

COUNCIL

AGENDA

Extraordinary meeting to be held

THURSDAY 1 JUNE 2017

8.30AM

In the Manawatu District Council Chambers,
135 Manchester Street, Feilding

R.G. Templer

Dr Richard Templer
Chief Executive

MEMBERSHIP

Chairperson

Her Worship the Mayor, Helen Worboys

Deputy Chairperson

Deputy Mayor, Michael Ford

Members

Councillor Steve Bielski
Councillor Stuart Campbell
Councillor Barbara Cameron
Councillor Shane Casey
Councillor Hilary Humphrey
Councillor Phil Marsh
Councillor Andrew Quarrie
Councillor Alison Short
Councillor Howard Voss

ORDER OF BUSINESS

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2. APOLOGIES	
3. DECLARATIONS OF INTEREST	
Notification from elected members of:	
3.1 Any interests that may create a conflict with their role as an elected member relating to the items of business for this meeting; and	
3.2 Any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members' Interests) Act 1968	
4. OFFICER REPORTS	
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Report of the Chief Executive dated 26 May 2017	
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Report of the General Manager – Corporate and Regulatory dated 29 May 2017	
5. MEETING CLOSURE	

Quality Assurance Checklist for Report Writer

Note this checklist is an internal document – for office use only.
 The purpose of this checklist is to ensure that all relevant matters have been included and the report has been quality checked prior to submission for approval.

✓
 ✗
 N/A

Input/ Advice Accuracy	<i>List units/divisions/other parties that were asked for input/advice:</i>	n/a
	<i>Policy perspective – eg significance of decision, compliance</i>	n/a
	<i>Consultation – eg special consultative procedure required, or other such as communication with specific advisory groups</i>	n/a
	<i>Financial implications – if implications for other business unit(s) ensure peer reviewer is from affected business unit</i>	n/a
	<i>Infrastructural requirements checked</i>	n/a
	<i>Statutory requirements checked</i>	✓
	<i>External communications – media issues</i>	n/a
	<i>Cultural issues – Treaty issues</i>	n/a
	<i>Governance – terms of reference/delegations</i>	✓
	<i>Facts – all material facts included and checked for accuracy</i>	✓
	<i>The paper has been checked for spelling and grammatical errors</i>	✓

Peer Reviewer/Manager Checklist

The peer reviewer or Manager reviews the draft report to ensure the quality of the content prior to it being submitted to executive management for sign-off. A fresh set of eyes is most helpful as they can often pick out mistakes that the writer may have overlooked, despite thorough checking.

✓
 ✗
 N/A

Purpose	<i>The aims of the paper are clearly stated</i>	
Strategic fit	<i>Links to Manawatu District Council's strategic direction are clear (vision, outcomes, strategy)</i>	
Logic	<i>Assumptions behind the advice are explicit</i>	
	<i>Arguments are logical and supported by facts</i>	
Options	<i>An adequate range of options have been presented</i>	
	<i>Each option has been assessed for benefits, costs, practicality, consequences for Council and the community</i>	
Consultation	<i>Have all relevant parties been consulted? Eg other internal business units, major stakeholders, relevant external parties</i>	
Presentation	<i>Report is written in plain English and contains no acronyms, spelling mistakes or grammatical errors</i>	

Report Cover Sheet (not for publication)

Report Title:	Revocation or Alteration of Resolution Made at Earlier Meeting	Committee Name:	Council		
		Meeting date:	1/6/17	Report completion deadline:	26/5/17

Sign-offs	Name/Position	Declaration	Date
Report author	Allie Dunn	<i>All relevant parties have had the opportunity for input (refer attached checklist)</i>	29/5/17
Finance Team		<i>If the report has significant or unplanned/unbudgeted implications the Chief Financial Adviser or Strategic Accountant must be asked to comment on implications</i>	
Peer reviewer/ Report author's Manager		<i>This report meets our standards for high quality policy advice (refer attached checklist)</i>	
Report author's General Manager	Shayne Harris	<i>This report is logical, an adequate range of options is presented, the advice is consistent with existing policies, linkages are made to other key issues, the advice can be implemented</i>	
Other GM sign-off if required or requested by Executive Team		<i>Author to give rationale for other senior management sign-off</i>	
Governance Team Leader	Allie Dunn	<i>The recommendations are appropriate for the terms of reference and delegation of the committee. The report is formatted correctly and received on time.</i>	29/5/17

If the report has implications for another business group, peer review from that group is advisable. The report author's manager may be able to provide that peer review.

Council

Meeting of 01 June 2017

Business Unit: Chief Executive's Office

Date Created: 26 May 2017

Revocation or Alteration of Resolution Made at Earlier Meeting

Purpose

To consider revocation or alteration of a resolution made at the 18 -22 May 2017 extraordinary Council meeting.

Significance of Decision

The Council's Significance and Engagement policy is not triggered by matters discussed in this report.

Recommendations

1. That the following resolution made at the extraordinary Council meeting of 18-22 May 2017 be revoked:

"That the Manawatu District Council authorises the Chief Executive to negotiate an alternative trade waste regime with major trade waste customers and notes that any reduction in trade waste fees must be covered by rates."

And the following resolution be made in its place:

"That the Council notes the concerns raised in submissions #0400 and #0474 relating to the increase in the tradewaste disposal charges."

2. That the Council notes that the decisions on submissions made at the extraordinary Council meetings held 18 to 22 May 2017 and 1 June 2017 be used to finalise the budgets and incorporated into the Annual Plan 2017-18, and form the basis for written responses to submitters.
3. That the Council meeting previously scheduled for Wednesday 14 June 2017 at 8.30am be rescheduled to Thursday 22 June 2017 and the Council note that the final Annual Plan 2017-18 will be presented for adoption at that meeting.

Report prepared by:
Allie Dunn
Governance Team Leader

Approved for submission by:
Richard Templer
Chief Executive

1 Contribution to the Council Vision and Council Outcomes

1.1 Relationship to the Council Outcomes that underpin the Council's Vision:

Connected, vibrant and thriving Manawatu – the best rural lifestyle in New Zealand

Manawatu District will improve the natural environment, stewarding the district in a practice aligned to the concept of kaitiakitanga.	The Manawatu will attract and retain residents.	Manawatu district develops a broad economic base from its solid foundation in the primary sector.	Manawatu and its people are connected via quality infrastructure and technology.	Manawatu's built environment is safe, reliable and attractive.	Manawatu District Council is an agile and efficient organisation.
					✓

2 Background

2.1 At its extraordinary meetings held 18 and 22 May 2017, the Council deliberated on matters raised in submissions to the draft 2017-18 Annual Plan.

2.2 As a result of deliberations, the Council made decisions relating each topic raised. Some of the decisions have a resulting impact on the proposed 2017-18 Annual Plan and budget.

2.3 A summary of the impacts of budget changes was considered by Council as an extraordinary item of business at its meeting held 25 May 2017.

2.4 As a result of discussion of the summary of the impacts of budget changes, the Council agreed they would like to revisit the resolution made on submission topic 29 "Trade Waste Charges. The following resolution was made:

"That the Council resolve that an extraordinary meeting of Council be held on 1 June 2017 at 8.30am to consider any alterations or revocations of decisions on submissions made at the extraordinary Council meeting held 18 and 22 May 2017."

2.5 The decisions on submissions made at the extraordinary Council meeting held 18 and 22 May 2017 will be used to finalise the budgets and be incorporated into the Annual Plan 2017-18. The decisions will also form the basis for written responses to submitters.

2.6 The final Annual Plan for 2017-18 was scheduled to be presented for adoption by Council at its meeting on Wednesday 14 June 2017. However additional time is required for making the required changes to budgets and finalising the Annual Plan prior to presenting to Council for adoption. It is therefore proposed that the date of the Council meeting be changed to 22 June 2017.

3 Discussion and Options considered

3.1 The text of the resolution on submission 29 reads as follows:

"29. TRADEWASTE DISPOSAL CHARGES, PLUS WATER AND WASTEWATER CHARGES

That the Manawatu District Council authorises the Chief Executive to negotiate an alternative trade waste regime with major trade waste customers and notes that any reduction in trade waste fees must be covered by rates."

3.2 It was advised at the 25 May 2017 that the potential impact of changing Trade Waste Charges could increase rates by \$250,000 which is an additional 0.83%.

3.3 If the Council is of a view that the additional 0.83% would increase rates to an unacceptable level, then the previous resolution on topic 29 as outlined above will need to be revoked.

4 Operational Implications

4.1 There are no capital / operating expenditure implications or maintenance costs associated with this paper.

5 Financial implications

5.1 The financial impacts of decisions made during deliberations were presented to Council on 25 May 2017 in the Summary of Changes to the Consultation Document 2017-18 Annual Plan, which was considered as an extraordinary item of business.

6 Statutory Requirements

6.1 The Council's Standing Orders allow for a resolution made at a previous meeting to be revoked or altered on a recommendation contained in a report by either the Chairperson or the Chief Executive, or any committee or subcommittee:

"Standing order 23.6: Revocation or alteration by recommendation in report

The local authority, on a recommendation in a report by the Chairperson, Chief Executive, or any committee or subcommittee, local or community board, may revoke or alter all or part of a resolution passed by a previous meeting. The Chief Executive must give at least two clear days' notice of any meeting that will consider a revocation or alteration recommendation."

6.2 The 2017-18 Annual Plan represents adjustments to the third year of the 2015-25 Long Term Plan. The plan must be adopted by 30 June 2017 and published within one month of adoption (refer Section 95 Local Government Act 2002).

7 Delegations

7.1 The Council has authority to decide this matter.

8 Consultation

- 8.1 Formal public consultation was undertaken from 28 March to 28 April 2017. A range of communication and engagement methods were used during this time, with the aim of engaging residents. Methods of engagement included information sessions, media articles in Our District News, Facebook and use of the Council's specific consultation that enables online discussion and submissions. Hard copies of consultation material were available at the Council office and at the Feilding Public Library.

9 Cultural Considerations

- 9.1 There are no cultural considerations associated with this matter.

10 Conclusion

- 10.1 The Annual Plan budget for the 2017-18 financial year has been prepared based on year three of the 2015-25 Long Term Plan. This report summarises decisions made during deliberations on submissions made to the draft Annual Plan. The final Annual Plan will be updated to reflect decisions made by Council during its deliberations, with the final being presented to Council for adoption on Wednesday 14 June 2017.

11 Attachments

- There are no attachments to this report

Council

Meeting of 01 June 2017

Business Unit: Corporate and Regulatory

Date Created: 29 May 2017

Update to Delegations Manual

Purpose

To seek Council approval to an amendment to the Manawatu District Council delegations manual.

Significance of Decision

The Council's Significance and Engagement policy is not triggered by matters discussed in this report.

Recommendations

The Council adopts the Manawatu District Council Delegations Manual dated 29 May 2017.

Report prepared by:

Allie Dunn

Governance Team Leader

Approved for submission by:

Shayne Harris

General Manager - Corporate and Regulatory

1 Contribution to the Council Vision and Council Outcomes

1.1 Relationship to the Council Outcomes that underpin the Council's Vision:

Connected, vibrant and thriving Manawatu – the best rural lifestyle in New Zealand

Manawatu District will improve the natural environment, stewarding the district in a practice aligned to the concept of kaitiakitanga.	The Manawatu will attract and retain residents.	Manawatu district develops a broad economic base from its solid foundation in the primary sector.	Manawatu and its people are connected via quality infrastructure and technology.	Manawatu's built environment is safe, reliable and attractive.	Manawatu District Council is an agile and efficient organisation.
					✓

2 Background

- 2.1 The Council's Delegations Manual sets out the authority delegated by Council to the Chief Executive and Council Officers and the delegations then made by the Chief Executive to Council Officers to ensure the efficient and effective conduct of Council business.
- 2.2 The Delegations Manual defines the respective roles within the decision-making process of Council, i.e. the delegations from Council to the Council Committees, the Chief Executive and to other officers.
- 2.3 The purpose of the Delegations Manual is to clearly define the parameters under which Council Committees and officers are able to act.
- 2.4 The Delegations Manual was last updated in May 2017, however there were some errors and omissions that require resolution.

3 Discussion and Options considered

Financial Delegations

- 3.1 This section of the Delegation manual sets out the delegations of financial responsibility to the Mayor, committees and Council officers. The delegated authority given to the Community Funding Committee to approve applications for grants needs to be updated to reflect decisions previously made by Council.

Contractor Delegations

- 3.2 The list of service delivery contractors contained within the Delegated Manual needs to be updated to remove reference to "City Care Limited."

Delegations from Chief Executive

- 3.3 The list of statutory delegations from the Chief Executive to officers needs to be updated to change the delegate under Section 15 of the Prostitution Reform Act 2002 from "Chief Financial Officer" to "Principal Planner".

Governance Delegations

- 3.4 The delegations to the Council's Standing Committees needs to be updated to reflect decisions made by Council in adopting its committee structure for the 2016-19 triennium.
- 3.5 In addition to updating the Delegations Manual to reflect the newly adopted terms of reference of its committees, the terms of reference for the Strategic Planning and Policy Committee needs to be updated to include delegated authority for temporary road closures.
- 3.6 There are two separate provisions relating to temporary road closures that are followed by the Council.

Transport (Vehicular Traffic Road Closure) Regulations 1965

- 3.7 The first provision is set out under the Transport (Vehicular Traffic Road Closure) Regulations 1965, and is for instances where Council wishes to close a road to ordinary vehicular traffic for such purposes as sporting events, processions, carnivals, celebrations for a period or series of

periods of not more than 12 hours each in any consecutive 24 hours. The regulations require Council to give prior public notice of any such intended closure and there is a process for any person affected by the proposed closure to lodge an objection. If no objections are received, Council officers have delegated authority to close the road. If objections are received, the proposed road closure is then considered by the Strategic Planning and Policy Committee.

Schedule 10, Local Government Act 1974

- 3.8 The second provision followed by Council is that set out in Schedule 10 to the Local Government Act 1974. This schedule sets out conditions as to stopping of roads, and the temporary prohibition of traffic on roads. Section 11 sets out the requirements around temporary prohibition of traffic, with 11(e) giving Council the power to temporarily close a road to traffic for a period or periods not exceeding in the aggregate 31 days in any year for any exhibition, fair, show, market, concert, film-making, race or other sporting event, or public function. Requirements are set out in the legislation requiring Council to give public notice of its intention to close a road under this clause, and to also give public notice of its decision to close a road. There is no statutory process for affected parties to make formal objections to proposed closures under this legislation.
- 3.9 The powers conferred on the Council by Clause 11, except for clause 11(e), may be delegated to officers.
- 3.10 This means for every application for a temporary closure of a road for more than 12 hours each in any consecutive 24 hours, the approval of Council must be sought. The authority can be delegated to a committee, but cannot be delegated to an officer.
- 3.11 It is therefore asked that the authority of the Council under section 11(e) of the Local Government Act 1974 be delegated to the Strategic Planning and Policy Committee.

4 Operational Implications

- 4.1 There are no capital / operating expenditure implications or maintenance costs associated with this paper.

5 Financial implications

- 5.1 There are no financial implications associated with this paper.

6 Statutory Requirements

- 6.1 Clause 32 of Schedule 7 of the Local Government Act 2002 sets out the power for Council to delegate to a committee or other subordinate decision making body, member or officer of the Council. These delegation powers are in addition to any power of delegation a Council has under any other enactment.

7 Delegations

- 7.1 The Council has the authority to delegate any of its responsibilities, duties or powers, except:
- The power to make a rate; or

- the power to make a bylaw; or
- the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
- the power to adopt a long-term plan, annual plan, or annual report; or
- the power to appoint a chief executive; or
- 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
- the power to adopt a remuneration and employment policy.

8 Consultation

8.1 There are no community consultation requirements associated with this paper.

9 Cultural Considerations

9.1 There are no cultural considerations associated with this paper.

10 Conclusion

10.1 To effectively operate, council staff require delegated authority to undertake their respective duties. To achieve this, the council has to approve the appropriate delegations to the Chief Executive, who in then delegates the appropriate delegation to officers. The exception to this is where specific legislation requires council to give the delegation direct to the council officer, these delegations are contained in section 43 of the manual.

11 Attachments

- Updated Delegations Manual

MANAWATU DISTRICT COUNCIL

DELEGATIONS MANUAL

29 May 2017

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Introduction

This Manual sets out the delegations made by Manawatu District Council (**Council**) to ensure that authority and responsibility exists at the appropriate level for the efficient and effective conduct of Council business.

This Manual aims to clearly define the parameters under which the Chief Executive, Council Committees, staff and others are able to act in carrying out responsibilities, duties or powers of Council. In doing so, Council has adopted the principle of delegating decision making to the lowest competent level.

Structure of manual

The Manual is structured into the following parts:

- **General Principles of Delegation** - sets out the general principles that apply to all delegations made pursuant to this Manual.
- **Governance delegations** – sets out delegations of powers made by Council to Committees, Sub-Committees and other sub-ordinate decision making bodies to ensure the efficient and effective provision of Council's governance responsibilities.
- **Statutory delegations** – contains delegations by Council to the Chief Executive and any sub delegation to officers; as well as delegations by Council to officers under specific legislation and, in particular, under the Resource Management Act 1991 and Local Government (Rating) Act 2002.
- **Financial delegations** – sets out the financial powers and responsibilities to facilitate the effective and efficient management of the business of the Council. This section includes any limits on financial delegations to Council committees, the Chief Executive and Council officers.
- **Management delegations** – sets out the delegations of powers and responsibilities relating to the management of Council administration (other than direct financial management) from the Chief Executive to Council officers.
- **Contractor delegations** – sets out the delegations of powers and functions required by contractors to carry out their contracted services.
- **Warrants** – sets out the warrants of powers issued to individual officers of Council and employees of contractors.

General Principles of Delegation

1. General Principles

- 1.1 Within this Manual, delegation means the assignment of a responsibility, power, function or duty from one party (the delegator) to another party (the delegate).
- 1.2 Authority and responsibility are inseparable. Those with responsibility for a task or function should always have the authority to carry it out effectively. Delegations will not however remove from the body or person making the delegation the liability or legal responsibility for any decision or action.

2. Scope of Delegation

- 2.1 Pursuant to Schedule 7, Clause 32 of the Local Government Act 2002 (**LGA**), Council may, subject to any applicable limitations, delegate its powers, responsibilities and duties under empowering legislation, to enable Council to focus on its governance role.
- 2.2 In some specific instances, the legislation empowers the Chief Executive directly who will have the primary power of delegation.
- 2.3 Delegated powers, duties or obligations may include powers of sub-delegation (except for the power of delegation itself). In some circumstances, sub-delegation is prohibited.
- 2.4 The following matters may not be delegated by the Council:
 - The powers expressly excluded by Clause 32(1), Part 1, Schedule 7 of the Local Government Act 2002, namely:
 - The power to make a rate;
 - The power to make a bylaw;
 - The power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan;
 - The power to adopt a long-term plan, annual plan, or annual report;
 - The power to appoint a chief executive;
 - 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
 - The power to adopt a remuneration and employment policy.
 - Any matter not permitted to be delegated by any other Act (for example, the approval of a policy statement or plan under the Resource Management Act 1991 (RMA));
 - Any matter that can only be given effect to by a Council resolution.
- 2.5 The Council may have the power to delegate under enactments other than the **LGA**.
- 2.6 Specific restrictions also apply:
 - The powers and duties conferred or imposed on the **Council** by the Public Works Act 1981.
 - The Minister of Conservation has granted powers to manage reserves through an instrument of delegation under the Reserves Act 1977.
 - Powers to approve, adopt and set operative dates for changes and variations to resource management plans and policies under the RMA.

3. Governance delegation principles

- 3.1 The Council may appoint the committees, sub-committees and other sub-ordinate decision making decision bodies it considers appropriate.
- 3.2 The Council delegates to committees, sub-committees and all other sub-ordinate decision making bodies all the powers and functions contained in the relevant Terms of Reference, except those powers that cannot be delegated.
- 3.3 Each of these subordinate governance bodies is bound to (the extent applicable) the requirements of the Local Government Official Information and Meetings Act 1987 and Council's Standing Orders for, among other things, the provision of agendas in advance of meetings, the conduct of their meetings and the keeping of accurate minutes of the proceedings of meetings.
- 3.4 A committee, other sub-ordinate decision-making body or Community Board may delegate powers or functions as specified in schedule 7, clause 32(3) of the LGA. It may also delegate to any other local authority, organisation or person the enforcement, inspection, licensing and administration relating to the Council's bylaws and other regulatory matters. Subcommittees may not delegate powers and functions granted to them.
- 3.5 Working parties have no power to act or decide. They have an investigative, advisory and fact finding role within the terms of reference determined by the Council, standing committee or sub-committee establishing the working party. Working parties will have the power to make recommendations only on site specific matters and to the extent allowed under the working parties' terms of reference.

4. Statutory delegation principles

- 4.1 All powers, duties and responsibilities reside with the Council unless the legislation specifically prescribes delegations of powers to the Chief Executive as Principal Administrative Officer.
- 4.2 The Council may delegate to a member or officer of the Council any of its responsibilities, duties or powers other than those referred to in clause 2.4.
- 4.3 In some circumstances sub-delegation will be appropriate. It will not be appropriate where it involves the power to delegate; a power delegated to an officer that is subject to a prohibition on delegation, and any power under an enactment where the enactment expressly prohibits the delegation of the power.
- 4.4 Where the statutory power is optional (not required) Council will determine whether and how it wishes to exercise the power. Any officer to whom any responsibilities, duties or powers are delegated may exercise them in the same way and with the same effect as the delegating officer could have done.

5. Financial delegation principles

- 5.1 The delegation of financial powers enables the works and service objectives of the Council as set out in the Long Term Plan (LTP) and Annual Plan to be achieved. Council is of the view that achieving the proposed outcomes is the objective, not spending the budget.
- 5.2 Financial management is a shared responsibility between Council, Standing Committees, the Chief Executive and General Managers. This principle is reflected through this Manual.

6. Management delegation principles

- 6.1 The management of the Council is the responsibility of the Chief Executive. The Chief Executive employs staff and leads those staff and service delivery agencies towards the achievement of any statutory responsibilities and requirements, as well as any other responsibilities that the Council may establish for itself from time to time.

