

RURAL CITY LIVING



Committee Structure and Delegations Register

Reviewed and adopted by the Gore District Council at its meeting held on

CONTENTS PAGE

Pages 1-2	Contents Page
Pages 3-4	Part 1- Introduction and operative date
Pages 5-9	Part 2 - General matters of delegation - The meaning of Delegation - Delegation by Exception Delegations to Standing Committee - Delegation to Special Committees and Sub Committees - Delegations to be in Writing and Recorded - Term of Delegation - Delegation to Officer - Reporting Decisions - Sub-delegation - Call-Up Procedure - Appeals - Policy and Fact - Policy and Fact - Estimates and Expenditure
Page 10	Use of Council seal and authority to sign
Page 11	Part 3 - Committees of Council - Introduction
Page 12	Committee of the Whole
Pages 13-14	Executive Committee and Chief Executive's Appraisal Committee
Pages 15-16	Community Services Committee
Pages 17-18	Operations Committee
Pages 19-20	Finance and Policy Committee
Pages 21-23	Planning and Regulatory Committee
Pages 24	Mataura Community Board
Pages 25-43	Hearings Commissioners
Pages 44-49	Delegation Register – Gore District Council
Page 50	Creative New Zealand - Creative Communities Scheme
Page 51	Gore District Council/Gore A & P Association Joint Committee
Page 52	Civic Amenities Refund Sub-Committee
Pages 53-55	Part 4 - The Chief Executive Officer - Functions - Delegations to the Chief Executive Officer and Specific Financial Authority -

Employment of Staff - Contracts, Tenders, Purchasing, Sale of Assets and Services, - Best Method to be Used

Pages 56-57

Part 5 – Delegations under the Building Act 2004

Pages 58-60

Part 6 - Delegations to other Council Officers – Street and Road Closures for Parades and Sporting Events, Requests to hold Mock Accidents, Cycle Tours, Authorised Bank Signatories, Erection of Road Signs, Sub-Committees/Working Parties and Audit Committee

PART 1 - INTRODUCTION

The Gore District Council is an organisation responsible for planning the future of the District and providing its key facilities and services. It was formed in terms of an Order in Council dated 7 June 1989.

This manual has been prepared to define the respective roles that form the decision making process, ie the delegations to the Council Committees, Sub-Committees and the Chief Executive Officer.

The Council's authority to delegate derives from Clause 32, Schedule 7 of the Local Government Act 2002 which provides:

- "1. Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision making body, community board, or member or officer of the local authority any of its responsibilities, duties or powers except -
 - (a) the power to make a rate; or
 - (b) the power to make a bylaw; or
 - (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long term Council community plan; or
 - (d) the power to adopt a long term Council community plan, annual plan or annual report; or
 - (e) the power to appoint a Chief Executive; or
 - (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long term Council community plan or developed for the purpose of the local governance statement; or
 - (g) the power to warrant enforcement officers.
2. Nothing in this clause shall restrict the power of a local authority to delegate to a Committee or other subordinate decision making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise by the local authority (after consultation with the committee or body or person) or any power or duty specified in sub clause (1).
3. A Committee or other subordinate decision-making body, community board, or member or officer of the local authority may delegate any of its responsibilities, duties or powers to a sub-committee or person, subject to any conditions, limitations, or prohibitions imposed by the local authority or by the committee or body or person that makes the delegation.

4. A committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers or duties are delegate may, without confirmation by the local authority or committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.
5. A local authority may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing and administration related to bylaws and other regulatory matters.
6. A territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.
7. To avoid doubt, no delegation relieves the local authority, member or officer of the liability or legal responsibility to perform or ensure performance of any function or duty.
8. The delegation powers in this clause are in addition to any power of delegation a local authority has under any other enactment.

Operative Date

This manual will come into effect on the 1st day of July 2014 and will continue in force until revoked by the Council.

PART 2 - GENERAL MATTERS OF DELEGATION

The Meaning of Delegation

Delegation in this manual means the assignment of a power, function or duty or action to another together with the authority to carry out that duty or complete the action assigned with responsibility for the outcome.

Delegation by Exception

The Council has adopted the principle of delegation by exception. This means that all the powers of the Council are delegated to committees or the Chief Executive Officer unless a specific exception applies.

The exceptions are:

- (a) the powers restricted to the Council by Clause 32 (1), Schedule 7 of the Local Government Act 2002;
- (b) any other power which must by law be exercised by the full Council;
- (c) any matter 'called up' by the Council, ie the delegation is suspended for a particular item;
- (d) matters which are outside the scope of a committee;
- (e) over expenditure of budget, unbudgeted expenditure and variations to estimates;
- (f) appointment or dismissal of the Chief Executive Officer;
- (g) appointment and remuneration of representatives on outside bodies;
- (h) the appointment of standing committees and the Deputy Mayor;
- (i) any proposal to promote legislation;
- (j) any decision which is inconsistent with any policy or strategy which has or may be adopted by the Council. Committees and officers will at all times pursue the goals and objectives set by the Council.

Delegations to Standing Committee

Subject to the above exceptions, the Gore District Council delegates to all the standing Committees described in this manual all the powers, functions and duties relating to the scope of activity allocated to them.

Delegations to Special Committees and Sub Committees

Special Committees and Sub Committees will have only the powers, functions and duties specifically given to them by the Council or a standing Committee.

Delegations to be in Writing and Recorded

Every delegation will be in writing and clearly define the nature, purpose and limitation of the power, function or duty delegated.

Every delegation will be recorded in a register kept for that purpose by the Chief Executive Officer.

Term of Delegation

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

Delegation to Officer

Unless stated otherwise every delegation is to a Committee or officer and will be unaffected by changes in the membership of a Committee or the holder of an office.

Reporting Decisions

Every Committee and Sub-Committee will report decisions taken under delegated authority in the manner required by Standing Orders, ie in minutes submitted to the next available meeting of the Council or the Committee to which a Sub Committee reports, as the case may be.

Decisions taken by officers under delegated authority will be reported:

- (a) when:
 - i] a regular report is a condition of the delegation; or
 - ii] where any other Act requires reporting in a particular way; or
 - iii] where the decision is one of a class which the Council has directed should be reported; or
 - iv] where the Council, for any reason, should be aware of the decision

- (b) as a regular comparison of performance against budget and approved plans:
 - i] each month a report on financial out-turn;
 - ii] each six month a review of performance against the Long Term Council Plan;
 - ii] each year an annual report in accordance with Section 98 and Clause 15 of Schedule 10 of the Local Government Act 2002;

Sub-delegation

Powers, functions and duties granted by the Council to a Committee may be sub-delegated to a Sub Committee or officer, excluding matters to be dealt with under the Resource Management Act.

Sub-Committees may not delegate powers and functions granted to them. They may establish working parties to advise them.

Delegations to officers will be made by the Chief Executive Officer who may delegate a power, function or duty to another officer or Sub Committee of officers. As well as the discretionary delegations made under this manual there are provisions in various Acts applying to the Council which provide for powers, duties and functions to be exercised directly by specified staff

Call Up Procedure

Nothing in this manual will limit the power of the delegator to exercise a duty, power or function concurrently with, or in substitution for, a delegatee.

Except in exceptional circumstances a delegator should not:

- (a) if the Council, act without the advice of a standing Committee;
- (b) if the Chief Executive Officer, act without the advice of the appropriate officer.

The Mayor may, on behalf of the Council, 'call up' to the Council any matter which has been delegated by the Council. The delegatee will then take no further action on that matter until the Council has either:

- (a) decided that the matter should be referred back to the delegatee [with directions if any]; or
- (b) determined the matter.

In calling up any matter to the Council the Mayor should consult with the chairperson of the relevant Committee involved, if any, and the Chief Executive Officer.

A delegatee may, rather than make a decision, refer a matter back to the delegator with a suitable recommendation. The delegator will then decide the matter.

Appeals

Every person affected by the decision of a delegatee may appeal that decision:

- (a) in the case of a decision by an officer, to the Chief Executive Officer; or
- (b) in the case of a decision by the Chief Executive Officer or a Committee or Sub Committee, to the Council.

The Chief Executive Officer and the Council in considering an appeal will not generally overrule a decision of a delegatee unless:

- (a) it breaches some policy set by the Council; or,
- (b) some material fact was overlooked or misinterpreted; or,
- (c) it contains serious implications for the Council for which the delegatee was unaware; or,
- (d) it is manifestly wrong.

Policy and Fact

In making a decision every delegatee will consider:

- (a) any policy established by the Council;
- (b) the facts relevant to a matter.

If the facts relevant to any matter do not support a decision consistent with a Council policy, the delegatee should submit the matter to the Council with a suitable explanation and recommendation.

Estimates and Expenditure

Estimates are one of the key safeguards over delegation. As such the Council reserves to itself any decision relating to the variation of estimates except as provided for in the next paragraph.

