



Agenda

**Notice is hereby given of
an Ordinary Council Meeting**

Tuesday 20 August 2019

Commencing at 9.30am

Council Chamber
Waimate District Council
125 Queen Street
Waimate

www.waimatedc.govt.nz

Notice is hereby given that a meeting of the Council will be held in the Council Chamber, Waimate District Council, 125 Queen Street, Waimate, on Tuesday 20 August 2019, commencing at 9.30am.

Elected Members

| | |
|----------------|--------------------|
| Craig Rowley | Chairperson |
| Sharyn Cain | Deputy Chairperson |
| David Anderson | Councillor |
| Peter Collins | Councillor |
| Miriam Morton | Councillor |
| Jakki Guilford | Councillor |
| Tom O'Connor | Councillor |
| David Owen | Council Rep |
| Sheila Paul | Councillor |

Quorum – no less than five members

Significance Consideration

Evaluation: Council officers, in preparing these reports have had regard to Council's Significance and Engagement Policy. Council and Committee members will make the final assessment on whether the subject under consideration is to be regarded as being significant or not. Unless Council or Committee explicitly determines that the subject under consideration is to be deemed significant then the subject will be deemed as not being significant.

Decision Making

The Council, in considering each matter, must be:

- i. Satisfied that it has sufficient information about the practicable options and their benefits, costs and impacts, bearing in mind the significance of the decision;
- ii. Satisfied that it knows enough about and will give adequate consideration to the views and preferences of affected and interested parties bearing in mind the significance of the decisions to be made.

Stuart Duncan
Chief Executive

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OPENING**1 COUNCIL PRAYER****2 PUBLIC FORUM****3 APOLOGIES**

The Chair will call for any apologies.

4 VISITORS**5 CONFLICTS OF INTEREST**

As per the Local Authorities (Members' Interests) Act 1968 (as below), the Chair will enquire if there are any Conflicts of Interest to be declared on any item on the agenda, and if so, for any member to declare this interest.

Local Authorities (Members' Interests) Act 1968

Councillors are reminded that if they have a pecuniary interest in any item on the agenda, then they must declare this interest and refrain from discussing or voting on this item and are advised to withdraw from the meeting table.

6 IDENTIFICATION OF MAJOR (URGENT) OR MINOR ITEMS NOT ON THE AGENDA

1. The Chair will call for any major (urgent business) or minor items not on the agenda to be raised according to Standing Orders, as below:

a. Standing Orders 3.7.5 – Major Items

An item not on the agenda for a meeting may be dealt with at the meeting if the local authority by resolution so decides, and the presiding member explains at the meeting at a time when it is open to the public –

- i. The reason why the item was not listed on the agenda; and
- ii. The reason why discussion of the item cannot be delayed until a subsequent meeting.

b. Standing Orders 3.7.6 – Minor Items

An item not on the agenda for a meeting may be dealt with at the meeting if –

- i. That item is a minor matter relating to the general business of the local authority; and
- ii. The presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- iii. No resolution, decision, or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.

MINUTES**7 CONFIRMATION OF MINUTES****7.1 MINUTES OF THE COUNCIL MEETING HELD ON 25 JUNE 2019**

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

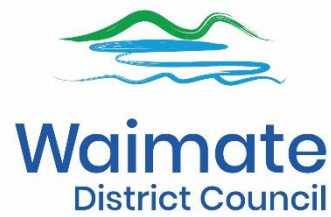
Attachments: 1. Minutes of the Council Meeting held on 25 June 2019

PURPOSE

To present the unconfirmed Minutes of the Council Meeting held on 25 June 2019 for confirmation.

RECOMMENDATION

That the Minutes of the Council Meeting held on 25 June 2019 be adopted as a true and correct record.



MINUTES

Ordinary Council Meeting

25 June 2019

**MINUTES OF WAIMATE DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, WAIMATE DISTRICT COUNCIL, 125 QUEEN STREET,
WAIMATE ON TUESDAY 25 JUNE 2019, COMMENCING AT 9.30AM**

PRESENT: Mayor Craig Rowley, Cr Sharyn Cain, Cr Peter Collins, Cr Miriam Morton, Cr Jakki Guilford, Cr Tom O'Connor, Cr David Owen, Cr Sheila Paul

APOLOGIES: Cr David Anderson

IN ATTENDANCE: Stuart Duncan (Chief Executive), Paul Cooper (Regulatory and Compliance Group Manager), Carolyn Johns (Community and Strategy Group Manager), Michelle Jones (Executive Support Manager), Dan Mitchell (Asset Group Manager), Tina Stevenson (Corporate Services Group Manager), Karalyn Reid (Committee Secretary)

PARTIAL ATTENDANCE: Leo Milani, Policy Analyst

OPENING

1 COUNCIL PRAYER

Lister Home Chaplain Janet Williams opened the Council Meeting with a prayer and lit the Ministers' Association candle.

2 PUBLIC FORUM

There were no speakers at the Public Forum.

3 APOLOGIES

RESOLUTION 2019/48

Moved: Cr Miriam Morton

Seconded: Cr Sharyn Cain

That an apology from Cr David Anderson be received and accepted.

CARRIED

4 VISITORS

10.15 – Ian Moore, Chair of the Economic Development Strategy Steering Group.

5 CONFLICTS OF INTEREST

The Chair called for conflicts of interests. There were no conflicts of interest identified.

6 IDENTIFICATION OF MAJOR (URGENT) OR MINOR ITEMS NOT ON THE AGENDA

There were no major/minor items identified.

MINUTES

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE COUNCIL MEETING HELD ON 14 MAY 2019**RESOLUTION 2019/49**

Moved: Cr Sharyn Cain

Seconded: Cr Sheila Paul

That the Minutes of the Council Meeting held on 14 May 2019 be accepted, and the recommendations therein be adopted, with the amendment below.

CARRIED

Amendment

Present: Cr Jakki Guilford was present for Item 16.1

7.2 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 4 JUNE 2019**RESOLUTION 2019/50**

Moved: Cr Jakki Guilford

Seconded: Cr Sharyn Cain

That the Minutes of the Extraordinary Council Meeting held on 4 June 2019 be accepted, and the recommendations therein be adopted.

CARRIED

8 RECEIPT OF MINUTES

Nil

REPORTS**9 MAYOR'S REPORT****9.1 MAYOR'S REPORT****RESOLUTION 2019/51**

Moved: Mayor Craig Rowley

Seconded: Cr Sheila Paul

That the Mayor's Report is accepted.

CARRIED

10 COUNCILLORS' REPORTS**10.1 COUNCILLORS' REPORT****RESOLUTION 2019/52**

Moved: Cr Peter Collins

Seconded: Cr Sheila Paul

That the Councillors' Report is accepted.

CARRIED

11 CHIEF EXECUTIVE'S REPORT**11.1 CHIEF EXECUTIVE'S REPORT****RESOLUTION 2019/53**

Moved: Cr Miriam Morton

Seconded: Cr Tom O'Connor

That the Chief Executive's Report is accepted.

CARRIED

Note:

The Chief Executive reiterated he advised Councillors via email that he has been elected as Chair of the Waimate High School Board of Trustees.

The Chief Executive has almost completed revising the Alpine Energy Shareholders' Deed, together with work on improving reporting to shareholders.

12 COUNCIL ACTIONS REPORT**12.1 OUTSTANDING COUNCIL ACTIONS REPORT****RESOLUTION 2019/54**

Moved: Mayor Craig Rowley

Seconded: Cr David Owen

That the Outstanding Actions Report is accepted.

CARRIED

13 HUMAN RESOURCES REPORT

Nil

14 HEALTH AND SAFETY REPORT**14.1 HEALTH AND SAFETY UPDATE****RESOLUTION 2019/55**

Moved: Cr Sharyn Cain

Seconded: Cr Sheila Paul

That the Health and Safety update report is accepted.

CARRIED

15 AUDIT AND RISK COMMITTEE REPORT

Nil

16 GENERAL REPORTS**16.1 ADOPTION OF WAIMATE DISTRICT COUNCIL ANNUAL PLAN 2019/20**

Council considered the adoption of the Waimate District Council Annual Plan for the 2019/20 financial year.

RESOLUTION 2019/56

Moved: Mayor Craig Rowley

Seconded: Cr Tom O'Connor

1. That the report Adoption of the Waimate District Council Annual Plan 2019/20 is accepted; and
2. That the Council resolves to permit an unbalanced budget in accordance with Section 100 of the Local Government Act 2002 for the year 1 July 2019 to 30 June 2020; and
3. That the Annual Plan 2019/20 is adopted in accordance with Section 93 of the Local Government Act 2002

CARRIED

Note:

Councillors congratulated staff on the presentation of the document, which is easy to follow and understand.

16.2 RESOLUTION TO SET RATES FOR 2019/20

Council considered the rates and the due dates for payment, for the 2019/20 financial year commencing 1 July 2019 and ending 30 June 2020.

RESOLUTION 2019/57

Moved: Cr Sharyn Cain

Seconded: Cr David Owen

1. That the Resolution to Set Rates for 2019/20 report be accepted; and
2. Waimate District Council resolves to set and assess rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing 1 July 2019 and ending 30 June 2020, and sets the due dates for payment of the rates, as follows; and
3. That Council set the following payment due dates for each instalment, of an equal amount:

| | Instalment Period | Instalment Due Date |
|--------------|-----------------------------------|----------------------------|
| Instalment 1 | 1 July 2019 – 30 September 2019 | 30-Aug-19 |
| Instalment 2 | 1 October 2019 – 31 December 2019 | 29-Nov-19 |
| Instalment 3 | 1 January 2020 – 31 March 2020 | 28-Feb-20 |
| Instalment 4 | 1 April 2020 – 30 June 2020 | 29-May-20 |

CARRIED

16.3 2019/20 RATES PENALTIES RESOLUTION

Council considered the Rates Penalties regime for the 2019/20 financial year.

RESOLUTION 2019/58

Moved: Cr Jakki Guilford

Seconded: Cr Sharyn Cain

1. That the report 2019/20 Rates Penalties Resolution is accepted; and
2. That Council resolves to authorise the Rates Penalties regime for the 2019/20 financial year:

(a) An Additional Charge

An additional charge under section 58(1)(a) of 10% of any amount of an instalment that remains unpaid after the due date of that instalment will be added on, or after, 3 September 2019, 3 December 2019, 3 March 2020, and 2 June 2020 (respectively for each instalment).

(b) Further Additional Charges

A further additional charge under section 58(1)(b) and 58(1)(c) of 10% of any amount of rates that remain unpaid from previous financial years will be added on or after 3 July 2019 and 3 January 2020 if unpaid by then.

CARRIED

16.4 RECOMMENDATIONS OF THE DISTRICT INFRASTRUCTURE COMMITTEE MEETING HELD ON 4 JUNE 2019**16.4.1 DRAFT GENERAL RESERVE POLICIES AND DRAFT KNOTTINGLEY PARK AND ARBORETUM RESERVE MANAGEMENT PLAN**

The District Infrastructure Committee reviewed the Draft General Reserve Policies and the Draft Knottingley Park and Arboretum Reserve Management Plan.

COMMITTEE RESOLUTION 2019/24

Moved: Cr Sharyn Cain
Seconded: Cr Tom O'Connor

1. That the Draft General Reserve Policies and Draft Knottingley Park and Arboretum Reserve Management Plan report is accepted; and
2. That the District Infrastructure Committee recommends to Council that a notice be prepared advising that the Draft General Reserve Policies and Draft Knottingley Park and Arboretum Reserve Management Plan are available for viewing and that submissions are being accepted until 30 August 2019.

MOTION**RESOLUTION 2019/59**

Moved: Cr Sharyn Cain
Seconded: Cr Miriam Morton

That a notice be prepared advising that the Draft General Reserve Policies and Draft Knottingley Park and Arboretum Reserve Management Plan are available for viewing and that submissions are being accepted until 30 August 2019.

CARRIED

16.4.2 ROAD STOPPING PROPOSAL - HILLARY STREET, WAIMATE

The District Infrastructure Committee considered the reduction of the legal width of Hillary Street between Queen Street and Naylor Street (i.e. opposite Victoria Park).

COMMITTEE RESOLUTION 2019/26

Moved: Cr Sharyn Cain
Seconded: Cr Tom O'Connor

1. That the Road Stopping Proposal – Hillary Street, Waimate report is received, and
2. That the Item 9.2: Road Stopping Proposal – Hillary Street, Waimate lie on the table awaiting further information until the Council Meeting scheduled on 25 June 2019.

16.5 ROAD STOPPING PROPOSAL - HILLARY STREET, WAIMATE

Council considered reducing the legal width of Hillary Street between Queen Street and Naylor Street (i.e. opposite Victoria Park).

This item was brought to the District Infrastructure Committee meeting on 4 June 2019, but left on the table pending further information.

An updated drawing of Hillary Street (Queen Street to Naylor Street width) was tabled at the meeting.

MOTION

Moved: Mayor Craig Rowley

Seconded: Cr Sheila Paul

1. That the Road Stopping Proposal – Hillary Street, Waimate report is accepted, and
2. That having considered all the matters raised in the report, in relation to the proposal to narrow the legal width affecting this part of Hillary Street between Queen Street and Naylor Street to 20.12m, that Council approves that action be taken in accordance with the provisions of the Public Works Act 1981 to stop part of Hillary Street subject to all legal and surveying fees and administration costs associated in stopping part of the road being met by the land owner of Lot 1 DP 83395.

In Favour: Crs Tom O'Connor, David Owen, Sheila Paul and Craig Rowley

Against: Crs Sharyn Cain, Peter Collins, Jakki Guilford and Miriam Morton

EQUAL

THE MOTION WAS LOST

16.7 ECONOMIC DEVELOPMENT STEERING GROUP UPDATE

Chair of the Economic Development Steering Group Ian Moore attended the meeting and updated Council on the Economic Development Steering Group activities and progress against the Economic Development Strategy Action Plans.

RESOLUTION 2019/60

Moved: Cr Miriam Morton

Seconded: Cr Tom O'Connor

That the Economic Development Steering Group Update report is accepted.

CARRIED

The meeting was adjourned at 10.50am for morning tea.

The meeting was reconvened at 11.05am

16.6 ENFORCEMENT POLICY 325

Council reviewed the Enforcement Policy 325 for adoption.

RESOLUTION 2019/61

Moved: Cr Sharyn Cain

Seconded: Cr Miriam Morton

1. That Council accepts the Draft Enforcement Policy 325 report; and
2. That Council adopts the Enforcement Policy 325, as presented.

CARRIED

Item - 16.7 Economic Development Steering Group Update - has been moved to another part of the document.

17 CONSIDERATION OF MAJOR (URGENT) OR MINOR ITEMS NOT ON THE AGENDA

Nil

PUBLIC EXCLUDED**18 EXCLUSION OF THE PUBLIC REPORT****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2019/62**

Moved: Cr Miriam Morton

Seconded: Cr Jakki Guilford

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48 for the passing of this resolution |
|--|--|--|
| 18.1 - Public Excluded Minutes of the Council Meeting held on 14 May 2019 | s6(a) - the making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |

| | | |
|--|---|--|
| 18.2 - Public Excluded Minutes of the Extraordinary Council Meeting held on 4 June 2019 | s6(a) - the making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| 18.3 - Outstanding Council Actions Report - Public Excluded | s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| 18.4 - Proposed Compliance Officer Role | s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |

CARRIED

19 RE-ADMITTANCE OF THE PUBLIC REPORT

| |
|---|
| <p>RESOLUTION 2019/63</p> <p>Moved: Cr Tom O'Connor Seconded: Cr Jakki Guilford</p> <p>That Council moves out of Closed Council into Open Council.</p> <p style="text-align: right;">CARRIED</p> |
|---|

MEETING CLOSURE

There being no further business, the Chair declared the meeting closed at 12.00pm.

The minutes of this meeting are to be confirmed at the Ordinary Council Meeting scheduled on 20 August 2019.

.....
CHAIRPERSON

7.2 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 30 JULY 2019

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

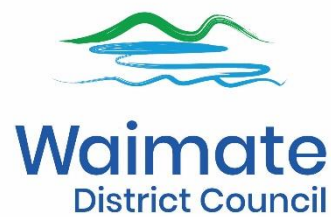
Attachments: 1. Minutes of the Extraordinary Council Meeting held on 30 July 2019

PURPOSE

To present the unconfirmed Minutes of the Extraordinary Council Meeting held on 30 July 2019 for confirmation.

RECOMMENDATION

That the Minutes of the Extraordinary Council Meeting held on 30 July 2019 be adopted as a true and correct record.



MINUTES

Extraordinary Council Meeting

30 July 2019

**MINUTES OF WAIMATE DISTRICT COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, WAIMATE DISTRICT COUNCIL, 125 QUEEN STREET,
WAIMATE ON TUESDAY 30 JULY 2019, COMMENCING AT 9.05AM**

PRESENT: Mayor Craig Rowley, Cr Sharyn Cain, Cr David Anderson, Cr Peter Collins, Cr Miriam Morton, Cr Tom O'Connor, Cr David Owen, Cr Sheila Paul

IN ATTENDANCE: Stuart Duncan (Chief Executive), Paul Cooper (Regulatory and Compliance Group Manager), Carolyn Johns (Community and Strategy Group Manager), Michelle Jones (Executive Support Manager), Rob Moffat (Roding Manager), Melissa Thomson (Accountant), Karalyn Reid (Committee Secretary)

OPENING

1 COUNCIL PRAYER

There was no Council Prayer offered at this meeting.

2 PUBLIC FORUM

There was no Public Forum offered at this meeting.

3 APOLOGIES

APOLOGY

RESOLUTION 2019/64

Moved: Cr David Owen

Seconded: Cr Tom O'Connor

That the apology received from Cr Jakki Guilford be accepted.

CARRIED

4 VISITORS

Nil

5 CONFLICTS OF INTEREST

The Chair called for Conflicts of Interests. There were no Conflicts of Interest identified.

6 IDENTIFICATION OF MAJOR (URGENT) OR MINOR ITEMS NOT ON THE AGENDA

Nil

REPORTS

7 GENERAL REPORTS

7.1 REPORT ON THE RESULT OF JUNE 2019 SPECIAL JOINT CONSULTATION: DANGEROUS BUILDINGS POLICY

Council's Dangerous Building Policy is deemed subject to the provisions of the Special Consultative Procedure under Section 83 of the Local Government Act 2002 and Section 132 of the Building Act 2004. Accordingly, Council adopted the draft Dangerous Building Policy for consultation on 12 March 2019. The consultation was conducted, as part of a joint consultation procedure, in the timeframe of 6 June 2019 - 8 July 2019.

RESOLUTION 2019/65

Moved: Mayor Craig Rowley

Seconded: Cr David Anderson

1. That the Dangerous Building Policy report is accepted; and
2. That Council adopt the draft Dangerous Building Policy as consulted, with minor amendments from the submissions received.

