

Te Kaunihera-a-Rohe o Ruapehu
Ruapehu District Council



DELEGATIONS REGISTER 2022

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How this Delegations Register works

This Delegations Register is in five parts. The first part contains the Council's Delegations Policy. The Council's Delegations Policy explains the rules relating to the way in which delegations and sub-delegations apply and operate in the Council. Parts A to D are subject to the Council's Delegations Policy.

Part A contains delegations by the Council to Committees, Community Boards and Subcommittees. This is an efficient way in which to spread the responsibilities of decision-making among elected members and officers. Depending on the nature of the authority delegated to them, these bodies will either have the power to consider and recommend or to consider and make decisions in respect of the matters they deal with. They, like the Council, must comply with the decision-making requirements set out in part 6 of the Local Government Act 2002.

Part B contains the delegation of statutory and other delegations by the Council to the Chief Executive. These include all of the responsibilities, duties and powers imposed on the Council by statute or assumed under bylaws made by the Council, together with delegations in respect of financial management, property transactions, and other matters.

These delegations may be sub-delegated, unless this is expressly excluded in Part B.

Part C contains delegations by the Council to officers, in particular under the Local Government (Rating) Act 2002 and the Resource Management Act 1991.

These delegations may not be sub-delegated, unless this is expressly included in Part C.

Part D contains the sub-delegation by the Chief Executive to staff, of most of the responsibilities, duties and powers delegated by the Council to the Chief Executive. This is consistent with the principle behind the delegations register, referred to in clause 1.1 of the Delegations Policy which is to delegate decision-making to the lowest competent level. Generally, these sub-delegations may not be further sub-delegated.

The Chief Executive or Council officers exercising Council delegated duties or powers may choose to refer any matter back to Council, or the committee, subcommittee, or subordinate decision-making body with the appropriate area of responsibility. This may be appropriate where, for example, the matter is contentious, or requires political input because of the high degree of policy involved

Amendments to this Delegations Register

This Delegations Register is maintained by the Executive Manager Finance, Strategy, & Governance, whose staff may amend it to:

- Give effect to any Council resolution with respect to Parts A, B or C:
- Give effect to any written instruction to that effect given by the Chief Executive with respect to Part D:
- Make any typographical or grammatical corrections.

Delegations Policy

1.0 General Comments

- 1.1 The Council supports the principle of delegating decision-making to the lowest competent level. This makes best use of the abilities of Elected Members, ensuring the cost-effective use of resources and promoting the development of efficient and effective management. This principle has been applied to the preparation of this Delegations Register.
- 1.2 Unless expressly provided otherwise in the Local Government Act 2002, or in any other Act, the Council is able to, and will, delegate to a committee or other subordinate decision-making body, community board, or member or officer of the Council any of its responsibilities, duties, or powers except the power to:
- make a rate; or
 - make a bylaw; or
 - borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
 - adopt a long-term plan, annual plan, or annual report; or
 - appoint a Chief Executive; or
 - adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement; or
 - adopt a remuneration and employment policy.
- 1.3 A committee, or other subordinate decision-making body, community board, or member or officer of the Council may delegate any of its responsibilities, duties or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by whichever body made the original delegation as well as any statutory limitations. The Council may also delegate to any other local authority, organisation, or person the enforcement, inspection, licensing, and administration related to the Council's bylaws and other regulatory matters.
- 1.4 To avoid doubt, no delegation relieves the body or person making the delegation of the liability or legal responsibility to perform or ensure performance of the function or duty being delegated. The Council may have the power to delegate under enactments other than the Local Government Act 2002.
- 1.5 Any delegation made includes any ancillary responsibilities, duties, or powers necessary to give effect to that delegation.
- 1.6 Unless specifically time-limited, a delegation will continue in force until specifically revoked, or varied by the delegator or the Council. A delegation may be implicitly revoked if a committee or subcommittee is discharged. Refer clause 30(7) of Schedule 7 of the Local Government Act 2002.

Delegations Policy

1.7 Unless a valid delegation in respect of a matter HAS been made and included in the Delegations Register or there is a statutory provision which confers a matter directly on the Chief Executive or an officer, any decision required in respect of that matter can only be made by the Council at an ordinary or extraordinary meeting.

2.0 Committees, Subcommittees, other Subordinate Decision-Making Bodies and Joint Committees

2.1 The Council may appoint the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate. It may also appoint a joint committee with another local authority or other public body.

2.2 Any of the Council's responsibilities, duties, or powers other than those referred to in clause 1.2 above may be delegated to a committee, subcommittee, or other subordinate decision-making body.

2.3 A committee or other subordinate decision-making body may appoint the subcommittees that it considers appropriate unless the Council prohibits it from doing so.

2.4 Committees or other subordinate decision-making bodies are subject in all things to the control of the Council. They must carry out all general and special directions of the Council given in relation to them. Subcommittees are subject in the same way to the committees that appointed them.

2.5 The Council or a committee is not entitled to rescind or amend a decision made under a delegation authorising the making of a decision by a committee, a subcommittee, or another sub-ordinate decision-making body.

2.6 All such bodies are, unless the Council resolves otherwise, deemed to be discharged on the coming into office of elected members at the next triennial election next after the committees, subcommittees, or other sub-ordinate bodies were appointed. Unless such a resolution is made, delegated powers may lapse by operation of this provision.

2.7 Committees or other subordinate decision-making bodies may delegate any of their responsibilities, duties, or powers (other than those referred to in clause 1.2) to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the Council or by the committee or body or person that made the original delegation.

2.8 These entities may, without confirmation by the Council or committee or body that made the delegation, exercise those delegations in the same way as the Council could have done.

3.0 Chief Executive

3.1 Ruapehu District Council is a local authority under the Local Government Act 2002. Elected members and the Mayor make up the Council's governing body, which is responsible and democratically accountable for decision-making.

Delegations Policy

- 3.2 The governing body appoints only one employee, the Chief Executive and he or she negotiates the terms of employment and employs all Council staff. The Chief Executive is the Council's principal administrative officer.
- 3.3 The Chief Executive is responsible for implementing the decisions of the Council and ensuring that all responsibilities, duties, and powers delegated to him or her, or to any person employed by the Council, are properly performed or exercised. This includes those imposed or conferred by an Act, regulation, or bylaw.
- 3.4 The Chief Executive may delegate to any other officer of the Council any of his or her powers under the Act, or any other statute, except the power to delegate or any power that is subject to a prohibition on delegation. Further sub-delegations are not permitted under the Local Government Act 2002.

4.0 Member and Officer Delegations

- 4.1 For the purpose of this Policy:

"officer" means a named person, or the person who is for the time being the holder of a specified office. This does not infer officer status under the Health & Safety at Work Act 2015.

"member" in relation to a community board, means a member appointed or elected to that board and in relation to the Council means a member of the governing body of the Council, including the Mayor.

- 4.2 The Council may delegate to a member or officer of the Council any of its responsibilities, duties, or powers other than those referred to in clause 1.2. Such delegations may be further delegated to another person, subject to any conditions, limitations, or prohibitions imposed by the Council or by the committee, body or person that made the original delegation.
- 4.3 An officer may delegate to another officer of the Council any of his or her powers delegated by the Council to that officer, except:
- the power to delegate; or
 - any power delegated to the officer that is subject to a prohibition on delegation; or
 - any power under an enactment where the enactment expressly prohibits the delegation of the power.

Effectively, this means that only one sub-delegation is permitted.

- 4.4 An officer to whom any responsibilities, duties or powers are delegated may exercise them in the same way and with the same effect as the delegating officer could have done.

Delegations Policy

- 4.5 If not specified in the Delegations Register, and subject to any legislative limitations, delegations to an officer holding a named position may be exercised by all officers in a direct line of authority above that officer. This applies also to any officer who performs or exercises the same or a substantially similar role or function, whatever the name of his or her position.
- 4.6 A delegated authority must be exercised in accordance with all relevant Council policies and conditions, such as financial limits and process and reporting requirements.
- 4.7 Where an officer is in a position in an acting capacity, the officer may exercise the delegations applying to that position. However, the officer should state that he or she is exercising the delegation in an acting capacity.
- 4.8 Where there is any ambiguity between the wording of a legislative function and the delegation of that function to an officer, the wording of the legislation will prevail. A delegation made under legislation that is subsequently repealed will be read as a delegation made, with or without modification, under any replacement or corresponding legislation.
- 4.9 Responsibilities, duties or powers under the Resource Management Act 1991 and the Local Government (Rating) Act 2002 delegated by the Council to officers, including the chief executive, or to commissioners, may not be sub-delegated.
- 4.10 The delegation of a responsibility, duty or power is the granting of authority to exercise that responsibility, duty, or power, not a compulsion to do so (either at all or in a particular case). Whether or not to exercise a delegated authority may depend on the circumstances of a particular matter or the job description of the officer concerned.
- 4.11 Each Part of the Delegations Register will specify whether the delegations can be exercised severally (i.e., the delegation can be exercised by the officer acting alone) or whether they must be exercised jointly (i.e., TWO or more officers acting together or Community Board).

Part A – Delegations to Committees, Community Boards, Subcommittees etc

The Council delegates to Committees, Community Boards, Subcommittees, or other sub-ordinate decision-making bodies, the responsibilities, duties, and powers as set out in this Part.

These powers may be sub-delegated unless this is expressly excluded as set out in this Part.

All delegations are made severally unless specified otherwise.

Sub-Part 1 – Council Committees

AUDIT AND RISK COMMITTEE

Purpose:

To ensure that Council has appropriate financial, risk management and internal control systems in place that provide Council with:

1. An overview of the financial performance of the organisation;
2. Effective management of potential opportunities and adverse effects; and
3. Reasonable assurance as to the integrity and reliability of Council's financial and non-financial reporting.

Delegate the Authority to:

1. Approve:
 - a. audit engagement letters and letters of undertaking for external and any internal audits;
 - b. the appointment of any internal auditor within budgetary constraints; and
 - c. risk management and internal audit programmes;

2. Recommend to Council:
 - a. adoption, or non-adoption of completed financial and non-financial performance statements;
 - b. governance policies associated with Council's financial, accounting, risk management, compliance and ethics programmes and internal control functions; and
 - c. accounting treatments, changes in generally accepted accounting practice, and new accounting and reporting requirements.

3. Conduct and monitor special investigations in accordance with Council policy, including engaging expert assistance, legal advisors or external auditors, and, where appropriate, recommend action(s) to Council.

The Chair of the Audit and Risk Committee shall have delegated authority to:

1. Appoint an independent investigator to investigate an allegation of fraud pursuant to Council's fraud policy. If possible, this appointment is to be made in consultation with the Chief Executive.

PART A: Delegations to Community Boards, Committees, Subcommittees etc
Sub-Part 1 - Council Committees

2. Approve the letter of engagement for a member co-opted to the Audit and Risk Committee for the duration of the Committee's consideration of a special topic or topics.

Conditions:

In exercising the delegated powers, the Audit and Risk Committee will operate within:

1. policies, plans, standards or guidelines that have been established and approved by Council;
2. the overall priorities of Council;
3. the needs of the local communities; and
4. the approved budgets for the activity.

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

DISTRICT LICENCING COMMITTEE

Purpose:

To consider and determine applications for licences, managers certificates, renewal of licences and managers certificates, temporary authorities, and other matters pursuant to section 187 of the Sale and Supply of Alcohol Act 2012.

CODE OF CONDUCT PANEL

Recommending status only.

CHIEF EXECUTIVE PERFORMANCE MANAGEMENT COMMITTEE

Recommending status only.

Sub-Part 2 – Community Boards

NATIONAL PARK & WAIMARINO-WAIOURU COMMUNITY BOARDS

The role of Community Boards, as set out in Section 52 of the Local Government Act 2002, is to:

1. Represent, and act as an advocate for, the interests of its community; and
2. Consider and report on all matters referred to it by the Council, or any matter of interest or concern to the community board; and
3. Maintain an overview of services provided by the Council within the community; and
4. Prepare an annual submission to the Council for expenditure within the community; and
5. Communicate with community organisations and special interest groups within the community; and
6. Undertake any other responsibilities that are delegated to it by the Council.

Delegated authority to:

Pursuant to Clause 52 and Schedule 7, Clause 32 of the Local Government Act 2002, Council delegate authority to the National Park and Waimarino-Waiouru Community Boards to undertake other responsibilities in their respective wards, such as:

1. Co-ordinating rural reserves and hall committees
2. Allocating the approved budget, in conjunction with Council Officers who have financial delegations over the following activities in their area:
 - Footpaths programme;
 - Parks and reserves discretionary spends;
 - Public information signage; and
 - Community Funding.
3. Approving the following activities in the area, in conjunction with Council Officers who have operational or legislative delegations in their area:
 - Temporary road closures for events (subject to administrative imperatives).
 - Street names;
 - Parades, collections, and special uses of the roads;
 - Changes to speed restrictions on local roads (subject to Waka Kotahi NZ Transport Agency rules);

PART A: Delegations to Community Boards, Committees, Subcommittees etc

Sub-Part 3 – Other delegations to Council and Subcommittees

- Road Closures; and
 - New Plantings.
4. The Chair (or representative) of Community Boards allowed to be present at Council meetings, and have speaking rights during deputations, for items that have an affect or an importance for that Community Board area.
 5. Supporting Council projects and strategies, including authority where required to input into funding allocations within the relevant town concept plans approved budget to such activities, input into Bylaw development and review, input into Long Term Plan Asset disposal, be informed about liquor and gambling licences and events in their area.

Any funding allocation must be within the Council approved budget advised by the Chief Executive and any decision to allocate funds must be made in accordance with the requirements of the Local Government Act 2002 to meet the current and future needs for communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

Part B – Statutory and other delegations to the Chief Executive

For the purpose of performing his or her duties, the Council delegates to the Chief Executive all of its responsibilities, duties, and powers to act on any matter, subject to the restrictions set out in the tables in this Part.

The Chief Executive may sub-delegate any of these responsibilities, duties, or powers (including to a deputy to act if the Chief Executive is absent or not available) unless this is expressly excluded as set out in the tables in this Part.

Conditions

These delegations are subject to the following conditions:

- the delegated powers, duties, and responsibilities may be exercised only in circumstances where the Council, its committees, or its community boards are unable or unavailable to hold meetings that comply with the requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987;
- the Chief Executive (and in the absence of the Chief Executive, the delegated Executive Leader) must exercise the delegated powers, duties, and responsibilities in consultation with the Mayor (or, if the Mayor is unavailable, the Deputy Mayor or, if the Deputy Mayor is unavailable, the Chairperson of the relevant committee or community board and in all cases with consultation with all available councillors; and
- a delegated member of the Executive Leadership Team may exercise the delegated powers, duties, and responsibilities of the Chief Executive only in the event that the Chief Executive is unavailable and HAS delegated their powers, duties, and responsibilities to that member on a temporary basis.

Revocation of delegations

These delegations may be revoked at any time by the Council. In the event there is any inconsistency between this delegation and any other delegations made by the Council, this delegation takes precedence; and

Sub-Part 1 – Legislative Delegations

1. Animal Welfare Act 1999

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act except the power to nominate a member of an Animal ethics committee under section 101.	

2. Arts Council of New Zealand Toi Aotearoa Act 2014

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act except – (a) the allocation of funds to community arts projects; (b) consenting to a representative of the local authority to be a member of the community arts council under section 18(2); (c) making a grant under section 18(2)(b).	

3. Biosecurity Act 1993 and any regulations made under that Act

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act and regulations made under this Act except – (a) the power to set and assess rates as referred to in section 14; (b) the power to transfer the performance of an operation under this Act to another local authority.	

4. Births, Deaths, Marriages, and Relationships Registration Act 1995

Delegation	Date Amended
The power under section 75E to request the Registrar-General to provide a copy of all entries made in the access register in relation to any person.	

5. Building Act 2004 and any regulations made under that Act

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act (including the authority to appoint and warrant authorised and/or enforcement officers) and regulations made under this Act except – <ul style="list-style-type: none"> (a) Its power under section 213 to make arrangements for any other building consent authority to perform the Council’s functions of a building consent authority. (b) Its power under sections 219(1)(a) and 281A to set any fee or charge in relation to a building consent and for the performance of any other function or service under the Act. (c) Its powers under sections 233 to 236 to transfer any of its functions, duties, or powers under the Act to another territorial authority. (d) Its power under sections 233 to 236 to agree to undertake any function, duty, or power of any other territorial authority under the Act. 	

6. Building Research Levy Act 1969

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

7. Burial and Cremation Act 1964 and any regulations made under that Act

Delegation	Date Amended
All of its responsibilities, duties and powers under this Act and regulations made under this Act except – <ul style="list-style-type: none"> (a) naming of cemeteries under section 7: (b) making of bylaws under section 16: (c) erecting a crematorium under sections 38 and 39. (d) making of bylaws under section 40 	

8. Civil Defence Emergency Management Act 2002

Delegation	Date Amended
To perform functions and powers of the Council as a member of the Civil Defence Emergency Management Group in accordance with section 17 and 18.	
All the duties of a local authority under section 64.	

9. Criminal Procedure Act 2011 and regulations made under that Act

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act and regulations made under this Act.	

10. Dog Control Act 1996 and any regulations made under that Act

Delegation	Date Amended
<p>All of its responsibilities, duties, and powers under this Act (including authority to appoint and warrant dog control officers and rangers) and regulations made under this Act except –</p> <ul style="list-style-type: none"> (a) making grants under section 6(2)(b): (b) appointing a joint committee under section 7: (c) adopting a dog control policy under section 10, and reviewing the dog control policy under section 10AA: (d) entering into a written agreement under section 16(2) with another territorial authority in respect of dog control services: (e) making dog control bylaws under section 20: (f) hearing and determining an objection to a probationary owner classification under section 22: (g) terminating a probationary owner classification under section 23: (h) hearing and determining an objection to a disqualified owner classification under section 26: (i) hearing and determining an objection to a dangerous dog classification under section 31: (j) determining an objection to a menacing dog classification under sections 33B or 33D: (k) setting dog control fees under section 37: (l) hearing and determining an objection to a barking dog notice under section 55: (m) entering into an agreement with another territorial authority for the provision of pound facilities under section 67: (n) setting pound fees under section 68. 	

11. Electricity Act 1992

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

12. Fencing Act 1978

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

13. Food Act 2014 and regulations made under that Act

Delegation	Date Amended
All of its responsibilities, duties, functions and powers under this Act, and these regulations, except – <ul style="list-style-type: none"> (a) the decision to combine with 1 or more territorial authorities for the purpose of performing the function of a registration authority under section 173(2): (b) transferring the Council’s functions, duties, and powers under section 176: (c) transferring the Council’s functions, duties, and powers under section 179: (d) changing or revoking a transfer under section 182 (e) setting fees under section 205. 	

