting

Speed Management Plan Issues and Options (post the meeting)

The purpose of this workshop is to cover the post consultation issues and options in relation to the proposals in Council's Draft Speed Management Plan, which includes consideration of the impacts of recent speed management announcements from central government.

The intended outcome of this workshop is for staff have an indication of Council's preferred approaches to addressing these issues for inclusion in the final speed management plan planned to be adopted in early March.

**1 Apologies**

At the close of the agenda no apologies had been received.

**2 Leave of absence**

At the close of the agenda no requests for leave of absence had been received.

**3 Conflict of Interest**

Councillors are reminded of the need to be vigilant to stand aside from decision-making when a conflict arises between their role as a councillor and any private or other external interest they might have.

**4 Extraordinary/Urgent Items**

To consider, and if thought fit, to pass a resolution to permit the Council to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise:

- (i) The reason why the item was not on the Agenda, and
- (ii) The reason why the discussion of this item cannot be delayed until a subsequent meeting.

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

"Where an item is not on the agenda for a meeting,-

- (a) that item may be discussed at that meeting if-
  - (i) that item is a minor matter relating to the general business of the local authority; and
  - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion."

**5 Confirmation of Council Minutes**

5.1 Meeting minutes of Council, 13 December 2023

**6 Public Participation**

Notification to speak is required by 12noon at least one clear day before the meeting. Further information is available on [www.southlanddc.govt.nz](http://www.southlanddc.govt.nz) or phoning 0800 732 732

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# Council

## OPEN MINUTES

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Minutes of a meeting of Council held in the Council Chamber, Level 2, 20 Don Street, Invercargill on Wednesday, 13 December 2023 at 9.35am. (9.35am - 11.25am, 11.40am - 12.38pm, 1.12pm - 2.44pm, 2.50pm - 4.01pm)

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### PRESENT

<b>Mayor</b>	Rob Scott
<b>Deputy mayor</b>	Christine Menzies (9.35am - 11.25am, 11.40am - 12.38pm, 1.12pm - 2.44pm, 2.50pm - 3.50pm)
<b>Councillors</b>	Jaspreet Boparai
	Don Byars (9.35am - 11.25am, 11.40am - 12.38pm, 1.12pm - 2.11pm)
	Derek Chamberlain (9.35am - 11.25am, 11.40am - 12.38pm, 1.12pm - 2.44pm, 2.52pm - 4.01pm)
	Paul Duffy (9.35am - 11.12am, 11.14am - 11.25am, 11.40am - 12.38pm, 1.12pm - 2.44pm, 2.50pm - 4.01pm)
	Darren Frazer
	Sarah Greaney (9.35am - 11.25am, 11.41am - 12.38pm, 1.12pm - 2.44pm, 2.50pm - 4.01pm)
	Julie Keast (9.35am - 11.25am, 11.41am - 12.38pm, 1.12pm - 2.44pm, 2.51pm - 4.01pm)
	Tom O'Brien
	Margie Ruddenklau (9.35am - 11.25am, 11.40am - 12.38pm, 1.12pm - 2.10pm, 2.13pm - 2.44pm, 2.52pm - 3.29pm, 3.38pm - 4.01pm)
	Jon Spraggon (9.35am - 11.25am, 11.40am - 12.38pm)
	Matt Wilson

### APOLOGIES

Councillor Jon Spraggon (early departure)

### IN ATTENDANCE

<b>Chief executive</b>	Cameron McIntosh
<b>Committee advisor</b>	Fiona Dunlop

Mayor Scott opened the meeting with a karakia timatanga as follows:

Mā te whakarongo	Through listening
Mā te kōrero	Through talking
Mā te ngakau	From the heart
Mā te wairua	From the spirit
Mā te manaaki mai	Through giving
Mā te manaaki atu	And receiving respect
Ka puawai te maramatanga	Understanding will bloom
Tihei mauri ora	This is the essence of life

## 1 Apologies

There were apologies from Councillor Spraggon for an early departure.

Moved Cr Greaney, seconded Cr Boparai **and resolved:**

**That Council accept the apology.**

## 2 Leave of absence

Councillor Ruddenklau requested a leave of absence for 1 to 7 February 2024.

Moved Cr Boparai, seconded Cr Keast **and resolved:**

**That Council agrees the leave of absence request from Councillor Ruddenklau from 1 to 7 February 2024.**

## 3 Conflict of Interest

Councillor Ruddenklau declared a conflict of interest in relation to item 7.14 - Unbudgeted expenditure for a grant to South Sea Spray Trust. She advised that she would not take part in discussion or vote on the item.

## 4 Extraordinary/Urgent Items

Mayor Scott advised that here were two late items for the agenda.

The late items were as follows:

- Privacy Policy amendments - Body worn cameras
- Unbudgeted expenditure Bluecliffs historic dump site Ministry for the Environment Contaminated Sites Remediation Fund contribution

Mayor Scott advised that the reason why the item Privacy Policy amendments - Body worn cameras was not on the agenda was because it addresses health and safety concerns for staff and a prompt decision is being sought and if this is not considered at the meeting today, the next scheduled meeting date that Council could consider this is in six weeks on

24 January. The reason that discussion could not be delayed until a subsequent meeting was that the intention is that body worn cameras are to be implemented for use by staff prior to Christmas and changes to the to the Privacy Policy are also required under the Privacy Act 2020 which require amendments to be adopted by Council.

Mayor Scott also advised that the reason why the item Unbudgeted expenditure Bluecliffs historic dump site Ministry for the Environment Contaminated Sites Remediation Fund contribution was not on the agenda is that staff had only recently become aware that a funding commitment from Council is needed to accompany a grant application (by Council and Environment Southland) to the Ministry for the Environment for funding to remove the historic dump site near Bluecliffs Beach Road. The reason why discussion could not be delayed until a subsequent meeting was that the Ministry for the Environment were assessing the allocation of funding and if Council left making a decision on this matter to the new year, it may miss out on funding. This project is urgent because of the risk to the environment.

Moved Mayor Scott, seconded Deputy mayor Menzies **and resolved:**

**That Council agrees to consider the late items being Privacy Policy amendments - Body worn cameras and Unbudgeted expenditure Bluecliffs historic dump site Ministry for the Environment Contaminated Sites Remediation Fund contribution.**

## 5 Confirmation of Council Minutes

### Resolution

Moved Deputy mayor Menzies, seconded Cr Spraggon **and resolved:**

**That the Council confirms the minutes of the meeting held on 22 November 2023 as a true and correct record of that meeting.**

## 6 Public Participation

There was no public participation.

## Reports

### 7.1 Milford Opportunities Project - Update

**Record No: R/23/11/56356**

Milford Opportunities programme director - Chris Goddard was in attendance for this item.

The meeting noted that the Milford Opportunities project was initiated by Southland District Council and the Government in 2017 to explore ways to do tourism differently for the benefit of people and place and also looking beyond current constraints to a self-funded, sustainable tourism system that invests in conservation.

**Resolution**

Moved Mayor Scott, seconded Cr Ruddenklau **and resolved:**

**That the Council:**

- a) **acknowledges the attendance of Milford Opportunities Programme Director - Chris Goddard at the meeting to update on the Milford Opportunities Project.**

**7.2 Swim Safe (Active Southland) update**

**Record No: R/23/10/50564**

Southern REAP schools/early childhood education officer Kate McRae and Gemma O'Neill - Active Southland eastern Southland coordinator were in attendance for this item.

**Resolution**

Moved Mayor Scott, seconded Cr Ruddenklau **and resolved:**

**That the Council:**

- a) **thanks Swim Safe Southland for their update.**

**7.3 Environment Southland - EnviroSchools and Waituna Partnership update**

**Record No: R/23/10/50565**

Environment Southland Integrated Catchment management partnership manager - Nick Perham was in attendance to speak regarding the Waituna Partnership.

EnviroSchools regional coordinator Josh Sullivan and Early childhood education facilitator Wendy McLachlan were in attendance for this item.

(During discussion on the item, Councillor Duffy left the meeting at 11.12am and returned at 11.14am.)

**Resolution**

Moved Mayor Scott, seconded Cr O'Brien **and resolved:**

**That the Council:**

- a) **thanks Environment Southland for their update on EnviroSchools and Waituna partnership.**

(The meeting adjourned for morning tea at 11.25am and reconvened at 11.40am.)

(Mayor Scott, Councillors Boparai, Byars, Chamberlain, Duffy, Frazer, Menzies, O'Brien, Ruddenklau, Spraggon and Wilson were present when the meeting reconvened.)

## **7.7 Mayor's report**

### **Record No: R/23/11/55488**

Mayor Scott introduced his report and reported on meetings and events that he had attended the previous month.

(During discussion on the Mayor's report, Councillors Greaney and Keast returned to the meeting at 11.41 am.)

Waihopai Toetoe Community Board chair - Pam Yorke was in attendance to update Council on activities the Board has been involved with.

Chair Yorke particularly highlighted many events that the Board have be involved with. Below are items of particular interest:

- The recent tour of the Waihopai Toetoe ward by the Mayor and Councillors
- Community Board engagement at the recent Wyndham street market (24 November 2023) and the Wyndham A and P show (2 December 2023)
- Board input into the 2024/2034 long term plan
- Scoping of the multi-use track between Edendale and Wyndham
- Tokanui skate park nearly completed thanks to the Better Off Funding
- Roadworks on Salford Street are progressing prior to the handover of the street from New Zealand Transport Agency to Southland District Council
- Halls are an ongoing time consuming part of the Board/Ward area

Chair Yorke thanked Councillors Duffy and Keast for their availability to assist when needed.

Tuatapere Te Waewae Community Board chair - Anne Horrell was in attendance to update Council on activities the Board has been involved with.

Chair Horrell particularly highlighted many events that the Board have be involved with. Below are items of particular interest:

- Thank you to Mayor and Ward Councillors for their support, also to the chief executive and staff
- Tuatapere Promotions' group acquired a building and opened the Central and Western Archive hub on 13 October 2023
- Hump Ridge track is well supported this season
- Tuatapere RSA are active and had well planned services in April for ANZAC Day
- Tuatapere Community Worker Support Trust is active in the area and thank you to the support from the Community Partnership Fund
- Grass is mowed regularly at eh Tuatapere Domain by a volunteer
- Tuatapere and Orepuki both have community gardens
- Installation of resting seats at the Orepuki Cemetery
- Two locals are co-ordinating the Pahia Predator Control Group for predator control. The group also received funding from the Community Partnership Fund
- SPOT (Suicide Prevention Outreach Tuatapere) is active and held several events with fun days and speakers
- Community Partnership Fund has been able to assist many groups in the Tuatapere Te Waewae Community Board area
- There are also many projects to be undertaken in the Board area.



Oraka Aparima Community Board chair - Michael Weusten was in attendance to update Council on what the Board has been involved with.

Chair Weusten particularly highlighted many events that the Board have been involved with. Below are items of particular interest:

- Thank you to Mayor and Ward Councillors for their support, also to the chief executive and staff
- A survey for the relocation of the Riverton paua shell has been undertaken
- Use the Thornbury hall or lose it
- Improvements at Colac Bay
- Pilot reserve (Whale) at Taramea Bay has had accessible picnic tables and bench seats laid on concrete pads
- Showers and toilets at Taramea Bay are expected to be completed in February 2024
- Taramea Bay playground is programmed to be updated in 2024
- Exploring of what could be included in the new Bath Road proposed developments
- Beautification of Palmerston Street
- Completion of viewing platform at Moores Reserve

#### **Resolution**

Moved Mayor Scott, seconded Cr Keast **and resolved:**

#### **That the Council:**

- a) receives the report titled "Mayor's report".**

(Councillor Spraggon left the meeting at 12.38pm.)

(The meeting adjourned for lunch at 12.38pm and reconvened at 1.12pm.)

### **7.13 Southland Coast and Rakiura Stewart Island, Sea Level Rise & Extreme Sea Level Exposure Spatial Forecasting - Technical Report from Great South for Southland District Council - December 2023**

#### **Record No: R/23/11/57061**

Climate change lead - Rochelle Francis, Interim group manager regulatory services and strategy and partnerships - Michael Aitken and Great South GM strategic projects - Steve Canny were in attendance for this item.

The purpose of the report was to present to Council with the technical report from Great South to Council on the sea level rise and extreme sea level exposure spatial forecasting.

### Resolution

Moved Cr O'Brien, seconded Cr Wilson **recommendations a and b, with a new c (as indicated) and resolved:**

**That the Council:**

- a) **receives the report titled "Southland Coast and Rakiura Stewart Island, Sea Level Rise & Extreme Sea Level Exposure Spatial Forecasting - Technical Report from Great South for Southland District Council - December 2023"; and**
- b) **receives a copy of the Review of technical report by GNS Science to Great South dated 27 November 2023.**

**New c) request that a report with the timeline of when the next steps are to be undertaken and what the implications are.**

Councillors Boparai, Byars, Chamberlain and Ruddenklau requested that their dissenting votes be recorded.

(Councillor Ruddenklau left the meeting at 2.10pm.)

(Councillor Byars left the meeting at 2.11pm.)

## 7.4 Representation review - principles and an update

**Record No: R/23/11/56584**

Interim group manager regulatory services and strategy and partnerships - Michael Aitken was in attendance for this item.

The purpose of the report was to provide a progress update on the representation review project, seek a decision from Council on principles that will guide staff when identifying representation options and provide a broad overview of the feedback received during engagement with the public.

The principles that a decision is being sought on are

- the importance of local decision making
- ensuring there are effective working relationships
- having consistent representation for people in the district
- having a structure that attracts the right people to governance roles
- being cost effective, but keeping this in balance with the other principles.

(During discussion, Councillor Ruddenklau returned to the meeting at 2.13pm.)

### Resolution

Moved Cr Ruddenklau, seconded Cr Greaney **and resolved:**

**That the Council:**

- a) **receives the report titled "Representation review - principles and an update ".**

- b) **determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **notes staff are progressing the representation review project and have completed an engagement process to capture community views on representation.**
- e) **endorses the following principles to guide staff in identifying an appropriate representation structure (to ensure communities in the district are fairly and effectively represented):**
  - i. **the importance of local decision making**
  - ii. **ensuring there are effective working relationships**
  - iii. **having consistent representation for people in the district**
  - iv. **having a structure that attracts the right people to governance roles**
  - v. **being cost effective, but keeping this in balance with the other principles.**
- f) **notes staff will discuss greater detail on the feedback received and representation options in workshops with the Representation Review Elected Member Working Group and with Council, in the new year.**

## **7.5 Proposed minor amendments to the Stewart Island/Rakiura Visitor Levy Policy**

**Record No: R/23/11/56719**

Democracy advisor - Jayson Trent, Team leader organisational policy – Chris Rout and Interim group manager regulatory services and strategy and partnerships - Michael Aitken were in attendance for this item.

The report proposed that Council adopt minor amendments to the Stewart Island/Rakiura Visitor Levy Policy.

Feedback from the Stewart Island/Rakiura Community Board and the Stewart Island/Rakiura Visitor Levy allocation subcommittee was received regarding changes they would like made to the policy.

In accordance with this feedback, staff are proposing that Council adopt an amended policy that reflects minor changes to when Council advertises the seeking applications, the end of the application period and when accountability forms have to be returned.

These changes are proposed so the timing of the application process better suits island residents, and so the application process aligns better with Council processes.

Once adopted, these minor amendments will make board decision making, advertising for applications and the allocation process more streamlined.

**Resolution**

Moved Cr Greaney, seconded Cr Frazer **and resolved:**

**That the Council:**

- a) **receives the report titled "Proposed minor amendments to the Stewart Island/Rakiura Visitor Levy Policy".**
- b) **determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **adopts the amended Stewart Island/Rakiura Visitor Levy Policy (attached to the minutes as appendix A), that includes the following changes:**
  - i. **changing the date advertisements are to be placed seeking applications from the beginning of March, to the beginning of April.**
  - ii. **changing the date the application period will close from the end of March, to the second Friday of May each year.**
  - iii. **changing the date applicants are required to submit accountability forms from 31 March, to 31 May - in the year after being granted funding**
  - iv. **changing the date applicants are required to submit accountability forms from 31 March, to 31 May – in subsequent years after being granted funding.**
- e) **notes that staff will inform island residents of the new closing date for visitor levy applications.**

**7.6 Draft elected members remuneration and reimbursement policy**

**Record No: R/23/11/56496**

Democracy advisor - Jayson Trent and Interim group manager regulatory services and strategy and partnerships - Michael Aitken were in attendance for this item.

The purpose of the report was to provide information and to present options to Council so that it can make decisions on the draft Elected Members' Remuneration and Reimbursements Policy.

Once adopted, the policy will reflect the current determination and outline how Council applies this framework for its elected members.

Some of the changes proposed to the policy include:

- mileage allowance – remove/replace wording "required or invited by council".
- clarify out of local authority area travel eligibility.
- additional explanation where stated policy reimbursement total falls outside of range specified in the determination
- removing the ability for elected members to be reimbursed for alcohol.

**Resolution**

Moved Cr Ruddenklau, seconded Cr Keast **and resolved:**

**That the Council:**

- a) receives the report titled "Draft elected members remuneration and reimbursement policy" dated 8 December 2023.**
- b) determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) considers the draft Elected Members' Remuneration and Reimbursements Policy.**
- e) adopts the amended Elected Members' Remuneration and Reimbursements Policy (attached to the minutes as appendix B).**
- f) resolves that the Elected Members' Remuneration and Reimbursements Policy will come into effect and supersede the current policy on 13 December 2023.**

**7.8 Proposed update to Resource Management Act 1991 delegations**

**Record No: R/23/12/57910**

The report was withdrawn and would be reported to Council in January 2024.

**7.9 Draft Trading in Public Places Bylaw - deliberations and adoption**

**Record No: R/23/9/45577**

Intermediate policy analyst - Jane Edwards, Manager environmental health and licensing - Betty Holden and Interim group manager regulatory services and strategy and partnerships - Michael Aitken were in attendance for this item.

The purpose of the report was to provide information and to present options to Council, to make a decision on the draft Trading in Public Places Bylaw 2023 and adoption of the bylaw.

(The meeting adjourned at 2.44pm and reconvened at 2.50pm.)

(Councillors Chamberlain, Keast and Ruddenklau were not present when the meeting reconvened.)

**Moved Councillor Menzies, seconded Councillor Frazer, the motion:**

That the Council:

- a) receives the report titled "Draft Trading in Public Places Bylaw - deliberations and adoption".
- b) determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.
- d) notes that on 4 October 2023, Council determined, pursuant to section 155(1) of the Local Government Act 2002 that a bylaw is the most appropriate way of addressing nuisance and health and safety problems associated with trading activities in public places.
- e) determines prior to making the bylaw, pursuant to section 155(2)(a) of the Local Government Act 2002, that the draft Trading in Public Places Bylaw is the most appropriate form of bylaw.
- f) determines prior to making the bylaw, pursuant to section 155(2)(b) of the Local Government Act 2002, that the draft Trading in Public Places Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- g) considers the feedback received on the draft Trading in Public Places Bylaw.
- h) notes that staff have included two minor amendments to the draft bylaw since it was put out for public consultation:
  - Title of bylaw changed from 'Trading in Public Places 2024' to 'Trading in Public Places 2023'
  - Definitions and Part 1 section 10.3.2 - the term 'food control plan' has been replaced with the term 'food registration'

- i) resolves to:
  - 1. ~~adopt the draft bylaw (attached to the minutes as appendix C; or~~
  - 2. ~~adopt an amended draft bylaw, including the following change:~~
    - ~~Part 2—Alfresco Dining—all provisions to be removed from the draft bylaw and the activity continue to be administered via the current Alfresco Dining Policy 2015; or~~
  - 3. ~~propose a different way forward~~
- j) ~~if Council endorses recommendation i(1), resolves that the draft Trading in Public Places Bylaw will come into effect on 1 January 2024 and that the Trading in Public Places Bylaw 2013, and the Alfresco Dining Policy 2015 are revoked on 1 January 2024.~~
- k) ~~if Council endorses recommendation i(2), resolves that the draft Trading in Public Places Bylaw will come into effect on 1 January 2024 and will supersede the existing Trading in Public Places Bylaw 2013.~~
- l)k) ~~if Council endorses recommendation i(1) or i(2), above, ensures that in accordance with section 157 of the Local Government Act 2002, public notice be given of the review of the draft Trading in Public Places Bylaw 2023 advising:~~
  - ~~that the bylaw will come into force on 1 January 2024~~
  - ~~that copies of the bylaw may be inspected, without fee, at all Council offices.~~
- m) ~~if Council endorses recommendation i(3) above, provides specific feedback to staff on the proposed way forward.~~

New l) endorse the intent to consider feedback from the local community board on possible operating conditions for licenses.

**The motion was put and declared CARRIED.**

#### **Final resolution**

#### **That the Council:**

- a) **receives the report titled “Draft Trading in Public Places Bylaw - deliberations and adoption ”.**
- b) **determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **notes that on 4 October 2023, Council determined, pursuant to section 155(1) of the Local Government Act 2002 that a bylaw is the most appropriate way of**

addressing nuisance and health and safety problems associated with trading activities in public places.

- e) determines prior to making the bylaw, pursuant to section 155(2)(a) of the Local Government Act 2002, that the draft Trading in Public Places Bylaw is the most appropriate form of bylaw.
- f) determines prior to making the bylaw, pursuant to section 155(2)(b) of the Local Government Act 2002, that the draft Trading in Public Places Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.
- g) considers the feedback received on the draft Trading in Public Places Bylaw.
- h) notes that staff have included two minor amendments to the draft bylaw since it was put out for public consultation:
  - Title of bylaw changed from 'Trading in Public Places 2024' to 'Trading in Public Places 2023'
  - Definitions and Part 1 section 10.3.2 - the term 'food control plan' has been replaced with the term 'food registration'
- i) resolves to adopt the draft bylaw (attached to the minutes as appendix C).
- j) resolves that the draft Trading in Public Places Bylaw will come into effect on 1 January 2024 and that the Trading in Public Places Bylaw 2013, and the Alfresco Dining Policy 2015 are revoked on 1 January 2024.
- k) ensures that in accordance with section 157 of the Local Government Act 2002, public notice be given of the review of the draft Trading in Public Places Bylaw 2023 advising:
  - that the bylaw will come into force on 1 January 2024
  - that copies of the bylaw may be inspected, without fee, at all Council offices.
- l) endorse the intent to consider feedback from the local community board on possible operating conditions for licenses.

(Councillor Keast returned to the meeting at 2.51pm.)

## **7.10 Draft Significance and Engagement Policy**

**Record No: R/23/12/57321**

Strategic communications and engagement manager - Louise Pagan and Interim group manager regulatory services and strategy and partnerships - Michael Aitken were in attendance for this item.

The purpose of the report was to present the draft Significance and Engagement Policy for Council to endorse for public consultation.



The present policy has been reviewed and there has also been research on what other councils are doing in this space. Consideration was given for the need for staff to understand how to identify matters as significant and the reasons for that. This will enable reports to be written which include a considered section on significance in any of the reports for Council/Committee and Community Board meetings.

The main changes from the previous policy to the new policy are:

- Introducing a set of questions to assess how significant a matter is, including ones on the impact on Maori, and the effect of climate change
- Creating categories of significance and explaining what they mean and how they relate to the level of engagement
- Enlarging the section on engaging with iwi/hapu

(During discussion, Councillors Chamberlain and Ruddenklau returned to the meeting at 2.52pm.)

### **Resolution**

Moved Deputy mayor Menzies, seconded Cr Boparai **and resolved:**

#### **That Council:**

- a) receives the report titled “Draft Significance and Engagement Policy”.**
- b) determines that this matter or decision be recognised not significant in terms of Section 76 of the Local Government Act 2002.**
- c) determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) Endorses and releases the draft Significance and Engagement Policy for consultation in accordance with section 82 of the Local Government Act 2002, as part of the overall consultation on the long term plan happening in March 2024.**

## **7.11 Code of Practice – District Plan Change**

### **Record No: R/23/9/45741**

Team leader environmental policy - Francisco Barraza and Interim group manager regulatory services and strategy and partnerships - Michael Aitken were in attendance for this item.

The purpose of the report was to get approval from Council to:

- Withdraw the proposed plan change to implement the Subdivision, Land Use and Development Code of Practice 2023 in the District Plan; and
- To initiate a new plan change process.

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**Resolution**

Moved Cr Duffy, seconded Deputy mayor Menzies **and resolved:**

**That the Council:**

- a) receives the report titled “Code of Practice – District Plan Change”.
- b) determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.
- d) approves withdrawing the proposed plan change to implement the Subdivision, Land Use and Development Code of Practice 2023 in the District Plan.
- e) approves the initiation of a new plan change process for implementing the Subdivision, Land Use and Development Code of Practice 2023 in the District Plan.
- f) approves unbudgeted expenditure of up to \$70,000 for the initiation of a new plan change process as described in resolution (e) to be funded from the District’s Operations Reserve, noting that costs will cover 2023/24 and 2024/25 financial years.

**7.12 Special purpose road funding revocation**

**Record No: R/23/11/51210**

Strategic manager transport - Hartley Hare and Group manager infrastructure and capital delivery - Fran Mikulicic were in attendance for this item.

The purpose of the report was to update Council of the Waka Kotahi NZ Transport Agency Board decision the revocation of the funding on Special Purpose Roads for the 2024-27 National Land Transport Programme.

Officers are seeking guidance from Council for a response to the decision to agree to continue to lobby Waka Kotahi at all levels to reconsider the funding arrangement for the Lower Hollyford Road and Chaslands Highway Road.

**Moved Councillor Ruddenklau, seconded Councillor Frazer, the following motion being recommendations a to c, d and e with additions (as indicated), f and new g and h (as indicated).**

That Council:

- a) receives the report titled "Special purpose road funding revocation".
- b) determines that this matter or decision be recognised as significant in terms of Section 76 of the Local Government Act 2002.
- c) determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.
- d) agree to incorporate these roads as part of the long term plan consultation story.
- e) agree depending on the outcome of new g), that from 1 July 2024, to limit maintenance activity to general road maintenance only with expenditure relating to any emergency event to be assessed at the time of the event.
- f) agree to engage with key partners such as Iwi on the future of these roads and in particular the Lower Hollyford Road and the impacts of potential having to change the levels of service such as closing the road to vehicle traffic could have.

New g) agree to reject the decision of Waka Kotahi and the mayor and chief executive write to and seek a meeting with Waka Kotahi the reconsideration of the funding arrangement for the Lower Hollyford Road and Chaslands Highway Road.

New h) agree to request the Board paper considered by the Board of Waka Kotahi that was used for them to make their decision on the Lower Hollyford Road and Chaslands Highway Road.

~~g) agree to continue to lobby Waka Kotahi at all levels to reconsider the funding arrangement for the Lower Hollyford Road and Chaslands Highway Road.~~

**The motion was put and declared CARRIED.**

#### **Final resolution**

**That Council:**

- a) receives the report titled "Special purpose road funding revocation".
- b) determines that this matter or decision be recognised as significant in terms of Section 76 of the Local Government Act 2002.
- c) determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require

**further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**

- d) agree to incorporate these roads as part of the long term plan consultation story.**
- e) agree depending on the outcome of new g), that from 1 July 2024, to limit maintenance activity to general road maintenance only with expenditure relating to any emergency event to be assessed at the time of the event**
- f) agree to engage with key partners such as Iwi on the future of these roads and in particular the Lower Hollyford Road and the impacts of potential having to change the levels of service such as closing the road to vehicle traffic could have.**
- g) agree to reject the decision of Waka Kotahi and the mayor and chief executive write to and seek a meeting with Waka Kotahi the reconsideration of the funding arrangement for the Lower Hollyford Road and Chaslands Highway Road.**
- h) agree to request the Board paper considered by the Board of Waka Kotahi that was used for them to make their decision on the Lower Hollyford Road and Chaslands Highway Road.**

(Councillor Ruddenklau left the meeting due to a conflict of interest at 3.29pm.)

#### **7.14 Unbudgeted expenditure for a grant to South Sea Spray Trust**

**Record No: R/23/11/55842**

Community partnership leader - Karen Purdue and Interim group manager regulatory services and strategy and partnerships - Michael Aitken were in attendance for this item.

The purpose of the report was for council to consider whether or not it wishes to approve unbudgeted expenditure of \$20,000 from the Winton-Wallacetown ward reserve to provide a grant to the South Sea Spray Trust as a contribution towards the mural and street art festival scheduled in Winton 1-7 February 2024.

It was noted that the South Sea Spray Trust is a not for profit charitable trust that specialises in large scale public art installations and high-quality long-lasting street art and murals.

Following discussion on the item, Council agreed that they would disagree with the decision of the Oreti community board in relation to clauses e and f below.

### Resolution

Moved Cr Keast, seconded Cr O'Brien **recommendations a to d and e and f (with amendments as indicated) and resolved:**

**That Council:**

- a) **Receives the report titled "Unbudgeted expenditure for a grant to South Sea Spray Trust " dated 30 November 2023.**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Approves option one, unbudgeted expenditure of \$20,000 for a grant to South Sea Spray Trust to assist with the costs of mural and street art festival in Winton to be funded from the Winton-Wallacetown ward reserve.**
- e) **Agrees/Disagrees with the community board's recommendation that no further funding be allocated from Council funds towards this project.**
- f) **Agrees/Disagrees with the community board's recommendation that Council request from the Sea Spray Trust that the murals should be relevant and meaningful to Winton and surrounds, that any portraits are of local people and that graffiti murals are avoided.**

Councillor Boparai requested that her dissenting vote be recorded.

(Councillor Ruddenklau returned to the meeting following the conflict of interest 3.38pm.)

### Continuation of meeting

Mayor Scott advised that the meeting had been meeting for six hours (including adjournments) and would need to resolve to continue to finish the agenda.

Moved Mayor Scott, seconded Cr Wilson **and resolved:**

**That Council pursuant to standing order 4.2 continue with the business on the agenda for the meeting.**

### 7.15 Draft Speed Management Plan 2024-2027 - Submissions

**Record No: R/23/12/57628**

Team leader organisational policy - Chris Rout and Interim group manager regulatory services and strategy and partnerships - Michael Aitken were in attendance for this item.

The purpose of the report was to provide information on submissions received during consultation on the draft Speed Management Plan 2024-2027.

Council received 58 submissions on the draft Speed Management Plan during the consultation process.

Submissions received were highly supportive of changes proposed to speed limits around schools, generally supportive of most high-risk road proposals and boundary roads, and more mixed concerning changes to speed limits proposed under the mandatory review of 70km/h speed limit roads.

Submitters provided a mixture of comments in support of their views, some to suggesting adjustments to Council's proposals, some proposing new areas, additional measures for Council to consider in support of speed management, along with a desire for greater enforcement.

A number of submitters also provided feedback in relation to State Highways, which have been passed on to Waka Kotahi for further consideration.

A report on the issues and options following consultation will be taken to the 24 January 2024 meeting of Council.

### **Resolution**

Moved Mayor Scott, seconded Cr Frazer **and resolved:**

#### **That the Council:**

- a) **receives the report titled "Draft Speed Management Plan 2024-2027 - Submissions".**
- b) **determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Receives all written submissions on the draft Speed Management Plan.**

## **7.16 Privacy Policy amendments - Body worn cameras**

### **Record No: R/23/12/58125**

Team leader organisational policy - Chris Rout, Manager environmental health and licensing - Betty Holden and Interim group manager regulatory services and strategy and partnerships - Michael Aitken was in attendance for this item.

The purpose of the report was to present a draft amended Privacy Policy for consideration and adoption to enable the use of body worn cameras by staff.

The Privacy Act 2020 regulates how organisations capture and use personal information from individuals, which includes the use of body worn cameras.

In order to enable implementation of body worn cameras, changes to the Privacy Policy are being proposed to maintain compliance with the Privacy Act 2020.

The policy changes to enable the use of body worn cameras by staff being contingent on the completion of supplemental operational changes and processes.

Once adopted by Council, the draft Privacy Policy presented will come into effect on 15 December 2023.

(Councillor Menzies left the meeting at 3.50pm.)

### **Resolution**

Moved Cr Greaney, seconded Cr Boparai **and resolved:**

#### **That the Council:**

- a) **receives the report titled "Privacy Policy amendments - Body worn cameras".**
- b) **determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **agrees to adopt the amendments (as follows) to the Privacy Policy (appended to the minutes as appendix B of the minutes) to come into effect from 15 December 2023:**
  - **adding body worn cameras as a permitted method of capturing video footage separate from CCTV cameras**
  - **require body worn cameras to be clearly identifiable on staff who are wearing them to ensure adequate disclosure**
  - **clarifying some rules for body worn cameras are distinct from CCTV cameras, such as allowing for capture of video footage of or in private premises by staff using body worn cameras when conducting their duties**
  - **confirming body worn cameras are activated as required by staff in accordance with procedure**
  - **minor adjustments to the policy including clarifying direct access to camera footage is restricted to Council Privacy Officers, rather than**

**naming specific roles who are currently appointed as privacy officers, to better accommodate internal organisational changes.**

- e) **notes the use of body worn cameras by staff remains contingent on implementing the supporting changes set out in this report.**

**7.17 Unbudgeted expenditure Bluecliffs historic dump site Ministry for the Environment Contaminated Sites Remediation Fund contribution**

**Record No: R/23/12/58519**

Development and solid waste engineer - Regan McNaught and Group manager infrastructure and capital delivery - Fran Mikulicic were in attendance for this item.

The purpose of the report was for council to consider whether or not it wishes to approve unbudgeted expenditure of \$50,000 to provide as a contribution towards the Ministry for the Environment Contaminated Sites Remediation Fund application for the removal of a previously unknown historic dump site at Bluecliffs Beach Road, Papatotara.

Following on from the September 2023 flooding event, staff became aware of an historic dump site located on Bluecliffs Beach Road, Papatotara adjacent to the mouth of the Waiau River.

There were high volumes of water flowing down the Waiau River. The large land buffer between the Waiau river mouth and the historic dump site decreased significantly, by approximately 17metres in a few days, leaving the historic dump site vulnerable to eroding away completely into the Waiau river.

With the location of the historic dump site and its proximity to the highly dynamic coastal environment, a joint application between Environment Southland and Southland District Council to the Ministry for the Environment has been prepared for funding of the removal of this historic dump site under the Contaminated Sites Remediation Fund.

This fund will not cover 100% of the costs associated with the remediation of the Bluecliffs site. Environment Southland and Southland District Council are required to contribute funds towards the project.

Due to the very reactive and fast paced nature of this application, no budgets are available for use and as such, Southland District Councils contribution of \$50,000 will be needed to be unbudgeted expenditure.

**Resolution**

Moved Cr Chamberlain, seconded Cr Boparai **and resolved:**

**That the Council:**

- a) **receives the report titled "Unbudgeted expenditure Bluecliffs historic dump site Ministry for the Environment Contaminated Sites Remediation Fund contribution".**



- b) **determines that this matter or decision be recognised not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **agrees to the joint Environment Southland and Southland District Councils grant application for \$1.4 million to the Ministry for the Environment Contaminated Site Remediation Fund for the removal and remediation of the Bluecliffs beach road dump site.**
- e) **approves unbudgeted expenditure of \$50,000 as Southland District Councils contribution towards the application for the Contaminated Sites Remediation fund to be funded from waste management underspends and/or the District Operations Reserve.**
- f) **agrees to the unbudgeted expenditure of any grant amount approved by the Ministry for the Environment Contaminated Site Remediation Fund for the removal of the waste material and remedial works at Bluecliffs dump site.**

The meeting closed with a karakia whakamutunga as follows:

Kia hora te marino  
Kia whakapapa pounamu te moana  
Hei huarahi mā tātou i te rangi nei  
Aroha atu, aroha mai  
Tātou i a tātou katoa  
Hui e! Tāiki e!

May peace be widespread  
May the sea be like greenstone  
A pathway for us all this day  
Let us show respect for each other  
For one another  
Bind us all together!

The meeting concluded at 4.01pm.

CONFIRMED AS A TRUE AND CORRECT RECORD AT A  
MEETING OF THE COUNCIL HELD ON WEDNESDAY  
13 DECEMBER 2023.

**DATE:**.....

**CHAIRPERSON:**.....



## Stewart Island/Rakiura Visitor Levy Policy

**Group responsible:** Democracy and community

**Date approved:** 12 December 2012

**Date amended:** 13 December 2023

**File number:** R/23/12/57676

### 1.0 Purpose

This policy provides guidance on governance and administration of the Stewart Island/Rakiura visitor levy. The policy outlines who is liable to pay levies and revenue and how levies and revenue will be collected, administered, allocated and enforced.

### 2.0 Background

Although Stewart Island/Rakiura has a small resident population, it is a destination for a large number of short-term visitors. This creates a unique funding challenge for Council.

The Southland District Council (Stewart Island/Rakiura Visitor Levy) Empowering Act 2012 (the act) was passed into law on 26 March 2012. The act empowers Council to set and collect levies and obtain revenue from visitors to Stewart Island/Rakiura. Under the act, funds must be used to better provide services, facilities, amenities for island visitors, or mitigate environmental effects.

### 3.0 Definitions

ACCOUNTABILITY FORM	This is a form that must be completed by applicants after they have received funding, so Council is informed how the applicant has spent the funds and so Council is aware of any benefits that have been achieved with the funds
ACTIVITY	Has the meaning given in s.5(1) of the Local Government Act 2002: A good or service provided by, or on behalf of, a local authority or a council-controlled organisation; and includes— (a) the provision of facilities and amenities; and (b) the making of grants; and (c) the performance of regulatory and other governmental functions

APPROVED OPERATOR	<p>A person who owns or operates or is otherwise in control of a transport vessel and who enters into a contract with the Council—</p> <ul style="list-style-type: none"> <li>(a) relating to the provision of a service to carry to or from the island passengers who, but for the contract, would be visitors to the island; and</li> <li>(b) providing for revenue to be collected from the passengers; and</li> <li>(c) that has the effect of bringing passengers carried by the operator within the definition of an excluded visitor; and</li> <li>(d) including any other terms and conditions that may be agreed from time to time by the approved operator and the Council</li> </ul> <p>The Approved Operators are RealNZ Limited (currently trading as Stewart Island Experience), Stewart Island Flights Limited and ISS McKay Limited on behalf of the cruise ships</p>
A STAFF MEMBER	A staff member from Council
BYLAW	Means the Stewart Island/Rakiura Visitor Levy Bylaw
CONTRACTOR	A contractor approved by Council
COUNCIL	Southland District Council
DEPENDENT	A person primarily under the care and responsibility of another person, living with that person as a member of their family and substantially reliant on that person for financial support
EXCLUDED VISITOR	<p>A person who is not to be treated as a visitor because the person—</p> <ul style="list-style-type: none"> <li>(a) travels to the island under a contract of carriage with an Approved Operator; or</li> <li>(b) is the owner or is otherwise in control of a transport vessel or is employed, or under contract, to work on a transport vessel; or</li> <li>(c) is one whose visit is entirely within the boundaries of the Rakiura National Park; or</li> <li>(d) is visiting the island for a continuous period of 21 days or more; or</li> <li>(e) is a person under the age of 18 years on the date of arrival on the island</li> </ul>
FREEDOM TRAVELLER	A visitor who travels to the island by means other than as a passenger of an Approved Operator. This includes chartered vessels and independent travel. It does not include people who travel via the ferry (with RealNZ Limited), scheduled flights (Stewart Island Flights) or cruise ships
GST	Goods and services tax chargeable under the Goods and Services Act 1985

ISLAND	Stewart Island/Rakiura
LEVY	The sum of money (inclusive of GST) collected under the Stewart Island/Rakiura Visitor Levy Bylaw from persons who are visitors to the island
MĀORI LAND	Has the meaning given in s.4 of the Te Ture Whenua Māori Act 1993: Māori customary land and Māori freehold land
RAKIURA MAORI LANDS TRUST	The Rakiura Māori Lands Trust is governed by seven trustees appointed by the Māori Land Court upon recommendation from the beneficial owners. The Rakiura Māori Lands Trust holds lands and funds in trust for many Rakiura Māori descendants
RATEPAYER	A person who is named on a current rates notice of a rating unit on the island. Only persons who are named on current rates notices are considered to be ratepayers, regardless of who funds rates payments
RESIDENT	A person recognised as living on the island for electoral residency purposes under s.23 of the Local Electoral Act 2001
REVENUE	Revenue (inclusive of GST) collected from excluded visitors, in place of any levy imposed by the Stewart Island/Rakiura Visitor Levy Bylaw, by an Approved Operator in accordance with a contract entered into for the purpose with Council
SUBCOMMITTEE	The Stewart Island/Rakiura Visitor Levy Allocation Subcommittee
TENANT	A person who has a tenancy agreement for a rating unit on the island under the provisions of the Residential Tenancies Act 1986
THE ACT	The Southland District Council (Stewart Island/Rakiura Visitor Levy) Empowering Act 2012
TRANSPORT VESSEL	(a) means a ship, aircraft, or other vessel carrying passengers to or from the island, whether or not— (i) there is a charge for any or all of those passengers; or (ii) any charge is part of a tourist package; or (iii) the vessel is operated commercially; or (iv) the vessel is used for freight as well as passengers; and (b) includes— (i) a regular ferry or air service to the island; and (ii) a cruise ship whose passengers disembark to land on the island
VISITOR	Any person who—

- residents, ratepayers and tenants of Stewart Island/Rakiura and their spouses, civil union partners, de facto partners, or dependents;
- beneficiaries of the Rakiura Māori Land Trust or individuals who have an ownership interest in a Māori land block on the island;
- visitors who remain on the island for any continuous period of 21 days or more;
- owners of a transport vessel or individuals employed under contract to work on a transport vessel;
- individuals whose visit is entirely within the boundaries of the Rakiura National Park; or
- persons under the age of 18 years on the date of arrival on the island.

Where the resident or ratepayer exemption applies to a person, the exemption does not automatically apply to the whole family or group. The exemption applies to the ratepayer(s) set out on the rates notice and their spouse, civil union partner, de facto partner and dependents. This does not include visiting adult children or grandchildren (unless they are dependents).

Holiday home owners are exempt if they are a ratepayer on the Council's rates notice. However, beneficiaries of family trusts will not be exempt unless they are designated by name as ratepayers on Council rates notice, or they meet one of the other reasons for exemption outlined above.

The exemption does not apply to visiting trades-people unless the person stays for more than 21 consecutive days. Visitors undertaking volunteer work are also required to pay the levy unless they fall within a category of exemption.

Visiting entirely within the boundaries of the Rakiura National Park means the person visiting does not arrive or leave through the township of Oban.

## **5.0 Calculation**

The amount of the levy is set out in the bylaw and is \$5.00 before 1 October 2023, \$10.00 on or after 1 October 2023, and \$15.00 on or after 1 October 2025. The revenue is set at the same amount.

If Council decides to increase the levy amount, Approved Operators will receive 15 months lead in time before they start collecting the new amount and the increase will not take effect until 1 October in the year following the decision to adopt a new or amended bylaw and policy.

## **5.1 Arrangements with Approved Operators**

Approved Operators will collect revenue on behalf of Council in accordance with contractual arrangements. The contractual arrangements will be negotiated for each Approved Operator taking into account the individual circumstances of each transport business.

Apart from ISS McKay Limited, Approved Operators will collect revenue from passengers on both inbound and outbound journeys (half the revenue amount each way). This allows for passengers who use different modes of transport to travel to and from the island and allows the revenue to be apportioned across the modes of transport on an equitable basis.

ISS McKay Limited will collect the revenue amount from each passenger (carried to or from Stewart Island/Rakiura (or its internal waters) on behalf of Southland District Council. This applies regardless of



	<p>(a) travels to or from the island, whether for a single day or for any continuous period of less than 21 days, by any transport vessel; but</p> <p>(b) is not a person who,—</p> <p>(i) for the purposes of the Local Government (Rating) Act 2002, is a ratepayer in respect of a rating unit on the island; or</p> <p>(ii) is a resident of the island by virtue of being a resident for electoral residency purposes under s.23 of the Local Electoral Act 2001; or</p> <p>(iii) is a tenant of a rating unit for the purposes of the Residential Tenancies Act 1986; or</p> <p>(iv) is the spouse, civil union partner, de facto partner, or dependent of a ratepayer or tenant; or</p> <p>(v) is a beneficiary of the Rakiura Māori Land Trust or who has an ownership interest in a Māori land block on the island; or</p> <p>(vi) is an excluded visitor.</p>
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## 4.0 Collection

The act provides for the collection of money from two sources:

1. **revenue;** and
2. **levy.**

The definitions of revenue and levy are found in section '3.0 Definitions' above. Council will set the revenue and levy at the same amount.

Through contractual arrangements, Council will collect revenue from passengers who travel with Approved Operators. Approved Operators include RealNZ Limited (currently trading as Stewart Island Experience), Stewart Island Flights Limited and ISS McKay Limited on behalf of the cruise ships. Passengers will pay the Approved Operator in accordance with the terms of carriage (i.e. the revenue will form part of their ticket price). If the passenger travels via an Approved Operator and pays a local or child fare, the Approved Operator will not charge the revenue.

Under the bylaw, Council will collect the levy. The levy will be collected from freedom travellers (i.e. those who are visitors under the act, so it does not include people who travel with an Approved Operator). Where a person is a freedom traveller the categories of exemption outlined in Clause 4.1 below apply. This means that if a freedom traveller is not exempt, he or she will have to pay the levy.

## 4.1 Who pays

All individuals travelling to Stewart Island/Rakiura, including freedom travellers, must pay the levy or pay revenue to an Approved Operator unless they are exempt under the following:

whether or not that passenger disembarks and regardless of the number of times the passenger disembarks and embarks.

## **5.2 Collection of the levy from freedom travellers**

The bylaw outlines levy collection from visitors who travel to the island via private or chartered transportation (i.e. freedom travellers). The levy is payable when the visitor arrives on the island. Council has provided a collection box to receive payments or payment can be made at any Council office. The collection box is placed on the Main Wharf in Oban. Freedom travellers can deposit levy payments at this location at any time. Council may also enter into agreements with agents operating chartered vessels, to collect the levy from passengers on behalf of Council.

Only one payment is required per person for the duration of their stay on the island. Travel to neighbouring islands (excluding the mainland) will not constitute leaving the island.

## **6.0 Proof of exemption**

Persons who are not required to pay the visitor levy or revenue can apply for a Southland District Council photo identification card. Southland District Council photo identification cards will be accepted as proof of exemption by Approved Operators and agents. They will also be accepted by enforcement officers monitoring compliance with the bylaw.

A Southland District Council photo identification card will be issued and renewed at no cost to the applicant. Renewing a Southland District Council photo identification card will require confirmation of entitlement using documentation as set out in Appendix A. Photographs will also be updated at the time of renewal. It is the responsibility of the card holder to advise the Council of any change in contact details or exemption status.

The card remains the property of Southland District Council. Cards are not transferable and cardholders retain sole responsibility for use of the card issued to them. A replacement fee will apply to lost or damaged cards. This fee will be set out in the Southland District Council Schedule of Fees and Charges.

Agreements between Council and Approved Operators with respect to exemption identification are reached on an individual basis and may differ. A Southland District Council photo identification card may be required by the Approved Operator at the time of ticket purchase or boarding the vessel for an exemption to be granted.

Each Approved Operator may choose to compile a list of names eligible for local fares. Eligibility for a local fare is a commercial decision made at the discretion of Approved Operators and is not influenced or administered by Council. Individuals can contact Approved Operators to ascertain whether they maintain such a list and to determine their eligibility for inclusion. Eligibility for local fares may mean that there is no requirement to apply for and carry a photo identification card when travelling.

## **6.1 Application for exemption**

An application to receive a Southland District Council photo identification card can be made by downloading the form from Council's website, attending the Southland District Council office located at



15 Forth Street, Invercargill and by sending a completed application form to Council (PO Box 903, Invercargill 9840 or [contactcs@southlanddc.govt.nz](mailto:contactcs@southlanddc.govt.nz)) with a colour passport photo of each applicant.

Applicants are also required to provide documentation which proves their exemption. Examples of accepted documentation to prove exemption status are set out in Appendix A.

## **7.0 Refunds**

People who have been charged the levy but believe that they are exempt under the act can apply to Council to receive a refund.

Refund applications should state the reason for the claim, along with a copy of supporting documentation as set out in Appendix A.

An application for a refund must be made within six months of the date of travel.

## **8.0 Audit**

Council has the ability to audit the collection and payment of the levy by agents and revenue by Approved Operators. Audit procedures may include a review of visitor numbers against funds received.

## **9.0 Enforcement**

Part 2 of the act outlines infringement offences. Any person who evades the payment of a levy payable by that person or falsely claims that he or she is not a visitor commits an infringement offence.

An infringement fee has been set by way of regulation and will be displayed on signs erected on the island. The amount of the infringement fee is \$250. Infringement notices can be issued by Southland District Council Enforcement officers if they observe a person committing an infringement offence or if they have reasonable cause to believe that a person has committed an infringement offence.

Council will use the following to identify who is exempt from paying the levy: Southland District Council photo identification cards, a ticket issued by an approved transport operator, and a cruise ship boarding pass. A receipt from the collection box or a levy collection agent will be accepted as proof of payment of the levy.

## **10.0 Administration**

The subcommittee has the delegated authority and is accountable to Council to make decisions regarding funding applications to the Stewart Island/Rakiura visitor levy fund, in accordance with the Act. The subcommittee will meet annually to review applications and allocate funding. It may only allocate funding once a year.

The subcommittee is a subordinate decision-making body of the Stewart Island/Rakiura Community Board. The subcommittee is subject to standard audit procedures. Councillors and the Stewart Island/Rakiura Community Board will be informed of funding decisions via memoranda. Council's



Annual Report will contain an itemised statement of the Stewart Island/Rakiura Visitor Levy fund each year.

## **10.1 Subcommittee membership**

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The subcommittee will consist of the following members appointed by Council:

- a chairperson, who will be stipulated in Council's Delegations Manual
- the chair of the Finance and Assurance Committee
- the councillor for Stewart Island/Rakiura
- a representative from the Stewart Island/Rakiura Community Board
- a representative recommended by each of the Approved Operators (three in total)
- a member to represent iwi
- a member from Stewart Island/Rakiura

The chair of the subcommittee will have a casting vote, which can only be exercised to resolve an evenly split vote.

If the councillor for Stewart Island/Rakiura is also the chair of the Finance and Assurance Committee, then an additional councillor will be appointed to the subcommittee, by Council.

Elected members on the subcommittee must act in accordance with Council's Code of Conduct. Council's Standing Orders also apply to the subcommittee. If a subcommittee member has any connection to an application greater than that of the general public, that member should declare an interest in the relevant application, prior to it being considered. In such circumstances, the member affected shall still be entitled to speaking and voting rights, unless the member has a pecuniary interest in the application.

Further information on the appointment of the representatives from the Approved Operators, the iwi representative and the representative from Stewart Island/Rakiura, is provided in Appendix B.

## **10.2 Applications**

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The application process will be administered by Council. Advertisements will be placed at the beginning of April seeking applications and outlining the deadline for receipt of applications. The application period will close on the second Friday of May each year.

Applications to the Stewart Island/Rakiura visitor levy fund must be made using the appropriate documentation provided by Council. All applications must include:

- an outline of the project or work requiring funding, including a timeline;
- if the project involves physical works, scale conceptual plans including site plans;
- any requirement for resource or building consent;
- a business plan for the project including costs and on-going funding requirements, if any;
- evidence of legal status of the applicant (eg, charitable trust or body corporate);
- an assessment of how the project is for the benefit of visitors; and
- declarations of interest.

An application can be made for funding in relation to salary and wages and it can relate to a range of things such as the development or maintenance of existing facilities, services and projects.

Applicants can indicate on their application form if they would like to be heard by the subcommittee.  
Late applications will not be considered.

### 10.3 Allocation process

A three step process will be undertaken to allocate funds. The three steps are:

- Step 1 - assessing if the application is eligible for funding
- Step 2 - assessing which category the application falls under
- Step 3 - allocating funds to applications from each category (using the funding allocation percentages as a guide and based on the strength of the application).

#### Step 1: Assessing if the application is eligible for funding

To be considered for funding, applications must be consistent with s.6(b) of the act. Section 6(b) states that revenue and levies collected must be used to:

- fund, wholly or in part, activities used by visitors or any class of excluded visitor;
- fund, wholly or in part, activities on the island for the benefit of visitors or any class of excluded visitor; and/or
- mitigate the adverse effects of visitors or excluded visitors on the environment of the island.

If an application is not consistent with s.6(b) of the act, this will be identified by a staff member or contractor.

Where appropriate, a staff member or contractor may liaise with an applicant to discuss their application (e.g. whether further information is needed, or whether there is a minor issue with the application etc). The applicant will be permitted to make minor amendments to their application in this circumstance.

If, after engaging with the applicant, the staff member or contractor thinks the application is still not eligible for funding, the staff member or contractor will communicate this to the subcommittee at the allocation meeting.

#### Step 2: Assessing which category the application falls under

Applications that are consistent with s.6(b) of the act will be assessed by a staff member or contractor as being in one of the following categories.

Allocation Category	Description
<b>COUNCIL/COMMUNITY OWNED INFRASTRUCTURE</b>	Applications relating to Council's/the community's physical and organisational structures and facilities (e.g. buildings, jetties, tracks, power supply, WiFi installation, signage).
<b>OPERATIONAL COSTS</b>	Applications by non-profit organisations to meet their operational needs/requirements. (e.g. printing of maps, visitor experience host, museum operational costs, provision of WiFi service)

<b>COMMUNITY PROJECTS</b>	Applications that do not relate to infrastructure. These applications must be made by Stewart Island/Rakiura resident/s, ratepayer/s or tenant/s. e.g. habitat restoration, picnic tables
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A staff member or contractor will communicate to the subcommittee, which category they believe the application falls under. It is possible that an application will fit into more than one category.

### **Step 3 - Allocating funds in accordance with the funding allocation percentages and based on the strength of the application**

#### **Funding allocation categories and percentages**

The subcommittee will consider the allocation categories when it allocates funding. Although it has complete discretion, as a guide, the subcommittee may allocate the funding received on an annual basis, to applications in each category in accordance with the funding allocation percentages outlined below.

Allocation Category	Funding Allocations
<b>COUNCIL/COMMUNITY OWNED INFRASTRUCTURE</b>	60-70% (% of the funds available annually that will be allocated to Council/community owned infrastructure)
<b>OPERATIONAL COSTS</b>	20-25% (% of the funds available annually that will be allocated to operational costs)
<b>COMMUNITY PROJECTS</b>	5-10% (% of the funds available annually that will be allocated to community projects)

#### **The strength of the application**

The subcommittee will allocate funds to applications in the allocation categories based on the strength of the application. The strength of an application will be determined by the extent it will:

- fund, wholly or in part, activities used by visitors or any class of excluded visitor; or
- fund, wholly or in part, activities on the island for the benefit of visitors or any class of excluded visitor; or
- mitigate the adverse effects of visitors or excluded visitors on the environment of the island.

For applications made by Council (including the Stewart Island/Rakiura community board), the inclusion of a project in Council's Long Term Plan indicates that it has gone through a community engagement process, and Council has endorsed the project as supporting the community's long term objectives.

The subcommittee will have regard to the extent to which the proposed project will also benefit the local community.

A staff member or contractor will provide guidance to the subcommittee, on the strength of an application.

#### **Committing to allocating funds in the future**

The subcommittee can commit to multi-year funding (committing to give funds in an application round, to an applicant in future allocation rounds). This could be done by the subcommittee to commit to service

loans drawn, such as to cover capital works projects. When this can occur, and for how many years, relates to the allocation category of the application, and is outlined in the table below.

Allocation categories	The number of years the subcommittee can commit to giving funds to an applicant, in future allocation rounds
<b>COUNCIL/COMMUNITY OWNED INFRASTRUCTURE</b>	up to 10 years (the current allocation round, and the next nine allocation rounds). In exceptional circumstances, the subcommittee may consider a longer term of up to 30 years (the current allocation round, and the next 29 allocation rounds).
<b>OPERATIONAL COSTS</b>	up to three years (the current allocation round, and the next two allocation rounds)
<b>COMMUNITY PROJECTS</b>	one year (just the current allocation round)

Allocations in each funding year will include those funds committed from prior years.

