

GISBORNE DISTRICT COUNCIL DELEGATIONS MANUAL



February 2009



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Rules of "Acting":

When a person is "Acting" they have the authority of the person being acted for, unless specific limitations are supplied in writing at the time the acting commences.

Document Management:

The Chief Executive has Council approval to record any delegation reassignments to officers that arise from structural or position changes within the organisation, provided that the other terms of the delegation are not changed.

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Adopted by Council on 26 February 2009

Introduction

1.1 Glossary

a. Corporate Management Team

The Corporate Management Team comprises the Chief Executive and four senior managers -Manager: Corporate Affairs, Manager: Engineering and Works and Manager: Environment and Planning and Manager Community Planning and Development. The role and purpose of the Corporate Management Team is set out in its terms of reference.

b. Manager

- i. A member of the Corporate Management Team other than the Chief Executive.
- ii. A senior member of staff with portfolio responsibility over a significant area of Council's business.

c. Activity

The particular branch of the Council's functions (e.g. water, sewerage, library) as opposed to the particular accounts which comprise that activity.

d. Activity Manager

Officers nominated by the Corporate Management Team to assume responsibility for particular activities within the Council's functions so as to ensure agreed works are completed and the budget is not overspent.

1.2 The place of the delegation manual

1.2.1 This Delegation Manual has been adopted by the Gisborne District Council to ensure that authority and responsibility exists for the efficient and effective conduct of Council business.

1.2.2 There are three types of delegation:

- Statutory delegations: This is where a power, identified in statute, has been delegated by that statute to local Councils. In many cases it is appropriate for the Council to itself delegate that power to specific officers.
- Delegations of contractual authority: These are the delegations whereby individual officers are given authority to enter into contracts on behalf of Council, subject to specific constraints.
- Administrative delegations: These are the powers which are exercised on a routine basis within the corporate body e.g. approving of staff leave, etc.

1.2.3 In the past our delegation manuals have covered statutory delegations, and delegations of contractual authority. They have not covered administrative delegations because these are generally made at a lower level and do not need specific Council approval. This manual is limited to statutory delegations and delegations of contractual authority, as before.

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- 1.2.4 Insofar as delegations of contractual authority are concerned, this manual is formatted more or less the same as previous manuals, though some of the actual figures have been increased or decreased according to circumstances.
- 1.2.5 Insofar as its treatment of Statutory Delegations is concerned, this manual is significantly different from previous manuals. Previous manuals have provided for blanket delegated powers to groups of officers as defined by their collective designated position in the organisation, as is still the case with Contractual Authorities. This manual signals the phasing out of this approach. While it still includes some blanket delegations to take account of updated legislation, it also introduces a totally new process which will, over the next year or two, supersede the blanket delegations.
- 1.2.6 The new process will provide for delegations of specific powers to individual officers generally by name, though many will be by position. Every delegation will require an application form to be completed by a senior member of staff in respect of the specific subordinate to whom the power is to be delegated. Each of these applications will be evaluated, and if appropriate the actual delegation will be drafted by a competent person, and individually approved by Council or Chief Executive as required by the relevant Statute. A similar process

will be used to avert any delegation when, for whatever reason, it is necessary to withdraw a delegated power. All these approved application forms will collectively form the Statutory Delegation Register, and an electronic version will be available which will summarise all delegated statutory powers at any point in time.

- 1.2.7 This Manual should therefore not be considered comprehensive and should be read in conjunction with the Statutory Delegation Register.

1.3 The philosophy of the Council

- 1.3.1 The Gisborne District Council believes that it is essential, in the interests of good management and effective administration, to encourage a delegation of decision making to the lowest competent level.
- 1.3.2 Authority and responsibility are inseparable. Those with 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 should not however remove from the Council Chief Executive and "Managers" ultimate accountability for the affairs of this Council.
- 1.3.3 People who have delegated authority should willingly accept authority and responsibility for decision making in the certain knowledge that their decisions,



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if made in a full, fair and objective manner, will not be reviewed lightly.

1.3.4 It is the Council's role under the Local Government Act 2002 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 future. The Council does this through consultation, planning, decision-making and accountability. In order to efficiently perform its duties and obligations delegations from Council to committees, the Chief Executive and Officers are essential.

1.3.5 A necessary consequence of delegation is the need for clear reporting. The Gisborne District Council adheres to the concept of exception reporting. This means that when the Council makes a decision, it expects the decision to be implemented without further reporting. Only if the target is not met, i.e. an exception occurs, should further reporting be necessary.

1.3.6 Finally, the level of delegation is symptomatic of the health and well-being of the Council. Without it, and the mutual trust and respect which should exist between members of the Council and its officers, the effectiveness and efficiency of the organisation must be at risk.

1.3.7 When exercising those delegations which may involve cultural matters of importance to Maori, officers should first seek in writing advice from the Chief Executive and/or the Maori Liaison Officer.

1.4 General and specific delegations

1.4.1 In this Manual, and the associated registers, a general delegation implies the granting of authority to determine a range of matters of a similar kind as and when they arise over a period of time without further reference to the delegator.

1.4.2 From time to time the Council may delegate authority to determine a specific issue and this authority will exist only so long as that matter is unresolved and will then lapse.

Such a specific delegation could occur outside the normal financial limits for tender acceptance or in any other area where the Council has confidence the correct decision will arise.

1.4.3 This Manual will be updated for general delegations as they are granted, but not those of a specific nature which will be largely historical by the time they are recorded.

1.5 The meaning of delegation

1.5.1 Delegation in this Manual and the associated registers, means the assignment of a duty or power of action to another together with the authority to carry

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out that duty or complete the action assigned with responsibility for the outcome.

- 1.5.2 A power merely to consider a proposal is not delegation and is not therefore generally included in this Manual. It is assumed that all committees, sub-committees and officers have authority to consider any matter within their jurisdiction and submit a report or recommendation to a higher authority unless that is prohibited by law.

1.6 What may be delegated

1.6.1 The Council itself, in a sense, is a delegatee in that its functions, powers and duties derive from Parliament through empowering legislation under which legislative, judicial and administrative authority is granted to the Council.

1.6.2 The Council is a body corporate and, for the purposes of performing its role, has full capacity to carry on or undertake any activity or business, do any act, or enter into any transaction.

1.7 The characteristics of delegation

It is important to understand the following characteristics of delegation:

- a. The delegator does not lose the functions, power or duty by delegation and may exercise this concurrently with the delegatee.

- b. It is implicit that a delegation may be revoked at any time without notice.
- c. The delegatee is acting in his or her own name on behalf of the Council when exercising delegated authority.
- d. A local authority may not rescind or amend a decision made by a committee pursuant to a delegation authorising the making of the decision. (Schedule 7 Clause 30 of the Local Government Act 2002).

1.8 Care In defining authority

1.8.1 The law recognises, in certain circumstances, the right of individuals acting in good faith in reliance of the apparent authority of a delegatee to enforce a decision of a delegatee, whether or not the delegatee in fact had the authority claimed.

1.8.2 Accuracy and precision should always be a feature when defining the scope and limitations of any delegated authority in order to protect the interests of the Council, the delegatee and any interested third party.

1.9 Statutory authority

1.9.1 The delegations contained in this Manual are made in accordance with the Local Government Act 2002 as amended and any other statutory authority permitting delegation.



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1.9.2 In accordance with Section 39(c), a local authority should ensure that responsibility and processes for decision-making in relation to regulatory responsibilities is separated from those of non-regulatory responsibilities. The Management Structure should also reflect this separation.

2.1 Code of practice

2.1.1 Council as a District Council with the powers, duties and functions of both a Territorial Authority and a Regional Authority, faces a greater challenge than most other Councils in practicably meeting the requirements of Section 39(c) of the Local Government Act 2002. In particular the Gisborne District Council needs to make strenuous efforts to ensure that it separates its regulatory functions from its other functions in a clear and appropriate manner.

2.1.2 The Gisborne District Council has structured its organisation and, at the elected level its Committees, in accordance with the separation requirement.

2.1.3 However, the Gisborne District Council believes it is **not** practicable to entrench the separation of Committees by delegating to them total **authority to act** in making policy on all matters which come within their scope.

