

STRATFORD DISTRICT COUNCIL

POLICY: <u>DELEGATIONS POLICY</u>	
DEPARTMENT: Chief Executive	RESPONSIBILITY: <ul style="list-style-type: none">• Chief Executive
SECTION:	
REVIEW DATE: 2019	NEXT REVIEW: 2021/22
VERSION:	APPROVAL DATE: 13 July 2021 (amendments)

PART ONE – COUNCIL POLICY & DELEGATIONS

1. LEGISLATION

1.1 PURPOSE OF DELEGATIONS POLICY

This Delegations Policy sets out:

- The legal basis for delegations and sub-delegations
- The guiding objectives behind the policies
- The policies for achieving those objectives
- Council Committees
- Financial authorisations
- The Delegations Register

In doing so, this Delegations Policy provides a reference for each of the delegations and sub-delegations within Council and the legal basis for each delegation and sub-delegation.

1.2 LOCAL GOVERNMENT ACT 2002

Schedule 7, clause 32 of the Local Government Act 2002 states that:

“32. Delegations -

- (1) *Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except -*
- (a) *the power to make a rate; or*
 - (b) *the power to make a bylaw; or*
 - (c) *the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*
 - (d) *the power to adopt a long-term plan, annual plan, or annual report; or*
 - (e) *the power to appoint a chief executive; or*
 - (f) *the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.*
 - (h) *the power to adopt a remuneration and employment policy.*

- (2) *Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise by the local authority (after consultation with the committee or body or person) of any power or duty specified in subclause (1).*
- (3) *A committee or other subordinate decision-making body, community board, or member or officer of the local authority may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the local authority or by the committee or body or person that makes the [original] delegation.*
- (4) *A committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, or duties are delegated may, without confirmation by the local authority or committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.*
- (5) *A local authority may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing, and administration related to bylaws and other regulatory matters.*
- (6) *A territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.*
- (7) *To avoid doubt, no delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure performance of any function or duty.*
- (8) *The delegation powers in this clause are in addition to any power of delegation a local authority has under any other enactment.”*

1.3 **LEGAL BASIS**

ACTS

Permitted Delegations

The following legislation contains specific sections permitting delegations to officers:

- | | | |
|-----|---|---------------------|
| (a) | Building Act 2004 | - Section 232 |
| (b) | Civil Defence Emergency Management Act 2002 | - Section 12 |
| (c) | Impounding Act 1955 | - Section 63 |
| (d) | Local Government Official Information and Meetings Act 1987 | - Sections 42, 43 |
| (e) | Privacy Act 1993 | - Sections 124, 125 |
| (f) | Public Bodies Contracts Act 1959 | - Section 4 |
| (g) | Resource Management Act 1991 | - Section 34A(3) |
| (h) | Sale and Supply of Alcohol Act 2012 | - Section 198 |
| (i) | Health Act 1956 | - Section 23 |

In addition the Local Government Act 2002 Schedule 7, Clause 32 contains a general delegation and various restrictions that also cover other enactments.

Limitations on Delegations

Local Government (Rating) Act 2002

There are no officer delegations in the Local Government (Rating) Act 2002. Under Section 132 (2) a local authority must not delegate a) the power to delegate, and b) any function, power or duty conferred by subpart 2 of Part 1 or subpart 1 of Part 5 of the Act. The subparts relate to determining what is rateable land, and the replacement (or re-setting) of rates. This means that unless the Act mentions the Principal Administrative Officer or duly authorised officer etc. (who can be readily identified in this Delegations Register), then a Council action (other than an administrative task) must be delegated directly by Council unless specifically barred by virtue of Schedule 7, Section 32 of the Local Government Act 2002.

Reserves Act 1977

There are no officer delegations in the Reserves Act 1977. This means that unless the Act mentions the Principal Administrative Officer or duly authorised officer etc. (who can be readily identified in this Delegations Register), then a Council action (other than an administrative task) must be delegated directly by Council unless specifically barred by virtue of Schedule 7, Section 32 of the Local Government Act 2002.

Local Government Act 2002

Schedule 7, Section 32 of the Local Government Act 2002 states that the Council cannot delegate any of the following powers:

- (a) the power to make a rate; or
- (b) the power to make a bylaw; or
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
- (d) the power to adopt a long-term plan, annual plan, or annual report; or
- (e) the power to appoint a chief executive; or
- (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.
- (g) the power to adopt a remuneration and employment policy.

Resource Management Act 1991

Under the Resource Management Act 1991, the Council cannot delegate any of the following matters to officers:

- (a) The approval of a policy statement or plan or any change to a policy statement or plan.
- (b) The making of a recommendation on a requirement for a designation or a heritage order under Part VIII.
- (c) The granting of a resource consent for a non-complying activity in respect of any application which is notified in accordance with Section 93.
- (d) The power to hear and determine notified applications for Resource Consent.

Local Government Official Information and Meetings Act 1987

The Local Government Official Information and Meetings Act 1987 the Council cannot delegate any of the following matters to officers:

Pt 7 Local Authority Meetings

S32 Recommendations made to the Council by the Ombudsman

REGULATIONS

Housing Improvement Regulations 1947

Regulation 22 of the Housing Improvement Regulations 1947 provides for the general or particular delegation of powers to officers, other than those to be exercised by special order or by resolution.

BYLAWS

Council has a wide range of bylaw making powers derived mainly from the Local Government Act 2002 and the Bylaws Act 1910. Specific bylaw making powers in accordance with other statutes may also be conferred to Council from time to time eg. Reserves Act 1977, Land Transport Act 1998, Health Act 1956, Dog Control Act 1996 and Prostitution Reform Act 2003. While some of these statutes do not have powers of delegation to officers, it is possible, by promulgating bylaws, to empower officers to make discretionary decisions (refer to Section 13 Bylaws Act 1910). However, the discretion left by the bylaw to an officer must not be so great as to be unreasonable.

The procedure for making bylaws is set out in Part 8, Sections 143 158 of the Local Government Act 2002.

2. DELEGATIONS OBJECTIVES & POLICIES

2.1. OBJECTIVES

- 2.1.1 Delegations should be made specifically to the lowest appropriate level, but they may also be exercised by all managers in a direct line above that position.

Delegations should be made directly to the position that will be exercising the authority as part of the role of the position and day-to-day responsibilities. All managers in a direct line of authority above that named position will also be able to exercise that delegation.

- 2.1.2 Delegations should reflect the separate roles of governance and management.

Strategy, policy, governance and major financial decisions beyond budgeted allowances are matters for elected representatives. Operational matters, not involving changes to policy are generally the responsibility of staff. Council ultimately decides on where the balance lies.

- 2.1.3 Delegations should provide for clear accountability and reflect the lines of responsibility in the organisation.

Greater powers and responsibilities should be held and exercised at progressively more senior levels of the organisation.

- 2.1.4 Delegations should be broadly defined to ensure flexibility whilst being sufficiently prescriptive so that the extent and nature of the authority is clearly defined.

Where possible, a principled approach should be taken in the drafting of delegations. However, sufficient detail should be given so that it is clear what the power, duty or function does and does not cover.

- 2.1.5 Delegations should be interpreted in a manner consistent with these objectives.

2.2. POLICY

- 2.2.1 Delegations shall be in writing.

The Delegation Policy, including the Delegations Register, shall record delegations made by council or committee and sub delegations from the Chief Executive.

- 2.2.2 Delegations shall be to defined positions.

Delegations will not be permitted to named officers or persons so that currency is maintained and to enable a person acting in a position to exercise delegated functions.

- 2.2.3 Delegations should be standardised, where possible, across classes of positions and bodies eg. all Department Directors should have similar financial signing limits and HR authorities.

- 2.2.4 Where powers, duties or functions are delegated to a specified position, the same authority applies to any person acting in that specified position. By default the direct manager of a person in a specified position may act on behalf of that person.

This provision allows for notified and non-notified absence of officers and chairpersons. Officers should record in writing that they have exercised the delegated authority in an acting capacity.

- 2.2.5 Officer delegations must first be delegated by Council to the Chief Executive. This does not apply to powers or authorities where such delegation is prohibited by law.

Council will not be permitted to delegate directly to officers (except where otherwise required by legislation) in order that the Chief Executive is able to manage delegations to staff.

- 2.2.6 The Chief Executive may delegate to any officers or persons, except where otherwise required by legislation.

The Chief Executive can delegate to specified staff positions and other persons. If delegating to a person outside of council extra care is to be taken to ensure that the person is appropriately qualified and suitable.

- 2.2.7 Officers, other than the Chief Executive, do not have the power to sub-delegate.

Clause 32B, Schedule 7 to the Local Government Act 2002 states that an officer cannot delegate the power to delegate under that clause. This has been interpreted as meaning that a power that has been sub delegated by the Chief Executive cannot be further delegated by an officer. There are similar provisions in other statutes, including the Resource Management Act 1991 and Local Government Rating Act 2002 which prevent sub delegation by any officers.

- 2.2.8 Any delegation to a committee or member or officer of the local authority does not restrict the power to do anything precedent to the exercise by the local authority (after consultation with the committee or body or person) of any power or duty specified in Section 32 (1) of the Local Government Act 2002 (those powers and duties which cannot be delegated).

- 2.2.9 An entity or person in a specified position with delegated authority may seek advice from others on the exercise of that delegated authority in a particular case but ultimately must either exercise the power themselves or refer the matter back to the delegator or a manager in the direct line above their position to exercise the power.

In some circumstances, for example where there would be significant public interest in a matter or there is a potential conflict of interest, an officer may decide not to make a decision and refer to the matter back to the delegator or to a manager in the direct line above their position.

- 2.2.10 The power to exercise a function that has been delegated is held by the entity or person that delegated it and also by any manager in a direct line above a specified position to which a function has been delegated. However, such entities and persons should only exercise that function in cases where particular circumstances make that appropriate or when requested to do so by the delegation holder.

To allow for clarity and consistency a function should generally be exercised by the entity or position that has been specifically delegated responsibility for that function. But there may be occasions where the circumstances of the case make it more appropriate for the delegator or a more senior position to carry out a function.

- 2.2.11 Unless expressly provided in law, delegation or rules, a decision made under the exercise of a delegated authority cannot be overturned by another holder of that delegation. A new decision may be made if additional information is received.

Some legislation, including the Resource Management Act, and the Stratford District Council bylaws allow for appeal of certain decisions. Council also provides the ability to appeal a decision in delegations and/or, policy. Unless the ability to appeal a decision has been expressly provided, a decision cannot be overturned by a person or body senior to the delegate. However, if additional information is received, a new decision can be made, although it still must be made only by those who have delegated authority.

- 2.2.12 Delegations should not be exercised where a conflict of interest or perceived conflict of interest exists.

A person with either a personal prejudicial interest in a matter, or what would appear to be such an interest, must not be involved in decisions on that matter.

- 2.2.13 A delegate may exercise any ancillary powers necessary to give effect to a given delegation.

For example, a delegation to undertake financial transactions of up to a specified limit would include the ability to negotiate price, terms and conditions, authorise the contract, sign the contract etc.

- 2.2.14 Where a matter has not been delegated, a decision on that matter must be made by Council. The Chief Executive shall determine whether or not the matter is covered by a delegation.

Matters that do not appear to be delegated should be notified to the Chief Executive so that consideration can be given to whether it is covered by some other delegation or if a new delegation is required.

- 2.2.15 Unless specifically time-limited, a delegation continues in force until revoked, altered or varied by the delegator or Council.

For example, delegations may be required in relation to specific matters, where no broad delegation to deal with the type of matter exists. These delegations would be limited to eg. the time span of the project or contract. Individual delegations do not have to be specifically revoked where a subsequent delegation is made which alters or varies the previous delegation.

- 2.2.16 Decisions to make, revoke, alter or vary delegations by Council must be expressly stated in a Delegations report to the Policy and Services Committee.

- 2.2.17 A matter must be referred to the Chief Executive where:

- there is an apparent conflict of delegations; or
- the delegation is not clearly defined or does not appear to exist for a given matter; or
- a delegate's ancillary powers need to be clarified.

For clarity and consistency, it is best that there be a single point of interpretation of the delegations. In the absence of judicial consideration of the delegations the Chief Executive is the most obvious position to do this within Council.

- 2.2.18 Where the description of a delegated legislative function is ambiguous or appears to conflict with the wording of the legislation the wording of the legislation will prevail.

The wording used in the description of a delegated function is only a guide to the exact nature of the function and does not limit or expand the wording used in the legislation.

3. COUNCIL COMMITTEE STRUCTURE

3.1 BACKGROUND

The Stratford District Council has three standing committees and four special purpose committees.

The standing committees are:

- Policy and Services Committee.
- Audit and Risk Committee.
- Farm and Aerodrome Committee
- Executive Committee.

The special purpose committees are:

- Sport NZ Rural Travel Fund Committee
- Postponement of Rates for Extreme Financial Hardship Committee
- Postponement of Rates for Farmland Affected by Natural Disasters Committee
- District Licensing Committee

There are two Joint Committees and two Taranaki Regional Council committees which Council appoints representation to. These are as follows:

- Taranaki Solid Waste Management Committee (joint)
- Taranaki Civil Defence Emergency Management Group (joint)
- Taranaki Policy and Planning Committee
- Regional Land Transport Committee

In addition the Council delegates authority to the Mayor to convene a Citizens Award selection panel of five members comprising of the Mayor, two councillors and two citizens of the Stratford District to consider and determine Citizens Award nominations in line with the Citizens Awards Policy on an annual basis.

3.2 POLICY AND SERVICES COMMITTEE

3.2.1 Purpose

- To assist Council with the development of an appropriate strategic policy framework that is based on a comprehensive knowledge of the community and its requirements.
- To consider matters not the function of another committee.
- To assist Council with ensuring that its services are delivered in an effective and efficient manner that meets the needs of its communities.
- To monitor the Council's performance, progress and financial position against, and to ensure compliance with legislation, strategies, policies and plans.