CARRIED

7.2 REPORT ON THE RESULT OF JUNE 2019 SPECIAL JOINT CONSULTATION: PROPERTY MAINTENANCE & NUISANCE BYLAW

Council adopted the draft Property Maintenance & Nuisance Bylaw for consultation on 12 March 2019. The consultation was conducted, as part of a joint consultation procedure, in the timeframe of 6 June 2019 – 8 July 2019.

RESOLUTION 2019/66

Moved: Cr Miriam Morton

Seconded: Cr Sharyn Cain

1. That the Property Maintenance & Nuisance Bylaw report is accepted; and
2. That Council adopt the draft Property Maintenance and Nuisance Bylaw as consulted, taking into consideration the submissions received.

CARRIED

7.3 REPORT ON THE RESULT OF JUNE 2019 SPECIAL JOINT CONSULTATION: WASTE MANAGEMENT & MINIMISATION PLAN 2018-28

Council adopted the draft WMMP 2018-2028 for consultation on 4 June 2019. The consultation was conducted, as part of a joint consultation procedure, in the timeframe of 6 June 2019 – 8 July 2019.

RESOLUTION 2019/67

Moved: Cr Sharyn Cain

Seconded: Mayor Craig Rowley

1. That the Waste Management & Minimisation Plan report is accepted; and
2. That Council adopt the draft Waste Management & Minimisation Plan as consulted, taking into consideration the submissions received. When implementing this plan Council will undertake further consultation prior to commencement of major projects.

CARRIED

7.4 ROAD RESEALING 2019-21 MULTI PARTY FUNDING AGREEMENT

Council were presented with a recommendation to approve the Multi Funding Agreement for Resealing.

RESOLUTION 2019/68

Moved: Cr Sharyn Cain

Seconded: Cr David Anderson

1. That the Road Resealing 2019-21 Multi Party Funding Agreement report is accepted; and
2. That Council enters into to the Multi Party Funding Agreement between Timaru District Council, Mackenzie District Council and Waimate District Council in respect of road resurfacing contract for the period 1 July 2019 to 30 June 2021; and
3. The Waimate District Council Chief Executive be given delegated authority to advise the Timaru District Council of Council's acceptance of the preferred tender and authorise a Purchase Order for the Resealing Contract; and
4. That Waimate District Council Chief Executive be given delegated authority to approve invoices for payment for the Resealing Contract.

CARRIED

MEETING CLOSURE

There being no further business, the Chair declared the meeting closed at 9.40am.

The minutes of this meeting are scheduled for confirmation at the Ordinary Council Meeting scheduled for 20 August 2019.

.....
CHAIRPERSON

8 RECEIPT OF MINUTES

Nil

REPORTS

9 MAYOR'S REPORT

9.1 MAYOR'S REPORT

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: Nil

MAYORAL CORRESPONDANCE

| Date | Mayoral Activity |
|---------------|---|
| 24 June 2019 | Letter of Support to NZ Immigration Ralph Bullock |
| 5 July 2019 | Letter of Congratulations – Colin Hurst Arable Farmer of the Year |
| 31 July 2019 | Speech – Mayoral welcome for Japanese Student visit |
| 1 August 2019 | Letter of Congratulations – Oceania Dairy for chosen as finalist for 2019 Alpine Energy Business Excellence Awards |
| 1 August 2019 | Letter of Congratulations – Centrecare Counselling for chosen as finalist for 2019 Alpine Energy Business Excellence Awards |
| 1 August 2019 | Letter of Congratulations – Darla & Hugh Le Fleming for receiving Fonterra South Canterbury Lowest Somatic Cell Cup. |

HIGHLIGHTS

Waimate/Waitaki Mbovis Advisory Group Meeting

1. Mayor Kircher of the Waitaki District and I are leading a group consisting of rural agencies such as MPI, Rural Support, Veterinary services, Federated Farmers to support local farmers affected by Mbovis in the Waimate and Waitaki districts.
2. This group is facilitated by MPI in Oamaru and meets alternatively in Waimate or Waitaki on a confidential basis.

Mayoral Welcome – Japanese Students

3. I was pleased to be able to welcome 21 students from Takudai-Ichiko High School in Tokyo, Japan, to the district on Wednesday 31 July.
4. This cultural exchange is very successful and has been ongoing for a number of years and I congratulate both schools for their foresight in developing this very important relationship.



EXTERNAL MEETINGS & FUNCTIONS ATTENDED BY THE MAYOR

5. Outside of Waimate District Council meetings and general business from 15 June 2019 to 9 August 2019.

| Date | Meetings and Functions |
|---------------|---|
| 19 June 2019 | Federated Farmers meeting on Mbovis followed by discussion with MPI – Council |
| 24 June 2019 | Ted d’Auvergne Sculpture Project Fundraising Committee meeting – Council |
| 1 July 2019 | Meeting with Sport South Canterbury and debrief of South Canterbury Sports Awards – Council |
| 3 July 2019 | Waimate/Waitaki Mbovis Advisory Group meeting – Council |
| 4 July 2019 | Duffy Books presentation – St Patricks School |
| 5 July 2019 | Chat with OJ - MediaWorks |
| 7-9 July 2019 | Local Government New Zealand AGM and Conference – Wellington |
| 10 July 2019 | Webinar: The Funding Inquiry Report – Council |
| 11 July 2019 | Alpine Energy shareholder-only meeting – Timaru |
| 16 July 2019 | Webinar: Climate Change 1 – Council |
| 17 July 2019 | Mayor’s Open Forum – Council |
| 23 July 2019 | Webinar: Climate Change 2 – Council |
| 24 July 2019 | Meeting of South Canterbury/North Otago Mayors – Timaru |
| 25 July 2019 | Alpine Energy AGM – Timaru |
| 29 July 2019 | Ted d’Auvergne Sculpture Project Fundraising Committee meeting – Council |
| 31 July 2019 | Mayoral welcome for students of Takudai-Ichiko High School, Tokyo, Japan – Council |
| 31 July 2019 | Waimate Centrecare AGM – Waimate |
| 1 August 2019 | South Canterbury Chamber of Commerce Plan Change 7 workshop – Timaru |
| 6 August 2019 | Glenavy Community meeting – Glenavy |
| 8 August 2019 | Regional Transport Committee meeting – Christchurch |
| 8 August 2019 | Canterbury Mayoral Forum working dinner – Christchurch |
| 9 August 2019 | Canterbury Group CDEM Joint Committee meeting – Christchurch |

RECOMMENDATION

That the Mayor’s Report is accepted.

10 COUNCILLORS' REPORTS**10.1 DEPUTY MAYOR'S REPORT**

Author: Karalyn Reid, Committee Secretary and PA to the Mayor
Authoriser: Tina Stevenson, Corporate Services Group Manager
Attachments: Nil

PURPOSE

To present for the information of Council a register of external meetings and functions attended by the Deputy Mayor outside of Waimate District Council meetings and general business from 15 June 2019 to 9 August 2019.

HIGHLIGHTS**Local Government New Zealand (LGNZ) Conference in Wellington**

1. Two of the most interesting sessions I attended at LGNZ Conference were the ones where I had the opportunity to speak and ask questions regarding our concerns with the Government's 3 waters review. I was privileged to be allowed to attend the full day Te Maruata Hui at Waiwhetu Marae, which is for Maori Elected Members. Local Government Minister Hon Nanaia Mahuta was present for most of the morning session and spoke on Funding and finance for Local Government, Regional Growth and Development, Housing, Climate Change, Civil Defence preparedness toolkit, Community Well Beings, unfunded mandates from Government, and the 3 waters Review. We had a very interactive session and the agreed principles were that – there is only one water, source protection matters, standards must be set and applied within a proper regulatory framework, and the Government has no mandate for forced amalgamation of services.
2. The second session was the Young Elected Members (YEM) Hui. The guest speaker was Green List MP Chloe Swarbrick, who is the Green Party spokesperson on Local Government, and the 3 waters review was a main topic of conversation again. MP Swarbrick stated that she is in favour of local solutions to local problems regarding water, does not agree with forced aggregation of supplies, understands that there are gaps in the water industry regarding ongoing training and qualified technicians, and thinks rural supplies need to be looked at separately.





Waimate Community Vehicle Trust Annual General Meeting

3. This small committee is doing a wonderful job keeping this valued service available in our community. The Trust includes representatives from Waimate Lions, Rotary Club of Waimate, Waimate Whitehorse Lions, Community Link, Clients, Eldercare at Lister Home, Car Trusts, and some community representatives. This year the service had 5682 passengers, travelled 44549km, and the drivers gave 3202 volunteer hours. An incredible achievement that deserves our recognition.

Glenavy Community Meeting

4. This was a well-attended event thanks to the organisation of Cr Paul. Many topics were discussed including speed changes through the village and across the bridge, safety concerns regarding crossing vehicles and pedestrians, location of public toilets, and the bridge lay by. This level of community engagement is valued and some very pertinent points were raised for us to follow up on.



| Deputy Mayor Sharyn Cain | |
|--------------------------|--|
| Date | Meetings and Functions |
| 15 July 2019 | Waimate Whitehorse Lions 30 th Anniversary |
| 15 July 2019 | Waimate St John 100 year Celebrations meeting |
| 19 July 2019 | Meeting with Ratepayer re Dog Park Proposal |
| 21 July 2019 | Waimate Lions 50 th Anniversary |
| 25 July 2019 | Alpine Energy guest speaker and Annual General Meeting |
| 30 July 2019 | Talk with Scouts about Local Government |
| 31 July 2019 | Mayoral Function welcoming Japanese Students from Takudai Ichiko |
| 31 July 2019 | Waimate CentreCare Counselling Annual General Meeting |
| 5 August 2019 | Waimate St John 100 year Celebrations meeting |
| 6 August 2019 | Glenavy Community meeting – Glenavy Hall |
| 8 August 2019 | Waimate Community Vehicle Trust Annual General Meeting |

RECOMMENDATION

That the Deputy Mayor's Report is accepted.

10.2 COUNCILLORS' REPORT

Author: Karalyn Reid, Committee Secretary and PA to the Mayor
Authoriser: Tina Stevenson, Corporate Services Group Manager
Attachments: Nil

PURPOSE

To present for the information of Council a register of external meetings and functions attended by Councillors outside of Waimate District Council meetings and general business from 15 June 2019 to 9 August 2019.

| Cr David Anderson | |
|--------------------------|--|
| Date | Meetings and Functions |
| 1 August 2019 | South Canterbury Chamber of Commerce Plan Change 7 workshop – Timaru |
| 5 August 2019 | Orari-Temuka-Opihi-Pareora Zone Committee meeting – Timaru |

| Cr Peter Collins | |
|-------------------------|--|
| Date | Meetings and Functions |
| 17 June 2019 | Economic Development Steering Group meeting – Council |
| 20 June 2019 | Total Mobility meeting – Community Link |
| 20 June 2019 | Waimate Historical Society meeting – Museum |
| 1 July 2019 | Economic Development Steering Group meeting – Council |
| 2 July 2019 | Trackways meeting – Lister Home |
| 10 July 2019 | Webinar: The Funding Enquiry Report – Council |
| 11 July 2019 | Economic Development Industrial Park Project meeting – Council |
| 16 July 2019 | Webinar: Climate Change – Council |
| 17 July 2019 | Economic Development Steering Group meeting – Council |
| 17 July 2019 | Waimate Historical Society meeting – Museum |
| 29 July 2019 | Economic Development Steering Group meeting – Council |
| 2 August 2019 | Economic Development Industrial Park Project meeting – Council |

| Cr Jakki Guilford | |
|--------------------------|--|
| Date | Meetings and Functions |
| 17 June 2019 | Economic Development Steering Group meeting – Council |
| 19 June 2019 | Lower Waitaki South Coastal Canterbury Zone Committee Cultural Mapping Workshop – Waihao Marae |
| 27 June 2019 | Economic Development Steering Group Signage Committee meeting - Council |
| 12 July 2019 | Economic Development Steering Group Signage Committee meeting - Council |
| 17 July 2019 | Economic Development Steering Group meeting - Chambers |
| 17 July 2019 | Lower Waitaki South Coastal Canterbury Zone Committee Meeting - Waimate Event Centre |
| 18 July 2019 | Community Funding Forum - Presented on behalf of Ecan - Waimate Event Centre |

| Cr Miriam Morton | |
|-------------------------|--|
| Date | Meetings and Functions |
| 17 June 2019 | Economic Development Strategy Steering Group meeting – Council |
| 19 June 2019 | Centrecare Waimate meeting – Waimate |
| 1 July 2019 | Economic Development Strategy Steering Group meeting – Council |
| 10 July 2019 | Webinar: The Funding Inquiry Report – Council |
| 12 July 2019 | Economic Development Strategy – Landscaping Plan Subgroup meeting – Council |
| 17 July 2019 | Economic Development Strategy Steering Group meeting – Council |
| 17 July 2019 | Centrecare Waimate meeting – Waimate |
| 29 July 2019 | Economic Development Strategy Steering Group meeting – Council |
| 31 July 2019 | Mayoral reception for Takudai Ichiko students |
| 31 July 2019 | Centrecare Waimate meeting – Waimate |
| 1 August 2019 | Economic Development Strategy – Landscaping Plan Subgroup field trip to some of Waimate's parks and reserves |

| Cr Tom O'Connor | |
|------------------------|---|
| Date | Meetings and Functions |
| 18 June 2019 | Southburn dairy farmers meeting about cattle in the Pareora riverbed |
| 9 July 2019 | St Andrews residents meeting on elections, etc |
| 23 July 2019 | St Andrews residents meeting on village footpaths |
| 27 July 2019 | Pareora Catchment Group meeting – Southburn Hall |
| 30 July 2019 | St Andrews residents meeting – cattle in the Pareora riverbed |
| 1 August 2019 | South Canterbury Chamber of Commerce Plan Change 7 workshop – Timaru |
| 2 August 2019 | Economic Development Strategy Steering Group Industrial Park Subcommittee meeting – Council |
| 2 August 2019 | Federated Farmers meeting – St Andrews |
| 6 August 2019 | St Andrews residents meeting – Plan Change 7 update |

| Cr Sheila Paul | |
|-----------------------|--|
| Date | Meetings and Functions |
| 26 June 2019 | Waimate District Resource Trust meeting – Waimate |
| 2 July 2019 | Meeting with Glenavy School regarding roading issues – Glenavy |
| 10 July 2019 | Webinar: Funding Inquiry Report – Council |
| 16 July 2019 | Webinar: Climate Change (Impacts) – Council |
| 23 July 2019 | Webinar: Climate Change (Challenges) – Council |
| 6 August 2019 | Audit and Risk Committee agenda planning meeting – Council |
| 6 August 2019 | Glenavy Community meeting – Glenavy |

RECOMMENDATION

That the Councillors' Report is accepted.

11 CHIEF EXECUTIVE'S REPORT**11.1 REFLECTION ON 2018/19 FINANCIAL YEAR**

Author: Stuart Duncan, Chief Executive

Authoriser: Stuart Duncan, Chief Executive

Attachments: Nil

PURPOSE

1. To share my reflection of Council operations for 2018/19.
2. Although I am very pleased with the performance of the Council administration, I cannot make that statement without noting 'it has been an extraordinary year'. It has been extraordinary due to the added workflow, mainly in the three waters space, including but limited to:-
 - a. The National Review of Three Waters and managing the water supply upgrades required to meet anticipated changes to regulatory requirements in meeting current and future Drinking Water Standards. A number of staff attended technical workshops hosted by the DIA.
 - b. Regional Waste Management Strategy Review (and a review of the existing transfer facility, including the purchase of a waste compactor)
 - c. Development of the Reserve Management Plan (Knottingley Park and Arboretum) alongside the General Reserve Policies
 - d. Submission to the Productivity Commission (Financing and Funding of Councils)
 - e. Completed the Cyber Security Project
 - f. Discussion, meeting and investigation arising from the Timaru District Council proposed sale of Alpine Energy Shares
 - g. Investigation and report into Council Forestry Investments
 - h. The distribution of Rates income across the Council ranges from 26.21% for roads and footpaths to .32% for animal control with support services at 8.36% with wages around 25% of total budget
 - i. Dr Margaret Cruickshank Commemoration
 - j. Visit by the Hon Nanaia Mahuta, Minister of Local Government
 - k. Opening of the Waimate Health Centre Building and Pharmacy
 - l. Council either hosted or attended multiple M Bovis meetings
 - m. Remembering 100 years since the end of the first World War, Armistice Day

BACKGROUND**Three Waters**

3. We headed into 2018 having completed our 2018/28 Long Term Plan. This was a major piece of work, apart from the annual reporting responsibilities, we were also challenged by the need to anticipate the possible regulatory; and economic changes that would impact on WDC (and all NZ Local Government Councils) through the Central Government review of Council three waters.

4. The Government Inquiry into Havelock North water contamination event and subsequent report indicated significant change was imminent. On reflection, it is pleasing to note that the decision taken by Council to anticipate these changes, review the design of all seven of our water schemes, cost the necessary upgrades to meet the current and future Drinking Water Standards; and include these Rates changes in the 2018/28 LTP to be a good decision.
5. Other significant inclusions in the 2018/28 LTP were increases in road maintenance expenditure for road and drainage improvements; and an extension of the footpath renewal program.

Economic Development

6. Leading into 2018/19, the Waimate District Economic Development Strategy gained momentum, and with limited funding in mind we focused on the small things that mean a lot to our residents and attractive to visitors. These included:
 - a. Painting of the Seddon Square gates, fences and band rotunda. The same attention was paid to the cemetery gates
 - b. Extension of the hanging baskets along Queen Street and the installation of a watering system
 - c. Gain full sponsorship for the Waimate Community Christmas tree in Seddon Square
 - d. Centennial Bridge lights repaired
 - e. Repaired the Dr Margaret Cruickshank statue steps
7. Economic Development Strategy – Following significant work with the Economic Development Working Groups, a total of 21 actions were approved by Council in February 2019. To oversee and assist with the implementation of the actions an Economic Development Steering Group was established. The group has been meeting on a fortnightly basis since May 2019 and during that time has prioritised the projects in terms of importance and urgency, and identified five projects to focus on.

Marketing and Promotions

- a. The Explore Waimate website and social media platforms continued to perform to expectation and are growing steadily in membership
- b. Part-sponsorship of the Waimate Rotary shuttle trailer and one side branded in Explore Waimate
- c. An increase in advertising and articles in visitor and lifestyle publications

Communication

- a. Designed and implemented a new Waimate District Council logo. Implementation is an ongoing work stream.
- b. Developed new templates for electronic letterhead, advertisements, job vacancies, forms, and changed Newsline content to focus on Council-related stories and publication on a monthly basis.
- c. There has been a significant improvement on the Council website in terms of content and usability. The site is regularly updated to ensure content is kept fresh.
- d. The Council Facebook page is steadily growing its 'likes' and 'followers' and is successfully being used as a tool to communicate Council's activities.

