KAIKŌURA
DISTRICT COUNCIL

Delegations Manual
2025-2028

Version history

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1 Introduction

This manual sets out the delegations made by the Kaikōura District Council. The delegations are presented in the following sections:

- **Delegations Policy** – This part of the manual sets out the Council's philosophy for making delegations and establishes the legal power for making delegations. It then establishes the framework through which the delegations are made and structured.
- **Governance Delegations** – This section of the manual sets out delegations of governance powers made by Council to Committees. Council's delegation model is designed to enable committees of Council to undertake their roles fully, completely and consistent with their terms of reference. The principles incorporate the reporting and monitoring process that enables the Council to ensure that the powers they have delegated are not exceeded.
- **Statutory Delegations** – This section sets out all of the relevant legislation that Council has responsibility for, and the powers duties and responsibilities delegated under the relevant clauses of each statute and associated regulations and bylaws. These delegations are made consistent with the provisions of the Local Government Act 2002, which allows a local authority to delegate to any other local authority, organisation, or person the enforcement, inspection, licensing and administration related to bylaws and other regulatory matters.
- **Financial Delegations** – The delegation of financial powers enables the works and service objectives of the Council as set out in the Long Term Plan and Annual Plan to be achieved. This section of the register sets out the limits of financial delegations to Council sub-committees and Council officers.
- **Management Delegations** – This section of the manual sets out the delegations made by the Chief Executive Officer of the management powers to facilitate the effective and efficient operation of the Council administration.
- **Contractor Delegations** – Council has determined to contract out the delivery of some of its services to independent contractors. The contracts in place with each contractor specify the detail of the services and levels of service to be provided. This part of the delegations register sets out the delegations of powers and functions required by contractors to carry out their contracted services.
- **Warrants** – This final part of the register sets out the warrants of powers issued to individual officers of Council and employees of contractors.

The purpose of making delegations is to provide a legal structure for the efficient and effective operation of the Council. The various sections of the Delegations Manual are complementary – they are to be read in conjunction with each other as each section provides different limits on the particular decisions that an individual may make. Any decision or the exercise of any power or duty can only be made or undertaken if all of the tests of statutory and financial and management (or governance or contractor) delegations can be met.

2 **Authority**

The Delegations Policy, the delegations made in the governance section of the manual and other delegations of statutory and financial powers to Committees and Subcommittees and all the delegations made to the Chief Executive Officer were adopted by Council at its extraordinary meeting on 12 November 2025.

Sub-delegations made by the Chief Executive Officer pursuant to the Policy and to the powers delegated to him were made effective from 12 November 2025.

3 Delegation Policy

3.1 Introduction

This document sets out the policy for the Kaikōura District Council for delegations of responsibilities, powers and duties to a range of different parties as provided for in the Local Government Act 2002 (the Act) and other legislation. The primary purpose of the Policy is to establish the framework for delegations of powers to create efficient and effective decision-making within the Council environment, consistent with the general principles of local government established in s14 of the Act and the governance principles set out in s39 of the Act.

The principles relevant to the development of this Policy are:

- The local authority should be aware of and have regard to the views of the community and should clearly communicate the role of the local authority and the expected conduct of elected members to the community;
- Business should be conducted and the governance structures and processes arranged in an effective, open, transparent and accountable manner;
- Responsibility and processes for regulatory decision-making should be separated from those for non-regulatory;
- The local authority should ensure that the relationship between the elected members and management is effective and understood; and
- The policy and the accompanying Delegations Register partially fulfil Council's responsibilities to publish its local governance statement.

The policy sets out:

- The governance responsibilities of the Council regarding delegations;
- The framework that is established for delegations within the Kaikōura District Council;
- The limitations placed on delegations and the accountability for decisions made under delegations;
- The objectives sought from the delegation of decision-making, monitoring and reporting responsibilities, powers and duties;
- The principles to be employed in creating and giving effect to delegations; and
- The methods and procedures for creating, reviewing and terminating delegations.

This document sets out the policy framework for the creation of delegations; it does not create any delegations. Any delegations created pursuant to this policy are recorded in the Council's Delegations Manual.

3.2 Decision-making responsibilities

The purpose of the Act is to provide for democratic and effective local decisions about which activities to undertake and the manner in which they will undertake them (s3). The community elect individuals to make judgements and decisions on behalf of the community about what will promote community well-being. The judgements made by elected members are made under a set of decision-making requirements set out in the Act, although the degree to which compliance is required is proportional to the significance of the particular decision and the resources available (s76 and 79).

In the course of making good decisions, local authorities must identify all the reasonably practicable options for the achievement of the objective(s) of a decision and assess the various options against an explicit set of criteria (s77). In this context, reference to local authorities includes both elected members and officers, and in the case of this authority, contractors who have powers delegated to them.

In making decisions the local authority must consider the views of all those interested in or affected by the decision. Depending on the significance of the decision, this consideration of views will be undertaken

at various stages of the process. In particular, Māori must be encouraged to participate in the decision-making process (s78 and s81).

Where a local authority undertakes consultation, the Act requires that they do so with an open mind and give due consideration to the views expressed when making a decision. The parties to be consulted are those who are either interested in or potentially affected by the decision to be made. In certain prescribed circumstances a special consultative procedure must be followed before making decisions (s82 and s83).

Within the overarching purpose of the Act of enabling democratic local decision-making and action, local authorities have a range of specific statutory roles and responsibilities that have been legislated and exist separately from this general purpose.

Elected members are responsible for the governance of the district and for the appointment of the Chief Executive Officer (CEO) who is responsible for implementing Council's decisions and the effective and efficient management of the activities of the Council. The Kaikōura District Council employs staff and contracts with external agencies to deliver services and undertake other activities on its behalf. The CEO leads the staff and is responsible for their performance and for the specification of services and the performance of contractors. The CEO is responsible (s42(3)) for ensuring that all the responsibilities, duties and powers delegated to him or her or to any person employed by or contracted to the local authority are properly performed or exercised.

3.3 **Philosophy of the Council**

The Council believes that it is good management practice to encourage delegation of decision-making to the lowest competent level. This will best utilise the Council's human resources (elected members, officers and service delivery contractors), minimise the cost of material, technical and financial resources and promote the development of effective people.

The volume and diversity of decisions that need to be made and the powers that are required to be exercised for the operation and development of the district means that elected members do not have the capacity to undertake all these functions. The role of Council is to develop the set of policies and manage the policy settings that govern the individual decisions and exercise of powers of those to whom the detailed decision-making has been delegated.

The Council considers authority and accountability to be inseparable. It believes that those with responsibility for a task or function should always have the authority to carry it out effectively. Those with authority should always be responsible and accountable for its wise use. Delegations do not remove from the Council or management ultimate accountability for the affairs of the Council.

It is the role of the Council to lead and guide the good management of the district by determining primary goals and objectives, by setting strategies and policies for their achievement, and by encouraging their achievement through the considered use of committees and the appointment of skilled officers.

In terms of section 42 of the Act, the CEO is responsible to the Council for:

a) implementing the decisions of the Council;
b) providing advice to members of the Council and all Committees of Council);
c) ensuring that all responsibilities, duties and powers delegated to him/her or to any other person or imposed or conferred by law are properly performed or exercised;
d) ensuring the effective and efficient management of the activities of the Council;
e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the Council;
f) providing leadership for the staff; and
g) employing staff on behalf of the Council and negotiating their terms of employment.

Therefore, the role of the CEO, other Council officers and service delivery contractors is to implement and administer Council policies, contribute substantially to their formulation, to provide and manage the infrastructure of the district, and to manage the day-to-day activities of the Council.

Delegations by the Council to committees and subcommittees assist the effective performance of the Council's overall policy role. Delegations to, and by officers, assist effective implementation and should enhance the respective roles of elected members and officers.

Accountability for delegated authorities is achieved through a regime of monitoring of the exercise of the delegations made and is undertaken through the system of reporting and auditing that is described in the principles and procedures part of this policy document.

3.4 Delegation framework

3.4.1 The meaning of delegation

Within this Policy, "delegation" means conferring authority to exercise a responsibility, power or duty from one party (the delegator) to another party (the delegate). It will generally require the exercise of judgement and the making of decisions.

A specific delegation occurs where the power or duty relates to a specific matter, and the delegation will last only as long as it takes to deal with that matter (for example, power to enter into a particular contract).

A general delegation relates to the conferring of authority to exercise powers or duties of a particular kind as and when they arise (for example, power to hear and determine resource consent applications).

3.4.2 The meaning of lowest competent level

Within this Policy, "the lowest competent level" means the lowest position within the Council hierarchy that has adequate skills to undertake the delegated powers, duties or responsibilities. The assessment of the adequacy of skills will be made by the delegator in association with the proposed delegate and will include the assessment of the knowledge, skills, understanding of any relevant legislation, attitude and experience of the holder of the office of the proposed delegate.

It is the responsibility of the delegator to ensure that the holder of the office with the delegation has the competencies required for the delegation. As the assessment characteristics change and evolve over time, the delegator also has the responsibility to continue to ensure that the delegation is made to the lowest competent level in the Council hierarchy.

3.4.3 General features of delegation

A feature of any delegation is that the delegator does not part with the function, duty or power being delegated. The delegator merely confers on the delegate the ability to exercise that function, duty or power. Consequently, the delegator always retains ultimate accountability even though the delegate may have immediate responsibility.

The delegator retains an obligation to monitor the performance of the delegate and generally may revoke the delegation at will. The delegator retains the ability to exercise the responsibility, power or duty that has been delegated.

The powers, duties or obligations delegated may (or may not) include the powers of sub-delegation. This is a separate matter that will be considered by the delegator when they make the delegation based on the competencies of the delegate. In some circumstances, it is likely that the powers to act may be conferred on a delegate but the power of sub-delegation may be withheld.

When making a delegation, the delegator must give consideration to the nature of the decisions to be made, or powers or duties to be undertaken under the delegation. Delegations should distinguish between those necessary to facilitate ordinary operations in the District and matters that are extraordinary or carry high risk.

The delegator may withdraw or suspend the delegation at any time up until, but not after, any decision is made or power is exercised under the delegation.

3.4.4 **Significance**

In every case, the delegate needs to determine the significance of the decision they are making or the power they are exercising, notwithstanding that they have the delegated authority to make the decision or take the action. In this context, significance has the same meaning as in the Act and is assessed in terms of its likely impact on and likely consequences for:-

(a) The current and future social, economic, environmental, or cultural well-being of the district or region:

(b) Any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision or matter:

(c) *The capacity of the local authority to perform its role, and the financial costs of doing so.*

In addition to the statutory definition, a further dimension to be considered by the delegate when considering whether a decision or action is significant is the political dimension. Where the delegate assesses that the decision or action may have unfavourable repercussions for the Council or individual members of the Council they should consider the decision or action to be significant.

Where the delegate determines that the decision to be made or power to be exercised may be significant they should consider whether to refer the decision or exercise of the power back to the delegator before final action is taken. In considering this issue, the delegate needs to balance the delegated authority they have with the potential consequences. Thus, whilst the precautionary principle applies, delegates must not be averse to making decisions or taking action as required.

3.4.5 **Legal authority**

Local Government Act 2002

The objectives, purpose and principles of local government under the Act and the decision-making provisions are set out in some detail in the preceding sections of this policy document.

Clause 32 of Schedule 7 to the Act is the primary legislative authority that empowers the Council to make delegations. It provides as follows:

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; or

(g) [Repealed]

(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.*

In summary, the Council has extensive powers of delegation under the Act. These powers are limited only to those items excluded under sub-clause 1. The preparatory work on those items may be delegated, but Council must make the final decision. Delegated powers may be sub-delegated, subject to any limits that might be imposed. Such sub-delegation may be made outside of the Council's direct organisational environment (e.g. to contractors). Delegation of regulatory responsibilities to external agencies is explicitly provided for in sub-clause 5.

Other Legislation

A range of other legislation specifies what powers and responsibilities may be delegated and limits to whom the delegations may be made. In some instances, delegations are made directly to the CEO or to the principal administrative officer (who is the CEO pursuant to section 42(4) of the Act).

3.4.6 **Delegation categories**

Five different categories of delegation have been identified, as detailed in the following sections. Whilst the differentiation between some of these categories is imprecise, the separation is useful in identifying the different responsibilities that are delegated to different areas of the Council structure, the different levels and types of accountability appropriate for each and the different parties to whom delegations may be made.

Governance delegations

These functions are delegated to provide for the efficient and effective provision of Council's governance responsibilities and the operation of Council. Delegations under this category include:

1. setting policy and monitoring performance for a set of functions,
2. consulting with the community on proposals and options,
3. hearing submissions from community members under the consultative procedures,
4. approving expenditure that exceeds the delegated authority of officers within the financial parameters of the annual plan.

Statutory delegations

These are delegations of powers, duties and responsibilities to facilitate the effective and efficient conduct of the Council's statutory responsibilities. Examples of the types of delegations that will be made under this category are:

1. Specific obligations under legislation
2. Consideration and granting of licenses and consents,
3. Monitoring, compliance and enforcement of statutes, regulations and bylaws,
4. Administration of regulatory and bylaw matters.

Financial delegations

These are delegations of powers and responsibilities to facilitate the effective and efficient financial management of the Council. The powers may be limited in some respects at lower levels of delegation. Delegations that will be made under this category include:

1. Expenditure approval within the funding limits approved by the LTP/ Annual Plan
2. Binding Council to a contract
3. LTP / Annual Plan implementation

Management delegations

These are delegations of powers and responsibilities to facilitate the effective and efficient management (other than direct financial management) of the business of the Council. The powers may be limited in

some respects at lower levels of delegation. Examples of types of delegations that will be made under this category are:

1. Contract monitoring, reporting and enforcement;
2. Policy implementation and enforcement;
3. Staffing appointment, review and termination;
4. Obtaining professional advice for Council and contractors (legal, financial, engineering, planning etc.);
5. Media contact.

Contractor delegations

These are delegations of powers and responsibilities made to Council contractors to facilitate the effective and efficient delivery of the services that the contractor delivers on behalf of Council that are not otherwise covered in other delegation categories. The powers delegated will reflect the requirements and conditions of the service agreements in place. Delegations that will be made under this category include the powers to:

1. Provide professional and administrative services to and for Council;
2. Undertake regulatory services on behalf of Council;
3. Enforce and administer Council bylaws and policies;
4. Administer, maintain and improve Council assets.

3.4.7 **Delegated parties**

In most cases, the Council has the primary power of delegation, as it is this body that is specified as the delegate in the empowering legislation. In some specific instances, the legislation empowers the CEO directly who will have the primary power of delegation.

Under this policy, delegations of responsibilities, powers or duties may be made to any of the following parties:

a) Standing Committees
b) Regional Committees
c) Subcommittees and working parties
d) Individual members
e) Hearings Commissioners
f) CEO
g) Council Managers
h) Council Employees
i) Service Delivery Contractors.

Certain delegations will be made to specific positions within the wider Council structure (including contractors) that require that the position holder has and maintains appropriate technical qualifications for the position. As provided in section 4.2 it is the responsibility of the delegator to ensure that the holder of the position that has the delegated powers has and retains appropriate technical competence.

3.4.8 **Hierarchy of delegations**

All powers of Council emanate from statute or regulation. Council (or in some limited cases the CEO) then have the responsibility of deciding what subsequent delegations should be made and what limits should be placed on those delegations.

Where the Council's CEO delegates powers, duties or responsibilities to a service delivery contractor, the delegation is made to the organisation that is contracted to the Council and to the CEO of that organisation. This means that both the contracted organisation and the individual responsible for that organisation are jointly and severally responsible for the obligations and performance of the delegation. Employees within the service delivery contractors may individually undertake the delivery of services, but this will be within the delegation granted to their employing organisation and the accountability remains jointly with the contractor and the contractor's CEO. In some circumstances, these people may need to be appointed as officers of the Council so that they may be issued with warrants to undertake statutory duties. It is the responsibility of the service delivery contractor to ensure that any of their staff undertaking duties requiring them to be warranted officers of the Council have valid warrants at all times they are undertaking such duties.

Council managers are able to sub-delegate to their staff consistent with the principles expressed above.

3.4.9 **Delegation mix**

The following table shows in principle the allocation of the different types of delegations to the different parties to whom delegations may be made. The greater the number of **XX**s in the table indicates the likely degree of delegation based on the key shown below the matrix – the more **XX**s then the greater level of delegation. The table is presented for illustrative purposes rather than as a prescription of the delegations that should be made.

The principles highlighted in the table are:

- Council retains full responsibility for governance, statutory and financial powers, duties and responsibilities and contract specifications at all times;
- Where governance functions are delegated they are delegated to sub-groups of elected members and not to employees or contractors;
- Consistent with the principles of delegation to the lowest competent level and significance of decisions, greater powers and responsibilities are progressively held at more senior levels of the organisation; and
- Management duties and responsibilities (including the management of Council finances within the approved LTP and management of contractor performance) are the responsibility of the CEO and his senior management team.

