



# Delegations Manual

February 2020

# Contents

<b>1. INTRODUCTION .....</b>	<b>1</b>
1.1 PURPOSE .....	1
1.2 STRUCTURE.....	1
<b>2. DELEGATIONS PHILOSOPHY .....</b>	<b>2</b>
2.1 PHILOSOPHY.....	2
2.2 GUIDELINES.....	2
2.3 DELEGATIONS TO THE CHIEF EXECUTIVE.....	3
2.4 LEGAL RESTRICTIONS .....	3
2.5 POWERS AND RESPONSIBILITIES RETAINED BY COUNCIL .....	4
<b>3. THE LEGAL FRAMEWORK .....</b>	<b>5</b>
3.1 COUNCIL'S PRINCIPAL RESPONSIBILITIES.....	5
3.2 RESPONSIBILITIES OF THE CHIEF EXECUTIVE .....	5
3.3 DELEGATION OF POWERS TO ANY OTHER OFFICER.....	6
<b>4. AUTHORITY .....</b>	<b>6</b>
<b>5. AMENDMENTS TO THIS MANUAL.....</b>	<b>6</b>
<b>6. GOVERNANCE DELEGATIONS .....</b>	<b>6</b>
6.1 INTRODUCTION .....	6
6.2 POWERS RETAINED BY COUNCIL .....	7
6.3 EXPECTATIONS OF STANDING COMMITTEES .....	7
6.4 STANDING COMMITTEES.....	8
6.5 METHVEN COMMUNITY BOARD .....	16
6.6 SUBCOMMITTEES.....	17
<b>7. FINANCIAL DELEGATIONS .....</b>	<b>18</b>
7.1 INTRODUCTION .....	18
7.2 COUNCIL'S ROLE IN FINANCIAL MANAGEMENT .....	18
7.3 THE CHIEF EXECUTIVE'S ROLE IN FINANCIAL MANAGEMENT .....	18
7.4 COMMITTEES' ROLE IN FINANCIAL MANAGEMENT .....	18
7.5 MANAGERS' ROLE IN FINANCIAL MANAGEMENT .....	18
7.6 THE FINANCE MANAGER'S ROLE .....	19
7.7 FINANCIAL DELEGATIONS TO COUNCIL COMMITTEES .....	19
7.8 GENERAL DELEGATIONS FROM COUNCIL TO THE CHIEF EXECUTIVE .....	20
7.9 EXPENDITURE DELEGATIONS.....	20
7.10 SCHEDULE OF FINANCIAL DELEGATIONS.....	21
<b>8. STATUTORY DELEGATIONS .....</b>	<b>26</b>
8.1 INTRODUCTION .....	26
8.2 SUB-DELEGATION .....	26
8.3 DELEGATIONS TO COUNCIL COMMITTEES.....	26
8.4 DELEGATIONS TO THE CHIEF EXECUTIVE.....	26
<b>9. SUB-DELEGATIONS .....</b>	<b>27</b>
9.1 AMUSEMENT DEVICES REGULATIONS 1978.....	28
9.2 ANIMAL WELFARE ACT 1999 .....	28
9.3 BUILDING ACT 2004 .....	28
9.4 BUILDING RESEARCH LEVY ACT 1969 .....	32
9.5 BURIAL AND CREMATION ACT 1964.....	32
9.6 CAMPING GROUNDS REGULATIONS 1985 .....	33
9.7 CIVIL DEFENCE EMERGENCY MANAGEMENT ACT 2002 .....	33
9.8 DOG CONTROL ACT 1996, DOG CONTROL AMENDMENT ACT 2003 AND 2006 .....	33

9.9	DRAINAGE AND PLUMBING REGULATIONS 1978.....	35
9.10	FOOD ACT 2014.....	35
9.11	FREEDOM CAMPING ACT 2011.....	37
9.12	GAMBLING ACT 2003.....	37
9.13	GAS ACT 1992.....	37
9.14	HAZARDOUS SUBSTANCES AND NEW ORGANISMS ACT 1996 .....	37
9.15	HEALTH ACT 1956 .....	38
9.16	HEALTH (DRINKING WATER) AMENDMENT ACT 2007 .....	39
9.17	HEALTH (HAIRDRESSERS) REGULATIONS 1980 .....	39
9.18	HEALTH (REGISTRATION OF PREMISES) REGULATIONS 1966 .....	39
9.19	HISTORIC PLACES ACT 1993 .....	39
9.20	IMPOUNDING ACT 1955.....	40
9.21	INFRASTRUCTURE (AMENDMENTS RELATING TO UTILITIES ACCESS) ACT 2010 .....	41
9.22	LAND DRAINAGE ACT 1908 .....	41
9.23	LAND TRANSFER ACT 2017 .....	41
9.24	LAND TRANSPORT ACT 1998 .....	41
9.25	LAND TRANSPORT (INFRINGEMENT AND REMINDER NOTICES) REGULATIONS 2012 .....	42
9.26	LITTER ACT 1979 .....	42
9.27	LOCAL GOVERNMENT ACT 1974 .....	42
9.28	LOCAL GOVERNMENT ACT 2002 .....	43
9.29	LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987 .....	43
9.30	LOCAL GOVERNMENT (RATING) ACT 2002.....	45
9.31	MACHINERY ACT 1950 .....	45
9.32	NEW ZEALAND LIBRARY ASSOCIATION ACT 1939 .....	45
9.33	PUBLIC BODIES LEASES ACT 1969 .....	45
9.34	PUBLIC WORKS ACT 1981 .....	46
9.35	RATES REBATE ACT 1973 .....	46
9.36	RATING VALUATIONS ACT 1998.....	47
9.37	RESERVES ACT 1977.....	47
9.38	RESOURCE MANAGEMENT ACT 1991 .....	48
9.39	SALE AND SUPPLY OF ALCOHOL ACT 2012 .....	53
9.40	SMOKE FREE ENVIRONMENTS ACT 1990 .....	54
9.41	SUMMARY PROCEEDINGS ACT 1957 .....	54
9.42	TELECOMMUNICATIONS ACT 2001 .....	54
9.43	TRANSPORT (VEHICULAR TRAFFIC ROAD CLOSURE) REGULATIONS 1965 .....	54
9.44	UTILITIES ACCESS ACT 2010 .....	55
9.45	WASTE MINIMISATION ACT 2008 .....	55

## **10. NON-STATUTORY DELEGATIONS..... 56**

10.1	ADVERTISING .....	56
10.2	ANIMAL CONTROL .....	56
10.3	APPOINTMENT AND TERMINATION .....	56
10.4	ASSET DISPOSAL.....	57
10.5	CIVIC CEREMONIES AND CIVIC FUNCTIONS .....	57
10.6	CLOSED CIRCUIT TELEVISION .....	57
10.7	TRESPASS ACT 1980 .....	57
10.8	COUNCIL SEAL.....	58
10.9	INSURANCE.....	58
10.10	MARKETS AND FUNCTIONS IN SHOPPING AREAS .....	58
10.11	MEDIA STATEMENTS.....	58
10.12	MOBILE SHOPS, STALLS AND HAWKERS.....	58
10.13	PARKS AND RESERVES .....	58
10.14	PLANNING .....	59
10.15	PROPERTY.....	60
10.16	REFUSE AND RECYCLING.....	60
10.17	ROADS.....	60
10.18	SIGNAGE .....	61

10.19 STREET APPEALS ..... 61

10.20 STREET FURNITURE AND SIGNAGE..... 61

10.21 STREET PARADES..... 61

10.22 VEHICLE OFFENCES ..... 61

10.23 WATER SERVICES ..... 61

**11. APPENDICES..... 62**

# 1 Introduction

Ashburton District Council ('Council') relies on a clear distinction between governance and management activities for effective operation. Council is comprised of:

- **elected members**, who have overall responsibility for Council decisions and activities
- **the Chief Executive**, who is the sole employee of the elected members, and
- **Council officers**, who are employed by the Chief Executive.

Governance activities are the remit of elected members. Management activities are the remit of the Chief Executive, which include the provision of policy advice, as well as implementing the governance decisions made by elected members.

In order for a Council to operate efficiently and effectively, the Chief Executive delegates provision of policy advice and decision implementation to Council officers.

## 1.1 Purpose

The purpose of the Delegations Manual is to define and authorise the scope of:

- a) the division between governance and management activities
- b) Council's delegations of governance activities to Council committees
- c) Council's delegations of management activities to the Chief Executive
- d) the Chief Executive's delegations to Council officers, including the Executive Team.

Other aspects of Council's work programme can be delegated by Council resolution. This includes the work programme detailed in the Long-Term Plan and Annual Plan. Separate delegations are not required for Council officers to undertake any work included in these documents, which are adopted by Council.

The Delegations Manual also provides for specific delegations relating to finance, regulatory functions and specific statutory responsibilities devolved to Council through legislation.

## 1.2 Structure

The Delegations Manual ('the manual') is structured as follows:

- **Delegations framework** – this section outlines Council's guiding principles for delegating authority and establishes the legal power for making these delegations. It then establishes the framework through which the delegations are made and structured.
- **Governance delegations** – this section sets out the delegation of governance powers from Council to Committees.
- **Financial delegations** – the delegation of financial powers enables the achievement of Council's objectives and work programme, as adopted in the Long-Term Plan and Annual Plan. This section sets the limits of financial delegations to Council sub-committees and Council officers.
- **Statutory delegations** - this section sets out key statutes and regulations that devolve and delegate power, duties and responsibilities to Council. These delegations are consistent with the Local Government Act 2002 ('the Act'), which empowers Council to delegate the enforcement, inspection, licensing and administration related to bylaws and other regulatory matters to any other local authority, organisation, or person.
- **Non-statutory delegations** – this section sets out how the Chief Executive delegates management powers and responsibilities to facilitate the effective operation and administration of Council business.

## 2 Delegations philosophy

Delegations are ‘the assignment of a duty or power of action to another, together with the authority to carry out that duty or complete the action assigned with responsibility for the outcome.’

The powers, functions and duties of Council are prescribed by central government either expressly or implicitly by statute and associated regulations. The legislative framework imparts various different powers, functions and duties to the elected Council, the Chief Executive and to specific Council officers.

Primary statutes that impact Council include but are not limited to:

- Building Act 2004
- Local Government Act 2002 (‘the Act’)
- Resource Management Act 1991 (RMA)
- Reserves Act 1977.

### 2.1 Philosophy

In the interests of good management and effective administration, Council believes that **decision-making should be delegated to the lowest competent level**. This will enable the best use of elected member and Council officer abilities and minimise the cost of material, technical and financial resources.

**Authority and responsibility are inseparable.** Those with the responsibility for a task or function should always have the authority to carry it out effectively. Those with authority should always be responsible for its wise use.

**Delegations do not remove ultimate accountability** of elected members, the Chief Executive and the Executive Team for the affairs of Council.

### 2.2 Guidelines

#### Key principles

In making decisions about delegated authority, Council and the Chief Executive will balance the following, to enable Council to:

- operate efficiently and effectively,
- concentrate on its policy making role, empowering the Chief Executive and Council officers to implement and administer those policies,
- carry out Council functions openly and fairly,
- provide delegates with the necessary authority to effectively carry out delegated responsibilities, and
- properly observe all statutory requirements.

Other principles observed in the development of the manual are that delegations will:

- be made to positions, not people,
- be recorded in the Delegations Manual,
- have any updates recorded in an Appendix of Subsequent Delegations,
- prevent decisions made under delegated authority from being subsequently overturned by Council, and
- be reviewed and amended as required, including a review at the beginning of each new term of Council.

## 2.3 Delegations to the Chief Executive

Council may delegate any function to the Chief Executive except those expressly precluded by legislation. Any further delegations by the Chief Executive made following the publication of this manual will be recorded in an Appendix of Subsequent Delegations.

The Chief Executive may appoint an Executive Team<sup>1</sup> member to assume delegated authority in the event of planned or unplanned leave, absence or unavailability.

### Temporary delegations

Council officers who are charged with increased duties in a temporary capacity also receive the delegated powers, duties and responsibilities relevant to the position in which they are acting.

### Extension of delegated authority

The Department Manager and GM of any Council officer who has a specific delegated authority will share the same delegation.

## 2.4 Legal restrictions

Council cannot delegate any power which is required by law to require a resolution of Council, including under Schedule 7 Clause 32 of the Local Government Act 2002.

Council cannot delegate the power to:

- set rates;
- adopt bylaws;
- borrow money, purchase or dispose of assets, outside of the Long-Term Plan;
- adopt a Long-Term Plan, Annual Plan, or Annual Report;
- appoint the Chief Executive;
- adopt policies with consultation requirements prescribed by the Local Government Act 2002, including those associated with the Long-Term Plan;
- approve, adopt, and set operative dates for changes and/or variations to resource management plans and policies under the Resource Management Act 1991;
- approve and adopt the District Plan and Notices of Requirement;
- adopt a remuneration or employment policy;
- make a final decision following an Ombudsman's recommendation that rejects or modifies that recommendation;
- appoint or discharge the Deputy Mayor;
- approve or amend Council's Standing Orders;
- approve or amend the Code of Conduct for elected members;
- establish and determine the structure, terms of reference, and delegated authorities of committees;
- appoint and discharge members of committees; and
- establish a joint committee with another local authority or public body.

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<sup>1</sup>The Executive Team includes: GM Business Support, GM Community Services, GM Strategy & Compliance, GM Infrastructure Services and Manager People and Capability.

## 2.5 Powers and responsibilities retained by Council

The Council also retains the following additional powers and responsibilities:

- the powers and duties conferred or imposed on the local authority by the Public Works Act 1981;
- approval of a draft Long-Term Plan or draft Annual Plan prior to community consultation;
- approval of a draft bylaw prior to community consultation;
- approval of policies and draft policies prior to community consultation;
- resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of electoral officer;
- the power to institute any proceedings in the High Court that are not injunctive proceedings;
- the power to enter into a contract other than in accordance with the provisions of s.4 of the Public Bodies Contracts Act 1959;
- the power to appoint Council representation on any body;
- the power to sell or purchase land;
- the powers or duties conferred or imposed upon Council by the Public Works Act 1981;
- the power to authorise or otherwise commit Council to any expenditure exceeding that in the current Annual Plan / Long-Term Plan;
- the power to cease any existing function or commence any new significant activity;
- formulation or amendment of Council's corporate goals and objectives;
- submissions to any external body where the subject of the submission is not the responsibility of a standing committee;
- approval of alterations to the adopted Long-Term Plan / Annual Plan budget;
- adoption of the Local Governance Statement;
- adoption of the Triennial Agreement;
- preparation of Long-Term Plan /Annual Plan documents;
- power to sell or dispose of parks, reserves and endowment properties;
- power to set fees and charges;
- adoption of the Assessment of Water and Sanitary Services; and
- the temporary closure of roads for any exhibition, fair, show, market, concert, film making, race or other sporting event, or public function.