The Chief Executive Officer may, or may authorise any General Manager to, vary any sum or sums making up an activity where:

- (a) the net expenditure/surplus in that cost centre is not altered; and
- (b) the change is to allow for the more effective management of that activity in accordance with the Annual Plan.

Every variation to an estimate will be reported to the Chief Financial Officer who will alter the official estimates accordingly.

Over expenditure of activity schedules without prior authorisation will not be tolerated by the Council.

Any officer responsible for expenditure or revenue will arrange for any likelihood of future over or under expenditure to be reported to the relevant General Manager as soon as possible. The General Manager will either:

- (a) take all necessary steps to control expenditure or restore revenue; or
- (b) vary the relevant line item or activity schedule, or
- (c) report the matter to the Chief Executive Officer who will consider the matter and take the appropriate action to avoid over expenditure.

Use of Council Seal and Authority to Sign

The Chief Executive Officer will be responsible for custody of the Council's seal.

The seal may be attached to all documents which must be executed in this way by the Council. It will be attached, however, only when:

- (a) the Council or a Committee has authorised the transaction involved;
- (b) the transaction involved has been authorised by an officer under delegated authority.

Where a document need not be executed under seal of the Council it may instead be signed by the Chief Executive Officer or any other officer who is authorised under delegated authority to approve the transaction involved.

The affixing of the seal will be carried out in the presence of one person from each of the following groups:

- (a) the Mayor or any elected member of the Council;
- (b) the Chief Executive Officer [or any other officer authorised by the Chief Executive Officer].

The Chief Executive Officer [or any other officer authorised by the Chief Executive Officer] may sign any certificate relating to the existence of any state of affairs involving the Council.

Part 3 - Committees of Council

Introduction

This part of this manual covers the Council's political structure, authority and schedule of meetings for Committees of the Council.

The constitution, membership, scope of activities and delegated authority of specific Committees and Sub-Committees can be found on the following pages.

The Council will reserve to itself the following matters specifically:

- (a) The coordination of Committee advice in respect of the Long Term Plan process and the determination of the funding and priorities derived from that for rates setting and other funding purposes;
- (b) proposals for the remuneration of elected members;
- (c) proposals for a change to the political structure of Council including the nature and authority of Committees, delegations to officers, the size of Council, the nature of wards and representation for wards;

Committee of the Whole

REPORTING TO	Council - Mayor is Chairman
CONSTITUTION	All Councillors (Quorum as for Council)
MEETING FREQUENCY	As required

OBJECTIVE

To consider any matters that pertains to all Committees or all Councillors.

SCOPE OF ACTIVITY

- (a) the co-ordination of the Committee advises in respect of the annual plan process and the determination of the funding and priorities derived from that for rates setting and other funding purposes;
- (b) proposals for the remuneration of elected members;
- (c) proposals for a change to the political structure of Council including the nature and authority of Committees, delegations to officers, the size of Council, the nature of wards, and representation for wards.
- (d) power to act to make submissions on resource consent applications.

Executive Committee

Chief Executive's Appraisal Committee

REPORTING TO	Council
CONSTITUTION	Mayor Deputy Mayor Committee Chairpersons
MEETING FREQUENCY	Annually or as required

OBJECTIVE

This committee will have dialogue with the Chief Executive Officer on the following matters:

- (a) review the performance of the Chief Executive Officer for the previous year, having regard to specific objectives included in that year's performance agreement;
- (b) set objectives for the forthcoming year, having regard for the strategic priorities of the Council;
- (c) in collaboration with an independent remuneration consultant, review the Chief Executive Officer's remuneration package, having regard to performance as assessed under (a) above, trends in the local government executive market.

SCOPE OF ACTIVITY

- Chief Executive Officer's performance and emergency matters
- Review remuneration of the Chief Executive Officer.
- Meet to deal with any emergency matters.

POWER TO ACT

1. To meet and undertake a review of the Chief Executive Officer's employment performance on a regular basis.
2. To provide new objectives for subsequent years, in accordance with the Chief Executive Officer's employment agreement.
3. To meet to deal with matters that may arise between Council meetings.
4. Review remuneration of the Chief Executive Officer.

POWER TO RECOMMEND

After the review of the Chief Executive Officer's employment performance, a remuneration package recommendation will be presented to the full Council.

Community Services Committee

REPORTING TO	Council
CONSTITUTION	Eleven Councillors – Mayor ex officio
MEETING FREQUENCY	Six weekly or as required

OBJECTIVE

To ensure the provision, maintenance and development of community services and assets which contribute to the character, culture, heritage, identity and social and cultural well-being of the Gore District.

To advocate on social and community issues on behalf of the Gore District in active partnership with the community.

SCOPE OF ACTIVITY

Arts, culture and heritage
Tourism and events
Libraries
Swimming pools
Recreation and leisure (including sports grounds)
Youth Council
Community housing
Community liaison and advocacy

POWER TO RECOMMEND

1. To determine any matter within the policy and scope of the activities aforesaid.
2. The adoption of and variations to annual implementation plans in regard to the aforesaid activities.
3. Swimming pool fees and charges.
4. Library fees and charges.
5. The relevant parts of the Council's Long Term Council Plan, annual report and budgets.
6. Development of strategies that assist the Council and community in achieving community outcomes contained in the Long Term Council Plan.
7. Any other matters within the scope of activities aforesaid.

CHIEF EXECUTIVE OFFICER - POWER TO ACT

1. All matters relating to the aforesaid activities not reserved to the Council or a Committee, including:
 - determine hours of operation of services and facilities, with due regards for public needs
 - authorise prosecutions
 - issue orders on behalf of the Council under the Local Government Act 2002, and any other Act relating to the above activities;
 - exercise all powers under Part II and Part V of the Reserves Act 1977;
 - grant all permits, licences and consents which the Council may issue and place conditions on, waive or withdraw those licenses, permits and consents (except where a quasi judicial decision is involved);
 - set all fees and charges associated with permits, licences, consents and services, and grant the waiver or postponement of part of all of a fee or charge;
 - exercise any power of entry, seizure or impounding granted by law;
 - authorise activities on reserves.

Operations Committee

REPORTING TO	Council
CONSTITUTION	Eleven Councillors – Mayor ex officio
MEETING FREQUENCY	Six weekly or as required

OBJECTIVE

To ensure the maintenance and development of all specified facilities and services in a business-like manner in accordance with goals and objectives set by the Council.

SCOPE OF ACTIVITY

Roading and bridging
Forestry landfills
Stormwater
Sewerage
Rural fire
Engineering services
Footpaths
Street lighting
Refuse removal
Civil defence
Cemeteries
Community facilities (including public halls, toilets etc.)

POWER TO RECOMMEND

1. To determine any matter within the policy and scope of the activities aforesaid.
2. The adoption of and variations to annual implementation plans in regard to the aforesaid activities.
3. The relevant parts of the Council's Long Term Council Plan, Annual Report and budgets.
4. The level of fees within the Committee's jurisdiction not otherwise delegated to Officers.
5. Any other matters within the scope of activities aforesaid.

Chief Executive Officer - Power to Act

1. All matters relating to the aforesaid activities not reserved to the Council or a Committee, including:
 - determine hours of operation of services and facilities, with due regards for public needs
 - authorise prosecutions
 - issue orders on behalf of the Council under the Local Government Act 2002, and any other Act relating to the above activities;
 - grant all permits, licences and consents which the Council may issue and place conditions on, waive or withdraw those licenses, permits and consents (except where a quasi judicial decision is involved);
 - set all fees and charges associated with permits, licences, consents and services, and grant the waiver or postponement of part of all of a fee or charge;
 - exercise any power of entry, seizure or impounding granted by law;

Finance and Policy Committee

REPORTING TO

Council

CONSTITUTION

Eleven Councillors - Mayor ex officio

MEETING FREQUENCY

Six weekly or as required

OBJECTIVE

To ensure the maintenance and development of all corporate services necessary for an effective and efficient organisation, including regular reviews.

To monitor the overall financial performance of the Council and report.

SCOPE OF ACTIVITY

Civic
Administration
Property
Treasury
Information systems
Annual plan and report rating systems
Budgeting
Elections and representation
Corporate planning

POWER TO RECOMMEND

1. To determine any matter within the policy and scope of the above activities.
2. To write off debts owed to the Council (where the value of that debt exceeds the cost of collection).
3. To evaluate, investigate and communicate with the public over rating systems.
4. To develop relevant parts of the Council's Long Term Plan, annual report and budgets.
5. Submissions to Government, other local authorities and other bodies any matter, including legislation.
6. Variations to budget outside the authority of officers.
7. Any other matter within the scope of activities above.

8. The annual business plan for the business units.
9. To recommend any changes to the rating systems for the District and the reasons for such changes.