Delegation Types					
	Governance	Statutory	Financial	Management	Contractor
Council	XXXX	XXXX	XXXX		XXXX
Council Committees	XX	XX	XX		
Council Subcommittees	X	X	X		
Council Working Committees	X				
Individual Members	X		X		
Chief Executive Officer		XXX	XXX	XXXX	XXXX
Council Management Team		XX	XX	XXX	XXX
Council Employees		X	X	XX	XX

The number of crosses in the matrix indicates the extent of the delegation that is made under the policy based on the following key:

Full authority	XXXX
Extensive authority	XXX
Some authority	XX
Limited authority	X

3.5 Objectives

The objectives for this Delegations Policy are to promote efficiency and effectiveness of the activities undertaken by the Council consistent with the principles of sound governance.

These objectives may be more specifically set out as:

- Efficient and effective management of Council activities and assets;
- Prudent stewardship of Council and Community assets and resources;
- Transparency of decision-making processes undertaken by Council;
- Accountability for the decisions taken; and
- Compliance with statutory obligations.

3.6 Policies

To meet the objectives set out in this Policy, delegations made by the Kaikōura District Council will only be made consistent with the preceding framework for establishing delegations and the following set of clauses found in this policy:

1. Powers, duties and responsibilities of Council will be delegated to the greatest extent permitted by legislation within the framework of delegations contained in section 5.
2. Delegations are made to the lowest competent level within the Council hierarchy as defined in section 5.

3. Delegates must consider the significance of the decision they are making or the powers they are exercising as described in section 5.
4. Delegations will be made consistent with the hierarchy of delegations presented in section 5. Consequently, all delegations made to officers or service delivery contractors are made through the CEO who has full powers over all such delegations. For the avoidance of doubt, this means that the CEO may, entirely at his or her discretion, rescind or suspend any delegation. Exceptions to this policy exist where statutes provide for powers to be provided to specific positions – such as the principal administrative officer.
5. All delegations are to be made in writing and are to be recorded in a suitable register that is easily accessible to Councillors, Council employees and contractors.
6. All significant decisions made or actions taken under a delegated authority are to be recorded in writing.
7. Delegations made by Council must be made by resolution. Delegations made by the CEO and Managers must be made in writing, and signed by both the delegator and the delegate.
8. All delegations will specify with reasonable precision:
    - The nature of the delegation;
    - To whom the delegation is made;
    - The terms of the delegation;
    - Any conditions, directions, limitations or prohibitions relating to the exercise of the delegation (including any financial limits in relation to a power to contract);
    - Whether or not the delegate may sub-delegate.
9. Delegations will be made to positions, not to individuals, other than specific delegations made to individual members and to hearings commissioners under Section 34A of the Resource Management Act 1991.
10. Sub-delegation as provided for in the hierarchy of delegations is permitted unless expressly prohibited in the initial delegation.
11. All delegates will be held accountable for decisions through processes of
    - Transparency – decisions are made in public
    - Maintaining a record of delegations and the exercise of them; and
    - Reporting decisions made under delegations to committees of Council.

3.7 Principles and procedures

3.7.1 General

The following sections set out the principles and procedures to be followed that are specific to each different category of delegation. There are a number of principles and procedures that are common to all categories as follows:

- An important feature of the exercise of the delegation is the ability of the delegator to monitor and review the effect of the delegation and the way in which the delegation is conducted. This means that appropriate monitoring and review protocols will be incorporated into all types of delegation.
- Where Council is expressly prevented from delegating some or all of its powers by a particular statute, it may delegate the power to do anything precedent to the exercise by the Council of that particular power or authority.
- Delegations may be enduring or for a fixed term or a prescribed purpose. A general delegation will continue until revoked by the delegator or the Council. Particular delegations will continue until the reason for the delegation no longer exists at which point, the delegation will lapse.

3.7.2 **Governance delegations**

The following general principles and process are to be followed for the granting of delegations of governance powers, duties and responsibilities.

Within the overall model of participative democracy, Council's delegation model is designed to enable committees of Council to undertake their roles fully and completely and consistent with their terms of reference. The principles incorporate the reporting and monitoring process that enables the Council to ensure that the powers they have delegated are not exceeded.

1. The powers, duties and responsibilities required for each committee to undertake the roles determined for them as documented in the terms of reference for each committee are determined and agreed by the Council members.
2. Following agreement, Council will resolve to delegate the appropriate powers to the committees.
3. Each of these subordinate governance bodies is bound to the requirements of the Local Government Official Information and Meetings Act 1987 and Council's Standing Orders for the provision of agendas in advance of meetings, the conduct of their meetings and the keeping of accurate minutes of the proceedings of meetings.
4. The Support Services Team Leader will scrutinise the agendas for all subordinate meetings to ensure that the recommended actions on items for decision by the Committee are within the powers delegated to them.
5. Where there is a potential breach of delegated powers, the CEO or Executive Officer will notify the Committee Chair and advise an alternative recommendation for consideration.
6. The CEO or Executive Officer will review the draft minutes of each meeting of Committees within 5 working days to ensure the decisions made are consistent with the delegated powers.
7. The CEO will review the proposed agenda for Council meetings to ensure that no items that can be determined by committees under delegated authority are being brought forward unnecessarily to the Council.

3.7.3 **Statutory delegations**

The following specific principles and procedures apply to the delegation of statutory powers, duties and responsibilities. The mix of service delivery options that the Council uses is specifically provided for by sub-clause 5, clause 32 of the Seventh Schedule, which provides that

"*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.*"

1. All powers, duties and responsibilities reside with the Council unless the legislation specifically prescribes delegations of powers to the CEO as Principal Administrative Officer.
2. Council has the obligation to confirm that powers can be delegated under the Act and what restrictions there might be on any delegation.
3. Where the statutory power is optional (rather than required) Council will determine whether and the extent to which it wishes to exercise the power.
4. Council may separately delegate responsibility for the monitoring of activities from the responsibility for carrying out the activities.
5. The CEO determines the extent of the sub-delegation of powers made to employees or service delivery agencies.
6. All delegations of statutory powers will be referenced to the specific statute or regulation that provides the power.

3.7.4 **Financial delegations**

The delegation of financial powers enables the works and service objectives of the Council as set out in the Annual Plan to be achieved. Achieving the proposed outcomes is the objective, not spending the budget.

Financial management is a shared responsibility between:

- Managers/Team Leaders;
- CEO and
- Council.

The Council's core principle, *financial responsibility and affordability*, is to guide the execution of financial delegations.

Financial delegations will only be made in compliance with the following principles and procedures:

1. Financial delegations are based around the cycle of the annual plan (or the Long Term Plan (LTP) each three years). For simplicity, the annual financial planning process is described as the annual plan despite it being a part of the LTP every third year.
2. Only the Council may approve expenditure that is not provided for or exceeds 10% overall of what is provided to undertake activities in the annual plan. Any such decisions may not be inconsistent with section 97 of the Act, which requires the Council to act in accordance with the LTP on the matters specified in the section.
3. No financial delegation empowers the delegate to commit expenditure or enter into contracts that are not provided for in the annual plan. The annual plan sets out the expenditure to be incurred and income to be received for the activities the Council is planning to undertake in the financial year the plan covers. As such, the annual plan sets out the financial limits and will be the basis against which all financial decisions will be judged.
4. The Council will approve a specified sum for determining all financial delegations.
5. Only the Council Standing Committees and the CEO may have delegations that are equal to or greater than the specified sum.
6. The Council will determine the levels of delegation for staff based on recommendations from management.
7. Financial delegation limits may be established for the following different types of transaction:
    - Expenditure approval, including different limits for;
        - Expenditure for specific projects or works, and
        - Discretionary expenditure for services.
    - Entering into binding contracts (subject to the Council's policy on contracts); and
    - Cheque signing.
8. Financial delegations will be integrated to the accounting/financial reporting systems. Internal control systems will ensure that the delegation levels are not exceeded and that false invoices cannot be entered into the system.

3.7.5 **Delegation limits**

The following financial delegations apply to the procurement of Council goods and services and the approval of purchase orders. CEO has delegation to set the $ value limit up to $ 250,000 with any limits higher than this to be approved by the Council.

The latest financial delegations are as follows:

Position/Job Title	**Financial Delegation $ limit – within Council approved budget**
CEO	$2.5 million business as usual
CEO Unapproved budget	$100,000 provided the unapproved can be offset within the overall existing budget

Senior Managers	$500,000
Managers	$250,000
Project Leader	$50,000
Three Waters Engineer	$25,000
Team Leader	$20,000
Communications and Engagement	$10,000
Leadership Team - Direct reports[1]	$10,000

3.7.6 **Management delegations**

The management of the Council is the responsibility of the CEO. The CEO's primary statutory responsibilities are set out in section 42 of the Act and are detailed in part 3 of this policy document. The CEO employs staff and leads those staff and service delivery agencies towards the achievement of the statutory responsibilities and other responsibilities that the Council may establish.

Whilst the management of the Council assets and resources is the CEO's responsibility, he/she will delegate some management responsibilities to Council managers. The CEO retains the prerogative at all times over the delegation of management functions. In making these delegations, the CEO will be guided by the following principles and procedures:

1. Managers and staff will be delegated the authority and accountability to be able to effectively complete their performance objectives. Clear links will be established between the agreed performance targets and the delegations necessary to reach those targets.
2. Consistent with this, the management philosophy of Council is that delegations will be made to the level at which competent and efficient decisions can be made.
3. Whilst delegations are made to individual positions it is expected that when significant or sensitive decisions are being made under delegated authority managers will collaborate in the decision-making process to ensure the best outcome for the Council.
4. As the organisation evolves over time through development and responding to Council requirements, changes will be made to management delegations.
5. Significant and sensitive decisions made by managers under delegated authority will be reported to the management team at management meetings. This forum will also ensure that delegations are not being exceeded.
6. Whilst the management of Council staff is the sole responsibility of the CEO, he or she may choose to delegate some of the functions of appointment, and performance assessment review of staff to managers.

3.7.7 **Contractor delegations**

Contractors are appointed by the CEO under contracts to deliver a range of regulatory and voluntary services. If the contract limit is above that of the delegated limit of the CEO, Delegations made under this

[1] Leadership Team Direct reports will be allocated a Financial delegation $ limit up to and not exceeding $10K as approved by their respective Manager.

category are designed to provide sufficient authority for the contractor to deliver the services they are contracted to deliver against the contract specifications.

Notwithstanding that Council has determined to contract out the delivery of certain services, the responsibility for the provision and management of all contracted services remains with the CEO. The CEO will delegate some responsibilities for the management, monitoring and reporting on contractors' performance to Council managers. The CEO retains the prerogative at all times over the delegation of contractor functions. In making these delegations, the CEO will be guided by the following principles and procedures:

1. Contractors will be delegated the authority and accountability to be able to complete their contracted service deliverables effectively. Clear links will be established between the agreed performance targets and the delegations necessary to reach those targets.
2. Delegations will be made jointly and severally to the contracting company and the principle(s) of the contracting company. Contractors are responsible for the exercise of the delegations within their organisations by their employees.
3. Whilst delegations are made to specific contractors it is expected that when significant decisions are being made under delegated authority that contractors will collaborate with the Council management in the decision-making process to ensure the best outcome for the Council.
4. As the contract specification evolves over time through development and responding to Council requirements, changes will be made to contractor delegations to ensure they remain current and complete.
5. Significant decisions made by contractors under delegated authority will be reported to the CEO through the contractor's performance reporting.

4 Governance delegations

4.1 Introduction

The Council's delegation model is designed to enable committees of Council to fully, and completely, undertake their roles consistent with their terms of reference. These delegations are made within the overall model of participative democracy that is the basis for the Local Government Act 2002.

4.2 Delegations

The Kaikōura District Council makes the following delegations of powers, duties and responsibilities pursuant to the Delegations Policy as set out in the sections that follow in this part of the delegations register.

Delegates may not sub-delegate these powers except where the delegate is a committee of Council.

Where delegations of specific statutory or financial powers are made they are documented in that specific part of the Delegations Manual.

4.3 General delegations to Council Committees

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

- Observe and pursue the goals, objectives and strategies in any strategic plan adopted by the full Council;
- Support the responsibilities of the Council to advise on strategy and policy;
- Maintain regular communications with other committees and the full Council to ensure that the widest possible good is achieved for the community;
- Within the financial parameters of the Annual Plan, approve expenditure that exceeds the delegated authority of officers;
- Prepare proposals for the Council's Long Term Plan (LTP) or Annual Plan each year;
- Maintain regular consultation and communication with the community and agencies affecting the activities of the committee;
- Monitor and respond to changes in the legislation governing their jurisdiction;
- Support the Council staff in the achievement of programmes and projects contained in the LTP.

Council committees shall not:

- Exercise any power reserved to the full Council by operation of law (e.g. making a rate, borrowing, etc.)
- Authorise or otherwise commit the Council to any expenditure (either in the current year or subsequent years) exceeding that in the current Annual Plan without the prior authority of full Council. That authority may be found in the LTP;
- Commit the Council to any binding decisions in any areas other than those delegated by the Council;
- Appoint any subcommittee other than those implicit in these terms of reference (e.g. contracts);
- Make appointments to anybody;
- Publicly advocate for activities under its control to the detriment of other Council responsibilities or priorities;
- Interfere in the activities of other committees acting within Council policy, these terms of reference, and the parameters of the Annual Plan.

4.4 Matters reserved for Council

Council reserves to itself the following specific issues:

- The power to make a rate
- The power to make a bylaw
- The power to borrow money or purchase or dispose of assets other than in accordance with the Long term Plan
- The power to adopt a Long Term Plan or an Annual Plan
- The power to appoint a Chief Executive
- The power to adopt policies required to be adopted under the Local Government Act 2002 in association with the Long term Plan or developed for the purpose of the local governance statement
- The power to approve or amend Council's Standing Orders
- The power to approve the Code of Conduct for elected members
- Representation review and elections
- Remuneration (and other policies affecting roles / responsibilities of Councillors)
- Policy
- Strategic direction
- Advocacy.

4.5 Quorum

The quorum of the Council and joint committees is as per Standing Orders:

'The quorum at a meeting of –

(a) a local authority or joint committee consists of:
    (i) half of the members if the number of members (including vacancies) is even; or
    (ii) a majority of members if the number of members (including vacancies) is odd.

In the 2025-2028 triennium the Council comprises the Mayor and seven Councillors. Accordingly, the quorum of the Council is four members.

The quorum of all Council committees and working parties is two members, unless specified in relevant terms of reference.

4.6 Audit and Risk Committee

Type of Committee	Council Committee
Subordinate to	Council
Subordinate Committees	None
Legislative basis	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002 Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002
Membership	Chair - Deputy Mayor Vicki Gulleford Mayor Craig Mackle Councillor Mark Redwood Councillor John Diver Diane Brandish - Independent member (1)
KDC Contacts	Senior Manager Corporate Services, Executive Officer
Delegations	Responsible for assisting the Council in assuring it exercises due care and diligence in its practices and processes with a focus on audit and risk. Approve submissions to relevant bills, discussion and policy documents relating to the responsibilities of the committee. **Audit and Risk Functions:** Review Council's annual financial statements with Council management and the Auditors prior to their approval by Council. • Oversee statutory compliance in terms of financial disclosure. • Monitor corporate risk assessment and the internal risk measures that have been instituted. • Make recommendations to Council on the appointment of auditors, and audit fees. • Review annually the internal audit programme, ensuring emphasis is placed on areas where either the Council or Council Management or the Auditors believe attention is necessary. • Review insurance arrangements annually. • Oversee Council's: o risk management framework o internal control environment o legislative and regulatory compliance o internal audit and assurance o external audit o financial reporting structure o management of significant projects o compliance to Treasury Risk Management Policies • Review the effectiveness of Council's external accountability reporting (including non-financial performance). • Waivers of fees and charges in accordance with Council policy.

Terms of Reference	**Membership** The Audit and Risk Committee will be the Mayor, three Councillors and one independent member as voting members of the Committee. **Quorum** The quorum for every meeting shall be two. **Chair** The Chair will be appointed by the Mayor. **Frequency of Meetings** The Audit and Risk Committee will meet on a quarterly basis and submit a report to Council on a quarterly basis to raise recommendations for decisions. **Parent Body** The Audit and Risk Committee reports to the Kaikōura District Council. **Objectives of the Committee** The objectives of the Audit and Risk Committee are to assist the Council to discharge its responsibilities for: a) the robustness of the internal control framework and financial management practices; b) the integrity and appropriateness of internal and external reporting and accountability arrangements; c) the robustness of risk management systems, processes and practices; d) the independence and adequacy of internal and external audit functions e) compliance with applicable laws, regulations, standards and best practice guidelines; and f) the establishment and maintenance of controls to safeguard the Council's financial and non-financial assets. In fulfilling their role on the Audit and Risk Committee, members shall be impartial and independent at all times. *1. Internal Control Framework* 1.1. Review whether management's approach to maintaining an effective internal control framework is sound and effective. 1.2. Review whether management has taken steps to embed a culture that is committed to probity and ethical behaviour. 1.3. Review whether there are appropriate processes or systems in place to capture and effectively investigate fraud. *2. Internal Reporting* 2.1 To consider the processes for ensuring the completeness and quality of financial and operational information being provided to the Council.