The subcommittee will work with staff to develop a 10 Year Funding Plan as part of each three year Long Term Plan cycle. This plan would then be approved by Council through the Long Term Plan. The plan could be used to provide forecasting around future revenue streams and also to enable the subcommittee to have a view on what proportions it might want to allocate towards multi-year commitments.

#### General points about allocation

Local and central government can make applications for funding.

Funding can be allocated to an applicant when he/she has received funding for the same or a similar thing, on a previous occasion.

Applicants are not required to have spent the funding that has been allocated to them previously, in order to be eligible for further funding.

The subcommittee can elect to allocate a lower level of funding to an applicant, but it cannot allocate more than what the applicant has requested.

When an application is considered by the subcommittee, the applicant will be notified within two weeks of the subcommittee meeting whether or not their application was successful, and if it was successful, the amount of funding allocated.

The subcommittee will not give further funding to applicants if they have not returned their accountability form to Council (when they have been required by this policy, to do so).

### 11.0 Accountability

Applicants will be required to complete and provide Council with accountability forms. Accountability forms must be returned to Council before 31 May, the year after the subcommittee grants the applicant funds. If an applicant hasn't used all (or any) of the funds by that time, the accountability form must still be completed. An applicant also must complete the accountability form by 31 May each subsequent year



(even if the applicant outlines that no funding has been spent), until all of the funding allocated has been accounted for by way of an accountability form and/or returned to Council and the fund.

Any funds that are not spent by applicants (completing what was outlined in their application), within five years of the decision to allocate the applicant funding, must be returned to Council and the fund.

If any funding is returned, information on the amount and why the funding was returned, will be communicated to the subcommittee at the annual allocation meeting.

## **12.0 Review**

The review period of the bylaw and this policy is six years.

Council may review the bylaw and this policy at any time, if required, within six years of the last review.



## Appendix A: Documents which can be used to claim exemption or refund

The table below contains a list of documents which will be accepted as proof of exemption from the need to pay the Stewart Island/Rakiura Levy.

These documents will be accepted in relation to (1) applying for a photo identification card and (2) applying for a refund.

Original documentation from both Category A and Category B must be presented concurrently. Council requires proof of both identity and levy exemption status. A current address will need to be provided to receive notice of renewals and other information.

This is not a comprehensive list and other equivalent documents may be accepted when applying for a Southland District Council photo identification card or applying for levy refund.

AT LEAST ONE PHOTO ID MUST BE PRODUCED FROM CATEGORY A (THE NAME ON THE DOCUMENT MUST BE EXACTLY THE SAME AS THE APPLICANTS NAME)	
passport (passports can be accepted up to two years past the expiry date)	
proof of age card with photo	
drivers licence	
public service employee ID card bearing photo	
education ID card bearing photo	
firearms licence	
<b>AT LEAST ONE FORM OF IDENTIFICATION FROM CATEGORY B</b>	
REASON FOR EXEMPTION	EXAMPLE OF ACCEPTED PROOF OF EXEMPTION
<ul style="list-style-type: none"> <li>• ratepayers</li> <li>• tenants</li> <li>• residents</li> </ul>	<p>One or more of the following documents showing name and address on Stewart Island/Rakiura:</p> <ul style="list-style-type: none"> <li>• notice of rates or VG number verified by Rates Department. Rates notices must state that the applicant is the owner of the property to which the rates notice was sent and the document must be current at the time of the application</li> <li>• tenancy agreement</li> <li>• utilities bill</li> <li>• insurance renewal advice</li> <li>• motor vehicle registration</li> <li>• electoral roll number</li> <li>• mortgage documents</li> <li>• current land titles office records</li> </ul>
<ul style="list-style-type: none"> <li>• spouses of a ratepayer or tenant</li> <li>• civil union or de facto partner of a ratepayer or tenant</li> <li>• dependents of a ratepayer or tenant</li> </ul>	<ul style="list-style-type: none"> <li>• application to be made in conjunction with the respective person</li> </ul>

<ul style="list-style-type: none"><li>• Rakiura Māori Land Trust beneficiaries.</li></ul>	<ul style="list-style-type: none"><li>• Council may be able to check property rights via the <a href="http://www.maorilandonline.govt.nz">www.maorilandonline.govt.nz</a> website or work with the Rakiura Māori Land Trust to access its database of beneficiaries</li></ul>
<ul style="list-style-type: none"><li>• people under the age of 18</li></ul>	<ul style="list-style-type: none"><li>• passport</li><li>• school student concession card</li><li>• birth certificate</li></ul>
<ul style="list-style-type: none"><li>• owners or those working on transport vessels</li></ul>	<ul style="list-style-type: none"><li>• employment documentation (eg, payslips, letter from employer)</li></ul>
<ul style="list-style-type: none"><li>• visitors whose visit is for 21 days or more</li></ul>	<ul style="list-style-type: none"><li>• tickets or invoices showing names and dates of arrival and departure</li><li>• receipts for accommodation covering the relevant time period</li></ul>

## **Appendix B: Appointing representatives to the subcommittee**

### **Representative recommended by each of the Approved Operators**

Council will request the Approved Operators to nominate a person to be a voluntary member on the subcommittee.

### **Representative for iwi**

Council will, in accordance with its Charter of Understanding with Te Ao Mārama Incorporated, seek an iwi representative to be a voluntary member on the subcommittee. If a willing iwi representative is not identified through liaising with Te Ao Mārama Incorporated, Council will then approach other people who may be suitable for the role.

The appointment of a member to represent iwi will be reviewed every three years, after Council elections.

### **Representative from Stewart Island/Rakiura**

Council will request expressions of interest from Stewart Island/Rakiura residents and ratepayers, to be a voluntary member on the subcommittee. A person will be selected by Council, following consideration of:

- the skills and experience of those interested
- the extent that conflicts of interest would be likely if the individual became a member (there is a preference for minimal/no conflicts being likely)
- the extent that the individual knows tourist/visitor requirements and impacts on the island.

If no-one suitable expresses interest, Council will approach people who may be suitable for the role.

The appointment of the Stewart Island/Rakiura representative will be reviewed every three years, after Council elections.





## Elected Members' Remuneration and Reimbursements Policy

<b>Groups responsible:</b>	<b>Governance and Democracy, Finance</b>
<b>Date approved:</b>	<b>13 Dec 2023</b>
<b>Date implemented:</b>	<b>13 Dec 2023</b>
<b>File no:</b>	<b>R/2023/11/56524</b>

### Purpose

The Elected Members' Remuneration and Reimbursements Policy (the policy) sets out elected members remuneration and entitlement of elected members to allowances and contributions towards expenses during their term of office for Southland District Council (Council).

This policy ensures that all remuneration and allowances paid to elected members are in accordance with the Local Government Elected Members' Determination (determination) issued by the Remuneration Authority for the appropriate year.

### Background

The Local Government Act 2002 provides for the Remuneration Authority (the authority) to determine the remuneration, allowances, and rules for reimbursing expenses incurred by all local authority elected members.

Prior to the local body term, the authority undertakes a review of the settings for elected member remuneration and allowances, in consultation with councils. Following this review, an annual determination is then issued prior to 30 June each year, which may result in adjustments to the level of remuneration received.\*

Actual and reasonable expenses incurred by elected members while undertaking Council business will be reimbursed in line with this policy.

The attached schedule of remuneration (Appendix A) is updated annually to reflect the latest determination issued by the authority.

If inconsistencies arise between this policy and the determination in regards to remuneration and allowance rates, Council will make payments to elected members in accordance with the relevant determination. Where there is a range outlined in the determination, Council will make payments to elected members in accordance with the policy unless the policy amount does not fall within the range specified in the determination. If the policy amount does not fall within the range specified in the determination, Council will pay the lowest amount stipulated in the range.

Council approved allowances must be included in this policy and published on Council's website.

\*These adjustments may take account of data collected by the State Services Commission on public and private sector remuneration movements, any major legislative changes in the role of elected members and feedback from the sector.

## Principles

The payment of allowances and expenses to elected members by Council is made in accordance with the Auditor General's guidance for a principles based approach for sensitive expenditure<sup>1</sup>.

The principles are that expenditure decisions:

- have a justifiable business purpose
- preserve impartiality
- are made with integrity
- are moderate and conservative, having regard to the circumstances
- are made transparently and
- are appropriate in all respects.

All allowance and expense claims will be approved as follows:

CLAIM BY	APPROVED BY
Mayor	Chair of Finance and Assurance Committee
Deputy mayor	Mayor
Councillors	Mayor or deputy mayor
Community board member	Mayor or deputy mayor
Subcommittee member	Mayor, deputy mayor or chair of Finance and Assurance Committee

## Definitions

Actual	Means as evidenced by the original receipt attached to the claim form.
Community board member	Means any elected member of the nine community boards throughout the Southland District.
Subcommittee member	Means any elected member of a Council appointed subcommittee.
Council business	Includes: formal Council and community board meetings, committee and subcommittee meetings, workshops, seminars, statutory hearings, training courses, site visits, meetings with staff, meetings with community groups, and meetings with members of the public. It does not include events where the primary focus is on social activity.

<sup>1</sup> <https://oag.parliament.nz/2020/sensitive-expenditure/docs/sensitive-expenditure.pdf>

Council office	Means any of the Council offices throughout the Southland District. These are: Invercargill, Wyndham, Riverton, Stewart Island/Rakiura, Te Anau, Otautau, Lumsden and Winton. Where community board or subcommittee meetings are held at a regular venue other than a Council office, this location will be deemed to be a Council office for the purposes of this policy.
Elected member	Means any of the councillors or community board members.
Hearing	Has the same meaning as s.5 of the Local Government Members Determination for the year to which it applies, and includes resource consent hearings; pre-hearing meetings held under s.99 of the Resource Management Act 1991 (RMA); a hearing as part of the process of the preparation, change, variation, or review of a district plan; a mediation hearing in the Environment Court as part of an appeal process and a hearing on an objection against a charge fixed by a local authority under s.36 of the RMA.
Reasonable	Means that it is within the amount specified by this policy or as deemed reasonable by the mayor and/or chief executive.
Remuneration Authority	Is an independent body established by the Remuneration Authority Act 1977, with responsibilities under the Local Government Act 2002 to determine remuneration and expense/allowance rules for local authority members.

## Remuneration

Elected members shall receive remuneration as determined by the authority, outlined in Appendix A.

Councillors who are appointed as chairs on a community board receive no additional remuneration.

Elected members who sit on resource management or District Plan hearing receive meeting fees as determined by the authority, outlined in Appendix A.

Elected members will not receive any additional remuneration for their roles on Council committees or subcommittees beyond that outlined in Appendix A.

No remuneration is payable to those appointed to subcommittees of Council.

Any allowances not currently included in this policy will be subject, in the first instance, to the criteria set by the relevant annual determination.

## Mileage allowance

The mayor will be provided with a vehicle that will also be available for his/her private use. A deduction will be made from his/her salary as determined by the authority. The mayor will not be able to claim for vehicle mileage.

A mileage claim can be made where an elected member is travelling on Council business and is travelling in his/her own vehicle and is taking the most direct route reasonable in the circumstances.

Where possible every effort should be made to share transport and reduce costs.

Mileage claims are based on travel from the elected member's normal residence to the meeting place.

Mileage allowance will be paid as follows:



- (a) for travel to any Council office, mileage allowance will be paid for kilometres travelled beyond 15 km each way (ie, a 30 km round trip). This distance is calculated from the elected member's place of residence to the Council office.
- (b) for all other Council related travel, mileage allowance will be paid for the total kilometres travelled from the elected member's place of residence.

For travel to any Council office where distance does not exceed 15 km each way (ie, a 30 km round trip), no mileage allowance will be paid.

Mileage claims for travel are ineligible from outside the local authority area, eligibility begins once the elected member crosses the boundary of the local authority area.

The mileage rate will be paid at the full rate determined by the authority, outlined in Appendix A.

### **Travel time allowance**

Elected members can claim a travel time allowance for travel within New Zealand on Council business.

The mayor is not eligible for this allowance because the role is deemed to be full time and remuneration set accordingly.

Council will pay the travel time allowance set by the authority for all eligible travel claimed by an elected member, as outlined in Appendix A.

An elected members' travel is eligible for the travel time allowance if:

- the elected member is travelling on Council business
- the elected member uses the quickest form of transport that is reasonable and
- the most direct route reasonable is taken.

Elected members cannot claim for the first hour of eligible travel.

The maximum total amount of travel time allowance that an elected member may be paid for eligible travel in a 24-hour period is eight hours.

### **Communications**

The mayor and councillors are provided with a tablet (or similar). Full technical support is provided where related to Council business. No allowance is payable in respect of items provided by Council.

The mayor is provided with a mobile phone and full payment of all expenses related to the use of the mobile phone.

Council will pay annual allowances in recognition of elected members' use of personal communication equipment and services for Council business as set out in Appendix A.

### **Childcare allowance**

Elected members can claim a childcare allowance as a contribution towards expenses incurred by the member for childcare while the member is engaged on Council business.

Elected members are eligible for the allowance if:

- they are engaged in Council business at the time of the childcare
- they are the parent or guardian of the child, or usually has day-to-day responsibility for the care of the child and
- the child is under 14 years of age
- the childcare must be provided by someone who is not a family member of the elected member and does not ordinarily reside with the elected member
- evidence of payment made and received is appended to the expense claim.

Elected members must provide a child care reimbursement form for all claims to mayoral support, at least quarterly, to be eligible for reimbursement.

Eligible elected members can claim up to \$6,000 per year for each child if the childcare meets the criteria above.

## Expenses

From time to time elected members incur expenses in their undertaking of Council business which need to be reimbursed. This reimbursement applies only to elected members personally, and only while they are acting in their official capacity as elected members.

In incurring and claiming these expenses, elected members will abide by the principles of this policy (see 'principles' section).

An expense reimbursement form is to be completed and returned to mayoral support at least quarterly, and attach full GST receipts for all expense claims.

All expense claims submitted by elected members are to be approved according to the approval table set out in the 'principles' section of this policy.

Council's internal audit work programme will include sampling of allowances and expense claims paid to elected members.

Any expenses not currently included in this policy will be subject in the first instance to the criteria set by the relevant determination.

All expense reimbursements will be made via Council's payroll system.

No costs will be reimbursed where they are chargeable to others, including private companies.

Expenses for electioneering will not be reimbursed.

## Conferences, seminars and training

Conferences, courses, seminars or training events must contribute to the elected members' ability to carry out Council business.

All elected members are entitled to payment of actual and reasonable registration, travel, accommodation, meal and related incidental expenses (including travel insurance) incurred in attendance at conferences, courses, seminars or training events, held both within New Zealand and overseas, subject to:



- (a) related expenditure being accommodated within existing budgets, and
- (b) the appropriate approvals as outlined in this policy.

Prior approval according to the table set out in the 'principles' section of this policy is required for conferences, seminars and training within New Zealand. Attendance at conferences, courses, seminars or training events held overseas must be approved by Council prior to travel.

### **Travel and accommodation**

Travel arrangements are to be made through mayoral support.

Where possible costs will be charged to Council; otherwise all fair and reasonable costs will be reimbursed.

Travel will be arranged in a manner that represents public value in consideration of location, timing and cost. As appropriate, Council may choose to arrange air travel, travel by hire vehicle, travel by sea, travel by taxi or travel by bus.

TaxiCharge cards issued for travel to approved meetings or conferences are to be used only for business purposes of Council. Where a TaxiCharge card has been used for purposes other than travel to approved meetings and conferences, any claim must be accompanied by appropriate documentation and reasons for the claim.

International air travel by an elected member is by way of economy class. The approval of Council is required for exceptions. Stopovers during international air travel will be pre-approved on a case-by-case basis. Council may pay for the cost of a stopover where it has a clear business purpose, be moderate and conservative.

Elected members can claim \$50 per night when staying in private accommodation, to cover accommodation, breakfast and dinner. It is intended that at least a portion of this allowance is paid to the accommodation provider.

Council will not usually pay for travel costs of accompanying spouses, partners or other family members. In the rare circumstances that involvement of a spouse directly contributes to a clear Council business purpose, the spouse's travel is to be pre-approved.

### **Airline and travel loyalty programmes**

The mayor will receive an annual membership to the Air New Zealand Koru Club, recognising the frequent travel requirements of the role.

Council will follow the Auditor General expectations, as a public organisation accountable to ratepayers, with respect to airline and travel loyalty schemes. Accruing points from Council-related travel can have significant personal benefit and Council needs to manage this risk.

Accordingly, elected members will not accumulate loyalty programme rewards when travelling on Council business. This will be managed by Council's authorised travel arranger.

### **Meals, beverages and incidentals**

Elected members can claim actual and reasonable meal costs (excluding alcohol) incurred while the member is engaged on Council business. Reasonable meal costs will be met. In general the total cost (including beverages) is not expected to exceed:

- breakfast - \$30.00
- lunch - \$30.00
- dinner - \$60.00

Meal expenses cannot be claimed if a meal is provided as part of another package paid for by Council. For example, when lunches or dinner are included in conference registration, or are catered for as part of Council meetings.

Purchases from hotel mini-bars will not be reimbursed.

### **Gifts, hospitality and entertainment**

Gifts may be given by elected members on behalf of Council, such as a thank you for a speech or presentation. Gifts must not be given in substitution for legitimate payment or remuneration.

Gifts that are given on behalf of Council should not exceed \$100 in value. Prior approval must be sought.

With prior approval, elected members can claim actual and reasonable costs incurred while hosting official visitors to Council. Full receipts and details of the names of parties entertained and reasons for the entertainment are to be provided and approved as per the 'principles' section of this policy.

Alcohol purchases will not be reimbursed.

### **Policy review**

A formal review of this policy will be undertaken within three years of it being implemented/reviewed.

## Appendix A - Schedule of remuneration and reimbursement amounts

### Remuneration of the mayor and councillors

Mayor	\$131,925.04 <sup>2</sup>
Deputy mayor	\$49,327
Councillor (with no additional responsibilities)	\$37,944
Councillor (minimum allowable remuneration)	\$30,472

### Remuneration of community boards

	CHAIRPERSON	MEMBER
Waihopai Toetoe Community Board	\$10,495	\$5,248
Oraka-Aparima Community Board	\$8,652	\$4,326
Stewart Island/Rakiura Community Board	\$4,282	\$2,141
Fiordland Community Board	\$9,847	\$4,924
Tuatapere Te Waewae Community Board	\$7,556	\$3,778
Wallace Takitimu Community Board	\$9,199	\$4,599
Oreti Community Board	\$11,148	\$5,574
Ardlussa Community Board	\$8,010	\$4,005
Northern Community Board	\$7,744	\$3,872

### Fees related to RMA hearings

Elected member who is chairperson of a hearing:	\$116 per hour of hearing time
Elected member not chairperson of a hearing	\$93 per hour of hearing time
The mayor or a member acting as mayor will not receive meeting fees for hearings.	

### Communications allowances

Councillors shall receive:

- \$200 p.a. for the use of a personally owned mobile phone (equipment)
- \$50 p.a. for the use of a personally owned printer (equipment)
- \$400 p.a. for internet (services)
- \$500 p.a. for mobile phone services OR or reimbursement of actual costs of telephone calls made on Council business upon production of the relevant telephone records and receipts (at councillors option) (services)

Community board chairs shall receive:

- \$400 p.a. for the use of a personally owned tablet or similar (equipment)
- \$200 p.a. for the use of a personally owned mobile phone (equipment)
- \$50 p.a. for the use of a personally owned printer (equipment)
- \$400 p.a. for internet (services)
- \$500 p.a. for mobile phone OR or reimbursement of actual costs of telephone calls made on Council business upon production of the relevant telephone records and receipts (at councillors option) (services)

<sup>2</sup> After adjustment for private use of motor vehicle of \$2,988.96.



Community board members shall receive:

- \$400 p.a. for the use of a personally owned tablet or similar (equipment)
- \$50 p.a. for the use of a personally owned printer (equipment)
- \$400 p.a. for internet (services)

#### **Vehicle Mileage Allowance**

<b>vehicle type</b>	<b>first 14,000km of eligible travel</b>	<b>after 14,000km of eligible travel</b>
petrol or diesel vehicle	95 cents per km	34 cents per km
petrol hybrid vehicle	95 cents per km	20 cents per km
electric vehicle	95 cents per km	11 cents per km

#### **Travel time allowance**

Travel time allowance is paid at a rate of \$40 per hour for travel that exceeds one hour per day. Travel time is payable to elected members who are not considered to be full time and is only payable for travel relating to Southland District Council business. Travel time allowance is payable in respect of the quickest form of transport reasonable in the circumstances. Maximum of 8 hours in a 24 hour period.



## **Southland District Council**

Trading in Public Places Bylaw 2023

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**Document Revision**

Date	Amendment	Amended by	Approved by	Approval date
13 Dec 2023	New omnibus Trading in Public Places Bylaw 2023	Strategy and Policy	Council	13 Dec 2023

## 1. Title and commencement

- 1.1 This bylaw is the Southland District Council Trading in Public Places Bylaw 2023.
- 1.2 This bylaw comes into force on 1 January 2024.

## 2. Application

- 2.1 This bylaw regulates trading, including mobile trading and alfresco dining, in all public places under the control of Southland District Council including roads, footpaths, and berms, parks, reserves, and open spaces.
- 2.2 This bylaw also regulates the placement of signs or objects on footpaths and berms but otherwise excludes roads, roadway, and road reserves; parks, reserves or open spaces owned or controlled by Council.
- 2.3 Signage on private land is regulated under the Southland District Plan and not this bylaw.

## 3. Purpose

- 3.1 The purpose of this bylaw is to:
  - (a) protect the public from nuisance;
  - (b) ensure that public places are safe and used in ways that promote community vitality and public enjoyment; and
  - (c) regulate trading activity in public places.
- 3.2 This bylaw is made pursuant to Sections 145 and 146 of the Local Government Act 2002.

## 4. Revocation

- 4.1 The Southland District Council Trading in Public Places Bylaw 2013, Signs and Objects on Roads and Footpaths Bylaw 2016 and Alfresco Dining Policy 2015 are hereby revoked (if not already lapsed).

## 5. Interpretation

- 5.1 In this bylaw unless the context otherwise requires:

**Act** means the Local Government Act 2002

**Alfresco dining** means the serving and eating of food in a public space, namely footpaths, in open air or under a tent, marquee or other temporary shelter

**Authorised officer** means any officer of Council or other person authorised (including through appointment or delegation) under sections 174 or 177 or clause 32 of Schedule 7 of the Local Government Act 2002 to administer and enforce this bylaw, and includes a parking warden appointed by Council under section 128D of the Land Transport Act 1998 and a police officer

**Berm** means the grassed area that sits between the road and either the footpath or the property boundary but does not include unformed (paper) roads

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**Charitable entity** has the meaning that it has in section 4(1) of the Charities Act 2005

**Chief executive** means the chief executive of Southland District Council

**Council** means Southland District Council and includes any person authorised by Council to act on its behalf

**District** means the District of Southland as administered by Southland District Council

**Flag sign** means a flag with advertising

**Food** has the meaning that it has in section 2 of the Food Act 2014

**Food registration** has the meaning that it has in section 9 and section 48 of the Food Act 2014

**Footpath** means a path or way principally designed for, and used by, pedestrians

**Furniture** includes but is not limited to chairs, tables and related items for a commercial operation, including, but not limited to, umbrellas, shade awnings, screens, barriers, heaters and planter boxes

**Goods** means any product or service

**Historic heritage** has the meaning that it has in section 2(1) of the Resource Management Act 1991

**Mobile trading** means a vehicle or vessel, whether self-propelled or not, standing in a public place and from which goods or services are offered or exposed/displayed for sale. It is a temporary trading activity from a location that can be vacated once trading has ended for the day. Examples include stalls, kiosks, coffee carts and food trucks

**Person** includes a company, body corporate and incorporated or unincorporated society or any other entity where the context requires

**Public place** means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it and includes roads whether or not under the control of the Council and vehicles in those public places

**Reserve** includes every reserve under the Reserves Act 1977

**Retail display** means the outdoor display of goods sold from a business

**Roadway** means the part of the road intended to be used by vehicles

**Service delivery vehicle** means any vehicle being used for the purpose of delivering goods to the premises of any business or organisation and does not involve the sale of goods to the general public in any public place

**Sign** means words or any pictorial or other representation or notice on any material or object. This does not include any illuminated sign which will be regulated under the provisions of the Southland District Plan

**Street** means the whole of any land which has been laid out by or vested in the Council for the purposes of a road or street, every access way or service lane under the control of Council and every place intended for use by vehicles

**Trading activity** means an activity, whether one-off or a series of activities whether temporary or permanent, undertaken by any person or organisation involving the sale of goods in a public place

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or the offering of a commercial service for payment, reward or otherwise, including but not limited to:

- (a) stalls
- (b) mobile shops
- (c) outdoor drinking and dining
- (d) outdoor display of goods
- (e) signage
- (f) micromobility rental operations

**Trade, trading and mobile trading** have a corresponding meaning to trading activity

5.2 Any undefined words, phrases or expressions used in this bylaw have the same meaning as in the Act, unless the context plainly requires a different meaning.

## **6. Compliance with other Acts, Plans and Policies**

6.1 Compliance with the requirements of this bylaw does not remove the need to comply with the requirements of any act, regulation or other bylaw.

6.2 This bylaw is subject to or in addition to other legislation, including the following:

- Building Act 2004
- Food Act 2014
- Food Regulations 2015
- Health and Safety at Work Act 2015
- Land Transport Act 1998
- Litter Act (1979)
- Local Government Act 2002
- NZ Standard 4121:2001 Design of Access and Mobility - Buildings and Associated Facilities (NZS4121) for accessible journeys and design elements
- Natural and Built Environment Act 2023
- Reserves Act 1977
- Resource Management Act 1991
- Sale and Supply of Alcohol Act (2012)
- Southland District Council bylaws
- Southland District Council's District Plan
- Southland District Council Reserve Management Plans
- or any other Act, Plan or regulation passed in substitution or amendment of the above.

## **7. General conditions**

### **7.1 Permission**

7.1.1 No person shall in any public place, engage in the sale of goods of any description whatsoever (except as provided in Part 1 clause 10.6 Exemptions), without having first obtained permission from Council.



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- 7.1.2 No person undertaking a trading activity may place on the footpath adjacent to the business any furniture for the purpose of alfresco dining without first having obtained permission from Council.
- 7.1.3 Any person undertaking a trading activity may advertise their business by means of signage and retail displays in the immediate vicinity of their premises without having to seek the written permission of Council in each individual case provided the standard conditions listed in Part 3 of this bylaw are met.

## **7.2 Application**

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- 7.2.1 Every person who wishes to obtain permission under this bylaw shall make written application in the form required by Council providing such information in respect of the application as Council may reasonably require.
- 7.2.2 Every application for permission must be accompanied by the fee set out in Council's Schedule of Fees and Charges in respect of such a licence or permit.
- 7.2.3 When deciding whether to issue permission under this bylaw, Council may consider the following matters:
  - (a) whether the proposed activity may result in obstruction or hazards to pedestrian or vehicular visibility, access or flow including obstruction of access by emergency, maintenance or utility services
  - (b) whether the proposed activity may pose a risk to public health and safety
  - (c) whether the proposed activity may result in impacts as a result of noise, glare, light spill, odour, or anti-social behaviour
  - (d) whether the proposed activity may have an impact on the appearance and amenity of a public place
  - (e) whether the proposed location of the activity is appropriate given the nature and scale of the activity proposed
  - (f) any impacts of the proposed activity to native fauna, flora and historic heritage
  - (g) the impact of the proposed activity on nearby business premises
  - (h) whether the proposed activity is consistent with all applicable Council policies and plans
- 7.2.4 Any permission issued under this bylaw, in the form of a licence or permit, will be subject to the conditions contained on the application form supplied by Council.
- 7.2.5 Council may, in giving permission, prescribe additional conditions or amend the standard conditions where appropriate that the licence or permit holder must comply with. Any licence or permit holder who fails to comply with any such conditions commits an offence under this bylaw.
- 7.2.6 No permission issued under this bylaw shall be transferable to any other person.
- 7.2.7 All licence holders must ensure that a current licence is prominently displayed at all times while trading.
- 7.2.8 All licences or permits issued under this bylaw must be made available to an authorised officer on request.
- 7.2.9 Every licence or permit holder must, notwithstanding the conditions of the licence or permit, upon being requested to do so by an authorised officer alter his/her position for the purpose of trading to any other position as indicated by the authorised officer.

## **7.3 Waste management**

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- 7.3.1 Any person undertaking a trading activity in a public place shall consider the following matters:

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- (a) impacts of rubbish generated as part of their activity, ensuring it is disposed of in an approved manner and not via the use of Council provided street litter bins
- (b) impacts of damage caused by their activity, ensuring repair or replacement by the licensee is prompt and at no cost to Council.

## **8. Administration**

### **8.1 Fees and charges**

- 8.1.1 Council may, from time to time, change or add to the fees and charges for any permit or licence granted under this bylaw. These are set out in Council's Schedule of Fees and Charges.

### **8.2 Delegations**

- 8.2.1 The chief executive may appoint authorised officers of Council.
- 8.2.2 The chief executive and authorised officers may exercise any power, function or duty under this bylaw or carry out any act in order to achieve its effective administration.

### **8.3 Renewal**

- 8.3.1 Prior to the expiry of any permission issued under this bylaw, the person undertaking a trading activity may make application to renew their licence or permit. Provided the applicant has complied with the conditions of the licence or permit, and on payment of the prescribed fee, permission may be renewed at Council's discretion and upon such terms and conditions as Council may consider appropriate.
- 8.3.2 Every license or permit issued under this bylaw shall be issued for a period of not more than 12 months.

## **9. Enforcement and compliance**

### **9.1 Suspension or revocation of permission**

- 9.1.1 An authorised officer may at any time for reasons of public health or safety require any licence holder to discontinue the use of any vehicle used in undertaking mobile trading.
- 9.1.2 Council may suspend or revoke any permissions issued under this bylaw if significant breaches of the bylaw are unable to be resolved by other means (such as verbal or written warnings). This action shall be in addition to and not in substitution of any action which may be taken to pursuant to clause 9.2.

### **9.2 Breach of bylaw and penalty**

- 9.2.1 Any person who acts in breach of any provision of this bylaw, or the conditions of any permission granted pursuant to this bylaw, commits an offence and is liable upon conviction to a fine not exceeding \$20,000.
- 9.2.2 Notwithstanding the provisions of clause 9.1, where the offence relates to any display, sign or furniture for the purposes of alfresco dining, an authorised officer may, after giving the owner of the offending object reasonable opportunity to remove the offending object, seize and impound

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such object as remains and to hold and deal with same in accordance with the provisions of sections 164, 165, 167 and 168 of the Local Government Act 2002.

- 9.2.3 In accordance with sections 167 and 168 of the Act, Council may return or dispose of property seized and impounded. The person in breach of this bylaw is responsible for any costs associated with disposal of seized property.

### **9.3 Compliance monitoring**

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- 9.3.1 If a complaint is upheld regarding a breach of this bylaw, Council may recover the cost of investigating and resolving the complaint from the party in breach of the bylaw.
- 9.3.2 Where a complaint is not upheld, no costs shall be recovered.

### **9.4 Right of review**

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- 9.4.1 Any person affected by a decision made under this bylaw may apply in writing to the chief executive for a review of this decision within 14 days after receiving notification of the decision.

## **Part 1 – Mobile trading**

### **10.1 Purpose of Part 1 – Mobile trading**

- 10.1.1 To regulate the level and intensity of mobile trading activity in public places in order to avoid adverse effects on:
- (a) the primary purpose and use of public places
  - (b) public health and safety

### **10.2 Licence required**

- 10.2.1 No person shall, without first obtaining permission from Council in the form of a licence, stand in or occupy or use any portion of any public place to carry out business as a mobile trader.
- 10.2.2 Any person who operates more than one mobile trading activity must hold a separate licence for each mobile trading activity.

### **10.3 Application**

- 10.3.1 Every person who wishes to obtain a licence under this bylaw must make written application, on a form supplied by Council, to obtain a licence to the authorised officer of Council.
- 10.3.2 If an applicant wishes to sell food for human consumption, the application must be accompanied by a copy of a current food registration or notice of exemption.
- 10.3.3 The information to be supplied by the applicant may include any of the following, but not be restricted to:
- (a) name and address of the applicant
  - (b) name and address of the person(s) selling the goods
  - (c) location/site
  - (d) contact details of the applicant
  - (e) type of goods and/or services for sale
  - (f) trading hours
  - (g) type of vehicle(s) and registration numbers if applicable

### **10.4 Licence details**

- 10.4.1 The authorised officer in granting any licence may impose conditions. The conditions imposed may include, but not be restricted to, any of the following:
- (a) the location to which the licence applies
  - (b) the duration of the licence
  - (c) type of trading activity allowed by the licence
  - (d) the hours of trade allowed by the licence
  - (e) the names of persons entitled to sell
  - (f) food safety and legislation requirements
  - (g) use of signage
  - (h) litter, cleanliness
  - (i) name and address to be conspicuously displayed
  - (j) site rental

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## **10.5 Restrictions**

- 10.5.1 Council may, by resolution, prohibit mobile traders from operating in any specified public place within the District; and may limit or restrict the classes or types of goods or services that may be offered for sale; and may limit the hours or days on which any such business may be carried out.

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## **10.6 Exemptions**

- 10.6.1 The exemptions allowed for under this bylaw are as follows:
- (a) selling or disposal by commercial fishermen of fish in accordance with the Fisheries Act 1996,
  - (b) service delivery vehicles.
  - (c) any market, stall or stand which has a current permission under any other bylaw, legislation, resource consent, specific resolution of Council, or written permission by an authorised officer.
  - (d) any stall or stand operated by a local or nationally recognised charitable entity, or a not for profit community organisation.

## **Part 2 – Alfresco dining**

### **11.1 Purpose of Part 2 – Alfresco dining**

- 11.1.1 To regulate the use of street dining furniture so as to keep streets clean, safe and not hindering pedestrian flow.

### **11.2 Licence required**

- 11.2.1 No operator of a business may place on the footpath adjacent to the business any furniture for the purpose of alfresco dining without first having obtained permission in the form of a licence from Council.

### **11.3 Application**

- 11.3.1 Every person who wishes to obtain a licence under this bylaw must make written application to obtain a licence to the authorised officer of Council.
- 11.3.2 The information to be supplied by the applicant may include, but will not be restricted to, any of the following:
- (a) a map of the location including any street plantings/trees and Council-owned street furniture.
  - (b) a sketch showing the location of any proposed chairs, umbrellas, outdoor heating devices and any other furniture that will be used in this activity.
  - (c) proposed hours of operation.
  - (d) letters of support obtained from the adjoining (on either side of the location and the same side of the street) business owners or lessees. Council staff can request other nearby business/lessees' opinions if the alfresco dining furniture is likely to have an effect on them.
  - (e) proof of current food registration
  - (f) proof of valid alcohol licence (if applicable).
  - (g) proof of public liability insurance
- 11.3.3 Any building as defined in section eight of the Building Act (2004) that is required for this activity shall require a building consent unless it is exempted by Schedule 1 of the Building Act (2004).
- 11.3.4 If the restaurateur holds an On Licence for their restaurant, they must show that they intend to either obtain a new alcohol licence for the alfresco dining area, or how they will ensure alcohol is not served or consumed in that area.

### **11.4 Licence details**

- 11.4.1 The authorised officer, in granting any licence, may impose conditions. The conditions imposed will require, but not be restricted to, the following:
- (a) a minimum of 1.5 metres of footpath must be made available for pedestrian use at all times.
  - (b) furniture, including heating devices, must be located and secured in such a way as to not present a danger to any pedestrian or building and must be suitable for all weather conditions and continuous use

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- (c) furniture must be confined to the footpath directly outside the licence holder's premises unless written permission has been given by Council.
- (d) furniture must be moveable, not permanently fixed, and must be stored inside the premises at the end of each trading day.
- (e) where the applicant for a licence to occupy a public place is the holder of an On Licence, then the occupation of the public place may not commence until such time as the applicant has sought and obtained an alcohol licence for the sale and consumption of liquor in the alfresco dining specified area.

## Part 3 – Retail displays and signs on footpaths

### 12.1 Purpose of Part 3 – retail displays and signs on footpaths

- 12.1.1 To regulate the placement of retail displays and signage on footpaths and berms under the control of Council to avoid the creation of adverse traffic, pedestrian and public safety concerns.
- 12.1.2 This bylaw does not regulate the placement of signs or objects on roads, roadway, and road reserves; parks, reserves or open spaces owned or controlled by Council.
- 12.1.3 Signs and objects on private land are regulated under the Southland District Plan, and not this bylaw.

### 12.2 Permit required

- 12.2.1 Operators of a business may place any retail display and up to a maximum of two signs, only one of which can be a sandwich board style sign, on a footpath without a permit.
- 12.2.2 No operator of a business may place on a footpath without a permit:
  - (a) more than two signs
  - (b) any retail displays or signs which do not meet the conditions listed in section 12.3.

### 12.3 Conditions

#### 12.3.1 Standard conditions

- 12.3.1.1 To be approved under this bylaw without a permit, any retail display, or sign or part thereof, must:
  - (a) be placed in such a way so that its design or location on the footpath does not constitute a hazard for pedestrians
  - (b) be placed to ensure a minimum 1.5 metres continuous, straight-line width of the footpath remains clear for pedestrian access
  - (c) not be permanently established on the footpath and must be removed daily at the close of business.
  - (d) not be illuminated or lit in any way
  - (e) must advertise or relate to the business activity outside which it is placed
  - (f) be maintained in good repair and condition
  - (g) be located in such a way so that access to fire exits, fire hydrants, shop doorways, parking meters, rubbish receptacles, street furniture and bicycle stands is kept clear at all times.

#### 12.3.2 Specific conditions for retail displays

- 12.3.2.1 The operator of a business may place or erect, on the footpath adjacent to the business one retail display with goods sold from the business, provided that any display which due to its design or location on the footpath does not constitute a hazard for pedestrians.
- 12.3.2.2 Any display on the footpath must be placed to ensure a minimum 1.5 metres continuous, straight-line width of the footpath remains clear for pedestrian access.



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- 12.3.2.3 Food displays must comply with any requirements of Council's environmental health team and the Food Act 2014.

**12.3.3 Specific conditions for signs**

- 12.3.3.1 To be approved under this bylaw without a permit:
- (a) footpath signs must not exceed one metre in height or 60 centimetres in width and must be so located as not to unreasonably impede safe and efficient pedestrian flow. These must be placed either against the shop frontage or against the kerb (e.g. not a mixture of both).
  - (b) flag signage must not exceed three metres in height or 90 centimetres in width and must be placed against the shop frontage, unless written permission is obtained from Council

**12.3.4 Removal**

- 12.3.4.1 An authorised officer may at any time request that any retail display or sign be shifted or removed if:
- (a) it poses a risk to public safety or it is causing an obstruction or distraction to pedestrians or motorists; or
  - (b) it breaches the conditions contained in section 12.3 of this bylaw.
- 12.3.4.2 Failure to comply with such a request will result in any offending signs being removed and held by Council for collection.

**12.4 Exemptions**

- 12.4.1 Any temporary sign associated with a single event not exceeding six days in a row, such as a cultural, social, sporting or educational activity, is exempted from the requirement to obtain a permit or permission under this bylaw so long as it is erected, installed and displayed in a public place in accordance with all the relevant conditions in section 12.3 of this bylaw, and is removed after the activity ceases.



## Privacy Policy

<b>Group responsible:</b>	<b>Chief executive</b>
<b>Date approved:</b>	<b>13 December 2023</b>
<b>Effective from:</b>	<b>15 December 2023</b>
<b>File no:</b>	<b>R23/12/59296</b>

### Introduction

Privacy is important to Southland District Council (Council) and we are keen to be as transparent as possible about how and why Council collects and stores personal information, what we will use it for and with whom we can share it.

The Privacy Act 2020 ('Privacy Act') and its privacy principles guide this policy. Council takes its obligations under the Privacy Act seriously, and this policy will clarify the rights of anyone engaging with Council under the Privacy Act.

Council is committed to the 13 principles of the Privacy Act. These are outlined at:

<https://www.privacy.org.nz/privacy-act-2020/privacyprinciples/>

### Scope

This policy outlines Council's privacy practices for both members of the public and staff.

Staff, contractors, volunteers and elected members must adhere to this policy.

### Associated documents

- Relevant legislation
- Council's Code of Conduct
- Council's Health and Safety Policy
- Council's Surveillance Procedure
- Council's Staff Handbook
- The Privacy Commissioner/Te Mana Matapono Matatapu - Privacy and CCTV, a guide to the Privacy Act for businesses, agencies and organisations  
(<https://privacy.org.nz/publications/guidance-resources/privacy-and-cctv-a-guide-to-the-privacy-act-for-businesses-agencies-and-organisations/>).

## **Part 1 – Council’s general position on privacy**

### **Why Council collects personal information**

We will only collect personal information when it is necessary for a specific purpose and is connected with a service Council provides. The purpose for using and collecting personal information can vary according to the service being used. Council aims to collect personal information fairly and with consent, for example, to adequately respond to a request for service, or to comply with laws and regulations.

### **The information Council collects**

Personal information is any identifiable information about an individual. Some examples of the types of personal information we may collect are:

- identification details such as your name and date of birth
- contact details such as your physical address, email address, and telephone numbers
- profile information including requests made by you, feedback you’ve provided and survey responses
- technical information such as internet protocol (IP) address, cookies and statistical information
- usage information such as your use of our website, facilities, services and devices
- any image and audio recordings.

Council may also collect other information provided by you through your communications with Council.

### **How Council collects personal information**

When you, or someone acting on your behalf, provides information to Council, we may collect the information. For example, when you:

- communicate with us in person, by letter, phone or electronically including through our social media sites
- complete or submit forms or applications for consents, licences, approvals, permits, funding, or in relation to community consultation
- use or register for any of our services or facilities including using our website
- follow or post comments in response to our social media or other online communications
- apply for employment with Council
- appear in any images from Council’s surveillance systems or other recording (as described in Part 2 of this policy)

Council may collect personal information about you from other organisations, entities or persons to fulfil a necessary activity. These might include:

- related organisations, including council-controlled organisations such as Great South
- suppliers, which include organisations such as:
  - Land Information New Zealand
  - Quotable Value Limited
  - other government departments
  - solicitors/conveyancers
  - the New Zealand Police



- credit reporting agencies and other organisations, entities and persons where you have expressly authorised us to request and obtain your information from them or you have authorised them to provide your information to us.

When Council collects information, we will take reasonable steps to make sure you know:

- why information is being collected
- who will receive it
- whether giving it is compulsory or voluntary
- any consequences if you do not provide the information.

### **How Council uses personal information**

Examples of how Council may use personal information include:

- to confirm your identity – to ensure we release information accurately and appropriately
- to correspond with you, such as respond to individual requests, enquiries or feedback
- to provide you with services and facilities
- to process consents, licenses, approvals, permits or any other authorisations that have been applied for
- to update any information that we currently hold about you (or in connection with you), in our existing records, database or systems
- to comply with relevant laws and regulations
- for enforcement and monitoring purposes
- to provide you with information about our events, news, services/facilities
- to process applications and payments made to or received by Council
- for customer care related activities
- for general administrative or business purposes such as improving our products or services
- for a specific purpose that Council has advised you of at the time of collecting any information
- for any other purpose that you authorise.

### **Who Council shares personal information with**

We may disclose personal information about you to:

- any person engaged by Council to provide products or services, where providing your personal information is necessary for the provision of those products or services
- our related organisations such as Council controlled organisations and contractors in order to assist with the functions and services they provide
- third parties, if legally required to do so, or in the course of legal proceedings or other investigations. This may include sharing video footage and other recordings with the Police or other public sector agencies where criminal activity is reported or suspected. The Police may also access live feeds from certain surveillance systems for law enforcement, investigation, and emergency response purposes
- third parties, when consent to disclose personal information has been given
- any person, if information is held in a public register (such as publicly available information held on property files or the rating information database – see section below for further details)
- a third party contracted by the Council to provide data hosting services.



### **Information Council holds that is part of a public register**

We are required by law to make certain information available to the public, and this information is considered part of a public register. For example:

- the Building Act 2004 requires Council to maintain a property file about each property in the District and make this available to the public. This file may include personal information, for example, in building consent applications
- the Resource Management Act 1991 requires Council to make copies of resource consent applications publicly available
- the Local Government (Rating) Act 2002 requires Council to make publicly available its 'complete rating information database', which includes personal information of property owners
- the local electoral roll must be available for inspection in certain circumstances, under the Local Electoral Act 2001
- all submissions made to us during a special consultative procedure or other consultative procedures. For example, submissions on proposed bylaws and the long-term plan are always made available to the public under the Local Government Act 2002.

### **How long Council retains personal information**

The length of time we keep your personal information depends on what it is and whether Council has an ongoing need to retain it, for example, to provide you with a service you have requested.

We may retain all personal information collected on both our active systems and archive systems, for as long as administratively necessary, in accordance with Council's information retention policies and disposal schedule. To determine the appropriate retention period of information, we consider the nature, purpose, sensitivity, appropriate legal obligations and the potential risk of harm from unauthorised disclosure of the information.

Council is required to keep records of our business under the Public Records Act 2005, which requires retention of protected records indefinitely. In some circumstances, personal information may be included within a protected record.

### **How Council takes care of personal information**

Council cares about the security of the personal information we hold. We are committed to keeping your personal information safe and will ensure there are standards, processes and procedures for the protection of information and appropriate systems used to store, process and transmit that information. This will help ensure information is:

- protected against loss, damage, misuse and unauthorised access
- accurate, complete, up to date, relevant, and not misleading.

### **When people do not want to provide Council with personal information**

If you do not want to provide the information that we request, we may not be able to deliver adequate assistance or services. For instance, Council may not be able to respond to correspondence, process applications, provide requested services or facilities, process payments or otherwise deal with requests or enquiries.





In some circumstances, you are legally obligated to provide information and Council is fulfilling a statutory requirement in requesting it. In these situations, Council will explain any potential consequences when we seek the information.

### **Accessing and correcting personal information**

You have the right to:

- know if Council holds information about you and what it is
- request a copy of the personal information Council holds
- request that we correct information if it is inaccurate.

Your right to access and correct personal information we hold about you is subject to the procedures set out in the Privacy Act.

**Accessing information or obtaining a copy of personal information:** If a request is made, we may take steps to confirm your identity. This might involve asking security questions and checking identity documents. If an identity has been verified, we will provide access unless one of the grounds for refusal to do so under the Privacy Act applies.

**Updating and correcting information:** If you believe the information Council holds about you is inaccurate, you may request changes to your personal information. If we agree that the personal information is to be corrected, we will provide you with an amended record of your personal information (if requested) and inform (so far as is reasonably practicable) any party to whom the incorrect information has been disclosed.

### **Enquiries and complaints**

You can contact Council at any time to:

- ask about this policy
- ask about our privacy practices
- request information
- to raise concerns
- to make a complaint about the way we have handled personal information.

Please contact Council on 0800 732 732 or by using one of the avenues outlined on our website, and your query will be referred to one of our privacy officers.

Council's privacy officers are the group manager Community and Democracy and the group manager People and Capability.

If you're not satisfied with the way we have handled a complaint or enquiry, you have the right to make a complaint to the Office of the Privacy Commissioner. Complaints can be made online at <https://www.privacy.org.nz/> or sent by post to: Office of the Privacy Commissioner PO Box 10094 Wellington 6143.

### **Permission needed to record, photograph or video Council staff**

Council accepts that people may wish to record audio or take photos or videos of staff in a public place. Prior to any recording being made, staff should be advised of the recording and permission should be

sought. You may only make recordings if you are a party to the conversation. Council reserves the right for our staff to refuse to be recorded or to terminate a conversation if they become aware that they are being recorded but have not been advised.

If you want to record audio or take photos or videos on Council premises, permission must be sought in advance. For publicly notified meetings, permission must be sought from the meeting Chair, as per Council's Standing Orders (section 12.4).

## **Part 2 – Surveillance and other recordings**

### **Surveillance**

#### **Purpose of Council's surveillance systems**

Council may collect video footage capturing both sound and imagery through various camera surveillance systems. This may include (but is not limited to):

- Closed Circuit Television (CCTV) cameras installed in a fixed location either permanently or temporarily, which may be motion sensitive and may operate:
  - in public areas in Council offices and libraries
  - in public areas in some townships in the District
  - around certain Council infrastructure assets.
- Body worn cameras on our staff which are activated as required

These may be used in particular areas to:

- help ensure Council staff and public safety
- improve security and help deter criminal activity and anti-social behaviour in public places (including Council premises and recreational facilities)
- monitor trespass on Council property
- allow quick response to incidents or other emergency situations such as panic alarm activation (in Council offices and libraries)
- provide a record of events which can also be used if an incident occurs that requires further investigation or needs to be referred to the Police for potential prosecution
- monitor compliance and enable enforcement of Council bylaws
- detect and capture evidence of Council process issues and potential areas for improvement (in Council's offices and libraries)

#### **Installing new surveillance**

We will only install new surveillance systems after the steps in Council's Surveillance Procedure have been fulfilled. This procedure requires:

- notifying Council staff about the desire to install any new surveillance system or camera
- identifying the need/purpose for surveillance
- seeking feedback on having a surveillance system from the affected community
- identifying appropriate camera types and positions so privacy impacts will be minimised
- identifying signage and notification requirements

- outlining how the data will be used, stored and protected.

### **Signage and notification**

Public signs identifying locations where CCTV camera surveillance systems operate will be clearly displayed around the perimeter of surveillance systems and also near cameras, to notify the public that surveillance is or may be operating. Where surveillance systems are inside buildings, there will be signs on the entrances to the buildings. The installation and maintenance of signs is the responsibility of Council.

Signs will identify that Council is operating a CCTV camera surveillance system and briefly state why, and refer members of the public to Council's website (where they can locate this policy and find out more about Council's approach to privacy and surveillance).

Public notices will be placed in local newspapers and on our website when a new CCTV camera surveillance system is to start operating.

Body worn cameras will be clearly identifiable on staff who are wearing them.

Notices will also be made at regular intervals to remind the public of the camera surveillance systems Council operates and to inform the public of any changes.

### **Camera coverage**

Council staff will select camera surveillance systems and position them to fulfil the stated purpose/s of the system.

Council will not install or operate camera surveillance systems in private areas within public spaces and facilities (e.g. changing rooms or bathrooms). CCTV camera surveillance system coverage will also not be directed at private property except where unavoidable as part of a wide angle or long shot.

Generally, CCTV camera surveillance systems will not track or zoom in on any member of the public, or be directed to look through windows or into buildings unless there is sufficient justification for doing so (e.g. reasonable suspicion that an offence is taking place, there is concern for safety, etc.).

### **When surveillance systems will operate**

CCTV camera surveillance systems may be operational 24 hours a day seven days a week, although some cameras will only capture images when they are activated by movement.

Body worn cameras are activated by staff as required in accordance with operating procedures.

### **Monitoring the surveillance system**

Generally, surveillance footage will not be monitored/viewed unless there is a reason for doing so – such as to provide evidence of offending or to investigate a health and safety event. Exception to this are when:

- footage from offices and libraries are reviewed to help identify process improvements
- footage is used for Police training
- footage provides research information to the Police on the nature of street offences, foot or vehicle traffic systems, or evaluation of the operation of particular camera systems
- footage is viewed as part of system checks.





Footage will only be used for the purpose it was collected for.

### **Access to and security of images**

Surveillance systems and footage will be installed/held in secure locations, to ensure there is no unauthorised access. Footage from Council's offices and libraries will be transmitted in a secure way and stored in Council's restricted access server room.

Only authorised staff can directly access Council's surveillance camera services and recordings and each occasion data is accessed, a log entry will be made recording access details. Authorised staff are any Council Privacy Officer. Authorised IT staff may on occasion be granted access by a Privacy Officer for the purpose of updating the system, adding/removing cameras, archiving/deleting footage and remediating issues.

Council may share footage with:

- legal advisors
- contractors who install/service the surveillance equipment
- the Police, court or tribunal proceeding, or a public sector agency where it is necessary to uphold the law
- individuals who have formally requested information via a Local Government Official Information and Meetings Act 1987 (LGOIMA) or Privacy Act request.

Council reserves the right to access all footage created by Council-owned cameras. Surveillance information may be stored and accessed by the Police.

Footage will not be removed from Council premises on removeable storage devices except in very limited circumstances (such as providing footage to the Police) and this must be authorised by one of Council's Privacy Officers.

### **How incidents captured by camera surveillance systems will be reported or acted on**

If Council becomes aware there may be footage of an offence or a staff event (such as a health and safety incident), the approach taken will vary depending on the nature of the incident.

### **Storing, keeping and deleting surveillance footage**

Council and the Police may store footage from our surveillance systems. Footage will be kept in accordance with the 'How long Council retains personal information' section above.

Most data will be automatically overwritten as part of the recording process, unless Council is aware it is required for evidential purposes or if the footage must be retained as an archive in accordance with the Public Records Act 2005. As a general rule, surveillance footage will be kept for a maximum of six months.

### **Staff breaches**

Information on staff inappropriately using or releasing information is contained in Part 3 of this policy which highlights that the inappropriate use or disclosure of information is considered serious misconduct for employees.



### **Audit**

Council will endeavour to follow best practice in relation to auditing and monitoring our surveillance activities. This includes:

- evaluating whether our surveillance systems are achieving their stated purpose and whether they should be continued
- evaluating if there is a need to upgrade any of our surveillance systems
- checking equipment and procedures to ensure everything is operating effectively
- ensuring our staff are complying with this policy and identifying areas where training may be necessary.

### **Other recordings**

#### **Drones**

Council uses drones to support project work. If Council flies over private property for the purpose of survey works, we do so only with the relevant land owner's consent. We will not use any footage of privately-owned properties without consent.

If we make drone footage publicly available, privacy enhancing technology will be used to distort the images of individuals that appear in the footage.

Our use of drones is conducted in accordance with Civil Aviation Authority's rules and guidance, and data is processed in accordance with this policy.

#### **Livestreaming Council meetings**

Most public Council meetings are broadcast live online and made available on our website and through social media. Signage will clearly state that the meeting is being filmed before you enter the meeting room. Where possible, cameras will be directed at elected members and Council staff as they speak and debate at the meeting, however, filming may also include shots of the public in the background and anyone speaking at public forum.

## **Part 3 – Staff access and use of information**

### **Staff use of information**

Council staff may only access, use, or share information that Council holds for the express purposes of their designated role at Council, or with the authorisation of the person to which the information relates.

Some of the information Council holds is confidential or sensitive. All employees must take proper care with the use, exchange, storage and release of any information (whether electronic or written) for which they are responsible, to ensure it remains secure at all times and is only used for its intended purpose. Council systems of any kind should only be used for business purposes.

Release of information, and access to and handling of personal information about any individual are governed by the LGOIMA and the Privacy Act.

### Release of information

Information will only be released to requests for information made under LGOIMA under the delegated authorities as outlined in Council's Delegations Manual.

### Compliance with Code of Conduct

Staff should comply with the Code outlined in the Staff Handbook. For clarification, the following are classed as serious misconduct under Council's code:

- unauthorised use of Council procedures and/or information outside the scope of employment
- unauthorised disclosure of classified or confidential Council information.

### Release of information – where it relates to a complaint that has been made

From time to time, Council receives requests for information made under LGOIMA regarding complaints that have been made by members of the public, for example a homeowner asking for details of complaints made regarding noise at their property. It is Council's practice to provide details of complaints but not release details of the complainants, such as name and/or contact information. This decision is on the basis that providing the private information of complainants 'would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied' (LGOIMA s.7(2)(c)(i)).

## Roles and responsibilities

POSITION	RESPONSIBILITIES
<b>DESIGNATED PRIVACY OFFICERS</b>	Under Section 201 of the Privacy Act appointed Privacy Officers responsibilities include: <ul style="list-style-type: none"><li>• encouraging Council to comply with the information privacy principles</li><li>• dealing with requests made to Council under the Privacy Act</li><li>• working with the Commissioner in relation to investigations conducted under Part 5 (of the Privacy Act) in relation to Council</li><li>• ensuring the Council complies with the provisions of the Privacy Act.</li></ul>
<b>STAFF, ELECTED MEMBERS, VOLUNTEERS AND CONTRACTORS</b>	Comply with this policy, the Surveillance Installation Procedure and the principles of the Privacy Act.