3.2.2 Responsibilities

The Policy and Services Committee shall have responsibility to:

- Assess and provide advice to Council on the key strategic issues affecting the District and Council;
- Consider, and recommend to Council for adoption, governance and other policies that need to be approved by Council;
- Consider, and recommend to Council for adoption, bylaws that need to be approved by Council;
- Assist with the development of, and recommend to Council the adoption of, key policy and planning documents including the Long Term Plan, Annual Plan, and District Plan;
- Monitor and assess the outcomes of the services approved in the Long Term Plan and Annual Plan delivered by Council;
- Determine matters for which provision has not been made in the Long Term Plan or Annual Plan together with, where necessary, adequate financial provision;

- Hear, consider, assist with and provide advice to Council on community engagement and consultation processes in relation to Council policies, strategies and planning documents;
- The power to hear the revocation of any registration pursuant to Regulation 9 of the Health (Registration of Premises) Regulations 1966;
- Develop, and recommend to Council, submissions on National and Regional statements, policies and plans, legislative changes and other consultative processes, which may be of interest to the District;
- Consider and recommend policy on the triennial review of the representative and election process;
- Respond to Government’s legislation proposals and policy issues.

3.2.3 Delegations

- There are no delegations for making decisions to this Committee.
- The Committee is delegated the power to conduct hearings to allow the carrying out of the above responsibilities.

3.2.4 Membership

- Mayor (*ex officio*)
- The chairperson shall be a member of Council
- Comprises all members of Council.

3.2.5 Relationships with Other Parties

The Chief Executive, and senior management shall be invited to attend all meetings. The Chief Executive may invite other staff as appropriate to provide specialist advice.

3.2.6 Frequency of Meetings

Meetings shall occur monthly.

3.2.7 Conduct of Affairs

The committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members’ Interests) Act 1968 and Standing Orders.

3.2.8 Public Access and Reporting

- Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders.
- The committee shall record minutes of all its proceedings and present them to Council at the next meeting of Council.

3.2.9 Quorum

The quorum at any meeting of the committee shall be half of the members physically present, where the number of members (including vacancies) is even; and a majority of members physically present, where the number of members (including vacancies) is odd.

3.2.10 Remuneration

Members will be reimbursed in accordance with Council’s Policy on Elected Members Remuneration.

3.2.11 Funding

Remuneration and expenses will be funded from the Democracy activity budget.

3.3 AUDIT AND RISK COMMITTEE

3.3.1 Purpose

- To ensure that the Council is delivering on agreed outcomes.
- To ensure that the Council is managing risk in an appropriate manner.

3.3.2 Responsibilities

- Monitoring performance against the approved Long Term Plan and Annual Plan.
- Overseeing the development of the Council's Annual Report.
- Overseeing the development of financial and treasury management strategies and policies.
- Considering and approving external audit arrangements and receiving Audit reports.
- Consider the outcome of internal and external audit reviews.
- Advise Council on matters of finance and risk and provide objective advice and recommendations for its consideration.
- Consider matters which are related to the quality assurance and internal controls in Council and ensure the financial management practices and processes comply with the Local Government Act 2002, other relevant legislation and Council's own policies.
- Consider, monitor and recommend (where appropriate) in respect to Council's interest in CCOs.
- Monitor key activities, projects and services (without operational interference in the services) in order to better inform the members and the community about key Council activities and issues that arise in the operational arm of the Council.

3.3.3 Delegations

The Audit and Risk Committee shall have delegated authority to:

- Review and consider all aspects of Financial Management and Reporting including liaising with the auditors.
- Oversee Council Controlled Organisations including reviewing the Statement of Intent and monitoring performance.
- Review Treasury Management including activity, the policy and investment options.
- Review the Revenue and Financing Policy and Financial Strategy as required and recommend changes to Council.
- Monitor all matters associated with Risk and Insurance.
- Review Statutory Compliance and legal matters to ensure Council implements legislative change and complies with existing legislation.
- Review of significant activities (including Section 17A reviews) and recommend any changes to Council.
- Undertake ad-hoc reviews as directed by Council.
- To make all decisions necessary to fulfil the responsibilities of the Committee.
- To recommend to Council and/or the Policy and Services Committee as it deems appropriate.

For the avoidance of doubt, this Committee has **not** been delegated the power to:

- Make a rate;
- Borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan;
- Adopt a Long Term Plan, Annual Plan or Annual Report;
- Adopt policies required to be adopted and consulted on in association with the Long Term Plan.

3.3.4 Membership

- Independent Member (Chairman)
- Mayor (Ex officio)
- At least 3 members of Council

3.3.5 Relationships with Other Parties

The Chief Executive, senior management and auditors shall be invited to attend all meetings. The chairman may invite other staff/parties as appropriate to provide specialist advice.

3.3.6 Frequency of Meetings

The Audit and Risk Committee shall meet 5 times per year, unless circumstances require a meeting to be held more frequently.

3.3.7 **Conduct of Affairs**

The committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968 and Standing Orders.

3.3.8 **Public Access and Reporting**

- Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders.
- The committee shall record minutes of all its proceedings and present them to Council at the next meeting of Council.

3.3.9 **Quorum**

The quorum at any meeting of the committee shall be half of the members physically present, where the number of members (including vacancies) is even; and a majority of members physically present, where the number of members (including vacancies) is odd.

3.3.10 **Remuneration**

Members will be reimbursed in accordance with Council's Policy on Elected Members Remuneration.

The Independent Member will be engaged pursuant to their contract.

3.3.11 **Funding**

Remuneration and expenses will be funded from the Democracy activity budget.

3.4 **FARM AND AERODROME COMMITTEE**

3.4.1 **Purpose**

- To provide oversight of the combined activities of the Council Dairy Farm and Stratford Aerodrome on behalf of Council and;
- To monitor the implementation of the farm business strategy at a governance level.

3.4.2 **Responsibilities**

The Farm and Aerodrome Committee is responsible for reporting to the Council on progress, annual results, and making recommendations to the Council of the following activities:

- Risk Management;
- Performance Management
- Strategy Development; and
- Other Significant Matters

3.4.3 **Delegations**

The Farm and Aerodrome Committee shall have delegated authority to:

- Managing and monitoring the Farm and Aerodrome risks including legislative, health and safety, financial, and environmental risks.
- Discuss incidents, and evaluate risk management controls.
- Give recommendation to the CEO on fixing the milk price under Fonterra's fixed milk price programme.
- Monitor financial performance against budget.
- Initiate the development of budgets and KPI's annually with assistance from Council finance staff, as requested, and report on these regularly at Committee meetings.
- Review the Farm and Aerodrome objectives in line with the changing environment and make recommendations to Council as required.
- Review the business model regularly to ensure objectives are able to be achieved.

- Consider specific matters of significance e.g. sale or purchase of land, or change in use of land.
- Advise on significant capital proposals.
- The Chair of the Farm & Aerodrome Committee has delegation to recommend a vote on behalf of Council for any shareholder decisions.

The scope of the Committee **does not** extend to operational matters. Operational matters include, but are not limited to, developing work programmes, procurement and approval of invoices, administration, physical works on the farm, and general day to day running of the Farm and Aerodrome.

3.4.4 **Membership**

- Elected Member (Chairman)
- 2 Elected Member (Committee Members)
- 2 Council Officers (non voting)

3.4.5 **Relationships with Other Parties**

The Chief Executive, senior management and auditors shall be invited to attend all meetings. The chairman may invite other staff/parties as appropriate to provide specialist advice.

Representatives from the Farm and Aerodrome will be invited to attend all meetings.

3.4.6 **Frequency of Meetings**

The Farm and Aerodrome Committee shall meet quarterly.

3.4.7 **Conduct of Affairs**

The committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968 and Standing Orders.

3.4.8 **Public Access and Reporting**

- Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders.
- The committee shall record minutes of all its proceedings and present them to Council at the next meeting of Council.

3.4.9 **Quorum**

The quorum at any meeting of the committee shall be half of the members physically present, where the number of members (including vacancies) is even; and a majority of members physically present, where the number of members (including vacancies) is odd.

3.4.10 **Remuneration**

Members will be reimbursed in accordance with Council's Policy on Elected Members Remuneration.

3.4.11 **Funding**

Remuneration and expenses will be funded from the Democracy activity budget.

3.5 **EXECUTIVE COMMITTEE**

3.5.1 **Purpose**

To act on behalf of the full Council at any time when the urgency of a matter would make the delaying of a decision contrary to the best interests of the Council or its community.

3.5.2 **Responsibilities**

To make decisions when urgent matters so require.

3.5.3 Delegations

The Executive Committee shall have delegated authority:

- To make urgent decisions on behalf of Council.
- To act on behalf of the full Council at any time when the urgency of a matter would make the delaying of a decision contrary to the best interests of the Council or its community.
- To enact the powers and accept a final sale price and other terms and conditions for the sale of Council land, or purchase of property, or to sub delegate the authority to the Chief Executive.
- To enact all powers, duties and discretions under the Sale and Supply of Alcohol Act 2012, pursuant to Clause 32(1), Schedule 7 of the Local Government Act 2002 and Section 198 of the Sale and Supply of Alcohol Act 2012.
- To hear and decide on any appeal to a decision made pursuant to Section 100 of the Gambling Act 2003 or Section 65C of the Racing Act 2003 in consideration of an application for a Class 4 Gambling or NZ Racing Board Venue and in accordance with the Stratford District Gambling Venue Policy.

3.5.4 Membership

- Comprises five members of Council including the Mayor.
- The chairperson shall be the Mayor.

3.5.5 Frequency of Meetings

The Executive Committee shall meet when required.

3.5.6 Conduct of Affairs

The committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968 and Standing Orders.

3.5.7 Public Access and Reporting

- Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders.
- The committee shall record minutes of all its proceedings and present them to Council at the next meeting of Council.

3.5.8 Quorum

The quorum at any meeting of the committee shall be half of the members physically present, where the number of members (including vacancies) is even; and a majority of members physically present, where the number of members (including vacancies) is odd.

3.5.9 Remuneration

Members will be reimbursed in accordance with Council's Policy on Elected Members Remuneration.

3.5.10 Funding

Remuneration and expenses will be funded from the Democracy activity budget.

3.6 SPORT NZ RURAL TRAVEL FUND COMMITTEE

3.6.1 Purpose

To determine funding applications for physical activity and recreation activities in the Stratford community.

3.6.2 Responsibilities

To consider and determine funding grants.

3.6.3 Delegations

There are no delegations to this Committee.

3.6.4 Membership

- Comprises eight members including the Mayor, three Councillors and four citizens of Stratford District to be appointed by the Mayor.
- The chairperson shall be a member of Council and appointed by the Mayor.

3.6.5 Relationships with Other Parties

Sport NZ.

3.6.6 Frequency of Meetings

As required.

3.6.7 Conduct of Affairs

The committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968 and Standing Orders.

3.6.8 Public Access and Reporting

- Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders.
- The committee shall record minutes of all its proceedings and present them to Council for ratification at the next meeting of Council.

3.6.9 Quorum

The quorum at any meeting of the committee shall be half of the members physically present, where the number of members (including vacancies) is even; and a majority of members physically present, where the number of members (including vacancies) is odd.

3.6.10 Remuneration

Councillors will be reimbursed in accordance with Council's Policy on Elected Members Remuneration.

3.6.11 Funding

Remuneration and expenses will be funded from the Democracy activity budget.

3.7 POSTPONEMENT OF RATES FOR EXTREME FINANCIAL HARDSHIP COMMITTEE

3.7.1 Purpose

To assess a ratepayer's application for rates postponement under Council's Rates Postponement for Extreme Financial Hardship Policy.

3.7.2 Responsibilities

To consider and determine the amount of rates to be postponed.

3.7.3 Delegations

Determination of amount of rates to be postponed.

3.7.4 Membership

- Comprises the Mayor, Deputy Mayor and Chief Executive.
- The chairperson shall be the Mayor.

3.7.5 Frequency of Meetings

As required.

3.7.6 **Conduct of Affairs**

The committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968 and Standing Orders.

3.7.7 **Public Access and Reporting**

- Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders.
- The committee shall record minutes of all its proceedings and present them to Council at the next meeting of Council.

3.7.8 **Quorum**

The quorum at any meeting of the committee shall be half of the members physically present, where the number of members (including vacancies) is even; and a majority of members physically present, where the number of members (including vacancies) is odd.

3.7.9 **Remuneration**

Councillors will be reimbursed in accordance with Council's Policy on Elected Members Remuneration.

3.7.10 **Funding**

Remuneration and expenses will be funded from the Democracy activity budget.

3.8 **POSTPONEMENT OF RATES FOR FARMLAND AFFECTED BY NATURAL DISASTER COMMITTEE**

3.8.1 **Purpose**

To assess a ratepayer's application for rates postponement under Council's Rates Postponement for Farmland Affected by Natural Disasters Policy.

3.8.2 **Responsibilities**

To consider and determine the amount of rates to be postponed.

3.8.3 **Delegations**

Determination of amount of rates to be postponed.

3.8.4 **Membership**

- Comprises the Mayor, Deputy Mayor, Chief Executive, and a non-voting representative from Taranaki Federated Farmers.
- The chairperson shall be the Mayor.

3.8.5 **Frequency of Meetings**

As required.

3.8.6 **Conduct of Affairs**

The committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968 and Standing Orders.

3.8.7 **Public Access and Reporting**

- Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders.
- The committee shall record minutes of all its proceedings and present them to Council at the next meeting of Council.

3.8.8 **Quorum**

The quorum at any meeting of the committee shall be half of the members physically present, where the number of members (including vacancies) is even; and a majority of members physically present, where the number of members (including vacancies) is odd.

3.8.9 **Remuneration**

Councillors will be reimbursed in accordance with Council's Policy on Elected Members Remuneration.

3.8.10 **Funding**

Remuneration and expenses will be funded from the Democracy activity budget.