This principle has been tried and has been found to be clearly impracticable as it undermines Council responsibility for the total activities of the body corporate.

2.1.4 The Gisborne District Council further recognises that its structure does not need to reflect internally the governmental structure that exists throughout the rest of the country.

The Council therefore **will** make policy decisions in determining outcomes sought, which will reflect its total circumstances whether regarded in terms of service-delivery or regulation.

2.1.5 Such decisions will only be made at the policy level and will be made clearly and transparently in accordance with separate streams of advice from within the organisation. They will **not** be concerned with the mechanics of subsequent statutory process. A policy decision having been taken on a regulatory matter which impinges upon the Council as a deliverer of services will be adhered to by the Council in common with all other affected bodies.

2.1.6 Because of the Gisborne District Council's unique position the Council will, wherever it is making application to itself or wherever one arm of the organisation is providing input to another within the terms of a particular statutory process, ensure that subject to Schedule 7 31(4)(a) of the Local

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Government Act 2002 the hearing committee comprises complete or majority representation from outside the Council preferably with a suitably qualified independent Chairperson.

- 2.1.7 To further preserve the integrity of statutory process within a unitary authority the Council's Hearings Committee will be a separate Committee appointed and reporting directly to Council. In general the Committee will have authority to determine matters coming before it although specific decisions in this regard may be made on a case by case basis at the time of establishing a Committee to hear particular matters.

2.2 Council Activities

- 2.2.1 For the purpose of this Manual the role of Council may be categorised as:-

a. Policy making

The determination of outcomes envisaged for particular Council activities together with the means to be used in achieving these outcomes.

b. Statutory decision making

The making of decisions required or allowed by statute to be undertaken by Council (including its

Committees) which are not in themselves policy decisions as defined above.

c. Decisions allowed by Statute

Decisions which may be delegated as appropriate.

d. Monitoring

Monitoring of particular Council activities including:

- Monitoring of progress towards the outcomes in the current LTCCP, against the measure and Performance Indicators specified in the LTCCP.
- Monitoring specific parameters, such as adherence to Treasury Policies, conformance with budget, and achievement of goals set from time to time by Council or Committee resolution.

e. Decision making

- All decisions made by Council, its Committees, or delegated to officers, must conform to the Decision Making Processes of Sections 76-81 of the Local Government Act 2002.
- This includes express consideration of options, the social, economic, environmental and cultural wellbeing, the

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Significance Policy and consistency with other policies.

- Where appropriate, officers must include consideration of Ss 76-81 in officers' reports which recommend a decision by Council or its Committees, including a discussion of the four wellbeings for each of the options proposed.
- If Council, or its Committees, wish to make a decision which is not one of the ones recommended in the officers' report, then Councillors are obliged to consider the four wellbeings for the option they are considering.
- Reports which are provided for information purposes only, and for which the only resolution made is "That the report be received", do not need to follow the decision-making process, as no decision is being made.

2.3 Delegation

2.3.1 Committees will have **authority to consider** all matters coming within their scope as stated in the Delegation Manual.

2.3.2 Committees will have the **authority to determine** only those matters within their scope coming within categories (b) (c) (d) and (e) in para 2.2.1.

2.3.3 The making of policy will be a matter for Council as a whole with policy matters to be raised either upon the recommendation of a Committee or referred directly to Council in the first instance when so agreed between the Chairperson of the relevant Committee(s) and the Mayor.

Alternatively any Committee on the motion of any member may resolve to refer any agenda item to full Council with or without recommendation as resolved at the time.

2.3.4 Any Committee, (other than the Hearings Committee) may, on the motion of any member, resolve to refer any agenda item to full Council with or without a recommendation of that Committee.

2.3.5 Unless expressly provided otherwise in the Local Government Act 2002, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except –

- a. the power to make a rate; or

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- b. the power to make a bylaw; or
- c. the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term council community plan; or
- d. the power to adopt a long-term council community plan, annual plan, or annual report; or
- e. the power to appoint a chief executive; or
- f. the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term council community plan or developed for the purpose of the local governance statement.

2.3.6 Unless specifically stated in the “Scope” or the “Delegation” of any of the Committees described in the following Clauses 2.4 to 2.15, no Committee has the authority to:

- Determine fees & charges;
- Enter into a contract otherwise than in accordance with Section 4 of the Public Bodies Contracts Act 1959 and Public Finance Act 1989.
- Appoint Council representatives on any body not specifically related to the responsibilities of that Committee;
- Exercise the powers or duties conferred or imposed on Council by the Public Works Act 1981;

- Approve expenditure where no provision is made in the LTCCP or the Annual Plan for that year (except see Section 3.4).
- Approve over-expenditure of any account.
- Adopt general policies.
- Initiate High Court proceedings.

Committees

2.4 Finance and Monitoring Committee

Rationale

The purpose of this committee is to overview the financial affairs and performance of the organisation. It will advise Council on the preparation of and performance against budget, Annual Plans, the LTCCP, Annual Reports and corporate and financial policies. The committee will provide an audit overview – internal as well as external. It will monitor risk management and the performance of Council’s strategic, investment and enterprise assets.

Scope

- To monitor all targets set by the LTCCP and the Chief Executive’s Performance Agreement.
- To have oversight of financial processes and monitor financial and non-financial trends.
- To receive quarterly summary financial reports for all aspects of Council’s business.
- To receive reports both from staff and Council’s external advisors on the identification and mitigation of financial risk.
- To consider the operational and financial effectiveness of Council’s CCOs, CCTOs, Business Units and Community Units, and make recommendations to Council if any change in service provision is indicated.

- To monitor risk within the organisation, both of a financial and a non-financial nature, and to recommend policies for the mitigation of risk.
- To decide all applications for rate remissions, postponements, and penalties, in accordance with policies published in the LTCCP, and any other financial policies which Council may choose to adopt from time to time.
- To recommend to Council the adoption or otherwise of Financial Policies.
- To have oversight of Council’s financial practices, including the sources of funds, banking arrangements, investment and debt criteria, future financial arrangements, and the like.
- To adopt a Service Charter, and to set standards of performance for Council’s interaction with the public, via the Customer Service unit, or any other unit that frequently provides direct interaction with the public.
- To commission and receive reports on benchmarking, organisational efficiency, and best practice procedures and methods for the internal operation of Council’s work groups.
- To recommend procedures and constraints concerning the operation of all types of reserve funds.
- To recommend financial delegations, or delegations concerning revenue, financial or rating policies, to

Committees



specific staff members, where legislation or policies specifically make provision for such policies.

The Committee shall:

- Receive three monthly financial overview reports and monitor income and expenditure trends.
- Research best practice in other councils and other relevant industries, and make recommendations where improvements can be identified.
- Set and review Levels of Customer Service as necessary.
- Initiate special audits, as well as internal audits, if and when these are indicated.
- Have oversight of the Budgeting Process and set financial objectives with respect to Council's funding proposals.
- Call for post-implementation analyses to ensure that specified returns on expenditure are achieved.
- Liaise directly with Council's Auditors to satisfy themselves that matters concerning probity or the exercising of sensitive expenditure policies are handled appropriately.
- Recommend the levels of Fees and Charges which are not set through the making of bylaws.

Delegations

- The committee may authorise major administrative contracts, such as the Valuation contract for the district

reevaluation, and may authorise variations in such contracts.

- The authorisation of any transactions which are in compliance with Council's LTCCP, Annual Plan, Treasury Policy or authorised contracts which are outside the delegated authority of (available) Council officers.
- The committee is delegated to decide on, and implement, all Council's delegations concerning remission of rates, imposition or remission of penalties etc as specified in the adopted Rates Remission Policies in the LTCCP.
- The committee may sub-delegate any of the delegations it has concerning Council's adopted Rates and Penalty Remission Policies.
- The committee may set fees and charges for Council services, provided these do not conflict with fee setting procedures of bylaws or the LTCCP process.

Collaborations

The committee will develop and maintain effective relations with other Council committees, central government and its departments, non-government organisations and other stakeholders to achieve its rationale and scope, and in particular:

- Council's internal and external Legal advisors
- Council's taxation advisors

Committees

- Specialists in the structuring of corporate or company structures
- Council's Auditors
- The Office of the Auditor-General
- The Office of the Valuer-General
- The Ombudsman
- The Privacy Commissioner
- Financial policymakers in Local Government NZ, Society of Local Government Managers, and other districts.