2.2 To seek advice periodically from internal and external auditors regarding the completeness and quality of financial and operational information that is provided to the Council.

3. External Reporting and Accountability

3.1 Consider the appropriateness of the Council's existing accounting policies and principles and any proposed changes:

3.2 Enquire of internal and external auditors for any information that affects the quality and clarity of the Council's financial statements, and assess whether appropriate action has been taken by management in response to the above.

3.3 Satisfy itself that the financial statements are supported by appropriate management signoff on the statements and on the adequacy of the systems of internal control (i.e. letters of representation), and recommend signing of the financial statements by the Chief Executive/Mayor and adoption by Council.

3.4 Confirm that processes are in place to ensure that financial information included in the entity's annual report is consistent with the signed financial statements.

4. Risk Management

4.1 Review whether management has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of the Council's significant risks.

4.2 Consider whether appropriate action is being taken by Management to mitigate Council's significant risks.

5. Internal Audit

5.1 Review and approve the internal audit coverage and annual work plans, ensuring these plans are based on the Council's risk profile.

5.2 Review the adequacy of management's implementation of internal audit recommendations.

5.3 Review the internal audit charter to ensure appropriate organisational structures, authority, access, independence, resourcing and reporting arrangements are in place.

5.4 Conduct a session comprised only of committee members and elected members (i.e. without any management being present) with internal audit to discuss any maters that the auditors wish to bring to the Committee's attention.

5.5. Should there be a disagreement between Management and the Internal Auditor on a particular issue, that:

- The Committee to meet with the Internal Auditor without Management present so the auditor can outline the issue of disagreement.
- The Committee can then allow the Management to put forward their assessment of the issue.

- The Committee can make an assessment on which group they agree with.
- Should the Committee agree with Management, then a formal request for the issue to be removed from the Internal Auditor's Report will be made.
- Should the Committee agree with the Auditor, then it can instruct the Management to comply with the Auditor's issue.

6. External Audit

6.1 At the start of each audit, confirm the terms of the engagement, including the nature and scope of the audit, timetable and fees, with the external auditor.

6.2 Receive the external audit report(s) and review action to be taken by management on significant issues and audit recommendations raised within.

6.3 Conduct a session comprised only of committee members and elected members (i.e. without any management being present) with external audit to discuss any matters that the auditors wish to bring to the Subcommittee's attention and/or any issues of independence.

6.4 Ensure any recommendation by management that the Office of the Auditor-General replace the external auditor is referred to and examined by the Audit and Risk Committee.

6.5. Should there be a disagreement between Management and the External Auditor on a particular issue that:

- The Committee to meet with the External Auditors without Management present so they can outline the issue of disagreement.
- The Committee can then allow the Management to put forward their assessment of the issue.
- The Committee can make an assessment on which group they agree with.
- Should the Committee agree with Management, then a formal letter would be sent to the External Auditors outlining its assessment and requesting that the issue be removed from the Management Report.
- Should the External Auditors not agree with the removal of the issue, then the Committee shall write a formal letter to the Officer of the Auditor-General for clarification.
- Should the Committee agree with the External Auditors, then it can instruct the Management to comply with the Auditor's issue.

7. Compliance with Legislation, Standards and Best Practice Guidelines

7.1 Review the effectiveness of the system for monitoring the Council's compliance with laws (including governance legislation, regulations and associated government policies), with Council's own standards, and Best Practice Guidelines as applicable.

	8. Insurance 8.1 Review the level of insurance on an annual basis to ensure that it is appropriate. *9. Treasury Function* 9.1 Monitor the Council's compliance with its Treasury Risk Management Policies and compliance with the relevant debt covenants. 9.2 Make recommendations to changes to the Treasury Risk Management Policy where appropriate. **Delegated Authority** • The chairperson of the Audit and Risk Committee shall have delegated authority to approve the letter of engagement for the external appointee to the Audit and Risk committee. • The Audit and Risk Committee shall have delegated authority to internal audit programmes, audit engagement letters and letters of undertaking for audit functions and additional services provided by the external auditor. • The Audit and Risk Committee reviews all financial reports on behalf of the full Council but submits a report for approval by the Council on a quarterly basis.
Council Resolutions	*THAT THE COUNCIL CONFIRMS THE AUDIT AND RISK COMMITTEE AS A COMMITTEE OF COUNCIL.* *THAT THE COUNCIL DETERMINES THE CHAIRPERSON AND THE COMMITTEE'S MEMBERSHIP BEING:* • *THE CHAIR OF THE COMMITTEE IS DEPUTY MAYOR VICKI GULLEFORD* • *THE MEMBERSHIP BEING THE MAYOR, COUNCILLOR MARK REDWOOD, COUNCILLOR JOHN DIVER, AND DIANE BRANDISH AS AN INDEPENDENT* • *THE QUORUM IS TWO MEMBERS.* *THAT THE COUNCIL DELEGATES THE POWER TO ACT IN THE ABOVE AREAS TO THE AUDIT & RISK COMMITTEE.*

4.7 **Pensioner Cottage Committee (PCC)**

Type of Committee	Council Committee
Subordinate to	Council
Subordinate Committees	None
Legislative Basis	The PCC operates in accordance with the requirements of the Local Government Official Information and Meetings Act 1987 at all times and will observe the following principles: • Give effect to the principles of Councils Annual, Long-Term and Reimagine Kaikōura Plans • Committee members of the PCC agree to participate in the project in good faith and recognise the need to work collaboratively to achieve the listed objectives • Be culturally sensitive, observing tikanga Māori • Work in a collaborative and co-operative manner using their best endeavours to reach solutions that balance the interests of all sectors of the community • Seek consensus in decision-making where at all possible.
Membership	Chair - Councillor Kevin Heays Mayor Craig Mackle (or alternate) Deputy Mayor Vicki Gulleford Kaikōura Healthcare District Health Nurse
KDC Contacts	Executive Officer
Terms of Reference	**Quorum** The quorum of every meeting shall be two. **Chair** The chair will be appointed by the Mayor. **Frequency of Meetings** • The Committee will meet quarterly in March, June, September and December. **Reporting** • Reporting will be to the full Council on a quarterly basis following committee meetings. • The Council Community Development officer is responsible for the management of meetings, minutes and report writing. • The operations team will provide the committee with work schedules and cost estimates for the Pensioner Cottages. • The Finance team will provide a report with budget and expenditure variances. • The Chair will review reports before they are presented to Council to ensure they represent a true and accurate record.

	Objectives of the Committee Kaikōura District Council owns and manages 16 Pensioner Cottages located at 95 Torquay Street. The PCC will oversee the operational and capital work stream for Pensioner Cottages, while providing information and recommendations to Council. PCC will not be able to authorise or otherwise commit the Council to any expenditure without the prior authority of full Council. Nor will the PCC commit the Council to any binding decisions in any areas other than reviewing and allocating applications when cottages are vacated. **Delegated Authority** The Pensioner Cottage committee has responsibility for; • Providing recommendations to Council regarding large maintenance and capital works for existing cottages. • Identifying key relationships and collaborative opportunities. All financial decisions will go through a full Council process to be approved.
Council Resolutions	*THAT THE COUNCIL CONFIRMS THE PENSIONER COTTAGE COMMITTEE AS A COMMITTEE OF COUNCIL.* *THAT THE COUNCIL DETERMINES THE COMMITTEE'S MEMBERSHIP BEING:* • *MAYOR CRAIG MACKLE, DEPUTY MAYOR VICKI GULLEFORD, AND THE KAIKŌURA HEALTHCARE DISTRICT HEALTH NURSE* • *THAT THE CHAIR OF THE COMMITTEE IS COUNCILLOR KEVIN HEAYS* • *THE QUORUM IS TWO* *THAT THE COUNCIL DELEGATES THE POWER TO ACT IN THE ABOVE AREAS TO THE PENSIONER COTTAGE COMMITTEE.*

4.8 Chief Executive Officer Performance Review Committee

Type of Committee	Council Committee
Subordinate to	Council
Subordinate Committees	None
Legislative basis	Committee reconstituted by the Council as per Schedule 7, Section 30 (1) (A), LGA 2002 Committee delegated powers by the Council as per Schedule 7, Section 32, LGA 2002
Membership	Chair – Deputy Mayor Vicki Gulleford Mayor Craig Mackle (or alternate) Councillor Vicki Gulleford Councillor Mark Redwood Councillor Tony Blunt
KDC Contact	Executive Officer
Delegations	To review the Chief Executive Officer's performance and make recommendations to the Council. To seek feedback from full Council as part of the full year review process.
Limits to Delegations	Matters that must be processed by way of recommendations to the Council include: • Remuneration payment for coming year • Performance (at risk) payment for past year • Performance objectives for coming year
Council Resolutions	*THAT THE COUNCIL CONFIRMS THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE AS A COMMITTEE OF COUNCIL.* *THAT THE COUNCIL DETERMINES THE COMMITTEE'S MEMBERSHIP BEING:* • *DEPUTY MAYOR VICKI GULLEFORD AS CHAIRPERSON* • *THE MEMBERSHIP BEING MAYOR CRAIG MACKLE, COUNCILLOR MARK REDWOOD, AND COUNCILLOR TONY BLUNT* *THAT THE COUNCIL DELEGATES THE POWER TO ACT IN THE ABOVE AREAS TO THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE.*

4.9 District Licensing Committee

Type of Committee	Council committee
Subordinate to	Council
Subordinate Committees	None
Legislative basis	Sale and Supply of Alcohol Act 2012. Part 2, s 187 - 211
Membership	Chair - Councillor Vicki Gulleford Councillor John Diver (Deputy Chair – appt 25 March 2026) Councillor Mark Redwood One Member and Independent Commissioner (1) – Merelyn Redstone (appt 27 March 2024 – five-year term) One Community Members (1): - Tracy McIlraith (appt 31 August 2022 – five-year term) Each Territorial Authority must appoint 1 or more licensing Committees to deal with licensing matters in its District. The Act provides that each Committee shall comprise of 3 members and it would be prudent to have a least 4 members on the Council's list in addition to a chairperson. This will enable a quorum to be available in each instance. Community members may be appointed if approved by Council and meet the criteria under the Act.
KDC Contact	Regulatory Manager
Delegations/Functions	**Functions of licensing committees** (Sale and Supply of Alcohol Act s187) A licensing committee's functions are— (a) to consider and determine applications for licences and manager's certificates; and (b) to consider and determine applications for renewal of licences and manager's certificates; and (c) to consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136; and (d) to consider and determine applications for the variation, suspension, or cancellation of special licences; and (e) to consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280; and (f) with the leave of the chairperson for the licensing authority, to refer applications to the licensing authority; and (g) to conduct inquiries and to make reports as may be required of it by the licensing authority under section 175; and (h) any other functions conferred on licensing committees by or under this Act or any other enactment.

	Powers of licensing committees (Sale and Supply of Alcohol Act s188) A Licensing Committee has all the powers conferred on it by or under the Sale and Supply of Alcohol Act or any other Act, and all powers as may be reasonably necessary to enable it to carry out its functions.
Council Resolutions	*THAT THE COUNCIL CONFIRMS THE DISTRICT LICENSING COMMITTEE AS A COMMITTEE OF COUNCIL.* *THAT THE COUNCIL DETERMINES THE CHAIRPERSON AND THE COMMITTEE'S MEMBERSHIP BEING:* • *THE CHAIRPERSON OF THE COMMITTEE IS COUNCILLOR VICKI GULLEFORD* • *THE MEMBERSHIP BEING COUNCILLOR JOHN DIVER, AND COUNCILLOR MARK REDWOOD* • *THE QUORUM IS THREE MEMBERS UNLESS AS PROVIDED FOR IN SSAA S.191(2) WHEN THE QUORUM NECESSARY IS 1 MEMBER - WHO MUST BE THE CHAIRPERSON* *THAT THE COUNCIL APPOINTS COUNCILLOR JOHN DIVER AS DEPUTY CHAIRPERSON OF THE DISTRICT LICENSING COMMITTEE.* *THAT THE COUNCIL DELEGATES THE POWER TO ACT TO THE DISTRICT LICENSING COMMITTEE.*

4.10 Joint Committees of Council

The Kaikōura District Council is party to a number of joint committees with other local authorities. These committees are already established and only require Council to appoint its members.

4.10.1 Canterbury Regional Transport Committee

Description	The Regional Transport Committee (RTC) is established under the auspices of the Land Transport Act 2003 (as amended). It is responsible for preparing the Regional Land Transport Strategy, the Regional Land Transport Programme, and for advising the Regional Council on strategic land transport planning and funding matters. The Regional Council requires that the Council has one appointee (plus an alternate) on the body. Other Councils in the region have a similar entitlement.
Membership	The committee comprises of: • An elected member from each of the following councils: – Kaikōura – Hurunui – Waimakariri – Christchurch – Selwyn – Ashburton – Timaru – Waimate – Mackenzie • Two Environment Canterbury elected members • A representative from the New Zealand Transport Agency • Six elected 'community representatives' with expertise in access & mobility, safety & personal security, public health, economic development, environmental sustainability and cultural interests. Membership from the Kaikōura District Council includes: • Mayor Craig Mackle • Deputy Mayor Vicki Gulleford (alternate)
Functions	To make sure that arrangements for land transport throughout the region are integrated. Participation in this committee should contribute to this objective.
Powers	• To report to the Council on discussions and resolutions of CRTC meetings. • Recommend changes to Council on matters arising from the Regional Land Transport Committee

4.10.2 **Civil Defence Emergency Management Group**

Description	The Canterbury CDEM Group is a partnership of local authorities, emergency services and other organisations tasked with providing effective and comprehensive management of major hazards and their consequences anywhere in Canterbury. Civil defence is a major function of this Council and the availability of resources from outside the District in the case of a major incident is important. In addition, the Civil Defence and Emergency Management Act 2002 intensified the relationships within the region on these issues.
Membership	Membership from the Kaikōura District Council includes: • Mayor Craig Mackle • Deputy Mayor Vicki Gulleford (alternate)
Functions	Liaise on regional civil defence plans.
Powers	Recommend to the Council any changes to the district civil emergency plan as a consequence of regional plans.

4.10.3 **Canterbury Waste Joint Committee**

Description	The Canterbury Waste Sub-committee was established in 1996 to develop a management framework for solid waste, including waste minimisation and options for regional disposal. In 2006 the sub-committee was replaced by the Canterbury Waste Joint Committee which comprises all territorial authorities located in Canterbury (except Waitaki) plus Environment Canterbury.
Membership	Membership from the Kaikōura District Council includes: • Councillor Kevin Heays • Councillor Mark Redwood (alternate)
Functions	To develop a management framework for solid waste, including waste minimisation, addressing problem waste and options for regional collaboration and disposal. Advancing regional waste minimisation is the aim of the committee, and actions initiated by the committee are over and above what each authority achieves on its own.
Powers	• Report to the Council on discussions and resolutions of meetings. • Recommend changes to the Council on matters arising from the Canterbury Waste Joint Committee.

4.10.4 **Local Water Done Well Reference Group**

Description	To provide governance oversight for the establishment of the joint Water Services Council Controlled Organisation until it is operational from 1st July 2026 or subsequent date as agreed.
Subordinate to	The Kaikōura District Council and Hurunui District Council
Subordinate Committees	Nil
Objects	The primary role of the Reference Group is to provide feedback to the Project Team on proposed activities. The group will provide both a governance and consumer perspective regarding proposals.
Membership	• Two councillors appointed by each of the Kaikōura and Hurunui District Councils Kaikōura District Council: Deputy Mayor Vicki Gulleford, and Councillor Mark Redwood • The Chief Executive Officer of the Kaikōura District Council • The Chief Executive Officer of the Hurunui District Council.
Quorum	At least two people must be present on behalf of each of the two councils
Chairperson	The Committee will elect a chairperson
Meetings	The Reference Group will meet at least once every two months. Minutes will be kept.
Decision making	The Reference Group and Project Team will make decisions on a consensus basis. If consensus is not possible, decisions will be escalated to the two Councils.
Delegations	The Reference Group shall be responsible for: • addressing issues that have been escalated to it by the Project Team; • receiving information from the Project Team and keeping informed about the project; • providing input about any proposed significant changes to the direction of the project; • ensuring the strategic direction of the project aligns with the Objectives and each Council's obligations under this agreement; • having regard for consumer perspectives relating to the project; and • recommending any changes in the Project Budget to the respective councils.