14. Freedom Camping Act 2011

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act except – <ul style="list-style-type: none"> (a) making bylaws under section 11; and (b) reviewing bylaws under section 13. 	

15. Gambling Act 2003

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act except adopting a policy on class 4 venues under sections 101 and 102 or granting a consent under s 100 otherwise than in accordance with Council's policy on class 4 venues. .	

16. Gas Act 1992

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

17. Government Roothing Powers Act 1989

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act except – (a) consenting to a delegation made by the New Zealand Transport Agency under section 62(1); (b) surrendering delegated powers and duties under section 63; (c) requests to New Zealand Transport Agency under section 81 in respect of motorways.	

18. Hazardous Substances and New Organisms Act 1996 and any regulations made under this Act

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

19. Health Act 1956 and any regulations made under this Act (including without limitation the Camping-Grounds Regulations 1985, the Health (Registration of Premises) Regulations 1966, the Health (Hairdressers) Regulations 1980, the Health (Burial) Regulations 1946)

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act (including authority to appoint and warrant environmental health officers) and regulations made under this Act except – (a) borrowing money under section 27 otherwise than in accordance with the LTP; (b) making bylaws under section 64; (c) the powers and functions under the Housing Improvement Regulations 1947 that may not be delegated as set out in regulation 22; (d) setting fees under regulation 13 of the Health (Burial) Regulations 1946; (e) setting fees under regulation 7 of the Health (Registration of Premises) Regulations 1966.	

20. Health and Safety at Work Act 2015 and any regulations made under this Act

Delegation	Date Amended
All of its responsibilities, duties and powers under this Act and these regulations, of a person conducting a business or undertaking (PCBU) on behalf of Council, including the authority to appoint and warrant authorised Health and Safety Officers.	

21. Heritage New Zealand Pouhere Taonga Act 2014

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act except- (a) making contributions to funds of Heritage New Zealand Pouhere Taonga under section 97; (b) transferring land to Heritage New Zealand Pouhere Taonga under section 98:	

22. Housing Improvement Regulations 1947

Part	Delegation	Date Amended
1	To determine the minimum standards of fitness for houses where required under the provisions of Part 1.	

23. Impounding Act 1955 and any regulations made under that Act

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act (including authority to appoint and warrant pound keepers and rangers), and these regulations, except – (a) setting poundage fees and sustenance charges under section 14: (b) declaring, under section 34, that section 33 does not apply to a specified road in the district.	

24. Land Drainage Act 1908

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act except the power to subdivide drainage districts under section 16.	

25. Land Transport Act 1998, and any rules and regulations made under that Act (including without limitation the Heavy Motor Vehicle Regulations 1974) Land Transport Rule: Vehicle Dimensions and Mass 2002 and Land Transport Rule: Setting Speed Limits 2003)

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act (including the authority to appoint and warrant parking wardens), and regulations and rules made under this Act except – (a) making bylaws under sections 22AB to 22AD: (b) making bylaws setting speed limits and designating urban traffic areas under the Land Transport Rule: Setting of Speed Limits 2017.	

26. Land Transport Management Act 2003

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act except – (a) making submissions when consulted on the regional land transport programme under section 18: (b) making submissions when consulted on the declaration of state highways or the revocation of a declaration under section 103: (c) appointing a person to represent the Council on the regional transport committee under section 105.	

27. Litter Act 1979

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act (including the authority to appoint and warrant litter control officers and wardens) except – (a) hearing objections under section 10: (b) making grants under section 11: (c) making bylaws under section 12: (d) adopting an infringement notice regime under section 13.	

28. Local Government Act 1974

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act except – (a) vesting property in a road in the New Zealand Transport Agency under section 316: (b) declaring a specified road or part of a specified road to be a pedestrian mall under section 336 and revoking any such declaration: (c) making bylaws under section 344(9) relating to swing gates and cattle stops under that section: (d) declaring a limited access road under section 346: (e) declaring land to be single parcels of land under section 346D: (f) declaring any private road or right of way to be a public road under section 349: (g) granting consent under section 354 in relation to a cellar or other excavation: (h) establishing toll gates and collecting tolls under section 361: (i) declaring a private drain to be a public drain under section 462: (j) making bylaws under section 517 relating to land drainage works.	

29. Local Government Act 2002

Delegation	Date Amended
<p>All of its responsibilities, duties, and powers under this Act (including the authority to appoint and warrant enforcement officers) except –</p> <ul style="list-style-type: none"> (a) those set out in clause 32(1)(a) to (f) of Schedule 7: (b) exempting a small organisation under section 7: (c) entering into a triennial agreement under section 15: (d) transferring responsibilities under section 17: (e) reviewing the delivery of services under section 17A: (f) establishing a community board under section 49: (g) establishing a council-controlled organisation under section 56: (h) appointing directors to council organisations under section 57: (i) agreeing to any statement of intent of a council organisation under Schedule 8: (j) adopting assessments of water and other sanitary services under section 125: (k) prescribing fees under section 150: (l) making determinations under section 155: (m) reviewing a bylaw under section 160: (n) transferring a bylaw-making power under section 161: (o) appointing a member under section 249(2): (p) making a reorganisation proposal under clause 3 of Schedule 3. 	

30. Local Government Official Information and Meetings Act 1987

Delegation	Date Amended
<p>As set out in section 42, all of its powers under Parts 2 to 5 of this Act except any power specified in section 32. Under section 43(1), the Chief Executive is specifically authorised to sub-delegate all or any of these powers.</p>	

31. Local Government (Rating) Act 2002

Delegation	Date Amended
To authorise the register of a notice of charge under section 90 in relation to postponed rates. This power may not be sub-delegated.	

32. Machinery Act 1950-4

Delegation	Date Amended
All of its responsibilities, duties, and powers under section 21A of this Act	

33. New Zealand Library Association Act 1939

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

34. Ombudsmen Act 1975

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

35. Plumbers, Gasfitters, and Drainlayers Act 2006

Delegation	Date Amended
All of its powers under section 91.	

36. Postal Services Act 1998

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

37. Privacy Act 2020

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

38. Property Law Act 2007

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

39. Protected Disclosures Act 2000

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act subject to compliance with Council's Protected Disclosures Act Policy, except adopting internal procedures under section 11, to be exercised in accordance with the Policy.	

40. Public Records Act 2005

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

Public Works Act 1981

Delegation	Date amended
All of its responsibilities, duties, and powers under this Act.	

41. Racing Act 2003

Delegation	Date Amended
The power to consider and determine an application for a Board venue consent under section 65C of this Act in accordance with the Council's Board venue policy.	

42. Rates Rebate Act 1973

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

43. Rating Valuations Act 1998 and any regulations made under this Act

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act and regulations.	

44. Residential Tenancies Act 1986

Delegation	Date Amended
The responsibilities, duties, and powers under this Act in relation to Council's pensioner housing portfolio. .	

45. Reserves Act 1977

Delegation	Date Amended
All of the responsibilities, duties and powers under this Act (including to appoint rangers in respect of any reserve for which the Council is an administering body pursuant to s 8), with the exception of those powers delegated to Council by Instrument of delegation signed by the Minister of Conservation on 12 June 2013.	

46. Sale and Supply of Alcohol Act 2012 and any regulations made under this Act

Delegation	Date Amended
Council's responsibilities, duties, and powers under this Act and regulations made under this Act, except the power to adopt a Local Alcohol policy, make any -Alcohol control bylaw and set fees.	
The Council's general authority to delegate to any person any of the Chief Executive's functions, powers and duties under the Sale and Supply of Alcohol Act 2012, including the function of Secretary pursuant to section 198.	
The power to appoint and warrant licensing inspectors and under section 197 (5) to appoint a chief licensing inspector.	

47. Statutory Land Charges Registration Act 1928

Delegation	Date Amended
The power under section 6(3) to sign a notice of a statutory land charge.	
The power under section 7(2) to sign a certificate releasing a statutory land charge.	

48. Summary Proceedings Act 1957 and any regulations made under this Act.

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act and regulations made under this Act.	

49. Telecommunications Act 2001

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

50. Trespass Act 1980

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act. The Chief Executive is the person in lawful occupation of land owned, occupied, or controlled by the Council.	

51. Urban Development Act 2020

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act except the power: to transfer to Kāinga Ora Council's responsibilities under section 97 of that Act; to make or amend any bylaws under sections 175 and 176 of that Act; or to approval the delegation of functions from Kāinga Ora to Council under section 297 of that Act.	

52. Unit Titles Act 2010

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

53. Utilities Access Act 2010

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act.	

54. Walking Access Act 2008

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act except – (a) the decision to give written consent as an administering authority under section 21: (b) the decision to agree to be a controlling authority (or not as the case may be) under section 36: (c) setting and imposing charges under section 37: (d) the decision to agree with the Commission’s decision or to evoke a walkway: (e) making bylaws under section 68.	

55. Waste Minimisation Act 2008

Delegation	Date Amended
All of its responsibilities, duties, and powers under this Act (including the authority to appoint and warrant enforcement officers) except – (a) making decisions under section 32 with respect to the spending of the levy: (b) adopting a waste management and minimisation plan under section 43: (c) setting fees in accordance with section 46: (d) making grants under section 47: (e) reviewing the waste management and minimisation plan under section 50: (f) making bylaws under section 56: (g) reviewing bylaws under section 58.	

Sub-Part 2 – Bylaws

1. Land Transport Bylaw 2014

Delegation	Date Amended
All of its powers under this Bylaw except powers which require Council resolution, including all, or part of, clauses 8.1, 9.1, 10.2, 11.2.1, 12.1.1, 12.3.2, 13.2.1, 13.4.1, 13.5.1, 13.5.10, 13.14.1, 13.15.1, 13.17.1, 17.4.1, 19.2.1, 19.2.2.	

2. The Ruapehu Bylaw 2019

Delegation	Date Amended
All of its powers under this Bylaw except powers which require Council resolution, including all, or part of, clauses 6, 11, 24.3, 24.4, 24.5.	

3. Trade Waste & Stormwater Bylaw 2019

Delegation	Date Amended
All of its powers under this Bylaw except powers which require Council resolution, including all, or part of, clauses 5.1, 5.2, 7.1.	

4. Water Supply Bylaw 2019

Delegation	Date Amended
All of its powers under this Bylaw except powers which require Council resolution, including all, or part of, clauses 9.1, 11.4.2(b).	

5. Bylaws Generally

Delegation	Date Amended
Its powers to appoint authorised officers for the purposes of performing duties under any of the Council's bylaws.	

PART B: Statutory and Other Delegations to the Chief Executive
Sub-Part 2- Bylaws

Its powers to institute any enforcement action, including a prosecution for an offence against any of the Council's Bylaws, or bringing injunction proceedings, together with a power to make any decision pertaining to such enforcement or prosecution or injunction proceedings.	
Its powers to take enforcement action against any person who breaches any such injunction and to make any decision on any matter relating to any such action.	
No powers to set fees and charges under any bylaw, unless otherwise specified in the bylaw.	

Sub-Part 3 – Development Contributions Policy & Legislation

Note: An objection made within Schedule 13A, Clause 1 of the Local Government Act 2002 is required to be heard by Development Contributions Commissioners.

Delegation	Date Amended
The Chief Executive Officer (or a delegated member of the Executive Leadership Team, in the absence of the Chief Executive) is appointed as a Level 1 Officer and is authorised to undertake all of the powers, functions and duties detailed in the table below (within the limits of any financial delegation), and HAS the authority to appoint staff as Level 2 or 3 officers and to delegate any of those powers, duties and functions (within the limits of any financial delegation) to officers, in accordance with the Development Contributions Policy & Local Government Act (2002): TABLE	
Calculation and approval of development contributions in accordance with policy.	
To require a special assessment.	
To determine development contribution special assessments, where a development requires a special level of service, is of a type or scale which is not readily assessed in terms of Household Equivalent Unit of Demand using the toilet pan or gross floor area conversion factors, or the results of the assessment using toilet pans or conversion factors are unfair.	
To appoint development contributions commissioners.	
To determine whether to apply for judicial review of a decision made by a development contribution commissioner.	
To authorise a Development Agreement.	
To determine development contributions assessments for all developments.	
To determine an application for re-consideration.	
To determine an application for remission or postponement.	
To require a developer to prove that it represents the Crown.	
To administer refunds.	
To authorise the withholding of a section 224© certificate, code of compliance certificate, certificate of acceptance or physical services connection if the development contribution HAS not been paid.	
To register outstanding development contributions as charges against subject land.	

Sub-Part 4 – Operational Delegations

1. Finance and Insurance

Financial Delegations	Limitations	Date Amended
<p>Authority to approve either capital or operational expenditure and to authorise the commencement of authorised works/services, including for any multi-year contracts, which have been budgeted for in Council’s Long Term Plan and/or Annual Plan up to a total value or total project value of EIGHT HUNDRED THOUSAND DOLLARS (\$800,000) excluding GST.</p>	<p>Conditional on:</p> <ul style="list-style-type: none"> ▪ The expenditure is for authorised works or services for which provision HAS been made in Council’s approved budget or forecast. ▪ Compliance with procedures identified in any relevant financial authority manual or policy (such as Council’s Procurement policy) in relation to each transaction. ▪ Any acquisition and disposal of assets, being in accordance with the Long Term Plan. ▪ Financial transactions should not be subdivided to avoid the financial delegation limit or a contestable process ▪ All new contracts between \$200,000 and \$800,000, variations on those contracts taking the total contract value no higher than \$800,000, or variations which take an existing contract to between \$200,000 and \$800,000, need to be approved by the Tenders Group. 	

PART B: Statutory and Other Delegations to the Chief Executive
Sub-Part 4 – Operational Delegations

Financial Delegations	Limitations	Date Amended
Budget changes – authority to approve budget changes within the approved Council forecast.	<p>Requires approval of the Executive Manager Finance, Strategy, & Governance and the Chief Executive, acting jointly.</p> <p>There is no financial limit on budget changes where they are; transfers of budgets between activities to allocate original group budgets to projects or accounts; budget savings or increases in revenue; and deferral of budgets to future years.</p> <p>All other budget changes are subject to a limit of FIFTY THOUSAND DOLLARS (\$50,000) per transaction, with a limit on cumulative change to original budgeted net surplus / (deficit) of ONE HUNDRED (\$100,000), unless there is prior Council approval.</p> <p>The approved Council forecast, showing changes made, will be reported to Council in monthly financial reports.</p>	
Authority to approve unbudgeted expenditure on civil defence functions, in the case of a formal declaration of a civil defence emergency.	Discretionary expenditure up to ONE MILLION DOLLARS (\$1,000,000)	
To open, to operate and to close the Council’s bank accounts.	In conjunction with the Executive Manager Finance, Strategy, & Governance.	
Authority to negotiate terms of borrowing.	In accordance with current Council’s Long Term Plan.	
Authority to agree on a ‘compromise accommodation’ with debtors.		
Authority to accept assets gifted to Council.		
Authority to negotiate the Waka Kotahi NZ Transport Agency budget, programme, and its funding and submit monthly and annual claims against the accepted Land Transport Programme.		
Authority to invest Council funds in any manner.	Subject to compliance with Council’s Treasury Policy (Investment and Liability Management).	

PART B: Statutory and Other Delegations to the Chief Executive
Sub-Part 4 – Operational Delegations

Financial Delegations	Limitations	Date Amended
Authority to manage debt, interest rates, foreign exchange, and cash	Subject to compliance with Council's Treasury Policy (Investment and Liability Management)	
Authority to establish procedures to carry out Council's financial policies and any enforcement thereof.		
S 101 Local Government Act 2002 Authority to carry out and undertake all the Council's functions, powers, and duties to manage revenue, expenses, assets and liabilities, investments, and general financial dealings prudently and in a manner that promotes the current and future interest of the community.	Subject to compliance with Council's financial policies.	
Power to authorise borrowing from approved market mechanisms as set out in Council's Treasury Policy (Investment and Liability Management), and to undertake short-term investments with approved Counterparties as also set out in Council's Treasury Policy (Investment and Liability Management), that mature within the same Council financial year, if Council is able to earn a positive margin between the borrowing and investment rates and subject to a report back to Council or a Council committee on any new arbitrage arrangement.	Requires approval of the Executive Manager Finance, Strategy, & Governance and the Chief Executive, acting jointly. The amount that can be borrowed this way in any financial year, when added to Council's existing external debt, can be no more than the peak projected debt levels for that financial year as detailed in Council's Long-Term Plan.	
Authority to approve any taxation payments to the Inland Revenue Department and any loan payments to lenders, even if such payments are more than the normal financial delegation for the position.		
Authority to certify and authorise progress payments in relation to contracts entered into by the Council up to the value of the accepted contract sum, provided that for progress payments in excess of ONE MILLION DOLLARS (\$1,000,000) report on the exercise of the delegation is made to either Council or a Council committee at the next available meeting.		
To write off unrecoverable debts or stock up to a maximum of FIFTY THOUSAND DOLLARS (\$50,000) in any one case.		
Power to act as a representative of Council and authority to act on behalf of Council with respect to managing the procurement of insurance.		
Authority to execute insurance declarations on behalf of Council, subject to the limits of the financial delegation to the position.		
Authority to negotiate contracts with Council's insurers and approve claims.		

2. Contracts

Delegation	Limitations	Date Amended
To sign on Council’s behalf contracts or letters of acceptance for the purposes of creating a contract where it has been resolved by the Council or any committee or subcommittee of the Council to accept any tender or quotation or is within the financial delegation to the position.	<ul style="list-style-type: none"> ▪ For authorised works for which provision has been made in the Council’s approved budget or forecast. ▪ Compliance with procedures identified in any relevant financial authority manual or policy (such as Council’s Procurement policy) in relation to each transaction; ▪ Subject to within financial delegation to the position or with the authority of a Council or committee resolution. 	
To carry out or authorise the carrying out of any works or other expenditure considered necessary to be undertaken by the Principal pursuant to the Conditions of Contract.	As above.	
To make any decision, election, or determination as Principal in relation to any contract entered in to between the Council and any third party.	As above.	
The power of appointment in respect of the role of “Engineer” under NZS 3910, 3916 and 3917 Contracts, to appoint a suitably qualified engineer to act in the role of “Engineer to Contract” in any of those contracts. The appointed “Engineer to Contract” may be permitted to appoint a suitably qualified Council employee or external contractor to act as “Engineer’s Representative” to exercise any of the powers invested in the Engineer.		