Membership

Nine (9) Councillors (including the Chairperson) plus His Worship the Mayor ex officio.

Quorum

Half of the members when the number is even and a majority when the membership is uneven.

Five (5)

2.5 Operations Committee

Rationale

The purpose of this committee is to provide governance overview of Council's operational activities and services to the community especially those that use infrastructural assets, utility services and public facilities. While the focus of the committee will be on engineering and works

programmes and projects, the committee will monitor and guide the operational performance of all external services against agreed levels of service and the use of funds. The committee may recommend to the council that it adopt policies and practices in the use and deployment of Council's assets and external service delivery.

Scope

All external services – other than regulatory services – delivered and activities provided by Council.

All the Council's physical assets including land, buildings, roads.

All infrastructure facilities within the activities including:

- District Land Transport
- Regional Development Roothing
- Non-subsidised Roothing
- Parking Facilities & Charges
- Rivers Control & Land Drainage
- River Flood Control schemes
- Urban Services
- Water Supply, Sewerage and Wastewater, Stormwater
- Solid Waste
- Reserves Asset Management
- Buildings & Property



Committees

- Plant, Vehicles & Radios
- Major Projects such as Wastewater Upgrade.

The Committee shall:

- Receive regular exception reports on each of the above activities.
- Receive three-monthly activity and financial management reports on services and activities.
- Review and set parking charges for metered or Pay & Display parking areas.
- Determine parking restrictions.
- Set and review Levels of Service as necessary with recommendations for change to Council.
- To finalise and adjust working programme priorities within agreed budgets and Activity Management Plans as per the Council's LTCCP.
- Review and determine (with recommendations to Council as necessary) the criteria for prioritisation of requests for seal extensions (non-subsidised), new footpath construction, or other relevant activity.
- Liaise with Council's Environment and Policy Committee on the promulgation of any bylaw that falls within this scope.

- Promote and recommend to Council policies and practices to ensure effective management of Council's assets and efficient service delivery.

Delegations

The committee has the authority to approve expenditure items that are provided for in the LTCCP or Annual Plan where the value of that expenditure exceeds that authority delegated to officers.

Collaborations

The committee will develop and maintain effective relations with other Council committees, government and its departments, NGOs and other Stakeholders to achieve its rationale and scope, and in particular:

- Transit NZ.
- NZ Police.
- Land Transport NZ.
- Ministry of Transport.
- On Track.
- Federated Farmers.
- NZ Forest Industry & Owners.
- Eastland Wood Council.
- Road User Organisations.
- Road Safety Organisations.



Committees

- Disability Strategy Reference Group.
- Maori and tangata whenua.

Membership

Eight (8) Councillors plus His Worship the Mayor ex officio.

Quorum

Half of the members when the number is even and a majority when the membership is uneven.

Four (4)

2.6 Environment and Policy Committee

Rationale

The purpose of this committee is to provide governance overview of Council's policy development activities in all areas with the exception of the LTCCP and Annual Plan development.

The area of responsibility includes formal policy and regulatory plans under the Resource Management Act, Biosecurity Act, Building Act, Dog Control Act, Health Act, Bylaws, Regulations and similar legislation under the Local Government Act 2002. It also includes non statutory policy plans such as community development plans, economic strategies and longer term urban development and township development plans. Policy and regulatory services, monitoring and delivery related to those Policies and Acts shall be a prime function of the committee.

Council's responses and submissions to plans and policy initiatives, as well as submissions to central government legislative initiatives, also form part of the area of responsibility.

The prime focus of the committee will be on environmental policies, regulations and projects.

Scope

- All policy initiatives promoted by Council, with the exception of the LTCCP and Annual Plans.
- Responses by Council to government legislation.
- Responses by Council to policy initiatives by other organisations.
- Resource Management policy.
- Building inspection policies.
- Biosecurity policies.
- Reserve management plans and policies.
- Animal control policies.
- Environmental health policies.
- Rural fire policies.
- Liquor licensing policies.
- Bylaws.



Committees

Tasks

- To finalise and adjust working programme priorities within agreed budgets and activity management plans as per the Council's LTCCP.
- Recommend to Council to adopt policies.
- Recommend to Council to prepare and change Council's RMA plans as per Part I of the First Schedule of the RMA 1991.
- Liaise with Council's Operations Committee on the monitoring of economic, environmental, social and cultural wellbeings and to collaborate with this committee as required on the amendments of Council's policies.
- The monitoring of policy implementation and delivery of regulatory services relating to these Acts shall be a primary function of the committee.

Delegations

The committee has the authority to approve expenditure items that are provided for in the LTCCP or Annual Plan where the value of that expenditure exceeds that authority delegated to officers.

Collaborations

The committee will develop and maintain effective relations with other Council committees, government and its departments, NGOs and other stakeholders to achieve its rationale and scope and in particular:

- Community groups
- Business groups
- Environmental groups
- Government departments
- Maori and tangata whenua.

Membership

Six (6) Councillors plus the Mayor ex officio.

Quorum

Half of the members when the number is even and a majority when the membership is uneven.

Three (3).

2.7 Community Development Committee

Rationale

The purpose of this committee is to provide the governance overview and monitoring of the Council's programmes that have some relevant aspect of the community's social, cultural or economic wellbeing as their focus. The committee will provide an interface between the Council, government agencies, organizations, groups and individuals in the community that have a role in contributing to community wellbeing in these areas. The committee may recommend to the Council that it adopt policies and practices to achieve these ends. Major policy initiatives will

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be referred by Council to the Environment and Policy Committee to ensure alignment and integration.

Scope

- Take a district wide or local approach to issues.
- Contribute to community wellbeing through activity, participation and promotion.
- Encourage and facilitate investment in community programmes for passive and active recreation.
- Facilitate the provision of necessary community facilities for health, recreation, culture, the arts and learning.
- Support community groups and providers with their initiatives through mentoring, training and personal growth programmes.
- Be a conduit for central government funding for district and local programmes.
- Promote and facilitate community and cultural events throughout the district.
- Promote and facilitate community exchanges including international relations through Sister Cities.
- Report on new community, recreational, art and cultural opportunities.
- Monitor and advise Council on issues such as community health, housing, education, youth, aged and training programmes.

- Consider regional marketing, promotion and economic development, tourism promotion and sustainable iconic events.
- Review information on the district's economy.
- Encourage and facilitate investment in the district by new and existing businesses.
- Focus on increasing employment, higher incomes and quality of life across the district.
- Facilitate the provision of necessary infrastructure for industry, resources skills training and diversity of investment interest and opportunities.
- Promote and support business through mentoring, training and growth programmes.
- Recommend policies and programmes to Council to achieve these ends.

Delegations

The committee has the authority to approve expenditure items that are provided for in the LTCCP or Annual Plan where the value of that expenditure exceeds that authority delegated to officers.

Collaborations

The committee will develop and maintain effective relations with other Council committees, government and its departments, social, health, education and training funders



Committees

and providers in order to achieve its rationale and scope, including centrally with government and in particular:

- Ministry of Social Development
- Trade and Enterprise NZ
- Te Puni Kokiri
- Housing NZ
- Ministry of Health
- Ministry of Justice
- NZ Police
- Tourism NZ
- Creative NZ
- SPARC.

The committee will collaborate and work with local organizations, including:

- Chamber of Commerce
- Eastland Energy Community Trust
- Tourism Eastland
- Heart of Gisborne
- Embassies and High Commissions
- GISCOSS
- Tairāwhiti Polytechnic

- Tairāwhiti Museum and Art Gallery
- Tairāwhiti Health Board, Turanga Health and Ngati Porou Hauora
- Sport Gisborne Tairāwhiti
- Tairāwhiti Youth Workers Council
- Grey Power
- Church groups
- Maori and tangata whenua
- City Safe
- Tairāwhiti Development Partnership
- Gisborne Sister Cities Committee
- Creative Tairāwhiti.

Membership

Six (6) Councillors plus His Worship the Mayor ex officio.

Quorum

Half of the members when the number is even and a majority when the membership is uneven.

Three (3).