Productivity Commission

8. We had the review of Local Government Funding and Financing by the Productivity Commission and we invested some significant time in preparing a response to the review

Te Huruheru Urupa

9. We were very pleased to work with Ngai Tahu and the Whanau whom are related to the Te Huruheru Urupa to refresh the historical site including the adjacent Totara Park.

Regulatory and Compliance

10. The Property Portfolio moved to the Asset Group, while CDEM and Health & Safety moved to the Compliance & Regulatory Group. A new role was created by combining Health & Safety with Emergency Management Officer and we were very lucky to secure Luci Swatton to take the organisation forward in these two key activities.
11. Some significant pieces of work were completed during the year including:-
- a. The review of the Consolidated Bylaw, the introduction of GoGet to electronically manage our building inspections
 - b. The development and introduction of a new Enforcement Policy, successfully coming through a Food Act Audit conducted by MPI
 - c. Retaining our building accreditation with IANZ after a positive audit process
 - d. As at 30 June 2019 we had 99% of known dogs registered in the district.
 - e. We had complaints of 58 wandering dogs, 15 barking dogs, 5 rushing dogs, 3 animal attacks, 1 person attack and 23 wandering stock.
 - f. Animal Control have written 67 infringement fines for a variety of offences (many waived where compliance was achieved within a reasonable time).
 - g. 264 Building Consents (\$22.4M) were granted and more than 1200 inspections undertaken. Some of the consents were for projects of a considerable size worth several million dollars.
 - h. All complaints were responded to within the target timeframes.

Corporate Services

- a. Magiq Performance Reporting Software fully implemented: Financials reported to Management and Council have been improved through the use of this reporting software.
- b. Electronic Purchase Orders (EPO): Implementation of the EPO system.
- c. Archives project: A large amount of historic documents stored at yard have been sorted, with items to be kept ready to be archived with the Historical Society.
- d. Sharepoint: Progress has been made with the taxonomy structure and each department of Council presently working through the detail of their respective document libraries. Related software tools have been updated and guidelines developed to assist with education of staff prior to full organizational roll out.
- e. Infocouncil: Integrated into Governance with agendas and minutes for all Council, Committee and subcommittee meetings being managed from within the system.
- f. Technology Project Managements: Following the redefined role of IT Project Manager, technology projects are being managed using the PRINCE2 project management technology with an organizationally wide view.
- g. Pre-Election Report: Completed as per the requirements of the Local Government Act 2002.

- h. Alpine Energy Valuation: This was a significant event given the time and energy that was devoted to this topic and the related communications within Council and with third parties including Audit NZ.
- i. Annual Report: Adoption of completed Report in November 2018.
- j. Annual Plan: Adoption of completed Plan in June 2019.
- k. Cyber Security: Cyber Security project progressed and related training delivered to staff and elected members.
- l. Internal WiFi networks: Updated to allow better separation of network traffic to compartmentalize security threats.
- m. Fraud Awareness Training: Delivered to staff and elected members in March 2019 – positive feedback resulted.

Asset Group

- a. The beginning of fiscal year (early November 2018) was started with three major rainstorm events causing significant damage to the road network. The cost of repairs was \$473,950 with 60% funding relief through NZTA
- b. The Road budget is our largest expense (26% of total budget) with water and wastewater next. All capital items in the Road budget were completed, the following statistics outline some of the projects for 2018/19
 - i. 9.4 kilometres of drainage maintenance (high-lip removal, surface water channel cleaning and side-drain cleaning)
 - ii. 42 culverts installed (302m)
 - iii. 1.2 kilometres of new Kerb and Channel
 - iv. 266 kilometres of road metaling
 - v. 42 kilometres of road resealing (6.1% of entire network, target is 6.5% with sealed roads lasting between 8 to 20+ years with an average around 15 years)
 - vi. 1.5 kilometres of footpath renewal

Bridge repairs

- a. Reinforced concrete invert and rock outlet protection installed to extend service life of Corrighals, Cattle Creek and highland Farm Settlement Armco Culverts
- b. Cliffs Bridge steel beams cleaned and treated with Goldseal barrier sealant
- c. Stokes Bridge underpinned with concrete due to degrading of stream bed
- d. Hamiltons Bridge - extend piers

Around the Grounds

- a. Bark chips under the playground equipment has been removed at Knottingley Park and Arboretum, which was replaced with 'Pour n Play' safety surfacing, this is to comply with New Zealand Playground equipment and surfacing standards
- b. Knottingley Park, The small concrete bridge on the loop road was removed and replaced with a set of culverts
- c. The upgrading and maintenance work at the Maori Urupa and Totara Forest along with the planting of native plants
- d. New power points installed at both Victoria and Knottingley Park Camping Grounds to comply with the New Zealand Camping Grounds standards
- e. Victoria Park, car park surface sealed with asphalt

- f. The upgrade of the public toilets at Victoria Park
- g. A new double-slide suitable for smaller children has been installed in the playgrounds at Boland and Kittingley Park and Arboretum
- h. Stage two of the hanging basket project at the north end of town was completed
- i. Swimming Pool The men's and women's changing room floors were re-coated in Allnex Terraflake; and the removal of the coal-fired boiler and replacement with a new electric heat-pump system is well underway
- j. 143rd Caledonian Sports Day and the Whitehorse Big Easy events were well supported by staff

FUTURE CHALLENGES

Three Waters

- 12. We already know that water, wastewater and stormwater services will take a 'front-seat' of the priority list for the next three to five years. At the time of writing this report we are reviewing inspection and filed test results for the sewer and stormwater assets along Queen Street.
- 13. Early indicators suggest these replacements will need to be accelerated; this brings footpath and road alignment discussions (due to pipe placements, and destruction and reinstatement of the sidewalk kerb & channel) into the project planning.

Climate Change

- 14. We know the climate is changing and we must adapt our strategic thinking and infrastructure planning to anticipate future environs (storms, flood, fire, coastal erosion, sea rise, temperature-change and storm surge and the like). Local Governments key challenge is to determine how far our obligation extends, and where the responsibility shifts to Regional Council and Central Government (for example). There is no question that we all need to work together if we are to make a positive difference (as does all humanity), but if we do not heavily invest in high-level coordination of these climate change areas of responsibility, hundreds of millions of dollars will be wasted.
- 15. I think about some of the recent 'National conversations', mainly Local Governments request to Central Government to assist with funding Climate Change adaptation; and hope that there is strong recognition that there is only one source of funding that we all tap into, and they are the New Zealand income earners.

Intergovernmental Panel on Climate Change (IPCC)'s Fifth Assessment Report in 2014. NIWA scientists used a supercomputer to produce climate projections for the New Zealand region on a 5 km grid, based on the results from coarser global climate models. They produced a report for the Ministry for the Environment which addresses possible changes in New Zealand's climate over the next 100 years, and is available in full at: www.mfe.govt.nz/node/21990

Taken from the Ministry of Environment paper:

<https://www.mfe.govt.nz/sites/default/files/media/Climate%20Change/climate-projections-snapshot.pdf>

- 16. Climate change mitigation and adaptation opportunities are everywhere, and we will consider climate change opportunities in every decision we make.

Waimate Local Government Centre

17. We have an immediate issue with overcrowding of the Council building, some structural issues; and a need to modernise and future-proof the library.
18. At the time of drafting this report, the HR Manager is preparing to relocate into one of the interview rooms, to allow the Communications Officer and 'incoming' Marketing and Promotions Officer to use the HR Manager's office. The key question is, why do we need more space?
 - a. Regulation and Compliance - Everything that the Council does in its day-to-day work is focused on achieving community outcomes as agreed in the Long-Term-Plan, and this is our commitment and what we resource ourselves for.

Unfortunately, it is not that simple, Central Government elections bring new Governments with new ideas and legislation, as with the current Government who is focusing more on the mandatory outcomes and a high-risk approach to public health and safety matters rather than the historical reactive and inspectorate-type methodology.

Increased building and planning activities drives increased compliance support through managing customer complaints, education, non-compliance management, and monitoring of consents (*thus our new Compliance Officer to monitor consents, and an increase in the Asset Group staffing levels x 3, to meet water, wastewater and stormwater compliance and service delivery standards*).

- b. Economic Development, Marketing and Promotions – An increase in staffing levels (x 1) has been required to continue the 'Explore Waimate' Website, Facebook page, Instagram and general Waimate District promotions. These services were originally under contract. The contractor has had a change of vocation and is no longer able to provide this service.

The marketing and promotions of our District is critically important, this activity will now be bought 'in-house'. This change will be cost-neutral, but still requires a workstation in the Council building.

19. The LTP identifies \$1.4M (*with \$100,000 in 2020/21 for planning*). At the time of drafting this report we were yet to receive the structural engineers report for Seismic Assessment of the government building and clock tower. The engineering consultant first reviewed the previous seismic assessment on January 11 2019.
20. The need to modify and/or extend the existing Council Building is becoming urgent. WDC as a 'good employer' needs to meet its legal obligations for office access, workspace and staff amenities.

FINAL COMMENTS

21. It has been an extraordinary year given the emergent issues / increased workflow arising as outlined above.
22. I am very pleased with our performance across all sectors of Council, with note; is the way in-which all delegated officers managed the finances of the Council ending with a very pleasing result, we had a planned deficient Budget of \$701,000, and the June 'interim' results showing \$1M ahead of budget. The overall result has been achieved with all planned Capital works projects being completed.

RECOMMENDATION

That the Chief Executive Report – Reflection on 2018/19 Financial Year be accepted.

12 COUNCIL ACTIONS REPORT**12.1 OUTSTANDING ACTIONS REPORT - PUBLIC**

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: 1. Outstanding Actions Report - Public [↓](#) 

PURPOSE

For the Outstanding Actions Report – Public to be presented for the information of Council.

RECOMMENDATION

That the Outstanding Actions Report – Public is accepted.

| Meeting | Officer/Director | Section | Subject |
|---|------------------|-----------------|---------------------|
| Council 31-May-18 | Duncan, Stuart | General Reports | Library Development |
| RESOLUTION 2018/40 | | | |
| That Council proceed with the plan for the redevelopment of the Library including the whole Council building, and fund the investigation and scoping report to the sum of \$100,000 from the 2130 Property Reserve in the year 2020/21. | | | |
| Note: | | | |
| The structural engineer has provided a progress update and requested additional information which has been provided. The final assessment is expected by the end of August 2019. | | | |

| Meeting | Officer/Director | Section | Subject |
|--|------------------|-----------------|--|
| Council 19-Feb-19 | Mitchell, Dan | General Reports | Waste Compactor - Waimate Resource Recovery Park |
| RESOLUTION 2019/14 | | | |
| That Council approves the purchase and installation of a second hand waste compactor for the Waimate Resource Recovery Park. | | | |
| Note: | | | |
| Two compactor bins have been ordered with estimated delivery in September 2019. | | | |

| Meeting | Officer/Director | Section | Subject |
|--|------------------|-----------------|------------------------------|
| Council 02-Apr-19 | Cooper, Paul | General Reports | District Plan Changes/Review |
| RESOLUTION 2019/30 | | | |
| That Council carries out preliminary investigation and research on any issues or topics identified, and subsequent to that material prepared for a District Plan Review Scoping Workshop in the coming months. | | | |
| Note: | | | |
| Workshop pencilled in for 19 November 2019. | | | |

| Meeting | Officer/Director | Section | Subject |
|--|------------------|--------------------------------|--|
| Council 02-Apr-19 | Mitchell, Dan | Exclusion of the Public Report | Waimate Courthouse - Proposed Roof Repairs |
| RESOLUTION 2019/8 | | | |
| That Council undertake repairs to the Courthouse roof on both the left and right hand side; and that up to \$56,000 excluding GST be funded from the Council Property reserve; and | | | |
| That the decision be moved into public section of the agenda. | | | |
| Note: | | | |
| Southern roof completed. Work on northern roof underway | | | |

| Meeting | Officer/Director | Section | Subject |
|--|------------------|-----------------|---|
| Council 025.06.19 | Mitchell, Dan | General Reports | Draft General Reserve Policies and Draft Knottingley Park and Arboretum Reserve Management Plan |
| RESOLUTION 2019/24 | | | |
| That the District Infrastructure Committee recommends to Council that a notice be prepared advising that the Draft General Reserve Policies and Draft Knottingley Park and Arboretum Reserve Management Plan are available for viewing and that submissions are being accepted until 30 August 2019; and | | | |
| That a notice be prepared advising that the Draft General Reserve Policies and Draft Knottingley Park and Arboretum Reserve Management Plan are available for viewing and that submissions are being accepted until 30 August 2019. | | | |

13 HUMAN RESOURCES REPORT**13.1 HUMAN RESOURCES REPORT**

Author: Fiona Hester-Smith, Human Resources Manager
Authoriser: Fiona Hester-Smith, Human Resources Manager
Attachments: Nil

PURPOSE

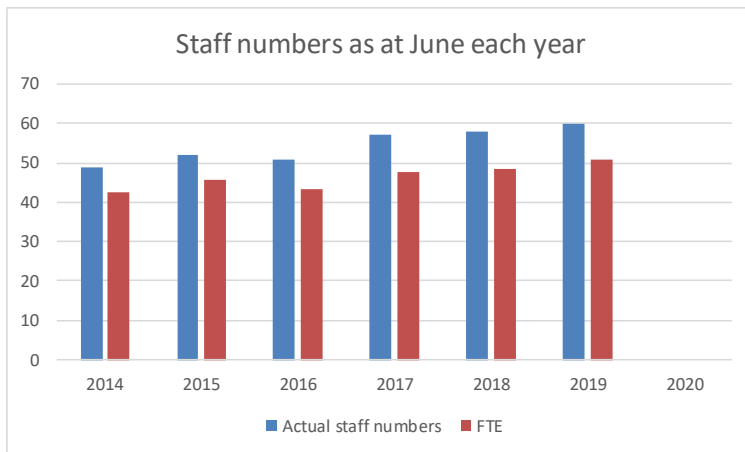
1. For the Human Resources Manager to update Council.

RECRUITMENT

2. Our new Gardener has been employed on 15 July 2019 – Isaac Summers.
3. Recruitment is underway for a Compliance Officer, Marketing & Promotions Officer and a Lake Waitaki and Lake Aviemore Camp Supervisor.
4. The recent recruitment campaign to replace a retiring employee for a Water/Wastewater Technician was unsuccessful due to current market conditions.
5. Recruitment will commence in the next few months for Temporary Pool Attendants, Rubbish Collector for the Lakes and Lakes Supervisors over the Christmas period.

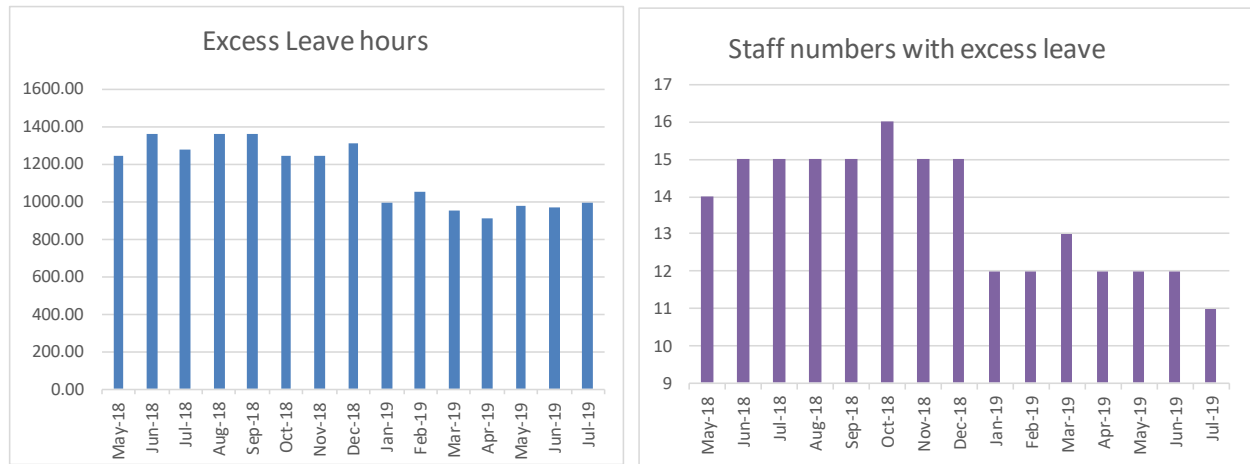
STAFF STATISTICS

| | July 2019 |
|-------------------------------|-----------|
| Actual Staff | 61 |
| Full Time Equivalents (FTE's) | 51.71 |
| Full Time | 45 |
| Part Time | 16 |
| Temporary | 0 |
| Casual | 0 |



LEAVE LIABILITY STATISTICS





6. We continue to work on reducing the leave liability.

RECOMMENDATION

That the Human Resources Manager's report is accepted.

14 HEALTH AND SAFETY REPORT

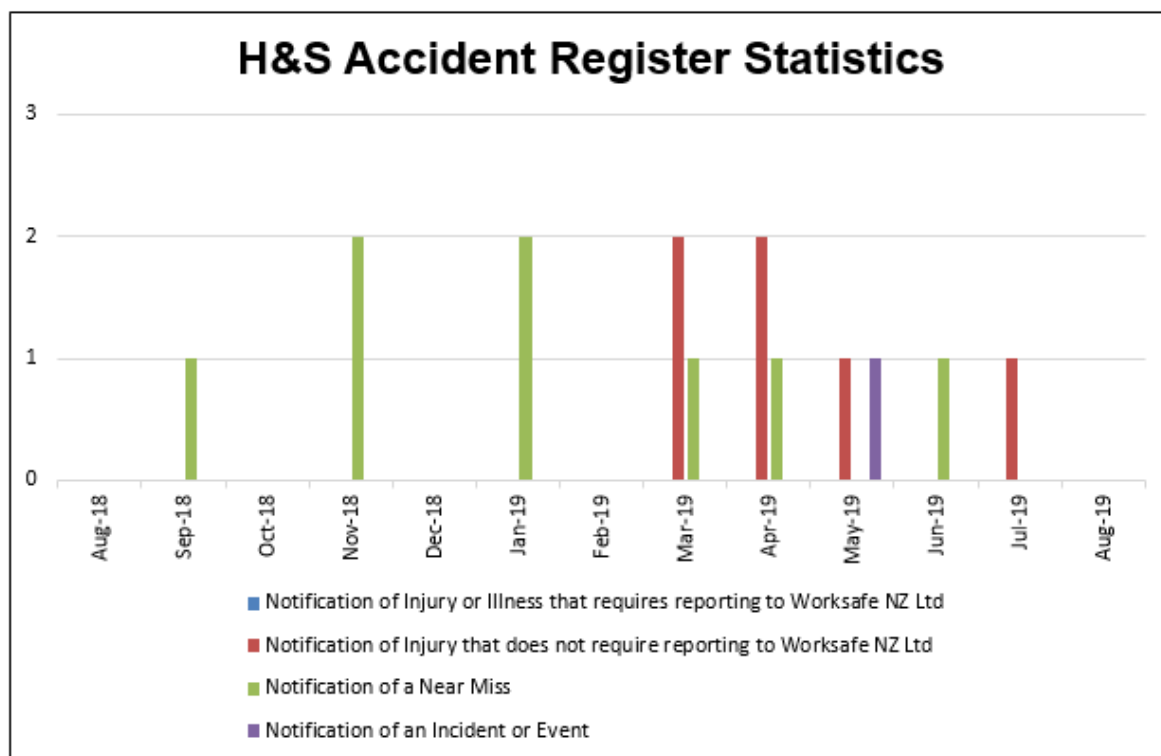
14.1 HEALTH AND SAFETY UPDATE

Author: Luci Swatton, Emergency Management and Health and Safety Officer
Authoriser: Paul Cooper, Regulatory and Compliance Group Manager
Attachments: Nil

PURPOSE

- The Health and Safety update report is submitted for the information of Council.