3. Interim Powers

Delegation	Date Amended
In relation to matters arising during the Christmas recess, from the third week in December until the end of January, the authority to make decisions and execute documents (including entering into any contract or authorising any expenditure) on behalf of the Council, in respect of urgent matters arising at this time, in consultation with the Mayor, or if the Mayor is not available, the Deputy Mayor, with any such decision made to be reported to the first ordinary meeting of the Council in the New Year.	
<p>In relation to matters arising at the end of the term of the Council, from the day of the declaration of results for the triennial general election until the first meeting of Council for the trimester, in respect of urgent matters arising during this time:</p> <ul style="list-style-type: none"> ▪ in consultation with the Executive Manager Finance, Strategy, & Governance, the authority to make decisions in respect of the tenders and contracts or authorise expenditure with delegated powers in excess of Eight Hundred Thousand Dollars (\$800,000) in accordance with an approved budget or forecast; ▪ in consultation with the Executive Manager Regulatory and Customer Services, the authority to make decisions in respect of Liquor Licensing and Regulatory matters; ▪ in consultation with the incoming Mayor, the authority to make decisions as may be appropriate in respect of other matters. <p>Any decision is to be reported to the first ordinary meeting of the incoming Council.</p>	

4. Property

Delegation	Date Amended
In respect of interests in land, including reserves vested in Council or for which Council is the administering body, to agree to variations to the price of any property which Council HAS resolved to purchase or sell provided that such variation does not exceed 5% of the amount resolved by Council and is reported to the next available meeting of the Council.	
To negotiate and tender land for lease with third parties for a period not exceeding 10 years.	
To negotiate a renewal of a Council lease where the lessee/tenant has abided by all the obligations and conditions.	
To authorise the suspension of rental payments for a maximum of three months where the term of the lease is for a minimum period of six months.	
To negotiate rent-free grazing leases on Council land but only if the costs of maintenance of the property exceeds the potential return.	
To initiate and resolve rental and/or outgoing arrears if the arrears have been outstanding for over 2 months.	
To terminate a lease for non-payment of rent or breach of lease condition and if necessary, initiate legal proceedings in the Court, (including arbitration) for recovery of the arrears or termination of the lease and repossession of the property.	
To undertake rent reviews in accordance with a lease which may include the instructing of a valuer, together with negotiating new rent.	

PART B: Statutory and Other Delegations to the Chief Executive
Sub-Part 4 – Operational Delegations

Delegation	Date Amended
To approve or decline the sub-leasing of Council property; together with the authority to approve or decline a sub-leasing arrangement that varies from the head-lease.	
To approve or decline assignment of leases.	
To approve or decline alterations to lessee/tenant owned buildings where the alterations may impact on Council owned land.	
To approve or decline a lessee/tenant's request for alterations to Council owned buildings.	
To terminate a grazing lease if the Council owned land is required for the purpose of Council activities.	
To terminate a lease in consultation with the existing lessee/tenant.	
Authority and power to act on Council's behalf as a landlord for the purposes of entering leased/tenanted land and buildings to carry out the landlord's rights and obligations under the lease.	
To negotiate sale and purchase agreements, subject to Council's approval, and to instruct all professionals which may be necessary to affect the purchase and sale process.	
To apply for any resource consent in relation to Council owned land or with respect to activities proposed to be undertaken by Council together with the authority to sign land transfer title plans for subdivisions approved by Council.	
Authority to collect revenue and file annual returns with respect to mining licenses.	
Authority to approve the registration of a caveat on land not owned by Council pursuant to Part 8 of the Land Transfer Act 1952.	
To enter into contracts, and execution of the same, for the use and management of Council facilities and land together with the authority to renew such agreements.	
To apply for a building consent for work to be undertaken on Council property.	

5. Executing Documents

Delegations	Limitations	Date Amended
<p>To sign on behalf of the Council all documents relating to interests in land, including reserves vested in Council or for which Council is the administering body and which include:</p> <ul style="list-style-type: none"> ▪ Tenancies, leases, and licences up to a 5 year term and renewals of leases where the original grant of lease contained a right of renewal ▪ Easements and similar rights ▪ Caveats and encumbrances ▪ Discharges or partial discharges of mortgages granted by Council ▪ Subdivision whether of Council owned property or in connection with resource consents granted by Council 	<p>Provided that in each case such documents:</p> <ul style="list-style-type: none"> ▪ include terms and provisions customary to such documents; ▪ reflect and include specific provisions including price as resolved by Council or a Council committee ▪ adequately protect Council. ▪ The value of the transaction is within the financial delegations held by the position. 	

PART B: Statutory and Other Delegations to the Chief Executive
Sub-Part 4 – Operational Delegations

Delegations	Limitations	Date Amended
<ul style="list-style-type: none"> ▪ Options to purchase (but not the exercise of any option) ▪ Property Law Act 2007 ▪ Not that deeds (e.g., Deed of Guarantee, Deed of Lease, Deed of Covenant) to be executed by Council under the Property Law Act 2007 must be signed and sealed by TWO elected members and the Chief Executive. 	<p>A report on any document signed under this authority (other than with the authority of a Council or committee resolution) shall be submitted to the next available meeting of the Council or a Council committee.</p>	
<p>To sign agreements to variations to the price of any property which Council HAS resolved to purchase or sell.</p>	<p>Such variation must not exceed 5% of the amount resolved by Council or a Council committee and must be reported to the next available meeting of Council or Council committee.</p>	
<p>Authority to sign documents on behalf of Council for the removal of limitations on titles as the owner of the land for which the limitation applies or owner of land adjoining, or where there are no implications for Council, either financially or in relation to Council's rights.</p>		
<p>Authority and Instruction forms To sign on behalf of Council all necessary 'Authority and Instruction' forms as required from time to time:</p> <ul style="list-style-type: none"> (a) to authorise and instruct solicitors acting for Council to undertake land conveyancing transactions electronically by e-dealing on behalf of the Council on the Land Information NZ Internet based land registry system known as 'Land online'; and (b) to comply with the requirements of s 164A of the Land Transfer Act 1952 and Rule 3.03 of the NZ Law Society's Rules of Professional Conduct 		
<p>Signing of documents other than those relating to contracts or interests in land</p>	<ul style="list-style-type: none"> ▪ Documents which have been authorised by Council or a Council committee resolution ▪ Documents include terms and provisions customary to such documents ▪ Reflect and include specific provisions including price as per the resolution ▪ Adequately protect Council 	
<p>To apply the Council Seal on any document which requires the Council Seal and which the Chief Executive is authorised to sign under this delegation</p>		

6. Litigation and claims

Delegation	Date Amended
<p>To authorise the taking or defending of proceedings in the Council’s name in any Court or Tribunal (except for proceedings for rating sale pursuant to the Local Government (Rating) Act 2002 which shall require a prior resolution of the Council). If this authority is exercised to take or defend any proceedings of any sort in the High Court, Environment Court, or any appeal court, then a report of such proceedings shall be delivered to Council at the next available Council meeting.</p>	
<p>To authorise the undertaking of any prosecution proceedings in the name of the Council or by any Council employee for breach of any Act, Regulation, Ruapehu District Council Bylaws, or the Ruapehu District Plan.</p>	
<p>Authority to resolve resource management appeals through Environment Court mediation processes with the proviso that in exercising this authority, consultation should be undertaken with the Mayor or Deputy Mayor (if the Mayor is unavailable) and a report of such resolution to be provided to the Council at its next available meeting.</p>	
<p>Authority to take all steps necessary to enforce any Court judgement in favour of the Council.</p>	
<p>Authority to exercise all power available to Council for the recovery of debt, other than rates, owed to the Council. Any legal proceedings commenced to recover any outstanding debt shall be reported to Council.</p>	
<p>Authority to manage potential and actual legal claims (including judicial review, injunction, and disputes proceedings) and settle claims for amounts up to \$10,000 (being the excess in relation to Council’s insurance cover), including signing any Settlement Agreement.</p>	
<p>In relation to any claims or proceedings, includes all ancillary authority necessary to give effect to the delegation, including authority to:</p> <ul style="list-style-type: none"> ▪ Notify Council’s insurer ▪ Instruct external legal counsel to represent Council ▪ Authority to engage professional or technical services in relation to the management of any such claim or proceedings ▪ Accept service of documents ▪ Defend the claim in any New Zealand Court or Tribunal ▪ Deal with any interlocutory matter (including any matters relating to discovery) ▪ Give and request any person to give sworn evidence ▪ Apply for a witness to be summonsed ▪ Appear on behalf of Council at the proceedings ▪ Authorise another person to represent the Council at the proceedings ▪ Submit the claim to alternate dispute resolution (including mediation and arbitration), including authority to sign any pre-mediation agreement ▪ Sign any documents in respect of the above ▪ Agree to provision or give security for costs (within the limits of any financial delegation) 	

PART B: Statutory and Other Delegations to the Chief Executive
Sub-Part 4 – Operational Delegations

Delegation	Date Amended
To delegate to any Council employee the authority to take all steps and do all things which may be necessary in connection with the taking or defending of proceedings on behalf of the Council, either civil or criminal, or of any other sort, or to appear on behalf of the Council in any Court or Tribunal.	

7. Media

Delegation	Date Amended
Authority to liaise with the media on all matters relating to the activities managed by the position.	

8. HR

Delegation	Date Amended
To assist with the day to day operation of the Council, authority to recruit, employ and discipline staff who report to the position holder, in accordance with Council's Human Resources policies and procedures.	
Authority to authorise and grant paid annual leave, domestic leave and sick leave for staff who report to the position holder in accordance with Council's Human Resources policies and procedures.	
Authority to delegate these powers to staff.	

Part C – Statutory and Other Delegations to Officers etc

The Council delegates to the persons who hold the positions as set out below, the following responsibilities, duties, and powers as set out in the tables in this Part.

These powers may only be sub-delegated if it is expressly provided for in the tables in this Part.

All delegations are made severally unless specified otherwise (i.e., the delegation can be exercised by the officer acting alone).

Sub-Part 1 – Legislative Delegations

1. Local Government (Rating) Act 2002

Delegate's position title	Abbreviation
Executive Manager Finance, Strategy, & Governance	EMFSG
Financial Accountant	FA
Senior Rates Officer	SRO

Section	Delegation	EMFSG	FA	SRO
15	To determine a separately used or inhabited part of a rating unit.	✓	✓	✓
20	To determine whether 2 or more rating units are to be treated as 1 rating unit.	✓	✓	✓
27	To keep and maintain the rating information database and to make decisions about the recognition of a rating unit in the rating information database.	✓	✓	✓
27 (s 7-9, 22, Schedules 1 and 2)	To determine the non-rateable status of a rating unit. *Any TWO of the delegates acting jointly.	✓	✓	✓
27(4)	To make decisions with respect to determining	✓	✓	✓

PART C: Statutory and Other Delegations to Officers etc
 Sub-Part 1 – Legislative Delegations

Section	Delegation	EMFSG	FA	SRO
	<ul style="list-style-type: none"> ▪ The category to which a rating unit belongs for the general rate: ▪ The categories to which the rating unit belongs for a targeted rate: ▪ Excess water charges. 			
27(5)	To make decisions with respect to recording separately for different parts of a rating unit (if separate records are necessary because of different rating treatment for each part of a rating unit), any of the matters specified in this section.	✓	✓	✓
28(2)	To determine whether or not to include the name of any person in the rating information database because it is necessary to identify the rating unit.	✓	✓	✓
28(3)	To determine the reasonable fee for being supplied with a copy of the particulars from the rating information database.	✓		
28(4)	To give notice as required.	✓	✓	✓
28C	To remove names from the rating information database.	✓	✓	✓
29	To determine ratepayer objections to the rating information database.	✓	✓	✓
32,33	To update the rating information database in accordance with this section.	✓	✓	✓
35	To remove names from the rating information database in accordance with this section.	✓	✓	✓
36	To update the rating information database in accordance with this section.	✓	✓	✓
37	To keep and maintain the rates records.	✓	✓	✓
39	To determine objections to the rates record.	✓	✓	✓
40	To correct an error in the rating information database or the rates records.	✓	✓	✓
41, 41A	To issue an amended rates assessment if an error is corrected.	✓	✓	✓
42	To recover additional rates from a ratepayer. To set the interest rate in accordance with this section.	✓	✓	✓
44-51	To provide for the delivery of rates assessments and rates invoices in accordance with these sections.	✓	✓	✓
45, 46	To provide for the design (form and content) of rates assessments and invoices.	✓	✓	✓
54	To not collect rates that are uneconomic to collect. The amount limit is TEN DOLLARS (\$10) per annum.	✓		
58	To impose penalties not paid by the due date.	✓	✓	✓
61, 62	To exercise powers for recovery of rates if owner in default.	✓	✓	✓
63	To commence legal proceedings to recover unpaid rates	✓		
85	To determine the applicability of remissions for late payment penalties.	✓		
87-90	To determine the applicability of rates postponements.	✓	✓	✓
85-90	To carry out any administrative tasks associated with remissions or postponements under these sections, and not otherwise delegated.	✓	✓	✓
99	To apply to Māori Land Court for charging order.	✓		
108	To apply to apply to Māori Land Court to enforce charging order.	✓		

PART C: Statutory and Other Delegations to Officers etc
 Sub-Part 1 – Legislative Delegations

Section	Delegation	EMFSG	FA	SRO
111	To apply to Māori Land Court for payment of unpaid rates.	✓		
114-115	To remit or postpone rates pursuant to Council rates remission and postponement policy.	✓		
114-115	To carry out any administrative tasks associated with remissions or postponements under these sections, and not otherwise delegated.	✓	✓	✓
135	To sign documents as correct copies for the purpose of Court or Tribunal proceedings.	✓		

2. Resource Management Act 1991

Delegations made under the authority of sections 34 and 34A of the Resource Management Act as the case may be.

Planning Consultants

Authority is delegated to the Executive Manager Regulatory & Customer Services to maintain a list of approved consultants to undertake work for Council in relation to Resource Management applications in accordance with the definition of preferred supplier in the procurement manual. Pursuant to s 34A(2) of the Resource Management Act 1991, the Planning Consultants approved as part of the Preferred Supplier Panel.

Delegate's position title	Abbreviation
RMA Hearings Panel	HP
Commissioner	C
Chief Executive	CE
Executive Manager Regulatory & Customer Services	EMRCS
Consents Manager	CM
TA Authorising Officer	TAAO
Senior Environmental Planner	SEP
Environmental Planner	EP
Resource Management Administration	RMAD

PART C: Statutory and Other Delegations to Officers etc
Sub-Part 1 – Legislative Delegations

Section	Delegation	HP	C	CE	EMRCS	CM	TAO	SEP / EP	RMAD
10	Extension of existing use rights			✓	✓	✓	✓		
10A	Authority to allow certain existing activities (now made unlawful/not permitted) to continue while application for resource consent is pending.			✓	✓	✓	✓		
10B	Authority to allow certain building work to continue where it HAS been subsequently made unlawful by a district plan			✓	✓	✓	✓		
32	Duty to meet requirements for preparing s 32 reports and evaluations.			✓	✓				
36(3) 36(3A) 36(5)	Authority to make decisions about additional administrative charges			✓	✓	✓	✓		
36AAB(1)	Authority to remit the whole or any part of any change of a kind referred to in s36 of the RMA (administrative charges) that would otherwise be payable.				✓	✓	✓		
37	Power to extend time periods as provided in this section			✓	✓	✓	✓		
37A	Requirement to consider matters before extending a time limit.			✓	✓	✓	✓		
38	Power to appoint and warrant enforcement officers			✓					
40	To exercise the powers under section 40(2) and 40(3) in relation to hearings.	✓	✓						
41B 41C	Power to direct applicant to provide evidence before hearings; power to make directions about conduct of hearings	✓	✓	✓	✓	✓	✓		✓
42	Power to make directions about hearings to protect sensitive information.	✓	✓	✓	✓				
42A	Powers regarding the preparation, commissioning, and provision of reports	✓	✓	✓	✓	✓		✓	
44A	Power to amend plans to address national environmental standards			✓	✓				
55(2)	Duty to amend plan or proposed plan if directed by national policy statement.			✓	✓				
58l (2)	National environmental standards mandatory direction to change plans			✓	✓				
58(4)(d)	National environmental standards consequential amendments that can be undertaken without a schedule 1 process			✓	✓				
86D	Ability to apply to Environment Court for a rule to have legal effect.			✓	✓				
87BA	Authority to sign a Notice for a Deemed Permitted Boundary Activity		✓	✓	✓	✓	✓		
87BB	Authority to sign a Notice for a Deemed Marginal or Temporary Activity		✓	✓	✓	✓	✓		
87E 87F 87G	Power to determine Council position on a request for direct referral, prepare reports and provide information to Environment Court.	✓	✓	✓	✓	✓	✓		

PART C: Statutory and Other Delegations to Officers etc
Sub-Part 1 – Legislative Delegations

Section	Delegation	HP	C	CE	EMRCS	CM	TAO	SEP / EP	RMAD
88	Authority to receive consent applications and determine whether the information meets the minimum requirements of the Act.			✓	✓	✓	✓	✓	
91	Power to determine not to proceed with a resource consent application on certain grounds.	✓	✓	✓	✓	✓	✓	✓	
91C	Power to decide to return application or continue to process the application.		✓	✓	✓	✓	✓		
92 92A	Authority to request further information to be provided, or to commission a report			✓	✓	✓	✓	✓	
95 95A 95B 95C 95D	Requirement to comply with time limit on notification. Authority to determine whether the adverse effects on the environment of an application will be minor. Requirement for notification or limited notification of the application where applicable.		✓	✓	✓	✓	✓		
95E	Duty to determine which persons may be adversely affected by an application and to serve notice of the application on them if required.		✓	✓	✓	✓	✓		
97(4)	Power to decide to adopt an earlier submission closing date to limited notified applications where all affected persons have provided the Council with a submission, written approval or notice that they will not make a submission.			✓	✓	✓	✓		
99	Power to call pre-hearing meetings and invite or require parties to attend and the duty to prepare a report of the meeting.		✓	✓	✓	✓	✓		
99A	Power to refer parties who have made a resource consent application or submissions on the application to mediation	✓	✓	✓	✓	✓	✓		
100	Authority to determine whether a hearing should be held in respect of any application for a resource consent	✓	✓	✓	✓	✓	✓		
101	Authority to decide when and where a hearing is to be held within the constraints of section 37		✓	✓	✓	✓	✓		✓
102	Authority to determine issues concerning joint considerations by TWO or more consent applications in relation to the same proposal.	✓	✓	✓	✓	✓	✓		
103	Authority to determine issues concerning TWO or more consent authorities.	✓	✓	✓	✓	✓	✓		
104	Duty to take matters into consideration and to exclude other matters when considering an application			✓	✓	✓	✓		
104A and 104C,	Power to determine resource consent applications and impose conditions providing no submissions received in opposition (controlled and restricted discretionary)		✓	✓	✓	✓	✓		
104B and 104D	Power to determine resource consent applications and impose conditions providing no submissions received in opposition (discretionary and non-complying)		✓	✓	✓	✓	✓		

PART C: Statutory and Other Delegations to Officers etc
Sub-Part 1 – Legislative Delegations