Limits to Delegations	Matters that must be processed by way of recommendations to the Kaikōura and Hurunui councils include: • appointing members to the Reference Group; • approving the project budget

4.11 Champion Roles

Definition of Champion Roles:

A "champion" is an elected member who advocates for, supports, and helps drive a specific change, project, or area of focus within the organisation or community. Core functions include:

- Communicating priorities
- Motivating others
- Resolving obstacles
- Acting as a liaison between groups

While responsibilities vary by portfolio, the common thread is a dedicated individual who champions a cause to ensure its success and adoption. The role is a governance rather than operational role.

General Responsibilities of Champions:

In order to complete their duties Champions can:

- Liaise directly with the identified staff portfolio counterpart on elected member issues and queries
- Discuss elected member agenda queries ahead of meetings
- Meet with staff counterparts outside the meeting cycle on major issues/projects
- Attend relevant monthly internal portfolio meetings (if in place) ahead of a Council meeting (by invitation from staff lead)
- Represent Council at external governance meetings related to their portfolio (e.g., Canterbury Mayoral Forum Biodiversity Governance Group)
- Report back to elected members as required

All relevant governance policies apply to these interactions.

4.11.1 Finance Champion

Champion	Councillor John Diver
KDC Contact	Senior Manager Corporate Services
Purpose	Provide strategic advocacy and leadership for Finance within the Council's governance framework, ensuring alignment with long-term objectives.
Responsibilities	• Promote the importance of Finance in council decision-making and strategic planning. • Act as a liaison between the Council and community at relevant external governance meetings. • Contribute to the policy development and review. • Champion transparency and communicate progress. • Encourage innovation and best practice.
Powers	This role has no decision-making powers.

4.11.2 **Works and Services Champion**

Champion	Councillor Kevin Heays
KDC Contact	Operations Delivery Manager, Facilities Manager
Purpose	Provide strategic advocacy and leadership for infrastructure and operational services (roading, three waters, solid waste, community facilities), ensuring viability and community engagement.
Responsibilities	• Monitor progress on major infrastructure projects and report to the Council. • Acting as a liaison between the Council and the community on works and services issues. • Engage with stakeholders to ensure alignment with the Council's long-term plan. • Support innovation in service delivery (e.g. sustainability in roading). • Promote best practice in asset management.
Powers	This role has no decision-making powers.

4.11.3 **Biodiversity Champion**

Champion	Councillor Kevin Heays Councillor Corrina Smith (alternate)
KDC Contact	Strategy, Policy & District Plan Manager
Purpose	Promote biodiversity and environmental protection.
Responsibilities	• Advocate for native species protection and habitat restoration. • Act as a liaison between the Council and Environment Canterbury, conservation groups, other Councils and iwi. • Represent Kaikōura District Council at relevant Canterbury Mayoral initiatives. • Monitor council's environmental projects. • Report on biodiversity outcomes to the Council.
Powers	This role has no decision-making powers.

4.11.4 **Climate Change Champion**

Champion	Councillor Kevin Heays Councillor Corrina Smith (alternate)
KDC Contact	Policy Planner
Purpose	Promote Council's climate goals and Zero Carbon Act alignment.
Responsibilities	• Advocate for climate action and sustainability initiatives. • Act as a liaison between the Council and community groups and businesses on emissions reduction. • Represent Kaikōura District Council at relevant Canterbury Mayoral initiatives. • Report progress on sustainability projects to the Council. • Encourage integration of climate considerations into relevant council decisions.
Powers	This role has no decision-making powers.

4.12 **Advisory Groups and Outside Bodies**

In addition to the Council's governance structure, there are a number of groups that meet which impact on certain Council activities, or administer funds which are paid to the Council from external sources for various reasons. Council is also currently represented on the following advisory groups and outside bodies:

Committee Name	Membership	KDC Contact
Creative Communities New Zealand Funds Assessment Committee	Councillor Corrina Smith (Chair), Councillor John Diver, Councillor Josh McInnes	Community Development Officer
Sport New Zealand Rural Travel Fund	Councillor Corrina Smith (Chair), Councillor John Diver, Councillor Josh McInnes	Community Development Officer
George Low Trust	Councillor Corrina Smith (Chair), Councillor John Diver, Councillor Josh McInnes	Community Development Officer
Initiatives Fund	Councillor Corrina Smith (Chair), Councillor John Diver, Councillor Josh McInnes	Community Development Officer
Destination Kaikōura / KITI	Councillor Corrina Smith	Senior Manager Corporate Services

Marlborough Regional Forestry	Councillor Tony Blunt, Alternate Councillor John Diver	Senior Manager Corporate Services
Kaikōura Youth Council	Deputy Mayor Vicki Gulleford, Alternate Councillor Josh McInnes	N/A
Kaikōura Community Op Shop Trust	Mayor Craig Mackle	N/A
IWK Board	Mayor Craig Mackle, Alternate Councillor Mark Redwood	Senior Manager Corporate Services
Mayfair Trust	Councillor John Diver	N/A
Pool Trust	Councillor John Diver	Senior Manager Corporate Services
Mayoral Relief Fund	Mayor Craig Mackle, Deputy Mayor Vicki Gulleford, Chief Executive Officer	Executive Officer
Te Korowai	Councillor Kevin Heays	N/A
Wakatu Quay Governance Group	Councillor Kevin Heays	Wakatu Quay Project Lead, Facilities Manager
Dark Skies Trust	Councillor Tony Blunt, Councillor Josh McInnes	N/A
Discretionary Grants – Reviewer of Applications	Deputy Mayor Vicki Gulleford, Councillor Corrina Smith	Executive Officer

5 Statutory Delegations

5.1 Introduction

Local government is impacted by and is responsible for a large range of legislative obligations. Some of the legislation is generic in that it applies to all organisations within New Zealand – examples are the Employment Relations Act 2000, Health and Safety Act 2015 and Goods and Services Tax Act 1986. Much of the legislation, though, is specific to local government. The legislation sets out most of the regulatory powers that local authorities possess and the way in which those powers should be implemented – examples are the Resource Management Act 1991 and Building Act 2004. This section of the Delegations Manual sets out the delegations of these statutory responsibilities to committees, to council officers and external service providers.

As well as the powers, duties and functions that Council has under statute, under Section 145 of the Local Government Act 2002, the Council also has the powers to make bylaws that affect the rights and responsibilities of individuals within their district. The purpose of any bylaw must be to protect the public from nuisance or protect, promote and maintain public health and safety or to minimise the potential for offensive behaviour in public places. The making of bylaws is a function that may not be delegated, but the powers created by bylaws and the enforcement of bylaws may be delegated. The delegation of these powers, duties and functions is also specified in this section of the Delegations Manual.

5.2 Delegation

The Kaikōura District Council makes the following delegations of powers, duties and responsibilities pursuant to the Delegations Policy as set out in sections that follow in this part of the Delegations Manual.

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

5.2.1 Delegations to Council Committees

The powers of policy making and governance and monitoring of Council and contractor performance of the powers, duties and functions conferred on the Council pursuant to the legislation and any associated regulations set out in the following tables and any specific powers conferred on the committee as set out in section 3 of this part of the delegations register.

Council Committee	Legislation
	Auctioneers Act 1928
	Building Act 1991
	Building Act 2004
	Dog Control Act 1996
	Impounding Act 1955
	Fencing of Swimming Pools Act 1987
	Food Act 1981
	Health Act 1956
	Litter Act 1979
	Local Government Act 1974

Council Committee	Legislation
	Prostitution Reform Act 2003 Sale and Supply of Alcohol 2012 Winemakers Act 1981

5.2.2 **Delegations to Chief Executive Officer**

Legislation and Regulations

All the powers duties and responsibilities other than the powers to adopt plans, strategies, policies or bylaws and the powers delegated to specific positions contained in the legislation and any associated regulations set out below:

Animal Welfare Act 1999
Biosecurity Act 1993
Building Act 2004
Building Research Levy Act 1969
Burial and Cremation Act 1964
Canterbury Museum Trust Board Act 1993
Civil Defence Emergency Management Act 2002
Conservation Act 1987
Dog Control Act 1996
Electricity Act 1992
Fencing of Swimming Pools Act 1987
Fire Services Act 1975
Food Act 1981
Forest and Rural Fires Act 1977
Gambling Act 2003
Gas Act 1992
Hazardous Substances and New Organisms Act 1996
Health Act 1956
Health (Drinking Water) Amendment Act 2007
Historic Places Act 1993
Human Rights Act 1993
Impounding Act 1955
Land Act 1948
Land Drainage Act 1908
Land Transport Act 1998
Land Transport Management Act 2003
Litter Act 1979
Local Government Act 2002
Local Government Act 1974
Local Government (Rating) Act 2002
Local Government Official Information and Meetings Act 1987
Machinery Act 1950
New Zealand Geographic Board Act 2008
New Zealand Library Association Act 1939
Walking Access Act 2008
Privacy Act 1993
Property Law Act 2007
Prostitution Reform Act 2003
Public Bodies Leases Act 1969
Public Works Act 1981
Rating Valuations Act 1998
Rates Rebate Act 1973
Reserves Act 1977
Resource Management Act 1991
Sale and Supply of Alcohol Act 2012
Smoke-free Environments Act 1990
Soil Conservation and Rivers Control Act 1941
Telecommunications Act 2001
Transport Act 1962
Unit Titles Act 1972
Utilities Access Act 2010
Waste Minimisation Act 2008
Wild Animal Control Act 1977

For the avoidance of doubt, if the Council has powers, duties and functions under any other legislation or regulation that is not specified in the foregoing table that are of an enforcement, inspection, licensing, and administration nature then the Chief Executive Officer is delegated the powers, duties and functions as if the legislation or other regulation was specified in the foregoing tables.

Bylaws

All the powers, duties and functions that are of an enforcement, inspection, licensing and administrative nature contained in the following bylaws adopted by the Kaikōura District Council are as set out below:

- Trade Waste Bylaw 2022
- Structures, Works and Items in Public Places Bylaw 2022
- Drainage Bylaw 2020
- Control of Alcohol in Public Places Bylaw 2015
- Control of Dogs Bylaws 2015
- Signs Bylaw 2009
- Stock Control Bylaw 2011
- Water Supply Bylaw 2020
- Traffic and Parking Bylaw 2018
- Water Supply Bylaw 2008
- Kaikōura Responsible Freedom Camping Bylaw 2019

For the avoidance of doubt, if the Council has powers, duties and functions under any other bylaw that is not specified in the foregoing table that are of an enforcement, inspection, licensing, and administration nature then the Chief Executive Officer is delegated the powers, duties and functions contained therein as if the bylaw was specified in the foregoing table.

5.2.3 **Warrants**

Pursuant to Clause 32A of the 7th Schedule of the Local Government Act 2002 Council delegates to the Chief Executive Officer and Senior Managers the power to grant warrants to officers of Council under any of the legislation that provides for warrants to be issued to officers.

5.3 Common Seal Delegations

The common seals is the council's official stamp to authenticate and formalise certain documents. The process of affixing the seal can be delegated to officers rather than elected members. Mandatory use of the seal is limited to the following legislative requirements where the common seal must be used:

Document	**Legislation**	**Substantive decision made by:**	**Affixing the common seal delegated to:**
Authority to enter private land on behalf of the local authority using a written warrant under common seal	s174(1), LGA	May be delegated	Mayor Craig Mackle, Deputy Mayor Vicki Gulleford, Chief Executive Officer,

			Senior Manager Corporate Services
Conveying or transferring or leasing land, which is no longer required as a road	s345(1)(a), Local Government Act 1974	Council (cl32(1)(c), Sch 7, LGA) (cannot be delegated unless decision already provided for in the LTP)	Mayor Craig Mackle, Deputy Mayor Vicki Gulleford, Chief Executive Officer, Senior Manager Corporate Services
Selling or leasing abandoned land by execution of a memorandum of transfer (or lease) on behalf of the ratepayer whose interest has been sold or leased	s80, Local Government (Rating) Act 2002	Council (s32(1)(c), Sch 7, LGA) (cannot be delegated unless decision already provided for in the LTP)	Mayor Craig Mackle, Deputy Mayor Vicki Gulleford, Chief Executive Officer, Senior Manager Corporate Services
Approvals of proposed policy statements or plans	cl17(3), Sch 1, RMA	Council (s34A(1)(a), RMA)	Mayor Craig Mackle, Deputy Mayor Vicki Gulleford, Chief Executive Officer, Senior Manager Corporate Services
Approval of a plan of survey of a land reclamation	s245(5), RMA	May be delegated	Mayor Craig Mackle, Deputy Mayor Vicki Gulleford, Chief Executive Officer, Senior Manager Corporate Services
Certificates specifying mining rights over land	s417(2), RMA	May be delegated	Mayor Craig Mackle, Deputy Mayor Vicki Gulleford, Chief Executive Officer, Senior Manager Corporate Services

5.4 **Sub-delegations**

The Chief Executive Officer makes the following delegations of any powers granted to the Council as regards the regulation, inspection, licensing and prosecution of offences and any other functions and duties set out in the following legislation and all statutory regulations made thereunder, notices issued thereunder, all bylaws (and all matters contained therein) passed and enforced in the area of the Kaikōura District and more specifically detailed as set out in the following sections.

The following schedule details all delegations for each piece of legislation. Delegations shown in these sections to council staff or service delivery providers are made through this sub-delegation of the Chief Executive Officer's delegated powers. For the avoidance of doubt the Chief Executive Officer may withdraw and replace delegates at any time and any sub-delegation made by the delegate is withdrawn at the same time.

5.4.1 **Animal Welfare Act 1999**

Section	Description	Delegate
139	Obligation to destroy sick, diseased or injured animals	Regulatory Enforcement Officer
173	Power to recover costs from owner or person in charge of animal	Regulatory Enforcement Officer

5.4.2 **Biosecurity Act 1993**

Section	Description	Delegate
14	Power to take the actions prescribed	Strategy Policy & District Plan Manager Senior Managers Chief Executive Officer

5.4.3 **Building Act 2004**

Section	Description	Delegate
S31	The duty to provide a copy of a PIM to the owner of the property	Building Control Manager, Senior/Building Administration Officers, Regulatory Administration Officer, LIMS and Planning Administration Officer, or Planning Officer
S33	Authority to determine information required for an application for a project information memorandum (PIM).	Building Control Manager, Senior/Building Control Officer, Planning Officer, Senior/Building Administration Officers, Regulatory Administration Officer, LIMS and Planning Administration Officer, Contracted Planning or Building Control Officers
S34	Authority to issue a PIM.	Building Control Manager, Senior/Building Control Officer,

Section	Description	Delegate
		Senior/Building Administration Officers, Regulatory Administration Officer, LIMS or Planning Administration Officer,
S35	Authority to determine the content of a PIM	Building Control Manager, Senior/Building Control Officer, Planning Officer, Senior/Building Administration Officers, Regulatory Administration Officer, LIMS or Planning Administration Officer,
S36	Authority to attach and issue a development contribution notices	Finance Business Partnering Manager Senior Manager: Corporate Services or Building Control Manager
S37	Authority to attach and issue certificates regarding resource consent	Planning Officer
S38	The duty to provide information to a network utility operator or statutory authority.	Building Control Manager, Senior Building Control Officer, Building Control Officer, Senior Building Administration Officer or Planning Officer
S39	The duty to advise the New Zealand Historic Places Trust.	Building Control Manager or Planning Officer
S45	The authority to determine information required in an application for a building consent	Building Control Manager, Senior Building Control Officer, Building Control Officer Senior/Building Administration Officers or Contracted Building Control Officers
S45(A)(3)	To determine that an application for a minor variation meets the requirements of section 45A onsite or within the office. Requirement where the building consent authority grants a minor variation, they will record the minor variation in writing; but is not required to issue an amended building consent	Building Control Manager, Senior Building Control Officer Building Control Officer, Senior/Building Administration Officers, Regulatory Administration Officer or Contracted Building Control Officers

Section	Description	Delegate
S46	The duty to provide copies of applications to the Fire Service Commission as required.	Building Control Manager, Senior Building Control Officer Building Control Officer, Senior/Building Administration Officers, Regulatory Administration Officer or Contracted Building Control Officers
S48	The duty to process an application within the time limits specified.	Building Control Manager, Senior Building Control Officer Building Control Officer, Senior/Building Administration Officers, Regulatory Administration Officer or Contracted Building Control Officers
S49	The authority to grant a building consent.	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S50	The authority to refuse a building consent.	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S51	The authority to issue a building consent.	Building Control Manager, Senior Building Control Officer Building Control Officer or Senior Building Administration Officer
S52	The authority to extend the time permitted to activate a building consent	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S54	The duty to advise applicants the amount of levy they are liable	Building Control Manager, Senior/Building Administration Officers or

