

Attachment A: Wānaka-Upper Clutha Community Board delegations

#	Delegation Item	Requested change	Agree/Disagree	Staff Comments
1	Power to Act: “footpaths, walkways, shared pathways and tracks;”	Add “shared pathways”	Agree	No issues with this addition
2	Power to Act: “temporary road closures for non-arterial roads, over 13 hours duration in the Wānaka-Upper Clutha Ward;”	Remove “for non-arterial roads, over 13 hours”	Disagree (with recommended amendment)	<p>Removing this would be inconsistent with the “Criteria for Closing Significant Roads” adopted (25 August 2006)” and the statutory authority for temporary road closures in CI 11, Sch 10 of the LGA 1974.</p> <ul style="list-style-type: none"> > This delegates all decisions district-wide for under four hours to the CE. > Anything over four hours that is an “arterial road” as defined in the District Plan or RAMM is a resolution of Council (with a recommendation of the Board if time allows). > Anything over four hours that is not an arterial road is a decision of the Community Board (note, matters in the Queenstown-Whakatipu-Ward or Arrowtown-Kawarau Ward are matters for the Infrastructure Committee) <p><i>Should remain but amended to delegate any decision over four hours.</i></p>
3	Delegation limitations: “ Any decision where the Mayor records concerns about the authority of the Wānaka Community Board to make that decision; ”	Replace with: “ Any decision where the Council records concerns about the authority of the Wānaka-Upper Clutha ”	Agree	Consistent with the LGA 2002 Sch 7 CI 30.

		Community Board to make that decision;”		
4	Delegation limitations: “Any matter where any Board member, or members, considering the issue could be seen to have an interest or bias;”	Remove this sentence	Agree	Duplication with the adopted Code of Conduct and requirements of adopted Standing Orders.
5	Delegation Schedule: Parking / time restrictions	Remove Council decision requirement, leaving final decision with the WUCCB	Agree	This was a previous resolution of Council in keeping with the delegations associated with the Traffic & Parking Bylaw so the change is reflecting that earlier resolution.
6	Delegation Schedule: Public information signage / specification	Move decision from Council to WUCCB	Disagree	Would potentially create inconsistency across the district and signage decisions should be within appropriate policies or project / organisational brand frameworks. Recommend this is not amended.
7	Delegation Schedule: Reserve and Recreation Areas / Concessions	Move from officer (in consultation with the Chair) to the WUCCB	TBC following workshop	Concessions could refer to any lease, licence or permit, and under the Reserves Act there can be a number of steps in the consideration of such, most delegated to the ‘Administering Body’ (which is an operational delegation held by officers and applied to many scenarios). Need to explore what role the Board wants to play in that process.
8	Delegation Schedule: Reserve and Recreation Areas / decision to notify long term land leases (lease period greater than 5 years)	Move from officer (in consultation with the Chair) to the WUCCB	Agree	It is unlikely that any lease would be for a period less than five years, and unless such was specifically anticipated by a Reserve Management Plan, it would be notified regardless so no decision would be required. This delegation could be elevated to the WUCCB if they have the ability to act (i.e. where there is discretion to notify or not), otherwise it may be that they instead recommend to Full Council. Elevating the delegation would mean any such proposal is formally considered by the WUCCB at the outset, and the position clearly recorded.

9	Delegation Schedule: Reserve and Recreation Areas / lease renewal where Council has discretion	Move from officer (in consultation with the Chair) to the WUCCB	Disagree	The final grant of any new lease falls to Full Council as the delegate of the Minister of Conservation, unless it is anticipated by a Reserve Management Plan, in which case it falls to the Administering Body (Council Officers). Accordingly, Full Council would typically already be aware of, and approved in principle, 'rights of renewal'. Rights of renewal are very common, often with many occurring in a month. If a lessee has fulfilled their obligations, and Council Officers are satisfied and confirm the renewal, then it is a simple operational matter.
10	Delegation Schedule: Reserve and Recreation Areas / granting of subleases	Move from officer (in consultation with the Chair) to the WUCCB	Agree	These are not common and usually don't have a time pressure. Providing Board oversight of these requests is likely to assist in measuring / representing community support (or otherwise) for a sublease.
11	Delegation Schedule: Reserve and Recreation Areas / table and chair licenses	Move from officer (in consultation with the Chair) to the WUCCB	Disagree / On hold	The procedures around this and similar licence to occupy is current undergoing a review by officers. Recommend that while that review is underway the delegation remain as is but the request from the WUCCB be considered as part of that process and amended later if necessary.
12	Delegation Schedule: Reserve and Recreation Areas / decision to notify the intention to grant any approvals for events in excess of 6 days	Move from officer (in consultation with the Chair) to the WUCCB	Disagree	It is common that applications in this category come in with short time frames and requiring a resolution of the Board to issue a licence would likely impact on applications outside of the 6 weekly meeting cycle. Recommend this remains with officers in consultation with the Chair.
13	Delegation Schedule: Reserve and Recreation Areas / decision to notify right of way (ROW) easement	Move from officer (in consultation with the Chair) to the WUCCB	Agree	Elevating decision making to the WUCCB to notify a potential right of way could allow the input of elected members, although notification itself for public submissions, and a potential hearing chaired by elected members also provides a strong mechanism for community input. Final decisions to grant or refuse are still made by Full Council.

14	Delegation Schedule: Reserve and Recreation Areas / Affected Party Approval for permanent private development	Move from officer (in consultation with the Chair) to the WUCCB	Agree	An APA typically refers to a Resource Consent process and requiring a Board decision would effectively be giving political influence over a resource consent process. On reserve land these would require (typically) a lease or licence which does require input from elected members
5	Delegation Schedule: Roads / Operational / Naming	Add "Proposed road names that do not comply with policy to be determined by the Board."	Agree	That is consistent with the Road Naming Policy (2016)
16	Delegation Schedule: Roads / Operational / temporary closure pursuant to policy	Questioned what happens between 4 hours and 13 hours as unclear	Agree to change to over 4 hours	See note under #2 on temporary road closures under Power to Act
17	Delegation Schedule: Trees on Council Land	Add new delegation to consider appeals on Tree Removal applications in the Wānaka-Upper Clutha Ward made under the Tree Policy	Agree	Determining appeals under the policy currently sits with the Community & Services Committee but staff have recommended for the Wānaka-Upper Clutha Ward the decision on appeals sits with the Board, mirroring the situation on traffic and parking matters that are dealt with within Ward by the Board under the Traffic and Parking Bylaw.