- 6.2 The Chief Executive is responsible to the Council for the matters set out in section 42 of the LGA.
- 6.3 Whilst the management of the Council assets and resources is the Chief Executive's responsibility, he or she will delegate some management responsibilities to Council managers. The Chief Executive retains the prerogative at all times over the delegation of management functions. In making these delegations, the Chief Executive will be guided by the following principles and procedures:
- Managers and staff will be delegated the authority and accountability to be able to effectively complete their performance objectives. Clear links will be established between agreed performance targets and the delegations necessary to reach them;
 - Whilst delegations are made to individual positions it is expected that when significant or sensitive decisions are being made under delegated authority managers will collaborate in the decision making process to ensure the best outcome for the Council;
 - Significant and sensitive decisions made by managers under delegated authority will be reported to the General Managers. The General Managers are then responsible for informing the Chief Executive. This reporting requirement will also ensure that delegations are not being exceeded; and
 - Whilst the management of Council staff is the sole responsibility of the Chief Executive, he or she may choose to delegate some of the functions of appointment, remuneration, performance review and termination of staff to managers.

7. Contractor delegation principles

- 7.1 Contractors are appointed to deliver a range of regulatory and voluntary services. This category of delegation is designed to provide sufficient authority for the contractor to deliver the services they are contracted to deliver against the contracts specifications.
- 7.2 Notwithstanding that Council has determined to contract out the delivery of certain services, the responsibility for the provision and management of all contracted services remains with the Chief Executive.
- 7.3 The Chief Executive will delegate some responsibilities for the management, monitoring and reporting on contractors' performance to Council managers. The Chief Executive retains the prerogative at all time over the delegation of contractor functions.
- 7.4 Where the Chief Executive delegates powers, duties or responsibilities to a service delivery contractor, the delegation is made to the organisation that is contracted to the Council and to the CEO of that organisation. This means that both the contracted organisation and the individual responsible for that organisation are jointly and severally responsible for the obligations and performance of the obligation.
- 7.5 In making these delegations, the Chief Executive will be guided by the following principles and procedures:
- Contractors will be delegated the authority and accountability to be able to complete their contract service deliverables effectively. Clear links will be established between agreed performance targets and the delegations necessary to reach them;
 - Whilst delegations are made to specific contractors it is expected that when significant decisions are being made under delegated authority that contractors will collaborate with Council management in the decision making process to ensure the best outcome for the Council; and
 - As the contract specification evolves through development and Council requirements, changes will be made to contractor delegations to ensure they remain current and complete.

8. Characteristics of delegation

- 8.1 The delegator does not lose the function, duty or power by delegation and may exercise this concurrently with the delegate.
- 8.2 It is implicit in a delegation that it may be revoked at any time without notice prior to the delegate having made a decision. The delegator retains the ability in these circumstances to exercise the responsibility, power or duty that has been delegated.

- 8.3 The delegate is acting in his or her own name on behalf of the Council when exercising delegated authority.
- 8.4 When making a delegation, the delegator must give consideration to the nature of the decisions to be made, or powers or duties to be undertaken under the delegation. Delegations should distinguish between those necessary to facilitate ordinary operations and matters that are extraordinary or carry high risk.
- 8.5 Where there is ambiguity between the wording of a legislative function and any delegation, the wording of the legislation will prevail.
- 8.6 A delegation made under subsequently repealed legislation will continue, with or without modification, under any replacement or corresponding legislation.

Procedures

9. Delegations to be in writing and recorded

- 9.1 Every delegation made will be in writing and will define with reasonable precision:
- The nature of the delegation;
 - To whom the delegation is made;
 - The terms of the delegation; and
 - Any condition, directions, limitations or prohibitions relating to the exercise of the delegation (including any financial limits in relation to a power to contract)
- 9.2 Every delegation made by Council must be made by resolution.
- 9.3 Every delegation made by the Chief Executive will be recorded within this Manual.
- 9.4 The Chief Executive will determine the delegations which he/she wishes to make and will advise the General Manager - Corporate & Regulatory of these for inclusion in this Manual.

10. Term of delegation

- 10.1 Unless any delegation is stated to be for a defined term, it will continue until revoked by the delegator or the Council or withdrawn by operation of law.

11. Delegation to office

- 11.1 Unless stated otherwise every delegation is to a committee, sub-committee, or subordinate decision-making body or office and will be unaffected by changes in the membership of a committee or the holder of an office.
- 11.2 If not specified in the Manual, delegations to an officer holding a named position may be exercised by all officers in a direct line of authority above that officer.
- 11.3 An exception will be specific delegations made to individual members and to hearings commissioners under sections 34 and 34A of the RMA or any other legislation which requires direct delegation from Council to a named position.

12. Extent of delegation

- 12.1 Subject to any specified limitation, term or condition applied by the delegator or by law, delegates may exercise the power delegated in the same manner and to the same effect as the delegator.
- 12.2 Any delegated authority must be exercised in accordance with all relevant Council policies and conditions.

- 12.3 In accordance with section 39(c) of the LGA the Council must ensure that responsibility and processes for decision-making in relation to regulatory responsibilities is separated from those of non-regulatory responsibilities. The management structure of Council reflects this separation.
- 12.4 Further, in reaching a decision whether under delegated authority or otherwise, every person must act in accordance with the requirements of the LGA, as set out in Part 6 of the Act relating to planning, decision-making and accountability.

13. Reporting decisions

- 13.1 Every delegate will keep the delegator informed of decisions made, in particular where:
- That is a condition of the particular delegation;
 - The decision is one of which the delegator for any reason should be aware;
 - The matter determined is one which the delegator or the Council has in any way whatsoever indicated that a decision of that kind should be reported in any way; and
 - Any Act requires reporting in a particular manner or at a particular time.
- 13.2 In particular, managers and staff to whom statutory powers have been delegated will be required to report regularly to the General Managers on their performance in exercising those powers. The General Managers are then responsible for informing the Chief Executive. The Chief Executive will determine the nature and timing of reporting.
- 13.3 Committees and sub-committees are further required to comply with the Council's standing orders regarding reasonable reporting of their proceedings.

14. Variation of decision

- 14.1 A local authority may not rescind or amend a decision made by a committee under a delegation authorising the making of decision (schedule 7, clause 30 of the LGA).
- 14.2 The Council and any delegator may, however, review, reverse or vary any decision of a delegate at any time up until any formal decision is made or power is exercised under the delegation.
- 14.3 A decision of a delegate will only be reversed or varied where:
- It is contrary to a decision of the delegator of which the delegate was unaware;
 - It contains serious implications for the Council of which the delegate was unaware; or
 - There is other good cause to reverse or vary that decision.
- 14.4 A reversal or variation of a decision is not of itself a revocation of a delegation under this Manual.

15. Appeals

- 15.1 Any person affected by any decision of a delegate may appeal that decision:
- In the case of a decision by an officer, to the Chief Executive in consultation with the appropriate General Manager; or
 - In the case of a decision made by the Chief Executive or General Manager, to the Council.
- 15.2 Subject to Section 16, appeals cannot be made to Council about the decisions of committees and sub-committees made under delegated authority.
- 15.3 In reviewing any decision on appeal under this section the Chief Executive or the Council will have regard to a number of factors, including but not limited to:
- Any reasons given by the delegate in making a decision;

- Any Council policy applying to the matter at issue;
- The facts of the case;
- The grounds for review of a decision contained in this part of the Manual; and
- Any relevant matter.

16. Review of Hearings Committee decisions

- 16.1 Any decision made by the Hearings Committee (as defined by its terms of reference and delegated authority set out at Section 29) may be revoked or altered by that Committee provided:
- The decision has not been acted on and become binding;
 - There is no Court, Tribunal or similar statutory body to which an appeal or application for a review of the decision can or could have been made; and
 - There has been a request for a review of the decision and the Chairperson of the Committee has agreed that the request should be placed before the Committee for consideration.
- 16.2 Any request for a review may only be initiated by any applicant or person affected by the decision or by the Chief Executive.
- 16.3 In undertaking a review the Committee may decide the matter on papers or other information presented to the Committee or conduct a full or partial rehearing.
- 16.4 In making any decision as per the above, the Chairperson and Committee, as applicable, shall have regard to the criteria set out in Section 15.3, relating to appeals.

17. Use of Council seal and authority to sign

- 17.1 The Chief Executive will be responsible for custody of the Council's seal where there is a statutory requirement to affix the common seal of the Council to any document. The seal will be attached only when:
- The Council or a committee has authorised the transaction involved; or
 - The transaction involved has been authorised by an officer under delegated authority; or
 - The Mayor or Chief Executive have, pursuant to their delegated authority, approved the affixing of the common seal to any document.
- 17.2 If the common seal is not required to be affixed, any document may be signed by the Chief Executive or any other officer with the appropriate delegated authority.
- 17.3 The Chief Executive (or any other officer authorised by the Chief Executive) may sign any certificate relating to the existence of any state of affairs involving the Council.
- 17.4 A list of documents to which the common seal is affixed shall be reported for information to the Mayor and Councillors from time to time.

18. Amendments to this manual

- 18.1 This manual will be maintained by the General Manager - Corporate & Regulatory who will amend it where:
- The law requires that it be changed in a specified way;
 - A clause becomes redundant;
 - A decision of the Council requires a modification of an existing clause;
 - A typographical, grammatical or other minor amendment is necessary;
 - Council or the Chief Executive revokes, amends or delegates any delegation.

Governance delegations

19. Introduction

- 19.1 The purpose of delegation within this section is to enable committees, sub-committees and other subordinate decision-making bodies of Council to carry out their roles consistent with their terms of reference.
- 19.2 In accordance with Schedule 7, Clause 32 of the LGA, Council makes the following delegations of powers, duties and responsibilities set out in the sections that follow in this part of the Manual.
- 19.3 Each standing committee, joint committee and sub-committee has only those powers specifically delegated to it. A statement in any committees' terms of reference does not, by itself, imply any delegated authority.
- 19.4 A committee may, with the prior approval of Council, appoint and discharge sub-committees and working parties, and delegate some of its functions, duties or powers.

20. General delegations to Standing Committees

- 20.1 To the extent required by law, the Council delegates to its respective committees all of the powers, functions and duties of the Council as set out under the name of each Committee in this Manual.
- 20.2 Where appropriate, a committee may sub-delegate powers under Schedule 7, Clause 32(3) of the LGA.
- 20.3 The Council has the responsibility for setting the Councils' strategic direction including the adoption of all Council policy and any changes to this, including (but not limited to):
 - Long Term Plan;
 - Annual Plan (including the determination of the funding priorities derived from that for rates setting and other funding purposes and consideration of recommendations from the Annual Plan Hearings Committee);
 - Annual Report;
 - Liability Management Policy including the power to borrow money, or purchase or dispose of assets other than in accordance with the LTP (Schedule 7, Clause 32(1)(c) LGA);
 - Funding Policy;
 - Investment Policy; and
 - Financial Strategy.
- 20.4 Council committees shall not:
 - Exercise any power reserved to the full Council by operation of law such as (but not limited to) those powers set out in Schedule 7, Clause 32(1) LGA;
 - Authorise or otherwise commit the Council to any expenditure (either in the current year or subsequent years) exceeding that in the current LTP/Annual Plan without the prior authority of full Council;
 - Commit the Council to any binding decisions in any areas other than those delegated by the Council;
 - Authorise the disposal or sale of any real property;
 - Approve the District Plan or any change to the District Plan (although a Hearings Committee is not prevented from hearing and making decisions on the hearing of submissions or further submissions in the early stages);
 - Make any decision (excluding decisions under the RMA) which is inconsistent with any policy or strategy which has been or may be adopted by the Council;
 - Appoint or dismiss the Chief Executive;
 - Appoint or create any committees;
 - Appoint any sub-committee other than those implicit in these terms of reference;
 - Make appointments to anybody, with the exception that the Marae Consultative Standing Committee is able to appoint its own chairperson;
 - Make appointments to any outside body;
 - Make any proposal regarding remuneration of elected members;

- Publically advocate for activities under its control to the detriment of other Council responsibilities or priorities; or
- Interfere in the activities of other committees acting within Council policy, these terms of reference, and the parameters of the District Plan.

21. Delegations to subcommittees

21.1 There should be a limited need for sub-committees. Where they are established, these committees will meet on a regular basis to undertake the following:

- Dispose of matters which have been delegated to them;
- Investigate and report, with recommendations if appropriate, on matters referred from the delegator; and
- Act as a forum for communication between elected representatives, officers, and interested parties.

21.2 A sub-committee may exercise only such delegated authority as is granted to it from time to time by the Council or, with prior Council approval, the relevant committee.

21.3 A sub-committee shall cease to exist on the date specified unless extended by Council resolution.

21.4 All sub-committee meetings shall be conducted as required by the Local Government Official Information and Meetings Act 1987, and in accordance with Standing Orders.

21.5 Unless stated otherwise in the terms of reference for a sub-committee it may not:

- Authorise or otherwise commit the Council to any expenditure;
- Commit the Council to any binding decisions;
- Appoint any working parties; and
- Make appointments to any other bodies.

22. Workshops

22.1 The Council will hold workshops regularly throughout the year.

22.2 Workshops are held to brief members and provide structured opportunities in an environment less structured than a formal meeting to develop ideas relevant to future decisions so that good government of the district is fostered. No decisions or resolutions are made at workshops, and as such the requirements of the Local Government Official Information Act 1987, and Council's standing orders, regarding public notification and access to agendas and minutes of these workshops do not apply.

23. Matters reserved for Council

23.1 For the avoidance of doubt, Council reserves to itself (without limitation) the following specific issues:

- Chief Executive contract and remuneration;
- Elected members remuneration;
- Remuneration and employment policies;
- Standing Orders;
- Code of Conduct;
- Representation review and elections;
- Matters entered into at a Mayoral level;
- Council's relationship with other bodies who may influence the planning of the District;
- Approval of the District Plan and Plan Changes;
- Determining the handling of appeals to decisions made under the RMA; and
- Amendment of Development Contribution Schedule.

24. Call in of matters

24.1 The Mayor may call in any item that falls within the jurisdiction of any committee or sub-committee to be considered by Council.

25. Quorum

25.1 A quorum for a meeting of the Council is:

- a) half of the members physically present, where the number of members (including vacancies) is even; and
- b) a majority of the members physically present, where the number of members (including vacancies) is odd.

25.2 Any quorum must be maintained for the duration of the meeting.

26. Arrangements in a major event

26.1 In the event of an emergency or other major event occurring that prevents either:

- A quorum of the Council or Council Committee being achieved; or
- Compliance with any other legal requirement necessary to constitute a valid meeting of the local authority;

the Mayor or Deputy Mayor, or in their absence the Chief Executive, or in the absence of the Chief Executive, General Managers, are delegated all of the powers and functions of the local authority (other than those which under the law may not be delegated).

Such delegations are to remain in place until a valid meeting of the Council has been convened.

27. Strategic Planning and Policy Committee

Subordinate to	Council
Subordinate Committees	
Legislative basis	The Council delegates these powers to the Committee in accordance with Schedule 7, Clause 32, LGA.
Membership	Chairperson: Cr P Marsh Deputy Chairperson: Cr S Casey Committee: Her Worship the Mayor H Worboys and all Councillors
Meeting cycle	The first Thursday of each month, and from time to time as business requires.
Termination date	Next triennial general election for local government.
Responsibilities	<ol style="list-style-type: none">1 Electoral and democratic functions of local government in the Manawatu district.2 Oversee, co-ordinate and direct the development of, and where appropriate, the review of:<ul style="list-style-type: none">• The Long Term Plan and Annual Plans• Asset Management Plans• Statutory policies• The District Plan• The Annual Report3 The development and review of policy.4 The promotion and marketing of economic and community development in the Manawatu district.5 General co-ordination of Council policy decisions.6 Consideration of all environmental and regulatory consents not otherwise delegated.7 To monitor and/or review the level of service provided to the community in respect of each significant activity and function undertaken by the Council on behalf of the community.8 Responses to government legislation proposals and policy issues.9 The formulation of proposals and priorities in respect of the development of community facilities.10 To deal primarily but not exclusively with matters of urgency where, in the opinion of the Committee, it is necessary to act before the next meeting of the Council, provided

that any action taken under this provision is to be reported to the next subsequent meeting of the Council.

Delegated Authority

Building Act 2004

- 11 Approve the Dangerous and Insanitary policies (S.132).

Expenditure contracts

- 12 Lump sum purchases over \$500,000 by the Council of goods, works, or services (includes unit rate contracts, measurement and value contracts, and cost reimbursement contracts).
- 13 Continuing contracts over \$10,000 per week for goods, works, or services (including annual and local supply contracts).
- 14 Authority to accept tenders for operational services works over \$500,000.

Matters deemed urgent

- 15 Delegated power to act in respect of any matters or matters deemed urgent by the Mayor and the Chief Executive, in which event those matter(s) would be placed on the next Strategic Planning and Policy Committee agenda and identified as such.

Road closures

- [16](#) The authority of the Council to act under the Transport (Vehicular Traffic Road Closure) Regulations 1965 in the case of applications for road closures where objections to the proposed closure are received (S.6).
- [1617](#) [The authority of the Council under section 11 \(e\) of the Local Government Act 1974 Schedule 10, for temporary prohibition of traffic on a Council road](#)

Limits to Delegations

-

Recommendations

-

28. Audit and Risk Committee

Subordinate to	Council
Subordinate Committees	-
Legislative basis	Committee delegated powers by Council in accordance with Schedule 7, Clause 32, LGA.
Membership	Chairperson: Cr S Campbell Deputy Chairperson: Cr B Cameron Committee: Her Worship the Mayor H Worboys, Crs H Humphrey, P Marsh, H Voss, J Fowke (Independent member)
Meeting cycle	At least four times a year. The Chair of the Audit and Risk Committee may convene additional meetings, as they deem necessary.
Termination date	Next triennial general election for local government.
Responsibilities	<ol style="list-style-type: none"> 1 Financial reporting including the following: <ol style="list-style-type: none"> a. long term planning including the financial strategy; b. appropriateness of accounting policies; c. annual report; and d. internal report (monthly and/or quarterly) 2 Risk management and the system of internal controls <ol style="list-style-type: none"> a. setting the Council's appetite for risk; b. understanding the key risk areas including likelihood and consequences; c. effectiveness of internal controls; and d. fraud risk and procurement risk. 3 External audit <ol style="list-style-type: none"> a. relationship with auditor; b. understanding scope and engagement; c. review significant audit findings /recommendations; and d. monitor progress on recommendations. 4 Internal audit <ol style="list-style-type: none"> a. appointment and relationship with internal auditor; b. scope of work; and c. responses to internal audit recommendations.
Delegated authority	None.
Limits to delegations	-
Recommendations	-

29. Hearings Committee

Subordinate to	Council
Subordinate Committees	-
Legislative basis	Committee delegated powers by Council in accordance with Schedule 7, Clause 32, LGA.
Membership	Chairperson: Cr H Voss Deputy Chairperson: tba Committee: Her Worship the Mayor H Worboys, Crs S Casey, M Ford, H Humphrey, A Short
Meeting cycle	From time to time, as business requires.
Termination date	Next triennial general election for local government.
Review of decisions	Refer to Section 16 of this Manual.
Responsibilities	<ol style="list-style-type: none">1 Matters requiring a hearing or a related decision under the following Acts:<ul style="list-style-type: none">• Resource Management Act 1991• Local Government Act 1974 & 2002• Dog Control Act 19962 Except as otherwise specified in a Council bylaw or relevant legislation, deciding appeals from Council's bylaws.3 Other matters of a regulatory nature considered appropriate.4 A hearing panel relevant to the hearing required will be made up of members assigned from the committee, as decided by the Chairperson of the Hearings Panel and General Manager – Corporate and Regulatory.5 For an RMA hearing a commissioner external to the Hearings Committee may be appointed as outlined in section 42.
Delegated authority	Health Act 1956 <ol style="list-style-type: none">6 Hear and decide revocation of registration (S.120 (3)). Manawatu District Bylaws <ol style="list-style-type: none">7 Except as otherwise specified in a Council bylaw or relevant legislation, deciding appeals from Council's bylaws. Planning functions <ol style="list-style-type: none">8 Powers and responsibilities under the Resource Management Act 1991. Local Government Act 1974

9 Powers to stop any road or part thereof in the District pursuant to Section 342(1)(a) of the Act.

Dog Control Act 1996

10 To hear and determine objections in accordance with the provisions of the Dog Control Act 1996.

Local Government Act 2002

11 In addition to the above, the Committee also has delegated authority under the Council's Development Contributions Policy to:

- Consider and decide on applications for leave to apply for further review of remission decisions made by officers under delegated authority; and
- Consider and hear applications for further review of remission decisions where leave has been granted for the application to be considered and heard by the Committee.

Limits to delegations

Matters that must be processed by way of recommendations to the Council (under the First Schedule, RMA) including:

- Final consideration of, and making operative District Plans; and
- Final consideration of, and making operative amendments to the District Plan.

Recommendations

-

30. Nga Manu Taiko Manawatu District Council Committee

Subordinate to	Council
Subordinate Committees	-
Legislative basis	Committee delegated powers by Council in accordance with Schedule 7, Clause 32, LGA.
Terms of reference	<p>To facilitate dialogue between the Manawatu District Council and Tangata Whenua with the representatives being responsible for representing and reporting the position of their respective bodies.</p> <p>To identify issues and the processes for dealing with those issues.</p> <p>Note (Council 9.2.1 14/12/10 minutes): The Committee request they be given the opportunity to appoint the Committee's chairperson in future.</p>
Membership	<p>Chairperson: Elected by the Committee Cr A Short</p> <p>Deputy Chairperson: As and when required at meeting when chair is absent</p> <p>Committee:</p> <ul style="list-style-type: none">• Three (3) appointed representatives of the Manawatu District Council being Her Worship the Mayor H Worboys, Crs S Campbell, and A Short• Twelve (12) Marae representatives, being one appointed representative by Tangata Whenua from the following Marae:<ul style="list-style-type: none">▪ Aorangi▪ Kauwhata▪ Kotuku▪ Paranui▪ Parewahawaha▪ Poupatate▪ Te Au▪ Te Rangimarie▪ Taumata O Te Ra▪ Te Hiiri▪ Te Iwa▪ Te Tikanga <p>And with each Marae representative having a deputy who will have attendance, speaking and voting rights when the appointed representative is unable to attend the meeting.</p>
Meeting cycle	On the second Tuesday of every second month.
Budget	The budget for remuneration and other costs for the Committee to be within the Policy Development budget and defined therein as Nga Manu Taiko Manawatu District Council Committee.

