

Invercargill City Council

Delegations Register -

Council and Finance
Version 1

2021

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Delegations Register – Council and Finance

Invercargill City Council

August 2021

Version 1

Part A

1. Introduction

The Delegations Register sets out the delegations made by the Invercargill City Council (Council).

Invercargill City Council relies on a clear distinction between governance and management activities for effective operations. Council is comprised of:

- **Elected Members** – including Councillors, Bluff Community Board members and Mana Whenua appointed representatives who have overall responsibilities for Council decisions and activities; and
- **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 provisions of the 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 Register is to define and authorise the scope of:

1. The division between governance and management activities.
2. Council's delegations of governance activities to Council Committees and Bluff Community Board.
3. Council delegations of management activities to the Chief Executive.
4. The Chief Executive's delegations to Council Officers, including the Executive Leadership Team, with these being recorded in the Delegations Register – Chief Executive.

Other aspects of Council's work programmes can be delegated by Council resolution. Separate delegations are not required for Council Officers to undertake any work included in these documents, which are adopted by Council.

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

1.2 Structure of the Document

The Delegations Register is structured as follows:

1. Part A

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 delegation are made and structured.

2. Part B

Governance Delegations

This section sets out the delegation of governance powers from Council to Committees and Bluff Community Board.

Financial Delegations

The delegation of financial powers enables the achievement of Council's objectives and work programme, as adopted in the Long Term Plan and Annual Plan. This section sets the limits of financial delegations to Council Sub-Committees and Council Officers.

2. Statutory Framework

2.1 Legal Authority

The powers, functions and duties of a Council are prescribed through various Government Acts and Regulations. The main Acts that impact Council include but are not limited to:

- Local Government Act 2002
- Resource Management Act 1991
- Building Act 2004
- Reserves Act 1977
- Local Authorities (Members' Interests) Act 1968

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 or developed for the purpose of the Governance Statement
- approve, adopt and set operative dates for changes and/or variations to resource management plans and policies under the Resource Management Act 1991
- adopt a remuneration and employment policy
- to determine not to follow a recommendation of the Ombudsman following an investigation
- approve or amend Council's Standing Orders
- approve and amend the Code of Conduct for Elected Members
- establish and determine the structure, terms of reference, and delegated authorities of Committees
- appoint and discharge member of Committees
- establish a joint Committee with another local authority or public body

2.2 Key Principles

In making decisions about delegated authority, Council and the Chief Executive will take into account the following principles, to enable Council to:

- operate efficiently and effectively
- concentrate on its policy making role, empowering the Chief Executive and Council Officers to implement and administer those policies
- carry out Council functions openly and fairly
- provide delegates with the necessary authority to effectively carry out delegated responsibilities
- properly observe all statutory requirements

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

- be made to positions, not people
- be recorded in the Delegations Register
- 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

Council retains full responsibility for governance, statutory and financial powers, duties and responsibilities and contract specifications at all times.

2.3 Council's Principle Responsibilities

The purpose of the local government as per Section 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 Section 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 structure 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

2.4 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 Section 42 and Schedule 7 Clause 33 – 36, on the terms and conditions that Council consider appropriate.

The Chief Executive is responsible to the elected Council for:

- implementing the decisions of the local authority
- providing advice to members of the local authority and to its community boards, if any
- 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
- ensuring the effective and efficient management of the activities of the local authority
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority
- providing leadership for the staff of the local authority
- employing, on behalf of the local authority, the staff of the local authority,(in accordance with any remuneration and employment policy)

- negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy)

The Chief Executive is responsible for:

- 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
- appointment of independent commissioner(s) to hear, consider and determine all contested resource consent application in respect of which Council, or a Council Controlled Organisation (CCO), is or could be perceived to be an interested party
- delegating to the Hearing Panel all of Council's regulatory powers in respect of hearing, considering and determining all matters relating to resource consents under the Resource Management Act 1991; and action under the Dog Control Act 1996
- delegating to appropriate staff Council's powers to undertake compliance inspection and enforcement in accordance with Council's approved procedures

The Chief Executive is able to delegate any of these power other than the power to delegate.

2.5 Delegation of Powers to any Other Officer

The Delegation Register – Chief Executive records all delegations from the Chief Executive to Council Officers.

Clause 32B of Schedule 7 of the Local Government Act 2002 provides further delegations of power (with some restrictions) to another Officer of the Council.

3. Authority

All previous delegations were revoked by the resolution, and the delegation made in the governance section of the Delegations Register and other delegations of statutory and finance powers to Committees and sub-Committees and all the delegations made to the Chief Executive and Executive Leadership Team were adopted by Council at its meeting on 24 August 2021.