Committees



2.8 Civil Defence & Emergency Management Committee

Rationale

The purpose of this committee is to ensure that appropriate emergency management as detailed in the Civil Defence Emergency Management Act 2002 (The Act) is carried out within the Gisborne district. The Civil Defence & Emergency Management (CDEM) Group provides governance and general oversight of the activities required to be undertaken on its behalf by the Act. The Group comprises the whole of Council and conducts Group business during normal Council meetings. To assist the CDEM Group to achieve its responsibilities a Co-ordinating Executive Group (CEG) has been formed to advise the Group, implement its decisions and oversee the Group Plan. CEG comprises of senior officers from Council and the organisations providing emergency and essential services as defined in the Act. It is chaired by the Council Chief Executive.

Scope

The Gisborne CDEM Group is required by the Act to:

- a. In relation to relevant hazards and risks:
 - Identify, assess, and manage those hazards and risks
 - Consult and communicate about risks
 - Identify and implement cost-effective risk reduction.
- b. Take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or to

otherwise make available suitably trained and competent personnel (including volunteers), and an appropriate organisational structure for those personnel, for effective civil defence emergency management in its area.

- c. Take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or otherwise to make available material, services, information and any other resources for effective Civil Defence Emergency Management in its area.
- d. Respond to and manage the adverse effects of emergencies in its area.
- e. Carry out recovery activities.
- f. When requested, assist other Groups in the implementation of Civil Defence Emergency Management in their areas, having regard to the competing Civil Defence Emergency Management demands within the Group's own area and any other requests for assistance from other groups.
- g. Within its area, promote and raise public awareness of, and compliance with, this Act and legislative provisions relevant to the purpose of this Act.
- h. Monitor and report on compliance within its area with this Act and legislative provisions relevant to the purpose of this Act.



Committees

- i. Develop, approve, implement and monitor a Civil Defence Emergency Management Group Plan and regularly review the Plan.
- j. Participate in the development of the National Civil Defence Emergency Management Strategy and the National Civil Defence Emergency Management Plan.
- k. Promote Civil Defence Emergency Management in its area that is consistent with the purpose of this Act.

Delegations

The Group has delegated authority to approve expenditure items that are provided for in the LTCCP or Annual Plan where the value of expenditure exceeds that authority delegated to officers.

Collaborations

Through CEG and the Emergency Management Office relationships must be formed and maintained with a wide range of agencies and organisations, comprising but not limited to:

- Central Government agencies both locally and national
- Emergency Services
- Non-Government Organisations
- Utility companies
- Maori and tangata whenua
- Media

- Community Groups.

Membership

Full Council, Mayor as Chairperson

Quorum

Half of the members when the number is even and a majority when the membership is uneven.

Eight (8).

2.9 Regional Land Transport Committee

Rationale

The purpose of this committee is to provide governance overview of Regional Land Transport.

The committee has responsibility for the development, monitoring and review of the district-wide Regional Land Transport Strategy, together with the overview of regional and land transport proposals in the Regional Land Transport Programme. It is a requirement under the Land Transport Act 1998 and the Transport Management Act 2003 that every regional council establish a land transport committee.

Scope

The Regional Land Transport Committee has responsibility for:

- Facilitating the overall aim of achieving an integrated safe, responsive and sustainable land transport system in

Committees



the region that satisfies as far as practicable the objectives of the Land Transport Management Act 2003

- Facilitating the objectives of economic development, safety and personal security, public health, access and mobility, and environmental sustainability
- Preparing, monitoring and reporting of the Regional Land Transport Strategy and the overview, prioritising and monitoring of the Regional Land Transport Programme subject to recommendations to the Operations Committee or Council, as appropriate
- Co-ordinating applications for regionally distributed funding.

Delegations

The committee has no delegations. The meeting be scheduled independently from the Operations Committee.

Collaborations

The committee will develop and maintain effective relations with other Council committees, government and its departments NGOs and other stakeholders to achieve its rationale and scope, and in particular:

- The Operations Committee
- Land Transport Safety Authority
- Land Transport NZ
- Transit NZ

- Tairāwhiti District Health Board
- Automobile Association
- Poverty Bay & East Coast Road Transport Association
- NZ Police
- Eastland Wood Council
- Federated Farmers
- On Track
- Road Safety Groups
- Disability Reference Group
- Māori and tangata whenua.

Membership

Membership appointed to the committee shall be:

Council Representatives

Six (6) Councillors plus Mayor ex officio; being four (4) members of the Operations Committee representing the infrastructural interest and two (2) members of the Environment and Policy Committee representing the regulatory interest.

Non-Council Representatives

Persons to represent the objectives of economic development, safety and personal security, public health, access and mobility, and environmental sustainability. These people must be from the wider regional community and



Committees

must not be a representative of Council. One representative each from

- Transit New Zealand
- Tairāwhiti District Health Board
- Poverty Bay and East Coast Road Transport Association
- NZ Police
- Eastland Wood Council
- On Track
- Non-councillor member of Gisborne District Council Disabilities Working Party, and
- Cultural interests, representative(s) from Te Runanga o Turanganui a Kiwa and Te Runanga o Ngāti Porou
- The Authority (Land Transport New Zealand), one representative
- Standing invitations to representatives of Environment Bay of Plenty and Hawkes Bay Regional Council to attend.

Quorum

Seven (7). Three (3) to be Councillors

2.10 The Wastewater Management Committee

Rationale

The establishment of the Wastewater Management Committee is a requirement of the conditions of the resource consents for the upgrade and discharge of

Gisborne's municipal wastewater. On 21 September 2007, the Minister of Conservation granted the coastal permit for the discharge of treated wastewater to the marine area subject to the same conditions as recommended by the Hearings Committee.

Scope

The purpose of this committee is to:

- Ensure implementation, commissioning and monitoring of the wastewater treatment plant is carried out in accordance with the conditions of consent
- Explore feasible options for alternative use and disposal of domestic and industrial wastewater
- Identify research, monitoring and planning of specific projects to improve the mauri and water quality of Turanganui a Kiwa.

The Wastewater Management Committee has a number of mechanisms at its disposal to achieve the purpose of the committee, identified in the consents, namely:

- alternative use and disposal programme
- independent Review Panel
- the Turanganui a Kiwa Water Quality Enhancement Project.

The functions of the Wastewater Management Committee include, but are not limited to:



Committees

- monitoring the implementation and commissioning of the wastewater treatment plant
- monitoring alternative use and disposal research and recommending feasible options to Council
- monitoring alternative use and disposal options and recommending implementation
- monitoring compliance of permit conditions and separated industry standards
- ensuring development of educational information to encourage reductions in domestic and industrial wastewater
- developing and administering the Turanganui a Kiwa Water Quality Enhancement Project
- recommending membership of and receiving reports from the independent review panel (IRP)
- providing an annual report to the Chief Executive Officer of the Gisborne District Council.

The Wastewater Management Committee will report to the Environment and Policy Committee in carrying out the functions required by the conditions of the resource consents.

Delegations

The Wastewater Management Committee has been formed subject to Clause 30 of the Seventh Schedule of the Local Government Act 2002.

The Wastewater Management Committee has no delegated authority from Council, other than the functions expressed in the conditions of the resource consents.

Collaborations

These arrangements are entered into by the Gisborne District Council and tangata whenua representatives of the Turanganui a Kiwa, supported by other members of the committee, in a spirit of goodwill and a pledge to act towards each other with the utmost good faith.

Each member to this protocol is committed to progressing and enhancing the overall wellbeing of the district's people, environment and heritage by acknowledging and accommodating each other's values and philosophies where applicable.

The committee will develop and maintain effective relations with other Council committees, government and its departments, NGOs and other stakeholders to achieve its rationale and scope, and in particular:

- Gisborne District Council staff
- Tairāwhiti District Health Board
- Department of Conservation
- Industry
- Recreational groups
- Environmental groups



Committees

- Federated Farmers.

Membership

The membership of the Wastewater Management Committee shall comprise four councillors and four tangata whenua representatives and other members that the committee itself shall determine from time to time.

The Wastewater Management Committee may appoint, or invite participation in an advisory or consultative capacity, other persons from:

- Gisborne District Council staff
- Tairāwhiti District Health Board
- Department of Conservation
- Industry
- Recreational groups
- Environmental groups
- Federated Farmers
- Others who may have a particular contribution to make to the workings of the committee.