Section	Description	Delegate
		Regulatory Administration Officer
S58 and S59	The duty to make payments and certify in respect of levies to the MBIE Department of Building and Housing ~~(DBH).~~	Building Control Manager or Senior Building Administration Officer
S62	The power to recover unpaid levies from applicants	Building Control Manager, Senior/Building Administration Officers or Regulatory Administration Officer
S64	The duty to keep in safe custody all records and Building Consents issued including the estimated value of the building work.	Building Control Manager or Senior Building Administration Officer
S67	Power to grant building consent subject to the waiver or modification of the building code.	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S68	The duty to notify the Department of Building and Housing if a consent is granted subject to waiver or modification of the building code.	Building Control Manager, Senior Building Control Officer or Building Control Officer
S70	The duty to receive applications for energy work.	Building Control Manager, Senior Building Control Officer Building Control Officer, Senior/Building Administration Officers, Regulatory Administration Officer or Contracted Building Control Officers Customer Services Officers
S71	Authority to refuse any building consent in relation to land with natural hazards.	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S72	Authority to grant any building consent where the building work will not accelerate, worsen or result in a natural hazard.	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers

Section	Description	Delegate
S73	Duty to make notification of building consent granted under section 72.	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S74	Duty to notify where a previous entry is no longer required.	Building Control Manager
S75, S76 and S77	Authority to authenticate a certificate for the construction of a building on two or more allotments, the power to make the grant of a Building Consent conditional upon those allotments not being separately transferred	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S83	Determine if any entry on a certificate of title relating to a building on 2 or more allotments is no longer required and issue and authenticate a certificate approving any removal of the entry	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S91	Power to issue a Code Compliance Certificate in respect of building work in which consent has been granted	Building Control Manager, Senior Building Control Officer Building Control Officer, Senior/Building Administration Officers, Regulatory Administration Officer or Contracted Building Control Officers
S90, 222	The power to inspect any land and building work and building and enter any premises for the purpose of inspection and be an “authorised agent or officer”.	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S93	The authority to determine whether to issue a code compliance certificate within the prescribed time.	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S94	The authority to determine that building work complies.	Building Control Manager, Senior Building Control Officer Building Control Officer or

Section	Description	Delegate
		Contracted Building Control Officers
S95	The power to issue or refuse a code compliance certificate.	Building Control Manager, Senior Building Control Officer Building Control Officer, Senior/Building Administration Officers, Regulatory Administration Officer or Contracted Building Control Officers
S95A	Power to decide if a building consent authority refused to issue a code compliance certificate, the building consent authority will give the applicant written notice of the refusal and the reasons for the refusal	Building Control Manager, Senior Building Control Officer Building Control Officer, Senior/Building Administration Officers, Regulatory Administration Officer or Contracted Building Control Officers
S96	Power to determine a certificate of acceptance	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S97 and 98	Power to determine information required and further information required	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S99	Authority to issue a certificate of acceptance	Building Control Manager, Senior Building Control Officer Building Control Officer, Senior/Building Administration Officers, Regulatory Administration Officer or Contracted Building Control Officers
S102	The power and authority to issue compliance schedule.	Building Control Manager, Senior Building Control Officer Building Control Officer, Senior/Building Administration Officers, Regulatory Administration Officer,

Section	Description	Delegate
		Regulatory Officer or Contracted Building Control Officers
S106, 107 and 109	Power to amend a compliance schedule.	Building Control Manager, Senior Building Control Officer Building Control Officer, Senior/Building Administration Officers, Regulatory Administration Officer, Regulatory Officer or Contracted Building Control Officers
S108	Duty to receive building warrant of fitness	Building Control Manager, Senior Building Control Officer Building Control Officer, Senior/Building Administration Officers, Regulatory Administration Officer, Regulatory Officer or Contracted Building Control Officers
S109	Power to either accept or refuse a recommendation from a building practitioner to amend a Compliance Schedule	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S110	To require production of annual written reports on compliance schedules	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S111	Power to inspect buildings	Building Control Manager, Senior Building Control Officer Building Control Officer, Regulatory Officer or Contracted Building Control Officers
S112	Duty to assess impact of alterations on the entire building.	Building Control Manager, Senior Building Control Officer Building Control Officer or

Section	Description	Delegate
		Contracted Building Control Officers
S113	Authority to determine conditions of a building consent in relation to buildings with specified intended lives	Building Control Manager, Senior Building Control Officer Building Control Officer, Regulatory Officer or Contracted Building Control Officers
S115	The power and authority to determine the change of use of buildings.	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S116	The power and authority to determine an extension of life of a building.	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S116A	To determine whether to permit a subdivision that affects a building or part of a building	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S121	To determine whether a building is dangerous, including seeking advice from Fire and Emergency New Zealand	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S123	To determine whether a building is insanitary	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S124	Authority to issue a notice in accordance with section 125 in respect of dangerous, earthquake prone and insanitary buildings.	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers

Section	Description	Delegate
S129	Power to take measures to avoid immediate danger to the safety of people or to fix insanitary conditions	Chief Executive Officer, Senior Manager Operations in consultation with Building Control Manager
S133AF	Power to identify any part of a public building, road, footpath or other thoroughfare in an area of medium or high seismic risk as a priority building	Building Control Manager, Senior Building Control Officer Building Control Officer, Chief Executive, Senior Manager Operations, in consultation with Building Control Manager or Contracted Building Control Officers
S133AG and S133AK	Power to identify a building or any part of a building as earthquake prone	Building Control Manager, Senior Building Control Officer, Building Control Officer, Chief Executive, Senior Manager Operations, in consultation with Building Control Manager or Contracted Building Control Officers
S133AL	Power to issue notice for earthquake prone buildings	Building Control Manager, Senior Building Control Officer, Building Control Officer, Chief Executive, Senior Manager Operations, in consultation with Building Control Manager or Contracted Building Control Officers
S133AN	Power to exempt from requirement to carry out seismic work	Building Control Manager, Senior Building Control Officer, Building Control Officer, Chief Executive, Senior Manager Operations, in consultation with Building Control Manager or Contracted Building Control Officers
S133AO	Power to extend the deadline for completing seismic work on certain heritage buildings	Building Control Manager, Senior Building Control Officer, Building Control Officer,

Section	Description	Delegate
		Chief Executive, Senior Manager Operations, in consultation with Building Control Manager or Contracted Building Control Officers
S133AT	Power to assess building consents for alterations to buildings subject to an Earthquake Prone Building notice	Building Control Manager, Senior Building Control Officer, Building Control Officer, Chief Executive, Senior Manager Operations, in consultation with Building Control Manager or Contracted Building Control Officers
S162D	Power to periodically inspect residential swimming pools	Building Control Manager, Senior Building Control Officer, Building Control Officer, Contracted Building Control Officers Regulatory Officer, or Community and Resilience Manager Regulatory Services Team Leader
S164, S165 and S166	The power and authority to issue Notice to Fix. The power and authority in relation to S165.	Building Control Manager, Senior Building Control Officer, Building Control Officer, Contracted Building Control Officers Regulatory Administration Officer Regulatory Officer or Community and Resilience Manager
S167	Power to inspect building work subject to a Notice to Fix. This includes the power to confirm or refuse to confirm compliance with such notice.	Building Control Manager, Senior Building Control Officer Building Control Officer, or Regulatory Officer
S177	To apply for a determination	Senior Manager Operations, Building Control Manager, Senior Building Control Officer or

Section	Description	Delegate
		Building Control Officer
S180	To apply for a determination to be withdrawn	Senior Manager Operations, Building Control Manager, Senior Building Control Officer or Building Control Officer
S212	Power to act as the building consent authority.	Senior Manager Operations Building Control Manager, Senior Building Control Officer Building Control Officer, Senior/Building Administration Officers or Contracted Building Control Officers
S215	Duty to obtain accreditation and be registered.	Building Control Manager, Senior/ Building & Regulatory Administration Officer, Senior Manager Operations Contracted Building Control Officer
S216	The duty to keep all records relevant to the administration of the Building Act.	Building Control Manager, Senior/ Building & Regulatory Administration Officer, Senior Manager Operations Contracted Building Control Officer
S217	The duty to provide access to that information to the public.	Building Control Manager, Senior / Building & Regulatory Administration Officer, Senior Manager Operations Contracted Building Control Officer
S218	Duty to provide information to Ministry of Business, Innovation and Employment.	Building Control Manager, Senior / Building & Regulatory Administration Officer, Senior Manager Operations Contracted Building Control Officer
S219	Authority to impose fees or charges as provided by Council and collect the levy under S53 and to refuse service where the fees or charges are not paid.	Senior Manager Operations Chief Executive Officer Building Control Manager or Contracted Building Control Officers
S220	Ability of the Council to apply to a District Court for an Order authorising it to carry out	Chief Executive Officer, Senior Manager Operations in consultation with Building Control Manager or

Section	Description	Delegate
	building work in default as authorised by resolution of Council	Contracted Building Control Officers
S221	Ability to recover costs when Council carries out work on default	Chief Executive Officer, Senior Manager Operations in consultation with Building Control Manager
S222	Power to undertake inspections of building work and the ability to enter premises for that purpose	Building Control Manager, Senior Building Control Officer, Building Control Officer or Contracted Building Control Officers
S227	Ability to apply to the District Court for an authorised officer to enter a household unit for the purpose of undertaking an inspection under Section 90 NZBA04	Building Control Manager in consultation with CEO, or Senior Manager Operations
S230	The duty of authorised and warranted officers to carry and produce evidence when required.	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S363A	Power to issue a Certificate of Public Use	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S371	Ability to commence proceedings under the Summary Proceedings Act 1957 following the issue of an infringement notice	Building Control Manager in consultation with CEO or, Senior Manager Operations
S372	Authority to issue infringement notices (by warranted enforcement officer)	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers
S375	Ability to prosecute any offences under this act	Building Control Manager in consultation with CEO or Senior Manager Operations
S377	Power to lay information of an offence against the Building Act 2004	Building Control Manager in consultation with CEO, or Senior Manager Operations

Section	Description	Delegate
Schedule 1, subpart 2	The power to consider exemptions from building consent.	Building Control Manager, Senior Building Control Officer Building Control Officer or Contracted Building Control Officers

5.4.4 **Building Research Levy Act 1969**

Section	Description	Delegate
9	The duty to make payments and certify in respect of levies to the Building Research Association of New Zealand	Building Control Manager, Operations Delivery Manager or Senior Building Administration Officer Senior Manager: Operations

5.4.5 **Burial and Cremation Act 1964**

Section	Description	Delegate
5	Power to control and manage certain cemeteries	Community Services Manager, Facilities Manager or Operations Delivery Manager Senior Manager: Operations
8, 9	Management of cemeteries including powers regarding vaults and monuments	Operations Delivery Manager Senior Manager: Operations
10	Power to sell rights to burial in parts of the cemetery and right to construct vaults	Operations Delivery Manager Senior Manager: Operations
18	Requirement to separately account for cemeteries	Facilities Manager, Operations Delivery Manager Senior Manager: Operations; or Community and Resilience Manager
19	Power to appoint officers and servants as necessary	Facilities Manager Operations Delivery Manager Senior Manager: Operations; or Community and Resilience Manager

20	Power to clear disused cemeteries	Senior Manager: Operations; Community and Resilience Manager, Operations Delivery Manager or Senior Manager – Corporate Services
50	Burials to be registered and a register maintained	Community and Resilience Manager, Facilities Manager, Finance Manager

5.4.6 **Civil Defence Emergency Management Act 2002**

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

5.4.7 **Conservation Act 1987**

Section	Description	Delegate
17F	Power to make submissions on conservation management strategies	Senior Manager: Corporate Services Strategy, Policy and District Plan Manager, Community Services Manager
17K	Power to make submissions on freshwater fisheries management plans	Senior Manager: Corporate Services Strategy, Policy and District Plan Manager, Community Services Manager
17M	Power to make submissions on sports fish and game management plans	Senior Manager: Corporate Services Strategy, Policy and District Plan Manager, Community Services Manager

5.4.8 **Dog Control Act 1996, Dog Control Amendment Act 2003 and 2006**

Section	Description	Delegate
9	Requirement to retain funds obtained under the Act and apply for authorised purposes only under the Act	Community and Resilience Manager Senior Manager: Corporate Services

10, 10AA, 10A	Requirement to adopt a policy about dogs and annually report on the policy and other matters	Community and Resilience Manager Senior Manager: Corporate Services
11	Requirement to appoint dog control officer	Community and Resilience Manager Senior Manager: Corporate Services
12	Power to appoint dog rangers	Community and Resilience Manager Senior Manager: Corporate Services
13	Requirement for officer and rangers to be warranted and provide proof of authority and evidence of identity	Community and Resilience Manager Senior Manager: Corporate Services
14	Powers of entry	Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader
15	Requirement to feed and shelter dogs	Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader
19, 19A	Powers of dog control officer or dog ranger to obtain information	Regulatory Office or Community and Resilience Manager Regulatory Services Team Leader
21	Power to classify probationary owners	Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader
23A	Power to require an owner to undertake a dog owner education program or a dog obedience course (or both)	Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader
25	Power to disqualify a person from being the owner of a dog	Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader
28	Power to extend any period of disqualification	Regulatory Officer or ~~r~~ Community and Resilience Manager Regulatory Services Team Leader
30	Requirement to maintain records and provide information	Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader
31, 33A	Power to classify dangerous or menacing dogs	Regulatory Officer or Community and Resilience Manager

		Regulatory Services Team Leader
33	Power to consent to the disposal of a dangerous dog	Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader
33C, 33ED	Power to classify dogs as dangerous or menacing by breed or type as listed in schedule 4.	Regulatory Officer, or Community and Resilience Manager Regulatory Services Team Leader
33E	The power to exempt any dog or class of dog classified as menacing from the muzzling or control requirements in public places.	Regulatory Officer, or Community and Resilience Manager Regulatory Services Team Leader
34	Requirement to keep and maintain a register of dogs	Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader
35	Power to provide register information and to determine whether or not a dog should be delivered into custody of a Dog Control Officer or Dog Ranger	Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader
35A	Power to supply information for purposes of the National Dog Data Base	Senior Manager: Operations, Regulatory Officer Community and Resilience Manager Regulatory Services Team Leader
36A	Power to issue instructions relating to the making available of a dog for verification that it has been implanted with a functioning microchip transponder	Senior Manager: Corporate Services Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader
39	Power to remit, reduce or refund dog control fees or part thereof	Senior Manager: Corporate Services Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader
40	Power to require statement of claim regarding working dogs	Senior Manager: Corporate Services Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader
42	Power to seize and impound unregistered dogs	Senior Manager: Corporate Services Regulatory Officer or Community and Resilience Manager

		Regulatory Services Team Leader
46	Power to issue a replacement label or disc	Building/Regulatory Administration Officer, Regulatory Officer, or Community and Resilience Manager Regulatory Services Team Leader
50	Power to seize and impound dogs not wearing proper label or disc	Senior Manager: Corporate Services Regulatory Officer or Community and Resilience Manager *Regulatory Services Team Leader*
65 & 66	Power to issue infringements under the Act	Senior Manager: Corporate Services Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader
69 & 70	Power to dispose of any dog	Senior Manager: Corporate Services Regulatory Officer Community and Resilience Manager Regulatory Services Team Leader
71	Power to exercise all of the Council's powers (retention of dog threatening public safety)	Senior Manager: Corporate Services Regulatory Officer or Community and Resilience Manager Regulatory Services Team Leader

5.4.9 **Fencing of Swimming Pools – Building Act 162a-162e**

Section	Description	Delegate
7	Obligation to ensure the Act is complied with	Senior Manager: Operations Building Control Manager or Community and Resilience Manager
11	Power of warranted officer to enter land and carry out inspections	Senior Manager: Operations Senior Building Control Officer, Building Control Officer, Regulatory Officer, or Community and Resilience Manager Regulatory Services Team Leader

5.4.10 **Fire Services Act 1975**

Section	Description	Delegate
46B-46F	Power to apply for grants from the Rural Fire Fighting Fund	Finance Manager Emergency Management Officer

5.4.11 **Food Act 1981**

Section	Description	Delegate
8E	Obligation to enforce Food Hygiene Regulations 1974	Building Control Manager, Food Safety Officer or Community and Resilience Manager
8N	Power to receive applications, consider and assess applicant's food safety programme against standards and grant an exemption for the Food Hygiene Regulations 1974	Building Control Manager, Food Safety Officer or Community and Resilience Manager
8Q, 8R, 8S	Power to set and revise terms and revoke exemption and period for which it applies	Building Control Manager, Food Safety Officer or Community and Resilience Manager
8ZF	Obligation to comply with the performance standards issued by the Director General	Building Control Manager, Food Safety Officer or Community and Resilience Manager
8ZJ	Power to monitor compliance with exemptions	Building Control Manager, Food Safety Officer or Community and Resilience Manager
8ZM	Obligation to observe guidelines issued by Director General	Building Control Manager or Community and Resilience Manager
8ZT	Obligation to inform Director General of exemptions granted	Building Control Manager Food Safety Officer or Community and Resilience Manager
13	Powers of local authority inspectors	Building Control Manager, Food Safety Officer or Community and Resilience Manager