4. Conduct of Affairs

All Elected Members, Bluff Community Board, Committees, Sub Committees and Joint Committees shall conduct their affairs in accordance with the Local Government Act 2002, Local Government Official Information and Meetings Act (LGOIMA) 1987, Local Authorities (Member's Interest) Act 1968, Council Code of Conduct (with respect to all Elected Members) and Standing Orders 2019.

Part B

5. Governance Delegations

5.1 Introduction

Invercargill City 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, Sub Committee or Council Officer.

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

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

5.2 Expectations of Committees

Within the 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 communication with other Committees and full Council to ensure that the widest possible good is achieved for the community
- Approve expenditure that exceeds delegated authority of Council Officers, within the financial parameters of Long Term Plan and Annual Plan
- Ensure appropriate consultation and communication is undertaken with the community and affected stakeholders
- Monitor and respond to change 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 Invercargill City District
- The approved budgets for the activity

5.3 Committees

In order to be efficient, effective and timely in delivering its services, ICC has established two Committees that all Elected Members are members of both Committee:

- Infrastructural Services Committee
- Performance, Policy and Partnerships Committee

Legislative Basis for the Committees:

Legislative Basis	Committee constituted by Council as per Clause 30 (1) (a) Schedule 7 of the Local Government Act 2002 Committee delegated powers by Council as per Clause 32 Schedule 7 of the Local Government Act 2002
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Legislative basis for all Committees are the same as set above unless it stated otherwise in the following pages.

5.3.1 Infrastructural Services Committee

Type of Committee	Committee
Responsible to	Council
Membership	All Elected Members and two appointed Mana Whenua representatives
Quorum	A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd
Frequency of Meetings	Week 1 of each month
Scope of Activities	<ul style="list-style-type: none"> ▪ Cemetery and Crematorium ▪ Community facilities including public toilets ▪ Parks and Reserves, including sports fields ▪ Swimming pools ▪ Transport networks including passenger transport ▪ Street lighting ▪ Traffic control and parking (excluding enforcement) ▪ Regional Transport Committee ▪ Water ▪ Wastewater ▪ Stormwater ▪ Solid Waste Management including transfer stations and waste minimisation ▪ WasteNet Joint Committee ▪ Property portfolio, including Investment Property and Housing Care ▪ Development of bylaws within the areas of responsibility, for recommending to Council
Delegations	The Committee has authority to exercise all the powers, functions and duties of the Council with the exception of those powers as set out in Schedule 7 Clause 32(1) Local Government Act 2002, which are only for Council and cannot be delegated by Council within its field of reference
Financial Delegations	<p>Approve expenditure above authority delegated to the Chief Executive</p> <p>Approve expenditure not provided in the Long Term Plan or Annual Plan</p>
Relationship with Other Parties	The Committee is also responsible for liaising with key stakeholders/partners and Joint Committees with in the field of references
Contact with Media	Responsibility of Chair and Deputy Chair unless otherwise determined

5.3.2 Performance, Policy and Partnerships Committee

Type of Committee	Committee
Responsible to	Council
Membership	All Elected Members and two appointed Mana Whenua representatives
Quorum	A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd
Frequency of Meetings	Week 2 of each month
Scope of Activities	<ul style="list-style-type: none"> ▪ Arts, Culture and Heritage, including SMAG, IPAG, Bluff Maritime Museum, Regional Heritage Committee ▪ Festivals and Events, including funding allocations from Events Fund ▪ Libraries ▪ Theatres and Halls including Civic Theatre, Scottish Hall ▪ Community Development / External Relationships ▪ Communications and engagement ▪ Council's financial performance ▪ Rating systems and policies ▪ Business, economic development, tourism including Great South ▪ Environmental regulatory matters including alcohol licensing ▪ Environmental policy including District Plan ▪ Policies and strategies related to compliance, monitoring and enforcement ▪ Development of bylaws within the areas of responsibility, for recommendation to Council ▪ Long Term Plan strategy development ▪ Shared Services ▪ Joint Committees in field of reference ▪ Statements of Intent (excluding ICHL) ▪ Youth Council ▪ LGNZ membership ▪ Sister City Relationships ▪ Democratic processes (Representation Review, Remuneration, Code of Conduct) ▪ Neighbourhood Fund Committee could be a Sub Committee ▪ Community Grants Committee could be a Sub Committee ▪ City Centre Heritage Steering Group could be a Sub Committee
Delegations	The Committee has authority to exercise all the powers, functions and duties of the Council with the exception of those powers as set out in Schedule 7 Clause 32(1) Local Government Act 2002, which are only for Council and cannot be delegated by Council within its field of reference