## Review

This policy will be reviewed within three years of adoption. Any amendments shall be made with the approval of Council.

## Implementation

This policy will become effective on 15 December 2023.



## Granting of consent for an easement over Te Anau gardens recreation reserve, Little Park Lane, Te Anau

Record no: R/24/1/303

Author: Megan Cowley, Senior property advisor

Approved by: Sam Marshall, Group manager customer and community wellbeing

☒ Decision

☐ Recommendation

☐ Information

### Purpose

- 1 For Council to consent under delegated authority from the Minister of Conservation, to authorise Council as the administering body, to grant a 'Right to Convey Electricity' easement in gross to The Power Company Limited over part of Council owned Te Anau gardens - recreation reserve at Little Park Lane, Te Anau, legally described as Lot 5, DP 404512.

### Executive summary

- 2 The Council land is a recreation reserve subject to the Reserves Act 1977. Section 48 of the act allows easements to be created by the administering body but only with the consent of the Minister of Conservation.
- 3 The July 2013 delegations issued by the Minister of Conservation grants Council the authority to make that decision on behalf of the Minister. However, the covering letter to this delegation states that the Minister's powers must be retained by Council and not be sub-delegated to staff.
- 4 The land which is the subject of this easement is the old "Exeloo" site on the corner of Garage Lane and Little Park Lane, Te Anau (Lot 5, DP 404512). This land is vested in Council and as such, Council is also the administering body. The attached diagram shows the location of the reserve.
- 5 The Power Company Limited (TPCL) is an electricity network asset company which owns the electricity distribution network in the area the land is located.
- 6 In 2019, a discussion was initiated between Council and TPCL regarding a potential easement agreement for the land as part of an overall network upgrade in the area.
- 7 The easement agreement was signed and entered into between Council and TPCL in 2020 including that all costs relating to the preparation and registration of the easement would be undertaken by TPCL.
- 8 The construction work was undertaken by TPCL and then surveyed. Unfortunately, some delays occurred in the process. Now the respective parties are ready to complete the easement registration process.
- 9 This report is recommending that Council, under delegated authority of the Minister of Conservation who authorises Council as the administering body, to grant the easement in favour of TPCL.

## Recommendation

### That Council:

- a) **Receives the report titled “Granting of consent for an easement over Te Anau gardens recreation reserve, Little Park Lane, Te Anau”.**
- b) **Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Agrees to consent pursuant to section 48(1) of the Reserves Act 1977 and acting under delegated authority from the Minister of Conservation to Council as the administering body, the granting of a Right to Convey Electricity easement in gross over Lot 5, deposited plan 404512, as shown as area A on LT 547000.**

### Background

- 10 In July 2013, a delegation was issued by the Minister of Conservation granting the administering body (Council) the authority to make certain decisions of the Minister as required in the Reserves Act 1977. The delegation states the Minister’s powers must be retained by Council and not be subdelegated to staff.
- 11 In 2019, TPCL and Council initiated a draft agreement for an easement over the land in order to replace the old transformers from the shed building with new outside transformers and cabling. This was a result of the proposed work required as part of the network upgrade in the area. The attached diagram shows the ducting route of the cabling.
- 12 The Fiordland Community Board at the time the proposed cable route was being discussed was consulted for feedback. The feedback received was support for the proposed route.
- 13 In 2020, the easement agreement with TCPL was entered into and signed by the Chief Executive at the time, Mr Steve Ruru. The agreement included that all costs relating to the preparation and registration of the easement would be undertaken by TPCL.
- 14 The construction work was undertaken by TPCL and then surveyed. Since then, there have been delays while the final legal easement definitions were completed by the respective lawyers and TPCL.
- 15 Now the respective parties are ready to complete the easement registration process and part of our process is seeking approval from Council.



## **Issues**

- 16 From a staff and community board perspective, the creation of the easement did not raise any issues given that the cable is underground and there were no plans to build on the land at that time.
- 17 The community and facilities department are aware of the cabling under the grounds of this land so that they may factor this into future plans.

## **Factors to consider**

### **Legal and statutory requirements**

- 18 The land over which the proposed easement is to be created is a recreation reserve subject to the Reserves Act 1977.
- 19 The granting of this easement by the administering body of the reserve (Council) is subject to the consent of the Minister of Conservation which is delegated to Council.
- 20 The final easement registration process cannot be completed without the Minister's consent via the administering body (Council).
- 21 TPCL are required to have easements granted over land where new cables are laid.
- 22 Once a decision is approved by Council, staff will be able to complete the process as the administering body under the delegations granted by Council.

### **Community views**

- 23 Section 48(3) of the act states that public notification of the proposal is not required where a reserve is vested in an administering body and is not likely to be materially altered or permanently damaged and the rights of the public are not likely to be permanently affected.
- 24 Given the scale of the easement in relation to the whole property, the existing physical use of the land already in that location and that the easement does not grant exclusive possession then it is considered that public notification is not required.
- 25 The Fiordland Community Board were consulted informally in 2019. An email from the chairperson, stated agreement with the cable location and the granting of the easement.

### **Costs and funding**

- 26 There will be no costs to Council as all associated costs will be paid by the applicant. The easement document states that where physical construction is required, this will be at the sole costs of the grantee/applicant.

### **Policy implications**

- 27 The 2003 District Wide Reserve Management Plan includes this land and there are no policy implications identified at this stage.

## **Analysis**

### **Options considered**

- 28 The options available to Council are as follows:

### **Analysis of Options**

#### **Option 1 – grant consent of the easement**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>formalises the occupation and location of the third-party infrastructure works on Council land.</li></ul>	<ul style="list-style-type: none"><li>may cause issues in the future if certain developments were to occur on this land.</li></ul>

#### **Option 2 – decline consent of the easement**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>none identified.</li></ul>	<ul style="list-style-type: none"><li>no easement created over the reserve for the cable which is already in the ground.</li><li>Potential legal implications as Council has already signed an agreement to grant an easement.</li></ul>

### **Assessment of significance**

- 29 This is not considered a significant matter.

### **Recommended option**

- 30 Option 1 - staff recommend to consent to the granting of the easement consent.

### **Next steps**

- 31 Staff will work in conjunction with lawyers and TPCL to register and finalise the easement.

## **Attachments**

- A Te Anau Gardens Reserve (aerial view)  
B Te Anau Gardens Reserve - LT 547000 (easement diagram)

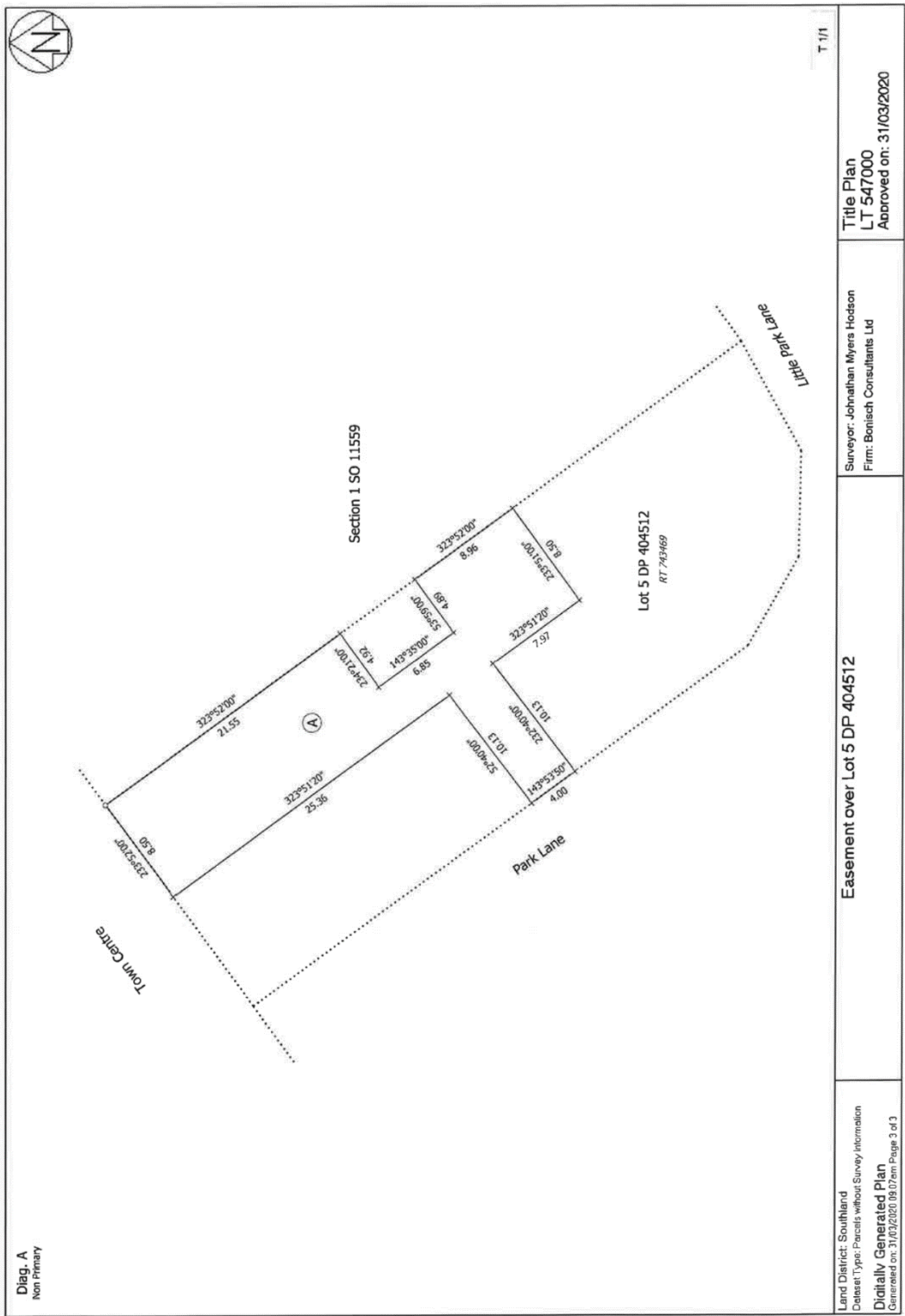
Location of the Council Reserve – Corner of Garage Lane and Little Park Lane, Te Anau.



Diagram of Cabling Location.

The reserve area land is highlighted in yellow and the black line is the approximately location of the underground cabling.





## Proposed Regional Climate Change Strategy for Murihiku Southland

Record no: R/24/1/482  
Author: Rochelle Francis, Climate change lead  
Approved by: Cameron McIntosh, Chief executive

☒ Decision

☐ Recommendation

☐ Information

### Purpose

- 1 The purpose of this report is to provide information regarding the Proposed Regional Climate Change Strategy for Murihiku Southland (the proposed strategy) that has been developed to enable a regional approach to respond to our changing climate. Council is asked to endorse the proposed strategy to enable public consultation to be undertaken by Environment Southland.

### Executive summary

- 2 The proposed strategy has been developed by the Regional Climate Change Working Group (the working group) over several months, and represents contributions from governance and staff members from Te Ao Mārama Inc and the four Southland councils.
- 3 Southland District Councillors considered the proposed strategy in two workshops last year. Councillors provided input which was taken into consideration when producing this document.
- 4 Council is now being asked to endorse the proposed strategy to enable Environment Southland to undertake public consultation via its Long-Term Plan consultation process on behalf of the working group. Public feedback will be considered by the working group prior to the strategy being finalised.
- 5 The strategy will help unite the efforts of our local government agencies to support a cohesive response to safeguard the wellbeing of our community, natural environment and economy from the impacts of our changing climate. A regional approach will enable collaboration and sharing of resources and expertise, enabling an efficient and effective response.

## Recommendation

### That the Council:

- a) **receives the report titled “Proposed Regional Climate Change Strategy for Murihiku Southland”.**
- b) **determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **agrees to endorse the Proposed Regional Climate Change Strategy for Murihiku Southland for public consultation by Environment Southland.**

## Background

### Establishment of the Regional Climate Change Working Group

- 6 The working group was formed following a Regional Climate Change Hui held in July 2022. A staff-level group has met regularly since October 2022, and the governance-level working group was established in February 2023.
- 7 The governance-level working group met seven times during 2023 year. It is not a formal joint committee and does not have formal delegations. It is supported by the staff-level working group who meet regularly to implement the recommendations of the working group.
- 8 Southland District Council’s representatives on the working group are Councillors Wilson and Chamberlain. Current staff representatives are Rochelle Francis, Climate change lead, and Francisco Barraza, Team leader environmental planning.

### Development of the Proposed Regional Climate Change Strategy for Murihiku Southland

- 9 Soon after its formation, the working group identified the development of a regional strategy and framework for action as an urgent priority. It was resolved that a draft strategy would be developed before the end of 2023 so that it could be used to inform councils’ long-term planning processes and be put out for public consultation in 2024. It is a non-regulatory strategy that is intended to support improved regional collaboration on climate issues.
- 10 The principles and aspirations contained in the proposed strategy were developed by governance members in workshops, and a working document was developed by staff. The document has been through many iterations with all parties providing input. At various stages, key components of the proposed strategy were presented to the individual councils in workshops and meetings for their consideration and feedback.
- 11 Southland District Councillors considered the proposed strategy in two workshops last year. Councillors provided input which was taken into consideration when producing this document.

Staff from across the organisation were also invited to provide feedback at internal workshops held in November 2023.

- 12 On 7 December 2023, a significant milestone was reached and the working group agreed to support the proposed strategy. It is being put forward to each local government agency for consideration at individual council meetings during January and February 2024.

### **Overview of the proposed strategy**

- 13 The proposed strategy provides background information about the working group and strategy development process, local government's role in responding to the changing climate, and a contextual timeline. The two strands of climate action – mitigation and adaptation – are explained. Data regarding Southland's regional emissions, produced by Great South, is provided.
- 14 The substance of the strategy is contained in the principles and aspirations:

#### **Principles**

- 15 The principles will guide how Murihiku Southland local government agencies will work together.
- 16 The principles are: Kaitiakitanga Guardianship, Hauora Wellbeing, Whakarāneinei Anticipation, Mōhiotanga Understanding, Kotahitanga Inclusivity, Whakamana Empowerment, Mahitahi Alignment. Expanded definitions and explanations are provided in the document.

#### **Aspirations**

- 17 The aspirations provide an agreed 'direction of travel' for local government agencies, which can be improved and modified as the journey progresses. The aspirations are:

#### **Overarching Aspirations**

1. Te Mana o Te Ao Turoa – the mana of the environment is valued and respected enabling our people to be responsive as our climate changes.
2. Science and Mātauranga underpins our response to our changing climate in Murihiku Southland.
3. We understand the changes, challenges and opportunities associated with our changing climate and will act courageously, building resilience to respond and thrive.
4. We will create meaningful change within one generation and inspire future generations to continue this work.

#### **Mitigation**

5. Environment Southland, Gore District Council, Invercargill City Council and Southland District Council and Great South will be net zero organisations by 2050 or earlier.
6. By June 2026, all four councils will measure their organisational greenhouse gas baseline and develop emissions reductions targets for progressive reduction of greenhouse gas emissions toward 2050.



7. Councils understand their role in leading Murihiku Southland to become a net zero region by 2050.

### **Adaptation**

8. We fully understand the risks and opportunities to our communities associated with the impact of our changing climate on Murihiku Southland.
9. Councils align on climate change scenarios to inform key regional decisions.
10. We collaborate to create regional pathways for action, acknowledging the inter-connectedness of specific issues.

### **Communications and engagement**

11. We build a regional community of learning, collectively improving our understanding of the complexity of our changing climate and its implications for Murihiku Southland.
  12. We support individuals, businesses, community groups, and organisations to start and progress their journey responding to our changing climate.
  13. We engage our children and young people to empower active participation in ongoing climate change conversations.
- 18 The document identifies that the key next step for the working group is the creation of a framework for action which will outline regional action pathways and highlight opportunities to collaborate and align. The strategy will be reviewed by June 2025.

### **Factors to consider**

#### **Legal and statutory requirements**

- 19 While there is no formal requirement for Southland councils to create a regional climate strategy, a regional, collaborative approach is required to enable Southland's local government agencies to discharge their obligations in relation to climate change.

#### **Community views**

- 20 The proposed strategy has been developed with input from governance and staff representatives from the four Southland Councils and Te Ao Mārama Inc.
- 21 Public consultation will be undertaken on the proposed strategy to enable community views to be incorporated into the strategy before it is finalised.

#### **Costs and funding**

- 22 There are no funding implications associated with endorsement of the proposed strategy. Staff time associated with producing the strategy will be met within current budgets.

#### **Policy implications**

- 23 There are no policy implications associated with endorsement of the proposed strategy.

## **Analysis**

### **Options considered**

24 The following reasonably practical options have been identified:

- Option 1 – Council endorse the proposed strategy for public consultation by Environment Southland.
- Option 2 – Council do not endorse the proposed strategy.

### **Analysis of Options**

#### **Option 1 – endorse the Proposed Regional Climate Change Strategy for Murihiku Southland for public consultation by Environment Southland**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• Demonstrates support for a collaborative, regional approach to addressing climate change issues in Murihiku Southland.</li><li>• Enables community views on the proposed strategy to be sought by Environment Southland through their Long-Term Plan 2024-34 consultation process.</li></ul>	<ul style="list-style-type: none"><li>• There are no identified disadvantages.</li></ul>

#### **Option 2 – do not endorse the Proposed Regional Climate Change Strategy for Murihiku Southland**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• There are no identified advantages.</li></ul>	<ul style="list-style-type: none"><li>• Undermines the collaborative process undertaken by the working group to develop the proposed strategy.</li><li>• May delay public consultation on the proposed strategy.</li></ul>

### **Assessment of significance**

25 The decisions Council is making in regard to this report have been assessed as not significant in relation to Council's Significance and Engagement Policy and the Local Government Act 2002.

### **Recommended option**

26 The staff recommendation is Option 1.

### **Next steps**

27 Assuming that all Southland councils endorse the proposed strategy, staff from across these agencies will work collaboratively to develop consultation questions, and consultation will be undertaken by Environment Southland within their Long-Term Plan 2024-34 consultation process.

- 28 Community views obtained through public consultation will be reported back to the working group in or around May 2024.

## **Attachments**

- A Governance level Regional Climate Change Working Group inter-agency joint report - workshop 7 December 2023
- B Proposed Regional Climate Change Strategy for Murihiku Southland



## Regional Climate Change Working Group report

**To:** Environment Southland  
Te Ao Mārama Board  
Gore District Council  
Invercargill City Council  
Southland District Council

**Meeting Date:** Wednesday 24 January 2024

**From:** Staff-level Regional Climate Change Working group

### Purpose

This report provides all Councils and the Te Ao Mārama Board with an update on the governance-level Regional Climate Change Working Group workshop, held 7 December 2023.

### Recommendation

That councils and Te Ao Mārama Board receive the report "Regional Climate Change Working Group report".

### Background

Following a Regional Climate Change Hui in July 2022, Environment Southland and Te Ao Mārama brought together a staff-level regional climate change working group, which has met regularly since October 2022. A governance-level regional climate change working group (RCCWG) was established in February 2023.

The RCCWG has met regularly throughout the year (24 February, 6 April, 18 May as well as workshops 29 June, 31 August, 26 October and 7 December 2023). The governance-level group is not a formal joint committee and does not have formal delegations. It is supported by the staff-level working group.

The RCCWG agreed on regional provisional principles and aspirations at their workshop 31 August 2023, which are now two key components of a proposed regional climate change strategy. In the meantime, individual agencies can use these principles and aspirations to inform the direction of their LTP 2024-2034 planning processes.



### Drafting a Regional Climate Change Strategy

At the RCCWG workshop 31 August there was significant discussion about the key components of a regional climate change strategy with a strong direction to keep it high level.

There was also agreement that following the international and national lead, the focus of the Regional Climate Change Strategy is on both mitigating the causes of climate change, as well as adapting to its impacts. Communication and engagement will support these two focus areas. With this direction in mind, the staff-level-RCCWG created a draft strategy working document as a starting point for consideration by the governance-level RCCWG at their workshop 26 October 2023.

Following the October workshop, the direction from the RCCWG resulted in significant improvements being made. A refined strategy was provided to the RCCWG for their consideration at their 7 December workshop. At this workshop a significant milestone was reached with RCCWG agreement to support the proposed Regional Climate Change Strategy.

### Next steps

1. The proposed Regional Climate Change Strategy will be put forward to each local government agency for consideration at individual council meetings late January/early February 2024
2. The proposed Regional Climate Change Strategy will specifically be included in the ES LTP as part of the 'other feedback' section of the consultation document
3. The proposed Regional Climate Change Strategy will be open for feedback via an ES engagement portal, in line with all local government LTP processes to enable each agency to refer to the proposed Regional Climate Change Strategy as relevant in their LTP
4. Community feedback received on the proposed Regional Climate Change Strategy will be considered by the RCCWG at a workshop May 2024, with the aim being that an improved strategy will be finalised and adopted by mid-2024
5. The first RCCWG workshop will be held 1 February 2024, which will be a collaborative design workshop focusing on kick-starting stage 2 of this work, the regional framework for action

### Key messages

Key messages agreed to at the end of the RCCWG workshop 7 December were:

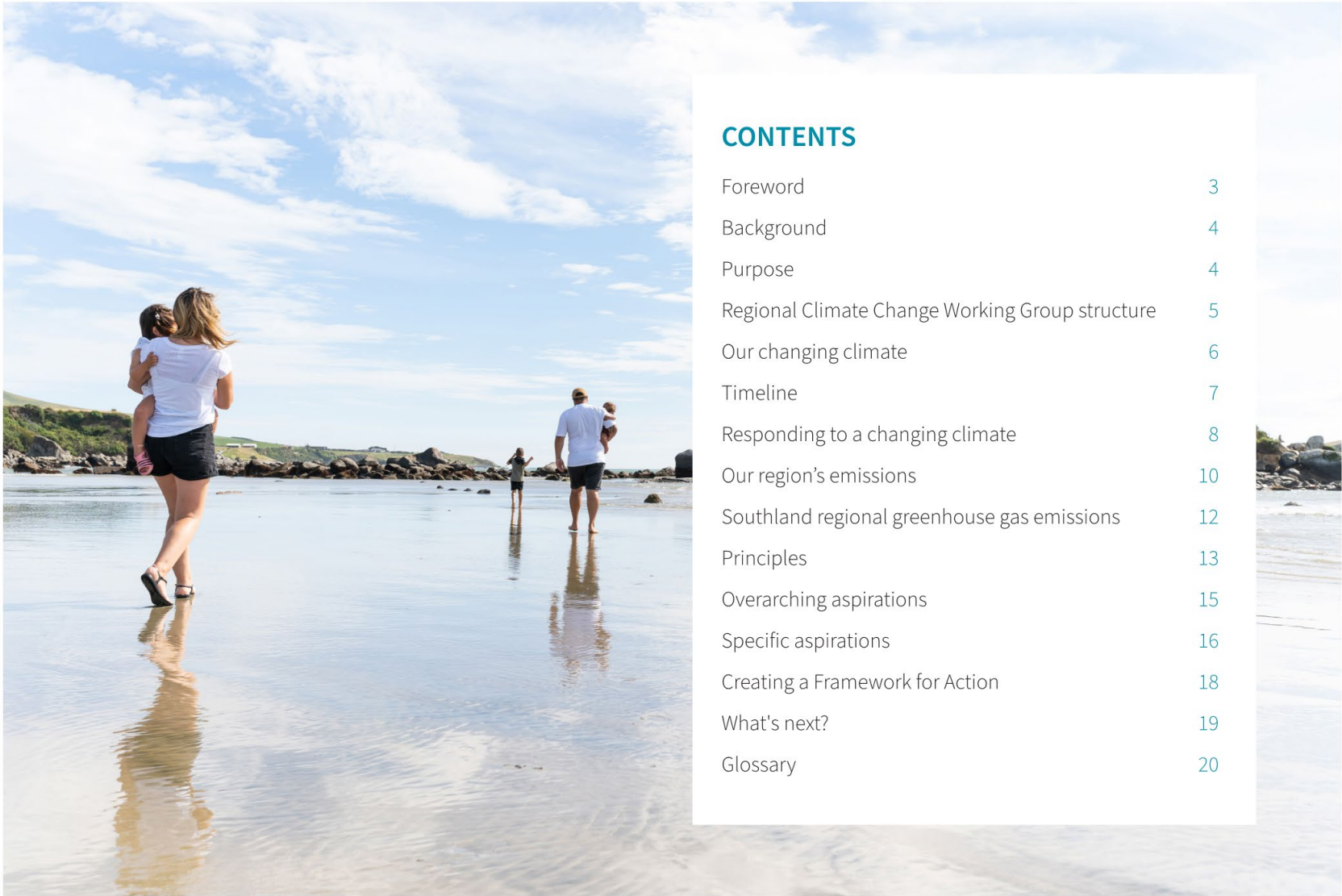
- It was pleasing to reach inter-agency agreement on a proposed Regional Climate Change Strategy, which reflects an enormous amount of inter-agency collaboration throughout 2023
- The group is looking forward to re-energising the conversation in the new year, keeping the pace up to determine action pathways and make progress towards achieving the aspirations that are being set



# Proposed **Regional** **Climate Change Strategy** **for Murihiku Southland**







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## Foreword

Murihiku Southland Councils, alongside Te Ao Mārama Inc, have committed to a collaborative and inclusive partnership in defining our regional strategic response to a changing climate.

In doing so, it is important to build trust, confidence and capacity for continuing cooperation with our communities.

Murihiku Southland is not alone in addressing the challenges and opportunities of a changing climate. We are part of a global community responding to a shared crisis. We are able to learn from the experiences and efforts of others, both within Aotearoa New Zealand and abroad. However, we also recognise the distinctive character of our regional needs. Our actions will be guided by an appropriate mix of global and local knowledge including mātauranga Māori, ensuring the choices we make remain tailored to our unique environment, economy, and communities.

In aligning with national policy, this strategy distinguishes between the two pillars of climate change mitigation and

climate change adaptation. Mitigation involves the decarbonisation of our economy, as well as widespread behavioural change. This will be a challenging journey but it's an important pathway for our community to minimise the escalating impacts of a changing climate. There is significant scope to learn from others, benchmark, and leverage technology as we pursue our net-zero greenhouse gas goals. Our region is on a pleasing pathway, with the 2022 measurements indicating that regional emissions have been reduced by 14.8% since 2018.

Alongside mitigation, adaptation pathways may be the more demanding of the two. As New Zealand's Climate Change Commissioner, Rod Carr, stated in a presentation at Environment Southland in September 2022:

*“Adaptation is going to be one of the most challenging conversations local and regional governments have to have, because adaptation is inherently local – it is inherently about communities directly affected by the changed climate.”*

Accepting this challenge, it is important to recognise that the pursuit of climate change mitigation and adaptation are two pillars which often intersect,

offering a path toward resilience and sustainability. While opportunities may not always be immediately evident, we embrace the notion that actions to reduce emissions might enhance our adaptive capacity, and adaptation measures may contribute to mitigation efforts. This synergy highlights the importance of a holistic and flexible approach in response to the complex challenges and opportunities posed by a changing climate.

Finally, it is recognised that this strategy is framed against a backdrop of uncertainty in an increasingly changing world. Yet, given the potential consequences and costs of indecision, delay, and inaction, we need to do what we can with what we have now. Thus, we subscribe to the notion that local government agencies have a dual role – to lead as well as empower others to act. We understand that in navigating the complexities of a changing climate, we may not always ‘get it right’. But we believe that purposeful action accompanied by reflexive learning are essential elements of our response.

This challenge is ours to meet – and with humility *mahaki*, resolve *maia*, and commitment *manawanui*, together

“Adaptation is going to be one of the most challenging conversations local and regional governments have to have, because adaptation is inherently local – it is inherently about communities directly affected by the changed climate.”

RODD CARR  
New Zealand Climate  
Change Commissioner  
September 2022

*kotahitanga*, we can secure Murihiku Southland for future generations. Mō tātou, ā, mō kā uri ā muri ake nei.

**Environment Southland Councillor,  
Phil Morrison and Te Ao Mārama (TAMI)  
Kaupapa Taiao Manager, Dean Whaanga**  
*Co-chairs, Murihiku Southland Regional  
Climate Change Working Group*

## Background

At a regional hui held in July 2022, recognising our strong mutual interdependence, it was agreed that local government agencies need to work together to establish a regional approach to respond to Murihiku Southland's changing climate.

Environment Southland and Te Ao Mārama initiated discussions to create an inter-agency working group as a starting point for bringing Councils together – with Gore District Council, Invercargill City Council and Southland District Council being key partners in developing a regional approach. Great South, as Southland's regional economic development agency have also been involved.

This strategic collaboration will initially be defined and guided by two key documents as follows.

### Part One

**Regional Climate Change Strategy for Murihiku Southland** (this strategy) defining how local government agencies will work together (principles) and toward what outcomes that work will focus (aspirations).

### Part Two

**Regional Framework for Action** (being developed) which will define and prioritise the specific actions and initiatives needed to realise the outcomes being aspired to. It is expected the Regional Framework for Action will:

- Enable each individual local government agency to create Action Plans that align with the aspirations set out in this strategy.
- Define the continuing or new collaborative actions to which local government agencies will commit.
- Identify opportunities for collaboration beyond local government – empowering the aspirations, energies, and creativity of communities and industry.

## Purpose

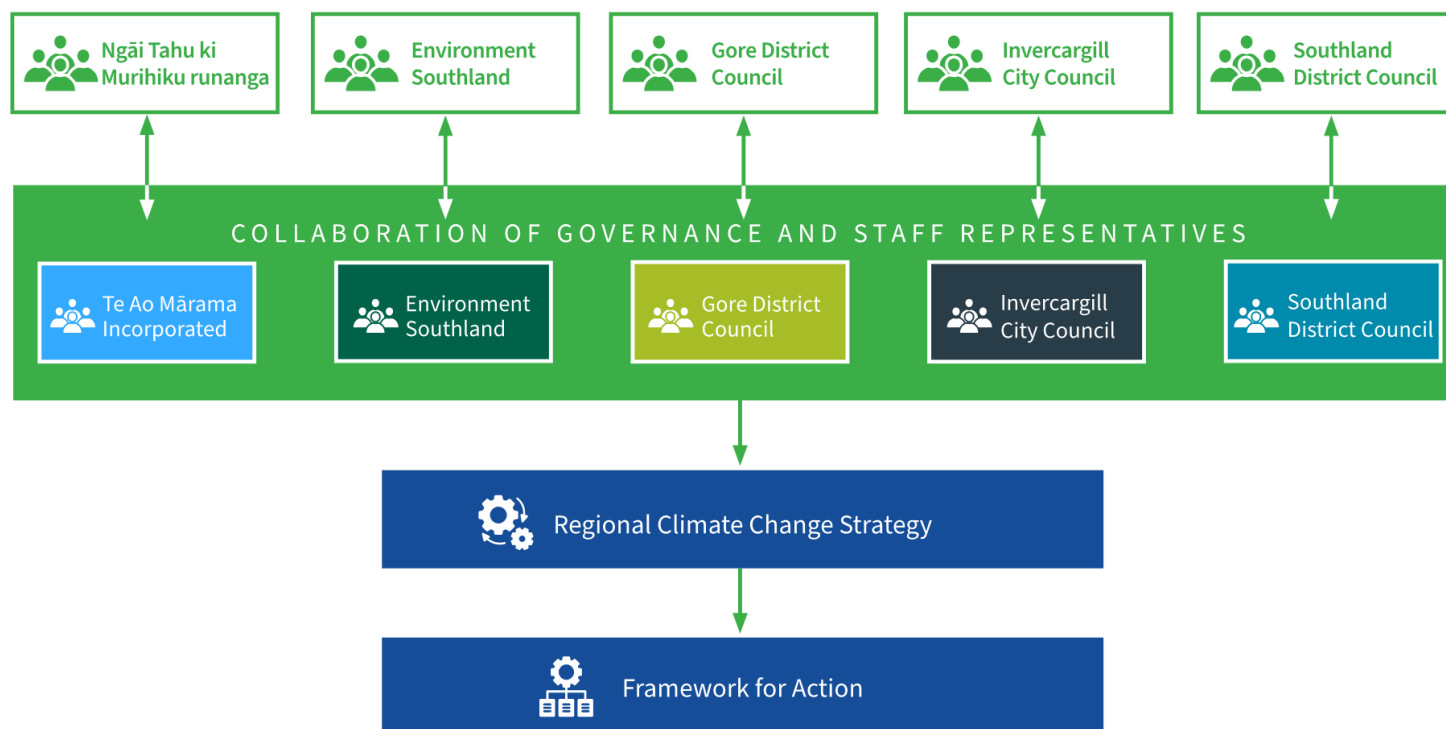
The purpose of this strategy is to unite the efforts of our four local government councils, Te Ao Mārama Inc and Great South to support a cohesive response to help protect our environmental, economic, cultural and social wellbeing against the effects of a changing climate by agreeing on broad principles and aspirations.

This strategy will enable local government agencies and our communities to work together efficiently and effectively, optimising the use of resources and expertise for the benefit of all ratepayers towards a resilient future for our region.



## Regional Climate Change Working Group structure

The Regional Climate Change Working Group (RCCWG) was established in early 2023 with governance representatives from each council and Te Ao Mārama Inc, supported by a staff level inter-agency group. This informal working group has been instrumental in enabling cross-agency discussions and collaboration to progress strategy development.





## Our changing climate

Our global, national and regional understanding of the changing climate has developed over time; though this has significantly accelerated during the past decade.

While the concept of a changing climate has been something that 'will happen sometime in the future', it is now accepted that our region is already experiencing the effects of increasing severe weather events.

Some parts of Murihiku Southland are already prone to flooding. Recent events include the Maitava catchment flooding in February 2020 (which also affected Fiordland), as well as all catchments experiencing significant flooding in September 2023. In

contrast, during the summers of 2021-22 and 2022-23 dry spells and drought conditions were experienced in many parts of our region.

These severe weather events often have serious economic, social and environmental impacts on the region. When these kinds of significant weather events are projected into the future, it can be daunting and overwhelming to consider.

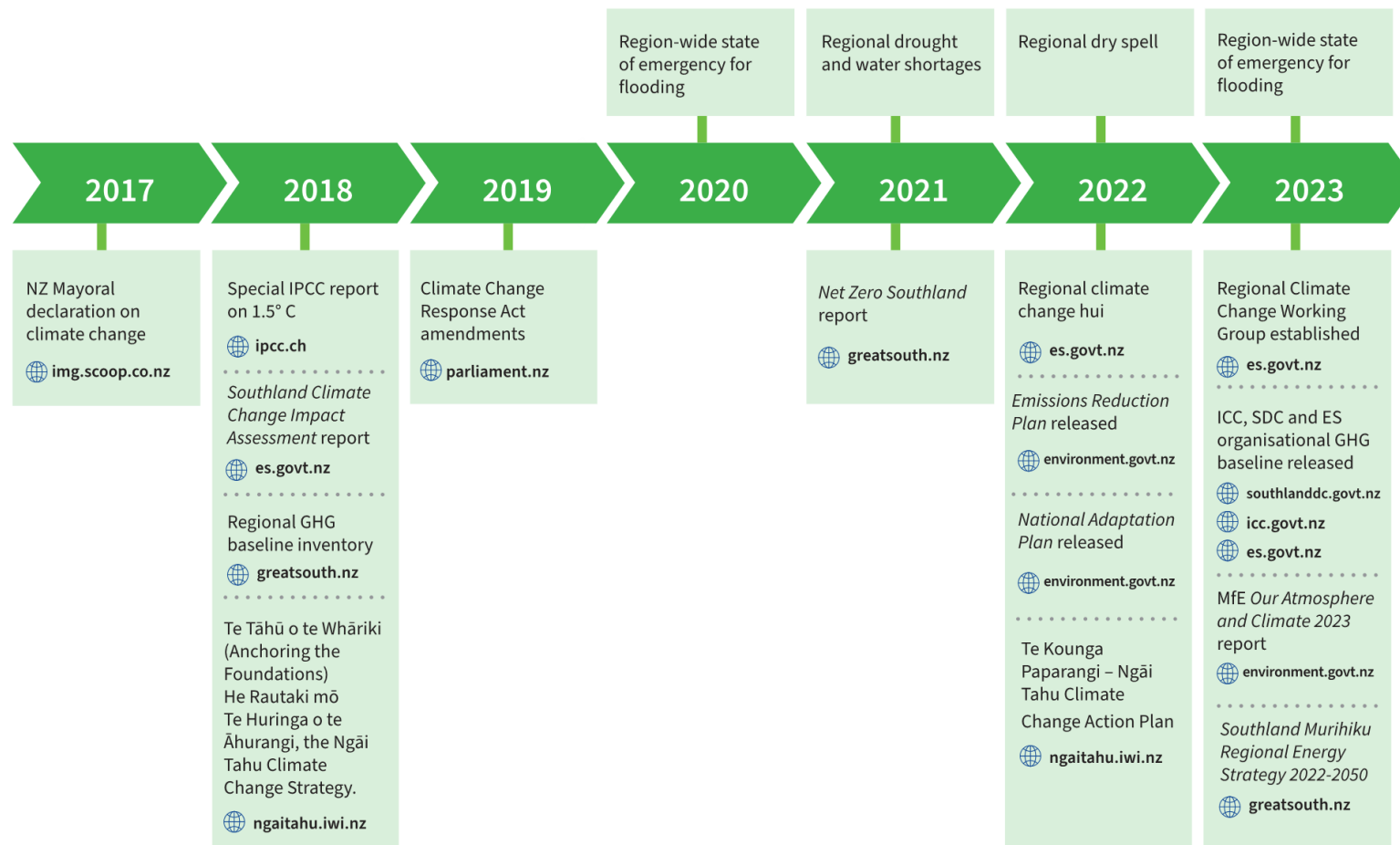
Determining what on-the-ground action can be pursued as individuals and as communities right now, could change the course of this future. Understanding the opportunities (and opportunity costs) of investing in resilience versus the costs of post-event recovery will be an important consideration.

This climate change strategy seeks to guide this journey for the Murihiku Southland region.



The Maitava River in flood at Gore, February 2020.

# Timeline



# Responding to a changing climate

## Local government's role

Collective and collaborative regional leadership is important to enable the implications of a changing climate to be considered for the Murihiku Southland region. A core purpose of local government is to promote community wellbeing in the present and in the future. This is at the heart of how our local government agencies need to work together towards a more resilient future.

The Climate Change Response Act 2002 directs the development of clear and stable climate change policies, in order for New Zealand to meet its international obligations and administer a greenhouse gas emissions trading scheme. While New Zealand's resource management legislation is in the midst of significant and ongoing reforms, national policy directions currently issued under the RMA relating to freshwater, biodiversity, and coastal

management require decision-makers to consider the need for enhancing climate resilience. The resource management reforms aim to ensure that appropriate regard is given to the implications of a changing climate among other national priorities, including community wellbeing.

Environment Southland as the regional council, has specific responsibilities for example, managing flood risk under various pieces of legislation including the Local Government Act 2002 and Soil Conservation and Rivers Control Act 1941. Gore District Council, Invercargill City Council and Southland District Council also have a range of obligations to consider natural hazard risks in planning and infrastructure decisions.

Emergency Management Southland has the responsibility for the delivery of emergency management responses

if a significant climate related event was to occur. While historically flood banks have been the main solution for protecting communities at risk, over the longer term there is a need to redesign the way we manage our catchments to help manage this risk.

A crucial step towards regional leadership is an opportunity for each agency to carry out individual organisational efforts to support this work. This is important, not only for role modelling, but also ensuring each agency understands what is required to enable the support of others; as well as contributing towards a collective community effort.

For the Murihiku Southland region, this climate change strategy is a key step for local government agencies in undertaking this journey.

Environment Southland as the regional council, has specific responsibilities for example, managing flood risk under various pieces of legislation including the Local Government Act 2002 and Soil Conservation and Rivers Control Act 1941.

Gore District Council, Invercargill City Council and Southland District Council also have a range of obligations to consider natural hazard risks in planning and infrastructure decisions.



## Key components of this strategy

Following the international and national lead, this strategy focuses on two key strands – mitigation and adaptation. Communication and engagement are needed to support these two inter-connected strands of the climate change conversation.

### Mitigation

Mitigation is the human actions to reduce emissions by sources; or enhance removals of greenhouse gases. At a national level this is guided by the Emissions Reduction Plan. Examples of reducing emissions by sources include the reduction of waste going to landfill; or replacing a coal boiler with a renewable electric-powered one. Examples of increasing the removal of greenhouse gases include growing new trees to absorb carbon from the atmosphere.

This strategy guides the development of future action in relation to each of these key components.



### Adaptation

Adaptation is the process of adjusting to actual or expected climate and its effects. At a national level this is guided by the National Adaptation Plan. Examples of adaptation include managed retreat, land-use changes, and investment in climate resilient infrastructure.

This process is inherently local and about communities directly affected by the changing climate. In addition, the inter-generational ramifications are an important consideration as our collective grandchildren and future generations will face increasing consequences of a changing climate.

## Strategy review

This strategy has been written within a national context of ongoing revisions to the legislative framework, not only for climate change policy, resource management but also local government reform. It will be reviewed by June 2025 to ensure it remains current and aligned with anticipated national legislative and policy changes.

The principles, aspirations and strategy as a whole are a starting point of a long-term partnership and journey. It is anticipated that the next iteration of this strategy will extend beyond the needs of local government with greater consideration of the needs of key stakeholders and our communities.



# Our region's emissions



## Regional emissions inventory

In 2018, a baseline emission inventory for the region was established. This highlighted that we all contribute to our regional emissions profile, as individuals, communities, businesses and industry. This profile indicated that with 12% of New Zealand's total land area and producing 15% of New Zealand's tradeable exports, Southland (with only 2% of New Zealand's population in 2018) contributed 9.7% of New Zealand's gross emissions\*.

It is best practice for this kind of regional inventory to be updated on a regular

3 or 5-yearly cycle in order to monitor changes over time. This inventory has been repeated regularly by Great South\*\* since 2020, which has indicated a progressive downward trend in regional net emissions compared to the 2018 baseline. Great South will continue to report against the 2018 baseline annually and plays an important role in supporting local businesses to measure and reduce emissions, assisting the region's net zero greenhouse gas journey.

## Regional emissions modelling

Further to the emissions inventory work, Great South (working alongside MfE and the Tindall Foundation) has undertaken regional emissions modelling as part of developing a carbon neutral advantage programme. The Net Zero Southland 2050 report (March 2021) provides direction on potential economic mitigation pathways for Southland. Part of this modelling seeks to understand

the economic value of emissions reduction, which could enable our region to contribute towards achieving national net zero emissions by 2050. It also notes that a low emission economy would provide Southland with major opportunities to support economic and social prosperity while mitigating the risks posed by a changing climate.

\* *Southland Regional Carbon Footprint 2018* – [www.greatsouth.nz/resources/southlands-greenhouse-gas-emissions-2018](http://www.greatsouth.nz/resources/southlands-greenhouse-gas-emissions-2018)

\*\* Great South is a council-controlled organisation, jointly owned by Invercargill City Council, Southland District Council, Gore District Council, Environment Southland, Invercargill Licensing Trust, Mātāura Licensing Trust, Southland Chamber of Commerce, Southern Institute of Technology and Community Trust South. It is Southland's regional development agency which facilitates the implementation of the B2025 Southland Long Term Plan, as well as supporting the regional emissions reduction journey by working with businesses to reduce their greenhouse gas emissions across the region.

## Regional emissions reductions pathways

Our region is already on a net zero greenhouse gas journey and while some progress has been made since the 2018 baseline inventory, achieving this goal will involve individuals, communities, businesses and industries all evaluating their contribution/s.

In 2018 our region contributed 9.7% of the country's emissions. This has reduced by 14.8%, to contribute 8.2% of the country's emissions in 2022. This is due to the decarbonisation of fossil-fuelled boilers and a systematic reduction in emissions for agriculture, energy, transport, manufacturing

and waste. Partnerships with EECA, Government, the private and public sector as well as educational outreach has created the impetus for the success of this programme.

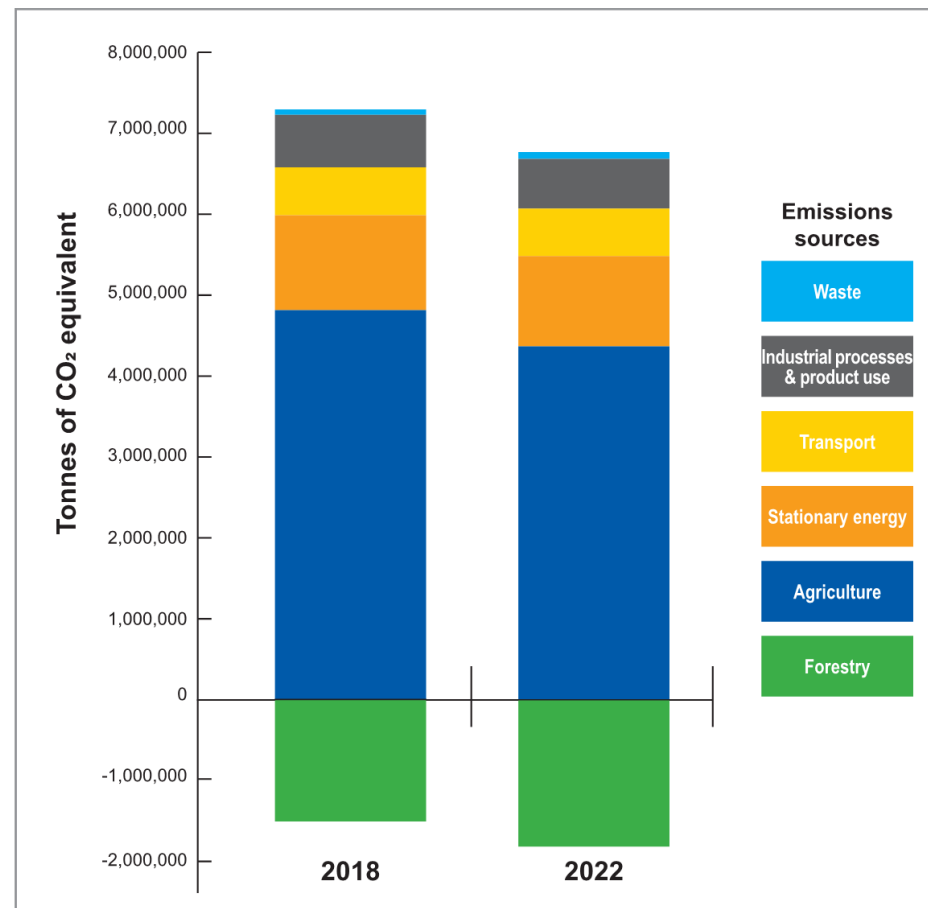
Achieving net zero greenhouse gases by 2050, will require everyone to play their part. In the short-term, local government agencies in Murihiku Southland are focusing on ensuring each organisation is on track to achieving net zero goals; while the longer-term focus is determining how local government should best play its part regionally.



## Southland regional greenhouse gas emissions

Southland regional net greenhouse gas emissions 2018 and 2022 as measured by Great South. This graph illustrates that overall regional greenhouse gas emissions have reduced by 14.8% from 2018 to 2022.

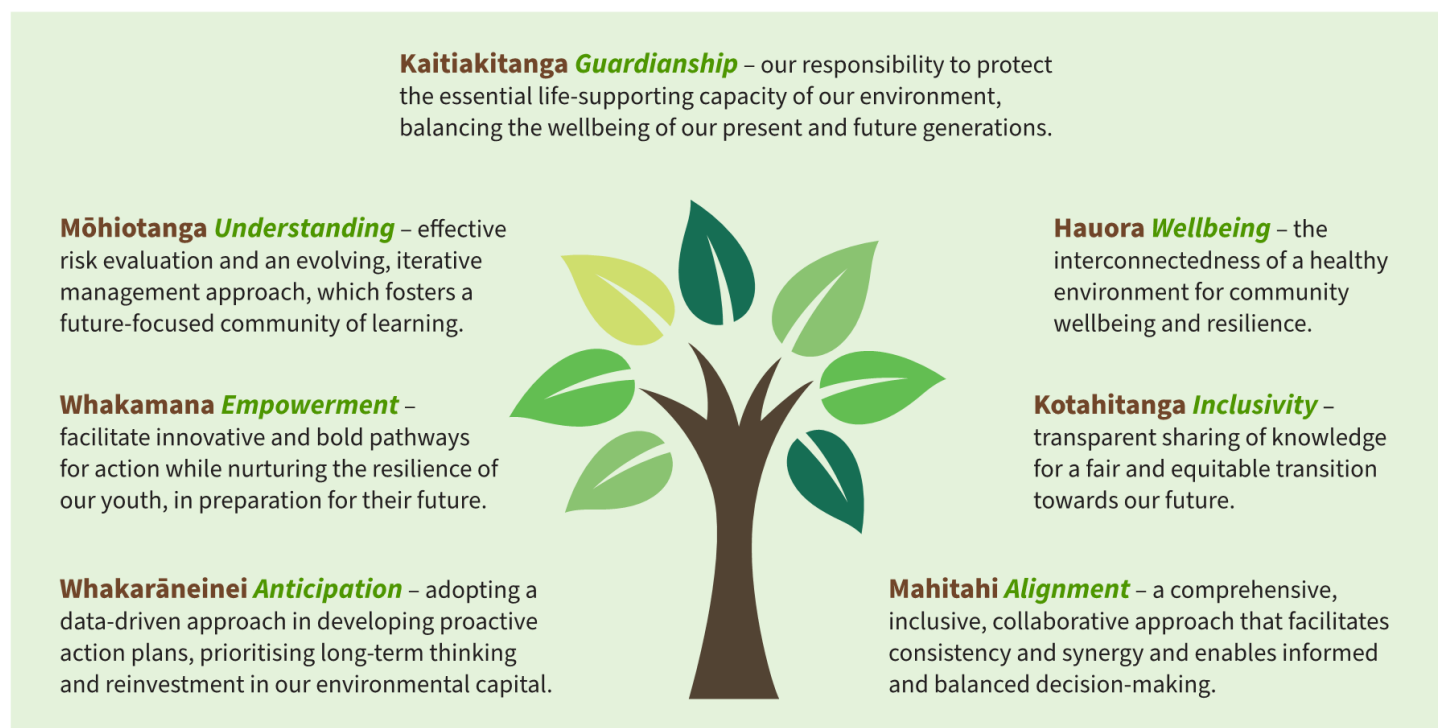
	2018	2022
Total gross	7,308,128	6,753,059
Total sequestration	-1,498,508	-1,805,554
Total net	5,809,620	4,947,505



Southland Greenhouse Gas Emissions Inventory for 2022 – [www.greatsouth.nz/resources](http://www.greatsouth.nz/resources)

## Principles

Principles provide direction on ways of working together to create a regional response to the impact of a changing climate on Murihiku Southland. The seven principles provide the foundation for regional efforts to respond to the challenges and opportunities presented by our changing climate and associated environmental effects such as sea-level rise, indigenous biodiversity loss and biosecurity incursions.



## Detailed principles

These principles will guide how Murihiku Southland local government agencies will work together, including prioritising to determine regional action.

They highlight the importance of recognising mutual dependencies and for example, taking a catchment focused and/or community focused approach to working across boundaries and prioritising the key issues.

These Murihiku Southland principles can be understood in more detail as follows.

### Kaitiakitanga *Guardianship*

- Recognise our duty of care to safeguard our environment's fundamental life supporting capacity.
- Create a balanced framework, which supports many inter-connected strands.
- Value the wellbeing and livelihoods of our present and future generations.

### Hauora *Wellbeing*

- Live with and understand how everything is connected.
- Recognise a healthy, functioning environment is inherent to our individual and collective wellbeing(s).
- Enhance community and environmental resilience in the face of change.

### Whakarāneinei *Anticipation*

- Think and act with a long-term perspective, valuing and reinvesting in our environmental capital.
- Create proactive pathways for action, doing what we can now with what we know now.
- Ensure relevant regional science and information underpins a data-led approach.

### Mōhiotanga *Understanding*

- Understand risks and look for potential ways to avoid, mitigate and manage risk.
- Pursue iterative management, adapting our approach as we learn and know better.
- Sow the seeds of how our future may be different, creating a broad community of learning.

### Kotahitanga *Inclusivity*

- Share knowledge widely and transparently.
- Proactively consider those most vulnerable and voices least heard.
- Create a fair transition to our future.

### Whakamana *Empowerment*

- Enable courageous pathways for action, inspiring individual and collective action.
- Look for opportunities and respond with innovation and creativity.
- Support our young people to understand, participate and be resilient in the face of their future – offering them hope.

### Mahitahi *Alignment*

- Think ki uta ki tai – mountains to the sea, considering the effects in every direction and across boundaries.
- Adopt a united, integrated, consistent, and holistic approach enabling informed and balanced decision-making.
- Foster collaboration among various stakeholders, businesses, community groups and individuals.



## Overarching aspirations

Our collective values spanning science, beliefs and hopes for the future, come together to form our aspirations for our regional response to a changing climate.

They provide an agreed 'direction of travel' for local government agencies, which can be improved and modified as the journey progresses.

Ongoing cross-agency discussions will help develop and implement aligned pathways towards these aspirations. These pathways will include managing the effects of a changing climate as well as capitalising

on potential opportunities that may benefit the region, keeping in mind the importance of ensuring that our future generations will also have the best possible opportunities. Additional specific aspirations may be developed, as part of the journey towards creating a Framework for Action.

The following aspirations reflect the collective intent of local government agencies to support effective responses to our changing climate across Murihiku Southland.

In addition to these overarching aspirations, further aspirations provide a direction regarding mitigation, adaptation as well as communications and engagement as per the key focus areas of this strategy.

### Our aspirations

- 1 Te Mana o Te Ao Turoa – the mana of the environment is valued and respected enabling our people to be responsive as our climate changes.
- 2 Science and Mātauranga underpins our response to our changing climate in Murihiku Southland.
- 3 We understand the changes, challenges and opportunities associated with our changing climate and will act courageously, building resilience to respond and thrive.
- 4 We will create meaningful change within one generation\* and inspire future generations to continue this work.

\* One generation equates to 25 years



# Specific aspirations

## Mitigation

Local government agencies need to collectively contribute towards mitigating the changing climate by reducing organisational emissions, offsetting if necessary and becoming more sustainable organisations. This will also enable Councils to understand the challenges businesses and other organisations face in reducing emissions and aid the efforts towards developing a best practice consistent approach.

Each agency is on their own organisational learning journey, of which measuring organisational greenhouse gas emissions is a first step towards understanding how these emissions can be reduced.

Councils are also working on understanding their mitigation role within the community. This is an important step towards being able to support the aspiration of becoming a net zero region.

5 Environment Southland, Gore District Council, Invercargill City Council, Southland District Council and Great South will be net zero\* organisations by 2050 or earlier.

6 By June 2026\*\*, all four Councils will measure their organisational greenhouse gas baseline and develop emissions reductions targets for progressive reduction of greenhouse gas emissions toward 2050.

7 Councils understand their role in leading Murihiku Southland to become a net zero region by 2050.

\* Net zero refers to the reduction of organisational greenhouse gas emissions to a net zero level.

\*\* This date is being referenced to ensure the direction resulting from organisational baseline measuring of greenhouse gas emissions, can be incorporated into planning as part of the LTP cycle 2027-2037.

## Adaptation

The changing climate will significantly impact our communities, ecosystems and natural resources. It is likely to result in changes to land use, not only in terms of where people live, but also the location of key infrastructure, where and how businesses operate and how natural resources are used. It is therefore important to ensure that local government agencies understand the risks and opportunities this presents, in order to consider the regional spatial planning implications.

Adaptation is about undertaking actions to minimise threats or to maximise opportunities resulting from the impact of a changing climate. A first step to this is that Councils will need to align on climate change scenarios to inform regional planning decisions; as well as collaborate to consider regional issues anew with a climate change lens.

8 We fully understand the risks and opportunities to our communities associated with the impact of our changing climate on Murihiku Southland.

