Delegations Policy			
Approved by:	Council		
Sponsor:	Corporate Services Group Manager		
Date approved:	21/07/2026		
Next review:	2026	**Resolution:**	2026/102

1. Introduction

1.1 Purpose and Principles of Delegations

The purpose of the delegations in this Delegations Policy (**Policy**) is to provide a clear framework and hierarchy to identify, confirm, and record all existing and required delegations of authority relating to Waimate District Council (**Council**).

1.2 Scope

This Policy will define:

- The role of elected members, including judicial special purpose committees and sub-committees;
- The role of Chief Executive;
- The role of senior Council management;
- The role of other Council staff;
- The role of community members or groups agreeing to accept a delegated role from Council;
- Financial delegations;
- Liability and indemnity in relation to the exercise of delegated authority; and
- Powers and voting rights of persons assigned or agreeing to a delegated authority.

The scope of this Policy does not extend to partnerships with private sector organisations nor to any roles that Council may assume in relation to advancing community outcomes together with its influencing agencies and organisations, (unless set out by agreement between all parties in a Memorandum of Understanding (MOU)).

1.3 Responsibility

Responsibility to observe this Policy lies with all elected members and staff and to all members of the community agreeing to accept a delegated authority from Council, and to any community organisation receiving delegations as part of a **MOU** with Council.

1.4 Amendments to this Policy

This Policy is to be maintained by Council's Policy Advisor who will amend the Policy in accordance with:

- Any instruction to that effect given by Council and any delegate authorised to amend this Policy; or
- Any need for typographical, grammatical or other minor amendment where the intention of Council in the matter of a delegation is not altered.

1.5 Background

The enactment of the Local Government Act 2002 (**LGA**) has had implications for the way in which all territorial local authorities in New Zealand operate their methods of delegating authority. The key sections of the LGA in relation to delegations are:

Section 41 – Governing bodies

…

(2) A territorial authority must have a governing body consisting of members and a mayor elected in accordance with the Local Electoral Act 2001.

(3) A governing body of a local authority is responsible and democratically accountable for the decision-making of the local authority.

…

Section 41A – Role and powers of mayors

(1) The role of a mayor is to provide leadership to—

(a) the other members of the territorial authority; and
(b) the people in the district of the territorial authority.

(2) Without limiting subsection (1), it is the role of a mayor to lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.

(3) For the purposes of subsections (1) and (2), a mayor has the following powers:

(a) to appoint the deputy mayor:

(b) to establish committees of the territorial authority:

(c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor –

(i) may make the appointment before the other members of the committee are determined; and

(ii) may appoint himself or herself.

(4) However, nothing in subsection (3) limits or prevents a territorial authority from—

(a) removing, in accordance with clause 18 of Schedule 7, a deputy mayor appointed by the mayor under subsection (3)(a); or

(b) discharging or reconstituting, in accordance with clause 30 of Schedule 7, a committee established by the mayor under subsection (3)(b); or

(c) appointing, in accordance with clause 30 of Schedule 7, 1 or more committees in addition to any established by the mayor under subsection (3)(b); or

(d) discharging, in accordance with clause 31 of Schedule 7, a chairperson appointed by the mayor under subsection (3)(c).

(5) A mayor is a member of each committee of a territorial authority.

(6) To avoid doubt, a mayor must not delegate any of his or her powers under subsection (3).

(7) To avoid doubt,—
(a) clause 17(1) of Schedule 7 does not apply to the election of a deputy mayor of a territorial authority unless the mayor of the territorial authority declines to exercise the power in subsection (3)(a):

(b) clauses 25 and 26(3) of Schedule 7 do not apply to the appointment of the chairperson of a committee of a territorial authority established under subsection (3)(b) unless the mayor of the territorial authority declines to exercise the power in subsection (3)(c) in respect of that committee.

Section 42 – Chief Executive

(1) A local authority must, in accordance with clauses 33 and 34 of schedule 7, appoint a chief executive.

(2) A chief executive appointed under subsection (1) is responsible to his or her local authority for –

(a) implementing the decisions of the local authority; and

(b) providing advice to members of the local authority and to its community boards, if any; and

(c) ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and

(d) ensuring the effective and efficient management of the activities of the local authority; and

(d)(a) facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001; and

(e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and

(f) providing leadership for the staff of the local authority; and

(g) employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and

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

…

(3) A chief executive appointed under subsection (1) is responsible to his or her local authority for ensuring, so far as is practicable, that the management structure of the local authority –

(a) reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and

(b) is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.

(4) For the purposes of any other Act, a chief executive appointed under this section is the principal administrative officer of the local authority.

Schedule 7 Clause 32 – Delegations

(1) Unless expressly provided otherwise in this Act, 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

(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 plan; or

(d) the power to adopt a long-term 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 plan or developed for the purpose of the local governance statement; or

(g) *[Repealed]*

(h) the power to adopt a remuneration and employment policy.

(2) Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise by the local authority (after consultation with the committee or body or person) of any power or duty specified in sub-clause (1).

(3) A committee or other subordinate decision-making body, community board, or member or officer of the local authority may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the local authority or by the committee or body or person that makes the delegation.

(4) A committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, or duties are delegated may, without confirmation by the local authority or committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.

(5) A local authority may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing, and administration related to bylaws and other regulatory matters.

(6) A territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.

(7) To avoid doubt, no delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure performance of any function or duty.

(8) The delegation powers in this clause are in addition to any power of delegation a local authority has under any other enactment.

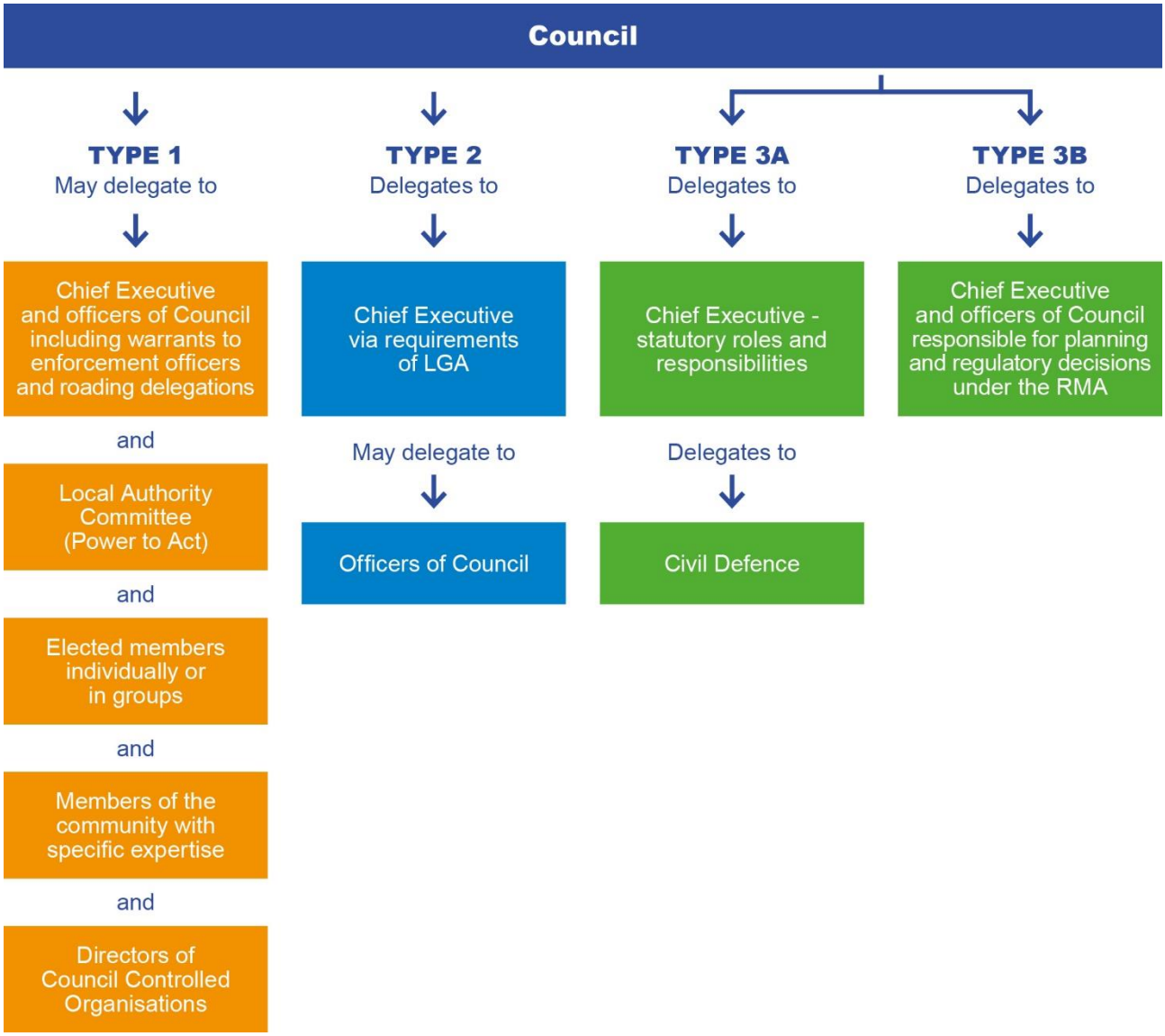
Note: All amounts stated in this policy are GST exclusive.

1.6 Legislation

In fulfilling its purpose, the Council exercises powers and fulfils responsibilities conferred on it by a large number of statutes, chief among these are:

- LGA;
- Local Government Act 1974 ;
- Local Electoral Act 2001;
- Local Government (Rating) Act 2002;
- Local Government Official Information and Meetings Act 1987;
- Local Government (Water Services) Act 2025;
- Local Government (Water Services Preliminary Arrangements Act 2024
- Resource Management Act 1991 (**RMA**);
- Privacy Act 1993;
- Employment Relations Act 2000;
- Building Act 2004; and
- Food Act 2014.