Health and Safety Statistics



- There has been one near miss (a vehicle incident with a contractor), two notified accidents (two staff injuries of a minor nature) and one incident without injury (damage caused to a piece of equipment) since the last report.

Training

- Both Paul Cooper and Luci Swatton completed the Advanced Training for Health and Safety Representatives – Stage Three on the 18 and 19 June 2019. Topics covered included incident investigation, costs of workplace injuries and illness, workplace productivity, support for injured workers, rehabilitation, planning improvements and preparing recommendations with a presentation at the end of the course based off of a case study to demonstrate learnings from the course.

Meetings

- On 16 May, the Canterbury Health & Safety Advisory Group meeting was held in Christchurch, attended by Luci Swatton.

Health and Safety Committee

5. A new Health & Safety Committee has been established with 8 members, they are David McIntyre, Dion Glenie, Isaac Summers, Jill Wilson, Karalyn Reid, Kim Quirke, Peter Vendetti and Shelly Wilson. The first meeting will be held on 14 August, where Terms of Reference will be finalised, a chairperson and secretary will be elected and the overall focus of the Committee will be discussed.

RECOMMENDATION

That the Health and Safety update report is accepted.

15 AUDIT AND RISK COMMITTEE REPORT

Nil

16 GENERAL REPORTS**16.1 RECOMMENDATIONS OF THE ENVIRONMENTAL SERVICES AND FINANCE COMMITTEE MEETING HELD ON 30 JULY 2019**

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Paul Cooper, Regulatory and Compliance Group Manager

Attachments: Nil

16.1.1 NOTICE OF INTENTION TO DEMOLISH CATEGORY C BUILDING - 115 HIGH STREET, WAIMATE

The Committee considered written notice from the landowner of intention to demolish a District Plan Category C building. The building is listed in the District Plan Heritage Items Schedule as Item 138, 'Keen's Auto' building located at 115 High Street, Waimate and legally described as Lot 1 DP 40202.

COMMITTEE RESOLUTION 2019/53

Moved: Chair Sharyn Cain

Seconded: Mayor Craig Rowley

1. That the Notice of Intention to Demolish Category C Building – 115 High Street report be received; and
2. That the Environmental Services and Finance Committee recommends to Council that it receives and acknowledges the written notice of intention to demolish the existing building at 115 High Street, Waimate; and
3. That the Environmental Services and Finance Committee recommends to Council that Council agrees that the date of 4 July 2019 be accepted for the purpose of the three month notice period; and
5. That the Environmental Services and Finance Committee recommends to Council that Council requires satisfactory photographs of the interior and exterior of the building to be submitted to Council prior to demolition, along with any other relevant information held by the owner.

CARRIED

16.2 EXPENDITURE VARIATION REPORT FOR THE YEAR ENDED 30 JUNE 2019

Author: Melissa Thomson, Accountant
Authoriser: Stuart Duncan, Chief Executive
Attachments: Nil

PURPOSE

1. The following analysis of expenditure variation is provided for Council's information. For the year ended 30 June 2019, expenditure variations totalling \$705,100 include operational expenditure of \$514,900 and capital expenditure of \$190,200.

These expenditure variation items are funded from each activity reserve.

EXPENDITURE VARIATIONS

2. Repairs and Maintenance – Morven Recreational Reserve **\$ 48,300**
 The Morven Recreational Reserve Committee have been completing extensive maintenance works at their lease block and Steward Park. The Morven Reserve is not a rateable activity and therefore does not affect rates.
3. Emergency Reinstatement roading expenditure **\$ 435,500**
 Emergency reinstatement works have been completed following ongoing rainfall events totalling \$435,500. The NZTA subsidy request for the expenditure was approved at 60%, therefore the net cost to Council was \$174,200 for the complete Emergency Works (local share).
4. Swimming Pool – Repairs and maintenance expenditure **\$ 5,750**
 Some cracks in the centre channel have been repaired.
5. Capital expenditure – Morven Recreational Reserve **\$ 23,000**
 The project to relocate a playground from the Morven School to the Morven Domain was budgeted in the last financial year (2017/18: \$5,000), however it has been completed this financial year. The Morven Reserve is not a rateable activity and therefore does not affect rates.
6. Capital expenditure – Hook / Waituna Rural Water Scheme **\$ 22,000**
 Modelling of future usage has been undertaken to ensure current and future customer demand is able to be met.
7. Capital expenditure – Victoria Park mower replacement **\$ 56,700**
 A mower replacement was budgeted in the last financial year (2017/18), however it has been purchased this financial year.
8. Capital expenditure – Victoria Park Public Toilet hotmix **\$ 7,200**
 Following the upgrade of the Victoria Park toilets during the 2017/18 financial year, the surrounding area has now been sealed with hotmix completing this project.

9. Capital expenditure – Sewer Cable Extension for Aerator 1 **\$ 10,500**
To facilitate the relocation of an Aerator, a power cable extension has been completed this financial year. This will allow operational efficiencies.

New items since last report:

10. Rural Reserves – Maori Urupa, Te Huruhuru Road, Maintenance programme **\$ 11,700**
Extensive maintenance works, including Parks and Reserves staff labour, are underway at the Maori Urupa site. A total budget of \$16,720 plus GST for this project was approved at the Ordinary Council meeting held on 28 August 2018.
11. Knottingley Park and Arboretum – Reserve Management Plan **\$ 13,650**
The Reserve Management plan is currently in draft form and out for public consultation. A budget of \$13,120 plus GST for the development of the draft plan was approved at the Ordinary Council meeting held on 19 February 2019.
12. Capital expenditure – Property, Courthouse Roof Upgrade **\$ 28,400**
The Courthouse roof repairs and upgrade is underway. A total budget of \$56,000 plus GST was approved at the Ordinary Council meeting held on 2 April 2019.
13. Capital expenditure – Waihaorunga Telemetry upgrade **\$ 42,400**
This expenditure was for monitoring and control (telemetry, chlorine and turbidity analysers) at the Waihaorunga Main Plant site to get approval from the Drinking Water Assessors and delay committing to full drinking water standards upgrades in the short term. This allows time for clearer direction from the Government on the Drinking Water Standards and future requirements.
14. Total expenditure variances for the year ended 30 June 2019 **\$ 705,100**

Note: This report excludes revenue variations to budget, any expenditure identified as within budget (including carry forward budgets), depreciation expense variations and all internal revenue and expenditure.

RECOMMENDATION

That the Expenditure Variation Report for the year ended 30 June 2019 report is accepted.

16.3 DELEGATIONS POLICY 308

Author: Leonardo Milani, Policy Analyst

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: 1. Delegations Policy 308  

PURPOSE

1. For Council to approve the comprehensively reviewed, and systematically updated, draft of the Delegations Policy 308, as to implement an optimal hierarchical framework to define and record all required delegations of authority relating to Waimate District Council (WDC).

BACKGROUND

2. As ordained by the Delegations Policy's triennial [full] revision timeframe, a systematic review of the Policy was conducted to ensure the full alignment/compatibility of its provisions with legislative framework and WDC's internal procedures and public policies.
3. To such an end, the draft Delegations Policy 308 was first presented to Council, in a workshop capacity, on 14 May 2019 as to obtain direction from Council vis-à-vis the Policy's content.
4. Subsequently, upon obtaining such direction, the law firm Anderson Lloyd was engaged for the procurement of its services as to conduct a full legal review of the Delegations Policy 308. The firm produced the result of its legal review of the document on 23 July 2019. As depicted in the enclosed document, the recommendations in the review are in 2 categories:
 - a. Technical legal recommendations as to ensure full reflection and compatibility of the latest legislative framework with delegated authorities and functions outlined in the Policy; and
 - b. Editorial review of the Policy's content.

All such recommendations and corrections are reflected in the enclosed draft Delegations Policy 308, and were presented to the WDC Leadership Team on 7 August 2019.

PROPOSAL

5. Council is asked to approve the adoption of the Delegations Policy 308.

OPTIONS

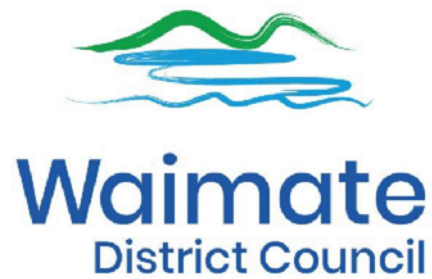
6. Council may:
 - a. Adopt the Delegations Policy 308, or
 - b. Adopt the Delegations Policy 308 with amendments, or
 - c. Not adopt the Delegations Policy 308 at this time.

ASSESSMENT OF SIGNIFICANCE

7. The Policy is not deemed significant under the WDC's Significance & Engagement Policy.

RECOMMENDATION

1. That the Delegations Policy 308 Report be accepted; and
2. That Council adopt the fully revised Delegations Policy 308, as attached.



Delegations Policy 308

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1. Introduction

1.1 Purpose and Principles of Delegations

The purpose of the delegations in this Delegations Policy (Policy) is to provide a clear framework and hierarchy to identify, confirm, and record all existing and required delegations of authority relating to Waimate District Council (Council).

1.2 Scope

Council's This Delegation Policy will define in relation to delegations:

- The role of elected members, including judicial special purpose committees and sub-committees;
- The role of Chief Executive;
- The role of senior Council management;
- The role of other Council staff;
- The role of community members or groups agreeing to accept a delegated role from Council;
- Financial delegations;
- Liability and indemnity in relation to the exercise of delegated authority; and
- Powers and voting rights of persons assigned or agreeing to a delegated authority.

The scope of the this Council's Delegations Policy does not extend to partnerships with private sector organisations (as defined by Council Policy # 405) nor to any roles that Council may assume in relation to advancing community outcomes together with its influencing agencies and organisations, (unless set out by agreement between all parties in a Memorandum of Understanding or (MOU)).

1.3 Responsibility

Responsibility to observe this policy Policy lies with all elected members and staff and to all members of the community agreeing to accept a delegated authority from Council, and to any community organisation receiving delegations as part of a Memorandum of Understanding (MOU) with Council.

1.4 Amendments to this Policy

This Policy is to be maintained by Council's policy analyst who will amend the Policy in accordance with:

- Any instruction to that effect given by Council and any delegate authorised to amend this Policy; or
- Any need for typographical, grammatical or other minor amendment where the intention of Council in the matter of a delegation is not altered.

1.4.1.5 Background

The enactment of the Local Government Act 2002 (LGA) has had implications for the way in which all territorial local authorities in New Zealand operate their methods of delegating authority. The key sections of the Local Government Act 2002 LGA in relation to delegations are:

Section 41 – Governing bodies

(2) A territorial authority must have a governing body consisting of members and a mMayor elected in accordance with the Local Electoral Act 2001.

(3) A governing body of a local authority is responsible and democratically accountable for the decision-making of the local authority.

- (1) The role of a mayor is to provide leadership to—
 - (a) the other members of the territorial authority; and
 - (b) the people in the district of the territorial authority.
- (2) Without limiting subsection (1), it is the role of a mayor to lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.
- (3) For the purposes of subsections (1) and (2), a mayor has the following powers:
 - (a) to appoint the deputy mayor:
 - (b) to establish committees of the territorial authority:
 - (c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor –
 - (i) may make the appointment before the other members of the committee are determined; and
 - (ii) may appoint himself or herself.
- (4) However, nothing in subsection (3) limits or prevents a territorial authority from—
 - (a) removing, in accordance with clause 18 of Schedule 7, a deputy mayor appointed by the mayor under subsection (3)(a); or
 - (b) discharging or reconstituting, in accordance with clause 30 of Schedule 7, a committee established by the mayor under subsection (3)(b); or
 - (c) appointing, in accordance with clause 30 of Schedule 7, 1 or more committees in addition to any established by the mayor under subsection (3)(b); or
 - (d) discharging, in accordance with clause 31 of Schedule 7, a chairperson appointed by the mayor under subsection (3)(c).
- (5) A mayor is a member of each committee of a territorial authority.
- (6) To avoid doubt, a mayor must not delegate any of his or her powers under subsection (3).
- (7) To avoid doubt,—
 - (a) clause 17(1) of Schedule 7 does not apply to the election of a deputy mayor of a territorial authority unless the mayor of the territorial authority declines to exercise the power in subsection (3)(a):
 - (b) clauses 25 and 26(3) of Schedule 7 do not apply to the appointment of the chairperson of a committee of a territorial authority established under subsection (3)(b) unless the mayor of the territorial authority declines to exercise the power in subsection (3)(c) in respect of that committee:

(1) A local authority must, in accordance with clauses 33 and 34 of schedule 7, appoint a ~~Chief~~chief
~~e~~Executive.

(2) A ~~c~~Chief ~~e~~Executive appointed under subsection (1) is responsible to his or her local authority for –

(a) ~~i~~implementing the decisions of the local authority; and

- (b) providing advice to members of the local authority and to its community boards, if any; and
 - (c) ~~e~~Ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and
 - (d) ensuring the effective and efficient management of the activities of the local authority; and
 - ~~(d)(a)~~ facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001; and
 - ~~(d)(e)~~ maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and
 - ~~(e)(f)~~ providing leadership for the staff of the local authority; and
 - ~~(f)(g)~~ employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and
 - ~~(h)~~ negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).
- ...
- (3) A chief executive appointed under subsection (1) is responsible to his or her local authority for ensuring, so far as is practicable, that the management structure of the local authority –
 - (a) reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and
 - (b) is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.
 - (4) For the purposes of any other Act, a chief executive appointed under this section is the principal administrative officer of the local authority.

Schedule 7 Clause 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 ~~c~~Chief ~~e~~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) ~~(Rrepealed)~~
 - (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 sub-clause (1).
- (3) A committee or other subordinate decision-making body, community board, or member or officer of the local authority may delegate any of its responsibilities, duties, or powers to a 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 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.

Note: All amounts stated in this policy are GST exclusive.

1.51.6 Legislation

In fulfilling its purpose, the ~~Waimate District~~ Council exercises powers and fulfils responsibilities conferred on it by a large number of statutes, chief among these are:

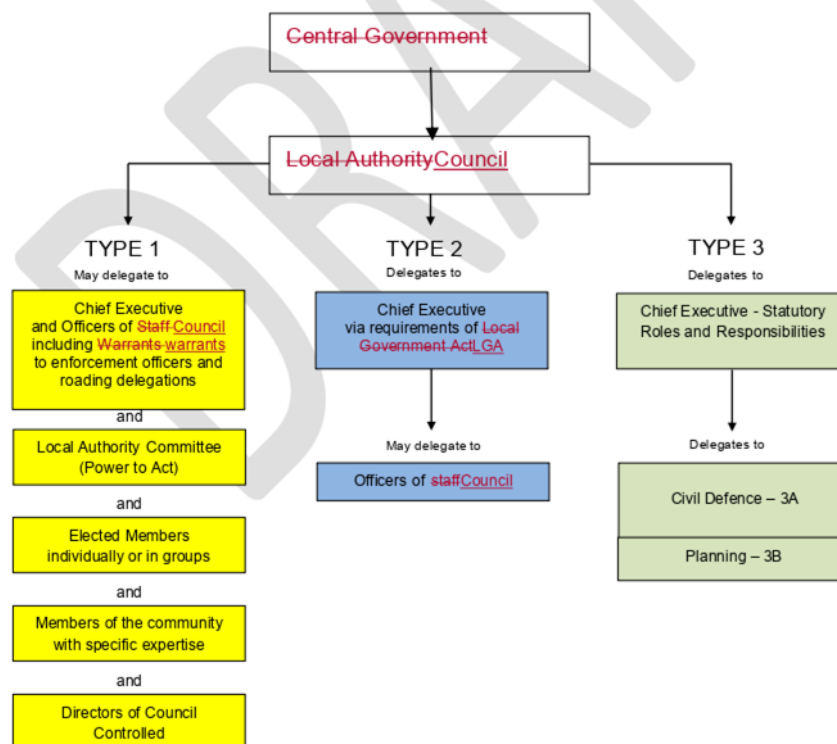
- LGA;

- Local Government Acts of 1974 and 2002 (LGA);
- Local Electoral Act 2001;
- Local Government (Rating) Act 2002;
- Local Government Official Information and Meetings Act 1987;
- Resource Management Act 1991 (RMA);
- A list of other Acts of Parliament that confer powers on the Waimate District Council and regulate its functions can be found in the Council's LTP
- Privacy Act 1993;
- Employment Relations Act 2000;
- Building Act 2004; and
- Food Act 2014.
-

1.6 Previous Methods of Delegation

- All delegations arising from the Local Government Act 1974, became ineffective upon the introduction (date) of the Local Government Act 2002, being 1 July 2003
- The Public Bodies Contracts Act 1959, ceased to apply to local government from the date of the introduction of the Local Government Act 2002, being 1 July 2003