CHIEF EXECUTIVE OFFICER - POWER TO ACT

- I. All services pertaining to the provision of corporate services unless reserved to the Council or a Committee, including:
 - to waive or postpone the whole or part of any fee, charge, rental price set by Council;
 - the granting of rates remission and the waiver of rates penalties;
 - to warrant the appointment of staff;
 - set all fees, charges, rents and prices for Council facilities and services, other than:
 - a. charges for extraordinary supplies of water;
 - b. tip charges;
 - c. cemetery charges;
 - d. dog registration fees.
2. All matters pertaining to the development of rating systems not reserved to Council or a Committee.

Planning and Regulatory Committee

REPORTING TO	Council
CONSTITUTION	Eleven Councillors - Mayor ex officio
MEETING FREQUENCY	Six weekly or as required

OBJECTIVE

To ensure the maintenance and planned improvement of the quality of the natural and physical environment of the district primarily by the use of appropriate planning and implementation techniques to ensure sustainable management of those resources.

SCOPE OF ACTIVITY

Resource Management including the preparation, administration, monitoring and enforcement of the District Plan (but excluding hearings within the jurisdiction of the Hearings Commissioners or matters delegated to officers).

Environmental health
Building inspection
Health Act licensing
Liquor Licensing
Dog Control licensing (as per attached list)
Bylaws
Animal control
Noise
Nuisances
Pollution control
Public safety and health
Amusement devices
Litter
Public accommodation
Reserve Management Plans

(a) POWER TO ACT - RESOURCE MANAGEMENT

1. Hear and consider submissions to the District Plan, review or change the Plan.
2. Including requirements in proposed Plan.
3. Alteration of a designation.
4. Requirements for designations and heritage orders.

5. Appeals against the whole or any part of a decision of a requiring authority (RMA S174).
6. Request for change to outline plans (RMA S420).
7. Consent of Council where Council is the requiring authority (RMA S 176).
8. Application to extend the period after which a designation lapses (RMA S184).
9. Fixing of charges or fees (RMA S36).

(b) POWER TO ACT - GENERAL

1. Appeals against bylaw decisions.
2. Appeals against liquor licensing decisions.

POWER TO RECOMMEND

1. To determine any matter within the policy and scope of the activities above.
2. To authorise prosecutions and other actions in the District Court.
3. To lodge objections or submissions to an application for an on-licence, off-licence or club licence under the Sale and Supply of Liquor Act 2012.
4. The relevant parts of the Council's Plan, Annual Plan, Annual Report and Budgets.
5. Changes to bylaws and adoption of new bylaws.
6. The levels of fees and charges within the Committee's jurisdiction and not delegated to staff, ie dog registration fees and planning charges.
7. Any other matter within the scope of the activities.

CHIEF EXECUTIVE OFFICER - POWER TO ACT

1. Serving with a copy of the District Plan or change to the Plan arrange public notification (RMA Clause 5 First Schedule).
2. All other matters relating to the above activities not reserved to the Councillor Committee including;
 - determine hours of operation of services and facilities;

- authorise prosecutions and other actions in the District Court or the Environment Court;
- issue abatement notices and orders on behalf of Council under the Resource Management Act 1991;
- grant all permits, licences and consents which the Council may issue and place conditions on, waive or withdraw those licences, permits and consents (except where a quasi judicial decision is involved);
- authority to issue licenses under the Council's Class 4 Gambling and TAB Venue Policy;
- to authorise submissions to other local authorities and other bodies on any proposed Plan under the Resource Management Act 1991 where the subject matter could result in an adverse effect on any strategic or planning issue/policy objective of Council;
- set all fees and charges associated with permits, licences consents and services and grant the waiver or postponement of part or all of a fee or charge;
- exercise any power of entry, seizure or impounding granted by law;
- administer the Council's bylaws.
- via the Reserves Act 1977, delegated powers conferred upon the Council by the Minister of Conservation in 1999 when required, and that where the administering body powers can be further delegated, the Parks and Recreation Manager be the Council's delegated officer and decisions made at this level be reported back to full Council.

Mataura Community Board

REPORTING TO

Council

CONSTITUTION

Five members, elected by the Mataura Ward, at each triennial local authority election.

The Board was established as a result of the following resolution being passed at a Council meeting held on 27 May 2003:

“That the Gore District Council resolve to establish a Community Board within the Mataura Ward, described as “within the Mataura Ward and with the same boundaries as the Mataura Ward as shown on SO Plan 1148, Southland Land District”, pursuant to Section 101 ZN (1) of the Local Government Act 1974.

The Local Government Commission, in a letter dated 27 June 2003, subsequently gave its consent to the constitution of the Mataura Community Board under Section 101 ZG (1)(b) of the Local Government Act 1974.

MEETING FREQUENCY

Two monthly or as required

OBJECTIVE

To represent and act as an advocate for the interests of the Mataura community.

SCOPE OF ACTIVITY

The Gore District Council resolved at a meeting held on 27 May 2003 that the following delegation be conferred on the Mataura Community Board:

1. That the Board be delegated power to act, subject to any limitations contained in within the Local Government Act 2002 in regard to those Council activities that are exclusively funded from the Mataura Ward.
2. That the Board be delegated power to recommend in regard to those activities that are not exclusively funded from the Mataura Ward.
3. That the Board be delegated authority to determine how the discretionary fund for Mataura initiatives of \$5,000 is to be expended on the proviso that all Community Board decisions are made at a formally constituted meeting.

Hearings Commissioners

REPORTING TO

Planning and Regulatory

CONSTITUTION

Hearings Commissioners will be appointed by the Council for each issue drawn from Council's appointees by the Chief Executive Officer depending on the size and scope of each issue.

MEETING FREQUENCY

As required

OBJECTIVE

To hear matters of a quasi judicial nature.

To deal quickly and fairly with all subdivision resource consent applications and report decisions to the Planning and Regulatory Committee of Council.

SCOPE OF ACTIVITY

Under the Resource Management Act 1991 to process and determine resource consents for land uses and subdivision

Opposed applications for special licences under the Sale of Liquor Act 1989.

Other issues where a full formal hearing is required by law or considered desirable by the Council.

POWER TO ACT UNDER THE RESOURCE MANAGEMENT ACT

[A delegation made under RMA S34A(1)]

1. Determination of existing uses [RMA S10]
2. Fix and require the payment of a charge in addition to the Council's scale of fees [RMA S36(3)]
3. Waive and/ or extend time limits [RMA S37]
4. Protection of Sensitive Information [RMA S42]
5. Directions to provide evidence prior to a hearing [RMA S41B]
6. Waive compliance regarding distribution of reports [RMA S42A(5)]
7. Determining an application incomplete and returning to the applicant [RMA S88(3)]
8. Determining not to proceed with notification or hearing of an application

- pending lodging of further consents [RMA S91]
9. Requiring further information for any resource consent application, postpone until information received, request explanation of alternatives, consultation etc and commission reports [RMA S92].
 10. Determining whether notification is required [RMA S95A].
 11. Determining whether limited notification is required and persons served [RMA S95B].
 12. Determining whether a prehearing meeting is held [RMA S99]
 13. Determining whether mediation is held on a resource consent [RMA S99A]
 14. Determining whether a hearing on an application for a resource consent is necessary [RMA S100].
 15. To hear and determine an application for a resource consent and any submissions to such application [RMA S101]
 16. To make decisions on the holding of joint hearings with other authorities. [RMA S102]
 17. To make decisions on joint applications where those resource consents have been publicly notified and requests to be heard have been withdrawn or all submissions opposing are resolved [RMA S102]
 18. To determine whether two or more applications are sufficiently unrelated so that it is unnecessary to hear and decide the applications together [RMA S103]
 19. Subdivision consent not to be granted in certain circumstances [RMA S106]
 20. Fix a longer period where any resource consent lapses [RMA S125]
 21. Cancelling a resource consent [RMA S126]
 22. Determining whether an application for the change or cancellation of any condition of consent needs to be notified [RMA S127]
 23. Changing or cancelling any condition of resource consent [RMA S127]
 24. To determine whether to serve notice on a consent holder of the Council's intention to review the conditions of consent [RMA S128]
 25. To exercise the Council's discretions relating to the notification, submissions and hearing of a review of any resource consent [RMA S130]
 26. Decisions on review of consent conditions [RMA S132(1)]
 27. Cancel a consent [RMA S132(3) and (4)]
 28. Making minor amendments to a consent decision [RMA S133A]
 29. Refuse to accept surrender of whole or part of a consent [RMA S138]