3.9 **DISTRICT LICENSING COMMITTEE**

3.9.1 **Purpose**

To deal with licensing matters for the district.

3.9.2 **Responsibilities**

The District Licensing Committee shall have responsibility to (section references are to the Sale and Supply of Alcohol Act 2012):

- To consider and determine applications for licences and manager's certificates; and
- To consider and determine applications for renewal of licences and manager's certificates; and
- To consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136; and
- To consider and determine applications for the variation, suspension, or cancellation of special licences; and
- To consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280; and
- With the leave of the chairperson for the licensing authority, to refer applications to the licensing authority; and
- To conduct inquiries and to make reports as may be required of it by the licensing authority under section 175; and
- Any other functions conferred on licensing committees by or under this Act or any other enactment.

3.9.3 **Delegations**

This Committee can conduct its functions and make decisions as allowed for pursuant to section 188 of the Sale and Supply of Alcohol Act 2012.

3.9.4 **Membership** (all references to sections are to the Sale and Supply of Alcohol Act 2012):

- Commissioner appointed as Chair pursuant to section 193.
- Mayor (*Deputy Chair*) – to act in place of the chairperson if the chairperson is unable to act because of illness or absence from New Zealand, or for other sufficient reason.
- Comprises either the Chair sitting alone (pursuant to section 191(2)) or the Chair and two members on rotation from the list of members pursuant to section 192.

3.9.5 **Relationships with Other Parties**

The Chair may invite any other person to attend as appropriate to provide specialist advice.

3.9.6 **Frequency of Meetings**

The District Licensing Committee shall meet as required.

3.9.7 **Conduct of Affairs**

The committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968 and Standing Orders.

3.9.8 Public Access and Reporting

- Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders.
- The committee shall record minutes of all its proceedings and present them to Council at the next meeting of Council.

3.9.9 Quorum

The quorum at any meeting of the District Licensing Committee shall be as specified in section 191 of the Sale and Supply of Alcohol Act 2012.

3.9.10 Remuneration

Members will be reimbursed in accordance with section 195 of the Sale and Supply of Alcohol Act 2012.

3.9.11 Funding

Remuneration and expenses will be funded from the Liquor Licensing activity budget.

4. CHIEF EXECUTIVE

The Chief Executive is a statutory appointment under Schedule 7, Clause 33 and 34 Local Government Act 2002.

The Chief Executive is responsible pursuant to Section 42 of the Local Government Act 2002 to the Council for:

- (a) Implementing the decisions of the Council.
- (b) Providing advice to members of the Council.
- (c) Ensuring that all functions, duties and powers delegated to him or her 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 and planning of the Council.
- (e) Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the Council; and
- (f) Providing leadership for staff; and
- (g) Employing, on behalf of the Council, the staff (in accordance with any remuneration and employment policy); and
- (h) Negotiating the terms of employment of the staff (in accordance with any remuneration and employment policy).

The Chief Executive is the Principal Administrative Officer as defined in Section 42(4) of the Local Government Act 2002, and shall perform the duties and functions pertaining to this position except in cases where particular duties and functions have been delegated to another officer in writing, or by the Delegations Register.

5. WARRANTS OF APPOINTMENT

NOTE:

Each Warrant of Appointment is subject to approval by the Chief Executive and is only authorised whilst that person is contracted or employed by Council for the purposes of the relevant delegated authority.

The Chief Executive has the authority to:

WARRANT ENFORCEMENT OFFICERS

- Authority to appoint enforcement officers under Section 177 of the Local Government Act 2002.
- Authority to issue Warrants of Appointments under the Local Government Act 2002 or any other enactment under which the Council Officers may be warranted.

Warrants of appoint cover the following:

1. RESOURCE MANAGEMENT (Section 38 of the Resource Management Act 1991)		
S38	Enforcement Officers	Chief Executive, Other persons specifically appointed by the Chief Executive.
S38	Enforcement Officers specifically to exercise or carry out all of the functions and powers under Sections 327 and 328 of the Resource Management Act 1991 (which relate to excessive noise) for the Stratford District.	Officers specifically appointed by the Chief Executive.
2. BUILDING CONTROL (Section 174 of the Local Government Act 2002 and Section 222 of the Building Act 2004)		
S174	The authority to enter private land pursuant to S174 of the Local Government Act 2002	Officers specifically appointed by the Chief Executive.
S222	Authorisation to carry out all of the functions and powers of an authorised officer, including inspection of land, any building and any residential pool; as well as entering premises for the purpose of inspecting the building, determining whether the building is dangerous or insanitary and to determine whether the building or a part of the building is earthquake prone or potentially earthquake prone.	
3. ENVIRONMENTAL HEALTH (Section 174 of the Local Government Act 2002 and Section 23 of the Health Act 1956)		
S23	Environmental Health Manager	Officers specifically appointed by the Chief Executive.

4. LIQUOR LICENSING (Section 174 of the Local Government Act 2002 and Section 197 of the Sale and Supply of Alcohol Act 2012)		
S174	Licensing Inspector	Officers specifically appointed by the Chief Executive.
5. DOG CONTROL (Section 13 of the Dog Control Act 1996)		
S13	Dog Control Officer with specific authorisation under S14 to enter at any reasonable time onto the land or premises for the purposes set out in S14	Officers specifically appointed by the Chief Executive.
S12	Honorary Dog Ranger with specific authority to carry out duties on all lengths of road reserve within the boundaries of the Egmont National Park	Officers specifically appointed by the Chief Executive.
6. BYLAWS (Section 174 of the Local Government Act 2002)		
S174	Enforcement Officer with authority to enter any land, building or premises, except for a dwelling house pursuant to S171, S172, S173, S174	All Environmental Services Department staff, Officers specifically appointed by the Chief Executive.
S174	Enforcement Officer with specific authority to enter any land, building or premises, except for a dwelling house pursuant to S182 relating to water, wastewater and other utility services	Officers specifically appointed by the Chief Executive.
7. LITTER (Section 174 of the Local Government Act 2002, Section 5 of the Litter Act 1979)		
S5	Litter Control Officer	Officers specifically appointed by the Chief Executive.
8. PARKING & OTHER STATIONARY VEHICLE OFFENCES (Section 174 of the Local Government Act 2002, Section 128D of the Land Transport Act 1998)		
S128D	Parking Warden	Officers specifically appointed by the Chief Executive.
9. ANIMAL CONTROL (Sections 8 & 9 of the Impounding Act 1955)		
S8	Poundkeeper	Officers specifically appointed by the Chief Executive.
S8	Ranger	Officers specifically appointed by the Chief Executive.
S9	Deputy Poundkeeper	Officers specifically appointed by the Chief Executive.

6. AUTHORISATIONS FOR EXPENDITURE

6.1 GENERAL

- 6.1.1 Pursuant to clause 32 of Schedule 7 of the Local Government Act 2002, and subject to such other limitations as may be imposed by the Council either generally or in any particular case from time to time, the Chief Executive is hereby granted the delegation to expend such sums of money as the Chief Executive thinks fit in order to carry into effect the annual budget as adopted by the Council in its Annual Plan or Long Term Plan.
- 6.1.2 Pursuant to clause 32(3) of Schedule 7 of the Local Government Act 2002 the Chief Executive may delegate generally to any other officer of the Council his/her financial delegation.
- 6.1.3 Any expenditure of Council funds must be undertaken in alignment with Council's procurement policy.

6.2. ACCEPTANCE OF TENDERS

- 6.2.1 All formal contracts involving the calling of tenders shall be accepted on behalf of Council by the Chief Executive.
- 6.2.2 Any contract above the financial threshold for reporting identified in part two of this policy, or which in the Chief Executive's opinion is of a major nature shall be reported to the respective Committee, through the Departmental Director's report as soon as practicable.

7. DELEGATIONS REGISTER

A. CHIEF EXECUTIVE OFFICER

1. DELEGATION TO CHIEF EXECUTIVE

That the Chief Executive be given authority to exercise the powers of the Council under the Local Government Act 2002, except the powers specified in paragraphs (a) to (g) of Schedule 7, Clause 32(1) and also be given authority to exercise any other power of the Council capable of being delegated under any other Act.

2. DELEGATION TO CHIEF EXECUTIVE FOR EXPENDITURE

That Pursuant to Clause 32 of Schedule 7 of the Local Government Act 2002, and subject to such other limitations as may be imposed by the Council either generally or in any particular case from time to time, the Chief Executive is hereby granted the delegation to expend such sums of money as the Chief Executive thinks fit in order to carry into effect the annual budget as adopted by the Council in its Annual Plan or Long Term Plan.

3. CHIEF EXECUTIVE SUB-DELEGATIONS TO STAFF

To support the principle of authorising the Chief Executive to sub-delegate powers, it being noted that delegation will normally be to the lowest possible level at which the Chief Executive is satisfied that the work can be competently carried out, the Chief Executive may sub-delegate generally to any other officer of the Council his/her financial delegation and any other function unless specifically prevented from doing so either by legislation or by resolution of Council.

4. POWER TO ACT WHEN CHIEF EXECUTIVE ABSENT

To ensure that the responsibilities listed in Section 42(2) of the Local Government Act 2002 are maintained the Chief Executive has delegated his/her powers and duties to the Deputy Chief Executive whenever he/she is absent from duty for any cause. The appointment and any subsequent replacement of the Deputy Chief Executive Officer is to be announced at the next meeting of the Council following the appointment and recorded in the minutes of that meeting.

B. DELEGATIONS TO CHIEF EXECUTIVE WITHOUT SUB-DELEGATION

1. POWER TO REVOKE OR AMEND DELEGATIONS OR SUB-DELEGATIONS

Authority to withdraw, amend or impose such restrictions and/or qualifications on any of these delegations as he/she sees fit.

2. STAFF MATTERS

Responsibility for employing all managers and staff and negotiating their terms of employment. This will include any action, negotiation or settlement concerning managers and/or staff under (but not limited to) the following enactments:

1. Employment Relations Act 2000
2. Protected Disclosures Act 2000

3. PROCEEDINGS – AUTHORITY TO COMMENCE/DEFEND

Bylaws

Conduct/reach compromise on and conclude proceedings by way of settlement, withdrawal or a hearing under the Stratford District Council Bylaws.

Miscellaneous

Except as provided for in regard to rates arrears, to approve a prosecution/defence under any enactment including (but not limited to) the following Acts and Regulations subject to reporting to the next Council Meeting:

1. Resource Management Act 1991
2. Health Act 1956
3. Building Act 2004
3. Plumbers, Gas Fitters and Drainlayers Act 2006
5. Food Act 1981
6. Food Hygiene Regulations 1974
7. Food Regulations 1984
8. Dog Control Act 1996
9. Sale and Supply of Alcohol Act 2012
10. Hazardous Substances & New Organisms Act 1996
11. Local Government (Rating) Act 2002
12. Local Government Act 2002
13. Local Government Act 1974
14. Land Drainage Act 1908
15. Health and Safety at Work Act 2015

but excluding any proceedings, whether otherwise delegated or not, to be taken in the High Court that are not injunctive proceedings.

4. CLAIMS AGAINST COUNCIL – SETTLEMENT

Conduct/reach compromise on and conclude proceedings by way of settlement, withdrawal or a hearing.

5. COMMON SEAL

- 5.1 Authority to affix the Council's Common Seal is given to the District Mayor and Chief Executive (Deputy Mayor and Deputy Chief Executive in the absence of the above).
- 5.2 The Chief Executive is responsible for use of the Common Seal.
- 5.3 Each sealing of the Common Seal must be by resolution of the Council but the Chief Executive may, with the consent of the District Mayor, affix the seal in urgent circumstances. In such cases the action shall be reported to the Council at the next Ordinary Meeting of the Council.

6. COUNCIL LOGO

Authorisation to approve or decline applications for the use of the Stratford District Council logo taking into account:

- who is to use the logo
- the purpose for which the logo is to be used
- in what form the logo is to be used.

7. PRIVACY ACT REQUESTS

Pursuant to Section 124 of the Privacy Act 1993 the authorisation to make such decisions and provide such information as required of the Council.

8. SUBMISSIONS ON BEHALF OF COUNCIL

To make any submissions on behalf of Council in response to calls for submissions from any public body in response to proposals relating to any policies, regulations, enactments or other matters which may impact on Council's powers, duties and functions. Submissions should come back to Council for approval if time permits.

9. PETITIONS & REGISTERS

The decision to accept or decline the use of Council premises for the signing and/or display of any petition or register.

10. COUNCIL PROPERTY

10.1 LAND

- Authority, in consultation with the Executive Committee, to negotiate and accept a final sale price for the sale of Council land or purchase of property.
- Authority to lease any land (being land not subject to the Reserves Act 1977) or building or part thereof on such land for any period of up to six years (including renewals) provided the rental is no less than 10% below a current market rental assessed by a registered valuer and authority to exercise all rights as Lessor.
- Authority to approve lease rent reviews provided the rental is no less than 10% lower than a current market rental assessed by a registered valuer.

10.2 OTHER THAN LAND

- Let out on hire, on such terms as he/she thinks fit, any building (not land) or part thereof, or any equipment, machinery, furnishings or vehicles.
- Sell or otherwise dispose of, on such terms as he/she sees fit any equipment, furnishings or vehicles that are surplus to requirements.
- Any contract which in the Chief Executive's opinion is of a major nature made under this authority shall be reported to the respective Committee as soon as practicable.

11. DOG CONTROL

11.1 Hearing and reaching a decision in respect of an objection lodged as a result of a dog owner being classified as a:

- Probationary owner, pursuant to Section 22 of the Dog Control Act 1996
- Disqualified owner, pursuant to Section 26 of the Dog Control Act 1996

11.2 Hearing and reaching a decision in respect of an objection lodged as a result of a dog being classified as a:

- Dangerous dog, pursuant to Section 31(3), (4) & (5) of the Dog Control Act 1996
- Menacing dog, pursuant to Sections 33B & 33D of the Dog Control Act 1996

11.3 Hear and reach a decision in respect of an objection lodged as a result of the service of a barking dog notice, pursuant to Section 55(2), (3), (4), (5) & (6) of the Dog Control Act 1996.