2. Types of Delegations



Note: This framework relates to delegations not appointments

2.1 Type 1 Delegations

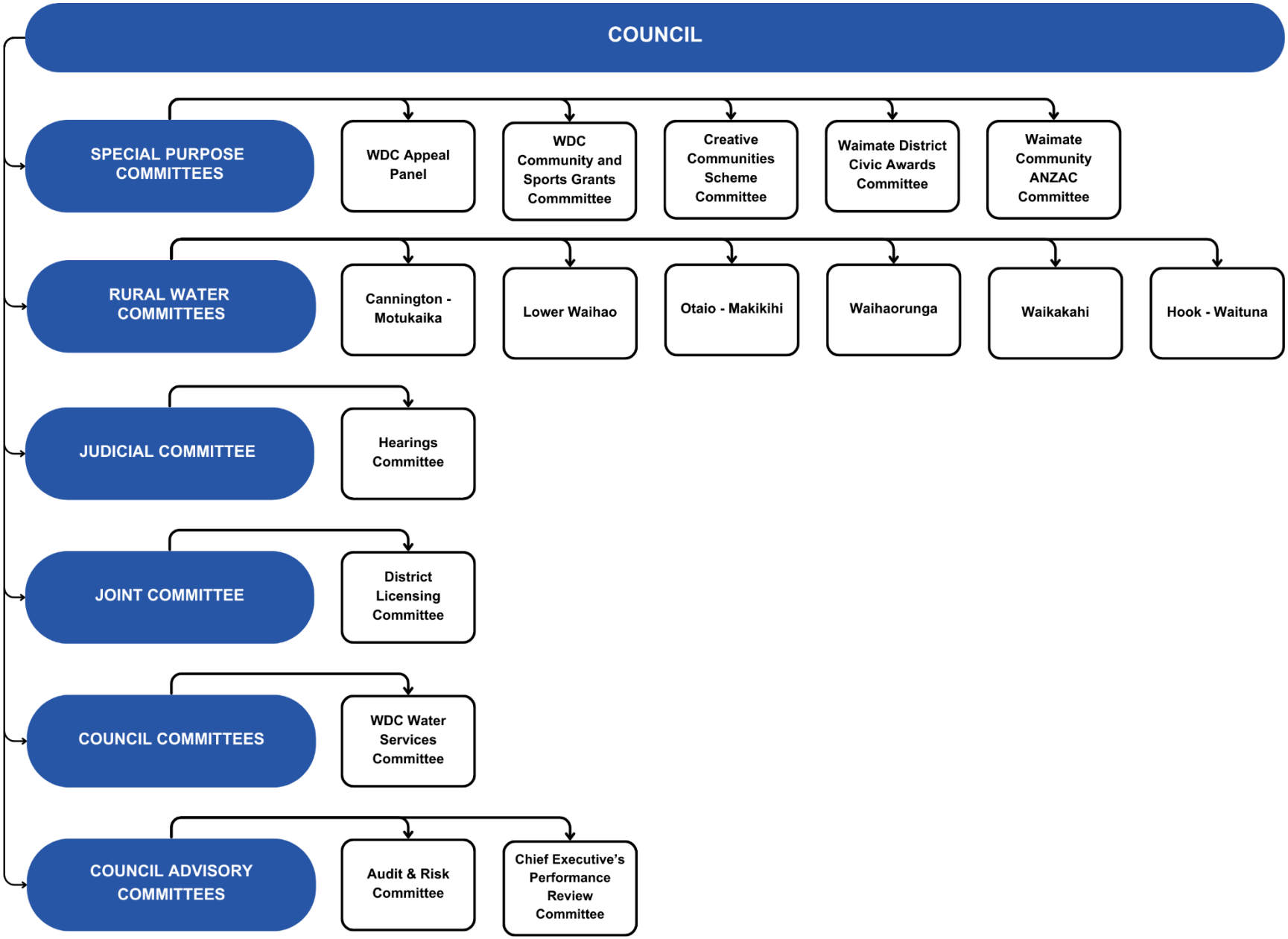
From	To	List of such delegations affixed at specified Schedule
Council	Council Committees with power to act	Schedule 1A – Delegations to Council Committees
Council	Audit and Risk Committee, being a Council Advisory Committee	Schedule 1AA – Delegations to Audit and Risk Committee
Council	Chief Executive (where it is useful to record these specifically in addition to the general responsibilities of a chief executive in terms of section 42 of the LGA)	Schedule 1B – Delegations to Chief Executive from Elected Members
Council	Community organisation by way of MOU	Schedule 1C – Delegations from Council by way of MOU with Community Groups
Council	Elected members and staff	Schedule 1D – Delegations in Respect of Roading
Council	Enforcement officers and other staff	Schedule 1E – Warrants

2.2 Type 2 Delegations

From	To	List of such delegations affixed at specified Schedule
Chief Executive	Full powers to Senior Managers, from time to time, especially in periods of known absence.	N/A – appointed and period of appointment is written and signed on a case by case basis.
Chief Executive	Other Council staff financial authority to expend or commit Council to expenditures.	Schedule 2A – Council Staff, Financial Authority to expend or commit Council to expenditure

2.3 Type 3 Delegations

From	To	List of such delegations affixed at specified Schedule
Council	Chief Executive	Schedule 3A – Civil Defence Schedule 3B – Planning and Regulatory
Chief Executive	Civil Defence	Schedule 3A – Civil Defence Schedule 3A(i) – Requisitioning Powers under the Civil Defence Emergency Management Act 2002 Schedule 3A(ii) – Delegation of Powers under the Civil Defence Emergency Management Act 2002
Council	Planning	Schedule 3B – Planning and Regulatory
Council	Regulatory	Schedule 3B – Planning and Regulatory


COUNCIL
SPECIAL PURPOSE COMMITTEES
WDC Appeal Panel
WDC Community and Sports Grants Commmittee
Creative Communities Scheme Committee
Waimate District Civic Awards Committee
Waimate Community ANZAC Committee
RURAL WATER COMMITTEES
Cannington - Motukaika
Lower Waihao
Otaio - Makikihi
Waihaorunga
Waikakahi
Hook - Waituna
JUDICIAL COMMITTEE
Hearings Committee
JOINT COMMITTEE
District Licensing Committee
COUNCIL COMMITTEES
WDC Water Services Committee
COUNCIL ADVISORY COMMITTEES
Audit & Risk Committee
Chief Executive's Performance Review Committee

Schedule 1A Delegations to Council Committees

Schedule 1A – Delegations to Council Committees
Council Committees – WDC Water Services Committee

This committee is comprised of:

- Independent Chair (on recommendation of the Chief Executive and agreed by the Mayor and Deputy Mayor)
- Deputy Chair (to be selected from the five members below)
- Independent Appointee (on recommendation of the Chief Executive and agreed by the Mayor and Deputy Mayor)
- Independent Runanga appointee (nominated by Runanga, agreed by Ngai Tahu and appointed by Council).
- Councillor (by appointment of Council)
- Councillor (by appointment of Council)
- Councillor (by appointment of Council)

The purpose of this committee is to provide strategic direction to, and governance oversight of Waimate District Council's water services. Council's water service activities are:

- Water Supply
- Stormwater
- Sewerage

To achieve this purpose, the WDC Water Services Committee is delegated the following powers:

Power to Act

The Committee has the power to:

- Resolve only on matters relating to Waimate District Councils water assets and activities.
- Co-op suitably qualified people to the Committee to assist the Committee in meeting its responsibilities. With the exception of the Chairperson, co-opted members do not have voting rights.
- If any matter is of such strategic or policy importance or urgency, then, with endorsement of the appropriate Chairperson, the matter shall be referred direct to Council.

Power to Recommend

The Committee can make recommendations to Council on matters or proposals relevant to Council's water assets and activities that:

- Are outside of or in conflict with Council's Long Term Plan, Water Services Strategy, or policy direction.
- Have strategic policy importance, except that the Committee shall have the power to resolve in respect of Councils water assets and activities.

Limits of Authority

This Committee has no authority to sub-delegate any of the powers granted in this section.

The Committee's "Power to Act" pursuant to these delegations is subject to:

- Matters being related solely to Council's water assets and activities.
- An overriding responsibility to ensure that its actions and decisions are always within the law.
- An overriding responsibility to ensure that its actions and decisions are within Council policy, or if in conflict with a Council policy, that this is explicitly identified in a report to Council and any relevant resolutions.

Schedule 1A – Delegations to Council Committees

Special Purpose Committees – WDC Appeal Panel

Council's WDC Appeal Panel has been granted the following delegated authority:

Dog Control Act 1996

- Section 22 - Power to hear and determine any objection to the classification of any person as a probationary owner
- Section 23 – Power to determine to terminate a probationary owner classification early
- Section 26 – Power to hear and determine any objection to the disqualification of any person from being the owner of any dog
- Section 31 – Power to hear and determine any objection to the classification of any dog as a dangerous dog
- Sections 33B/33D – Power to hear and determine any objection to the classification of a dog as menacing
- Section 55 – Power to hear and determine any objection to any requirement of a notice issued in respect to a barking dog

Schedule 1AA – Delegations to Audit and Risk Committee

Council Advisory Committees – Audit and Risk Committee

Audit and Risk Committee has the delegated authority to:

- Engage and confirm with the external auditor the terms of the auditor's appointment and engagement, including the nature and scope of the audit and timetable
- Approve additional services provided by the external auditor
- Approve, coordinate and monitor special investigations
- Seek independent advice within budget
- Seek any information it requires from the Chief Executive who will co-operate with any reasonable request made by the Audit and Risk Committee.

Audit and Risk Committee has no financial delegation from Council.

Audit and Risk Committee may not delegate any of its responsibilities, duties, or powers.

Schedule 1B Delegations to Chief Executive from Elected Members

Functions
The Chief Executive is the head of the Council's staff appointed under section 42 of the LGA.
Delegations to Chief Executive
In order to fulfil these responsibilities the Chief Executive is delegated all the powers, functions and duties necessary for the management of the Council's activities and the implementation of Council policy except:

(a) Those reserved to the Council under clause 32 to Schedule 7 of the LGA; and

(b) Any other powers, functions and duties specifically identified as being reserved to the Council or a committee under this Policy.

The Chief Executive may delegate any of these responsibilities, duties or powers, except any the law requires the Chief Executive to exercise.