## 3 The legal framework

### 3.1 Council's principal responsibilities

**The purpose of local government as per s.10 of the Act is:**

- a) to enable democratic local decision-making and action by, and on behalf of, communities, and
- b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

**The governance principles of local government as set out in s.39 of the Act are:**

- A local authority should ensure that the role of democratic governance of the community, and the expected conduct of elected members, is clear and understood by elected members and the community.
- A local authority should ensure that the governance structures and processes are effective, open, and transparent.
- A local authority should ensure that, so far as is practicable, responsibility and processes for decision-making in relation to regulatory responsibilities is separated from responsibility and processes for decision-making for non-regulatory responsibilities.
- A local authority should be a good employer.
- A local authority should ensure that the relationship between elected members and management of the local authority is effective and understood.

### 3.2 Responsibilities of the Chief Executive

The Local Government Act 2002 requires Council to delegate the management of the organisation to the Chief Executive in accordance with s.42 and Schedule 7 s.33 – s.36, on the terms and conditions that Council consider appropriate.

**The Chief Executive is responsible to the elected Council for:**

- implementing the decisions of the local authority;
- providing advice to members of the local authority and to its community boards, if any;
- ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised;
- ensuring the effective and efficient management of the activities of the local authority;
- 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;
- employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and
- negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).

### **3.2.2 The Chief Executive is responsible for:**

- a) Ensuring, as far as practicable, that the management structure of the local authority:
  - reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision making processes; and
  - is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.
- b) Appointment of independent commissioner(s) to hear, consider, and determine all contested resource consent applications in respect of which Council, or a Council-Controlled Organisation (CCO), is or could be perceived to be an interested party.
- c) Delegating to the Hearings Panel all of Council's regulatory powers in respect of hearing, considering and determining all matters relating to resource consents under the Resource Management Act 1991, and actions under the Dog Control Act 1996.
- d) Delegating to appropriate staff Council's powers to undertake compliance inspection and enforcement in accordance with Council's approved procedures.

### **3.3 Delegation of powers to any other officer**

The Delegations Manual records all delegations from the Chief Executive to Council officers. Schedule 7 (s.32B) of the Act provides (with some restrictions) powers for a Council officer to further delegate to any other officer.

## **4 Authority**

The delegations made in the governance section of the manual and other delegations of statutory and financial powers to committees and subcommittees and all the delegations made to the Chief Executive were adopted by Council at meetings on 19 December 2019 and 27 February 2020.

Sub-delegations are made by the Chief Executive pursuant to the policy and to the powers delegated to them.

## **5 Amendments to this manual**

This manual shall be maintained by the Governance Team who shall amend it in accordance with:

- any instruction to that effect given by Council and any for delegates authorised to amend this manual;
- any need for typographical, grammatical or other minor amendment where the intention of Council in the matter of a delegation is not altered; and
- any changes as required by the Office of the Auditor General and as agreed by the Chief Executive.

The delegations manual will be reviewed after each triennial election.

## **6 Governance delegations**

### **6.1 Introduction**

Council's delegation model is designed to enable committees of Council to fully and completely undertake their roles consistent with their terms of reference.

The use of delegated authority to the most appropriate level of the organisation enables Council to achieve the purpose of local government as prescribed in section 10 of the Local Government Act 2002; which is:

- to enable democratic local decision-making and action by, and on behalf of, communities; and
- to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

When a statute or regulation empowers Council to carry out a decision-making function, that decision must be made by resolution of the full governing body, unless the statute or regulation permits delegation to a committee, subcommittee or Council officer.

The business to be delivered and administered by Council is significant and wide-ranging, implementing the requirements of many statutes and associated regulations, Council plans, policies, bylaws and other services. Without delegation, Council's operations and administration would not be efficient, effective or timely in delivering services.

The body or person to whom powers are delegated will usually exercise the delegated power, but is not obliged to do so. Delegates may choose not to exercise authority when a matter becomes of high public interest, or the issues involved are contentious or high-risk.

When urgency, public-interest or risk requires, matters that would normally be delegated for decision to a standing committee will go to the full elected Council for decision.

The Council has established the following Standing Committees:

- Executive Committee
- Audit, Risk and Finance Committee
- Bylaw and Policy Committee
- Community Services Committee
- Environmental Services Committee
- Infrastructure Services Committee

## **6.2 Powers retained by Council**

Council retains the powers outlined in section 2.4 and 2.5.

## **6.3 Expectations of standing committees**

Within its areas of jurisdiction, each standing committee is expected to:

- observe and pursue the goals, objectives and strategies in any strategic plan adopted by full Council;
- maintain regular communications with other committees and full Council to ensure that the widest possible good is achieved for the community;
- approve expenditure that exceeds delegated authority of Council officers, within the financial parameters of the Long-Term Plan and Annual Plan
- ensure appropriate consultation and communication is undertaken with the community and affected stakeholders;
- monitor and respond to changes in legislation governing their jurisdiction; and
- support Council staff to achieve programmes and projects contained in the Long-Term Plan.

## 6.4 Standing committees

### Executive Committee

<b>Type of committee</b>	Council standing committee
<b>Subordinate to</b>	Council
<b>Subordinate committees and groups</b>	None
<b>Legislative basis</b>	<p>Committee constituted by Council as per schedule 7, clause 30 (1)(a), LGA 2002.</p> <p>Committee delegated powers by Council as per schedule 7, clause 32, LGA 2002.</p>
<b>Membership</b>	Mayor, Deputy Mayor and Crs Braam, McKay and Wilson
<b>Quorum</b>	Three
<b>Delegations</b>	<p>The Council delegates to the Executive Committee the following general powers, duties and responsibilities:</p> <ul style="list-style-type: none"><li>• To act on behalf of the full Council at any time when the urgency of a matter would make the delaying of a decision contrary to the best interests of Council or its community.</li><li>• To undertake annual performance review and remuneration review of the Chief Executive Officer under a performance framework and process approved by Council.</li><li>• To act as the Code of Conduct review panel and the Community Awards selection panel.</li></ul>

## Audit, Risk and Finance Committee

<b>Type of committee</b>	Council standing committee
<b>Subordinate to</b>	Council
<b>Subcommittees</b>	Ashburton Airport Authority
<b>Working groups</b>	None
<b>Joint committees</b>	None
<b>Advisory groups</b>	None
<b>Legislative basis</b>	<p>Committee constituted by Council as per schedule 7, clause 30 (1)(a), LGA 2002.</p> <p>Committee delegated powers by Council as per schedule 7, clause 32, LGA 2002.</p>
<b>Membership</b>	Five councillors and one external appointee (Murray Harrington), and Mayor (ex officio)
<b>Quorum</b>	Four members
<b>Delegations</b>	The Audit, Risk and Finance Committee has no delegated authority to make decisions. Its role is to consider and review matters of strategy, policy or significance in its sphere of Council business, and (if appropriate) to make recommendations to full Council.
<b>Sphere of business</b>	<ul style="list-style-type: none"> <li>To consider and recommend the project plan and timetable for the following projects – <ul style="list-style-type: none"> <li>- Long Term Plan (LTP) and any amendments</li> <li>- Annual Plan &amp; Budget</li> <li>- Annual Report and Audit</li> </ul> </li> <li>To receive progress reports on the above projects, where appropriate, and review significant issues and risks arising.</li> <li>To establish and maintain effective relationships with Council's auditors, including meeting with the audit representatives regarding significant policy and planning processes as appropriate, reviewing the Annual Audit Plan, and considering matters of significance raised by Council's auditors and action required.</li> <li>To be the primary monitoring mechanism for Council's Council-Controlled Organisations (CCOs) and Council-Controlled Trading Organisations (CCTOs) and shareholdings.</li> <li>To provide overview of Council's performance management framework as included in the Council's LTP, Annual Plan and Annual Report documents.</li> <li>To provide an overview of financial management including: <ul style="list-style-type: none"> <li>• statutory compliance in respect to financial disclosure</li> <li>• corporate risk and internal risk management</li> <li>• monitoring and reporting on compliance with the LTP and Annual Plan policies under sections 101A-110 of the Local Government Act 2002</li> </ul> </li> <li>Insurance matters</li> </ul>

- Council's special funds accounts, loan accounts and investment portfolios
- Council's debt levels and profile
- Writing off debt considered to be bad or uncollectible (greater than \$5,000)
- Monitoring monthly financial variance reports
- Recommending to Council any proposed changes or additions to internal financial and non-financial controls, and debt and risk management approaches and policies
- Amending fees and charges.
- To consider matters of organisational services in the areas of:
  - information services and records management
  - plant and vehicles
  - democracy
  - communications
  - customer services
  - health and safety.

All the duties and responsibilities listed above must be carried out in accordance with the relevant legislation.

## Bylaw and Policy Committee

<b>Type of committee</b>	Council standing committee
<b>Subordinate to</b>	Council
<b>Subcommittees</b>	None
<b>Working groups</b>	None
<b>Joint committees</b>	None
<b>Advisory groups</b>	None
<b>Legislative basis</b>	<p>Committee constituted by Council as per schedule 7, clause 30 (1)(a), LGA 2002.</p> <p>Committee delegated powers by Council as per schedule 7, clause 32, LGA 2002.</p>
<b>Membership</b>	Five councillors and Mayor (ex officio)
<b>Quorum</b>	Four members
<b>Delegations</b>	<ul style="list-style-type: none"> <li>The Bylaw and Policy Committee has no delegated authority to make decisions. Its role is to consider all bylaws and review matters of strategy, policy or significance not covered by other standing committees' sphere of business, and (if appropriate) to make recommendations to full Council. For clarity, climate change policies will be considered by this committee.</li> </ul>
<b>Sphere of business</b>	<p>The Bylaw and Policy Committee has responsibility for the following functions:</p> <ul style="list-style-type: none"> <li>Develop, monitor and review Council bylaws and policies</li> <li>Approve the bylaw and policy review schedules and monitor review progress</li> <li>Receive and consider information to inform bylaw or policy review</li> <li>Evaluate relevant information in an objective manner, based on the needs of the community and agree on policy provisions</li> <li>Determine and recommend the form and extent of public consultation methods as appropriate in accordance with s82 of the Local Government Act 2002, and approve consultation plans</li> <li>Recommend bylaws to Council for special consultative procedure</li> <li>Recommend draft policies, as appropriate, to Council for special consultative procedure</li> <li>Hear, consider and deliberate on submissions received under the special consultative procedure, or submissions received as part of any consultative process undertaken by Council in relation to any decision or power or recommendation within the committees terms of reference</li> <li>Recommend new or reviewed bylaws and policies to Council for adoption.</li> </ul> <p>All the duties and responsibilities listed above must be carried out in accordance with the relevant legislation.</p>

## Community Services Committee

<b>Type of committee</b>	Council standing committee
<b>Subordinate to</b>	Council
<b>Subcommittees</b>	None
<b>Working groups</b>	None
<b>Joint committees</b>	None
<b>Advisory groups</b>	Biodiversity Advisory Group
<b>Legislative basis</b>	<p>Committee constituted by Council as per schedule 7, clause 30 (1)(a), LGA 2002.</p> <p>Committee delegated powers by Council as per schedule 7, clause 32, LGA 2002.</p>
<b>Membership</b>	Five councillors and Mayor (ex officio)
<b>Quorum</b>	Four
<b>Delegations</b>	The Community Services Committee has no delegated authority to make decisions. Its role is to consider and review matters of strategy, policy or significance in its sphere of Council business, and (if appropriate) to make recommendations to full Council.
<b>Sphere of business</b>	<ul style="list-style-type: none"><li>▪ Biodiversity</li><li>▪ Cemeteries, including historic (closed cemeteries)</li><li>▪ Conservation works, including Ng King Brothers Chinese Market Garden Settlement</li><li>▪ EA Networks Centre</li><li>▪ Economic development</li><li>▪ Grants</li><li>▪ Library</li><li>▪ Memorial halls and reserve boards</li><li>▪ Museum</li><li>▪ Parks, reserves and camp grounds</li><li>▪ Public conveniences and caravan waste disposal facilities</li><li>▪ Recreation and sports facilities</li><li>▪ Refugee resettlement support</li><li>▪ Rural and urban beautification</li><li>▪ Stockwater operations</li><li>▪ Welcoming communities</li></ul> <ul style="list-style-type: none"><li>▪ All the duties and responsibilities listed above must be carried out in accordance with the relevant legislation.</li></ul>



## Environmental Services Committee

<b>Type of committee</b>	Council standing committee
<b>Subordinate to</b>	Council
<b>Subcommittees</b>	None
<b>Working groups</b>	None
<b>Joint committees</b>	Canterbury Regional Civil Defence Emergency Management Group
<b>Advisory groups</b>	None
<b>Legislative basis</b>	<p>Committee constituted by Council as per schedule 7, clause 30 (1)(a), LGA 2002.</p> <p>Committee delegated powers by Council as per schedule 7, clause 32, LGA 2002.</p>
<b>Membership</b>	Five councillors and Mayor (ex officio)
<b>Quorum</b>	Four
<b>Delegations</b>	<p>The Environmental Services Committee has no delegated authority to make decisions. Its role is to consider and review matters of strategy, policy or significance in its sphere of Council business, and (if appropriate) to make recommendations to full Council.</p> <p>Note that for dog control matters the power to appoint hearing panels comprising members of the Environmental Services Committee shall be delegated to the Chair of Environmental Services. Those hearing panels so appointed shall be authorised to deal with the appeal for which they are appointed without further instruction from the Committee.</p> <p>Regulatory activities including:</p> <ul style="list-style-type: none"><li>• Alcohol licensing</li><li>• Animal control and dog registration</li><li>• Building control</li><li>• Civil defence emergency management</li><li>• Class 4 gambling venues</li><li>• Environmental protection and health, nuisances and complaints</li><li>• Food safety</li><li>• Freedom camping</li><li>• Hazardous substances</li><li>• Litter</li><li>• Naming of roads</li><li>• Noise control</li><li>• Parking enforcement</li><li>• Resource management and District Plan</li><li>• Subdivision and development control</li><li>• To recommend the appointment of hearing panels for animal control appeals</li></ul> <p>The power to appoint hearing panels comprising members of the Environmental Services Committee shall be delegated to the Chair of Environmental Services.</p>

Those hearing panels so appointed shall be authorised to deal with the appeal for which they are appointed without further instruction from the committee.