Section	Delegation	HP	C	CE	EMRCS	CM	TAO	SEP / EP	RMAD
104A to 104D	Power to determine resource consent applications and impose conditions where there are submissions received in opposition	✓	✓						
106	Power to decline subdivision consent	✓	✓	✓	✓	✓	✓		
108	Power to impose conditions on resource consent.	✓	✓	✓	✓	✓	✓		
108A	Power to impose a bond as one of the conditions.	✓	✓	✓	✓	✓	✓		
109	Conditions relating to bonds; power to enter on to land to ensure work for which bond is given is being completed.		✓	✓	✓	✓	✓	✓	✓
110	Power to refund financial contribution to consent holder where consent HAS lapsed.			✓	✓	✓	✓		
113	Recording reasons for decisions on resource consent applications in writing.	✓	✓	✓	✓	✓	✓		
114	Authority to serve consent applicant and submitters with notice of the decision on an application			✓	✓	✓	✓	✓	
116	Authority to consent to commencement of consent which is subject to Environment Court appeal	✓	✓	✓	✓	✓	✓	✓	
120	Authority to lodge appeal on Council's behalf in Environment Court	✓	✓	✓	✓				
124(2)	Power to allow a consent holder to continue to operate while applicant is seeking a new resource consent		✓	✓	✓	✓	✓		
125	Power to grant extension of period after which a consent will lapse		✓	✓	✓	✓	✓		
126	Power to cancel a resource consent by written notice		✓	✓	✓	✓	✓		
127	Power to change or cancel conditions imposed on a resource consent	✓	✓	✓	✓	✓	✓		
128 129	Power to review a resource consent and to give notice of review.	✓	✓	✓	✓	✓	✓		
132	Power to change the conditions of a resource consent on a review under s128, or to cancel resource consent	✓	✓	✓	✓	✓	✓		
133A	Power to make minor changes or corrections to resource consent (within 20 working days of grant).		✓	✓	✓	✓	✓	✓	
138	Authority to issue a notice of acceptance of surrender of consent		✓	✓	✓	✓	✓		
139 139A	Authority to issue certificate of compliance, other powers, and existing use certificates.		✓	✓	✓	✓	✓		
149B	Duty of local authority to provide EPA with all related information to a matter (where the Minister HAS called in a matter and the local authority HAS been served with a direction under s 149A).			✓	✓	✓	✓		
149E	Power to make a submission on behalf of Council on matter of national importance	✓		✓	✓				
149G	Duty to prepare a report commissioned by the EPA.			✓	✓				
149Q	Authority to receive report from EPA and to make comments on it.			✓	✓				
149T	Power to give notice on Council's behalf under s274 of matter referred directly to the Environment Court			✓	✓				
149V	Power to lodge appeal to the High Court on question of law on Council's behalf			✓	✓				

PART C: Statutory and Other Delegations to Officers etc
Sub-Part 1 – Legislative Delegations

Section	Delegation	HP	C	CE	EMRCS	CM	TAO	SEP / EP	RMAD
149ZD	Power to recover costs incurred by the Council from the applicant			✓	✓	✓	✓		
149W(2)(a) and (4)	Power to implement decision of Board or Court about proposed plan or change or variation.			✓	✓				
168 168A	Duty to receive notice of requirement			✓	✓	✓	✓		
168A	Authority to lodge notice of requirement on behalf of Council		✓	✓	✓				
168A	Power to determine whether to publicly notify Council's notice of requirement for a designation		✓	✓	✓				
168A	Power to make decision on Council's notice of requirement for a designation providing no submissions received in opposition		✓	✓	✓				
168A	Power to make decision on Council's notice of requirement for a designation where there are submissions received in opposition	✓	✓	✓	✓				
169	Power to request further information in relation to publicly notify notice of requirement for a designation		✓	✓	✓	✓	✓	✓	
169	Power to determine whether to publicly notify notice of requirement for designation		✓	✓	✓	✓	✓		
171	Power to consider and make recommendations on requirements for a designation providing no submissions received in opposition		✓	✓	✓				
171	Power to consider and make recommendations on requirements for a designation where there are submissions received in opposition	✓	✓	✓	✓				
173	Power to give notice of requiring authority's decision on designation			✓	✓	✓	✓	✓	✓
174	Power to appeal to Environment Court against requiring authority's decision on designation		✓	✓	✓				
175	Authority to include a designation in district plan			✓	✓	✓	✓		
176	Power to give written consent in relation to land subject to Council designation			✓	✓				
176A	Power to request changes and to waive requirement for an outline plan		✓	✓	✓	✓	✓		
181	Power to receive application for alterations to designations			✓	✓	✓	✓	✓	✓
181	Power to determine applications for alteration of designations providing no submissions received in opposition		✓	✓	✓				
181	Power to determine applications for alteration of designations where there are submissions received in opposition	✓	✓	✓	✓				
182	Authority to receive withdrawals of designations and to amend the District Plan accordingly		✓	✓	✓	✓	✓		
184	Power to extend designation which HAS not been given effect to		✓	✓	✓	✓	✓		
189	Duty to receive notice of requirement for heritage order			✓	✓	✓	✓	✓	

PART C: Statutory and Other Delegations to Officers etc
Sub-Part 1 – Legislative Delegations

Section	Delegation	HP	C	CE	EMRCS	CM	TAO	SEP / EP	RMAD
189A	Authority to lodge notice of requirement for a heritage order on behalf of Council		✓	✓	✓				
189A	Power to determine whether to publicly notify Council's notice of requirement for a heritage order		✓	✓	✓				
189A	Power to make decision on Council's notice of requirement for a heritage order	✓	✓	✓	✓				
190	Power to request further information of notice of requirement for heritage order		✓	✓	✓	✓	✓	✓	
190	Power to determine notification of notice of requirement for heritage order		✓	✓	✓	✓	✓		
191	Power to make recommendations on notice of requirement for heritage order	✓	✓	✓	✓				
193	Authority to give written consent in relation to land protected by Council's heritage order			✓	✓				
195	Power to appeal to Environment Court against heritage protection authority's decisions under sections 193 or 194		✓	✓	✓				
195A	Power to receive application for alterations to heritage order		✓	✓	✓	✓	✓	✓	✓
195A	Power to determine applications for alteration of heritage order providing no submissions received in opposition		✓	✓	✓	✓	✓		
195A	Power to determine applications for alteration of heritage order where there are submissions received in opposition	✓	✓	✓	✓				
196	Power to receive withdrawals of heritage orders and to amend the District Plan accordingly			✓	✓	✓	✓		
198C	To make a decision under section 198C on a request for a direct referral of a notice of requirement for a designation or heritage order to the Environment Court	✓		✓	✓				
198D	To approve the content of a consent authority report on a requirement that HAS been directly referred to the Environment Court		✓	✓	✓	✓	✓		
220	Power to impose conditions on subdivision consents	✓	✓	✓	✓	✓	✓	✓	
220(1)(a) and (2)(b)	Authority to undertake registration of certificates as authorised officer			✓	✓	✓	✓		
221(2)	Authority to issue and sign a consent notice			✓	✓	✓	✓		
221(3)	Authority to vary or cancel a condition specified in a consent notice		✓	✓	✓	✓	✓		
222	Powers related to the issues of completion certificates enabling the deposit of survey plan			✓	✓	✓	✓		
223	Powers related to approval of survey plan as authorised officer			✓	✓	✓	✓		
224 (c), (f)	Authority to certify compliance of survey plan as authorised officer			✓	✓	✓	✓		
226(1)(c)	Authority to certify any plans of subdivision or copy thereof, which HAS not had a previous statutory approval.			✓	✓	✓	✓		

PART C: Statutory and Other Delegations to Officers etc
Sub-Part 1 – Legislative Delegations

Section	Delegation	HP	C	CE	EMRCS	CM	TAO	SEP / EP	RMAD
234	Power to vary or cancel esplanade strips on application		✓	✓	✓	✓	✓		
235	Power to agree on Council's behalf to creation of esplanade strip			✓	✓	✓	✓		
237	Power to approve a survey plan where esplanade reserves or strips are required			✓	✓	✓	✓		
237B	Power to acquire an easement for access strip			✓	✓	✓	✓		
237C	Authority to close access strips and give notice of closure			✓	✓	✓	✓		
237D	Authority to agree to transfer of access strip to Crown or regional council			✓	✓				
237H	Authority to object to compensation valuation determination			✓	✓				
239	Authority to certify survey plans subject to specified interests and undertake online registration of certificates as authorised officer.			✓	✓	✓	✓		
240	Authority to certify survey plans subject to covenants and undertake online registration of certificates as authorised officer			✓	✓	✓	✓		
241	Authority to deal with amalgamation conditions and undertake online registration of certificates as authorised officer.		✓	✓	✓	✓	✓		
243	Authority to deal with survey plans subject to grant or reservation of easements and undertake online registration of certificates as authorised officer		✓	✓	✓	✓	✓		
245	Authority to approve survey plan of reclamation			✓	✓				
269 – 291	Authority to determine and direct Council involvement in Environment Court proceedings			✓	✓				
292	Authority to seek that Environment Court remedy defect in plan			✓	✓				
294	Authority to seek that Environment Court review a decision or rehear proceedings			✓	✓				
299 – 308	Authority to determine and direct Council involvement in High Court and Court of Appeal proceedings			✓	✓				
311 312	Authority to initiate declaration proceedings and take other necessary steps			✓	✓				
314 – 321	Authority to initiate enforcement order and interim enforcement order proceedings and take other necessary steps			✓	✓				
325	Authority to consent to a stay of abatement notice			✓	✓	✓	✓		
325A	Power to cancel abatement notice			✓	✓	✓	✓		
330	Power to take preventative or remedial action in emergency circumstances			✓	✓	✓	✓		
331	Power to seek reimbursement of Council's costs for emergency works			✓	✓	✓	✓		
336	Duty to return property seized under warrant or otherwise dispose of property if not claimed			✓	✓				
338	Authority to commence prosecution for breach of the Act			✓	✓				

PART C: Statutory and Other Delegations to Officers etc
Sub-Part 1 – Legislative Delegations

Section	Delegation	HP	C	CE	EMRCS	CM	TAAO	SEP / EP	RMAD
357D	Power to consider and determine objections providing there is agreement between the parties.		✓	✓					
357D	Power to consider and determine objections where there is no agreement between the parties.	✓	✓	✓	✓				
Sch 1 Cl 3, 3B	Duty to consult on proposed plan, including consultation with local iwi		✓	✓	✓				
Sch 1 Cl 3C	Authority to determine whether consultation HAS already occurred under other enactments		✓	✓	✓				
Sch 1 Cl 4	Duty to invite requiring authorities by written request on designations in proposed plans.			✓	✓				
Sch 1 Cl 5	Authority to prepare s32 report								
Sch 1 Cl 5	Authority to publicly notify proposed plan			✓	✓				
Sch 1 Cl 5A	Authority to prepare and undertake limited notification of a proposed plan change or variation to the plan			✓	✓				
Sch 1 Cl 6	Authority to make submissions on Council's behalf			✓	✓				
Sch 1 Cl 7	Duty to give public notice of submissions on proposed plan			✓	✓				
Sch 1 Cl 8, 8A	Authority to make further submissions on Council's behalf			✓	✓				
Sch 1 Cl 8AA	Authority to invite submitters to meetings or refer matters to mediation			✓	✓				
Sch 1 Cl 8B	Duty to give notice of hearings			✓	✓	✓			
Sch 1 Cl 8C	Authority to determine whether hearing is required		✓	✓	✓	✓			
Sch 1 Cl 8D	Authority to withdraw proposed plan		✓	✓	✓				
Sch 1 Cl 9	Power to hear and make recommendations and decisions on requirements	✓	✓	✓	✓				
Sch 1 Cl 11	Duty to give notice of decisions			✓	✓	✓			
Sch 1 Cl 14	Authority to lodge appeal with Environment Court			✓	✓				
Sch 1 Cl 16(1)	Duty to amend proposed plan if directed by Court			✓	✓				

PART C: Statutory and Other Delegations to Officers etc
Sub-Part 1 – Legislative Delegations

Section	Delegation	HP	C	CE	EMRCS	CM	TAAO	SEP / EP	RMAD
Sch 1 Cl 16(2)	Authority to amend proposed plan to correct minor errors			✓	✓				
Sch 1 Cl 20	Duty to give notice of plan becoming operative			✓	✓				
Sch 1 Cl 20A	Authority to amend operative plan to correct minor errors			✓	✓				
Sch 1 Cl 21	Authority to request change to regional plan or regional policy statement			✓	✓				
Sch 1 Cl 23	Power to seek further information relating to private plan change requests			✓	✓				
Sch 1 Cl 24	Power to modify plan change request			✓	✓				
Sch 1 Cl 25	Power to determine how to proceed with plan change request, including power to reject request		✓	✓	✓				
Sch 1 Cl 26	Authority to prepare plan change request			✓	✓				
Sch 1 Cl 26	Authority to notify plan change request			✓	✓				
Sch 1 Cl 28	Power to withdraw plan change request			✓	✓				
Sch 1 Cl 29(2) and (5)	Duty to send submissions to person who made plan change request and serve copy of its decision			✓	✓				
Sch 1 Cl 29(9)	Power to vary plan change request		✓	✓	✓				
Sch 1 Cl 32	Authority to certify material incorporated by reference			✓	✓				
Sch 1 Cl 34	Duty to consult on incorporation of material by reference			✓	✓				

PART C: Statutory and Other Delegations to Officers etc
Sub-Part 1 – Legislative Delegations

Section	Delegation	HP	C	CE	EMRCS	CM	TAAO	SEP / EP	RMAD
Sch 1 Cl 35	Duty to make information available and give public notice regarding material incorporated by reference			✓	✓				
Sch 1 Cl 75	Application to minister to use streamline planning process			✓	✓				
Sch 1 Cl 80(2)	Request amendment to a minister direction			✓	✓				
Sch 1 Cl 81	Request extended time limits			✓	✓				
Sch 1 Cl 82	Comply with Minister Direction			✓	✓				
Sch 1 Cl 83	Submit proposed planning instrument, report on submissions and s32 evaluation			✓	✓				
Sch 1 Cl 86	Actioning a proposed referred back to the local authority			✓	✓				
Sch 1 Cl 88	Power to withdraw a streamlined planning process			✓	✓				
Sch 1 Cl 90	Notify minister direction								
Sch 1 Cl 92	Appeals relating to requirements, designations, and heritage orders			✓	✓				
Sch 1 Cl 93	Appeals on questions of law			✓	✓				
General	To instruct counsel to represent the Council where the Council is a party in any proceedings before the Environment Court, as the case may be.			✓	✓	✓			
General	To provide decisions to applicants on the number of Environmental Benefit Lot Entitlements (EBL's) up to a total of 5. (Note: Any EBL requests greater than 5 must be approved by Council)			✓	✓				

Resource Management Act 1991 – Additional staff delegations

Authority is delegated to the following staff pursuant to **section 108 (power to impose conditions on a resource consent)** and **section 223 (powers related to approval of a survey plan as an authorised officer)**:

- Environmental Manager
- Manager Land Transport

Authority is delegated to the Chief Executive and to the Executive Manager Infrastructure to accept on Council’s behalf any transfer of a discharge permit pursuant to **section 137** of the Resource Management Act 1991

Authority is delegated to the following staff pursuant to **section 330 (power to undertake preventative or remedial action in emergency circumstances)**:

- Environmental Manager
- Manager Land Transport

Part D – Statutory and Other Delegations from the Chief Executive to Staff

The Chief Executive sub-delegates to the person holding the specified position, as set out in the tables in this Part, the powers, responsibilities, and duties, as set out in the tables in this Part of the Delegations Register.

All delegations are made severally unless specified otherwise. (i.e., a delegation can be exercised by the officer acting alone).

Council approved delegations to the Chief Executive pursuant to Council Resolution **XXX (Resolution number) on **XXX (Date)**, as set out in Part B, and in accordance with those, I hereby sub-delegate those delegations to staff as set out in the tables which form Part D of this Delegations Register**

Signed

Dated this **XX (Date) and subsequent Council resolutions as recorded in Part E Supporting Documentation.**

INDEX OF STAFF POSITIONS – ABBREVIATION KEY

Delegate's position title	Abbreviation
Alcohol Licencing Inspector	ALI
Building Control Administrator	BCA
Building Control Manager	BCM
Compliance Officer	CO
Compliance Manager	COM
Community Property Assets Officer	CPAO
Consents Manager	CM
Customer Services Officer	CSO
Customer Services Manager	CSM
Deputy Emergency Management Officer	DEMO
All Executive Managers	All EMS
Executive Manager Finance, Strategy, & Governance	EMFSG
Executive Manager Regulatory & Customer Services	EMRCS
Executive Manager Infrastructure	EMI
Executive Manager Community & Economic Development	EMCED
Executive Manager People, Capability, & Safety	EMPCS
Executive Manager Communications	EMC
Executive Manager Risk & Project Control	EMRPC
Executive Manager Iwi Relationships	EMIR
Emergency Management Officer	EMO
Environmental Manager	ENM
Environmental Planner	ENP
Financial Accountant	FA
Governance Manager	GOVM
Health and Alcohol Administrator	HAA
Information Management Officer	IMO
LIMs Officer	LIMO
Local Civil Defence Controller	LCDC
Manager Community Libraries	MCL
Manager Community & Recreational Services	MCRS
Manager Environment and Liquor	MEL
Manager Information Management	MIM
Manager Information Technology	MIT
Manager Land Transport	MLT
Manager Strategy & Policy	MSP

Delegate's position title	Abbreviation
Manager Solid Waste	MSW
Resource Management Administrator	RMAD
Senior Building Control Administrator and Quality Manager	SBCAQM
Senior Building Control Officer	SBCO
Sustainability Facilitator	SF
Senior Management Accountant	SMA
Senior Environmental Planner	SP
Senior Rates Officer	SRO

PART D: Statutory and Other Delegations from the Chief Executive to Staff
Sub-Part 1 – Legislative sub-delegations

Sub-Part 1 – Legislative

1. Amusement Devices Regulation 1978

Reg	Delegation		EMRCS	MEL	LI
11	To grant amusement device permits		✓	✓	✓
23	All powers of entry onto property, inspection of machinery, and access to and examination and copying of documents necessary to exercise powers and functions delegated under this Act or these regulations.		✓	✓	✓

2. Animal Welfare Act 1999

Delegation	EMRCS	COM	CO
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓	✓

3. Arts Council of New Zealand Toi Aotearoa Act 2014

Delegation	EMCED
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

4. Biosecurity Act 1993 and any regulations made under that Act

Delegation	EMI	MCRS
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓

5. Births, Deaths, Marriages, and Relationships Registration Act 1995

Delegation	EMFSG	GOVM
The power under section 75E to request the Registrar-General to provide a copy of all entries made in the access register in relation to any person.	✓	✓