The Council agrees to remunerate members that Council appoints.

Quorum

Half of the members when the number is even and a majority when the membership is uneven.

Four (4). Two to be Councillors, two to be Maori/tangata whenua.

2.11 The Tender Board

Scope

The Tender Board shall meet as required to consider award of tenders in accordance with the provisions of Section 5 "Procurement Policy". All awards to be reported to the relevant Committee or to Council.

Membership

The Chairpersons of the Assets Committee and the Finance & Monitoring Committee, the Manager: Engineering and Works, the Manager: Corporate Affairs, and the Administration Engineer.

Quorum

Minimum three (3), where one of these shall be one of the chairpersons and another the Manager: Engineering and Works or the Administration Engineer.

2.12 Hearings

Rationale

To provide timely decisions where Council has a statutory or quasi judicial making responsibility, and where decision making by full Council or staff is not necessary or practical.



Committees

Scope

Unless otherwise provided for by delegations made by Council, the committee shall conduct all statutory hearings under:

- Reserves Act 1977
- Local Government Act 1974 and 2002
- Soil Conservation & Rivers Control Act 1941
- Resource Management Act 1991
- Building Act 1991
- Sale of Liquor Act 1989
- Any Bylaws promulgated by Council
- Biosecurity Act 1993
- Dog Control Act 1996
- Gambling Act 2003.

Approval or otherwise of resource consents or licences or permission, where staff, for whatever reason, cannot or do not wish to exercise their delegation.

Consideration of all Policy Statements or Plans, Variations or Changes, prepared as per the First Schedule of the Resource Management Act 1991 after the submission period.

The committee shall make recommendations to Council on any such plan in accordance with the First Schedule to the Act.

The definition of hearing is not restricted to occasions on which an applicant and/or submitters have requested the right to be heard.

Delegations

The committee has delegated authority to hear and decide the maximum extent available to it under the legislation applying in particular cases and will hear and determine wherever possible.

Collaborations

None

Membership

Seven (7) Councillors with the availability of co-opted specialists (with voting rights) as determined by the committee. In order to reduce costs to participants in the hearing, the Chairperson of the committee after consultation with the Environment and Planning Manager may direct the number of Councillors sitting on the panel to be reduced to three (3).

Quorum

Half of the members when the number is even and a majority of the membership if the number is uneven and two (2) when the Chairman of the committee has directed that the membership be reduced to three (3).

Four (4) – but see Membership, above.

Committees

2.13 Assets Review Sub-Committee

Rationale

The purpose of this sub-committee is to review the performance, structure and holding of those Council assets which have potential to strengthen Council's financial position. The sub-committee will report to the Finance and Monitoring Committee on its investigations and any resulting recommendations.

Scope

- To review the database of Council's assets and categorise to identify possibilities to investigate.
- To identify which Council assets may have potential to produce enhanced income or free up capital.
- To prioritise assets into a work plan considering the significance of return and ease of investigation.
- To select assets that Council could reasonably feel comfortable progressing.
- To consider various asset holding structures, tax implications, sustainability and external influences.
- To meet with other organisations that may partner in projects, provide expertise, advice or provide other valuable input into investigations.
- To consider and report implications on the LTCCP, Council's policies, consultation and decision making.

Delegations

The sub-committee has an investigation and advisory function only and shall:

- Meet monthly – and more often as the need arises.
- Report to the Finance and Monitoring Committee quarterly or more often if urgent issues arise.
- Liaise with the appropriate staff in any department under the direction and within existing budgets.
- Seek outside expertise as required under the Chief Executive's direction and within existing budgets.
- Investigate other asset matters as directed by the Finance and Monitoring Committee or Council.

Collaborations

The sub-committee will maintain close relations with the Finance and Monitoring Committee through its regular reports. The sub-committee will be supported by the Chief Executive and the senior finance and assets management staff as well as external advisors from time to time.

The sub-committee may engage with:

- Gisborne Holdings Ltd
- Eastland Community Trust
- Eastland Infrastructure Ltd
- Industry sector groups



Committees

- Other Councils and facility managers.

Membership

Three (3) Councillors plus His Worship the Mayor ex officio.

Quorum

Half of the members when the number is even and a majority when the membership is uneven.

Two (2).



Staff Contractual Authority & Financial Management of Activities

- 3.1 The contractual authorities for staff are set down in the charts following.
- 3.2 Members of the Corporate Management Team have the right (within the terms of their contractual authority) to enter into contracts for the expenditure of funds within activities for which their subordinates also have contractual authority. However, as all activity managers will be held accountable for the activities which they manage, Department Managers should always consult with the designated activity manager prior to expending funds in accounts other than those for which they themselves are directly responsible.
- 3.3 Where an activity manager is aware that an activity is about to be or has been overspent, he/she should report that fact to the person to whom he/she is responsible as soon as practicable.
- 3.4 The Chief Executive has authority to commit expenditure not included in the Estimates up to a maximum of \$20,000 per item.
- 3.5 The authority to commit to expenditure includes:
- a. the power to vary or terminate such transactions; and
 - b. the power to substitute capital expenditure within the Estimates with the express approval of the Chief Executive.
- 3.6 Delegated authority includes the authority to sub-delegate to an appropriate officer during absences unless otherwise stated.
- 3.7 No oral contract shall be made for a sum exceeding \$1,000.
- 3.8 Signing of Cheques
- Provided an invoice has been authorised at the correct delegated level, any two of the following may sign cheques. The first signatory is responsible for the "finance check", and the second signatory is responsible for a "reasonableness" check.
- The Chief Executive
- The Manager: Corporate Affairs
- The Manager: Community Planning and Development
- The Manager: Engineering & Works
- The Manager: Environment & Planning
- The Chief Financial Officer
- The Financial Accountant
- Electronic Transactions
- 3.9 Provided an invoice has been authorised at the correct delegated level, any two of the following may authorise electronic transfers. The first signatory is responsible for the "finance check", and the second signatory is responsible for a "reasonableness" check.
- The Chief Executive
- The Manager: Corporate Affairs
- The Manager: Community Planning and Development



Staff Contractual Authority & Financial Management of Activities

The Manager: Engineering and Works

The Manager: Environment and Planning

The Chief Financial Officer

The Financial Accountant (in the absence of the Assistant Financial Accountant)

3.10 Payroll

Any two of the following may authorise the electronic transfer of the Payroll register to the bank, for crediting to employees accounts. *

The Chief Executive

The Manager: Corporate Affairs

The Chief Financial Officer

The Financial Accountant

* The first approver checks expenses details to the payroll schedule, and the second signatory checks the overall reasonableness of the payroll schedule, including large and irregular payments.

3.11 Payment of Statutory Taxes and Levies

Any one of the following may authorise the payment of taxes

Goods and Services Tax (GST) up to \$1.3 M

PAYE up to \$400,000

ACC Levies up to \$250,000

The Chief Executive

The Manager: Corporate Affairs

The Chief Financial Officer

Staff Delegations



Chief Executive

Item	Amount (up to)
Contractual Authority for payment of interest or debentures	\$20 Million
Contractual Authority for Expenditure provided for in Estimates	\$1 M per item for Capital \$500,000 for Operations
Authority for leases for use and grazing of small blocks of Council land	Up to \$20,000 per item (above \$20,000 to Council)
Activities to which Contractual Authority applies	Chief Executive's Office and Maori Liaison
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Chief Executive's Office and Maori Liaison

Chief Executive's Personal Assistant / Secretary

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$2,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ All Organisations activities
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Staff Delegations



Community Planning and Development Manager

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$15,000
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Economic Development▪ Community Development▪ Strategic & Social Policy▪ Tairawhiti Development Partnership (Council Administration)
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Departmental Overheads▪ Economic Development▪ Community Development▪ Strategic & Social Policy▪ Tairawhiti Development Partnership (Council Administration)

Staff Delegations

Economic Development Team Leader

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Economic Development
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Community Development Co-ordinator

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$15,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Community Development
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Community Expenses of the District ▪ Community Development / Recreation