30. Consider a request for a Certificate of Compliance [RMA S139]
31. Requesting further information and processing requirements [RMA S169]
32. Consider any requirement and submission for a designation order and make a recommendation to the requiring authority [RMA S171]
33. Outline Plan waivers [RMA S176A]
34. Consider a requirement to alter a designation to minor extent [RMA S181(3)]
35. Refusal to amend the District Plan to remove a designation that is more than minor [RMA S182(5)]
36. Fix a longer period for the expiry of a designation [RMA S184]
37. Requesting further information and processing a requirement for a heritage protection order [RMA S190]
38. Consider a requirement by a heritage protection authority and submissions lodged and make a recommendation to the authority [RMA S191]
39. Consider and determine a request to make a minor modification to a heritage protection order [RMA S195A(3)]
40. Refusal to remove a heritage order from the District Plan if more than minor [RMA S196]
41. Creation of esplanade strips, conditions etc [RMA S232]
42. Variation or cancellation of esplanade strip [RMA S234]
43. Creation of esplanade strips by agreement [RMA S235]
44. Access strips agreement [RMA S237]
45. Closure of strips to public [RMA S237C]
46. Cancellation of amalgamation conditions and restrictive covenants [RMA S240,S241]
47. Consent to the surrender, merging or variation of an easement or to the revoking of any condition [RMA S243]
48. Seek and/or respond to an enforcement order [RMA S314, S316]
49. Seek and/or respond to an interim enforcement order [RMA S320]
50. Seek and/ or respond to a change or cancellation of an enforcement order [RMA S321]
51. Decide to serve or cancel an abatement notice [RMA S322]
52. Decide to cancel an abatement notice [RMA S325A]
53. Deciding on objections lodged to any decision [RMA S357 and 357A]

POWER TO RECOMMEND

1. Where Commissioners have no power to make a decision, to hear and make an appropriate recommendation on all issues required by law to either Councillor such other body as is appropriate.

Chief Executive (Stephen Parry) - power to act (a delegation made under RMA S34A(1))

Matters under the Resource Management Act

1. Determination of existing uses [RMA S10]
2. Provide the Minister with information requested [RMA S27]
3. Fix and require the payment of a charge in addition to the Council's scale of fees [RMA S36(3)]
4. Waive and/ or extend time limits [RMA S37]
5. Protection of Sensitive Information [RMA S42]
6. Directions to provide evidence prior to a hearing [RMA S41B]
7. Waive compliance regarding distribution of reports [RMA S42A(5)]
8. Amend district plan to give effect to National Environmental Standards [RMA S44A]
9. Amend district plan to give effect to National Policy Statements [RMA S55]
10. Determining requests to refer a resource consent to the Environment Court [RMA S87D]
11. Lodging a resource consent [RMA S88(1)]
12. Determining an application incomplete and returning to the applicant [RMA S88(3)]
13. Determining not to proceed with notification or hearing of an application pending lodging of further consents [RMA S91]
14. Requiring further information for any resource consent application, postpone until information received, request explanation of alternatives, consultation etc and commission reports [RMA S92].
15. Determining whether notification is required [RMA S95A].
16. Determining whether limited notification is required and persons served [RMA S95B].
17. To make submissions to another consent authority in respect of a consent application [RMA S96]
18. Determining whether a prehearing meeting is held [RMA S99]

19. Determining whether mediation is held on a resource consent [RMA S99A]
20. Determining whether a hearing on an application for a resource consent is necessary [RMA S100].
21. Delegation of powers to hear and determine a notified resource consent to a Hearing Commissioner [RMA S100A]
22. To determine a non-notified resource consent application [RMA S101]
23. To make decisions on the holding of joint hearings with other authorities. [RMA S102]
24. To determine whether two or more applications are sufficiently unrelated so that it is unnecessary to hear and decide the applications together [RMA S103]
25. Imposing and amending bonds [RMA S108A]
26. Refund of financial contributions [RMA S110]
27. Lodge an appeal to the Environment Court in respect of resource consent [RMA S120]
28. Fix a longer period where any resource consent lapses [RMA S125]
29. Cancelling a resource consent [RMA S126]
30. Determining whether an application for the change or cancellation of any condition of consent needs to be notified [RMA S127]
31. Changing or cancelling any condition of resource consent [RMA S127]
32. To determine whether to serve notice on a consent holder of Council's intention to review the conditions of consent [RMA S128]
33. To exercise the Council's discretions relating to the notification, submissions and hearing of a review of any resource consent [RMA S130]
34. Decisions on review of consent conditions [RMA S132(1)]
35. Cancel a consent [RMA S132(3) and (4)]
36. Making minor amendments to a consent decision [RMA S133A]
37. Refuse to accept surrender of whole or part of a consent [RMA S138]
38. Consider a request for a Certificate of Compliance [RMA S139]
39. Request the Minister to call in a plan change or variation [RMA S143]
40. Respond to the Minister on Environmental Protection Agency recommendations [RMA S147(4)]
41. Recommendations to the Minister on membership of a Board of Inquiry [RMA S149K(2)]
42. Commenting on a draft decision or draft report of a Board of Inquiry [RMA

S149Q(4)]

43. Amending District Plan on direction of a Board of Inquiry or Environment Court [RMA S149W(2)]
44. Processing matters where directed by the Environmental Protection Agency [RMA S149Y]
45. Issuing a notice of requirement [RMA S168A]
46. Requesting further information and processing requirements [RMA S169]
47. Discretion to include a requirement in the District Plan [RMA S170]
48. Consider any requirement and submission for a designation order and make a recommendation to the requiring authority [RMA S171]
49. Appeal on requiring Authority decisions [RMA S174]
50. Outline Plan waivers [RMA S176A]
51. Consider a requirement to alter a designation to minor extent [RMA S181(3)]
52. Refusal to amend the District Plan to remove a designation that is more than minor [RMA S182(5)]
53. Fix a longer period for the expiry of a designation [RMA S184]
54. Requesting further information and processing a requirement for a heritage protection order [RMA S190]
55. Consider a requirement by a heritage protection authority and submissions lodged and make a recommendation to the authority [RMA S191]
56. Consider and determine a request to make a minor modification to a heritage protection order [RMA S195A(3)]
57. Refusal to remove a heritage order from the District Plan if more than minor [RMA S196]
58. Responding to a request to submit a requirement or heritage protection order to the Environment Court [RMA S198D]
59. Processing a requirement and heritage protection order at the direction of the Environment Court [RMA S198J]
60. Submission to the special tribunal on a Water Conservation Order [RMA S205]
61. Submission to the Environment Court on a Water Conservation Order [RMA S210]
62. Issue of certificates requiring that the provision of Section 321 Local Government Act shall not apply and consultation with District Land Registrar [RMA S220]

63. The issue of a consent notice. [RMA S221(2)]
64. The issue of a completion certificate including extension of a period for the completion of work [RMA S222]
65. The approval of a Survey Plan including the cancellation of covenants and conditions relating to easements [RMA S223]
66. Issue of completion certificates including the approval of any bonds [RMA S224]
67. The issue of certification that any allotment on a Survey Plan is in compliance with the District Plan [RMA S226]
68. Creation of esplanade strips, conditions etc [RMA S232]
69. Variation or cancellation of esplanade strip [RMA S234]
70. Creation of esplanade strips by agreement [RMA S235]
71. Access strips agreement [RMA S237]
72. Access strips agreement [RMA S237B]
73. Closure of strips to public [RMA S237C]
74. Transfers to the Crown or Regional Council [RMA S237D]
75. Cancellation of amalgamation conditions and restrictive covenants [RMA S240, S241]
76. Consent to the surrender, merging or variation of an easement or to the revoking of any condition [RMA S243]
77. Representation at appeal hearings [RMA S274]
78. Seek and/or respond to an enforcement order [RMA S314, S316]
79. Seek and/or respond to an interim enforcement order [RMA S320]
80. Seek and/or respond to a change or cancellation of an enforcement order [RMA S321]
81. Issuing of enforcement or abatement notices [RMA S17 and S322]
82. Requesting information from any person believed to be breaching obligations under the RMA (RMA S22).
83. Decide to cancel an abatement notice [RMA S325A]
84. Issue an excessive noise direction [RMA S327]
85. Power to take preventative or remedial action (Emergency Work) [RMA S330]
86. Power of entry for inspection [RMA S332]
87. Power of entry for survey [RMA S333]

88. Power to return property [RMA S336(2)]
89. Issuing of infringement notices [RMA S343C]
90. Deciding on objections lodged to any decision [RMA S357 and 357A]
91. Consideration of objections to fees and charges [RMA S357B]
92. Lodge a submission in relation to a proposed National Environmental Standard (RMA S44).
93. Lodge a submission in relation to a National Policy Statement (RMA S46A and S49).