6. Building Act 2004

Section	Delegation	EMRCS	BCM	BCA	SBCO	SBCAQM
31	To provide a copy of a PIM to the owner of the property	✓	✓	✓	✓	✓
33	Authority to determine information required for an application for a project information memorandum (PIM).	✓	✓	✓	✓	✓
34	Authority to issue a PIM.	✓	✓	✓	✓	✓
35	Authority to determine the content of a PIM in accordance with this section	✓	✓	✓	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMRCS	BCM	BCA	SBCO	SBCAQM
36	Authority to attach and issue a development contribution notice	✓	✓	✓	✓	✓
37	Authority to attach and issue certificates requiring resource consent	✓	✓	✓	✓	✓
38	Provide a PIM to a network utility operator or statutory authority.	✓	✓	✓	✓	✓
39	Advise Heritage New Zealand Pouhere Taonga of applications for PIMS, building consents etc.	✓	✓	✓	✓	✓
45	The authority to determine plans, specifications and other information required in an application for a building consent	✓	✓	✓	✓	✓
46	Provide copies of applications to Fire and Emergency NZ as required.	✓	✓	✓	✓	✓
48	To grant or refuse an application within the time limits specified, and the power to require further information.	✓	✓		✓	
49	The authority to grant a building consent if satisfied provisions of the building code would be met.	✓	✓		✓	
50	The authority to give notice and reasons of a refusal to grant a building consent.	✓	✓		✓	
51	The authority to issue of building consent.	✓	✓	✓	✓	✓
52	The authority to extend the time permitted to activate a building consent	✓	✓	✓	✓	✓
54	The authority to advise applicants the amount of levy for which they are liable	✓	✓	✓	✓	✓
58 and 59	To make payments and certify in respect of levies to the Department of Building and Housing (DBH).	✓	✓	✓	✓	✓
62	The power to recover unpaid levies from applicants	✓	✓	✓	✓	✓
64	To keep in safe custody all records and Building Consents issued	✓	✓	✓	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMRCS	BCM	BCA	SBCO	SBCAQM
67	Power to grant a consent subject to the waiver or modification of the building code.	✓	✓		✓	
67A	Authority to grant waivers or modifications in relation to means of restricting access to residential pools	✓	✓		✓	
68	To notify the Chief Executive of the Ministry of Business, Innovation and Employment if a consent is granted subject to waiver or modification of the building code.	✓	✓	✓	✓	✓
70	To refer applications for energy work to the Chief Executive of the Ministry of Business, Innovation and Employment	✓	✓	✓	✓	✓
71	Authority to refuse any building consent in relation to land with natural hazards.	✓	✓		✓	
72	Authority to grant any building consent in certain situations involving natural hazards.	✓	✓		✓	
73	Carry out the notification obligations for building consent where it is issued under section 72.	✓	✓	✓	✓	✓
74	Carry out the further notification obligations under subsection (4).	✓	✓	✓	✓	✓
75 and 77	Issue a certificate in relation to a building on 2 or more allotments of 1 or more existing subdivisions.	✓	✓			
83	Authority to authenticate a certificate for the construction of a building on TWO or more allotments	✓	✓	✓	✓	✓
90, 222	The power to carry out inspections as specified in sections 90 and 222 of the Building Act 2004 and enter any land or premises for the purpose of inspection, and be an “authorised agent or officer” for the purposes of these sections.	✓	✓		✓	
93	The authority to determine whether to issue a code compliance certificate within a certain time.	✓	✓		✓	
94	The authority to issue a code compliance certificate if satisfied of certain matters.	✓	✓		✓	
95A	Give applicant written notice where refusing to issue code compliance certificate.	✓	✓	✓	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMRCS	BCM	BCA	SBCO	SBCAQM
96	Power to issue a certificate of acceptance	✓	✓		✓	
97	Power to determine other information required for an application for a certificate of acceptance	✓	✓		✓	
98	Determine whether to issue certificate of acceptance and whether to require further reasonable information	✓	✓		✓	
99	Authority to issue a certificate of acceptance in relation to part of a building work	✓	✓		✓	
99A	Give applicant written notice where refusing to issue certificate of acceptance	✓	✓	✓	✓	✓
102	Authority to issue a compliance schedule.	✓	✓		✓	
106, 107 and 109	Power to amend a compliance schedule and carry out other administrative tasks under these sections.	✓	✓	✓	✓	✓
111	Authorised agents of the Council to carry out inspections under this section.	✓	✓		✓	
112	Authority to grant building consent for the alteration of an existing building etc if satisfied of certain matters.	✓	✓		✓	
113	Authority to grant building consent and determine conditions of a building consent in relation to buildings with specified intended lives	✓	✓		✓	
115	Authority to determine the change of use of buildings and give the necessary written notice.	✓	✓		✓	
116	Authority to consent to an extension of life of a building and give the necessary written consent.	✓	✓		✓	
116A	Authority to decide in respect of code compliance under this section.	✓	✓		✓	
124	Authority to determine that a building is dangerous, affected, earthquake-prone or insanitary, and take any of the specified actions	✓	✓		✓	
126	Give notice to the owner of a building and apply to the District Court for an order.	✓				
133AG	Authority to identify potentially earthquake-prone buildings	✓	✓		✓	

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMRCS	BCM	BCA	SBCO	SBCAQM
133AH	Authority to request from the property owner an engineering assessment of potentially earthquake-prone buildings	✓	✓		✓	
133AJ	Authority to grant an extension of time to the owner to provide engineering assessment	✓	✓		✓	
133AK	Authority to determine whether a building is earthquake prone.	✓	✓		✓	
133AL	Authority to issue earthquake-prone building notices for earthquake-prone buildings	✓	✓		✓	
133AN	Power to grant to the owner of an earthquake-prone building, an exemption from the requirement to carry out seismic work on that building.	✓	✓		✓	
133AO	Power to grant an extension of time of up to 10 years to complete seismic work to the owner of a heritage building.	✓	✓		✓	
133AP	Authority to attach or require the owner of a building to attach an earthquake-prone building notice or an exemption notice to and earthquake-prone building.	✓	✓		✓	
133AQ	Power to assess information relating to earthquake-prone building status at any time.	✓	✓		✓	
133AR	Power to impose safety requirements	✓	✓		✓	
133AS	Power to carry out seismic work on behalf of the territorial authority.	✓	✓		✓	
133AT	Assess any building consent application for the alteration of an earthquake-prone building to ensure compliance with building code.	✓	✓		✓	
133AY	Authority to reassess any decisions in light of changes in definition of ultimate capacity or moderate earthquake.	✓	✓		✓	
164	Authority to issue notices to fix.	✓	✓		✓	
167	Confirm or not that a notice HAS been complied with and if refused give reasons and issue further notice.	✓	✓		✓	

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMRCS	BCM	BCA	SBCO	SBCAQM
177, 180	Authority to make and withdraw an application for determination.	✓	✓		✓	
215	Apply for and gain accreditation and apply for and be registered as a building consent authority.	✓	✓			
216	Keep all records relevant to the administration of the Building Act 2004.	✓	✓	✓	✓	✓
217	Provide access to information held under section 216 to the public	✓	✓	✓	✓	✓
218	Provide information to the Chief Executive of the Ministry of Business, Innovation and Employment.	✓	✓	✓	✓	✓
219(1)(b) and (2)	Authority collects the levy under S53 and to refuse service where the fees or charges are not paid.	✓	✓	✓	✓	✓
220	Authority to give notice under section 220(3) and then to apply to the District Court for an Order to carry out building work	✓				
221	To exercise the powers to recover costs under this section	✓				
222	Authority to carry out inspections and to enter premises	✓	✓		✓	
363A	The power to issue certificates of public use and specify conditions in those certificates. Authority to require further reasonable information from the applicant, and the time period for providing that information from the applicant.	✓	✓		✓	
371A 372	Authority to carry out all of the functions, powers and duties of an Enforcement Officer and the issue of infringement notices under Section 372 of the Act.	✓	✓		✓	
377, 378 and 379	Authority to file a charging document for an offence against the Building Act 2004.	✓				
381	Apply for an injunction.	✓				

7. Building Research Levy Act 1969

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Delegation	EMRCS	B CM	BCA	SBCO	SBCAQM
If the Council HAS been appointed an agent under section 9, receiving any levies payable.	✓	✓	✓	✓	✓

8. Burial and Cremation Act 1964 and any regulations made under that Act including (without limitation) the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967

Delegation	EMI	EMRCS	MCRS	MEL	LLI
All of the responsibilities, duties, and powers under this Act and these regulations that have been delegated to the Chief Executive.	✓	✓	✓	✓	✓

9. Camping-Grounds Regulations 1985

Reg	Delegation	EMRCS	CADM	SBCO	MEL	LLI
3	To refuse to grant a certificate of registration, and to refuse to permit the use of an existing campground for a relocatable home park.	✓			✓	✓
4	To require copies of camp plan to be lodge with the Council.	✓			✓	✓
5	To determine if sites satisfactorily marked.	✓			✓	✓
6(3)	To give permission in writing to buildings or structures.	✓	✓	✓		
8	To determine whether lighting is satisfactory.	✓	✓	✓	✓	
9	To determine whether the camping-ground meets the required standards of sanitation and safety.	✓			✓	✓
10	To request to examine records.	✓			✓	✓
11	To give written consent to a relocatable home on a relocatable home park.	✓	✓	✓		

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Reg	Delegation	EMRCS	CADM	SBCO	MEL	LLI
12	To determine if a satisfactory standard of all-weather access is being provided and maintained.	✓	✓		✓	✓
14	To grant certificates of exemption under this regulation.	✓			✓	
Schedule	To determine if a camping-ground meets the required standards and to determine acceptable standards for those matters that the Schedule leaves to the discretion of the Council.	✓	✓		✓	

10. Civil Defence Emergency Management Act 2002

Delegation	EMRCS	LCDC	EMO / DEMO
All of the responsibilities, duties, and powers under this Act and these regulations that have been delegated to the Chief Executive.	✓	✓	✓

11. Criminal Procedure Act 2011 and regulations

Delegation	All EMS
All of the responsibilities, duties, and powers under this Act and these regulations that have been delegated to the Chief Executive.	✓

12. Dog Control Act 1996

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMRCS	COM	CO	CSM/CSO
21	To classify probationary owners.	✓	✓		
23A	To require a probationary owner to undertake a dog owner education programme or dog obedience course.	✓	✓		
25	To disqualify owners.	✓			
28(6)	To extend a period of disqualification.	✓			
31	To classify any dog as a dangerous dog.	✓			
32(1)(f)	To consent to the disposal of a dangerous dog.	✓			
32(5)(b)	To authorise the release of a dog from custody.	✓	✓	✓	
33A and 33C	To classify any dog as a menacing dog.	✓	✓		
33E(1)	To require the production of a certificate.	✓	✓	✓	
33E(5)	To exempt any menacing dog from the muzzling requirements in any specified circumstances.	✓	✓		
33EB(2)	To require the production of a certificate.	✓	✓	✓	
33ED	To classify a dog as a dangerous dog or menacing dog.	✓	✓		
35 and 35A	To provide register information and make any necessary determinations under these sections.	✓	✓		
36A(3)(a)	To issue instructions under this section.	✓	✓	✓	
39	To remit, reduce or refund dog control fees or part of those fees in accordance with this section.	✓	✓		
40	To require written statements and the production of certificates under this section.	✓	✓	✓	
46	To issue replacement labels or discs.	✓	✓	✓	✓
66	To authorise any person other than a dog control officer to issue an infringement notice under this section.	✓			
66	To commence proceedings in accordance with section 21 of the Summary Proceedings Act 1957 where an infringement notice HAS been issued and to make any decision in any matter relating to such proceedings.	✓	✓		
67(b)	Enter into an agreement for any person to provide proper custody, care and exercise of impounded dogs.	✓	✓		
69(2)	Give written notice to the owner that the dog HAS been impounded	✓	✓	✓	✓
69 and 70(7)	To sell, destroy or dispose of any dog.	✓		✓	
71 and 71A	To exercise the Council's powers under these sections.	✓			

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMRCS	COM	CO	CSM/CSO
General	To institute any prosecution for an offence under the Act or under any bylaw made by the Council under the Act and to make any decision in any matter relating to any such prosecution.	✓			
General	To apply for an injunction preventing a person from committing a breach of any bylaw made by the Council under section 20 of the Act and to make any decision in any matter relating to such an application.	✓			
General	To take enforcement action against any person who breaches any such injunction and to make any decision in any matter relating to such action.	✓			

13. Electricity Act 1992

Delegation	EMI	EMFSG
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓

14. Fencing Act 1978

Delegation	EMFSG	MCRS	MLT
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive with respect to the extension, location, relocation of fences on road.	✓	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Food Act 2014

Delegation	EMRCS	MEL	LI
All of the responsibilities, duties, and powers under this Act and these regulations that have been delegated to the Chief Executive.	✓	✓	✓
Issue and sign any certificates or other documents issued by the Territorial Authority (such as in its role as registration authority), or any applications made by the territorial authority under this Act. *	✓	✓	
Act as a verifier under the Act for Food Control Plans and sign any related reports.*		✓	✓
Act as a verifier under the Act for National Programmes and sign any related reports.*		✓	✓
Act as a Food Safety Officer under the Food Act and sign any resulting reports or notices relevant to that role.*		✓	✓

*subject to individual Ministry for Primary Industries approval under s139 of the Food Act 2014.

15. Freedom Camping Act 2011

Section	Delegation	EMI	MCRS
39	To decide whether or not to return seized and impounded property.	✓	✓
40	To dispose of seized and impounded property.	✓	✓

16. Gambling Act 2003

Delegation	EMRCS	MEL
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Gas Act 1992

Delegation	EMFSG	EMI
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓

17. Government Rounding Powers Act 1989

Delegation	EMI	MLT
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive, including powers to enter into agreements with NZTA .	✓	✓

18. Hazardous Substances and New Organisms Act 1996 and any regulations made under this Act

<i>Delegation</i>	EMRCS	MEL
<i>All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.</i>	✓	✓

19. Health Act 1956

Section	Delegation	EMRCS	MEL	LLI
33	To exercise the powers under this section.	✓	✓	
34	To abate nuisance without notice.		✓	

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMRCS	MEL	LLI
41	All the powers of the Council in respect of cleansing orders.	✓	✓	
42	To be an authorised officer and to issue repair notices and closing orders.	✓	✓	
45	To cancel a closing order.	✓	✓	
54	To grant consent to the operation of an offensive trade and impose conditions.	✓	✓	
58	To grant consent to the establishment of stockyards and impose conditions.	✓	✓	
64	Authority to administer and enforce any Bylaw made pursuant to the Act 1956.	✓	✓	
81	To determine if the cleansing or disinfection of premises and / or articles is necessary. Power to authorise an environmental health officer to enter premises and carry out the cleaning and disinfection.	✓	✓	
128	To determine who may enter and inspect any dwelling house, building, land, ship, or other premises under this section. Note Environmental Health Officers are authorised to enter and inspect any dwelling house, building, land, ship, or other premises under this section.	✓	✓	
General	To institute any prosecution for an offence under the Act and to make any decision in any matter relating to any such prosecution.	✓		

20. Health Act 1956 – Part 2A – Drinking Water

Section	Delegation	EMI	ENM
69K, 69L, 69M	To apply for registration as a drinking water supplier, water carrier, and to provide information about any associated changes as required under section 69M.	✓	✓
69S	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, and to make decisions about when to restrict or interrupt the provision of drinking water to any point of supply under section 69S.	✓	✓
69T	To determine if the Council's ability to maintain an adequate supply of drinking water is or may be at imminent risk for any reason, and to take steps as referred to in section 69T.	✓	✓
69U	To take reasonable steps to contribute to the protection of a drinking water source.	✓	✓
69V	To take all practicable steps to comply with drinking water standards.	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff**Sub-Part 1 – Legislative sub-delegations**

Section	Delegation	EMI	ENM
69W	To take reasonable steps to supply wholesome drinking water.	✓	✓
69X	To check water quality before connecting to a new water source.	✓	✓
69Y	To monitor drinking water to ensure compliance with drinking water standards and assess public health risk.	✓	✓
69ZA-69ZS	To prepare and implement a water safety plan in relation to drinking water supply, to review/renew plans, keep and make available records of plans, to investigate complaints, and to take remedial action if standards breached.	✓	✓
69ZZP	To make assessments and warn users of self-supplied building water supplies about contamination.	✓	✓
69ZZZ	As a network supplier to take actions with respect to backflow prevention.	✓	✓

21. Health (Burial) Regulations 1946

Reg	Delegation	EMRCS	MEL	
16	To sign the certificates of registration.	✓	✓	
19	To grant registration of additional or substituted places of funeral directors.	✓	✓	

22. Health (Hairdressers) Regulations 1980

Reg	Delegation	EMRCS	MEL	LLI
3	To grant certificates of registration.	✓	✓	✓
4	To grant certificates of exemption.	✓	✓	

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

23. Health (Registration of Premises) Regulations 1966

Reg	Delegation	EMRCS	MEL	LLI
4	To require all such particulars in any application for registration.	✓	✓	
5	To determine applications for certificates of registration and issue certificates of registration, and to renew registration and issue new certificates accordingly.	✓	✓	
8	To keep records of all registered premises and provide for inspection of these records.	✓	✓	
9	To serve notices, and to determine to cancel registration of a premises.	✓	✓	

24. Health and Safety at Work Act 2015

Delegation	EMPCS
Authority to act, in accordance with the direction of the Chief Executive, on behalf of Council in all matters relating to the employment of staff and to assume responsibility for ensuring the obligations of Council as an employer comply with the provisions of the Act	✓
Authority to assume accountability for ensuring the obligations of Council as an employer comply with the provisions laid down in the Health and Safety Manual	✓
Authority to provide on behalf of Council, reasonable opportunities for its employees to participate effectively in ongoing processes for improvement of health and safety in the employees' places of work	✓
Authority to make recommendations to Council regarding the health and safety in a place of work which are proposed by the Health and Safety Committee.	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

25. Heavy Motor Vehicle Regulations 1974

Reg	Delegation	EMI	MLT
11	To exercise its powers as a road controlling authority with respect to any bridge under its control to fix weight limits or a speed limit or both weight limits and a speed limit for heavy motor vehicles, and combinations of vehicles including a heavy motor vehicle, using the bridge; and to comply with all other requirements of this regulation.	✓	✓

26. Heritage New Zealand Pouhere Taonga Act 2014

Delegation	EMCED
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓

27. Housing Improvement Regulations 1947

Part	Delegation	EMRCS	CM
1	To determine the minimum standards of fitness for houses where required under the provisions of Part 1.	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