Staff Delegations

Manager : Corporate Affairs

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$1 M per item for Capital \$500,000 per item for Operations
Contractual Authority for Payment of interest or debentures	\$20 Million
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ All Corporate Affairs + Business Units ▪ Democratic Process (Cost of Democracy) and Civic Expenses of the District ▪ Allocation the costs of approved courses and expenses to each budget section
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Management Expenses ▪ Community Liaison ▪ Corporate Expenses of the District ▪ Payroll ▪ Cheque signing

Staff Delegations



Corporate Affairs Personal Assistant / Secretary	
Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$2,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ All Corporate Affairs
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ General stationery, printing, advertising, equipment maintenance and Corporate capital expenses ▪ Cafeteria/Property Supplies

Information Management Officer	
Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Information Management ▪ Records Management ▪ Mapping / GIS (acquisition of data, office expenses)
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Information Management ▪ Records Management ▪ Mapping / GIS

Staff Delegations

Records Team Leader

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$500 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Records Management
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Records Management

GIS Officer

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$500 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ GIS (data costs)
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ GIS (data costs)

Staff Delegations



Information Systems Supervisor

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$5,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Information Systems
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Information Systems ▪ Telephones ▪ All telephone accounts throughout the organisation

Chief Financial Officer

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$20,000 per item
Contractual Authority for Payment of interest or debentures	\$10 Million
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Finance ▪ Allocation the costs of approved courses and expenses to each budget section
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Finance ▪ Payroll

Staff Delegations



Financial Accountant

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	▪ Finance
Activities for which the Officer is the Financial Manager	

Management Accountant

Item	Amount (up to)
Contractual Authority for payment of interest or debentures	\$5 Million
Contractual Authority for Expenditure provided for in Estimates	\$5,000 per item
Activities to which Contractual Authority applies	▪ Finance
Activities for which the Officer is the Financial Manager	



Staff Delegations

Senior Credit Control Officer

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$1,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Credit Control
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Credit Control▪ Write Off Rates Penalties in accordance with Council Policies - \$500

Senior Rates Officer

Item	Amount (up to)
Authority for writing off penalties in accordance with Council Policies	\$500 per item
Activities to which Authority applies	<ul style="list-style-type: none">▪ Rates penalties
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Write Off Rates Penalties in accordance with Council Policies - \$500

Staff Delegations



Human Resources Manager

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Human Resources ▪ Allocating the cost of approved courses and expenses to each section budget
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Human Resources

Human Resources Adviser

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$1,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Human Resources
Activities for which the Officer is the Financial Manager	Nil

Note: In the absence of the Administration Services Team Leader (ASTL), the Human Resources Adviser is automatically delegated to act for the ASTL, and in so doing has all the delegations pertaining to that position.

Staff Delegations

Customer Services Team Leader	
Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$1,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Customer Services
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Customer Services

Legal Officer	
Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Insurances & Property Conveyancing ▪ Secretarial Services
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Insurances & Property Conveyancing ▪ Administration ▪ Secretarial Services

Staff Delegations



Waikanae Beach Holiday Park Manager

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$5,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Holiday Park
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Holiday Park

Holiday Park Administrative Assistant

Item	Amount (up to)
<ul style="list-style-type: none"> • In the absence of the Holiday Park Manager - 	
Contractual Authority for Expenditure provided for in Estimates	\$500 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Holiday Park
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Rockforte Finance Olympic Pool Manager

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Rockforte Finance Olympic Pool
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Rockforte Finance Olympic Pool

Staff Delegations

Rockforte Finance Olympic Pool Technical Operations Officer

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$1,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Rockforte Finance Olympic Pool
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Warrant of Fitness Registration & Drivers Licence Centre Manager

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$5,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Warrant of Fitness, Registration & Drivers Licence Centre
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Warrant of Fitness, Registration & Drivers Licence Centre

Staff Delegations

Warrant of Fitness Registration & Drivers Licence Senior Testing Station Officers (Personal Delegations)

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$500 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Warrant of Fitness, Registration & Drivers Licence Centre
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

District Librarian

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$15,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Library
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Library

Cataloguing and Technical Services Librarian

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$2,500 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Library
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Staff Delegations

Manager : Engineering & Works

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$1 M per item for Capital \$500,000 per item for Operations
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ All Engineering & Works activities
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Engineering and Works management

Note:

As Engineer to Gisborne District Council contracts, the Manager: Engineering and Works may authorise progress payments in excess of the above amount but always within the terms of approved contractual obligations and documentation.

Engineering & Works Personal Assistant / Secretary

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$2,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ All Engineering & Works activities
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Staff Delegations



Utilities Asset Manager

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$25,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Urban Services Administration▪ Sewerage / Wastewater Operations▪ Stormwater Drainage Operations▪ Water Supply Operations▪ Trade Wastes▪ Professional Services
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Urban Services Administration▪ Sewerage / Wastewater Operations▪ Stormwater Drainage Operations▪ Water Supply Operations

Staff Delegations

Project Manager (Engineering & Works)

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$5,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Sewage/Wastewater Project
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Utilities Engineer (Water Supply)

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Water Treatment / Supply Operation
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Water Treatment and Supply

Water Supply Operator (Waipaoa)

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$5,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Water Treatment / Supply
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Water Treatment

Staff Delegations



Water Supply Operators (Waingake)

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$2,500 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">Water Treatment / Supply
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">Waingake Water Treatment

Utilities Engineer (Wastewater)

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">Sewerage / Wastewater Operation
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">Sewerage / Wastewater Operation

Utilities Engineer (Stormwater)

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">Stormwater Drainage Operations
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">Stormwater Drainage Operations



Staff Delegations

Inflow / Infiltration Leader

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$2,500 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Inflow / Infiltration Project
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Inflow / Infiltration Project

Staff Delegations



Roading Asset Manager

Item

Amount (up to)

Contractual Authority for Expenditure provided for in Estimates

\$100,000 per item

Activities to which Contractual Authority applies

- Rooding Professional & Administrative Services
- Assisted District Rooding Programme (including Emergency Works)
- Non Assisted Rooding Programme
- Solid Waste

Activities for which the Officer is the Financial Manager

- Rooding Professional & Administrative Services
 - Assisted District Rooding Programme (including Emergency Works)
 - Non Assisted Rooding Programme
 - Solid Waste
-

Staff Delegations



Regional Development Roding Engineer

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Regional Development Roding
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Regional Development Roding

Roding Area Engineer - Northern

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Roding Maintenance Emergency Works
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Roding Area Engineer - Western

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Roding Maintenance Emergency Works
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Staff Delegations



Roading Area Engineer - Eastern

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Roading Maintenance▪ Emergency Works
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Nil

Roading Projects Design Engineer

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$15,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Roading Professional Services▪ Assisted District Roading Programme▪ Non Assisted Roading Programme
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Nil

Staff Delegations

Road Safety Co-ordinator

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$1,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Road Safety
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Roading Assistant

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$500 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Roading and related maintenance
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Solid Waste Engineer

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Solid Waste
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Staff Delegations



Community Facilities Asset Manager

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$25,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ All Community Facilities Activities
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Community Facilities Asset Management ▪ Property Operations ▪ Reserves Recreation and sporting facilities Operations ▪ Conveniences Operations ▪ Leases – land, buildings, vehicles/equipment

Property Officer

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$15,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Industrial / Commercial Properties ▪ Housing – (Staff and Pensioner) ▪ Municipal Buildings ▪ Property
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Staff Delegations



Buildings Overseer

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Industrial / Commercial Properties▪ Housing – (Staff and Pensioner)▪ Municipal Buildings▪ Property
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Nil

Reserves Supervisor (North)

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$15,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Reserves and Conveniences
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Nil

Staff Delegations



Reserves Supervisor (West)

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$15,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">Reserves and ConveniencesReserves Planning (specific)
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">Nil

Rivers and Land Drainage Asset Manager

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$25,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">All Rivers & Land Drainage Activities
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">All Rivers & Land Drainage Activities

Rivers & Drainage Engineering Officer (Drainage)

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$15,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">Classifications – Drainage Activities
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">Classifications – Drainage Activities

Staff Delegations



Rivers Overseer (West)

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$2,500 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Land Drainage▪ WRFCs Maintenance
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Nil

Rivers Overseer (East)

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$2,500 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Land Drainage▪ WRFCs Maintenance
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Nil