All the duties and responsibilities listed above must be carried out in accordance with the relevant legislation.

## Infrastructure Services Committee

<b>Type of committee</b>	Council standing committee
<b>Subordinate to</b>	Council
<b>Subcommittees</b>	None
<b>Working groups</b>	None
<b>Joint committees</b>	Ashburton District Road Safety Total Mobility Canterbury Regional Land Transport Canterbury Regional Landfill Canterbury Regional Waste Canterbury Regional Water Management
<b>Advisory groups</b>	Road reference groups (rural and urban) Water race network advisory group
<b>Legislative basis</b>	Committee constituted by Council as per schedule 7, clause 30 (1)(a), LGA 2002. Committee delegated powers by Council as per schedule 7, clause 32, LGA 2002.
<b>Membership</b>	Five councillors and Mayor (ex officio)
<b>Quorum</b>	Four
<b>Delegations</b>	The Infrastructure Services Committee has no delegated authority to make decisions. Its role is to consider and review matters of strategy, policy or significance in its sphere of Council business, and (if appropriate) to make recommendations to full Council.
<b>Sphere of business</b>	<ul style="list-style-type: none"> <li>• Closed landfills</li> <li>• Cycleways and walkways</li> <li>• Land drainage</li> <li>• Refuse collection, recycling and disposal</li> <li>• Roading, footpaths and bridges</li> <li>• Stockwater (strategic oversight)</li> <li>• Stormwater</li> <li>• Street lighting</li> <li>• Wastewater – sewerage reticulation and disposal (including trade waste and septage disposal)</li> <li>• Water supplies</li> </ul> <p>All the duties and responsibilities listed above must be carried out in accordance with the relevant legislation.</p>

## 6.5 Methven Community Board

Council's delegation model is designed to enable the Methven Community Board to fully and completely undertake its role, consistent with Council's Methven Community Board policy.

[Methven Community Board are currently undertaking a review of the Board's delegations and terms of reference. Proposed changes will be recommended to Council for consideration and the Delegations Manual will be updated accordingly]

### Delegations to the Methven Community Board

<b>Type of committee</b>	Community Board
<b>Subordinate to</b>	Council
<b>Subordinate committees</b>	None
<b>Legislative basis</b>	<p>Methven Community Board delegated powers by Council as per schedule 7, clause 32, LGA 2002.</p> <p>Appointment of councillors to the Methven Community Board as per section 50, LGA 2002.</p>
<b>Membership</b>	Five elected community board members and two appointed councillors.
<b>Quorum</b>	Four
<b>Delegations</b>	<p>Council delegates to the Methven Community Board the following general powers, duties and responsibilities:</p> <ul style="list-style-type: none"><li>• the consideration of and reporting on all matters referred to it by Council or any matter of interest of concern to the community board</li><li>• to provide feedback on services provided by Council within the Methven community</li><li>• to provide input into the Long-Term Plan and Annual Plan with respect to the Methven community</li><li>• the preparation of an annual submission to the territorial authority for expenditure within the Methven community</li><li>• communication with community organisations and special interest groups within the community</li><li>• to represent, and act as an advocate for, the interests of the Methven community</li><li>• to perform such other functions as Council may delegate to the Board</li><li>• to adopt the Code of Conduct for the Methven Community Board.</li></ul>
<b>Limits to delegations</b>	No financial or decision-making delegations other than those specifically delegated by Council.

## 6.6 Subcommittees

### Introduction

Council and its committees may appoint subcommittees as other sub-ordinate decision-making bodies as it considers appropriate.

Council's delegation model is designed to enable the subcommittees of Council to fully and completely undertake their role, consistent with their terms of reference.

Council has established the following subcommittees:

<b>Subcommittee</b>	<b>Subordinate to</b>
Ashburton Airport Authority Subcommittee	Audit, Risk and Finance Committee
Ashburton Library & Civic Centre Project Control Group	Council
Biodiversity Advisory Group	Community Services Committee
Memorial Hall Boards	Council
Reserve Boards	Council
Town Centre Subcommittee	Council

### General delegations to subcommittees

A subcommittee shall exercise only such delegated authority as is granted to it from time to time by Council or the relevant standing committee.

The primary purposes of subcommittees are:

- to dispose of matters which have been delegated to it;
- to investigate and report, with recommendations if appropriate, on matters referred from Council or the relevant standing committee;
- to act as a forum for communication between elected representatives, officers, and interested parties.

### Reserve Boards and Memorial Hall Committees

The Council's delegation model is designed to enable Reserve Boards and Memorial Hall Committees to fully and completely undertake their roles consistent with their constitution which serves as their terms of reference.

#### **Appointments**

All Reserve Boards and Memorial Hall Committees have at least one elected member appointed to the board, with the remaining members selected via a community vote process.

#### **Delegations to Reserve Boards and Hall Committees**

The Council delegates to each of the Reserve Board and Memorial Hall Committees, the day-to-day management responsibilities and local policy determination in regard to their respective reserves and memorial halls, within the provisions of any Reserve Management Plan in operation.

#### **Limits to delegations**

Purchase or disposal of buildings or land must be approved by Council prior to purchase or disposal.

All procurement processes must be undertaken in accordance with Council policy and provisions of the respective Reserve Management Plan.

Reserve and Hall Boards are not delegated the ability to employ staff.

## 7 Financial delegations

### 7.1 Introduction

This section outlines the delegated financial authority to committees and Council officers. The roles and responsibilities of elected members and officials within the financial management system are quite different. Elected members set the overarching policy setting, while Council officers implement the policy. The different roles are more specifically set out below.

### 7.2 Council's role in financial management

The responsibility of Council in financial management is to:

- ensure Council remains financially stable while giving focus to financing key Council priorities,
- promote the prudent use of ratepayer's money together with other funding available to deliver agreed levels of service, cater for growth and maintain a sound asset management approach,
- ensure Council rates and fees are kept to a level commensurate with its levels of service obligation, and
- provide financial parameters within which Council's work programmes are to be achieved.

### 7.3 The Chief Executive's role in financial management

The responsibility of the Chief Executive in financial management includes:

- overall responsibility of Council for sound financial management;
- delivery of the financial outcomes of Council's Long-Term Plan;
- responsibility for the performance of managers with delegated financial powers;
- arbitrating any conflict relating to finance which may arise from time to time, in which the Chief Executive's decision is final; and
- compliance with the Local Government Act 2002, the Local Government (Rating) Act 2002, Rates Rebate Act 1973, Financial Reporting Act 1993 and other statutory provisions.

### 7.4 Committees' role in financial management

The role of Council committees in financial management is to:

- consider issues and make recommendations to Council on how best to achieve goals and objectives;
- consider issues and make recommendations on how best to reflect this in the Long-Term Plan, Annual Plan and Annual Report;
- take responsibility for the finances of activities within the committee jurisdiction;
- recommend changes to full Council when required necessary;
- approve the transfer of funding between projects or programmes within the same categories, when the transfer is beyond the delegated authority of the Chief Executive and within the scope of the Long-Term Plan; and
- consider and approve contracts or expenditure if recommended by a manager.

### 7.5 Managers' role in financial management

Council group and activity managers' role in financial management is to:

- deliver the work programme outlined in the Long-Term Plan within the agreed budget;
- take responsibility for the performance and management of specified activity budgets;
- monitor and control activity finances;

- keep the appropriate Council committee and Chief Executive informed of financial matters and the overall status of activity finances;
- liaise with the Finance Manager on all financial matters;
- produce annual and Long-Term Plan activity budgets in a form specified by the Finance Manager;
- obtain and provide services within delegated limits; and
- take responsibility and accountability for activity expenditure.

In all cases, financial delegations are made only to enable the commitment or expenditure of funds provided for in the Annual Plan or Long-Term Plan.

Financial delegations are made relative to the specified sum as outlined further below.

## **7.6 The Finance Manager's role**

The Finance Manager (in consultation with the GM Business Support) has responsibility for carrying out the day-to-day cash and short term debt management activities. This will include, but is not limited to, the following:

- calculating and maintaining comprehensive cash flow projections on a daily (two weeks forward), weekly (four weeks forward), monthly (12 months forward) and annual (five years) basis. These cash flow forecasts determine Council's borrowing requirements and surpluses for investment;
- electronically downloading all Council bank account information daily;
- coordinating Council's operating units to determine daily cash inflows and outflows, to manage Council's ongoing cash position within approved parameters;
- carrying out short term borrowing as required, minimising overdraft costs;
- using spreadsheet modelling to provide accurate forecasting that promotes efficient cash management;
- minimising fees and bank/government charges by optimising bank account/facility structures;
- monitoring Council's use of overdraft or cash advance facilities;
- matching future cash flows to smooth the overall cash-flow timeline;
- providing detailed reports comparing actual and budgeted monthly cash flows; and
- maximising the return from available funds by not making vendor payments earlier than required, unless there is a financial benefit in doing so.

## **7.7 Financial delegations to Council committees**

Council authorises the following delegated authority of financial powers to Council standing committees in regard to matters within each committee's jurisdiction.

### **7.7.1 Contract acceptance**

Standing committees are authorised to:

- a) accept or decline any contract for the purchase of goods, services, capital works or other assets where the total value of the lump sum contract or the annual value of the term contract does not exceed the sum allocated in the Long-Term Plan/Annual Plan
- b) accept or decline any contract for the disposal of goods, plant or other assets.

### **7.7.2 Budget reallocation**

Standing committees are authorized to reallocate funds from one existing budget item to another without approval of the Audit, Risk and Finance Committee.

Reallocation of this kind must not impact on current or future levels of service and must be:

- reported to the next Audit, Risk and Finance Committee meeting
- funded by way of savings on existing budget items
- within the jurisdiction of the standing committee
- consistent with the Revenue and Financing Policy.

## 7.8 General delegations from Council to the Chief Executive

For the purpose of implementing decisions made by Council and its committees, the Chief Executive has delegated authority for:

- all arrangements and contracts for the supply of goods, services, plant and labour
- the management of operations and maintenance
- capital expenditure to the limit approved in the Annual Plan and/or Long-Term Plan.

### 7.8.1 Emergency delegations

During a declared state of emergency, the Chief Executive may enter into any contract on behalf of Council of up to \$1,500,000 in excess of budgeted amounts.

In the time between the last Council meeting of the term, and the inaugural Council meeting, the Chief Executive may enter into any contract on behalf of Council, subject to the budgeted limits approved in the Long-Term Plan/ Annual Plan.

## 7.9 Expenditure delegations

### 7.9.1 Contract and expenditure authorisation

Council delegates to its officers the power to incur expenditure and enter into contracts as per the following table, subject to Council's approved:

- Procurement Policy
- Sensitive Expenditure Policy
- Long-Term Plan/Annual Plan budget.

Position	Contractual authority within budgeted levels in the Long-Term Plan / Annual Plan	Purpose
Chief Executive Officer	\$1,500,000	All activities
GM Business Support	\$500,000	All activities
GM Community Services	\$500,000	Areas of responsibility
GM Infrastructure Services	\$500,000	Areas of responsibility
GM Strategy and Compliance	\$500,000	Areas of responsibility
Manager People and Capability	\$500,000	Areas of responsibility
Activity managers	\$100,000	Areas of responsibility
All other employees	\$10,000	Area of responsibility

### 7.9.2 Council credit cards and purchase cards

The following positions are delegated authority to use Council credit or purchase cards to the specified monthly limit:

Position	Credit Limit	Credit card	Purchase card
Mayor	\$6,000	✓	
Chief Executive	\$6,000	✓	



Position	Credit Limit	Credit card	Purchase card
GM Business Support	\$5,000	✓	
GM Community Services	\$5,000	✓	
GM Strategy and Compliance	\$5,000	✓	
GM Infrastructure Services	\$5,000	✓	
Manager People and Capability	\$5,000	✓	
Museum Manager	\$1,000		✓
Library Manager	\$1,000		✓
Open Spaces Manager	\$1,000		✓
Plant and Maintenance Officer	\$1,000		✓
Property Maintenance Officer - Commercial	\$1,000		✓
Facilities Management Officer - Commercial	\$1,000		✓

The Chief Executive may approve the issue of additional credit or purchase cards to staff (other than those listed in 7.9.2) where appropriate, subject to the following:

- the Chief Executive must be satisfied that the credit card is necessary to cover regular travel or administrative efficiencies, such as payment of properly authorised purchases from overseas, and
- a credit limit of \$5,000 is imposed for credit cards, or \$1,000 for purchase cards.