9 Councils align on climate change scenarios to inform key regional decisions.\*

10 We collaborate to create regional pathways for action\*\*, acknowledging the inter-connectedness of specific issues.

\* This is important as local government agencies collectively work towards planning for the LTP cycle 2027-2037, however it is also relevant for regional decisions in a broader sense as well.

\*\* Examples are: carbon forestry, sustainable transport, water availability, waste management, biodiversity etc. The intention is that these RCCWG discussions will be ongoing and aligned pathways for action will be able to be incorporated into the planning for the LTP cycle 2027-2037 and beyond.



## Communications and engagement

It is clear that as a community we are all at different stages of learning and understanding about the implications of a changing climate for our region. It is important to bring people on the journey, of which Councils are also a part, so that we can learn from each other and contribute to increasing collective knowledge.

Councils have a role to play to find ways of supporting people's learning, wherever they might be at on their journey responding to our changing climate. In particular, our young people will face increasing implications as the climate changes and are therefore a key audience to engage and empower.

11 We build a regional community of learning, collectively improving our understanding of the complexity of our changing climate and its implications for Murihiku Southland.

12 We support individuals, businesses, community groups, and organisations to start and progress their journey responding to our changing climate.

13 We engage our children and young people to empower active participation in ongoing climate change conversations.



## Creating a Framework for Action

This strategy sets out how local government agencies will work together towards these aspirations. The key next step for the Regional Climate Change Working Group is to develop a Framework for Action (Part 2).

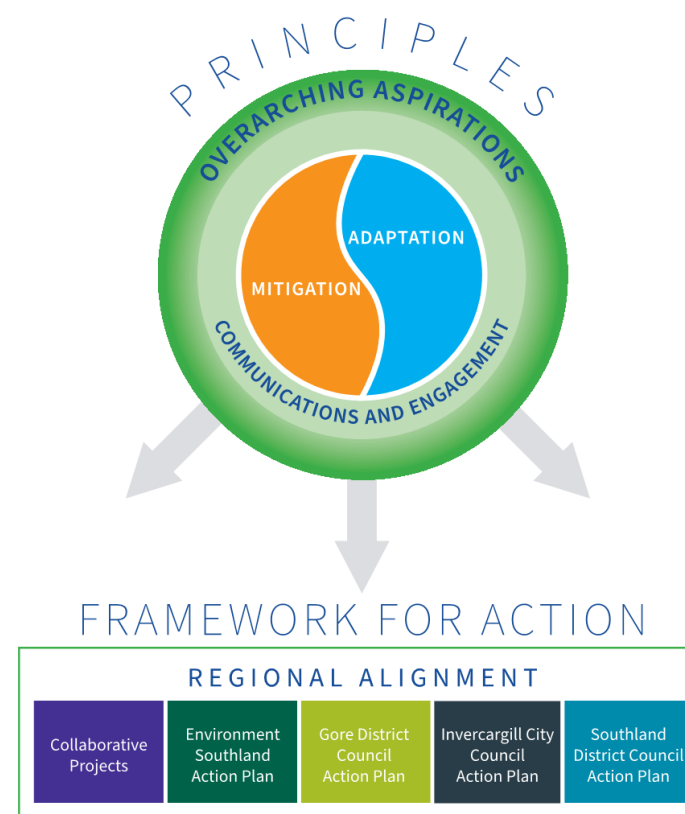
The purpose is to create 'regional action pathways' focusing on where there will be regional benefit. The pathways will highlight where agencies can collaborate and align, enabling each agency to progress these in their own way. It will be important to determine what the ongoing steps will be and the role and responsibilities of each agency to support these pathways.

The resulting pathways will inform the setting of regional priorities as well as future long-term planning cycles; keeping in mind the agreed principle of doing what we can now, with what we have now.

Partnerships with key stakeholders and wider Murihiku Southland communities will be important to input, influence and support the progression of these pathways.

### Framework for Action

It is envisaged that the Framework for Action will follow the structured approach set out in this strategy. It will enable iterative planning, providing direction for both mitigation as well as adaptation pathways.



## What's next?

Science and information are very important to understanding the regional implications of a changing climate.

Regional LiDAR data mapping has been commissioned.

Work is also underway to develop a scope for updating and expanding the 2018 NIWA regional climate change report using updated global and national projections. Following the national work, regional climate, hydrological and sea level rise projections will be developed, which will increase the understanding of which areas of our region are most vulnerable and what this might mean for changes in land-use.

As our collective understanding of human risk, significance and environmental impacts develops, this will enable iterative risk assessment and reflexive learning.

The Regional Climate Change Working Group plans to develop a proposal for setting up a wider Murihiku regional climate change forum to enable this learning to be widely shared\*. The purpose of this forum will be to ensure the climate change conversation becomes more inclusive for individuals, businesses, community groups, and organisations that would like to be involved. This is likely to be a key initial stepping stone towards building a regional community of learning to support information sharing as well as on-the-ground action taking place.

It is also important to acknowledge that at any time our region may be subjected to a significant climate related event and preparation for these will aid our capacity for resilience. Emergency Management Southland provide significant resources enabling individuals, businesses and our communities to 'be ready' if this was to occur.

In the meantime, the Regional Climate Change Working Group will continue to progress a regional Framework for Action with a sense of urgency. Determining what on-the-ground action can be pursued as individuals and as communities is important to achieve a more resilient future.



\* The concept of a wider regional climate change forum was also a recommendation of the *Beyond 2025 Southland Regional Long Term Plan* prepared by Great South, June 2023.

# Glossary

<b>Adaptation</b>	In human systems, the process of adjusting to actual or expected climate and its effects, to moderate harm or take advantage of beneficial opportunities. In natural systems, the process of adjusting to actual climate and its effects. Human intervention may help these systems to adjust to expected climate and its effects. Ministry for the Environment (2022) National Adaptation Plan.
<b>Aspirations</b>	Aspirations provide a regionally agreed 'direction of travel' and do not specify how something will be achieved. Collective discussions will be ongoing to develop and implement aligned pathways for how these aspirations will be achieved.
<b>Baseline</b>	An initial set of critical observations or data used for comparison or a control. Ministry for the Environment (2022) National Adaptation Plan.
<b>B2025</b>	Beyond 2025 – the project lead by Great South to develop a Regional Long Term Plan for Murihiku Southland.
<b>Climate</b>	Informally, the average weather over a period ranging from months to thousands or millions of years. In more formal terms, a statistical description of the mean and variability of quantities, usually of surface variables such as temperature, precipitation and wind, averaged over a period (typically 30 years, as defined by the World Meteorological Organization). More broadly, climate is the state, including a statistical description, of the climate system. Ministry for the Environment (2022) National Adaptation Plan.
<b>Climate Change</b>	A change in the state of the climate that can be identified (eg, by using statistical tests) by changes or trends in the mean and/or the variability of its properties, and that persists for an extended period, typically decades to centuries. Includes natural internal climate processes and external climate forcings such as variations in solar cycles, volcanic eruptions and persistent anthropogenic changes in the composition of the atmosphere or in land use. The United Nations Framework Convention on Climate Change (UNFCCC) definition of climate change specifically links it to direct or indirect human causes, as: "a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods". The UNFCCC thus makes a distinction between climate change attributable to human activities altering the atmospheric composition and climate variability attributable to natural causes. Ministry for the Environment (2022) National Adaptation Plan.
<b>Climate Change Commission (CCC)</b>	A Crown entity that gives independent, expert advice to the Government on climate change matters and monitors progress towards the Government's mitigation and adaptation goals. Ministry for the Environment (2022) Emissions Reduction Plan.
<b>Climate Change Scenario</b>	A plausible description of how the future may develop based on a coherent and internally consistent set of assumptions about key driving forces (e.g., rate of technological change, prices) and relationships. Note that scenarios are neither predictions nor forecasts, but are used to provide a view of the implications of developments and actions. IPCC (2023) AR6 Glossary <a href="https://apps.ipcc.ch/glossary/">https://apps.ipcc.ch/glossary/</a>
<b>Climate projection</b>	A potential future evolution of a quantity or set of quantities, often computed with the aid of a model. Unlike predictions, projections are conditional on assumptions concerning, for example, future socio-economic and technological developments that may or may not be realised. IPCC (2023) AR6 Glossary <a href="https://apps.ipcc.ch/glossary/">https://apps.ipcc.ch/glossary/</a>





<b>Climate resilience</b>	The ability to anticipate, prepare for and respond to the impacts of a changing climate, including the impacts that we can anticipate and the impacts of extreme events. It involves planning now for sea-level rise and more frequent flooding. It is also about being ready to respond to extreme events such as forest fires or extreme floods, and to trends in precipitation and temperature that emerge over time such as droughts. Ministry for the Environment (2022) National Adaptation Plan.
<b>Climate variability</b>	Deviations of climate variables from a given mean state (including the occurrence of extremes, etc.) at all spatial and temporal scales beyond that of individual weather events. Variability may be intrinsic, due to fluctuations of processes internal to the climate system (internal variability), or extrinsic, due to variations in natural or anthropogenic external forcing (forced variability) IPCC (2023) AR6 Glossary <a href="https://apps.ipcc.ch/glossary/">https://apps.ipcc.ch/glossary/</a>
<b>Decarbonise</b>	Reduce greenhouse gas emissions e.g. through the use of low-emissions power sources and electrification. Ministry for the Environment (2022) Emissions Reduction Plan.
<b>Drought</b>	An exceptionally long period of water shortage for existing ecosystems and the human population (due to low rainfall, high temperature and/or wind). Ministry for the Environment (2022) National Adaptation Plan.
<b>Dynamic adaptive pathways planning (DAPP)</b>	A framework that supports climate adaptation decision-making by developing a series of actions over time (pathways). It is based on the idea of making decisions as conditions change, before severe damage occurs, and as existing policies and decisions prove no longer fit for purpose. Ministry for the Environment (2022) National Adaptation Plan.
<b>Emergency management</b>	The process of applying knowledge, measures and practices that are necessary or desirable for the safety of the public or property, and are designed to guard against, prevent, reduce, recover from or overcome any hazard, harm or loss associated with any emergency. Activities include planning, organising, coordinating and implementing those measures, knowledge and practices. Ministry for the Environment (2022) National Adaptation Plan.
<b>Emergency Management Southland (EMS)</b>	Emergency Management Southland (EMS) was established by the four local government agencies in Murihiku Southland and is responsible for the delivery of Civil Defence and Emergency Management responses throughout this region. As part of this, Emergency Management Southland coordinates the 24/7 operation of the Emergency Coordination Centre which facilitates planning and operational activity during an event. Emergency Management Southland (2023) About US
<b>Environment Southland</b>	Environment Southland is a regional council as defined under the Local Government Act 2002. Environment Southland is responsible for the sustainable management of Southland's natural resources - land, water, air and coast - in partnership with the community.
<b>Emissions</b>	In the context of climate change, emissions of greenhouse gases, precursors of greenhouse gases and aerosols caused by human activities. These activities include the burning of fossil fuels, deforestation, land use and land-use change, livestock production, fertilisation, waste management and industrial processes. Ministry for the Environment (2022) National Adaptation Plan.
<b>Emissions reduction plan</b>	A plan that sets out the policies and strategies to meet emissions budgets by reducing emissions and increasing removals. A new emissions reduction plan must be in place before the beginning of each emissions budget period. Ministry for the Environment (2022) Emissions Reduction Plan.

<b>Extreme weather event</b>	An event that is rare at a particular place and time of year. What is 'extreme weather' may vary from place to place in an absolute sense. The measure of what is 'rare' may also vary but it involves the occurrence of a value of a weather or climate variable above (or below) a threshold value near the upper (or lower) ends of the range of observed values of the variable. In general, an extreme weather event would be as rare as, or rarer than, the 10th or 90th percentile of a probability density function estimated from observations. When a pattern of extreme weather persists for some time, such as a season, it may be classified as an extreme climate event, especially if it yields an average or total that is itself extreme (eg, high temperature, drought or heavy rainfall over a season). Ministry for the Environment (2022) National Adaptation Plan. <i>While not explicitly stated, extreme weather events are linked to wider climatic changes as a whole, and as such, intertwined with our changing climate. The actual magnitude and frequency of events may continue to change and need to be assessed against new baselines as climate change takes effect.</i>
<b>Flood</b>	An event where the normal boundaries of a stream or other water body overflow, or water builds up over areas that are not normally underwater. Floods can be caused by unusually heavy rain – for example, during storms and cyclones. Floods include river (fluvial) floods, flash floods, urban floods, rain (pluvial) floods, sewer floods, coastal floods and glacial lake outburst floods. Ministry for the Environment (2022) National Adaptation Plan.
<b>Framework for Action</b>	Part 2: The Framework for Action will provide clarity on how local government agencies in Southland will collectively achieve the aspirations outlined in this strategy; as well as focusing where there will be regional benefit for agencies to collaborate and potentially align on.
<b>Gore District Council</b>	Gore District Council is a territorial authority as defined under the Local Government Act 2002.
<b>Great South</b>	Great South is a Council-controlled organisation, jointly owned by ICC, SDC, GDC, ES, Invercargill Licensing Trust, Maitaia Licensing Trust, Southland Chamber of Commerce, SIT and its member Community Trust South. It is Southland's regional development agency which facilitates the implementation of the B2025 Southland Long Term Plan; as well as supporting the regional emissions reduction journey by working with businesses to reduce their greenhouse gas emissions across the region.
<b>Greenhouse gases (GHG)</b>	Atmospheric gases that trap or absorb heat and contribute to climate change. The gases covered by the Climate Change Response Act 2002 are carbon dioxide (CO <sub>2</sub> ), methane (CH <sub>4</sub> ), nitrous oxide (N <sub>2</sub> O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulphur hexafluoride (SF <sub>6</sub> ). Ministry for the Environment (2022) Emissions Reduction Plan.
<b>Hazard</b>	The potential occurrence of a natural or human-induced physical event or trend that may cause loss of life, injury or other health impacts, as well as damage and loss to property, infrastructure, livelihoods, service provision, ecosystems and environmental resources. Ministry for the Environment (2022) National Adaptation Plan.
<b>Invercargill City Council</b>	Invercargill City Council is a territorial authority as defined under the Local Government Act 2002.
<b>Intergovernmental Panel on Climate Change (IPCC)</b>	The United Nations body for assessing the science related to climate change. The IPCC is organised into three working groups and a task force: <ul style="list-style-type: none"> <li>• Working Group I (WGI) – physical science basis</li> <li>• Working Group II (WGII) – impacts, adaptation and vulnerability</li> <li>• Working Group III (WGIII) – mitigation</li> <li>• Task Force on national greenhouse gas inventories. Ministry for the Environment (2022) National Adaptation Plan.</li> </ul>



<b>LiDAR</b>	Light Detection and Ranging is a remote sensing method. It uses light in the form of a pulsed laser to measure ranges (variable distances) from the LiDAR instrument to the Earth. These are used to create 3D models and maps of objects and environments.
<b>Long Term Plan (LTP)</b>	Called the Long Term Council Community Plan (LTCCP) prior to 2012, the Long term plan is a document required under the Local Government Act 2002 that sets out a local authority's priorities in the medium to long term.
<b>Mana</b>	Prestige, authority, control, power, influence, status, spiritual power, charisma. Ministry for the Environment (2022) National Adaptation Plan.
<b>Mātauranga</b>	Māori knowledge systems and worldviews, including traditional concepts. Ministry for the Environment (2022) National Adaptation Plan.
<b>MfE</b>	Ministry for the Environment
<b>Mitigation (of a changing climate)</b>	In the context of climate change, a human intervention to reduce the sources or enhance the sinks of greenhouse gases. Ministry for the Environment (2022) National Adaptation Plan.
<b>Nature Based Solutions</b>	Solutions that are inspired and supported by nature and are cost effective, and at the same time provide environmental, social and economic benefits and help build resilience. Such solutions bring more, and more diverse, nature and natural features (eg, vegetation and water features) and processes into cities, landscapes and seascapes, through locally adapted, resource-efficient and systemic interventions. For example, using vegetation (eg, street trees or green roofs) or water elements (eg, rivers or water-treatment facilities) can help reduce heat in urban areas or support stormwater and flood management. Ministry for the Environment (2022) National Adaptation Plan.
<b>NEMA</b>	National Emergency Management Agency
<b>NIWA</b>	National Institute of Water and Atmospheric Research
<b>Net Zero</b>	A target of completely negating the greenhouse gas emissions produced by human activity. This can be done by balancing emissions and removals or by eliminating the production of emissions in the first place. Ministry for the Environment (2022) Emissions Reduction Plan.
<b>Pathway</b>	The evolution of natural and/or human systems over time towards a future state. Pathway concepts range from sets of quantitative and qualitative scenarios or narratives of potential futures to solution-oriented, decision-making processes to achieve desirable social goals. Pathway approaches typically focus on biophysical, techno-economic and/or socio-behavioural changes, and involve various dynamics, goals and participants across different scales. Ministry for the Environment (2022) National Adaptation Plan.
<b>Principles</b>	Principles provide direction on agencies' collective agreed way of working together to create a regional response to the impact of a changing climate on Murihiku Southland.
<b>Representative Concentration Pathways (RCPs)</b>	Scenarios that include time series of emissions and concentrations of the full suite of greenhouse gases and aerosols and chemically active gases, as well as land use/land cover (Moss et al., 2008; van Vuuren et al., 2011). IPCC (2023) AR6 Glossary <a href="https://apps.ipcc.ch/glossary/">https://apps.ipcc.ch/glossary/</a>



<b>RCCS</b>	Regional Climate Change Strategy (this strategy).
<b>RCCWG</b>	Regional Climate Change Working Group, which consists of governance representatives from Environment Southland, Te Ao Mārama, Gore District Council, Invercargill City Council and Southland District Council as key partners in developing a regional approach to a changing climate.
<b>Resilience/resilient</b>	The capacity of interconnected social, economic and ecological systems to cope with a hazardous event, trend or disturbance, by responding or reorganising in ways that maintain their essential function, identity and structure. Resilience is a positive attribute when it allows systems to maintain their capacity to adapt, learn and/or transform. Ministry for the Environment (2022) National Adaptation Plan.
<b>RSS</b>	Regional Spatial Strategy for which there is an expectation that this will be legislated for as a requirement to be produced regionally as part of the ongoing RMA reforms.
<b>Sea level rise</b>	Change to the height of sea levels over time, which may occur globally or locally. Ministry for the Environment (2022) National Adaptation Plan.
<b>Southland District Council</b>	Southland District Council is a territorial authority as defined under the Local Government Act 2002.
<b>Southland Mayoral Forum</b>	The Southland Mayoral Forum includes the Mayors and Deputy Mayors from all four local government agencies in Southland. There is a standing invitation for all Rūnanga chairs or nominee, to attend meetings of the Southland Mayoral Forum. Te Ao Mārama Inc. also reports directly to their Board representing Ngāi Tahu ki Murihiku Rūnanga.
<b>Shared Socioeconomic Pathways (SSPs)</b>	A scenario that describes a plausible future in terms of population, gross domestic product (GDP), and other socio-economic factors relevant to understanding the implications of climate change. IPCC (2023) AR6 Glossary <a href="https://apps.ipcc.ch/glossary/">https://apps.ipcc.ch/glossary/</a>
<b>Te Ao Mārama Inc.</b>	Te Ao Mārama Inc. looks after mana whenua interests in resource management and other aspects related to local government in Southland. It is authorised to represent Ngāi Tahu papatipu rūnanga in Murihiku/Southland. It is involved in the protection of the spiritual and cultural values of the region, including wahi tapu (sacred places), mahinga kai (gathering of food and resources) and other natural resources. Te Ao Mārama Inc. reports directly to their Board representing Ngāi Tahu ki Murihiku Rūnanga.
<b>Wellbeing</b>	The health, happiness and prosperity of an individual or group. It can cover material wellbeing (eg, income and wealth, jobs and earnings, and housing), health (eg, health status and work–life balance), security (eg, personal security and environmental quality), social relations (eg, social connection, subjective wellbeing, cultural identity and education) and freedom of choice and action (eg, civic engagement and governance). Ministry for the Environment (2022) National Adaptation Plan.

## SIESA price adjustment 2024

**Record no:** R/23/12/60465  
**Author:** Stuart O'Neill, Commercial infrastructure manager  
**Approved by:** Fran Mikulicic, Group manager infrastructure and capital delivery

☒ Decision

☐ Recommendation

☐ Information

### Purpose

- 1 The purpose of the report is to recommend to Council that the price of per kilowatt hour (Kwh) for SIESA increases, due to the increasing cost of diesel, to the value of \$0.85 Kwh.

### Executive summary

- 2 On 14 December 2023 the Stewart Island/Rakiura Community Board (SIRCB) resolved to increase the price per kilowatt hour from \$0.81 to \$0.85. This price change should take effect on 1 March 2024 with consideration to customer notifications as per the Electricity Regulations 2010. Invoicing for the new fees will be issued in the March 2024 invoice sent in April 2024.
- 3 In the report staff provided to the SIRCB on 14 December 2023, staff proposed to increase the rate to \$0.87 Kwh. The SIRCB recommended to adjust the price to \$0.85 Kwh. The SIRCB believed the move to \$0.87 Kwh was too significant and \$0.85 Kwh would be more appropriate given the rising cost of living pressures already facing the SIESA customers.
- 4 Price for diesel delivered to SIESA has experienced the same previous volatile patterns with an overall average increasing trend through the 2023/2024 financial year. The Annual Plan setting process was reliant on current and past trends in fuel price. Since that process, further price increases have occurred placing further pressure on SIESA reserves.
- 5 If the average price per litre for the year remains the same, then the Kwh price would need to be \$0.85 GST incl to recover the costs (all other things being as expected in the budget).
- 6 As we have been charging \$0.81 for the first half of the year to average \$0.85 for the year to date the cost per Kwh would need to be \$0.87 to make up for the first half of the year.
- 7 Staff have established an improved reporting process to allow weekly reporting and analysis of diesel increases to improve monitoring of cause and effect to SIESA. Further work is being undertaken to streamline the process to allow SIRCB and Council to apply price increases or decreases to customers to manage the financial impact of the global volatility of diesel prices.

## Recommendation

### That Council:

- a) **Receives the report titled “SIESA price adjustment 2024”.**
- b) **Determines that this matter or decision be recognised not significant in terms of Section 76 of the Local Government Act 2002.**
- c) **Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.**
- d) **Agrees to change the Stewart Island Electricity Supply Authority (SIESA) schedule of fees and charges for 2023/2024 for the SIESA standard rate per unit to \$0.85. This is to take effect for the electricity used in March 2024 and invoiced in April 2024.**

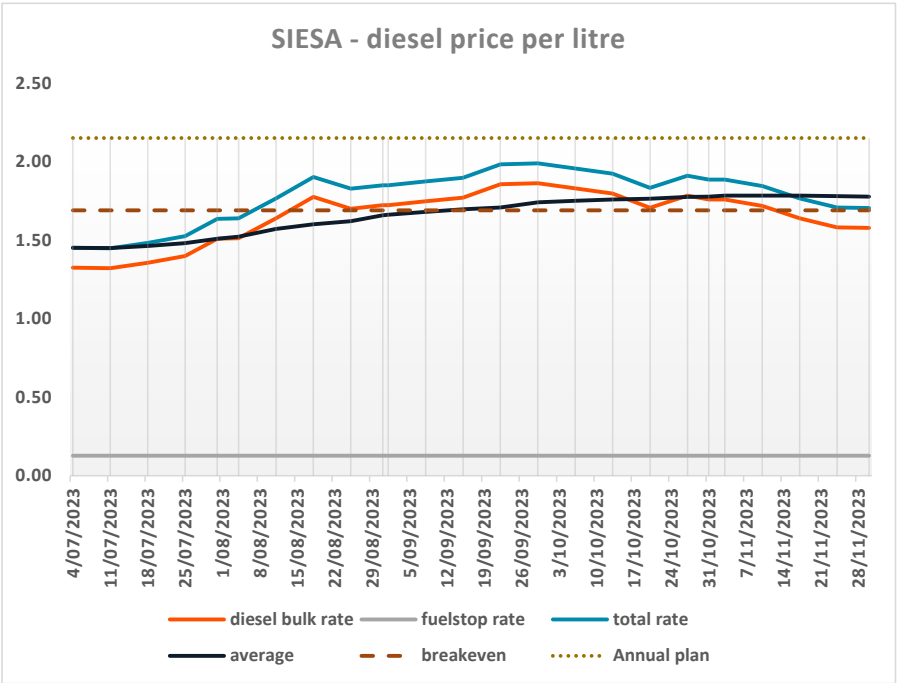
### Background

- 8 Elevated diesel prices are having a ripple effect through the national and regional economies and are particularly evident for SIESA. SIESA must seek to recover inflationary pressures of diesel through price increases for each Kwh the SIESA customer uses.

### Issues

- 9 At July 2023 SIESA was charging \$0.81 per Kwh. Staff estimate that over the financial year 2023/2024 the cost per Kwh could average at \$0.85. However, to recover the shortfall from the period July 2023 to November 2023 staff estimated the cost should be set at \$0.87. At SIRCB on 14 December meeting, the SIRCB determined the cost increase was too significant for customers and provided a resolution to recommend the increase in \$Kwh to \$0.85.

- 10 The following graph identifies the rising cost of diesel to SIESA and the relationship to the SIESA’s estimated breakeven cost where the \$0.81 per Kwh set during the annual plan would recover all fuel costs. Anything above this would be funded from reserves.



**Factors to consider**

**Legal and statutory requirements**

- 11 This price change should take effect from 1 March 2024 with consideration to customer notifications as per the Electricity Regulations 2010. Customers will be notified of the increase in late January 2024. The new fees will apply from 1 March 2024 and invoicing for the new fees will be issued in the March 2024 invoice sent to customers in April 2024.

**Community views**

- 12 The community is both concerned at the rising cost of energy, and aware of operating SIESA in a sound commercial manner to ensure the financial sustainability of power supply to the community.

**Costs and funding**

- 13 The adopted Annual Plan for 2023/2024 includes fuel for the SIESA generators at \$2.15 (GST exclusive) per litre. The average price paid per litre of fuel to 30 November 2023 was \$1.78 and has reduced to \$1.75 to 5 January 2024.
- 14 The consumers were paying \$0.61 Kwh at the start of 2022/2023 financial year and this increased to \$0.65 Kwh in October 2022. With the remaining additional fuel costs in 2022/2023 funded from reserves. To fully fund the operational costs included in the 2023/2024 Annual Plan the price per kilowatt to be charged to consumers needed to be set at \$0.95 (GST incl). Acknowledging the impact of the required price increase the final fee was set at \$0.81 Kwh. This required reserve funding of fuel equivalent of \$0.46 per litre.

- 15 The breakeven point of \$1.69 shown in the graph at paragraph 10 reflects the amount per litre that is covered by the charge to consumers, where the average is above this line it is being funded from the reserve.
- 16 The estimated price provided, is not a guarantee that all costs will be recovered for the 2023/2024 financial year. It relies on similar Kwh sales to prior years and all other costs being on budget.

**Policy implications**

- 17 There are no policy implications.

**Analysis**

**Options considered**

- 18 Two options were considered. The option that best provides for the financial sustainability of SIESA is Option 2, to increase the price per Kwh to \$0.85.

**Analysis of options**

**Option 1 – Do nothing**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>the price is not increased providing no short-term burden on the customer's account.</li></ul>	<ul style="list-style-type: none"><li>SIESA will likely be found in a position at the end of the 2023/2024 fiscal year to be funding SIESA costs from reserves.</li></ul>

**Option 2 – Increase the cost per Kwh from \$0.81 to \$0.85**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>this cost increase would ensure the majority of operating costs moving forward from March 2024 would be recovered</li><li>SIESA's financial position would improve with less impact of reserves.</li></ul>	<ul style="list-style-type: none"><li>costs associated with diesel increases from July 2023 to February 2024 would not be recovered leading to a deficit for the total financial year</li><li>the customer will experience greater costs for energy</li><li>customer energy patterns may see a decreasing trend as a symptom of rising prices.</li></ul>

**Assessment of significance**

- 19 No assessment of significance is required. This matter is not considered significant when assessed against the Significance and Engagement Policy.

**Recommended option**

- 20 Option 2 – increase the Kwh price from \$0.81 to \$0.85.

**Next steps**

- 21 Notify customers of the price increase.

**Attachments**

There are no attachments for this report.





## Proposed update to Delegations Manual

**Record no:** R/24/1/386  
**Author:** Michal Gray, Democracy advisor  
**Approved by:** Cameron McIntosh, Chief executive

☒ Decision

☐ Recommendation

☐ Information

### Purpose

- 1 The purpose of this report is to present an amended version of the Delegations Manual (the manual) to Council for adoption.

### Executive summary

- 2 On 6 September 2023 Council adopted an updated manual that included changes to incorporate a realignment of roles within Council. Staff advised that they would bring the manual to Council to remove disestablished roles once the realignment process was complete.
- 3 The manual contained in attachment A has been marked up with the following proposed amendments:
  - changes to ensure delegations align to Council's staffing structure following the re-alignment process
  - alterations or further delegations made by the chief executive since the manual was adopted on 6 September 2023
  - updating delegations to the District Licensing Committee and changes to delegations to staff under the Sale of Alcohol Act 2012 and the Sale and Supply of Alcohol (Fees) Regulations 2012
  - updating delegations under the Food Act 2014
  - additional delegations and changes to delegations under the Resource Management Act 1991
  - minor typographical and grammatical changes.
- 4 Council is being asked to approve and adopt the amended manual.

## Recommendation

### That the Council:

- a) receives the report titled “Proposed update to Delegations Manual”.
- b) determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.
- d) approves and adopts the amended Delegations Manual as contained in Attachment A which incorporates the following changes:
  - i. changes to ensure delegations align to Council’s staffing structure following the re-alignment process
  - ii. alterations or further delegations made by the chief executive since the manual was adopted on 6 September 2023
  - iii. updating the delegations to the District Licensing Committee and changes to delegations to staff under the Sale of Alcohol Act 2012 and the Sale and Supply of Alcohol (Fees) Regulations 2012
  - iv. updating the delegations under the Food Act 2014
  - v. additional delegations and changes to delegations under the Resource Management Act 1991
  - vi. minor typographical and grammatical changes.

## Background

- 5 On 30 November 2022 Council adopted the Delegations Manual (the manual) that outlines:
  - Council’s delegations of governance activities to Council committees, community boards and other Council entities
  - Council’s delegations of management activities to the chief executive
  - Council's delegations to Council staff, including the executive leadership team.
  - Chief executive’s non-statutory delegations to staff.
- 6 On 6 September 2023 Council adopted an updated manual which included changes to incorporate a realignment of roles within Council. New roles were added to the manual but the roles that were to be disestablished remained in the manual during the transition period. Staff

advised that they would bring the manual to Council for updating to remove the disestablished roles once the realignment was completed.

- 7 On 20 September 2023 Council adopted updated Resource Management Act 1991 (RMA) delegations and staff have incorporated these into the manual.
- 8 On 8 November 2023 Council adopted delegations to the Executive Committee and staff have incorporated these delegations into the manual.
- 9 On 16 August 2023 Council adopted delegations to the Connected Murihiku Joint Committee and these delegations have since been incorporated into the manual by staff.

## **Issues**

- 10 The manual contained in attachment A has been marked up with the following proposed amendments.

### **Realignment of roles**

- 11 The realignment of roles/restructure within Council is now largely complete and staff are proposing that disestablished roles are removed from the manual.

### **Chief executive delegations**

- 12 Since Council adopted the manual on 6 September 2023, the chief executive has made the following further delegations to staff to enable Council to operate effectively:
  - Financial delegation 9.9.1 - Authority to authorize purchases of capital items or goods and services delegated to open spaces lead and contracts and program lead
  - Financial delegation 9.9.1 – Authority to approve loan repayments and GST and FBT payments (no limit) delegated to finance business partnering lead
  - Financial delegation 9.9.1 - Authority to operate Council bank accounts including making electronic bank payments, direct debits, inter account transfers and sign cheques subject to invoice or payment being duly authorised. Any two of the following officers (no limit) delegated to finance business partnering lead.
- 13 These chief executive delegations are included in the manual in italics with footnote explanations and are listed in the manual at ‘Attachment C - Chief executive delegations to officers’.
- 14 The ability of the chief executive to make these delegations is provided for in the manual. The chief executive has delegated authority for all powers, duties and responsibilities conferred on Council by statute and regulations, so can sub-delegate these accordingly (other than RMA delegations or any other delegation that the chief executive cannot delegate).
- 15 Staff propose that these delegations made by the chief executive are now adopted by Council and incorporated into the manual. If these changes are adopted, the italics style and footnotes will be removed from the body of the manual.

### **Sale of Alcohol Act 2012 and Sale and Supply of Alcohol (Fees) Regulations 2013**

- 16 The District Licensing Committee (DLC) are delegated all functions under section 187 of the Sale and Supply of Alcohol Act 2012. These functions include considering and determining applications for licences and managers certificates, renewal of licences and managers certificates, temporary authorities, variation, suspension or cancellation of special licence and variation of licences other than special licences.
- 17 Staff propose changes to the wording of these functions of the DLC at paragraph 8.4.2 of the manual, these changes do not change the nature of these delegations.
- 18 The manual also delegated to staff the functions under section 187 of the Sale and Supply of Alcohol Act. However, in practice the DLC is carrying out all of these functions and staff do not need to hold these delegations. Staff are proposing that these delegations to staff be removed so that the manual reflects current practice.
- 19 Staff are delegated various functions under the Sale and Supply of Alcohol (Fees) Regulations 2013 and staff propose that the roles are amended to reflect current practice to include the staff roles of District Licensing Secretary under regulations 4, 5(1), 5(6) and 6(1) and the staff role of Chief Licensing Inspector under regulation 6(4).

### **Food Act 2014**

- 20 Presently there is a blanket delegation under the Food Act with all powers functions and duties under excluding those contained in sections 173(2), 176, 179, 182 and 205 (which remain with Council) are delegated to a list of staff roles.
- 21 Staff have carefully reviewed these delegations and propose updates to ensure that each power, function or duty is specifically delegated to the appropriate staff roles to match current practice.
- 22 Staff propose that that the delegations under sections 173(2), 176 and 182 if the Food Act (which at present sit with Council) are delegated to the group manager regulatory services. These delegations relate to the power to transfer or combine with another territorial authority for functions, duties and powers under the Food Act. Staff consider these delegations relate to operational decisions and therefore it is appropriate that they sit at group manager level.

### **Resource Management Act 1991 (RMA)**

- 23 On 20 September 2023 Council approved and adopted updated RMA delegations that included provisions for appointing and making delegations to hearings commissioners. To ensure the robustness of this process, all proposed updates were subjected to a comprehensive legal review.
- 24 Hearings commissioners can act on Council's behalf during resource consent decision making or plan change hearings. The use of hearings commissioners allows for an increase in Council's capacity to process resource consents.

- 25 Staff now propose that the following further delegations are made to hearings commissioners to allow them to function as intended:

RMA Section	Function	Reason for change
s.42A  s.42A (5)	Require the preparation of a report on information provided.  Waiving compliance regarding timeframes for distributing reports, where there is no material prejudice	Hearings commissioners require the ability during a hearing to require an officer or to commission a consultant or any other person employed for the purpose, to prepare a report on information provided on any matter by an applicant or any person who made a submission
ss.95, 95A, 95B, 95C, 95D, 95E, 95F, 95G, 127(4)	Determination of public notification, limited notification and all related decisions and processes	Hearings commissioners are commonly required to make decisions on notification of an application, as part of assisting the Council with its decision-making workload.  Section 127(4) is proposed to be added as this section also relates to determination of notification, specifically for applications to vary or cancel conditions of consent.
s. 176A	Power to request changes to an outline plan or waive requirement for an outline plan	This function is recommended to be delegated to hearing commissioners as outline plans are sometimes considered alongside resource consent applications.

- 26 Staff also propose the following changes to RMA delegations:

- Sections 37, 37A, 87BA, 88(1), 88(3), 88(3A), 91A, 91B, 91C, 91D, 91E, and 91F are also delegated to the graduate resource management planner role to reflect that these are functions that all planners undertake. Sections 37 and 37A are also delegated to the resource management planner role.
- Sections 87BB, 87E, 87F, 87G, 87H and 87I and section 102 are amended with a minor correction to how commissioners are listed within delegations.
- Sections 88(1), 88(3) and 88(3A) are amended to separate out the functions to better align with the activities being undertaken.



- Sections 88B, 88C, 88D, 88E, 88G and 88H are removed as there is no power or function that occurs under these sections.
- Sections 104, 104A, 104B, 104C, 104D, 104G, 105, 106, 108, 108AA, 113, 127, 220 and 221(3) are consolidated as they all relate to decision making on a resource consent or similar application.
- Sections 176A(1), 176A and 176A(5) are separated into separate delegations as they relate to different functions which should be delegated to the appropriate staff roles.
- Sections 221(1), 222, 223, 224, 226, 229, 230, 231, 232, 233, 234, 235, 236, 237, 237A, 237B, 237C, 237D, 237E, 237F, 237G, 237H, 240, 241, and 243 and section 348 of the Local Government Act 1974 are also delegated to resource management planner role to reflect that these are often administrative functions associated with subdivision that can be undertaken with less oversight. This will also assist with streamlining the issuance of certificates associated with the creation of new allotments without double-handling.

### **Minor changes**

- 27 There are also minor typographical and grammatical changes that have been marked up in the manual.

### **Amended manual**

- 28 Staff are asking Council to approve and adopt the amended manual attached to this report as Attachment A which is marked up to incorporate all of the proposed changes detailed in paragraphs 9 to 25 above.

### **Factors to consider**

#### **Legal and statutory requirements**

- 29 Under the Local Government Act 2002 (LGA) Council has a wide discretion to determine the extent it may want to delegate matters.
- 30 The statutory authority for Council to delegate is provided for in clause 32 of Schedule 7. The decisions that Council are not able to delegate include:
- the power to make a rate
  - the power to make a bylaw (although local boards have the right to recommend these for their local areas)
  - the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
  - the power to adopt a long-term plan, annual plan, or annual report
  - the power to appoint a chief executive
  - the power to adopt policies required to be adopted and consulted on under the LGA in association with the long-term plan or developed for the purpose of the local governance statement

- the power to adopt a remuneration and employment policy.

- 31 A delegation means that the body with the delegated power has the full authority of Council, as the governing body, in respect of the decision-making powers defined in the delegation. The governing body, while retaining legal responsibility for the exercise of any powers it has delegated, cannot overturn or amend a decision made by a body which is exercising a delegation.
- 32 If Council has concerns about the decision that was made it can ask the body with the delegated authority to revisit the decision and in so doing, consider the factors that are of concern to Council.
- 33 Council also retains the right to review and revoke any delegation made at a later point in time.
- 34 Section 34A of the RMA restricts sub-delegation of RMA delegations. Therefore, changes to these delegations need to be effected through approval by Council.

### **Community views**

- 35 Staff anticipate that the community would expect Council to have appropriate delegations in place and to operate in accordance with recognised good practice standards
- 36 Additional information on community views have not been sought in relation to the proposed delegations as engagement is not necessary due to the level of significance of this matter, and it's administrative nature.

### **Costs and funding**

- 37 Costs associated with updating the delegations have been met, and will continue to be met, from existing budgets.

### **Policy implications**

- 38 There are no major policy implications identified through the recommendation to adopt the amended delegations manual.

### **Analysis**

#### **Options considered**

- 39 There are two ways Council could proceed in relation to this report:
- option 1 – adopt the manual attached to the report
  - option 2 – not adopt the manual attached to the report

## **Analysis of Options**

### **Option 1 – adopt the manual attached to the report**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• enables exercise of powers and functions by staff to an appropriate level to ensure operations on a day to day basis</li><li>• the manual would be an accurate reflection of delegations and current practice</li><li>• granting additional powers to hearings commissioners enhances Council's decision-making capacity, particularly in the crucial areas of notification and hearing procedures, ensuring timely and effective processing of resource consents.</li></ul>	<ul style="list-style-type: none"><li>• no known disadvantages.</li></ul>

### **Option 2 – not adopt the manual attached to the report**

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"><li>• no known advantages.</li></ul>	<ul style="list-style-type: none"><li>• delegations to staff would not be updated at this time</li><li>• Council may not be able to undertake some responsibilities in a practical way as there may not be an appropriate delegation to staff.</li></ul>

## **Assessment of significance**

- 40 This decision has been assessed by staff as not significant under the Local Government Act 2002 and Council's Significance and Engagement Policy.
- 41 The changes proposed to the manual do not substantially alter where delegations sit within Council. Where staffing updates have been incorporated the delegations proposed are to positions of similar responsibility. Where new delegations are proposed in the manual, care has been taken to give responsibility to appropriate roles to manage risk.
- 42 In relation to the provisions for assessing significance in the Local Government Act 2002 and Council's Significance and Engagement Policy:
- this decision is unlikely to impact on/have consequences for community wellbeing in the district
  - the likely impacts on and consequences for people (who are likely to be affected or interested in this matter) are not to a high level

- in relation to the capacity of Council to perform its role and associated non-financial costs, if Council do not adopt the delegations, Council will still be able to operate but it won't operate as efficiently and effectively.

### **Recommended option**

- 43 Staff recommend that Council proceed with Option 1 and approve and adopt the manual attached to the report.

### **Next steps**

- 44 Staff will record Council's revision of the manual in Appendix B of the manual.
- 45 Staff will format the manual to accept all marked up changes. The updated manual will be circulated to staff and published on Council's website.
- 46 Staff will continue to monitor and review delegations and present to Council proposed updates to the manual to ensure that it reflects current practice and business needs.

### **Attachments**

- A Southland District Council Delegations Manual marked up with proposed amendments



# Southland District Council

## Manual of Delegations

Adopted by Council 6 September 2023

Including changes being proposed at the 24 January 2024 Council meeting.

R/22/12/73877

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## 1 Introduction

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

- **elected members**, including councillors and community board 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 includes 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 provision of policy advice and decision implementation to council officers.

### 1.1 Purpose

The purpose of the delegations manual ('the manual') is to define and authorise the scope of:

- a) the division between governance and management activities
- b) Council's delegations of governance activities to Council committees and community boards
- c) Council's delegations of management activities, functions and powers to the chief executive and to Council officers, including the executive 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 carrying out of specific statutory responsibilities devolved to Council through legislation.

### 1.2 Structure of Manual

The delegations manual is structured as follows:

1. 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.
2. Governance delegations – this section sets out the delegation of governance and decision making powers from Council to committees and community boards.
3. 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 sub-committees and Council officers.
4. Statutory delegations - these sections sets out key statutes and regulations that devolve and delegate functions and powers, duties and responsibilities from Council to the chief executive and from Council to Council staff. These delegations are consistent with the Local Government Act

2002 ('the act'), which empowers Council to delegate the enforcement, inspection, licensing and administration related to bylaws and other regulatory matters to any other local authority, organisation, or person.

5. Non statutory delegations – this section sets out how the chief executive delegates management powers, functions and responsibilities to facilitate the effective operation and administration of Council business.

## 2 Delegations Philosophy

Delegations are the assignment of a duty, function or power of action to one or more named persons, 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, the chief executive and to specific Council officers.

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.

### 2.1 Philosophy

In the interests of good management and effective administration, Council believes that decision-making should be delegated to the lowest competent level. This will enable the best use of elected member and Council officer abilities and minimise the cost of material, technical and financial resources.

Authority and responsibility are inseparable. Those with the responsibility for a task or function should always have the authority to carry it out effectively. Those with authority should always be responsible for its wise use.

Delegations do not remove ultimate accountability of elected members, the chief executive and the executive leadership team for the affairs of Council.

### 2.2 Key Principles

In making decisions about delegated authority, Council and the chief executive will balance 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 obligations and 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
- have any updates recorded in an appendix of subsequent delegations
- commit Council to decisions made by staff with delegated authority
- be reviewed and amended as required, including a review in line with triennial elections.

## **2.3 Delegations to the Chief Executive**

---

Council may delegate any function to the chief executive except those expressly precluded by legislation. Any further delegations by the chief executive made following the publication of this manual will be recorded in an appendix of subsequent delegations (Attachment C).

The chief executive may appoint an executive leadership team member in an acting role to assume delegated authority in the event of planned or unplanned leave, absence or unavailability. Such appointments should be for a limited time and be recorded in writing.

### **2.3.1 Temporary Delegations**

Council officers who are charged with increased duties in a temporary or acting capacity also receive the delegated powers, duties and responsibilities relevant to that position. Any appointment in a temporary capacity shall be recorded in writing and be for a defined period.

### **2.3.2 Extension of Delegated Authority**

The group manager and team leader/activity manager of any Council officer who has a specific delegated authority will share the same delegation as that Council officer, and shall be able to exercise that function and power as if it had been specifically delegated to them.

## **2.4 Legal Restrictions**

---

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 a rate
- adopt a bylaw
- 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.

## **2.5 Powers and Responsibilities Retained by Council**

---

Council also retains the following additional powers and responsibilities:

- the powers and duties conferred or imposed on Council under Part 2 of the Public Works Act 1981 to allow for the compulsory acquisition of land
- approval of a draft Long Term Plan or draft Annual Plan prior to community consultation
- approval of a draft bylaw prior to community consultation
- resolutions required to be made by Council under the Local Electoral Act 2001, including the appointment of an electoral officer
- the power to institute any proceedings in the high court that are not injunctive proceedings
- the power to sell, dispose or purchase land, including parks, reserves and endowment properties where they are not being acquired as part of the approval of a resource consent for developments such as subdivisions or where the land is being acquired as part of a project included in the Long Term Plan where the value is less than \$50,000
- the power to cease any existing function or commence any new significant activity
- formulation or amendment of Council's corporate goals and objectives
- adoption of the local governance statement
- adoption of the triennial agreement
- preparation of Long Term Plan/Annual Plan documents
- power to set fees and charges
- adoption of the assessment of water and sanitary services.
- approve, adopt and review policies including any revisions and amendments
- approve by resolution all external Council borrowing outside of that noted in the Long Term Plan
- approve the external managed fund and the appointment of any fund managers
- approve amount of funds to be placed with external managed fund
- approve membership to Local Government Funding Agency (LGFA) including CCO/CCTOs.



### 3 The Statutory Framework

#### 3.1 Council's Principal Responsibilities

The purpose of local government as per s.10 of the Local Government Act 2002 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 s.39 of the Local Government Act 2002 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
- a local authority should ensure that the governance structures and processes are effective, open, and transparent
- 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
- a local authority should be a good employer
- a local authority should ensure that the relationship between elected members and management of the local authority is effective and understood.

#### 3.2 Responsibilities of the Chief Executive

The Local Government Act 2002 requires Council to delegate the management of the organisation to the chief executive in accordance with s.42 and Schedule 7 ss.33 – 36, on the terms and conditions that Council consider appropriate.

The chief executive is responsible to the elected Council for:

- a) implementing the decisions of the local authority
- b) providing advice to members of the local authority and to its community boards, if any
- c) ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an act, regulation, or bylaw, are properly performed or exercised
- d) ensuring the effective and efficient management of the activities of the local authority
- e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority
- f) providing leadership for the staff of the local authority
- g) employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy) and

- h) negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).

Other matters that the chief executive is responsible for include:

- a) ensuring, as far as 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
  - is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.
- b) ensuring the policies adopted by Council are implemented by officers of Council and administered in accordance with their terms.
- c) changes and updates to staff delegations (as set out in sections 2.3)
- d) all other powers, functions and duties necessary for the management of the Council's activities and functions.

### 3.3 Delegation of Powers to any Other Officer

The delegations manual records all delegations from Council to the chief executive and to Council officers. Clause 32B of Schedule 7 of the Local Government Act 2002 provides (with some restrictions) powers for a Council officer to further delegate to any other officer.

## 4 Authority

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 of functions and powers made to the chief executive and Council officers were adopted by Council at its meeting on 30 November 2022.

## 5 Amendments to this Manual

This manual shall be maintained by the governance and democracy team who shall amend it in accordance with:

- any instruction to that effect given by Council, and any other 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 amendments to address legislative or regulatory changes, excluding the powers and responsibilities that remain with Council, which shall go to Council for approval.

The manual will be reviewed in line with triennial elections.

## 6 Conduct of Affairs

All elected members, community boards, committees and subcommittees shall conduct their affairs in accordance with the Local Government Act 2002, Local Government Official Information and Meetings Act (LGOIMA) 1987, Local Authorities (Members' Interests) Act 1968, Council Code of Conduct (with respect to all elected members) and standing orders.

## 7 Ambiguity or Conflict

In the event of ambiguity or conflict as to which committee or subcommittee has the delegated authority to act in respect of a particular matter, then the mayor will decide in consultation with governance and democracy and having received advice from the chief executive.

## 8 Governance Delegations

### 8.1 Introduction

Council's delegation model is designed to enable committees of Council to 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.

Under s.41A of the Local Government Act 2002, the mayor has the power to establish the committees of Council and appoint the chairperson of each committee of Council before the other members of the committee are determined.

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 standing committee may go to the full elected Council for decision. The decision to do so will be made by the mayor in conjunction with the chief executive.

## 8.2 Community Boards

Pursuant to clause 32 of Schedule 7 of the Local Government Act 2002 ('LGA'), Council delegates the responsibilities, duties and powers listed below to community boards to exercise within their communities (as defined in the LGA).

Any decision by a community board must be consistent with policies or standards or resolutions adopted by Council (whether or not specifically referred to in the delegations below), the needs of their local communities and the approved budget for the activity.

It is Council's intention that community boards exercise their delegations in respect of local activities. For District activities that are the responsibility of Council, community boards will have the power to review and make recommendations to Council on the levels of service on the understanding that Council will be operating on a District wide minimum level of service.

The decision as to whether the exercise of a delegated power is for a local activity will be made by the ~~group manager democracy and community~~/group manager customer and community wellbeing and the assigned executive leadership team member on behalf of the chief executive. The group managers may consult with the chairperson of the relevant community board.

<b>TYPE OF COMMITTEE</b>	Community board (board)
<b>RESPONSIBLE TO</b>	Boards are responsible to Council  Each board will also have relationships with Council committees (these committees are outlined in the delegations manual).
<b>SUBCOMMITTEES</b>	Some subcommittees will report to community boards – these are outlined in section 8.5 of the delegations manual.
<b>MEMBERSHIP</b>	Oreti and Waihopai Toetoe boards have seven members elected by the local authority triennial elections plus a member appointed by Council. All other boards have six members plus a member appointed by Council.  The chairperson is elected by the board. Councillors who are not appointed to boards can only remain for the public section of the board meeting. They cannot stay for the public excluded section unless the board agrees.
<b>FREQUENCY OF MEETINGS</b>	Every second month, but up to 12 ordinary meetings a year with the approval of the chief executive.
<b>QUORUM</b>	Not less than four members
<b>THE ROLE OF COMMUNITY BOARDS</b>	<p><b>Governance</b></p> <p>Elected members are responsible for providing leadership, setting direction and for overseeing performance (at a high level).</p> <p>The chief executive and staff are responsible for management activities including the allocation of resources, overseeing the day to day operations of the community board, providing policy advice and implementing governance decisions.</p> <p><b>Roles outlined in the Local Government Act 2002</b></p> <ul style="list-style-type: none"> <li>• appoint a chairperson and deputy chairperson</li> </ul>

	<ul style="list-style-type: none"> <li>• represent, and act as an advocate for, the interests of its community</li> <li>• consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the board</li> <li>• maintain an overview of services provided by the territorial authority within the community</li> <li>• prepare an annual submission to the territorial authority for expenditure within the community</li> <li>• communicate with community organisations and special interest groups within the community</li> <li>• undertake any other responsibilities that are delegated to it by the territorial authority.</li> </ul> <p><b>Additional roles of boards</b></p> <p><b>Community wellbeing</b></p> <ul style="list-style-type: none"> <li>a) promote the social, economic, environmental and cultural well-being of local communities</li> <li>b) monitor the overall well-being of local communities.</li> </ul> <p><b>Community leadership</b></p> <ul style="list-style-type: none"> <li>a) to provide leadership to local communities on the strategic issues and opportunities that they face</li> <li>b) identify key issues and opportunities that will affect the future of the board's community and work with Council staff and other local representatives to facilitate multi-agency collaborative opportunities</li> <li>c) promote a shared vision for the board's community and develop and promote ways to work with others to achieve positive outcomes</li> <li>d) provide a local community perspective on Council's long term plan key performance indicators and levels of service as detailed in the long term plan, and on local expenditure, rating impacts and priorities</li> <li>e) develop and manage community board plans including keeping these up to date and relevant to community needs and aspirations.</li> </ul> <p><b>Engagement and relationships</b></p> <ul style="list-style-type: none"> <li>a) to develop relationships and communicate with key community organisations, special interest groups, residents and businesses within the community.</li> </ul> <p><b>Advocacy</b></p> <ul style="list-style-type: none"> <li>a) as part of the long term plan or annual plan process, prepare a submission to Council on the proposed levels of service, income and expenditure within the community of interest</li> <li>b) as part of the long term plan or annual plan process, outline the relative priorities for the delivery of District services and levels of service within the board area (Council sets the levels of service for</li> </ul>
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	<p>District Activities<sup>(i)</sup> if a board seeks a higher level of service, they need to recommend that to Council, and the higher level of service will need to be funded in an appropriate way (locally).</p> <p><b>Local activities</b></p> <p>For local activities<sup>(ii)</sup></p> <ul style="list-style-type: none"> <li>a) recommend to Council levels of service<sup>(iii)</sup> and budgets for local activities, having regard to Council budgets in the long term plan or annual plan process</li> <li>b) recommend to Council rates, user charges and fees to fund local activities</li> <li>c) recommend to Council or a relevant committee the approval of project definitions or business cases and procurement plans for capital expenditure over \$300,000</li> <li>d) recommend to Council or a relevant committee unbudgeted capital expenditure</li> <li>e) monitor the services Council delivers its communities and assess the extent these services meet community needs or the expected level of service</li> <li>f) support the development of local management plans where required by statute or in support of the district plan, or other plans (reserves, harbours, or other community facilities).</li> </ul> <p>These plans should then be recommended to Council. There are times when local management plans<sup>(iv)</sup> should not be developed</p> <p><b>Environmental management and spatial planning</b></p> <ul style="list-style-type: none"> <li>a) provide comment on resource consent applications referred to the community board for comment</li> <li>b) to make recommendations to Council about bylaws and about enforcing bylaws within the community, having regard to the need to maintain consistency across the District</li> <li>c) provide advice to Council and its committees on any matter of interest or concern to the community board in relation to the sale of alcohol, where statutory ability exists to seek such feedback</li> <li>d) provide input into regulatory activities not otherwise specified above, where process allows</li> <li>e) recommend to Council initiating an appeal to the environment court on decisions relating to resource consent applications that the board has made submissions on</li> <li>f) provide support to the development of community plans for a civil defence emergency and the recovery afterwards.</li> </ul>
<b>DELEGATIONS</b>	<p>In exercising the delegated powers, boards will operate within:</p> <ul style="list-style-type: none"> <li>a) policies, plans, standards or guidelines that have been established and approved by Council</li> <li>b) the needs of the local communities</li> <li>c) the approved budgets for the activity.</li> </ul>

	<p>Boards shall have the following delegated powers and be accountable to Council for the exercising of these powers<sup>(9)</sup>.</p> <p><b>Community wellbeing</b></p> <ul style="list-style-type: none"> <li>a) develop local strategies to improve areas of wellbeing (where a need has been identified)</li> <li>b) to develop local community outcomes that reflect the desired goals for their community or place.</li> </ul> <p><b>Community board plans</b></p> <ul style="list-style-type: none"> <li>a) Regularly review and update the community board plan to keep the plan relevant.</li> </ul> <p><b>Decisions on locally funded assets and services</b></p> <ul style="list-style-type: none"> <li>a) accept donations of a local asset (e.g. a gas barbeque, park bench, etc) with a value of less than \$30,000</li> <li>b) approve project definitions or business cases for approved budgeted capital expenditure up to \$300,000.</li> </ul> <p><b>Unbudgeted expenditure</b></p> <ul style="list-style-type: none"> <li>a) approve unbudgeted operating expenditure for local activities of up to \$20,000</li> <li>b) approve up to a \$20,000 increase in the projected cost of a budgeted capital works project/item that is included in the annual plan or long term plan</li> <li>c) authority to delegate to the chief executive, when approving a project definition or business case, over-expenditure of up to \$10,000 for capital expenditure against the budget detailed in the annual plan or long term plan.</li> </ul> <p><b>Leases and licenses</b></p> <p>In relation to all leases and licences of land and buildings for local activities within their own area, and subject to any relevant legislation and/or policy requirement, on behalf of Council;</p> <ul style="list-style-type: none"> <li>a) accept the highest tenders for rentals more than \$10,000</li> <li>b) approve the preferential allocation<sup>(9)</sup> of leases and licenses where the rental is \$10,000 or more per annum.</li> </ul> <p><b>Community assistance</b></p> <ul style="list-style-type: none"> <li>a) establish a system for prioritising allocations, based on criteria provided by Council</li> <li>b) grant funds from the Community Partnership Fund</li> <li>c) allocate bequests or grants generated locally, consistent with the terms of the bequest or grant fund.</li> </ul> <p><b>Northern Southland development fund</b></p> <ul style="list-style-type: none"> <li>a) the Northern board can make decisions regarding funding applications to the Northern Southland development fund.</li> </ul>
<b>LIMITS TO DELEGATIONS</b>	Boards have no financial or decision-making delegations other than those specifically delegated by Council.