Termination date	Next triennial general election for local government.
Responsibilities	<ol style="list-style-type: none">1 To represent their Marae in a forum2 To liaise between their Marae and Council
Delegated authority	None
Limits to delegations	-
Recommendations	-

31. Joint Strategic Planning Committee

Subordinate to	The respective Councils
Subordinate Committees	-
Legislative basis	Committee delegated powers by Council in accordance with Schedule 7, Clause 32, LGA.
Membership	<p>The Mayor and four elected members from each Council:</p> <p>Manawatu District Council representatives:</p> <ul style="list-style-type: none">• Her Worship the Mayor H Worboys• Crs M Ford, P Marsh, S Casey and B Cameron <p>Palmerston North City Council representatives:</p> <ul style="list-style-type: none">• His Worship the Mayor G Smith• Crs S Baty, L Hapeta, J Jefferies and TUtikere
Termination date	Next triennial general election for local government.
Quorum	Six members, including at least three from each Council.
Meeting cycle	<u>Meetings of the Joint Committee will be held at intervals of three months. Other meetings may be held at other times as arranged. From time to time, as business requires.</u>
Responsibilities	<p><u>1. The Terms of Reference of the Joint Committee are:</u></p> <ul style="list-style-type: none"><u>a. To address strategic planning issues that impact on both Manawatu District and Palmerston North City, in particular issues relating to but not restricted to infrastructure, land use planning and economic development.</u><u>b. To consider community planning and community outcomes implications. For the purpose of the Joint Committee's Terms of Reference, "Strategic Planning Issues" mean those that are referred to the Joint Committee by either MDC and/or PNCC, taking an inter-regional perspective.</u><u>c. To consider and promote the creation and growth of economic wealth for Manawatu and beyond, with particular</u>

reference to the activities of the Central Economic Development Agency Limited.

2. The Joint Committee will appoint and may remove a Chairperson and Deputy Chairperson, one of whom will be the Mayor or a Councillor of MDC and the other the Mayor or a Councillor of PNCC.

3. The quorum of the Joint Committee will comprise six members of the Joint Committee, including at least three elected members (the Mayor and/or other Councillors) from each of the Councils.

4. Each of the Councils will be responsible for the payment of travel expenses for their respective appointees.

5. The Councils will share administrative work associated with the Joint Committee on the basis that one Council is responsible for providing administrative services for the Joint Committee for a full triennium and the other Council for the following triennium. The changeover date for such administration will be the date of the local authority elections.

6. Meetings of the Joint Committee will be conducted according to the Standing Orders of PNCC, except as stated otherwise in this Agreement.

7. Elected members of either of the Councils who are not members of the Joint Committee are nonetheless entitled to receive meeting notices and agenda, and to attend and speak at Joint Committee meetings.

~~1—8. Clause 1.6 of the PNCC Standing Orders, which extends the right to vote to non-committee members where the committee has been approved for this purpose by the Councils, will not apply. To address strategic planning issues that impact on both the Palmerston North City Council and the Manawatu District Council, in particular issues relating to but not restricted to infrastructure, land use planning, and economic development.~~

~~2—That “strategic planning issues” be those referred to the Committee by either the Manawatu District Council and/or the Palmerston North City Council, taking an inter-district regional perspective.~~

~~3—To consider community planning and community outcomes implications.~~

~~4—It be noted that:~~

- ~~• The appointment of the Chairperson and the Deputy Chairperson is to be determined at the first committee meeting following the Local Government Elections.~~
- ~~• Meetings of the Joint Committee are to be held under standing orders for the Palmerston North City Council and on an as and when required basis.~~
- ~~• The administrative support for the Joint Committee is to be equally shared between the two Councils.~~

Delegated authority

- ~~Each Council to be responsible for any allowances or expenses payable to their appointees to the Joint Committee.~~

The Joint Committee will have recommending status only, other than the power:

- a. To appoint and discharge subcommittees and working parties as it considers appropriate, and to delegate any of its functions or duties to subcommittees so appointed; and
- b. To make decisions on meeting procedures where such decisions are either required or permitted by Standing Orders or relevant legislation.
- c. In relation to the Central Economic Development Agency Limited (CEDA), the Joint Strategic Planning Committee has the following functions, powers, and duties under the Local Government Act 2002 and/or the Companies Act 1993:
 - i. To adopt a policy that sets out the process for the identification, appointment and remuneration of directors;
 - ii. To appoint and remove a person or persons to be directors of CEDA;
 - iii. To approve the remuneration to be paid to directors of CEDA;
 - iv. To undertake performance monitoring of CEDA, as per section 65 of the Local Government Act 2002;
 - v. To agree with the Statement of Intent of CEDA or, if the Joint Committee does not agree, to take all practical steps to require a Statement of Intent to be modified, as per section 65 of the Local Government Act 2002.
 - vi. To receive the half yearly report of CEDA, as shareholder;
 - vii. To receive the Annual Report of CEDA, as shareholder.~~None~~

Limits to delegations

-

Recommendations

Recommendations made by the Joint Committee will be reported immediately to the Councils for adoption. Minutes of meetings of the Joint committee will be reported to the following ordinary meeting of the Joint Committee for confirmation as a correct record.-

32. District Licensing Committee

Subordinate to	Council
Subordinate Committees	-
Legislative basis	Committee delegated powers by Council in accordance with Clause 186, Sale and Supply of Alcohol Act 2012.
Membership	Chairperson: Rod Titcombe (Commissioner) Deputy Chairperson: B Cameron Community representatives: J Baxter C Asplin J Heslop
Meeting cycle	From time to time, as business requires.
Termination date	Members are approved for inclusion on the committee list for a period of 5 years and may be approved for any 1 or more further periods of up to 5 years.
Responsibilities	<ol style="list-style-type: none">1 To consider and determine applications for licences and manager's certificates;2 To consider and determine applications for renewal of licences and manager's certificates;3 To consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with Section 136;4 To consider and determine applications for the variation, suspension, or cancellation of special licences;5 To consider and determine applications for the variation of licences (other than special licences) unless the application is brought under Section 280;6 With the leave of the chairperson for the licensing authority, to refer applications to the licensing authority;7 To conduct inquiries and to make reports as may be required of it by the licensing authority under Section 175; and8 Any other functions conferred on licensing committees by or under this Act or any other enactment

Power of Licensing Committee	The Licensing Committee has all the powers conferred on it by or under the Sale and Supply of Alcohol Act 2012 or any other Act, and all powers as may be reasonably necessary to enable it to carry out its functions.
Limits to Delegations	-
Recommendations	-

33. Community Funding Committee

Subordinate to	Council
Subordinate Committees	-
Legislative basis	Committee delegated powers by Council in accordance with Schedule 7, Clause 32, LGA.
Membership	Chairperson: Cr H Humphrey Deputy Chairperson: Cr A Short Committee: Her Worship the Mayor H Worboys, Crs B Cameron, S Campbell, S Casey, A Short.
Termination date	Next triennial general election for local government.
Meeting Cycle	From time to time, as business requires.
Responsibilities	<p>1 Community Funding</p> <p>The consideration of all grants, trust fund applications and community rates support remissions.</p> <p>2 Manawatu District Community Honours Awards</p> <p>The calling of nominations and selection of suitable candidates to receive awards under the Council’s community honours scheme.</p>
Delegated Authority	<p>Community Funding</p> <p>3 Approve applications under the Community Development Funding and Regional Events Policy up to a value of \$10,000.</p> <p>4 Approve applications for representative grants up to a value of \$2,000.</p> <p>5 Approve the remission of rates in accordance with the Community Rates Support policy.</p> <p>6 Approve applications to the Robert Dickson Educational Trust and Hook Bequest up to a value of \$1,000 has been delegated to the Community Funding Committee Chairperson and the General Manager – Community and Strategy.</p> <p>Manawatu District Community Honours Awards</p> <p>7 Make decision on recipients of Community Honours Awards under the Community Honours Scheme.</p> <p>8 Authority to co-opt community representatives to the committee to assist with the selection process.</p>

Limits to Delegations

-

Recommendations

-

34. Creative Communities Assessment Committee

Subordinate to	-
Subordinate Committees	-
Legislative basis	Committee delegated powers by Council in accordance with Schedule 7, Clause 32, LGA.
Membership	<p>Chairperson: appointed by the Committee J Darragh</p> <p>Deputy Chairperson: appointed by the Committee</p> <p>Committee: Five community members as appointed by the Committee Council representatives: Cr B Cameron, Cr H Humphrey Community representatives: A McLachlan, J Darragh, K Wilson-Bryant Tangata whenua representative: K Savage</p> <p>To meet the requirements of the Creative Communities Scheme Guidelines (ie elected members shall not comprise more than 50% of the assessment committee), and as there are four community representatives appointed, only four of the five council representatives on the sub-committee will meet to consider funding applications.</p>
Termination date	Next triennial general election for local government.
Meeting Cycle	From time to time, as business requires.
Responsibilities	Assess applications in accordance with the Creative Communities Scheme Guidelines.
Delegated Authority	Make allocations in accordance with Creative Communities Scheme Guidelines
Limits to Delegations	-
Recommendations	-

35. Chief Executive's Employment Committee

Subordinate to	Council
Subordinate Committees	-
Legislative basis	Committee delegated powers by Council in accordance with Schedule 7, Clause 32, LGA.
Membership	Chairperson: Deputy Mayor M Ford Deputy Chairperson: tba Committee: Her Worship the Mayor H Worboys and all Councillors
Meeting cycle	From time to time, as business requires.
Termination date	Next triennial general election for local government.
Responsibilities	All matters relative to the employment of the Chief Executive, including monitoring of performance.
Delegated Authority	Make decisions on the performance and remuneration of the Chief Executive.
Limits to Delegations	All employment conditions and appointments of the Chief Executive remains with Council.
Recommendations	-

36. Workshop

Timing

Council will move into Workshop on the first and third Thursdays of each month, following the preceding Council or Committee meeting.

Purpose

To brief members and provide structured opportunities to develop ideas relevant to future decisions so that good government of the district is fostered.

Decision-making/delegated authority

None. No resolutions or decisions in respect of any matter will be made while Council is in workshop.

Statutory Delegations

37. Introduction

- 37.1 Local government is responsible for a large range of legislative obligations. The legislation sets out most of the regulatory powers that local authorities possess and the way in which those powers should be implemented.
- 37.2 This part of the Manual sets out the delegations of these statutory responsibilities to committees, the Chief Executive, Council Officers and external service providers pursuant to clause 32, Schedule 7 of the Act.
- 37.3 As well as the powers, duties and functions that Council has under legislation, Council also has the powers to make bylaws that affect the rights and responsibilities of individuals within their district. The making of bylaws is a function that may not be delegated, but the powers created by bylaws and the enforcement of bylaws can be. The delegation of these powers, duties and functions is also specified in this section of the Manual.

38. Delegations to Council Committees

- 38.1 Further to those powers identified in the Governance part of this Manual, Council delegates to each of the committees identified below, all powers related to policy making and governance, as well as monitoring of Council and contractor performance, conferred on the Council under the relevant legislation, with the exception of those matters in respect of which delegation is prohibited under any Act or regulation.
- 38.2 The relevant legislation includes, but is not necessarily limited to, the below:

Council Committee	Legislation
Strategic Planning & Policy	Affordable Housing: Enabling Territorial Authorities Act 2008 Arts Council of New Zealand Toi Aotearoa Act 1994 Biosecurity Act 1993 Building Act 2004 Burial and Cremation Act 1964 Civil Defence Act 1983 Conservation Act 1987 Dog Control Act 1996 Food Act 2014 Forest and Rural Fires Act 1977 Gambling Act 2003 Health Act 1956 Health (Drinking Water) Amendment Act 2007 Housing Corporation Act 1974 Impounding Act 1955 Land Act 1948 Land Drainage Act 1908 Land Transport Act 1998 Land Transport Management Act 2003 Litter Act 1979 Local Government Act 2002 Local Government (Rating) Act 2002 Manawatu District Council Bylaws 2014 and 2015 New Zealand Geographic Board Act 2008 New Zealand Library Association Act 1939 Prostitution Reform Act 2003 Public Bodies Contract Acts 1959 Public Works Act 1981 Reserves Act 1977 Resource Management Act 1991

	Transport Act 2008 Transport (Vehicular Traffic Road Closure) Regulations 1965 Walking Access Act 2008 Waste Minimisation Act 2008
Hearings Committee	Building Act 2004 Dog Control Act 1996 Impounding Act 1955 Food Act 2014 Health Act 1956 Litter Act 1979 Local Government Act 1974 Local Government Act 2002 Manawatu District Council Bylaws 2014 and 2015 Prostitution Reform Act 2003 Resource Management Act 1991
District Licensing Committee	Sale and Supply of Alcohol Act 2012

39. Delegations to Chief Executive

- 39.1 Council delegates to the Chief Executive Officer all responsibilities, duties and powers to act on any matter, subject to any restrictions imposed by Council and excluding those matters in respect of which delegation is prohibited by any Act or regulation, or which are expressly excluded from this delegation.
- 39.2 This delegation also includes all the powers, duties and responsibilities that are of an enforcement, inspection, licensing and administrative nature contained in the Manawatu District Bylaws 2014 and 2015 or any amended versions thereof (Bylaws).
- 39.3 Delegations to the Chief Executive include, but are not limited to, all responsibilities, duties and powers to act under legislation and Bylaws as set out below:

Building Act 2004 Burial and Cremation Act 1964 Civil Defence Emergency Management Act 2002 Conservation Act 1987 Criminal Procedures Act 2011 Dog Control Act 1996 Electricity Act 1992 Fire Services Act 1975 Food Act 2014 Forest and Rural Fires Act 1977 Gambling Act 2003 Gas Act 1992 Hazardous Substances and New Organisms Act 1996 Health Act 1956 Health (Drinking Water) Amendment Act 2007 Historic Places Act 1993 Human Rights Act 1993 Impounding Act 1955 Land Act 1948 Land Drainage Act 1908 Land Transport Act 1998 Land Transport Management Act 2003 Litter Act 1979 Local Government Act 2002 Local Government Act 1974 Local Government (Rating) Act 2002 Local Government Official Information and Meetings Act 1987 Machinery Act 1950	Manawatu District Bylaws 2014 and 2015 New Zealand Geographic Board (Nga Pou Tauaha o Aotearoa) Act 2008 New Zealand Library Association Act 1939 Walking Access Act 2008 Overseas Investment Regulations Occupiers Liability Act 1962 Privacy Act 1993 Property Law Act 2007 Prostitution Reform Act 2003 Public Bodies Leases Act 1969 Public Works Act 1981 Rating Valuations Act 1998 Rates Rebate Act 1973 Reserves Act 1977 Residential Tenancies Act 1986 Resource Management Act 1991 Sale and Supply of Alcohol Act 2012 Smoke-free Environments Act 1990 Soil Conservation and Rivers Control Act 1941 Statutory Land Charges Regulations Act 1928 Telecommunications Act 2001 Transport Act 1962 Trespass Act 1980 Unit Titles Act 2010 Utilities Access Act 2010 Waste Minimisation Act 2008 Wild Animal Control Act 1977 Search and Surveillance Act 2012 Summary Proceedings Act 1957
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	Freedom Camping Act 2011 Public Records Act 2005
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40. Delegations from Chief Executive

Statutory

- 40.1 The Chief Executive makes the following **sub**-delegations of powers regarding the regulation, inspection, licensing and prosecution of offences and any other functions and duties set out in the following legislation.
- 40.2 All powers delegated to the Chief Executive in regards to the regulation, inspection, licensing and prosecution of offences and any other functions and duties listed in the legislation set out in the following schedule are delegated to Council's General Managers. General Managers are defined to include the following positions, General Manager - Corporate & Regulatory, General Manager – Community and Strategy, General Manager - Infrastructure and General Manager – People and Culture.
- 40.3 The Chief Executive also **sub**-delegates the responsibilities, duties or powers set out in the following schedule to the identified council officers. The functions, powers and duties set out in the table are, however, in summary form and do not replace and are not intended to replace the functions, duties and powers as specified in the relevant legislation.
- 40.4 The Chief Executive may withdraw and replace delegates at any time.

Building Act 2004

Section	Description	Delegate
12	Functions incidental and related to or consequential upon the functions in Section 12(1) - (2)	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer (MDC) Plumbing and Drainage Officer (MDC)
34	Issues Project Information Memorandum	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC)
48(2)	Suspend a building consent because of lack of information	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer (MDC) Plumbing and Drainage Officer (MDC)
49	Grant building consent	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer (MDC) Plumbing and Drainage Officer (MDC)
50	Refuse building consent	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC)
51	Issue building consent	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer (MDC)
62	Recover unpaid levies from building consent applicant	<ul style="list-style-type: none"> Regulatory Manager

67	Grant building consent subject to waivers or modifications of Building Code	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC)
71	Refuse to grant consent on land subject to natural hazards	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC)
72	Granting consent on land subject to natural hazards	<ul style="list-style-type: none"> Regulatory Manager Principal Planner
73	Imposition of s 73 notice and notice to appropriate body	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer (MDC)
75	Certification of building on two or more allotments	<ul style="list-style-type: none"> Regulatory Manager Principal Planner
75, 77	Permit construction of building on two or more allotments	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer (MDC)
83	Grant authority to remove entry under Section 78	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC)
91-95	Issue Code Compliance Certificate	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC)
95A	Refusal Code Compliance Certificate	<ul style="list-style-type: none"> Regulatory Manager
96, 98 & 99	Issue Certificate of Acceptance	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC)
102, 107	Issue an amendment of Compliance Schedule	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer (MDC) Plumbing and Drainage Officer (MDC)
109	Consider recommendation to amend Compliance Schedule	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer (MDC)
111	Inspections in relation to building Warrant of Fitness	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer (MDC) Building Officer Plumbing and Drainage Officer (MDC)
112	Approve or waive requirement for alterations to comply with Building Code	<ul style="list-style-type: none"> Regulatory Manager
113, 115 & 116	Grant consent for alterations to building with Specified Intended Life	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Building Officer (MDC)
116A	Grant of certificate under Section 224(f) of Resource Management Act 1991	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC)

121, 124	Seek advice and perform functions in relation to Dangerous, Earthquake Prone or Insanitary Buildings	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC)
123	Determine that a building is insanitary	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer (MDC) Plumbing and Drainage Officer (MDC)
126	Apply for order to carry out building work	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC)
129, 130	Take measures to avoid immediate danger or to fix insanitary conditions (by way of warrant)	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC)
164	Issue notice to fix	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer (MDC) Plumbing and Drainage Officer (MDC)
167	Inspect building work under notice to fix	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer Plumbing and Drainage Officer (MDC)
177(1)(a)	Make application to Department of Building and Housing for determination	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC)
220(2)	Make application to District Court for order to carry out building work	<ul style="list-style-type: none"> Regulatory Manager
221(2)	Recovery of costs for carrying out work	<ul style="list-style-type: none"> Regulatory Manager
222	Carry out inspections	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer Plumbing and Drainage Officer (MDC)
363A	Issue of Certificate for Public Use of Premises	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC)
372	Issue of Infringement Notice	<ul style="list-style-type: none"> Regulatory Manager Team Leader – Building Services (MDC) Advanced Building Officer (MDC)
377	Lay information for prosecution	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader
381	Apply to District Court for injunction	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader

Criminal Procedure Act 2011

Section	Description	Delegate
14	Filing a charging document	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader
18	Provision of particulars	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader
28	Service of summons	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader

Dog Control Act 1996

Section	Description	Delegate
14	Power of entry for dog control officers	<ul style="list-style-type: none"> Senior Animal Control Officer Animal Control Officer
19, 19A	Obtain information	<ul style="list-style-type: none"> Senior Animal Control Officer Animal Control Officer Compliance and Enforcement Team Leader
21	Classify probationary owners	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader Senior Animal Control Officer
23A	Require an owner to undertake a dog owner education program or a dog obedience course (or both)	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader Senior Animal Control Officer Animal Control Officer
25	Disqualify a person from being the owner of a dog	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader Senior Animal Control Officer
27	Appeal to District Court	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader
28	Extend any period of disqualification	<ul style="list-style-type: none"> Senior Animal Control Officer
31	Classify dangerous dogs	<ul style="list-style-type: none"> Regulatory Manager Senior Animal Control Officer
32(1)(f), 33	Consent to the disposal of a dangerous dog	<ul style="list-style-type: none"> Regulatory Manager Senior Animal Control Officer
33A	Territorial authority may classify dog as menacing	<ul style="list-style-type: none"> Senior Animal Control Officer Animal Control Officer
33B	Objection to classification of dog under section 33A	<ul style="list-style-type: none"> Hearings Committee
33C	Classification of Dog under section 33C	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader Senior Animal Control Officer
33E(B)	Require neutering of menacing dog	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader Senior Animal Control Officer
33ED	Classify dogs as dangerous or menacing by breed or type as listed in schedule 4	<ul style="list-style-type: none"> Regulatory Manager Senior Animal Control Officer Animal Control Officer
35	Determine whether or not a dog should be delivered into custody of a Dog Control Officer or Dog Ranger	<ul style="list-style-type: none"> Regulatory Manager

		<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Animal Control Officer
35A	Supply information for purposes of the National Dog Database	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader • Senior Animal Control Officer • Animal Control Officer
36A	Issue instructions relating to the making available of a dog for verification that it has been implanted with a functioning microchip transponder	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader • Senior Animal Control Officer • Animal Control Officer
39	Remit, reduce or refund dog control fees or part thereof	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader • Senior Animal Control Officer
40	Require statement of claim regarding working dogs	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader • Senior Animal Control Officer • Animal Control Officer
42(2)	Seize and impound unregistered dogs	<ul style="list-style-type: none"> • Senior Animal Control Officer • Animal Control Officer
46	Issue a replacement label or disc	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Animal Control Officer • Animal Control Officer • Business Support Officers
50	Seize and impound dogs not wearing proper label or disc	<ul style="list-style-type: none"> • Senior Animal Control Officer • Animal Control Officer
52	Seize and impound dogs not under control	<ul style="list-style-type: none"> • Senior Animal Control Officer • Animal Control Officer
55	Barking dogs	<ul style="list-style-type: none"> • Senior Animal Control Officer • Animal Control Officer
56	Removal of barking dog causing distress	<ul style="list-style-type: none"> • Senior Animal Control Officer • Animal Control Officer
57(5) & (6)	Dogs attacking persons or animals	<ul style="list-style-type: none"> • Senior Animal Control Officer • Animal Control Officer • Authorised Officer
57A(3)	Dogs rushing at persons, animals, or vehicles	<ul style="list-style-type: none"> • Senior Animal Control Officer • Animal Control Officer • Authorised Officer
59	Seizure or destruction of dog at large in vicinity of protected wildlife	<ul style="list-style-type: none"> • Senior Animal Control Officer • Animal Control Officer • Authorised Officer
64(3)	Procedure where order made for destruction of dog	<ul style="list-style-type: none"> • Senior Animal Control Officer • Animal Control Officer • Authorised Officer
65 & 66	Issue infringement notices	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Animal Control Officer • Animal Control Officer • Authorised Officer • Business Support Officers
69	Dispose of any dog	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Animal Control Officer • Animal Control Officer
69A	Impounded dog must be microchipped and registered before release	<ul style="list-style-type: none"> • Senior Animal Control Officer • Animal Control Officer