### 7.10 Schedule of financial delegations

The Council makes the following additional delegations of financial powers:

#### 7.10.1 Agency payments

Description	Delegate
Collection and transfer of funds, not subject to limits in 7.9	GM Business Support Finance Manager Accountant Accounts Officer

#### 7.10.2 Approve expenditure

Description	Delegate
All purchase orders require 'one-up' management approval. Refer to Council's Procurement Policy	Chief Executive GMs Managers

#### 7.10.3 Bad debts

Description	Delegate
The writing off of debts considered to be bad or uncollectible up to the value of \$5,000	Finance Manager GM Business Support Chief Executive

#### 7.10.4 Bank signatories

Description	Delegate
Authorised to operate Ashburton District Council accounts	Any two of the following officers: Chief Executive GM Business Support Finance Manager Accountant Accounts Officer

#### 7.10.5 Bonds

Description	Delegate
Forfeiture of bonds (partial or total)	GM Business Support

#### 7.10.6 Credit cards

Description	Delegate
Issue of credit cards subject to 7.9.2 and 7.9.3	Chief Executive

#### 7.10.7 Credit notes

Description	Delegate
Authority to issue credit notes	Finance Manager Accountant

#### 7.10.8 Debt

Description	Delegate
Enter into any arrangement for payment of a debt owed to Council over a period	Finance Manager GM Business Support

#### 7.10.9 Deposit of funds

Description	Delegate
Authorise the deposit of funds as allowed for in Council's Treasury Management Policy	Finance Manager GM Business Support

#### 7.10.10 Development contributions

Description	Delegate
Power to require contributions for developments (LGA s.198)	Assets Manager GM Business Support GM Strategy and Compliance GM Infrastructure Services
Powers if development contributions not paid or made (LGA s.208)	Assets Manager GM Business Support GM Strategy and Compliance GM Infrastructure Services
Refunds of money and return of land if development does not proceed (LGA2002 s.209)	GM Business Support
Authority to consider and decide upon any application for remission or reduction of development contributions for water or wastewater	GM Infrastructure Services Assets Manager

**7.10.11 Discontinue service**

Description	Delegate
Authority to discontinue any service for non-payment and authorise resumption of service where appropriate	Finance Manager in consultation with GM Infrastructure Services

**7.10.12 Donations/ koha**

Description	Delegate
Authority to make donations / koha. Donations must be within Annual Plan / Long Term budgets and not exceeding \$1,000	Chief Executive

**7.10.13 Interest**

Description	Delegate
Authority to negotiate loan interest rates and terms with brokers and/or lending institutions for loans raised by Council	Finance Manager GM Business Support

**7.10.14 Investments**

Description	Delegate
Authority in accordance with Council's Investment Policy is granted to invest Council monies. A regular report is to be prepared for Audit, Risk and Finance Committee stating what investments are made, with whom, term and interest rate	Finance Manager GM Business Support

**7.10.15 Oath / declaration**

Description	Delegate
Make any oath or declaration in regard to Council's financial affairs	GM Business Support Finance Manager

**7.10.16 Overdraft**

Description	Delegate
Authority to arrange overdraft facilities up to statutory limit	Finance Manager GM Business Support

**7.10.17 Public tenders**

Description	Delegate
Authority to open public tenders received	Any two of the following officers: Chief Executive GM Business Support GM Strategy and Compliance GM Infrastructure Services Finance Manager Roading Manager Assets Manager Commercial Manager Projects & Operations Manager
Prepare recommendations for tenders above personal limit	Executive Team

Prepare recommendations for acceptance by appropriate committee	Executive Team
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#### **7.10.18 Rates penalties**

<b>Description</b>	<b>Delegate</b>
Remission of penalties in accordance with Council's rating policy	Finance Manager Rates Officer

#### **7.10.19 Rates remission and postponement**

<b>Description</b>	<b>Delegate</b>
Authority to postpone rates or remit rates in accordance with Council's rates remission and postponement policy	Finance Manager GM Business Support Rates Officer

#### **7.10.20 Reserve contributions**

<b>Description</b>	<b>Delegate</b>
Authority to consider and decide upon any application for remission or reduction of reserve contributions	GM Infrastructure Services GM Strategy and Compliance

#### **7.10.21 Small claims**

<b>Description</b>	<b>Delegate</b>
Authority to meet without prejudice small claims for damage arising from minor accidents to personal property by way of ex gratia payments not exceeding \$2,000	Chief Executive

#### **7.10.22 Valuations**

<b>Description</b>	<b>Delegate</b>
Amend any entries in the valuation roll or Council's rating records which are the result of an error or which are no longer correct as a result of changed circumstances	Finance Manager GM Business Support
Vary or waive any fee within jurisdiction and only if permitted by law and not inconsistent with Council policy	Chief Executive GMs
Authority to apply to the Valuer General for valuation equalisation certificates for ratings purposes	Finance Manager GM Business Support

#### **7.10.23 Financial transactions**

<b>Description</b>	<b>Delegate</b>
<p>To commit the Council to financial transactions such as:</p> <ul style="list-style-type: none"> <li>• payment of GST/ other taxes,</li> <li>• payment of loan interest,</li> <li>• repayment of loan principal,</li> <li>• payment for property purchases (where Council has approved the purchase by resolution),</li> <li>• payment to Environment Canterbury for rates collected on their behalf, and/or</li> <li>• any other statutory/regulatory payments.</li> </ul>	Finance Manager GM Business Support

#### 7.10.24 Approval to dispose, transfer or write off assets

Council delegates to its officers the power to accept or decline any contract for the disposal or transfer of assets, or to write off assets as per the following table, subject to Council's approved:

- Asset Disposal Policy
- Long-Term Plan/Annual Plan budget.

Position	Authority to dispose or transfer or write off assets to maximum value of	Purpose
Chief Executive	\$100,000	All activities
GM Business Support	\$50,000	All activities
GM Community Services	\$50,000	Areas of responsibility
GM Infrastructural Services	\$50,000	Areas of responsibility
GM Strategy and Compliance	\$50,000	Areas of responsibility
Manager People and Capability	\$50,000	Areas of responsibility
Activity managers	\$10,000	Areas of responsibility

## 8 Statutory delegations

### 8.1 Introduction

Local authorities have a wide range of legislative responsibilities. Some of these are general, in that they apply to all organisations in New Zealand. These include the Employment Relations Act 2000, Health and Safety at Work Act 2015 and Goods and Services Tax Act 1985.

However, many statutes contain provisions specific to local government, setting out specific powers and responsibilities. Most of Council's regulatory powers, along with the rules around their implementation, are contained in statute. These include the Resource Management Act 1991 and Building Act 2004.

This section of the Delegations Manual sets out the delegations of these statutory responsibilities to committees, Council officers and external service providers.

Section 145 of the Local Government Act 2002 empowers Council to develop bylaws. The purpose of any bylaw must be one or more of the following:

- protect the public from nuisance;
- protect, promote and maintain public health and safety; and
- minimise the potential for offensive behaviour in public places.

Bylaw development and adoption cannot be delegated, although the powers created by bylaws and their enforcement of bylaws can be. |

The delegation of these powers, duties and functions is also specified in this section of the Delegations Manual.

### 8.2 Sub-delegation

Delegates may sub-delegate these powers as provided for in the Delegations Policy.

### 8.3 Delegations to Council committees

Council standing committees have no delegated authority. These committees make recommendations to Council.

### 8.4 Delegations to the Chief Executive

#### 8.4.1 Legislation and regulations

The Chief Executive has delegated authority for all powers, duties and responsibilities conferred by statute and regulation. This includes, but is not limited to, the list below. This authority specifically excludes the power to adopt plans, strategies, policies or bylaws.

Amusement Devices Regulations 1978	Local Government Act 2002
Animal Welfare Act 1999	Local Government Act 1974
Building Act 2004	Local Government (Rating) Act 2002
Building Research Levy Act 1969	Local Government Official Information and Meetings Act 1987
Burial and Cremation Act 1964	Machinery Act 1950
Canterbury Museum Trust Board Act 1993	New Zealand Geographic Board Act 2008
Civil Defence Emergency Management Act 2002	New Zealand Library Association Act 1939
Dog Control Act 1996	Walking Access Act 2008
Electricity Act 1992	Privacy Act 1993

Food Act 2014	Property Law Act 2007
Gambling Act 2003	Prostitution Reform Act 2003
Gas Act 1992	Public Bodies Leases Act 1969
Hazardous Substances and New Organisms Act 1996	Public Works Act 1981
Health and Safety at Work Act 2014	Rating Valuations Act 1998
Health Act 1956	Rates Rebate Act 1973
Health (Drinking Water) Amendment Act 2007	Reserves Act 1977
Historic Places Act 1993	Resource Management Act 1991
Human Rights Act 1993	Sale and Supply of Alcohol Act 2012
Impounding Act 1955	Smoke-free Environments Act 1990
Land Act 1948	Soil Conservation and Rivers Control Act 1941
Land Drainage Act 1908	Telecommunications Act 2001
Land Transport Act 1998	Transport Act 1962
Land Transport Management Act 2003	Unit Titles Act 1972
Litter Act 1979	Utilities Access Act 2010
	Waste Minimisation Act 2008

#### 8.4.2 Bylaws

The Chief Executive has delegated authority for all powers, duties and functions of all Council-adopted bylaws. This includes, but is not limited to, the following:

Advertising Signs	Public Places
Brothel Location	Solid Waste
Cemeteries	Trade Waste
Dog Control	Wastewater Drainage
Keeping of Animals, Bees and Poultry	Water Races
Mobile Shops, Stalls and Hawkers	Water Supply
Open Spaces	

#### 8.4.3 Warrants

The Chief Executive has delegated authority to issue warrants to Council officers under all relevant legislation, as per Schedule 7 Clause 32A of the Local Government Act 2002.

## 9 Sub-delegations

The following schedule details all sub-delegations made by the Chief Executive, categorised by relevant legislation. The Chief Executive can withdraw or replace delegates at any time. Any sub-delegation made by the delegate is withdrawn at the same time.

## 9.1 Amusement Devices Regulations 1978

Section	Description	Delegate
s.11	Power to issue a permit for amusement devices	GM Strategy and Compliance Building Services Manager Environmental Monitoring Manager Environmental Health Officer Monitoring and Enforcement Officer
s.23	Power of entry	GM Strategy and Compliance Building Services Manager Environmental Monitoring Manager Environmental Health Officer Monitoring and Enforcement Officer

## 9.2 Animal Welfare Act 1999

Section	Description	Delegate
s.139	Obligation to destroy sick, diseased or injured animals	Environmental Monitoring Manager
s.173	Power to recover costs from owner or person in charge of animal	GM Strategy and Compliance Environmental Monitoring Manager

## 9.3 Building Act 2004

Section	Description	Delegate
	All powers, functions and duties under the Building Act 2004	GM Strategy and Compliance
s.31	To apply for and provide PIM to owner on application of a building consent	Building Services Manager Building Official Technical Officer
s.33	To determine the adequacy of information received with an application for a PIM and require further information on an application	Building Services Manager Building Official Technical Officer
s.34(1)	To issue a PIM	Building Services Manager Building Official Technical Officer
s.34(4)	To determine if any PIM already issued contains an error or omission, or determine if any information received affects that PIM, and re-issue the PIM	Building Services Manager Building Official Technical Officer
s.35	To determine the content of a PIM	Building Services Manager Building Official Technical Officer
s.36	To issue a development contribution notice	Building Services Manager Building Official Technical Officer
s.37	The attachment or uplifting of a requirement for Resource Consent under the Building Act 2004	GM Strategy and Compliance District Planning Manager Building Services Manager
s.38	To provide PIM to operators or other authorities that have	Building Services Manager



Section	Description	Delegate
	provided information in that PIM	Building Official Technical Officer
s.39	To advise NZ Historic Places Trust of certain applications	Building Services Manager Building Official Technical Officer
s.45 and s.48	To determine the adequacy of information received with a building consent application or an application for an amended building consent, and require further information on the application	Building Services Manager Building Official Technical Officer
s.46	To provide a copy of certain applications to the NZ Fire Service Commission	Building Services Manager Building Official Technical Officer
s.48	To process building consent applications	Building Services Manager Building Official Technical Officer
s.49	The authority to grant a building consent subject to receipt of fees and any levy payable	Building Services Manager Building Official Technical Officer
s.50	To determine whether to refuse any building consent and give written notice of the refusal and the reasons for the refusal	Building Services Manager Building Official Technical Officer
s.51	The authority to issue a building consent	Building Services Manager Building Official Technical Officer
s.52	To extend the time permitted to activate a building consent	Building Services Manager
s.54	To advise applicant of the amount payable	Building Services Manager Building Official Technical Officer
s.58 – 59	The duty to make payments and certify in respect of levies to the Department of Building and Housing	GM Strategy and Compliance Building Services Manager
s.62	The power to recover unpaid levies from applicants	GM Strategy and Compliance Building Services Manager
s.64	The duty to keep in safe custody all records and building consents issued including the estimated value of the building work	GM Strategy and Compliance Building Services Manager
s.67	Authority to grant or refuse any applications for a waiver or modification of the Building Code, on matters of minor non-compliance	GM Strategy and Compliance delegated to the Building Services Manager
s.68	The duty to notify the Department of Building and Housing	GM Strategy and Compliance Building Services Manager
s.70	The duty to receive applications for energy work	Building Services Manager Building Official Technical Officer
s.71	Authority to refuse any building consent in relation to land with natural hazards	Building Services Manager Building Official

Section	Description	Delegate
		Technical Officer
s.72	Authority to grant any building consent where the building work will not accelerate, worsen, or result in a natural hazard	Building Services Manager Building Official Technical Officer
s.73	Duty to make notification of building consent granted under section 72	Building Services Manager Building Official Technical Officer
s.74	Duty to notify where a previous entry is no longer required	Building Services Manager Building Official Technical Officer
s.75-77	Issuing certificates in respect to buildings across two or more allotments	Building Services Manager
s.90, 222	The power to inspect any land and building work and enter any premises for the purpose of inspection and be an “authorised agent or officer”	Building Services Manager Building Official Technical Officer
s.93-95	To determine all matters in relation to whether a code compliance certificate will be issued, including requiring further information, and issue code compliance certificates	Building Services Manager Building Official Technical Officer
s.96	To determine whether to grant or refuse an application for a certificate of acceptance	Building Services Manager Building Official Technical Officer
s.97-98	Power to determine information required and to require further information on an application for a certificate of acceptance	Building Services Manager Building Official Technical Officer
s.99	To determine whether any qualifications should be made on any certificate of acceptance	Building Services Manager Building Official Technical Officer
	To initiate legal proceedings in respect of individuals who have undertaken building work without first having obtained a building consent	GM Strategy and Compliance
s.100-103 and 108	Authority to consider and implement all aspects relating to compliance schedules, building warrants of fitness and approval of Independent Qualified Persons	GM Strategy and Compliance Building Services Manager Building Official Technical Officer
s.103	To identify any specified systems that may be in a building	GM Strategy and Compliance Building Services Manager Building Official Technical Officer Monitoring and Enforcement Officer
s.106, 107 and 109	Power to amend a compliance schedule	Building Services Manager Building Official Technical Officer Monitoring and Enforcement Officer Environmental Services Support

Section	Description	Delegate
		Officer
s.110	To require production of annual written reports on compliance schedules	Building Official Technical Officer Monitoring and Enforcement Officer
s.111	Power to inspect buildings	Building Services Manager Building Official Technical Officer Monitoring and Enforcement Officer
s.112	To determine all matters in relation to alterations to an existing building, that will not comply fully with the relevant provisions of the building code	Building Services Manager Building Official Technical Officer
s.113	Authority to determine conditions of a building consent in relation to buildings with specified intended lives	Building Services Manager Building Official Technical Officer
s.115	The power and authority to determine the change of use of buildings	Building Services Manager Building Official Technical Officer
s.116	The power and authority to determine an extension of life of a building	Building Services Manager Building Official Technical Officer
s.116(A)	To determine whether to permit a subdivision that affects a building or part of a building	Building Services Manager Building Official Technical Officer
s.121	To determine whether a building is dangerous, including seeking advice from the New Zealand Fire Service	GM Strategy and Compliance Building Services Manager
s.122	To determine whether a building is earthquake-prone	GM Strategy and Compliance Building Services Manager
s.123	To determine whether a building is insanitary	GM Strategy and Compliance Building Services Manager
s.124-129	Authority to take action in relation to dangerous and insanitary buildings	GM Strategy and Compliance Building Services Manager Environmental Monitoring Manager.
s.164-166	The power and authority to issue notices to fix, or to determine whether another authority should issue notices to fix	Building Official in conjunction with Building Services Manager Technical Officer in conjunction with Building Services Manager
s.167	The power to inspect the building work to which any notice to fix relates, to confirm whether or not the notice to fix has been complied with, and to issue any notices with reasons	Building Official in conjunction with Building Services Manager
s.177	To apply to the Building Services Manager for a determination	Building Services Manager
s.180	To withdraw any application for a determination	Building Services Manager
s.189	To apply for the clarification of a determination	Building Services Manager