12. RESOURCE MANAGEMENT

The appointment of a Certified Hearing Commissioner to hear, consider and decide on notified applications for which submissions have been received, as well as non-notified consents where Council is the applicant.

12.1 **SALE OF ALCOHOL**

12.2 The appointment of a Commissioner to chair the District Licensing Committee pursuant to section 193 of the Sale and Supply of Alcohol Act 2012.

12.3 The removal of a Commissioner as chair of the District Licensing Committee pursuant to section 194 of the Sale and Supply of Alcohol Act 2012.

C DELEGATIONS WITH SUB-DELEGATIONS (To be determined by Chief Executive)

GENERAL

		Delegation
1. MEDIA		
All media releases		District Mayor, Chief Executive.
Responses to media enquiries and comments in all formats, including print, radio, TV and social media.		District Mayor, Chief Executive.
Approval of enclosures with Rates Notices		Chief Executive.
2. BUDGET AMENDMENTS		
Make amendments to the Council's approved expenditure programme throughout the year subject to there being no reduction in the estimated credit balance for the year		Chief Executive.
3. OFFICIAL INFORMATION REQUESTS (Section 42 of the Local Government Official Information & Meetings Act 1987)		
Authorisation to make such decisions and provide such information as required of the Council under Parts II to V of the Act, except any powers specified in Section 32.		Chief Executive.
4. AFFIDAVITS		
Making such affidavits and laying such information on behalf of Council as may be considered necessary from time to time		Chief Executive.

FINANCE AND ADMINISTRATION

		Delegation
1. RECORDS		
1.1	Access to any records held by council.	Chief Executive.
2. RATES (Local Government Rating Act 2002)		
S27(5)	Decisions on whether to divide rating units and on the methodology for division	Chief Executive
S28(2)	Decision whether disclosure of the name of any person is necessary to identify a rating unit	
S29	Authority to determine objections to the RID	
S35(b)	Authority to remove names from the RID	
S39	Authority to determine objections to rates records	
S40	Authority to correct errors in RID and Rates records	
S42(3)	Authority to fix interest rate to be charged on re-assessed rates: <u>Council Policy</u> is to charge the day-to-day cash account interest rate, delegating the power of waiver to the Chief Executive.	
S54	Authority not to collect small amounts: <u>Council Policy</u> is not to collect rates where the amount payable in the financial year is less than \$5.	
S61(1)	Authority to recover unpaid rates from persons other than owners	
S62	Authority to recover unpaid rates from owner	
S63	Authority to commence proceedings for unpaid rates	
S85	Authority to remit rates and penalties in accordance with the Council's Rates Remission Policy	
S99	Authority to apply for charging orders	

	Delegation
3. ACCOUNTS	
Make arrangements with debtors to repay arrears over an acceptable period.	Chief Executive
All money shall be paid by the Council in cash or by cheque, direct credit schedule or withdrawal notice signed by either two of the Chief Executive, Departmental Directors and Accountant.	Chief Executive
Initiate action for the recovery of any unpaid account	Chief Executive
Write-off debtor invoices (upon advice from Council Solicitor or Debt Management Consultant) up to the value of \$5,000	Chief Executive
4. TREASURY MANAGEMENT	
Investment of District Council funds in the most appropriate manner, <u>subject to</u> reporting to the next Council Meeting. Roll-over existing debt and draw down new borrowings in line with the Annual Plan and Long Term Plan. Open and/or close bank accounts. Approval of authorised cheque/electronic signatories.	Chief Executive
5. SALE OF REDUNDANT ITEMS	
Sale, trade or disposal of redundant items as per Council's Asset Disposal Policy	Chief Executive
6. WAIVER OF FEES AND CHARGES	
Waive or reduce fees and charges in accordance with Council Policies. Reporting to council as per the requirements of the applied policy, or via the next monthly report of the relevant department if no reporting requirements stipulated in the applied policy.	Chief Executive
7. WARRANT OF ENFORCEMENT OFFICERS	
7.1 Authority to appoint enforcement officers under Section 177 of the Local Government Act 2002. 7.2 Authority to issue Warrants of Appointment under the Local Government Act 2002 or any other enactment under which Council Officers may be warranted.	Chief Executive

ENVIRONMENTAL SERVICES

		Delegation
<p>1. RESOURCE MANAGEMENT (Schedule 7, Clause 32(1) of the Local Government Act 2002 and Section 34A of the Resource Management Act 1991) <i>All section references are to the Resource Management Act 1991</i></p>		
<p><u>General Delegation</u> All of the functions, duties and powers listed, thereby enabling Council to carry out its legislated role, <u>except</u> as specifically sub delegated:</p> <p><u>Waivers</u> S10 Determine extent of existing use rights S36(5) Remission of charges on application S37 Waive or extend time periods</p>		Chief Executive
<p><u>District Plan</u> S72 to S86 Powers, duties and discretions of the Council (other than the approval of a policy statement or plan or any change to a policy statement or plan or the hearing of submissions in relation to such matters) in respect of:</p> <p>(a) Notification of new district plans (reviews), changes and variations, and any summary of submissions or requests for changes to any new plan, review, change or variation;</p> <p>(b) Service of copies of proposed district plans, district rules, and policy statements, and approved district plans, district rules and policy statements;</p> <p>(c) Any other matters involved in the preparation and processing of district plans, district rules or policy statements.</p> <p><u>Notification of Resource Consents</u> S88 Determine the adequacy of an application S91 Deferral of an application pending additional applications S92 Request further information S95A Decide whether an application should be publically notified S95D Decide whether or not adverse effects are minor S94E Decide who may be considered an affected person S96 Submit on resource consent applications to other consent authorities</p> <p><u>Consent Hearings</u> S98 Provide applicants with a list of submissions received S99 Initiate and participate in pre-hearing meetings S100 Determine that a hearing is not required S101 Fix hearing dates S102 Decide to establish a joint hearing S103 Decide to establish a combined hearing</p>		Chief Executive
<p><u>Notification of Resource Consents</u> S92 Request further information S94E Decide who may be considered an affected person</p>		Chief Executive

<p><u>Consent Conditions</u> S104, S105A, S105B, S105C, S105D and S108 Make decisions on consent applications for which no hearing is required S109 Decide whether work which is the subject of a bond or covenant is completed satisfactorily S110 Refund money or land S114 Serve copies of applications and arrange public notification S125 Extend the period in which a resource consent lapses S126 Cancel a resource consent which has not been exercised S127(1) Change or cancel a consent condition S127(4) Decide from whom written approvals are required S128 to S132 Initiate and determine a review of consent conditions S138 Accept or refuse surrender of consent S139 Issue Certificate of Compliance S143 Undertake obligations in response to Ministerial direction</p> <p><u>Heritage & Designations</u> S166 to S198 Exercise of Council's powers, duties, functions and discretions in respect of Designations and Heritage Orders under Part VIII of the Resource Management Act 1991, <u>except</u> the hearing of submissions in relation to these matters.</p>	<p>Chief Executive</p>
<p><u>Subdivision</u> S221 Issue Consent Notice S222 Issue Completion Certificate S223 Approve Survey Plan S224 Certify Survey Plan</p> <p><u>Enforcement</u> S311 Application for a Declaration S316 Application for an Enforcement Order S325A Cancellation of an Abatement Notice S343C Power to reach a decision on any appeal lodged in regard to the payment of a fine associated with the issue of an infringement notice</p>	<p>Chief Executive</p>
<p>2. RESOURCE MANAGEMENT HEARINGS (Schedule 7, Clause 32(1) of the Local Government Act 2002 and Section 34A of the Resource Management Act 1991)</p>	
<p>S100 to S108 Application for resource consent S166 to S198 Application for a Designation or a Heritage Order</p>	<p>Certified Hearing Commissioner appointed by Chief Executive</p>

3. BUILDING CONTROL (Schedule 7, Clause 32(1) of the Local Government Act 2002 and Section 232 and Section 235 of the Building Act 2004 and must be read in conjunction with the Stratford District Building Consent Authority Quality Management documentation) All section references are to the Building Act 2004.

<u>General Delegation</u>	Chief Executive
<p>S12(2) All of the functions, duties and powers listed, thereby enabling Council to carry out its legislated role as a Building Consent Authority, <u>except</u> as specifically sub delegated and that the following (<i>in italics</i>) powers, duties and functions are <u>not</u> delegated by Council:</p> <p><i>S131 Policy on dangerous and insanitary buildings</i> <i>S213 make arrangements for any other Building Consent Authority to perform any of Council's functions as a Building Consent Authority</i> <i>S219(1)(a) impose any fee or charge</i> <i>S233 transfer any of Council's functions, duties or powers to another territorial authority</i> <i>S235 accept the transfer of any functions, duties or powers to Council from another territorial authority.</i></p>	
<p><u>PIMs & BCs</u></p> <p>S33 Information required for PIM Applications S34 Issue PIMs S36 Authority to attach a development contribution notice to project information memoranda. S37 Authority to attach certificate advising a resource consent is required. S39 Authority to notify Heritage New Zealand Pouhere Taonga in certain circumstances. S46 Authority to provide certain applications to Fire and Emergency NZ. S48 Authority to request further reasonable information in respect of building consent applications. S49 Authority to grant building consents and to impose appropriate conditions. S50 Authority to refuse to issue building consents. S51 Authority to issue building consents. S52 Authority to extend the period of time for a building consent. S54 Authority to advise applicant of amount of levy payable S58 Liability of the BCA to pay levies to the Territorial Authority. S59 Liability of the Territorial Authority to pay levies to MBIE S67 Authority to grant waivers or modifications and to impose appropriate conditions. S67A Authority to grant waivers or modifications and to impose appropriate conditions in relation to means of restricting access to residential pools. S68 Authority to notify MBIE if waivers or modifications granted. S71 Authority to refuse to grant a building consent on land subject to natural hazard. S72 Authority to grant a building consent on land subject to natural hazards in certain conditions. S73 Authority to impose a condition on building consents granted under s.72 S74 Authority to revoke the certificate issued under s.72 where appropriate. S75 Authority to grant a project information memoranda (or building consent) subject to a condition requiring that allotments may not be</p>	

<p>transferred or leased in conjunction with any specified other or others of those allotments.</p> <p>S77 Authority to issue a certificate imposing a condition on a building consent under S75.</p> <p>S83 Authority to revoke a certificate issued under s.77</p> <p>S90 Authority for the BCA to authorise agents to inspect building work.</p> <p><u>CCCs</u> S91 - S95A Decisions, issue and further information requests concerning Code Compliance Certificates</p> <p><u>Certificates of Acceptance</u> S96 - S99 Decisions, issue and further information requests concerning Certificates of Acceptance</p> <p><u>Compliance Schedules</u> S102 Authority to issue a compliance schedule upon payment of the charge fixed by Council. S104 Authority to inform Territorial Authority of the issue of a compliance schedule. S104A Authority for the Territorial Authority to issue statement in relation to a compliance schedule. S106, S109 Compliance Schedule amendment S107 Compliance Schedule review S111 Inspections concerning Compliance Schedule</p>	Chief Executive
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	Delegation
<p><u>Alterations</u> S112 Consideration of alterations to existing buildings S113 Grant of Building Consent for a specified life of less than 50 years S115 Consideration of change of use</p> <p><u>S116 Authority to extend the life of a building with a specified life if certain conditions are complied with.</u> <u>S116A</u> Authority to issue a certificate under s.224(f) of the RMA 1991 giving effect to a subdision.</p> <p><u>Enforcement</u> <u>S133AT Authority to grant building consent for alterations to a building that is subject to an Earthquake Prone Building notice.</u></p> <p>S121 - S130 All actions in respect of dangerous or insanitary buildings S164 - S167 Notifications, issue and inspections in respect of Notices to Fix S168 Authority to initiate prosecution for an offence. S177 Application for Determination S218 Provision of information to Department of Building & Housing</p> <p><u>Accreditation / Registration</u> S215 Applications for accreditation and registration of BCA S219 Authority to impose a fee or charge. S220 - S221 Certification, application and cost recovery concerning carrying out building work on default S230, S372 Issue Infringement Notice</p>	Chief Executive

<u>Appointments</u> S222 Authority to enter land for the purpose of inspecting building work, determining whether a building is dangerous, insanitary or earthquake prone or inspecting a residential pool.	Chief Executive
<u>IQPs</u> S438 Acceptance, withdrawal or refusal of acceptance of Independently Qualified person	
<u>Miscellaneous</u> S363A Authority to authorise the use of a public premises. S363 Authority to initiate prosecution for an offence. S365 Authority to initiate prosecution for an offence. S366 Authority to initiate prosecution for an offence. S367 Authority to initiate prosecution for an offence. S368 Authority to initiate prosecution for an offence. S369 Authority to initiate prosecution for an offence. S371 Authority to determine whether to proceed under the Summary Proceedings Act 1957 or to issue an infringement notice. S372 Authority to issue infringement notices. S375 Authority to initiate prosecution for an offence. S377 Authority to lay information for an offence. 1 st Schedule Authority to exempt building work from the requirement to obtain a building consent.	
3a. AMUSEMENT DEVICES (Schedule 7, Clause 32(1) of the Local Government Act 2002 and Regulation 11 of the Amusement Devices Regulations 1978	
Reg 11 Inspection of devices and decision and issue of licences	Chief Executive
4. ENVIRONMENTAL HEALTH (Schedule 7, Clause 32(1) of the Local Government Act 2002 and Section 23 of the Health Act 1956) <i>all section references are to the Health Act 1956</i>	
S23(b) Public health monitoring of the District. S23(c) Abatement of conditions likely to be offensive or injurious to health. S23(d) Enforcement of the requirements of regulations made under the Act: <ul style="list-style-type: none"> • Health (Burial) Regulations 1946 • Housing Improvement Regulations 1947 • Health (Registration of Premises) Regulations 1966 • Food Hygiene Regulations 1974 • Health (Hairdressers) Regulations 1980 • Camping Ground Regulations 1985 S41 Cleansing Order. S42 Closing Order. S45 Discretions relating to the cancellation of a Closing Order. S81 Disinfection of premises.	Chief Executive

5. LIQUOR LICENSING (Schedule 7, Clause 32(1) of the Local Government Act 2002 and Section 198 of the Sale and Supply of Alcohol Act 2012 and must be read in conjunction with the Stratford District Sale of Liquor Policy) All section references are to the Sale and Supply of Alcohol Act 2012.