70	Removal of dogs for barking	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Animal Control Officer • Animal Control Officer
71	Power to exercise all of the Council's powers (retention of dog threatening public safety)	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader • Senior Animal Control Officer • Animal Control Officer • Authorised Officer

Electricity Act 1992

Section	Description	Delegate
24	Set reasonable conditions over the opening up of any road and recover reasonable costs	<ul style="list-style-type: none"> • Roading Asset Manager • Utility Asset Manager • Corridor Access Coordinator

Food Act 2014

Section	Description	Delegate
54	Authority to refuse to process application for registration for Food Control Plan (FCP)	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
55	Ability to require further information	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
56	Registration of a FCP	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
57	Refusal to register FCP and provision of written notice	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
59	Provide information to Chief Executive for updating relevant public register and providing written notice	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
60	Authority to impose or vary conditions on registration of FCP	<ul style="list-style-type: none"> • Environmental Health Officer
62	Authority to suspend, at any time, any or all of the operations conducted under a registered FCP	<ul style="list-style-type: none"> • Environmental Health Officer
63	Authority to extend mandatory suspension	<ul style="list-style-type: none"> • Environmental Health Officer
65	Power to issue directions and exercise any of the relevant powers under section 285	<ul style="list-style-type: none"> • Environmental Health Officer
67	Authority to cancel registration of FCP	<ul style="list-style-type: none"> • Environmental Health Officer
69	Power to issue directions and exercise any of the relevant powers under section 285	<ul style="list-style-type: none"> • Environmental Health Officer
70	Removal of food business from coverage of FCP	<ul style="list-style-type: none"> • Environmental Health Officer
71	Notification of surrender of registration	<ul style="list-style-type: none"> • Environmental Health Officer
84	Registration authority may refuse to process application for registration for NP	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
85	Ability to require further information	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
86	Registration of food business subject to national programme	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
87	Refusal to register food business subject to national programme and provision of written notice	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer

88	Provide information to Chief Executive for updating relevant public register and providing written notice	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
89	Authority to impose or vary conditions on registration of food business	<ul style="list-style-type: none"> • Environmental Health Officer
90	Authority to suspend, at any time, any or all of the operations conducted under a national programme	<ul style="list-style-type: none"> • Environmental Health Officer
91	Authority to extend mandatory suspension	<ul style="list-style-type: none"> • Environmental Health Officer
93	Power to issue directions and exercise any of the relevant powers under section 285	<ul style="list-style-type: none"> • Environmental Health Officer
95	Authority to cancel registration of food business	<ul style="list-style-type: none"> • Environmental Health Officer
97	Power to issue directions and exercise any of the relevant powers under section 285	<ul style="list-style-type: none"> • Environmental Health Officer
98	Notification of surrender of registration of food business	<ul style="list-style-type: none"> • Environmental Health Officer
137	Authority to conduct verification functions and activities	<ul style="list-style-type: none"> • Environmental Health Officer
155	Power to carry out duties of a recognised agency	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
218	Power to commence proceedings or issue an infringement notice	<ul style="list-style-type: none"> • Environmental Health Officer
294-295	Powers of verifiers	<ul style="list-style-type: none"> • Environmental Health Officer
331	Ability to apply to District Court for a Compliance Order	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
332	Service of notice of application under section 331	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
337	Decision to be heard on change or cancellation of interim compliance order or compliance order	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
338	Exercise, or direct the exercise of, any of the powers of a Food Safety Officer, for the purposes of complying with interim compliance order or compliance order, and recover the costs and expenses reasonably incurred in complying with the order	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer
339-340	Decision to appeal to higher courts	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader
369	Decision to disclose information	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer

Forest and Rural Fires Act 1977

Section	Description	Delegate
12	As Territorial Fire Authority (FA) to promote and carry out fire control measures and prepare a written fire plan	<ul style="list-style-type: none"> • Principal Rural Fire Officer
13	Appointment of Rural Fire officer and Principal Fire Officer	<ul style="list-style-type: none"> • Rural Fire Officer • Principal Rural Fire Office
17	Declare an area to be a forest area and maintain a Forest Area Register	<ul style="list-style-type: none"> • Principal Rural Fire Officer
18	Take appropriate fire control measures as necessary	<ul style="list-style-type: none"> • Principal Rural Fire Officer
20	Issue notice warning of occurrence or likelihood of fire	<ul style="list-style-type: none"> • Principal Rural Fire Officer
27	Require firebreaks to be made or cleared	<ul style="list-style-type: none"> • Principal Rural Fire Officer
29	Do work to meet requirements of the Act at landowners cost	<ul style="list-style-type: none"> • Principal Rural Fire Officer

43	Recover costs of fire from person responsible	<ul style="list-style-type: none"> Principal Rural Fire Officer
44	Periodically estimate expenditure for the next period	<ul style="list-style-type: none"> Principal Rural Fire Officer
53	Recover costs in certain circumstances	<ul style="list-style-type: none"> Principal Rural Fire Officer

Gambling Act 2003

Section	Description	Delegate
98 -100	Process consent applications	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader Senior Compliance & Enforcement Officer Compliance & Enforcement Officer Alcohol Licensing and Monitoring Officer

Gas Act 1992

Section	Description	Delegate
25, 25A	Set reasonable conditions over the opening up of any road and recover reasonable costs	<ul style="list-style-type: none"> Roading Asset Manager Utility Asset Manager Corridor Access Coordinator
26	Receive notices of intention to open any road	<ul style="list-style-type: none"> Roading Asset Manager Utility Asset Manager Corridor Access Coordinator
33	Require fittings to have their position changed	<ul style="list-style-type: none"> Roading Asset Manager Utility Asset Manager Corridor Access Coordinator

Hazardous Substances and New Organisms Act 1996

Section	Description	Delegate
12	Powers, functions and duties of enforcement officers	<ul style="list-style-type: none"> Environmental Health Officer
103	Powers of entry for inspection by enforcement officers	<ul style="list-style-type: none"> Environmental Health Officer
104	Scope of compliance order	<ul style="list-style-type: none"> Environmental Health Officer
108	Cancellation of compliance order	<ul style="list-style-type: none"> Environmental Health Officer
112	Infringement notices	<ul style="list-style-type: none"> Environmental Health Officer
136	Declaration of emergency	<ul style="list-style-type: none"> Environmental Health Officer
137	Emergency powers	<ul style="list-style-type: none"> Environmental Health Officer

Health Act 1956

Section	Description	Delegate
23	Powers to improve, promote and protect public health within the district	<ul style="list-style-type: none"> Environmental Health Officer
34	Abate nuisances at the cost of the owner/occupier	<ul style="list-style-type: none"> Environmental Health Officer
41	Require owners or occupiers to cleanse property	<ul style="list-style-type: none"> Environmental Health Officer Senior Compliance & Enforcement Officer Compliance and Enforcement Team Leader
42	Certify that dwelling-house unfit for human habitation and related power to require repair or issue a closing order	<ul style="list-style-type: none"> Environmental Health Officer
54	Grant consent for offensive trade	<ul style="list-style-type: none"> Environmental Health Officer Tradewaste Officer
58	Grant consent for stock sale-yards	<ul style="list-style-type: none"> Environmental Health Officer

81	Authorise entry to premises	<ul style="list-style-type: none"> Environmental Health Officer
83	Destroy articles that cannot be effectively disinfected	<ul style="list-style-type: none"> Environmental Health Officer
86	Cause bodies to be buried when required by Medical Officer of Health	<ul style="list-style-type: none"> Environmental Health Officer
120 (2)	Issue Certificates of Registration	<ul style="list-style-type: none"> Environmental Health Officer
120 (3)	Hear and decide revocation of registration	<ul style="list-style-type: none"> Hearings Committee
128	Authorise entry and inspection of specified facilities	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader Environmental Health Officer

Impounding Act 1955

Section	Description	Delegate
10	Power to remove or suspend	<ul style="list-style-type: none"> Senior Animal Control Officer Animal Control Officer
13	Pound book and impounding register to be maintained and open to inspection	<ul style="list-style-type: none"> Senior Animal Control Officer Animal Control Officer Business Support Officers
32	Declare any fenced paddock a temporary pound with the consent of the occupier and appoint a keeper and fix a notice setting out specified information	<ul style="list-style-type: none"> Compliance and Enforcement Team Leader Senior Animal Control Officer Animal Control Officer
33	Stock straying or wandering on roads	<ul style="list-style-type: none"> Senior Animal Control Officer Animal Control Officer
38	Issue trespass notices and sell the stock if not removed	<ul style="list-style-type: none"> Compliance and Enforcement Team Leader Senior Animal Control Officer Animal Control Officer
42	Disposal of wild stock straying on roads	<ul style="list-style-type: none"> Compliance and Enforcement Team Leader Senior Animal Control Officer Animal Control Officer
50 (2) (3)	Authorise person to act as auctioneer for sale of impounded stock	<ul style="list-style-type: none"> Compliance and Enforcement Team Leader Senior Animal Control Officer
52	Destroy worthless or suffering animals	<ul style="list-style-type: none"> Compliance and Enforcement Team Leader Senior Animal Control Officer Animal Control Officer
53	Dispose of unsold stock	<ul style="list-style-type: none"> Compliance and Enforcement Team Leader Senior Animal Control Officer
56	Recover any deficiency in costs from the owner of stock	<ul style="list-style-type: none"> Compliance and Enforcement Team Leader Senior Animal Control Officer

Land Drainage Act 1908

Section	Description	Delegate
20	Object to Drainage Board interfering with road or footpath	<ul style="list-style-type: none"> Roading Asset Manager Utility Asset Manager
61,62 & 63	Cleanse, repair, maintain or remove obstruction in a watercourse or drain	<ul style="list-style-type: none"> Roading Asset Manager Corridor Access Coordinator Utility Asset Manager Asset Engineer – Utilities Community Facilities Manager Property and Parks Team Leader

Land Transport Act 1998

Section	Description	Delegate
16A	Restrict heavy traffic on roads	<ul style="list-style-type: none"> Roading Asset Manager
34(1)(b)	Exercise powers, functions and duties of an enforcement officer	<ul style="list-style-type: none"> Roading Asset Manager
113	Enforce transport legislation	<ul style="list-style-type: none"> Roading Asset Manager
118	General enforcement powers	<ul style="list-style-type: none"> Roading Asset Manager
128E	Powers of parking wardens	<ul style="list-style-type: none"> Compliance and Enforcement Team Leader. Compliance and Enforcement Officer
135(1A)	Lay an information for offence under Part 6A or Part 6B	<ul style="list-style-type: none"> Roading Asset Manager Compliance and Enforcement Team Leader
138-139	Issue Infringement notices	<ul style="list-style-type: none"> Roading Asset Manager Compliance and Enforcement Team Leader. Compliance and Enforcement Officer
157	Control, restrict and prohibit traffic	<ul style="list-style-type: none"> Roading Asset Manager
208	Appoint enforcement officers	<ul style="list-style-type: none"> Roading Asset Manager Regulatory Manager

Litter Act 1979

Section	Description	Delegate
7	Powers and duties of officers	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader Senior Compliance & Enforcement Officer Compliance & Enforcement Officer Environmental Health Officer Authorised Officer Corridor Access Coordinator Roading Operations Manager Solid Waste and Recycling Officer
10	Require owners of private property to clear litter from their property	<ul style="list-style-type: none"> Compliance and Enforcement Team Leader Senior Compliance & Enforcement Officer Compliance & Enforcement Officer Environmental Health Officer Roading Operations Manager Solid Waste and Recycling Officer
14	Issue infringement notices	<ul style="list-style-type: none"> Compliance and Enforcement Team Leader Senior Compliance & Enforcement Officer Compliance & Enforcement Officer Environmental Health Officer Corridor Access Coordinator Roading Operations Manager Solid Waste and Recycling Officer Authorised Officer

Local Government Act 1974

Section	Description	Delegate
319A	Approving road names proposed by subdividers	<ul style="list-style-type: none"> Land Administration Officer

327A	Removal of building line restrictions and notification requirements	<ul style="list-style-type: none"> Principal Planner
342(1)(b)	Temporary closure of roads	<ul style="list-style-type: none"> Roading Asset Manager
346G	Approving access to a Council limited access road	<ul style="list-style-type: none"> Roading Asset Manager
348	Approving private roads and private ways	<ul style="list-style-type: none"> Roading Asset Manager Principal Planner
355	Council may require removal of overhanging trees, etc	<ul style="list-style-type: none"> Compliance and Monitoring Team Leader Senior Compliance & Enforcement Officer Compliance & Enforcement Officer Environmental Health Officer Alcohol Licensing & Monitoring Officer
356A	Authorise removal or disposal of a motor vehicle found on a road or in a public place	<ul style="list-style-type: none"> Roading Asset Manager Roading Operations Manager Regulatory Manager Compliance and Enforcement Team Leader Senior Compliance & Enforcement Officer Compliance & Enforcement Officer Alcohol Licensing & Monitoring Officer Community Facilities Manager
357	Penalties for damage to roads	<ul style="list-style-type: none"> Roading Asset Manager Compliance and Enforcement Team Leader Senior Compliance & Enforcement Officer Compliance & Enforcement Officer

Local Government Act 2002

Section	Description	Delegate
150A	Waive or remit the whole or any part of any costs associated with development contribution objections	<ul style="list-style-type: none"> Regulatory Manager
164	Seizure of property not on private land	<ul style="list-style-type: none"> Regulatory Manager Head of Building Services (PNCC) Team Leader – Building Services (MDC) Advanced Building Officer (MDC) Building Officer Plumbing and Drainage Officer (MDC) Compliance and Enforcement Team Leader Senior Compliance & Enforcement Officer Compliance & Enforcement Officer Environmental Health Officer Alcohol Licensing and Monitoring Officer Planning Officer Senior Consents Planner Community Facilities Manager Strategy Manager Property and Parks Team Leader Property and Parks Officer Senior Animal Control Officer Animal Control Officer

		<ul style="list-style-type: none"> • Clerk of Works • Utilities Technician • Senior Project Engineer – Roading • Project Engineer - Roading • Project Technician – Roading • Senior Project Engineer • Solid Waste and Recycling Officer
165	Seizure of property from private land	<ul style="list-style-type: none"> • Regulatory Manager • Head of Building Services (PNCC) • Team Leader – Building Services (MDC) • Advanced Building Officer (MDC) • Building Officer • Plumbing and Drainage Officer (MDC) • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer • Alcohol Licensing and Monitoring Officer • Planning Officer • Senior Consents Planner • Community Facilities Manager • Strategy Manager • Property and Parks Team Leader • Property and Parks Officer • Senior Animal Control Officer • Animal Control Officer • Clerk of Works • Utilities Technician • Senior Project Engineer – Roading • Project Engineer - Roading • Project Technician – Roading • Senior Project Engineer • Solid Waste and Recycling Officer
167	Return of seized property	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader
171	General powers of entry	<ul style="list-style-type: none"> • Regulatory Manager • Head of Building Services (PNCC) • Team Leader – Building Services (MDC) • Advanced Building Officer (MDC) • Building Officer • Plumbing and Drainage Officer (MDC) • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer • Alcohol Licensing and Monitoring Officer • Principal Planner • Senior Policy Planner • Policy Planner • Planning Officer

		<ul style="list-style-type: none"> • Senior Consents Planner • Community Facilities Manager • General Manager – Community and Strategy • Strategy Manager • Property and Parks Team Leader • Property and Parks Officer • Senior Animal Control Officer • Animal Control Officer • General Manager - Infrastructure • Senior Wastewater Treatment Operator • Wastewater Treatment Operator • Operations manager - RDC • Clerk of Works • Utilities Technician • Senior Project Engineer – Roading • Project Engineer • Project Engineer - Roading • Project Technician – Roading • Senior Project Engineer • Solid Waste and Recycling Officer • Projects Engineer – Utilities • Utility Projects Manager
172	Power of entry for enforcement purposes	<ul style="list-style-type: none"> • Regulatory Manager • Head of Building Services (PNCC) • Team Leader – Building Services (MDC) • Advanced Building Officer (MDC) • Building Officer • Plumbing and Drainage Officer (MDC) • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer • Alcohol Licensing and Monitoring Officer • Principal Planner • Senior Policy Planner • Policy Planner • Planning Officer • Senior Consents Planner • Community Facilities Manager • Property and Parks Team Leader • Property and Parks Officer • Senior Animal Control Officer • Animal Control Officer • General Manager - Infrastructure • Clerk of Works • Utilities Technician • Senior Project Engineer – Roading • Project Engineer • Project Engineer - Roading • Project Technician – Roading • Senior Project Engineer • Solid Waste and Recycling Officer • Projects Engineer – Utilities • Utility Projects Manager

173	Power of entry in cases of emergency	<ul style="list-style-type: none"> • Regulatory Manager • General Manager - Corporate & Regulatory • Head of Building Services (PNCC) • Team Leader – Building Services (MDC) • Advanced Building Officer (MDC) • Building Officer • Plumbing and Drainage Officer (MDC) • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer • Alcohol Licensing and Monitoring Officer • Principal Planner • Senior Policy Planner • Policy Planner • Planning Officer • Senior Consents Planner • Community Facilities Manager • Property and Parks Team Leader • Property and Parks Officer • Senior Animal Control Officer • Animal Control Officer • General Manager - Infrastructure • Clerk of Works • Utilities Technician • Senior Project Engineer – Roading • Project Engineer • Project Engineer - Roading • Project Technician – Roading • Senior Project Engineer • Solid Waste and Recycling Officer • Projects Engineer – Utilities • Utility Projects Manager
174	Authority to act	<ul style="list-style-type: none"> • Regulatory Manager • Head of Building Services (PNCC) • Team Leader – Building Services (MDC) • Advanced Building Officer (MDC) • Building Officer • Plumbing and Drainage Officer (MDC) • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer • Alcohol Licensing and Monitoring Officer • Principal Planner • Senior Policy Planner • Policy Planner • Planning Officer • Senior Consents Planner • Community Facilities Manager

		<ul style="list-style-type: none"> • General Manager – Community and Strategy • Strategy Manager • Property and Parks Team Leader • Property and Parks Officer • Senior Animal Control Officer • Animal Control Officer • General Manager - Infrastructure • Senior Wastewater Treatment Operator • Wastewater Treatment Operator • Operations manager - RDC • Clerk of Works • Utilities Technician • Senior Project Engineer – Roading • Treatment Team Leader • Water Treatment Operator • Water Treatment Technician • Project Engineer • Project Engineer - Roading • Project Technician – Roading • Senior Project Engineer • Solid Waste and Recycling Officer • Projects Engineer – Utilities • Utility Projects Manager
175	Power to recover cost of damage	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader
176	Cost of remedying damage arising from breach of bylaw	<ul style="list-style-type: none"> • Regulatory Manager • General Manager - Corporate & Regulatory • Head of Building Services (PNCC) • Team Leader – Building Services (MDC) • Advanced Building Officer (MDC) • Building Officer • Plumbing and Drainage Officer (MDC) • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer • Alcohol Licensing and Monitoring Officer • Principal Planner • Senior Policy Planner • Policy Planner • Planning Officer • Senior Consents Planner • Community Facilities Manager • General Manager – Community and Strategy • Strategy Manager • Property and Parks Team Leader • Property and Parks Officer • Senior Animal Control Officer • Animal Control Officer • General Manager - Infrastructure • Senior Wastewater Treatment Operator

		<ul style="list-style-type: none"> • Wastewater Treatment Operator • Operations manager - RDC • Clerk of Works • Utilities Technician • Senior Project Engineer – Roading • Treatment Team Leader • Water Treatment Operator • Water Treatment Technician • Project Engineer • Project Engineer - Roading • Project Technician – Roading • Senior Project Engineer • Solid Waste and Recycling Officer • Projects Engineer – Utilities • Utility Projects Manager
182	Power of entry to check utility services	<ul style="list-style-type: none"> • Regulatory Manager • Head of Building Services (PNCC) • Team Leader – Building Services (MDC) • Advanced Building Officer (MDC) • Building Officer • Plumbing and Drainage Officer (MDC) • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer • Senior Policy Planner • Policy Planner • Community Facilities Manager • General Manager – Community and Strategy • Strategy Manager • Property and Parks Team Leader • Property and Parks Officer • General Manager - Infrastructure • Senior Wastewater Treatment Operator • Wastewater Treatment Operator • Operations manager - RDC • Clerk of Works • Utilities Technician • Senior Project Engineer – Roading • Treatment Team Leader • Water Treatment Operator • Water Treatment Technician • Project Engineer • Project Engineer - Roading • Project Technician – Roading • Senior Project Engineer • Solid Waste and Recycling Officer • Projects Engineer – Utilities • Utility Projects Manager
183	Removal of fire hazards	<ul style="list-style-type: none"> • Regulatory Manager • Head of Building Services (PNCC) • Team Leader – Building Services (MDC) • Advanced Building Officer (MDC) • Building Officer

		<ul style="list-style-type: none"> • Plumbing and Drainage Officer (MDC) • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer • Alcohol Licensing and Monitoring Officer • Community Facilities Manager • General Manager – Community and Strategy • Strategy Manager • Property and Parks Team Leader • Property and Parks Officer • General Manager - Infrastructure • Senior Wastewater Treatment Operator • Wastewater Treatment Operator • Operations manager - RDC • Clerk of Works • Utilities Technician • Senior Project Engineer – Roading • Treatment Team Leader • Water Treatment Operator • Water Treatment Technician • Project Engineer • Project Engineer - Roading • Project Technician – Roading • Senior Project Engineer • Solid Waste and Recycling Officer • Projects Engineer – Utilities • Utility Projects Manager
185	Approve occupier doing work	<ul style="list-style-type: none"> • Regulatory Manager
186	Local Authority may execute works if owner or occupier defaults	<ul style="list-style-type: none"> • Regulatory Manager • Head of Building Services (PNCC)
187	Recovery of costs of works by Local Authority	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader
198	Require contributions for developments pursuant to any Council policy	<ul style="list-style-type: none"> • Regulatory Manager • Principal Planner
199P	Authority to require a development contribution to be made (but not used) or put on hold pending an objection being determined	<ul style="list-style-type: none"> • Regulatory Manager • Principal Planner
199P(2)	Power to withhold certificates or permissions until an objection has been determined	<ul style="list-style-type: none"> • Regulatory Manager • Principal Planner
207A	Authority to request a developer to enter into a development agreement with the Council	<ul style="list-style-type: none"> • Regulatory Manager • Principal Planning Advisor
207B (1) and (2)(a) (b)	Response to request for development agreement – accept the request in whole or in part subject to any amendments agreed to between Council and the developer or decline the request	<ul style="list-style-type: none"> • Regulatory Manager • Principal Planner
207C	Authority to sign a development agreement	<ul style="list-style-type: none"> • Regulatory Manager • Principal Planner
207F	Authority to amend or terminate a development agreement	<ul style="list-style-type: none"> • Regulatory Manager • Principal Planner
245	Issue of infringement notices	<ul style="list-style-type: none"> • Regulatory Manager • Head of Building Services (PNCC)