28. Impounding Act 1955 and the Impounding Regulations 1981

Delegation	EMRCS	EMI	CM	COM	MLT	CO
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive, except section 8 & 9 of the Impounding Act 1955.	✓	✓	✓	✓	✓	✓
All of the responsibilities, duties, and powers under sections 8 & 9 of the Impounding Act 1955.	✓					
All of the responsibilities, duties, and powers under these regulations to sign forms 3 and 4 as an authorised officer.	✓			✓		✓

29. Land Drainage Act 1908

Delegation	EMI	ENM	MLT
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓	✓

30. Land Transport Act 1998 and any rules made under this Act

Section	Delegation	EMI	EMRCS	MLT	COM	CO
General	Authority to carry out the functions, powers, and duties of a Parking Warden.		✓		✓	✓
General	To take enforcement action (including any prosecution) under this Act, and these rules and regulations.	✓	✓			

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMI	EMRCS	MLT	COM	CO
General	All of the responsibilities, duties, and powers under this Act, and these rules and regulations, that have been delegated to the Chief Executive.	✓		✓		
General	To exercise the Council’s powers as a road controlling authority in relation to the Land Transport Rule: Traffic Control Devices 2004 and the Traffic Control Devices Manual (including without limitation Part 8 of the Manual which is the Code of Practice for Temporary Traffic Management), the placement of regulatory signs and markings to control traffic.	✓		✓		

31. Land Transport Management Act 2003

Delegation	EMI	MLT
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓

32. Land Transport Rule: Setting of Speed Limits 2017

Section	Delegation	EMI	MLT
5	All of the Council’s powers under this section in relation to the setting of temporary speed limits.	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff
Sub-Part 1 – Legislative sub-delegations

33. Land Transport Rule: Vehicle Dimensions and Mass 2002

Section	Delegation	EMI	MLT
5	To issue permits to the operator of a heavy motor vehicle.	✓	✓

34. Litter Act 1979

Section	Delegation	EMRCS	EMI	COM	MCRS	MEL	LLI	CO
10(1) – 10(2)	To require owners of private property to clear litter from their property, and to issue notices.	✓		✓	✓	✓	✓	✓
General	The power to initiate any prosecution in relation to an offence against this Act together with the power to make any decision pertaining to such prosecution.	✓	✓					

35. Local Government Act 1974

Section	Delegation – to exercise the Council’s powers under these sections:	EMI	EMRCS	ENM	MLT	SF	LLI
315-361	Powers held by the Chief Executive under Part 21	✓	✓	✓	✓		
337	To require alteration to pipes and drains and other apparatus on or under a road and recover the costs.	✓	✓	✓	✓		
356-356B	To remove and dispose of abandoned cars from roads and exercise all of the Council’s powers under this section.	✓	✓		✓	✓	
446	Cover watercourse to make a public drain	✓	✓	✓	✓		

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation – to exercise the Council’s powers under these sections:	EMI	EMRCS	ENM	MLT	SF	LLI
447	Betterment contributions	✓	✓	✓	✓		
451	Diversion etc. of drainage works	✓	✓	✓	✓		
459	To require owners of land to provide private drains or do any of the other things specified in section 459(1), to give notice, and to exercise all of the Council’s powers under this section.	✓	✓	✓	✓		
460	To give notice of the Council resolution to owners.	✓		✓	✓		
461	To sign a certificate under this section.	✓		✓	✓		
467	Unlawful connection of a private drain	✓		✓	✓		
468	Power to exercise the Council’s powers to remove a tree and/or tree roots which is/are obstructing a public drain.	✓	✓	✓	✓	✓	
469	Protective works to prevent damage by flood	✓		✓	✓		
511	Authority to give notice to remove an obstruction from a drainage channel or watercourse.	✓	✓	✓	✓		✓
514	Authority to negotiate advances to owners of land for compliance with removing an obstruction.	✓	✓	✓	✓		
Clause 11 and 12, Tenth Schedule	To exercise powers of the Council relating to the temporary prohibition of traffic on roads.	✓	✓	✓	✓	✓	
General	The power to initiate any prosecution in relation to an offence against this Act together with the power to make any decision pertaining to such prosecution.	✓					

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

36. Local Government Act 2002

Section	Delegation	All EMS	MCRS	ENM	MLT	BCM	COM	MEL	LLI	EO	SF	MLT	SBCO
162	To apply for an injunction restraining a person from committing a breach of a bylaw or an offence against this Act. To take enforcement action against any person who breaches any such injunction and to make any decision in any matter relating to such action.	✓											
163	To exercise the Council’s powers to remove or alter a work or thing that is, or HAS been, constructed in breach of a bylaw; and to recover the costs of removal or alteration from the person who committed the breach.	✓	✓	✓	✓	✓	✓	✓		✓			✓
167	To determine whether or not to return seized and impounded property.	✓	✓	✓	✓		✓	✓		✓			
168	To dispose of seized property in accordance with this section.	✓	✓	✓	✓		✓	✓		✓			
171	To exercise the power of entry and give the required notice.	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
173	To exercise a power of entry.	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
181(1) and (2)	To determine the construction of works on or under private land or under a building on private land are necessary for— (a) the supply by territorial authorities of water by means of reticulated systems: (b) the supply of water through water races: I trade wastes disposal: (a) land drainage and rivers clearance. To determine the construction of works on or under private land or under a building on private land are necessary for sewage and stormwater drainage. The power to construct such works.	✓		✓	✓						✓	✓	

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	All EMS	MCRS	ENM	MLT	BCM	COM	MEL	LLI	EO	SF	MLT	SBCO
181(3)	To request and obtain the prior written consent from the owner of the land to the construction of the work or give the notice and deposit the description and plan of the works for public inspection as required by Schedule 12 (but not to conduct the hearing).	✓		✓	✓						✓	✓	
181(4) and (5)	To enter land and inspect, alter, renew, repair, or clean any work constructed under section 181 or under the corresponding provision of a former Act, including giving of reasonable notice of the intention to enter.	✓		✓	✓						✓	✓	
186	To cause works etc to be carried out in a default situation and recover the Council's costs from the owner/occupier.	✓	✓	✓	✓								
187	To recover costs and reasonable administrative and supervision charges for work authorised to be carried out in a default situation.	✓	✓	✓	✓								
190	To negotiate compensation.	✓		✓	✓								
193	To determine and authorise that the water supply to the land or building be restricted.	✓		✓									
196	To authorise consent to discharge trade waste into the Council's wastewater system.	✓		✓									
199A and 199B	To make a further information request and carry out any associated administrative functions relating to the reconsideration of a development contribution and to make a decision on a reconsideration request. (See Development Contributions Policy Delegations)												
199C to 199N and Schedule 13A	The authority to exercise any powers of the Council in these sections and this Schedule of the Act to carry out functions related to a development contribution objection. (See Development Contributions Policy Delegations)												
208	To sign a notice of a statutory land charge.	✓											

PART D: Statutory and Other Delegations from the Chief Executive to Staff
Sub-Part 1 – Legislative sub-delegations

Section	Delegation	All EMS	MCRS	ENM	MLT	BCM	COM	MEL	LLI	EO	SF	MLT	SBCO
General	The power to initiate any prosecution in relation to an offence against this Act together with the power to make any decision pertaining to such prosecution.	✓											

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

37. Local Government Official Information and Meetings Act 1987

Section	Delegation	All staff	All EMS	MIT	IMO	EMRCS	EMFSG	GOVM	SP/ENP	LIMO	BCM
11	To give reasonable assistance to those persons requesting information.	✓									
12	To transfer requests and attend to subsequent notification.		✓	✓	✓						
13	To make decisions on requests and to determine whether or not to charge for information.		✓								
14	To provide for extensions of time to provide official information and to attend to subsequent notification.		✓	✓	✓						
15	To determine the manner of presenting information and to attend to subsequent notification.		✓								
16	To determine deletions (redactions) from documents and attend to subsequent notification.		✓								
17, 17A, 17B, 18	To determine whether or not to refuse a request for information and providing reason(s) for refusal.		✓								
21	To determine access to internal rules affecting decisions, and to provide reasons for refusing to provide information.		✓								
22	To provide a written statement under this section.		✓								
24	To take precautions regarding access to personal information.		✓	✓	✓						
25	To deal with requests for corrections.		✓	✓	✓						
26	To refuse to supply personal information.		✓								
44A	To make decisions on information to be included in Land Information Memoranda and issuing Land Information Memoranda.					✓			✓	✓	✓
46	To provide for the public notification of meetings.						✓	✓			
46A, 49, 51	To provide for the availability of agendas, reports, and minutes.						✓	✓			
51A	To provide for the public notification of resolution at emergency meeting.						✓	✓			

Additional delegations to staff:

Consents Manager, LIM’s Officer, Environmental Planner and Senior Environmental Planner, may carry out and undertake the following of the Council’s functions, powers, and duties:

Authority to sign Land Information Memorandums pursuant to Section 44A of the Local Government Official Information and Meetings Act 1987

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

38. New Zealand Library Association Act 1939

Delegation	EMCED	MCL
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓

39. Plumbers, Gasfitters and Drainlayers Act 2006

Section	Delegation	EMRCS	CM	SBCO
15, 16	To consult with the Minister in relation to certain sanitary plumbing exemptions.	✓	✓	✓

40. Postal Services Act 1998

Section	Delegation	EMI	EMRCS	MLT
40	To impose prescribe conditions in relation to the erection of public letterboxes.	✓	✓	✓

41. Privacy Act 1993

Part	Delegation	EMFSG	GOVM	MIM	MIT	EMPCS
Part 5	All of the responsibilities, duties, and powers that have been delegated to the Chief Executive.	✓	✓	✓	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

42. Property Law Act 2007

Delegation	EMFSG	EMRCS	CM
All of the responsibilities, duties and powers that have been delegated to the Chief Executive	✓	✓	✓

43. Public Records Act 2005

Section	Delegation	EMPCS	MIM	MIT	IMO
17	To provide for the creation and maintenance of local authority records.	✓	✓	✓	✓
40	To comply with the requirements in relation to protected records.	✓	✓	✓	✓
45, 46	To classify the access status of the Council’s local authority records.	✓	✓	✓	✓
47	To provide for the public inspection of open access records.	✓	✓	✓	✓

44. Public Works Act 1981

Section	Delegation	EMI	EMFSG	MLT	ENIM
4(6)(b)(ii)	Power to sign notices	✓	✓	✓	✓
17(1)	Power to enter into an agreement to purchase land for any public work for which the Council is responsible [<i>provided that the purchase price is within the limits of the Delegate’s financial authority and the purchase is in accordance with the Council’s Long-term Plan or a Council resolution or resolution of one of its appropriately authorised subordinate decision-making bodies</i>]	✓	✓	✓	✓
18(1)	Power to serve notice of Council’s desire to acquire land and to invite owner of land to sell and to lodge a notice with the District Land Registrar (LINZ)	✓	✓	✓	✓
18(1)(d)	Authority to negotiate with the owner in an attempt to reach an agreement for the acquisition of land.	✓	✓	✓	✓
18(2)	Power to proceed to take land for a public work [<i>provided that a prior resolution HAS been passed by Council or one of Council’s appropriately authorised subordinate decision-making bodies approving that the land be taken</i>]	✓	✓	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMI	EMFSG	MLT	ENM
18(3) and (4)	Power to withdraw a notice under subsection 18(1) and responsibility to ensure the District Land Registrar (LINZ) is given notice of the withdrawal	✓	✓	✓	✓
18(5) and 17(4)	Power to apply to the Māori Land Court for an order under the provisions of Part 10 of Te Ture Whenua Māori Act 1993	✓	✓		
18(7)	Power to proceed to take land if any of the circumstances specified in subsection 18(7) apply [<i>provided that a prior resolution HAS been passed by Council or one of Council's appropriately authorised subordinate decision-making bodies approving that the land be taken</i>]	✓	✓	✓	✓
19	Authority to sign compensation certificates (and discharges thereof) and notices in accordance with this section		✓		
20	Authority to apply to the Minister for a declaration	✓	✓		
21	Power to purchase and/or improve land for granting as compensation [<i>provided that the purchase price and costs of the improvements are within the limits of the Delegate's financial authority</i>]	✓	✓	✓	✓
23(1)	Power to give notice in accordance with section 23 of Council's intention to take land (including, without limitation, to cause a survey plan to be prepared and lodged with the Chief Surveyor and a copy of the notice to be lodged with the District Land Registrar) [<i>provided that a prior resolution HAS been passed by Council or one of Council's appropriately authorised subordinate decision-making bodies approving that the land be taken.</i>]	✓	✓	✓	✓
23(8)	Power to withdraw a section 23 notice and to lodge notice of such withdrawal with the District Land Registrar (LINZ)	✓	✓	✓	✓
24(6)	Power to represent the Council at an Environment Court hearing into an objection	✓	✓	✓	✓
25	Power to agree to an Environment Court judge conducting an inquiry alone	✓	✓		
27	Power to give notice on Council's behalf of its intention to take or acquire natural material on land for public work [<i>provided that a prior resolution having been passed by full Council or one of Council's appropriately authorised subordinate decision-making bodies approving that the material be taken</i>]	✓	✓	✓	✓
28	Power to acquire or take and hold the land acquired for a public work subject to any particular estate, interest, easement, profit à prendre, covenant, or encumbrance, and to acquire or to take and hold any such estate or interest separately	✓	✓	✓	✓
31	Power to acquire surface, subsoil, or air space separately, including subsoil that HAS not already been acquired, if required at a later date	✓	✓	✓	✓
34(3)	Power to subdivide, develop, provide access to, set apart, or dispose of any severed land taken under this section	✓	✓	✓	✓
40	Power to dispose of land no longer required for public work in accordance with this section [<i>provided that the disposal is in accordance with the Council's Long-term Plan or a prior resolution of Council or one of Council's appropriately authorised subordinate decision-making bodies. If the land is to be sold at less than the current market value, prior approval must be obtained from the Chief Executive.</i>]	✓	✓	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMI	EMFSG	MLT	ENM
41	Power to apply to the Māori Land Court for disposal of former Māori land when no longer required [<i>provided that the disposal is in accordance with the Council's Long-term Plan or a prior resolution of Council or one of Council's appropriately authorised subordinate decision-making bodies</i>]	✓	✓		
42	Power to dispose of land no longer required for public work in accordance with section 42 (where either offer to sell under section 40(2) HAS not been accepted or whether section 40(2) and 40(4) do not apply) and to give notice of sale, auction, or invitation for tenders [<i>provided that the disposal is in accordance with the Council's Long-term Plan or a prior resolution of Council or one of Council's appropriately authorised subordinate decision-making bodies</i>]	✓	✓	✓	✓
43	Power to sell land on deferred payments [<i>provided that the disposal is in accordance with the Council's Long-term Plan or a prior resolution of Council or one of Council's appropriately authorised subordinate decision-making bodies</i>]	✓	✓	✓	✓
45(1) and 49	Power to grant a lease or tenancy or licence to occupy land held for public work (including airspace and/or subsoil).	✓	✓	✓	✓
45(6)	Power to accept the surrender of any lease, tenancy, or licence to occupy that was granted under section 45.	✓	✓	✓	✓
47	Power to apply to Registrar of Land to issue a certificate of title for land held for public work	✓	✓	✓	✓
48 and 49	Power to grant easement over land held for public work (including airspace and/or subsoil) (including to impose conditions and set rental amount, if any).	✓	✓	✓	✓
50	Power to agree the provisions of a sale and purchase agreement for the transfer to Council of an existing public work [<i>provided that the agreement is within the limits of the Delegate's financial authority and the purchase is in accordance with the Council's Long-term Plan or a prior resolution of Council or one of Council's appropriately authorised subordinate decision-making bodies.</i>] Power to agree the provisions of a sale and purchase agreement for the transfer from Council to the Crown or another local authority of an existing public work [<i>provided that the agreement is within the limits of the Delegate's financial authority and the purchase is in accordance with the Council's Long-term Plan or a prior resolution of Council or one of Council's appropriately authorised subordinate decision-making bodies.</i>]	✓	✓	✓	✓
52(4)	Power to request that land held for one public work be set apart for another public work by notice in the Gazette	✓	✓	✓	✓
63	Power to pay compensation for injurious affection where no land taken [<i>provided the amount of the compensation is within the limits of the Delegate's financial authority</i>]	✓	✓		
65	Power to assess and /or pay compensation for land for which no general demand exists	✓	✓		
70(1)	Power to offer compensation for estate or interest in land taken	✓	✓		
71(6)	Power to request further information if the owner or occupier of any land wishes to do anything on or under the land which may cause the amount of compensation payable to him to be reduced	✓	✓		

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMI	EMFSG	MLT	ENM
71(7)	Power to decline the application from the owner or occupier	✓	✓	✓	✓
73(4) and 74(4)	Power to consent as notifying authority to registration of a dealing	✓	✓		
75	Power to pay compensation to tenants of residential and business premises	✓	✓		
76	Power to refund expenses where acquisition of land abandoned [<i>provided that the refund is within the limits of the Delegate's financial authority</i>]	✓	✓		
79	Power to take proceedings to determine compensation if person entitled fails to make claim	✓	✓		
81	Power to apply to District Court for an order authorising the Public Trust to represent infants, absentee owners, etc	✓	✓		
84	Power to file claims in District Court requiring claim to be heard by Tribunal	✓	✓		
96	Power to pay compensation to Public Trust when title doubtful	✓	✓		
99(2)	Power to pay the mortgagor the full amount of any compensation where the compensation does not exceed \$250, without incurring any liability to the mortgagee	✓	✓		
100(3)	Power to pay the owner of land the full amount of any compensation where the compensation does not exceed \$250, without incurring any liability to the holder of any rent charge	✓	✓	✓	✓
103	Power to grant easements in lieu of compensation	✓	✓		
105	Power to grant land as compensation where equivalent land not readily available	✓	✓		
107(1)	Power to enter into an agreement with a person entitled to land under section 105 or 106 for the repayment of any money agreed to be due by way of equality of exchange	✓	✓	✓	✓
107(2)	Power to apply to the Land Valuation Tribunal to fix the value of land that is subject to exchange	✓	✓		
107(5)	Power to consent to registration of dealing while a charge under section 107(4) is registered against land	✓	✓		
107(6)	Power to sign notice of any charge under subsection 4 and any certificate releasing any such charge	✓	✓		
107A	Power to grant lease or licence as compensation to lessee or licensee of land taken	✓	✓		
107(9C)	Responsibility to consult with District Land Registrar as to practicability of amalgamating land	✓	✓	✓	✓
110 and 111	Power to authorise entry and give notice to the owner and occupier; power to sign evidence of authorisation on behalf of Council for a person to enter onto private land for the purposes specified in subsection 110(1) or 111(1).	✓	✓		
114	Power to give written consent for land to be declared road	✓	✓		
115(9)	Power to sign certificate of consent or notice of discharge of certificate of consent	✓	✓		
133(2) and 134	Power to sign a notice requiring the removal of trees, hedges etc that obscure visibility or interfere with a public work and authorise service	✓	✓	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMI	EMFSG	MLT	ENM
133(5)	Authority to represent Council at a hearing commenced under subsection 133(3)	✓	✓	✓	✓
133(7), (8) and (9)	Power to authorise Council’s employees or agents to enter on the land to carry out the required work in the circumstances specified in subsection 133(7) and recover Council’s costs	✓	✓	✓	✓
135	Power to authorise Council’s employees or agents to enter on the land and carry out emergency work on trees etc and to recover Council’s costs	✓	✓	✓	✓
191	Power to apply the land to any authorised secondary use or to grant licences, permits, and privileges in respect of any authorised secondary use of the land to any persons upon or subject to such terms and conditions as the Delegate thinks fit, for any period, with or without a right of renewal	✓	✓		
233	Power to give notice on Council’s behalf before entry onto private land	✓	✓	✓	✓
234	Power to enter onto land where there is an imminent danger to life or property or a likelihood of serious interference with or damage to any public work and to do such work as is necessary and sufficient to remove the danger or cause the likelihood of serious interference in accordance with section 234. <i>[A person is delegated this power when they are issued with a warrant of appointment by the Chief Executive that specifies the section 234 power of entry.]</i>	✓	✓	✓	✓
237	Power to sign on Council’s behalf approval for excavations near public works	✓	✓		
239	Power to remove or cause to be removed any property that HAS been abandoned on public works land.	✓	✓	✓	✓