<p>S65 Registers S66 Records S67 Certification of extracts from register or record S71 Notification of Police S72 Issue of duplicate licence or certificate S102 Forwarding of objections to licence applications S103 Forwarding of licence applications for reports S128 Forwarding of objections to licence renewal applications S129 Forwarding of licence renewal applications for reports S139 Requiring notification of special licence applications S140 Forwarding of objections to a special licence S141 Forwarding of special licence applications for reports S186 Appointment of DLC S192 Establishing and maintaining DLC list S194 Removal of DLC list member S196 Secretary of DLC S221 Decisions of DLC being publicly available S220 Forwarding of certificate applications for reports S225 Forwarding of certificate renewal applications for reports</p>	<p>Chief Executive</p>
<p>S65 Registers S66 Records S67 Certification of extracts from register or record S71 Notification of Police S72 Issue of duplicate licence or certificate S102 Forwarding of objections to licence applications S103 Forwarding of licence applications for reports S128 Forwarding of objections to licence renewal applications S129 Forwarding of licence renewal applications for reports S139 Requiring notification of special licence applications S140 Forwarding of objections to a special licence S141 Forwarding of special licence applications for reports S221 Decisions of DLC being publicly available S220 Forwarding of certificate applications for reports S225 Forwarding of certificate renewal applications for reports</p>	<p>Chief Executive</p>

6. DOG CONTROL (Schedule 7, Clause 32(1) of the Local Government Act 2002 and must be read in conjunction with the Stratford District Dog Control Policy) All section references are to the Dog Control Act 1996.

Classification Of Probationary Owners

- S21 Classify a person as a probationary owner and to serve notice to that effect.
- S23 Terminate any such classification.
- S23A Require a probationary owner to undertake training.

Disqualification Of Owners

- S25 Classify a person as a disqualified owner and to serve notice to that effect.
- S27 Make a submission in respect of an appeal to the District Court.

Territorial Authority To Maintain And Provide Information

S30, 34, 35, 35A, 35AB, 36, 49 and 69 - Maintain and provide records.

Territorial Authority To Classify Dangerous Dogs

- S31 Classify a dog as a dangerous dog and to serve notice to that effect.
- S32 Such discretions as are required.
- S33 Consent to the disposal of a dog classified as a dangerous dog.

Territorial Authority To Classify Menacing Dogs

- S33A, S33C - Classify a dog as a menacing dog and to serve notice to that effect.
- S33 Consent to the disposal of a dog classified as a dangerous dog.
- S33E Such discretions as are required

Registration Of Dogs

- S39 Remit, reduce or refund fees.
- S40 Require information.
- S42 Such discretions as are required.
- S46 Issue registration discs.

Barking Dogs

- S70 Make a decision on and return a dog.
- S70 Make a submission in respect of an appeal to the District Court.

Infringement Notices

- S66 Issue infringement notices in respect of infringement offences and fees detailed in the Dog Control Policy.

Impounding & Subsequent Disposal Of A Dog

- S69 Give notice of impounding and dispose dogs.

Retention Of Dog Threatening Public Safety

- S71 Determine whether a dog which has been retained should be released.
- S71 Make a submission in respect of an appeal to the District Court.

Waiving Infringement Notice Fines

The power to hear and reach a determination in respect of any objection lodged to the payment of an infringement fine under the Dog Control Act 1996.

Chief Executive

		Delegation
7. BYLAWS (Schedule 7, Clause 32(1) of the Local Government Act 2002)		
The following powers and duties to the specified officers for each specified Bylaw:		Chief Executive
<ul style="list-style-type: none"> • The issue of any order, notice or licence pursuant to the: <ul style="list-style-type: none"> ○ Stratford District Council General Bylaws 2008. ○ Stratford District Council Speed Limits Bylaw ○ Stratford District Council Water Supply Bylaw • Making such decisions and considering such approvals pursuant to the: <ul style="list-style-type: none"> ○ Stratford District Council General Bylaws 2008. ○ Stratford District Council Speed Limits Bylaw ○ Stratford District Council Water Supply Bylaw • Entering any land, building or premises, other than a dwelling house, for the purpose of inspection pursuant to the: <ul style="list-style-type: none"> ○ Stratford District Council General Bylaws 2008. ○ Stratford District Council Speed Limits Bylaw • Stratford District Council Water Supply Bylaw 		
Stratford District Council General Bylaws 2008		
Ch 2 Public Places		Chief Executive
Ch 3 Mobile or Travelling Shops		Chief Executive
Ch 4 Refuse		Chief Executive
Ch 5 Water Supply		Chief Executive
Ch 6 Advertising Signs		Chief Executive
Ch 7 Scaffolding & Deposit of Building Materials		Chief Executive
Ch 8 Amusement Devices & Shooting Galleries		Chief Executive
Ch 9 Nuisances		Chief Executive
Ch 10 Control of Dogs Includes authority to consider and make decisions on appeals to infringement fines and to refer unpaid infringement fines to the District Court.		Chief Executive
Ch 11 Keeping of Animals & Poultry		Chief Executive
Ch 12 Cemeteries		Chief Executive
Ch 13 Parks & Reserves		Chief Executive
Ch 16 Street Damage		Chief Executive
Ch 17 Parking Control Includes authority to consider and make decisions on infringement fine appeals and to refer unpaid infringement fines to the District Court.		Chief Executive
Ch 18 Wastewater Drainage		Chief Executive
Ch 19 Liquor Control		Council
Ch 20 Stock Control		Chief Executive
Ch 22 Trade Waste		Chief Executive
Ch 23 Beauty Therapy, Tattooing and Piercing		Chief Executive
Speed Limits Bylaw		No delegation
Water Supply Bylaw		Chief Executive

7a. LITTER (Schedule 7, Clause 32(1) of the Local Government Act 2002, Section 7 and Section 13 of the Litter Act 1979)		
S7 S13	General powers and duties Infringement Notices	Chief Executive
7b. PARKING & OTHER STATIONARY VEHICLE OFFENCES (Schedule 7, Clause 32(1) of the Local Government Act 2002, Sections 128D, 128E and 139 of the Land Transport Act 1998)		
Powers and duties in respect of all parking and other stationary vehicle offences		Chief Executive
8. ABANDONED VEHICLES (Schedule 7, Clause 32(1) of the Local Government Act 2002, Sections 356 and 357 of the Local Government Act 1974)		
S356 & S357	Take possession of, remove or dispose of any abandoned vehicle on a road reserve (excluding State Highways)	Chief Executive
9. PROPERTY NUMBERS (Schedule 7, Clause 32(1) of the Local Government Act 2002, Section 319b of the Local Government Act 1974)		
S319B	Authority to allocate property numbers	Chief Executive
10. GAMBLING (Schedule 7, Clause 32(1) of the Local Government Act 2002, S100 of the Gambling Act 2003, S65C of the Racing Act 2003 and must be read in conjunction with the Stratford District Gambling Venue Policy)		
Determination of applications for Class 4 Gambling or NZ Racing Board Venue Consents		Chief Executive
11. HAZARDOUS SUBSTANCES (Schedule 7, Clause 32(1) of the Local Government Act 2002, 82(b) of the Hazardous Substances & New Organisms Act 1996)		
S82(b)	power to access the Environmental Risk Management Authority Register of Test Certificates for such purposes as are outlined in Section 82(a)	Chief Executive

ASSETS

		Delegation
1. ROADING (Schedule 7, Clause 32(1) of the Local Government Act 2002, Local Government Act 1974		
<u>Building Line Restrictions</u> S327A Authority to cancel building line restrictions		Chief Executive
<u>Street Lighting</u> S334A Authority to provide street lighting and to authorise necessary ancillary works		Chief Executive
<u>Vehicle Crossings</u> S335 Require payment for the cost of a vehicle crossing		Chief Executive
<u>Pipes and Drains under Roads</u> S337 Require the owner of any pipe, drain or apparatus of any kind or under a road to raise, lower or otherwise alter the same.		Chief Executive
<u>Granting of Easements</u> S338 Authorise easements for pipes and conduits under roads		Chief Executive
<u>Contribution to cost of railway, subway or bridge</u> S341A Authority to enter agreement for allocation of the cost of work		Chief Executive
<u>Stopping and Closing of Roads</u> S342 Close any road or part of a road to any specified type of traffic under Clause 11 of the Tenth Schedule.		Chief Executive
<u>Gates and Cattle Stops Across Roads</u> S344 Permit the erection of a swing gate or a cattle stop across any road.		Chief Executive
<u>General Safety Provision as to Roads</u> S353 Take all such sufficient precautions for the general safety of the public and traffic and workmen employed on or near any road as they think fit and in particular those duties listed in Section 353		Chief Executive
<u>Construction of Cellar or Excavation in Vicinity of Road</u> S354 Construction of a cellar or making of an excavation is within 20 metres of any road subject to gaining the written consent of the adjoining property owner where the excavation or cellar is within 20 metres of a property boundary.		Chief Executive
<u>Overhanging Vegetation</u> S355 Require the owner of any land abutting on any road to do work as detailed in Section 355.		Chief Executive

2. DRAINAGE (Schedule 7, Clause 32(1) of the Local Government Act 2002, Local Government Act 1974)	
<u>Enforcement re damage to roads</u> S357 Authorisation to initiate action against any person in contravention of Section 357	Chief Executive
<u>Diversion etc. of Drainage Works</u> S451 Enter into an agreement with any person for diversion or alteration of drainage works subject to the restrictions of Section 451	Chief Executive
<u>Provision of Private Drains</u> S459 Require the owner of any land or building to carry out such drainage work as detailed in Section 459	Chief Executive
<u>Unlawful Connection of Private Drain</u> S467 Authorise any required removal, repair and reinstatement work concerning an unauthorised connection of any private drain, including recovering the full cost of such work, and when that amount is not in excess of \$500, may institute an action for its recovery	Chief Executive
<u>Tree Roots</u> S468 Authorise the requirement of trees to be removed where obstructing a drain	Chief Executive
<u>Obstructions to Drainage Channel or Watercourse</u> S511 Authority to require the removal of any obstruction to a drainage channel or watercourse	Chief Executive
3. DRAINAGE (Schedule 7, Clause 32(1) of the Local Government Act 2002, Drainage Act 1908)	
<u>Construct & Maintain Drains</u> S17 Authority to enter land and to construct and maintain drains and watercourses on that land S18 Authority to enter land	Chief Executive
<u>Remove earth</u> S19 Authority to remove earth or other materials as required for drainage works	Chief Executive
<u>Drains on Private Land</u> S23 Authority to make drains on private land	Chief Executive
<u>Release of Land or Contracts</u> S24 Authority to quit land or contracts under the Drainage Act 1908	Chief Executive
<u>Drainage Work</u> S26 Authorisation of other persons to work on Council drains	Chief Executive
<u>Removal of Trees</u> S27 Authorisation to require to be removed or to remove tree or parts of a tree obstructing drain	Chief Executive
<u>Obstructions to Drainage Channel or Watercourse</u> S62 Authority to require the removal or to remove any obstruction to a drainage channel or watercourse	Chief Executive
<u>Restrict Water Supply</u> S193 Authority to restrict the water supply to land or a building	Chief Executive
<u>Advances to Owners</u> S63A Authorise monetary advances to owners to enable completion of work, subject to limits of expenditure authorisation	Chief Executive

Delegation

4. WATER (Schedule 7, Clause 32(1) of the Local Government Act 2002)	
<u>Restrict Water Supply</u> S193 Authority to restrict the water supply to land or a building	Chief Executive
<u>Stop Water Supply</u> S194 Authority to stop the water supply to land or a building	Chief Executive
5. WATER (Schedule 7, Clause 32(1) of the Local Government Act 2002, Sections 647 of the Local Government Act 1974)	
<u>Fire Hydrants</u> S647 Authority to install fire hydrants	Chief Executive
6. PROPERTY (Schedule 7, Clause 32(1) of the Local Government Act 2002)	
<u>Urban Area Playing Fields</u> Such approvals, considerations or decisions as required by the Use of Playing Fields in the Urban Area Policy.	Chief Executive
<u>Pensioner Housing</u> Leasing of tenancies pursuant to the Housing for the Elderly Policy.	Chief Executive
<u>Licence to Occupy</u> Authority to grant a Licence to Occupy any land or buildings or part thereof on such land for any period provided such Licence can be terminated by Council for any reason on no more than 3 months' notice and authority to exercise all rights as Licensor.	Chief Executive

D. DIRECT STAFF DELEGATIONS

Under Section 34A (1b) of the Resource Management Act 1991 Council may delegate to staff but does not have the ability to delegate the power to delegate. Therefore under this section any RMA specific delegations also include the staff member who exercises the delegation within the Environmental Services department.