		<ul style="list-style-type: none"> • Team Leader – Building Services (MDC) • Advanced Building Officer (MDC) • Building Officer • Plumbing and Drainage Officer (MDC) • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer • Alcohol Licensing and Monitoring Officer • Principal Planner • Planning Officer • Senior Consents Planner • Community Facilities Manager • Property and Parks Team Leader • Property and Parks Officer • Senior Animal Control Officer • Animal Control Officer • Clerk of Works
Clause 2(2), Schedule 13A	Recovery of actual and reasonable costs after withdrawal of an objection	<ul style="list-style-type: none"> • Regulatory Manager • Principal Planner
Clause 3 (1), Schedule 13A	Appoint a Development Contribution Commissioner/s to decide the objection	<ul style="list-style-type: none"> • Regulatory Manager • Principal Planner
Clause 3 (3), Schedule 13A	Appointment of one of the commissioners as a chairperson where there is more than three commissioners appointed	<ul style="list-style-type: none"> • Regulatory Manager • Principal Planner

Local Government Official Information and Meetings Act 1987

Section	Description	Delegate
51A	Public notification of resolution	<ul style="list-style-type: none"> • Governance Team Leader

Machinery Act 1950

Section	Description	Delegate
21(A)	Inspect and issue a permit for the erection of amusement devices	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer

Overseas Investment Regulations 2005

Clause	Description	Delegate
12(2)	Authority to issue a certificate as required by the relevant Minister or the Overseas Investment Commission	<ul style="list-style-type: none"> • Regulatory Manager • Chief Financial Officer • Senior Consents Planner

Property Law Act 2007

Section	Description	Delegate
322	Make an application for relief for wrongly placed structure	<ul style="list-style-type: none"> • Community Facilities Manager • Property and Parks Team Leader

Prostitution Reform Act 2003

Section	Description	Delegate
15	Considering resource consents in relation to businesses of prostitution	<ul style="list-style-type: none"> • Chief Financial Officer Principal Planner • Senior Consents Planner • Planning Officer

Public Bodies Leases Act 1969

Section	Description	Delegate
7	Grant leases	<ul style="list-style-type: none"> • Community Facilities Manager • Property and Parks Team Leader
8	Sell leases	<ul style="list-style-type: none"> • Community Facilities Manager • Property and Parks Team Leader
9	Land may be offered for leasing at amount determined by leasing authority	<ul style="list-style-type: none"> • Community Facilities Manager • Property and Parks Team Leader
17, 18	Public applications to lease	<ul style="list-style-type: none"> • Community Facilities Manager • Property and Parks Team Leader
22	Processes for reviews of rent	<ul style="list-style-type: none"> • Community Facilities Manager • Property and Parks Team Leader
23	Process for surrender of leases	<ul style="list-style-type: none"> • Community Facilities Manager • Property and Parks Team Leader
23A	Subleases and sub-tenants	<ul style="list-style-type: none"> • Community Facilities Manager

Public Works Act 1981

Section	Description	Delegate
17-19	Acquisition	<ul style="list-style-type: none"> • Community Facilities Manager • Property and Parks Team Leader
110-111A	Powers of entry	<ul style="list-style-type: none"> • Community Facilities Manager • Property and Parks Team Leader
33-135	Remove trees and hedges that interfere with public works	<ul style="list-style-type: none"> • Roading Asset Manager • Roading Operations Manager • Utility Asset Manager • Asset Engineer – Roading • Asset Engineer – Utilities • Community Facilities Manager • Property and Parks Team Leader
234	Provides for the emergency entry on land	<ul style="list-style-type: none"> • Roading Asset Manager • Roading Operations Manager • Utility Asset Manager • Community Facilities Manager • Property and Parks Team Leader
237	Approve excavations near public works	<ul style="list-style-type: none"> • Roading Asset Manager • Roading Operations Manager • Utility Asset Manager • Community Facilities Manager • Property and Parks Team Leader • Regulatory Manager
238	Commence action for damage to public work	<ul style="list-style-type: none"> • Roading Asset Manager • Utility Asset Manager • Community Facilities Manager • Property and Parks Team Leader
239	Remove and/or dispose of abandoned property from public works land	<ul style="list-style-type: none"> • Roading Asset Manager • Roading Operations Manager • Utility Asset Manager • Community Facilities Manager • Property and Parks Team Leader
240	Remove land from persons holding illegal possessions	<ul style="list-style-type: none"> • Roading Asset Manager

		<ul style="list-style-type: none"> • Utility Asset Manager • Community Facilities Manager • Property and Parks Team Leader
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Rates Rebate Act 1973

Section	Description	Delegate
5	Determine applications for rates rebate	<ul style="list-style-type: none"> • Accounting Operations Manager • Senior Finance Officer – Rates
6	Determine applications for refunds of rates received	<ul style="list-style-type: none"> • Accounting Operations Manager • Senior Finance Officer – Rates
7	Determine applications for refund to owner or owner-occupier of contribution towards rates	<ul style="list-style-type: none"> • Accounting Operations Manager • Senior Finance Officer – Rates
8	Make payments to the rate payer where amount of rebate exceeds the total amount of all the instalments of rates for the rating year	<ul style="list-style-type: none"> • Accounting Operations Manager • Senior Finance Officer – Rates

Rating Valuations Act 1998

Section	Description	Delegate
7	Prepare and maintain district valuation roles	<ul style="list-style-type: none"> • Accounting Operations Manager • Senior Finance Officer - Rates • Finance Officer
12-13	General revaluations	<ul style="list-style-type: none"> • Accounting Operations Manager • Senior Finance Officer – Rates • Finance Officer
14-17	Specific revaluations	<ul style="list-style-type: none"> • Accounting Operations Manager • Senior Finance Officer – Rates • Finance Officer
34-40	Refer objections under s 32 or 33 to a registered valuer	<ul style="list-style-type: none"> • Accounting Operations Manager • Senior Finance Officer – Rates • Finance Officer
41-42	Disclosure of information	<ul style="list-style-type: none"> • Accounting Operations Manager • Senior Finance Officer – Rates • Finance Officer
43	Contribute to the cost of preparing and maintaining the valuation role from the regional council	<ul style="list-style-type: none"> • Accounting Operations Manager • Senior Finance Officer – Rates • Finance Officer
45	Authorise entry onto private property to carry out valuations	<ul style="list-style-type: none"> • Accounting Operations Manager

Sale and Supply of Alcohol Act 2012

Section	Description	Delegate
197(3)	Carry out functions and duties of inspector	<ul style="list-style-type: none"> • Alcohol Licensing and Monitoring Officer • Environmental Health Officer
198	Delegation of the role of Secretary of licensing committees	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader
262(1)	Issue specified infringement notices	<ul style="list-style-type: none"> • Alcohol Licensing and Monitoring Officer • Environmental Health Officer
267	Powers of entry on licensed premises	<ul style="list-style-type: none"> • Alcohol Licensing and Monitoring Officer • Environmental Health Officer
268	Power to seize samples of alcohol	<ul style="list-style-type: none"> • Alcohol Licensing and Monitoring Officer • Environmental Health Officer

279	Building not complying with Building Act 2004	<ul style="list-style-type: none"> Alcohol Licensing and Monitoring Officer Environmental Health Officer
280	Apply for variation, suspension, or cancellation of licenses other than special licenses	<ul style="list-style-type: none"> Alcohol Licensing and Monitoring Officer Environmental Health Officer
283	Apply for variation, suspension, or cancellation of special licenses	<ul style="list-style-type: none"> Alcohol Licensing and Monitoring Officer Environmental Health Officer
285	Apply for suspension or cancellation of managers certificates	<ul style="list-style-type: none"> Alcohol Licensing and Monitoring Officer Environmental Health Officer

Statutory Land Charges Registration Act 1928

Section	Description	Delegate
6(3)	Signing of notice of a statutory land charge	<ul style="list-style-type: none"> Chief Financial Officer
7(2)	Signing certificate releasing statutory land charge	<ul style="list-style-type: none"> Chief Financial Officer

Telecommunications Act 2001

Section	Description	Delegate
128-131	Address trees on road verges interfering with telecommunications networks	<ul style="list-style-type: none"> Roading Asset Manager Roading Operations Manager Utility Asset Manager Corridor Access Manager
135-139	Provide telecommunications networks access to Council roads	<ul style="list-style-type: none"> Roading Asset Manager Roading Operations Manager Utility Asset Manager Corridor Access Manager
142-145	Provide telecommunications networks rights to place cabinets on public roads	<ul style="list-style-type: none"> Roading Asset Manager Roading Operations Manager Utility Asset Manager Corridor Access Manager

Unit Titles Act 2010

Section	Description	Delegate
32	Certify unit plans	<ul style="list-style-type: none"> Regulatory Manager Principal Planner Senior Consents Planner Planning Officer Compliance and Enforcement Team Leader
35	Refuse certification of unit plans	<ul style="list-style-type: none"> Regulatory Manager Principal Planner Senior Consents Planner
36	Pursue enforcement remedies	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader Senior Compliance & Enforcement Officer Compliance & Enforcement Officer Principal Planner Senior Consents Planner
207	Powers of entry	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader Senior Compliance & Enforcement Officer

		<ul style="list-style-type: none"> • Compliance & Enforcement Officer • Principal Planner • Senior Consents Planner
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Waste Minimisation Act 2008

Section	Description	Delegate
66	Enforce provisions of bylaw	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer • Solid Waste and Recycling Officer • Authorised Officer
73,74	Initiate proceedings for infringement offences and to issue and serve infringement notices	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer • Solid Waste and Recycling Officer
79-85	Powers of enforcement officers	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer • Solid Waste and Recycling Officer • Authorised Officer

Wild Animal Control Act 1977

Section	Description	Delegate
30-31	Apply for funding and permission to destroy wild animals	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader • Senior Animal Control Officer • Animal Control Officer • Regulatory Manager

Manawatu District Bylaws 2014 and 2015

40.5 The Chief Executive makes the following sub-delegations of responsibilities, duties and powers to act in relation to any matter set out in the following Bylaws.

40.6 All powers delegated to the Chief Executive in regards to the regulation, inspection, licensing and prosecution of offences and any other functions and duties listed in the bylaws set out in the following schedule are delegated to Council's General Managers. General Managers are defined to include the following positions, General Manager – Community and Strategy, General Manager – Infrastructure and General Manager – People and Culture.

40.7 The Chief Executive also sub-delegates the responsibilities, duties and powers set out in the following schedule to the identified Council Officers.

Animal Bylaw 2014

Section	Description	Delegate
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Clause 6.2 and 7.10	Written notice	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Senior Animal Control Officer • Environmental Health Officer • Animal Control Officer • Compliance & Enforcement Officer
Clause 7.3 to 7.5	Approving applications for more than 12 poultry	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Environmental Health Officer • Compliance & Enforcement Officer
Clause 7.11	Enforce conditions of poultry application	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Senior Animal Control Officer • Environmental Health Officer • Animal Control Officer • Compliance & Enforcement Officer
Clause 10.4	Approve keeping of bees in urban area	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Environmental Health Officer • Compliance & Enforcement Officer
Clause 10.7	Ordering relocation or removal of hives	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Environmental Health Officer • Compliance & Enforcement Officer
Clause 12.1	Cat nuisance	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Senior Animal Control Officer • Environmental Health Officer • Animal Control Officer • Compliance & Enforcement Officer
Clause 13.3	Approval for keeping pigs in urban areas	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Environmental Health Officer • Compliance & Enforcement Officer
Clause 16	Offences and breaches	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Senior Animal Control Officer • Environmental Health Officer • Animal Control Officer • Compliance & Enforcement Officer

Cemeteries Bylaw 2014

Section	Description	Delegate
Clause 5.1 to 5.3	Burials and Sale of Plots	<ul style="list-style-type: none"> Community Facilities Manager Parks and Property Team Leader Parks and Property Officer Business Support Officer
Clause 6.1 and 6.2	Work in Cemeteries	<ul style="list-style-type: none"> Community Facilities Manager Parks and Property Team Leader Parks and Property Officer Business Support Officer
Clause 6.5	Consent to plant in a Cemetery	<ul style="list-style-type: none"> Community Facilities Manager Parks and Property Team Leader Parks and Property Officer
Clause 6.6	Authorisation to remove plot works or installations	<ul style="list-style-type: none"> Community Facilities Manager Parks and Property Team Leader
Clause 8.1 and 8.4	Vehicles in Cemeteries	<ul style="list-style-type: none"> Community Facilities Manager Parks and Property Team Leader Parks and Property Officer
Clause 10.2, 10.3 and 10.4	Disinterment	<ul style="list-style-type: none"> Community Facilities Manager Parks and Property Team Leader Parks and Property Officer
Clause 13.2	Waiving 'Out of District' Fees	<ul style="list-style-type: none"> Parks and Property Team Leader Community Facilities Manager

Dog Control Bylaw 2014

Section	Description	Delegate
Clause 6	Exemption from prohibition in the CBD	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader Senior Animal Control Officer
Clause 8	Dogs in vehicles – order to remove	<ul style="list-style-type: none"> Compliance and Enforcement Team Leader Senior Compliance & Enforcement Officer Senior Animal Control Officer Environmental Health Officer Animal Control Officer Compliance & Enforcement Officer
Clause 11	Exemptions from numbers of dogs and housing of dogs	<ul style="list-style-type: none"> Compliance and Enforcement Team Leader Senior Animal Control Officer Environmental Health Officer Animal Control Officer Senior Compliance & Enforcement Officer Compliance & Enforcement Officer
Clause 18	Dog nuisance abatement	<ul style="list-style-type: none"> Compliance and Enforcement Team Leader Senior Animal Control Officer Environmental Health Officer Animal Control Officer Senior Compliance & Enforcement Officer Compliance & Enforcement Officer
Clause 19	Dog required to do obedience course	<ul style="list-style-type: none"> Regulatory Manager Compliance and Enforcement Team Leader Senior Animal Control Officer

Clause 25	Seizure of dog in public places	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Animal Control Officer • Animal Control Officer
Clause 27	Offences and penalties	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Animal Control Officer • Environmental Health Officer • Animal Control Officer • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer

Freedom Camping Bylaw 2014

Section	Description	Delegate
Clause 6.2 (c)	Lighting of Fires	<ul style="list-style-type: none"> • Community Facilities Manager • Parks and Property Team Leader • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer
Clause 7.2	Offences and breaches	<ul style="list-style-type: none"> • Community Facilities Manager • Parks and Property Team Leader • Parks and Property Officer • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer

Objectionable Signs Bylaw 2014

Section	Description	Delegate
Clause 6.2	Notice of objectionable sign	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Compliance & Enforcement Officer • Senior Compliance & Enforcement Officer • Alcohol Licensing & Monitoring Officer • Principal Planner • Senior Consents Planner • Planning Officer

Public Facilities (Library and Swimming Pools) 2014

Section	Description	Delegate
Clause 7.1	Pool Closure	<ul style="list-style-type: none"> • Community Facilities Manager • Parks and Property Team Leader • Parks and Property Officer • Aquatics Team Leader • Programmes Co-ordinator • Administration Co-Ordinator • Operations Supervisor • Swim Co-Ordinator • Senior Lifeguards
Clause 8.1	Pool Emergency	<ul style="list-style-type: none"> • Community Facilities Manager • Parks and Property Team Leader • Parks and Property Officer • Aquatics Team Leader

		<ul style="list-style-type: none"> • Programmes Co-ordinator • Administration Co-Ordinator • Operations Supervisor • Swim Co-Ordinator • Senior Lifeguards • Lifeguards
Clause 9.4	Fines	<ul style="list-style-type: none"> • Community Facilities Manager • Library Services Team Leader • Library Assistant
Clauses 10.1 and 10.2	Library Cards	<ul style="list-style-type: none"> • Community Facilities Manager • Library Services Team Leader • Library Assistant • Children's Librarian • Acquisitions Assistant
Clause 13.2, 13.3 and 13.4	Compliance with Bylaw, Rules and Policies	<ul style="list-style-type: none"> • Community Facilities Manager • Parks and Property Team Leader • Parks and Property Officer • Aquatics Team Leader • Programmes Co-ordinator • Administration Co-Ordinator • Operations Supervisor • Swim Co-Ordinator • Senior Lifeguards • Lifeguards

Urban Fires Bylaw 2014

Section	Description	Delegate
Clause 6.3	Consider and approve application for fire permit	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Environmental Health Officer • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Alcohol Licensing & Monitoring Officer
Clause 6.4	Revoke fire permit issued	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer
Clause 6.6	Fire ban in urban district	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader • Principal Rural Fire Officer
Clause 6.7	Issue of fire permit during a ban	<ul style="list-style-type: none"> • Regulatory Manager • Compliance and Enforcement Team Leader • Principal Rural Fire Officer
Clause 9.2	Extinguish fires	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Environmental Health Officer • Compliance & Enforcement Officer • Principal Rural Fire Officer • Alcohol Licensing & Monitoring Officer
Clause 13	Offences	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer

		<ul style="list-style-type: none"> • Environmental Health Officer • Compliance & Enforcement Officer • Alcohol Licensing & Monitoring Officer
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Street Users Bylaw 2014

Section	Description	Delegate
Clause 5.1	Assessing and Approving Street User Permits	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance and Enforcement Officer • Compliance and Enforcement Officer • Environmental Health Officer • Alcohol Licensing & Monitoring Officer
Clause 5.5	Withdraw Street User Permit	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Property and Parks Team Leader
Clause 8	Enforce Street User Permit and bylaw	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance and Enforcement Officer • Compliance and Enforcement Officer • Environmental Health Officer • Alcohol Licensing & Monitoring Officer

Public Places Bylaw 2015

Section	Description	Delegate
Clause 5.2	Written approval to undertake activities within a Public Place	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Alcohol Licensing & Monitoring Officer • Property and Parks Officer • Community Facilities Officer • Property and Parks Team Leader
Clause 6.4	Impound Skating Devices in Breach of Clause 6.2	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Alcohol Licensing and Monitoring Officer • Environmental Health Officer • Property and Parks Officer • Roading Corridor Access Co-ordinator • NZ Police • Community Facilities Officer • Property and Parks Team Leader
Clause 7.1	Written approval for the use of Unmanned Aerial Vehicles, operating of vehicles, riding or leading Animals in Parks or Reserves	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Alcohol Licensing and Monitoring Officer

		<ul style="list-style-type: none"> • Environmental Health Officer • Property and Parks Officer • Community Facilities Officer • Property and Parks Team Leader
Clause 7.2	Consent to Mobile Traders in Public Space	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Alcohol Licensing and Monitoring Officer • Environmental Health Officer • Property and Parks Officer • Community Facilities Officer • Property and Parks Team Leader
Clause 9	Enforcement of Clauses 9.2-9.3, and provide written consent to exempt person from clause 9.3	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Alcohol Licensing and Monitoring Officer • Environmental Health Officer • Property and Parks Officer • Community Facilities Officer • Property and Parks Team Leader
Clause 10	Enforce removal of overhanging trees or shrubs from Public Places	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Alcohol Licensing and Monitoring Officer • Environmental Health Officer • Property and Parks Officer • Community Facilities Officer • Property and Parks Team Leader
Clause 14.1	Authority to give written consent for a vehicle in a Public Place	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Alcohol Licensing and Monitoring Officer • Environmental Health Officer • Property and Parks Officer • Community Facilities Officer • Property and Parks Team Leader

Solid Waste Bylaw 2015

Section	Description	Delegate
Clause 12	Licensing of the Collection or Transportation of Waste	<ul style="list-style-type: none"> • Utility Asset Manager • Solid Waste & Recycling Officer
Clause 14	Refusal to grant or renew a Licence	<ul style="list-style-type: none"> • General Manager - Infrastructure • Utility Asset Manager
Clause 17	Approve Litter and Recycling Plan for Events	<ul style="list-style-type: none"> • General Manager - Infrastructure • Utility Asset Manager • Solid Waste & Recycling Officer • Parks and Property Team Leader • Parks and Property Officer Operations

Clause 20.2	Grant Licence for placement of Donated Goods Containers	<ul style="list-style-type: none"> • Utility Asset Manager • Solid Waste & Recycling Officer • Parks and Property Team Leader • Parks and Property Officer Operations
Clause 21	Powers to Enforce Non-Compliances of Bylaw	<ul style="list-style-type: none"> • Utility Asset Manager • Solid Waste & Recycling Officer • Parks and Property Team Leader • Parks and Property Officer Operations • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Compliance Officer • Authorised Officers

Trade Wastes Bylaw 2015

Section	Description	Delegate
7.2(b)and (c)	Power to inspect premises to determine trade waste classification Give written notice that discharge is no longer permitted and requires a permit under Bylaw	<ul style="list-style-type: none"> • Utility Asset Manager • Trade Waste Officer • Compliance Officer
Clause 8	Approve a conditional Trade Waste Permit	<ul style="list-style-type: none"> • Utility Asset Manager • Trade Waste Officer • Compliance Officer
Clause 10.2	Approve Trade Waste Discharge into public wastewater system	<ul style="list-style-type: none"> • Utility Asset Manager • Trade Waste Officer • Compliance Officer
Clause 12.4	Approve or refuse an application or cancel an existing permit of disposal into Public Wastewater System	<ul style="list-style-type: none"> • Utility Asset Manager • Trade Waste Officer • Compliance Officer
Clause 14.4	Approve or refuse an application for temporary discharge permit	<ul style="list-style-type: none"> • Utility Asset Manager • Trade Waste Officer • Compliance Officer
Clause 15.6	Approve or refuse an application for a trade Waste Permit	<ul style="list-style-type: none"> • Utility Asset Manager • Trade Waste Officer • Compliance Officer
Clause 18.2 and 19.1	Approve or refuse an application to vary a Trade Waste Permit	<ul style="list-style-type: none"> • Utility Asset Manager • Trade Waste Officer • Compliance Officer
Clause 20	Powers to suspend or cancel a right to distance	<ul style="list-style-type: none"> • Utility Asset Manager • Trade Waste Officer • Compliance Officer
Clause 21	Powers to disconnect a trade waste premise from the public wastewater system	<ul style="list-style-type: none"> • Utility Asset Manager • Trade Waste Officer • Compliance Officer