45. Racing Act 2003

Delegation	EMRCS	CM	MEL
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff**Sub-Part 1 – Legislative sub-delegations****46. Rates Rebate Act 1973**

Section	Delegation	EMFSG	FA	SRO
5-8	To consider applications for rates rebates and refunds, determine whether to grant the applications in accordance with sections 5-7, and apply the rebate/refund if granted.	✓	✓	✓
9	To apply to Secretary for Local Government for refund of rebates granted.	✓	✓	✓
10(1)	To authorise the recovery of all or part of a rates rebate or rates refund as a rate payable in respect of the rating unit.	✓	✓	✓
11A	To seek advice from the Secretary of Local Government.	✓	✓	✓
13	To take any declarations required for the purposes of this Act.	✓	✓	✓

47. Rating Valuations Act 1998

Section	Delegation	EMFSG	FA	SRO
8	To appoint person or body to undertake valuation services and notify Valuer-General of person or body undertaking valuations services for the Council.	✓		
9	To undertake general revaluation in accordance with this section.	✓		
10	To provide specified information to the Valuer-General.	✓	✓	✓
12	To give public notice in accordance with section 12 and provide for public inspection of the district valuation roll.	✓	✓	✓
13	To give notice of general revaluation in accordance with this section.	✓	✓	✓
14-17	To exercise powers regarding alterations and new valuations, giving notice, during the currency of a general revaluation.	✓	✓	✓
34(4)	To decide to alter the valuation or to decline to alter the valuation.	✓	✓	✓
34(5)	To alter the valuation roll.	✓	✓	✓
35	To give notice as required by this section.	✓	✓	✓
36	To file on Council's behalf for an objection to be heard by the Land Valuation Tribunal and arrange for service to the required parties.	✓	✓	✓
38(3)	To authorise a person who provides or HAS provided valuation services to the Council (or an officer or employee of such person) to represent Council in proceedings before the Land Valuation Tribunal.	✓		
39	To alter the district valuation, roll to give effect to the decision of the Land Valuation Tribunal.	✓	✓	✓
41	To provide certified copies of entries in the district valuation roll.	✓	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMFSG	FA	SRO
42	To keep and maintain information and documents and provide to Valuer-General when required.	✓	✓	✓
43	To enter into agreement with the regional council as to the regional council's annual share of costs.	✓		
45	To provide written authorisation to persons for entry onto private property to carry out valuations.	✓	✓	✓

48. Rating Valuations Regulations 1998

Section	Delegation	EMFSG	FA	SRO
6	To extend the due date for lodging an objection.	✓	✓	✓
8	To notify the objector of the further information needed if the objection is to proceed.	✓	✓	✓
10	To refuse to consider late or incomplete objections.	✓	✓	✓
12	To issue and endorse as accurate a certified copy of an entry in the district valuation roll.	✓	✓	✓

49. Reserves Act 1977

Section	Delegation	All EMS	MCRS
6(3)	Power to revoke, issue or amend a Gazette notice.	✓	✓
14(4)	Power to Gazette resolution to declare vested land to be a reserve.	✓	✓
15(3)	Power to do all things necessary to affect any exchange of reserve for land.	✓	✓
23(3)	Power to prohibit access to the whole or any specified part of a local purpose reserve.	✓	✓
24A(2)	Duty to notify all those affected by such a change and to consider objections properly lodged as soon as practicable.	✓	✓
42(1)	Power to give or decline to give express written consent to the cutting or destruction of trees and bush on any historic, scenic, nature or scientific reserve and to determine terms and conditions.	✓	✓
42(2)	Power to authorise the cutting or destruction of trees and bushes on any recreation reserve, or Government purpose reserve, or local purpose reserve, subject to being satisfied that certain conditions apply.	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	All EMS	MCRS
44(1) and (2)	Power to grant consent to any person to use a reserve for purposes of accommodation or to remain on a reserve.	✓	✓
45	Power to give or decline prior approval to erect shelters, huts, cabins, lodgings etc on any recreation or scenic reserve where such use is contemplated or provided for in approved management plan for the reserve.	✓	✓
47(2)	Duty to give public notice and call for objections to set aside all/part of a reserve as a wilderness area.	✓	✓
48(1)	Power to grant rights of way and other easements over reserves where contemplated in an approved management plan or where already existing and the use will be the same or similar in character, intensity, and scale.	✓	✓
49	Power to grant or decline the right to take exotica flora and exotica fauna not protected under the Wildlife Act 1953, or rock mineral or soil from a reserve for scientific or educational purposes.	✓	✓
50(1)	Power to authorise the taking and killing of any specified kind of fauna, excluding indigenous fauna in the case of any recreation, Government purpose, or local purpose reserve . Power to authorise or decline to authorise the taking and killing of any non-protected exotic fauna using firearms, traps, nets, or other like objects in any scenic or historic reserve.	✓	✓
51(1)	Power to authorise or decline to authorise the introduction of indigenous flora or fauna or exotic flora but only if provided for or contemplated in an approved management plan.	✓	✓
53	Powers (other than leasing) in respect of recreation reserves.	✓	✓
55	Power to do such things (other than leasing) in respect of scenic reserves.	✓	✓
57(7)	Power to in respect of a nature reserve, issue permits allowing any person to anchor or moor a specified vessel or any vessel.	✓	✓
57(9)l	Power to do such other things as may be considered necessary for the proper and beneficial management, administration, and control of the nature reserve and for the protection, preservation, and well-being of the indigenous flora and fauna and other features in the reserve.	✓	✓
58(d)	Power to do such other things as may be considered necessary or desirable for the proper and beneficial management, administration, and control of the historic reserve, conditional on the Minister’s consent.	✓	✓
58A(1) and (2)	Power to grant leases or licences of historic reserves, and to give notice, but only where the activity is provided for or contemplated in an approved management plan for the reserve or activity and the effects of the use will be the same or similar. Conditional on the approval of terms and conditions of any commercial lease by the Manager Property.	✓	✓
59(1)	Power, in respect of scientific reserves on the authorisation of the Minister, to issue a permit for access for scientific study or for control and management purposes.	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	All EMS	MCRS
59(7)	Power to, in respect of a nature reserve, issue permits allowing any person to anchor or moor a specified vessel or any vessel.	✓	✓
59A	Granting of concessions on reserves administered by the Crown subject to the requirements of the Act	✓	✓
60	Power to, in respect of a Government purpose reserve, do such things as are necessary or desirable for the proper and beneficial administration, management, and control of the reserve and for its use for the purposes specified in its classification.	✓	✓
61(1)	Power to do such things in respect of local purpose reserves, considered necessary or desirable for the proper and beneficial management, administration, and control of the reserve and for the use of the reserve for the purpose specified in its classification.	✓	✓
74	Power to grant licences to temporarily occupy certain reserves, conditional on the activity is provided for or contemplated in an approved management plan for the reserve or the activity is an existing use, and the effects of the use will be the same or similar in character, intensity, and scale.	✓	✓
77	Power to enter covenant to provide for the management of any private land or any Crown land so as to preserve the natural environment, or landscape amenity, or wildlife or freshwater-life or marine-life habitat, or historical value.	✓	✓
78	Duty to apply all money received by way of rent, royalty, or otherwise in respect of any dealing with any reserve in accordance with the provisions of this section.	✓	✓
79(4)	Power, when appointed by the Minister under section 28 to be the administering body of a reserve, to pay and withdraw all monies into the general bank account.	✓	
88	Duty, as administering body of a reserve or reserves to prepare the annual statement and audit of accounts to be incorporated in the Council's annual statement of accounts.	✓	
94	Power to authorise certain activities on a reserve, which would otherwise be unlawful under paragraph © or paragraph (i) of this subsection.	✓	✓
101	To lay an information in respect of an offence against the Reserves Act 1977.	✓	

50. Residential Tenancies Act 1986

Delegation	EMI	EMCED	CPAO
All of the responsibilities, duties, and powers under this Act in relation to Council's pensioner housing portfolio. .	✓	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

51. Sale and Supply of Alcohol Act 2012 and regulations

Section	Delegation	EMRCS	CM	MEL	LLI	HAA	SBCO
198	The role of Secretary of the District Licensing Committee for the purposes of the Act, Regulations and Ruapehu Local Alcohol Policy	✓					
64	To issue licences, certificates, and authorities (endorsed where appropriate).	✓					
65-66	To keep records of every application filed with the District Licencing Committee and the decision on the application. To keep a register of licensees to whom special licences have been issued by the committee, recording all prescribed particulars relating to those licences. To provide extracts from any record or register. To send to the secretary of ARLA a copy of every application made to the District Licencing Committee, and a copy of every decision made by it.	✓		✓			
67	To certify extracts of registers or records.	✓		✓		✓	
72	To issue duplicate licences or certificates to holders.	✓		✓		✓	
73	To receive notifications of surrender of licences and certificates. To notify the secretary of ARLA of the surrender and record the specified information.	✓		✓		✓	
100(f)	To issue certificates.	✓	✓				
102	To give copies of objections to applicants.	✓		✓		✓	
103	To give copies of applications and accompanying documents to the Police, Medical Officer of Health, and the inspectors. To give copies of any filed reports to applicants.	✓		✓		✓	
120	To give copies of objections to applicants. To give copies of applications and accompanying documents to the Police, Medical Officer of Health, and the inspectors. To give copies of any filed reports to applicants.	✓		✓		✓	
128	To give copies of objections to applicants.	✓		✓		✓	
129	To give copies of applications and accompanying documents to the Police, Medical Officer of Health, and the inspectors. To give copies of any filed reports to applicants.	✓		✓		✓	
139	To require applicants to attach notices of applications to conspicuous sites etc	✓		✓	✓		
140(2)	To set the time for the lodging of objections.	✓					
140(4)	To give copies of objections to applicants.	✓		✓		✓	

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

Section	Delegation	EMRCS	CM	MEL	LLI	HAA	SBCO
141	To give copies of applications and accompanying documents to the Police, Medical Officer of Health, and the inspectors. To give copies of any filed reports to applicants.	✓		✓		✓	
143(1)(b)	To issue certificates.	✓	✓				✓
155	To receive copies of appeals of licensing committee decisions. To send copies of all required documentation related to an appeal to the secretary of ARLA.	✓		✓			
197(1)	To appoint a licensing inspector	✓					
197(5)	Perform the function of Chief Inspector			✓			
220	To give copies of applications and accompanying documents to the Police and the inspectors. To give copies of any filed reports to applicants.	✓		✓		✓	
225	To give copies of applications and accompanying documents to the Police and the inspectors. To give copies of any filed reports to applicants.	✓		✓		✓	
283	To give copies of applications to licensees. To fix dates for public hearings. To give notice of hearings.	✓		✓		✓	
284	To send copies or orders to the secretary of ARLA.	✓		✓		✓	
Reg 5(1)	The power to assign a cost/risk rating to any premises for which a licence is held	✓		✓	✓	✓	
Reg 5(6)	The power under Regulation 5(6) of the Sale and Supply of Alcohol (Fees) Regulations 2013 to form opinions.	✓		✓	✓		
Reg 6	The power under Regulation 6 of the Sale and Supply of Alcohol (Fees) Regulations 2013 to assign fees categories.	✓		✓			
Reg 9	The power under Regulation 9 of the Sale and Supply of Alcohol (Fees) Regulations 2013 to form a belief in respect of the patronage of events.	✓		✓	✓		
Reg 10(2)	The power under Regulation 10(2) of the Sale and Supply of Alcohol (Fees) Regulations 2013 to charge a fee for a special licence that is 1 class below the class of the licence that is issued.	✓		✓			
Reg 19	The power under Regulation 19 of the Sale and Supply of Alcohol (Fees) Regulations 2013 to make publicly available a report.	✓		✓			

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

52. Statutory Land Charges Registration Act 1928

Section	Delegation	EMFSG	EMI	EMRCS
6	To sign a notice of a statutory land charge.	✓	✓	✓
7	To sign a certificate releasing a statutory land charge.	✓	✓	✓

53. Summary Proceedings Act 1957

Delegation	EMFSG	EMI	EMRCS	MEL
To institute proceedings including prosecutions under this Act.	✓	✓	✓	
21 Commence proceedings where an infringement notice has been issued and to make any decision in and matter in such proceedings.	✓	✓	✓	✓

54. Telecommunications Act 2001

Section	Delegation	EMI	MCRS	MLT
137	To impose conditions on any authority to construct, place and maintain lines or wireless works, in, on, along, over, across, or under any road.	✓	✓	✓
142	To impose conditions on any authority to place a cabinet or appliance on a road.	✓	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

55. Trespass Act 1980

Section	Delegation	All EMS	MCRS
3 and 4	To be the person in lawful occupation of land owned, occupied, or controlled by the Council for the purposes of giving a warning to leave under section 3 and giving a warning to staff off a place under section 4	✓	✓
10	To be the person in lawful occupation of land owned, occupied, or controlled by the Council for the purposes of commencing proceedings.	✓	

56. Unit Titles Act 2010

Section	Delegation	EMRCS	CM	ENP/SP
32(2)(a)	To give a certificate in respect of any unit plan.	✓	✓	✓

57. Urban Development Act 2020

Section	Delegation	EMRCS	CM	EMI	ENP/SP
41	Respond to invitation by Kāinga Ora as to whether Council supports a proposed special development project or not.	✓			
99	Notification to Kāinga Ora of change to a district plan applying in a project area.	✓			
101	Appeal decision of Kāinga Ora to object to plan change under section 100.	✓			
103-104	Give Kāinga Ora notice of resource consent application in project area.	✓	✓		✓
134	Obtain Kāinga Ora approval before issuing notice of requirement for new designations.	✓	✓		
161	Set reasonable conditions for Kāinga Ora to alter any water-related infrastructure and refer matter to District Court if unable to agree on reasonable conditions.			✓	

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 1 – Legislative sub-delegations

58. Utilities Access Act 2010

Delegation	EMI
To act as a utility operator on behalf of Council in relation to water and wastewater infrastructure and to perform all the responsibilities, duties, and powers of that position in accordance with the Utilities Access Act 2010 and the National Code of Practice for Utilities Operators Access to Transport Corridors.	✓
To act as the corridor manager on behalf of Council in relation to the transport corridor and to perform all the responsibilities, duties, and powers of that position in accordance with the Utilities Access Act 2010 and the National Code of Practice for Utilities Operators Access to Transport Corridors.	✓

59. Walking Access Act 2008

Delegation	EMCED	EMI	MCRS
All of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive.	✓	✓	✓

60. Waste Minimisation Act 2008

Section	Delegation	EMI	MLT	EMCED	SF
52	To undertake, or contract for any waste management and minimization service, facility, or activity in accordance with this section (provided the exercise of this sub-delegation is within the delegate's financial authority).	✓	✓	✓	
53	To sell any marketable product in accordance with this section.	✓	✓	✓	✓
55	To comply with any notice issued by a Health Protection Officer and give notice / directions to person providing waste collection service.	✓	✓	✓	✓
84	To decide whether or not to return seized or impounded property	✓	✓		
85	To dispose of seized or impounded property in accordance with this section.	✓	✓		

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 2 – Bylaws

Sub-Part 2 – Bylaws

The Chief Executive delegates to the following staff powers in relation to Council’s bylaws detailed below:

1. Land Transport Bylaw 2014

Delegation	EMI	MLT
All of its powers under this Bylaw except powers which require Council resolution, including all, or part of, clauses 8.1, 9.1, 10.2, 11.2.1, 12.1.1, 12.3.2, 13.2.1, 13.4.1, 13.5.1, 13.5.10, 13.14.1, 13.15.1, 13.17.1, 17.4.1, 19.2.1, 19.2.2.	✓	✓

2. The Ruapehu Bylaw 2019

Delegation	EMRCS	COM	CO	MEL	LLI	EMI	EMCED
All of its powers under this Bylaw except powers which require Council resolution, including all, or part of, clauses 6, 11, 24.3, 24.4, 24.5.	✓	✓	✓	✓	✓	✓	✓

3. Trade Waste and Stormwater Bylaw 2019

Delegation	EMI	ENM	MSW
All of its powers under this Bylaw except powers which require Council resolution, including all, or part of, clauses 5.1, 5.2, 7.1.	✓	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff
Sub-Part 2 – Bylaws

4. Water Supply Bylaw 2019

Delegation	EMI	ENM
All of its powers under this Bylaw except powers which require Council resolution, including all, or part of, clauses 9.1, 11.4.2(b).	✓	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 3 – Development Contributions

Sub-Part 3 – Development Contributions

Note: any objection to a Development Contribution is required to be heard by a Development Contribution Commissioner