5.3.2 Performance, Policy and Partnerships Committee continued

Financial Delegations	Approve expenditure above authority delegated to the Chief Executive Approve expenditure not provided in Long Term Plan or Annual Plan
Relationship with Other Parties	The Committee also responsible for liaising with key stakeholders/partners and Joint Committees with in the field of references
Contact with Media	Responsibility of Chair and Deputy Chair unless otherwise determined

5.4 Other Committees

5.4.1 Risk and Assurance Committee

Type of Committee	Committee
Responsible to	Council
Membership	Seven members, or such other number of members as the Council may determine, of which at least five are a member of the Council. In all cases, the Committee's total membership will be a minimum of two external independent appointees The Chair of the Committee shall be an external independent appointee
Quorum	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 at least one external independent appointee
Frequency of Meetings	The Committee shall meet at least four times a year to coincide with key dates in the financial reporting and audit calendar
Delegations	The Committee has authority to exercise all the powers, functions and duties of the Council with the exception of those powers as set out in Schedule 7 Clause 32(1) Local Government Act 2002, which are only for Council and cannot be delegated by Council within its field of reference <ul style="list-style-type: none"> ▪ Council's treasury policies and functions ▪ Council's Annual Report ▪ Audit processes and management of financial risk, including fraud ▪ Organisational Risk Management, including business continuity ▪ External Audit ▪ Internal controls and internal audit (where necessary) ▪ Health and Safety ▪ Statutory compliance ▪ Related party transactions and executive/elected representative expenditure

5.4.2 Hearing Panel

Type of Committee	Committee
Membership	Four (4) Councillors (Chair, Deputy Chair and two members)
Quorum	The quorum for each Hearing Panel is three (3) members including a qualified Chairman.
Frequency of Meetings	As required
Scope of Activities	The hearing panel is responsible for hearing, considering and deciding applications under the Resource Management Act 1991, Dog Control Act 1996 and Gambling Act 2003
Delegations	<ul style="list-style-type: none"> ▪ Pursuant to Section 34 of the Resource Management Act 1991, the authority to hear and determine any applications for resource consent within the Council's jurisdiction in the Invercargill City District which require a Committee decision or a hearing except where Council resolves to appoint an independent commissioner or Commissioners to hear and determine an individual consent application ▪ Pursuant to the Dog Control Act 1996 and Section 22 (Probationary Owners); Section 25 and 26(Disqualify Owners); Section 31 (Dangerous Dogs); Section 33B, 33C and 33D (Menacing Dogs); Section 71 (Retention of Dogs Threatening Public Safety); Section 55 (Barking Dogs) of that Act, the authority to hear and determine objections under the above sections; and ▪ Pursuant to the Gambling Act 2003 and the Council's "Board Venues" and "Class 4 Gambling Venues" policies, the authority to hear and determine applications for territorial authority consent

5.4.3 Invercargill District Licensing Committee

Type of Committee	Committee
Responsible to	The Alcohol and Regulatory Licencing Authority
Legislative Basis	Section 186 of Sales and Supply of Alcohol Act 2012 Committee constituted by Council as per Clause 30 (1) (a) Schedule 7 of the Local Government Act 2002 Committee delegated powers by Council as per Clause 32 Schedule 7 of the Local Government Act 2002
Membership	Four (4) Councillors (Chair and three members)
Quorum	A quorum is one member, the Chair, for unopposed applications or applications for temporary authorities and a quorum is three members for opposed applications
Frequency of Meetings	As required
Scope of Activities	The Invercargill District Licensing Committee is responsible for considering and determining license applications, renewals, variations, suspensions and cancellations in accordance with the Sale and Supply of Alcohol Act 2012. It is also responsible for considering and determining applications for temporary authority and conducting inquiries and making reports to the Alcohol Regulatory and Licensing Authority Under the Act
Delegations	To consider and determine applications made in accordance with the Sale and Supply of Alcohol Act 2012