Specific Delegations
For the avoidance of doubt, the Chief Executive's delegations include the powers detailed in the following bullet points:

- To commit Council expenditure up to a limit of **$**1,500,000 (within approved budget);
- To approve cash investment with approved counterparties up to a value of $2,000,000 for a term of six months;
- To initiate, negotiate, resolve or withdraw from legal proceedings in any Court. This includes prosecutions, debt recovery and Resource Management Act appeals and all other legal proceedings. To commence any prosecution the Chief Executive will do so in accordance with the "Guidelines for the laying of informations" adopted by Council from time to time;
- To make submissions to outside organisations on behalf of Council, following consultation with elected members;
- To undertake all directives approved by Council resolution;
- To sell or purchase property or land up to the value of $40,000 without Council resolution. but with approval of His Worship the Mayor (refer to Property or Land Sale Purchase and Lease Policy 410);
- To approve contingency expenditure up to a limit of $500,000 in the case of emergency or an unexpected event etc.;
- To accept, negotiate or decline contracts, tenders, purchasing agreements or any other arrangements for:
    - The employment of staff, consultants and advisers
    - The supply of goods and services, plant items or other assets to the Council
    - The provision of services by Council, and the sale, leasing, or disposal of goods, plant capital items (excluding real estate property) or other assets owned by the council and the settlement of claims for compensation
    - Easements, rights of way, caveats, registrable interests and similar minor dealings with property
- To issue trespass notices on Council owned or occupied land and to sub-delegate the issuance of trespass notices to appropriate persons; and
- The Chief executive may issue warrants to staff, and any contractors, and may change the warrants. A record of all current warrants must be kept.

Schedule 1C Delegations from Council by way of MOU with Community Groups

Public Hall Committees

- St Andrews Hall Committee
- Arno Soldiers Memorial Hall Committee
- Glenavy Community Hall Trust Committee
- Southburn Amenities Society Inc. Committee
- Hook Soldiers Memorial Hall Committee
- Willowbridge Hall Committee
- Makikihi Hall Committee
- Lyalldale Hall Committee
- Maungati Community Hall Committee
- Ikawai Memorial Community Centre Committee
- Waihaorunga Hall Committee
- Hunter Public Hall Committee
- Studholme Hall Committee
- Kurow Memorial Hall
- Waituna Hall Committee
- Otaio Community Hall Committee
- Bluecliffs Hall Committee
- Morven Hall Committee

Preamble

Traditionally Council's relationship with some rural hall committees has been simply that Council arranges and pays their insurance premium and then invoices the hall committee. Upon request from the hall community, Council will conduct the invoicing of a hall rate to the households in the hall community and return these funds to the committee, for the up-keep and management of the hall.

In addition to these arrangements, three of the above rural hall or reserve committees (St Andrews, Glenavy and Morven Reserve) receive additional services from Council. These halls/reserves provide Council with approved invoices, and Council pays these invoices from funds held on the hall/reserve's behalf.

Rural Water Scheme Committees

- Cannington-Motukaika
- Otaio-Makikihi
- Waikakahi
- Lower Waihao
- Waihaorunga
- Hook-Waituna

Preamble

The rural water scheme committees are sub-committees of Council. The committees are made up of elected members of Council and elected local people for the management for each of the rural water schemes (Lower Waihao is not currently constituted due to the lack of persons standing for election). Council's rural water scheme members obtain financial, technical and legal information from Council, and make recommendations to Council for the management of the schemes, including water rates and charges for each scheme.

Schedule 1D Delegations in Respect of Roading

Council delegate powers to roading officers to make day to day decisions on their behalf:

- Authority to perform temporary closure of public roads is delegated to Council's Roading Manager, and in his absence, Council's Asset Group Manager. These may be effected for events, by empowering legislation "Land Transport Act 1998" or for the purposes by more broadly empowering legislation contained at section 342 of the Local Government Act 1974;
- Where an unplanned or emergency road closure is necessary, authority to perform this is delegated to Council's Roading Manager, or in his absence, Council's Roading Officers. These officers must report back to Asset Group Manager; and
- Whilst recognising that it is generally undesirable to delegate any power of Council to a third party, it is recognised that in an emergency situation, it may be desirable for Council's Roading Contractor to have the delegated authority to make unplanned road closures, in order to protect life or property. In all such circumstances where Council's Roading Contractor makes a road closure, they are required to notify Council's Roading Manager or Roading Officer immediately.

Placement of give way and stop signs may be made by Council's Roading Manager.

Designation of a section of Road as "no stopping" may be made by Council's Roading Manager.

Council's Roading Manager and Council's Roading Officers are appointed to the position of the Road Corridor Manager.

Removal of abandoned motor vehicles:

- Council's Roading Manager and Council's Roading Officer are delegated the authority to exercise the powers of Council contained in section 356 of the Local Government Act 1974, relating to the removal of abandoned motor vehicles, or under the Transport Act, to take possession of and remove from any road to a place of safety, any motor vehicle that appears to be abandoned.

Private activities on public roads:

- Council's Roading Manager is delegated the authority to approve or reject the following private activities on public roads upon written application by a member of the public:
    - Location of temporary buildings on road reserves;
    - Permits to lay conduit pipes along, over or under streets;
    - Road encroachments;
    - Permits for overweight vehicles;
    - The installation of "no overtaking" lines;
    - Vehicle crossing permits to certify that roads have been formed and completed in accordance with Council's requirements;
    - Stock lanes;
    - Stock underpass and crossings;
    - Cattle stop;
    - Grazing road berm;
    - Cultivation of road berm;
    - Storage on road berm;
    - Structures on road berm;
    - Road planting/trees on road reserves; and
    - Road opening notice.

Schedule 1E Warrants

Warrants in respect of Water Supply, Stormwater, and Sewerage	
• **Asset Group Manager** • **Three Waters Systems Lead** • **Three Waters Operations Manager** • **Three Waters Technician** • **Three Waters Administration Technician** • **Three Waters Supervisor**	• **Three Waters Manager** • **Three Waters Assistant Engineer** • **Three Waters Compliance Lead** • **Three Waters Quality Assurance Lead** • **Asset Management Data Specialist** • **Three Waters Trainee Technician** • **Compliance Officer**
LGA	
Section 171	General power of entry
Section 172	Power of entry – enforcement purposes
Section 173	Power of entry in cases of emergency
Section 174	Authority to act (powers of entry)
Section 178	Require certain information
Section 181	Construction of works on private land
Section 182	Power of entry – utilities
Section 193	Power to restrict water supply
Water Services Act 2021	
Section 21	Duty to supply safe drinking water
Section 22	Duty to comply with drinking water standards
Section 24	Duty to take reasonable steps to supply aesthetically acceptable drinking water
Section 25	Duty to provide sufficient quantity of drinking water
Section 27	Duty to protect against risk of backflow
Section 28	Duties relating to end-point treatment
Local Government (Water Services) Act 2025	
Section 161	Power to enter land and carry out work
Section 172	Power to enter road and carry out work
Section 176	Power to enter level crossing and carry out work
Section 177	Urgent work permitted
Sections 278 – 290 and 295	Compliance Officer – All relevant powers
Section 297	Power to serve compliance order (Asset Group Manager only)
Litter Act 1979	
Section 7	Powers and duties of officers
Technicians can install back-flow preventers	
Power to administer and enforce relevant Bylaws	

Warrants in respect of Roading	
• **Asset Group Manager** • **Roading Officer** • **Senior Roading Officer**	• **Roading Manager** • **Compliance Officer** • **Assistant Roading Engineer**
LGA	
Section 171	General power of entry
Section 172	Power of entry – enforcement purposes
Section 173	Power of entry in cases of emergency
Section 174	Authority to act (powers of entry)
Section 178	Require certain information
Section 181	Construction of works on private land
Section 182	Power of entry – utilities

Section 193	Power to restrict water supply
Litter Act 1979	
Section 7	Powers and duties of officers
Power to administer and enforce relevant Bylaws	

Warrants in respect of Building Control	
• **Building Control Manager** • **Compliance Officer (when applicable)**	• **Building Control Officer/s**
Building Act 2004	
General	To carry out all functions under the Building Act 2004
LGA	
Section 171	General power of entry
Section 172	General power of entry – enforcement purposes
Section 173	Power of entry in cases of emergency
Section 174	Authority to act (power of entry)
Amusement Devices Regulations 1978	
Regulation 23	Powers of entry
RMA	
Section 332(1)(a)	Power of entry for inspection
Health Act 1956	
Section 128	Power of entry and inspection
Power to administer and enforce relevant Bylaws	
Plus any relevant sections of the above mentioned Acts and regulations made under them which may be applicable	

Warrants in respect of District Planning and Regulatory Services: Planning	
• **Regulatory & Compliance Group Manager** • **Compliance Officer**	• **Senior Planner** • **Intermediate Planner** • **Graduate Planner**
RMA	
Section 22	Direct any person to provide certain information
Section 322	Issue and serve any person an abatement notice
Section 330	Emergency works and power to take preventative or remedial action
Section 332(1)	Power of entry for inspection
Section 333	Power of entry for survey
Section 343C	Issue an infringement notice
Power to administer and enforce relevant Bylaws.	
An “Inspector” under the general bylaws of Council	
Plus any relevant sections of the RMA and its regulations which may be applicable	
LGA	
Section 171	General power of entry
Section 172	General power of entry - enforcement purposes
Section 173	Power of entry in cases of emergency
Section 174	Authority to act (powers of entry)
Litter Act 1979	
Section 7	Powers and duties of officers

Warrants in respect of District Planning and Regulatory Services: Sale and Supply of Alcohol	
• **Regulatory & Compliance Group Manager** • **Liquor Licensing Inspector/s as Contracted to the Council**	
Sale and Supply of Alcohol Act 2012	
Section 267	Powers of entry on licensed premises

Power to administer and enforce relevant Bylaws	
Warrants in respect of District Planning and Regulatory Services: Environmental Services • **Regulatory & Compliance Group Manager (when applicable)** • **Group Manager Environmental Services** • **Environmental Compliance Manager** • **Environmental Health Officer and Support Officer as Contracted to the Council**	
Health Act 1956	
Section 34	Immediate abatement of nuisance (without notice) by Environmental Health Officer
Section 41	Authority to issue cleansing orders
Section 81	Disinfection of premises by Environmental Health Officer
Section 82	Disinfection of premises by Environmental Health Officer on receipt of a notice from the medical officer of health
Section 83	Destruction of infected articles
Section 128	Power of entry and inspection
Section 134	Environmental Health Officer may obtain name and address
LGA	
Section 171	General power of entry
Section 172	General power of entry - enforcement purposes
Section 173	Power of entry in cases of emergency
Section 174	Authority to act (powers of entry)
Litter Act 1979	
Section 7	Powers and duties of officers
Health (Burial) Regulations 1946	
Regulation 20	Inspection of mortuaries
Camping Ground Regulations 1985	
Regulation 15	Regular inspection of camping grounds
Health (Registration of Premises) Regulations 1996	
Regulation 5	Inspection of registered premises
Food Act 2014	
Section 54	Authority to refuse to process an application for registration
Section 55	Authority to require further information to be provided
Section 57	Authority to refuse to register a food control plan
Section 60	Authority to impose conditions on registration of a food control plan
Section 62	Authority to suspend all or any operations under a registered food control plan
Section 63	Authority to extend the suspension if considered necessary
Section 67	Authority to cancel the registration of a food control plan
Section 84	Authority to refuse to process an incomplete application for registration
Section 85	Authority to require an applicant to supply further information
Section 89	Authority to impose conditions on registration of a food business
Section 90	Authority to suspend all or any operations of a registered food business that is subject to a national programme
Section 91	Authority to extend the suspension (of operations of a registered food business that is subject to a national programme) if considered necessary
Section 95	Authority to cancel the registration of a food business that is subject to a national programme
Section 184	Authority to provide relevant information required under the Food Act 2014 to Ministry of Primary Industries
Section 294	Right of access and related powers and duties of verifiers and verification agencies