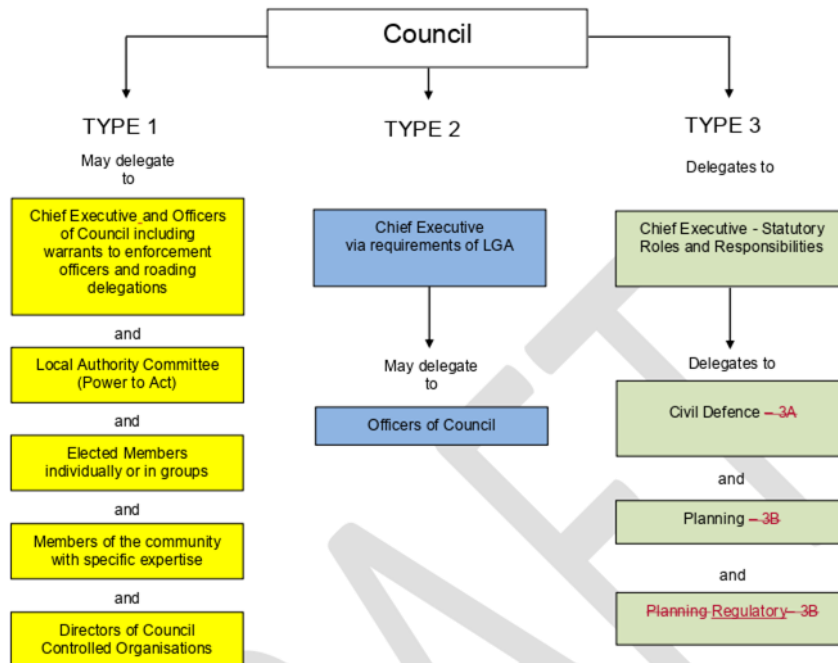
7. Framework for Delegations – Three Types of Delegations



Note: This framework relates to delegations not appointments

2. ~~Schedules to Delegations Policy~~ Types of Delegations

2.1 Framework for Delegations - Three Types of Delegations



Note: This framework relates to delegations not appointments

1A — Delegations to Council Committees

Preamble

~~Following the 2016 election, at the inaugural meeting of Council on 18 October 2016, Council resolved, in accordance with the Local Government Act 2002, to adopt Standing Orders. The Standing Orders contain rules for the conduct of the proceedings of the local authority, committees and subcommittees. Their purpose is to enable local authorities to exercise their decision-making responsibilities in a transparent, inclusive and lawful manner. The Standing Orders also set out Council's ability to make delegations to committees and subcommittees, and to reassert the conditions, limitations and prohibitions on delegations as determined by the LGA (cl. 32 (1) Schedule 7, LGA 2002)~~

2.1.1 Delegations to Committees

2.2 Type 1 Delegations

| <u>From</u> | <u>To</u> | <u>List of such delegations affixed at specified Schedule</u> |
|----------------|---|---|
| <u>Council</u> | <u>Council Committees with full power to act</u> | <u>Schedule 1A – Delegations to Council Committees</u> |
| <u>Council</u> | <u>Audit and Risk Committee, being a Council Advisory Committee</u> | <u>Schedule 1AA – Delegations to Audit and Risk Committee</u> |
| <u>Council</u> | <u>Chief Executive (where it is useful to record these specifically in addition to the general responsibilities of a chief executive in terms of section 42 of the LGA)</u> | <u>Schedule 1B – Delegations to Chief Executive from Elected Members</u> |
| <u>Council</u> | <u>Community organisation by way of MOU</u> | <u>Schedule 1C – Delegations from Council by way of MOU with Community Groups</u> |
| <u>Council</u> | <u>Elected members and staff</u> | <u>Schedule 1D – Delegations in Respect of Rooding</u> |
| <u>Council</u> | <u>Enforcement officers and other staff</u> | <u>Schedule 1E – Warrants</u> |

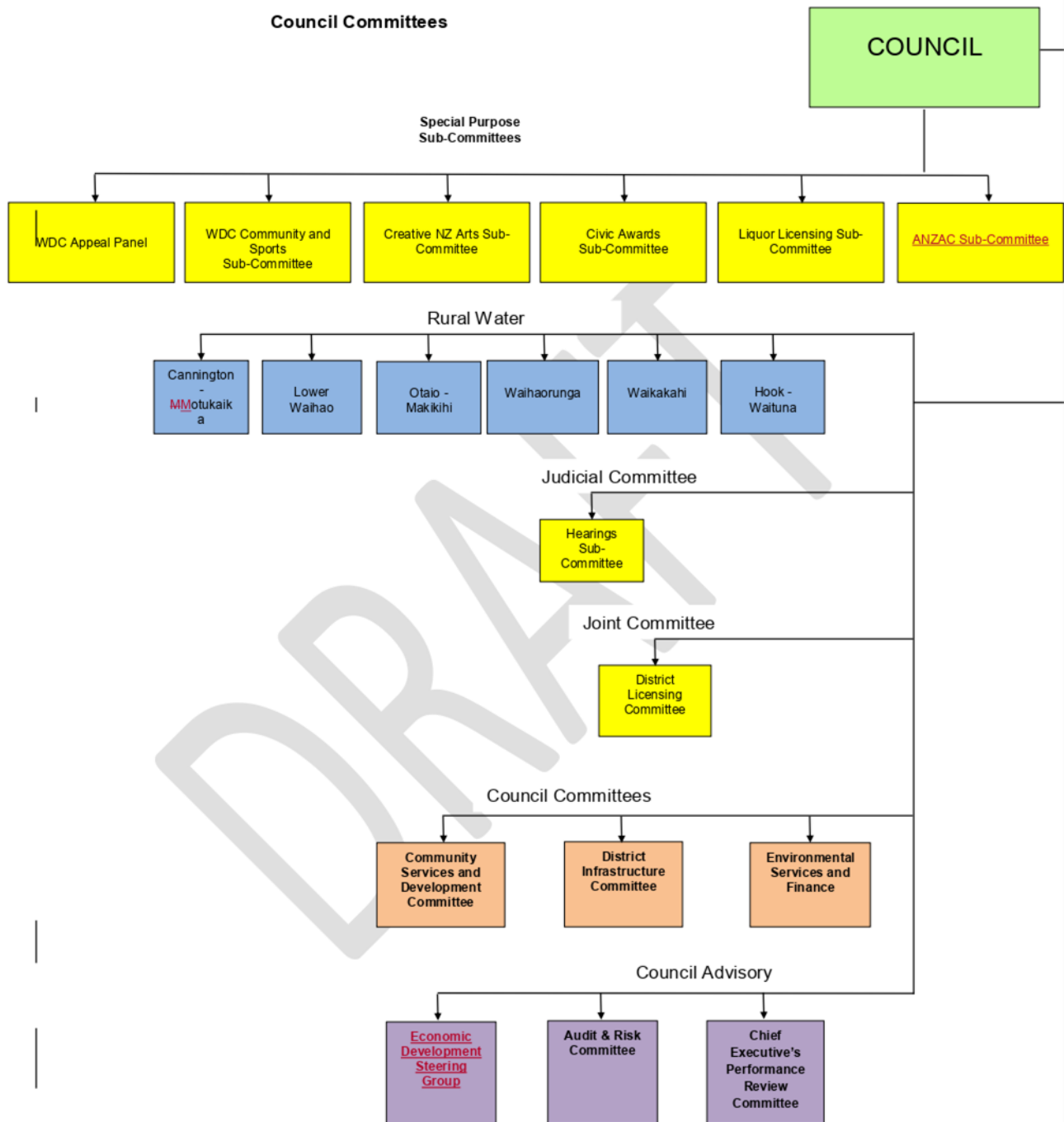
2.3 Type 2 Delegations

| <u>From</u> | <u>To</u> | <u>List of such delegations affixed at specified Schedule</u> |
|------------------------|---|--|
| <u>Chief Executive</u> | <u>Full powers to Senior Managers, from time to time, especially in periods of known absence.</u> | <u>N/A – appointed and period of appointment is written and signed on a case by case basis.</u> |
| <u>Chief Executive</u> | <u>Other Council staff financial authority to expend or commit Council to expenditures.</u> | <u>Schedule 2A – Council Staff, Financial Authority to expend or commit Council to expenditure</u> |

2.4 Type 3 Delegations

| <u>From</u> | <u>To</u> | <u>List of such delegations affixed at specified Schedule</u> |
|------------------------|------------------------|--|
| <u>Council</u> | <u>Chief Executive</u> | <u>Schedule 3A – Civil Defence</u> <u>Schedule 3B – Planning and Regulatory</u> |
| <u>Chief Executive</u> | <u>Civil Defence</u> | <u>Schedule 3A – Civil Defence</u> <u>Schedule 3A(i) – Requisitioning Powers under the Civil Defence Emergency Management Act 2002</u> <u>Schedule 3A(ii) – Delegation of Powers under the Civil Defence Emergency Management Act 2002</u> |
| <u>Chief Executive</u> | <u>Planning</u> | <u>Schedule 3B – Planning and Regulatory</u> |
| <u>Chief Executive</u> | <u>Regulatory</u> | <u>Schedule 3B – Planning and Regulatory</u> |

Delegation to Committees



3. Schedules for Type 1 Delegations

Schedule 1A — Delegations to Council Committees

Preamble

Council is obliged, in accordance with the Local Government Act 2002 LGA, to adopt Standing Orders. The Standing Orders contain rules for the conduct of the proceedings of the local authority, committees and subcommittees. Their purpose is to enable local authorities to exercise their decision-making responsibilities in a transparent, inclusive and lawful manner. The Standing Orders also set out Council's ability to make delegations to committees and subcommittees, and to reassert the conditions, limitations and prohibitions on delegations as determined by the LGA (cl 32 (1) Schedule 7, LGA 2002)

3.1 Council Committees

The Mayor has established the following Standing Committees, in accordance with section Clause 41A, of the Local Government Act 2002 LGA, to deal with governance and policy issues associated with the functions listed for each Committee committee:

Community Services and Development Committee

- Library
- Promotions
- Strategy
- Community Support
- ~~Civil Defence Emergency Management~~
- Economic Development
- Bylaw making process up to but not including adoption
- All Policies relating to Community Services and Development

District Infrastructure Committee

- Three Waters
- Waste Management
- Roading and Footpaths
- ~~Rural Fire~~
- Parks and Reserves includes Parks and Public Spaces, Swimming, Camping, Cemeteries
- Bylaw making process up to but not including adoption
- ~~All Policies relating to District Infrastructure~~
- Property

Environmental Services and Finance

- Regulatory and Environmental Services
- Building Control

- Civil Defence Emergency Management
- Resource Management
- Dog and Animal Control
- ~~Property~~
- Investments and Finance
- Forestry
- Audit and Risk
- Governance – Community Representation
- Information Technology
- Bylaw making process up to but not including adoption
- All Policies relating to Environmental Services and Finance

Schedule 1AA — Delegations to Audit and Risk Committee

The Audit and Risk Committee has delegated authority to:

- Engage and confirm with the external auditor the terms of the auditor's appointment and engagement, including the nature and scope of the audit and timetable;
- Approve the appointment of any internal auditor, internal audit programmes, audit engagement letters and letters of undertaking for audit functions;
- Approve additional services provided by the external auditor;
- Approve, coordinate and monitor special investigations;
- Seek independent advice within budget; and
- Seek any information it requires from the Chief Executive who will co-operate with any reasonable request made by the Audit and Risk Committee.

The Audit and Risk Committee has no financial delegation from Council.

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

Council Committee composition

Each of the above Council Committees comprises all Councillors together with the Mayor.

Council Committee delegations

Council Committees have delegated authority to:

- ~~approve~~ Approve external submissions;
- ~~and~~
- ~~appoint~~ Appoint Councillors and Council representatives on to external Committees; ~~and~~
- ~~adopt~~ Adopt policies and approve amendments to relevant policy documents relating to the functions of that Committee as listed in this policy (not including the adoption of policies to be adopted and consulted on under the Local Government Act 2002 LGA in association with the ~~long-term plan~~ LT or developed for the purpose of the Local Government Statement); ~~and~~
- ~~approve~~ Approve grant applications and amend grant criteria; ~~and~~
- ~~approve~~ Approve road stoppings; ~~and~~
- ~~approve~~ Approve unbudgeted expenditure of up to \$10,000; ~~and~~
- ~~approve~~ Approve revisions and remedy omissions to existing fees and charges; ~~and~~
- ~~adopt~~ Adopt the ~~Special special Consultative consultative Procedure procedure~~ provided for in Sections sections 82 to 87 of the Local Government Act 2002 LGA in respect of matters under the Committee's jurisdiction, including the Bylaw making process, up to but not including adoption of that Bylaw.

Schedule 1B**Delegations to Chief Executive from Elected Members****Functions**

The Chief Executive is the head of the Council's staff appointed under section 42 of the ~~Local Government Act 2002~~ LGA.

Delegations to Chief Executive

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

- (a) ~~those~~ Those reserved to the Council under clause 32 ~~to~~ schedule ~~Schedule~~ 7 of the ~~Local Government Act 2002~~ LGA; and
- (b) ~~any~~ Any other powers, functions and duties specifically identified as being reserved to the Council or a committee under this Policy;

The Chief Executive may delegate any of these responsibilities, duties or powers, except any the law requires the Chief Executive to exercise.

Specific Delegations

For the avoidance of doubt, the Chief Executive's delegations include the powers detailed in the following bullet points:

- ~~to~~ To commit Council expenditure up to a limit of ~~\$500,000~~ 750,000 (within approved budget);
- ~~to~~ To initiate, negotiate, resolve or withdraw from legal proceedings in any Court. This includes prosecutions, debt recovery and Resource Management Act appeals and all other legal proceedings. To commence any prosecution the Chief Executive will do so in accordance with the "Guidelines for the laying of informations" adopted by Council from time to time;
- ~~to~~ To make submissions to outside organisations on behalf of Council, following consultation with elected members;
- ~~to~~ To undertake all directives approved by Council resolution;
- ~~to~~ To sell or purchase property or land up to the value of \$40,000 without Council resolution but with approval of His Worship the Mayor (refer to Property or Land Sale Purchase and Lease Policy 410);
- ~~to~~ To approve contingency expenditure up to a limit of \$50,000 in the case of emergency or an unexpected event etc.;
- ~~to~~ To accept, negotiate or decline contracts, tenders, purchasing agreements or any other arrangements for:
 - The employment of staff, consultants and advisers
 - The supply of goods and services, plant items or other assets to the Council
 - The provision of services by Council, and the sale, leasing, or disposal of goods, plant capital items (excluding real estate property) or other assets owned by the council and the settlement of claims for compensation
- ~~Easements, rights of way, caveats, registrable interests and similar minor dealings with property~~
- To issue trespass notices on Council owned or occupied land and to sub-delegate the issuance of trespass notices to appropriate persons; ~~and-~~
- ~~full negotiation authority and to sign any sale and purchase agreements in relation to sections within the Eric Batchelor Place subdivision-~~
- The Chief executive may issue warrants to staff, and any contractors, and may change the warrants. A record of all current warrants must be kept.

Schedule 1C Delegations from Council by way of Memorandum—of Understanding MOU with Community Groups

| In-Place | Date |
|---|----------------|
| Friends of Kelceys Bush for the Management and up-keep of the Whitehorse Walkways | November 2005 |
| Waimate District Resource Trust | September 2014 |
| Friends of Knottingley Park | September 2014 |
| Waimate Historical Society (Deed of Agreement) | December 1997 |

Public Hall Committees

| | |
|--|--|
| St Andrews Hall Committee | Ikawai Memorial Community Centre Committee |
| Arno Soldiers Memorial Hall Committee | Waihaorunga Hall Committee |
| Glenavy Community Hall Trust Committee | Hunter Public Hall Committee |
| Southburn Amenities Society Inc. Committee | Studholme Hall Committee |
| Hook Soldiers Memorial Hall Committee | Kurow Memorial Hall |
| Willowbridge Hall Committee | Waituna Hall Committee |
| Makikihi Hall Committee | Otaio Community Hall Committee |
| Lyalldale Hall Committee | Bluecliffs Hall Committee |
| Maungati Community Hall Committee | Morven Hall Committee |

Preamble

Traditionally Council's relationship with some rural hall committees has been simply that Council arranges and pays their insurance premium and then invoices the hall committee. Upon request from the hall community, Council will conduct the invoicing of a hall rate to the households in the hall community and return these funds to the committee, for the up-keep and management of the hall.

In addition to these arrangements, three of the above rural hall or reserve committees (St Andrews, Glenavy and Morven Reserve) receive additional services from Council. These halls/reserves provide Council with approved invoices, and Council pays these invoices from funds held on the hall/reserve's behalf.

Rural Water Scheme Committees

| | |
|----------------------|--------------|
| Cannington-Motukaika | Lower Waihao |
| Otaio-Makikihi | Waihaorunga |
| Waikakahi | Hook-Waituna |

Preamble

The rural water scheme committees are sub-committees of Council. The committees are made up of elected members of Council and elected local people for the management for each of the rural water schemes (Lower Waihao is not currently constituted due to the lack of persons standing for election). Council's rural water scheme members obtain financial, technical and legal information from Council, and make recommendations to Council for the management of the schemes, including water rates and charges for each scheme.

Schedule 1D Delegations in Respect of Roothing**Elected Members Level**

Roothing legislation can create a delegation to elected members where a decision can only be made by elected members by ordinary resolution in public meeting.

- ~~Gates on public roads;~~
- ~~Resolution of an objection to the temporary closure of public roads, if cannot be resolved by the Roothing Manager or the Chief Executive; and~~
- ~~Parking restrictions for time period, and type of vehicle.~~

Staff Level

~~Or~~ Council delegate powers to ~~the following~~ rooting ~~staff officers~~ to make day to day decisions on their behalf:-

- ~~Authority to perform~~ Temporary closure of public roads ~~is delegated to Council's Roothing Manager, and in his absence, Council's Asset Group Manager.~~
- These may be effected for events, by empowering legislation "~~Transport Act 1965 and Transport Act 1998~~" or for the purposes by more broadly empowering legislation contained at ~~section S.342 of the Local Government Act 1974~~; ~~The procedures for Council staff to make temporary closure of public roads depends on whether there is an efficient alternative route available to be used in place of the closed road, where all affected households and businesses can be practically advised in person, this is done by Council's Roothing Staff where it is not practicable to advise all affected parties in person, newspaper advertising is placed;~~
- Where an unplanned or emergency road closure is necessary, authority to perform this is delegated to Council's Roothing Manager, or in his absence, Council's Roothing Officer~~s~~. These officers must report back to Asset Group Manager; and
- Whilst recognising that it is generally undesirable to delegate any power of Council to a third party, it is recognised that in an emergency situation, it may be desirable for Council's Roothing Contractor to have the delegated authority to make unplanned road closures, in order to protect life or property. In all such circumstances where Council's Roothing Contractor makes a road closure, they are required to notify Council's Roothing Manager or Roothing Officer immediately.

Staff Level

Placement of give way and stop signs may be made by Council's Roothing Manager.

Staff Level

Designation of a section of Road as "no stopping" may be made by Council's Roothing Manager.

Staff Level

Council's Roothing Manager and Council's Roothing Officers are ~~delegated~~ appointed to the position of the Road Corridor Manager.

Staff Level

Removal of abandoned motor vehicles:

- Council's Roothing Manager and Council's Roothing Officer are delegated the authority to exercise the powers of Council contained in ~~Section-section~~ 356 ~~of the~~; Local Government Act 1974, relating to the removal of abandoned motor vehicles, or under the Transport Act, to take possession of and remove from any road to a place of safety, any motor vehicle that appears to be abandoned.