Staff Delegations



Administration Engineer

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$25,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Specific Projects (e.g. CBD)▪ Administration▪ Draughting/Technical Records▪ Surveying
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Specific Projects (e.g. CBD)▪ Administration▪ Draughting / Technical Records▪ Surveying

Registered Surveyor

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$1,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Surveying Services
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Surveying Services

Staff Delegations



Manager: Environment and Planning

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$1 M per item for Capital \$500,000 per item for Operations
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ All Environment & Planning Accounts
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Departmental Management

Environment and Planning Personal Assistant / Secretary

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$2,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ All Environment & Planning Accounts
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Nil

Team Leader District Policy

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$5,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ District Policy Operating Expenses
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ District Planning Policy Expenses

Staff Delegations



Team Leader Development Control

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$5,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">Development Control Operating Expenses
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">District Plan Development Control Operating Expenses

Team Leader Natural Resources Planning

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$5,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">Natural Resources Policy Planning Operating Expenses
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">Natural Resources Planning Operating Expenses

Staff Delegations



District Conservator

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$30,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ All Conservation Division activities
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Conservation Administration▪ Natural Resources Policy Planning

Pests and Plants Controller

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$3,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Animal and Plant Pests
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Animal and Plant Pests

Senior Soil Conservator

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$5,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Soil Conservation
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Nil

Staff Delegations



Soil Conservator

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$5,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Soil Conservation
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Nil

Soil Conservation Field Officer

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$2,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Soil Conservation
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Nil

Water Conservator

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$5,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Water Resources
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Water Resources

Staff Delegations



Chief Environmental Health Officer

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">Environmental Health Operating ExpensesGisborne District Licensing Agency
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">Environmental Health Operating ExpensesGisborne District Licensing Agency

Consents Administrator

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item but \$20,000 for Department of Building and Housing, BRANZ and Liquor Licensing Payments
Activities to which Contractual Authority applies	<ul style="list-style-type: none">ConsentsLiquor Licensing
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">ConsentsLiquor Licensing

Staff Delegations



Construction Controller

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$10,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Building Inspectorate Operating Expenses
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Building Inspectorate Operating Expenses

Chief Animal Control Officer

Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$3,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none">▪ Animal Control▪ Stock Control
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none">▪ Animal Control▪ Stock Control

Staff Delegations

Senior Parking Warden	
Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$3,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Parking Enforcement
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Parking Enforcement
Civil Defence Emergency Management Officer	
Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$5,000 per item
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Civil Defence & Emergency Management
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Civil Defence & Emergency Management
Principal Rural Fire Officer	
Item	Amount (up to)
Contractual Authority for Expenditure provided for in Estimates	\$2,500 per item day to day rising to \$5,000 during emergencies
Activities to which Contractual Authority applies	<ul style="list-style-type: none"> ▪ Rural Fires
Activities for which the Officer is the Financial Manager	<ul style="list-style-type: none"> ▪ Rural Fires

Staff Delegations



Marine Oil Spill Regional On Scene Commander

Item	Amount (up to)
Tier 2 Marine Oil Spill Event	\$250,000
In accordance with Tier 2 Plan	
Activities to which Contractual Authority applies	<ul style="list-style-type: none">Marine Oil Spills

Marine Oil Spill Incident Command Team Member

Item	Amount (up to)
Tier 2 Marine Oil Spill Event under management of ROSC	\$5,000
Activities to which Contractual Authority applies	<ul style="list-style-type: none">Marine Oil Spills



Staff Delegations

4.1 Chief Executive

Interpretation of the Delegated Authority of all Officers.

Authority to operate Council's bank accounts in conjunction with any one of the following:

- Manager: Corporate Affairs
- Manager: Community Planning and Development
- Manager: Environment and Planning
- Manager: Engineering and Works
- Chief Financial Officer
- Financial Accountant
- Mayor
- Chairperson of the Finance & Monitoring Committee

The Chief Executive has statutory responsibilities stated in Section 42 and Clause 33 of Schedule 7 of the Local Government Act 2002 and has the authority, duties and powers to fulfil those statutory responsibilities provided

- no authority which is the exclusive domain of Council is to be exercised
- the Executive Limitation Policies adopted on 27 March 2008 are complied with

- the Chief Executive's employment agreement including the performance agreement are complied with

Issue notices under Sections 3 and 4 of the Trespass Act 1980 as occupier on behalf of the Council.

Sub-delegate any responsibility, duty or power except relating to financial delegations, provided that sub-delegations are recorded in a schedule to this manual.

Secretary to the Gisborne District Licensing Agency.

All financial delegations held by other staff.

4.2 Manager : Corporate Affairs

Interpretation of the Delegated Authority of all officers of Corporate Affairs Department.

Authority to operate Council's bank accounts in conjunction with any one of the following:

- Chief Executive
- Manager: Community Planning and Development
- Manager: Environment and Planning
- Manager: Engineering and Works
- Chief Financial Officer
- Financial Accountant
- Mayor

Staff Delegations

- Chairperson of the Finance & Monitoring Committee

Authority to institute legal proceedings for recovery of debts owed to Council subject to the decision to commence a rating sale in any particular case being taken by the Council, or a delegated Committee of Council.

Authority to waive rate penalties and institute a process of time payment as appropriate to suit individual circumstances, in accordance with Council's Remission of Rates Policy as stated in the LTCCP.

Authority to write off non-rate debts to a maximum value of \$3,000 subject to 6 monthly reporting to the Council of the amounts thus written off.

Authority to deposit surplus general funds with any bank and to invest special funds in any manner authorised by the Trustee Act and within Council policy.

Authority to negotiate loan interest rates or the repayment of debentures and terms with brokers and/or lending institutions for loans raised by Council up to \$20 Million.

Authority to institute action in the Maori Land Court in respect of rates and/or ownership of Maori land.

Authority to apply to the Valuer General for valuation equalisation certificates for rating purposes.

Authority to settle uninsured claims for compensation or damages where the amount does not exceed \$5,000,

whether or not legal proceedings have been issued by the claimant.

Granting of consents to public entertainment in accordance with Section 603 Local Government Act 1974 including the determination of any conditions accompanying any consent.

Authority to approve or renew leases and licenses on land in accordance with defined Council procedures and within the scope of the department for periods of five years or less and for consideration of less than \$5,000.00 or where renewal occurs at the behest of the lessee.

4.3 **Manager: Engineering & Works**

Interpretation of the Delegated Authority of all officers of Engineering and Works.

Authority to operate Council's bank accounts in conjunction with any one of the following:

- Chief Executive
- Manager: Corporate Affairs
- Manager: Community Planning and Development
- Manager: Environment and Planning
- Chief Financial Officer
- Financial Accountant
- Mayor

Staff Delegations

- Chairperson of the Finance & Monitoring Committee

The powers conferred on the Council by Clause 11 of the Tenth Schedule of the Local Government Act 1974 (temporary prohibition of traffic on roads).

Authority to approve or renew leases and licenses on land (including encroachments on, and occupation of, road reserves) in accordance with defined Council procedures and within the scope of the department for periods of up to five years and for consideration of less than **\$5,000** be clarified to include the roles of both lessee and lessor.

Authority on behalf of Council and any standing Committee thereof to issue a letter of acceptance for the purpose of creating a contract where it has been resolved to accept any tender or quotation.

Authority to release bonds upon the completion of contracts.

Authority to allow swing gates and cattle-stops across roads pursuant to Section 344 of the Local Government Act 1974.

Authority to Act as "Engineer" in terms of Section 6 NZS3910:2003 (or other Conditions of Contract) in respect of Council contracts.

To act as Principal's Agent for administrative aspects of Contracts where Gisborne District Council is identified as Principal.

Authority to lodge resource, building and other consent applications pursuant to whatever legislation pertains in each case.

Authority to undertake work in terms of approved policy where a policy to prioritise such work exists and funding is available but no approval of particular projects has been given (for example seal extensions, footpaths, street lighting).

Approval of all agreements as to the sale purchase and exchange of land in relation to road legalisation under the Public Works Act 1981.

Authority for special case seal extensions.

Authority to implement changes to traffic control and parking requirements pursuant to resolution of Council including providing, removing or altering stop signs, give way signs, parking restrictions and so on.