5.4.4 Community Wellbeing Fund Committee

Type of Committee	Sub-committee
Responsible to	Performance, Policy and Partnership Committee
Legislative Basis	<p>Committee constituted by Council as per Clause 30 (1) (a) Schedule 7 of the Local Government Act 2002</p> <p>Committee delegated powers by Council as per Clause 32 Schedule 7 of the Local Government Act 2002</p>
Membership	<p>Five members to be elected representatives, with the Mayor also able to join in his role on all committees.</p> <p>Up to three additional members to be nominated from the community, via recognised community groups.</p> <p>Chair to be an elected member of Invercargill City Council.</p> <p>Membership will be determined in line with the Standing Orders of Council.</p>
Quorum	A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd. In either case, a majority of members present must be Invercargill City Councillors.
Frequency of Meetings	Every two months
Administration	The Strategy and Policy team will provide analysis of project applications and advice, and the Governance and Administration team will provide secretarial support.
Scope of Activities	<ul style="list-style-type: none"> ▪ Responsible for considering applications, determining and approving funding for projects promoting community wellbeing within the Invercargill City District. ▪ Responsible for considering applications, determining and approving funding for the applications in line with Council's Community Wellbeing Fund Framework.

5.4.5 Director Appointment Committee

Type of Committee	Committee
Responsible to	Council
Membership	<p>Four (4) members:</p> <ul style="list-style-type: none"> ▪ The current chair of ICHL or his/her nominee, and /or ▪ A member of the Institute of Chartered Accountants, and/or ▪ An employment specialist (who is a member of Institute of Directors), and/or ▪ A member of Institute of Directors <p>(Chair will be determined by the Committee)</p>
Quorum	A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd
Frequency of Meetings	As required
Scope of Activities	The Committee is responsible for recommending to Council candidates for directorships on the ICHL Board and the subsidiary companies of ICHL
Delegations	Nil

5.4.6 City Centre Heritage Steering Group

Type of Committee	Committee
Responsible to	Performance, Policy and Partnerships Committee
Membership	Four (4) Councillors
Quorum	A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd
Frequency of Meetings	Bi-monthly
Scope of Activities	The purpose of the group is to provide a coordinated approach to the support, promotion and preservation of built heritage within Invercargill City Centre
Delegations	To determine and decide allocations of City Centre Heritage Strategy-related funding and repainting funding, with an authorisation limit of \$50,000 per application

5.5 Joint Committees

Council may unite with any one or more local authorities or other public bodies in appointing a joint committee in accordance with Clause 30A Schedule 7 of the Local Government Act 2002.

Invercargill City Council and other local authorities within the region have formed a number of joint committees, with terms of reference to address the specific subject matters.

Any committee appointed will be considered to be both a Committee of Invercargill City 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 chairperson 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.

5.5.1 Joint Waste Advisory Group (WasteNet)

Type of Committee	Joint Committee
Subordinate to	Council
Legislative Basis	Joint Committees delegated powers by Council as per Schedule 7, Clause 30A, Local Government Act 2002
Membership	Membership of the joint Committee shall comprise of the following: <ul style="list-style-type: none"> ▪ Two Councillors, Invercargill City Council ▪ The Mayor and one Councillor, Southland District Council ▪ Two Councillors, Gore District Council
Quorum	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 local authority
Meetings	The Joint Committee will meet on an as required basis
Standing Orders	The current Standing Orders of the administering authority (Invercargill City Council) shall govern the conduct of the meetings
Administering Authority	The administering authority will be Invercargill City Council and will provide administrative support and leadership of the Joint Committee
Reporting	The Committee will report to each member authority
Delegations	<p>The functions and responsibilities of the Waste Management Advisory Group are to:</p> <ol style="list-style-type: none"> 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 2. Receive and approve financial monitoring reports as to the accounting between the WasteNet Councils in relation to the WasteNet activities 3. Report to each constituent WasteNet Council as to the WasteNet activities outcomes 4. Develop policies to ensure the smooth implementation and operation of the WasteNet activities 5. Provide a forum for: <ol style="list-style-type: none"> a) The exchange of views and information relevant to the management of waste for each of the WasteNet Council territories; 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; c) The identification of opportunities for joint waste management and minimisation initiatives 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 6. Receive reports and recommendations from the WMG and approve recommendations as permitted by each separate