Staff Level

Private activities on public roads:

- Council's Roothing Manager is delegated the authority to approve or reject the following private activities on public roads upon written application by a member of the public:
 - Location of temporary buildings on road reserves;
 - Permits to lay conduit pipes along, over or under streets;
 - Road encroachments;

- Permits for overweight vehicles;
- The installation of "no overtaking" lines;
- Vehicle crossing permits to certify that roads have been formed and completed in accordance with Council's requirements;
- Stock lanes;
- Stock underpass and crossings;
- Cattle stop;
- Grazing road berm;
- Cultivation of road berm;
- Storage on road berm;
- Structures on road berm;
- ~~Road encroachments;~~
- Road planting/trees on road reserves; and
- ~~Vehicle crossings; and~~
- Road opening notice.

DRAFT

Schedule 1E _____ Warrants

Council approves the following warrants.

| | |
|--|--|
| Under the hands of the Mayor and the Chief Executive be issued and kept current to Council staff and Contractors in terms of the following delegations: | |
| This delegation is given to the following staff roles: | |
| Asset Group Manager, Roading Manager, Roading Officer, Water and Waste Manager, Utilities Foreman, Water Technician/s, Compliance Officer and Apprentice Water Technician | |
| –Roading Manager | |
| –Roading Officer | |
| –Water and Waste Manager | |
| –Utilities Foreman | |
| –Water Technicians | |
| –Apprentice Water Technician | |
| Local Government Act 2002LGA | |
| Section 171 | General power of entry |
| Section 172 | Power of entry – <u>enforcement purposes</u> |
| Section 173 | Power of entry in <u>cases of</u> emergency |
| Section 174 | Authority to act (<u>powers of entry</u>) |
| Section 178 | Require <u>certain</u> information |
| Section 181 | Construction of works <u>on private land</u> |
| Section 182 | Power of entry – utilities |
| Section 193 | Power to restrict water <u>supply</u> |
| Health (Drinking Water) Amendment Act 20071956 | |
| Section 69S | Duty of suppliers in relation <u>to provision of drinking water-ete-</u> |
| Section 69V | <u>Duty t</u> o take all practicable steps to comply with <u>New Zealand Drinking Water Standards (2008)drinking water standards</u> |
| Section 69ZZZ | Protecting water supplies from risk of back-flow |
| Litter Act 1979 | |
| Section 7 | <u>Powers and duties of officers</u> |
| Technicians can install back-flow preventers <u>Plus relevant by-laws</u> | |
| <u>Power to administer and enforce relevant Bylaws</u> | |
| This delegations is given to the following staff roles: | |
| –Building Control Manager <u>and</u>, Building Control Officer/s and the Compliance Officer (when applicable) | |
| –Building Control Officer/s | |
| Building Act 2004 | |
| | To carry out all functions under the Building Act 2004 |
| Fencing of Swimming Pools Act 1987 | |
| S14 | Power of entry for territorial authority officers |
| Local Government Act 2002LGA | |
| Section 171 | <u>General power of entry</u> |
| Section 172 | General power of entry <u>for the purpose of Regulatory Control- enforcement purposes</u> |
| Section 173 | Power of entry in cases of emergency |
| Section 174 | <u>Authority to act (power of entry)</u> |
| Amusement Devices Regulations 19661978 | |
| SRegulation 23 | <u>Powers of entry</u> |
| Resource Management Act 1991RMA | |
| Section 332(1)(a) | <u>To enter and inspect for compliance with this Act, any regulations, a rule of a plan, and a resource consentPower of entry for inspection</u> |

| | |
|---|-------------------------------|
| Health Act 1956 | |
| <u>Section 128</u> | Power of entry and inspection |
| <u>Plus relevant by-laws Power to administer and enforce relevant Bylaws</u> | |
| Plus any relevant sections of the above mentioned Acts <u>and regulations made under them</u> which may be applicable | |

| | |
|--|--|
| This delegation is given to the following staff roles: | |
| Regulatory & Compliance Group Manager, Compliance Officer, and Resource Planner/s | |
| Resource Management Act 1991 RMA | |
| <u>Section 22</u> | Direct any person to provide certain information |
| <u>Section 322</u> | Issue and serve any person an abatement notice |
| <u>Section 330</u> | On reasonable opinion take such action as necessary to mitigate the likely adverse effects of an emergency <u>Emergency works and power to take preventative or remedial action</u> |
| <u>Section 332(1)</u> | Power of entry for inspection |
| <u>Section 333</u> | Power of entry for survey |
| <u>Section 343C(e)</u> | Issue of an infringement notice |
| <u>Plus relevant by-laws Power to administer and enforce relevant Bylaws.</u> | |
| An "Inspector" under the general by-laws of Council | |
| Plus any relevant sections of the above mentioned Acts <u>RMA and its regulations</u> which may be applicable | |
| Local Government Act 2002 LGA | |
| <u>Section 171</u> | <u>General power of entry</u> |
| <u>Section 172</u> | <u>General power of entry for the purpose of Regulatory Control-enforcement purposes</u> |
| <u>Section 173</u> | <u>Power of entry in cases of emergency</u> |
| <u>Section 174</u> | <u>Authority to act (powers of entry)</u> |
| Litter Act 1979 | |
| <u>Section 7</u> | <u>Powers and duties of officers(s) outlined in the Section</u> |

| | |
|---|--|
| This delegation is given to: | |
| Regulatory & Group Compliance Manager and Liquor Licensing Inspector/s as Contracted to the Waimate District Council | |
| Sale and Supply of Alcohol Act 2012 | |
| <u>Section 267</u> | <u>Powers of entry on licensed premises</u> |
| Local Government Act 2002 | |
| <u>S172</u> | <u>Power of entry in emergency for purposes of enforcement</u> |
| <u>S173</u> | <u>Power of entry in emergency</u> |
| <u>S178</u> | <u>Officer may require certain information</u> |
| <u>S245</u> | <u>Issue of infringement notices</u> |
| <u>Power to administer and enforce relevant Bylaws Plus relevant by-laws</u> | |

| | |
|--|---|
| This delegation is given to: | |
| Regulatory & Compliance Group Manager (when applicable), Group Manager Environmental Services, Environmental Compliance Manager, and Environmental Health Officer and Support Officer as Contracted to the Waimate District Council | |
| Health Act 1956 | |
| <u>Section 34</u> | Immediate abatement of nuisance <u>(without notice)</u> by Environmental Health Officer |
| <u>Section 41</u> | Authority to issue cleansing orders |
| <u>Section 81</u> | Disinfection of premises by Environmental Health Officer |
| <u>Section 82</u> | Disinfection of premises by Environmental Health Officer <u>on receipt of a notice from the medical officer of health</u> |

| | |
|--|--|
| <u>Section 83</u> | Destruction of infected articles |
| <u>Section 128</u> | Power of entry and inspection |
| <u>Section 134</u> | Environmental Health Officer may obtain name and address |
| <u>Local Government Act 2002LGA</u> | |
| <u>Section 171</u> | <u>General power of entry</u> |
| <u>Section 172</u> | <u>General power of entry for the purpose of Regulatory Control-enforcement purposes</u> |
| <u>Section 173</u> | <u>Power of entry in cases of emergency</u> |
| <u>Section 174</u> | <u>Authority to act (powers of entry)</u> |
| <u>Litter Act 1979</u> | |
| <u>Section 7</u> | <u>Powers and duties of officers(s) outlined in the Section</u> |
| Health (Burial) Regulations 1946 | |
| <u>Regulation S20</u> | Inspection of mortuaries |
| Camping Ground Regulations 1985 | |
| <u>Regulation S15</u> | <u>Regular inspection of camping grounds</u> |
| <u>Food Hygiene Regulations 1974</u> | |
| <u>S83</u> | Inspection of food premises |
| <u>Health (Infectious and Notifiable Diseases) Regulations 1966</u> | |
| <u>Regulation S7</u> | Duty to: Visit premises Ensure person isolated Report to medical officer of health Attend to removal to hospital of any person Instruction as to child attending school Instructions as to any teacher attending school Carry out disinfection Keep particulars in writing Produce records for inspection Carry out the instruction of the Medical Officer of Health |
| Health (Registration of Premises) Regulations 1996 | |
| <u>Regulation 5</u> | Inspection of registered premises |
| Food Act 2014 | |
| <u>Section 54</u> | Authority to refuse to process an application for registration |
| <u>Section 55</u> | Authority to require further information to be provided |
| <u>Section 57</u> | Authority to refuse to register a food control plan |
| <u>Section 60</u> | Authority to impose conditions on registration of a food control plan |
| <u>Section 62</u> | Authority to suspend all or any operations under a registered food control plan and extend the suspension if considered necessary |
| <u>Section 63</u> | <u>Authority to extend the suspension if considered necessary</u> |
| <u>Section 67</u> | Authority to cancel the registration of a food control plan |
| <u>Section 84</u> | Authority to refuse to process an incomplete application for registration |
| <u>Section 85</u> | Authority to require an applicant to supply further information |
| <u>Section 89</u> | Authority to impose conditions on registration of a food business |
| <u>Section 90</u> | Authority to suspend all or any operations of a registered food business that is subject to a national programme and extend the suspension if considered necessary |
| <u>Section 91</u> | <u>Authority to extend the suspension (of operations of a registered food business that is subject to a national programme) if considered necessary</u> |
| <u>Section 95</u> | Authority to cancel the registration of a food business that is subject to a national programme |

| | |
|---|--|
| Section 184 | Authority to provide <u>relevant information files</u> required under the Food Act 2014 of to Ministry of Primary Industries |
| Section 294 | Verifiers' rights of access and verifier powers <u>Right of access and related powers and duties of verifiers and verification agencies</u> |
| <u>Plus any other relevant sections of the Food Act 2014 and its regulations (such as Food Regulations 2015) that may be applicable</u> | |

| Health (Registration of Premises) Regulations 1996 | |
|--|--|
| S5 | Inspection of registered premises |
| Food Act 2014 | |
| S54 | Authority to refuse to process an application for registration |
| S55 | Authority to require further information to be provided |
| S57 | Authority to refuse to register a food control plan |
| S60 | Authority to impose conditions on registration of a food control plan |
| S62, S63 | Authority to suspend all or any operations under a registered food control plan and extend the suspension if considered necessary |
| S67 | Authority to cancel the registration of a food control plan |
| S84 | Authority to refuse to process an incomplete application for registration |
| S85 | Authority to require an applicant to supply further information |
| S89 | Authority to impose conditions on registration of a food business |
| S90, S94 | Authority to suspend all or any operations of a registered food business that is subject to a national programme and extend the suspension if considered necessary |
| S95 | Authority to cancel the registration of a food business that is subject to a national programme |
| S184 | Authority to provide files required under the Food Act of Ministry of Primary Industries |
| S294 | Verifiers' rights of access and verifier powers |
| This delegation is given to: | |
| Regulatory & Compliance Group Manager (when applicable) and Food Safety Officer as Contracted to the Waimate District Council | |
| Food Act 2014 | |
| Section 219 | Power to issue and cancel infringement notice |
| Section 296 | Powers of in sections 292 and 293 of the Food Act 2014 exercisable by food safety officers |
| Section 299 | Powers to facilitate entry, search, and seizure |
| Section 300 | Information powers and evidence gathering |
| Section 301 | Powers of examination, identification, and rectification, and associated detention powers |
| Section 302 | Powers to issue improvement notice |
| S303 | Review of improvement notice |
| Section 304 | Powers to take, purchase, and sample |
| Section 305 | Powers to interrupt operations and give certain directions |
| Section 306 | Powers to seize, condemn, and require disposal |
| Section 307 | Powers to restrict use of or close place |
| Section 308 | Other powers |
| Section 310, S314 | Powers to enter without search warrant |
| Section 311 | Power to enter without search warrant |
| Section 312 | Power to test samples of food or examples of food related accessories |
| Section 3246 | Power to execute a search warrant |
| Section 326 | Powers under search warrant |
| Section 331 | Application for compliance order |

| | |
|--|---------------------------|
| Power to administer and enforce relevant Bylaws | Plus any relevant by-laws |
| Plus any other relevant sections of the above acts | |
| Food Act 2014 and its regulations that may be applicable | |

This delegation is given to the following staff roles:

Chief Executive or Regulatory & Compliance Manager

Food Act 2014

| | |
|-------------|---|
| Section 303 | Authority to review Food Safety Officer decision's to issue an improvement notice |
|-------------|---|

This delegation is given to the following staff roles:

Regulatory & Compliance Group Manager, Resource Planner, Compliance Officer, and Animal Control Officer/s and/or Contractors

Local Government Act 2002 LGA

| | |
|-----------------------------|---|
| Section 171 | General power of entry |
| Section 172 | General power of entry for the purpose of Regulatory Control enforcement purposes |
| Section 173 | Power of entry in cases of emergency |
| Section 174 | Power to act (powers of entry) |
| Litter Act 1979 | |
| Section 7 | Powers and duties of officers(s) outlined in the Section |
| Dog Control Act 1996 | |
| Section 14(1),(2) | Power of entry — cause to suspect an offence has been committed against Act or by-law |
| Section 15(1),(2) | Power of entry to feed dogs/remove dogs supply dogs with food, water or shelter and/or seize the dog |
| Section 17(1),(2) | Powers of warranted officers Responsibility to keep dog in custody and be given proper care and exercise |
| Section 19(1) | Power to request information about owner Required to supply name and address |
| Section 25 | Disqualification of owners |
| Section 28(7) | Failing to comply with disqualification Powers of entry to seize dog where person fails to comply — Dog Animal Control Officer may seize dog |
| Section 31 | Territorial Authority Power to classify dangerous dogs |
| Section 33A | Territorial Authority may Power to classify dogs as menacing |
| Section 50(1) | Power to seize and impound Dog not wearing proper collar or disc — Officer may seize the dog |
| Section 55(1) | Barking dogs — power of entry, issuance of abatement issue written notice or officer may seize remove the dog |
| Section 56(2) | Barking dogs causing distress — officer may power to remove the dog |
| Section 57(2) | Dogs attacking — liability for fine on summary conviction |
| Section 59(1) | Seizure of dog (re-protected wildlife) Power to seize and destroy dog at large in vicinity of protected wildlife |
| Section 60(1) | Destruction of Power to destroy dog running at large among stock or poultry (note this power may not be exercised without written authority from Council's Chief Executive) |
| Section 64(2),(3) | Destruction Power to destroy of dog where order made for destruction (note this power may not be exercised without written authority from Council's Chief Executive) |
| Section 69(1) | Impounding — and — subsequent disposal Power to impound and subsequently dispose of dog |
| Section 70(3),(5),(7) | Custody of dog removed for barking |
| Section 71(1),(5),(8) | Retention of dog threatening public safety |

Impounding Act 1955

| | |
|--|---|
| <u>Section 32(1),(3)</u> | <u>Power to declare specified fenced paddock or yard adjacent to a road to be a temporary pound and appoint a keeper of the pound</u> |
| <u>Section 35</u> | <u>Stock straying on roads – power to impound</u> |
| <u>Section 36</u> | <u>Recovery of stock – power of entry to recover escaped stock while being taken to a pound</u> |
| <u>Section 42(1)</u> | <u>Disposal of wild stock – power to impound and destroy wild stock straying on roads</u> |
| <u>Section 44</u> | <u>Provisionary pound is of insufficient size – power to extend the size of a temporary pound</u> |
| <u>Section 47</u> | <u>Pound keeper to detain stock until charges paid</u> |
| <u>Section 49</u> | <u>Stock not claimed to be sold at auction</u> |
| <u>Section 50(1),(2)</u> | <u>Sales of impounded stock</u> |
| <u>Section 52(1)</u> | <u>Destruction of suffering or worthless stock</u> |
| <u>Section 53</u> | <u>Disposal of unsold stock</u> |
| <u>Power to administer and enforce relevant Bylaws</u> | |
| <u>Plus any other relevant sections of the above Acts and the regulations made under them that may be applicable</u> | |

Impounding Act 1955

| | |
|--|--|
| <u>S32(1),(3)</u> | <u>Power to declare specified area a temporary pound and appoint a keeper of the pound</u> |
| <u>S35</u> | <u>Stock straying on roads – power to impound</u> |
| <u>S36</u> | <u>Recovery of stock – power of entry to recover escaped stock</u> |
| <u>S42(1)</u> | <u>Disposal of wild stock – power to impound and destroy</u> |
| <u>S44</u> | <u>Provisionary pound is of insufficient size – can extend the size of a temporary pound</u> |
| <u>S47</u> | <u>Pound keeper to detain stock</u> |
| <u>S49</u> | <u>Stock not claimed to be sold</u> |
| <u>S50(1),(2)</u> | <u>Sale of impounded stock</u> |
| <u>S52(1)</u> | <u>Destruction of suffering or worthless stock</u> |
| <u>S53</u> | <u>Disposal of unsold stock</u> |
| <u>Plus relevant by-laws</u> | |
| <u>Plus any other relevant sections of the above Acts that may be applicable</u> | |

This delegation is given to the following staff roles:

–Regulatory & Compliance Group Manager, Compliance Officer and Noise Control Officers (Staff and Contractors)

Resource Management Act 1991RMA

| | |
|--------------------|--|
| <u>Section 22</u> | <u>DirectionPower to direct any person to supply information relating to noise control</u> |
| <u>Section 322</u> | <u>Issue of an serve any person an abatement notice with regard to noise control</u> |
| <u>Section 327</u> | <u>Excessive-Issue an excessive noise direction/abatement notices</u> |
| <u>Section 328</u> | <u>Compliance with excessive noise direction - Powers of entry and seizure</u> |
| <u>Section 332</u> | <u>Power of entry for inspection</u> |

Local Government Act 2002

| | |
|---|--|
| <u>S172</u> | <u>Power of entry</u> |
| <u>S178</u> | <u>Officer may require certain information</u> |
| <u>Power to administer and enforce relevant BylawsPlus relevant by-laws</u> | |
| <u>Plus relevant sections of the above ActsRMA that may be applicable</u> | |

By-laws

Regulatory & Compliance Group Manager and in his/her absence the Chief Executive be given delegation to approve minor requests for dispensations to Council by-laws including temporary dispensation to the liquor banned areas

2 ——— Type 2 Delegations

| From | To | List of Such Delegations Affixed at Schedule: |
|-----------------|--|--|
| Chief Executive | Full powers to Senior Managers, from time to time, especially in periods of known absence. | N/A ——— appointed and period of appointment is written and signed on a case by case basis. |
| | Other Council staff financial authority to expend or commit Council to expenditures. | 2B |

4. Schedules for Type 2 Delegations**Schedule 2A Council Staff, Financial Authority to expend or commit Council to expenditure****Discussion**

The guiding document for approval of financial transactions and the acceptance of contractual arrangements on behalf of Council is the Long-Term Plan (LTP). The LTP contains our community's desired outcomes, translated into strategic objectives and devolved into annualised budgets looking ten years ahead. The budgets within the LTP are subject to community approval by the submission and community consultation process.