Plus any other relevant sections of the Food Act 2014 and its regulations (such as Food Regulations 2015) that may be applicable

Warrants in respect of District Planning and Regulatory Services: Food Safety	
• **Regulatory & Compliance Group Manager (when applicable)** • **Food Safety Officer as Contracted to the Council**	
Food Act 2014	
Section 219	Power to issue and cancel infringement notice
Section 296	Powers in sections 292 and 293 of the Food Act 2014 exercisable by food safety officers
Section 299	Powers to facilitate entry, search, and seizure
Section 300	Information powers and evidence gathering
Section 301	Powers of examination, identification, and rectification, and associated detention powers
Section 302	Power to issue improvement notice
Section 304	Powers to take, purchase, and sample
Section 305	Power to interrupt operations and give certain directions
Section 306	Powers to seize, condemn, and require disposal
Section 307	Power to restrict use of or close place
Section 308	Other powers
Section 310	Powers to enter
Section 311	Power to enter without search warrant
Section 312	Power to test samples of food or examples of food related accessories
Section 324	Power to execute a search warrant
Section 326	Powers under search warrant
Section 331	Application for compliance order
Power to administer and enforce relevant Bylaws	

Warrants in respect of District Planning and Regulatory Services: Food Safety Administration	
• **Chief Executive or Regulatory** • **Compliance Manager**	
Food Act 2014	
Section 303	Authority to review food safety officer decision's to issue an improvement notice

Warrants in respect of District Planning and Regulatory Services: Animal Control	
• **Regulatory & Compliance Group Manager** • **Compliance Officer**	• **Senior Animal Control Officer** • **After Hours Officer**
LGA	
Section 171	General power of entry
Section 172	General power of entry – enforcement purposes
Section 173	Power of entry in cases of emergency
Section 174	Power to act (powers of entry)
Litter Act 1979	
Section 7	Powers and duties of officers
Dog Control Act 1996	
Section 14(1),(2)	Power of entry
Section 15,(1),(2)	Power of entry to supply dogs with food, water or shelter and/or seize the dog
Section 17(1),(2)	Powers of warranted officers
Section 19(1)	Power to request information about owner
Section 25	Disqualification of owners
Section 28(7)	Powers of entry to seize dog where person fails to comply– Animal Control Officer

Section 31	Power to classify dangerous dogs
Section 33A	Power to classify dogs as menacing
Section 50(1)	Power to seize and impound dog not wearing proper collar or disc
Section 55(1)	Barking dogs – power of entry, issue written notice or remove the dog
Section 56(2)	Barking dogs causing distress – power to remove the dog
Section 57(2)	Dogs attacking – liability for fine on summary conviction
Section 59(1)	Power to seize and destroy dog at large in vicinity of protected wildlife
Section 60(1)	Power to destroy dog running at large among stock or poultry (note this power may not be exercised without written authority from Council's Chief Executive)
Section 64(2),(3)	Power to destroy dog where order made for destruction (note this power may not be exercised without written authority from Council's Chief Executive)
Section 69(1)	Power to impound and subsequently dispose of dog
Section 70(3),(5),(7)	Custody of dog removed for barking
Section 71(1),(5),(8)	Retention of dog threatening public safety
Impounding Act 1955	
Section 32(1),(3)	Power to declare specified fenced paddock or yard adjacent to a road to be a temporary pound and appoint a keeper of the pound
Section 35	Stock straying on roads – power to impound
Section 36	Recovery of stock – power of entry to recover escaped stock while being taken to a pound
Section 42(1)	Disposal of wild stock – power to impound and destroy wild stock straying on roads
Section 44	Provisionary pound is of insufficient size – power to extend the size of a temporary pound
Section 47	Pound keeper to detain stock until charges paid
Section 49	Stock not claimed to be sold at auction
Section 50(1),(2)	Sales of impounded stock
Section 52(1)	Destruction of suffering or worthless stock
Section 53	Disposal of unsold stock
Power to administer and enforce relevant Bylaws	
Plus any other relevant sections of the above Acts and the regulations made under them that may be applicable	

Warrants in respect of District Planning and Regulatory Services: Noise Control	
• **Regulatory & Compliance Group Manager** • **Compliance Officer**	• **Senior Animal Control Officer** • **After Hours Officer**
RMA	
Section 22	Power to direct any person to supply information relating to noise control
Section 322	Issue and serve any person an abatement notice with regard to noise control
Section 327	Issue an excessive noise direction
Section 328	Compliance with excessive noise direction - powers of entry and seizure
Section 332	Power of entry for inspection
Power to administer and enforce relevant Bylaws	
Plus relevant sections of the RMA that may be applicable	
Bylaws	
Regulatory & Compliance Group Manager and in his/her absence the Chief Executive be given delegation to approve minor requests for dispensations to Council bylaws including temporary dispensation to the liquor banned areas	

3. Schedules for Type 2 Delegations

Schedule 2A Council Staff, Financial Authority to expend or commit Council to expenditure

The guiding document for approval of financial transactions and the acceptance of contractual arrangements on behalf of Council is the Long-Term Plan (**LTP**). The LTP contains our community's desired outcomes, translated into strategic objectives and devolved into annualised budgets looking ten years ahead. The budgets within the LTP are subject to community approval by the submission and community consultation process.
Where an item of expenditure is being considered that does not fall within the programme of work shown within Council's LTP, then that item of expenditure must be evaluated in terms of Council Policy 301, Significance and Engagement Policy.
Council's delegations of financial authority are based on a recognition of the over-arching authority created by the annual process whereby Council's elected members approve a budget to be in place for a 12 month period commencing 1 July each calendar year.

Expenditure within Budget
Where an item of expenditure falls within the budget approved by Council's elected members, and is equal to or below the delegated level assigned to a Council Manager (refer table of "List of Delegations to Departmental Staff" below), that item of expenditure may be approved by Council's manager for the department relevant to that expenditure.
Where an item of expenditure falls within the budget approved by Council's elected members and is greater than the delegated level assigned to a Council Manager (refer table of "List of Delegations to Departmental Staff" below), approval must be given by Council's Chief Executive.
Where an item of expenditure falls within the budget approval by Council's elected members, and is **$1,500,000 or greater**, approval must be given by ordinary resolution of Council's elected members.

Budget Over-Runs
Where a manager of Council becomes aware that actual expenditure within an activity will exceed its approved budget, the manager is required to advise Council's Chief Executive, as soon as is practicable.

Unbudgeted Expenditure[1]
Unbudgeted expenditure is that which is of a nature that falls outside of Council's approved budget. Where any manager wishes to make unbudgeted expenditure this must be approved by the Chief Executive before the expenditure is committed. The Chief Executive will report the total (and detail) of unbudgeted expenditure to an ordinary meeting of Council, following each financial year quarter.

Council's Managers may delegate authority for financial approvals to staff roles within their departments
In order to facilitate the practical day to day running of Council's operations, Council's managers may delegate (subject to their own expenditure limit) financial authority to named staff roles to incur and approve expenditure on behalf of Council, within their departments approved budget.

Approval Process for Invoices and Contracts

- The approval process is intended to align the scale of the expenditure with the seniority of the approving officer.
- In approving an invoice/contract, the Council officer is signifying that:
    - The expenditure falls within Council's programme of work shown in Annual Budget, (or if outside LTP has been approved by Council following subjection to the Significance and Engagement Policy, and public consultation if required)
    - The expenditure falls within the officer's delegated approval limit.
    - The expenditure is in accordance with the relevant purchase order issued by Council where appropriate.
    - The invoice is a bona fide invoice.
    - The quality of the goods or service is acceptable.
    - The price charged on the invoice is as quoted or acceptable.

[1] For the Chief Executive's emergency financial delegation in terms of unbudgeted expenditure, specifically in relation to response to the COVID-19 emergency, see Appendix I.

- The accounting coding applied to the invoice is correct.

- In some circumstances it may be appropriate for a manager to approve an invoice for payment that will be allocated to a number of departments across Council, provided it is a regular (i.e. monthly, annual etc.) expense that is usual in nature and expected. Examples include motor vehicle registrations and electricity charges. The manager approving this type of invoice must continue to adhere to the conditions of their delegation as with any invoice approval.

Authorisation Process for Invoices
Authorisation is essentially a financial or management audit function, whereby the authorising officer (usually the , Accounting Assistant, Corporate Services Assistant, or an additional bank signatory) provides a second layer of assurance that the approving officer has acted within their personal approval limit and provides a second opinion on the correctness of the accounting coding.

Council Officer Designated as Bank Signatories and to Authorise Payment

- Bank, transfer, and invest funds held by the Council in accordance with Council policy, subject to the observance of appropriate internal controls;

- Sign and countersign bills of exchange, promissory notes and other negotiable instruments, withdrawal notices or authorise electronic payments on behalf of Council;

- Approve all tax payments and tax related matters.

  - Chief Executive
  - Corporate Services Group Manager
  - Finance Manager
  - Regulatory & Compliance Group Manager

Up to $1,000,000 may be transacted jointly by any two officers of Council designated above as authorising officers. Transfers in excess of $1,000,000 must be authorised by the Chief Executive.

- Approve payroll payments and all payroll related matters;

  - Human Resources Manager
  - Accounting Assistant

Raising, authorisation and posting of general ledger journals
Every general ledger journal must be subject to a two-step process, where it is firstly raised by an officer of Council with the appropriate delegation.
A second and separate officer of Council with the appropriate delegation must then:

(a) Check that the journal is correct in nature and that appropriate supporting documentation is on file; and

(b) Check that the posting of the journal to the general ledger has been performed correctly and evidence this by signing the journal document in the “authorised” area.