	<p>WasteNet Council's delegations</p> <ol style="list-style-type: none"> 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 8. Make recommendations to the WasteNet Councils in relation to the following: <ol style="list-style-type: none"> a) The exit by the WasteNet Council from any or all of the services contracts; b) The inclusion of other territorial authorities into any of the services contracts or into WasteNet Southland 9. Make decisions generally (in accordance with each Council's delegations) in relation to the implementation of the WasteNet Southland Business Plan 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"> a) The portion of funding of general waste management and waste minimisation costs to be recovered through landfill charges; b) Landfill pricing for authorised users and requests from the landfill operator for approval of major industrial users 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"> a) The exercise of the WasteNet extension right pursuant to clause 2.5; b) The modification of the contract conditions in connection with exercise of the WasteNet extension right pursuant to clause 2.5; c) The allocation of the contract price payable under the contract as between the WasteNet Councils; d) The apportionment of the revenue share payment received by the WasteNet Councils under the contract 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: <ol style="list-style-type: none"> a) The exercise of the WasteNet Extension Right pursuant to clause 2.3; b) The modification of the contract conditions in connection with exercise of the WasteNet extension right pursuant to clause 2.3 13. Exercise such powers or functions as shall be delegated to the WAG by the WasteNet Councils (either together or separately) 14. Carry out such other functions and responsibilities as the WasteNet Councils shall agree shall be functions and responsibilities of the WAG
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5.5.2 Regional Heritage and Museums Joint Committee (Southland Regional Heritage Committee)

Type of Committee	Joint Committee
Subordinate to	Council
Legislative Basis	Joint Committees delegated powers by Council as per Schedule 7, Clause 30A, Local Government Act 2002
Membership	<p>Membership of the joint Committee shall comprise of the following:</p> <ul style="list-style-type: none"> ▪ Two Councillors, Invercargill City Council ▪ Two Councillors, Southland District Council ▪ Two Councillors, Gore District Council ▪ One iwi representative may be appointed by the Committee <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>
Quorum	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 local authority
Meetings	The Joint Committee will meet on an as required basis
Standing Orders	The current Standing Orders of the administering authority (Invercargill City Council) shall govern the conduct of the meetings
Administering Authority	The administering authority will be Invercargill City Council and will provide administrative support and leadership of the Joint Committee
Reporting	The Committee will report to each member authority
Delegations	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

Note: Regional Heritage and Museums Joint Committee is the name mentioned in the Mayor's Report to Inaugural Council on 29 October 2019. However, now this committee also called as Southland Regional Heritage Committee.

5.6 Bluff Community Board

Pursuant to Clause 32 of Schedule 7 of the Local Government Act 2002, Council delegates the responsibilities, duties and powers listed below to community boards to exercise within their communities.

Any decision by the Bluff 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 Bluff Community Board exercises their delegations in respect of local activities. For District activities which are the responsibility of Council, Community Board will have the power to review and make recommendations to Council on the levels of services on the understanding that Council will be operating on a district-wide minimum levels of service.

Type of Committee	Community Board
Responsible to	Council
Membership	Five (5) members elected by the local authority triennial elections and a member appointed by the Council. (Chair, Deputy Chair, three (3) members and a member appointed by Council) There is an advisory role to the Bluff Community Board for Te Rūnanga o Awarua.
Quorum	A quorum shall be half of the members (including vacancies) if the number of members is even, and a majority (including vacancies) if the number of members is odd
Frequency of Meetings	Every six weeks
Key Functions	<ul style="list-style-type: none"> ▪ To promote the social, economic, environmental and cultural well-being of local communities and in doing so contribute to the realisation of Council's vision of one District offering endless opportunities ▪ To provide leadership to local communities on the strategic issues and opportunities that they face ▪ To be advocates and representatives for their local community and in doing so ensure that Council and other agencies have a clear understanding of local needs and aspirations ▪ To be decision-makers on issues that are delegated to the Board by Invercargill City Council ▪ To develop relationships and communicate with key community organisations, special interest groups, residents and business within the community organisations, special interest groups, residents and business within the community ▪ To maintain an overview of the services Council delivers to its communities and assess the extent to which these services meet community needs ▪ To recommend the settings of levels and budgets for local activities
Delegations	The Bluff Community Board has the authority to exercise any of the powers granted to the Council, with the exceptions of: <ul style="list-style-type: none"> ▪ Those powers specially excluded by the law ▪ Those powers delegated to Officers by Council

	<ul style="list-style-type: none"> ▪ Those powers which would by the exercise of those powers, have an effect beyond the community of the Community Board Involved ▪ Resource consent applications ▪ Those matters specifically delegated to the Standing Committees of Council
Limits to Delegations	<ul style="list-style-type: none"> ▪ No financial or decision making delegations other than those specifically delegated by Council ▪ The Community Board shall not expand funding on purposes for which that funding was originally raised and in accordance with the budgets approved by Council through its Long Term Plan / Annual Plan ▪ In accordance with the provisions with section 39(2) of Schedule 7 of the Local Government Act the Board may not incur expenditure in excess of the approved budget
Contact with Media	Responsibility of Chair only

6. Financial Delegations

6.1 Introduction

This policy applies to all procurement and expenditure of Invercargill City Council.