14	Powers of seizure and detention of articles	Building Control Manager, Food Safety Officer or Community and Resilience Manager
15	Seizure and destruction of decayed or putrefied food	Building Control Manager, Food Safety Officer or Community and Resilience Manager
18	Power to require name and address of seller	Building Control Manager, Food Safety Officer or Community and Resilience Manager

Delegations under the Food Act 1981 remain in place during the period of transition to the new Food Act, 2014

5.4.12 **Food Act 2014**

Section	Description	Delegate
s.19	All of the recognitions, responsibilities, duties and powers which have been delegated to the Chief Executive	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.19	Enforcement of the responsibilities, duties and powers of the Act and other associated regulatory functions which have been delegated to the Chief Executive	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.52	Authority to process applications for registration of appropriate Food Control Plans.	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.54	Authority to refuse to process application for registration of Food Control Plan	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services

Section	Description	Delegate
s.55	Authority to require further information in support of application for registration of Food Control Plan.	Building Control Manager Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.57	Authority to refuse to register Food Control Plan	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.60	Authority to impose reasonable conditions on registration of Food Control Plan	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.62	Authority to suspend, at any time, any or all of the operations conducted under a registered Food Control Plan	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.63	Authority to extend period of suspension of Food Control Plan	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.67	Authority to cancel registration of a Food Control Plan	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.82	Authority to process applications for registration of appropriate National Programmes	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services

Section	Description	Delegate
s.84	Authority to refuse to process application for registration of National Programme	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.85	Authority to require further information in support of application for registration of National Programme	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.87	Authority to refuse to register National Programme	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.89	Authority to impose reasonable conditions on registration of National Programme	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.90	Authority to suspend, at any time, any or all of the operations conducted under a National Programme	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.91	Authority to extend period of suspension of National Programme	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services
s.95	Authority to cancel registration of National Programme	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services

Section	Description	Delegate
s.134	Authority to act as a recognised agency, person and class of person	Building Control Manager, Food Safety Officer or Community and Resilience Manager Senior Manager: Corporate Services

5.4.13 **Gambling Act 2003**

Section	Description	Delegate
98 - 100	Power to receive and process consent applications pursuant to the policy	Senior Manager: Corporate Services Strategy Policy & District Plan Manager

5.4.14 **Gas Act 1992**

Section	Description	Delegate
25	Power to set reasonable conditions over the opening up of any road and recover reasonable costs	Operations Delivery Manager Senior Manager: Operations;
26	Power to receive notices of intention to open any road	Operations Delivery Manager Senior Manager: Operations;
33	Power to require fittings to have their position changed	Operations Delivery Manager Senior Manager: Operations;

5.4.15 **Hazardous Substances and New Organisms Act 1996**

Section	Description	Delegate
S97	Enforcement of Act	Strategy Policy & District Plan Manager, Building Control Manager or Community and Resilience Manager
S98	Coordination of inspection and appointment of inspection officers	Strategy Policy & District Plan Manager, Building Control Manager or Community and Resilience Manager

Section	Description	Delegate
Part 14	Transitional provisions regarding dangerous goods under the Dangerous Goods Act 1974	Strategy Policy & District Plan Manager, Building Control Manager or Community and Resilience Manager

5.4.16 **Health Act 1956**

Section	Description	Delegate
23	Duty and powers to improve, promote and protect public health within the district	Building Control Manager, Food Safety Officer or Regulatory Services Team leader Community and Resilience Manager Senior Manager: Corporate Services
28	Appointment of suitably qualified Food Safety Officers	Building Control Manager or Regulatory Services Team leader Community and Resilience Manager Senior Manager: Corporate Services
34	Power to cause the abatement of nuisance at the cost of the owner/occupier	Building Control Manager, Food Safety Officer or Regulatory Services Team leader Community and Resilience Manager Senior Manager: Corporate Services
41	Power to require owners or occupiers to cleanse property	Building Control Manager, Food Safety Officer or Regulatory Services Team leader Community and Resilience Manager

		Senior Manager: Corporate Services
42	Engineer or any other officer of a local authority duly authorised may certify that dwelling-house unfit for human habitation and Territorial Authority has power to require repair or issue a closing order	Building Control Manager, Food Safety Officer or Regulatory Services Team leader Community and Resilience Manager Senior Manager: Corporate Services
54	Grant consent for offensive trade	Building Control Manager, Food Safety Officer or Regulatory Services Team leader Community and Resilience Manager Senior Manager: Corporate Services
58	Grant consent for stock sale-yards	Building Control Manager, Food Safety Officer or Regulatory Services Team leader Community and Resilience Manager Senior Manager: Corporate Services
81	Power to authorise an Food Safety Officer to enter premises	Building Control Manager, Food Safety Officer or Regulatory Services Team leader Community and Resilience Manager Senior Manager: Corporate Services
82	Obligation to disinfect and cleanse when ordered to do so by the Medical Officer of Health	Food Safety Officer or Regulatory Services Team leader Community and Resilience Manager

83	Power to destroy articles that cannot be effectively disinfected	Building Control Manager, Food Safety Officer or Regulatory Services Team leader Community and Resilience Manager Senior Manager: Corporate Services
86	Duty to cause bodies to be buried when required by Medical Officer of Health	Building Control Manager, Food Safety Officer or Regulatory Services Team leader Community and Resilience Manager Senior Manager: Corporate Services
121	Regulations regarding the appointment of Food Safety Officers	Building Control Manager, Food Safety Officer or Regulatory Services Team leader Community and Resilience Manager Senior Manager: Corporate Services
128	Power to authorise entry and inspection of specified facilities	Building Control Manager, Food Safety Officer or Regulatory Services Team leader Community and Resilience Manager Senior Manager: Corporate Services

5.4.17 **Water Services Act 2021**

Section	Description	Delegate
21	**Duty to supply safe drinking water** Territorial authorities must ensure all drinking water supplied is safe for human consumption	Operations Delivery Manager Senior Manager: Operations

22	**Duty to comply with drinking water standards** Suppliers must meet the Drinking Water Standards issued by Taumata Arowai.	Operations Delivery Manager Senior Manager: Operations
23	**Duty to register a drinking-water supply** Every drinking-water supply operated must be registered with Taumata Arowai.	Operations Delivery Manager Senior Manager: Operations
24	**Duty to supply aesthetically acceptable water** Water must meet aesthetic expectations such as taste, odour, and appearance.	Operations Delivery Manage Senior Manager: Operations r
25	**Duty to provide sufficient quantity of drinking water** Authorities must ensure an adequate and reliable supply of drinking water.	Operations Delivery Manager Senior Manager: Operations
26	**Duties where drinking-water quantity is at imminent risk** Suppliers must take necessary actions when there is an imminent risk to water quantity	Operations Delivery Manager Senior Manager: Operations
27	**Duty to protect against backflow** Backflow prevention measures must be maintained to avoid contamination	Operations Delivery Manager Senior Manager: Operations
28	**Duties relating to end-point treatment** Final treatment steps at the point of supply must be functional and compliant.	Operations Delivery Manager Senior Manager: Operations
29	**Duty of due diligence** Officers and employees must exercise due diligence to ensure compliance with the Act.	Operations Delivery Manager Senior Manager: Operations
30-31	**Duty of due diligence** Officers and employees must exercise due diligence to ensure compliance with the Act.	Operations Delivery Manager Senior Manager: Operations
33-34	**Managing planned and unplanned events** Councils must follow mandated processes for events affecting water safety or supply	Operations Delivery Manager Senior Manager: Operations
35	**Notifying Taumata Arowai of risks or hazards** Immediate notification is required when contamination or hazards occur.	Operations Delivery Manager Senior Manager: Operations
37	**Record keeping duties** Suppliers must keep detailed operational and safety records.	Operations Delivery Manager Senior Manager: Operations
38	**Consumer complaints and information**	Operations Delivery Manager

	Councils must provide a compliant consumer complaints process and required information.	Senior Manager: Operations
41-43	**Source water risk management plans** Councils must prepare and maintain risk management plans for source water.	Operations Delivery Manager Senior Manager: Operations
45	**Information sharing with local authorities** Suppliers must share source water information with other authorities as required.	Operations Delivery Manager Senior Manager: Operations

5.4.18 **Historic Places Act 1993**

Section	Description	Delegate
34, 35	Obligation to provide information supplied by the Historic Places Trust on any LIM or PIM	Strategy, Policy and District Plan Manager, Planning Officer, LIM and Planning Administration Officer or Policy Planner

5.4.19 **Human Rights Act 1993**

Section	Description	Delegate
87	Obligation to not make information available under the Local Government Official Information and Meetings Act that is obtained by Council at a dispute resolution meeting	Chief Executive Officer

5.4.20 **Impounding Act 1955**

6 Section	Description	Delegate
3	Duty to provide and maintain a public pound and provide for separate holding of infected stock	Community and Resilience Manager Senior Manager Corporate Services
4	Provision for joint pound administration	Community and Resilience Manager Senior Manager Corporate Services

5	Requirement to give public notice of location of pound	Community and Resilience Manager Senior Manager Corporate Services
6	Requirement to erect and maintain a notice board providing particulars	Community and Resilience Manager or Senior Manager Corporate Services Regulatory Officer Regulatory Services Team Leader
8, 9, 10, 11	Obligation to appoint pound-keeper and power to appoint a deputy and remove or suspend the pound-keeper and publicly notify these actions	Community and Resilience Manager Senior Manager Corporate Services
12	Pounds to be kept clean and in good order and stock to be provided sufficient food, water, care and attention	Community and Resilience Manager or Senior Manager Corporate Services Regulatory Officer Regulatory Services Team Leader
13	Pound book and impounding register to be maintained and open to inspection	Community and Resilience Manager or Senior Manager Corporate Services Regulatory Officer Regulatory Services Team Leader
14	Power to recover actual costs of providing sustenance	Community and Resilience Manager or Senior Manager Corporate Services Regulatory Officer Regulatory Services Team Leader
32	Declare any fenced paddock a temporary pound with the consent of the occupier and appoint a keeper and fix a notice setting out specified information	Community and Resilience Manager or Senior Manager Corporate Services Regulatory Officer,

		Regulatory Services Team Leader
38	Power to issue notice regarding wild stock trespassing on land and sell the stock if not removed	Community and Resilience Manager or Senior Manager Corporate Services Regulatory Officer Regulatory Services Team Leader
46	Obligation to give notice of stock impounded	Community and Resilience Manager or Senior Manager Corporate Services Regulatory Officer Regulatory Services Team Leader
50	Power to authorise person to act as auctioneer for sale of impounded stock	Community and Resilience Manager or Senior Manager Corporate Services Regulatory Officer Regulatory Services Team Leader
52	Authority to destroy worthless or suffering animals	Community and Resilience Manager or Senior Manager Corporate Services Regulatory Officer Regulatory Services Team Leader
53	Power to dispose of unsold stock	Community and Resilience Manager or Senior Manager Corporate Services Regulatory Officer Regulatory Services Team Leader
56	Power to recover any deficiency in costs from the owner of stock	Community and Resilience Manager or Senior Manager Corporate Services

		Regulatory Officer Regulatory Services Team Leader

6.1.1 **Infrastructure (Amendments Relating to Utilities Access) Act 2010**

Section	Description	Delegate
14	Power to set reasonable conditions over the opening up of any road and recover reasonable costs	Operations Delivery Manager Senior Manager: Operations

6.1.2 **Land Drainage Act 1908**

Section	Description	Delegate
6	Obligation to provide information on ratepayers in respect of property within the district liable to be rated	Operations Delivery Manager Senior Manager: Operations
20	Power to object to Drainage Board interfering with road or footpath	Operations Delivery Manager Senior Manager: Operations
61, 63	Power to cleanse, repair or maintain a watercourse or drain	Operations Delivery Manager Senior Manager: Operations

6.1.3 **Land Transport Act 1998**

Section	Description	Delegate
157	Power as road controlling authority to control, restrict and prohibit traffic	Operations Delivery Manager or Senior Manager: Operations Roading Engineer

6.1.4 **Litter Act 1979**

Section	Description	Delegate
55	Power to appoint litter control officers	Community and Resilience Manager Regulatory Services Team Leader
8	Power to appoint litter wardens	Community and Resilience Manager Regulatory Services Team Leader
9	Obligation to provide and maintain suitable litter receptacles	Facilities Manager

10	Power to require owners of private property to clear litter from their property	Community and Resilience Manager Regulatory Services Team Leader
14	Power to issue infringement notices	Community and Resilience Manager or Regulatory Services Team Leader, Regulatory Officer

6.1.5 **Local Government Act 1974**

Section	Description	Delegate
319B	Allocation of property numbers (pursuant to Council policy)	Rates Officer, Planning Officer, LIMS and Planning Administration Officer
342 (1)(b)	Temporary Closure	Operations Delivery Manager Senior Manager: Operations
348	The power to consider and make decisions on applications for right of way	Chief Executive Officer, Strategy Policy & District Plan Manager or Planning Officer
356A	The power to authorise any person to remove a motor vehicle or dispose of the vehicle found on a road or in a public place	Senior Manager: Operations Operations Manager and Senior Manager Corporate Services Community and Resilience Manager Regulatory Officer, or Roading Engineer Regulatory Services Team Leader
357	The power to penalise a person who commits an offence which encroaches on a road	Operations Delivery Manager Senior Manager: Operations

6.1.6 **Local Government Act 2002**

Section	Description	Delegate
198	Power to require contributions for developments pursuant to any Council policy	Senior Manager: Corporate Services

		Finance Manager
199E	Procedure for development contributions objections	Senior Manager: Corporate Services
208	Powers if development contributions not paid or made	Senior Manager: Corporate Services Finance Manager
209	Refunds of money and return of land if development does not proceed	Senior Manager: Corporate Services

6.1.7 **Local Government (Rating) Act 2002**

Section	Description	Delegate
27	Keep and maintain rating information data base	Senior Manager: Corporate Services Finance Manager
37	Keep and maintain rates records	Senior Manager: Corporate Services Finance Manager
40	Power to correct rates	Senior Manager: Corporate Services Finance Manager
41	Power to issue an amended rates assessment if an error is corrected	Senior Manager: Corporate Services Finance Manager
44 – 51	Obligations to deliver rates assessments and rates invoices to ratepayers setting out the information required by the Act	Senior Manager: Corporate Services Finance Manager
53	Power to appoint a rates collector	Senior Manager: Corporate Services Finance Manager
54	Power not to collect rates that are uneconomic to collect	Senior Manager: Corporate Services Finance Manager
57, 58	Power to add penalties for rates not paid by the due date	Senior Manager: Corporate Services Finance Manager
62, 63	Powers for recovery of rates if owner in default	Senior Manager: Corporate Services Finance Manager

67	Appointment of principal administrative officer with power to have judgements of the court enforced by the court	Senior Manager: Corporate Services Finance Manager
85 – 90	Power to remit or postpone rates pursuant to Council rates remission and postponement policy	Se Senior Manager: Corporate Services Finance Manager Senior Manager: Corporate Services
108	Appointment of principal administrative officer with power to have judgements of the court enforced by the court	Senior Manager: Corporate Services Finance Manager
S114 – 115	Power to remit or postpone rates pursuant to Council rates remission and postponement policy	Senior Manager: Corporate Services Finance Manager

6.1.8 **Local Government Official Information and Meetings Act 1987**

Section	Description	Delegate
5	Power to determine availability of information	Chief Executive Officer
6	Power to determine withholding of information	Chief Executive Officer
7	Other reasons for withholding official information	Chief Executive Officer
10	Requests for official information	Executive Officer
11	Assistance with requesting information	Executive Officer
12	Transfer of requests	Executive Officer
13	Decisions on requests	Chief Executive Officer
14	Extension of time to provide official information	Executive Officer
15	Power to determine the manner of presenting information	Executive Officer
16	Power to determine deletions of some information from documents	Chief Executive Officer
17, 18	Refusal of requests for information	Chief Executive Officer
19, 20	Publication setting out functions of local authority and access to that information	Executive Officer
21, 22	Access to internal rules affecting decisions	Executive Officer
24	Precautions regarding access to personal information	Chief Executive Officer
25	Correction of information	Executive Officer
26	Refusal to supply personal information	Chief Executive Officer
33	Requirements to notify decision of ombudsman	Executive Officer

44A	Land Information Memoranda	Senior Manager: Corporate Services Strategy Policy and District Plan Manager, Planning Officer or LIMS and Planning Administration Officer
46	Public notification of meetings	Executive Officer
46A, 49, 51	Availability of agendas, reports and minutes	Executive Officer
51A	Public notification of resolution at emergency meeting	Executive Officer

6.1.9 **Machinery Act 1950**

Section	Description	Delegate
21(A)	Power to inspect and issue a permit for the erection of amusement devices	Building Control Manager, Building Control Officer Operations Delivery Manager Community and Resilience Manager Food Safety Officer or Regulatory Officer, Regulatory Services Team Leader Senior Manager: Corporate Services