General Manager District Assets (Paul Withers) – power to act (a delegation made under R S34a(1))

Matters under the Resource Management Act

1. Lodging of resource consents [RMA S88(1)]
2. To make submissions to another consent authority in respect of a consent application [RMA S96]
3. Lodge an appeal to the Environment Court in respect of resource consent [RMA S120]
4. Issuing a notice of requirement [RMA S168A]
5. Representation at Appeal Hearings [RMA S274]
6. Seek and/or respond to an enforcement order [RMA S314, S316]
7. Seek and/or respond to an interim enforcement order [RMA S320]
8. Seek and/or respond to a change or cancellation of an enforcement order [RMA S321]
9. Issuing of enforcement orders or abatement notices [RMA S17 and S322]
10. Requesting information from any person believed to be breaching obligations under the RMA (RMA S22)
11. Cancelling an abatement notice [RMA S325A]
12. Issuing an excessive noise direction [RMA S327]
13. Power to take preventative or remedial action (Emergency Work) [RMA S330]
14. Power of entry for inspection [RMA S332]
15. Power of entry for survey [RMA S333]
16. Power to return property [RMA S336(2)]
17. Issuing of infringement notices [RMA S343C]

Building Control Manager (Russell Paterson) - power to act (a delegation made under RMA S34A(1))

Matters under the Resource Management Act

In relation to land use consents relating to the height, bulk and location of buildings:

1. Fix and require the payment of a charge in addition to the Council's scale of fees (RMA S 36(3))
2. Determining an application incomplete and returning to the applicant (RMA S88(3))
3. Requiring further information for any resource consent application, postpone until information received, request explanation of alternatives, consultation etc and commission reports (RMA S92)
4. To determine a non-notified resource consent application. (RMA S101)
5. Changing or cancelling any condition of resource consent (RMA S127)
6. To determine whether to serve notice on a consent holder of Council's intention to review the conditions of consent (RMA S128)
7. Decisions on review of consent conditions (RMA S132)
8. Consider a request for a Certificate of Compliance (RMA S139)

In relation to any other matter:

1. Seek and/or respond to an enforcement order [RMA S314, S316]
2. Seek and/or respond to an interim enforcement order [RMA S320]
3. Seek and/or respond to a change or cancellation of an enforcement order [RMA S321]
4. Power to take preventative or remedial action (Emergency Work) [RMA S330]
5. Power of entry for inspection [RMA S332]
6. Power of entry for survey [RMA S333]
7. Issuing of enforcement orders or abatement notices (RMA S17 and S322).
8. Requesting information from any person believed to be breaching obligations under the RMA (RMA S22).
9. Cancelling an abatement notice (RMA S325A).
10. Issuing an excessive noise direction (RMA S327).

11. Issue infringement notices (RMA S343C).

Building Control Officer (Tony Osborne) - power to act (a delegation made under RMA S34A(1))

Matters under the Resource Management Act

1. Seek and/or respond to an enforcement order [RMA S314, S316]
2. Seek and/or respond to an interim enforcement order [RMA S320]
3. Seek and/or respond to a change or cancellation of an enforcement order [RMA S321]
4. Power to take preventative or remedial action (Emergency Work) [RMA S330]
5. Power of entry for inspection [RMA S332]
6. Power of entry for survey [RMA S333]

Building Control Officer (Trevor Gilder) - power to act (a delegation made under RMA S34A(1))

Matters under the Resource Management Act

1. Seek and/or respond to an enforcement order [RMA S314, S316]
2. Seek and/or respond to an interim enforcement order [RMA S320]
3. Seek and/or respond to a change or cancellation of an enforcement order [RMA S321]
4. Power to take preventative or remedial action (Emergency Work) [RMA S330]
5. Power of entry for inspection [RMA S332]
6. Power of entry for survey [RMA S333]

Plumbing and Drainage Inspector (Lester Paisley) - power to act (a delegation made under RMA S34A(1))

Matters under the Resource Management Act

1. Seek and/or respond to an enforcement order [RMA S314, S316]
2. Seek and/or respond to an interim enforcement order [RMA S320]
3. Seek and/or respond to a change or cancellation of an enforcement order [RMA S321]
4. Power to take preventative or remedial action (Emergency Work) [RMA S330]
5. Power of entry for inspection [RMA S332]

6. Power of entry for survey [RMA S333]

Parks and Recreation Manager (Ian Soper) - power to act (a delegation made under RMA S34A(1))

Matters under the Resource Management Act, in relation to activities on or affecting parks and reserves.

1. Lodging of resource consents [RMA S88(1)]
2. Issuing a notice of requirement [RMA S168A]
3. Seek and/or respond to an enforcement order [RMA S314, S316]
4. Seek and/or respond to an interim enforcement order [RMA S320]
5. Seek and/or respond to a change or cancellation of an enforcement order [RMA S321]
6. Power to take preventative or remedial action (Emergency Work) [RMA S330]
7. Power of entry for inspection [RMA S332]
8. Power of entry for survey [RMA S333]

In relation to trimming, maintenance and felling of trees under Rules 4.12.3 and 4.12.4 of the District Plan:
9. Fix and require the payment of a charge in addition to the Council's scale of fees [RMA S36(3)]
10. Determining an application incomplete and returning to the applicant [RMA 388(3)]
11. Requiring further information for any resource consent application, postpone until information received, request explanation of alternatives, consultation etc and commission reports [RMA S92]
12. To determine a non-notified resource consent application [RMA S101]
13. Changing or cancelling any condition of resource consent [RMA S127]
14. To determine whether to serve notice on a consent holder of Council's intention to review the conditions of consent [RMA S128]
15. Decisions on review of consent conditions [RMA S132]
16. Consider a request for a Certificate of Compliance [RMA S139]
17. Issuing of enforcement orders or abatement notices (RMA S17 and S322).
18. Requesting information from any person believed to be breaching obligations under the RMA (RMA S22).
19. Cancelling an abatement notice (RMA S325A).

20. Issuing an excessive noise direction (RMA S327).
21. Issue infringement notices (RMA S343C).

Roading Manager (Murray Hasler) - power to act (a delegation made under RMA S34A(1))

Matters under the Resource Management Act, in relation to activities within and affecting legal roads.

1. Seek and/or respond to an enforcement order [RMA S314, S316]
2. Seek and/or respond to an interim enforcement order [RMA S320]
3. Seek and/or respond to a change or cancellation of an enforcement order [RMA S321]
4. Power to take preventative or remedial action (Emergency Work) [RMA S330]
5. Power of entry for inspection [RMA S332]
6. Power of entry for survey [RMA S333]
7. Issuing of enforcement orders or abatement notices (RMA S17 and S322).
8. Requesting information from any person believed to be breaching obligations under the RMA (RMA S22).
9. Cancelling an abatement notice (RMA S325A).
10. Issuing excessive noise direction (RMA S327).
11. Issue infringement notices (RMA 343C).

Senior Regulatory Officer (Frances Shepherd) – power to act (a delegation made under RMA S34A(1))

1. To provide Minister with information requested (RMA S27)
2. Fix and require the payment of a charge in addition to the Council's scale of fees (RMA S 36(3))
3. Protection of sensitive information (RMA S42)
4. Determining an application incomplete and returning to the applicant (RMA S88(3))

Regulatory Officer (Gillian Bedwell) – power to act (a delegation made under RMA S34A(1))

Matters under the Resource Management Act

1. To provide Minister with information requested [RMA S27]

2. Fix and require the payment of a charge in addition to the Council's scale of fees [RMA S36(3)]
3. Protection of Sensitive Information [RMA S42]
4. Determining an application incomplete and returning to the applicant [RMA S88(3)]
5. Requiring further information for any resource consent application, postpone until information received, request explanation of alternatives, consultation etc and commission reports [RMA S92].
6. The issue of a completion certificate including extension of a period for the completion of work [RMA S222]
7. The approval of a Survey Plan including the cancellation of covenants and conditions relating to easements [RMA S223]
8. Issue of completion certificates including the approval of any bonds [RMA S224]

Matters under other legislation

1. Procedural matters relating to road stopping in terms of the Tenth Schedule [LGA 1974]

Planner (Rosie Given) - power to act (a delegation made under RMA S34a(1))

Matters under the Resource Management Act

1. To provide Minister with information requested [RMA S27].
2. Protection of Sensitive Information [RMA S42].
3. Determining an application incomplete and returning to the applicant [RMA S88(3)].
4. Requiring further information for any resource consent application, postpone until information received, request explanation of alternatives, consultation etc and commission reports [RMA S92].
5. Processing matters where directed by the Environmental Protection Agency [RMA S149Y].
6. Requesting further information and processing requirements [RMA S169].
7. Requesting further information and processing a requirement for a heritage protection order [RMA S190].

8. The issue of a consent notice [RMA S221(2)].
9. The issue of a completion certificate including extension of a period for the completion of work [RMA S222].
10. The approval of a Survey Plan including the cancellation of covenants and conditions relating to easements [RMA S223].
11. Issue of completion certificates including the approval of any bonds [RMA S224].
12. The issue of certification that any allotment on a Survey Plan is in compliance with the District Plan [RMA S226].