6.1.1 Delegation Process

Ultimate authority for the conduct of business by and within Invercargill City Council rests with the Council. The Council delegated authority, within certain prescribed parameters to the Chief Executive so as to facilitate and encourage effective and efficient management of the Council. In turn, the Chief Executive delegated aspects of her authority to the members of Senior Management.

6.1.2 Delegation to Others

Delegated authority cannot be passed on to others or changed in any way, unless it is able to be authorised as noted under the “Delegation Possible?” column in the tables within sections 6.2 to 6.5 of this policy. Authority delegated to others must be temporary and must specify the period for which the delegation is to apply. The delegation must be recorded on the purpose of audit.

This delegation of authority does not amount to the delegation of responsibility.

6.1.3 Consultation with Others

Even if an employee has apparent authority, it is often prudent to consult with your manager to ensure the best decision is made.

6.1.4 Conflict

If there is any possible conflict with Council policy, dispute, appearance of impropriety or conflict of interest, it is also necessary to consult with your manager prior to action being taken. Behaviour is governed by the Employee Handbook and Code of Conduct found on the intranet.

6.1.5 Fiscal Prudence

A manager must operate within the constraints of the budget and managers must be prepared to account for and explain any expenditure incurred.

6.1.6 Variations

Where any final invoice from a creditor varies by more than 10% of the approved commitment, the invoice must be authorised by a staff member with appropriate authority to approve the new total value of the invoice.

6.1.7 Policy Review

This policy will be reviewed on an annual basis by the Group Manager - Finance and Assurance.

6.1.8. Related Documents

The delegations will be subject to a range of policies which cover how staff can procure services, which are currently under development.

6.1.9 GST

All figures in the tables below are GST exclusive.

6.2 Expenditure

Expenditure commitment is the point where staff will incur a liability on the company, for example, the issue of a Purchase Order to a supplier. Where a Purchase Order has not been issued, the approval will be given prior to payment of the invoice. Staff have the authority to incur all necessary expenditure for achieving business goals provided they have pre-approval (refer Section 6.2), consideration has been given to the budget, and is within the limits shown below. Refer to Purchasing Policy for methods of purchase (expenditure commitment).

6.2.1 Capital Expenditure

Capital expenditure is for an item that is not an operating expense. It includes renewals, level of service capital and growth capital work. Capital work is included in the LTP and Annual Plans and all capital expenses must reference back to the Annual Plan adopted by Council. It is important to note that the adoption of the Annual Plan, or the LTP does not authorise the expenditure to be incurred. The Plan makes funding provision for the work and authorisation for spending is within delegations.

This policy includes a concept of “pre-approval”. Pre-approval is authorisation from the appropriate delegation level for the spending to be committed. Pre-approval needs to be obtained prior to the procurement process commencing.

Committee Financial Delegations

For ease of reference the following table is provided to clearly set out the specific financial delegations of the Council Committees that have them.

Financial Delegations of the Committees	
Performance, Policy and Partnerships Committee	Approve expenditure above authority delegated to the Chief Executive Approve expenditure not provided in Long Term Plan or Annual Plan
Infrastructural Services Committee	Approve expenditure above authority delegated to the Chief Executive Approve expenditure not provided in Long Term Plan or Annual Plan
City Centre Heritage Steering Group	\$50,000 per application

Item	Chief Executive	Group Managers	Other CE Direct Reports	Tier3 Manager/ Cost Centre Managers	Cost Centre Manager Reports	Delegation Possible?	Notes
PRE-APPROVAL							
Budget and AMP Expenditure	\$2,000,000	\$500,000	\$10,000	No authority	No authority	No	Approvals over \$500,000 and are not budgeted are to be detailed in the Quarterly Management Report to PPP
It Software & Hardware, Mobile Phones & Motor Vehicles ¹		Information Services standard issue only (like for like basis)	No authority	No authority	No authority	No	
Expenditure not in budget and AMP		\$200,000	\$10,000	\$2,000	No authority	No authority	
COMMITMENT AND PAYMENT							
Contract Acceptance for Approved Capital Projects	Unlimited All items over \$500,000 reported to the Council	\$500,000	\$100,000	No authority	No authority	No	Pre-approval required. Refer Purchasing Policy. Approvals reported in Quarterly Management report
Capital Expenditure ² including Purchase Orders	\$2,000,000	\$100,000	\$50,000	\$20,000	\$10,000	Yes with written approval by CE	
Progress Payments for Approved Contracts	Unlimited	Unlimited	\$1,000,000	Up to \$500,000	No authority	Yes with written approval by CE	Authority to approve payments subject to the contract terms where satisfied that the services have been delivered. Dual signature requirements will remain
Contract Variations for Approved Projects ³	\$500,000	\$200,000	\$20,000	No authority	No authority	No	

¹ This applies to all NEW requirements for Information Services & Phone equipment. Replacement equipment for existing roles is to be approved by the GM.