		Delegation
<p>1. RESOURCE MANAGEMENT (Schedule 7, Clause 32(1) of the Local Government Act 2002 and Section 34A of the Resource Management Act 1991) <i>All section references are to the Resource Management Act 1991</i></p>		
<p><u>District Plan</u> S72 to S86 Powers, duties and discretions of the Council (other than the approval of a policy statement or plan or any change to a policy statement or plan or the hearing of submissions in relation to such matters) in respect of:</p> <ul style="list-style-type: none"> (a) Notification of new district plans (reviews), changes and variations, and any summary of submissions or requests for changes to any new plan, review, change or variation; (b) Service of copies of proposed district plans, district rules, and policy statements, and approved district plans, district rules and policy statements; (c) Any other matters involved in the preparation and processing of district plans, district rules or policy statements. <p><u>Notification of Resource Consents</u> S88 Determine the adequacy of an application S91 Deferral of an application pending additional applications S92 Request further information S95A Decide whether an application should be publically notified S95D Decide whether or not adverse effects are minor S94E Decide who may be considered an affected person S96 Submit on resource consent applications to other consent authorities</p> <p><u>Consent Hearings</u> S98 Provide applicants with a list of submissions received S99 Initiate and participate in pre-hearing meetings S100 Determine that a hearing is not required S101 Fix hearing dates S102 Decide to establish a joint hearing S103 Decide to establish a combined hearing</p>		<p>Director – Environmental Services</p>
<p><u>Notification of Resource Consents</u> S92 Request further information S94E Decide who may be considered an affected person</p>		<p>Planner</p>

PART TWO – CHIEF EXECUTIVE DELEGATIONS

1. AUTHORITIES FOR EXPENDITURE

This section lists the financial delegations for council positions. The financial limit allocated to a position indicates the procurement value up to which they are authorised to approve expenditure by another council officer.

1.1 MANAGEMENT AND ADMINISTRATION

Authorisation is to the level stated for that officer only in relation to the departmental duties of that officer and subject to any additional conditions and restrictions as the Chief Executive shall see fit to impose.

- All Directors - Up to \$250,000
- CEO and one Director - Over \$250,000

Any contracts awarded over \$500,000 must be reported to the next Policy and Services Committee meeting.

1.2 ASSETS DEPARTMENT

Authorisation is to the level stated for that officer only in relation to the departmental duties of that officer and subject to any additional conditions and restrictions as the Chief Executive shall see fit to impose.

- Roading Asset Manager - \$100,000
- Services Asset Manager - \$100,000
- Parks and Property Asset Manager - \$100,000
- Plant Technician Team Leader - \$15,000

Also note authority to Assets Department staff for swimming pool operation, repair and maintenance related expenditure within the Community Development Department’s delegations.

1.3 **CORPORATE SERVICES**

Authorisation is to the level stated for that officer only in relation to the departmental duties of that officer and subject to any additional conditions and restrictions as the Chief Executive shall see fit to impose.

Corporate Accountant	- \$15,000
Information Technology Manager	- \$15,000
Revenue Manager	- \$15,000

Authorisation Limits for Regular/Routine Payment Processing

Through Council's accounts payable system, the Corporate Services Department has regular/routine payments which require authorisation prior to processing. Generally these types of payments are above the Corporate Accountant's authorisation limits.

In order to ensure processing authorisation is prepared by an independent person who has knowledge of the internal controls and documents requiring approval, the Corporate Accountant, in addition to the present authorisation limit, will have authority to authorise for approval for processing the following regular/routine payments. This does not include authority to enter into contracts relating to any of these payments:

- Inland Revenue Department
- Employee payments
- Telecommunications
- Energy retailers
- Fuel Suppliers
- Loan Interest & Bank charges
- Regular staff room and cleaning supplies

1.4 **ENVIRONMENTAL SERVICES DEPARTMENT**

Authorisation is to the level stated for that officer only in relation to the departmental duties of that officer and subject to any additional conditions and restrictions as the Chief Executive shall see fit to impose.

Quality Assurance Manager	- \$15,000
Building Services Manager	- \$15,000
Environmental Health Manager	- \$15,000

1.5 **COMMUNITY DEVELOPMENT DEPARTMENT**

Authorisation is to the level stated for that officer only in relation to the departmental duties of that officer and subject to any additional conditions and restrictions as the Chief Executive shall see fit to impose.

Customer and Leisure Services Manager	- \$100,000
Community Development Manager	- \$15,000
Communications Manager	- \$15,000
Library and Visitor Information Services Team Leader	- \$15,000
Pool Team Leader	- \$15,000
Customer Services Team Leader	- \$1,000
Senior Library Officer	- \$1,000
Senior Visitor Information Officer	- \$1,000

For the purpose of swimming pool operation, repair and maintenance:

Services Asset Manager	- \$100,000
Plant Technician Team Leader	- \$15,000

2. WARRANTS OF APPOINTMENT

NOTE:

Each Warrant of Appoint is subject to authorisation by the Chief Executive. The Chief Executive as authorised by council sub delegates the following:

		Sub-delegation
1. RESOURCE MANAGEMENT (Section 38 of the Resource Management Act 1991)		
S38	Enforcement Officers	Director Assets, Services Asset Manager, Plant Engineer, Roading Asset Manager, Director Environmental Services, Planner, Environmental Health Manager, Compliance Officer.
S38	Enforcement Officers specifically to exercise or carry out all of the functions and powers under Sections 327 and 328 of the Resource Management Act 1991 (which relate to excessive noise) for the Stratford District.	After-hours Service Officers.
2. BUILDING CONTROL (Section 174 of the Local Government Act 2002 and Section 222 of the Building Act 2004)		
S174	The authority to enter private land pursuant to S174 of the Local Government Act 2002	Director Environmental Services, Building Services Manager, Building Control Officers, Compliance Officer, Planner, Services Asset Manager, Plant Engineer, Roading Asset Manager, Roading Engineers.
S222	Authorisation to carry out all of the functions and powers of an authorised officer, including the authority to enter private land pursuant to S174 of the Local Government Act 2002.	
3. ENVIRONMENTAL HEALTH (Section 174 of the Local Government Act 2002 and Section 23 of the Health Act 1956)		
S23	Environmental Health Officer	Director Environmental Services, Environmental Health Manager.
4. LIQUOR LICENSING (Section 174 of the Local Government Act 2002 and Section 197 of the Sale and Supply of Alcohol Act 2012)		
S174	Licensing Inspector	Director Environmental Services, Environmental Health Manager.
5. DOG CONTROL (Section 13 of the Dog Control Act 1996)		
S13	Dog Control Officer with specific authorisation under S14 to enter at any reasonable time onto the land or premises for the purposes set out in S14	Director Environmental Services, Compliance Officer, Environmental Health Manager. After-hours Service Officers.

		Sub-delegation
6. BYLAWS (Section 174 of the Local Government Act 2002)		
S174	Enforcement Officer with authority to enter any land, building or premises, except for a dwelling house pursuant to S171, S172, S173, S174	Director Environmental Services, Director Assets, All Environmental Services Department staff, Roading Asset Manager, Services Asset Manager, Plant Engineer, Parks and Property Asset Manager, Roading Engineer,
S174	Enforcement Officer with specific authority to enter any land, building or premises, except for a dwelling house pursuant to S182 relating to water, wastewater and other utility services	Director Assets, Roading Asset Manager, Services Asset Manager, Plant Engineer Roading Engineer,
7. LITTER (Section 174 of the Local Government Act 2002, Section 5 of the Litter Act 1979)		
S5	Litter Control Officer	Compliance Officer
8. PARKING & OTHER STATIONARY VEHICLE OFFENCES (Section 174 of the Local Government Act 2002, Sections 128D, 128E and 139 of the Land Transport Act 1998)		
S7	Parking Warden	Environmental Health Manager, Compliance Officer.
9. ANIMAL CONTROL (Sections 8 & 9 of the Impounding Act 1955)		
S8	Poundkeeper	Compliance Officer.
S8	Ranger	Compliance Officer, After-hours Service Officers.
S9	Deputy Poundkeeper	Director Environmental Services.

3. SUB DELEGATIONS OF CHIEF EXECUTIVE

GENERAL

		Sub-delegation
1. MEDIA		
All media releases		Director Community Services
Responses to media enquiries and comments in all formats, including print, radio, TV and social media.		Director Community Services
Approval of enclosures with Rates Notices		Departmental Directors
2. BUDGET AMENDMENTS		
Make amendments to the Council's approved expenditure programme throughout the year subject to there being no reduction in the estimated credit balance for the year		Departmental Directors.
3. OFFICIAL INFORMATION REQUESTS (Section 42 of the Local Government Official Information & Meetings Act 1987)		
Authorisation to make such decisions and provide such information as required of the Council under Parts II to V of the Act, except any powers specified in Section 32.		No delegations.

		Sub-delegation
4. AFFIDAVITS		
Making such affidavits and laying such information on behalf of Council as may be considered necessary from time to time		Departmental Directors, All Environmental Services Department Staff.

FINANCE AND ADMINISTRATION

		Sub-delegation
1. RECORDS		
1.1	Access to non-confidential records in alignment with council's Paper Records and Archives Policy	Information Management Specialist
1.2	Access to confidential records upon approval by the Chief Executive, in alignment with council's Paper Records and Archives Policy.	
1.3	Access to historical files/records in alignment with council's Paper Records and Archives Policy.	
1.4	Access to personnel files records in alignment with council's Paper Records and Archives Policy.	Executive Administration Officer
2. RATES (Local Government Rating Act 2002)		
S27(5)	Decisions on whether to divide rating units and on the methodology for division	Director Corporate Services, Revenue Manager (S35(b), S40, S61(1), S62 only)
S28(2)	Decision whether disclosure of the name of any person is necessary to identify a rating unit	
S29	Authority to determine objections to the RID	
S35(b)	Authority to remove names from the RID	
S39	Authority to determine objections to rates records	
S40	Authority to correct errors in RID and Rates records	
S42(3)	Authority to fix interest rate to be charged on re-assessed rates: <u>Council Policy</u> is to charge the day-to-day cash account interest rate, delegating the power of waiver to the Chief Executive.	
S54	Authority not to collect small amounts: <u>Council Policy</u> is not to collect rates where the amount payable in the financial year is less than \$5.	
S61(1)	Authority to recover unpaid rates from persons other than owners	
S62	Authority to recover unpaid rates from owner	
S63	Authority to commence proceedings for unpaid rates	
S99	Authority to apply for charging orders	

3. ACCOUNTS	
Make arrangements with debtors to repay arrears where: Full amount is paid by the 30th June Full amount is paid by 30 th June of following year	Revenue Manager, Director – Corporate Services
Full amount is repaid over a term longer than above	No sub delegation (remains with Chief Executive)
All money shall be paid by the Council in cash or by cheque, direct credit schedule or withdrawal notice signed by either two of the Chief Executive, Departmental Directors and Accountant.	Departmental Directors, Corporate Accountant.
Initiate action for the recovery of any unpaid account.	Departmental Directors, Revenue Manager
Write-off debtor invoices (upon advice from Council Solicitor or Debt Management Consultant) up to the value of:	
\$1,000	Revenue Manager
\$2,500	Director – Corporate Services
4. TREASURY MANAGEMENT	
Investment of District Council funds in the most appropriate manner, <u>subject to</u> reporting to the next Council Meeting.	Director Corporate Services, Corporate Accountant.
Roll-over existing debt and draw down new borrowings in line with the Annual Plan and Long Term Plan.	Director Corporate Services
5. SALE OF REDUNDANT ITEMS	
Sale, trade or disposal of redundant items as per Council's Asset Disposal Policy	Departmental Directors.
6. WAIVER OF FEES AND CHARGES	
Waive or reduce fees and charges in accordance with Council Policies. Reporting to council as per the requirements of the applied policy, or via the next monthly report of the relevant department if no reporting requirements stipulated in the applied policy.	Director Environmental Services, Building Services Manager, Environmental Health Manager.

ENVIRONMENTAL SERVICES

Director Environmental Services Building Control Delegations

3. BUILDING CONTROL (Schedule 7, Clause 32(1) of the Local Government Act 2002 and Section 232 and Section 235 of the Building Act 2004 and must be read in conjunction with the Stratford District Building Consent Authority Quality Management documentation) All section references are to the Building Act 2004.	
<p>S33 Information required for PIM Applications</p> <p>S34 Issue PIMs</p> <p>S36 Authority to attach a development contribution notice to project information memoranda.</p> <p>S37 Authority to attach certificate advising a resource consent is required.</p> <p>S39 Authority to notify Heritage New Zealand Pouhere Taonga in certain circumstances.</p> <p>S46 Authority to provide certain applications to Fire and Emergency NZ.</p> <p>S48 Authority to request further reasonable information in respect of building consent applications.</p> <p>S49 Authority to grant building consents and to impose appropriate conditions.</p> <p>S50 Authority to refuse to issue building consents.</p> <p>S51 Authority to issue building consents.</p> <p>S52 Authority to extend the period of time for a building consent.</p> <p>S54 Authority to advise applicant of amount of levy payable</p> <p>S58 Liability of the BCA to pay levies to the Territorial Authority.</p> <p>S59 Liability of the Territorial Authority to pay levies to MBIE.</p> <p>S67 Authority to grant waivers or modifications and to impose appropriate conditions.</p> <p>S59 Liability of the Territorial Authority to pay levies to MBIE.</p> <p>S67A Authority to grant waivers or modifications and to impose appropriate conditions in relation to means of restricting access to residential pools.</p> <p>S68 Authority to notify MBIE if waivers or modifications granted.</p> <p>S71 Authority to refuse to grant a building consent on land subject to natural hazard.</p> <p>S72 Authority to grant a building consent on land subject to natural hazards in certain conditions.</p> <p>S73 Authority to impose a condition on building consents granted under s.72</p> <p>S74 Authority to revoke the certificate issued under s.72 where appropriate.</p> <p>S75 Authority to grant a project information memoranda (or building consent) subject to a condition requiring that allotments may not be transferred or leased in conjunction with any specified other or others of those allotments.</p> <p>S77 Authority to issue a certificate imposing a condition on a building consent under S75.</p> <p>S83 Authority to revoke a certificate issued under s.77</p> <p>S90 Authority for the BCA to authorise agents to inspect building work.</p> <p><u>CCCs</u></p> <p>S91 - S95A Decisions, issue and further information requests concerning Code Compliance Certificates</p>	<p>Director Environmental Services</p>