Officers delegated to raise journals
Finance Manager
Finance and Data Analyst Lead
Accounting Assistant
Corporate Services Group Manager
Rates Officer

Officers delegated to authorise journals – except for those journals they may raise
Finance Manager
Chief Executive
Corporate Services Group Manager

Financial Limits

Position	**Contractual / expenditure authority within budgeted levels in the Long Term Plan / Annual Plan**	
	Initiate Purchase Orders	**Approving Purchase Orders and Contracts**
	GST exclusive	GST exclusive
Chief Executive	nil	$1,500,000
Asset Group Manager	yes	$200,000
Community & Strategy Group Manager	yes	$40,000
Corporate Services Group Manager	yes	$70,000
Executive Support Manager	yes	$10,000
Human Resources Manager	yes	$10,000
Regulatory & Compliance Group Manager	yes	$40,000
Corporate Services Group Manager, Finance Manager, Accounting Assistant - Tax-related matters only	nil	$500,000
Human Resources Manager, Finance Manager- Payroll-related matters only	nil	$300,000
Asset Group Manager	yes	$200,000

Position	Contractual / expenditure authority within budgeted levels in the Long Term Plan / Annual Plan	
	Initiate Purchase Orders	**Approving Purchase Orders and Contracts**
Asset Group Administration Officer	yes	nil
Asset Management Data Specialist	yes	nil
Finance and Data Analyst Lead	yes	nil
Waste Management Officer	yes	$5,000
Three Waters Manager	yes	$70,000
Three Waters Administrator	yes	$2,000
Three Waters Quality Assurance Lead	yes	$2,000
Three Waters Systems Lead	yes	$2,000
Three Waters Compliance Lead	yes	$2,000
Three Waters Assistant Engineer	yes	$70,000
Three Waters Operations Manager	yes	$10,000
Three Waters Supervisor	yes	$5,000
Three Waters Technician	yes	nil
Three Waters Trainee Technician	yes	nil
Three Waters Administration Technician	yes	nil
Roading Manager	yes	$100,000
Road Asset Information Technician	yes	nil
Senior Roading Officer	yes	nil

Position	Contractual / expenditure authority within budgeted levels in the Long Term Plan / Annual Plan	
	Initiate Purchase Orders	**Approving Purchase Orders and Contracts**
Roading Officer	yes	nil
Assistant Roading Engineer	yes	nil
Technical Support Officer- Roading	yes	nil
Parks & Reserves Manager	yes	$40,000
Parks & Reserves Supervisor	yes	$5,000
Lifeguard Supervisor	yes	nil
Sexton/Gardener	yes	nil
Community & Strategy Group Manager	yes	$40,000
Administration Support Officer	yes	nil
Administration Officer Event Centre	yes	nil
Administration Assistant Event Centre	yes	nil
Supervisor Event Centre	yes	nil
Librarian	yes	nil
Strategic Planner and Policy Advisor	yes	nil
Senior Librarian	yes	nil
Librarian Support	yes	nil
Corporate Services Group Manager	yes	$70,000
Finance Manager	yes	$10,000

Position	Contractual / expenditure authority within budgeted levels in the Long Term Plan / Annual Plan	
	Initiate Purchase Orders	**Approving Purchase Orders and Contracts**
Accounting Assistant	yes	nil
Accounts Payable/Reception	yes	nil
Cleaning Team Supervisor	yes	nil
Governance Support and PA to Mayor	yes	nil
Corporate Services Assistant	yes	nil
Finance Support Team Leader	yes	$5,000
GIS Analyst	yes	nil
IT Manager	yes	$10,000
IT Support Technician	yes	nil
Rates Officer	yes	nil
Executive Support Manager	yes	$10,000
Communications Advisor	yes	nil
MTFJ Coordinator	yes	nil
Graphic Designer	yes	nil
Communications and Promotions Officer	yes	nil
Regulatory & Compliance Group Manager	yes	$40,000
Senior Animal Control Officer	yes	nil
Building Control Manager	yes	$5,000

Position	Contractual / expenditure authority within budgeted levels in the Long Term Plan / Annual Plan	
	Initiate Purchase Orders	**Approving Purchase Orders and Contracts**
Building Control Officer	yes	nil
Compliance Officer	yes	nil
Emergency Management Advisor	yes	nil
Senior Health, Safety, & Wellbeing Advisor	yes	nil
Graduate Planner	yes	nil
Intermediate Planner	yes	nil
Senior Planner	yes	nil
Regulatory Support Officer	yes	nil
Senior Regulatory Support Officer	yes	nil
Human Resources Manager	yes	$10,000
Emergency Work - this is unbudgeted expenditure		
Roading Manager	≤$20,000	$20,000
Senior Roading Officer	≤$20,000	$20,000
Roading Officer	≤$20,000	$20,000
Roading Technician	≤$20,000	$20,000
Emergency Work (when Emergency is declared) This is unbudgeted expenditure		
Civil Defence Controller	nil	≤$100,000
Emergency Work (when Emergency Operations Centre is activated) This is unbudgeted expenditure		

Position	Contractual / expenditure authority within budgeted levels in the Long Term Plan / Annual Plan	
	Initiate Purchase Orders	**Approving Purchase Orders and Contracts**
Civil Defence Logistics Manager	≤$100,000	$20,000
Civil Defence Logistics Support	≤$20,000	nil
Contingency expenditure in the case of emergency or an unexpected event. This is unbudgeted expenditure		
Chief Executive	≤$500,000	≤$500,000
Note: The initiator of a purchase order cannot approve that order. **The only exception is the Chief Executive and Civil Defence Logistics Manager for emergency work.** **Roading Emergency work will require a different authoriser to approver.**		

All capital projects and contracts must be approved by the Chief Executive, or Asset Group Manager for Asset Group projects, prior to commencing procurement.

4. Schedules for Type 3 Delegations

Schedule 3A Civil Defence

Delegated Authorities for the Civil Defence and Emergency Management (**CDEM**) organisation in New Zealand are controlled by the Civil Defence Emergency Management Act 2002 (**CDEMA**). The CDEMA provides for the following hierarchy of Delegations.

Nationally

Role	Where powers/obligation derive from or are recorded
Parliament *appoints*	
Minister of CD *employs*	
Chief Executive Department of CDEM *appoints*	
Director of CDEM *may appoint*	Section 9 of the CDEMA provides that the Director has all the powers that are reasonably necessary or expedient to enable the Director to perform his or her functions, including, in the event of a National state of emergency, to control the activities of CDEM groups and group controllers.
National Controller of CDEM	Section 10 of the CDEMA provides that for the purposes of dealing with a National State of Emergency the National Controller may be delegated any of the powers of the Director of CDEM.

Regionally

Role	Where powers/obligations derive from or are recorded
Canterbury Civil Defence Emergency Management Group	Section 12 of the CDEMA provides that each regional council and territorial local authority within Canterbury is required to unite and function as a joint standing Committee.
Waimate District Groups Representative	Section 16 of the CDEMA provides that each regional council and territorial local authority must provide one representative or group, usually their chairperson.
Group Controller	Section 18 of the CDEMA provides for wide powers in the event of a declared emergency (see sections 86 to 89, 91 and 92 of the CDEMA). Delegation may be given to: Group EOC Manager, Group Operations Manager, Group Logistics Manager, Group Welfare Manager and Group Public Information Manager (these persons may also delegate powers to persons on duty working for them).
	Section 90 of the CDEMA provides for wide powers to requisition in the event of a declared emergency. Delegation to requisition may be given to: Group Logistics Manager and Deputy Group Logistics Manager.

Locally

Role	Where Powers/Obligations Derive From or are Recorded
Mayor (or delegated representative in the Mayors absence)	Sections 68, 71, and 72 of the CDEMA provide the power to declare, extend, and terminate a state of emergency.
Council Civil Defence Controllers	Section 26 of the CDEMA provides for the appointment of Direct Waimate Districts Emergency Operations and other obligations under the CDEMA.

Schedule 3A(i) Requisitioning Powers under the Civil Defence Emergency Management Act 2002

The appointed Group Controller for the Canterbury Civil Defence Emergency Management Group delegates the use of the requisitioning powers under section 90 of the Civil Defence Emergency Management Act 2002 (**CDEMA**) to the persons performing the appointments of Group Logistics Manager or Deputy Group Logistics Manager in the Group Emergency Coordination Centre.

This delegation is only applicable to an area or district in which a State of Emergency, having been declared under sections 66, 68 or 69 of the CDEMA, is in force and such requisitioning action is believed necessary for the preservation of life.

Schedule 3A(ii) Delegation of Powers under the Civil Defence Emergency Management Act 2002

The appointed Group Controller for the Canterbury Civil Defence Emergency Management Group delegates to the persons on duty performing the appointments of Group Emergency Coordination Centre Manager or Group Operations Manager or Group Planning Manager or Group Intelligence Manager or Group Logistics Manager or Group Welfare Manager or Group Public Information Manager in the Group Emergency Coordination Centre the authority to exercise the powers of sections 86 to 89, 91 and 92 of the Civil Defence Emergency Management Act 2002 (**CDEMA**). Further, these persons are authorised to also delegate these powers to persons on duty working for them.

This delegation is only applicable to an area or district in which a State of Emergency, having been declared under sections 66, 68 or 69 of the CDEMA, is in force. Further, any limitations, 'such as necessary for the preservation of life', detailed in the applicable section of the CDEMA must apply before any action is authorised.