² The Delegated Authority for individual staff members is managed within the Purchasing Requisition System (PRS).

³ Contract variations that exceed the original contract approval require re-approval. Contract variations that exceed the original capex request by the lesser of 10% of the project value or \$100,000 requires further approval by the original approver and therefore section 6.1 applies.

6.2.2 Operational Expenditure (OPEX)

Item	Chief Executive	Group Managers	Other CE Direct Reports	Tier3 Manager/ Cost Centre Managers	Cost Centre Manager Reports	Delegation Possible?	Notes
PRE-APPROVAL							
Hiring of Professional Advisors/ Consultants	Unlimited within the annual budget	\$50,000	\$10,000	No authority	No authority	No	
Training, Conferences and Courses	Unlimited within the annual budget	3 day, single attendance in New Zealand up to a value of \$5,000 ⁴ . No employee to authorise their own	3 day, single attendance in New Zealand up to a value of \$2,500. No employee to authorise their own	1 day, single attendance up to a value of \$1,000. No employee to authorise their own	No authority	No	Papers to be published or given at a Conference must be approved by the CE. All attendees must be notified to People and Capability
Travel	Unlimited within the annual budget	Within budget limits. No employee to authorise their own.	Within budget limits. No employee to authorise their own.	Within budget limits. No employee to authorise their own travel	No authority	No	
- Domestic ⁵							
- Overseas	Unlimited within the annual budget	No authority	No authority	No authority	No authority	No	All requests by memorandum justification to the CE
COMMITMENT AND PAYMENT							
Operating Expenditure ⁴ including Purchase Orders	Unlimited within the annual budget	\$100,000 Refer 6.3.1 for exceptions	\$50,000 Refer 6.3.1 for exceptions	\$20,000 Refer 6.3.1 for exceptions	\$10,000 Refer 6.3.1 for exceptions	Yes with written approval by CE	Refer Purchasing Policy. Approvals reporting in Quarterly Management Report
Establishing Expenditure Construction & Supply Contracts	Unlimited within the annual budget	Up to \$2,000,000 and 36 months duration per contract	\$200,000	No authority	No authority	Yes with written approval by CE only	
Operating Leases or multi-year commitments	\$1,000,000	\$20,000 of annual value	\$10,000 of annual value	No authority	No authority	Yes with written approval by CE only	

⁴ Includes travel, accommodation and related expenses.

⁵ This applies to external booking of travel services only.

6.3 Commitment and Approvals for payment

6.3.1 Exceptions to Standard Delegated Authorities

The table below describes approved exceptions to the above general policy for operating expenditure commitments of a specific nature. Only the Chief Executive may approve changes to these exceptions.

Position Description	Business Group	Delegated Authority	Commitment Type
Group Manager - Finance and Assurance	Finance	NB: value limit deleted	FBT, GST, Income tax, Insurance, Payment of Interest, and repayment of loans, Payroll, PAYE, ACC
Manager - People and Capability	Chief Executive Office	NB: value limit deleted	Payroll, PAYE, ACC

The Group Manager – Finance and Assurance is delegated to undertake the necessary entries to reflect revenue appropriately when parking infringements are passed to the Courts.

6.4 Other Financial commitments

Other financial transactions and external agreements that impact the liabilities of the company.

6.4.1 Capital Expenditure

Item	Chief Executive	Group Managers	Other CE Direct Reports	Tier3 Manager/ Cost Centre Managers	Cost Centre Manager Reports	Delegation Possible?	Notes
Single Item Asset Sales or Write-Off - if budgeted	\$100,000 NBV ⁶	\$10,000 NBV	\$5,000 NBV	No authority	No authority	No	

6.4.2 Operating Expenditure

Item	Chief Executive	Group Managers	Other CE Direct Reports	Tier3 Manager/ Cost Centre Managers	Cost Centre Manager Reports	Delegation Possible?	Notes
Bad Debt Write-Off or Credit Notes to settle Claims	Unlimited within the annual budget	Up to \$5,000 (Also to be signed by GM Finance and Assurance)	No authority	No authority	No authority	No	
Employee Expense Claims	Unlimited within the annual budget	Up to \$1,000, no employee can authorise their own	Up to \$200, no employee can authorise their own	\$100, no employee can authorise their own	No authority	No	

⁶ NBV = Net Book Value.