<p><u>Certificates of Acceptance</u> S96 - S99 Decisions, issue and further information requests concerning Certificates of Acceptance</p> <p><u>Compliance Schedules</u> S102 Authority to issue a compliance schedule upon payment of the charge fixed by Council. S104 Authority to inform Territorial Authority of the issue of a compliance schedule. S104A Authority for the Territorial Authority to issue statement in relation to a compliance schedule. S106, S109 Compliance Schedule amendment S107 Compliance Schedule review S111 Inspections concerning Compliance Schedule</p>	Director Environmental Services
<p><u>Alterations</u> S112 Consideration of alterations to existing buildings S113 Grant of Building Consent for a specified life of less than 50 years S115 Consideration of change of use</p>	Director Environmental Services
<p><u>S116 Authority to extend the life of a building with a specified life if certain conditions are complied with.</u> <u>S116A</u> Authority to issue a certificate under s.224(f) of the RMA 1991 giving effect to a subdivision.</p>	Director Environmental Services
<p><u>Enforcement</u> <u>S133AT Authority to grant building consent for alterations to a building that is subject to an Earthquake Prone Building notice.</u></p>	Director Environmental Services
<p>S121 - S130 All actions in respect of dangerous or insanitary buildings S164 Authority to issue notices to fix S167 Authority to inspect building work under a notice to fix S168 Authority to initiate prosecution for an offence. S177 Application for Determination S218 Provision of information to Department of Building & Housing</p> <p><u>Accreditation / Registration</u> S215 Applications for accreditation and registration of BCA S219 Authority to impose a fee or charge. S220 Authority to enter land to do required work S221 Authority to recover costs S230, S372 Issue Infringement Notice</p>	Director Environmental Services
<p><u>Appointments</u> S222 Authority to enter land for the purpose of inspecting building work, determining whether a building is dangerous, insanitary or earthquake prone or inspecting a residential pool.</p>	Director Environmental Services
<p><u>IQPs</u> S438 Acceptance, withdrawal or refusal of acceptance of Independently Qualified person</p>	Director Environmental Services
<p><u>Miscellaneous</u> S363A Authority to authorise the use of a public premises. S363 Authority to initiate prosecution for an offence. S365 Authority to initiate prosecution for an offence. S366 Authority to initiate prosecution for an offence. S367 Authority to initiate prosecution for an offence. S368 Authority to initiate prosecution for an offence. S369 Authority to initiate prosecution for an offence. S371 Authority to determine whether to proceed under the Summary Proceedings Act 1957 or to issue an infringement notice.</p>	Director Environmental Services

S372 Authority to issue infringement notices. S375 Authority to initiate prosecution for an offence. S377 Authority to lay information for an offence. 1 st Schedule Authority to exempt building work from the requirement to obtain a building consent.	Director Environmental Services
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Building Control Manager Building Control Delegations

	Sub-delegation
<p><u>General Delegation</u> S12(2) All of the functions, duties and powers listed, thereby enabling Council to carry out its legislated role as a Building Consent Authority, <u>except</u> as specifically sub delegated and that the following (<i>in italics</i>) powers, duties and functions are <u>not</u> delegated by Council:</p> <p><i>S131 Policy on dangerous and insanitary buildings</i> <i>S213 make arrangements for any other Building Consent Authority to perform any of Council's functions as a Building Consent Authority</i> <i>S219(1)(a) impose any fee or charge</i> <i>S233 transfer any of Council's functions, duties or powers to another territorial authority</i> <i>S235 accept the transfer of any functions, duties or powers to Council from another territorial authority.</i></p> <p><u>PIMs & BCs</u> S33 Information required for PIM Applications S34 Issue PIMs S36, S37 Attachment of Certificates S39 Authority to notify Heritage New Zealand Pouhere Taonga in certain circumstances. S46 Authority to provide certain applications to Fire and Emergency NZ. S48 Further Information Requests S48 - S51 Issue of Building Consent S52 Lapse of Building Consent S54 Determination of Levies S58 Liability of the BCA to pay levies to the Territorial Authority. S59 Liability of the Territorial Authority to pay levies to MBIE. S67 Waiver or modification S67A Authority to grant waivers or modifications and to impose appropriate conditions in relation to means of restricting access to residential pools. S68 Authority to notify MBIE if waivers or modifications granted S71 - S73 Grant of Building Consent on land subject to natural hazard and required notifications S74 Cancellation of S73 Certificate S75 Building across allotment boundaries S77 Authority to issue a certificate imposing a condition on a building consent under S75. S83 Cancellation of S75 Certificate S90 Authority to inspect building work</p> <p><u>CCCs</u> S91 - S95A Decisions, issue and further information requests concerning Code Compliance Certificates</p> <p><u>Certificates of Acceptance</u> S96 - S99 Decisions, issue and further information requests concerning Certificates of Acceptance</p> <p><u>Compliance Schedules</u> S102 Authority to issue a compliance schedule</p>	Building Control Manager

S104	Authority to inform Territorial Authority of the issue of a compliance schedule.	Building Control Manager
S104A	Authority for the Territorial Authority to issue statement in relation to a compliance schedule.	
S106, S109	Compliance Schedule amendment	
S107	Compliance Schedule review	
S111	Inspections concerning Compliance Schedule	

		Sub-delegation
<u>Alterations</u>		Building Control Manager
S112	Consideration of alterations to existing buildings	
S113	Grant of Building Consent for a specified life of less than 50 years	
S115	Consideration of change of use	Building Control Manager
S116	<u>Authority to extend the life of a building with a specified life if certain conditions are complied with.</u>	
<u>Enforcement</u>		Building Control Manager,
S133AT	<u>Authority to grant building consent for alterations to a building that is subject to an Earthquake Prone Building notice.</u>	
S124	Authority to exercise the powers in respect of buildings deemed to be dangerous, earthquake-prone, insanitary or affected buildings under ss.121-123	Building Control Manager
S126	Authority to apply to the District Court for an order authorising the Council to carry out work in relations to dangerous, insanitary, earthquake-prone and affected buildings.	
S129	Authority to avert immediate danger or rectify insanitary conditions.	
S130	Authority to apply to the District Court for confirmation of the warrant.	
S164	Authority to issue notice to fix.	
S167	Authority to inspect building work under a notice to fix.	
S168	Authority to initiate prosecution for an offence.	
<u>Accreditation / Registration</u>		
S215	Applications for accreditation and registration of BCA	
S219	Authority to impose a fee or charge.	
S220	Authority to enter on to land to do required work.	
S221	Authority to recover costs.	
<u>Appointments</u>		Building Control Manager,
S222	Authority to enter land for the purpose of inspecting building work, determining whether a building is dangerous, insanitary or earthquake prone or inspecting a residential pool.	
<u>Miscellaneous</u>		Building Control Manager
S363A	Authority to authorise the use of a public premises.	
S363	Authority to initiate prosecution for an offence.	
S365	Authority to initiate prosecution for an offence.	
S366	Authority to initiate prosecution for an offence.	
S367	Authority to initiate prosecution for an offence.	
S368	Authority to initiate prosecution for an offence.	
S369	Authority to initiate prosecution for an offence.	
S371	Authority to determine whether to proceed under the Summary Proceedings Act 1957 or to issue an infringement notice.	
S372	Authority to issue infringement notices.	
S375	Authority to initiate prosecution for an offence.	
S377	Authority to lay information for an offence.	
1 st Schedule	Authority to exempt building work from the requirement to obtain a building consent.	

	Sub-delegation
<p><u>General Delegation</u></p> <p>S12(2) All of the functions, duties and powers listed, thereby enabling Council to carry out its legislated role as a Building Consent Authority, <u>except</u> as specifically sub delegated and that the following (<i>in italics</i>) powers, duties and functions are <u>not</u> delegated by Council:</p> <p><i>S131 Policy on dangerous and insanitary buildings</i></p> <p><i>S213 make arrangements for any other Building Consent Authority to perform any of Council's functions as a Building Consent Authority</i></p> <p><i>S219(1)(a) impose any fee or charge</i></p> <p><i>S233 transfer any of Council's functions, duties or powers to another territorial authority</i></p> <p><i>S235 accept the transfer of any functions, duties or powers to Council from another territorial authority.</i></p> <p><u>PIMs & BCs</u></p> <p>S33 Information required for PIM Applications</p> <p>S37 Attachment of Certificates</p> <p>S39 Authority to notify Heritage New Zealand Pouhere Taonga in certain circumstances.</p> <p>S46 Authority to provide certain applications to Fire and Emergency NZ.</p> <p>S48 Further Information Requests</p> <p>S48 - S51 Issue of Building Consent</p> <p>S52 Lapse of Building Consent</p> <p>S54 Determination of Levies</p> <p>S58 Liability of the BCA to pay levies to the Territorial Authority.</p> <p>S59 Liability of the Territorial Authority to pay levies to MBIE.</p> <p>S68 Authority to notify MBIE if waivers or modifications granted</p> <p>S71 - S73 Grant of Building Consent on land subject to natural hazard and required notifications</p> <p>S75 Building across allotment boundaries</p> <p>S77 Authority to issue a certificate imposing a condition on a building consent under S75.</p> <p><u>CCCs</u></p> <p>S91 - S95A Decisions, issue and further information requests concerning Code Compliance Certificates</p> <p><u>Certificates of Acceptance</u></p> <p>S96 - S99 Decisions, issue and further information requests concerning Certificates of Acceptance</p> <p><u>Compliance Schedules</u></p> <p>S102 Authority to issue a compliance schedule</p> <p>S104 Authority to inform Territorial Authority of the issue of a compliance schedule.</p> <p>S104A Authority for the Territorial Authority to issue statement in relation to a compliance schedule.</p> <p>S106, S109 Compliance Schedule amendment</p> <p>S107 Compliance Schedule review</p> <p>S111 Inspections concerning Compliance Schedule</p>	Building Control Officer
<p><u>Alterations</u></p> <p>S112 Consideration of alterations to existing buildings</p> <p>S113 Grant of Building Consent for a specified life of less than 50 years</p> <p>S115 Consideration of change of use</p>	Building Control Officer
<p><u>S116 Authority to extend the life of a building with a specified life if certain conditions are complied with.</u></p>	Building Control Officer
<p><u>Enforcement</u></p> <p><u>S133AT Authority to grant building consent for alterations to a building that is subject to an Earthquake Prone Building notice.</u></p>	Building Control Officer

S164	Authority to issue notice to fix.	Building Control Officer
S167	Authority to inspect building work under a notice to fix.	
S215	Applications for accreditation and registration of BCA	
S219	Authority to impose a fee or charge.	
S221	Authority to recover costs.	
<u>Appointments</u>		Building Control Officer
S222	Authority to enter land for the purpose of inspecting building work, determining whether a building is dangerous, insanitary or earthquake prone or inspecting a residential pool.	

		Sub-delegation
<u>General Delegation</u>		Quality Assurance Officer
S12(2)	All of the functions, duties and powers listed, thereby enabling Council to carry out its legislated role as a Building Consent Authority, <u>except</u> as specifically sub delegated and that the following (<i>in italics</i>) powers, duties and functions are <u>not</u> delegated by Council:	
S131	<i>Policy on dangerous and insanitary buildings</i>	
S213	<i>make arrangements for any other Building Consent Authority to perform any of Council's functions as a Building Consent Authority</i>	
S219(1)(a)	<i>impose any fee or charge</i>	
S233	<i>transfer any of Council's functions, duties or powers to another territorial authority</i>	
S235	<i>accept the transfer of any functions, duties or powers to Council from another territorial authority.</i>	
<u>PIMs & BCs</u>		
S52	Lapse of Building Consent	
S54	Determination of Levies	
S58	Liability of the BCA to pay levies to the Territorial Authority.	

		Sub-delegation
<u>General Delegation</u>		Planner
S12(2)	All of the functions, duties and powers listed, thereby enabling Council to carry out its legislated role as a Building Consent Authority, <u>except</u> as specifically sub delegated and that the following (<i>in italics</i>) powers, duties and functions are <u>not</u> delegated by Council:	
S131	<i>Policy on dangerous and insanitary buildings</i>	
S213	<i>make arrangements for any other Building Consent Authority to perform any of Council's functions as a Building Consent Authority</i>	
S219(1)(a)	<i>impose any fee or charge</i>	
S233	<i>transfer any of Council's functions, duties or powers to another territorial authority</i>	
S235	<i>accept the transfer of any functions, duties or powers to Council from another territorial authority.</i>	
<u>PIMs & BCs</u>		
S33	Information required for PIM Applications	
S34	Issue PIMs	
S36	Authority to attach a development contribution notice to project information memoranda.	
S37	Authority to attach certificate advising a resource consent is required.	
S39	Authority to notify Heritage New Zealand Pouhere Taonga in certain circumstances.	
<u>Alterations</u>		
S116A	Authority to issue a certificate under s.224(f) of the RMA 1991 giving effect to a subdivision.	