Where an item of expenditure is being considered that does not fall within the programme of work shown within Council's LTP, then that item of expenditure must be evaluated in terms of Council Policy 301, Significance and Engagement Policy.

Council's delegations of financial authority are based on a recognition of the over-arching authority created by the annual process whereby Council's elected members approve a budget to be in place for a 12 month period commencing 1 July each calendar year.

Expenditure within Budget

Where an item of expenditure falls within the budget approved by Council's elected members, and is equal to or below the delegated level assigned to a Council Manager (refer table of "List of Delegations to Departmental Staff" below), that item of expenditure may be approved by Council's manager for the department relevant to that expenditure.

Where an item of expenditure falls within the budget approved by Council's elected members and is greater than the delegated level assigned to a Council Manager (refer table of "List of Delegations to Departmental Staff" below), approval must be given by Council's Chief Executive.

Where an item of expenditure falls within the budget approval by Council's elected members, and is **\$500,000 to \$750,000 or greater**, approval must be given by ordinary resolution of Council's elected members.

Budget Over-Runs

Where a **group**-manager of Council becomes aware that actual expenditure within an activity will exceed its approved budget ~~by the greater of 5% or \$2,000~~, the manager is required to advise Council's Chief Executive, as soon as is practicable.

Unbudgeted Expenditure

Unbudgeted expenditure is that which is of a nature that falls outside of Council's approved budget.

Where any manager wishes to make unbudgeted expenditure this must be approved by the Chief Executive before the expenditure is committed. The Chief Executive will report the total (and detail) of unbudgeted expenditure to an ordinary meeting of Council, following each financial year quarter.

Council's Managers may delegate authority for financial approvals to staff roles within their departments

In order to facilitate the practical day to day running of Council's operations, Council's managers may delegate (subject to their own expenditure limit ~~of \$40,000~~) financial authority to named staff roles to incur and approve expenditure on behalf of Council, within their departments approved budget.

Approval Process for Invoices and Contracts

- The approval process is intended to align the scale of the expenditure with the seniority of the approving officer.
- In ~~signing approving their approval of~~ an invoice/contract, the Council officer is signifying that:
 - The expenditure falls within Council's programme of work shown in Annual Budget, (or if outside LTP has been approved by Council following subjection to the Significance and Engagement Policy, and public consultation if required)
 - The expenditure falls within the officer's delegated approval limit.
 - The expenditure is in accordance with the relevant purchase order issued by Council where appropriate.
 - The invoice is a bona fide invoice.
 - The quality of the goods or service is acceptable.
 - The price charged on the invoice is as quoted or acceptable.
 - The accounting coding applied to the invoice is correct.
- In some circumstances it may be appropriate for a manager to approve an invoice for payment that will be allocated to a number of departments across Council, provided it is a regular (i.e. monthly, annual etc.) expense that is usual in nature and expected. Examples include motor vehicle registrations and electricity charges. The manager approving this type of invoice must continue to adhere to the conditions of their delegation as with any invoice approval.

Authorisation Process for Invoices

Authorisation is essentially a financial or management audit function, whereby the authorising officer (usually the Accountant, or an additional cheque signatory) provides a second layer of assurance that the approving officer has acted within their personal approval limit, and provides a second opinion on the correctness of the accounting coding.

Council Officer Designated as Bank Signatories and to Authorise Payment

- Bank, transfer, and invest funds held by the Council in accordance with Council policy, subject to the observance of appropriate internal controls;

- Sign and countersign cheques, bills of exchange, promissory notes and other negotiable instruments, withdrawal notices or authorise electronic payments on behalf of Council;
- Approve payroll payments and all payroll related matters;
- Approve all tax payments and tax related matters.
 - Chief Executive
 - Corporate Services Group Manager
 - Accountant
 - Community & Strategy Group Manager
 - Regulatory & Compliance Group Manager
 - Human Resources Manager

Transfer of Funds between Council Bank Accounts and Electronic Bank Transactions

Up to \$~~500,000~~750,000 may be transacted jointly by any two officers of Council designated above as ~~an~~ authorising officers. Transfers in excess of \$~~500,000~~750,000 must be authorised by the Chief Executive.

Raising, authorisation and posting of general ledger journals

Every general ledger journal must be subject to a two-step process, where it is firstly raised by an officer of Council with the appropriate delegation.

A second and separate officer of Council with the appropriate delegation must then:

~~(c)~~(a) Check that the journal is correct in nature and that appropriate supporting documentation is on file; ~~and~~.

~~(d)~~(b) Check that the posting of the journal to the general ledger has been performed correctly and evidence this by signing the journal document in the "authorised" area.

Officers ~~Delegated-delegated~~ to ~~Raise-raise~~ Journalsjournals

Accountant

Corporate Services Group Manager

Rates Officer

Human Resources Manager

Officers ~~Delegated-delegated~~ to ~~Authorise-authorise~~ Journals-journals – except for those journals they may ~~Raise-raise~~

Accountant

Chief Executive

Corporate Services Group Manager

Staff Delegation**Financial Limits**

| Position | Contractual / expenditure authority within budgeted levels in the Long Term Plan / Annual Plan | |
|---|--|---|
| | Initiate Purchase Orders | Approving Purchase Orders and Contracts |
| | GST exclusive | GST exclusive |
| Chief Executive | nil | \$500,000 <u>\$750,000</u> |
| Asset Group Manager | yes | \$200,000 |
| Community & Strategy Group Manager | yes | \$40,000 |
| Corporate Services <u>Group</u> Manager | yes | \$40,000 |
| Executive Support Manager | yes | \$10,000 |
| Human Resources Manager | yes | \$10,000 |
| Regulatory & Compliance Group Manager | yes | \$40,000 |
| Corporate Services <u>Group</u> Manager, Human Resources Manager, Accountant - Payroll & Tax-related matters only | nil | \$250,000 |
| Asset Group Manager | yes | \$200,000 |
| Asset Management Assistant | yes | nil |
| Technical Officer Assets | yes | nil |
| GIS Administrator | yes | nil |
| Water & Waste Manager | yes | \$60,000 <u>\$70,000</u> |

| | | |
|--|------------|-----------------|
| <u>Three Waters Engineer</u> | <u>yes</u> | <u>\$20,000</u> |
| Utilities Supervisor | yes | \$5,000 |
| Water Technicians | yes | nil |
| Roading Manager | yes | \$100,000 |
| Roading Technician | yes | nil |
| Roading Officer <u>s</u> | yes | nil |
| | | |
| Parks & Reserves Manager | yes | \$40,000 |
| Parks & <u>Reserves</u> Supervisor | yes | <u>\$5,000</u> |
| Pool Supervisor | yes | nil |
| | | |
| Community & Strategy Group Manager | yes | \$40,000 |
| Senior Administration Support Officer | yes | nil |
| Event Centre Duty Supervisor | yes | nil |
| Senior Librarian | yes | nil |
| Assistant Librarian | yes | nil |
| Policy Analyst | yes | nil |
| Information (Event Centre) Receptionist <u>s</u> | yes | nil |
| | | |
| Corporate Services Group Manager | yes | \$40,000 |

| | | |
|---|------------|------------|
| Accountant | yes | \$10,000 |
| Accounts Payable/Reception | yes | nil |
| Committee Secretary and PA to the Mayor | yes | nil |
| Corporate Services Team Leader | yes | \$5,000 |
| IT Project Manager | yes | nil |
| Rates Officer | yes | nil |
| Senior Systems Engineer | yes | nil |
| <u>Catering & Cleaning Supervisor</u> | <u>Yes</u> | <u>nil</u> |
| | | |
| Executive Support Manager | yes | \$10,000 |
| Communications Officer | yes | nil |
| <u>Information/Marketing & Promotions Officer</u> | yes | nil |
| | | |
| Regulatory & Compliance Group Manager | yes | \$40,000 |
| Animal Control Officer | yes | nil |
| Building Control Manager | yes | \$5,000 |
| Building Control Officer | yes | nil |
| <u>Civil Defence—Emergency Management & Health and Safety Officer</u> | yes | nil |
| Resource Planner | yes | nil |

| | | |
|--|------------|------------|
| Senior Regulatory Support Officers | yes | nil |
| <u>Compliance Officer</u> | <u>Yes</u> | <u>nil</u> |
| Emergency Work - this is unbudgeted expenditure | | |
| Roading Manager | \$20,000 | \$20,000 |
| Roading Officer | \$20,000 | \$20,000 |
| Roading Technician | \$20,000 | \$20,000 |
| Emergency Work (when Emergency Operations Centre is activated) This is unbudgeted expenditure | | |
| Civil Defence Logistics Manager | \$20,000 | \$20,000 |
| Civil Defence Logistics Support | \$20,000 | nil |
| Contingency expenditure in the case of emergency or an unexpected event. This is unbudgeted expenditure | | |
| Chief Executive | \$50,000 | \$50,000 |
| Note: The initiator of a purchase order cannot approve that order. The only exception is the Chief Executive and Civil Defence Logistics Manager for emergency work. Roading Emergency work will require a different authoriser to approve. | | |

All capital projects and contracts must be approved by the Chief Executive, or Asset Group Manager for Asset Group projects, prior to commencing procurement.

4.5.3 ~~_____~~ Type 3 Delegations Schedules for Type 3 Delegations

| 5. _____ From | To | List of Such Delegations Affixed at Schedule: |
|--------------------------|-----------------|---|
| Council | Chief Executive | 3A and 3B |
| | Civil Defence | 3A |
| | Planning | 3B |
| | Regulatory | 3B |

Schedule 3A ~~_____~~ Civil Defence

Delegated Authorities ~~re-for the~~ Civil Defence ~~and Emergency Management (CDEM)~~ organisation in New Zealand are controlled by the Civil Defence Emergency Management Act 2002 ~~(CDEMA)~~. ~~This Act~~ The CDEMA provides for the following hierarchy of Delegations.

Nationally

| Role | Where Powerspowers/Obligation obligation <u>Derive-derive From-from</u> or are <u>Recordedrecorded</u> |
|--|---|
| Parliament <i>appoints</i> | |
| Minister of CD <i>employs</i> | |
| Chief Executive Department of CDEM <i>appoints</i> | |
| Director of CDEM <i>may appoint</i> | Section 9 of the Civil Defence Emergency Management Act 2002 <u>CDEMA</u> provides advice to Minister that the Director has all the powers that are reasonably necessary or expedient to enable the Director to perform his or her functions, including has wide powers-i, in the event of a National state of emergency, to control the activities of CDEM groups and group controllers. |
| National Controller of CDEM | Section 10 of the Civil Defence Emergency Management Act 2002 <u>CDEMA</u> <u>provides that</u> for the purposes of dealing with a National State of Emergency <u>the National Controller</u> may be delegated any of the powers of the Director of CDEM. |

Regionally

| Role | Where powers/Obligations <u>Derive-derive From-from</u> or are <u>Recordedrecorded</u> |
|---|--|
| Canterbury Civil Defence Emergency Management Group | S12. Section 12 of the CDEMA provides that- E each Regional-regional Council council and TLA-territorial local authority within Canterbury is required to unite and function as a joint standing Committee. |

| Role | Where powers/Obligations Derive-derive From-from or are Recordedrecorded |
|--|--|
| Waimate District Groups Representative | S46. Section 16 of the CDEMA provides that E each Regional-regional Council council and T LA-territorial local authority must provide one representative or group, usually their chairperson. |
| Group Controller | S48.-W Section 18 of the CDEMA provides for wide powers in the event of a declared emergency (see Schedule 3a attached re S sections 86 to 87-88-89, 91 and 92 of the CDEMA). Delegation may be given to has wide powers to delegate to : Group EOC Manager, Group Operations Manager, Group Logistics Manager, Group Welfare Manager and , Group Public Information Manager; (these persons may also delegate powers to persons on duty working for them). |
| | S90.-W Section 90 of the CDEMA provides for wide powers to requisition in the event of a declared emergency (see Schedule 13b attached). Delegation to requisition may be given to: Group Logistics Manager and , Deputy Group Logistics Manager. |

Locally

| Role | Where Powers/Obligations Derive From or are Recorded |
|---|--|
| Mayor | Power to declare an emergency. |
| Waimate District Council Civil Defence Controllers | Direct Waimate Districts Emergency Operations and other obligations under the Civil Defence Emergency Management Act CDEMA. |

Schedule 3A(i) Requisitioning Powers under the Civil Defence Emergency Management Act 2002

The appointed Group Controller for the Canterbury Civil Defence Emergency Management Group delegates the use of the Requisitioning-requisitioning Powers-powers under Section-section 90 of the Civil Defence Emergency Management ~~(CDEM)~~ Act 2002 (CDEMA) to the persons performing the appointments of Group Logistics Manager or Deputy Group Logistics Manager in the Group Emergency Coordination Centre.

This delegation is only applicable to an area or district in which a State of Emergency, having been declared under Section-sections 66, ~~or~~ 68 or 69 of the CDEMA ~~Act 2002~~, is in force and such requisitioning action is believed necessary for the preservation of life.

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Schedule 3A(ii) Delegation of Powers under the Civil Defence Emergency Management Act 2002

The appointed Group Controller for the Canterbury Civil Defence Emergency Management Group delegates to the persons on duty performing the appointments of Group Emergency Coordination Centre Manager or Group Operations Manager or Group Planning Manager or Group Intelligence Manager or Group Logistics Manager or Group Welfare Manager or Group Public Information Manager in the Group Emergency Coordination Centre the authority to exercise the powers of ~~Sections-sections~~ 86 ~~to, 87,88,89,91 and 92~~ of the Civil Defence Emergency Management (~~CDEM~~) Act 2002 (~~CDEMA~~). Further, these persons are authorised to also delegate these powers to persons on duty working for them.

This delegation is only applicable to an area or district in which a State of Emergency, having been declared under ~~Section-sections~~ 66 ~~or~~ 68 or 69 of the ~~CDEMA-Act-2002~~, is in force. Further, any limitations, 'such as necessary for the preservation of life', detailed in the applicable ~~Section-section~~ of the ~~CDEMA Act-2002~~ must apply before any action is authorised.

Schedule 3B — Planning and Regulatory**Delegations under the Resource Management Act 1991****General Delegation Requirements — ~~pursuant to the Resource Management Act 1991~~**

- For the avoidance of doubt, the delegations set out in this Schedule 3B are in addition to, not substitution of, the delegations to the Chief Executive set out in other schedules of this Policy.
- If no delegation is made through the schedule of delegations or the general requirements then a decision is made by the Council or a Committee or Hearing panel selected by Council, or the Chief Executive exercising powers in accordance with delegations set out in other schedules of this Policy.
- That authority is delegated to the Regulatory & Compliance Group Manager or Community & Strategy Group Manager, as appropriate, to determine the membership of the Hearings Committee for each resource consent application that requires a hearing to be held.
- That authority is delegated to the Regulatory & Compliance Group Manager or Community & Strategy Group Manager, as appropriate, to determine those resource consent applications to be decided on by an independent commissioner (rather than the Hearings Committee). Such applications are likely to be for minor applications (such as limited notified applications that involve neighbour conflicts) or where Council has a potential conflict of interest. It is noted that applicants or submitters may request independent commissioners to hear and determine consent applications. In these cases the Regulatory & Compliance Group Manager or Community & Strategy Group Manager, as appropriate or in their absence the Resource Planner will appoint a suitable Commissioner/s.
- Delegations have been specified to the lowest level considered appropriate, however a decision may also be considered by Council.
- ~~The resolution of references, appeals and enforcement action shall be carried out in accordance with the following:~~
 - a. That the Council delegate to the Regulatory & Compliance Group Manager or Community & Strategy Group Manager, as appropriate, and Chief Executive the power, to provide instructions to Council solicitors on its behalf to resolve enforcement action, or resource consent appeals, plan appeals or any other appeals before the Environment Court.
 - ~~b. That the case of mediation or negotiation undertaken to resolve appeals on resource consents, district plan references Environment Court appeals, the draft consent orders and memoranda of counsel be authorised by the Chief Executive Council or delegated committee of power prior to being forwarded to the Court. Note: "that in the case of mediation or negotiation undertaken to resolve appeals on resource consent or district plan Environment Court references appeals, the council clearly define the parameters for council officers to negotiate."~~
 - ~~b-c. In the absence of the Regulatory & Compliance Group Manager or Community & Strategy Group Manager, as appropriate, the Chief Executive is authorised to act in the above Officers capacity subject to the same limitations set out in the above delegation.~~
- ~~Section~~ Section 38 of the ~~Act~~ RMA provides that local authority may authorise any of its officers to carry out all or any of the functions and powers as an enforcement officer under the ~~Act~~ RMA. Rather than showing the officers who are authorised as enforcement officers, the Delegation ~~Schedule~~ Structure shows that the levels at which decisions are made about enforcement action. The Council decides who should be Enforcement Officers who hold warrant cards under section 38(5) of the RMA.

Specific Delegations

Specific delegations are set out in the schedule attached with the delegation structure, referred to in the schedule is set out below.