6.5 General Delegations

6.5.1 Staff Establishment, Employment, Compensation and Benefits

Item	Chief Executive	Group Managers	Other CE Direct Reports	Tier3 Manager/ Cost Centre Managers	Delegation Possible?	Notes
Approve structure changes, including changes in reporting lines, job size, and job titles	Unlimited within the overall annual budget. ⁷	No authority	No authority	No authority	No	Appropriate documents to People and Capability
Approve Employment of Additional Permanent Staff, Making Staff Redundant	Unlimited within the overall annual budget. ⁷	No authority	No authority	No authority	No	
Replacing Staff (same job, same grade and on standard contract and within budget)	Unlimited within the overall annual budget. ⁷	Unlimited but direct reports requires Chief Executive approval required		No authority	No	Appropriate documents to People and Capability
Employment of Temporary staff	Unlimited within the overall annual budget.	Within budgeted limits Report to the Chief Executive in monthly report Jointly approved by People and Capability	Jointly approved by People and Capability		No	Details are to be included in the Quarterly Management Report
Temporary contractors from employment agencies or independent contractors	Unlimited within the overall annual budget	Up to three months Report to the Chief Executive in monthly report	Up to three months Report to the Chief Executive in monthly report	Up to one week Report to the Chief Executive in monthly report	No	Appropriate documents to People and Capability
Salary increases or other changes in benefits	Unlimited within the overall annual budget	No authority	No authority	No authority	No	
Wage increases or other changes in benefits.	Unlimited within the overall annual budget	No authority	No authority	No authority	No	

⁷ For Senior Management positions reporting directly to the Chief Executive, the Chief Executive will consult with the Chairman of the Board of Directors on all appointments and terminations.

6.5.2 Public Relations, Legal Commitments and Donations

Item	Chief Executive	Group Managers	Other CE Direct Reports	Tier3 Manager/ Cost Centre Managers	Delegation Possible?	Notes
Advertising	Unlimited within the overall annual budget.	Yes, within the limit of \$10,000 per advertisement	Yes, within the limit of \$5,000 per advertisement	Yes, within the limit of \$1,000 per advertisement	Yes for recurrent advertisements	
Expenditure for Media Releases, Press Interviews, or Comments	Unlimited	No authority	Manager – Strategic Communications only	No authority	Yes by Chief Executive only	
Designations, Planning Requests, objections, submissions to Local, National or Regional Regulatory Agencies	Unlimited	Group Manager – Customer and Environment	No authority	No authority except Manager - Planning and Building r for local submissions only	Yes by Chief Executive only	Details are to be included in the Quarterly Management Report
Court Action	Unlimited	No authority	No authority	No authority	No	Details are to be included in the Quarterly Management Report
Settlement of Disputes whether by payment, credit, apology, carrying out work or otherwise	Unlimited within the overall annual budget.	\$10,000	\$5,000	No authority	No	Details are to be included in the Quarterly Management Report
Loans to Employees	As appropriate	No authority	No authority	No authority	No	Details are to be included in the Quarterly Management Report
Donations/ Sponsorship	Unlimited within the overall annual budget, except no donations to political parties	Contra Sponsorship allowed once valued and approval is at Group Manager level	No authority except Manager – Strategic Communications up to a value of \$10,000.	No authority	No	

7. Statutory Delegations

7.1 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 Delegation Register 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 bylaw can be.

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

7.2 Delegations to Council Committees

Council Committees have the delegated authority to make policy and financial decisions within the limits of relevant legislation. Specific delegations are contained in governance terms of reference section.

7.3 Delegations to the Chief Executive

This section sets out the delegations to the Chief Executive.

7.3.1 Legislation and Regulations

The Chief Executive has delegated authority for all powers, duties and responsibilities conferred by Acts and Regulations. This includes, but not limited to, the list below. This authority specifically excludes the power to adopt plans, strategies, policies or bylaw; See section 8 below for sub delegations for these Acts and Regulations from the Chief Executive to Officers.

7.3.2 Bylaws

The Chief Executive has the delegated authority for all powers, duties and functions of all Council adopted bylaws. This includes, but is not limited to, the following. See section 8 below for sub delegations for these bylaws from the Chief Executive to Officers.

7.3.3 Warrants

The Chief Executive has been delegated authority to issue warrants to Council Officers under all relevant legislation, as per Schedule 7 Clause 32A of the Local Government Act 2002.