Section	Description	Delegate
s.215	Duty to obtain accreditation and be registered	Chief Executive Officer
s.216	The duty to keep all records relevant to the administration of the Building Act 2004	Building Services Manager
s.217	The duty to provide access to that information to the public	Building Services Manager
s.224, 371C	The duty of authorised and warranted officers to carry and produce evidence when required	Building Services Manager Building Official Technical Officer Monitoring and Enforcement Officer
s.222	To be an authorised officer to inspect building work	Building Services Manager Building Official Technical Officer Monitoring and Enforcement Officer (limited to barriers for swimming pools)
s.363 - 363A	To determine all matters in relation to occupation of public buildings or buildings intended to be open to the public on payment or otherwise prior to the issue of a code compliance certificate, including requesting further information, determining conditions and issuing Certificates For Public Use	Building Services Manager Building Official Technical Officer
s.370-374	To issue infringement notices	Building Services Manager Building Official Technical Officer Monitoring and Enforcement Officer
s.377	The power to lay an information for an offence under section 377	Building Services Manager Building Official Technical Officer Monitoring and Enforcement Officer
Schedule 1, cl. 1(k)	The power to consider exemptions from building consent	Building Services Manager

#### 9.4 Building Research Levy Act 1969

Section	Description	Delegate
s.9	The duty to make payments and certify in respect of levies to the Building Research Association of New Zealand	GM Strategy and Compliance Building Services Manager

#### 9.5 Burial and Cremation Act 1964

Section	Description	Delegate
s.5	Power to control and manage certain cemeteries	Open Spaces Manager
s.8, 9	Management of cemeteries including powers regarding vaults and monuments	Open Spaces Manager
s.10	Power to sell rights to burial in parts of the cemetery and right to construct vaults	Open Spaces Manager
s.18	Requirement to separately account for cemeteries	Open Spaces Manager
s.19	Power to appoint officers and servants as necessary	Open Spaces Manager

Section	Description	Delegate
s.20	Power to clear disused cemeteries	Open Spaces Manager
s.49	Remission of burial charges	Open Spaces Manager in consultation with GM Infrastructure Services
s.50	Burials to be registered and a register maintained	Open Spaces Manager

## 9.6 Camping Grounds Regulations 1985

Section	Description	Delegate
s.3	Issue, renew and transfer licences, permits or registrations	GM Strategy and Compliance Environmental Monitoring Manager Environmental Health Officer

## 9.7 Civil Defence Emergency Management Act 2002

Section	Description	Delegate
s.12, 13	Obligation to form, and for the Mayor or the Mayor's nominee to be a member of a Civil Defence Emergency Management Group	Mayor or nominee
s.25	Power to declare a state of local emergency.	Mayor
s.27	Appointment of Local Controllers	Civil Defence Emergency Management Group
s.64	Obligation to plan and provide for Civil Defence Emergency Management in the district	Emergency Management Officer
s.68, 71, 72	Power to declare, extend and terminate a state of local emergency	Mayor

## 9.8 Dog Control Act 1996, Dog Control Amendment Act 2003 and 2006

Section	Description	Delegate
	All powers, functions and duties under the Dog Control Act 1996 and any subsequent amendments	Environmental Monitoring Manager
s.9	Requirement to retain funds obtained under the Act and apply for authorised purposes only under the Act	Finance Manager
s.10, 10A, 10AA	Requirement to adopt a policy about dogs and annually report on the policy and other matters	GM Strategy and Compliance Environmental Monitoring Manager
s.11	Power to appoint a dog control officer(s)	Environmental Monitoring Manager
s.12	Power to appoint a dog ranger(s)	Environmental Monitoring Manager
s.13	Requirement for officer and rangers to be warranted and provide proof of authority and evidence of identity	Environmental Monitoring Manager
s.14	Powers of entry	Appointed contractor
s.15	Requirement of dog control officer or dog ranger to feed and shelter dogs	Environmental Monitoring Manager Systems Officer – Animal Control Appointed contractor
s.17	Power to seize dog	Environmental Monitoring Manager Appointed contractor
s.19, 19A	Powers of dog control officer or dog ranger to obtain information	Systems Officer – Animal Control Appointed contractor

<b>Section</b>	<b>Description</b>	<b>Delegate</b>
s.21	Power to classify probationary owners	Environmental Monitoring Manager Systems Officer – Animal Control
s.23A	Power to require an owner to undertake a dog owner education program or a dog obedience course (or both)	Environmental Monitoring Manager Systems Officer – Animal Control
s.25	Power to disqualify a person from being the owner of a dog	Environmental Monitoring Manager Systems Officer – Animal Control
s.28	Power to extend any period of disqualification	Environmental Monitoring Manager Systems Officer – Animal Control
s.30	Requirement to maintain records and provide information	Environmental Monitoring Manager Systems Officer – Animal Control
s.31, 33A	Power to classify dangerous or menacing dogs	Environmental Monitoring Manager Systems Officer – Animal Control
s.33	Power to consent to the disposal of a dangerous dog	Environmental Monitoring Manager
s.33C, 33ED	Power to classify dogs as dangerous or menacing by breed or type as listed in schedule 4	Environmental Monitoring Manager Systems Officer – Animal Control
s.33E	The power to exempt any dog or class of dog classified as menacing from the muzzling or control requirements in public places	Environmental Monitoring Manager Systems Officer – Animal Control
s.34	Requirement to keep and maintain a register of dogs	Environmental Monitoring Manager Systems Officer – Animal Control
s.35	Power to provide register information and to determine whether or not a dog should be delivered into custody of a Dog Control Officer or Dog Ranger	Environmental Monitoring Manager Systems Officer – Animal Control
s.35A	Power to supply information for purposes of the National Dog Database	Environmental Monitoring Manager Systems Officer – Animal Control
s.36A	Power to issue instructions relating to the making available of a dog for verification that it has been implanted with a functioning microchip transponder	Environmental Monitoring Manager Systems Officer – Animal Control
s.39	Power to remit, reduce or refund dog control fees or part thereof	Environmental Monitoring Manager
s.40	Power to require statement of claim regarding working dogs	Environmental Monitoring Manager Systems Officer – Animal Control
s.42	Power to seize and impound unregistered dogs	GM Strategy and Compliance Environmental Monitoring Manager Systems Officer – Animal Control Appointed contractor
s.46	Power to issue a replacement label or disc	Systems Officer – Animal Control Customer Service Team Leader Customer Service Officer
s.50	Power to seize and impound dogs not wearing proper label or disc	GM Strategy and Compliance Environmental Monitoring Manager Systems Officer – Animal Control Appointed contractor
s.56	Power to remove barking dog causing distress	Systems Officer – Animal Control Appointed contractor
s.59	Power to seize or destroy dog at large in vicinity of	Systems Officer - Animal Control

Section	Description	Delegate
	protected wildlife	Appointed contractor
s.65, 66	Power to issue infringements under the Act	Environmental Monitoring Manager Systems Officer – Animal Control Appointed Contractor and honorary dog rangers
s.69-70	Power to dispose of any dog	Environmental Monitoring Manager
s.71	Power to exercise all of Council’s powers (retention of dog threatening public safety)	GM Strategy and Compliance Environmental Monitoring Manager Systems Officer – Animal Control Appointed contractor
s.72A	Retain custody of a dog or seize a dog released in breach of section 72	Environmental Monitoring Manager Systems Officer - Animal Control Appointed contractor

## 9.9 Drainage and Plumbing Regulations 1978

Section	Description	Delegate
	Authority to exercise the powers of “Engineer” under the Drainage and Plumbing Regulations	GM Infrastructure Services

## 9.10 Food Act 2014

Section	Description	Delegate
	All powers, functions and duties under the Food Act 2014	Chief Executive GM Strategy and Compliance Environmental Monitoring Manager
s.19	All of the recognitions, responsibilities, duties and powers which have been delegated to the Chief Executive	GM Strategy and Compliance
s.19	Enforcement of the responsibilities, duties and powers of the Act and other associated regulatory functions which have been delegated to the Chief Executive	Environmental Monitoring Manager Environmental Health Officer
s.52	Authority to process applications for registration of appropriate Food Control Plans	GM Strategy and Compliance Environmental Monitoring Manager Environmental Health Officer
s.54	Authority to refuse to process an application for registration	GM Strategy and Compliance Environmental Monitoring Manager
s.55	Authority to require further information to be provided	GM Strategy and Compliance Environmental Monitoring Manager Environmental Health Officer Strategy and Compliance Support Officer
s.57	Authority to refuse to register Food Control Plan	GM Strategy and Compliance

Section	Description	Delegate
		Environmental Monitoring Manager
s.60	Authority to impose reasonable conditions on registration of Food Control Plan	GM Strategy and Compliance Environmental Monitoring Manager
s.62, 63	Authority to suspend all operations under a registered Food Control Plan and extend the suspension if considered necessary	GM Strategy and Compliance Environmental Monitoring Manager
s.67	Authority to cancel registration of a Food Control Plan	GM Strategy and Compliance Environmental Monitoring Manager
s.82	Authority to process applications for registration of appropriate National Programmes	GM Strategy and Compliance Environmental Monitoring Manager Environmental Health Officer
s.84	Authority to refuse to process an incomplete application for registration of National Programme	GM Strategy and Compliance Environmental Monitoring Manager
s.85	Authority to require an applicant to supply further information in support of application for registration of National Programme	GM Strategy and Compliance Environmental Monitoring Manager Environmental Health Officer
s.87	Authority to refuse to register National Programme	GM Strategy and Compliance Environmental Monitoring Manager
s.89	Authority to impose reasonable conditions on registration of National Programme food business	GM Strategy and Compliance Environmental Monitoring Manager
s.90, 91	Authority to suspend, at any time, any or all all or any operations of the a registered food business that is subject to a National Programme and extend the suspension if considered necessary	GM Strategy and Compliance Environmental Monitoring Manager
s.95	Authority to cancel registration of a food business that is subject to a National Programme	GM Strategy and Compliance Environmental Monitoring Manager
s.134	Authority to recognize an agency, person and class of person to carry out functions under the Act	GM Strategy and Compliance Environmental Monitoring Manager
s.137	Authority to conduct verification functions and activities	Approved Verifier
s.140	Authority to require specified functions and activities as directed under s.155 and s.156 are conducted	GM Strategy and Compliance Environmental Monitoring Manager
s.184	Authority to provide files required under the Food Act to Ministry for Primary Industries	GM Strategy and Compliance Environmental Monitoring Manager Environmental Health Officer Food Safety Officer
s.219	Power to issue and cancel infringement notices	Food Safety Officer
s.294	Verifiers' rights of access and verifier powers	Approved Verifier
s.296	Powers of Food Safety Officers	Food Safety Officer
s.299	Power to facilitate entry, search and seizure	Food Safety Officer



Section	Description	Delegate
s.300, 301, 302, 304, 305	Powers to gather information, examine, issue notices, give directions	Food Safety Officer
s.306, 307, 308	Power to seize, condemn and require disposal, restrict use or close place	Food Safety Officer
s.310, 311, 312	Power to enter and test samples of food/food accessories	Food Safety Officer
s.322 – 326	Power to apply for, execute and act under search warrant	Food Safety Officer

### 9.11 Freedom Camping Act 2011

Section	Description	Delegate
	To perform the functions and exercise the powers conferred on a warranted enforcement officer in relation to offences against the Freedom Camping Act and associated Freedom Camping Bylaws where provided	Environmental Monitoring Manager Environmental Health Officer Monitoring and Enforcement Officer

### 9.12 Gambling Act 2003

Section	Description	Delegate
s.98-100	Power to receive and process consent applications pursuant to the Ashburton District Council Gambling Venue Policy	Environmental Monitoring Manager Alcohol Licensing Inspector

### 9.13 Gas Act 1992

Section	Description	Delegate
s.25	Power to set reasonable conditions on the opening up of any road and recover reasonable costs	Assets Manager Roading Manager
s.33	Power to require fittings to have their position changed	Assets Manager Roading Manager

### 9.14 Hazardous Substances and New Organisms Act 1996

Section	Description	Delegate
s.97	Authority to appoint warranted district hazardous substances officer	Environmental Monitoring Manager
s.98	To take enforcement action under the HSNO Act	Warranted HSNO Officer

## 9.15 Health Act 1956

Section	Description	Delegate
	All powers, functions and duties under the Health Act 1956	GM Strategy and Compliance
s.23	Duty and powers to improve, promote and protect public health within the district	GM Strategy and Compliance
s.28	Appointment of suitably qualified environmental health officers	GM Strategy and Compliance Environmental Monitoring Manager
s29-35	Authority to issue notices	GM Strategy and Compliance Environmental Health Officer
s.34	Power to enter premises to abate nuisance, without notice to occupier	Environmental Monitoring Manager Environmental Health Officer Monitoring and Enforcement Officer
s.41	Power to require owners or occupiers to cleanse property	Environmental Monitoring Manager Environmental Health Officer Building Official
s.42	Engineer or any other officer of a local authority duly authorised may certify that dwelling-house unfit for human habitation and Territorial Authority has power to require repair or issue a closing order	GM Strategy and Compliance Environmental Monitoring Manager
s.54	Grant consent for offensive trade	GM Strategy and Compliance Environmental Monitoring Manager
s.58	Grant consent for stock sale-yards	GM Strategy and Compliance Environmental Monitoring Manager
s.81	Authority to require disinfection of premises	GM Strategy and Compliance Environmental Monitoring Manager
s.82	Obligation to disinfect and cleanse when ordered to do so by the Medical Officer of Health	Environmental Monitoring Manager
s.83	Power to destroy articles that cannot be effectively disinfected	Environmental Monitoring Manager
s.86	Duty to cause bodies to be buried when required by Medical Officer of Health	Environmental Monitoring Manager
s.121	Regulations regarding the appointment of environmental health officers	Environmental Monitoring Manager
s.128	Power of entry to inspect and execute work	Environmental Monitoring Manager Environmental Health Officer Monitoring and Enforcement Officer