3a. AMUSEMENT DEVICES (Schedule 7, Clause 32(1) of the Local Government Act 2002 and Regulation 11 of the Amusement Devices Regulations 1978		
Reg 11	Inspection of devices and decision and issue of licences	Building Control Officer
4. ENVIRONMENTAL HEALTH (Schedule 7, Clause 32(1) of the Local Government Act 2002; Section 23 of the Health Act 1956 and Section 137 of the Food Act 2014) all section references are to the Health Act 1956		
S23(b)	Public health monitoring of the District.	Environmental Health Manager
S23(c)	Abatement of conditions likely to be offensive or injurious to health.	
S23(d)	Enforcement of the requirements of regulations made under the Act: <ul style="list-style-type: none"> • Health (Burial) Regulations 1946 • Housing Improvement Regulations 1947 • Health (Registration of Premises) Regulations 1966 • Food Regulations 2015 • Health (Hairdressers) Regulations 1980 • Camping Ground Regulations 1985 	Director – Environmental Services
S41	Cleansing Order.	
S42	Closing Order.	
S45	Discretions relating to the cancellation of a Closing Order.	
S81	Disinfection of premises.	
	Hearing of appeal under Food Safety Bylaw	
		Sub-delegation
5. LIQUOR LICENSING (Schedule 7, Clause 32(1) of the Local Government Act 2002 and Section 198 of the Sale and Supply of Alcohol Act 2012 and must be read in conjunction with the Stratford District Sale of Liquor Policy) All section references are to the Sale and Supply of Alcohol Act 2012.		
S65	Registers	Director Environmental Services, Environmental Health Manager (DLC Secretary).
S66	Records	
S67	Certification of extracts from register or record	
S71	Notification of Police	
S72	Issue of duplicate licence or certificate	
S102	Forwarding of objections to licence applications	
S103	Forwarding of licence applications for reports	
S128	Forwarding of objections to licence renewal applications	
S129	Forwarding of licence renewal applications for reports	
S139	Requiring notification of special licence applications	
S140	Forwarding of objections to a special licence	
S141	Forwarding of special licence applications for reports	
S186	Appointment of DLC	
S192	Establishing and maintaining DLC list	
S194	Removal of DLC list member	
S196	Secretary of DLC	
S221	Decisions of DLC being publicly available	
S220	Forwarding of certificate applications for reports	
S225	Forwarding of certificate renewal applications for reports	
S65	Registers	
S66	Records	
S67	Certification of extracts from register or record	
S71	Notification of Police	
S72	Issue of duplicate licence or certificate	
S102	Forwarding of objections to licence applications	
S103	Forwarding of licence applications for reports	
S128	Forwarding of objections to licence renewal applications	

S129	Forwarding of licence renewal applications for reports	
S139	Requiring notification of special licence applications	
S140	Forwarding of objections to a special licence	
S141	Forwarding of special licence applications for reports	
S221	Decisions of DLC being publicly available	
S220	Forwarding of certificate applications for reports	
S225	Forwarding of certificate renewal applications for reports	

Sub-delegation

6. DOG CONTROL (Schedule 7, Clause 32(1) of the Local Government Act 2002 and must be read in conjunction with the Stratford District Dog Control Policy) All section references are to the Dog Control Act 1996.	
<p><u>Classification Of Probationary Owners</u> S21 Classify a person as a probationary owner and to serve notice to that effect. S23 Terminate any such classification. S23A Require a probationary owner to undertake training.</p> <p><u>Disqualification Of Owners</u> S25 Classify a person as a disqualified owner and to serve notice to that effect. S27 Make a submission in respect of an appeal to the District Court.</p> <p><u>Territorial Authority To Maintain And Provide Information</u> S30, 34, 35, 35A, 35AB, 36, 49 and 69 - Maintain and provide records.</p> <p><u>Territorial Authority To Classify Dangerous Dogs</u> S31 Classify a dog as a dangerous dog and to serve notice to that effect. S32 Such discretions as are required. S33 Consent to the disposal of a dog classified as a dangerous dog.</p> <p><u>Territorial Authority To Classify Menacing Dogs</u> S33A, S33C - Classify a dog as a menacing dog and to serve notice to that effect. S33 Consent to the disposal of a dog classified as a dangerous dog. S33E Such discretions as are required</p> <p><u>Registration Of Dogs</u> S39 Remit, reduce or refund fees. S40 Require information. S42 Such discretions as are required. S46 Issue registration discs.</p> <p><u>Barking Dogs</u> S70 Make a decision on and return a dog. S70 Make a submission in respect of an appeal to the District Court</p> <p><u>Infringement Notices</u> S66 Issue infringement notices in respect of infringement offences and fees detailed in the Dog Control Policy.</p> <p><u>Impounding & Subsequent Disposal Of A Dog</u> S69 Give notice of impounding and dispose dogs.</p> <p><u>Retention Of Dog Threatening Public Safety</u> S71 Determine whether a dog which has been retained should be released. S71 Make a submission in respect of an appeal to the District Court.</p> <p><u>Waiving Infringement Notice Fines</u> The power to hear and reach a determination in respect of any objection lodged to the payment of an infringement fine under the Dog Control Act 1996.</p>	Compliance Officer

7. BYLAWS (Schedule 7, Clause 32(1) of the Local Government Act 2002)	
<p>The following powers and duties to the specified officers for each specified Bylaw:</p> <ul style="list-style-type: none"> • The issue of any order, notice or licence pursuant to the: <ul style="list-style-type: none"> ○ Stratford District Council General Bylaws 2008. ○ Stratford District Council Speed Limits Bylaw ○ Stratford District Council Water Supply Bylaw • Making such decisions and considering such approvals pursuant to the: <ul style="list-style-type: none"> ○ Stratford District Council General Bylaws 2008. ○ Stratford District Council Speed Limits Bylaw ○ Stratford District Council Water Supply Bylaw • Entering any land, building or premises, other than a dwelling house, for the purpose of inspection pursuant to the: <ul style="list-style-type: none"> ○ Stratford District Council General Bylaws 2008. ○ Stratford District Council Speed Limits Bylaw ○ Stratford District Council Water Supply Bylaw 	
Stratford District Council General Bylaws 2008	
Ch 2 Public Places	Compliance Officer, Parks and Property Asset Manager.
Ch 3 Mobile or Travelling Shops	Environmental Health Manager
Ch 4 Refuse	Services Asset Manager
Ch 5 Water Supply	Services Asset Manager
Ch 6 Advertising Signs	Compliance Officer, Planner.
Ch 7 Scaffolding & Deposit of Building Materials	Building Control Officer
Ch 8 Amusement Devices & Shooting Galleries	Building Control Officer
Ch 9 Nuisances	Environmental Health Manager
Ch 10 Control of Dogs Includes authority to consider and make decisions on appeals to infringement fines and to refer unpaid infringement fines to the District Court.	Compliance Officer
Ch 11 Keeping of Animals & Poultry	Compliance Officer
Ch 12 Cemeteries	Property Asset Manager, Customer Services Officer.
Ch 13 Parks & Reserves	Parks and Property Asset Manager
Ch 16 Street Damage	Roading Engineer

		Sub-delegation
Ch 17	Parking Control Includes authority to consider and make decisions on infringement fine appeals and to refer unpaid infringement fines to the District Court.	Compliance Officer
Ch 18	Wastewater Drainage	Services Asset Manager
Ch 19	Liquor Control	NZ Police
Ch 20	Stock Control	Compliance Officer
Ch 22	Trade Waste	Services Asset Manager
Ch 23	Beauty Therapy, Tattooing and Piercing	Environmental Health Manager
	Speed Limits Bylaw	No delegation
	Water Supply Bylaw	Services Asset Manager
7a.	LITTER (Schedule 7, Clause 32(1) of the Local Government Act 2002, Section 7 and Section 13 of the Litter Act 1979)	
S7	General powers and duties	Compliance Officer
S13	Infringement Notices	Compliance Officer
7b.	PARKING & OTHER STATIONARY VEHICLE OFFENCES (Schedule 7, Clause 32(1) of the Local Government Act 2002, Sections 128D, 128E and 139 of the Land Transport Act 1998)	
	Powers and duties in respect of all parking and other stationary vehicle offences	Compliance Officer
8.	ABANDONED VEHICLES (Schedule 7, Clause 32(1) of the Local Government Act 2002, Sections 356 and 357 of the Local Government Act 1974)	
S356 & S357	Take possession of, remove or dispose of any abandoned vehicle on a road reserve (excluding State Highways)	Compliance Officer
9.	PROPERTY NUMBERS (Schedule 7, Clause 32(1) of the Local Government Act 2002, Section 319b of the Local Government Act 1974)	
S319B	Authority to allocate property numbers	GIS Officer
10.	GAMBLING (Schedule 7, Clause 32(1) of the Local Government Act 2002, S100 of the Gambling Act 2003, S65C of the Racing Act 2003 and must be read in conjunction with the Stratford District Gambling Venue Policy)	
	Determination of applications for Class 4 Gambling or NZ Racing Board Venue Consents	Director Environmental Services
11.	HAZARDOUS SUBSTANCES (Schedule 7, Clause 32(1) of the Local Government Act 2002, 82(b) of the Hazardous Substances & New Organisms Act 1996)	
S82(b)	Power to access the Environmental Risk Management Authority Register of Test Certificates for such purposes as are outlined in Section 82(a)	Director Environmental Services

ASSETS

1. ROADING (Schedule 7, Clause 32(1) of the Local Government Act 2002, Local Government Act 1974)	
<u>Building Line Restrictions</u> S327A Authority to cancel building line restrictions	Roading Asset Manager.
<u>Street Lighting</u> S334A Authority to provide street lighting and to authorise necessary ancillary works	Roading Asset Manager.
<u>Vehicle Crossings</u> S335 Require payment for the cost of a vehicle crossing	Roading Asset Manager
<u>Pipes and Drains under Roads</u> S337 Require the owner of any pipe, drain or apparatus of any kind or under a road to raise, lower or otherwise alter the same.	Roading Asset Manager, Services Asset Manager
<u>Granting of Easements</u> S338 Authorise easements for pipes and conduits under roads	Roading Asset Manager
<u>Contribution to cost of railway, subway or bridge</u> S341A Authority to enter agreement for allocation of the cost of work	Roading Asset Manager
<u>Stopping and Closing of Roads</u> S342 Close any road or part of a road to any specified type of traffic under Clause 11 of the Tenth Schedule.	Roading Asset Manager, Services Asset Manager.
<u>Gates and Cattle Stops Across Roads</u> S344 Permit the erection of a swing gate or a cattle stop across any road.	Director Assets, Roading Asset Manager.
<u>General Safety Provision as to Roads</u> S353 Take all such sufficient precautions for the general safety of the public and traffic and workmen employed on or near any road as they think fit and in particular those duties listed in Section 353	Roading Asset Manager, Services Asset Manager, Director Environmental Services.
<u>Construction of Cellar or Excavation in Vicinity of Road</u> S354 Construction of a cellar or making of an excavation is within 20 metres of any road subject to gaining the written consent of the adjoining property owner where the excavation or cellar is within 20 metres of a property boundary.	Roading Asset Manager
<u>Overhanging Vegetation</u> S355 Require the owner of any land abutting on any road to do work as detailed in Section 355.	Roading Asset Manager, Compliance Officer.
2. DRAINAGE (Schedule 7, Clause 32(1) of the Local Government Act 2002, Local Government Act 1974)	
<u>Enforcement re damage to roads</u> S357 Authorisation to initiate action against any person in contravention of Section 357	Roading Asset Manager, Compliance Officer.
<u>Diversion etc. of Drainage Works</u> S451 Enter into an agreement with any person for diversion or alteration of drainage works subject to the restrictions of Section 451	Roading Asset Manager, Services Asset Manager.

	Sub-delegation
<u>Provision of Private Drains</u> S459 Require the owner of any land or building to carry out such drainage work as detailed in Section 459	Services Asset Manager, Director Environmental Services, Building Services Manager, Building Control Officer
<u>Unlawful Connection of Private Drain</u> S467 Authorise any required removal, repair and reinstatement work concerning an unauthorised connection of any private drain, including recovering the full cost of such work, and when that amount is not in excess of \$500, may institute an action for its recovery	Services Asset Manager.
<u>Tree Roots</u> S468 Authorise the requirement of trees to be removed where obstructing a drain	Services Asset Manager
<u>Obstructions to Drainage Channel or Watercourse</u> S511 Authority to require the removal of any obstruction to a drainage channel or watercourse	Services Asset Manager
3. DRAINAGE (Schedule 7, Clause 32(1) of the Local Government Act 2002, Drainage Act 1908)	
<u>Construct & Maintain Drains</u> S17 Authority to enter land and to construct and maintain drains and watercourses on that land S18 Authority to enter land	Services Asset Manager
<u>Remove earth</u> S19 Authority to remove earth or other materials as required for drainage works	Services Asset Manager
<u>Drains on Private Land</u> S23 Authority to make drains on private land	Director Assets
<u>Release of Land or Contracts</u> S24 Authority to quit land or contracts under the Drainage Act 1908	Director Assets
<u>Drainage Work</u> S26 Authorisation of other persons to work on Council drains	Services Asset Manager.
<u>Removal of Trees</u> S27 Authorisation to require to be removed or to remove tree or parts of a tree obstructing drain	Director Assets, Services Asset Manager
<u>Obstructions to Drainage Channel or Watercourse</u> S62 Authority to require the removal or to remove any obstruction to a drainage channel or watercourse	Services Asset Manager
<u>Restrict Water Supply</u> S193 Authority to restrict the water supply to land or a building	Services Asset Manager
<u>Advances to Owners</u> S63A Authorise monetary advances to owners to enable completion of work, subject to limits of expenditure authorisation	Services Asset Manager

		Sub-delegation
4. WATER (Schedule 7, Clause 32(1) of the Local Government Act 2002)		
<u>Restrict Water Supply</u> S193 Authority to restrict the water supply to land or a building		Services Asset Manager
<u>Stop Water Supply</u> S194 Authority to stop the water supply to land or a building		Services Asset Manager
5. WATER (Schedule 7, Clause 32(1) of the Local Government Act 2002, Sections 647 of the Local Government Act 1974)		
<u>Fire Hydrants</u> S647 Authority to install fire hydrants		Services Asset Manager
6. PROPERTY (Schedule 7, Clause 32(1) of the Local Government Act 2002)		
<u>Allocation and Use of Sports Grounds</u> Approvals, considerations or decisions pursuant to the Allocation and Use of Sports Grounds Policy.		Parks and Property Asset Manager
<u>Pensioner Housing</u> Leasing of tenancies pursuant to the Housing for the Elderly Policy.		Parks and Property Asset Manager.
<u>Licence to Occupy</u> Authority to grant a Licence to Occupy any land or buildings or part thereof on such land for any period provided such Licence can be terminated by Council for any reason on no more than 3 months' notice and authority to exercise all rights as Licensor.		Parks and Property Asset Manager.