Schedule 3B Planning and Regulatory

Delegations under the Resource Management Act 1991

General Delegation Requirements

- For the avoidance of doubt, the delegations set out in this Schedule 3B are in addition to, not substitution of, the delegations to the Chief Executive set out in other schedules of this Policy.
- If no delegation is made through the schedule of delegations or the general requirements then a decision is made by the Council or a Committee or Hearing panel selected by Council, or the Chief Executive exercising powers in accordance with delegations set out in other schedules of this Policy.
- All delegations to officers in Schedule 3B are direct delegations from Council to officers.
- That authority is delegated from Council to the Regulatory & Compliance Group Manager or Community & Strategy Group Manager, as appropriate, to determine the membership of the Hearings Committee for each resource consent application that requires a hearing to be held.
- That authority is delegated from Council to the Regulatory & Compliance Group Manager or Community & Strategy Group Manager, as appropriate, to determine those resource consent applications to be decided on by an independent commissioner (rather than the Hearings Committee). Such applications are likely to be for minor applications (such as limited notified applications that involve neighbour conflicts) or where Council has a potential conflict of interest. It is noted that applicants or submitters may request independent commissioners to hear and determine consent applications. In these cases the Regulatory & Compliance Group Manager or Community & Strategy Group Manager, as appropriate or in their absence the Senior Planner will appoint a suitable Commissioner/s.
- Delegations have been specified to the lowest level considered appropriate, however a decision may also be considered by Council.
- The resolution of appeals and enforcement action shall be carried out in accordance with the following:

    a. That the Council delegate to the Regulatory & Compliance Group Manager or Community & Strategy Group Manager, as appropriate, and Chief Executive the power, to provide instructions to Council solicitors on its behalf to resolve enforcement action, or resource consent appeals, plan appeals or any other appeals before the Environment Court.

    b. That the case of mediation or negotiation undertaken to resolve appeals on Environment Court appeals, the draft consent orders and memoranda of counsel be authorised by the Chief Executive prior to being forwarded to the Court.

    c. In the absence of the Regulatory & Compliance Group Manager or Community & Strategy Group Manager, as appropriate, the Chief Executive is authorised to act in the above Officers capacity subject to the same limitations set out in the above delegation.

- Section 38 of the RMA provides that local authority may authorise any of its officers to carry out all or any of the functions and powers as an enforcement officer under the RMA. Rather than showing the officers who are authorised as enforcement officers, the Delegation Structure shows that the levels at which decisions are made about enforcement action. The Council decides who should be Enforcement Officers who hold warrant cards under section 38(5) of the RMA.
- For the purposes of this Delegations Policy, any reference to the position of Resource Planner applies to any employee appointed to undertake resource planning functions in the roles of Senior Planner, Intermediate Planner, Planner, or Graduate Planner.

Specific Delegations

Specific delegations are set out in the schedule attached with the delegation structure, referred to in the schedule is set out below.

Delegation Structure

The delegation structure is as follows:

Level 1 Any one of the following officers acting alone: Regulatory & Compliance Group Manager, Community & Strategy Group Manager, Chief Executive, or any person acting as the Regulatory & Compliance Group Manager, or Community & Strategy Group Manager.

Level 2 Any two of the following officers acting together: Chief Executive, Regulatory & Compliance Group Manager, Community & Strategy Group Manager, or Resource Planner.

Level 3 Any one of the following officers acting alone: Resource Planner or external contractor.

Level 4 Enforcement/Monitoring - Any one of the following officers acting alone: Regulatory & Compliance Group Manager, Community & Strategy Group Manager, Resource Planner, or any person appointed as an Enforcement Officer under section 38(5) of the RMA.

Level 5 District Plan Policy - The following officer: Regulatory & Compliance Group Manager or Community & Strategy Group Manager, as appropriate.

The powers, functions and duties to:		**Delegation from Council to:**
Section 36	Administrative charges: • Considering an application for remission of charges. • To consider request to depart from a fixed payment charge to a time & cost charge.	Level 1
Section 37	Power of waiver and extension of time limits: • Power to waive or extend time limits on any application (notified or non-notified).	Level 2 or 3
Section 38	Authorisation and responsibilities of enforcement officers: • Ability to authorise enforcement officers and responsibilities of enforcement officers.	Level 2 or 3
Section 41	Provisions relating to hearings: • Ability to set a hearing date.	Level 2 or 3
Section 88	Ability to reject applications: • Ability to reject applications for inadequate information.	Level 3
Section 91	Deferral pending application for additional consents: • To defer processing an application.	Level 2 or 3
Sections 95, 95A, 95B, 95C, 95D and 95E	Public notification, limited notification or non-notification of consent applications: • To determine whether a resource consent is required to be publicly notified pursuant to section 95 of the RMA. • To determine whether limited notification is required pursuant to section 95B of the RMA. • To determine who may be adversely affected by the application pursuant to section 95D of the RMA. • To determine if a person is an affected person pursuant to section 95E of the RMA.	Level 2 Level 2 Level 2 Level 2
Section 99	Pre-hearing meetings: • To determine whether a pre-hearing meeting is required. • To determine who will chair any pre-hearing meeting (if one is required).	Level 2 Level 2
Section 100	Obligation to hold a hearing: • To decide if a hearing is required. • To set a hearing date and organise a notice of hearing.	Level 2 Level 3
Section 102	Joint hearings by 2 or more consent authorities: • To decide if a hearing is required.	Level 2
Sections 104, 104A	Determination of resource consent applications, including subdivisions and impose conditions:	

The powers, functions and duties to:		Delegation from Council to:
104B, 104C, 108 and 220	• To approve and impose conditions on non-notified resource consent and subdivision consent applications, or notified consents where no submissions are received. Note: by default and decision to decline an application is delegated to Council or a Committee or Panel delegated by the Council	Level 1
Section 114	Notification of decisions: • To organise the release of decisions.	Level 3
Section 125	Lapsing of consent: • To consider and make a decision on an application for extension of time for any other consent.	Level 3
Section 127	Change or cancellation of consent conditions: • To consider an application to cancel or vary a condition of resource consent that does not require a hearing.	Level 1
Section 128	Circumstances when consent conditions can be reviewed: • To review any other consent under section 128(1)(c) of the RMA because the information provided with the application contains inaccuracies.	Level 2
Sections 129 and 132	Notice of review: • To issue a notice of review. • To decide on a review of consent conditions for application which did not require a hearing.	Level 3 Level 1
Section 139	Certificates of compliance: • To consider an application or certificate of compliance. • To issue and sign a certificate of compliance as authorised officer.	Level 2 Level 1
Sections 168, 168A, 169 and 171	Notice of requirement – notification, hearing and recommendations: • To notify a requirement in accordance with section 168A and 169 of the RMA and determine which persons and bodies shall be served notice of requirement and to arrange its public notification. • To request further information or commission reports.	Level 1 Levels 1, 2 and 3
Section 176A	Outline Plan: • To consider an application for an outline plan and recommend changes if necessary. • To consider an application for a waiver of an outline plan.	Level 2 Level 2
Section 181	Alteration of designation: • To consider and make decisions on an application for an alteration of a designation.	Level 1
Section 182(5)	Removal of designation: • To consider an application to remove a designation or remove part of a designation.	Level 5
Sections 184 and 184A	Lapsing of designations: • To consider and decide on a longer time frame to give effect to a designation.	Level 5
Sections 189, 189A, 190 and 191	Notice of requirement for a Heritage Order – notification, hearing and recommendations: • To notify a requirement for a Heritage Order in accordance with section 189A and 190 of the RMA and determine which persons and bodies	Level 5

The powers, functions and duties to:		Delegation from Council to:
	shall be served notice of requirement and to arrange its public notification. • To request further information or commission reports.	Level 5
Section 221	Issue consent notice: • Impose as a condition requiring a consent notice or vary a condition of relating to a consent notice. • Certify a consent notice as Authorised Officer.	Level 1 Level 1
Section 222	Completion certificate: • To certify a completion certificate.	Level 1
Section 223	Approval of survey plan: • To certify a survey plan.	Level 1
Section 224	Restrictions upon deposit of survey plan: • To issue certificate pursuant to section 224 of the RMA.	Level 1
Section 226	Restriction upon issue of certificates of title: • To consider an application under section 226 of the RMA. • To issue a record of title pursuant to section 226 of the RMA.	Level 1 Level 1
Section 235	Creation of esplanade strips by agreement: • To approve the creation of a voluntary esplanade strip.	Level 1
Section 237B	Access strips by agreement: • To approve the creation of a voluntary access strip easement.	Level 1
Section 240	Covenant against transfer of allotment: • Power to impose a condition requiring a covenant be registered. • Power to cancel a covenant against the transfer of allotment. • To certify a covenant or cancellation of covenant as authorised officer.	Level 1 Level 1 Level 1
Section 241	Amalgamation of allotments: • To consider and decide on an application to cancel a condition in whole or in part under section 241(3) of the RMA. • Certification of documentation under section 241(4) of the RMA.	Level 1 Level 3
Section 243	Survey plan approved subject to grant or reservation of easements: • Power to grant, surrender, transfer, vary or cancel or surrender easements under section 243 of the RMA. • To certify documentation under section 243 of the RMA.	Level 1 Level 1
Sections 311, 314, 315, 316, 320 and 321	Application for an enforcement order or interim enforcement order: • To apply to the Environment Court for an enforcement order pursuant to section 314 of the RMA or for an interim enforcement order pursuant to section 320 of the RMA. • To make decisions on any matters relating to application for enforcement orders (including any application to change or cancel enforcement order).	Level 4 Level 4
Sections 322, 323, 324, 325,	Issue and effect of abatement notices: • To issue abatement notices and to make decisions relating to abatement notices.	Level 4 Level 4

The powers, functions and duties to:		Delegation from Council to:
325A and 325B	• Compliance with abatement notice and cancellation of abatement notice. • Restriction on abatement notices.	Level 4
Section 327	Issue and effect of excessive noise direction: • Compliance with excessive noise direction.	Level 4
Sections 332 and 333	Power of entry for inspection and survey: • Power of entry for inspection. • Power of entry for survey connected with preparation, change or review of a policy statement or plan.	Level 4 Level 4
Sections 343A-D	Infringement notices: • Power to issue infringement notices.	Level 4
Section 357	Objections to certain decisions and requirements of consent authorities: • Consider and make decisions on application for objections for an application which does not require a hearing. • To decide whether an objection requires a hearing.	Level 1 Level 2
First Schedule, clauses 5 and 23	Preparation and change of plans: • To determine which persons and bodies shall be served with a copy of any proposed District Plan, or Change to a District Plan, and to arrange public notification. • To require further information, or to commission a report, in order to consider a request for a plan change.	Level 5 Level 5

Delegations under other Acts

Local Government Act 1974

The powers, functions and duties to:		Delegation to:
Section 348	Right of ways • To consider and make decisions on applications for rights of way. • To certify a survey plan pursuant to section 348.	Level 1 Level 1

Litter Act 1979

That the Asset Group Manager and the Three Waters Manager be granted delegated authority to be appointed and warranted as Litter Control Officers pursuant to sections 5 and 7 of the Litter Act 1979. The chief executive may appoint and warrant Council Litter Control Officers with the powers pursuant to, but not limited to, the Litter Act 1979.