### 9.16 Health (Drinking Water) Amendment Act 2007

Section	Description	Delegate
s. 69S	Duty to take all practicable steps to ensure that an adequate supply of drinking water is provided to each point of water supply to which drinking water is supplied	Assets Manager
s. 69T	Duty to take action where risk to water is actual or foreseeable	Assets Manager
s. 69U	Duty to take reasonable steps to contribute to the protection of a drinking water source	Assets Manager
s. 69V	Duty to take all practicable steps to comply with drinking water standards	Assets Manager
s. 69W	Duty to take reasonable steps to supply wholesome drinking water	Assets Manager
s. 69X	Duty to check water quality before connecting to a new water source	Assets Manager
s. 69Y	Duty to monitor drinking water to ensure compliance with drinking water standards and assess public health risk	Assets Manager
s. 69ZA – 69ZF	Duty to prepare and implement a public health risk management plan in relation to the drinking water supply, to review/renew plans, keep and make available records of plans, to investigate complaints, to take remedial action if standards breached	Assets Manager
s. 69ZZZ	Duty to protect water supplies from risk of backflow	Assets Manager

### 9.17 Health (Hairdressers) Regulations 1980

Section	Description	Delegate
Regulation 3	Issue Certificates of Registration for hairdressers	Environmental Monitoring Manager Environmental Health Officer

### 9.18 Health (Registration of Premises) Regulations 1966

Section	Description	Delegate
Regulation 5	Issue, renew and transfer licences, permits or registrations for Food premises, Funeral Directors, Camping grounds and any other premises requiring such registration	Environmental Monitoring Manager Environmental Health Officer

### 9.19 Historic Places Act 1993

Section	Description	Delegate
s.35	Obligation to provide information supplied by Heritage New Zealand on any LIM	Records Officer – LIMS District Planning Manager

## 9.20 Impounding Act 1955

Section	Description	Delegate
s.3	Duty to provide and maintain a public pound and provide for separate holding of infected stock	GM Strategy and Compliance Environmental Monitoring Manager
s.4	Provision for joint pound administration	GM Strategy and Compliance Environmental Monitoring Manager
s.5	Requirement to give public notice of location of pound	GM Strategy and Compliance Environmental Monitoring Manager
s.6	Requirement to erect and maintain a notice board providing particulars	GM Strategy and Compliance Environmental Monitoring Manager
s.8	All the duties of a ranger	Environmental Monitoring Manager Systems Officer - Animal Control Appointed Contractor or nominee including Water Rangers
s.8, 9, 10, 11	Obligation to appoint pound-keeper and power to appoint a deputy and remove or suspend the pound-keeper and publicly notify these actions	GM Strategy and Compliance Environmental Monitoring Manager
s.12	Pounds to be kept clean and in good order and stock to be provided sufficient food, water, care and attention	GM Strategy and Compliance Environmental Monitoring Manager
s.13	Pound book and impounding register to be maintained and open to inspection	GM Strategy and Compliance Environmental Monitoring Manager
s.14	Power to recover actual costs of providing sustenance	GM Strategy and Compliance Environmental Monitoring Manager
s.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	GM Strategy and Compliance Environmental Monitoring Manager
s.38	Power to issue notice regarding wild stock trespassing on land and sell the stock if not removed	GM Strategy and Compliance Environmental Monitoring Manager
s.46	Obligation to give notice of stock impounded	GM Strategy and Compliance Environmental Monitoring Manager
s.50	Power to authorise person to act as auctioneer for sale of impounded stock	GM Strategy and Compliance Environmental Monitoring Manager
s.52	Authority to destroy worthless or suffering animals	GM Strategy and Compliance Environmental Monitoring Manager

s.53	Power to dispose of unsold stock	GM Strategy and Compliance Environmental Monitoring Manager
s.56	Power to recover any deficiency in costs from the owner of stock	GM Strategy and Compliance Environmental Monitoring Manager

### 9.21 Infrastructure (Amendments Relating to Utilities Access) Act 2010

Section	Description	Delegate
s.14	Power to set reasonable conditions over the opening up of any road and recover reasonable costs	GM Infrastructure Services Rooding Manager

### 9.22 Land Drainage Act 1908

Section	Description	Delegate
s.6	Obligation to provide information on ratepayers in respect of property within the district liable to be rated	GM Business Support Finance Manager Rates Officer
s.20	Power to object to Drainage Board (ECan) interfering with road or footpath	Assets Manager
s.61, 63	Power to cleanse, repair or maintain a watercourse or drain	Assets Manager

### 9.23 Land Transfer Act 2017

Section	Description	Delegate
	Consenting to the withdrawal of a caveat against Council or a third party record of title	GM Business Support Commercial Manager
	Consenting to dealing with land where that land is subject to a caveat or encumbrance that requires the consent of Council before registration of any instrument under the Land Transfer Act 2017	Commercial Manager in consultation with GM Business Support

### 9.24 Land Transport Act 1998

Section	Description	Delegate
s.16A	Powers regarding restriction of heavy traffic on roads	GM Infrastructure Services Rooding Manager
s.22AB, 22AD and 22AE	Powers regarding transport related bylaws	GM Infrastructure Services Rooding Manager

128D	Appointment of parking wardens	GM Strategy and Compliance Environmental Monitoring Manager Parking Officer
128E	Powers of parking wardens	GM Strategy and Compliance Environmental Monitoring Manager
s.139	Power to issue infringement notices	GM Strategy and Compliance Environmental Monitoring Manager Parking Officer
s.157	Power as road controlling authority to control, restrict and prohibit traffic	GM Infrastructure Services Roading Manager

## 9.25 Land Transport (Infringement and Reminder Notices) Regulations 2012

Section	Description	Delegate
Schedule 4	Power to review or waive stationary vehicle infringements	Environmental Monitoring Manager

## 9.26 Litter Act 1979

Section	Description	Delegate
s.5(1)	Authority to appoint litter control officers	GM Strategy and Compliance
s.9	Obligation to provide and maintain suitable litter receptacles	GM Infrastructure Services
s.10	Power to require owners of private property to clear litter from their property	GM Strategy and Compliance Environmental Monitoring Manager or nominee Monitoring and Enforcement Officer
s.14	Power to issue infringement notices	Environmental Monitoring Manager or nominee

## 9.27 Local Government Act 1974

Section	Description	Delegate
s.319	General powers in respect of roads	GM Infrastructure Services Assets Manager Roading Manager
s.319B	Allocation of property numbers	District Planning Manager Support Officer (Environmental Services)
s. 327A	Cancel building line restriction	GM Strategy and Compliance Planning Manager
s.342, clause 11(a) – (d) Schedule 10	Council's powers to temporarily close any road, or part of a road, and impose any conditions	GM Infrastructure Services Roading Manager
s.348	Council's powers and functions in respect of private roads and private ways	GM Strategy and Compliance District Planning Manager
s.355	Council's powers relating to the removal and/or trimming	GM Infrastructure Services

	or overhanging trees etc., and recovery of costs	
s.356A	The power to authorise any person to remove and dispose of motor vehicles found on a road or in a public place which may be abandoned	GM Strategy and Compliance Environmental Monitoring Manager Monitoring and Enforcement Officer
s.357	The power to penalise a person who commits an offence which encroaches on a road	GM Infrastructure Services
Schedule 10 clauses.11 (a) and (b)	The temporary prohibition of traffic for the purpose of: Construction or repair of the road or any drain, water race, pipe or apparatus under, upon, or over the road Diversions of traffic in order to resolve problems associated with traffic operations When, for any reason it is considered desirable that traffic should be diverted to other roads	GM Infrastructure Services Roothing Manager Assets Manager

## 9.28 Local Government Act 2002

Section	Description	Delegate
s.174	To be an authorised officer to act and enter private land	GM Strategy and Compliance Building Services Manager District Planning Manager Environmental Monitoring Manager Building Official Technical Officer Senior Planner Planner Graduate Planner Environmental Health Officer Monitoring and Enforcement Officer Environmental Monitoring Officer Alcohol Licensing Inspector Systems Officer – Animal Control GM Infrastructure Services Contracts Engineer – Rural Contracts Engineer – Urban Compliance Coordinator Assets Management Engineer Asset Management Officer – Transportation Utilities Engineer Asset Management Officer – Utilities Support Officer Infrastructure Services Farm Manager Assets Manager Roothing Manager Technical Support Officer – Roothing Development Engineer Technical Support Officer – Applications Waste Recovery Manager Operations and Services Officer Assets Field Assistant Projects and Operations Manager Asset Management Engineer – Utilities Stockwater Rangers

## 9.29 Local Government Official Information and Meetings Act 1987

Section	Description	Delegate
s.5	Power to determine availability of information	Chief Executive GMs or nominee
s.6	Power to determine withholding of information	Chief Executive GMs or nominee
s.7	Other reasons for withholding official information	Chief Executive GMs or nominee

s.10	Requests for official information	Chief Executive GMs or nominee
s.11	Assistance with requesting information	Chief Executive GMs or nominee
s.12	Transfer of requests	Chief Executive GMs or nominee
s.13	Decisions on requests	Chief Executive GMs or nominee
s.14	Extension of time to provide official information	Chief Executive GMs or nominee
s.15	Power to determine the manner of presenting information	Chief Executive GMs or nominee
s.16	Power to determine deletions of some information from documents	Chief Executive GMs or nominee
s.17, 18	Refusal of requests for information	Chief Executive GMs or nominee
s.24	Precautions regarding access to personal information	Chief Executive GMs or nominee
s.25	Correction of information	Chief Executive GMs or nominee
s.26	Refusal to supply personal information	Chief Executive GMs or nominee
s.33	Requirement to notify decision of ombudsman	Chief Executive GMs or nominee
s.44A	Authority to prepare and approve Land Information Memoranda	Records Officer - LIMs
s.46	Public notification of meetings	Chief Executive Governance Team Leader
s.46A, 49, 51	Availability of agendas, reports and minutes	Chief Executive Governance Team Leader
s.51A	Public notification of resolution at emergency meeting	Chief Executive Governance Team Leader



### 9.30 Local Government (Rating) Act 2002

Section	Description	Delegate
s.27	Keep and maintain rating information data base	GM Business Support Finance Manager
s.37	Keep and maintain rates records	Finance Manager Rates Officer
s.40	Power to correct errors in rating information database and rates records	Finance Manager Rates Officer
s.41	Power to issue an amended rates assessment if an error is corrected	Finance Manager Rates Officer
s.44 – 51	Obligations to deliver rates assessments and rates invoices to ratepayers setting out the information required by the Act	Finance Manager Rates Officer
s.53	Power to appoint a rates collector	Finance Manager Rates Officer
s.54	Power not to collect rates that are uneconomic to collect	Finance Manager Rates Officer
s.57, 58	Power to add penalties for rates not paid by the due date	Finance Manager Rates Officer
s.62, 63	Powers for recovery of rates if owner in default	Finance Manager Rates Officer
s.67	Appointment of principal administrative officer with power to have judgements of the court enforced by the court	Finance Manager Rates Officer
s.85 – 90; 114-115	Power to remit or postpone rates pursuant to Council rates remission and postponement policy	Finance Manager Rates Officer
s.108	Appointment of principal administrative officer with power to have judgements of the court enforced by the court	Finance Manager Rates Officer

### 9.31 Machinery Act 1950

Section	Description	Delegate
s.21A	Power to inspect and issue a permit for amusement devices	GM Strategy and Compliance Building Services Manager Environmental Monitoring Manager Environmental Health Officer Monitoring and Enforcement Officer

### 9.32 New Zealand Library Association Act 1939

Section	Description	Delegate
s.5	Power to become a member of the Association	Library Manager

### 9.33 Public Bodies Leases Act 1969

Section	Description	Delegate
s.7, 17, 18, 22, 23A	To sign on behalf of Council, lease, tenancy, service and other miscellaneous agreements where the use of the corporate seal is not required	GM Business Support Commercial Manager

s.7, 17, 18, 22, 23A	To sign leases, variations to leases and registration documents on behalf of Council, including renewal, transfers, rent reviews that are in accord with legislation and Council policy	GM Business Support Commercial Manager
s.8-9	Leases to be sold by public tender or auction subject to certain conditions	GM Business Support Commercial Manager
s.23	To authorise process for surrender of leases	GM Business Support Commercial Manager

### 9.34 Public Works Act 1981

Section	Description	Delegate
s.110-111A	Provides certain powers of entry onto private land	GM Infrastructure Services
s.133-134	Provide for removal of trees and hedges that interfere with public works	GM Infrastructure Services
s.233-234	Obligation to provide notice before entry onto private land	GM Infrastructure Services
s.237	Power to approve excavations near public works	GM Infrastructure Services
s.238	Power to bring action for damage to public work	GM Infrastructure Services
s.239	Power to remove and/or dispose of abandoned property from public works land	GM Infrastructure Services
s.240	Removal of land from persons holding illegal possessions	GM Infrastructure Services

### 9.35 Rates Rebate Act 1973

Section	Description	Delegate
s.5 – 7	Provide for application of rebate of rates to be considered by Chief Executive	GM Business Support Finance Manager
s.9	Provides for application to Secretary for Local Government for refund of rebates granted	GM Business Support Finance Manager
s.13	Power to receive declarations	GM Business Support Finance Manager

### 9.36 Rating Valuations Act 1998

Section	Description	Delegate
s.10	Duty to prepare and maintain district valuation roles	GM Business Support Finance Manager
s.11 – 13	Powers regarding general revaluations	GM Business Support Finance Manager
s.14 – 17	Powers regarding specific revaluations during the currency of a general revaluation	GM Business Support Finance Manager
s.32 – 40	Objections to valuations	GM Business Support Finance Manager
s.41 – 42	Powers for information to be disclosed	GM Business Support Finance Manager
s.43	Power to obtain contribution to the cost of preparing and maintaining the valuation role from the regional council	GM Business Support Finance Manager
s.45	Provides authorisation for entry onto private property to carry out valuations	GM Business Support Finance Manager