6.1.10 **New Zealand Geographic Board Act 2008**

Section	Description	Delegate
15	Proposal may be submitted to Board	Strategy Policy & District Plan Manager
17	Submissions on a proposal	Strategy Policy & District Plan Manager
22	Alteration of name of local authority	Chief Executive Officer

6.1.11 **New Zealand Library Association Act 1939**

Section	Description	Delegate
5	Power to become a member of the Association	District Librarian

6.1.12 **Privacy Act 1993**

Section	Description	Appointee
23	Appointment of privacy officer	Senior Manager: Corporate Services

6.1.13 **Property Law Act 2007**

Section	Description	Delegate
104D	Power to lease a dwelling-house intended to be demolished for public works	Senior Manager: Corporate Services Finance Manager

6.1.14 **Prostitution Reform Act 2003**

Section	Description	Delegate
12	Enforce provisions of bylaw relating to signage	Building Control Manager, Community and Resilience Manager Regulatory Officer, Strategy Policy and District Plan Manager or Planning Officer Regulatory Services Team Leader
14	Enforce provisions of bylaw relating to location	Community and Resilience Manager Regulatory Officer, Strategy Policy and District Plan Manager or Planning Officer Regulatory Services Team Leader

6.1.15 **Public Bodies Leases Act 1969**

Section	Description	Delegate
7	Power to grant leases	Senior Manager: Corporate Services

		Finance Manager
8, 9	Leases to be sold by public tender or auction subject to certain conditions	Senior Manager: Corporate Services Finance manager
17, 18	Procedures for sale by lease	Senior Manager: Corporate Services Finance manager
22	Processes for reviews of rent	Senior Manager: Corporate Services Finance manager
23	Process for surrender of leases	Senior Manager: Corporate Services Finance manager
23A	Subleases and sub-tenants	Senior Manager: Corporate Services Finance manager

6.1.16 **Public Works Act 1981**

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

6.1.17 **Rating Valuations Act 1998**

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

6.1.18 **Rates Rebate Act 1973**

Section	Description	Delegate
5 – 7	Provide for application of rebate of rates to be considered by Chief Executive	Finance Manager Senior Manager: Corporate Services
9	Provides for application to Secretary for Local Government for refund of rebates granted	Finance Manager Senior Manager: Corporate Services
13	Power to receive declarations	Finance Manager Senior Manager: Corporate Services

6.1.19 **Reserves Act 1977**

Section	Description	Delegate
8	Power of administering body to appoint rangers	Senior Manager: Corporate Services or Strategy, Policy & District Plan Manager
40	Duties and functions of the TA as administering body	Strategy, Policy & District Plan Manager or Senior Manager: Corporate Services
41	Requirement to prepare management plans	Strategy, Policy & District Plan Manager or Senior Manager: Corporate Services
42	Duty to preserve trees and bush	Strategy, Policy & District Plan Manager or Senior Manager: Corporate Services
50	Power to authorise the taking and killing of any specified kind of fauna, excluding indigenous fauna	Strategy, Policy & District Plan Manager or Senior Manager: Corporate Services
53-59A 61-64 66-69 71-75 77	Particular powers regarding each different classification of reserve	Strategy, Policy & District Plan Manager or Senior Manager: Corporate Services
78-80 84-85A 89-92	Financial powers and duties regarding reserves	Finance Business Partnering Manager or Senior Manager: Corporate Services
113	Duty as to form of leases and licenses on reserves	Strategy, Policy & District Plan Manager or Senior Manager: Corporate Services

115	Power to refuse any application for consent or grant application subject to conditions thought fit	Strategy, Policy & District Plan Manager or Senior Manager: Corporate Services
119	Duty to give public notice	Strategy, Policy & District Plan Manager or Senior Manager: Corporate Services

6.1.20 Resource Management Act 1991 (In accordance with transitional consenting arrangements Schedule 12 Part 2 of the Planning Act 2026 until 31 December 2027)

All resource management matters (with the exception of policy adoption under the District Plan) are delegated in accordance with those delegations set out below.

Enforcement & Complaints/Compliance Delegations

Any enforcement action or investigation shall be carried out in a neutral and impartial manner. The matter is investigated and appropriate actions taken.

The resolution of references, appeals and enforcement action shall be carried out in accordance with the following:

- That the Council delegate to the ~~Regulatory Services~~ Community and Resilience Manager and Strategy, Policy and District Plan Manager the power to seek legal advice and provide instructions to Council solicitors on its behalf to resolve enforcement action, or resource consent appeals before the Environment Court.
- That where the circumstances permit, the Strategy, Policy and District Plan Manager first consult with the Chief Executive Officer where it is proposed to resolve an issue by a means that is different from that decided upon by the Council or a committee in any written decision or in a subsequent direction of the Council or committee.
- That the Council delegate to the Strategy, Policy and District Plan Manager the power to provide instructions to Council solicitors on its behalf, in order to resolve district plan proceedings before the Environment Court.
- That the exercise of this delegation be subject to first seeking the authorisation of the Chief Executive Officer where it is proposed to resolve an issue by a means that is different from that decided upon by the Council or a committee in any written decision or in a subsequent direction of the Council or committee.
- That in the case of mediation or negotiation undertaken to resolve appeals on resource consents, district plan references, the draft consent orders and memoranda of counsel be authorised by the Chief Executive Officer prior to being forwarded to the Court.

In the absence of the Strategy, Policy and District Plan Manager, the Chief Executive Officer is authorised to act in the above officer's capacity subject to the same limitations set out in the above delegation.

Appointment of Hearings Panel Delegations

The appointment of a hearing panel shall be carried out in accordance with the following:

- That the composition of a hearing panel in respect of any particular resource consent or plan change hearing or hearings be considered by either the Chief Executive Officer in consultation with the Strategy, Policy and District Plan Manager.
- Where either the Resource Consent or Plan Change requires expertise that is not available.
- Pursuant Section 39B The appointed hearing panel shall comprise:

	Composition of hearing panel	**Limits to Delegations**
Resource Consent Hearings, Council Initiated Plan Change, Private Plan Change	A Commissioner or Commissioners with suitable expertise along with at least one Community representative and a Rūnanga Representative.	All the panel must be accredited including the chairperson.

Delegation Structure

Level	**Description**	**Delegate**
1	Any one of the delegates acting alone	Chief Executive Officer, Strategy, Policy & District Plan Manager, Senior Manager: Corporate Services *OR: Any person acting as the Chief Executive Officer or Senior Manager: Corporate Services*
2	Any two of the delegates acting together	Chief Executive Officer, Senior Manager: Corporate Services, Senior Manager: Operations, Strategy, Policy & District Plan Manager, Planning Officer *OR: Approved Commissioner*
3	Any one of the delegates acting alone	Chief Executive Officer, Senior Manager: Corporate Services, Senior Manager: Operations, Strategy Policy & District Plan Manager Planning Officer, Policy Planner, Approved Commissioner
3A	Any one of the delegates acting alone	Customer Services Officer
3B	Any one of the delegates acting alone	LIMS and Planning Administration Officer

4	Enforcement/Monitoring – Any one of the delegates acting alone	Chief Executive Officer, Senior Manager: Corporate Services Senior Manager: Operations Strategy Policy & District Plan Manager Building Control Manager, Regulatory Officer, Regulatory Services Team Leader Planning Officer Any person appointed as an Enforcement Officer under Section 38(5) of the Resource Management Act
5	District Plan policy – Any two of the delegates acting together	Chief Executive Officer, Senior Manager: Corporate Services, Senior Manager: Operations Strategy Policy & District Plan Manager, LIMS and Planning Administration Officer, Planning Officer, Policy Planner.

Risk Matrix for Decision making within Delegation Structure

1) Low Risk: Level 3 - Any one of the delegates acting alone.

Visitor Accommodation LUC prepared either by externals and/or internal grad. If the second, this will be to a strict template based on external best practice provided by KDC processing partners such as Baseline Group and RMG Planning.

Development contributions will be prepared for inclusion by the Planning Officer and signed off by Finance Manager or in their absence Senior Manager Corporate Services via the Datascape Referral process.

Land Use Consents prepared by external consultants with reference to overheight buildings, height recession planes, boundary encroachments, etc where affected party approval has been provided in advance or as part of processing. This will not include those applications that have been notified via limited notification processes.

2) Low to Medium Risk: Level 3 - Any one of the delegates acting alone on a discretionary case by case basis.

Controlled Activity Subdivisions or Boundary Adjustments prepared by external consultants where no Geotech or significant flood risk is present, i.e. ECAN FHA assesses the application as a permitted activity under the KDC ODP.

Land Use consents with a heritage component supported by Heritage NZ order and processed by an external consultant.

Single internal signoff by a member of executive, or a senior planner, if the s95/104 report is prepared by an internal planner.

3) Medium Risk: Level 2 - Any two of the delegates acting together

All subdivisions and Land Use consents involving natural hazards or have existing consent notices on titles.

All Land Use Consents that are in high profile locations such as those located in the Commercial Zone such as West End or Esplanade.

4) High Risk. Level Any two of the delegates acting together or Single Level 3 commissioner signoff

Activities such as large or high profile businesses or airport operations.

Limited notified applications other than for visitor accommodation undertaken on behalf of out of town applicants with no knowledge of due process.

5) Extreme risk, Level 3 Single Commissioner only, or a full Hearing Panel as considered necessary.

All works undertaken by KDC for KDC

Plan changes

Publicly notified consents

Anything out of the ordinary and new to Kaikoura, i.e. 7 tier apartment block on the Torquay St escarpment.

Schedule of Delegations

Section	The Powers, Functions and Duties to:	Delegate
9 (3)	The power to determine if Resource Consent is required to ensure a person is not contravening the rules of the District Plan (including Flood Hazard certificates).	Level 3 or 5
10, 10A, 10B	Existing Use, Activities & Building Works	Level 2
32	The power of preparing and publishing evaluation reports (which may be prepared by staff of all levels).	Level 1
34A (1A)	The power to delegate to an employee or hearings commissioner to conduct a hearing by consulting relevant iwi authorities on whether it is relevant to appoint a commissioner with an understanding of local iwi or hapu.	Level 2

Section	The Powers, Functions and Duties to:	Delegate
35	The power to gather information by undertaking or commissioning research and monitoring the district to ensure functions of the RMA are effectively met.	Level 3 ,4 or 5
35A	The power to keep and maintain a record of iwi and hapu contact details and planning documents.	Level 3
36AAB (1)	The power to consider an application for remission of charges	In accordance with Remissions policy in the Schedule of Fees and Charges
	The power to consider requests to depart from a fixed payment charge to a time & cost charge	Level 1
36AAB (2)	The power to "not perform the action to which the charge relates until the charge has been paid to it in full"	Level 3 or 3B
36AA	The power to approve a discount on an administrative charge imposed under s36	Level 3 or 3B
37	The power to waive or extend time limits on any application (notified or non-notified).	Level 3 or 3B
37A	Requirement to consider matters before extending a time limit	Level 3
38	Authority to authorise any officer to be an enforcement officer	Level 1
39 & 39AA	Hearing should be held in public and without unnecessary formality to ensure it is appropriate and fair in the circumstances. Council can direct that a hearing or part of a hearing may be conducted remotely, through remote access facilities.	Level 1
40 (2)	Ability to stop excessive repetition at a hearing	Level 3
40(3)	To determine that it is fair and reasonable to proceed with a hearing even though the applicant or a submitter who wished to be heard has failed to appear at the hearing	Level 3
41B	The power to direct the applicant to provide briefs of evidence at least 10 working days before the hearing	Level 3 or 3B
41C	The power to provide directions and requests before and at hearings.	Level 3 or 3B
41D	The power to strike out submissions.	Level 3 or 3B

Section	The Powers, Functions and Duties to:	Delegate
42A	The power to prepare a report on information provided on any matter described in S39(1) by the applicant or any person who made a submission	Level 3
87BA	The power to make a decision on boundary activities by neighbours on infringed boundaries within 10 working days after the date the information is received.	Level 3
87BB	The power to notify a person proposing a permitted activity that meets certain requirements	Level 3
87E	The power to return a request if an application is incomplete, or if the application is not notified. The decision on the request must be given to the applicant within 15 working days.	Level 3 or 3B
87F	The power to prepare reports to the Environment Court where the applicant has requested direct referral to the Environment Court, within 20 working days.	Level 3
87I	The power to determine application	Level 3 or 5
88	The power to acknowledge receipt of an application	Level 3 or 3A or 3B
88(3)	The power to determine that an application is incomplete and return the application with written reasons for determination.	Level 3 or 3B
91	The power to defer processing an application if other resource consents are required	Level 3 or 3B
92	The power to request further information on non-notified and notified applications. The power to commission expert reports	Level 3 Level 2
95 A-G	The power to determine whether a resource consent is required to be publicly notified. This includes the following powers:	Level 3
	• to determine whether public notification is required pursuant to Sections 95A or 95C of the Act; • to determine whether limited notification is required pursuant to Section 95B of the Act;	

Section	The Powers, Functions and Duties to:	Delegate
	• to determine whether adverse effects are likely to be more than minor pursuant to section 95D of the Act; and • to determine that a person is an affected person pursuant to Section 95E of the Act.	
99	The power to determine whether a pre-hearing meeting is required and the power to determine who will chair any pre-hearing meeting (if one is required)	Level 2
99A	The power to refer to mediation for a person who has made a resource consent application or submission on the application.	Level 2
100	The power to decide if a hearing is required	Level 2
100A	The power to delegate all functions, powers and duties required to hear and decide on an application to hearing commissioners.	Level 2
101	The power to fix a commencement date and time, and the place, of the hearing in accordance with subsections (2) – (4).	Level 3 or 3B
102	The power to decide if a joint hearing is required by two or more consent authorities	Level 2
103	The power to determine if a combined hearing is required in respect of 2 or more resource consent applications	Level 2
104A-D 108, 108A 220	The power to approve and impose conditions on non-notified resource consent applications or where notified: – No submissions are received; or – No request is made for a hearing; or – The need for a hearing has been averted by a submission being withdrawn	As per risk matrix above
106	The power to refuse subdivision consent in certain circumstances	Level 2
110	The power to refund money and return land to the consent holder	Level 1
113	The power to notify in writing the decision of an application	Level 3 or 3B
114	The power to organise the release of decisions	Level 3

Section	The Powers, Functions and Duties to:	Delegate
125	The power to extend the period in which a resource consent lapses.	Level 2
126	The power to cancel consent preceding 5 years	Level 2
127	The power to consider an application to cancel or vary a condition of resource consent that do not require a hearing.	Level 2
128	The power to review consent conditions	Level 2
129 & 132	The power to issue a notice of review	Level 3
	The power to make decisions on a review of consent conditions for applications which did not require a hearing.	Level 2
133A	The power to make minor corrections of Resource Consents	Level 2
138	The power to refuse to accept the surrender of part of a resource consent	Level 2
139	The power to consider an application or certificate of compliance The power to issue and sign a certificate of compliance as authorised officer	Level 2 Level 3
139A	The power to issue an existing use certificate	Level 2
142	The power to request the Minister to call in a matter that is or is part of proposal of national significance	Level 1
145	The power to lodge a matter with the Environment Protection Agency	Level 1
149, 149B, 149G(3), 149ZD	Respond to requests from Environment Protection Agency for further information and provide required information. Prepare report in response to request from the Environment Protection Agency. The power to recover the actual and reasonable cost incurred from an applicant.	Level 3 Level 3 Level 3
149, 149B, 149G(3) 149ZD	Respond to request from Environmental Protection Agency for further information. Provide Environmental Protection Agency with required information. Prepare report in response to request from the Environmental Protection Agency. The power to recover the actual and reasonable costs incurred from an applicant	Level 3 or 3B Level 3 or 3B Level 3 or 3B Level 3 or 3B
168, 168A, 169	The power to notify a requirement in accordance with S93(2) and determine which persons and bodies shall be served notice of requirement and to arrange its public notification The power to request further information or commission reports	Level 2 Level 1 and 2

Section	The Powers, Functions and Duties to:	Delegate
171	The power to recommend to the requiring authority if the requirement is confirmed, modified, conditions imposed or is withdrawn.	Level 2
173	The power to give notice of decision of delegation.	Level 3 or 3B
174	The power to make an appeal.	Level 2
176A	The power to consider an application for an outline plan and recommend changes if necessary The power to consider an application for a waiver of an outline plan	Level 2 Level 2
181	The power to consider and make decisions on an application for an alteration of a designation	Level 2
182(5)	The power to consider an application to remove a designation or remove part of a designation	Level 5
184 & 184A	The power to consider and decide on a longer time frame to give effect to a designation	Level 5
189 & 189A, 190 & 191	The power to notify a requirement for a Heritage Order in accordance with S93(2) and determine which persons and bodies shall be served notice of requirement and to arrange its public notification The power to request further information or commission reports	Level 5 Level 5
195A	The power to alter a heritage order in its District Plan.	Level 5
198C, 198D	The power to decide on a request and continue to process the requirement.	Level 5
220, 221	The power to impose as a condition requiring a consent notice or vary a condition of relating to a consent notice The power to certify a consent notice as an authorised officer	Level 2 Level 3
222	The power to certify a completion certificate	Level 3
223	The power to approve or decline a survey plan and certify that the plan has been approved	Level 3
224	The power to issue a certificate pursuant to S224	Level 3