Hazardous Substances and New Organisms Act 1996

That the Council reserves to itself and Ashburton District Council, as contractor, the powers pursuant to, but not limited to the Hazardous Substances and New Organisms Act 1996 (**HSNO Act**). That Council authorise the person appointed as the Hazardous Substances and New Organisms (**HSNO**) Enforcement Officer pursuant to the HSNO Act to exercise and carry out all or any of the functions and powers of an enforcement officer under the HSNO Act and any other matters which the HSNO Enforcement Officer may carry out in terms of the HSNO Act.

Dog Control Act 1996

All references to sections relate to sections of the Dog Control Act 1996 unless otherwise specified.

That functions and duties delegated to the Senior Animal Control Officer, in his/her absence to the Regulatory & Compliance Group Manager, in his/her absence the Chief Executive, or other appropriate Council Officer delegated by the Chief Executive:

1. To commence, pursuant to section 66, proceedings in accordance with section 21 of the Summary Proceedings Act 1957 where an infringement notice has been issued and to make any decision in any matter relating to such proceedings.

2. To classify any person as a probationary owner pursuant to section 21.

3. To disqualify any person from being the owner of any dog pursuant to section 25.

4. To extend any period of disqualification, pursuant to section 28(6).

5. To classify any dog as a dangerous dog, pursuant to section 31.

6. To classify any dog as a menacing dog under sections 33A and 33C.

7. To consent to the disposal of a dangerous dog pursuant to section 33.

8. To remit, reduce or refund dog control fees or part thereof, pursuant to section 39(3).

9. To dispose of any dog pursuant to sections 69 and 70(7).

10. To exercise all of the Council's powers pursuant to section 71 (retention of dog threatening public safety).

11. To provide register information pursuant to section 35(4).

12. To determine whether or not a dog should be delivered into custody of a control officer or dog ranger pursuant to section 35(5)(c).

13. To issue a replacement label or disc pursuant to section 46(3).

14. To require a probationary owner to undertake a dog owner education programme or a dog obedience course (or both) under section 23A.

15. To disqualify a person from being the owner of a dog pursuant to section 25.

16. To exempt, under section 33E(5), any dog or class of dog classified as menacing from the muzzling or control requirements under section 33E(1)(a).

17. To authorise the release of a dog from custody pursuant to sections 32(5)(b).

18. To issue instructions, under section 36A(3)(a), relating to the making available of a dog for verification that it has been implanted with a functioning microchip transponder.

19. Any other matters which the Senior Animal Control Officer may carry out in terms of the Dog Control Act.

Sale and Supply of Alcohol Act 2012

That Council reserves to itself and Timaru District Council, as contractor, the powers pursuant to, but not limited to the Sale and Supply of Alcohol Act 2012 (**SSAA**), the Sale and Supply of Alcohol (Fees) Regulations 2013 (**SSA Regulations**) and the Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013, described in **Table A**.

That Council delegates to the Chief Executive the powers pursuant to, but not limited to the SSAA and the SSA Regulations, described in **Table B**.

That Council delegates powers to Officers/Timaru District Council the powers pursuant to, but not limited to the SSAA and the SSA Regulations, described in **Table C**.

The Secretary of the District Licensing Agency is delegated to the Timaru District Council by contract.

Table A SSAA and SSA Regulations Delegations – Powers Reserved to Council and Timaru District Council

#	Power to be reserved to Council	SSAA / SSA Regulations	Conditions
1	Powers to adopt local alcohol policies or joint local alcohol policies	Sections 75, 76, 78, 79, 80, 84 and 88	As per SSAA. The reservation of these powers to Council does not restrict the power of Council to delegate to any subordinate decision-making body the power to do anything precedent to the exercise by Council of these powers.
2	Power to amend or revoke or review local alcohol policies	Sections 95, 96 and 97	As per SSAA. The reservation of these powers to Council does not restrict the power of Council to delegate to any subordinate decision-making body the power to do anything precedent to the exercise by Council of these powers.
3	Power to appoint district licensing committees	Section 186	As per SSAA
4	Power to appoint a member to be chairperson of a district licensing committee	Section 189(2)	As per SSAA
5	Power to appoint a member to be deputy chairperson of a district licensing committee	Section 189(3)	As per SSAA
6	Power to establish a list of persons approved to be members of the district licensing committee	Section 192	As per SSAA
7	Power to renew or remove an appointment to the list of approved members	Section 192 and 194	As per SSAA
8	Powers to assign a fees category to premises	Regulation 6(4)	As per SSA Regulations. Council may delegate this power in future once it has established policy to guide the exercise of this power.
9	Powers to make bylaws in relation to fees	Clause 3 Fee-setting Bylaws Order	As per SSA Regulations. These powers must be exercised in accordance with the LGA 2002 and the Bylaws Act 1910.

Table B SSAA Delegations – Powers Delegated to the Chief Executive

#	Power to be delegated	SSAA	Conditions	Sub-delegation allowed
1	Power to give notice of adoption of a local alcohol policy	Section 90	As per SSAA	Yes
2	Power to provide copy of local alcohol policy to licensing authority	Section 91	As per SSAA	Yes
3	Power to maintain and publish a list of persons approved to be members of the district licensing committee	Section 192(1) and 192(4)	As per SSAA	Yes
4	Power to appoint a chief licensing inspector	Section 197(5)	As per SSAA	Yes
5	Power to sub-delegate the powers of the chief executive under the SSAA	Section 198	As per SSAA. These powers are contained in sections 193 (Appointment of Commissioners , 196 (Secretary of Licensing Committees), 197 (Licensing Inspectors), 198 (Delegation of functions, duties, or powers of Chief Executives) and include the powers, functions and duties of the secretary of licensing committees specified in sections 64, 66, 67, 72, 73, 102, 103, 128, 129, 140, 141, 220, 225, 283 and 284.	No
6	Power to prepare and distribute an annual report of the district licensing committees	Section 199	As per SSAA	Yes
7	Power to authorise a person to appear in proceedings.	Section 204	As per SSAA	Yes
8	Power to authorise a person to appear in relation to appeal	Section 205	As per SSAA	Yes
9	Power to ensure that decisions of any district licensing committee are publicly available	Section 211(5)	As per SSAA	Yes

Table C SSAA Delegations – Powers to be delegated to Officers/Timaru District Council

#	Power to be delegated	SSAA	Officer	Conditions
1	Powers to issue licences, certificates and authorities	Section 64	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
2	Powers to keep records of applications	Section 66	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
3	Powers relating to certified extracts	Section 67	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental	As per SSAA

#	Power to be delegated	SSAA	Officer	Conditions
			Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	
4	Powers to issue duplicate licence or certificate	Section 72	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council*	As per SSAA
5	Powers relating to surrender of licence or manager's certificate	Section 73	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
6	Power to give notice of adoption of a local alcohol policy	Section 90	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
7	Power to provide copy of local alcohol policy to licensing authority	Section 91	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
8	Powers relating to objections to applications	Section 102	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
9	Powers relating to reports of Police, Medical Officer of Health and Inspectors	Section 103	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee and Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
10	Powers relating to objections to renewal applications	Section 128	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
11	Powers relating to reports of Police, Medical Officer of Health and Inspectors on renewal applications	Section 129	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA

#	Power to be delegated	SSAA	Officer	Conditions
12	Powers relating to objections to special licence applications	Section 140	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
13	Powers relating to reports of Police, Medical Officer of Health and Inspectors on special licence applications	Section 141	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
14	Power to maintain and publish a list of persons approved to be members of the district licensing committee	Sections 192(1) and 192(4)	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
15	Power to appoint a chief licensing inspector	Section 197(5)	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council*	As per SSAA
16	Power to prepare and distribute an annual report of the district licensing committees	Section 199	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Timaru District Council Chief Executive *	As per SSAA
17	Power to authorise a person to appear in proceedings.	Section 204	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
18	Power to authorise a person to appear in relation to appeal	Section 205	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
19	Power to ensure that decisions of any district licensing committee are publicly available	Section 211(5)	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
20	Powers relating to reports on manager's certificate applications	Section 220	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing	As per SSAA

#	Power to be delegated	SSAA	Officer	Conditions
			Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	
21	Powers relating to reports on manager's certificate renewal applications	Section 225	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
22	Powers relating to variation, suspension or cancellation of special licences	Section 283	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA
23	Powers relating to hearing for variation, suspension or cancellation of special licences	Section 284	Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council *	As per SSAA

* Delegation to be exercised to the Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council only in the absence of other delegated officers.

Liquor Licensing Inspectors

That Council's contracted Environmental Health Officers be confirmed as the Waimate District Liquor Licensing Agencies Inspector pursuant to, but not limited to section 197 of the SSAA to deal with the duties pursuant to, but not limited to sections 99, 100, 101, 103, 141, 204, 205, 206, 220, 225 and 267 of the SSAA.

That Council's contracted Environmental Health Officers be appointed an Inspector under section 103 of the SSAA to deal with Special Liquor Licence duties under section 78 of the SSAA.
Any other matters the Environmental Health and Liquor Licensing Inspectors may carry out in terms of the SSAA.

Freedom Camping Act 2011

Power to be delegated	Section	Officer
To appoint enforcement officers under this Act and to arrange for the issue of warrants of appointment.	32	Regulatory & Compliance Group Manager
To decide whether or not to return seized and impounded property.	39	Regulatory & Compliance Group Manager
To dispose of seized and impounded property.	40	Regulatory & Compliance Group Manager

Gambling Act 2003
The Chief Executive or Regulatory & Compliance Group Manager have power to allocate gaming machines under the Council's Gambling Venue Policy.
Local Electoral Act 2001
Warwick Lampp from Electionz.com is delegated as the Council electoral officer (as per Council resolution 23 May 2017).

Building Act 2004
That pursuant to the Building Act 2004 and the LGA the Council delegate the power to consider exemptions for building consents under Part 1 and clauses 2(a) and 2(b) to Schedule 1 of the Building Act 2004 to the Building Control Manager and/or Regulatory & Compliance Group Manager subject to the delegated authority being exercised by either one of them in accordance with the criteria:

- That the application be received in writing;
- That the structures only be approved for exemption where the officer making the decision is satisfied that the building will either be constructed in accordance with the building code or where it is not so proposed that the building is unlikely to endanger people or adjoining property;
- That the application demonstrates that the structure will not conflict with section 6 of the Building Act, (i.e. purpose and principles);
- In making any decision the officers concerned will have regard to whether the structure is intended for human habitation, whether the detail provided with the application adequately demonstrates compliance with the code and the location of the building; and
- That the structure complies with the requirements of the Waimate District Plan.

