

Delegations from Council to the Chief Executive Officer

The Council delegates to the Chief Executive Officer:

1. Any and all of its responsibilities, duties and powers to act on any matter, subject to the limits and conditions below and excluding those matters in respect of which delegation is prohibited by any Act or Regulation. This power includes the authority to sub- delegate such powers as the Chief Executive determines necessary.

Limits and Conditions

- > The power of the Chief Executive Officer alone to commit the Council to borrowing which has been approved in the Long Term Plan or Annual Plan is limited to instruments for a maximum of ~~\$30,000,000~~ \$100,000,000 of principal plus the associated interest payments and where the borrowing complies with the Treasury Management Policy;
 - > In the case of transactions in relation to the CAPEX 3 Waters Programme, the power of the Chief Executive Officer together with the Mayor or Deputy Mayor to commit the Council to a transaction (or to terminate or vary any transaction) is limited to spend approved in the LTP budget;
 - > In the case of other transactions the power of the Chief Executive Officer together with the Mayor or Deputy Mayor to commit the Council to a transaction (or to terminate or vary any transaction) is limited to a maximum of ~~\$7,500,000~~ \$10,000,000 for capital expenditure and a maximum of ~~\$5,000,000~~ \$6,500,000 for operational expenditure;
 - > In the case of other transactions the power of the Chief Executive Officer alone to commit the Council to a transaction (or to terminate or vary any transaction) is limited to:
 - > a maximum of ~~\$4,000,000~~ \$5,000,000 for capital expenditure; and
 - > a maximum of ~~\$1,000,000~~ \$1,500,000 for operating expenditure; and
 - > a maximum of \$4,000,000 for grants to Destination Queenstown which are approved by Council in an Annual Plan or Long Term Plan.
 - > A transaction (including termination or variation of any transaction) must be for the efficient conduct of Council affairs, and be consistent with the Long Term Plan and/or Annual Plan;
 - > The rules set out in the General rules applying to all delegations – Queenstown Lakes District Council, attached as Schedule 1 must be complied with;
 - > The value of a series of repeat, related or ancillary transactions must be aggregated for the purpose of determining if they exceed the capital expenditure or operational expenditure limit specified in this delegation;
 - > The value of a transaction must be calculated as the total value of the transaction over the full term of the contract and shall include any rights of renewal unless such rights of renewal are at the absolute discretion of the Council; and
 - > In regard to the borrowing of money or the acquisition and disposal of assets, the transaction being in accordance with the Long Term Plan.
2. The power to sub-delegate any of the Chief Executive’s responsibilities, duties and powers on any matter, including:
 - > section 43, Local Government (Official Information and Meetings) Act 1987;
 - > section 125, Privacy Act 2020; and
 - > section 198, Sale and Supply of Alcohol Act 2012.
 - > Section 54G, Local Government Act 2002

3. The Council's power to bring or withdraw prosecution or infringement proceedings for any offence, including but not limited to:
 - > Resource Management Act 1991;
 - > Building Act 2004;
 - > Local Government Act 2002;
 - > any Queenstown Lakes District Council Bylaw.

4. The Council's power, pursuant to Part 6 of the Criminal Procedure Act 2011, to decide to appeal against any sentence passed upon the conviction of any person for proceedings by the Council. Such appeals only to be lodged on solicitor's recommendation.

Reporting

A quarterly report on the Chief Executive's exercise of delegated powers on material matters will be provided for the information of the Audit, Finance & Risk Committee.

Failure to report the exercise of powers under this delegation shall not invalidate the exercise of the delegation.

Explanatory Notes:

The specified expenditure limits do not include GST.

These delegations do not preclude the Chief Executive Officer from referring any matter to the Council or a committee (including a subcommittee) of the Council or to the Wānaka-Upper Clutha Community Board, as appropriate, for a decision for any reason.