	<p>Boards shall only expend funding on purposes for which that funding was originally raised and in accordance with the budgets approved by Council through its long term plan or annual plan.</p> <p>In accordance with the provisions of section 39(2) of Schedule 7 of the Local Government Act 2022 the board may not incur expenditure in excess of the approved budget.</p> <p><b>Matters that are not delegated</b></p> <p>Council has not delegated to boards the power to:</p> <ul style="list-style-type: none"> <li>a) make a rate or bylaw</li> <li>b) acquire, hold or dispose of property</li> <li>c) direct, appoint, suspend or remove staff</li> <li>d) engage or enter into contracts and agreements and financial commitments</li> <li>e) institute an action for recovery of any amount</li> <li>f) issue and police building consents, notices, authorisations and requirements under acts, statutes, regulations, bylaws and the like;</li> <li>g) institute legal proceedings other than the delegation to recommend to Council the initiating of an appeal to the environment court on decisions in respect to resource consent applications on which the board has made submissions.</li> </ul>
<b>CONTACT WITH MEDIA</b>	<p>The board chairperson is the authorised spokesperson for the board in all matters where the board has authority or a particular interest.</p> <p>Board members, including the chairperson, do not have delegated authority to speak to the media or outside agencies on behalf of Council on matters outside of the board's delegations.</p> <p>The executive leadership team member will manage the formal communications between the board and its constituents and for the board in the exercise of its business. Correspondence with central government, other local government agencies or official agencies will only take place through Council staff and will be undertaken under the name of Council.</p>
<b>REPORTING</b>	<p>Boards are unincorporated statutory bodies which are elected to represent the communities they serve.</p> <p>Copies of board meeting minutes are retained by Council.</p>

<sup>(i)</sup> District activities include:

- a) community leadership at a district level (including district community grants)
- b) wastewater
- c) waste services
- d) water supply
- e) district open spaces (parks and reserves)
- f) roading

- g) district community services (library services, cemeteries, community housing and heritage/culture)
  - h) district community facilities (public toilets, library buildings, offices and amenity buildings)
  - i) environmental services (building services, resource management, environmental health, animal services, emergency management)
  - j) stormwater
  - k) corporate support services
- (ii) Local activities include:
- a) community leadership at a local board level (including local community grants)
  - b) local community facilities (halls and other amenity buildings within Council's overarching policy for community facilities)
  - c) water facilities (boat ramps, wharves, jetties and harbour facilities)
  - d) local open spaces (parks and reserves, playgrounds and streetscapes)
  - e) parking limits, footpaths and streetlights
  - f) Te Anau/Manapouri Airport (Fiordland board)
  - g) Stewart Island Electricity Supply Authority (SIESA) (Stewart Island/Rakiura board)
  - h) for the above two local activities only
  - i) recommend levels of service and annual budget to Council or a relevant committee
  - j) monitor the performance and delivery of the service
  - k) naming reserves, structures and commemorative places
  - l) authority to decide upon requests from the community, regarding names of reserves, the placement of structures and commemorative places.
  - m) naming roads
  - n) authority to decide on the naming for public roads, private roads and rights of way
  - o) assisting the chief executive by providing comment (through the board chairperson) to consider and determine temporary road closures applications where there are objections to the proposed road closure.
- (iii) Levels of service is a term in asset management referring to the quality of a given service. Defining and measuring levels of service is a key activity in developing infrastructure asset management plans. Levels of service may be tied to physical performance of assets or be defined by customer expectation and satisfaction.
- (iv) Local management plans should not be developed where powers:
- a) have been delegated to Council staff
  - b) would have significance beyond the board's area or otherwise involves a matter of national importance (Section 6 Resource Management Act 1991)
  - c) involve the alienation of any part of a proposed or existing esplanade reserve by way of width reduction, easement, lease or otherwise.
- (v) Local Government Act 2002, s.53
- (vi) A preferential allocation is when there is a preference that a lease or license is given to a particular person or group, rather than having an open process. For example, a neighbouring land owner or a community group that use a building may be asked if they want to lease the land/building, rather than giving the wider public the opportunity to tender or apply.

### 8.3 Expectations of Committees

Within its areas of jurisdiction, each committee is expected to:

- report minutes of all meetings to Council
- 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
- consider and/or 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 iwi, 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.

All committees will operate within:

- the policies, plans, standards or guidelines established and approved by Council
- the overall priorities of Council
- the needs of people in the district
- the approved budgets for the activity.

#### 8.4 Committees

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Council has established the following committees:

- Finance and Assurance committee
- [Executive committee](#)
- District Licensing committee
- Ohai Railway Fund committee

**8.4.1 Finance and Assurance Committee**

<b>TYPE OF COMMITTEE</b>	Council standing committee
<b>RESPONSIBLE TO</b>	Council
<b>SUBCOMMITTEES</b>	None
<b>LEGISLATIVE BASIS</b>	Committee constituted by Council as per schedule 7, clause 30 (1)(a), LGA 2002. Committee delegated powers by Council as per schedule 7, clause 32, LGA 2002.
<b>MEMBERSHIP</b>	The mayor, all councillors and one external appointee.
<b>FREQUENCY OF MEETINGS</b>	Quarterly or as required
<b>QUORUM</b>	Seven members
<b>SCOPE OF ACTIVITIES</b>	<p>The Finance and Assurance committee is responsible for:</p> <ul style="list-style-type: none"> <li>ensuring that Council has appropriate financial, risk management and internal control systems in place that provide: <ul style="list-style-type: none"> <li>an overview of the financial and non-financial performance of the organisation</li> <li>effective management of potential opportunities and adverse effects</li> <li>reasonable assurance as to the integrity and reliability of Council's financial and non-financial reporting.</li> </ul> </li> <li>exercising active oversight of information technology systems</li> <li>exercising active oversight of Council's health and safety policies, processes, compliance, results and frameworks</li> <li>relationships with external, internal auditors, banking institutions and insurance brokers.</li> </ul> <p>The Finance and Assurance committee will monitor and assess the following:</p> <ul style="list-style-type: none"> <li>the financial and non-financial performance of Council against budgeted and forecasted outcomes</li> <li>consideration of forecasted changes to financial outcomes</li> <li>Council's compliance with legislative requirements</li> <li>Council's risk management framework</li> <li>Council's control framework</li> <li>Council's compliance with its treasury responsibilities</li> <li>Council's compliance with its Fraud Policy.</li> </ul>
<b>DELEGATIONS</b>	<p>The Finance and Assurance committee shall have the following delegated powers and be accountable to Council for the exercising of these powers. In exercising the delegated powers, the Finance and Assurance committee will operate within:</p> <ul style="list-style-type: none"> <li>policies, plans, standards or guidelines that have been established and approved by Council</li> <li>the overall priorities of Council</li> <li>the needs of the local communities</li> </ul>

	<ul style="list-style-type: none"> <li>the approved budgets for the activity.</li> </ul> <p>The Finance and Assurance committee will have responsibility and delegated authority in the following areas:</p> <p><b>Financial and performance monitoring</b></p> <ol style="list-style-type: none"> <li>monitoring financial performance to budgets</li> <li>monitoring service level performance to key performance indicators.</li> </ol> <p><b>Internal control framework</b></p> <ol style="list-style-type: none"> <li>reviewing whether Council's approach to maintaining an effective internal control framework is sound and effective</li> <li>reviewing whether Council has taken steps to embed a culture that is committed to probity and ethical behaviour</li> <li>reviewing whether there are appropriate systems, processes and controls in place to prevent, detect and effectively investigate fraud.</li> </ol> <p><b>Internal reporting</b></p> <ol style="list-style-type: none"> <li>to consider the processes for ensuring the completeness and quality of financial and operational information being provided to Council</li> <li>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.</li> </ol> <p><b>External reporting and accountability</b></p> <ol style="list-style-type: none"> <li>agreeing the appropriateness of Council's existing accounting policies and principles and any proposed change</li> <li>enquiring of internal and external auditors for any information that affects the quality and clarity of Council's financial statements and statements of service performance, and assess whether appropriate action has been taken by management in response to the above</li> <li>satisfying itself that the financial statements and statements of service performance are supported by appropriate management signoff on the statements and on the adequacy of the systems of internal control (ie letters of representation), and recommend signing of the financial statements by the chief executive/mayor and adoption of the Annual Report, Annual Plans, Long Term Plans</li> </ol> <p><b>Risk management</b></p> <ol style="list-style-type: none"> <li>reviewing whether Council has in place a current, comprehensive and effective risk management framework and associated procedures for effective identification and management of the Council's significant risks</li> <li>considering whether appropriate action is being taken to mitigate Council's significant risks.</li> </ol> <p><b>Health and safety</b></p> <ol style="list-style-type: none"> <li>review, monitor and make recommendations to Council on the organisations health and safety risk management framework and policies to ensure that the organisation has clearly set out its commitments to manage health and safety matters effectively.</li> <li>review and make recommendations for Council approval on strategies for achieving health and safety objectives</li> </ol>
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	<ul style="list-style-type: none"> <li>c) review and recommend for Council approval targets for health and safety performance and assess performance against those targets</li> <li>d) monitor the organisation's compliance with health and safety policies and relevant applicable law</li> <li>e) ensure that the systems used to identify and manage health and safety risks are fit for purpose, being effectively implemented, regularly reviewed and continuously improved. This includes ensuring that Council is properly and regularly informed and updated on matters relating to health and safety risks</li> <li>f) seek assurance that the organisation is effectively structured to manage health and safety risks, including having competent workers, adequate communication procedures and proper documentation</li> <li>g) review health and safety related incidents and consider appropriate actions to minimise the risk of recurrence</li> <li>h) make recommendations to Council regarding the appropriateness of resources available for operating the health and safety management systems and programmes</li> <li>i) any other duties and responsibilities which have been assigned to it from time to time by Council.</li> </ul> <p><b>Internal audit</b></p> <ul style="list-style-type: none"> <li>a) approve appointment of the internal auditor, internal audit engagement letter and letter of understanding</li> <li>b) reviewing and approving the internal audit coverage and annual work plans, ensuring these plans are based on Council's risk profile</li> <li>c) reviewing the adequacy of management's implementation of internal audit recommendations</li> <li>d) reviewing the internal audit charter to ensure appropriate organisational structures, authority, access, independence, resourcing and reporting arrangements are in place.</li> </ul> <p><b>External audit</b></p> <ul style="list-style-type: none"> <li>a) confirming the terms of the engagement, including the nature and scope of the audit, timetable and fees, with the external auditor at the start of each audit</li> <li>b) receiving the external audit report(s) and review action(s) to be taken by management on significant issues and audit recommendations raised within</li> <li>c) enquiring of management and the independent auditor about significant business, political, financial and control risks or exposure to such risks.</li> </ul> <p><b>Compliance with legislation, standards and best practice guidelines</b></p> <ul style="list-style-type: none"> <li>a) reviewing the effectiveness of the system for monitoring Council's compliance with laws (including governance legislation, regulations and associated government policies), with Council's own standards, and best practice guidelines as applicable</li> <li>b) conducting and monitoring special investigations, in accordance with Council policy, and reporting the findings to Council</li> </ul>
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	<p>c) monitoring the performance of Council organisations, in accordance with the Local Government Act.</p> <p><b>Business case review</b></p> <p>a) review of the business case of work, services, supplies, where the value of these or the project exceeds \$2 million (GST exclusive) or the value over the term of the contract exceeds \$2 million (GST exclusive).</p> <p><b>Insurance</b></p> <p>a) consider Council's insurance requirements, considering its risk profile</p> <p>b) approving the annual insurance renewal requirements</p> <p><b>Treasury</b></p> <p>a) oversee the treasury function of Council ensuring compliance with the relevant Council policies and plans</p> <p>b) ensuring compliance with the requirements of Council's trust deeds are met</p> <p>c) recommend to Council treasury policies at least every three years.</p> <p>d) approve debt, interest rate and external investment management strategy.</p> <p><b>Fraud Policy</b></p> <p>l) receive and consider reports relating to the investigation of suspected fraud</p> <p>m) monitor the implementation of the Fraud Policy.</p> <p><b>Power to recommend</b></p> <p>The Finance and Assurance committee is responsible for considering and making recommendations to Council regarding:</p> <p>a) policies relating to risk management, rating, loans, funding and purchasing</p> <p>b) accounting treatments, changes in generally accepted accounting practice, and new accounting and reporting requirements</p> <p>c) the approval of financial and non-financial performance statements including adoption of the Annual Report, Annual Plans and Long Term Plans.</p> <p>The Finance and Assurance committee is responsible for considering and making recommendations to Council on business cases completed under the 'Power to act' section above.</p>
<b>FINANCIAL DELEGATIONS</b>	<p>Council authorises the following delegated authority of financial powers to Council committees in regard to matters within each committee's jurisdiction.</p> <p><b>Contract acceptance:</b></p> <ul style="list-style-type: none"> <li>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 does not exceed the sum allocated in the Long Term Plan/Annual Plan and the contract relates to an activity that is within the scope of activities relating to the work of the Finance and Assurance committee</li> </ul>



	<ul style="list-style-type: none"> <li>accept or decline any contract for the disposal of goods, plant or other assets other than property or land that is provided for in the Long Term Plan</li> </ul> <p><b>Budget reallocation.</b></p> <p>The committee is 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:</p> <ul style="list-style-type: none"> <li>funded by way of savings on existing budget items</li> <li>within the jurisdiction of the committee</li> <li>consistent with the Revenue and Financing Policy.</li> </ul>
<b>LIMITS TO DELEGATIONS</b>	<p>Matters that must be processed by way of recommendation to Council include:</p> <ul style="list-style-type: none"> <li>amendment to fees and charges relating to all activities</li> <li>powers that cannot be delegated to committees as per the Local Government Act 2002 and sections 2.4 and 2.5 of this manual.</li> </ul> <p>Delegated authority is within the financial limits in section 9 of this manual.</p>
<b>RELATIONSHIPS WITH OTHER PARTIES</b>	<p>The committee shall maintain relationships with each of the nine community boards.</p> <p>Professional advisors to the committee shall be invited to attend all meetings of the committee including:</p> <ul style="list-style-type: none"> <li>external auditor</li> <li>internal auditor/risk advisor (if appointed)</li> <li><del>chief financial officer</del>/group manager finance and assurance.</li> </ul> <p>At each meeting, the chairperson will provide the external auditor and the internal auditor/risk advisor (if appointed) with an opportunity to discuss any matters with the committee without management being present. The chairperson shall request the chief executive and staff in attendance to leave the meeting for the duration of the discussion. The chairperson will provide minutes for that part of the meeting.</p> <p>The chief executive and the <del>chief financial officer</del>/group manager finance and assurance shall be responsible for drawing to the committee's immediate attention any material matter that relates to the financial condition of Council, material breakdown in internal controls and any material event of fraud.</p> <p>The committee shall provide guidance and feedback to Council on financial performance, risk and compliance issues.</p> <p>The committee will report to Council as it deems appropriate but no less than twice a year.</p>
<b>CONTACT WITH MEDIA</b>	<p>The committee chairperson is the authorised spokesperson for the committee in all matters where the committee has authority or a particular interest.</p> <p>Committee members, including the chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the committee's delegations.</p> <p>The <del>chief financial officer</del>/group manager finance and assurance will manage the formal communications between the committee and its constituents and for the committee in the exercise of its business.</p>

	Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of Southland District Council.
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#### 8.4.2 Executive Committee

<b>TYPE OF COMMITTEE</b>	Council committee
<b>RESPONSIBLE TO</b>	Council
<b>SUBCOMMITTEES</b>	None
<b>LEGISLATIVE BASIS</b>	Committee constituted by Council as per schedule 7, clause 30 (1)(a), LGA 2002 Committee delegated powers by Council as per schedule 7, clause 32, LGA 2002
<b>MEMBERSHIP</b>	Mayor (chairperson), deputy mayor, chairperson Finance and Assurance Committee.
<b>FREQUENCY OF MEETINGS</b>	As required
<b>QUORUM</b>	Two members
<b>SCOPE OF ACTIVITIES</b>	The Executive Committee is responsible for: <ul style="list-style-type: none"> <li>• overseeing the employment of the chief executive</li> <li>• managing code of conduct issues relating to elected members</li> <li>• making decisions on urgent matters arising between scheduled Council meetings</li> <li>• making decisions on specific matters referred to it by Council.</li> </ul>
<b>DELEGATIONS</b>	Council delegates to the Executive Committee the following powers: <ul style="list-style-type: none"> <li>(a) oversee the employment of the chief executive in accordance with the provisions of the Local Government Act 2002 (not to appoint a chief executive)</li> <li>(b) development of the chief executive's performance agreement for review and approval by Council</li> <li>(c) monitoring the chief executive's performance against the approved performance agreement</li> <li>(d) commissioning any market data required to assess appropriate remuneration for the chief executive for their annual review</li> <li>(e) developing a remuneration arrangement for the chief executive and making recommendations to Council</li> <li>(f) authority to investigate any complaints or issues about the actions of an elected member under the code of conduct</li> <li>(g) authority to make decisions on urgent matters between Council meetings</li> <li>(h) authority to make decisions on matters specifically referred to it by Council including the approval of unbudgeted expenditure requests that do not include the purchase of an asset not provided for in the Long Term Plan.</li> </ul>

<b>FINANCIAL DELEGATIONS</b>	<p>Council authorises the following delegated authority of financial powers to Council committees in regard to matters within each committee's jurisdiction.</p> <p><b>Contract Acceptance:</b></p> <ul style="list-style-type: none"> <li>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 does not exceed the sum allocated in the Long Term Plan/Annual Plan and the contract relates to an activity that is within the scope of activities relating to the work of the Executive Committee</li> <li>accept or decline any contract for the disposal of goods, plant or other assets other than property or land that is provided for in the Long Term Plan.</li> </ul> <p><b>Budget Reallocation</b></p> <p>Committee is 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:</p> <ul style="list-style-type: none"> <li>funded by way of savings on existing budget items</li> <li>within the jurisdiction of the committee</li> <li>consistent with the Revenue and Financing Policy.</li> </ul>
<b>CONTACT WITH MEDIA</b>	<p>The mayor is the authorised spokesperson for the committee in all matters where the committee has authority or a particular interest. Committee members do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the committee's delegations unless expressly given.</p>

#### 8.4.3 District Licensing Committee

<b>TYPE OF COMMITTEE</b>	Committee
<b>SUBORDINATE TO</b>	Council
<b>LEGISLATIVE BASIS</b>	Sale and Supply of Alcohol Act 2012, s.186.
<b>MEMBERSHIP</b>	Membership of the committee shall follow the requirements set out in s.189 of the Sale and Supply of Alcohol Act 2012. Committee members are appointed for a period of three years coinciding with triennial elections.
<b>QUORUM</b>	Quorum shall follow the requirements set out in s.191 of the Sale and Supply of Alcohol Act 2012
<b>FUNCTIONS</b>	<p><del>Functions are set out in s.187 of the Sale and Supply of Alcohol Act 2012. These include that the District Licensing committee decides applications for:</del></p> <ul style="list-style-type: none"> <li><del>new and renewed licences and managers certificates, regardless of whether they are contested</del></li> <li><del>temporary authorities and temporary licences</del></li> <li><del>variation of licences</del></li> </ul>

	<ul style="list-style-type: none"> <li>• <u>most enforcement action for special licences.</u></li> </ul>
<b><u>FUNCTIONS</u></b>	<p><u>Functions are set out in s.187 of the Sale and Supply of Alcohol Act 2012. These include that the District Licensing committee consider and determine applications for:</u></p> <ul style="list-style-type: none"> <li>• <u>licences and managers certificates</u></li> <li>• <u>renewal of licences and managers certificates</u></li> <li>• <u>temporary authorities</u></li> <li>• <u>variation, suspension or cancellation of special licences</u></li> <li>• <u>variation of licences (other than special licences)</u></li> </ul> <p><u>The District Licensing committee is also responsible for conducting inquiries and making reports to the Alcohol Regulatory and Licensing Authority</u></p>
<b><u>DELEGATIONS</u></b>	<u>To consider and determine applications made in accordance with the Sale and Supply of Alcohol Act 2012</u>

#### 8.4.4 Ohai Railway Fund Committee

<b>TYPE OF COMMITTEE</b>	Committee
<b>SUBORDINATE TO</b>	Relationship with Wallace Takitimu community board
<b>LEGISLATIVE BASIS</b>	Subcommittees delegated powers by Council as per schedule 7, clause 32, LGA 2002.
<b>MEMBERSHIP</b>	<p>The Ohai Railway Fund committee comprises the following members:</p> <ul style="list-style-type: none"> <li>• three representatives who are appointed by Council</li> <li>• four local representatives whom are elected at the committee's triennial meeting.</li> </ul>
<b>QUORUM</b>	Four
<b>FREQUENCY OF MEETINGS</b>	The triennial meeting of the subcommittee is held within the first three months of the year following the triennial elections of Southland District Council.
<b>SCOPE OF ACTIVITIES</b>	<p>The purpose of the fund is to provide grant(s) for the benefit of the "residents" of the former "Ohai Railway Board Area" as legally described in the New Zealand Gazette Notice, page 1671 of 11 May 1916. A "resident" being a person or a descendant of a person whose name appeared on the Parliamentary electoral roll for a nine year period during the years 1960 to 1999, both years inclusive, and whose address at this time or times was within the area of the district of the former board.</p>
<b>DELEGATIONS</b>	<p><b>Power to act</b></p> <p>The Ohai Railway Fund committee shall have the following delegated powers:</p> <ul style="list-style-type: none"> <li>• making decisions regarding funding applications to the Ohai Railway Fund.</li> </ul>

## 8.5 Subcommittees

### 8.5.1 Introduction

Council and its committees may appoint such subcommittees and other subordinate decision making bodies as it considers appropriate. Council's delegation model is designed to enable the subcommittees of Council to fully and completely undertake their role, consistent with their terms of reference.

Council has established the following subcommittees:

SUBCOMMITTEE	SUBCOMMITTEE OF
Riverton Harbour subcommittee	Oraka Aparima community board
Water supply subcommittees - Te Anau Basin, Five Rivers, Matuku	Fiordland community board and Northern community board respectively
Stewart Island/Rakiura Visitor Levy Allocation subcommittee	Stewart Island community board

### 8.5.2 Delegations to Subcommittees

A subcommittee shall exercise only such delegated authority as is granted to it from time to time by Council or the relevant standing committee. The primary purposes of subcommittees are:

- a) to dispose of matters which have been delegated to it
- b) to investigate and report, with recommendations if appropriate, on matters referred from Council or the relevant standing committee
- c) to act as a forum for communication between elected representatives, officers, and interested parties.

## 8.5.3 Riverton Harbour Subcommittee

<b>TYPE OF COMMITTEE</b>	Subcommittee
<b>SUBORDINATE TO</b>	Oraka Aparima community board
<b>LEGISLATIVE BASIS</b>	Subcommittees delegated powers by Council as per schedule 7, clause 32, LGA 2002.
<b>MEMBERSHIP</b>	<p>The Riverton Harbour subcommittee will comprise as follows:</p> <ul style="list-style-type: none"> <li>• one councillor from the Waiau-Aparima ward</li> <li>• four members nominated by Oraka Aparima community board (community board to nominate a representative from the community board, two representatives from berth owners and one representative from either Riverton Rowing club or Riverton Coastguard)</li> <li>• one member nominated by Aparima Oraka Runaka</li> <li>• one representative from Southland Regional Council (with no voting rights).</li> </ul>
<b>QUORUM</b>	Four
<b>FREQUENCY OF MEETINGS</b>	Quarterly
<b>SCOPE OF ACTIVITIES</b>	<p>The Riverton Harbour subcommittee is delegated the following responsibilities by Council:</p> <p>(a) the management and control of all Riverton harbour assets vested in Council being:</p> <ul style="list-style-type: none"> <li>• the use and maintenance of the boat ramp adjacent Koi park</li> <li>• the use and maintenance of the “unloading wharf” and crane at Lees Point operated by Council so that no vessel anchors, moors, secures or is placed at the unloading wharf unless actively loading or unloading fuel, provisions, fishing equipment or fish (1972 Bylaw No. 3)</li> <li>• the use and maintenance of the “common walkway” on the jetty leading to the privately owned berth numbered L36.</li> <li>• the use and maintenance of the “common walkway” on the jetty leading to the privately owned berths numbered L22, L23, L24, L25, L26, L27, L28, L29 and L30</li> <li>• the provision and maintenance of the ‘lead lights’ markers the white light at Howells Point and red flashing light at Pearl Rock and any other navigational aids required to assist those vessels leaving and entering the Riverton harbour</li> <li>• the use and maintenance of berth L35 currently subject to a lease.</li> </ul> <p>(b) the administration, management and control of all Riverton harbour endowment lands now vested in Southland District Council in consultation with and subject to approval by Southland District Council being those lands comprised in Certificates of Title 5C/914, 5C/917, 5C/918, 5C/919, 5C/920, 5C/921, 5B/825, 9D/859, 10C/615, 10C/616 and all such other Riverton harbour endowment lands so vested.</p>
<b>DELEGATIONS</b>	<p><b>Power to act</b></p> <p>The Riverton Harbour subcommittee shall be responsible for the following:</p>

	<ol style="list-style-type: none"> <li>1 The exercise of the following powers (and enforcement of same): <ul style="list-style-type: none"> <li>• to determine whether any person shall be authorised as necessary to carry out work on any vessel or fishing equipment or any other work or lease any equipment used in fishing or any other gear on Council harbour endowment land and any such authorisation may be given by the Harbourmaster (1972 Bylaw No. 3)</li> <li>• to determine whether any vessel may be left on Council harbour endowment land (1972 Bylaw No. 3)</li> <li>• to determine by resolution that any particular area on Council harbour endowment land be a parking area for restricted periods (1972 Bylaw No. 3)</li> <li>• to ensure as necessary that no person stops, stands or parks any vessel, vehicle, trailer, boat trailer or any other equipment in any area of Council harbour endowment land unless authorised by the committee or the Harbourmaster (1972 Bylaw No. 3)</li> <li>• to take such steps as are necessary to arrange for the removal of any vessel, gear, equipment, vehicle, trailer, or boat trailer left on Council harbour endowment land without the approval of the Riverton Harbour committee provided that if the goods are not removed or remain unclaimed by the owner the matter shall be referred to Council for further action in consultation with the Riverton Harbour committee (1972 Bylaw No. 3)</li> <li>• to ensure as necessary that no person drives any vehicle over Council harbour endowment land at a speed greater than 20 kilometres per hour (1972 Bylaw No. 3).</li> <li>• to arrange for and provide such signs as deemed necessary from time to time to assist in the best use of the wharves and Council harbour endowment lands and for any other reason (1972 Bylaw No. 3).</li> </ul> </li> <li>2. The Riverton Harbour subcommittee shall be responsible for ensuring that the income from assets and income derived from harbour activities and endowment lands is applied to the maintenance and development of Riverton Harbour, to the maintenance and improvement of endowment lands vested in Council and for such other purposes to benefit the Riverton community</li> <li>3. The Riverton Harbour subcommittee shall be responsible for preparing an annual budget in every financial year in consultation and with the assistance of Council</li> <li>4. The Riverton Harbour subcommittee shall be responsible for preparing an Asset Management Plan in and with the assistance of Council.</li> <li>5. The Riverton Harbour subcommittee shall under delegated authority from Council perform those functions, powers and duties which have now been transferred by Environment Southland as under the Riverton Harbour Board Bylaws (No. 2) 1970 Clauses 1-14, 22 and 35-37. Accordingly, the subcommittee is responsible as under: <p><b>Control of vessels</b></p> <ol style="list-style-type: none"> <li>(a) to ensure as necessary that vessels only anchor, moor at a berth or wharf/mooring site for which that vessel has been licensed</li> </ol> </li> </ol>
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	<p>unless the licensee of that berth, wharf has given approval for same. [1970 Bylaw No. 1(a)]</p> <p>(b) to ensure as necessary that any vessel not having a licensed site or wharf/berth is moored, anchored, secured or placed within the Riverton Harbour as directed by the harbourmaster. [1970 Bylaw No. 1(b)]</p> <p>(c) to ensure as necessary that vessels are not anchored in the fairway or stopped in such a way that the approach to any wharf is obstructed. [1970 Bylaw No. 2]</p> <p>(d) to ensure as necessary that all vessels anchored or moored or secured to any wharf within the harbour are adequately secured. [1970 Bylaw No. 3]</p> <p>(e) to order the removal of any vessel, timber or other obstacle to any part of the Riverton harbour as deemed necessary by the harbourmaster for the better working of shipping, cargo or wharves. [1970 Bylaw No. 4]</p> <p>(f) in pursuance of the responsibilities under (a), (b), (c), (d) and (e) the harbourmaster may arrange to secure, moor, unmoor, place or remove any vessel and where necessary recommend to Environment Southland that it consider a prosecution for a breach of these bylaws. [1970 Bylaw Nos. 5(a), 5(b), 5(c) and 5(d)]</p> <p>(g) to grant permission in appropriate situations for a master of any vessel to haul a vessel on shore for the purpose of inspection or repairs. [1970 Bylaw No. 6]</p> <p>(h) to require, where appropriate by order of the harbourmaster the removal from a wharf of any vessel having on board cargo or other matter injurious to health or offensive or dangerous in any respect or other action deemed to be necessary for the safety and interest of all vessels. [1970 Bylaw No. 7]</p> <p>(i) to control as determined by the harbourmaster the place, times and manner of bringing vessels to or in taking them from any wharf and the securing of any vessel. [1970 Bylaw No. 10]</p> <p>(j) to take such steps as are necessary for the suppression of any fire happening on any vessel or on any wharf. [1970 Bylaw No. 13]</p> <p>(k) to ensure as necessary that all motor-launches operating within the Riverton Harbour have a silencing device in good repair to prevent undue noise from the engine and that the master/driver of the motor-launch is over 15 years of age. [1970 Bylaw Nos. 14(2), 14(3), 14(4), 14(5), 14(6), 14(7), 14(8)]</p> <p>(l) to ensure as necessary that the speed, use or management of a motor launch or of a seaplane on the harbour surface or of a water ski aquaplane or other object towed by any motor-launch or seaplane does not create a nuisance or continue to be a nuisance. [1970 Bylaw No. 14(9)]</p> <p>(m) to ensure as necessary that the speed of a motor-launch or seaplane on the surface of the water does not exceed ten kilometres an hour in those situations prescribed by 1970 Bylaw No. 14(10)(a), (b), (c) and (d)</p>
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	<p>(n) to ensure as necessary that the speed of any water ski, aquaplane or other similar object or person towed by any motor launch or seaplane does not exceed ten kilometres an hour or ride on any water ski aquaplane or other object so towed in those situations prescribed by 1970 Bylaw No. 14(11)(a), (b), (c) and (d)</p> <p>(o) to ensure as necessary that any motor launch or seaplane being used to tow any water-ski aquaplane or other similar object or person has two persons on board so that one person can warn of any mishap occurring or the possibility of any mishap occurring to the person being towed or riding upon the water ski, aquaplane or other object. [1970 Bylaw No. 14(12)(a) and (b)]</p> <p>(p) to determine from time to time what part of the Riverton Harbour is to be reserved as an access lane or lanes for any particular purpose in accordance with 1970 Bylaw No. 14(13)(a), (b) and (c)</p> <p>(q) to determine in any particular case where special circumstances so justify by resolution that any of the Riverton Harbour board Bylaws No. 2 (1970) or any specified provisions thereof shall not apply in respect of any area or areas of the Riverton Harbour. [1970 Bylaw No. 14(14)]</p> <p>(r) to deal with any applications on the occasion of any yacht, launch or boat race or speed trial for the suspension of the Riverton Harbour Board Bylaws No. 2 (1970) or any specified provisions thereof in accordance with 1970 Bylaw No. 14(15)(a) and (b)</p> <p>(s) to obtain where possible the name and address of any person who appears to have committed any offence against the Bylaws and where appropriate the registered number of any vessel involved in the alleged offence.</p> <p><b>Mooring and anchoring</b></p> <p>To enforce the General Harbour Regulations for harbours of New Zealand as may be applicable (1970 Bylaw No. 22).</p> <p><b>Control</b></p> <p>To appoint a harbourmaster for the purposes of control in terms of the Riverton Harbour Board Bylaws (No. 2) 1970 and to supervise the observance and enforcement of the provisions of these bylaws and to appoint in consultation with the Southland District Council such other officers as may be deemed necessary from time to time [1970 Bylaw No. 35].</p> <p><b>Offences and penalties</b></p> <ul style="list-style-type: none"> <li>- to order any person or persons who may be in breach of the provisions of the Riverton Harbour Board Bylaws (No. 2) 1970 to leave the foreshore forthwith. [1970 Bylaw No. 36]</li> <li>- to recommend commencement of summary proceedings in appropriate cases against any person in breach of the bylaw.</li> </ul> <p>(6) The Riverton Harbour subcommittee shall have the power to make submissions to Environment Southland in respect of all resource</p>
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	<p>consent applications received by Environment Southland that deal with matters involving the Riverton Harbour.</p> <p>(7) The Riverton Harbour subcommittee will report at three monthly intervals to Environment Southland on any actions taken pursuant to the powers transferred by Environment Southland and any issues or concerns identified by users of the harbour.</p> <p><b>5.2 Power to recommend</b></p> <p>The Riverton Harbour subcommittee will:</p> <p>(a) make recommendations to Environment Southland on matters of concern that pertain to Environment Southland's RMA functions</p> <p>(b) make recommendations to the Council or a relevant committee on all matters of policy not delegated to the Riverton Harbour subcommittee</p> <p>(c) recommend to Council the granting of any leases or licenses for any Riverton Harbour endowment lands</p> <p>(d) recommend to Council the user charges and fees to fund the harbour activities.</p>
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#### 8.5.4 Water Supply Subcommittees – Te Anau Basin, Five Rivers, Matuku

<b>TYPE OF COMMITTEE</b>	Subcommittee
<b>SUBORDINATE TO</b>	Fiordland and Northern community board
<b>LEGISLATIVE BASIS</b>	Subcommittees delegated powers by Council as per schedule 7, clause 32, LGA 2002.
<b>MEMBERSHIP</b>	<p><b>Te Anau Basin Water Supply subcommittee (Fiordland community board)</b></p> <p>The total membership of the Te Anau Basin Water Supply subcommittee will be nine. Membership of the subcommittee shall be determined by an election at a triennial public meeting.</p> <p>The subcommittee representation shall comprise:</p> <ul style="list-style-type: none"> <li>a water supply consumer from each of the following areas: <ul style="list-style-type: none"> <li>Duncraigen</li> <li>Homestead</li> <li>Kakapo</li> <li>Mt York</li> <li>Princhester</li> <li>Ramparts</li> <li>Takitimu</li> </ul> </li> <li>two representatives appointed by Landcorp.</li> </ul> <p><b>Matuku Water Supply Subcommittee (Northern community board)</b></p> <p>The total membership of the Matuku Water Supply Subcommittee will be six plus a councillor.</p> <p>The chairperson shall be elected by the vote of the subcommittee.</p> <p><b>Five Rivers Water Supply Subcommittee (Northern community board)</b></p>

	<p>The total membership of the Five Rivers Water Supply Subcommittee will be six members plus a councillor.</p> <p>The chairperson shall be elected by the vote of the subcommittee.</p>
<b>QUORUM</b>	<p>Te Anau Basin Water Supply Subcommittee – 5</p> <p>Matuku Water Supply Subcommittee – 4</p> <p>Five Rivers Water Supply Subcommittee – 4</p>
<b>FREQUENCY OF MEETINGS</b>	<p><b>Te Anau Basin Water Supply Subcommittee</b></p> <p>Three meetings per annum or as required.</p> <p><b>Matuku Water Supply and Five Rivers Water Supply Subcommittee</b></p> <p>One meeting per annum or as required.</p>
<b>SCOPE OF ACTIVITIES</b>	<p>The activity of Southland District Council's Water Supply Subcommittees is framed by Council policies and plans. The responsibilities of these water supply subcommittees include:</p> <ul style="list-style-type: none"> <li>• providing feedback to Council officers on relevant plans and strategies (including asset management plans)</li> <li>• receiving operational and financial reports</li> <li>• community engagement and representing community views to Council.</li> </ul>
<b>DELEGATIONS</b>	<p><b>Power to Act</b></p> <p>The Te Anau Basin, Matuku and Five Rivers Water Supply Subcommittees shall have the following delegated powers and be accountable to the relevant community board for the exercising of these powers:</p> <ol style="list-style-type: none"> <li>power to recommend the annual budget relating to the relevant water supply scheme</li> <li>power to approve expenditure outside Council's authorised officer levels but within the budget of the water supply schemes. All decisions to approve expenditure outside Council's authorised officer levels must be made by way of a resolution at a meeting of the water supply subcommittees. Any such decisions must be reflected in the minutes of the meeting</li> <li>power to approve new connections to the relevant water supply scheme</li> <li>power to approve expenditure outside of the relevant annual budget for emergency works</li> <li>policies relating to water schemes.</li> </ol> <p>In addition to the power to approve expenditure outside of the relevant annual budget for emergency works, this committee can also recommend unbudgeted expenditure to the relevant Community board and Council for approval.</p>

### 8.5.5 Stewart Island/Rakiura Visitor Levy Allocation Subcommittee

<b>TYPE OF COMMITTEE</b>	Subcommittee
<b>SUBORDINATE TO</b>	Stewart Island/Rakiura Community board
<b>LEGISLATIVE BASIS</b>	Subcommittees delegated powers by Council as per schedule 7, clause 32, LGA 2002.
<b>MEMBERSHIP</b>	<p>The subcommittee consists of the following members appointed by Council:</p> <p><b>Chairperson:</b></p> <p>The chair of the subcommittee for the 2022 to 2025 triennium will be Councillor Julie Keast.</p> <p><b>Members:</b></p> <ul style="list-style-type: none"> <li>• a representative from or recommended by each of the approved operators named under the Stewart Island/Rakiura Visitor Levy Policy</li> <li>• one community board representative</li> <li>• the chair of the Finance and Assurance Committee</li> <li>• a member from Stewart Island/Rakiura</li> <li>• a member to represent iwi</li> <li>• the councillor for Stewart Island/Rakiura Ward</li> </ul>
<b>QUORUM</b>	Majority of members
<b>FREQUENCY OF MEETINGS</b>	One meeting per annum or as required
<b>SCOPE OF ACTIVITIES</b>	The Stewart Island/Rakiura Visitor Levy Allocation Subcommittee is responsible for governance of the Stewart Island/Rakiura visitor levy fund and setting strategic objectives to act as the basis for assessing applications for funding.
<b>DELEGATIONS</b>	<p>The Stewart Island/Rakiura Visitor Levy Allocation subcommittee shall have the following delegated powers and be accountable to Council for the exercising of these powers:</p> <ul style="list-style-type: none"> <li>(a) determining strategic outcomes for the Stewart Island/Rakiura visitor levy fund</li> <li>(b) making decisions regarding funding applications to the Stewart Island/ Rakiura visitor levy fund.</li> <li>(c) setting policy in relation to the collection and enforcement of the Stewart Island/Rakiura visitor levy.</li> </ul>

### 8.6 Local Authority Joint Committees

Council may unite with any one or more local authorities or other public bodies in appointing a joint committee in accordance with Schedule 7 clause 30A of the Local Government Act 2002. Southland District Council and other local authorities within the region have formed a number of joint committees, with terms of reference to address specific subject matters.

Any committee appointed will be considered to be both a committee of Council and a committee of the other local authority or public body, unless otherwise specified by legislation. In forming any such committee Council must reach agreement with the other local authorities or public bodies involved which

must specify the number of members, how the chairperson and deputy are to be appointed, the terms of reference of the committee, what responsibilities are to be delegated to the committee and how the agreement may be varied.

The powers to discharge any individual member and appoint another will be exercisable by the local authority or public body that made the appointment.

<b>JOINT COMMITTEE</b>
Wastenet (Waste Advisory Group)
Southland Regional Heritage Joint Committee
Civil Defence Emergency Management Group
Regional Transport Committee (Formerly Southland Regional Transport Committee)
Joint Shareholders Committee for Great South
<a href="#">Connected Murihiku Joint Committee</a>

#### 8.6.1 Wastenet (Waste Advisory Group)

<b>TYPE OF COMMITTEE</b>	Joint committee
<b>SUBORDINATE TO</b>	Council
<b>LEGISLATIVE BASIS</b>	Joint committees delegated powers by Council as per schedule 7, clause 30A, LGA 2002.
<b>MEMBERSHIP</b>	Membership of the joint committee shall comprise of the following: <ul style="list-style-type: none"> <li>• mayor and one councillor, Southland District Council</li> <li>• two councillors, Invercargill City Council</li> <li>• two councillors, Gore District Council</li> </ul>
<b>QUORUM</b>	A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd and must at any time have an elected member of a local authority from each.
<b>MEETINGS</b>	The joint committee will meet on an as required basis
<b>STANDING ORDERS</b>	The current standing orders of the administering authority shall govern the conduct of the meetings.
<b>ADMINISTERING AUTHORITY</b>	The administering authority will be Invercargill City Council and will provide administrative support and leadership of the Joint committee.
<b>REPORTING</b>	The committee will report to each member authority.
<b>DELEGATIONS</b>	The functions and responsibilities of the Waste Management Advisory Group are to: <ol style="list-style-type: none"> <li>1. be the high level decision making committee for the implementation and carrying out of the WasteNet activities within the delegations from each of the WasteNet Councils</li> <li>2. receive and approve financial monitoring reports as to the accounting between the WasteNet Councils in relation to the WasteNet activities</li> <li>3. report to each constituent WasteNet Council as to the WasteNet activities outcomes</li> <li>4. develop policies to ensure the smooth implementation and operation</li> </ol>

	<p>of the WasteNet activities</p> <ol style="list-style-type: none"> <li>5. provide a forum for: <ol style="list-style-type: none"> <li>a) the exchange of views and information relevant to the management of waste for each of the WasteNet Council territories;</li> <li>b) discussion as to the effectiveness of the services contracts including ways in which value can be added to the parties through the services contracts and the implementation of the WasteNet Southland Business Plan</li> <li>c) the identification of opportunities for joint waste management and minimisation initiatives</li> <li>d) identification and resolution of points of tension or difficulties between the WasteNet Councils as to their respective roles under the services contracts and this agreement.</li> </ol> </li> <li>6. receive reports and recommendations from the WMG and approve recommendations as permitted by each separate WasteNet Council's delegations</li> <li>7. formulate recommendations in relation to the services contracts, waste disposal and minimisation strategies and the implementation of the WasteNet Southland business plan for consideration by the joint committee and each of the WasteNet Councils as appropriate</li> <li>8. make recommendations to the WasteNet Councils in relation to the following: <ol style="list-style-type: none"> <li>a) the exit by a WasteNet Council from any or all of the services contracts</li> <li>b) the inclusion of other territorial authorities into any of the services contracts or into WasteNet Southland</li> </ol> </li> <li>9. make decisions generally (in accordance with each Council's delegations) in relation to the implementation of the WasteNet Southland business plan</li> <li>10. make recommendations to the WasteNet Councils and/or decisions (in accordance with each WasteNet Council's delegations) in relation to the regional landfill contract as to the following: <ol style="list-style-type: none"> <li>a) the portion of funding of general waste management and waste minimisation costs to be recovered through landfill charges</li> <li>b) landfill pricing for authorised users</li> <li>c) and requests from the landfill operator for approval of major industrial users.</li> </ol> </li> <li>11. make recommendations to the WasteNet Councils and/or decisions (in accordance with each WasteNet Council's delegations) in relation to the recyclables acceptance contract as to the following: <ol style="list-style-type: none"> <li>a) the exercise of the WasteNet extension right pursuant to clause 2.5</li> <li>b) the modification of the contract conditions in connection with exercise of the WasteNet extension right pursuant to clause 2.5</li> <li>c) the allocation of the contract price payable under the contract as</li> </ol> </li> </ol>
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	<p>between the WasteNet Councils</p> <p>d) the apportionment of the revenue share payment received by the WasteNet Councils under the contract.</p> <p>12. make recommendations to the WasteNet Councils and/or decisions (in accordance with each WasteNet Council's delegations) in relation to the collection and transfer stations contract as to the following:</p> <p>a) the exercise of the WasteNet Extension Right pursuant to clause 2.3</p> <p>b) the modification of the contract conditions in connection with exercise of the WasteNet extension right pursuant to clause 2.3</p> <p>13. exercise such powers or functions as shall be delegated to the WAG by the WasteNet Councils (either together or separately)</p> <p>14. carry out such other functions and responsibilities as the WasteNet Councils shall agree shall be functions and responsibilities of the WAG.</p>
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#### 8.6.2 Southland Regional Heritage Joint Committee

<b>TYPE OF COMMITTEE</b>	Joint committee
<b>SUBORDINATE TO</b>	Council
<b>LEGISLATIVE BASIS</b>	Joint committees delegated powers by Council as per schedule 7, clause 30A, LGA 2002.
<b>MEMBERSHIP</b>	<p>Membership of the joint committee shall comprise of the following:</p> <ul style="list-style-type: none"> <li>• two councillors, Southland District Council</li> <li>• two councillors, Invercargill City Council</li> <li>• two councillors, Gore District Council</li> <li>• one iwi representative may be appointed by the committee</li> </ul> <p>Other committee members may be appointed by the committee being persons who have the skills, attributes or knowledge that may assist the work of the committee</p>
<b>QUORUM</b>	A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd and must at any time have an elected member of a local authority from each.
<b>MEETINGS</b>	The joint committee will meet on an as required basis
<b>STANDING ORDERS</b>	The current standing orders of the administering authority shall govern the conduct of the meetings.
<b>ADMINISTERING AUTHORITY</b>	The administering authority will be Invercargill City Council and will provide administrative support and leadership of the joint committee.
<b>REPORTING</b>	The committee will report to each member authority.
<b>DELEGATIONS</b>	The committee shall have such powers, functions and duties as are necessary to carry out the objects and goals set out in the Southland Regional Heritage Joint Committee Heads of Agreement 2017-24.

### 8.6.3 Civil Defence Emergency Management Group (CDEM)

<b>DESCRIPTION</b>	The Southland 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 Southland. Civil Defence is a major function of 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>SUBORDINATE TO</b>	Council
<b>MEMBERSHIP</b>	Membership from the Southland District Council includes <ul style="list-style-type: none"> <li>• mayor, Southland District Council</li> <li>• one councillor (alternate)</li> </ul>
<b>FUNCTIONS</b>	Liaise on regional civil defence plans
<b>MEETINGS</b>	The joint committee will meet on an as required basis
<b>QUORUM</b>	A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd and must at any time have an elected member of a local authority from each.
<b>STANDING ORDERS</b>	The current standing orders of the administering authority shall govern the conduct of the meetings.
<b>ADMINISTERING AUTHORITY</b>	The administering authority will be Southland Regional Council and will provide administrative support and leadership of the joint committee.
<b>REPORTING</b>	The committee will report to each member authority.
<b>DELEGATIONS</b>	Recommend to Council any changes to the district civil emergency plan as a consequence of regional plans.

### 8.6.4 Regional Transport Committee – formerly Southland Regional Land 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 Plan that incorporates the programme of work to be considered for funding from the National Land Transport Fund, and for advising the Regional Council on strategic land transport planning and funding matters. The Land Transport Management Act requires that Council has one appointee (plus an alternate) on the body. Other Councils in the region have a similar entitlement.
<b>SUBORDINATE TO</b>	Council
<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>- Southland District Council</li> <li>- Invercargill City Council</li> <li>- Gore District Council</li> </ul> </li> <li>• two Environment Southland elected members</li> <li>• a representative from the New Zealand Transport Agency</li> </ul>

<b>QUORUM</b>	A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd and must at any time have an elected member of a local authority from each.
<b>MEETINGS</b>	The joint committee will meet on an as required basis
<b>STANDING ORDERS</b>	The current standing orders of the administering authority shall govern the conduct of the meetings.
<b>ADMINISTERING AUTHORITY</b>	The administering authority will be Southland Regional Council and will provide administrative support and leadership of the joint committee.
<b>REPORTING</b>	The committee will report to each member authority.
<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>DELEGATIONS</b>	<ul style="list-style-type: none"> <li>to report to Council on discussions and resolutions of RTC meetings</li> <li>recommend changes to Council on matters arising from the RTC</li> </ul>

#### 8.6.5 Joint Shareholders Committee for Great South

<b>DESCRIPTION</b>	<p>The Joint Shareholders Committee for Great South is established under the Southland Regional Development Agency Limited Constitution and the Southland Regional Development Agency Limited Shareholders Agreement 2020.</p> <p>The committee is to operate in accordance with these documents that outline:</p> <ul style="list-style-type: none"> <li>committee membership</li> <li>quorum requirements</li> <li>functions/roles of the committee</li> <li>the method to elect the chairperson</li> <li>when meetings will take place</li> <li>voting practices.</li> </ul>
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#### 8.6.6 Connected Murihiku Joint Committee

<b>TYPE OF COMMITTEE</b>	Joint committee
<b>SUBORDINATE TO</b>	Council
<b>LEGISLATIVE BASIS</b>	Joint committees delegated powers by Council as per schedule 7, clause 30A, LGA 2002.
<b>MEMBERSHIP</b>	<p>The committee comprises of:</p> <ul style="list-style-type: none"> <li>Iwi representative from the four Murihiku Papatipu Runanga – Te Runanga o Awarua, Te Runaka o Oraka/Aparima, Te Runanga o Hokonui, Te Runaka o Waihopai (as determined by themselves)</li> <li>One councilor and one alternate from Southland District Council</li> <li>One councilor and one alternate from Invercargill City Council</li> <li>One councilor and one alternate from Gore District Council</li> <li>At least three community representatives selected to represent the interests of the diverse Murihiku community bringing relevant skills experience and mana, with the final number and selection to be determined by the selection committee.</li> </ul>

<b>TERM OF MEMBERSHIP</b>	Eighteen (18) months
<b>TERM OF THE PROJECT</b>	The Joint Committee shall operate for a period no less than 18 months and agree continuation beyond this point with the three Territorial Local Authorities if required.
<b>QUORUM</b>	A quorum shall be half of the members (including vacancies) if the number is even, and a majority (including vacancies) if odd and must at any time have an elected member from each of the territorial local authorities.
<b>MEETINGS</b>	The Joint Committee shall meet as and when necessary to carry out its functions, and the meetings shall take place no less than three times annually
<b>REPORTING</b>	The committee will report to each member authority via the minutes of the Joint Committee.
<b>ADMINISTERING AUTHORITY</b>	The administering authority will be Invercargill City Council and will provide administrative and governance support of the Joint committee.
<b>STANDING ORDERS</b>	The current Invercargill City Council Standing Orders of the administering authority shall govern the conduct of the meetings.
<b>DELEGATIONS</b>	<p>The functions and responsibilities of the Connected Murihiku Joint Committee are:</p> <ol style="list-style-type: none"> <li>1. Recruitment and selection of the project coordinator</li> <li>2. Monitor and support the delivery of the project milestones for the core Ministry of Business, Innovation and Employment (MBIE) contract noting ICC's responsibility in this area.</li> <li>3. Support the coordinator in seeking external funding</li> <li>4. Noting the transitional nature of the Joint Committee, support the coordinator to develop an ongoing governance structure to guide the project</li> <li>5. Be the high-level decision-making committee for the implementation and carrying out of the activities</li> <li>6. Receive reports and recommendations from the coordinator</li> <li>7. Receive and approve financial monitoring reports as to the accounting in relation to the activities</li> <li>8. Provide a forum for: the exchange of views and information relevant to the goal of the project, discussion as to the effectiveness of the activities including ways in which value can be added through partnership and by building social connections across the region, the identification of opportunities for joint initiatives, identification and resolution of points of tension or difficulties</li> <li>9. Review terms of reference and make recommendations to the administering authority in relation to the following: the exit by a territorial local authority from any or all of the activities, the inclusion of other territorial authorities into any of the activities, vacancy in membership arising from vacating of post</li> <li>10. Make decisions generally in relation to the implementation of the Connected Murihiku Project</li> </ol>

## 9.0 Financial Delegations

### 9.1 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.

### 9.2 Council's Role in Financial Management

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.

### 9.3 The Chief Executive's Role in Financial Management

The responsibility of the chief executive in financial management includes:

- overall responsibility of the sound financial management of Council
- delivery of the financial outcomes of Council's Long Term Plan
- responsibility for the performance of staff 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
- ensuring compliance with Council's funding and financial policies
- 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.

### 9.4 Committees' Role in Financial Management

The role of Council committees in financial management is to:

- consider issues and make recommendations to Council on how best to achieve goals and objectives for activities that fall within the scope of each committees responsibilities
- 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 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 approve contracts or expenditure if recommended by a manager.

## 9.5 Managers' Role in Financial Management

Council group and activity managers' role 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 activity finances
- keep the chief executive and appropriate Council committee informed of financial matters and the overall status of activity finances
- liaise with their business support partner on all financial matters
- produce an Annual Plan and Long Term Plan activity budgets in a form specified by the finance department
- obtain and provide services within delegated limits and Council policy
- take responsibility and accountability for activity expenditure.

In all cases, financial delegations are made only to enable the commitment or authorising of financial 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.

## 9.6 The Transactional Project Lead's Role

The transactional project lead (in consultation with the ~~chief financial officer~~/group manager finance and assurance/financial controller) has responsibility for carrying out the day to day cash and short term debt management activities. This will include, but is not limited to, the following:

- calculating and maintaining comprehensive cash flow projections on a daily (two weeks forward), weekly (four weeks forward), monthly (12 months forward) and annual (five years) basis. These cash flow forecasts determine Council's borrowing requirements and surpluses for investment
- electronically downloading all Council bank account information daily
- co-ordinating Council's operating units to determine daily cash inflows and outflows, to manage Council's ongoing cash position within approved parameters
- carrying out short term borrowing as required, minimising overdraft costs
- using spreadsheet modelling to provide accurate forecasting that promotes efficient cash management
- minimising fees and bank/government charges by optimising bank account/facility structures
- monitoring Council's use of overdraft or cash advance facilities
- matching future cash flows to smooth the overall cash flow timeline
- providing detailed reports comparing actual and budgeted monthly cash flows

- maximising the return from available funds by not making vendor payments earlier than required, unless there is a financial benefit in doing so.

## **9.7 Financial Delegations to Council Committees**

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Council authorises the following delegated authority of financial powers to Council committees in regard to matters within each committee's jurisdiction, also detailed in the terms of reference section of this manual.

### **9.7.1 Contract acceptance**

Council committees are authorised, within the ambit of their specific delegations and/or jurisdiction, 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 and the contract relates to an activity that is within the scope of activities for the relevant committee.
- accept or decline any contract for the disposal of goods, plant or other assets other than property and land that is provided for in the Long Term Plan.

### **9.7.2 Budget Reallocation**

Committees are authorised, within the ambit of their specific delegations and/or jurisdiction, 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:

- funded by way of savings on existing budget items
- within the jurisdiction of the committee
- consistent with the Revenue and Financing Policy.