Delegation	Date Amended	Level of Authority required
<p>The Chief Executive Officer (and the Delegated Executive Officer in their absence) has authority as a Level 1 Officer.</p> <p>The following positions are delegated authority as Level 2 Officers: Executive Manager Regulatory & Customer Services Consents Manager Environmental Planner Resource Management Administrator</p> <p>The following positions are delegated authority as Level 3 Officers: Building Control Manager Senior Building Control Administrator and Quality Manager</p> <p>The Chief Executive delegates the following responsibilities, duties, and powers to Level 1, 2, and 3 officers:</p>		
Approval of development contributions valued at five hundred thousand (\$500,000) and above.		Level 1
To determine development contribution assessments for non-residential developments where the non-residential thresholds in accordance with table 7 of the Policy have been exceeded.		Level 1
To appoint development contributions commissioners		Level 1
To determine to apply for judicial review of a decision made by a development contribution commissioner		Level 1
To authorise a Development Agreement		Level 1
Approval of development contributions valued at less than five hundred thousand dollars (\$500,000)		Level 2
To determine development contributions assessments for non-residential developments where the non-residential thresholds in the Development Contributions Policy have not been exceeded.		Level 2
To determine development contributions assessments for all residential developments		Level 2
To determine an application for re-consideration		Level 2
To consider a request for a Development Agreement and make a recommendation to a Level 1 Officer		Level 2
To require a developer to prove that it represents the Crown		Level 2
To consider a request for a guarantee and make a recommendation to a Level 1 Officer		Level 2
To re-assess a development on or after 12 months of the date of the Development Contribution Notice		Level 2

PART D: Statutory and Other Delegations from the Chief Executive to Staff

Sub-Part 3 – Development Contributions

Delegation	Date Amended	Level of Authority required
To require a special assessment		Level 2
To administer refunds		Level 2
To require a land valuation		Level 2
To determine whether development contributions are paid in land or money		Level 2
To authorise the withholding of a section 224© certificate, code of compliance certificate, certificate of acceptance or physical services connection if the development contribution HAS not been paid		Level 2
To register outstanding development contributions as charges against subject land		Level 2
To assess and report on residential and non-residential developments and make recommendations to a Level 2 Officer		Level 3

Sub-Part 4 – Operational Delegations

1. Finance and Insurance

Delegations	Limitations	Position
Authority to approve either capital or operational expenditure procurement and to authorise the commencement of authorised works/services, including for any multi-year contracts, which have been budgeted for in Council's Long Term Plan and/or Annual Plan up to a total value or total project value of EIGHT HUNDRED THOUSAND DOLLARS (\$800,000) excluding GST.	Conditional on: <ul style="list-style-type: none"> ▪ The expenditure is for authorised works or services for which provision HAS been made in Council's approved budget or forecast. ▪ Compliance with procedures identified in any relevant financial authority manual or policy (such as Council's Procurement policy) in relation to each transaction. ▪ Any acquisition and disposal of assets, being in accordance with the Long Term Plan. ▪ Financial transactions should not be subdivided to avoid the financial delegation limit or a contestable process ▪ All new contracts between \$200,000 and \$800,000, variations on those contracts taking the total contract value no higher than \$800,000, or variations which take an existing contract to between \$200,000 and \$800,000, need to be approved by the Tenders Group. ▪ The amount of the positions approved delegation. 	Those positions which hold financial delegations (The Finance, Strategy, & Governance Group will maintain a register of the financial delegations held by positions).
Authority to approve unbudgeted expenditure on civil defence functions, in the case of a formal declaration of a civil defence emergency.	Discretionary expenditure up to ONE MILLION DOLLARS (\$1,000,000)	EMFSG, EMCED, LCDC, EMO, DEMO.
Authority to negotiate terms of borrowing.	In accordance with current Council's Long Term Plan.	EMFSG
Authority to agree on a 'compromise accommodation' with debtors.		EMFSG
Authority to accept assets gifted to Council.		EMFSG, EMI

PART D: Statutory and Other Delegations from the Chief Executive to Staff
Sub-Part 4 – Operational Delegations

Delegations	Limitations	Position
Authority to negotiate the Waka Kotahi NZ Transport Agency budget, programme, and its funding and submit monthly and annual claims against the accepted Land Transport Programme.		EMFSG, EMI, MLT
Authority to invest Council funds in any manner	Subject to compliance with Council’s Treasury Policy (Investment and Liability Management)	EMFSG
Authority to manage debt, interest rates, foreign exchange, and cash	Subject to compliance with Council’s Treasury Policy (Investment and Liability Management)	EMFSG
Authority to establish procedures to carry out Council’s financial policies and any enforcement thereof.		EMFSG, FA, SMA
S 101 Local Government Act 2002 Authority to carry out and undertake all the Council’s functions, powers, and duties to manage revenue, expenses, assets and liabilities, investments, and general financial dealings prudently and in a manner that promotes the current and future interest of the community.	Subject to compliance with Council’s financial policies.	EMFSG, FA, SMA
Authority to approve any taxation payments to the Inland Revenue Department and any loan payments to lenders, even if such payments are more than the normal financial delegation for the position.		EMFSG
Authority to certify and authorise progress payments in relation to contracts entered into by the Council up to the value of the accepted contract sum, provided that for progress payments in excess of ONE MILLION DOLLARS (\$1,000,000) report on the exercise of the delegation is made to either Council or a Council committee at the next available meeting.		All EMS
To write off unrecoverable debts or stock up to a maximum of FIFTY THOUSAND DOLLARS (\$50,000) in any one case.		EMFSG
Power to act as a representative of Council and authority to act on behalf of Council with respect to managing the procurement of insurance.		EMRPC, EMFSG

PART D: Statutory and Other Delegations from the Chief Executive to Staff
Sub-Part 4 – Operational Delegations

Delegations	Limitations	Position
Authority to execute insurance declarations on behalf of Council, subject to the limits of the financial delegation to the position.		EMRPC, EMFSG
Authority to negotiate contracts with Council’s insurers and approve claims.		EMRPC, EMFSG

2. Contracts

Delegation	Limitations	Delegate	Delegate
To sign on Council’s behalf contracts or letters of acceptance for the purposes of creating a contract where it has been resolved by the Council or any committee or subcommittee of the Council to accept any tender or quotation or is within the financial delegation to the position.	<ul style="list-style-type: none"> ▪ For authorised works for which provision has been made in the Council’s approved budget or forecast. ▪ Compliance with procedures identified in any relevant financial authority manual or policy (such as Council’s Procurement policy) in relation to each transaction; ▪ Subject to within financial delegation to the position or with the authority of a Council or committee resolution. 	All EM’s	All staff holding financial delegation
To carry out or authorise the carrying out of any works or other expenditure considered necessary to be undertaken by the Principal pursuant to the Conditions of Contract.	As above.	All EM’s	All staff holding financial delegation
To make any decision, election, or determination as Principal in relation to any contract entered in to between the Council and any third party.	As above.	All EM’s	All staff holding financial delegations
The power of appointment in respect of the role of “Engineer” under NZS 3910, 3916 and 3917 Contracts, to appoint a suitably qualified engineer to act in the role of “Engineer to Contract” in any of those contracts. The appointed “Engineer to Contract” may be permitted to appoint a suitably qualified Council employee or external contractor to act as “Engineer’s Representative” to exercise any of the powers invested in the Engineer.		EMI	EMRCS, ENM, MLT

3. Property

Delegation	EMCED	EMI	CPAO	MCRS	EMFSG
In respect of interests in land, including reserves vested in Council or for which Council is the administering body, to agree to variations to the price of any property which Council has resolved to purchase or sell provided that such variation does not exceed 5% of the amount resolved by Council and is reported to the next available meeting of the Council.	✓	✓			
To negotiate and tender land for lease with third parties for a period not exceeding 10 years.	✓	✓	✓		
To negotiate a renewal of a Council lease where the lessee/tenant has abided by all the obligations and conditions.	✓	✓	✓		
To authorise the suspension of rental payments for a maximum of three months where the term of the lease is for a minimum period of six months.	✓	✓	✓		
To negotiate rent-free grazing leases on Council land but only if the costs of maintenance of the property exceeds the potential return.		✓		✓	
To initiate and resolve rental and/or outgoing arrears if the arrears have been outstanding for over 2 months.					✓
To terminate a lease for non-payment of rent or breach of lease condition and if necessary, initiate legal proceedings in the Court, (including arbitration) for recovery of the arrears or termination of the lease and repossession of the property.		✓		✓	
To undertake rent reviews in accordance with a lease which may include the instructing of a valuer, together with negotiating new rent.		✓		✓	
To approve or decline the sub-leasing of Council property; together with the authority to approve or decline a sub-leasing arrangement that varies from the head-lease.		✓		✓	
To approve or decline assignment of leases.		✓		✓	
To approve or decline alterations to lessee/tenant owned buildings where the alterations may impact on Council owned land.		✓			
To approve or decline a lessee/tenant's request for alterations to Council owned buildings.	✓	✓			
To terminate a grazing lease if the Council owned land is required for the purpose of Council activities.		✓			
To terminate a lease in consultation with the existing lessee/tenant.	✓	✓			
Authority and power to act on Council's behalf as a landlord for the purposes of entering leased/tenanted land and buildings to carry out the landlord's rights and obligations under the lease.	✓	✓	✓	✓	
To negotiate sale and purchase agreements, subject to Council's approval, and to instruct all professionals which may be necessary to affect the purchase and sale process.		✓			
To apply for any resource consent in relation to Council owned land or with respect to activities proposed to be undertaken by Council together with the authority to sign land transfer title plans for subdivisions approved by Council.		✓			

PART D: Statutory and Other Delegations from the Chief Executive to Staff
Sub-Part 4 – Operational Delegations

Delegation	EMCED	EMI	CPAO	MCRS	EMFSG
Authority to collect revenue and file annual returns with respect to mining licenses.		✓			
Authority to approve the registration of a caveat on land not owned by Council pursuant to Part 8 of the Land Transfer Act 1952.		✓			
To enter into contracts, and execution of the same, for the use and management of Council facilities and land together with the authority to renew such agreements.		✓			
To apply for a building consent for work to be undertaken on Council property.		✓			
In respect of interests in land, including reserves vested in Council or for which Council is the administering body, to agree to variations to the price of any property which Council has resolved to purchase or sell provided that such variation does not exceed 5% of the amount resolved by Council and is reported to the next available meeting of the Council.		✓		✓	

4. Executing Documents

Delegations	Limitations	Delegate
<p>Authority and Instruction forms</p> <p>To sign on behalf of Council all necessary ‘Authority and Instruction’ forms as required from time to time:</p> <p>(a) to authorise and instruct solicitors acting for Council to undertake land conveyancing transactions electronically by e-dealing on behalf of the Council on the Land Information NZ Internet based land registry system known as ‘Land online’; and</p> <p>(b) to comply with the requirements of s 164A of the Land Transfer Act 1952 and Rule 3.03 of the NZ Law Society’s Rules of Professional Conduct</p>		All EMS
(a) Signing of documents other than those relating to contracts or interests in land	<ul style="list-style-type: none"> ▪ Documents which have been authorised by Council or a Council committee resolution ▪ Documents include terms and provisions customary to such documents ▪ Reflect and include specific provisions including price as per the resolution ▪ Adequately protect Council 	All EMS

PART D: Statutory and Other Delegations from the Chief Executive to Staff
Sub-Part 4 – Operational Delegations

Delegations	Limitations	Delegate
To apply the Council Seal on any document which requires the Council Seal and which the Chief Executive is authorised to sign under this delegation	<ul style="list-style-type: none"> ▪ In accordance with Council’s Policy on the Use of the Seal 	All EMS

5. Litigation and claims

Delegation	All EMS
To authorise the taking or defending of proceedings in the Council’s name in any Court or Tribunal (except for proceedings for rating sale pursuant to the Local Government (Rating) Act 2002 which shall require a prior resolution of the Council). If this authority is exercised to take or defend any proceedings of any sort in the High Court, Environment Court, or any appeal court, then a report of such proceedings shall be delivered to Council at the next available Council meeting.	✓
To authorise the undertaking of any prosecution proceedings in the name of the Council or by any Council employee for breach of any Act, Regulation, Ruapehu District Council Bylaws, or the Ruapehu District Plan.	✓
Authority to resolve resource management appeals through Environment Court mediation processes with the proviso that in exercising this authority, consultation should be undertaken with the Chairperson of Council’s Regulatory Committee and a report of such resolution to be provided to the Regulatory Committee at its next available meeting.	✓
Authority to take all steps necessary to enforce any Court judgement in favour of the Council.	✓
Authority to exercise all power available to Council for the recovery of debt, other than rates, owed to the Council. Any legal proceedings commenced to recover any outstanding debt shall be reported to Council.	✓
Authority to manage potential and actual legal claims (including judicial review, injunction, and disputes proceedings) and settle claims for amounts up to \$10,000 (being the excess in relation to Council’s insurance cover), including signing any Settlement Agreement.	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff
Sub-Part 4 – Operational Delegations

Delegation	All EMS
<p>In relation to any claims or proceedings, includes all ancillary authority necessary to give effect to the delegation, including authority to:</p> <ul style="list-style-type: none"> ▪ Notify Council’s insurer ▪ Instruct external legal counsel to represent Council ▪ Authority to engage professional or technical services in relation to the management of any such claim or proceedings ▪ Accept service of documents ▪ Defend the claim in any New Zealand Court or Tribunal ▪ Deal with any interlocutory matter (including any matters relating to discovery) ▪ Give and request any person to give sworn evidence ▪ Apply for a witness to be summonsed ▪ Appear on behalf of Council at the proceedings ▪ Authorise another person to represent the Council at the proceedings ▪ Submit the claim to alternate dispute resolution (including mediation and arbitration), including authority to sign any pre-mediation agreement ▪ Sign any documents in respect of the above ▪ Agree to provision or give security for costs (within the limits of any financial delegation) <p>To delegate to any Council employee the authority to take all steps and do all things which may be necessary in connection with the taking or defending of proceedings on behalf of the Council, either civil or criminal, or of any other sort, or to appear on behalf of the Council in any Court or Tribunal.</p>	✓

PART D: Statutory and Other Delegations from the Chief Executive to Staff
Sub-Part 4 – Operational Delegations

6. Media

Delegations to staff in accordance with appointments to positions (HR department maintains a note of positions and tiers)

Delegation	Tier 2	Tier 3	EMC
Authorised to liaise with the media on all matters relating to the activities managed by the position.	✓	✓	
Authority to liaise with the media on all matters and in accordance with standard procedures.			✓

7. Human Resources

Delegations to staff in accordance with appointments to positions which manage other staff (HR department maintains a note of positions and tiers)

Delegation	Tier 2	Tier 3
To assist with the day to day operation of the Council, authority to recruit, employ and discipline staff who report to the position holder, in accordance with Council’s Human Resources policies and procedures.	✓	✓
Authority to authorise and grant paid annual leave, domestic leave and sick leave for staff who report to the position holder in accordance with Council’s Human Resources policies and procedures.	✓	✓

8. Delegations from Chief Executive to specific positions

Delegation	Date of delegation	Document number

Part E – Supporting Documentation

Date	Document	Title	Document number	Resolution number
30 July 2024	Memo	Financial Delegations	n/a	n/a
30 July 2024	Memo	Changes to Building Team	n/a	n/a

Memorandum

To: Clive Manley
Chief Executive

From: Quentin Speers
Executive Manager Finance, Strategy & Governance

Date: 30 July 2024

Subject: **Delegations Register – Financial Delegations**



The purpose of this memo is to request your written authorisation to update the Delegations Register (the Register) in relation to financial delegations.

The Register, which was approved by the Council on 22 June 2022, is managed by the Executive Manager of Finance, Strategy, & Governance. Their staff are authorised to amend it based on written instructions from the Chief Executive regarding Part D. Part D outlines the Chief Executive's sub-delegation of most responsibilities, duties, and powers from the Council to staff, including financial delegations. This aligns with the Register's objective of delegating decision-making to the most appropriate level.

Role Title	Delegation Amount	Budget Restrictions	Current Role Holder
Chief Executive	\$200,000 General \$1,000,000 Contracts \$800,000 IRD		Clive Manley
Executive Manager Infrastructure	\$50,000 General \$110,000 Contracts	Land Transport, Solid Waste, Water & Property	Vini Dutra
Manager Community & Recreational Facilities	\$20,000 General \$50,000 Contracts	Property	Rina Hepi
Manager 3 Waters	\$50,000 General \$50,000 Contracts	Three Waters	Stuart Watson
Solid Waste Manager	\$10,000 General \$50,000 Contracts	Solid Waste	Anne-Marie Westcott
Executive Manager Community & Economic Development	\$50,000 General	Housing, iSite, Economic Development &	Pauline Welch

		Emergency Management	
District Libraries Manager	\$5,000 General	Library	Fiona Thomas
Executive Manager Regulatory & Customer Services	\$25,000 General \$110,000 Contracts	Regulation, Licensing & Customer Services	Sharon Robinson
Building Control Manager	\$10,000 General	Building & LIM	Darryn Cosford
Licensing & Compliance Manager	\$5,000 General	Liquor / Health & Compliance	Phoebe Harrison
Customer Services Manager	\$5,000 General	Customer Services Only	Stephen Barnard
Executive Manager People, Capability & Safety	\$25,000 General	IT, IM & HR	Lyn Hura
Manager Information Technology	\$50,000 General	IT Only	Stuart Campbell
Manager Information Management	\$5,000 General	Information Management	Maggie Flonk
Manager Business Analyst	\$5,000 General		Glenys Gibbs
Acting Executive Manager Finance, Governance & Strategy	\$50,000 General \$800,000 IRD	Finance / Strategy / Governance	Quentin Speers
Executive Manager Communications	\$5,000 General	Communications	Paul Wheatcroft
Executive Manager Iwi Relationships	\$5,000 General	Mana whenua	Sonny Houpapa



Quentin Speers
Executive Manager Finance & Strategy



Clive Manley
Chief Executive

Memorandum

To: Clive Manley
Chief Executive

From: Melissa Jackson
Manager Policy & Strategy

Date: 30 July 2024

Subject: **Delegations Register Update – Changes to Building Team**



Tēnā koe Clive

The purpose of this memo is to request your written authorisation to update the Delegations Register (the Register).

The Register, which was approved by the Council on 22 June 2022, is managed by the Executive Manager of Finance, Strategy, & Governance. Their staff are authorised to amend it based on written instructions from the Chief Executive regarding Part D.

Part D outlines the Chief Executive's sub-delegation of most responsibilities, duties, and powers from the Council to staff. This aligns with the Register's objective of delegating decision-making to the most appropriate level.

Recent changes within the Building Team necessitate updates to Part D of the Register. Specific statutory delegations related to these roles are detailed in the Register, ensuring that staff can fulfil their responsibilities under the Building Act 2004.

The proposed changes relate to:

1. The addition of the Building Control manager (new role).
2. The removal of the Consents Administrator role.
3. The addition of the Building Control Administrator (new role).
4. The addition of the Senior Building Control Administrator and Quality Manager (new role).

An updated version of the Register, with tracked changes for your convenience, is attached for your review.

Please sign and return this memo at your earliest convenience to authorise the Register update and allow the staff members to effectively perform their duties under the Building Act 2004.

Nāku noa, nā

Handwritten signature of Melissa Jackson in black ink.

Melissa Jackson
Manager Policy & Strategy

Handwritten signature of Clive Manley in blue ink.

Clive Manley
Chief Executive