Authority to approve exceptions to the contributions required from property owners under the "maintenance and improvement of open drains" policy (November 1996).

4.4 Community Facilities Asset Manager

4.4.1 Reserves

The allocation of Council reserves for sporting and other activities and fixing of charges within the limits imposed by the Reserves Act 1977.

Staff Delegations

Authorise the sale of refreshments in parks and on beaches.

Approve applications to take up collections on reserves and beaches.

Authorise the erection of commercial signs and sponsorship signs on sports parks.

Authority to approve or renew leases and licenses on land in accordance with defined Council procedures and within the scope of the department for periods of five years or less and for consideration of less than \$5,000 or where renewal occurs at the behest of the lessee.

Variation of the allocation of sports grounds, winter and summer and the closing of grounds, as circumstances shall require from time to time.

Temporary use of any park or reserve for any recreation or entertainment and to impose any terms and conditions applicable, subject to District Plan restraints.

4.4.2 Property

The allocation of housing, theatres and other Council buildings and facilities to employees, pensioners and members of the public as appropriate.

Authority to sign tenancy agreements on behalf of Council.

4.4.3 Cemeteries

Remission of burial charges pursuant to Section 49 of the Burial and Cremation Act 1964.

4.5 Manager: Environment & Planning

Interpretation of the Delegated Authority of all Officers of the Environment & Planning Department.

Authority to operate Council's bank accounts in conjunction with any one of the following:

- Chief Executive
- Manager: Corporate Affairs
- Manager: Community Planning and Development
- Manager: Engineering and Works
- Chief Financial Officer
- Financial Accountant
- Mayor
- Chairperson of the Finance & Monitoring Committee

All delegations as specified in (A).

4.6 Statutory Delegations of officers in the Environment & Planning Department as specified in the Delegations Register (A).

- (A) The document "Gisborne District Council Environment & Planning Department, Delegations to



Staff Delegations

Council Officers' Manual, January 2007 and approved updates thereof.

4.7 Manager Community Planning and Development

Authority to operate Council's bank accounts in conjunction with any one of the following:

- Chief Executive
- Manager: Corporate Affairs
- Manager: Environment and Planning
- Manager: Engineering and Works
- Chief Financial Officer
- Financial Accountant
- Mayor
- Chairperson of the Finance & Monitoring Committee

Authority on behalf of Council and any standing committee thereof to issue a letter of acceptance for the purpose of creating a contract where it has been resolved to accept any tender or quotation.

Procurement Policy

5.0 PROCUREMENT POLICY

5.1 Statutory Requirements

5.1.1 Section 14 of the Local Government Act 2002 deals with Principles Relating to Local Authorities. It states (in part):

“(l) In performing its role, a local authority must act in accordance with the following principles:

(a) a local authority should –

(i) conduct its business in an open, transparent, and democratically accountable manner; and

(ii) give effect to its identified priorities and desired outcomes in an efficient and effective manner

(f) a local authority should undertake any commercial transactions in accordance with sound business practices; and

(g) a local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region

5.1.2 Sections 25 and 26 of the Land Transport Management Act 2003 deals with “Expenditure Subject to Competitive Pricing Procedure”. Section 27(1)(b) states:

“No payment – in respect of any output or capital project, shall be made from the Land Transport Disbursement account of any local authority --unless the payment relates to an approved output or capital project, the price of which has been determined by a competitive pricing procedure, and no such payment shall be made to any local authority.”

The Transit approved Competitive Pricing Procedures (CPP) are very prescriptive, but apply only to certain roading works, so are outside the scope of this Delegation Manual.

5.2 Gisborne District Council Tender Policy

5.2.1 ***Open tendering** may be used for contracts of any smaller amount, but shall be used for contracts with a value of \$50,000 and over unless prior approval has been obtained from Council, or the appropriate Council Committee having delegated power.

5.2.2 ***Selective tendering** may be used for contracts of any smaller amount, but shall be used for contracts between \$20,000 and under \$50,000 in value unless open tendering has been used, or unless prior approval has been obtained from the Corporate Management Team to use negotiated tendering.

5.2.3 ***Negotiated tendering** may be used for contracts less than \$20,000 in value.



Procurement Policy

(* See Section 5.5).

5.3 Gisborne District Council Tender Opening Policy

5.3.1 Tenders for any smaller amount may, but tenders \$50,000 and over in value shall, be opened in public in the presence of at least two senior staff members one of whom is a member of the Corporate Management Team.

5.3.2 Tenders for any smaller amount may, but tenders between \$20,000 and \$50,000 in value shall, be opened by at least two senior staff members one of whom is a member members of the Corporate Management Team, unless opened in accordance with 5.3.1.

5.3.3 Tenders for amounts less than \$20,000 in value, if not opened in accordance with 5.3.2, shall be opened by the initiating Officer and the appropriate member of the Corporate Management Team.

5.3.4 Where tenders are to be opened in public, the time and date of the tender opening shall be noted in the tender document, and shall be not more than a week after the closing of tenders.

5.4 Gisborne District Council Tender Acceptance Policy

5.4.1 Tenders for any amount, irrespective of how small, which result in over expenditure of any account, or for expenditure where no provision has been made in the

Council's estimates for that year, shall be accepted by Council.

5.4.2 Tenders for any smaller amount may, but tenders of value \$500,000 and over shall be accepted by either:

- Council; or
- The Assets Committee in respect of contracts falling within that Committee's scope; or
- The Tender Board; or
- The Chief Executive plus any one of the Managers of Engineering and Works, Environment and Planning or Corporate Affairs, subject to specific power for that contract acceptance having been previously delegated by Council.

5.4.3 If not accepted by any of the above, tenders for any amount under \$50,000 shall be accepted by the initiating Officer where the value is less than the limits of his/her delegated contractual authority, or where this is not the case, by the appropriate member of the Corporate Management Team.

5.5 Tender options

5.5.1 **Introduction** (based on "Aspects of Civil Engineering Contract Procedure" – Marks, Grant & Helson)

There are a number of procedures for establishing the price to be paid by the buyer to the seller. For ready-made goods off the shelf, there is usually an advertised

Procurement Policy

or list price provided by the seller. By purchasing the goods or services, the buyer effectively accepts the advertised price.

When goods or services must be supplied or constructed in accordance with the specifications and instruction of the buyer, then the seller may not wish to quote a price until after he has had the opportunity to consider the work and the risks involved. On the other hand, the buyer may not be able to compare prices unless he calls for quotations from more than one seller. The processes used to establish the price to be paid in these circumstances is termed tendering, and can be further classified as follows:

- Negotiated tender
- Selective tendering
- Open tendering

The common feature of all of the above is that the buyer provides details of the requirements to the prospective seller(s) in the form of a tender document. Each prospective seller, termed a tenderer, after due consideration provides a quotation to the buyer in the form of an offer. Acceptance of this offer results in a contract.

5.5.2 Negotiated tendering

The feature of this method is that only one seller is invited to quote.

The disadvantages are that the buyer does not have comparative prices, and, when public funds are involved, that there is a lack of transparency.

However, there are occasions when this form of tender is appropriate.

Note that it is potentially unfair to negotiate with a seller, and then, if agreement cannot be reached, to open up the process to other tenderers. A buyer should not proceed with a negotiated tender unless it is in good faith, and if there is any chance that the process may be opened up to other tenderers then the initial tenderer should be informed of this in advance. In this case details of all the negotiations should be kept confidential so that the initial tenderer is not disadvantaged in any subsequent competitive process.

5.5.3 Selective tendering

The feature of this method is that the buyer selects a few potential sellers to provide comparative quotations. This overcomes one of the disadvantages of a negotiated tender, but the disadvantage of the lack of transparency remains.

Again, there are occasions when this form of tendering is the most appropriate.

Note that while the tender document may be qualified to the effect that "the lowest or any tender

Procurement Policy



may not be accepted", there is an implication in this form of tendering that some form of pre-selection has taken place. There is accordingly a strong expectation that the lowest complying tender will be accepted.

5.5.4 **Open tendering**

The feature of this method is that the buyer advertises publicly for comparative quotations. This overcomes both the disadvantages outlined above, and for this reason should be considered the most desirable method.