## **9.8 General Delegations from Council to the Chief Executive**

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Except for those powers or functions reserved to the Council or a committee under this manual, the chief executive has delegated authority for:

- 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.
- changes and updates to staff delegations recorded in this manual.
- all other powers, functions and duties necessary for the management of the Council's activities and functions.

### **9.8.1 Emergency Delegations**

During a declared state of emergency, the chief executive may enter into any contract on behalf of Council of up to \$1 million in excess of budgeted amounts.



In the time between the last Council meeting of the term, and the inaugural Council meeting, the chief executive may enter into any contract on behalf of Council, subject to the budgeted limits approved in the Long Term Plan/Annual Plan.

## 9.9 Expenditure Delegations

**Applies to Southland District Council and the Southland flood relief fund.**

### 9.9.1 Contract and expenditure authorisation

Council delegates to its officers the power to incur expenditure and enter into contracts as per the following table, subject to Council's approved:

- Procurement Policy and buyers guide
- Sensitive Expenditure Policy
- Long Term Plan/Annual Plan budget.

All purchase orders are subject to approval by a group manager, or any person who is in a more senior role to the staff member who created the purchase order. Where the expenditure relates to the individual (training, accommodation, mileage, expenses reimbursement) the purchase order must be approved by the individual's manager or higher.

**Authority to authorise purchases of capital items or goods and services within relevant Council approved budgets**

Position	Limit
Chief executive	No Limit
<del>Group manager democracy and community</del>	<del>100,000</del>
Group manager customer and community wellbeing	100,000
Strategic manager communications and engagement	10,000
<del>Strategy and policy manager</del>	<del>10,000</del>
Governance /legal manager	10,000
Mayoral/chief executive support	10,000
Community leadership manager	10,000
Group manager strategy and partnerships	100,000
Strategic policy manger	10,000
Strategic projects lead	10,000
Customer delivery manager	10,000
Customer services manager (contact centre)	10,000
Library/customer support operations manager	10,000
<del>Manager district library</del>	<del>10,000</del>
<del>Group manager infrastructure and environmental services</del>	<del>1,000,000</del>
Group manager infrastructure and capital delivery	1,000,000
Commercial infrastructure manager	100,000

Manager environmental health and licensing	50,000
Team leader consent processing	50,000
Manager building solutions	50,000
Manager legal and compliance	50,000
Manager environmental planning	50,000
Quality assurance lead	10,000
Manager information services	50,000
Strategic manager water and waste	200,000
Strategic manager transport	200,000
Senior roading engineer	50,000
Road asset manager	50,000
Road engineering	20,000
Road contract manager	20,000
Manager operations and programming	200,000
Contract manager	50,000
Senior project manager	50,000
Asset manager water	50,000
Asset manager stormwater	50,000
<del>People and capability manager</del>	<del>100,000</del>
Group manager people and culture	100,000
<del>Senior people and capability advisor</del>	<del>1,000</del>
Senior people and culture advisor	1,000
<del>Chief financial officer</del>	<del>200,000</del>
Group manager finance and assurance	200,000
Financial controller	50,000
<del>Project support</del>	<del>600,000</del>
Transactional project lead	20,000
<del>Group manager program delivery</del>	<del>1,000,000</del>
Group manager regulatory services	100,000
<i>Open spaces lead<sup>1</sup></i>	<i>20,000</i>
<i>Contracts and program lead<sup>2</sup></i>	<i>20,000</i>
Community facilities manager	100,000
<del>Property services manager</del> Manager property services	100,000
Projects delivery manager	200,000
<del>Health and safety lead</del>	<del>20,000</del>
Organisational Health & Safety Manager	20,000

<sup>1</sup> Chief executive delegation dated 2 December 2022 not yet adopted by Council – see Attachment C

<sup>2</sup> Chief executive delegation dated 2 December 2022 not yet adopted by Council – see Attachment C

Work schemes supervisor	20,000
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Authority to enter into contracts (full value of contract) within approved budgets and accept tenders for asset disposal

POSITION	LIMIT \$
Chief executive	200,000
<del>Group manager democracy and community</del>	<del>100,000</del>
<del>Group manager programme delivery</del>	<del>200,000</del>
<del>People and capability manager</del>	<del>100,000</del>
<del>Chief financial officer</del>	<del>200,000</del>
<del>Group manager infrastructure and environmental services</del>	<del>200,000</del>
Group manager customer and community wellbeing	100,000
Group manager infrastructure and capital delivery	200,000
Group manager people and culture	100,000
Group manager finance and assurance	200,000
Group manager regulatory services	100,000
Group manager strategy and partnerships	100,000

Authority to authorise awarded contracts (1) or approved loan payments (2), tax and payroll payments (3) or GST and FBT payments (4)

POSITION	LIMIT \$
Chief executive	No limit (all)
<del>Group manager democracy and community</del>	<del>100,000 (1)</del>
<del>Group manager programme delivery</del>	<del>No limit (1)</del>
<del>Group manager infrastructure and environmental services</del>	<del>No limit (1)</del>
Group manager customer and community wellbeing	100,000 (1)
Group manager infrastructure and capital delivery	No limit (1)
Group manager regulatory services	100,000 (1)
Strategic manager water and waste services	200,000 (1)
Strategic manager transport	200,000 (1)
<del>People and capability manager</del>	<del>100,000 (1)</del> <del>600,000 (3)</del>
Group manager people and culture	100,000 (1) 600,000 (3)
<del>Senior people and capability advisor</del>	<del>600,000 (3)</del>
Senior people and culture advisor	600,000 (3)
<del>Chief financial officer</del>	<del>No limit (1,2,4)</del>
Group manager finance and assurance	600,000 (3)

POSITION	LIMIT \$
Financial controller	No limit (2, 4) 600,000 (3)
Transactional project lead	No limit (2)
Senior management accountant	No limit (2,4)
Financial accountant	No limit 2,4 600,000 (3)
<del>Project support</del>	<del>600,000 (3)</del>
Senior finance business partner	No limit (2, 4)
<i>Finance business partnering lead<sup>3</sup></i>	No limit (2, 4)

Authority to operate Council bank accounts including making electronic bank payments, direct debits and inter account transfers (including arranged debt facility); ~~sign cheques~~ subject to an invoice or payment being duly authorised. Any two of the following officers:

POSITION	LIMIT \$
Chief executive	No limit
<del>People and capability manager</del>	<del>No limit</del>
Group manager people and culture	No limit
<del>Chief financial officer</del>	<del>No limit</del>
Group manager finance and assurance	No limit
Financial controller	No limit
Transactional project lead	No limit
<del>Senior management accountant</del>	<del>No limit</del>
Financial accountant	No limit
<del>Management accountant</del>	<del>No limit</del>
<del>Project support</del>	<del>No limit</del>
Senior finance business partner	No limit
Senior accountant	No limit
<i>Finance business partnering lead<sup>4</sup></i>	No limit

Authority to purchase plant, capital items and goods and services NOT within current Council approved budgets but subject to suitable funding source being available (district budgets only)

POSITION	LIMIT \$
Chief executive	10,000

<sup>3</sup> Chief executive delegation dated 13 December 2023 not yet adopted by Council – see Attachment C

<sup>4</sup> Chief executive delegation dated 13 December 2023 not yet adopted by Council – see Attachment C

Authority to purchase plant, capital items and goods and services NOT within current Council approved budgets due to extreme weather and/or other emergency event

POSITION	LIMIT \$
Chief executive	500,000

Authority to authorise credit notes in debtor system

POSITION	LIMIT \$
Chief executive	No limit
<del>Group manager democracy and community</del>	<del>100,000</del>
Group manager customer and community wellbeing	100,000
<del>Group manager infrastructure and environmental services</del>	<del>100,000</del>
Group manager infrastructure and capital delivery	100,000
<del>People and capability manager</del>	<del>100,000</del>
Group manager people and culture	100,000
<del>Chief financial officer</del>	<del>200,000</del>
Group manager finance and assurance	200,000
Financial controller	100,000
Transactional project lead	20,000
<del>Group manager programme delivery</del>	<del>100,000</del>
Group manager strategy and partnerships	100,000
Group manager regulatory services	100,000

### 9.9.2 Council credit cards

The following positions are delegated authority to use Council credit cards to the specified limit:

POSITION	LIMIT \$
Mayor	10,000
Chief executive	20,000
Group managers	10,000

The chief executive may approve the issue of additional credit cards to staff (other than those listed in 9.9.2) where appropriate, subject to the following:

- the chief executive must be satisfied that the credit card is necessary to cover regular travel or administrative efficiencies, such as payment of properly authorised purchases from overseas
- a credit limit of no more than \$10,000.

### 9.10 Schedule of Financial Delegations

Council makes the following additional delegations of financial powers:

**9.10.1 Authorised to 'own' Council bank accounts**

DESCRIPTION	DELEGATE
Authorised to operate and administer Southland District Council accounts.	Chief executive <del>and chief financial officer</del> / Group manager finance and assurance

**9.10.2 Bonds**

DESCRIPTION	DELEGATE
Forfeiture of bonds (partial or total).	<del>Chief financial officer</del> Group manager finance and assurance Financial controller
Refund of bonds (partial or total).	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead

**9.10.3 Credit cards**

DESCRIPTION	DELEGATE
Issue of credit cards subject to 9.9.2.	Chief executive

**9.10.4 Debt**

DESCRIPTION	DELEGATE
Approve the write-off of rates, water rates, SIESA tariffs and other revenue, and associated charges (such as legal/collection fees, interest/penalties etc)	Chief executive (up to \$25,000 per request) <del>Chief financial officer (up to \$25,000 per request)</del> Group manager finance and assurance (up to \$25,000 per request) Financial controller (up to \$15,000) Transactional project lead (up to \$10,000 per request)
Approve/authorise legal proceedings in relation to collection of all arrears, other than rating sales/leases and abandoned land sales/leases	Chief executive General manager finance and assurance Financial controller Transactional project lead
Approve the write-off of other revenue associated with their activity, and associated charges (such as legal/collection fees, interest/penalties etc) up to \$10,000 per request	<del>Leadership team members</del> Group managers
Approve payment arrangements outside normal Council terms	Chief executive <del>Leadership team members</del> Group managers Financial controller (up to \$10,000 and/or 730 days)

DESCRIPTION	DELEGATE
	Transactional project lead (up to \$10,000 and/or 365 days)
Authorise disconnection of supply	SIESA activity manager
Approve the write-off of SIESA tariffs, and associated charges (such as legal/collection fees, interest/penalties etc) up to \$10,000 per request	SIESA activity manager
Approve payment arrangements for SIESA arrears outside normal Council terms	SIESA activity manager
Make demand on the mortgagee for unpaid rates and water rates	Finance officer
Issue disconnection notices in accordance with the Debt Recovery Policy	Finance officer
Apply penalty charges in accordance with the Debt Recovery Policy	Finance officer
Lodge debts with recovery agencies as required	Finance officer
Advise debt recovery agency or legal representative to proceed to legal recovery (once approved)	Finance officer

#### 9.10.5 Deposit of Funds

DESCRIPTION	DELEGATE
Authorise the deposit of funds into Council's operational bank accounts (ie non-investment).	All customer support staff All finance staff

#### 9.10.6 Investments (placing/withdrawing/changing terms)

\*see appendix 1 of the manual for the Investment and Liability Management Policy

DESCRIPTION	DELEGATE
Authority in accordance with Council's Investment and Liability Management Policy is granted to invest Council monies. A regular report is to be prepared for the Finance and Assurance Committee stating what investments are made, with whom, term, and interest rate.	Group manager finance and assurance Financial controller Transactional project lead Financial accountant <del>Senior management accountant</del>

#### 9.10.7 Discontinue service

DESCRIPTION	DELEGATE
Authority to discontinue any service for non payment and authorise resumption of service where appropriate.	Financial controller/ <del>Transactional project lead in consultation with group manager infrastructure and environmental services/</del> group manager infrastructure and capital delivery <del>or the Group manager programme delivery</del>



**9.10.8 Donations**

DESCRIPTION	DELEGATE
Authority to make donations/koha.	<del>Leadership team members</del> Group managers or their delegated authorities

**9.10.9 Early Payment of Rates**

DESCRIPTION	DELEGATE
Accept notifications/requests for early repayment of rates on behalf of council. Calculate and update the schedule of specified rates on an annual basis.	Finance officer
Accept notifications/requests for early repayment of rates on behalf of council. Oversee the early payment of specified rates.	Group manager finance and assurance Financial controller <del>Chief financial officer</del> Transactional project lead

**9.10.10 Interest**

DESCRIPTION	DELEGATE
Authority to negotiate loan interest rates and terms with brokers and/or lending institutions for loans raised by Council.	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead Financial accountant <del>Senior management accountant</del>

**9.10.11 Overdraft (establishing/cancelling/modifying)**

\*see attachment 1 of the manual for the Investment and Liability Management Policy

DESCRIPTION	DELEGATE
Authority to arrange overdraft facilities in accordance with Council's Investment and Liability Management Policy.	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead Financial accountant

**9.10.12 Borrowing (establishing/cancelling/modifying)**

\*see attachment 1 of the manual for the Investment and Liability Management Policy

DESCRIPTION	DELEGATE
Authority to arrange debt facilities in accordance with Council's Investment and Liability Management Policy.	Chief executive Group manager finance and assurance

DESCRIPTION	DELEGATE
	<del>Chief financial officer</del> Financial controller

**9.10.13 Oath/declaration**

DESCRIPTION	DELEGATE
Make any oath or declaration in regard to Council's financial affairs.	Chief Executive <del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead

**9.10.14 Rates Penalties**

DESCRIPTION	DELEGATE
Remission of penalties in accordance with Council's Remission and Postponement of Rates Policy.	<del>Chief financial officer</del> Group manager finance and assurance Financial controller \$10,000 Transactional project lead up to \$5,000 per request Finance officer up to \$100 per request

**9.10.15 Rates remission and postponement**

DESCRIPTION	DELEGATE
Authority to postpone rates or remit rates in accordance with Council's Remission and Postponement of Rates Policy.	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead
Authority to request any further information and documentation required to make a decision regarding the remission or postponement of rates or penalties.	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead Finance officer

**9.10.16 Rates remission and postponement on Maori freehold land**

DESCRIPTION	DELEGATE
Authority to accept or decline applications for remission of rates on Māori freehold land. Authority to review applications, if applicable, for remission of rates on Māori freehold land.	<del>Chief financial officer</del> Group manager finance and assurance Financial controller
Authority to receive applications and make recommendations to <del>chief financial officer</del> /group manager finance and assurance or financial controller for remission of rates on Māori freehold land. Authority to request financial statements regarding the property if there is evidence that the land is occupied or being used for economic benefit. Authority to write off rates if the application is accepted.	Transactional project lead Finance officer

#### 9.10.17 Refunding overpayments

DESCRIPTION	DELEGATE
Authority to refund customer/ratepayer overpayments/payment errors.	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead

#### 9.10.18 Reserve contributions

DESCRIPTION	DELEGATE
Authority to consider and decide upon any application for remission or reduction of reserve contributions.	<del>Group manager programme delivery</del> <del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery Group manager customer and community wellbeing Community facilities manager <del>Strategic manager property</del> Manager property services

#### 9.10.19 Development and financial contributions

DESCRIPTION	DELEGATE
Authority to refund, development and/or financial contributions.	<del>Chief financial officer</del> Group manager finance and assurance

**9.10.20 Small claims**

DESCRIPTION	DELEGATE
Authority to settle small claims against Council up to \$25,000	Chief executive <del>Chief financial officer</del> Group manager finance and assurance

**9.10.21 Valuations**

DESCRIPTION	DELEGATE
Amend any entries in the valuation roll or Council's rating records which are the result of an error or which are no longer correct as a result of changed circumstances.	<del>Group manager infrastructure and environmental services</del> Group manager finance and assurance <del>Chief financial officer</del> Financial controller Finance officer Transactional project lead Where appropriate, information management/business solutions
Vary or waive any fee within jurisdiction and only if permitted by law and not inconsistent with Council policy.	Chief executive <del>Leadership team</del> Group managers
Authority to apply to the valuer general for valuation equalisation certificates for ratings purposes.	<del>Group manager infrastructure and environmental services</del> Group manager finance and assurance <del>Chief financial officer</del> Financial controller Transactional project lead

**10 Statutory Delegations****10.1 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 the Resource Management Act 1991 and Building Act 2004.

This section of the delegations manual sets out the delegations of these statutory responsibilities to committees, Council officers and external service providers.

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.

## 10.2 Delegations to the Chief Executive

### 10.2.1 Legislation and regulations

The chief executive has delegated authority for all powers, duties and responsibilities conferred on Council by statute and regulations. This includes, **but is not limited to**, the list below. This authority specifically excludes the power to adopt plans, strategies, policies or bylaws.

Amusement Devices Regulations 1978	Heritage NZ Pouhere Taonga Act 2014	Rates Rebate Act 1973
Airport Authorities Act 1966	Human Rights Act 1993	Rating Valuation Act 1998
Building Act 2004	Impounding Act 1955	Rating Valuations Act 1998
Building Research Levy Act 1969	Infrastructure (Amendments Relating to Utilities Access) Act 2010	Reserves Act 1977
Burial and Cremation Act 1964	Land Act 1948	Residential Tenancies Act 1986
Camping-Grounds Regulations 1985	Land Drainage Act 1908	Resource Management Act 1991
Civil Defence Emergency Management Act 2002	Land Transfer Act 2017	Sale and Supply of Alcohol Act 2012
Dog Control Act 1996	Land Transport (Infringement and Reminder Notices) Regulations 2012	Smoke-free Environments Act 1990
Drainage and Plumbing Regulations 1978	Land Transport Act 1998	Soil Conservation and Rivers Control Act 1941
Electricity Act 1992	Land Transport Management Act 2003	Southland District Council (Stewart Island/Rakiura Visitor Levy) Empowering Act 2012
Fencing Act 1978	Litter Act 1979	Southland Harbour Board Act 1958
Food Act 2014	Local Government (Rating) Act 2002	Southland Land Drainage Act 1935
Food Regulations 2015	Local Government Act 1974	Summary Proceedings Act 1957
Freedom Camping Act 2011	Local Government Act 2002	Telecommunications Act 2001

Gambling Act 2003	Local Government Official Information and Meetings Act 1987	Transport (Vehicular Traffic Road Closure) Regulations 1965
Gas Act 1992	New Zealand Geographic Board Act 2008	Transport Act 1962
Government Roding Powers Act 1989	New Zealand Library Association Act 1939	Trespass Act 1980
Hazardous Substances and New Organisms Act 1996	Privacy Act 1993	Unit titles Act 1972
Health (Burial) Regulations 1946	Property Law Act 2007	Utilities Access Act 2010
Health (Drinking Water) Amendment Act 2007	Prostitution Reform Act 2003	Walking Access Act 2008
Health (Registration of Premises) Regulations 1966	Public Bodies Leases Act 1969	Waste Minimisation Act 2008
Health (Hairdressers) Regulations 1980	Public Works Act 1981	
Health Act 1956	Racing Act 2003	

### 10.2.2 Bylaws

The chief executive has delegated authority for all powers, duties and functions of all Council adopted bylaws. This includes, but is not limited to, the following.

Alcohol Control Bylaw 2015	Solid Waste Bylaw 2008
Alcohol Licensing Fee Setting Bylaw	Speed Limits Bylaw
Ashton Flats Roding Bylaw 2016	Stewart Island Rakiura Visitor Levy Bylaw 2012
Cemetery Bylaw 2016	Stormwater Drainage Bylaw 2017
Dog Control Bylaw 2015	Subdivision Land Use and Development Bylaw 2012
Fire Prevention Vegetation Bylaw 2010	Trade Waste Bylaw 2018
Freedom Camping Bylaw 2015	Trading in Public Places Bylaw 2013
The Keeping of Animals, Poultry & Bees Bylaw 2010	Wastewater Drainage Bylaw 2017
Roding Bylaw 2008 (2015 revision)	Water Supply Bylaw 2017
Signs and Objects on Roads and Footpaths Bylaw 2016	

### 10.2.3 Warrants

The chief executive has delegated authority to issue warrants to Council officers under all relevant legislation, as per Schedule 7 Clause 32A of the Local Government Act 2002.

## 11 Statutory Delegations to Council Officers

The following schedule details all statutory delegations made by Council to Council officers.

All delegations are made severally unless specified otherwise (i.e. a delegation can be exercised by the officer acting alone)

These delegations exclude any power, responsibility or duty that has been expressly reserved to be exercised by Council, a community board, committee, or subcommittee.

### 11.1 Airport Authorities Act 1966

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.6	Leasing powers of airport authorities	Group manager customer and community wellbeing Group manager infrastructure and capital delivery <del>Group manager project delivery</del> <del>Group manager infrastructure and environmental services</del> Manager property services <del>Commercial infrastructure manager</del> Strategic manager transport

### 11.2 Amusement Devices Regulations 1978

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.11	Receive and process applications for a permit, including to inspect and issue a permit for amusement devices	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer Building control co-ordinator <del>Building compliance co-ordinator</del> Customer support partner



SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S13	Give notice of cancellation of permit to Inspector	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer Building control co-ordinator <del>Building compliance co-ordinator</del>
S.18, 19	To make inquiries into accidents or incidents	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer Building control co-ordinator <del>Building compliance co-ordinator</del>
S.22	Offences	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer Building control co-ordinator <del>Building compliance co-ordinator</del>

### 11.3 Building Act 2004

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
	All powers, functions and duties under the Building Act 2004, including all roles specified in s12	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services
s.7	To accept, reject or withdraw acceptance of an independent qualified person on behalf of the territorial authority.	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior compliance officer Signatory building control officer
s.14	Role of building consent authority and territorial authority in relation to dams	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager Building Solutions Technical Lead Building Solutions Building Control Team Leader Building Compliance Team Leader Senior Building Control Officer Senior Building Compliance Officer Signatory Building Control Officer Building Control Officer Building Compliance Officer Cadet Building Control Officer Building control co-ordinator <del>Building Compliance Co-Ordinator</del> Building Solutions Duty Officer
s.31	To apply for and provide PIM to owner on application of a building consent	Manager building solutions Technical lead building solutions

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Building control team leader Senior building control officer Signatory building control officer Building control officer Cadet building control officer Building solutions duty officer
s.32, 33, 34, 35	To receive applications for PIM's, determine the adequacy of content of application, and issue PIM, and determine content of PIM	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
s.36	Territorial authority may issue development contribution notice	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
s.37	To issue a certificate if resource consent required.	Manager environmental planning Team leader consent processing Senior resource management planner Resource management planner Graduate resource management planner

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
s.38	To give copy of PIM to network utility operator or statutory authority in certain circumstances	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
s.39	To advise Heritage New Zealand Pouhere Taonga of certain applications	Building control team leader Senior building control officer Senior building compliance officer Manager environmental planning Team leader consent processing Senior resource management planner Resource management planner Graduate resource management planner
ss.14F, 40, 41, 42A	To assess whether building work has been carried out without a building consent, or carried out not in accordance with a building consent, or whether a building consent was not required	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Signatory building control officer Senior building compliance officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer
ss.45, 45B	To receive applications, determine the adequacy of information received with a building consent application or application for amended building consent, and require further information on the application in appropriate circumstances	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
s45A	To receive and grant applications for minor variations to building consents	Manager building solutions Technical lead building solutions Building control team leader Senior building control officer Signatory building control officer Building control officer Cadet building control officer Building solutions duty officer
s.46	To provide a copy of certain applications to Fire and Emergency New Zealand	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
S47	To receive advice from Fire and Emergency New Zealand, or where appropriate determine an application without a memorandum provided from Fire and Emergency New Zealand.	Manager building solutions Technical lead building solutions Building control team leader Senior building control officer Signatory building control officer Building control officer Cadet building control officer Building solutions duty officer
s.48, 49, 50	To process building consent applications, and to grant building consent or refuse application for building consent.	Manager building solutions Technical lead building solutions Building control team leader

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Senior building control officer Signatory building control officer Building control officer Cadet building control officer Building compliance officer Building solutions duty officer
s.51	To issue a building consent	Manager building solutions Technical lead building solutions Building control team leader Building co-ordinator team leader Senior building control officer Signatory building control officer Building control officer Cadet building control officer Building control co-ordinator <del>Building compliance co-ordinator</del> Building compliance officer Building solutions duty officer
s.52	To assess whether a building consent has lapsed, and extend the time period of a building consent.	Manager building solutions Technical lead building solutions Building control team leader
ss.53, 54, 55, 56, 57	To advise applicant of the amount of levy payable. To receive a levy from the applicant for building consent, ensure the levy is correctly calculated, and discretion to refund all or part if building consent lapses.	Manager building solutions Technical lead building solutions Building control team leader Building co-ordinator team leader Senior building control officer Signatory building control officer Building control officer Cadet building control officer Building control co-ordinator <del>Building compliance co-ordinator</del> Building solutions duty officer
ss.58, 59, 60 and 63	The duty to make payments and certify in respect of levies to the Ministry of Building, Innovation and Employment	Manager building solutions Finance officer
s.62	The power to recover unpaid levies from applicant	Manager building solutions Finance officer

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
s.64	The duty to keep in safe custody all records and building consents issued including the estimated value of the building work.	Manager building solutions
s.67	Authority to grant or refuse any applications for a waiver or modification of the building code.	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Cadet building control officer Building solutions duty officer
s.67A	Territorial authority may grant waivers or modifications in relation to means of restricting access to residential pools	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building compliance officer Building control co-ordinator <del>Building compliance co-ordinator</del> Senior building control officer Signatory building control officer Senior building compliance officer Building control officer Cadet building control officer Building solutions duty officer
s.68	The duty to notify the chief executive of the Ministry of Building, Innovation and Employment if waiver or modification granted	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Building compliance officer Building control co-ordinator <del>Building compliance co-ordinator</del> Senior building control officer Signatory building control officer Senior building compliance officer Building control officer Cadet building control officer Building control co-ordinator



SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Building solutions duty officer
s.70	The duty to receive and refer application (or any part of an application) for energy work to the chief executive of the Ministry of Business, Innovation and Employment	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
s.71	Authority to refuse any building consent in relation to land subject to 1 or more natural hazards	Manager building solutions Technical lead building solutions Building control team leader Building co-ordinator team leader Senior building control officer Signatory building control officer Building control officer Cadet building control officer Building control co-ordinator Building solutions duty officer
ss.72-74	To issue a building consent for building on land subject to 1 or more natural hazards, and completion of the notification process required for any such consent.	Manager building solutions Building control team leader Building co-ordinator team leader Senior building control officer Signatory building control officer Building control officer Cadet building control officer Building solutions duty officer Manager environmental planning Team leader consent processing Senior resource management planner
ss.75-77	Issue certificate in relation to construction of building on two or more allotments, assessment of any exemption, withholding building consent subject to issue of section 75	Manager environmental planning Team leader consent processing Senior resource management planner Resource management planner

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
	certificate, and lodging certificate with Registrar General of Land	Manager building solutions Technical lead building solutions Building co-ordinator team leader Building control co-ordinator <del>Building compliance co-ordinator</del> Building control team leader Senior building control officer Signatory building control officer Building control officer Cadet building control officer Building solutions duty officer
s.83	Receive, assess, and decline or approve any application for removal of a section 75 certificate, or application for removal of a certificate issued under section 643 of the Local Government 1974, and lodging any certification of that decision with the Registrar General of Land.	Manager environmental planning Team leader consent processing Senior resource management planner Resource management planner Manager building solutions Technical lead building solutions Building co-ordinator team leader Building control co-ordinator <del>Building compliance co-ordinator</del> Building control team leader Senior building control officer Signatory building control officer Building control officer Cadet building control officer Building solutions duty officer
s84, 85, 86, 87, 87A, 88, 89	To assess whether a licensed building practitioner is carrying out or supervising restricted building work	Manager building solutions Technical lead building solutions Building co-ordinator team leader Building control co-ordinator <del>Building compliance co-ordinator</del> Building control team leader Senior building control officer Signatory building control officer Building control officer Cadet building control officer Building solutions duty officer
ss.90	The power to inspect any land, building and building work	Manager building solutions Technical lead building solutions Building control team leader

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building control co-ordinator <del>Building compliance co-ordinator</del> Building solutions duty officer
ss.91-95A	To receive applications for, consider all relevant matters, and to issue or refuse to issue a code compliance certificate	Manager building solutions Technical lead building solutions Building control team leader Building co-ordinator team leader Senior building control officer Signatory building control officer Building control officer Cadet building control officer Building control co-ordinator <del>Building compliance co-ordinator</del> Building solutions duty officer
s.96-98, s42	To receive, determine information required and to require further information, and process an application for a certificate of acceptance	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer
ss. 99, 99AA, 99A,s42	To issue, withhold, or refuse to issue a certificate of acceptance	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Building compliance officer Cadet building control officer Building control co-ordinator <del>Building compliance co-ordinator</del> Building solutions duty officer
s.100, 101	To assess whether a compliance schedule is required	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader
ss.100, 101, 102, 102A, 106	To receive applications for, process and issue a compliance schedule	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building control co-ordinator <del>Building compliance co-ordinator</del> Building solutions duty officer
s.103	Ensure complete and correct content of compliance schedule (specified systems)	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer
s. 104, 104A	Notification and issue of statement associated with issue of compliance schedule	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building control co-ordinator <del>Building compliance co-ordinator</del> Building solutions duty officer
s105	To assess whether obligations of owner in respect of compliance schedule are being complied with	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer
s.108	To receive annual building warrant of fitness and to assess whether requirements applicable to building warrants of fitness are being complied with	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
ss.106, 107, 109	To receive any application or recommendation for amendment to a compliance schedule, process and make any decisions concerning the amendment of a compliance schedule	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer
s.110	To require owner of building to produce, and to review reports on compliance schedules	Manager building solutions Technical lead building solutions

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer Monitoring and enforcement officer
s.111	Power to inspect buildings for which a compliance schedule has been issued and to inspect the specified systems in the building.	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building control co-ordinator <del>Building compliance co-ordinator</del> Building solutions duty officer Monitoring and enforcement officer
s.112	To assess all matters in relation to alterations to an existing building, including to decide to issue or not to issue any written notice in respect of an alteration.	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
s.113	To assess, and decline or grant a building consent, and impose any conditions, in relation to buildings with specified intended lives	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer
s. 114	To receive notice, and make any assessments of a change of use, extension of life or subdivision of buildings	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer
s.115	To assess a change of use of buildings, and give any written notice, or decline to give written notice, that the building complies with the requirements of the section	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer
s.116	To assess an extension of life of a building and consent, or decline to consent, to an extension of building life.	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer



SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
s.116A	To assess a subdivision of a building and issue a certificate, or decline to issue a certificate, under s224(f) Resource Management Act 1991	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer
s. 116B	To assess if a building is not safe, or not sanitary or if it has inadequate means of escape from fire	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer
s118, 120	To assess access to facilities for persons with disabilities to and within buildings, and to assess whether symbols of access are being displayed	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer
s.121	To determine whether a building is dangerous, including seeking advice from Fire and Emergency New Zealand.	Manager building solutions Technical lead building solutions Building control team leader Senior building control officer Building compliance team leader Senior building compliance officer Signatory building control officer Building compliance officer
ss.121-124, 128A	To assess whether a building or part of a building is dangerous, affected and/or insanitary	Manager building solutions Technical lead building solutions Building control team leader Senior building control officer Building compliance team leader

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Senior building compliance officer Signatory building control officer Building compliance officer
s.124-125, 126, 128	To assess and take action in relation to dangerous, affected and/or insanitary buildings	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader <del>Environmental monitoring manager</del> Manager environmental health and licensing
s.126	To apply to the district court, to carry out building work on dangerous, affected and/or insanitary building in certain circumstances, and to recover costs of work.	Manager building solutions
s129(1)	To assess if there is immediate danger to the safety of people and/or if immediate action is necessary to fix insanitary conditions.	Manager building solutions Building compliance team leader Building control team leader Technical lead building solutions Senior building control officer Signatory building control officer Senior building compliance officer Building control officer Building compliance officer
s.129(2)	Take action to avoid immediate danger or to fix insanitary conditions	Chief executive of territorial authority
s129(3), s.130	To take all steps to recover the costs of any action taken under s129(2) from the owner of the building, and to apply to district court for confirmation of warrant	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader
s. 133AG	To identify-potentially earthquake prone buildings and associated reporting	Manager building solutions Building compliance team leader Senior building compliance officer Building compliance officer Building control co-ordinator <del>Building compliance co-ordinator</del>
s.133AH	Request engineering assessment of potentially earthquake-prone buildings	Manager building solutions Building compliance team leader Building co-ordinator team leader Senior building compliance officer Building compliance officer <del>Building compliance co-ordinator</del>

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Building control co-ordinator Building solutions duty officer
s.133AI(2)	To cancel in whole or in part, or decline to cancel, the request for an engineering assessment if building incorrectly identified as earthquake prone.	Manager building solutions Building compliance team leader Senior building compliance officer Building compliance officer Building control co-ordinator <del>Building compliance co-ordinator</del>
s.133AI(3)	Where an engineering assessment is not provided, to issue any EPB notice for building or part of a building, obtain an engineering assessment and recover the costs of doing so from the building owner	Manager building solutions Building compliance team leader Senior building compliance officer Building compliance officer Building control co-ordinator <del>Building compliance co-ordinator</del>
ss.133AJ	Granting /refusing application for extension of time to provide engineering assessment	Manager building solutions Building compliance team leader Senior building compliance officer Building compliance officer Building control co-ordinator <del>Building compliance co-ordinator</del>
ss.133AK	To determine if a building is earthquake prone	Manager building solutions Technical lead building solutions Building compliance team leader Senior building compliance officer Building compliance officer
s.133AL	To issue an EPB notice for earthquake prone buildings or for part of an earthquake prone building	Manager building solutions Technical lead building solutions Building compliance team leader Senior building compliance officer Building compliance officer Building control co-ordinator <del>Building compliance co-ordinator</del>
s133AM	To assess whether seismic work completed	Manager building solutions Technical lead building solutions Building compliance team leader Senior building compliance officer Building compliance officer Building control co-ordinator <del>Building compliance co-ordinator</del>

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
s.133AN	To receive and process applications for exemptions, to grant/refuse an exemption; to issue or reissue an exemption notice; to review or revoke any exemption; and to administer the EPB register	Manager building solutions Technical lead building solutions Building compliance team leader Senior building compliance officer Building compliance officer Building control co-ordinator <del>Building compliance co-ordinator</del>
s.133AO	To receive and process applications for extension of time to complete seismic work on certain heritage buildings, and to grant, refuse or revoke an extension; and to administer the EPB register	Manager building solutions Technical lead building solutions Building compliance team leader Senior building compliance officer Building compliance officer Building control co-ordinator <del>Building compliance co-ordinator</del>
s.133AP	To attach, remove and/or replace EPB notices and EPB exemption notices to earthquake prone buildings	Manager building solutions Building compliance team leader Senior building compliance officer Building compliance officer Building control co-ordinator <del>Building compliance co-ordinator</del>
s.133AQ, 133AY	To assess an engineering assessment or other information relating to earthquake prone building status at any time, determine if a building is or is not an EPB, and notify the owner of this determination; and to administer the EPB register	Manager building solutions Technical lead building solutions Building compliance team leader Senior building compliance officer Building compliance officer Building control co-ordinator <del>Building compliance co-ordinator</del>
s.133AR	Impose safety requirements in relation to EPB	Manager building solutions Technical lead building solutions Building compliance team leader Senior building compliance officer
s133AS(1)	To assess whether work on an EPB building has been completed on time, or is not proceeding with reasonable speed	Manager building solutions Technical lead building solutions Building compliance team leader Senior building compliance officer Building compliance officer
s.133AS	To apply to the district court, to carry out seismic work, and to recover the costs of work from building owner	Manager building solutions

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
s.133AT	Assess alterations, including substantial alterations, of a building or part of a building that is subject to an EPB notice, and issue any associated notices	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer
s.133 AU	To assess non-compliance with any requirements applicable to earthquake prone buildings	Manager building solutions Building compliance team leader Building control team leader Technical lead building solutions Senior building compliance officer Building compliance officer
ss.162C, 162D	To assess means of restricting access to residential pools and to carry out periodic inspections of residential pools	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer Building control co-ordinator <del>Building compliance co-ordinator</del> Compliance officer Monitoring and enforcement officer
s.164-166	The power and authority to issue notices to fix, or to determine whether another authority should issue notices to fix	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Building compliance officer Cadet building control officer Building solutions duty officer Building control co-ordinator <del>Building compliance co-ordinator</del>
s.167	To inspect the building work to which any notice to fix relates, to confirm or refuse to confirm whether or not the notice to fix has been complied with, to issue written notice of that decision with reasons, and/or to issue a further notice to fix	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer
s.168	To assess compliance with any notice to fix.	Manager building solutions Technical lead building solutions Building compliance team leader Building control team leader
s.177-190	To participate in any building determination process including apply to the chief executive of the Ministry for a determination	Manager building solutions Technical lead building solutions Building compliance team leader Building control team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
s.200-203	To participate in any investigation process commenced by the chief executive of the Ministry	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
s.215	Duty to obtain and maintain accreditation and be registered	Manager building solutions Technical lead building solutions
s.216	The duty to keep all records relevant to the administration of the Building Act 2004	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
s.217	The duty to provide access to that information to the public	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
s.219	To impose a fee or charge, to collect a levy, and/or refuse to perform function until a fee, charge or levy is paid	Manager building solutions Technical lead building solutions Building control team leader



SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
s.220(1)	To give notice of a requirement to carry out building work on, or in connection with any building, and/or issue a certificate that building work is of an urgent nature, and/or to assess whether any such work is being progressed, including at a reasonable speed	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer
s.220	To give notice of an intention to apply to the district court for orders, to apply to the district court for orders, and to carry out building work on authority of orders	Manager building solutions
s.221	Recovery of costs when territorial authority carries out work on authority of orders	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader
s.222, 224	To be an authorised officer and to carry out inspections, including to inspect land, building work, buildings, any residential pool or pool area, and including to enter premises for purposes specified in the Building Act 2004	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Cadet building control officer Building solutions duty officer Building control co-ordinator <del>Building compliance co-ordinator</del> Manager environmental health and licensing Compliance officer Environmental health officer Monitoring and enforcement officer (limited to barriers for swimming pools)
ss.227, 228,	To give notice of, and apply to the district court for orders authorising entry to household unit	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader
s. 238, 239	Duties of Building consent authority and providing information to chief executive	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
s. 240, ss.281A-281D	Building consent authority may impose fee or charge and must collect levy	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del>

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Building control co-ordinator Building solutions duty officer
s.281C	Discretionary waive or refund in whole or in part any fee or charged	Manager building solutions
s.362V	To assess whether commercial on-seller has transferred unit without code compliance certificate	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
ss.363, 363A-363C	To assess and determine all matters in relation to protecting safety of members of public using premises or premises intended to be open to the public, including prior to the issue of a code compliance certificate, and including requesting further information, determining conditions and issuing Certificates for Public Use and cancelling a certificate for public use.	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer
s. 371	To file a charging document	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader
ss.371-374	To issue infringement notices	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Building co-ordinator team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Building compliance officer Cadet building control officer <del>Building compliance co-ordinator</del> Building control co-ordinator Building solutions duty officer
ss 371-374	To issue proceedings for an infringement offence	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader
s375	To prosecute offences against the Building Act 2004	Chief executive <del>Group manager infrastructure and environmental services</del> Group manager regulatory services
s377	To lay an information and file a charging document for an offence under the Building Act	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader
s381	To apply for and pursue an injunction for certain continuing breaches	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader

#### 11.4 Building Research Levy Act 1969

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s. 9	The duty to make payments and certify in respect of levies to the Building Research Association of New Zealand	Group manager regulatory services <del>Group manager infrastructure and environmental services</del> Manager building solutions

#### 11.5 Burial and Cremation Act 1964

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	All powers, functions and duties under the Burial and Cremation Act 1964 excluding s.49	Group manager customer and community wellbeing <del>Property services manager</del> Manager property services
s.49	Remission of burial charges	<del>Manager property services in consultation with Group manager programme delivery</del>

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Manager property services in consultation with Group manager customer and community wellbeing

### 11.6 Camping-Grounds Regulations 1985

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
ss. 3, 14, 15	Issue, renew and transfer licences, permits or registrations, grant and set conditions on certificate of exemption, inspection	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager environmental health and licensing <del>Senior environmental health officer</del> Environmental health officer Environmental Services Coordinator

### 11.7 Civil Defence Emergency Management Act 2002

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
ss.12, 13	Obligation to form, and for the mayor or the mayor's nominee to be a member of a Civil Defence Emergency Management Group	Mayor or nominee
s.25	Power to declare a state of local emergency	Mayor
s.27	Appointment of local controllers	Civil defence emergency group
s.64	Obligation to plan and provide for civil defence emergency management in the district	Emergency management officer
ss.68, 71, 72	Power to declare, extend and terminate a state of local emergency	Mayor

### 11.8 Dog Control Act 1996

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	All powers, functions and duties under the Dog Control Act 1996 and any subsequent amendments, including the power to authorise prosecutions (except those that are unable to be legislatively delegated)	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services
s.9	Requirement to retain funds obtained under the act and apply for authorised purposes only under the act	<del>Manager environmental health</del> Manager legal and compliance

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.10, 10A, 10AA	Requirement to adopt a policy about dogs and annually report on the policy and other matters	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance
s.11	Appoint animal control officers	Chief executive
s.12	Appoint compliance officers	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services
s.13	Issue warrant to animal control officers and compliance officers	Chief executive
s.21	Classify a person as a probationary owner and give notice of that decision	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance
s.22	Hear and determine an objection to classification as a probationary owner	Chief executive <del>Group manager infrastructure and environmental services</del> Group manager regulatory services
s.23A	Require a probationary owner to undergo training	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance
s.25	Disqualification of owners and specification of period of disqualification. Determine whether the circumstances are such that disqualification is not warranted, or the person should instead be classified as a probationary owner and give notice of disqualification	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance
s.26	Hear and determine an objection to disqualification	Chief executive <del>Group manager infrastructure and environmental services</del> Group manager regulatory services
s.28	Extend period of disqualification	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance
s.30	Maintain records and provide information	<del>Group manager infrastructure and environmental services</del>

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer Customer services officer Environmental services co-ordinator
s.31	Classify any dog as a dangerous dog. Hear and determine an objection to classification of any dog as a dangerous dog	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance
s.32	Consent to disposal of dangerous dog to any person	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.33A	Classify a dog as a menacing dog and give notice of the classification	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance
s.33B	Hear and determine an objection to classification of a dog as a menacing dog	Chief executive <del>Group manager infrastructure and environmental services</del> Group manager regulatory services
s.33C	Classify a dog as a menacing dog by belonging to breed or type listed in Schedule 4 and give notice of the classification	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer



SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.33D	Hear and determine an objection to classification of a dog as a menacing dog by belonging to breed or type	Chief executive <del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance
s.33E	Require production of a certificate in accordance with s.33E(1)(b). Determine under s.33E(5) that a dog need not be muzzled	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.33EB	Require neutering of dog	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.33ED	Classification of certain dogs	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance
s.35	Supply information in accordance with the provisions of this section	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer Customer services officer Environmental services co-ordinator

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.35(5)(c)	To determine whether or not a dog should be delivered into custody of an animal control officer or compliance officer	<del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.36A	Request verification that a dog has been implanted with a functioning microchip transponder	<del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Group manager regulatory services <del>Group manager infrastructure and environmental services</del> Customer services officer Dog control ranger Compliance officer Environmental services co-ordinator
s.39	Remit, reduce or refund the dog control fee or part of the fee as per s.39	<del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer Customer services officer Environmental services co-ordinator
s.40	Require the production of a written statement or veterinarian's certificate as proof of class of dog	<del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer Customer services officer Environmental services co-ordinator
s.42	Determine that there are reasonable grounds for believing there has been a breach of s.42(1)	<del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.46	To issue a replacement label or disc	Freedom camping ambassador

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Animal control officer Dog control ranger Compliance officer Customer services officer Environmental services co-ordinator
s.55	Enter land or premises (other than a dwellinghouse) to inspect conditions under which a dog is kept; assess a dog's status and issue a barking abatement notice; remove the dog from the land or premises	Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.55	Consider and determine an objection to a notice to abate a barking dog nuisance	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services
s.66	Issue infringement notices Make any decision on any matter relating to those proceedings	<del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.68	Require pound fee set is paid before release of dog	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.69	Give written notice to the owner that a dog has been impounded and dispose of a dog pursuant to s.69(2) Where the owner of a dog is not known and cannot be identified from the dog registration label or disc, seize the dog, sell, destroy, or otherwise dispose of the dog pursuant to s.69(3) Apply proceeds from sale of dog against fees of the owner	<del>Manager environmental health</del> Manager legal and compliance Animal control officer Customer services officer Freedom camping ambassador Dog control ranger Compliance officer Environmental services co-ordinator
s.69A	Verify that a dog has been fitted with a functioning microchip transponder, Recover the costs of microchip transponder	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.70	Determine an application for return of a dog Apply fees to sustenance of dog and require payment before return of dog	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.71	Determine an application for return of a dog Apply fees to sustenance of dog and require payment before return of dog	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.71A	Sell, destroy or otherwise dispose of dogs seized under s.15 and s.33EC in a manner thought fit Apply fees from disposal towards fees Apply fees to sustenance of dog and require payment before return of dog	<del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer

### 11.9 Drainage and Plumbing Regulations 1978

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	Authority to exercise the powers of “Engineer” under the Drainage and Plumbing Regulations	General manager infrastructure and capital delivery <del>Group manager infrastructure and environmental services</del>

### 11.10 Fencing Act 1978

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	All powers and duties under the Fencing Act 1978	Manager Property Services Community Facilities Manager

## 11.11 Food Act 2014

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	All powers, functions and duties under the Food Act 2014, excluding ss.173(2), 176, 179, 182 and 205 which remain with Council	Group manager regulatory services Group manager infrastructure and environmental services Manager environmental health and licensing Environmental health officer Environmental services coordinator Customer services officer Warranted food safety officer Food verifier
54	<u>Power to refuse to process application for registration</u>	Manager environmental health and licensing Environmental services coordinator
55	<u>Power to require further information for registration application</u>	Environmental services coordinator
56	<u>Power to decide to register a Food Control Plan</u>	Environmental services coordinator
57	<u>Power to decide to refuse to register a Food Control Plan</u>	Manager environmental health and licensing
60	<u>Power to impose conditions on registration of a Food Control Plan</u>	Manager environmental health and licensing
63	<u>Power to extend mandatory suspension</u>	Manager environmental health and licensing Environmental health officer Food verifier
67	<u>Power to determine to cancel registration of Food Control Plan</u>	Manager environmental health and licensing Environmental health officer Food verifier
69	<u>Power to decide whether food should be sold after cancellation of registration</u>	Manager environmental health and licensing Environmental health officer Food verifier
70	<u>Power to decide to remove food business from coverage of Food Control Plan</u>	Manager environmental health and licensing Environmental health officer Food verifier
84	<u>Power to refuse to process application for registration (National Programme)</u>	Manager environmental health and licensing Environmental services coordinator

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
<b>85</b>	<u>Power to request further information for registration (National Programme)</u>	<u>Environmental services coordinator</u>
<b>87</b>	<u>Power to refuse to register food business (National Programme)</u>	<u>Manager environmental health and licensing</u>
<b>89</b>	<u>Power to impose conditions on registration of food business (National Programme)</u>	<u>Manager environmental health and licensing</u>
<b>90</b>	<u>Power to suspend operations of business (National Programme)</u>	<u>Environmental services coordinator</u>
<b>91</b>	<u>Power to extend a suspension (National Programme)</u>	<u>Environmental services coordinator</u>
<b>95</b>	<u>Power to cancel registration of business (National Programme)</u>	<u>Environmental services coordinator</u>
<b>165</b>	<u>Power to surrender recognition (agency and person)</u>	<u>Manager environmental health and licensing</u>
<b>173(1)</b>	<u>Power to carry out functions of a Territorial Authority</u>	<u>Manager environmental health and licensing</u> <u>Environmental health officer</u> <u>Food verifier</u>
<b>173(2)</b>	<u>Power to combine with other territorial authority for function 173(1)(a)</u>	<u>Group manager regulatory services</u>
<b>176</b>	<u>Power to transfer Territorial Authority functions</u>	<u>Group manager regulatory services</u>
<b>182</b>	<u>Power to change, revoke or relinquish transfer of functions</u>	<u>Group manager regulatory services</u>
<b>218</b>	<u>Power to lay charging document</u>	<u>Environmental health officer</u> <u>Food verifier</u>
<b>219</b>	<u>Infringement Notice (Food Safety Officers)</u>	<u>Environmental health officer</u> <u>Food verifier</u>
<b>280</b>	<u>Power to give directions under Section 281 to 286</u>	<u>Environmental health officer</u> <u>Food verifier</u> <u>Warranted food safety officer</u>
<b>294</b>	<u>Verifier's right of access and certain powers</u>	<u>Environmental health officer</u> <u>Food verifier</u> <u>Warranted food safety officer</u>
<b>296</b>	<u>Power of Food Safety Officers</u>	<u>Warranted food safety officer</u>
<b>297</b>	<u>Food Safety Officer's power to ask for assistance</u>	<u>Warranted food safety officer</u>
<b>298</b>	<u>Purpose of powers in Section 296, 299 to 308, and 310 to 312 (Food Safety Officer may exercise a power)</u>	<u>Warranted food safety officer</u>



SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
<a href="#">299</a>	<a href="#">Power to facilitate entry, search and seizure (Food Safety Officer must take all reasonable steps)</a>	<a href="#">Warranted food safety officer</a>
<a href="#">301</a>	<a href="#">Power of examination, identification and rectification and associated detention powers for Food Safety Officer</a>	<a href="#">Warranted food safety officer</a>
<a href="#">302</a>	<a href="#">Food Safety Officer's power to issue improvement notice</a>	<a href="#">Warranted food safety officer</a>
<a href="#">304</a>	<a href="#">Food Safety Officer's power to take, purchase and sample</a>	<a href="#">Warranted food safety officer</a>
<a href="#">305</a>	<a href="#">Food Safety Officer's power to interrupt operation and give certain directions</a>	<a href="#">Warranted food safety officer</a>
<a href="#">306</a>	<a href="#">Food Safety Officer's power to seize, condemn and require disposal</a>	<a href="#">Warranted food safety officer</a>
<a href="#">307</a>	<a href="#">Food Safety Officer's power to restrict use of or close place</a>	<a href="#">Warranted food safety officer</a>
<a href="#">308</a>	<a href="#">Other powers of Food Safety Officer</a>	<a href="#">Warranted food safety officer</a>
<a href="#">310.311</a>	<a href="#">Powers to enter and powers to enter without search warrant</a>	<a href="#">Warranted food safety officer</a>
<a href="#">312</a>	<a href="#">Food Safety Officer's power to test samples of food or examples of food related accessories</a>	<a href="#">Warranted food safety officer</a>
<a href="#">331</a>	<a href="#">Power to apply for a compliance order</a>	<a href="#">Environmental health officer</a> <a href="#">Food verifier</a>
<a href="#">355</a>	<a href="#">Power to decide to determine application for review</a>	<a href="#">Group manager regulatory services</a> <a href="#">Manager environmental health and licensing</a>
<a href="#">358</a>	<a href="#">Procedure for and power to decide of review of decision</a>	<a href="#">Group manager regulatory services</a> <a href="#">Manager environmental health and licensing</a>

## 11.12 Food Regulations 2015

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
103	Power to issue corrective actions and verifications	Environmental health officer Food verifier
106	Power to decide on verification decision	Environmental health officer Food verifier
145	Infringement offense	Environmental health officer Food verifier



SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
SCH 2	Infringement offences and fees	Environmental health officer Food verifier

### 11.13 Freedom Camping Act 2011

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.25	Power to issue proceedings for an offence other than an infringement notice	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services <del>Manager environmental health</del> Manager legal and compliance
s.27	Issue infringement notices Make any decision on any matter relating to those proceedings	<del>Manager environmental health</del> Manager legal and compliance Environmental health officer Freedom camping ambassadors Compliance officer Monitoring and enforcement officer
s.28	Power to issue reminder notice	Customer services officer Environmental services co-ordinator Freedom camping ambassadors Compliance officer
s.32	Appointment of an enforcement officer	Chief executive
s.39	Power to return property seized or impounded	<del>Manager environmental health</del> Manager legal and compliance Environmental health officer Freedom camping ambassadors Compliance officer
s.40	Power to dispose of seized and impounded property	<del>Manager environmental health</del> Manager legal and compliance Environmental health officer Freedom camping ambassadors Compliance officer

### 11.14 Gambling Act 2003

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
ss.98-100	Considering and determining application for territorial authority consent	Group manager regulatory services <del>Group manager infrastructure and environmental services</del>

### 11.15 Gas Act 1992

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.25	Power to set reasonable conditions on the opening up of any road and recover reasonable costs	Roading asset manager Strategic manager transport <del>manager</del>
S.33	Power to require fittings to have their position changed	Roading asset manager Strategic manager transport

### 11.16 Government Roothing Powers Act 1989

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.43(1) “road” (d) and (e)	Authority to decide whether to proceed with an application to the Minister of Transport to legalise land as road, execute all relevant documents and determine any conditions attached to any request for Council to take actions under these provisions.	Group manager infrastructure and capital delivery Group manager customer and community wellbeing <del>Group manager infrastructure and environmental services</del>

### 11.17 Hazardous Substances and New Organisms Act 1996

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	Initiating prosecutions and injunctions under Act or Regulations	Group manager regulatory services <del>Group manager infrastructure and environmental services</del>
s. 108	Confirm, change or cancel compliance order	Manager environmental health and licensing Environmental health officer

### 11.18 Health Act 1956

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	Initiating prosecutions and injunctions	Group manager regulatory services <del>Group manager infrastructure and environmental services</del>
s.28	Appoint environmental health officers	Chief executive
s.33	Bring proceedings for nuisance	Manager environmental health and licensing Environmental health officer
s.34	Determine that immediate action for the abatement of the nuisance is necessary by	Manager environmental health and licensing

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	reason of the existence of a nuisance on any premises and without notice to the occupier, enter on the premises and abate the nuisance	Environmental health officer
s.41(1)	Decide and cause service of a cleansing order	Manager environmental health and licensing Environmental health officer
s.41(2)	Cause cleansing	Manager environmental health and licensing Environmental health officer
s.42	Duly authorised to issue certificate	Manager environmental health and licensing Environmental health officer
s.42(2)	Cause service of a repair notice	Manager environmental health and licensing Environmental health officer
s.42(3)	Issue a closing order	Manager environmental health and licensing Environmental health officer
s.45	Cancel a closing order	Manager environmental health and licensing Environmental health officer
s.54	Determine any application to carry on an offensive trade, register or renew the registration of any premises used for an offensive trade	Manager environmental health and licensing Environmental health officer Environmental Services Coordinator
s.58	Determine any application to establish a stockyard, register or renew the registration of any premises used for a stockyard	Manager environmental health and licensing Environmental health officer Environmental Services Coordinator
s.66	Apply for injunction where continuing breach of bylaw following conviction	Group manager regulatory services <del>Group manager infrastructure and environmental services</del>
s.81	Decide and authorise environmental health officer to enter and carry out cleansing	Group manager regulatory services <del>Group manager infrastructure and environmental services</del> Manager environmental health and licensing
s.83	Destroy articles that cannot be effectively disinfected	Manager environmental health and licensing Environmental health officer
s.128	Power to enter and inspect	Manager environmental health and licensing

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Environmental health officer
s.132	The decision to register or remove from registration any charges on land created under the Health Act.	Manager environmental health and licensing Manager property services

### 11.19 Health (Burial) Regulations 1946

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.16	Consent, register, renew, refuse, impose conditions for registration or consent	Manager environmental health and licensing Environmental health officer Environmental Services Coordinator