Drainage Bylaw 2015

Section	Description	Delegate
Clause 7.3	Power to authorise discharge of stormwater to wastewater	<ul style="list-style-type: none"> • Operations Manager • Reticulation Team Leader • Utility Asset Manager • Asset Engineer – Utilities • Asset Engineer
Clause 10.2	Power to authorise a restriction or prohibit wastewater and stormwater services during an emergency	<ul style="list-style-type: none"> • Operations Manager • Reticulation Team Leader • Utility Asset Manager • Utility Projects Manager
Clause 12.1 and 12.3	Authorise connections to, or interfere with any part of public sewer or drainage network	<ul style="list-style-type: none"> • Operations Manager • Reticulation Team Leader

	Authorise privately owned serviced pipe on Council owned property	<ul style="list-style-type: none"> • Utility Asset Manager • Asset Engineer – Utilities • Asset Engineer
Clause 14	Power to approve applications for connections to or diversion of public mains	<ul style="list-style-type: none"> • Operations Manager • Reticulation Team Leader • Utility Asset Manager • Asset Engineer – Utilities • Asset Engineer
Clause 18	Powers to approve works over or near public drainage systems	<ul style="list-style-type: none"> • Operations Manager • Reticulation Team Leader • Utility Asset Manager • Asset Engineer – Utilities • Asset Engineer
Clause 33	Enforcement of Offences and Breaches	<ul style="list-style-type: none"> • Operations Manager • Reticulation Team Leader • Utility Asset Manager • Asset Engineer – Utilities • Asset Engineer • Tradewaste Officer • Compliance Officer

Traffic Safety and Road Use Bylaw 2015

Section	Description	Delegate
Clause 5.4	Approve vehicle or parking place or parking space in contravention of a prohibition or restriction	<ul style="list-style-type: none"> • Roading Asset Manager • Roading Operations Manager • Corridor Access Co-Ordinator
Clause 6.5	Approve a person to stop, stand or park a vehicle wholly or partly on a footpath, grass verge, garden or any area not designed or constructed to accommodate a vehicle	<ul style="list-style-type: none"> • Roading Asset Manager • Roading Operations Manager • Corridor Access Co-Ordinator
Clause 6.7	Approve a person to stop, stand, park or place machinery, equipment, materials or freight containers on Road or Public Places	<ul style="list-style-type: none"> • Roading Asset Manager • Roading Operations Manager • Corridor Access Co-Ordinator
Clause 6.8	Approve a person to stop, stand or park a vehicle on a service lane	<ul style="list-style-type: none"> • Roading Asset Manager • Roading Operations Manager • Corridor Access Co-Ordinator
Clause 11.1	Give written consent of Council for heavy vehicles on roads or service lane	<ul style="list-style-type: none"> • Roading Asset Manager • Roading Operations Manager • Corridor Access Co-Ordinator
Clause 21	Approve Stock Crossing Consent	<ul style="list-style-type: none"> • Roading Asset Manager • Roading Operations Manager • Corridor Access Co-Ordinator
Clause 23	Authority to Suspend or Cancel Stock Crossing Consent	<ul style="list-style-type: none"> • Roading Asset Manager • Roading Operations Manager • Corridor Access Co-Ordinator
Clause 25	Enforcement of Bylaw	<ul style="list-style-type: none"> • Roading Asset Manager • Roading Operations Manager • Corridor Access Co-Ordinator

Water Supply Bylaw 2015

Section	Description	Delegate
Clause 10	Powers to restrict or prohibit use of water during an emergency	<ul style="list-style-type: none"> • Utility Asset Manager • Utility Projects Manager
Clause 13	Approval of applications for supply	<ul style="list-style-type: none"> • Utility Asset Manager • Asset Engineer – Utilities • Asset Engineer • Utility Projects Manager
Clause 30.3	Approval to take water from fire hydrant	<ul style="list-style-type: none"> • Utility Asset Manager • Asset Engineer – Utilities

		<ul style="list-style-type: none"> • Asset Engineer • Utility Projects Manager
Clause 31.6	Approval to by-pass a meter for fire fighting	<ul style="list-style-type: none"> • Utility Asset Manager • Asset Engineer – Utilities • Asset Engineer • Utility Projects Manager
Clause 37	Powers to undertake enforcement clauses 37.2-37.4	<ul style="list-style-type: none"> • General Manager – Infrastructure • Utility Asset Manager • Utility Projects Manager • Asset Engineer – Utilities • Asset Engineer

41. Delegations from Council to Chief Executive and Council Officers

Further to those delegations identified in section 40 of this Manual, Council delegates all its powers, duties and functions under the Resource Management Act 1991 (**RMA**) and the Local Government (Rating) Act 2002 to the Chief Executive with the exception of those matters in respect of which delegation is prohibited under any Act or delegation.

The Council also delegates its powers, duties and functions under the RMA and Local Government (Rating) Act 2002 to the identified Council Officers below.

There is no ability to sub-delegate the powers provided under this section – see section 34A(1)(b) Resource Management Act 1991 and section 132 Local Government (Rating) Act 2002.

Local Government (Rating) Act 2002

Section	Description	Delegate
27	Keep and maintain rating information database	<ul style="list-style-type: none"> • Chief Financial Officer • Senior Finance Officer – Rates • Accounting Operations Manager
37	Keep and maintain rates records	<ul style="list-style-type: none"> • Senior Finance Officer – Rates • Finance Officer
40	Correct rates	<ul style="list-style-type: none"> • Senior Finance Officer – Rates • Finance Officer
41	Issue an amended rates assessment if an error is corrected	<ul style="list-style-type: none"> • Senior Finance Officer – Rates • Finance Officer
44-51	Delivery of Rates Assessments/invoices	<ul style="list-style-type: none"> • Chief Financial Officer • Senior Finance Officer – Rates • Accounting Operations Manager
53	Appoint a rates collector	<ul style="list-style-type: none"> • Accounting Operations Manager • Senior Finance Officer – Rates
57,58	Add penalties for rates not paid by the due date	<ul style="list-style-type: none"> • Chief Financial Officer • Accounting Operations Manager • Senior Finance Officer – Rates • Finance Officer
62	Recovery of rates if owner in default	<ul style="list-style-type: none"> • Chief Financial Officer • Accounting Operations Manager • Senior Finance Officer – Rates • Finance Officer
85-86	Remit rates pursuant to Council rates remission and postponement policy	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Chief Financial Officer

Resource Management Act 1991

Section	Summary of function/ power delegated	Delegation
Section 10	Determine that existing use rights apply	<ul style="list-style-type: none"> • Principal Planner • Compliance and Enforcement Team Leader • Senior Consents Planner • Planning Officer
Section 10(2)	Grant an extension of time to existing use rights	<ul style="list-style-type: none"> • Principal Planner • Compliance and Enforcement Team Leader • Senior Consents Planner • Planning Officer
Section 10A	Determine existing activities apply for activities on surface water	<ul style="list-style-type: none"> • Principal Planner • Compliance and Enforcement Team Leader • Senior Consents Planner • Planning Officer
Section 10B	Determine certain existing building works allowed	<ul style="list-style-type: none"> • Principal Planner • Compliance and Enforcement Team Leader • Senior Consents Planner • Planning Officer
Section 15	Discharge of contaminants into Environment	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer • Environmental Health Officer • Trade Waste Officer • Authorised Officer
Section 16	Enforce Duty to avoid unreasonable noise	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Compliance & Enforcement Officer • Senior Compliance & Enforcement Officer • Environmental Health Officer • Authorised Officer
Section 17	Duty to avoid, remedy or mitigate adverse effects	<ul style="list-style-type: none"> • Senior Compliance & Enforcement Officer • Alcohol Licensing and Monitoring Officer • Environmental Health Officer • Planning Officer • Principal Planner • Regulatory Manager • General Manager - Corporate and Regulatory • Compliance and Enforcement Team Leader • Compliance & Enforcement Officer • Senior Consents Planner
Section 22	Power to require certain information (Enforcement Officer)	<ul style="list-style-type: none"> • Senior Compliance & Enforcement Officer • Alcohol Licensing and Monitoring Officer • Planning Officer • Principal Planner • Regulatory Manager • General Manager - Corporate and Regulatory

		<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Compliance & Enforcement Officer • Senior Consents Planner
Section 36(5) and (6)	<p>Power to require an additional charge</p> <p>Power to provide an estimate of cost</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Regulatory Manager • Compliance and Enforcement Team Leader • Principal Planner • Senior Policy Planner • Senior Consents Planner • Planning Officer
Section 36AAB	<p>Power to remit the whole or any part of a charge of the kind referred to in Section 36</p> <p>Publication of list of charges</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Regulatory Manager • Compliance and Enforcement Team Leader • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 36AA	Authority to discount an administrative charge in accordance with the regulations or a policy adopted by the Council	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Regulatory Manager • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 36B	Determine, prior to entering into any joint management agreement, that the relevant parties to the agreement represent relevant communities of interest; and have the technical or special capability or expertise to perform or exercise the function, power or duty jointly with the local authority; and that a joint management agreement is an efficient method of performing or exercising the function, power, or duty	<ul style="list-style-type: none"> • General Manager - Corporate & Regulatory • General Manager – Community and Strategy
Section 36C	Perform or exercise alone a function, power, or duty specified in the agreement that is required to be made jointly if a decision is required before the parties can undertake that step, and the joint management agreement is silent about a method for making the decision	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 36E	Give notice to terminate a joint management agreement	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 37	Extend or waive compliance with a time limit up to the maximum period specified in the Act	<ul style="list-style-type: none"> • Hearings Commissioner • Principal Planner • Senior Policy Planner • Senior Consents Planner • Planning Officer
Section 37A	Requirements for waivers and extensions	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Planning Officer
Section 38	Authorising staff or security guards to operate as enforcement officers	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory
Section 39 and 40	Determining appropriate hearing procedure	<ul style="list-style-type: none"> • Hearings Commissioner • General Manager – Corporate and Regulatory • Principal Planner
Section 41B	Directions to provide evidence within time limits	<ul style="list-style-type: none"> • Hearings Commissioner

		<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Principal Planner
Section 41C	Power to make directions and requests regarding conduct of hearings	<ul style="list-style-type: none"> • Hearings Commissioner • General Manager – Corporate and Regulatory • Principal Planner
Section 42	<p>Make an order that a hearing be held with the public excluded</p> <p>Make an order prohibiting or restricting the publication or communication of any information supplied or obtained in the course of any proceedings</p>	<ul style="list-style-type: none"> • Hearings Commissioner • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 42A	Authorisation of staff to prepare a report on information provided on any matter described in Section 39(1) by the applicant or any person who made a submission	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Planning Officer • Graduate Planner
Section 42A(5)	Waive the requirement to send a copy of a Section 42A report	<ul style="list-style-type: none"> • Hearings Commissioner • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 44A(3), (4), (5), (6)	Amending the District Plan where plan the changes or conflicts with National Environmental Standard (NES)	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 44A(8)	Enforcement of National Environmental Standards	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Compliance & Enforcement Officer • Senior Consents Planner • Planning Officer • Compliance & Enforcement Officer • Alcohol Licensing & Monitoring Officer
Section 55(2),(2A)	Amending the District Plan in accordance with a National Policy Statement (NPS)	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Senior Policy Planner
Section 79	Review of District Plan provisions	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Policy Planner
Section 86B(4)(a) & (b)	Notification of a rescinded decision	<ul style="list-style-type: none"> • Hearings Commissioner • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 86C(2)	Notification of decision to rescind rules relating to immediate legal effect	<ul style="list-style-type: none"> • General Manager – Community and Strategy • General Manager – Corporate and Regulatory
Section 86D(2)	Make application to the Environment Court for a rule to have legal effect	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 86E(3)	Removal of identification on District Plan rules that have early or delayed effect	<ul style="list-style-type: none"> • Hearings Commissioner

		<ul style="list-style-type: none"> • General Manager – Community and Strategy • General Manager – Corporate and Regulatory
Section 87E	Authority to make decisions on requests received under Section 87D to refer resource consent applications and applications to change or cancel conditions of consent, to the Environment Court	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Regulatory Manager • Principal Planning Advisor
Section 88 and 149Z	Authority to determine that an application is incomplete and return the application to the applicant, with written reasons for the determination	<ul style="list-style-type: none"> • Principal Planner • Senior Consents Planner • Planning Officer • Graduate Planner
Section 91(1)	Determine not to proceed with the notification or hearing of an application for a resource consent	<ul style="list-style-type: none"> • Principal Planner • Senior Consents Planner
Section 91(2)	Notify the applicant of the determination	<ul style="list-style-type: none"> • Principal Planner • Senior Consents Planner • Planning Officer
Section 92(1)	Authority to request the applicant to provide further information relating to the application	<ul style="list-style-type: none"> • Principal Planner • Senior Consents Planner • Planning Officer • Graduate Planner
Section 92(2)	Commission a person to prepare a report on any matter relating to an application in particular circumstances	<ul style="list-style-type: none"> • Principal Planner • Senior Consents Planner • Planning Officer
Section 92A(2)	Decide a reasonable time limit within to provide the information and notify the applicant of it	<ul style="list-style-type: none"> • Principal Planner • Senior Consents Planner • Planning Officer • Graduate Planner
Section 92A(3)	Decline a consent application in Section 92A(3) circumstances	<ul style="list-style-type: none"> • Principal Planner • Senior Consents Planner
Section 95A	Public notification of a consent application at Council's discretion	<ul style="list-style-type: none"> • Principal Planner • Senior Consents Planner • Planning Officer
Section 95B	Determine whether there are any person that may be adversely affected by the activity who have not given their written approval such that notice must be served. (limited notification)	<ul style="list-style-type: none"> • Principal Planner • Senior Consents Planner • Planning Officer
Section 95C	Determine whether an application is publicly notified after a request for further information or report is not provided or refused by the applicant	<ul style="list-style-type: none"> • Principal Planner • Compliance and Enforcement Team Leader • Senior Consents Planner
Section 95D	Determine if adverse effects are more than minor	<ul style="list-style-type: none"> • Principal Planner • Senior Consents Planner • Planning Officer
Section 95E	Determine who is an affected person	<ul style="list-style-type: none"> • Principal Planner • Senior Consents Planner • Planning Officer
Section 95F(b)	Determine if a person is an affected protected customary rights group	<ul style="list-style-type: none"> • Principal Planner • Senior Consents Planner
Section 96 Section 169 Section 190	<p>Authority to approve the making of a submission on Council's behalf about an application for a resource consent, designation or heritage order being processed by another consent authority or by Council as the consent authority provided that the subject matter of the submission falls within the scope of the Delegate's position description and role</p> <p>Authority to represent Council in its capacity as a submitter at any meeting, mediation or hearing to which Council is entitled to attend as a submitter</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Regulatory Manager • Principal Planning Advisor • Senior Policy Planner
Section 99	Determine if Council should have a pre hearing meeting	<ul style="list-style-type: none"> • Principal Planner

		<ul style="list-style-type: none"> • Senior Policy Planner • Senior Consents Planner • Planning Officer • Hearings Commissioner
Section 99(2) – (3)	Invite a consent applicant and some or all of the persons who have made submissions on the application to attend a meeting	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Planning Officer
Section 99(4)	Determine if the person who has the power to make the decision on the application that is the subject of the meeting should be able to attend and participate	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 99(5) & (6)	All functions, powers and duties to act as a chairperson of a pre-hearing meeting	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Planning Officer • Commissioners
Section 99(8)	The authority for staff to decline the processing of an application or consideration of a submission, subject to criteria in the Resource Management Act 1991	<ul style="list-style-type: none"> • Regulatory Manager • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 99A	Authority to appoint a staff member as a mediator where the Council is the consent applicant	<ul style="list-style-type: none"> • Chief Executive • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor
Section 100	Authority to determine that a hearing is necessary	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 101	Authority to fix a hearing date and issue appropriate notices	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Planning Officer
Section 102	Determine (with other authorities) whether a joint hearing is necessary	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Principal Planning Officer • Senior Policy Planner • Senior Consents Planner
Section 103(1)	Authority to decide and arrange the holding of combined hearings where two or more applications are made to Council	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 104A, 104B, 104C, 104D, 105(2), 106, 108, 149Z (in relation to resource consent applications), 220 and 406	<p>Determine applications for resource consents, including conditions of consent in the case of:</p> <ul style="list-style-type: none"> • Applications that are not notified under Section 95A, and for which notice is not required to be served under Section 95B; and • Applications for controlled activities, restricted discretionary activities, discretionary and non-complying activities which are notified under Section 95A, or for which notice is required to be served under Section 95B, where: <ul style="list-style-type: none"> ○ No submissions opposing the application are received; or ○ No request is made for a hearing; or ○ The need for a hearing has been averted by a submission being withdrawn; and ○ The applicant agrees with the proposed conditions of consent. 	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Hearings Commissioner
Section 104(6)	Decline an application when there is insufficient information to determine the application	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner

		<ul style="list-style-type: none"> • Hearings Commissioner
Section 106	Determine that any of the circumstances set out in Section 106(a), 9b) or (c) apply to any application for subdivision consent, or grant subdivision consent subject to conditions	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Hearings Commissioner
Section 108	Ability to impose conditions	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Planning Officer • Graduate Planner • Hearings Commissioner
Section 108A(3)	Determine that an adverse effect may continue or arise after the expiration of a resource consent and require that the bond continue for a specified periods	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Hearings Commissioner
Section 108A and 109	<p>Approve or release bonds drawn up to meet resource consent conditions of the Resource Management Act 1991</p> <p>Determine an application and issue of a notice confirming that a bond or covenant is varied, cancelled or expired</p> <p>Authority to enter land to inspect and ascertain whether bonded work has been completed to the satisfaction of Council as the consent authority</p> <p>Authority to extend timeframes within which bonded work is required to be completed and authority to determine bonded work has not been completed to Council's satisfaction within the required timeframe and to authorise the entering onto land by Council to completed the work and power to recover Council's costs</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Consents Planner • Planning Officer • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer
Section 110	Determine to refund money paid as a financial contribution (either wholly or partially) where the activity does not proceed and return the whole or part of land set aside	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 114 and 115	Serve notice of decision on an application for a resource consent and a statement of the time within which an appeal against which an appeal against the decision may be lodged	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Planning Officer • Graduate Planner
Section 124	Permitting an application to continue to operate pending determination of an application for a replacement consent as provided for in S124(b)	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 125	Determine an application for an extension	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 126	<p>Cancel a resource consent by written notice served on the consent holder.</p> <p>Revoke a notice to cancel a resource consent and state a period after which a new notice may be served</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Senior Compliance & Enforcement Officer
Section 127 and 149Z	<p>Determine an application to change or cancel a condition of a resource consent</p> <p>Determine whether the application must be publicly notified under Section 95A or if limited notification required under Section 95B</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Hearings Commissioner

	Delegations under Section 127 are restricted to those consents decide under delegated authority, or where the effect of the change or cancellation would be 'less than minor'	
Section 128	Give notice of intention to review conditions of a resource consent Determine whether the application must be publicly notified under Section 95A or if limited notification is required under Section 95B	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Senior Compliance & Enforcement Officer
Section 130(7)	Authority to determine that special circumstances exist and to require any review under Section 128 (review of consent conditions) to be notified	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Hearings Commissioner
Section 132	Authority to change the conditions of a consent following a review under Section 128 Authority to cancel a resource consent following a review under Section 128 where the application contained significant inaccuracies or significant adverse effects resulted from the exercise of the consent	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Hearings Commissioner
Section 133A	Issue an amended consent that corrects minor mistakes or defects in the consent	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Hearings Commissioner
Section 134	To receive on behalf of Council written notice of transfer of a land use consent	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer
Section 138	Authority to accept or refuse the surrender of part of a resource granted under delegated authority	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Senior Compliance & Enforcement Officer
Section 139	Authority to issue or decline to issue a certificate of compliance Determine that further information is necessary to determine whether the particular proposal or activity complies with the plan and require an applicant for a certificate of compliance to provide further information relating to the request	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Planning Officer • Hearings Commissioner
Section 139A	Authority to issue an existing use certificate and to determine and require additional information Revoke an existing use certificate	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Compliance & Enforcement Team
Section 142(1)	Request the Minister call in a matter lodged with the Council	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 142(4)	Provide views to the Minister on a request for a matter of national significance to be called in and indicated Council's capacity	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor
Section 145(1), (2), (3) or (4)	Lodgements of matters with Environmental Protection Agency (EPA)	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor

Section 147(4)	Provide view to the Minister on a matter lodged with the environmental Protection Agency and indicate Council's capacity	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor
Section 149	Respond to request from the Environmental Protection Agency for further information	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor
Section 149B	Provide Environment Protection Agency with required information	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor
Section 149E	Authority to lodge a submission to the Environmental Protection Authority on a matter of national importance that has been called in and publicly notified	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor
Section 149F	Authority to lodge a further submission to the Environmental protection Authority on a matter of national importance that has been called in and publicly notified	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor
Section 149(G)(3)	Prepare a report in response to a request from the Environmental Protection Agency	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager - Community and Strategy • Principal Planning Advisor • Senior Policy Planner
Section 149(I)	Withdraw a change or a variation	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor
Section 149K(2)	Authority to make suggestion on Council's behalf to the Minister in respect of members to be appointed to a board of inquiry	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 149N	Authority to prepare a proposed plan change in accordance with the direction received from the or the board of inquiry	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor
Section 149Q	Authority to make comments on report from Environmental Protection Agency	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 149ZD(1)	Determine whether to recover from an applicant actual and reasonable costs incurred by Council in complying with Part 6AA	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor
Section 149ZD(7)	Object to requirement to pay costs under Section 149D	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor
Section 149V	Authority to appeal to the High Court	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory

		<ul style="list-style-type: none"> • General Manager – Community and Strategy
Section 149W(2)(a)	Authority to amend the proposed plan change or variation in accordance with an order or direction received from the board of inquiry or the Environment Court	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor • Senior Policy Planner
Section 149Z	Authority to process matters referred from the Minister	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor • Senior Policy Planner
Section 168, 168A and 181	Authority to issue a notice of requirement or alter a designation	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planning Advisor • Senior Policy Planner
Section 168A	Authority to determine to: (a) confirm a requirements; (b) modify a requirement; (c) impose conditions; (d) withdraw a requirement	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 169	Decide whether to notify a requirement in accordance with Sections 95-95G	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner
Section 170	Authority to include requirement in Proposed Plan	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 171	Authority to make a recommendation on a requirement for designation or heritage order	<ul style="list-style-type: none"> • Hearings Commissioner • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 172	Power to modify the requirement if the modification is recommended by the territorial authority or is not inconsistent with the requirement as notified	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 173	The authority to notify a decision on a designation	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 174	The authority to appeal a decision of a requiring authority	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 175(2) (Section 181(2), and Section 182(2))	Incorporation of approved designation into the District Plan	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 176A(2)	Authority to waive the requirement of an outline plan	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 176A	Authority to approve request changes to an outline plan	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 181(3)	Authority to approving alterations to a designation	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner

Section 182	<p>Authority to amend the District Plan after receiving a notice of removal of a designation or part of a designation</p> <p>Authority to decline to remove a designation</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner
Section 184	<p>Authority to fix a longer period for the expiry of the designation</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner
Section 189	<p>Give notice of requirement for a heritage order</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 189A	<p>Notify a requirement for a heritage order</p> <p>Confirm, withdraw or modify a requirement</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 190	<p>Notify a requirement</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 191	<p>Authority to make recommendations (including to recommend conditions) on notices of requirement for heritage orders made under Section 189</p>	<ul style="list-style-type: none"> • Hearings Commissioner • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 192	<p>Authority to exercise, in respect of a requirement for a heritage order made under Section 189 or Section 189A, any applicable powers (with all necessary modifications) that have been delegated to the delegate under the provisions specified in Section 192</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 193	<p>Authority to give consent as a heritage protection authority</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 193A	<p>Authority to give or withhold consent as the authority responsible for a heritage order or designation</p> <p>Authority to apply to the authority responsible for an earlier heritage order or designation for its written consent (when Council is the heritage protection authority responsible for a later heritage order)</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 195 Section 195A(1) Section 195A (3)	<p>Authority to appeal to the Environment Court against a decision of a heritage protection authority</p> <p>Authority to give notice as the heritage protection authority of requirement to alter the heritage order</p> <p>Authority to alter a heritage order in the district plan or a requirement in the proposed plan</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 196	<p>Authority to give notice as the heritage protection authority to remove a heritage order</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 198C	<p>Decision on request for direct referral of designations and heritage orders to Environment Court</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy

Section 220	<p>Authority to impose conditions in respect of a resource consent for subdivision</p> <p>Consult the District Land Register in relation to any condition proposed under Section 220(1)(b)</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Planning Officer • Graduate Planner • Hearings Commissioner
Section 221	<p>Authority to issue a consent notice</p> <p>Authority to amend consent notices where the consent was decided under delegated authority, or where the application for change or cancellation is lodged not less than 5 years from the granting of the consent for those consents decided by the Hearings Committee</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 221(3) and (3A)	<p>Authority to vary or cancel conditions</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Hearings Commissioner
Section 222	<p>Authority to accept a bond for completion of consent conditions and all powers given to a territorial authority in relation to completion certificates</p> <p>Authority to issue completion certificates</p> <p>Authority to extend the period for completion of works or making a financial contribution</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 223	<p>Approve or decline any survey plan and to certify approval in accordance with Section 223(1A)</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 224(c)	<p>Authority to certify compliance as an “authorised officer” with specified conditions prior to the deposit of the survey plan</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 224(f)	<p>Authority to issue a completion certificate confirming that every building or part of a building complies with S116A of the Building Act 2004</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 226(1)(e)	<p>Authority to issue a certificate confirming allotments are in accordance with the provision of the relevant district plans and statutory documents</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 227 Section 240 Section 241	<p>Authority to cancel prior approvals including amalgamation conditions</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 232	<p>Authority to prepare esplanade strip instruments, and to determine which matters shall be provided for in the instrument</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Planning Officer
Section 234	<p>Authority to vary or cancel an esplanade strip</p> <p>Authority to consider, grant or decline an application to vary or cancel any instrument creating an esplanade strip</p> <p>Authority to sign a certificate as authorised officer of Council specifying the variations to the instrument or that the instrument is cancelled</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 235	<p>Authority to agree to create an esplanade strip with agreement of the registered proprietor</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner • Planning Officer
Section 237 and 237A	<p>Authority to refuse approval of a survey plan unless esplanade reserves or esplanade strips, or where any part of the allotment is the bed of a river or lake or is</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner

	<p>within the coastal marine areas, the bed of that river or lake, is shown on the survey plan</p> <p>Authority to approve a separate survey plan for an esplanade reserve or esplanade strip</p>	
Section 237B	<p>Authority to acquire an easement and agree with the registered proprietor on the conditions of that easement</p> <p>Authority to agree to cancel or vary an easement for access</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 237C	<p>Authority to close an esplanade reserve or access strip during period of emergency or public risk</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Regulatory Manager • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 237D	<p>Authority to agree to an esplanade reserve being administered by the Minister of Conservation or Regional Council</p> <p>Agree to the bed of any river or lake being vested in the Minister of Conservation or Regional Council</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 237H	<p>Authority to agree with the registered proprietor to the appointment of a registered valuer</p> <p>Authority to object to the determination of the registered valuer</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 239(2)	<p>Authority to certify on a survey plan specified interests to remain with the land to be vested as reserve</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 240(1)	<p>Authority to approve and endorse survey plan where covenants has been entered into</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 240(3)	<p>Authority to execute on Council’s behalf a covenant entered into in accordance with a consent condition imposed under sub Sections 220(1)(b) and 220(2)(a)</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 240(4)	<p>Authority to cancel a covenant in whole or in part relating to the transfer of allotments</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 240 (5)	<p>Authority to sign a Memorandum of Cancellation endorsed on the survey plan or, where the survey plan is already approved by the Chief Survey or deposited, authority to sign a certificate as authorised officer to the effect that covenant has been cancelled</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 241(1) Section 241 (2) Section 241 (3) Section 241 (4)	<p>Authority to endorse an amalgamation condition on a survey plan.</p> <p>Authority to approve the individual disposal of separate parcels of land included in a certificate of title</p> <p>Authority to cancel an allotment conditions (in whole or in part)</p> <p>Authority to sign a memorandum of cancellation endorsed on a survey plan or a certificate to the effect that the conditions has been cancelled in whole or in part</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 243(a)	<p>Authority to grant, surrender, transfer, vary or cancel easements</p>	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner

		<ul style="list-style-type: none"> • Senior Consents Planner
Section 243(e)	Authority to revoke a condition (requiring an easement) in whole or in part	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 243(f)	Authority to sign a memorandum of cancellation endorsed on a survey plan or a certificate to the effect that the conditions has been cancelled in whole or in part	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 245	Authority to approve or decline a survey plan of a reclamation	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 267(2)	Authority to request a judicial conference	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Regulatory Manager • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 268	Authority to consent to a matter being referred to alternative dispute resolution and authority to represent Council at alternative dispute resolution	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Regulatory Manager • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 274	Authority to decide that Council will apply to be a Section 274 party and to approve the giving of notice	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Regulatory Manager • Principal Planner
Section 276A	Authority to certify as authorised officer a copy of or extract from, a policy statement or plan to be true copy of the original	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager - Community and Strategy • Principal Planner • Senior Policy Planner
Section 292(2)	Amendment or correction of the District Plan as instructed by the Environment Court	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner
Section 299	Authority to appeal to the High Court on a point of law	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 300	Authority to execute notice of appeal	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 301	Give notice of intention to appear and be heard on High Court appeal	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner
Section 306 Section 308G Section 308I	<p>Authority to apply to the High Court for an extension of time</p> <p>Authority to bring proceedings to the Environment Court for a declaration</p> <p>Authority to bring proceedings for damages in the High Court</p>	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Regulatory Manager • Compliance and Enforcement Team Leader • Principal Planner • Senior Policy Planner

		<ul style="list-style-type: none"> • Senior Consents Planner
Section 311	Authority to make application to the Environment Court for a declaration	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 312	Authority to sign and serve notice of an application for a declaration	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Section 316	Authority to apply for an enforcement order	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Regulatory Manager • Principal Planner • Senior Policy Planner • Senior Consents Planner • Senior Compliance & Enforcement Officer
Section 317	Authority to sign and serve notice of application for enforcement order	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Regulatory Manager • Principal Planner • Senior Consents Planner • Senior Compliance & Enforcement Officer
Section 320	Authority to apply for interim enforcement order	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Regulatory Manager • Principal Planner • Senior Policy Planner • Senior Consents Planner • Senior Compliance & Enforcement Officer
Section 321	Authority to apply to the Environment Court for a change or cancellation of an enforcement order	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Regulatory Manager • Principal Planner • Senior Policy Planner • Senior Consents Planner • Senior Compliance & Enforcement Officer
Section 325	Authority to appeal to the Environment Court against an abatement notice and power to apply to an Environment Court Judge for a stay of an abatement notice pending appeal	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Regulatory Manager • Principal Planner • Senior Consents Planner • Senior Compliance & Enforcement Officer
Section 325A	Cancel an abatement notice or approve a request for change or cancellation of an abatement notice	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • Regulatory Manager • Principal Planner • Senior Consents Planner
322	Power to serve abatement notices	<ul style="list-style-type: none"> • Alcohol Licensing and Monitoring Officer • Environmental Health Officer • Regulatory Manager • General Manager - Corporate and Regulatory • Compliance and Enforcement Team Leader

		<ul style="list-style-type: none"> • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer
327	Issue Excessive Noise Direction	<ul style="list-style-type: none"> • Alcohol Licensing and Monitoring Officer • Environmental Health Officer • Principal Planner • Regulatory Manager • Compliance and Enforcement Team Leader • Compliance & Enforcement Officer • Senior Compliance & Enforcement Officer
328	Compliance with Excessive Noise Direction	<ul style="list-style-type: none"> • Alcohol Licensing and Monitoring Officer • Environmental Health Officer • Principal Planner • Regulatory Manager • General Manager - Corporate and Regulatory • Compliance and Enforcement Team Leader • Senior Compliance & Enforcement Officer • Compliance & Enforcement Officer
Section 330 Section 330A Section 330B	Emergency powers	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • General Manager - Infrastructure
Section 332	Power of entry for inspection	<ul style="list-style-type: none"> • Alcohol Licensing and Monitoring Officer • Environmental Health Officer • Planning Officer • Principal Planner • Regulatory Manager • General Manager - Corporate and Regulatory • Senior Policy Planner • Compliance and Enforcement Team Leader • Compliance & Enforcement Officer • Senior Consents Planner • Policy Planner • Senior Compliance & Enforcement Officer
Section 333	Power of entry for survey	<ul style="list-style-type: none"> • Alcohol Licensing and Monitoring Officer • Environmental Health Officer • Planning Officer • Principal Planner • Regulatory Manager • General Manager - Corporate and Regulatory • Senior Policy Planner • Compliance and Enforcement Team Leader • Compliance & Enforcement Officer • Senior Consents Planner • Policy Planner
Section 334	Authority to make application to the District Court for a warrant for entry and search	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory

		<ul style="list-style-type: none"> • General Manager – Community and Strategy • Compliance and Enforcement Team Leader • Principal Planner • Senior Compliance & Enforcement Officer • Senior Consents Planner
Section 343B Section 343C	Approval of infringement notices and serving of infringement notices	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Principal Planner • Senior Consents Planner • Compliance and Enforcement Officer • Senior Compliance & Enforcement Officer • Alcohol Licensing and Monitoring Officer
Section 357	Authority to approve objections	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Principal Planner • Senior Consents Planner <p>(* Note: Approval should not be given by an officer who initially approved the consent)</p>
Section 357	Authority to approve or decline objections	<ul style="list-style-type: none"> • Hearings Commissioner
Section 357C(3)(b)	Authority to allow staff to give appropriate notice to parties	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Principal Planner • Senior Consents Planner
Section 357C(4)(b)	Authority to allow staff to give appropriate notice of objection hearing to parties	<ul style="list-style-type: none"> • Compliance and Enforcement Team Leader • Principal Planner • Senior Consents Planner • Planning Officer
Section 357D(2)	Authority to allow staff to give appropriate notice of decisions to parties	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 388	Authority to request information as to the nature and extent of the activities carried out under the consent and the effects of those activities upon the environment	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Section 405A	Power to reduce the width of or waive the requirement to provide an esplanade reserve or strip	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner

Resource Management Act 1991 - First Schedule, Part 1

Preparation and change of policy statements and plans by Council

Clause	Action	Delegation
Clause 1(2)	Power to grant extension of time in terms of Section 37	<ul style="list-style-type: none"> • Hearing Commissioner • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 3(2)	Power to determine who is to be consulted or which previous consultation will be accepted	<ul style="list-style-type: none"> • Hearing Commissioner • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 4(1) and Clause 4 (10)	Notice to Requiring Authority and amendment of the District Plan	<ul style="list-style-type: none"> • Hearing Commissioner • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 4(2) and Clause (5)	Public notification — placement of notice and distribution	<ul style="list-style-type: none"> • Hearing Commissioner • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 5(1A) & (1B)	Power to determine affected parties to be notified	<ul style="list-style-type: none"> • Hearing Commissioner • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 5(2) and 5(5)	Public notification — placement of notice and distribution	<ul style="list-style-type: none"> • Hearing Commissioner • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clauses 6 and 8	Making submissions on variations or plan changes	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner • Senior Consents Planner

Clause 7(1)	Summary of submissions and notification of submissions	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 8AA	Resolution of disputes and mediation	<ul style="list-style-type: none"> • Hearing Commissioner • General Manager – Corporate and Regulatory • General Manager – Community and Strategy
Clause 8B	Power to set hearing date and notice (including reports)	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 8C	Hearing not needed	<ul style="list-style-type: none"> • Hearing Commissioner • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 8D(1)	Decision to withdraw a proposal	<ul style="list-style-type: none"> • Hearing Commissioner • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 8D(2)	Notification of withdrawal and providing reasons	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 9	Recommendations and decisions on requirements (designations)	<ul style="list-style-type: none"> • Hearing Commissioner
Clause 10(1), (2) and (3)	Decision of local authorities	<ul style="list-style-type: none"> • Hearing Commissioner
Clause 10(4)	Public notification of decisions	<ul style="list-style-type: none"> • Hearing Commissioner • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 11(1) and (2)	Notification of decision to submitters, and owners and affected parties	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 13(3)	Amend the District Plan in respect of the designations	<ul style="list-style-type: none"> • Hearing Commissioner • General Manager - Corporate and Regulatory • General Manager – Community and Strategy
Clause 13(4)	Notification of decision of Requiring Authority to submitters, and owners and affected parties	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner

Clause 13 (6)	Summary of decisions to be made available	<ul style="list-style-type: none"> Principal Planner Senior Policy Planner Senior Consents Planner
Clause 14(1) and (3)(b)	Making an appeal to the Environment Court	<ul style="list-style-type: none"> General Manager – Corporate and Regulatory General Manager – Community and Strategy
Clause 14(5)	Administration of appeals	<ul style="list-style-type: none"> Principal Planner Senior Policy Planner Senior Consents Planner
Clause 16(1)	Amend Proposed District Plan according to the Environment Court's directions and Section 55(2)	<ul style="list-style-type: none"> Hearing Commissioner General Manager – Corporate and Regulatory General Manager – Community and Strategy Senior Policy Planner
Clause 16(2)	Make minor amendments to correct minor errors	<ul style="list-style-type: none"> General Manager – Corporate and Regulatory General Manager – Community and Strategy
Clause 16A(1)	Initiate Variations	<ul style="list-style-type: none"> General Manager – Corporate and Regulatory General Manager – Community and Strategy
Clause 16B	Merging Variations With District Plan	<ul style="list-style-type: none"> General Manager – Corporate and Regulatory General Manager – Community and Strategy

Resource Management Act 1991 – First Schedule, Part 2

Requests for changes to policy statements and plans of local authorities and requests to prepare regional plans

Clause	Action	Delegation
Clause 23(1) and (2)	Request of further information on a plan change	<ul style="list-style-type: none"> Principal Planner Senior Policy Planner Senior Consents Planner
Clause 23(3)	Initiate a commission to investigate a plan change	<ul style="list-style-type: none"> Principal Planner Senior Policy Planner Senior Consents Planner
Clause 23(4)	Request further information	<ul style="list-style-type: none"> Principal Planner Senior Policy Planner Senior Consents Planner
Clause 23 (6)	Declining of plan change due to lack of information	<ul style="list-style-type: none"> Principal Planner Senior Policy Planner Senior Consents Planner
Clause 24	Modification of request for plan change	<ul style="list-style-type: none"> Principal Planner Senior Policy Planner Senior Consents Planner
Clause 25(1), (2)	Decision to 'adopt', 'accept' or 'reject' a plan change	<ul style="list-style-type: none"> Hearings Commissioner <p>(* Note: If adopted, Part 1 of the First Schedule applies and full Council will need to provide final consideration and approval of plan change)</p>
Clause 25(3)	Proceed as if application for resource consent	<ul style="list-style-type: none"> Hearings Commissioner
Clause 25(4)	Reject the request in whole or in part	<ul style="list-style-type: none"> Hearings Commissioner
Clause 25(2)(a)(i)	Public notification of plan change 'adopted' – see Clause 5	<ul style="list-style-type: none"> Principal Planner Senior Policy Planner Senior Consents Planner
Clause 25(5)	Notification of Decision	<ul style="list-style-type: none"> Principal Planner Senior Policy Planner

		<ul style="list-style-type: none"> • Senior Consents Planner
Clause 26(a)	Preparation of documents if plan change was 'accepted'	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 26(b)	Public notification if plan change was 'accepted' — see Clause 5	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 28 (2) (4), (5) and (6)	Exercise notification of decisions with regard to withdrawals	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 29(2) & (5)	Exercise notification of parties of submissions and decisions	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 29(4)	Decisions to decline, approve or modify plan change	<ul style="list-style-type: none"> • Hearings Commissioner
Clause 29(9)	Decision to initiate a Variation under Clause 16A	<ul style="list-style-type: none"> • Hearings Commissioner
Clause 32	Certification of inclusion of material into the District Plan	<ul style="list-style-type: none"> • Hearings Commissioner • General Manager – Community and Strategy • General Manager – Corporate and Regulatory
Clause 34 (2) (a) – (d)	Notification of material to be referenced	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 34 (2) (e)	Consider public comments	<ul style="list-style-type: none"> • Principal Planner • Senior Policy Planner • Senior Consents Planner
Clause 34 (3)	Distribution of referenced material	<ul style="list-style-type: none"> • General Manager – Corporate and Regulatory • General Manager – Community and Strategy • Principal Planner • Senior Consents Planner
Clause 35	Access of material by reference and notification as to where it is available	<ul style="list-style-type: none"> • Principal Planner • Compliance and Enforcement Team Leader • Senior Policy Planner • Senior Consents Planner

42. Hearing Commissioners under the Resource Management Act 1991

42.1 Those persons who may be appointed from time to time by the Council or the Hearings Committee as Hearings Commissioners under the RMA are delegated by Council, pursuant to section 34A of the RMA, the power to either individually, or jointly with any other Hearings Commissioner, hear and determine any matter raised under the RMA. These powers include, but are not limited to, functions relating to resource consents, variations, plan changes and designations (including decisions to require further information – whether an application should be notified).

42.2 For the avoidance of doubt, if there are powers necessary for the processing, hearing and determination of any matter arising under the RMA that are not specified in the table in section 41 above, then the appointed Hearing Commissioner is delegated the powers, duties and functions as if the provision was specified in the table. This delegation does not extend to functions expressly excluded by section 34A.

42.3 Each member of the Hearings Committee shall be deemed for the purpose of the above delegations to be a Hearings Commissioner.

Appointment of Commissioners

42.4 The Council has appointed the following Hearings Commissioners pursuant to its powers under section 34A of the RMA:

- Christine Foster
- Joan Allin
- Anthony Harper
- Chris Mitchell
- Pamela Peters
- Dr Judith Roper-Lindsay
- Dr Caroline Miller
- Frank Boffa
- Robert Schofield
- John Maassen
- Marc Baily
- Eileen von Dadelszen
- Russell Karu
- David Wren
- Philip Milne
- David Lea
- Michael Lester
- Gina Sweetman
- Clare Barton

42.5 Pursuant to section 34A of the RMA, the Council delegates to the Chief Executive (in liaison with the General Manager – Corporate and Regulatory, and Principal Planner), the responsibility for assigning one or more Hearings Commissioners appointed by the Council to carry out the function of processing, hearing and determining any matter or any other Council function under the RMA as anticipated by s 34A.

42.6 Every report or decision made by a Commissioner or Commissioners shall be reported to the Council for its information.

Financial delegations

43. Introduction

- 43.1 This section of the Manual sets out the delegations of financial responsibility to the Mayor, committees and to Council officers. The roles and responsibilities of elected members and officials within the financial management system are quite different. Members set and support the policy settings and officials implement the policy. The different roles are more specifically set out below.
- 43.2 In all cases, financial delegations are made only to enable the commitment or expenditure of funds provided for in the LTP or the Annual Plan.

44. Delegation

- 44.1 The Council makes the following delegations of financial powers pursuant to this Manual to the Mayor and Council committees (or specific committees, where named):

- In regard to matters within its jurisdiction, the authority to accept, negotiate or decline any contract for:
 - The purchase or supply of goods, services, plant, capital works or other assets (including real property);
 - The disposal of goods, plant, capital works, and other assets (excluding real property); and
 - The supply of Council services, where the total value of the lump sum contract or the annual value of the lump sum contract does not exceed the sum allocated in the LTP or Annual Plans.
- In consultation with the Chief Executive, the Strategic Planning and Policy Committee has authority to accept tenders for operational services works over \$500,000.
- In regard to matters within its areas of responsibility, the Community Funding Committee has the authority to:
 - Approve applications under the Community Development Funding and Regional Events Policy up to a value of \$10,000.
 - Approve applications for representative grants up to a value of \$2,000.
 - Approve the remission of rates in accordance with the Community Rates Support policy.
 - Approve applications to the Robert Dickson Educational Trust and Hook Bequest up to a value of \$1,000 has been delegated to the Community Funding Committee Chairperson and the General Manager – Community and Strategy.
 - ~~Approve applications under the Community Development Funding Policy and Event Funding Policy up to a value of \$2,000~~
 - ~~Approve applications for representative grants up to a value of \$500~~
 - ~~Approve the remission of rates in accordance with the Community Rates Support Policy~~
 - ~~Approve applications to the Robert Dickson Educational Trust and Hook Bequest up to a value of \$1,000~~
- In regard to matters within its areas of responsibility, the authority to approve additional expenditure where that expenditure is able to be funded by additional income or reduced expenditure in its areas of responsibility and in doing so will better meet the objectives set in the LTP and Annual Plans.
- Where a contract recommended by the Chief Executive or any other manager is other than the lowest price offered consistent with any specification issued in regard to that contract the Strategic Planning and Policy Committee may accept, negotiate or decline the contracts where the price is

other than the best price offered, without reference to the Council. The decision must then be reported to Council at the earliest opportunity.