Section	The Powers, Functions and Duties to:	Delegate
226	The power to issue a certificate pursuant to S226	Level 3
234	The power to consider an application to vary or cancel esplanade strips	Level 3
239(2)	Authority to undertake online registration of certificates as authorised officer.	Level 3
240	The power to impose a condition requiring a covenant be registered The power to cancel a covenant against the transfer of allotment The power to certify a covenant or cancellation of covenant as Authorised Officer	Level 2 Level 2 Level 3
241	The power to consider and decide on an application to cancel a condition in whole or in part under Section 241(3) The power to certify documentation under S241(3)	Level 2 Level 3
243	The power to grant, surrender, transfer, vary or cancel or surrender easements The power to certify documentation	Level 2 Level 3
311, 314, 315, 316, 320, 321	The power to apply to the Environment Court for an enforcement order pursuant to Section 314 or for an interim enforcement order pursuant to Section 320 The power to make decisions on any matters relating to applications for enforcement orders (including any application to change or cancel enforcement order)	Level 4 To be carried out in accordance with Enforcement & Complaints/Compliance Delegation above.
322, 323, 325, 325A& 325B	The power to issue abatement notices and to make decisions relating to abatement notices. The power to enforce compliance with abatement notice and cancellation of abatement notice The power to place restrictions on enforcement orders	Level 4 To be carried out in accordance with Enforcement & Complaints/Compliance Delegations above
336	Delegation of all powers to determine the return of property seized under S323 and 328.	Level 1
327	The power to issue and effect compliance with excessive noise direction	Level 4

Section	The Powers, Functions and Duties to:	Delegate
		To be carried out in accordance with Enforcement & Complaints/Compliance Delegations above
332 & 333	The power of entry for inspection The power of entry for survey connected with preparation, change or review of a policy statement or plan	Level 4 To be carried out in accordance with Enforcement & Complaints/Compliance Delegations above
343 A - D	The power to issue infringement notices	Level 4 To be carried out in accordance with Enforcement & Complaints/Compliance Delegations above
357	The power to consider and make decisions on application for objections for an application which does not require a hearing. The power to decide whether an objection requires a hearing	Level 2 Level 2
410	Authority to consider and impose conditions on a Development	Level 2
	First Schedule	
Clause 4	The power to provide notice to requiring authority	Level 5
Clause 4a	The power to provide further pre-notification information to iwi	Level 5
Clause 5A	The power to give limited notification of proposed change or variation	Level 5
Clause 6(2)	The power to make submissions	Level 5
Clause 8A	The power to initiate resolution of disputes	Level 5
Clause 9	The power to make recommendations and decisions on requirements	Level 5
Clause 10	The power to make decisions accepting or rejecting submissions on a policy statement or plan	Level 5 and Approved Commissioner
Clause 10A	The power to apply to the Minister for an extension of the time for giving a decision	Level 5

Section	The Powers, Functions and Duties to:	Delegate
Clause 11	The power to notify a decision to submitters, landowners and public places	Level 5
Clause 13	The power to notify of acceptance or rejection of recommendations for requiring authority and heritage protection authority	Level 5
Clause 14	The power to reference decisions on submissions and requirements to the Environment Court. The power to appeal to Environment Court.	Level 2
Clause 16	The power to make amendments to its proposed statement or plan to give effect to any national policy statement, direction of Environment Court, alteration of minor effects or to correct minor issues.	Level 5
Clause 16A	The power to initiate variations to a proposed policy statement or plan at any time before its approval.	Level 2
Clause 16B	The power to merge variations with plan at same procedural stage	Level 5
Clause 17	The power to approve a policy statement or plan by affixing the Seal of the Kaikoura District Council.	Commissioners~~s~~
Clause 20	The power to make a policy statement or plan operative on a date which is to be publicly notified.	Level 5
Clause 20A	The power to amend an operative policy statement or plan to correct any minor errors	Level 5
Clause 23	The power to require further information for plan changes	Level 5
Clause 24	The power to adopt, accept, modify or reject requests for a plan change	Level 5

Section	The Powers, Functions and Duties to:	Delegate
Clause 25 (1)-(4)	The power to make a decision on requests for a plan change	Level 2
Clause 25(5)	The power to notify the person who made the request, within 10 working days of its decision.	Level 5
Clause 26	The power to notify the plan change in accordance with the timelines required.	Level 5
Clause 28	The power to provide notice of withdraw requests when reasonable grounds show parties no longer wish to continue.	Level 5

6.1.21 **Sale and Supply of Alcohol Act 2012**

Pursuant to section 196 of the Sale and Supply of Alcohol Act 2012 the Chief Executive Officer of the local authority is appointed to the role of secretary of the District Licensing Committee (DLC).

Section	Description	Delegate
64	Issue a licence, certificate, or authority (endorsed, where appropriate, as the authority or committee has directed) to the applicant	Secretary of the DLC Deputy Chair of DLC
66	Keep a record of every application filed with the licensing committee and the decision on the application and a register of licensees to whom special licences have been issued by the committee, recording all prescribed particulars relating to those licences.	Secretary of the DLC
66(3)	Must send to the secretary of the licensing authority a copy of every application made to the committee, and a copy of every decision made by it.	Secretary of the DLC
72	Issue a duplicate licence or certificate to the holder if they at satisfied the licence or certificate has been lost or destroyed.	Secretary of the DLC
73	Notify the secretary of the licensing authority if a licence or certificate has been surrendered	Secretary of the DLC
100(f)	Certificate by the territorial authority that the proposed use of the premises meets requirements of the Resource Management Act 1991 and of the building code.	Building Control Manager Senior Building Control Administrator Strategy, Policy & District Plan Manager or Planning Officer
102,128 140	Must give a copy of every objection to the applicant.	Secretary of the DLC
103, 141, 220, 225	Must send to the applicant a copy of any report filed with the licensing committee	Secretary of the DLC
139	May require an applicant to give public notice of a special licence	Secretary of the DLC
155	On notice of appeal must send to the secretary of the licensing authority any application and supporting documents and other papers relating to the decision appealed against:	Secretary of the DLC
196	Secretary of licensing committees	Secretary of the DLC Chief Executive Officer
198	Delegation of functions, duties, or powers of chief executive	Chief Executive Officer

203	Sign any decision, order, direction, certificate, or other document issued by the committee.	Secretary of the DLC
283	Fix the earliest practicable date for a public hearing of an application for a variation, suspension, or cancellation of special licences	Secretary of the DLC
279-291	Powers of enforcement	Inspector Regulatory Services Team Leader Regulatory Officer

Under Section 187 of the Sale and Supply of Alcohol Act the District Licensing Committee has the following functions.

To consider and determine applications for licences and managers certificates.
To consider and determine applications for renewal of licences and managers certificates
To consider and determine applications for temporary authority
To consider and determine applications for the variation, suspension, or cancellation of special licences.
To consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280
With the leave of the chairperson for the licensing authority, to refer applications to the licensing authority
To conduct inquiries and to make reports as may be required of it by the licensing authority

Under the Sale and Supply of Alcohol Act the District Licensing Committee has the following powers.

188	All the powers conferred on it by or under this Act or any other Act, and all powers as may be reasonably necessary to enable it to carry out its functions.
213	Power to exempt the holder of a special licence from the requirement to appoint at least one manager.
110,116,132	Power to impose conditions on a licence
127	Extend the period which an application to renew a licence may be accepted, providing that the extension must not be later than the date of expiry of the licence

6.1.22 **Smoke-Free Environments Act 1990**

Section	Description	Delegate
5	Duty of employers to have a policy on smoking;	Chief Executive Officer
7	Further duties of employers.	Chief Executive Officer

6.1.23 **Telecommunications Act 2001**

Section	Description	Delegate
119	Sets out the matters that may be considered in setting conditions for access to Council roads	Operations Delivery Manager Senior Manager: Operations
128 – 131	Powers to deal with trees on road verges interfering with telecommunications networks	Operations Delivery Manager Senior Manager: Operations
135 – 139	Duty to provide telecommunications networks access to Council roads	Operations Delivery Manager Senior Manager: Operations
142 - 145	Duty to provide telecommunications networks rights to place cabinets on public roads	Operations Delivery Manager Senior Manager: Operations
153	Provides that territorial authority may not charge rental for access or occupation of road reserve, however they may rate.	Operations Delivery Manager Senior Manager: Operations

6.1.24 **Transport Act 1962**

Section	Description	Delegate
7	Powers of appointment of parking wardens	Senior Manager: Operations Building Control Manager, Operations Delivery Manager or Community and Resilience Manager
30	Powers regarding general penalties	Senior Manager: Operations Building Control Manager, Operations Delivery Manager or Community and Resilience Manager
42A – 43A	Powers regarding infringement notices and fees	Senior Manager: Operations Building Control Manager, Operations Delivery Manager or Community and Resilience Manager
67	Powers regarding the provision of information	Senior Manager: Operations Building Control Manager, Operations Delivery Manager or Community and Resilience Manager
68A	Powers regarding parking wardens	Senior Manager: Operations Building Control Manager, Operations Delivery Manager or Community and Resilience Manager

70AA	Powers regarding restrictions on heavy traffic on roads	Senior Manager: Operations Building Control Manager, Operations Delivery Manager or Community and Resilience Manager
72 - 74	Powers regarding transport related bylaws.	Senior Manager: Operations Building Control Manager, Operations Delivery Manager or Community and Resilience Manager

6.1.25 **Unit Titles Act 1972**

Section	Description	Delegate
5(1)g and 5A	Powers regarding principal administrative officer's certification; Authority to undertake online registration of certificates as authorised officer.	One of: a) Strategy Policy District Plan Manager or b) Planning Officer

6.1.26 **Utilities Access Act 2010**

Section	Description	Delegate
6	Obligation to comply with the national code of practice which regulates how access by utility operators to transport corridors is managed	Senior Manager: Operations Operations Delivery Manager or Facilities Manager

6.1.27 **Walking Access Act 2008**

Section	Description	Delegate
12	As controlling authority for development and maintenance of walkways	Senior Manager: Operations Operations Delivery Manager
17	Power to apply to Minister for funds within the context of approved policy.	Senior Manager: Operations Operations Delivery Manager

6.1.28 **Waste Minimisation Act 2008**

Section	Description	Delegate
26, 27	Duty to impose levy on waste disposed of at disposal facility at prescribed rate	Senior Manager: Operations Operations Delivery Manager or Strategy Policy & District Plan Manager

28	Duty of operator of disposal facility to pay levy to levy collector	Senior Manager: Operations Operations Delivery Manager or Strategy Policy & District Plan Manager
32	Duty to spend levy money received on waste minimisation initiatives or in accordance with a waste management and minimisation plan	Senior Manager: Operations Operations Delivery Manager or Strategy Policy & District Plan Manager
51	Mandatory requirements for waste assessment	Senior Manager: Operations Operations Delivery Manager or Strategy Policy & District Plan Manager
53	Duty to use any proceeds from a service undertaken under section 52 in implementing the waste management and minimization plan.	Senior Manager: Operations Operations Delivery Manager or Strategy Policy & District Plan Manager
54	Duty for territorial authority to provide a service that collects waste promptly, efficiently and at regular intervals.	Senior Manager: Operations Operations Delivery Manager or Strategy Policy & District Plan Manager
66	Authority to enforce provisions of bylaw	Senior Manager: Operations Operations Delivery Manager Building Control Manager Community and Resilience Manager Regulatory Services ~~Manager~~ Team Leader
73, 74	Authority to initiate proceedings for infringement offences and to issue and serve infringement notices	Senior Manager: Operations Regulatory Services ~~Manager~~ Team Leader Community and Resilience Manager Operations Delivery Manager or Strategy Policy & District Plan Manager
75	Authority to retain infringement fees	Senior Manager: Operations Operations Delivery Manager, Community and Resilience Manager or Strategy Policy & District Plan Manager
76	Authority to authorise any officer to be an enforcement officer.	Senior Manager: Operations Operations Delivery Manager, Community and Resilience Manager or Strategy Policy & District Plan Manager
77-85	Powers of enforcement officers	Senior Manager: Operations Operations Delivery Manager, Community and Resilience Manager or

		Strategy Policy & District Plan Manager
86-87	Duty to keep records and provide details if required.	Senior Manager: Operations Operations Delivery Manager or Strategy Policy & District Plan Manager

6.1.29 **Wild Animal Control Act 1977**

Section	Description	Delegate
30 – 31	Powers regarding destruction of wild animals	Community and Resilience Manager Regulatory Officer, Regulatory Services Team Leader

6.1.30 **Legislation Affecting Local Authorities as at November 2015**

Airport Authorities Act 1966 Animal Welfare Act 1999 Arts Council of New Zealand Toi Aotearoa Act 1994 Auctioneers Act 1928 Bill of Rights Act 1990 Biosecurity Act 1993 Building Act 2004 Building Research Levy Act 1969 Burial and Cremation Act 1964 Bylaws Act 1910 Cadastral Survey Act 2002 Charities Act 2005 Citizenship Act 1977 Civil Aviation Act 1990 Civil Defence Emergency Management Act 2002 Civil List Act 1979 Climate Change Response Act 2002 Commerce Act 1986	Health and Safety in Employment Act 1992 Historic Places Act 1993 Holidays Act 2003 Housing Act 1955 Human Rights Act 1993 Impounding Act 1955 Income Tax Act 2007 Insolvency Act 2006 Interpretation Act 1999 Land Act 1948 Land Drainage Act 1908 Land Transfer Act 1952 Land Transport Act 1998 Limitation Act 2010 Litter Act 1979 Local Authorities (Members' Interests) Act 1968 Local Electoral Act 2001 Local Government Act 1974 Local Government Act 2002

Companies Act 1993 Conservation Act 1987 Consumer Guarantees Act 1993 Copyright Act 1994 Counties Insurance Empowering Act 1941 Crimes Act 1961 Disabled Persons Community Welfare Act 1975 District Courts Act 1947 Dog Control Act 1996 Earthquake Commissions Act 1993 Electricity Act 1992 Employment Relations Act 2000 Energy Companies Act 1992 Environment Act 1986 Environmental Protection Authority Act 2011 Equal Pay Act 1972 Fair Trading Act 1986 Fees and Travelling Allowances Act 1951 Fencing Act 1978 Fencing of Swimming Pools Act 1987 Finance Act (No. 2) 1941 Financial Reporting Act 1993 Fire Services Act 1975 Food Act 1981 Forest and Rural Fires Act 1977 Gambling Act 2003 Gas Act 1992 Goods and Services Tax Act 1985 Government Roading Powers Act 1989	Local Government Official Information and Meetings Act 1987 Local Government (Rating) Act 2002 Machinery Act 1950 Major Events Management Act 2007 Marine and Coastal Area (Takutai Moana) Act 2011 Minimum Wage Act 1983 Municipal Insurance Act 1960 National Provident Fund Restructuring Act 1990 New Zealand Bill of Rights Act 1990 New Zealand Geographic Board (Nga Pou Taunaha o Aotearoa) Act 2004 New Zealand Library Association Act 1939 New Zealand Public Health and Disability Act 2000 Oaths and Declarations Act 1957 Occupiers Liability Act 1962 Ombudsmen Act 1975 Parental Leave and Employment Protection Act 1987 Plumbers and Gasfitters and Drainlayers Act 2006 Privacy Act 1993 Property Law Act 2007 Prostitution Reform Act 2003 Protected Disclosures Act 2000 Public Bodies Contracts Act 1959 Public Bodies Leases Act 1969 Public Works Act 1981 Queen Elizabeth the Second National Trust Act 1977 Standards Act 1988

Hazardous Substances and New Organisms Act 1996 Health Act 1956 Railway Safety and Corridor Management Act 1992 Rating Valuations Act 1998 Rates Rebate Act 1973 Reserves Act 1977 Residential Tenancies Act 1986 Resource Management Act 1991 River Boards Act 1980 Sale and Supply of Alcohol Act 2012 Secondhand Dealers and Pawnbrokers Act 2004 Secret Commissions Act 1910 Securities Act 1978 Securities Transfer Act 1991 Smoke-free Environments Act 1990 Soil; Conservation and Rivers Control Act 1941 Sovereign's Birthday Observance Act 1952	Statutory Land Charges Registration Act 1928 Summary Offences Act 1981 Te Ture Whenua Māori Act 1993 Telecommunications Act 2001 Treaty of Waitangi Act 1975 Trespass Act 1980 Trustees Act 1956 Unit Titles Act 1972 Utilities Act 2010 Valuers Act 1948 Walking Access Act 2008 Waste Minimisation Act 2008 Weathertight Homes Resolution Services Act 2006 Wild Animal Control Act 1977 Wildlife Act 1953