### 9.37 Reserves Act 1977

Section	Description	Delegate
s.8	Power to appoint rangers	Open Spaces Manager
s.40	Duties and functions of the TA as administering body	Open Spaces Manager
s.41	The preparation of reserve management plans	Open Spaces Manager
s.42	Duty to preserve trees and bush	Open Spaces Manager
s.50	Power to authorise the taking and killing of any specified kind of fauna, excluding indigenous fauna	Open Spaces Manager
s.53-59A, 61-64, 66-69, 71-75 77	Particular powers regarding each different classification of reserve	Open Spaces Manager
s. 74	Authority to grant licences to occupy on Council reserves, where Council is the administering body and the reserve is vested in or controlled and managed by Council.	GM Business Support Commercial Manager
s.78-80, 84-85A, 89-92	Financial powers and duties regarding reserves	GM Business Support Finance Manager Open Spaces Manager
s.113	Duty as to form of leases and licenses on reserves	Commercial Manager Open Spaces Manager
s.115	Power to refuse any application for consent or grant application subject to conditions thought fit	Open Spaces Manager
s.119	Duty to give public notice	Open Spaces Manager

### 9.38 Resource Management Act 1991

Section	Description	Delegate
	All of Council's functions, powers or duties under the Resource Management Act, other than: (a) The approval of a policy statement or plan or any change to a policy statement or plan (b) The making of a recommendation on a requirement for a designation or a heritage order under Part VIII (c) this power of delegation	GM Strategy and Compliance
	To be an authorised Enforcement Officer and to carry out all of the functions and powers of such an officer under the Act	GM Strategy and Compliance Environmental Monitoring Manager Monitoring and Enforcement Officer District Planning Manager Senior Planner Planner Graduate Planner
s.10(2)	The power to extend existing use rights	GM Strategy and Compliance District Planning Manager
s.17	Duty to avoid, remedy or mitigate adverse effects	GM Strategy and Compliance District Planning Manager
s.22	Directing a person to supply information in accordance with section 22	Environmental Monitoring Manager District Planning Manager Monitoring and Enforcement Officer
s.34A	Approving or declining survey plans, pursuant to section 223 of the Resource Management Act	GM Strategy and Compliance District Planning Manager
s.34A	Authority to grant subdivision consents except where the application has been notified and there have been submissions received in opposition and/or where net payment of reserve contributions by Council less credits for land to vest exceeds the delegation for the role	GM Strategy and Compliance
s.34A	The power to approve commissioners and/or panels of elected members for resource management hearings. The power to appoint a Hearing Committee or Hearing Commissioner	GM Strategy and Compliance
s.36	The power to consider an application for remission of charges The power to consider requests to depart from a fixed payment charge to a time and cost charge	GM Strategy and Compliance District Planning Manager
36AA, s.360(1) (h-j)	To determine, under section s 36AA and in accordance with regulations made under section 360(1)(h-j), and discount on an administrative charge imposed under section 36, where a resource consent or an application to change or cancel conditions has not been processed within statutory timeframes and the responsibility of the failure rests with Council	GM Strategy and Compliance
s.37, 37A	To grant waivers and extend time limits Delegation does not extend to submissions or further submissions to any resource consent application, plan change request or proposed plan which is received by Council after the hearing of the relevant application	GM Strategy and Compliance District Planning Manager

<b>Section</b>	<b>Description</b>	<b>Delegate</b>
s.38	Authority to authorise any officer to be an enforcement officer	GM Strategy and Compliance
s.41B	To direct applicants and submitters to provide briefs of evidence before a hearing	GM Strategy and Compliance District Planning Manager
s.42A	The power 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	GM Strategy and Compliance District Planning Manager
S87BA	To issue or decline certificates for boundary infringements as permitted activities	GM – Environmental Services District Planning Manager
S87BB	To make decisions on whether a rule breach is marginal or temporary and consequently whether it is or is not a permitted activity	GM – Environmental Services District Planning Manager
s.87F	The power to prepare reports to the Environment Court where the applicant has requested direct referral to the Environment Court	GM Strategy and Compliance District Planning Manager
s.88(3)	To determine whether a resource consent application is incomplete and return the application	GM Strategy and Compliance District Planning Manager
s.91	The power to defer processing an application	GM Strategy and Compliance District Planning Manager
s. 92	To determine the adequacy of information received with an application for resource consent; and request further information and commission reports	GM Strategy and Compliance District Planning Manager
s. 95, 95A to 95G	To determine all matters relating to the need to notify, or serve notice of, an application for a resource consent	GM Strategy and Compliance District Planning Manager
s.95E (3)	The power to give approval as an affected party on behalf of Council as a landowner	GM Business Support Commercial Manager
s. 99	To initiate, conduct and implement all procedures relating to pre-hearing meetings	GM Strategy and Compliance District Planning Manager
s.99A	To refer resource consent applicants and/or submitters to mediation	GM Strategy and Compliance District Planning Manager
s.99A	To delegate to an appropriate person the power to conduct mediation	GM Strategy and Compliance District Planning Manager
s.100	To determine the necessity for a hearing on an application for a resource consent	GM Strategy and Compliance District Planning Manager
s.101	To determine the commencement date, the time and the place for the hearing of application for resource consents	GM Strategy and Compliance District Planning Manager
s.102	To determine the need for joint hearings and the making of joint decisions	GM Strategy and Compliance District Planning Manager
s.103	To determine the need for combined hearings	GM Strategy and Compliance District Planning Manager
s.104, 104A, 104B, 104C and 104D	To consider and grant consent to applications for resource consents in accordance with the Act. PROVIDED that this delegation shall NOT be exercised on applications which have been the subject of a hearing under section 100 of the Act	GM Strategy and Compliance District Planning Manager

<b>Section</b>	<b>Description</b>	<b>Delegate</b>
s.104 and 104D	The granting of a resource consent for a non-complying activity in respect of any application which is notified in accordance with section 95A	GM Strategy and Compliance District Planning Manager
s.108	Granting a resource consent with conditions imposed	GM Strategy and Compliance District Planning Manager
s.114	To determine the range of persons and authorities on whom notices of decisions should be served	GM Strategy and Compliance District Planning Manager
s.125	The power to extend the period in which a resource consent lapses	GM Strategy and Compliance District Planning Manager
s.126	To cancel a resource consent	GM Strategy and Compliance District Planning Manager
s.127	To consider and grant an application to change or cancel consent conditions for any resource consent	GM Strategy and Compliance District Planning Manager
s.128-132	To review the conditions of any resource consent in accordance with section 128 to 132 of the Act	GM Strategy and Compliance District Planning Manager
s.133A	To issue an amended resource consent that corrects minor mistakes or defects in the consent	GM Strategy and Compliance District Planning Manager
s. 139	To grant certificates of compliance, including the power to require an applicant to provide further information in accordance with section 139 (4) of the Act	GM Strategy and Compliance District Planning Manager
s.139A	To issue existing use rights certificates, including the power to require an applicant to provide further information in accordance with section 139A(3)	GM Strategy and Compliance District Planning Manager
s.142	The power to request the Minister to call in a matter that is or is part of a proposal of national significance	GM Strategy and Compliance
s.145	The power to lodge a matter with the Environment Protection Agency	GM Strategy and Compliance
s.149, 149B, 149EandF, 149G	Respond to request from Environmental Protection Agency for further information Provide Environmental Protection Agency with required information Make submission (or further submission) to Environmental Protection Agency if public notice of direction is given Prepare report in response to request from the Environmental Protection Agency	GM Strategy and Compliance District Planning Manager
s.149K	To make suggestions under section 149K, to the Minister for the Environment for members to sit on a board of inquiry to be appointed to hear a resource consent for a proposal of national significance	GM Strategy and Compliance District Planning Manager
s.168, 168A, 169 and 171	The power to notify a requirement in accordance with section 93(2) and determine which persons and bodies shall be served notice of requirement and to arrange its public notification. The power to request further information or commission reports	GM Strategy and Compliance District Planning Manager
S.170 and S.176A	To exercise the discretion contained in section 170 of the Act on the inclusion of a notice of requirement in	GM Strategy and Compliance District Planning Manager

Section	Description	Delegate
	Council's proposed plan, the authority to approve outline plans for designations under section 176A(3) of the Act and to waive the requirement for an outline plan pursuant to section 176A(2) of the Act	
s.176A	The power to consider an application for an outline plan and recommend changes if necessary. The power to consider an application for a waiver of an outline plan	GM Strategy and Compliance District Planning Manager
s.182(5)	The power to consider an application to remove a designation or remove part of a designation	GM Strategy and Compliance District Planning Manager
s.189, 189A, 190 and 191	The power to notify a requirement for a Heritage Order in accordance with section 93(2) and determine which persons and bodies shall be served notice of requirement and to arrange its public notification The power to request further information or commission reports	GM Strategy and Compliance District Planning Manager
s.220	Granting a subdivision consent with conditions imposed	GM Strategy and Compliance District Planning Manager
s.220 (1)(b) and (2)(a)	Authority to undertake online registration of certificates as an authorised officer	GM Strategy and Compliance District Planning Manager
s.221, 223, 224	The authorisation of certificates under the applicable sections of the RMA in relation to the approval of Subdivision Certification documentation, except where net payment of reserve contributions by Council less credits for land to vest exceeds the delegation for the role	GM Strategy and Compliance District Planning Manager
s.221	To consider and determine any application to vary or cancel any condition specified in a consent notice in accordance with section 221 of the Act	GM Strategy and Compliance District Planning Manager
s. 222	To issue and, if necessary, extend a completion certificate	District Planning Manager
s.223	To approve or decline a submitted survey plan.	GM Strategy and Compliance District Planning Manager
s.223	Matters relating to completion certificates, approval of survey plans and revoking of easement conditions	GM Strategy and Compliance District Planning Manager
s.224	To determine whether or not the conditions of a subdivision have been complied with	GM Strategy and Compliance District Planning Manager
s.224(f)	An approval pursuant to section 224(f) of the Resource Management Act in respect to buildings on plans showing cross leases for flat units	GM Strategy and Compliance
s.226	The power to consider an application under section 226 The power to issue a certificate pursuant to section 226	GM Strategy and Compliance District Planning Manager
s.240	The power to impose a condition requiring a covenant be registered The power to cancel a covenant against the transfer of allotment The power to certify a covenant or cancellation of a covenant as an Authorised Officer	GM Strategy and Compliance District Planning Manager
s.241	To consider and grant any requests for cancellation or	GM Strategy and Compliance

Section	Description	Delegate
	changes to amalgamation conditions	District Planning Manager
s.243	To consider and grant any requests for easement cancellation or changes	GM Strategy and Compliance District Planning Manager
s.311, 314, 315, 316, 320, 321	The power to apply to the Environment Court for an enforcement order pursuant to section 314 or for an interim enforcement order pursuant to section 320  The power to make decisions on any matters relating to applications for enforcement orders (including any application to change or cancel enforcement order)	GM Strategy and Compliance District Planning Manager
s.322	The power to serve abatement notices	Environmental Monitoring Manager District Planning Manager Monitoring and Enforcement Officer
S.322, S.327, S.328, S.343C	The taking of enforcement action in relation to the Resource Management Act, initiating the review the resource consent decisions, and conditions	GM Strategy and Compliance District Planning Manager
s.327-328	Issue and enforce excessive noise direction	Environmental Monitoring Manager District Planning Manager Monitoring and Enforcement Officer
s.332	To carry out inspection of any premises of property (except a dwelling house) to determine whether the RMA, any regulation or rule of the District Plan or resource consent is being complied with	District Planning Manager Senior Planner Planner Graduate Planner Monitoring and Enforcement Officer
s.333	Entry to land (except a dwelling house) for purposes connected with any preparation, change, or review of the District Plan	District Planning Manager Senior Planner Planner Graduate Planner Monitoring and Enforcement Officer
s.342	The power to collect fines for an offence under section 338	GM Strategy and Compliance District Planning Manager Environmental Monitoring Manager
s.343C	The power to serve infringement notices	Environmental Monitoring Manager District Planning Manager Monitoring and Enforcement Officer
s.357	The power to consider and make decisions on application for objections for an application which does not require a hearing, except where the decision would result in a net payment of reserve contributions by Council less credits for land to vest exceeding the delegation for the role. The power to decide whether an objection requires a hearing	GM Strategy and Compliance District Planning Manager Environmental Monitoring Manager
s.357C-D	The power to consider and decide upon objections made To consider, dismiss or uphold (in whole or in part) any objection under sections 357, 357A or 357B of the Act PROVIDED that this delegation shall NOT be exercised in respect of objections on resource consent applications which have been the subject of a hearing under section	GM Strategy and Compliance District Planning Manager Environmental Monitoring Manager



Section	Description	Delegate
	100 of the Act	
S360F	To set overall charges payable by the applicant for a plan change or resource consent	District Planning Manager GM, Environmental Services
Schedule 1	The decision to utilise the streamlined or collaborative plan making process	GM, Environmental Services
Schedule 1, clauses 3, 3B, 5, 7, 16A and 23	The power to determine which persons and bodies shall be consulted with in the preparation, change, variation or review of a proposed plan The power to consult with iwi The power to determine which persons and bodies shall be served with a copy of any proposed District plan, or change to a District Plan, and to arrange public notification The power to give public notice of submissions. The power to require further information or to consider a request for a plan change	GM Strategy and Compliance District Planning Manager
Schedule 1, clause 25 and 26	Authority to accept requests for Plan Changes in whole or in part and process the request	GM Strategy and Compliance
Non Statutory	The commissioning of independent consultants to process applications to recommendations stage	GM Strategy and Compliance District Planning Manager
S.120 and Schedule 1, clause 27	Decisions relating to Council's case in any resource consent or District Plan related process, and in any references to the Environment Court, in which Council is a party	GM Strategy and Compliance District Planning Manager

### 9.39 Sale and Supply of Alcohol Act 2012

Section	Description	Delegate
	All the relevant powers, duties and responsibilities conferred by the Sale and Supply of Alcohol Act and the authority to take appropriate action in exercise of those powers, duties and responsibilities	District Licensing Committee (DLC) Chair or Commissioner of the DLC Alcohol Licensing Inspector
s.196	Authority to function as the Secretary of the District Licensing Committee	Delegated by Chief Executive to GM Strategy and Compliance and Environmental Monitoring Manager
s.197	Power to appoint Chief Licensing Inspector and licensing inspector	Delegated by Chief Executive to GM Strategy and Compliance
s.189	Power to select DLC members from the combined list for hearings	Secretary of the DLC
s.64(1)	Issue of licences, certificates and authorities	Secretary of the DLC Alcohol Licensing Inspector
s.203(8)	Signing of decisions, orders, directions, certificate or other documents	Secretary of the DLC
s.66	Keep a record of applications and register of licensees to whom special licences have been issued	Alcohol Licensing Inspector
s.72	Issue duplicate licences or certificates	Alcohol Licensing Inspector
s.73(2)	Record the surrender of licence of manager's certificate	Alcohol Licensing Inspector
s.102(5) and	Give to the applicant a copy of every objection to a	Alcohol Licensing Inspector