### 11.20 Health (Drinking Water) Amendment Act 2007

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.69S	Duty to take all practicable steps to ensure that an adequate supply of drinking water is provided to each point of water supply to which drinking water is supplied	Strategic manager water and waste
s.69T	Duty to take action where risk to water is actual or foreseeable	Strategic manager water and waste
s. 69U	Duty to take reasonable steps to contribute to the protection of a drinking water source	Strategic manager water and waste
S.69V	Duty to take all practicable steps to comply with drinking water standards	Strategic manager water and waste
s. 69W	Duty to take reasonable steps to supply wholesome drinking water	Strategic manager water and waste
s.69X	Duty to check water quality before connecting to a new water source	Strategic manager water and waste
s.69Y	Duty to monitor drinking water to ensure compliance with drinking water standards and assess public health risk	Strategic manager water and waste
ss. 69ZA – 69ZF	Duty to prepare and implement a public health risk management plan in relation to the drinking water supply, to review/renew plans, keep and make available records of plans, to investigate complaints, to take remedial action if standards breached	Strategic manager water and waste
s. 69ZZZ	Duty to protect water supplies from risk of backflow	Strategic manager water and waste

### 11.21 Health (Hairdressers) Regulations 1980

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.4	Grant, extend, set conditions on certificate of exemption	Group manager regulatory services <del>Group manager infrastructure and environmental services</del> Manager environmental health and licensing Environmental health officer

### 11.22 Health (Registration of Premises) Regulations 1966

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.5	Consent, amend, register, renew, impose conditions for registration, and cancel registrations	Manager environmental health and licensing Environmental health officer
s.9	Cause first notice and further notice to be served	Manager environmental health and licensing Environmental health officer

### 11.23 Housing Improvement Regulations 1947

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	Exercise the powers and functions of a local authority	Manager environmental health and licensing Group manager regulatory services <del>Group manager infrastructure and environmental services</del>

### 11.24 Impounding Act 1955

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	Authority to authorise any officer to carry out all or any functions of a ranger under the Impounding Act 1955	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services
ss.8, 9	Appointment of a pound keeper (a statutory appointment) and appointment of a deputy (statutory appointment)	Chief executive
s.10	Remove or suspend pound keeper or deputy	Chief executive
s.11	Authority to publicly notify every appointment, or suspension, or removal from office of any pound keeper or deputy pound keeper, as required by Section 11 of the Impounding Act 1955	Chief executive

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.14	Recover actual costs of sustenance of impounded stock	<del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.32	Declare fenced paddock a temporary pound	Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.42	Disposal of wild stock straying on roads	Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.50	Authorise person to act as auctioneer for sale of impounded stock	<del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.52	Destroy worthless or suffering stock	Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.53	Dispose of unsold stock	Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.56	Recover any deficiency in costs from owner of stock	<del>Manager environmental health</del> Manager legal and compliance Freedom camping ambassador Animal control officer Dog control ranger Compliance officer

### 11.25 Infrastructure (Amendments Relating to Utilities Access) Act 2010

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.14	Power to set reasonable conditions over the opening up of any road and recover reasonable costs	Group manager infrastructure and capital delivery <del>Group manager infrastructure and environmental services</del> Strategic manager transport

### 11.26 Land Drainage Act 1908

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.6	Obligation to provide information on ratepayers in respect of property within the district liable to be rated	Group manager finance and assurance <del>Chief financial officer</del> Transactional project lead Finance officer
S.20	Power to object to Drainage Board (ES) interfering with road or footpath	Strategic manager water and waste
SS. 61,63	Power to cleanse, repair or maintain a watercourse or drain	Strategic manager water and waste

### 11.27 Land Transfer Act 2017

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	Consenting to dealing with land where that land is subject to a caveat or encumbrance that requires the consent of Council before registration of any instrument under the Land Transfer Act 2017	Manager property services in consultation with <del>group manager infrastructure and environmental services or group manager programme delivery</del> / group manager infrastructure and capital delivery or group manager customer and community wellbeing
S.34	Authority to certify documents on Council's behalf pursuant to section 34 of the Land Transfer Act 2017	Chief executive <del>Group manager infrastructure and environmental services</del> <del>Group manager programme delivery</del> Group manager infrastructure and capital delivery Group manager customer and community wellbeing
	The authority to execute A & I forms and any associated documentation required by Land Information New Zealand or other regulatory body which under any act the documents are to be registered in accordance with the Land	Group manager infrastructure and capital delivery Group manager customer and community wellbeing



SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	Transfer Act 2017 for the completion of any authorised transaction	Group manager regulatory services <del>Group manager programme delivery</del> <del>Group manager infrastructure and environmental services</del> Manager property services Manager environmental planning Team leader consents Senior resource management planner
	The authority to approve boundary definitions for the uplifting of limited title status	Group manager customer and community wellbeing Manager property services Senior property advisor

### 11.28 Land and Transport Act 1998

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.16A	Powers regarding restriction of heavy traffic on roads	Group manager infrastructure and capital delivery <del>Group manager infrastructure and environmental services</del> Strategic manager transport
ss.22AB, 22AD and 22AE	Powers regarding transport related bylaws	Group manager infrastructure and capital delivery <del>Group manager infrastructure and environmental services</del> Strategic manager transport
s.128D	Appointment of parking wardens	Group manager regulatory service <del>Group manager infrastructure and environmental services</del> Manager legal and compliance <del>Environmental monitoring manager</del> Parking officer
s.128E	Powers of parking wardens	Group manager regulatory service <del>Group manager infrastructure and environmental services</del> Manager legal and compliance <del>Environmental monitoring manager</del>
s.139	Power to issue infringement notices	Group manager regulatory service

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		<del>Group manager infrastructure and environmental services</del> Manager legal and compliance <del>Environmental monitoring manager</del> Parking officer
s.157	Power as road controlling authority to control, restrict and prohibit traffic	Group manager infrastructure and capital delivery <del>Group manager infrastructure and environmental services</del> Strategic manager transport

### 11.29 Land Transport (Infringement and Reminder Notices) Regulations 2012

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
Schedule 4	Power to review or waive stationary vehicle infringements	Group manager regulatory service <del>Environmental monitoring manager</del>

### 11.30 Litter Act 1979

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.5	Appoint litter control officers	Chief executive
s.8	Appoint and revoke appointment of litter wardens	Chief executive
s.10 (1)-(3)	Serve notices to clear litter	Manager environmental health and licensing Environmental health officer Warranted officer
s.10 (1)-(11)	To hear and determine any objection	Manager environmental health and licensing Manager building solutions
s.14	Issue infringement notices and make any decision on any matter relating to those proceedings	Manager environmental health and licensing Environmental health officer Warranted officer Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Building control officer Building compliance officer Cadet building control officer Building solutions duty officer Building control co-ordinator <del>Building compliance co-ordinator</del> Monitoring and enforcement officer Compliance officer Senior environmental health officer
s.15	Initiating prosecutions and injunctions	Group manager regulatory service <del>Group manager infrastructure and environmental services</del>

### 11.31 Local Government Act 1974

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s. 319	General powers of councils in respect to roads except: <ul style="list-style-type: none"> <li>- where an application is received to form a road and the additional new formation is proposed to be maintained by Council as this is required to be referred to Council; and</li> <li>- where a permanent road stopping is proposed as this is required to be referred to Council under section 319(h)</li> </ul>	Group manager infrastructure and capital delivery Group manager customer and community wellbeing <del>Group manager infrastructure and environmental services</del> Strategic manager transport Manager property services
s. 319B	Allocation of property numbers	Group manager infrastructure and capital delivery Manager environmental planning Strategic manager transport <del>Support officer (Environmental Services)</del>
S.344	Authority to approve and authorise the installation of gates and cattle stops on legal roads	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery Strategic manager transport
s.346D	Authority to approve new vehicle entrances on to roads and limited access roads and/or alter the location of existing approved entranceways	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery Strategic manager transport

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.348	Creation and cancellation of right of ways	General manager strategy and partnerships Group manager regulatory services Manager environmental planning Team leader environmental policy <u>Resource management planner</u> Senior planner
s.353	Require fencing	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery
s.355	Council's powers relating to the removal and/or trimming or overhanging trees etc., and recovery of costs	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery Strategic manager transport
ss.356, 356A	The power to authorise any person to remove and dispose of motor vehicles found on a road or in a public place which may be abandoned	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery <del>Strategic manager transport</del>
s.357	The power to penalise a person who commits an offence which encroaches on a road	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery
Schedule 10 clauses 11 (a) and (b)	The temporary prohibition of traffic for the purpose of: Construction or repair of the road or any drain, water race, pipe or apparatus under, upon, or over the road Diversion of traffic in order to resolve problems associated with traffic operations When, for any reason it is considered desirable that traffic should be diverted to other roads	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery Strategic manager transport
s.319	General powers in respect of roads	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery Strategic manager transport Roading asset manager

**11.32 Local Government Act 2002**

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.54G	Ability to appoint a pecuniary interest registrar	Chief executive
s.162	Apply for injunction restraining a person from committing a breach of a bylaw or an offence against this Act	<del>Leadership team members</del> Group managers
s.163	Remove or alter a work or thing that is, or has been, constructed in breach of a bylaw, and recover the costs of removal or alteration	Manager legal and compliance <del>Manager environmental health and licensing</del> Monitoring and enforcement officer <del>Environmental health officer</del>
s.167	Return of property seized or impounded	Manager legal and compliance Manager environmental health and licensing Senior environmental health officer Monitoring and enforcement officer <del>Environmental health officer</del> Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.168	Dispose of property that has not been returned within six months after it was seized and impounded	Manager legal and compliance Manager environmental health and licensing Senior environmental health officer Monitoring and enforcement officer <del>Environmental health officer</del> Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.171	General power of entry Give notice of intended entry	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Cadet building control officer Building solutions duty officer Building control co-ordinator <del>Building compliance co-ordinator</del> Manager legal and compliance Manager environmental health and licensing Senior environmental health officer <del>Environmental health officer</del> Freedom camping ambassador Animal control officer Dog control ranger Compliance officer Monitoring and enforcement officer Manager environmental planning Strategic Policy Manager Team leader consent processing Senior resource management planner - consents Resource Management Planner Resource management planner – consents Graduate Resource Planner Team Leader Environmental Policy Senior Resource Management Policy Planner Graduate Environmental Planner - Policy Monitoring and enforcement officer Team leader ecology <del>Ecologist</del>
s.172	Power of entry for enforcement purposes	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Building control co-ordinator <del>Building compliance co-ordinator</del> Manager environmental health and licensing Manager legal and compliance Monitoring and enforcement officer Senior environmental health officer <del>Environmental health officer</del> Freedom camping ambassador Animal control officer Dog control ranger Compliance officer Manager environmental planning Team leader consent processing Senior resource management planner - consents Resource management planner - consents Monitoring and enforcement officer Team leader ecology <del>Ecologist</del>
s.173	Power of entry in cases of emergency Inform occupier and owner of entry	Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer Building control co-ordinator <del>Building compliance co-ordinator</del> Manager environmental health and licensing Manager legal and compliance Monitoring and enforcement officer Senior environmental health officer <del>Environmental health officer</del> Freedom camping ambassador Animal control officer



SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Dog control ranger Compliance officer Manager environmental planning Team leader consent processing Senior resource management planner - consents Resource management planner - consents Monitoring and enforcement officer Team leader ecology <del>Ecologist</del>
S.174	Authority to appoint an authorised person and issue warrants	Chief executive
S.174	Authority to act: To be an authorised officer to act and enter private land	<del>Group manager infrastructure and environmental services</del> <del>Group manager democracy and community</del> Group manager regulatory services Group manager infrastructure and capital delivery Group manager customer and community wellbeing Warranted officer Manager building solutions <del>Manager environmental planning</del> <del>Environmental monitoring manager</del> <del>Manager building solutions</del> Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer Building control co-ordinator <del>Building compliance co-ordinator</del> <del>Technical officer</del> Manager environmental planning Team leader consent processing

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Senior resource management planner - consents Resource management planner - consents Monitoring and enforcement officer Compliance officer Team leader ecology <del>Ecologist</del> Manager legal and compliance Senior environmental health officer <del>Environmental health officer</del> <del>Environmental monitoring officer</del> Alcohol licensing inspector and verifier Animal control officer Dog control ranger Freedom camping ambassador Strategic manager transport Assets management engineer <del>Contracts engineer – rural</del> Roding contract manager Roding asset manager Roding engineer Roding enginner <del>Contracts engineer – urban</del> Technical support officer – roading Development engineer Technical support officer – applications Stategic manager water and waste Solid waste manager Solid waste engineer <del>Waste recovery manager</del> Consents/compliance manager Manager operations and programming Contract manager Contract engineer Development and solid waste engineer Asset manager water
s.177	Appoint enforcement officer	Chief executive
s.179	Contract out administration of regulatory functions	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.181	Construction of works on private land	Group manager infrastructure and capital delivery Group manager customer and community wellbeing <del>Group manager infrastructure and environmental services</del> <del>Group manager programme delivery</del> Manager property services Strategic manager water and waste services
s.182	Power of entry to check utility services	Group manager regulatory services <del>Group manager infrastructure and environmental services</del> Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Senior building control officer Senior building compliance officer Signatory building control officer Building control officer Building compliance officer Cadet building control officer Building solutions duty officer <del>Building control co-ordinator</del> <del>Building compliance co-ordinator</del>
s.185	Approve the carrying out of works by an occupier	Manager environmental health and licensing Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader
s.186	Issue notice, execute, provide or do works, materials or things and recover costs from person in default	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager legal and compliance Manager environmental health and licensing Manager building solutions
s.186(2)	Execute, provide or do works, materials or things and recover costs from person in default	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Manager environmental health and licensing Manager legal and compliance Senior environmental health officer Monitoring and enforcement officer Manager building solutions
s.187	Recovery of cost of works by local authority	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager environmental health and licensing Senior environmental health officer Monitoring and enforcement officer Manager building solutions Manager environmental health and licensing Manager legal and compliance Senior environmental health officer <del>Environmental health officer</del> Freedom camping ambassador Animal control officer Dog control ranger Compliance officer
s.215	Application for removal order for fence, structure or vegetation	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager environmental health and licensing Senior environmental health officer Monitoring and enforcement officer Manager building solutions Technical lead building solutions Building control team leader Building compliance team leader Manager environmental health
ss.227, 228, 229, 230, 231, 232, 238, 239,	Initiating prosecutions and injunctions under acts or bylaws	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager environmental health and licensing Senior environmental health officer Monitoring and enforcement officer

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
cl 32(5) Schedule 7	Delegation of powers and functions for processing building consent applications, and to grant, refuse and/or issue an application for building consent. (refer also ss 48-51, 232 Building Act 2004)	Group manager regulatory services Manager building solutions

### 11.33 Local Government Official Information and Meetings Act 1987 -

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.5	Power to determine availability of information	Chief executive Group managers
S.6	Power to determine withholding of information	Chief executive Group managers Strategic manager communications and engagement
S.7	Other reasons for withholding official information	Chief executive Group managers Strategic manager communications and engagement
S.10	Requests for official information	Chief executive Group managers Strategic manager communications and engagement
S.11	Assistance with requesting information	Chief executive Group managers Strategic manager communications and engagement
S.12	Transfer of requests	Chief executive Group managers Strategic manager communications and engagement
S.13	Decisions on requests	Chief executive Group managers Strategic manager communications and engagement
S.14	Extension of time to provide official information	Chief executive Group managers Strategic manager communications and engagement
S.15	Power to determine the manner of presenting information	Chief executive Group managers

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Strategic manager communications and engagement
S.16	Power to determine deletions of some information from documents	Chief executive Group managers Strategic manager communications and engagement
SS.17, 18	Refusal of requests for information	Chief executive Group managers Strategic manager communications and engagement
S.24	Precautions regarding access to personal information	Chief executive Group managers Strategic manager communications and engagement
S.25	Correction of information	Chief executive Group managers Strategic manager communications and engagement
S.26	Refusal to supply personal information	Chief executive Group managers Strategic manager communications and engagement
S.33	Requirement to notify decision of ombudsman	Chief executive Group managers Strategic manager communications and engagement
S.44A	Authority to prepare and approve Land Information Memoranda	Team leader information services Property information officer Knowledge officer
S.46	Public notification of meetings	Chief executive Group manager strategy and partnerships Governance legal manager Committee advisor Democracy advisor
SS.46A, 49, 51	Availability of agendas, reports and minutes	Group manager strategy and partnerships Governance legal manager Strategic manager communications and engagement Committee advisor Democracy advisor

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.51A	Public notification of resolution at emergency meeting	Group manager strategy and partnerships Governance legal manager Strategic manager communications and engagement Committee advisor Democracy advisor

### 11.34 Local Government (Rating) Act 2002

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.27	Keep and maintain rating information data base	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead
S.37	Keep and maintain rates records	Financial controller Transactional project lead Finance officer
S.40	Power to correct errors in rating information database and rates records	Financial controller Transactional project lead Finance officer
S.41	Power to issue an amended rates assessment if an error is corrected	Financial controller Transactional project lead Finance officer
SS.44-51	Obligations to deliver rates assessments and rates invoices to ratepayers setting out the information required by the act	Financial controller Transactional project lead Finance officer
S.53	Power to appoint a rates collector s.67. Appointment of principal administrative officer with power to have judgments of the court enforced by the court	Financial controller Transactional project lead Finance officer
S.54	Power not to collect rates that are uneconomic to collect	Financial controller Transactional project lead Finance officer
SS.57, 58	Power to add penalties for rates not paid by the due date	Financial controller Transactional project lead Finance officer
S.62, 63	Powers for recovery of rates if owner in default	Financial controller Transactional project lead Finance officer



SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.67	Appointment of principal administrative officer with power to have judgments of the court enforced by the court	Financial controller Transactional project lead Finance officer
S.77	Obtain a court ruling that abandoned land can be disposed of by Council and then to dispose of such land.	Chief executive <del>Group manager project delivery</del> Group manager finance and assurance
S.79	To set the reserve price of abandoned land which is to be offered for sale, or to be leased.	Chief executive <del>Group manager project delivery</del> Group manager customer and community wellbeing Group manager finance and assurance
SS.85-90; 114-115	Power to remit or postpone rates pursuant to Council rates remission and postponement policy	Financial controller Transactional project lead Finance officer
S.108	Appointment of principal administrative officer with power to have judgments of the court enforced by the court	Financial controller Transactional project lead Finance officer

### 11.35 New Zealand Library Association Act 1939

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.5	Power to become a member of the association	Customer delivery manager Library/customer support operations manager

### 11.36 Overseas Investments Act 2005

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	Issue certificates relating to land	<del>Group manager infrastructure and environmental services</del> <del>Group manager programme delivery</del> Group manager regulatory services Team leader consents processing Manager environmental planning <del>Senior planner</del>

**11.37 Public Bodies Leases Act 1969**

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
ss. 7, 17, 18, 22, 23A	To sign on behalf of Council, lease, tenancy, service and other miscellaneous agreements where the use of the corporate seal is not required	<del>Strategic manager property</del> Manager property services Senior property advisor
ss.7, 17, 18, 22, 23A	To sign leases on behalf of Council, including renewal, transfers, rent reviews that are in accord with legislation and Council policy	<del>Strategic manager property</del> Manager property services Senior property advisor
SS. 8-9	Leases to be sold by public tender or auction subject to certain conditions	<del>Strategic manager property</del> Manager property services Senior property advisor
S.23	To authorise process for surrender of leases	<del>Strategic manager property</del> Manager property services Senior property advisor

**11.38 Public Works Act 1981**

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
ss. 110-111A	Provides certain powers of entry onto private land.	<del>Group manager programme delivery</del> <del>Group manager infrastructure and environmental services.</del> Group manager infrastructure and capital delivery
SS.133-134	Provide for removal of trees and hedges that interfere with public works	<del>Group manager programme delivery</del> <del>Group manager infrastructure and environmental services.</del> Group manager infrastructure and capital delivery Strategic Manager Transport
SS.233-234	Obligation to provide notice before entry onto private land	<del>Group manager programme delivery</del> <del>Group manager infrastructure and environmental services.</del> Group manager infrastructure and capital delivery
S.237	Power to approve excavations near public works	<del>Group manager programme delivery</del> <del>Group manager infrastructure and environmental services.</del> Group manager infrastructure and capital delivery
S.238	Power to bring action for damage to public work	<del>Group manager programme delivery</del>

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		<del>Group manager infrastructure and environmental services.</del> Group manager infrastructure and capital delivery
S.239	Power to remove and/or dispose of abandoned property from public works land	<del>Group manager programme delivery</del> <del>Group manager infrastructure and environmental services.</del> Group manager infrastructure and capital delivery
S.240	Removal of land from persons holding illegal possessions	<del>Group manager programme delivery</del> <del>Group manager infrastructure and environmental services.</del> Group manager infrastructure and capital delivery
Parts 2 – 8	Property acquisition and actions for a public work up to \$50,000 plus GST, provided the acquisition can be funded within the budget of an approved LTP project, but excluding any actions which are required by the act to be specifically undertaken by the chief executive.	Chief executive <del>Group manager programme delivery</del> <del>Group manager infrastructure and environmental services.</del> Group manager infrastructure and capital delivery Group manager customer and community wellbeing Strategic manager transport Strategic manager water and waste Manager property services
	The issue of any lease, licence or occupancy agreement for land held by Council subject to the Public Works Act 1981 or any action being undertaken pursuant to the Act.	<del>Group manager infrastructure and environmental services.</del> Group manager infrastructure and capital delivery Group manager customer and community wellbeing Manager property services

### 11.39 Racing Act 2003

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
SS.65A-65E	Receiving, considering and determining application for territorial authority consent	Group manager regulatory services <del>Group manager infrastructure and environmental services</del> <del>Group manager programme delivery</del>

**11.40 Rates Rebate Act 1973**

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
SS.5-7	Provide for application of rebate of rates to be considered by chief executive	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead
S.9	Provides for application to secretary for local government for refund of rebates granted	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead
S.13	Power to receive declarations	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead

**11.41 Rating Valuations Act 1998**

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.10	Duty to prepare and maintain district valuation roles	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead
SS.11-13	Powers regarding general revaluations	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead
SS.14-17	Powers regarding specific revaluations during the currency of a general revaluation	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead
SS.32-40	Objections to valuations	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead
SS.41-42	Powers for information to be disclosed	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.43	Power to obtain contribution to the cost of preparing and maintaining the valuation role from the regional Council	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead
S.45	Provides authorisation for entry onto private property to carry out valuations	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Transactional project lead

#### 11.42 Residential Tenancies Act 1986

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	To undertake the role and obligations of the landlord as required by the act.	Group manager customer and community wellbeing <del>Group manager programme delivery</del> Manager property services Community facilities manager

#### 11.43 Reserves Act 1977

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	All powers, functions and duties under the Reserves Act 1977 except: 1. those sections outlined below; and 2. those delegated by the Minister of Conservation on 12 June 2013 that must be exercised by Council. Refer to document 2013/07/5502	Communities facilities manager Manager property services
SS.78-80, 84-85A, 89-92	Financial powers and duties regarding reserves	Group Manager Finance and Assurance <del>Chief financial officer</del> Financial controller Transactional project lead Community facilities manager Manager property services

#### 11.44 Resource Management Act 1991

All RMA delegations are made directly from Council, and in accordance with section 34 and 34A of the RMA, so that no RMA powers or functions in this manual or otherwise have been or will be sub-delegated.

*Note: for some RMA provisions there are also equivalent provisions of the Natural and Built Environments Act 2023 (NBEA) in force. In these cases the equivalent NBEA provision is referenced in the same row and can be relied on in the same manner as if it is a RMA delegation.*

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
S.10, 10A, 10B, 139A	Determination of whether existing rights in terms of Section 10 of the RMA apply	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Hearings commissioner(s) Manager environmental planning Manager environmental health and licensing Team leader consent processing Senior resource management planner
S.27	To provide information to the Minister for Environment	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Manager environmental health and licensing Team leader consent processing Team leader environmental policy Senior resource management planner
S. 34, 34A	Appointment of Hearing commissioner(s) for notified resource consent and plan change processes. (When Hearing commissioners are appointed to form a panel this may include elected members)	Mayor jointly with Chief executive
S.34, 34A	Appointment of Hearing commissioner(s) except for notified resource consent and plan change processes. (When Hearing commissioners are appointed to form a panel this may include elected members)	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships
S.34A	To consult with tangata whenua regarding appointment of commissioners to conduct a hearing	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader consent processing Team leader environmental policy

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
S.35A	Duty to keep records about iwi and hapū	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Manager environmental planning Strategic policy manager Manager environmental health and licensing Team leader consent processing Senior resource management planner Resource management planner Team leader environmental policy GIS Team Leader
S.36, 36AAA, 36AAB	To make decisions about administrative charges	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Hearings commissioner(s) Manager environmental planning Strategic policy manager Manager environmental health and licensing Team leader consent processing Senior resource management planner Resource management planner Team leader environmental policy Manager Legal and Compliance Monitoring and Enforcement Officer Compliance Officer
S.36(6)	To provide on request an estimate of additional charges over and above the processing deposits	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group Manager Strategy and Partnerships Strategic policy manager Manager environmental planning Team leader consent processing Senior resource management planner Resource management planner
S.36AAB (1)	To remit the whole or any part of the charge under s36 that would otherwise be payable.	<del>Group manager – infrastructure and environmental services</del>



SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Manager environmental health and licensing Team leader consent processing Manager Legal and Compliance
SS.37, 37A	To waive and/or extend time limits for functions under the act.	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Hearings commissioner(s) Group manager strategy and partnerships Manager strategic policy Manager environmental planning Manager environmental health and licensing Team leader consent processing Senior resource management planner <u>Resource management planner</u> <u>Graduate resource management planner</u> Manager Legal and Compliance
S.38	Appoint enforcement officers	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Manager Legal and Compliance
39AA, 41A, 41B, 41C, 41D, 42	Control and direction of hearings	Hearings commissioner(s) <del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Manager strategic policy Manager environmental planning Manager environmental health and licensing Team leader consent processing <del>Manager environmental planning</del> <u>Team leader environmental policy</u> Manager Legal and Compliance

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
S.41B	Direction to provide evidence with time limits	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Manager strategic policy Team Leader Environmental Policy Manager environmental planning Team leader consent processing Senior resource management planner Resource management planner Manager Legal and Compliance Monitoring and Enforcement Officer Compliance Officer
S.42	Protection of sensitive information	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader consent processing Team leader environmental policy GIS Team Leader Manager Legal and Compliance
S.42A	Require the preparation of a report on information provided	<u>Hearings commissioner(s)</u> <del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Manager strategic policy Manager environmental planning Team leader consent processing Senior resource management planner Team leader environmental policy Manager Legal and Compliance
S.42A (5)	Waiving compliance regarding timeframes for distributing reports, where there is no material prejudice	<u>Hearings commissioner(s)</u> <del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Manager strategic policy

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Manager environmental planning Team leader consent processing Team Leader Environmental Policy Senior resource management planner Manager Legal and Compliance Monitoring and Enforcement Officer
S.87BA	To issue notices relating to boundary activities	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Senior resource management planner Resource management planner <u>Graduate resource management planner</u> Manager Legal and Compliance Monitoring and Enforcement Officer
S.87BB	To issue a notice confirming a marginal or temporary activity is permitted	<u>Hearings commissioner(s)</u> <del>Group manager – infrastructure and environmental services</del> Group manager regulatory services <del>Hearings panel</del> <del>Commissioner</del> Manager environmental planning Manager environmental health and licensing Team leader consent processing Senior resource management planner Manager Legal and Compliance Monitoring and Enforcement Officer
S.87E, 87F, 87G, 87H, 87I	Decision on request for application to go directly to environment court, and other involvement in streamlined decision-making on resource consents	<u>Hearings commissioner(s)</u> <del>Group manager – infrastructure and environmental services</del> Group manager regulatory services <del>Hearings panel</del> <del>Commissioner</del> Manager environmental planning Team leader consent processing
S.87F	Preparation of report on application referred directly to environment court	<del>Group manager – infrastructure and environmental services</del>

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Resource management planner
S.88(1)	<u>Authority to receive consent applications and determine whether the information meets the minimum requirements of the Act</u> <u>Assessment of application, including determining an application incomplete and returning to the applicant</u>	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Resource management planner <u>Graduate resource management planner</u>
<b>S.88(3) &amp; (3A)</b>	<u>Power to determine an application is incomplete</u>	<del>Group manager regulatory services</del> <del>Manager environmental planning</del> <del>Team leader consent processing</del> <del>Senior resource management planner</del> <del>Resource management planner</del> <u>Graduate resource management planner</u>
S.88B, 88C, 88D, 88E, 88G, 88H,	Assessment of time limits and time periods	<del>Group manager – infrastructure and environmental services</del> <del>Group manager regulatory services</del> <del>Manager environmental planning</del> <del>Team leader consent processing</del> <del>Senior resource management planner</del> <del>Resource management planner</del>
S.91	Deferral pending application for additional consents	Group manager – infrastructure and environmental services Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner
S.91A, 91B, 91C, 91D, 91E, 91F	Processing of, and decisions on, suspended consent application	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Resource management planner <u>Graduate resource management planner</u>

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
S.92, 92A, 92B	Request further information or agreement to commissioning of a report on resource consent application, and managing responses to request	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Resource management planner Graduate resource management planner
SS.95, 95A, 95B, 95C, 95D, 95E, 95F, 95G, <u>127(4)</u>	Determination of public notification, limited notification and all related decisions and processes	<u>Hearings commissioner(s)</u> <del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner
S.97	Time limit for submissions	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner
S.99	Organise and convene prehearing meetings and prepare reports on these under Section 99 (5)	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner
S.99A	Referral of resource consent matters to mediation	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner
S.100	Determine whether a formal hearing is necessary	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner
S.101	Hearing date and notice	<del>Group manager – infrastructure and environmental services</del>

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader consent processing Senior resource management planner Hearings Commissioner(s)
S.102	To determine whether applications are required to be heard by joint hearings committee and all other associated decisions	<del>Group manager — infrastructure and environmental services</del> Group manager regulatory services Group Manager environmental planning Team leader consent processing Senior resource management planner Hearings Commissioner(s)
S.103	To determine whether combined hearing to be held or not and all other associated decisions.	<del>Group manager — infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Hearings commissioner(s)
S.103B	Requirement to provide advice and other evidence before hearing	<del>Group manager — infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Resource management planner Graduate resource management planner
SS. 104, 104A, 104B, 104C, 104D, 104G, 105, 106, 108, 108AA, 113, 127, 220, 221(3)	<del>Consider, Make and issue all decisions on resource consents and applications under s127 and s221(3), including the power to impose conditions</del>	<del>Group manager — infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Hearings Commissioner(s)
SS. 104, 104A, 104B,	<del>Make and issue decisions and impose conditions for non-notified resource consent applications and limited notified resource</del>	<del>Group manager — infrastructure and environmental services</del> <del>Group manager regulatory services</del>

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
104C, 104D, 104G, 108, 108AA, 113, 220, 221	consent applications where there are no submissions received or where all submissions received are in support and no party wishes to be heard; in accordance with the provisions of the Southland District Plan and the RMA.	Manager environmental planning Team leader consent processing Senior resource management planner Hearings Commissioner(s)
S.106	To refuse subdivision consent in certain circumstances:	Group manager – infrastructure and environmental services Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Hearings Commissioner(s)
S.108A, 109	Determination of requirement for a bond	Group manager – infrastructure and environmental services Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Manager legal and compliance Hearings Commissioner(s)
S. 110	Refund of money and return of land where activity does not proceed	Group manager – infrastructure and environmental services Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner
S.114	Notification of decisions	Group manager – infrastructure and environmental services Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Resource management planner Graduate resource management planner Hearings Commissioner(s)
S.116B	Notification of completion of reserves procedures	Group manager – infrastructure and environmental services Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner



SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Resource management planner Graduate resource management planner
S.120, 121	Environment Court appeal of resource consent	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing
S.123	Duration of consent	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Hearings Commissioner(s)
S.124	Exercise of resource consent while applying for new consent	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner
S.125 (1A)	Fix longer period for lapsing of resource consents than is the norm under Section 125(1)	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Hearings Commissioner(s)
S.126	Cancel consent if not exercised	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Senior resource management planner
<del>S.127</del>	<del>Change or cancellation of consent condition on application by consent holder</del>	<del>Group manager – infrastructure and environmental services</del> <del>Group manager regulatory services</del> <del>Manager environmental planning</del> <del>Team leader consent processing</del> <del>Senior resource management planner</del>

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
S.128, 129, 130, 131, 132, 133	Service of notice of intention to review conditions of a resource consent	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Senior resource management planner Monitoring and enforcement officer Hearing Commissioner(s)
S.133A	Minor corrections of resource consents	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Senior resource management planner
S.134(4)	Approval of transfer of resource consents – receipt of written notice	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Senior resource management planner
S.138	Surrender of consent	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Senior resource management planner
S.139	Consider <u>and</u> issue Certificates of Compliance	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Senior resource management planner

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Hearing Commissioner(s)
S.139A	Consider <u>and</u> issue existing use certificates.	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Senior resource management planner Hearing Commissioner(s)
S. 168, 168A, 169, 170, 171, 172, 173, 174, 175, 176, 176A, 177, 178, 179, 180, 180A, 181, 182, 184A, SCHEDULE 1, PART 1, CLAUSE 13	Notice of Requirement by Council and all associated designation processes including appeal, outline plan, alteration and removal	<del>Group manager – infrastructure and environmental services</del> Group manager infrastructure and capital delivery Group manager regulatory services
S.168, 168A, 169	Process notice of requirement	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Hearing Commissioner(s)
S.170, 175, 181(3), 192, 195A(3), 195C	Include notice of requirement/designation/notice of requirement for heritage order/heritage order in proposed plan and minor alterations	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader consent processing
S.171, 173	Recommendation on notice of requirement and notification	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader consent processing Senior resource management planner Hearing Commissioner(s)

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
S.174	Appeal and/or involvement in appeal against decision of a requiring authority (as territorial authority).	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Team leader consent processing Senior resource management planner
<del>S.176A(1)</del>	<del>Power to lodge an outline plan</del>	<del>Group manager infrastructure and capital delivery</del>
S.176A	Outline plans	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner <del>Hearing Commissioner(s)</del>
<del>S.176A(5)</del>	<del>Power to appeal to the Environment Court against a requiring authority's decision not to accept requested changes</del>	<del>Group manager regulatory services</del> <del>Manager environmental planning</del>
S.182	Removal of designation at request of requiring authority	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group Manager Strategy & Partnerships Strategic policy manager Manager environmental planning Team leader consent processing Senior resource management planner
S.184, 184A	Lapsing of designations	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader consent processing Senior resource management planner
S.189, 189A, 190	Process notice of requirement for heritage order	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner Hearing Commissioner(s)

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
S. 191, 192	Recommendation by territorial authority on notice of requirement for heritage order	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader consent processing Senior resource management planner Hearing Commissioner(s)
S.195	Appeal and/or involvement in appeal against decision of a heritage protection authority (as territorial authority).	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Manager environmental health and licensing Team leader consent processing Senior resource management planner
195B	Transfer of heritage order and any objection	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Manager environmental health and licensing
S.196	Removal of heritage order	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group Manager Strategy & Partnerships Strategic policy manager Manager environmental planning Team leader consent processing Senior resource management planner
S.220	Issue certificates relating to requirements to comply on ongoing basis with consent conditions and endorsements on titles	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Team leader consent processing Senior resource management planner Team leader monitoring and enforcement
S.221	<del>Imposing and</del> issuing consent notices on subdivision consents.	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner <u>Resource management planner</u>
S.222	Completion certificates	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner <u>Resource management planner</u>
S.223	Approval of survey plan	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner <u>Resource management planner</u>
S.224	Issue certificates indicating all or any of conditions <u>of a subdivision consent</u> have been complied with	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner <u>Resource management planner</u>
S.226	Certifications of plans of subdivision that allotments on the plan meet the requirements of the District Plan	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner <u>Resource management planner</u>
SS.229, 230, 231, 232, 233, 234, 235,	Creation of esplanade reserves and strips, conditions, approval of survey plans, vesting, closure and compensation.	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
236, 237, 237A, 237B, 237C, 237D, 237E, 237F, 237G, 237H		Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader consent processing Senior resource management planner <u>Resource management planner</u>
SS.240, 241	Imposition and cancellation of amalgamation conditions and restrictive covenants	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner <u>Resource management planner</u>
S.243	Grant or reservation of easements - approve plan, revoke condition, cancel condition and/or certify	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Senior resource management planner <u>Resource management planner</u>
SS.310, 311, 312, 313  NBEA SS. 637, 638, 639, 640	Application to Environment Court for a declaration	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Manager environmental health and licensing Team leader consent processing Team leader environmental policy Manager Legal and Compliance
SS.314, 316, 317, 319  NBEA SS. 641, 643, 644, 646	Seek and/or respond to an enforcement order	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Manager Legal and Compliance Monitoring and Enforcement Officer



SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Compliance Officer
S.320, 316, 317, 319  NBEA SS 647, 643, 644, 646	Seek and/or respond to an interim enforcement order	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Manager Legal and Compliance Monitoring and Enforcement Officer Compliance Officer
S.315  NBEA S.642	Require compliance with an enforcement order, including through application to Environment Court for orders	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Manager Legal and Compliance Monitoring and Enforcement Officer Compliance Officer
S.321  NBEA S.648	Change or cancellation of enforcement order	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Manager Legal and Compliance
S.322, 325A  NBEA SS.649, 654	Issue, serve, change or cancel abatement notice	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Monitoring and enforcement officer Manager Legal and Compliance
S.325  NBEA S.652	Appeal and/or involvement in appeal of abatement notice	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Manager environmental health and licensing Team leader consent processing Manager Legal and Compliance Monitoring and Enforcement Officer
SS. 327, 328  NBEA SS. 656, 657	Issue and require compliance with an excessive noise direction	<del>Group manager — infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Manager Legal and Compliance Monitoring and enforcement officer Compliance Officer
SS. 330, 330AAA, 330A, 330AA, 330B, 330C, 331  NBEA 692, 694, 695, 696, 697	Emergency works and all associated steps, including any application for enforcement orders	<del>Group manager — infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Manager Legal and Compliance Monitoring and Enforcement Officer Compliance Officer
S.332  NBEA S. 727	Power of entry for inspection	<del>Group manager — infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Manager environmental health and licensing Team leader consent processing Senior resource management planner Resource management planner Graduate resource management planner Manager Legal and Compliance Monitoring and enforcement officer Compliance Officer Team leader ecology Ecologist Graduate ecologist Team leader environmental policy

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Resource management planner – policy
S.333  NBEA S. 728	Power of entry for survey	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Manager environmental health and licensing Team leader consent processing Team Leader Environmental Policy Senior resource management planner Resource management planner Graduate resource management planner Senior Resource Management Policy Planner Graduate Environmental Planner - Policy Manager Legal and Compliance Monitoring and enforcement officer Compliance Officer Team leader ecology Ecologist Graduate ecologist
S.334  NBEA S.729	Application for warrant for entry for search	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager Legal and Compliance
S.336	Return of property seized under ss.323 and 328	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental health and licensing Environmental health officer Manager Legal and Compliance Monitoring and Enforcement Officer Compliance Officer
SS.338, 339, 339B, 340, 341, 342	Decide to prosecute, and pursue prosecution in District Court, including all associated litigation.	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
NBEA SS. 701, 702, 703, 706, 707		
S.342  NBEA S. 707	The power to collect fines for an offence under s.338	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Manager environmental health and licensing Manager Legal and Compliance Monitoring and Enforcement Officer Compliance Officer
SS.343B, 343C  NBEA SS.709, 710, 711, 712	Infringement notices	Group manager regulatory services Manager legal and compliance Manager Environmental Health & Licensing Manager environmental planning Monitoring and Enforcement Officer Compliance Officer Environmental health officer Freedom camping ambassadors
S.343B, 343C  NBEA SS.709, 710, 711, 712	To file a notice of hearing in respect of an infringement notice (either on request or as an initial step in relation to an infringement offence), and pursue in the District Court, including all associated litigation	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Manager legal and compliance Team Leader Consent Processing
SS.357, 357A, 357B, 357C, 357CA, 357D	Receive consider and determine objection against certain decisions	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Hearing commissioner(s)
S.357C	To decide whether an objection requires a hearing	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Manager environmental health and licensing Team leader consent processing Team Leader Environmental Policy Manager Legal and Compliance
S.357, 357A, 357AB, 357B, 357C, 357CA, 357D	The power to consider and make decisions on application for objections for an application which does not require a hearing, except where the decision would result in a net payment of reserve contributions by Council less credits for land to vest exceeding the delegation for the role.	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Manager environmental health and licensing Team leader consent processing Team Leader Environmental Policy Manager environmental health and licensing Hearing commissioner(s)
S. 357, 357A, 357AB, 357B, 357C, 357CA, 357D	The power to determine objections to additional charges which are less than \$5,000.00	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Hearing Commissioner(s)
SS.357, 357A, 357AB, 357B, 357C, 357CA, 357D	To consider, dismiss or uphold (in whole or in part) any objection under sections 357, 357A or 357B of the Act PROVIDED that this delegation shall NOT be exercised in respect of objections on resource consent applications which have been the subject of a hearing under section 100 of the Act	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Manager environmental health and licensing Team leader consent processing Team Leader Environmental Policy Manager Legal and Compliance Hearing Commissioner(s)
S. 358	Environment Court appeal of objection decision	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Manager environmental planning Team leader consent processing Manager Legal and Compliance

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
S.360F	To set overall charges payable by the applicant for a plan change or resource consent	<del>Group manager – infrastructure and environmental services</del> Group manager regulatory services Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader consent processing Team leader environmental policy
SCHEDULE 1, CLAUSE 4	Notices relating to designations and requirements	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy
SCHEDULE 1, CLAUSE 4A	Pre-notification requirements for iwi authorities	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy
SCHEDULE 1, CLAUSE 4A	Public notice and provision of documents to public bodies	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy Senior Resource Management Policy Planner
SCHEDULE 1, PART 1, CLAUSE 5A	Option to give limited notification of a plan change or variation	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy
SCHEDULE 1, PART 1, CLAUSES 6, 6A, 8	Making of submissions and further submissions on plan for Council	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Senior Resource Management Policy Planner
SCHEDULE 1, PART 1, CLAUSE 7	Public notice of submissions	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy Senior Resource Management Policy Planner
SCHEDULE 1 PART 1, CLAUSE 8AA	Resolution of disputes	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy Hearing Commissioner(s)
SCHEDULE 1, PART 1, CLAUSES 8B, 8C	Determine if hearing required	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy Hearing Commissioner(s)
SCHEDULE 1, PART 1, CLAUSE 8D	Withdrawal of proposed policy statements and plans	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Hearing Commissioner(s)
SCHEDULE 1, PART 1, CLAUSE 9	Recommendations and decisions on requirements (with or without hearing)	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Hearing Commissioner(s)
SCHEDULE 1, PART 1, CLAUSE 10	Decisions on provisions and matters raised in submissions	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning



SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Hearing Commissioner(s)
SCHEDULE 1, PART 1, CLAUSE 10A	Application to minister for extension of time	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Hearing Commissioner(s)
SCHEDULE 1, PART 1, CLAUSE 11	Notification of decision	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy Senior Resource Management Policy Planner
SCHEDULE 1, PART 1, CLAUSE 13	Steps to be taken following decision of requiring authority or heritage protection authority	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy Senior Resource Management Policy Planner
SCHEDULE 1, PART 1, CLAUSES 14, 15	Appeals to Environment Court	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy
SCHEDULE 1, PART 1, CLAUSE 16	Amendment to proposed policy statement or plan in certain circumstances	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy Senior Resource Management Policy Planner
SCHEDULE 1, PART 1, CLAUSE 16A	Variation to proposed policy statement or plan	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
SCHEDULE 1, PART 1, CLAUSE 16A	Notification of operative date and provision of copies of plan	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy Senior Resource Management Policy Planner
SCHEDULE 1, PART 1, CLAUSE 20A	Correction of operative policy statement or plan (minor errors)	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning
SCHEDULE 1, PART 2, CLAUSES 21, 22, 23	Receive and determine if request for change to policy statement or plan is complete and/or require further information	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy Senior Resource Management Policy Planner
SCHEDULE 1, PART 2, CLAUSE 23	Reject request for change to policy statement or plan under clause 23(6)	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning
SCHEDULE 1, PART 2, CLAUSE 24	Modification of request for change to policy statement or plan	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy
SCHEDULE 1, PART 2, CLAUSE 25	Local authority to consider request and decide way that the request shall be dealt with	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Hearing Commissioner(s)
SCHEDULE 1, PART 2, CLAUSES 25(5), 26	Notification of decision on way that request shall be dealt with	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Strategic policy manager Manager environmental planning Team leader environmental policy Senior Resource Management Policy Planner
SCHEDULE 1, PART 2, CLAUSE 27	Appeal to Environment Court of decisions on rejection of request or decision on way request shall be dealt with	<del>Group manager — infrastructure and environmental services</del> Group manager strategy and partnerships
SCHEDULE 1, PART 2, CLAUSE 28	Withdrawal of requests	<del>Group manager — infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy
SCHEDULE 1, PART 2, CLAUSE 29 (AND SCHEDULE 1, PART 1 WITH ALL NECESSARY MODIFICATIONS)	Hear, consider and decide plan or change request	<del>Group manager — infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Hearings Commissioner(s)
SCHEDULE 1, PART 2, CLAUSE 29(5) & (8A) (AND SCHEDULE 1, PART 1 WITH ALL NECESSARY MODIFICATIONS)	Serve copies of decision under on plan or change request and associated administrative steps	<del>Group manager — infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy Senior resource management planner
SCHEDULE 1, PART 2, CLAUSE 29(9)	With the agreement of the person who made the request decide to initiate a variation under schedule 1, part 1, clause 16A	<del>Group manager — infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Hearing Commissioner(s)

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
SCHEDULE 1, PART 3, CLAUSE 32	Proof of material incorporated by reference	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy
SCHEDULE 1, PART 3, CLAUSE 34	Consultation on proposal to incorporate material by reference	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy Senior Resource Management Policy Planner
SCHEDULE 1, PART 3, CLAUSE 34	Access to material incorporated by reference	<del>Group manager – infrastructure and environmental services</del> Group manager strategy and partnerships Strategic policy manager Manager environmental planning Team leader environmental policy Senior Resource Management Policy Planner

#### 11.45 Sale and Supply of Alcohol Act 2012

~~Council authorises the chief executive to delegate to any Council officer either generally or particularly any of his powers, functions and duties under the Sale and Supply of Alcohol Act 2012 including those delegated to the chief executive by Council.~~

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
	<del>That Council authorises the chief executive to delegate to any Council officer either generally or particularly any of his powers, functions and duties under the Sale and Supply of Alcohol Act 2012 including those delegated to the chief executive by Council.</del>	
	To give consent of Council as landowner (including reserves) for the purpose of the act	Manager property services
	Authorising prosecutions and injunction proceedings.	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services
s.100(f)	Certificates that proposed use of premises meets the requirements of the Resource Management Act 1991 and Building Code	<del>Group manager infrastructure and environmental services</del>

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Group manager regulatory services <del>Team lead resource management</del> <del>Senior planner</del>
s.189(6)	The appointment from time to time of two members from the list of persons approved to be members of the District Licensing Committee for the purposes of s.191. The appointment may be for such period not exceeding four weeks as is considered necessary for the purposes of a quorum for any meeting of the committee	Chief executive
s.197	Appointment of licensing inspectors	Chief executive
s.198	Delegation of functions, duties, or powers of chief executive	<del>Chief executive</del> <del>Written delegations contained in R/16/6/9766 and R/16/10/17914</del>
s.204	Authorising any person to appear on behalf of Council in any proceedings described in s.204(1).	Chief executive Group manager regulatory services
s.205	Authorising any person to appear on behalf of Council at any appeal to the Licensing Authority under s.81.	Chief executive Group manager regulatory services

~~Sale and Supply of Alcohol Act 2012 delegations that are affected by limitations at the bottom of chart:~~

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
<del>s.137(2)</del>	<del>Accept late application for special licence</del>	<del>Chief executive Group manager infrastructure and environmental services Group manager regulatory services Chief licensing inspector Licensing inspector Senior environmental health officer Environmental services co-ordinator Licensing officer Customer services officer</del>
<del>s.187(a)</del>	<del>To consider and determine applications for manager's certificates and special licenses.</del>	<del>Chief executive Group manager infrastructure and environmental services Group manager regulatory services Chief licensing inspector Licensing inspector Senior environmental health officer Environmental services co-ordinator</del>

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
		Licensing officer Customer services officer
s.187(b)	To consider and determine applications for renewal of licences	Chief executive Group manager infrastructure and environmental services Group manager regulatory services Chief licensing inspector Licensing inspector Senior environmental health officer Environmental services co-ordinator Licensing officer Customer services officer
s.187(b)	To consider and determine applications for renewal of manager's certificates	Chief executive Group manager infrastructure and environmental services Group manager regulatory services Chief licensing inspector Licensing inspector Senior environmental health officer Environmental services co-ordinator Licensing officer Customer services officer
s.187©	To consider and determine applications for temporary authority	Chief executive Group manager infrastructure and environmental services Group manager regulatory services Chief licensing inspector Senior environmental health officer Environmental services co-ordinator Licensing officer Licensing inspector
s.208	To waive certain omissions	Chief executive Group manager infrastructure and environmental services Group manager regulatory services Chief licensing inspector Licensing inspector Senior environmental health officer Environmental services co-ordinator Licensing officer Customer services officer

SECTION	SUMMARY OF FUNCTION / POWER DELEGATED	DELEGATED OFFICER
Limitations	<p>The delegations in this chart are subject to these limitations which staff cannot decide:</p> <p>a. — consider or decide on any opposed applications, or applications subject to public objection</p> <p>b. — consider or decide on any waivers that do not meet any agreed criteria within the SEAL reference document</p> <p>c. — decline, suspend, or cancel any application or licence or certificate</p> <p>d. — vary any licence without the consent of the licensee holder</p> <p>e. — reduce the term of renewal of any certificate or licence</p> <p>f. — decide on any application that any reporting agency requests to be considered by the District Licensing Committee</p> <p>g. — any application which the general manager environmental services decides should be considered by the District Licensing Committee.</p>	

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

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.4	Classification of premises	<p><del>Group manager infrastructure and environmental services</del></p> <p><del>Group manager regulatory services</del></p> <p>Chief Licensing Inspector</p> <p>Licensing Inspector</p> <p><u>District Licensing Secretary</u></p>
s.5(1)	Assigning cost/risk ratings	<p><del>Group manager infrastructure and environmental services</del></p> <p><del>Group manager regulatory services</del></p> <p>Chief Licensing Inspector</p> <p>Licensing Inspector</p> <p><u>District Licensing Secretary</u></p>
s.5(6)	Opinions with regard to premises types	<p><del>Group manager infrastructure and environmental services</del></p> <p><del>Group manager regulatory services</del></p> <p><del>Senior environmental health officer</del></p> <p>Chief Licensing Inspector</p> <p>Licensing Inspector</p> <p><u>District Licensing Secretary</u></p>
s.6(1)	Assigning fees categories	<p><del>Group manager infrastructure and environmental services</del></p> <p><del>Group manager regulatory services</del></p> <p>Chief Licensing Inspector</p> <p>Licensing Inspector</p> <p><u>District Licensing Secretary</u></p>



SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.6(4)	Assigning fees categories <u>reduction</u>	Manager environmental health and licensing <del>Senior environmental health officer</del> <del>Environmental health officer</del> <del>Chief Licensing Inspector</del>
s. 9(2)	Determining event types <u>(Specials)</u>	Manager environmental health and licensing <del>Senior environmental health officer</del> <del>Environmental health officer</del> Chief Licensing Inspector Licensing Inspector
s.10(2)	<u>Power to lower the fee by 1 level (Specials)</u> <u>Setting of fees</u>	<u>Group manager regulatory services</u> Manager environmental health and licensing <del>Senior environmental health officer</del> <del>Environmental health officer</del>

#### 11.47 Smoke Free Environments Act 1990

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.5	Duty of employers to have a policy on smoking	Group Manager people and culture <del>People and capability manager</del>

#### 11.48 Summary Proceedings Act 1957

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	Functions and duties related to vehicle parking and other stationery vehicle offence enforcement	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery Group manager regulatory services

#### 11.49 Telecommunications Act 2001

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.119	Sets out the matters that may be considered in setting conditions for access to Council roads	Roading asset manager Strategic manager transport

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.128	Powers to deal with trees on road verges interfering with telecommunications networks	Road asset manager Strategic manager transport
S.135	Duty to provide telecommunications networks access to Council roads	Road asset manager Strategic manager transport
SS.137, 143	Duty to notify network operator of conditions imposed under section 135 or section 142	Road asset manager Strategic manager transport
S.142	Duty to provide telecommunications networks rights to place cabinets on public roads	Road asset manager Strategic manager transport

### 11.50 Transport (Vehicular Traffic Road Closure) Regulations 1965

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	The powers conferred on Council by the transport (road closure) regulations	Chief Executive <del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery Group manager regulatory services

### 11.51 Utilities Access Act 2010

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
S.6	Obligation to comply with the national code of practice to co-ordinate work done in transport corridors	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery Strategic manager transport Road asset manager

### 11.52 Waste Minimisation Act 2008

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
SS.26, 27	Duty to impose levy on waste disposed of at disposal facility at prescribed rate	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery
S.28	Duty of operator of disposal facility to pay levy to levy collector	<del>Group manager infrastructure and environmental services</del>

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
		Group manager infrastructure and capital delivery
S.32	Duty to spend levy money received on waste minimisation initiatives or in accordance with a Waste Management and Minimisation Plan	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery
S.51	Mandatory requirements for waste assessment	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery
S.53	Duty to use any proceeds from a service undertaken under s.52 in implementing the Waste Management and Minimisation Plan	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery
S.54	Duty for territorial authority to provide a service that collects waste promptly, efficiently and at regular intervals	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery
S.66	Authority to enforce provisions of bylaw	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery
SS.73,74	Authority to initiate proceedings for infringement offences and to issue and serve infringement notices	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery
S.75	Authority to retain infringement fees	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery
S.76	Authority to authorise any officer to be an enforcement officer	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery
SS.79, 80-82, 84, 85	Powers of enforcement officers	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery
SS.86-87	Duty to keep records and provide details if required	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery

**11.53 Dog Control Bylaw 2015**

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
ss.10(a) and (b)	Changes to dog access by public notice	Chief executive <del>Group manager infrastructure and environmental services</del> Group manager regulatory services
s.13	Granting of multiple dog licences	Chief executive <del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager legal and compliance <del>Manager environmental health and licensing</del> Freedom camping ambassador Animal control officer Dog control ranger Compliance officer Customer services officer
s.14	Requirement to neuter uncontrolled dog	Chief executive <del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager legal and compliance <del>Manager environmental health and licensing</del>

#### 11.54 Freedom Camping Bylaw 2015

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.7	Consent to freedom camping	Chief executive <del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager legal and compliance <del>Manager environmental health</del>

#### 11.55 Alcohol Control Bylaw 2015

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.6	Granting of dispensations with or without conditions	Chief executive <del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager environmental health and licensing <del>Manager environmental services</del>

#### 11.56 Keeping of Animals, Poultry and Bees Bylaw 2020

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
s.5	Prescribe conditions	Chief executive <del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager legal and compliance <del>Manager environmental services</del>
s.6	Dispensing powers	Chief executive <del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager legal and compliance <del>Manager environmental services</del>

### 11.57 Roading Bylaw 2008 – Revision 2 2018

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	Functions and duties related to vehicle parking and other stationery vehicle offence enforcement	<del>Group manager infrastructure and environmental services</del> Group manager infrastructure and capital delivery Strategic manager transport

### 11.57 Trading in Public Places Bylaw 2013

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
SS.5, 6	Receiving, considering and determining application for licence	Chief executive <del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager environmental health and licensing <del>Senior environmental health officer</del> <del>Environmental health officer</del> <del>Licensing officer</del> Environmental Services Coordinator

### 11.58 Trade Waste Bylaw 2008

SECTION	SUMMARY OF FUNCTION/POWER DELEGATED	DELEGATED OFFICER
	All of the powers of council under the trade waste bylaw 2008 in respect of trade premises as defined in the bylaw and the discharges from them	Manager environmental health and licensing Environmental health officer

## 12 Non Statutory Delegations

### 12.1 Advertising

DESCRIPTION	DELEGATED OFFICER
To authorise general advertising	Group managers Strategic manager communications and engagement
Authority to issue public notices as required	Chief executive or nominee Group managers Strategic manager communications and engagement

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DESCRIPTION	DELEGATED OFFICER
	Communications specialist Team leader communications
Authority to issue works notices to property owners and residents in areas where works are to be carried out, subject to any other statutory provisions	Chief executive <del>Group manager infrastructure and environmental services</del> <del>Group manager programme delivery</del> Group manager infrastructure and capital delivery Group manager regulatory services Roading asset manager Strategic manager transport
To authorise resource consent application public notices	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services
To authorise advertising related to property matters	<del>Group manager infrastructure and environmental services</del> <del>Group manager programme delivery</del> Group manager infrastructure and capital delivery Group manager regulatory services Group manager customer and community wellbeing <del>Strategic Manager property services</del> Manager property services
To authorise advertising related to employment opportunities	Chief executive <del>People and capability manager</del> Group manager people and culture

## 12.2 Animal control

DESCRIPTION	DELEGATED OFFICER
Authority to approve dog rehoming providers in relation to “approved rehoming providers” in Council’s fees and charges	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services



### 12.3 Appointment and termination

DESCRIPTION	DELEGATED OFFICER
Appointment of salaried staff within the established limits	<del>People and capability manager in consultation with the relevant group manager</del> General manager people and culture in consultation with the relevant group manager
Appointment of hourly rate staff within the established limits	<del>People and capability manager</del> General manager people and culture People and capability advisor
Appointment of group managers	Chief executive
Termination of staff	<del>Chief executive or nominee in consultation with people and capability manager and relevant group manager</del> Chief executive or nominee in consultation with General manager people and culture and relevant group manager

### 12.4 Asset disposal

DESCRIPTION	DELEGATED OFFICER
Sale or trade-in of equipment or vehicles or plant surplus to requirements	<del>Chief financial officer</del> General manager finance and assurance Financial controller Financial accountant

### 12.5 Civic ceremonies and civic functions

DESCRIPTION	DELEGATED OFFICER
Arrangements for civic or mayoral functions	Chief executive General manager finance and assurance <del>Chief financial officer</del> Group manager strategy and partnerships Strategic manager communications and engagement Governance legal manager Committee advisor Democracy advisor Mayor/CE support

## 12.6 Closed circuit television ("CCTV")

DESCRIPTION	DELEGATED OFFICER
Release of all recorded CCTV images	<del>Group manager democracy and community</del> Group manager customer and community wellbeing Group manager people and culture <del>Manager people and capability</del> Manager information services

## 12.7 Council common seal

DESCRIPTION	DELEGATED OFFICER
Affix the Southland District Council common seal	Mayor and chief executive. In the absence of the mayor, any other councillor. In the absence of the chief executive, any group manager.