Matters under Other Legislation

13. Procedural matters relating to road stopping in terms of the Tenth Schedule [LGA 1974].

Senior Planner (Howard Alchin) - power to act (a delegation made under RMA S34A(2))

Matters under the Resource Management Act 1991

1. Determination of existing uses (RMA S10).
2. To provide Minister with information requested (RMA S27).
3. Fix and require the payment of a charge in addition to the Council's scale of fees (RMA S 36(3)).
4. Waive and/or extend time limits (RMA S37).
5. Protection of sensitive information (RMA S42).
6. Directions to provide evidence prior to a hearing (RMA S41B).
7. Waive compliance regarding distribution of reports (RMA S42A(4))
8. Amend District Plan to give effect to National Environmental Standards (RMA S44A).
9. Amend District Plan to give effect to National Policy Statements (RMA S55).
10. Determining requests to refer a resource consent to the Environment Court (RMA S87D).

11. Determining an application incomplete and returning to the applicant (RMA S88(3))
12. Determining not to proceed with notification or hearing of an application pending lodging of further consents (RMA S91)
13. Requiring further information for any resource consent application, postpone until information received, request explanation of alternatives, consultation etc and commission reports (RMA S92).
14. Determining whether notification is required (RMA S95A).
15. Determining whether limited notification is required and persons served (RMA S95B).
16. To make submissions to another consent authority in respect of a consent application (RMA S96).
17. Determining whether a [re-hearing meeting is held (RMA S99). (RMA S94).
18. Determining whether mediation is held on a resource consent (RMA S99A).
19. Determining whether a hearing on an application for a resource consent is necessary (RMA S100).
20. Delegation of powers to hear and determine a notified resource consent to a Hearing Commission (RMA S100A).
21. To make decisions on the holding of joint hearings with other authorities. (RMA S102).
22. To determine whether two or more applications are sufficiently unrelated so that it is unnecessary to hear and decide the applications together (RMA S103).
23. Imposing and amending bonds (RMA S108A).
24. Refund of financial contributions (RMA S110).
25. Fix a longer period where any resource consent lapses (RMA S125)
26. Cancelling a resource consent (RMA S126)
27. Determining whether an application for the change or cancellation of any condition of consent needs to be notified (RMA S127)
28. Changing or cancelling any condition of resource consent (RMA S127)

29. To determine whether to serve notice on a consent holder of Council's intention to review the conditions of consent (RMA S128)
30. To exercise the Council's discretions relating to the notification, submissions and hearing of a review of any resource consent (RMA S130)
31. Making minor amendments to a consent decision (RMA S133A).
32. Refuse to accept surrender of whole or part of a consent (RMA S138).
33. Consider a request for a Certificate of Compliance (RMA S139)
34. Amending District Plan on direction of a Board of Inquiry or Environment Court (RMA S149W(2)).
35. Processing matters where directed by the Environmental Protection Agency (RMA S149Y).
36. Requesting further information and processing requirements (RMA S169)
37. Discretion to include requirements in the District Plan (RMA S170)
38. Outline Plan waivers (RMA S176A)
39. Consider a requirement to alter a designation to minor extent (RMA S181(3)).
40. Refusal to amend the District Plan to remove a designation that is more than minor (RMA S182 (5)).
41. Fix a longer period for the expiry of a designation (RMA S184)
42. Requesting further information and processing a requirement for a heritage protection order (RMA S190).
43. Consider and determine a request to make a minor modification to a heritage protection order (RMA S195A(3)).
44. Refusal to remove a heritage order from the District Plan if more than minor (RMA S196).
45. Processing a requirement and heritage protection order at the direction of the Environment Court (RMA S198J).
46. Issue of certificates requiring that the provision of Section 321 Local Government Act shall not apply & consultation with District Land Registrar (RMA S220)

47. The issue of a consent notice (RMA S221(2)).
48. The issue of a completion certificate including extension of a period for the completion of work (RMA S222).
49. The approval of a Survey Plan including the cancellation of covenants and conditions relating to easements (RMA S223)
50. Issue of completion certificates including the approval of any bonds (RMA S224).
51. The issue of certification that any allotment on a Survey Plan is in compliance with the District Plan (RMA S226).
52. Creation of esplanade strips, conditions etc (RMA S232).
53. Variation or cancellation of esplanade strip (RMA S234).
54. Creation of esplanade strips by agreement (RMA S235).
55. Access strips agreement (RMA S237).
56. Access strips agreement (RMA S237B).
57. Closure of strips to public (RMA S237C).
58. Transfers to the Crown or Regional Council (RMA S237D).
59. Cancellation of amalgamation conditions and restrictive covenants (RMA S240, 241).
60. Consent to the surrender, merging or variation of an easement or to the revoking of any condition (RMA S243).
61. Seek and/or respond to an enforcement order (RMA S314, 316).
62. Seek and/or respond to an interim enforcement order (RMA S320).
63. Seek and/or respond to a change or cancellation of an order (RMA S321).
64. Issuing of enforcement orders or abatement notices (RMA S 17 and S322).
65. Requesting information from any person believed to be breaching obligations under the RMA (RMA S22).
66. Cancelling an abatement notice (RMA S322A).

- 67. Issuing an excessive noise direction (RMA S237).
- 68. Power to take preventative or remedial action (emergency work) (RMA S330).
- 69. Power of entry for inspection (RMA S332).
- 70. Power of entry for survey (RMA S333).
- 71. Power to return property (RMA S336(2)).
- 72. Issuing of infringement notices (RMA S343C).
- 73. Consideration of objections to fees and charges (RMA S357B).

OTHER LEGISLATION

- 74. Cancellation of building line restrictions under (LGA 1974 S327A).
- 75. Powers of Council in respect of private roads and private ways (LGA 1974 S348).
- 76. Procedural matters relating to road stopping in terms of the Tenth Schedule (LGA 1974).
- 77. Certificates under the Overseas Investment Act 1995.
- 78. Certificates of Compliance under the Sale of Liquor Act 1989 for the purpose of an application under that Act.
- 79. Lodge a submission in relation to a proposed National Environmental Standard (RMA S44).
- 80. Lodge a submission in relation to a National Policy Statement (RMA S46A and S49).

Senior Planner (Howard Alchin) - power to act (a delegation made under RMA S34A(1))

Matters under the Resource Management Act 1991

In relation to restricted discretionary activity land uses, controlled activity subdivision and subdivision not complying with Rule 8.10(2)(a) or (b) of the District Plan:

- 81. To decide whether to grant or not grant a resource consent, and where granting consent to include any conditions, where the application was not notified, or where it was notified and there are either no submissions, any requests to be heard have been withdrawn or all submissions opposing are

resolved. (RMA S101)

82. To make decisions on joint applications where those resource consents have been publicly notified and requests to be heard have been withdrawn or all submissions opposing are resolved (RMA S102).

Other Matters

83. Decisions on review of consent conditions where either no written approvals are required or all affected persons have given their written approval (RMA S132.)
84. Consider any requirement and submission for a designation or heritage order and make a recommendation to the requiring authority where there are either no submissions, any requests to be heard have been withdrawn or all submissions opposing are resolved (RMA S171).
85. Consider a requirement to alter a designation to minor extent (RMA S181(3)).

**Delegation Register – Gore District Council
Environmental Health and Animal Control**

All of the functions or powers listed in the following table are delegated by the Council to the Chief Executive and General Manager Community and Strategy as well as the other officers specifically listed, unless shown as Chief Executive only or shown as no delegation to officers.

The exercise of these delegations is limited to those functions that the officers are responsible for as described in their job descriptions or position profile.

The Chief Executive has powers of sub delegation to officers.

Key	
CEO	Chief Executive
GMDA	General Manager District Assets
GMCS	General Manager Community and Strategy
SRO	Senior Regulatory Officer
P and R Mgr	Parks and Recreation Manager
SDC EHO	Southland District Council Environmental Health Officer

Legislation	Summary of Function/Power Delegated	Delegated Officer
Dog Control Act 1996	Represent the Council in any prosecution that has been authorized by the Council, and for that purpose make all affidavits, declarations and take any actions that the informant is required to make or do in the Court in relation to such prosecution.	CEO
	Authority to authorise any officer to carry out all or any functions of a ranger under the Dog Control Act 1996	CEO
	Initiating prosecutions and injunctions. 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.	CEO
	To take enforcement action against any person who breaches any such injunction and to make any decision in any matter relating to such action.	CEO
Section 13	Issue warrant to dog control officers	CEO
Section 21	Classify a person as a probationary owner and give notice of that decision	CEO and GMCS
Section 22	Hear and determine an objection to classification as a probationary owner	CEO and GMCS
Section 23A	Require a probationary owner to undergo training	GMCS