Pursuant to the Building Act 2004 and the LGA the Council delegate all of its functions, powers and duties under the Building Act 2004 to:

- The Building Control Officers, subject to compliance with Waimate Building Consent Authority, Quality Assurance System (**QAS**) and excluding the power to set fees and/or charges under sections 219 and 281A to 281D of the Building Act 2004. For the avoidance of doubt, this exclusion does not prevent Building Control Officers from imposing fees and/or charges that have been set by, or in accordance with a methodology determined by Council.

Delegations to Building Consent Authority staff and contractors under the Building Act 2004
Abbreviations

BCA	Building Consent Authority
BCO	Building Control Officer
BCM	Building Control Manager
CE	Chief Executive
CO	Compliance Officer
RCM	Regulatory & Compliance Group Manager
RSO	Senior Regulatory Support Officer
RP	Resource Planner

Building Act 2004		CE	RCM	BCM	RSO	BCO	Contracted BCO or Technical Leader (off-site)	CO	RP
Section 33	Authority to determine the information required in applications for Project Information Memoranda.		Y	Y		Y	Y		
Section 34	Authority to issue Project Information Memoranda in accordance with the Building Act 2004.		Y	Y	Y				
Section 36	Authority to issue a development contribution notice attached to a project information memorandum.			Y		Y			
Section 37	Power to issue certificate if resource consent required			Y		Y			Y

Building Act 2004		CE	RCM	BCM	RSO	BCO	Contracted BCO or Technical Leader (off-site)	CO	RP
Section 48	Authority to request further reasonable information in respect of building consent applications.		Y	Y	Y	Y	Y		
Section 49	Authority to grant building consents and to impose appropriate conditions.			Y		Y	Y		
Section 50	Authority to refuse to grant building consents.			Y		Y	Y		
Section 51	Authority to issue building consents upon payment of the charge fixed by the Council.			Y	Y	Y	Y		
Section 52	Authority to extend the period of 12 months where reasonable progress has not been made and the building consent would otherwise lapse.			Y		Y	Y		
Section 53	Authority to collect levies on building consent applications.			Y	Y	Y	Y		
Section 67	Authority to grant waivers or modifications of the building code and to impose appropriate conditions.			Y		Y (With agreement of BCM)	Y (With agreement of BCM)		
Section 71	Authority to refuse to grant a building consent on land subject to or likely to be subject to natural hazards.			Y		Y (With agreement of BCM)	Y (With agreement of BCM)		
Section 72	Authority to grant a building consent on land subject to natural hazards in certain conditions as provided for in the Act and to determine whether the conditions have been met to enable consent approval to be given.			Y		Y (With agreement of BCM)	Y (With agreement of BCM)		
Section 74	Authority to revoke the certificate issued under Section 72 of the Act when mitigation of the hazard has occurred or the condition is no longer appropriate.			Y					
Section 75	Authority to grant a project information memorandum subject to a condition requiring that allotments			Y		Y	Y		

Building Act 2004		CE	RCM	BCM	RSO	BCO	Contracted BCO or Technical Leader (off-site)	CO	RP
	may not be transferred or leased in conjunction with any specified other or others of those allotments.								
Section 77	Authority to issue a certificate imposing a condition on the building consent that allotments may not be transferred or leased in conjunction with any specified other or others of those allotments.			Y		Y (With agreement of BCM)	Y (With agreement of BCM)		
Section 83	Authority to revoke the certificate issued under section 77 of the Act imposing a condition on the building consent that allotments may not be transferred or leased in conjunction with any specified other or others of those allotments.			Y					
Section 90	Authority to enter onto land and into buildings to undertake inspections of building work			Y		Y	Y		
Section 91	BCA Authority to issue code compliance certificate			Y		Y (With agreement of BCM)	Y (With agreement of BCM)		
Section 93	Authority to request further reasonable information in respect of code compliance certificate applications and to determine any further period agreed to between the owner and the BCA.			Y		Y	Y		
Section 94	Authority to determine whether a code compliance certificate should be issued.			Y		Y	Y		
Section 95	Authority to issue a code compliance certificate.			Y	Y	Y	Y		
Section 95A	Authority to refuse to issue a code compliance certificate.			Y					
Section 96	Authority to determine whether a certificate of acceptance should be issued.			Y					

Building Act 2004		CE	RCM	BCM	RSO	BCO	Contracted BCO or Technical Leader (off-site)	CO	RP
Section 98	Authority to grant or refuse a certificate of acceptance.			Y		Y (With agreement of BCM)	Y (With agreement of BCM)		
	Authority to request further reasonable information in respect of certificate of acceptance applications.			Y					
	Authority to issue certificates of acceptance.			Y					
Section 102	Authority to issue compliance schedules upon payment of the charge fixed by the Council.			Y	Y (RSO only)	Y	Y		
Sections 106, 107 and 109	Authority to amend compliance schedules.			Y		Y	Y		
Section 112	Authority to determine whether a building consent should be issued for an alteration to an existing building. Authority to determine that after alteration, a building will continue to comply with the other provisions of the building code to at least the same extent as before the alteration.			Y		Y (With agreement of BCM)	Y (With agreement of BCM)		
Section 115	Authority to determine that reasonably practicable compliance with the provisions of the building code for means of escape from fire and for access and facilities for use by people with disabilities (where this is a requirement of the Disabled Persons Community Welfare Act 1975) will be achieved after a change of use to an existing building.			Y		Y (With agreement of BCM)	Y (with agreement of BCM)		
Section 116	Authority to determine that reasonably practicable compliance with the provisions of the building code for means of escape from fire and for access and facilities for use by people			Y		Y (With agreement of BCM)	Y (With agreement of BCM)		

Building Act 2004		CE	RCM	BCM	RSO	BCO	Contracted BCO or Technical Leader (off-site)	CO	RP
	with disabilities (where this is a requirement of the Disabled Persons Community Welfare Act 1975) will be achieved after an extension to the intended life of a building or a subdivision that affects a building is given effect.								
	Authority to determine that after alteration, a building will continue to comply with the other provisions of the building code to at least the same extent as before the alteration.			Y		Y (With agreement of BCM)	Y (With agreement of BCM)		
Section 124	Authority to exercise the powers of the Council in respect of buildings deemed to be dangerous, affected or insanitary under sections 121-123A of the Act.			Y		Y (With agreement of BCM)	Y (With agreement of BCM)		
Sections 126 and 220	Authority to apply to the District Court for an order authorising the Council to carry out work on default of the owner.	Y							
	Authority to enter on to land to do required work.		Y	Y					
	Authority to recover costs.		Y	Y					
	Authority to authorise entry on to land.		Y	Y					
Section 129	Authority to avert immediate danger or rectify insanitary conditions.	Y							
Section 133AT	Authority to determine whether a building consent should be issued for an alteration to a building or part of a building that is subject to an EPB notice.			Y		Y (With agreement of BCM)	Y (With agreement of BCM)		
Section 164	Authority to issue notices to fix.			Y		Y (With agreement of BCM)	Y (With agreement of BCM)	Y (With agreement of BCM)	
Section 167	Authority to revoke or refuse to revoke a notice to fix.			Y		Y (With agreement of	Y (With agreement of BCM)	Y (With agreement of	

Building Act 2004		CE	RCM	BCM	RSO	BCO	Contracted BCO or Technical Leader (off-site)	CO	RP
						BCM)		BCM)	
Section 219	Authority to require a person to pay an additional charge where the standard set charge is inadequate for the Council to recover its actual and reasonable costs of providing a service and to collect levies payable under section 53.		Y	Y		Y (With agreement of BCM)	Y (With agreement of BCM)	Y (With agreement of BCM)	
Section 221	Authority to place a charge on the land and to destroy or sell or otherwise dispose of any materials resulting from the doing of the work.		Y	Y					
Section 222	Authority to carry out inspections and to enter land on which building work is being carried out, and building work carried out on or off building site, and enter any building and any residential pool or immediate pool area and to enter premises to inspect the premises or building.		Y	Y		Y	Y	Y	
Section 363	Authority to initiate prosecution for an offence. Protecting members of the public from using premises open to the public or intended for public use.	Y							
Section 363A	Authority to issue a certificate of public use.			Y		Y	Y		
Section 364	Authority to initiate prosecution for an offence. Offence for a residential property developer to transfer household unit without Code Compliance Certificate.	Y							
Section 365	Authority to initiate prosecution for offence. Offence to fail to comply with direction of authorised person.	Y							
Section 366	Authority to initiate prosecution for an offence. Offence to impersonate building consent authority or regional authority.	Y							
Section 367	Authority to initiate prosecution for an offence. Offence to wilfully obstruct	Y							

Building Act 2004		CE	RCM	BCM	RSO	BCO	Contracted BCO or Technical Leader (off-site)	CO	RP
	execution of powers under this Act.								
Section 368	Authority to initiate prosecution for an offence. Offence to remove or deface notice.	Y							
Section 369	Authority to initiate prosecution for an offence. Offence to make false statement.	Y							
Section 371	Where a person has committed an infringement offence, authority to determine whether to proceed under the Summary Proceedings Act 1957 or to issue an infringement notice.	Y							
Section 371B	Authority to issue infringement notices.			Y		Y (With agreement of BCM)	Y (With agreement of BCM)	Y (With agreement of BCM)	
Section 375	Authority to initiate prosecution for an offence. Prosecution of offences.	Y							
Section 377	Authority to lay information for an offence. Filing charging documents.	Y							

Appendix I – Statutory Delegations Subdelegated from the Chief Executive

Human Resources Delegations

Introduction

Pursuant to section 42 of the Local Government Act 2002, the Chief Executive is responsible to the Council for:

(a) employing the staff of the Council and negotiating the terms of employment; and

(b) ensuring, so far as is practicable, that the management structure of the Council:

- reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and
- is capable of delivering adequate advice to the Council to facilitate the explicit resolution of conflicting objectives.

Pursuant to the above authority, the Chief Executive has made the delegations specified in this appendix.

Note: The powers of the Chief Executive that are specified in this appendix have been included for reference purposes and were not enacted by this policy.

Delegation

The **Human Resources Manager** is authorised to sign and execute the following routine employment related documentation subject to the express written consent of the Chief Executive being obtained prior to execution.

- Letter of Offer
- Individual Employment Agreement (IEA)
- Position Description

The Human Resources Manager is further authorized to sign and execute variations and revisions of the above documents, subject to the same requirements of express written consent of the Chief Executive.

This delegation does not extend to any employment documentation outside those specified above, and any exercise of this delegation must be consistent with all applicable organizational policies, procedures, and legislative requirements.