## 12.8 Document execution

DESCRIPTION	DELEGATED OFFICER
Authority to execute documents on Council's behalf for documents related to the infrastructure and environmental services group and the programme delivery group as appropriate when the chief executive is absent and no acting chief executive has been appointed by Council and there is necessity for such documents to be signed as a matter of urgency.	<del>Group manager infrastructure and environmental services</del> <del>Group manager programme delivery</del> Group manager infrastructure and capital delivery Group manager regulatory services

## 12.9 Insurance

DESCRIPTION	DELEGATED OFFICER
Authority to sign release documents on insurance claims made by Council and to contribute any excess payable in accordance with policy	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Financial accountant
Authority to settle any claim for compensation where the amount proposed does not exceed: (where provision is made in council's budgets) the amount provided in the budgets; or (where no provision is made in the budgets) an amount not exceeding \$5,000.	<del>Chief financial officer</del> Group manager finance and assurance Financial controller Financial accountant

DESCRIPTION	DELEGATED OFFICER
All such settlements to be reported to the Finance and Assurance Committee.	

## 12.10 Media statements

See governance delegations section for specific committees and subcommittees.

DESCRIPTION	DELEGATED OFFICER
To authorise media statements	Chief executive Group managers Strategic manager communications and engagement Team leader communications <del>Business unit managers</del>

## 12.11 Planning

DESCRIPTION	DELEGATED OFFICER
To lodge submissions and further submissions on behalf of Council on: Any matter lodged with the Environmental Protection Authority. This delegation is to be reported to Council at the next available opportunity to allow for the Council to review and endorse the submission	Group manager infrastructure and environmental services Group manager infrastructure and capital delivery Group manager strategy and partnerships Strategic policy manager Manager environmental planning
Authority to require payment of financial contributions in accordance with Council's adopted schedule of fees	Group manager infrastructure and environmental services Group Manager Regulatory Services Group manager Strategy and Partnerships Strategic Policy Manager Manager environmental planning
Authority to authorise the recovery of reasonable costs in relation to the monitoring of resource consent, District Plan, Resource Management Act and national environmental standard compliance	Group manager infrastructure and environmental services Group manager regulatory services Group Manger Strategy and Partnerships Strategic Policy Manager Manager environmental planning

## 12.12 Public tenders

DESCRIPTION	DELEGATE
Authority to call for tenders and authorise the request for tenders document in accordance with the approved procurement policy and buyers guide	Chief executive Group manager infrastructure and capital delivery Group manager customer and community wellbeing Strategic manager transport Strategic manager water and waste Projects delivery manager Commercial infrastructure manager Community facilities manager
Authority to open public tenders received	Chief executive <del>Chief financial officer</del> Group manager finance and assurance <del>Group manager infrastructure and environmental services</del> <del>Group manager project delivery</del> Group manager infrastructure and capital delivery Group manager strategy and partnerships Group manager customer and community wellbeing Activity managers Financial controller Transactional project lead Strategic manager transport Community facilities manager Manager Property services <del>Property services manager</del> Projects and contracts coordinator Health and safety and projects administrator Finance officers Project delivery manager
Prepare recommendations for tenders above personal limit.	<del>Leadership team members</del> Group managers Activity managers
Prepare recommendations for acceptance by appropriate committee.	<del>Leadership team members</del> Group managers

### 12.13 Property

DESCRIPTION	DELEGATED OFFICER
<p>Authority to enter into new leases, licences or other occupation agreements under any authority to or by Council on the following basis:</p> <p>(1) that the value of the rental to be paid or received is less than \$100,000 plus GST per annum.</p>	<p>Chief executive</p> <p>Group manager infrastructure and capital delivery</p> <p>Group manager customer and community wellbeing</p> <p><del>Group manager programme delivery</del></p> <p><del>Group manager infrastructure and environmental services</del></p> <p>Manager property services</p>
Termination of tenancies, lease, licence or other occupancy agreement of Council property issued under any authority for non-compliance	<p>Chief executive</p> <p>Group managers</p>
Authority to approve rent reviews, renewals and/or amendments to existing leases, licences or other occupation agreements (other than residential tenancies) whether granted by or to Council.	<p>Chief executive</p> <p>Group manager customer and community wellbeing</p> <p><del>Group manager programme delivery</del></p> <p>Manager property services</p>
Authority to execute potentially affected party documents as determined by the Resource Management Act 1991 for council owned property.	<p>Group manager customer and community wellbeing</p> <p>Manager property services</p>

### 12.14 Refuse and recycling

DESCRIPTION	DELEGATED OFFICER
Authority to close refuse areas due to adverse weather conditions	<p><del>Group manager infrastructure and environmental services</del></p> <p>Group manager regulatory services</p>

### 12.15 Roads

DESCRIPTION	DELEGATED OFFICER
Authority to set fees and charges for inspection and repair of service authority trenches	<p><del>Group manager infrastructure and environmental services</del></p> <p>Group manager infrastructure and capital delivery</p> <p>Strategic manager transport</p>
Authority to approve the imposition of no-parking restrictions of up to 25m length for where these are	<p><del>Group manager infrastructure and environmental service</del></p>

DESCRIPTION	DELEGATED OFFICER
necessary for road safety reasons or because of restricted carriageway or traffic-lane widths	Group manager infrastructure and capital delivery Strategic manager transport

### 12.16 Signage

DESCRIPTION	DELEGATED OFFICER
Authority to take appropriate action to control the display of advertising signs in a public place, not including roads and footpaths (see The SDC signs and objects on roads and footpaths bylaw 2016)	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager environmental health and licensing Environmental health officer
Authority to approve the erection of hoardings for election campaigns and public meetings	<del>Group manager infrastructure and environmental services</del> Group manager regulatory services Manager environmental health and licensing Customer services manager

### 12.17 Street appeals

DESCRIPTION	DELEGATED OFFICER
To authorise appeals to the public for financial assistance where that appeal is conducted from a public place by a charitable or community service organisation.	Manager environmental health and licensing Customer services manager

### 12.18 Street furniture and signage

DESCRIPTION	DELEGATED OFFICER
Authority to approve the design and positioning of street furniture, including bus shelters	<del>Group manager infrastructure and environmental service</del> Group manager infrastructure and capital delivery Strategic manager transport
Authority to approve erection of directional signs	<del>Group manager infrastructure and environmental service</del> Group manager infrastructure and capital delivery Strategic manager transport

**12.19 Street parades**

DESCRIPTION	DELEGATED OFFICER
Authority to permit street parades and rallies on public places, not including roads	<del>Group manager infrastructure and environmental service</del> Group manager infrastructure and capital delivery Strategic manager transport

**12.20 Water services**

DESCRIPTION	DELEGATED OFFICER
Authority to impose restrictions on the use of water on those public supplies operated and administered by Council	<del>Group manager infrastructure and environmental service</del> Group manager infrastructure and capital delivery Strategic manager water and waste Water assets manager



**Attachment A - Investment and Liability Management Policy****Investment and Liability Management Policy****Group Responsible:** chief financial officer**Date Approved:** 14/4/21**Date Amended:****File No:** 19/4/6521**1.0 Overview**

The Local Government Act 2002 requires local authorities to adopt an Investment Policy and a Liability Management Policy.

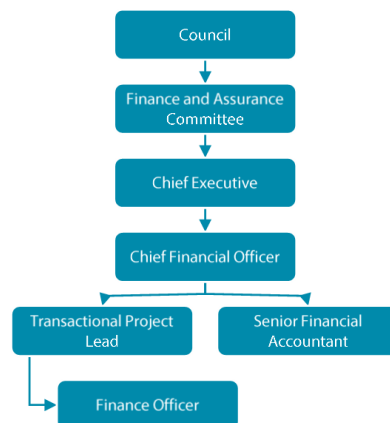
The Investment Policy is designed to ensure that the financial resources of the Council are managed in an efficient and effective way. It sets out how Council can utilise funds from the sale of assets, what should be done with the investment income and so on.

The Liability Management Policy is designed to provide a framework for prudent debt management and sets out how Council may wish to use debt as a funding mechanism.

Council has a structure of responsibilities and reporting lines to ensure the appropriate management and accountability of the liability and investing activities.

**2.0 Structure****Organisational structure**

The organisational chart for the finance activity is as follows:



Southland District Council  
Te Rohe Pōtae o Murihiku

PO Box 903  
15 Forth Street  
Invercargill 9840

0800 732 732  
@ sdc@southlanddc.govt.nz  
📍 southlanddc.govt.nz

**Responsibilities**

The key responsibilities of the above positions are as follows:

**Council**

- approve, adopt and review the policies including any revisions and amendments
- approve by resolution all external Council borrowing outside of that noted in the long term plan
- approve the external managed fund and the appointment of any fund managers
- approve amount of funds to be placed with external managed fund
- approve membership to Local Government Funding Agency (LGFA) including CCO/CCTOs.

**Finance and Assurance Committee**

- oversee the treasury function of Council ensuring compliance with the relevant Council policies and plans
- ensuring compliance with the requirements of Council's trust deeds
- recommend to Council treasury policies at least every three years
- approving debt, interest rate and external investment management strategy.

**Chief Executive (CE)**

- ultimately responsible for ensuring the Policies adopted by Council are implemented by officers of Council and administered in accordance with their terms.

**Chief Financial Officer (CFO)**

- responsible for recommending investment, borrowing and risk management strategy in conjunction with relevant staff
- ensure compliance with any relevant strategies
- responsible for determining the level of cash available for investment and that held for working capital purposes
- execute the external investment management and interest rate strategy
- approve amounts to be placed with an external fund manager for investment purposes within that set within the Annual Plan or Long Term plan or by way of separate Council resolution
- recommend to Finance and Assurance Committee and Council amendments to the Policies as required
- recommend to Finance and Assurance Committee the debt, interest rate and external investment management strategy for approval
- review internal audit reports and ensure any recommendations agreed by the Finance and Assurance Committee are made
- approve new treasury investments ensuring the proposed investment complies with these policy documents
- receive managed fund reports and annually monitor performance and present the necessary reports to the Finance and Assurance Committee.

**Transactional Project Lead**

- responsible for confirming adherence to the policies, through internal reviews, to be performed on a regular basis and present a summarised report of compliance to the CFO
- responsible for recommending to the CFO the level of cash available for investment and that held for working capital purposes
- negotiate and undertake treasury investment and borrowing/funding transactions
- assist in identifying amendments to the investment, borrowing and risk management strategy, which may require amendment of the Policies

- responsible for all activities relating to the daily implementation and maintenance of the Policies
- assist in determining the most appropriate sources and terms for borrowing and investing
- responsible for keeping the CFO informed of significant activity and market trends
- responsible for reviewing/approving the weekly cashflow and cash management transaction requirements completed by the Senior accounts payable officer (or equivalent).

#### Senior Financial Accountant

- check all treasury deal confirmations against the treasury spreadsheet and report any irregularities immediately to the CFO
- responsible for settling treasury transactions.

#### Finance Officer

- prepare and manage Council's cashflow and cash requirements
- report to the finance manager on the weekly cashflow position and resulting cash management transactions required.

### 3.0 Investment

#### Introduction

This Investment Policy has been prepared pursuant to Section 102(1) of the Local Government Act 2002 (the "Act"), which requires the Council to adopt an Investment Policy and a Liability Management Policy. Section 105 of the act sets out what must be included in an Investment Policy.

Council generally holds investments for strategic reasons where there is some community, social, physical or economic benefit accruing from the investment activity.

Council's rationale for retaining investments is:

- strategic assets are to be held by the Council, for public good
- to earn from strategic investments a cash flow for investment in community wellbeing
- to prudently manage cash flows within annual budget parameters.

Council is a risk conscious entity and does not wish to incur additional risk from its treasury activities.

Accordingly, Council's primary objective when investing is the protection of its initial investment and generating a commercial return on strategic investments is considered a secondary objective.

#### Objectives

The key investment policy objectives are to:

- provide a framework for the prudent and effective management of investments
- ensure that investments are managed in accordance with current governing legislation and Council's strategic and commercial objectives
- manage investments in a sustainable and equitable way, having regard to current and future generations
- recognise the community ownership of these assets and the need for a balanced investment/risk profile.
- ensure Council assets are managed prudently and adequately safeguarded
- safeguard Council's financial market investments by establishing and regularly reviewing investment parameters and ensuring all investment activities are carried out within these parameters
- maximise interest income on treasury investments, within a prudent level of investment risk. Council recognises that as a responsible public authority any treasury investments that it does hold should be of relatively low risk. It also recognises that lower risk generally means lower returns

- maintain and increase the real capital value of the external managed funds
- ensure funds are available to meet Council's needs
- maintain professional relationships with the Council's bankers, financial market participants, fund managers, trustees and other stakeholders
- regularly review the performance and creditworthiness of all investments
- maintain procedures and controls and provide timely and accurate financial and management information.

These objectives will be achieved by having regard to:

- the mix of investments that Council will utilise
- the process for the acquisition and divestment of new investments
- the management and assessment of risk
- the need for appropriate management and reporting procedures.

### **Investment Mix**

Council has a portfolio of investments; at any time, these could comprise:

- treasury investments
- direct equity investments
- property
- other property investments – community housing
- forestry
- loans, advances for community development purposes
- internal loans
- external managed funds that could include equities.

The decision on which mix of investments Council will hold at any time will be based on the purpose for which the funds were acquired and the market conditions at the time.

### **Acquisition of New Investments**

With the exception of treasury investments, internal loans and equity investments, new investments are acquired if an opportunity arises and approved by Council resolution, based on advice and recommendations from management. Before approving any new investments, Council gives due consideration to the contribution the investment will make in fulfilling Council's strategic objectives and the financial risks of owning the investment.

The authority to acquire treasury investments is delegated to the chief financial officer.

### **Application of Returns from Investments**

Some returns are earmarked for specific purposes, but generally returns on Council investments are applied to give equal benefit to the District ratepayers by application in a pro-rata basis to offset the costs of District services.

### **Direct Equity Investments**

#### **Nature of Investment**

Direct equity investments are held for strategic purposes only and include interests in:

- **Civic Assurance Corporation** (13,715 shares)  
Civic Assurance is a specialist Local Government insurance company

- **Milford Sound Tourism Limited** (2,000 shares)  
The role of Council is to facilitate and co-ordinate development and operations at Milford Sound/Piopiotahi and Council's intention is to retain its shareholding in the company.

#### Rationale for Holding Investment

The Council may hold equity for non-investment purposes, provided that the holding is in furtherance of its purpose under the Local Government Act 2002.

To have the ability to utilise equity investments where necessary to:

- achieve the desired level of returns; and/or
- to provide a diversified investment portfolio.

#### Disposition of Revenue

These investments are held for strategic reasons only and not for investment purposes.

As such these investments do not derive revenue to Council in the form of dividends. If they do, revenue or dividends will be used to offset general rates.

#### Risk Management

Investments in the Civic Assurance Corporation and the Milford Sound Tourism Limited are held for strategic purposes. For any other equity investments, Council reviews the performance of the trading enterprises at least annually to ensure that strategic and financial objectives are being achieved.

Dispositions and acquisitions require Council approval.

#### Property

##### Nature of Investment

The Council's first objective is to only own property that is strategically necessary for the economic, physical and social development of the Southland District and secondly, to achieve an acceptable rate of return. Property investments do not include properties for operational purposes.

##### Rationale for Holding Investment

Council holds investment properties in order to generate income to offset general rates.

The Council reviews the performance of its property investments on an annual basis and ensures that the benefits of continued ownership are consistent with its stated objectives. Any disposition of these investments requires the Council's approval.

##### Disposition of Revenue

Income generated is used to offset operational expenditure. Surplus funds will be used to fund future property projects.

##### Risk Management

The risk in respect of holding investment property is evaluated as low given the location of the properties and their current and long-term use.

Rental income is considered low risk, due to the fixed and long-term nature of the lease agreements. Lease rental is negotiated at the time the lease expires.

## Other property investments – community housing

### Nature of Investment

Council has 69 community housing units available for rental. These houses are located in various townships across Southland District.

### Rationale for Holding Investment

Council retains community housing to allow people to continue to live in its local community. The elderly or people with disabilities are given preference.

Council's philosophies include ensuring that rental charges cover costs (excluding depreciation) and to continue to maintain the housing at its current high standard. There is no required rate of return on this investment.

### Disposition of Revenue

Revenue earned from the investment in community housing is retained in the community housing investment.

### Risk Management

The risk in respect of holding other property investments is evaluated as low given the location of the properties and their current and long term use.

Council's community housing activities are managed by staff in the Property department. They regularly review Council's involvement in community housing, including assessment of the need for this asset within the community.

Dispositions and acquisitions require Council approval.

## Forestry

### Nature of Investment

The Council and its predecessor organisations have been involved in forestry for many years. Council's current forestry policy is that it will operate and maintain up to 3,000 planted hectares. The Council currently maintains 1,800 hectares of land.

### Rationale for Holding Investment

Forestry assets are held as a long-term investment. The overall investment policy of the Council with regard to forestry is to maximise profit, with harvesting on a sustainable yield basis and without any demand on rates.

### Disposition of Revenue

Any surplus revenue is used to offset rates. Any surplus not used in the year it was earned is accumulated into a forestry reserve and used to offset future rates. The use of the reserve in future years, will often be based on an even spread over a number of years to minimise rates fluctuations. Approximately \$100,000 is retained for operating working capital at any time.

### Risk Management

Forests are currently managed by a specialist external party. Forestry activities are reviewed by the Services and Assets Committee.

Significant risk management strategies include diversity of forest age classes, insurance against fire and access to a rural fire fighting force, a mix of species, geographic spread of forests and controlled access. Retention of the forest is reviewed periodically.

Dispositions and acquisitions require Council approval.

### Loans and Advances for community development purposes

#### Nature of Investment

The Council is not a lender and therefore is not generally involved in providing loans or advances.

#### Rationale for Holding Investment

Council provides loans for community development purposes. From time to time, Council has provided a loan or advance to a community organisation to facilitate the ongoing provision of community services or recreational opportunities. The loans/investments are not made for financial investment purposes.

Council sets the terms and conditions for any loans or advances as they are granted. Council will require security as deemed appropriate for each loan or advance. The security will be the assets or revenue of the organisation.

#### Disposition of Revenue

Generally, these loans are to the benefit of the local community and not for financial investment purposes. Interest will be charged at a rate that is consistent with Council's interest rate on internal loans. Any revenue would be applied to reserves, reduce external debt or offsetting general rates.

#### Risk Management

Council will review the performance of its loan advances on a regular basis to ensure the planned strategic and economic objectives are being achieved.

Council monitors the compliance of the borrower with the terms and conditions agreed upon.

All loans and advances documentation are subject to independent legal review prior to finalisation.

### Internal Loans

#### Nature of Investment

Council may utilise its general reserves and surplus funds for internal borrowing/lending purposes to reduce external debt, thus effectively reducing borrowing costs.

#### Rationale for Holding Investment

To facilitate the development of Council activities within Council and the community to minimise the costs associated with borrowing externally.

#### Disposition of Revenue

Income derived from internal loans is generally used to generate a return to reserves. Any surplus income is used to reduce external debt and/or offset against general rates.



### Risk Management

Internal loans shall be managed as a treasury investment. Interest rates will be set having regard for Council's opportunity cost forgone.

Council may not achieve the opportunity cost due to actual external interest rates being different to the interest rate set for any given year as part of the LTP/Annual Plan process. In this case the return to Council may be more or less and will impact on the return to reserves.

### Treasury Investments

#### Nature of Investment

To provide the ability to utilise a range of financial investments not already specified in this policy.

Approved treasury investments include;

Category	Instrument
Treasury Investments	Call and term bank deposits
	Bank certificates of deposit (RCDs)
	Treasury Bills and Government Bonds
	LGFA bonds/Floating Rate Notes (FRN)/Commercial Paper (CP)
	LGFA borrower notes

With the exception of LGFA borrower notes, the term of the treasury instruments is no greater than one year.

#### Rationale for Holding Investment

Council's philosophy in the management of treasury investments is to optimise its capital protection and liquidity objectives while balancing risk and return considerations. Council recognises that as a responsible public authority any treasury investments that it does hold should be low risk. It also recognises that lower risk generally means lower returns.

The Council maintains treasury investments to:

- invest surplus cash and working capital funds
- achieve the desired level of returns within acceptable risk parameters
- invest amounts allocated to general reserves, trust funds and special funds.

Council's primary objective when investing is the protection and liquidity of its investment. Accordingly, only credit-worthy counterparties are acceptable. Credit-worthy counterparties are selected on the basis of their current Standard and Poor's (S&P) or equivalent rating, which must be strong or better.

To avoid undue concentration of exposures, treasury investments should be used with as wide a range of counterparties as practicable. Transaction principal amounts and maturities should be well spread where possible.

Within the above constraints, Council also seeks to:

- ensure investments are liquid
- maximise investment return
- manage potential capital losses due to interest rate movements.

Liquidity risk is minimised by ensuring that all negotiable treasury investments must be capable of being liquidated in a readily available secondary market.

#### Disposition of Revenue

Income derived from Council's treasury activities will be used to fund Council activities including the allocation of interest on reserves, offsetting rates and repaying external debt.

#### Externally Managed Funds

##### Nature of Investment

Council may invest its general reserves in externally managed funds. Council has a medium to long-term investment horizon as it seeks to manage investments in a sustainable and equitable way, having regard to both current and future generations of ratepayers.

Council would purchase units in a NZD managed fund or funds.

##### Rationale for Holding Investment

Council maintains externally managed funds to:

- maintain, protect and increase the real capital value of the principal amount invested. Real capital value is the value that has been adjusted for the effect of inflation
- diversify the investment of Council's general reserves
- maintain liquidity and access to cash if needed
- obtain annual cash income to subsidise rates revenue.

Where practical, investments will be made considering the ethical practices of the investment entity. Council's intention for the Funds is to avoid direct involvement with industries that have a negative impact on society and the environment. This includes:

- alcohol
- tobacco
- military/weapons
- labour practices.

##### Disposition of Revenue

The managed funds are expected to return (before fees and taxes) at least 5% per annum. Council will consider as part of its planning process what is appropriate to subsidise rates revenue and what should be accrued back to its reserves, having regard to its rationale noted above. The actual disposition may differ from that planned as a result of the actual returns being more or less than budgeted again having regard to the rationale above.

Income derived from managed funds in the form of interest and dividends, is generally used to offset general rates with any surplus income used to provide a return on reserves. Surplus income can be re-invested in the managed fund(s).

Annually, Council evaluates whether to realise any capital gains that have been accumulated by the managed funds over the period. Overall the objective is to hold the managed funds for the medium to long term.

##### Risk Management

Council has a preference to invest indirectly in externally managed funds that are managed by a suitably qualified fund manager(s) and be managed within the below criteria.

Council's risk profile is considered moderate for financial investment purposes and therefore seeks to invest in a 'balanced' managed fund where there is a mix of capital growth and income asset types. Council will buy units in an established externally managed fund but could appoint its own investment manager.

The strategic asset allocation and tactical ranges are provided in the following table:

Allocation	Benchmark %	Ranges %
Total growth assets	50%	40-60%
Total income assets	50%	40-60%

Growth assets include approved asset types; listed domestic and international equities and listed property shares. Income assets include asset types such as; cash, term deposits, domestic and international floating and fixed rate debt securities. Any other asset types must be approved by Council before any investment is made.

Investments may be hedged back to NZD.

The counterparty risk policy set out in section 4 does not apply to externally managed funds. The investment guidelines are set out in Appendix 1.

At least quarterly reporting is provided on the performance of the managed fund(s). Annually the fund performance is benchmarked to other similar funds.

#### Local Government Funding Agency Limited (LGFA)

Despite anything earlier in this Investment Policy, Council may invest in shares and other financial instruments of the New Zealand LGFA and may borrow to fund that investment. The Council's objective in making any such investment will be to:

- obtain a return on the investment; and
- ensure that the LGFA has sufficient capital to remain viable, meaning that it continues as a source of debt funding for the Council.

Because of this dual objective, Council may invest in LGFA shares in circumstances in which the return on that investment is potentially lower than the return it could achieve with alternative investments.

If required in connection with the investment, Council may also subscribe for uncalled capital in the LGFA.

## 4.0 Liability Management

### Introduction

This Liability Management Policy has been prepared pursuant to the Local Government Act 2002; section 102(1) which requires the Council to adopt a Liability Management Policy and section 104 which outlines the contents of the policy.

Generally, Council borrows to provide funding for the following activities:

- fund Council capital expenditure requirements
- manage timing differences between cash inflows and outflows
- cover special 'one-off' projects
- fund assets with intergenerational qualities
- manage timing differences in the rebalancing of its internal loan portfolio into externally managed funds.

Total debt levels are determined through Council’s Long-Term Plan (LTP) and Annual Plans. Council approves this borrowing requirement for each financial year in the Annual Plan or LTP or by resolution during the year.

**Objectives**

- ensure Council has appropriate working capital funds available to carry out its plans as outlined in its LTP and Annual Plan
- ensure that Council has an on-going ability to meet its debts in an orderly manner as and when they fall due in both the short and long term, through appropriate liquidity and funding risk management
- arrange appropriate funding facilities for Council, ensuring they are at market related margins utilising bank debt facilities and/or capital markets as appropriate
- maintain lender and LGFA relationships and Council general borrowing profile in the local debt and, if applicable, capital markets, so that Council is able to fund its activities appropriately at all times
- control Council’s cost of borrowing through the effective management of its interest rate risks, within the interest rate risk management limits established by this policy
- ensure compliance with any financing/borrowing covenants and ratios
- maintain adequate internal controls to mitigate operational risks
- produce accurate and timely reports that can be relied on by senior management and Council for control and exposure monitoring purposes in relation to the debt raising activities of Council.

Council will manage its borrowing activities prudently to ensure the best interests of the District are maintained. To undertake this, the following will be considered in conjunction with every transaction undertaken:

- cost minimisation
- cost stabilisation/risk management.

**Specific Borrowing Limits**

Total debt levels are maintained at a prudent level and will be managed within the following limits:

Item	Borrowing Limit
Net debt as a percentage of total revenue	<175%
Net interest as a percentage of total revenue	<10%
Net interest as a percentage of rates revenue	<7%
Liquidity (external, borrowing +available committed loan facilities + available liquid investments as a percentage of existing external debt)	>110%
<ul style="list-style-type: none"><li>• total revenue is defined as cash earnings from rates, government grants and subsidies, user charges, interest, dividends, financial and other revenue and excludes non-government capital contributions (e.g. developer contributions and vested assets)</li><li>• net debt is defined as total debt less treasury investments. External debt that is specifically borrowed for on-lending to a CCO/CCTO is netted with the corresponding loan asset for the LGFA covenant calculation</li><li>• liquid investments are unencumbered assets defined as being:<ul style="list-style-type: none"><li>○ overnight bank cash deposits</li><li>○ wholesale/retail bank term deposits no greater than 31 days.</li><li>○ bank issued registered certificates of deposit less than 181 days</li></ul></li><li>• external debt funding and associated investment activity relating to pre-funding is excluded from the liquidity ratio calculation</li></ul>	

- net interest is defined as the amount equal to all interest and financing costs less interest income for the relevant period
- annual rates revenue is defined as the amount equal to the total revenue from any funding mechanism authorised by the Local Government (Rating) Act 2002 together with any revenue received from other local authorities for services provided (and for which the other local authorities rate)
- financial covenants are measured on Council only
- disaster recovery requirements are to be met through the liquidity ratio.

### **Debt Repayment**

Total debt levels are indicated through Council's LTP or Annual Plans. Council's Annual Report will contain information to allow actual debt levels to be compared with those forecasted.

Loans raised for specific projects will generally be repaid through user charges or rates. Loans raised for local purposes will generally be repaid by the ratepayers in the relevant local area. Surplus Council funds and proceeds from the sale of investments and assets will be reviewed periodically by Council with a view to repaying debt, or for funding capital projects.

The Council may repay debt before maturity in special cases where the circumstances suggest that this would be in the best interests of the District.

Debt will be repaid as it falls due in accordance with the applicable borrowing arrangement. Subject to the appropriate approval and debt limits, a loan may be rolled over or re-negotiated as and when appropriate.

### **Guarantees/contingent liabilities and other financial arrangements**

Council may act as guarantor to CCOs, financial institutions on loans when the purposes of the loan are in line with Council's strategic objectives.

For any outstanding guarantees, Council will ensure that sufficient financial capacity exists relative to LGFA lending covenants. Unless approved by Council, guarantees or financial arrangements given will not exceed NZ\$1 million in aggregate.

Council is not permitted to provide any guarantee of indebtedness in favour of any loans to CCTOs under Section 62 of the Local Government Act.

For any guarantee for indebtedness provided by Council to a CCO that borrows directly from the LGFA or bank lender, Council will approve the specific borrowing and guarantee arrangement.

### **Borrowing mechanisms for council-controlled organisations and council-controlled trading organisations**

To better achieve its strategic and commercial objectives, Council may provide financial support in the form of debt funding directly or indirectly to CCO/CCTOs.

Guarantees of financial indebtedness to CCTOs are prohibited, but financial support may be provided by subscribing for shares as called or uncalled capital.

Any lending arrangement to a CCO/CCTO must be approved by Council. In recommending an arrangement for approval the Chief Financial Officer considers the following:

- credit risk profile of the borrowing entity, and the ability to repay interest and principal amount outstanding on due date
- impact on Council's credit standing, debt cap amount (where applied), borrowing limits with the LGFA and other lenders and Council's future borrowing capacity

- the form and quality of security arrangements provided
- the lending rate given factors such as; CCO/CCTO credit profile, external Council borrowing rates, borrower note and liquidity buffer requirements, term etc
- lending arrangements must be documented on a commercial arm's length basis. A term sheet, including matters such as borrowing costs, interest payment dates, principal payment dates, security and expiry date is agreed between the parties
- accounting and taxation impact on-lending arrangement.

All lending arrangements must be executed under legal documentation (e.g. loan, guarantee) reviewed and approved by Council's independent legal counsel.

### **LGFA**

Despite anything earlier in this Liability Management Policy, Council may borrow from LGFA and, in connection with that borrowing, may enter into the following related transactions to the extent it considers necessary or desirable:

- contribute a portion of its borrowing back to the LGFA as an equity contribution to the LGFA
- provide guarantees of the indebtedness of other local authorities to the LGFA and of the indebtedness of the LGFA itself
- commit to contributing additional equity (or subordinated debt) to the LGFA if required
- subscribe for shares and uncalled capital in the LGFA
- secure its borrowing from the LGFA and the performance of other obligations to the LGFA or its creditors with a charge over the Council's rates and rates revenue.

### **Internal Loans**

All Council investments may be used as a source for internal loans in relation to expenditure of a capital (or one off) nature related to any activity that would otherwise be funded by external loan.

The term of any internal loan shall not be more than 30 years and will be set after taking into account the ability of ratepayers affected to pay, alternative uses of the funds and the life of the assets to be funded. The term set will be subject to review during the course of the loan.

The interest rate to be applied to internal loans for any given year will be developed as part of Council's Long-Term Plan or Annual Plan. To remove any doubt, the interest rate calculated will be the interest rate used for that year for budgeting and end of year actual results.

The method of calculation and the resulting interest rate will be resolved by Council as part of this annual process. In developing the method of calculation, Council will consider its investment policy objective, which is to obtain the net opportunity cost of not having the funds invested externally. Council will also consider its present and future financial position as well as market conditions.

After taking into account fairness and equity, Council can resolve to apply a lesser interest rate than the interest rate calculated where it agrees the circumstances are such that it is warranted.

### **Security**

It is Council's general policy to offer security for its borrowing and risk management activities by way of negative pledge or a charge over its rates offered through a Debenture Trust Deed. Under a Debenture Trust Deed, Council's borrowing is secured by a floating charge over all Council rates levied under the Local Government Rating Act. The security offered by Council ranks equally or *pari passu* with other lenders.



In the normal course, the Council's policy is not to offer a guarantee or security over any of the other assets of the Council. However, the Council may decide to offer security over the asset:

- where borrowing is by way of finance lease, or some other form of trade credit under which it is normal practice to provide security over the asset concerned, or
- where the Council considers doing so would help further its community goals and objectives.

Any lending to a CCO or CCTO will be on a secured basis and be approved by Council.

### Interest Rate Exposure

Interest rate risk management refers to managing the impact that movements in interest rates can have on Council's cash flows. This can have both a positive and/or negative impact. A 1% change in interest rate will have a 0.4% impact on rates (on rates of \$50 million).

The primary objective of interest rate risk management is to reduce uncertainty relating to interest rate movements through fixing/hedging of wholesale interest costs. Certainty around interest costs is to be achieved through the proactive management of underlying interest rate exposures.

When actual debt amounts are at \$20 million or above it is mandatory that the interest rate exposures of Council are managed according to the limits detailed in the following table. Council's gross external core debt forecasts (less any pre-funded debt amounts) must be within the following fixed/floating interest rate risk control limits:

#### Fixed Rate Hedging Percentages

Term	Minimum Fixed Rate Amount	Maximum Fixed Rate Amount
Current	40%	90%
Year 1	40%	90%
Year 2	35%	85%
Year 3	30%	80%
Year 4	25%	75%
Year 5	20%	70%
Year 6	0%	65%
Year 7	0%	60%
Year 8	0%	50%
Year 9	0%	50%
Year 10	0%	50%
Year 11	0%	25%
Year 12	0%	25%
Year 13	0%	25%
Year 14	0%	25%
Year 15	0%	25%



“Fixed rate” is defined as all known interest rate obligations on forecast external core debt, including where hedging instruments have converted floating rate obligations into firm commitments.

“Floating rate” is defined as any interest rate obligation subject to movements in the applicable reset rate.

Gross forecast external core debt is the amount of total external debt for a given period. This allows for pre-hedging in advance of projected physical drawdowns of new debt. When approved forecasts are changed, the amount of fixed rate cover in place may have to be adjusted to ensure compliance with the Policy minimums and maximums. Pre-funded debt amounts are excluded from the gross debt forecast.

Core debt is defined as debt that is expected to remain for a period of greater than one year.

A fixed rate maturity profile that is outside the above limits, but self corrects within 90-days is not in breach of this Policy. However, maintaining a maturity profile that is outside the above limits beyond 90-days requires specific approval by Council.

Any fixed rate hedge with a maturity beyond 15 years must be approved by Council. The exception to this will be if Council raises LGFA funding as fixed rate or as a swapped floating rate and this maturity is beyond 15 years.

Hedging outside the above risk parameters must be approved by Council.

Approved interest rate instruments are as follows:

Category	Instrument
Interest rate risk management	Forward rate agreements (“FRAs”) on:
	<ul style="list-style-type: none"><li>bank bills</li></ul>
	Interest rate swaps/collars including:
	<ul style="list-style-type: none"><li>swap extensions, deferrals and shortenings</li></ul>
	Interest rate options on:
	<ul style="list-style-type: none"><li>bank bills (purchased caps and one for one collars)</li><li>interest rate swaptions (purchased swaptions and one for one collars only)</li></ul>
	<ul style="list-style-type: none"><li>One for one collar option structures are allowable, whereby the sold option is matched precisely by amount and maturity to the simultaneously purchased option. During the term of the option, only the sold side of the collar can be closed out (i.e. repurchased) otherwise, both sides must be closed simultaneously. The sold option leg of the collar structure must not have a strike rate ‘in-the-money’;</li><li>Selling interest rate options for the primary purpose of generating premium income is not permitted because of its speculative nature;</li><li>Purchased borrower swaptions must mature within 12 months;</li><li>Interest rate options with a maturity date beyond 12 months that have a strike rate (exercise rate) higher than 2.00% above the appropriate swap rate, cannot be counted as part of the fixed rate cover percentage calculation;</li><li>Forward start period on swaps and collars to be no more than 36 months from deal date except where the forward start swap/collar starts on the expiry date of an existing swap/collar and has a notional amount which is no more than that of the existing swap/collar.</li></ul>

Any other interest rate instrument must be specifically approved by Council on a case-by-case basis and only be applied to the one singular transaction being approved. Credit exposure on these financial instruments is restricted by specified counterparty credit limits.

Prudent selection of interest rate instruments and mix will help the Council achieve its low debt servicing costs and risk minimisation objectives.

### **Liquidity and Funding Risk Management**

Liquidity management refers to the timely availability of funds to Council when needed, without incurring penalty costs. This takes into account the ability to refinance or raise new debt at a future time at the same or more favourable pricing and terms of existing facilities.

Council's ability to readily attract cost effective borrowing is largely driven by its ability to rate, maintain a strong credit rating and manage its relationships with the LGFA and financial institutions. To this end it is the Council's intention to seek and maintain a strong balance sheet position.

Council may use a mixture of short-term facilities (which generally have lower credit margins) as well as longer term facilities to achieve an effective borrowing mix, balancing the requirements of liquidity and cost.

Council's objective for funding risk management is to minimise the risk of large concentrations of debt being reissued or raised at a time of adverse movements in borrowing margins beyond the Council's control.

The Council's policy for liquidity and funding risk management is:

- ensuring that Council's committed debt facilities and term loans mature over a wide time period
- external debt plus available committed debt facilities, plus liquid assets must be maintained at an amount of at least 110% over existing external debt
- through the LGFA and bank lenders, diversify borrowing over a range of wholesale investors and lenders
- ensuring that bank borrowings are only sought from approved strongly rated New Zealand registered banks
- matching expenditure closely to its revenue streams and managing cash flow timing differences
- maintaining its treasury investments in cash/cash equivalent liquid investments
- Council has the ability to pre-fund up to 18 months of the forecast debt requirements including re-financings.

When actual debt amounts are at \$20 million or above it is mandatory that the following limits apply for managing funding risk. The maturity profile of the total committed funding in respect to all external debt and committed debt facilities is to be controlled by the following system:

Period	Minimum %	Maximum %
1 to 3 years	15	60
3 to 7 years	25	85
7 years plus	0	60

A funding maturity profile that is outside the above limits, but self corrects within 90-days is not in breach of this Policy. However, maintaining a maturity profile outside of policy limits beyond 90-days requires specific approval by Council.

To minimise concentration risk, the LGFA requires that no more than the greater of NZD 100 million or 33% of a Council's borrowings from the LGFA will mature in any 12-month period.



Approved debt and liquidity instruments include;

Category	Instrument
Cash management, liquidity and borrowing	Bank overdraft
	Committed cash advance and bank accepted bill facilities (short term and long-term loan facilities)
	Floating Rate Note (FRN)
	Fixed Rate Note (MTN)
	Commercial paper (CP)/Promissory notes

### Credit Risk Management

Counterparty credit risk is the risk of losses, realised or unrealised, arising from a counterparty defaulting on a financial instrument where the Council is a party. Treasury investments, interest rate and foreign currency instruments are captured within the policy. The credit risk to the Council in a default event will be weighted differently depending on the type of instrument entered into.

Amounts should be spread amongst a number of counterparties to avoid concentrations of credit exposure.

Credit risk is minimised by placing maximum prescribed limits for each broad class of non-Government issuer and by limiting investments and risk management instruments to registered banks that have a credit rating from a recognised international credit rating agency. The limit system is as follows;

Counterparty/Issuer	Minimum S&P long term/short term credit rating	Total maximum combined limit per counterparty (\$million)*
NZ Government	AA+/A-1+	Unlimited
NZ Local Government Funding Agency	AA/A-1	Unlimited
NZ Registered Bank (per bank)	AA /AA-/A-1	10.0
NZ Registered Bank (per bank)	A+/A/A-1	5.0

\* This combined total maximum limit includes exposure to the counterparties including treasury investments and risk management instruments and excludes externally managed fund(s).

In determining the usage of the above gross limits, the following weightings will be used:

- treasury investments (e.g. bank term deposits) – transaction principal amount
- interest rate risk management (e.g. swaps, FRAs) – transaction notional x maturity (years) x 3%
- foreign exchange risk (e.g. forward exchange contract) – transaction face value amount x ((square root of the maturity (years)) x 15%).

Each transaction should be entered into a treasury spreadsheet and a quarterly report prepared to show assessed counterparty actual exposure versus limits. Credit ratings are reviewed on an ongoing basis and in the event of material credit downgrades should be immediately reported to the Chief Financial Officer and assessed against exposure limits. If any counterparty's credit rating falls below the minimum specified in the above table, then all practical steps are taken to eliminate the credit exposure to that counterparty as soon as practicable.

Counterparties exceeding limits should be reported to Council.

### Foreign currency

Council has foreign exchange exposure through the occasional foreign exchange transactions that Council may undertake such as plant and equipment.

Significant commitments for foreign exchange can be hedged using foreign exchange contracts, once expenditure is approved. Forward exchange contracts can be used by the Council. The majority of these transactions would be small and would carry no significant foreign exchange risk.

Council does not borrow or enter into incidental arrangements within or outside New Zealand in currency other than New Zealand currency.

## 5.0 Procedures for Management and Reporting

### Cash Management

The finance function is responsible for managing the Council's cash surpluses and/or deficits.

The Council maintains rolling daily, monthly and annual cash flow projections which form the basis of its cash management activity. The Council maintains one main bank account for its operating cash flows as well as other bank accounts for specialist activities such as investment and borrowing requirements. Individual business units within the Council do not maintain separate bank accounts.

The Council manages its working capital balances by matching expenditure closely to its revenue streams and managing cash flow timing differences to its favour. Daily bank balances are extracted by the Finance Officer.

Generally, cash flow surpluses from timing differences are available for periods less than 90 days.

Cash management activities must be undertaken within the following parameters:

- an optimal daily range of \$10,000 is targeted for in the Council's main bank account, with investments adjusted to balance the current account if required
- cash flow surpluses are placed in call deposits, term deposits, registered certificates of deposits and promissory notes
- amounts invested must be in approved instruments and within approved credit limits
- the Council has a committed bank facility with a limit of \$5,000,000 for working capital purposes which is used on an operational basis
- the use of interest rate risk management on cash management balances is not permitted.

### Internal Controls

The Council's systems of internal controls over cash management and treasury activity includes adequate segregation of duties among the core treasury functions of deal execution, confirmation, settling and accounting/reporting.

Key internal cash management controls are as follows:

- cheque/electronic banking signatories – dual signatures are required for all cheques and electronic transfers
- authorised personnel – all counterparties are provided with a list of personnel approved to undertake transactions, standard settlement instructions and details of personnel able to receive confirmations
- reconciliations – general bank reconciliation is performed daily and monthly by the Finance officer (or equivalent) and reviewed by a senior finance staff member.

There are a small number of people involved in treasury activity. Accordingly, strict segregation of duties is not always achievable. The risk from this is minimised by the following processes:

- a documented discretionary approval process for treasury activity
- regular management reporting
- operational risk control reviews will be undertaken periodically
- appropriate organisational, systems, procedural and reconciliation controls exist to ensure:
  - (a) all treasury activity is bona fide and properly authorised;
  - (b) checks are in place to ensure the Council's accounts and records are updated promptly, accurately and completely.

The details of any exceptions, including remedial action taken or intended to be taken.

### Legal risk

Legal risks relate to the unenforceability of a transaction due to an organisation not having the legal capacity or power to enter into the transaction usually because of prohibitions contained in legislation. While legal risks are more relevant for banks, Council may be exposed to such risks.

Council will seek to minimise this risk by adopting policy regarding:

- the use of standing dealing and settlement instructions (including bank accounts, authorised persons, standard deal confirmations, contacts for disputed transactions) to be sent to counterparties
- the matching of third-party confirmations and the immediate follow-up of anomalies
- the use of expert advice.

Financial instruments can only be entered into with banks that have in place an executed International Swaps and Derivatives Association (ISDA) Master Agreement with Council.

Council's internal/appointed legal counsel must sign off on all documentation.

Council must not enter into any transactions where it would cause a breach of financial covenants under existing contractual arrangements.

Council must comply with all obligations and reporting requirements under existing funding facilities and legislative requirements.

### Reports

The following reports are produced to monitor treasury activity:

Report Name	Frequency	Prepared by	Recipient
Daily Cash Position	Daily	Finance Officer or equivalent	Senior Finance staff member
Treasury Spreadsheet	As required	Finance Officer or equivalent	Senior Finance staff member
Treasury Exceptions Report	As required	Finance Officer or equivalent	Senior Finance staff member/CFO
Treasury Report	Monthly	Finance Officer or equivalent	CFO
Policy limit compliance			

Borrowing limits

Funding and Interest Risk  
Position

Total debt funding facility  
utilisation

New treasury transactions

Cost of funds vs budget

Cash flow forecast report

Liquidity risk position

Counterparty credit

Debt maturity profile

Renewal investment

Operating investment

Exceptions

Treasury Report

Quarterly

Finance Officer or  
equivalent

CFO and Finance and  
Audit Committee

Include monthly report along  
with;

External managed Funds  
Report

A statement of policy  
compliance.

Treasury and markets  
commentary

Treasury performance

CCO/CCTO loans and  
guarantees, financial  
arrangements

Revaluation of financial  
instruments

Trustee Report

As required by the  
Trustee

Finance Officer or  
equivalent

CFO/Trustee company

LGFA Report

Annual

Finance Officer or  
equivalent

CFO/LGFA

### Benchmarking

In order to determine the success of Council's treasury management function, the following benchmarks and performance measures have been prescribed.



Those performance measures that provide a direct measure of the performance of treasury staff (operational performance and management of debt and interest rate risk) are to be reported to Council or an appropriate sub-committee of Council on a quarterly and YTD basis

- All treasury limits must be complied with including (but not limited to) counterparty credit limits, dealing limits and control limits
- All treasury deadlines are to be met, including reporting deadlines
- The actual borrowing cost for Council (taking into consideration costs of entering into interest rate risk management transactions) should be below the budgeted borrowing costs
- The actual investment return for Council on the external managed funds are above the budget investment return amounts
- Annually the actual total return on the externally managed funds is compared to average annual total return of peer 'balanced' managed funds.

Compliance with the benchmarking standard is not required if Council's nominal debt levels are less than \$10M.

### Delegations

Pursuant to Clause 32 (2), Schedule 7, of the Local Government Act 2002, the Council may make delegations to officers of the Council to allow for the efficient conduct of Council business. Clause 32 (3), Schedule 7 of this Act allows officers to delegate those powers to other officers.

Notwithstanding Clause 32 (1) ©, Schedule 7 the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan remains the sole responsibility of the Council. This responsibility cannot be delegated.

The Liability Management and Investment Policy related delegations are below.

Activity	Delegated to	Limits
Approve and amend policy document	Council	Unlimited
Approve external borrowing as set out in the Annual Plan or Long Term Plan	Chief Executive or Chief Financial Officer	As Per Annual Plan or Long Term Plan
Approve LGFA membership	Council	Unlimited subject to legislative limitations
Approve LGFA membership for CCO/CCTO	Council	Unlimited subject to legislative limitations
Approve giving of Council guarantee or uncalled capital	Council	Unlimited subject to legislative limitations
Approve selection of external managed Funds) and amount placed with Fund(s)	Council	Unlimited
Approve amount placed with approved managed fund	Chief Executive or Chief Financial Officer	As per Annual Plan or Long Term Plan
Acquisition and disposition of investments other than treasury investments	Council	Unlimited
Approval for charging assets as security over borrowing and risk management activity	Council	Unlimited

Negotiation and ongoing management of lending arrangements with CCO/CCTO	Chief Executive, Chief Financial Officer	
Approving new and re-financed debt amounts.	Chief Executive, Chief Financial Officer	Unlimited
Open/close bank accounts	Chief Financial Officer with advice given to Chief Executive	Unlimited
Approve signatories to Council's Bank Accounts	Chief Executive and Chief Financial Officer	Unlimited
Approve electronic banking amendment	Chief Financial Officer	
Liquidity, debt and investment management	Chief Executive, Chief Financial Officer	Subject to policy
Interest rate and foreign currency management	Chief Executive and Chief Financial Officer	Subject to policy
Cash management	Chief Executive, Chief Financial Officer, Finance Manager	Subject to policy
Approving transactions outside policy	Council	Unlimited
Approving allowable risk management instruments	Council	Unlimited subject to legislative limitations
Maximum daily transaction amount (approved investment, debt, cash management, interest rate risk and foreign currency management)	Council	Unlimited
	Chief Executive	\$10m
	Chief Financial Officer	\$5m
Approve debt, investment and interest rate strategies	Finance and Assurance Committee	
Ensuring compliance with policy	Chief Financial Officer	N/A
Triennial review of the Policy	Chief Financial Officer	N/A

## **Investment and Liability Management Policy**

### **Appendix 1 – External Managed Funds – Investment Guidelines**

The guidelines and constraints required by Council to be observed by the managed funds or Investment Manager, as applicable are set out below. For the purposes of these constraints, “Funds” shall relate to the portion of the investment assets under the management of the Investment Managers.

Where the Funds are invested into an external managed fund(s) or collective investment vehicle (“units”) or product Council recognises that the strict application of these guidelines and constraints may not be possible. The Manager(s) of the externally managed funds will inform Council of its pooled or collective investment guidelines. Council expect the Manager(s) to inform them of any investment or management practice that materially falls outside the guidelines and constraints so that Council can continually reassess the overall suitability of such an investment approach.

#### **Cash and Term deposits**

Council may invest cash in bank, call, term deposits or registered certificates of deposit. Where it does so it may invest in the following:

Bank, call, term deposits and registered certificates of deposit with New Zealand Registered Banks with a Standard and Poor’s or equivalent credit agency, short term credit rating of ‘A-1’ or stronger. Bank term deposits have a maturity date of no greater than 3-years.

To be classified as a cash investment, deposits must have a maturity date of 31 days or less. Both bank term deposits and registered bank bills must have a maturity date of no more than 12 months.

#### **New Zealand and International Fixed Interest**

Investment in an unsecured, senior or secured debt security and should have a minimum long-term credit rating of no less than BBB or short term credit rating of A-2, as measured by Standard & Poor’s, or equivalent credit agency.

Commercial Paper issued by a corporate borrower, with a Standard and Poor’s or equivalent credit agency, short term credit rating of ‘A-2’ or stronger. The maturity date can be no more than 12 months.

No investments in direct mortgages, subordinated debt, structured debt, high yield/junk bonds and leveraged loans should be made.

#### **Equities**

Investments must be confined to publicly listed widely held securities trading in recognised markets.

New Zealand and International Property Investments

Investment in property entities that are listed on the New Zealand or internationally recognised Stock Exchange.

**Attachment B - Council Revisions**

<b>Council meeting date</b>	<b>Amendment/act</b>	<b>Report #</b>
6 September 2023	Entire Manual	R/23/8/38259
20 September 2023	Resource Management Act 1991 & 12.11 Planning	R/23/9/43093
8 November 2023	Executive Committee 8.4.2	R/23/10/48962

### Attachment C - Chief Executive Delegations to Officers

Date approved by chief executive	Section	Delegation	Officers granted delegation	File Number
23 February 2023	New section: Fencing Act 1978 Section 10.4.1	All powers and duties under the Fencing Act 1978	Manager Property Services  Community Facilities Manager	R/23/2/6211
23 February 2023	Health Act 1956	The decision to register or remove from registration any charges on land created under the Health Act.	Manager Environmental Health  Manager Property Services	R23/2/6209
21 March 2023	Land Transfer Act 2017	The authority to approve boundary definitions for the uplifting of limited title status	Manager Property Services  Senior Property Advisor	R23/04/13640
29 June 2023	Government Roadway Powers Act 1989	The authority to decide whether to proceed with an application to the Minister of Transport to legalise land as road, execute all relevant documents and determine any conditions attached to any request for Council to take actions under these provisions.	Group manager - Infrastructure and Environmental services	R/23/5/20081

29 June 2023	Public Works Act 1981	The issue of any lease, licence or occupancy agreement for land held by Council subject to the Public Works Act 1981 or any action being undertaken pursuant to the Act.	Group manager - Infrastructure and Environmental services Manager Property Services	R/23/5/20072
2 August 2023	Expenditure Delegations Section 9.9.1	Authority to authorise approved loan payments and GST or FBT payments – No limit  Include in the list of officers of which two of have: Authority to operate Council bank accounts including making electronic bank payments, direct debits, inter account transfers (including arranged debt facility) and sign cheques subject invoice or payment being duly authorised. – No limit	Senior finance business partner	R/23/8/35389 R/23/8/35390
		Include in the list of officers of which two of have: Authority to operate Council bank accounts including making electronic bank payments, direct debits, inter account transfers (including arranged debt facility) and sign cheques subject invoice or payment being duly authorised. – No limit	Senior accountant	R/23/8/35389 R/23/8/35390

All delegations above were adopted by Council on 6 September 2023

Date approved by chief executive	Section	Delegation	Officers granted delegation	File Number
2 December 2022	9.9.1	Authority to authorize purchases of capital items or goods and services	Open spaces lead Contracts and program lead	R/23/27754

		within Council approved budgets		
13 December 2023	9.9.1	Authority to approve loan repayments and GST & FBT payments (no limit) Authority to operate Council bank accounts including making electronic bank payments, direct debits, inter account transfers (including arranged debt facility) and sign cheques subject invoice or payment being duly authorised. Any two of the following officers (no limit)	Finance business partnering lead	R/23/12/59575



## Exclusion of the public: Local Government Official Information and Meetings Act 1987

### Recommendation

That the public be excluded from the following part(s) of the proceedings of this meeting.

#### **C8.1 Milford Community Trust - appointment of an interim chair**

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Milford Community Trust - appointment of an interim chair	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.