Section 25	Disqualification of owners and specification of period of disqualification. Determine whether the circumstances are such that disqualification is not warranted, or the person should instead be classified as a probationary owner and give notice of disqualification.	GMCS
Section 31	Classify any dog as a dangerous dog	CEO and GMCS
Section 32	Consent to disposal of dangerous dog to any person	CEO and GMCS
Section 33A	Classify a dog as a menacing dog and give notice of the classification	CEO and GMCS
Section 33C	Classify a dog as a menacing dog by belonging to breed or type listed in Schedule 4 and give notice of the classification	GMCS
Section 33E	Require a production of a certificate in accordance with Section 33E(1)(b). Determine under Section 33E(5) that a dog need not be muzzled	GMCS
Section 33EB	Require neutering of dog	GMCS
Section 33 ED	Classification of certain dogs	GMCS
Section 66	Issue infringement notices Make any decisions on any matter relating to those proceedings.	GMCS and Animal Control Administrator

Legislation	Summary of Function/Power Delegated	Delegated Officer
Impounding Act 1955		
	Authority to authorise any officer to carry out all or any functions of a Ranger under the Impounding Act 1955	CEO
Section 8 and 9	Appointment of a Pound Keeper (a statutory appointment) and a deputy (statutory appointment)	CEO
Section 10	Remove or suspend Pound Keeper or deputy	CEO
Section 11	Authority to publicly notify every appointment, or suspension, or removal from any office of any poundkeeper or deputy poundkeeper, as required by Section 11 of the Impounding Act 1955	CEO
Section 14	Recover actual costs of sustenance of impounded stock	GMCS
Section 32	Declare fenced paddock a temporary pound	GMCS
Section 42	Disposal of wild stock straying on roads	GMCS

Section 50	Authorise person to act as auctioneer for sale of impounded stock	CEO
Section 52	Destroy worthless or suffering stock	GMCS
Section 53	Dispose of unsold stock	GMCS
Section 56	Recover any deficiency in costs from owner of stock	GMCS

Legislation	Summary of Function/Power Delegated	Delegated Officer
Sale and Supply of Alcohol Act 2012		
	That the Council authorises the Chief Executive to delegate to any Council officer generally or particularly any of his powers, functions and duties under the Sale and Supply of Alcohol Act 2012 including those delegated to him by the Council.	
Section 189(6)	The appointment from time to time of two members from the list of persons approved to be members of the District Licensing Committee for the purposes of Section 191. The appointment may be for such period not exceeding four weeks as is considered necessary for the purposes of a quorum for any meeting of the committee.	CEO
Section 197	Licensing Inspectors	CEO
Section 198	Delegation of functions, duties, or powers of Chief Executives	Written delegation in a related Trim record
Section 204	Authorising any person to appear on behalf of the Council in any proceedings described in Section 204 (1).	CEO
Section 205	Authorising any person to appear on behalf of the Council at any appeal to the Licensing Authority under Section 81.	CEO

Legislation	Summary of Function/Power Delegated	Delegated Officer
Sale and Supply of Alcohol (Fees) Regulations 2013		
Regulation 4	Classification of premises	SRO
Regulation 5(1)	Assigning cost/risk ratings	SRO
Regulation 5(6)	Opinions with regard to premises types	SRO
Regulation 6(1)	Assigning fees categories	SRO
Regulation 6(4)	Assigning fees categories	SRO

Regulation 9(2)	Determining event types	SRO
Regulation 10(2)	Setting of fees	SRO

Legislation	Summary of Function/Power Delegated	Delegated Officer
Health (Burial) Regulations 1946		
Regulation 16	Consent, register, renew, refuse, impose conditions for registration or consent	P and R Mgr

Health (Registration of Premises) Regulations 1966		
Regulation 5	Consent, amend, register, renew, impose conditions and cancel registrations	SDC, EHO
Regulation 9	Cause first notice and further notice to be served	SDC, EHO

Health (Hairdressers) Regulations 1980 Food Hygiene Regulations 1974 Camping Ground Regulations 1985		
Regulation 4 Health (Hairdressers) Regulations 1980 and regulation 6 Food Hygiene Regulations 1974 and regulation 14 Camping Ground Regulations 1985	Grant, extend, set conditions on certificate of exemption	SDC, EHO

Litter Act 1979		
Section 5	Appoint Litter Control Officers	CEO
Section 8	Appoint and revoke appointment of Litter Wardens	CEO
Section 10	Serve notices to clear litter To hear and determine any objection	GMCS
Section 14	Issue infringement notices and make any decision on any matter relating to those proceedings	GMCS
Section 15	Initiating prosecutions and injunctions	CEO

Local Government Act 2002		
Section 162	Apply for injunction restraining a person from committing a breach of a bylaw or an offence against this Act	CEO
Section 163	Remove or alter a work or thing that is, or has been, constructed in breach of a bylaw, and recover the costs of removal or alteration	CEO
Section 167	Return of property seized or impounded	GMCS
Section 168	Dispose of property that has not been returned within six months after it was seized and impounded	GMCS
Section 171	Enter any land or building other than a dwelling house. Determine how to exercise the power to enter occupied land or buildings. Give notice of intended entry.	GMCS
Section 173	Enter occupied lands or buildings without giving prior notice. Inform occupier and owner of entry	GMCS
Section 174	Issue warrant to enforcement officer	CEO
Section 177	Appoint enforcement officer	CEO
Sections 227, 228, 229, 230, 231, 232, 238, 239	Initiating prosecutions and injunctions under Acts or Bylaws	CEO

Food Act 1981		
	Delegation of authority to administer all powers, requirements and functions of the Council under the Act and Regulations under the Act	
Section 2	Appoint inspector	CEO
Section 8E	Enforce Food Hygiene Regulations	SDC, EHO
Section 8N	Grant exemption from provisions of the food Hygiene Regulations 1974 or refer to Director-General	SDC, EHO
Section 8O	Grant or refuse to grant exemption on Director-General's direction	SDC, EHO
Section 8P	Give notice of intention to refuse to grant exemption	SDC, EHO
Section 8Q	Revoke, amend, add conditions to any exemption	SDC, EHO
Section 8R	Specify exemption of specified period	SDC, EHO
Section 8S	Revoke exemption and give notice of intention to do so	SDC, EHO

Section 8U	Grant substitute exemption.	SDC, EHO
	Initiating prosecutions and injunctions under Act or Regulations	GMCS

Gambling Act 2003		
Section 100	Considering and determining application for territorial authority consent	GMCS

Trespass Act 1980		
	The person in lawful occupation of land owned, occupied or controlled by the Council for the purposes of the Trespass Act 1980, and that the Chief Executive be authorized to make further delegations of this power, as appropriate.	CEO

Creative New Zealand – Creative Communities Scheme

REPORTING TO

Council

CONSTITUTION

Two Councillors
Community representatives
Eastern Southland Community Arts
Council
Mayor ex officio

MEETING FREQUENCY

As required

OBJECTIVE

To support volunteer efforts at local community level in promoting arts activities subject to funding level made available by Creative New Zealand.

SCOPE OF ACTIVITY

- I. Allocate funds received from Creative New Zealand in terms of criteria adopted by the Council.

POWER TO ACT

1. To approve grants from applications received in terms of the recognised criteria.

CHIEF EXECUTIVE OFFICER - POWER TO ACT

1. In all matters pertaining to the allocation of grants under Creative New Zealand - Creative Communities Scheme not reserved specifically to the Committee.

Gore District Council/Gore A & P Association Joint Committee

REPORTING TO	The Committee is autonomous
CONSTITUTION	Four Council representatives Four representatives from the Gore A & P Association
MEETING FREQUENCY	As required

OBJECTIVE

To manage the amenities situated at the Gore A & P showgrounds within the terms of the Joint Agreement dated 1 July 2008.

SCOPE OF ACTIVITY

All matters relating to the maintenance improvement and use of the showgrounds.

POWER TO ACT

All matters.

Civic Amenities Refund Sub-Committee

REPORTING TO	Community Services Committee
CONSTITUTION	Chairperson, Finance and Policy Committee Chief Executive
MEETING FREQUENCY	As required

OBJECTIVE

To consider requests to the Council for the waiver of the hire charges of its facilities.

SCOPE OF ACTIVITY

1. Only organisations within the Gore District are eligible.
2. The organisation must be of a non-profit or charitable nature.
3. The organisation must benefit a wide number of people in the District, or open to membership by any District resident.
4. No formal minutes shall be kept, but the Chief Executive shall report to the Community Services Committee for confirmation of all applications granted.
5. The budget shall be from within the Council's civic amenities refund account.
6. The Sub-Committee shall be reviewed annually with estimates.

Part 4 - The Chief Executive Officer

Functions

The Chief Executive Officer is the head of the Council's staff appointed under S119C(1)(a) of the Local Government Act 1974 and shall have all the authority necessary or incidental to that position as defined in the job description and performance objectives for that position and in this manual.

The Chief Executive Officer is responsible, under Section 42(2) of the Local Government Act 2002 for:

- (a) implementing the decisions of Council;
- (b) providing advice to members of the Council;
- (c) ensuring that all responsibilities, duties and powers delegated to her or him or to any person employed by the Council, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised;
- (d) ensuring the effective, efficient and economic management of the activities of the Council;
- (e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and
- (f) providing leadership for the staff of the local authority.