- In regard to any matter within its jurisdiction, the authority to settle any claim for compensation where the amount proposed does not exceed the amount provided in any Council budget or, where no provisions for compensation has been allowed, an amount not exceeding \$100,000.
- In terms of the Mayor's credit card, authority for the Mayor to spend up to the \$5,000 limit.

44.2 The Council makes the following delegations of financial powers pursuant to the Manual to the Chief Executive:

- In regard to matters within his or her jurisdiction, the authority to accept, negotiate or decline any contract for:
 - The purchase or supply of goods, services, plant, capital works or other assets (including real property);
 - The disposal of goods, plant, capital works, and other assets (excluding real property); and
 - The supply of Council services,
 - Where the total value of the lump sum contract or the annual value of the lump sum contract does not exceed the sum allocated in the LTP or Annual Plans.
- The power to authorise any revenue and expenditure transactions (excluding sale of real property) included in an activity line in the Annual Plan.
- The power to call tenders, or quotations, or invitations to quote, in consultation with the appropriate General Manager, where the value of the goods, works or services proposed to be purchased or sold fall within his or her delegated authority.
- The authority to settle any claim for compensation where the amount proposed does not exceed the amount provided in any Council budget or, where no provisions for compensation has been allowed, an amount not exceeding \$50,000.
- The power to authorise an officer to approve budget variances in an activity where that variance is able to be funded by additional income or reduced expenditure within the activity and in doing so will better meet the objectives set out in the LTP or Annual Plans.
- The authority to negotiate and agree the terms, interest rate payable by the Council, frequency of interest payments, timing of draw-downs, number of loans or issues of stock which make up the borrowing and all other terms and conditions of such loan or facilities of stock as may be necessary for the obtaining of such loan or facilities of stock, and to execute any agreements, documents and certificates in respect of such loans, facilities or stock on behalf of the Council.
- Within his or her jurisdiction and when allowed by law, the authority to set, vary or waive any fee or charge for a Council service or goods.
- The authority to approve the attendance of elected members at conferences and seminars, with expenses paid in terms of current Council policy (as with the Mayor).
- For the avoidance of doubt, those authorities set out at clause 57 which shows the delegation limits provided to staff of Council for particular activities.
- The power to sub-delegate any of these powers.

45. Transaction types

- 45.1 This Manual identifies four different categories of financial delegation that may be made. Each category of delegation conveys different powers, regarding each type of transaction, the timing of the transaction and in some instances, reporting requirements.
- 45.2 These categories include:
- The ability to enter into contracts
 - Expenditure approval – operational matters
 - Expenditure approval – extraordinary matters
 - Payment signatory
- 45.3 Currently the Ozone system is used to control delegation within these categories. If a transaction exceeds a lump sum amount or the cost centre expenditure budget is exceeded (excluding payroll) the purchase order will automatically be referred up the organisational chart. The Chief Executive and General Managers are the only staff able to approve a budget over run.
- 45.4 In addition there are a number of payments made that are not expenditure to the Council and are only paying out of liability accounts as they fall due.
- 45.5 Currently the Chief Executive has given the Chief Financial Officer and the Accounting Operations Manager higher delegation to enable a number of accounts to be paid. These are dealt with in terms of expenditure approvals for extraordinary matters below.

46. Enter into contracts

- 46.1 The authority provided under this category of financial delegation allows the delegate to commit the Council to a future expenditure of funds, up to the limit of the delegation, provided that the proposed expenditure is approved in the LTP and Annual Plan. For the avoidance of doubt, it is noted that the delegation is for all stages of a contract.
- 46.2 Subject to the limitations set out at Clause [46.548-5](#) below, the Council delegates to the officers and committees listed below, the power to enter into contracts on the Council's behalf pursuant to Schedule 7, Clause 32 of the LGA:
- Lump Sum Purchases by the Council of goods, works, or services (includes unit rate contracts, measurement & value contracts, and cost reimbursement contracts):
 - Not exceeding \$20,000 - specific amounts to specific officers as delegated in writing by General Managers with the approval of the Chief Executive;
 - Over \$20,000 but not exceeding \$100,000 - General Managers in accordance with the Procurement Policy;
 - Over \$100,000 but not exceeding \$500,000 - the Chief Executive; and
 - Over \$500,000 - the Strategic Planning and Policy Committee.
 - Continuing Contracts for goods, works, or services (including annual and local supply contracts):
 - Not exceeding \$2,000 per week - General Managers, where the lowest tender or quote is being accepted BUT the General Manager in conjunction with the Chief Executive where the lowest tender or price is not being accepted;
 - Over \$2,000 per week but not exceeding \$10,000 – the Chief Executive; and
 - Over \$10,000 per week - the Strategic Planning and Policy Committee
- 46.3 Consistent with Clause [46.248-2](#) above those positions with delegated authority to issue orders for the supply of goods and services as approved by General Managers and the Chief Executive are set out at Clauses 57 and 58 of this Manual.

46.4 In the event of any order exceeding the value to which delegated authority is given, it shall be referred to the Chief Executive, or, if applicable, the respective General Manager for authority.

Limitations on contracts for purchase

46.5 The powers conferred by Clauses [46.248.2](#) and [46.348.3](#) above shall only be exercised where:

- In reaching a contract price the Council's general policy on procurement is observed; and
- Sufficient provision has been made in the budget allocations from the LTP and Annual Plan for the matters which is the subject of the contracts; or
- Council's budget has been finalised for the relevant year unless the expenditure relates to maintenance of any existing work or progress on a committed work or is in regard to an existing service for which provision is likely to be made in the budget once finalised.

Procurement policy

46.6 Council's Procurement Policy sets out the policies and procedures required for the administration of Council contracts and covers the purchase of equipment and materials, physical works including maintenance and/or construction of buildings and/or engineering works, and in most instances professional services.

46.7 All purchasing of goods and services must be carried out in accordance with Council's Procurement Policy. A copy of the Procurement Policy is located in the Management Policy Register.

46.8 The method of purchasing goods and services shall be dependent on the estimate of the cost to be incurred, in accordance with the provisions of the Procurement Policy, but at all times to ensure that the Council receives the best value for its money.

46.9 Every delegate will therefore at all times have regard to the best means of obtaining the most favourable terms for any transaction, especially as to price, and will adopt that method.

Variation of contracts

46.10 Any contract may be varied by the Strategic Planning & Policy Committee or appropriate officer where the total value of the contract as varied is within the Committee's or officer's delegated authority. If the amount of the variation takes the total value of the contract as varied outside that delegation, then the variation(s) may be approved by the Chief Executive or appropriate General Manager providing the change does not or changes do not increase the total value of the contract as varied by more than 10% of the value of the original contract.

46.11 Where such variation occurs it is to be reported to the Strategic Planning & Policy Committee.

Contracts in emergencies

46.12 In an emergency, the Chief Executive or, in his or her absence or unavailability, any other General Manager, may accept, negotiate or decline any contract for:

- The purchase or supply of goods, services, plant, capital works or other assets (including real property);
- The disposal of goods, plant, capital works, and other assets (excluding real property); and
- The supply of Council services;
- For any sum that does not exceed \$500,000 regardless of whether any provision has been made for the expenditure in the Council's budget and provided that the expenditure is for the purposes of responding to or recovering from the emergency.

- 46.13 For the purposes of this clause, an emergency is where there has been major unforeseen damage to Council or other property and there is a need for remedial action to be taken without delay and it is impracticable to convene a meeting of the Council or Strategic Planning & Policy Committee to approve the proposed expenditure.
- 46.14 This clause is not intended to detract from the legal powers of a Civil Defence Controller in the event of a declared emergency.
- 46.15 The Chief Executive or any General Manager may, in regard to a matter within that officer's jurisdiction, settle any claim for compensation where provision is made in the Council's budgets for that year and the amount proposed does not exceed \$10,000.
- 46.16 The Chief Executive or any General Manager may settle any claim whatsoever for compensation in consultation with the Mayor, or the Chairperson of the Strategic Planning & Policy Committee if the claim is in regard to a matter that falls within that Committee's jurisdiction.

47. Staff expenditure approvals - Operational

- The authority under this delegation is to approve generally recurring types of expenditure on behalf of the Council, up to the delegated limits established and recorded in the following table, and where the expenditure is approved in the Annual Plan. The delegation limit applies to the approval of each transaction approved, not the aggregate of transactions.
- The Council delegates to the officers and committees listed below, the power to incur expenditure on the Council's behalf pursuant to Schedule 7, Clause 32 of the LGA:

	Chief Executive	General Managers	Third Tier Managers & Third Tier Advisers	Team Leaders	Other Staff
Operating expenditure (maximum each item or contract)	\$500,000	\$100,000	\$20,000	\$5,000	As per delegation from CE (refer to Clause 57.3)
Capital expenditure (maximum each item or contract)	\$500,000	\$100,000	\$20,000	\$5,000	As per delegation from CE (refer to Clause 57.3)
Emergency expenditure (to be retrospectively reported to the Chief Executive)	\$500,000	\$500,000			
Grant expenditure where individually approved in the LTP/Annual Plan (annually by recipient)	As per LTP/Annual Plan	As per LTP/Annual Plan			
International travel	Per operating expenditure	\$5,000	Nil	Nil	Nil
Staff reimbursement and costs (within normal delegations but must be approved by on a one up basis)	Per operating expenditure but must be approved by on a one up basis	Per operating expenditure but must be approved by on a one up basis	Per operating expenditure but must be approved by on a one up basis	Per operating expenditure but must be approved by on a one up basis	
Gifts to staff/STAR Award	Per operating expenditure	Per operating expenditure	\$50	\$50	Nil
Staff purchases	Per operating expenditure	Per operating expenditure	Nil	Nil	Nil
Unbudgeted capital expenditure	\$100,000	Nil	Nil	Nil	Nil
Unbudgeted operational expenditure	\$100,000	\$50,000	Nil	Nil	Nil
Expenditure carry overs – per project	\$500,000	\$100,000	Nil	Nil	Nil
Revenue write offs and bad debts	Unlimited	\$5,000			
Changes to approved budget	\$50,000				

47.1 The Council delegates the power to incur operating expenditure on the Councils behalf pursuant to Schedule 7, Clause 32.1 of the LGA.

Position Delegation

Asset Engineer – Roading	5,000
Asset Engineer – Utilities	5,000
Asset Management Officer	5,000
Library Literacy – Children and Adults Leader	1,000
Clerk of Works	1,000
Communications Adviser	10,000
Communications Officer	1,000
Community Development Adviser	1,000
Corporate Projects Adviser	1,000
Corridor Access Co-ordinator	5,000
Economic Development and Projects Adviser	1,000
Executive Officer – Corporate and Regulatory	2,000
Executive Officer – Chief Executive	2,000
Executive Officer – Community and Strategy	2,000
Executive Officer – Infrastructure	2,000
Executive Officer – Mayor	2,000
Human Resources Officer	2,000
Internal Auditor	2,000
Library Knowledge – Content Leader	2,500
Library Experience – Planning and Business Leader	2,500
Native Plant Nursery Manager	2,000
Pool Operations Supervisor (MAC)	1,000
Principal Planner	10,000
Aquatic Experience and Education Supervisor	1,000
Project Engineer	5,000
Project Technician	5,000
Property and Parks Officer	2,000
Roading Adviser	5,000
Senior Finance Officer - Rates	1,000
Senior Project Engineer	5,000
Senior Wastewater Treatment Plant Operator	1,000
Solid Waste and Recycling Officer	5,000
Strategic Accountant	10,000
Utilities Technician	1,000
Wastewater Treatment Operator	1,000
Water Treatment Operator	1,000
Infrastructure Support Officers	
Trade Waste Officer	
Reticulation Supervisor	

47.2 For the avoidance of doubt, the authorised expenditure amount in Clause 57.3 overrides the more general delegation in Clause 57.2.

48. Staff Expenditure approvals – Extraordinary

48.1 The authority under this delegation is to approve special expenditure on behalf of the Council, up to the delegated limits established and recorded in the following table, and where the expenditure is approved in the Annual Plan. These higher delegations are provided to enable larger accounts of generally a routine nature to be paid. The delegation limit applies to the approval of each transaction approved, not the aggregate of transactions.

48.2 That the Council delegates to the officers and committees listed below, the power to incur expenditure on the Council's behalf pursuant to Schedule 7, Clause 32 of the LGA:

	Chief Financial Officer and Accounting Operations Manager (in absence)	General Managers	Regulatory Manager	Principal Planner	Civil Defence Controller	Civil Defence Recovery	Notes
Release of payroll	\$500,000	\$500,000					Expenditure already committed when staff employed
GST Payments to IRD	\$2,000,000	\$2,000,000					Release of a liability
PAYE and other payroll related IRD payments	\$250,000						Release of a liability
Repayment of loans (in accordance with the Liability Management Policy)	\$10,000,000						Release of a liability. Must be in accordance with the Liability Management Policy
Payment of Interest on Term Loans	\$1,000,000						Commitment is made at the time of borrowing the money. Must be in accordance with the Liability Management Policy.
Treasury investments	\$5,000,000						Must be in accordance with the Investment Policy
Revenue write offs and bad debts	\$1,000						
Emergency expenditure (to be retrospectively reported to the Chief Executive)					\$500,000	\$500,000	
MBIE and BRANZ levies			\$100,000				Release of a liability
Resource consent bond release		\$50,000	\$25,000	\$25,000			Release of a liability

49. Payment signatory

- 49.1 The authority under this delegation is to execute documents on behalf of the Council (cheques, automatic payment schedules and electronic funds transfer payments) to enable payment of items that have been approved for payment by an authorised party.
- 49.2 Only Council officers may have delegated powers under this category. Authorised signatories do not have financial limits on their signing authority.
- 49.3 With the exception of Clause 59.4 any two of the following nominated positions are authorised to sign Council payments:
- Chief Executive;
 - General Manager - Community and Strategy;
 - General Manager - Corporate & Regulatory;
 - General Manager – Infrastructure;
 - General Manager - People and Culture;
 - Chief Financial Officer;
 - Accounting Operations Manager.
- 49.4 An imprest account, with debit card attached may operate with one signatory. Funds held in this account are limited to \$1,000. The Business Support Team Leader is added to the signatory list under Clause 59.3 for this account only. Two signatories are required to transfer money into this account.

50. Variation of budgets

- 50.1 “Budget” means the sum represented by any item contained in a significant activity of the budgets adopted by the Council for that financial year contained in the LTP or Annual Plan.
- 50.2 The Chief Executive may vary any budget by a sum not exceeding \$50,000 where the variation will allow a particular area in Council to better achieve the purpose or purposes for which the budget was adopted. That variation must be funded from savings (confirmed by the Chief Executive) made on another budget(s) within the same significant activity. Any such variation shall be reported to the Strategic Planning & Policy Committee.
- 50.3 The Chief Executive may vary the constituent sums which make up a budget where:
- The relevant General Manager and the Chief Executive confirm that the variation will be funded from savings made on other sums within the same budget; and
 - The variation will allow the area concerned to better achieve the purpose or purposes for which the budget was adopted.

51. Setting of fees and charges

- 51.1 The Chief Executive and General Managers may set, vary or waive any fee or charge for a Council service or goods, provided:
- That any class of fees and charges so fixed are reported to the Strategic Planning & Policy Committee; and
 - The fee or charge is permitted by law and is not inconsistent with Council policy.

When amendments are made to fees and charges reference should also be made to the relevant statute for specific requirements.

Management delegations

52. Introduction

52.1 The Chief Executive is appointed by the Council in accordance with Section 42 of the LGA and is responsible for implementing and managing the Council's policies and objectives within the budgetary constraints established by the Council (see Section [x] of this Manual).

52.2 As the nominal employer of Council staff, it is the role of the Chief Executive to oversee and lead staff and service delivery contractors towards the achievement of Council's statutory responsibilities and strategic objectives. The Chief Executive will delegate some of the management responsibilities associated with staff to the General Managers, as set out below.

53. Functions

53.1 In addition to those matters set out in Section 42 of the LGA, the responsibilities of the Chief Executive include:

- Implementing the decisions of the Council;
- Providing advice to the Council, ward committees and community board;
- Ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised;
- Managing the activities of the local authority effectively and efficiently;
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority;
- Providing leadership for the staff of the local authority; and
- Employing all other staff on behalf of the local authority.

53.2 The Chief Executive will report regularly to the Council on staffing levels and terms of employment.

54. General delegations

54.1 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:

- Those reserved to Council under Section 9.2; and
- Any other powers, functions and duties specifically identified as being reserved to the Council or a Committee under this Manual or by way of legislation.

54.2 Subject only to the ultimate power of the Council to interpret its own delegations, the Chief Executive shall be the principal adviser on the extent and nature of delegated authority granted under this Manual.

54.3 The Chief Executive may make minor amendments to any Council document where the substance is not modified or any Council policy affected.

54.4 In addition to all other financial authorities the Chief Executive may expend up to \$500,000 on any one item where that expenditure is permitted by law and is not contrary to Council policy and such

expenditure is approved through the LTP or Annual Plan process, not discounting the provision in this Manual for the delegation that is conveyed for unbudgeted expenditure and emergency expenditure.

55. Sub-delegations

- 55.1 The authority delegated to the Chief Executive may be delegated to any other officer of the Council or a sub-committee of officers. Every delegation by the Chief Executive will be in writing and suitably recorded. Every delegation may be withdrawn or amended or made subject to conditions in the same manner.
- 55.2 General Managers are delegated sufficient powers to enable them to fulfil all responsibilities and key accountabilities of their position as set out in the position description and annual performance objectives agreed between the General Manager and Chief Executive.

56. Staff

- 56.1 The following positions have delegated powers to undertake all management functions with regard to staff of the Council:
- Chief Executive
 - General Managers
- 56.2 Delegates are authorised to undertake the following tasks consistent with the Employment Relations Act 2000, and any specific requirements set out in the individual employment agreements.

57. Advice to Council

- 57.1 Part of the Chief Executive's role is to assist elected members in the development and setting of policy. In turn, the Chief Executive has delegated to the Executive team the responsibility for providing and co-ordinating the provision of policy advice to and managing the delivery of other services to all of the Council's committees as applicable.

Contractor delegations

58. Introduction

- 58.1 Council has chosen to deliver a range of services through contractors, Council Organisations (COs) and Council Controlled Organisations (CCOs).¹
- 58.2 Part 5 of the LGA establishes requirements for the governance and the accountability of council-controlled organisations, and procedures for the transfer of local authority undertakings. Each of these organisations delivers services, provides advice, or in some way supports the achievements of the objectives in the LTP.
- 58.3 The Chief Executive is responsible for the performance of these entities.

59. Contractors

- 59.1 The Chief Executive delegates all functions, powers or duties required for fulfilment of all responsibilities and delivery of all services to the specified standards set out in the service agreements encompassing:
- Animal Control Service;
 - Noise Control Services; and
 - Building Services.

¹ Section 6 of the Local Government Act 2002 sets out the definition of Council Organisations and Council Controlled Organisations.

59.2 These contracts are available from the Regulatory Manager.

59.3 All delegations to contractors are made through the Chief Executive.

59.4 Except as specifically provided, delegates may not sub-delegate these powers. The delegation is made jointly and severally to the named company and to the principal officer(s) of that company. Whilst employees of the company may deliver the services, the delegation of powers is made only to the company and the principal(s).

60. Service delivery contractors

60.1 Council has entered into a number of contracts for the delivery of services to the community.

60.2 The following positions have delegated authority to act as Council's representative under the relevant service contract:

- Recreational Services Limited
- ~~City Care Limited~~
- Smart Environmental Limited
- Higgins Limited

60.3 The delegated authority includes the power to:

- Perform all the tasks and functions necessary for the Council to meet its obligations under the contract;
- Monitor the performance of the contractor against the specifications in the contract and to receive monthly reports from the contractor on their performance as provided in the contract and make those reports available to Council as required;
- Determine the information to be reported by each contractor and the timeframes within which the information is to be provided (to the extent permitted in each contract);
- Assess the performance from the information provided and obtained and provide feedback to the contractor on their performance;
- Where a breach or a potential breach of the terms of the contract is identified, to undertake compliance and enforcement action to have the breach or alleged breach remedied and failing remedy to refer the matter to the Chief Executive and the relevant standing committee for action; and
- Undertake all the other functions specified in the contract that are required to be undertaken by the Council's representative under the terms of each contract.

61. Council-Controlled Organisations (CCOs)

61.1 The Chief Executive delegates all functions, powers or duties required for fulfilment of responsibilities and delivery of all services by the following entities:

- Heartland Contractors Ltd
- Feilding Civic Centre Trust
- Manawatu Community Trust

62.2 The provisions of Clauses 70.3 and 70.4 also apply.

Warrants

62. Introduction

62.1 The purpose of the granting of a warrant by Council is to facilitate the conduct of the regulatory functions of Council. Warranted officers are expected to apply good judgment at all times in the exercise of their duties under warrant.

62.2 Officers must carry their warrants at all times when undertaking duties for which they are warranted and must display their warrant when requested to do so.

63. Delegations

63.1 The Council delegates to the Chief Executive the power to issue warrants to staff members and to staff of contractors where it is necessary pursuant to Clause 32A, schedule 7 of the LGA.

63.2 Delegates may sub-delegate these powers in accordance with this Manual.

64. Warranted Officers

64.1 The Warrants Schedule is available from the General Manager - Corporate & Regulatory and sets out which Council and Contractor staff members have been granted warrants for the Council for the specific Acts, Regulations and Bylaws detailed for each officer.

64.2 Warrants are granted to officers only for the period of time the warranted officer holds the position of responsibility necessitating the warrant. In the event a warranted officer changes his/her position or resigns as an officer of Council his/her warrant is forfeit at the time the change or resignation becomes effective. Officers to whom warrants have been issued are required to surrender their warrant to the Council at that time.

64.3 Contractors are responsible for keeping and maintaining at all times a register of all their staff who are warranted officers of Council. When any staff member resigns or leaves the employment of the contractor they are to ensure that the warrant issued to that staff member is withdrawn and any warrant documents are returned.

64.4 The Council delegates the power to issue warrants of enforcement to the General Manager - Corporate & Regulatory in the Chief Executive's absence.