Section	Description	Delegate
140(4)	licence application	
s.103(5) and 141(6)	Send to the applicant a copy of any report filed on a licence application	Alcohol Licensing Inspector
s.128(4)	Give to the applicant a copy of every objection to a renewal of a licence	Alcohol Licensing Inspector
s.155(6)	Provide information to the licensing authority	Alcohol Licensing Inspector
s.220(1), 220(5), 225(1) and 225(5)	Administer documentation and reports for manager's certificates and renewals	Alcohol Licensing Inspector
s.283(4) and 284(3)	Administrative functions relating to the variation, suspension, or cancellation of special licences	Alcohol Licensing Inspector

#### 9.40 Smoke Free Environments Act 1990

Section	Description	Delegate
s.5	Duty of employers to have a policy on smoking	Manager People and Capability

#### 9.41 Summary Proceedings Act 1957

Section	Description	Delegate
	Functions and duties related to vehicle parking and other stationery vehicle offence enforcement	GM Strategy and Compliance

#### 9.42 Telecommunications Act 2001

Section	Description	Delegate
s.119	Sets out the matters that may be considered in setting conditions for access to Council roads	Assets Manager Roading Manager
s.128	Powers to deal with trees on road verges interfering with telecommunications networks	Assets Manager Roading Manager
s.135	Duty to provide telecommunications networks access to Council roads	Assets Manager Roading Manager
s.137, 143	Duty to notify network operator of conditions imposed under section 135 or section 142	Assets Manager Roading Manager
s.142	Duty to provide telecommunications networks rights to place cabinets on public roads	Assets Manager Roading Manager

#### 9.43 Transport (Vehicular Traffic Road Closure) Regulations 1965

Section	Description	Delegate
	The powers conferred on Council by the Transport (Road Closure) Regulations	GM Infrastructure Services

#### 9.44 Utilities Access Act 2010

Section	Description	Delegate
s.6	Obligation to comply with the national code of practice to co-ordinate work done in transport corridors	GM Infrastructure Services Assets Manager Roading Manager

#### 9.45 Waste Minimisation Act 2008

Section	Description	Delegate
s.26, 27	Duty to impose levy on waste disposed of at disposal facility at prescribed rate	GM Infrastructure Services
s.28	Duty of operator of disposal facility to pay levy to levy collector	GM Infrastructure Services
s.32	Duty to spend levy money received on waste minimisation initiatives or in accordance with a waste management and minimisation plan	GM Infrastructure Services
s.51	Mandatory requirements for waste assessment	GM Infrastructure Services
s.53	Duty to use any proceeds from a service undertaken under section 52 in implementing the waste management and minimisation plan	GM Infrastructure Services
s.54	Duty for territorial authority to provide a service that collects waste promptly, efficiently and at regular intervals	GM Infrastructure Services
s.66	Authority to enforce provisions of bylaw	GM Infrastructure Services
s.73, 74	Authority to initiate proceedings for infringement offences and to issue and serve infringement notices	GM Infrastructure Services
s.75	Authority to retain infringement fees	GM Infrastructure Services
s.76	Authority to authorise any officer to be an enforcement officer	GM Infrastructure Services
s.79, 80-82, 84, 85	Powers of enforcement officers	GM Infrastructure Services
s.86-87	Duty to keep records and provide details if required	GM Infrastructure Services

## 10. Non-statutory delegations

### 10.1 Advertising

Description	Delegate
To authorise general advertising	GMs Communications Manager
Authority to issue public notices as required	Chief Executive or nominee GMs
Authority to issue works notices to property owners and residents in areas where works are to be carried out, subject to any other statutory provisions	Chief Executive GM Infrastructure Services Assets Manager Roading Manager Projects and Operations Manager
To authorise resource consent application public notices	GM Strategy and Compliance
To authorise advertising related to property matters	GM Business Support Commercial Manager
To authorise advertising related to employment opportunities	Chief Executive Manager People and Capability
Authority to approve distribution of leaflets district-wide	GMs Communications Manager

### 10.2 Animal control

Description	Delegate
All powers, duties and responsibilities regarding stock (bylaws)	GM Strategy and Compliance Environmental Monitoring Manager Monitoring and Enforcement Officer Appointed contractor
Authority to grant consent for the keeping of animals (bylaws)	GM Strategy and Compliance Environmental Monitoring Manager
Authority to grant consent for the keeping of poultry (bylaws)	GM Strategy and Compliance Environmental Monitoring Manager

### 10.3 Appointment and termination

Description	Delegate
Appointment of salaried staff within the established limits	Manager People and Capability in consultation with the relevant manager
Appointment of hourly rate staff within the established limits	Manager People and Capability People and Capability Advisor
Appointment of GMs	Chief Executive
Termination of staff	Chief Executive or nominee in consultation with Manager People and Capability and relevant GM

## 10.4 Asset disposal

Description	Delegate
<p>Authority to accept or decline any contract for the disposal or transfer of assets, or to write-off assets in all activities up to a maximum value of \$100,000, subject to Council's approved:</p> <ul style="list-style-type: none"> <li>Asset Disposal Policy</li> <li>Long-term Plan/Annual Plan budgets</li> </ul>	Chief Executive
<p>Authority to accept or decline any contract for the disposal or transfer of assets, or to write-off assets in all activities up to a maximum value of \$50,000, subject to Council's approved:</p> <ul style="list-style-type: none"> <li>Asset Disposal Policy</li> <li>Long-term Plan/Annual Plan budgets</li> </ul>	GM, Business Support Finance Manager
<p>Authority to accept or decline any contract for the disposal or transfer of assets, or to write-off assets in activities within their areas of responsibility. up to a maximum value of \$50,000, subject to Council's approved:</p> <ul style="list-style-type: none"> <li>Asset Disposal Policy</li> <li>Long-term Plan/Annual Plan Budgets</li> </ul>	GM Community Services GM Strategy and Compliance GM Infrastructure Services Manager - People and Capability

## 10.5 Civic ceremonies and civic functions

Description	Delegate
Arrangements for civic or mayoral functions	GM Community Services Economic Development Manager Governance Team Leader Events Coordinator EA to Mayor and Chief Executive

## 10.6 Closed circuit television

Description	Delegate
Release of all recorded CCTV images	GM Strategy and Compliance Environmental Monitoring Manager
Release of recorded CCTV images from library and EA Networks Centre	GM Strategy and Compliance Environmental Monitoring Manager Library Manager and Senior Librarian Sports Facility Manager and Sports Facility Assistant Manager

## 10.7 Trespass Act 1980

Description	Delegate
<p>Power to issue notice under section 4 of the Trespass Act 1980</p> <ul style="list-style-type: none"> <li>Ashburton Library</li> <li>EA Networks Centre</li> </ul>	Library Manager and Senior Librarian Sports Facility Manager and Sports Facility Assistant Manager

## 10.8 Council seal

Description	Delegate
Hold the common seal and be responsible for its use	Chief Executive or nominee
Sealing and signing any document as considered necessary by the Chief Executive or their nominee, under at least two signatories (as per delegation)	Mayor (or in their absence, two councillors) and one of the below officers: Chief Executive GM Business Support

## 10.9 Insurance

Description	Delegate
Authority to sign release documents on insurance claims made by Council and to contribute any excess payable in accordance with policy	GM Business Support Finance Manager
Authority to settle any claim for compensation where the amount proposed does not exceed: (where provision is made in Council's estimates) the amount provided in the estimates; or (where no provision is made in the estimates) an amount not exceeding \$5,000. All such settlements to be reported to the Audit, Risk and Finance Committee.	GM Business Support Finance Manager

## 10.10 Markets and functions in shopping areas

Description	Delegate
Power to carry out or authorise any relevant actions or procedures regarding market days and special functions in shopping areas	Department managers

## 10.11 Media statements

Description	Delegate
To authorise media statements	Chief Executive GMs Communications Manager Heads of department

## 10.12 Mobile shops, stalls and hawkers

Description	Delegate
To grant a permit for mobile shops, stalls hawkers in Ashburton District	Environmental Monitoring Manager
Authority to determine appropriate alternative sites for mobile shops, stalls and hawkers other than any permitted sites specified in the Mobile Shops, Stalls and Hawkers Bylaw	Environmental Monitoring Manager

## 10.13 Parks and reserves

Description	Delegate
To grant a licence to occupy (Ashburton Domain) up to one year	Open Spaces Manager
Authority to close sports grounds as circumstances shall require from time to time	Open Spaces Manager GM Infrastructure Services

Authority to vary the allocation of sports grounds, winter and summer	Open Spaces Manager GM Infrastructure Services
Authority to grant the temporary use of any park or reserve for any recreation or entertainment and to impose any terms and conditions applicable	Open Spaces Manager GM Infrastructure Services
Approval for the erection of commercial signs and sponsorship signs on sports and recreation grounds	Open Spaces Manager GM Infrastructure Services
Authority to approve the planting or removal of trees from any reserve, street or other Council property	Open Spaces Manager GM Infrastructure Services
Fixing of charges within the limits imposed by the Act for the use of Council reserves	Open Spaces Manager GM Infrastructure Services
Authority to allocate reserves	Open Spaces Manager GM Infrastructure Services
Authority to grant drainage easements over parks and reserves	Open Spaces Manager GM Infrastructure Services

## 10.14 Planning

Description	Delegate
<p>To lodge submissions and further submissions on behalf of Council on:</p> <p>Any proposed District Plan or variation to a proposed District Plan administered by Council</p> <p>Any proposed District Plan or variation to a proposed District Plan administered by any other Council</p> <p>Any Council initiated or privately initiated change to a District Plan administered by Council</p> <p>Any Council initiated or privately initiated change to a District Plan administered by any other Council</p> <p>Any notice of requirement for a heritage order</p> <p>Any notice of requirement for a designation</p> <p>Any proposed Regional Plan or variation to a proposed Regional Plan, or on any change to a Regional Plan</p> <p>Any proposed Policy Statement administered by Council or by any other Council</p> <p>Any matter lodge with the Environmental Protection Authority</p> <p>This delegation is required to be reported to Council at the next available opportunity to allow for the council to review and endorse the submission</p>	GM Strategy and Compliance
Authority to require payment of financial contributions in accordance with Council's adopted schedule of fees	GM Strategy and Compliance District Planning Manager
Authority to authorise the recovery of reasonable costs in relation to the monitoring of Resource Consent, District Plan, Resource Management Act and National Environmental Standard compliance	GM Strategy and Compliance District Planning Manager
Authority to reduce the application fee for Resource Management administration as shown in Council's Schedule of Fees and Charges	GM Strategy and Compliance District Planning Manager
Authority to reduce the application fee for Resource Management administration as shown in Council's Schedule of Fees and Charges	GM Strategy and Compliance District Planning Manager

## 10.15 Property

Description	Delegate
Allocation of Council houses to employees, pensioners, members of public and the execution of associated residential tenancy documentation	GM Business Support Commercial Manager Property Officer
Authority to negotiate, execute and register new leases or licences to occupy for Council properties (including unformed legal roads and the airspace above Council properties or road reserve) on the following basis: <ul style="list-style-type: none"> <li>that the length of the lease (including rights of renewal) be not more than ten years; or</li> <li>that the capital value of the property be not more than \$200,000</li> </ul>	GM Business Support Commercial Manager
Authority to assign or transfer existing leases or licences to occupy, including leases for Wakanui Hut Sites and Lake Clearwater Hut Sites	GM Business Support Commercial Manager
Authority to accept the renewal of, surrender of, or variation to, any lease or licence to occupy	Commercial Manager
Authority to grant, vary or surrender easements or land covenants in gross, or over Council owned or administered land, other than easements required in accordance with section 48 of the Reserves Act 1977, or easements or land covenants required under the Resource Management Act 1991	GM Business Support Commercial Manager
Authority to accept an interest in land being offered to Council by an applicant who has applied for Overseas Investment Office consent for a land purchase	Commercial Manager Planning Manager Open Spaces Manager
Termination of tenancies of Council property for non-compliance with tenancy agreements	GM Business Support Commercial Manager
Authority to approve allocation of community buildings and facilities	GM Business Support Commercial Manager

## 10.16 Refuse and recycling

Description	Delegate
Authority to close refuse areas due to adverse weather conditions	GM Infrastructure Services

## 10.17 Roads

Description	Delegate
Authority to set fees and charges for inspection and repair of service authority trenches	GM Infrastructure Services Roading Manager
Authority to approve and authorise the installation of gates and cattle stops on legal roads	GM Infrastructure Services Roading Manager
Authority to approve new vehicle entrances on to roads and limited access roads and/or alter the location of existing approved entranceways	GM Infrastructure Services Roading Manager
Authority to approve the imposition of no-parking restrictions of up to 25m length for where these are necessary for road safety reasons or because of restricted carriageway or traffic-lane widths	GM Infrastructure Services Roading Manager



## 10.18 Signage

Description	Delegate
Authority to take appropriate action to control the display of advertising signs in a public place	GM Strategy and Compliance Environmental Monitoring Manager Monitoring and Enforcement Officer
Authority to approve the erection of hoardings for election campaigns and public meetings	GM Strategy and Compliance Electoral Officer

## 10.19 Street appeals

Description	Delegate
To authorise appeals to the public for financial assistance where that appeal is conducted from a public place by a charitable or community service organisation	Environmental Monitoring Manager Customer Service Team Leader

## 10.20 Street furniture and signage

Description	Delegate
Authority to approve the design and positioning of street furniture, including bus shelters	GM Infrastructure Services Roading Manager
Authority to approve erection of directional signs	GM Infrastructure Services Roading Manager

## 10.21 Street parades

Description	Delegate
Authority to permit street parades and rallies on public places	GM Infrastructure Services Roading Manager

## 10.22 Vehicle offences

Description	Delegate
Functions and duties related to vehicle parking and other stationery vehicle offence enforcement (ADC Transportation and Parking Management Bylaw)	GM Strategy and Compliance Environmental Monitoring Manager Parking Officer

## 10.23 Water services

Description	Delegate
Authority to impose restrictions on the use of water on those public supplies operated and administered by Council	GM Infrastructure Services Assets Manager

## 11. Appendices

- Record of Delegated Authority
  - Sub-delegation to the appointed contractor and honorary dog rangers (Sections 65 and 66 of the Dog Control Act 1996 and Dog Control Amendment Act 2003, 2004 and 2006)
- Council and Committee Structure – A3 foldout

# Committee Structure Adopted December 2019