Delegations to the Chief Executive Officer

In order to fulfill these responsibilities the Chief Executive Officer is delegated all the powers, functions and duties necessary for the management of the Council's activities and the implementation of Council policy except;

- (a) those reserved to the Council;
- (b) any other power, functions and duties reserved to the Council or a Committee under this manual;

All administrative and operational functions, powers and duties under the Resource Management Act other than those delegated to a Committee, unless that Committee so delegates.

All administrative and operational functions, powers and duties under the Local Government (Rating) Act 2002, with the exception of the power to set and assess rates or replacement rates.

The authority delegated to the Chief Executive Officer may be delegated to any other officer of the Council or a Sub Committee of officers. Every delegation by the Chief Executive Officer shall be in writing and suitably recorded. Every delegation may be withdrawn or amended or made subject to conditions in the same manner.

Specific Financial Authority

In the interests of clarity and to ensure the efficient and effective operation of the Council's business, the following delegations are given to the Chief Executive:

- a) Purchase of goods and services within approved estimates - \$100,000
- b) Authority to enter into contracts within approved estimates - \$700,000
- c) Authority to make payments for awarded contracts, approved loan payments or payroll expenditure – no financial limit.
- d) Authority for capital expenditure within approved estimates - \$250,000.
- e) Authority to borrow and invest for treasury management purposes – limited only to the provisions of the Council's borrowing and investment policies.
- f) Authority to write off debt - \$5,000.

Employment of Staff

Under Section 42(2) of the Local Government Act 2002, the Chief Executive Officer is responsible to the Council for employing the staff of the Council and negotiating their terms of employment. This includes staffing structures, authority for disciplinary action and dismissal, recruitment, good employer obligations and the equal employment opportunities programme.

In exercising this delegated authority the Chief Executive Officer must comply with:

- (a) good employer and equal employment opportunities obligations;
- (b) budget limitations.

Contracts, Tenders, Purchasing, Sale of Assets and Services

The Chief Executive Officer may, subject to any policy established by the Council and within approved budgets, accept, negotiate or decline contracts, tenders, purchasing agreements or any other arrangements for:

- a. the sale, purchase, leasing or exchange of real property where that does not require a resolution of the Council;
- b. the employment of staff (under Section 42(2) of the Local Government Act 2002), consultants or advisers;
- c. the supply of goods, services, plant, capital items or other assets (excluding real property) to the Council;
- d. the provision of services by the Council and the sale, leasing or disposal of goods, plant, capital items (excluding real property) or other assets owned by the Council;
- e. the settlement of claims for compensation;
- f. easements, rights of way, caveats, registerable interests and similar minor dealings with property.
- g. Executing a Notice of Statutory Land Charge, pursuant to the Statutory Land Charges Act 1928, for the recovery of Council debt.

In exercising this delegated authority the Chief Executive Officer must comply with:

- (a) any policies adopted by the Council
- (b) budget requirements;
- (c) the obligation to report decisions

Best Method to be Used

At all times the Chief Executive Officer and all other staff will employ methods which provides the most favorable terms, particularly as to price.

Where the Chief Executive Officer or any other officer accepts other than the lowest price offered, that decision will be reported to the Council.

Buy local policy - All purchases of goods, services, plant, capital items or other assets will be purchased from providers within the Gore District, except for when an advantage of 5% or better can be achieved from providers outside of the District.

Part 5 - Delegations Under The Building Act 2004

To Russell James Paterson, Building Control Manager

Section	Delegation Authority
37	The authority to issue a certificate requiring the obtaining of resource consent approval under the Resource Management Act 1991 prior to undertaking some or any building work.
75 & 76	The authority to issue a certificate that specified allotments not be transferred or leased except in conjunction with each other.

To Tony Victor Osborne, Building Control Officer

Section	Delegation Authority
37	The authority to issue a certificate requiring the obtaining of resource consent approval under the Resource Management Act 1991 prior to undertaking some or any building work.
75 & 76	The authority to issue a certificate that specified allotments not be transferred or leased except in conjunction with each other.

To Trevor Murray Gilder, Building Control Officer

Section	Delegation Authority
37	The authority to issue a certificate requiring the obtaining of resource consent approval under the Resource Management Act 1991 prior to undertaking some or any building work.
75 & 76	The authority to issue a certificate that specified allotments not be transferred or leased except in conjunction with each other.

To Lester John Paisley, Building Control Officer

Section	Delegation Authority
37	The authority to issue a certificate requiring the obtaining of resource consent approval under the Resource Management Act 1991 prior to undertaking some or any building work.
75 & 76	The authority to issue a certificate that specified allotments not be transferred or leased except in conjunction with each other.

To Howard Alchin, Senior Planner

Section	Delegation Authority
37	The authority to issue a certificate requiring the obtaining of resource consent approval under the Resource Management Act 1991 prior to undertaking some or any building work.

To Frances Marilyn Shepherd, Senior Regulatory Officer

Section	Delegation Authority
37	Upon authorisation by a Building Consent Officer, Howard Alchin Senior Planner or Keith James Hovell, Planning Consultant, the authority to issue a certificate requiring the obtaining of resource consent approval under the Resource Management Act 1991 prior to undertaking some or any building work.
75 & 76	Upon authorisation by a Building Consent Officer, the authority to issue a certificate that specified allotments not be transferred or leased except in conjunction with each other.

To Gillian Bedwell, Regulatory Assets Administrator

Section	Delegation Authority
37	Upon authorisation by a Building Consent Officer, Howard Alchin, Senior Planner or Keith James Hovell, Planning Consultant, the authority to issue a certificate requiring the obtaining of resource consent approval under the Resource Management Act 1991 prior to undertaking some or any building work.
75 & 76	Upon authorisation by a Building Consent Officer, the authority to issue a certificate that specified allotments not be transferred or leased except in conjunction with each other.

Part 6 – Delegations under the Litter Act 1979

The provisions of Section 13 of the Litter Act 1979 were adopted by the Gore District Council at its ordinary meeting held on 10 December 2013.

Pursuant to Section 5 of the Litter Act 1979, the following positions were appointed as Litter Control Officers:

- Chief Executive Officer
- General Manager District Assets
- Parks and Recreation Manager
- Roading Manager
- 3 Waters Asset Manager
- Roading Officer
- Senior Planner
- Planning Consultant
- Planner
- Senior Regulatory Officer
- Technical Officer
- 3 Waters Supervisor
- Parks Officer
- Parking Officer

Part 7 – Delegations to Other Council Officers

STREET AND ROAD CLOSURES FOR PARADES AND SPORTING EVENTS

(Resolved at a meeting of the Works and Services Committee held on Tuesday 6 March 1990)

The General Manager District Assets in consultation with the Chief Executive Officer, be delegated authority to close streets and roads and approve parades and other like events, subject to Transit New Zealand being notified where appropriate and all legal requirements with regards to street closures be met.

Should there be a dispute, that it be referred to the appropriate Committee.

REQUESTS TO HOLD MOCK ACCIDENTS

(Resolved at a meeting of the Works and Services Committee held on Tuesday 6 March 1990)

The General Manager District Assets in consultation with the Chief Executive Officer, be delegated authority to approve requests to hold mock accidents, subject to Transit New Zealand being notified and all legal requirements being met.

Should there be a dispute, that it be referred to the appropriate Committee.

CYCLE TOURS

(Resolved at a meeting of the Works and Services Committee held on Tuesday 6 March 1990)

The General Manager District Assets in consultation with the Chief Executive Officer be delegated authority to approve requests to hold cycle tours, subject to Transit New Zealand being notified and all legal requirements being met.

Should there be a dispute, that it be referred to the appropriate Committee.

BANK SIGNATORIES

(Amended at a meeting of the Gore District Council held on 27 August 2002)

Authorised bank signatories be amended to any two of the following:

- Chief Executive
- Chief Financial Officer
- General Manager Community and Strategy
- General Manager District Assets
- Office Manager
- Mayor
- Deputy Mayor

ERECTION OF ROAD SIGNS

(Resolved at a meeting of the Gore District Council in June 1992)

The General Manager District Assets to authorise the erection of all traffic signs in accordance with the Traffic Regulations and the Road Traffic Standards.

SUB-COMMITTEES/WORKING PARTIES

(Resolved at a meeting of the Gore District Council held on 25 June 1996)

That when appointing Sub-Committees/Working Parties, Council include in the establishing resolution ‘... and that the members of the Sub-Committee be authorised to attend relevant Conferences and seminars’.

That the Chief Executive has authority to approve Councillor attendance at meetings and seminars that may arise at short notice.

AUDIT COMMITTEE

(Resolved at a meeting of the Gore District Council held on 20 November 2001)

THAT the Council appoint His Worship and the Chairpersons of Committees as the Audit Committee.