Delegation Structure

The delegation structure is ~~set out below~~ as follows:

Resource Management Delegations

- Level 1** Any one of the following officers acting alone: Regulatory & Compliance Group Manager, Community & Strategy Group Manager, Chief Executive, or any person acting as the Regulatory & Compliance Group Manager, or Community & Strategy Group Manager.
- Level 2** Any two of the following officers acting together: Chief Executive, Regulatory & Compliance Group Manager, Community & Strategy Group Manager, ~~or~~ Resource Planner.
- Level 3** Any one of the following officers acting alone: Resource Planner ~~or external contractor~~.
- Level 4** Enforcement/Monitoring - Any one of the following officers acting alone: Regulatory & Compliance Group Manager, Community & Strategy Group Manager, Resource Planner, ~~or~~ any person appointed as an Enforcement Officer under ~~Section~~ section 38(5) of the ~~Resource Management Act~~ RMA.
- Level 5** District Plan Policy - The following officer: Regulatory & Compliance Group Manager or Community & Strategy Group Manager, as appropriate.

| The Powers powers, Functions functions and Duties duties to: | | Delegation to: |
|---|---|---|
| Section 36 | S36—Administrative charges: <ul style="list-style-type: none"> Considering an application for remission of charges. To consider request to depart from a fixed payment charge to a time & cost charge. | In accordance with policy F1/12/2 Level 1 |
| Section 37 | S37—Power of waiver and extension of time limits:- <ul style="list-style-type: none"> Power to waive or extend time limits on any application (notified or non-notified). | Level 2 or 3 |
| Section 38 | S38—Authorisation and responsibilities of enforcement officers: <ul style="list-style-type: none"> Ability to authorise enforcement officers and responsibilities of enforcement officers. | Level 2 or 3 |
| Section 41 | S41—Provisions relating to hearings: <ul style="list-style-type: none"> Ability to set a hearing date. | Level 2 or 3 |
| Section 88 | S88—Ability to reject applications: <ul style="list-style-type: none"> Ability to reject applications for inadequate information. | Level 3 |
| Section 91 | S91—Deferral pending application for additional consents: <ul style="list-style-type: none"> To defer processing an application. | Level 2 or 3 |

| The Powers powers , Functions functions and Duties duties to: | | Delegation to: |
|---|---|---|
| <u>Sections 95, 95A, 95B, 95C, 95D and 95E</u> | <p>S93, 94, 94A, 94B, 94C, and 94D. Public notification, <u>limited notification</u> or non-notification of consent applications;</p> <ul style="list-style-type: none"> • To determine whether a resource consent is required to be publicly notified pursuant to section 95 of the RMA. This includes the following powers: • To determine public notification is required pursuant to Section 93 or the Resource Management Act 1991. • To determine when public notification is not whether limited notification is required pursuant to Section section 95B94 of the RMA. • To determine who may be adversely affected by the application pursuant to Section section 95D4 of the RMA. • To determine if a person is an affected person pursuant to who must be served with notice pursuant to Section section 93(1)95E of the RMA. | <p>Level 2</p> <p>Level 2</p> <p>Level 2</p> <p>Level 2</p> |
| <u>Section 99</u> | <p>S99. Pre-hearing meetings:</p> <ul style="list-style-type: none"> • To determine whether a pre-hearing meeting is required. • To determine who will chair any pre-hearing meeting (if one is required). | <p>Level 2</p> <p>Level 2</p> |
| <u>Section 100</u> | <p>S100. Obligation to hold a hearing:</p> <ul style="list-style-type: none"> • To decide if a hearing is required. • To set a hearing date and organise a notice of hearing. | <p>Level 2</p> <p>Level 3</p> |
| <u>Section 102</u> | <p>S102. Joint hearings by 2 or more consent authorities:</p> <ul style="list-style-type: none"> • To decide if a hearing is required. | <p>Level 2</p> |
| <u>Sections 104, 104A 104B, 104C, 108 and 220</u> | <p>S103, 104B, 104C, 108, and 120. Determination of resource consent applications, including subdivisions and impose conditions:</p> <ul style="list-style-type: none"> • To approve and impose conditions on non-notified resource consent and subdivision consent applications, or notified consents where no submissions are received. <p>Note: by default and decision to decline an application is delegated to Council or a Committee or Panel delegated by the Council</p> | <p>Level 1</p> |
| <u>Section 114</u> | <p>S114. Notification of decisions:</p> <ul style="list-style-type: none"> • To organise the release of decisions. | <p>Level 3</p> |
| <u>Section 125</u> | <p>S125. Lapsing of consent:</p> <ul style="list-style-type: none"> • To consider and make a decision on an application for extension of time for any other consent. | <p>Level 3</p> |
| <u>Section 127</u> | <p>S127. Change <u>or cancellation</u> of <u>consent</u> conditions:</p> <ul style="list-style-type: none"> • To consider an application to cancel or vary a condition of resource consent that <u>does</u> not require a hearing. | <p>Level 1</p> |

| The Powers powers , Functions functions and Duties duties to: | | Delegation to: |
|---|---|---|
| Section 128 | S128 —Circumstances when consent conditions can be reviewed: <ul style="list-style-type: none"> To review any other consent under sSection 128(1)(c) of the RMA because the information provided with the application contains inaccuracies. | Level 2 |
| Sections 129 and 132 | S129 and 132 —Notice of review: <ul style="list-style-type: none"> To issue a notice of review. To decide on a review of consent conditions for application which did not require a hearing. | Level 3 Level 1 |
| Section 139 | S139 —Certificates of compliance: <ul style="list-style-type: none"> To consider an application or certificate of compliance. To issue and sign a certificate of compliance as authorised officer. | Level 2 Level 1 |
| Sections 168, 168A, 169 and 171 | S168, 168A, 169, and 171 —Notice of requirement – notification, hearing and recommendations: <ul style="list-style-type: none"> To notify a requirement in accordance with S93section 168A and 169(2) of the RMA and determine which persons and bodies shall be served notice of requirement and to arrange its public notification. To request further information or commission reports. | Level 1 Levels 1 & 2 & and 3 |
| Section 176A | S176A —Outline Plan: <ul style="list-style-type: none"> To consider an application for an outline plan and recommend changes if necessary. To consider an application for a waiver of an outline plan. | Level 2 Level 2 |
| Section 181 | S181 —Alteration to of designation: <ul style="list-style-type: none"> To consider and make decisions on an application for an alteration of a designation. | Level 1 |
| Section 182(5) | S182(5) —Removal of designation: <ul style="list-style-type: none"> To consider an application to remove a designation or remove part of a designation. | Level 5 |
| Sections 184 and 184A | S184 and 184A —Lapsing of designations: <ul style="list-style-type: none"> To consider and decide on a longer time frame to give effect to a designation. | Level 5 |

| The Powers, Functions and Duties to: | | Delegation to: |
|--|---|--|
| <u>Sections 189, 189A, 190 and 191</u> | <p>S189, 189A, 190 and 191—Notice of requirement for a Heritage Order – notification, hearing and recommendations:</p> <ul style="list-style-type: none"> To notify a requirement for a Heritage Order in accordance with S93<u>section (2)189A and 190 of the RMA</u> and determine which persons and bodies shall be served notice of requirement and to arrange its public notification. To request further information or commission reports. | <p>Level 5</p> <p>Level 5</p> |
| <u>Section 221</u> | <p>S221—Issue consent notice:</p> <ul style="list-style-type: none"> Impose as a condition requiring a consent notice or vary a condition of relating to a consent notice. Certify a consent notice as Authorised Officer. | <p>Level 1</p> <p>Level 1</p> |
| <u>Section 222</u> | <p>S222—Completion certificate:</p> <ul style="list-style-type: none"> To certify a completion certificate. | <p>Level 1</p> |
| <u>Section 223</u> | <p>S223—Approval of survey plan:</p> <ul style="list-style-type: none"> To certify a survey plan. | <p>Level 1</p> |
| <u>Section 224</u> | <p>S224—Restrictions upon deposit ioff survey plan:</p> <ul style="list-style-type: none"> To issue certificate pursuant to <u>section S224 of the RMA</u>. | <p>Level 1</p> |
| <u>Section 226</u> | <p>S226—Restriction upon issue of certificates of title:</p> <ul style="list-style-type: none"> To consider an application under S226<u>section 226 of the RMA</u>. To issue a certificate <u>record of title</u> pursuant to S226<u>section 226 of the RMA</u>. | <p>Level 1</p> <p>Level 1</p> |
| <u>Section 240</u> | <p>S240—Covenant against transfer of allotment:</p> <ul style="list-style-type: none"> Power to impose a condition requiring a covenant be registered. Power to cancel a covenant against the transfer of allotment. To certify a covenant or cancellation of covenant as authorised o<u>Officer</u>. | <p>Level 1</p> <p>Level 1</p> <p>Level 1</p> |
| <u>Section 241</u> | <p>S241—Amalgamation of allotments:</p> <ul style="list-style-type: none"> To consider and decide on an application to cancel a condition in whole or in part under Section<u>section 241(3) of the RMA</u>. Certification of documentation under S241<u>section 241(34) of the RMA</u>. | <p>Level 1</p> <p>Level 3</p> |
| <u>Section 243</u> | <p>S243—Survey plan approved subject to grant or reservation of easements:</p> <ul style="list-style-type: none"> Power to grant, surrender, transfer, vary or cancel or surrender easements <u>under section 243(a) of the RMA</u>. | <p>Level 1</p> |

| The Powers powers , Functions functions and Duties duties to: | | Delegation to: |
|---|--|---|
| | <ul style="list-style-type: none"> To certify documentation under sectionS 243(a) of the RMA. | Level 1 |
| Sections 311, 314, 315, 316, 320 and 321 | S311, 314, 315, 316, 320, and 321. Application for an enforcement order or interim enforcement order: <ul style="list-style-type: none"> To apply to the Environment Court for an enforcement order pursuant to Sectionsection 314 of the RMA or for an interim enforcement order pursuant to Sectionsection 320 of the RMA. To make decisions on any matters relating to application for enforcement orders (including any application to change or cancel enforcement order). | Level 4 Level 4 |
| Sections 322, 323, 324, 325, 325A and 325B | S322, 323, 325, 325A, and 325B Issue and effect of abatement notices: <ul style="list-style-type: none"> To issue abatement notices and to make decisions relating to abatement notices. Compliance with abatement notice and cancellation of abatement notice. Restriction on enforcement orders abatement notices. | Level 4 Level 4 Level 4 |
| Section 327 | S327. Issue and effect of excessive noise direction: <ul style="list-style-type: none"> Compliance with excessive noise direction. | Level 4 |
| Sections 332 and 333 | S332 and 333. Power of entry for inspection and survey: <ul style="list-style-type: none"> Power of entry for inspection. Power of entry for survey connected with preparation, change or review of a policy statement or plan. | Level 4 Level 4 |
| Sections 343A-D | S343 A-D. Infringement notices: <ul style="list-style-type: none"> Power to issue infringement notices. | Level 4 |
| Section 357 | S357. Objections to certain decisions and requirements of consent authorities: <ul style="list-style-type: none"> Consider and make decisions on application for objections for an application which does not require a hearing. To decide whether an objection requires a hearing. | Level 1 Level 2 |
| First Schedule, clauses 5 and 23 | First Schedule—Clause 5 Preparation and change of plans: <ul style="list-style-type: none"> To determine which persons and bodies shall be served with a copy of any proposed District Plan, or Change to a District Plan, and to arrange public notification. First Schedule—Clause 23 | Level 5 Level 5 |

| The Powerspowers , Functions-functions and Duties-duties to: | | Delegation to: |
|---|--|----------------|
| | <ul style="list-style-type: none"> To require further information, or to commission a report, in order to consider a request for a plan change. | |

Noise Control (Delegation)

That the Council Authorise the person appointed as the Noise Control Officer pursuant to ~~sSection 38(2) of the Resource Management Act 1991~~RMA to exercise and carry out all or any of the functions and powers of an enforcement officer under ~~sSections 327 and 328 of the Act~~RMA which relate to the control of excessive noise and any other matters which the Noise Control Officer may carry out in terms of the Resource Management ActRMA as it relates to noise control.

Delegations under other Acts**Local Government Act 1974**

| The Powerspowers , Functions-functions and Duties-duties to: | | Delegation to: |
|---|--|--------------------|
| | S321—Local Government Act 1974—Legal road frontage <ul style="list-style-type: none"> To issue certificates pursuant to Section 321 | Level 1 |
| <u>Section 348</u> | S348—Local Government Act 1974—Right if of ways <ul style="list-style-type: none"> To consider and make decisions on applications for rights of way. To certify a survey plan pursuant to Ssection 348. | Level 1 Level 1 |

Litter Control Officers (Delegation) Litter Act 1979

That the Asset Group Manager and the Water and Waste Manager, ~~or other Officer approved by the Regulatory & Compliance Group Manager,~~ be granted delegated authority to be appointed and warranted as Litter Control Officers pursuant to ~~Sections-sections~~ 5 and 7 of the Litter Act 1979. ~~That Council delegatesThe chief executive may appoint and warrant appointed and warranted~~ Council Litter Control Officers with the powers pursuant to, but not limited to, the Litter Act 1979.

Hazardous Substances and New Organisms Act 1996 (HSNO) (Delegation)

That the Council reserves to itself and Ashburton District Council, as contractor, the powers pursuant to, but not limited to the ~~HSNO-Hazardous Substances and New Organisms~~ Act 1996 (~~the Act~~HSNO Act). That Council authorise the person appointed as the Hazardous Substances and New Organisms (HSNO)

Enforcement Officer pursuant to the HSNO Act to exercise and carry out all or any of the functions and powers of an enforcement officer under the HSNO Act and any other matters which the HSNO Enforcement Officer may carry out in terms of the HSNO Act.

Dog Control Act 1996 and Dog Control Amendment Act 2003

~~Note 1~~—All references to sections relate to sections of the Dog Control Act 1996 ~~and the Dog Control Amendment Act 2003~~ unless otherwise specified.

That functions and duties delegated to the Animal Control Officer, in his/her absence to the Regulatory & Compliance Group Manager, in his/her absence the Chief Executive, or other appropriate Council Officer delegated by the Chief Executive:

1. To commence, pursuant to section 66, proceedings in accordance with section 21 of the Summary Proceedings Act 1957 where an infringement notice has been issued and to make any decision in any matter relating to such proceedings.
2. To classify any person as a probationary owner pursuant to section 21.
3. To disqualify any person from being the owner of any dog pursuant to section 25.
4. To extend any period of disqualification, pursuant to section 28(6).
5. To classify any dog as a dangerous dog, pursuant to section 31.
6. To classify any dog as a menacing dog under sections 33A and 33C. ~~To remit, reduce or refund dog control fees or part thereof, pursuant to section 39(3).~~
7. To consent to the disposal of a dangerous dog pursuant to section 33.
8. To remit, reduce or refund dog control fees or part thereof, pursuant to section 39(3).
- ~~8-9.~~ To dispose of any dog pursuant to sections 69 and 70(7).
- ~~9-10.~~ To exercise all of the Council's powers pursuant to section 71 (retention of dog threatening public safety).
- ~~10-11.~~ To provide register information pursuant to section 35(4).
- ~~11-12.~~ To determine whether or not a dog should be delivered into custody of a ~~Animal Control Officer~~ or ~~dog Ranger~~ pursuant to section 35(5)-(c).
- ~~12-13.~~ To issue a replacement label or disc pursuant to section 46(3).
- ~~13-14.~~ To require a probationary owner to undertake a dog owner education programme or a dog obedience course (or both) under section 23A.
- ~~14-15.~~ To disqualify a person from being the owner of a dog pursuant to section 25.

~~15-16.~~ To exempt, under section 33E(5), any dog or class of dog classified as menacing from the muzzling or control requirements under section 33E(1)(a).

~~16-17.~~ To authorise the release of a dog from custody pursuant to sections 32(5)-(b), ~~and 33E(3)(b),~~

~~17-18.~~ To issue instructions, under section 36A(3)-(a), relating to the making available of a dog for verification that it has been implanted with a functioning microchip transponder.

~~18-19.~~ Any other matters which the Animal Control Officers may carry out in terms of the Dog Control Act.

Sale and Supply of Alcohol Act 2012 – Delegations

That Council reserves to itself and Timaru District Council, as contractor, the powers pursuant to, but not limited to the Sale and Supply of Alcohol Act 2012 (SSAA), the Sale and Supply of Alcohol (Fees) Regulations 2013 (SSA Regulations) and the Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013, described in **Schedule Table A**.

That Council delegates to the Chief Executive the powers pursuant to, but not limited to the ~~Sale and Supply of Alcohol Act 2012 SSAA~~ and the ~~Sale and Supply of Alcohol (fees) SSA~~ Regulations ~~(2013)~~, described in **Schedule Table B**.

That Council delegates powers ~~from the Chief Executive~~ to Officers/Timaru District Council the powers pursuant to, but not limited to the ~~Sale and Supply of Alcohol Act 2012 SSAA~~ and the ~~Sale and Supply of Alcohol (fees) SSA~~ Regulations ~~(2013)~~, described in **Table Schedule C**.

The Secretary of the District Licensing Agency is delegated to the Timaru District Council by contract.

Schedule A Table A Sale and Supply of Alcohol Act (SSAA) and SSA Regulations Delegations – Powers Reserved to Waimate District Council and Timaru District Council

| # | Power to be reserved to Council | SSAA Sections SSAA / SSA Regulations | Conditions |
|---|--|--|---|
| 1 | Powers to adopt local alcohol policies or joint local alcohol policies | Section: 75, 76, 78, 79, 80, 84 and 88. | As per SSAA. The reservation of these powers to Council does not restrict the power of Council to delegate to any subordinate decision-making body the power to do anything precedent to the exercise by Council of these powers. |

| # | Power to be reserved to Council | SSAA SectionsSSAA / SSA Regulations | Conditions |
|---|---|---|---|
| 2 | Power to amend or revoke or review local alcohol policies | SS Sections 95, 96 and 97 | As per SSAA. The reservation of these powers to Council does not restrict the power of Council to delegate to any subordinate decision-making body the power to do anything precedent to the exercise by Council of these powers. |
| 3 | Power to appoint district licensing committees | Section- 186 | As per SSAA- |
| 4 | Power to appoint a member to be chairperson of a district licensing committee | Section- 189(2) | As per SSAA- |
| 5 | Power to appoint a member to be deputy chairperson of a district licensing committee | Section- 189(3) | As per SSAA- |
| 6 | Power to establish a list of persons approved to be members of the district licensing committee | Section- 192 | As per SSAA- |
| 7 | Power to renew or remove an appointment to the list of approved members | Section- 192 and 194 | As per SSAA- |
| 8 | Powers to assign a fees category to premises | GI Regulation- 6(4), Fees Regs | As per SSA Regulations. NB- Council may delegate this power in future once it has established policy to guide the exercise of this power. |

| # | Power to be reserved to Council | SSAA Sections SSAA / SSA Regulations | Conditions |
|---|---|---|---|
| 9 | Powers to make bylaws in relation to fees | Clause 3; Fee-setting Bylaws Order | As per SSA r Regulations. These powers must be exercised in accordance with the LG A Local Government Act 2002 and the Bylaws Act 1910. |

Schedule Table B ~~Sale and Supply of Alcohol Act~~SSAA Delegations – Powers Delegated to the Chief Executive

| # | Power to be delegated | SSAA Sections SSAA | Conditions | Sub-delegation allowed |
|---|--|--------------------------------------|--|------------------------|
| 1 | Power to give notice of adoption of a local alcohol policy | Section 90 | As per SSAA- | Yes |
| 2 | Power to provide copy of local alcohol policy to licensing authority | Section 91 | As per SSAA- | Yes |
| 3 | Power to maintain and publish a list of persons approved to be members of the district licensing committee | Section 192(1) and 192(4) | As per SSAA- | Yes |
| 4 | Power to appoint a chief licensing inspector | Section 197(5) | As per SSAA- | Yes |
| 5 | Power to sub-delegate the powers of the chief executive under the SSAA Act | S-Section 198 | As per SSAA. These powers are contained in Ssections 193 (Appointment of Commissioners), 196 (Chief Executive is Secretary of | No |

| # | Power to be delegated | SSAA Sections | Conditions | Sub-delegation allowed |
|---|---|-----------------------------|---|------------------------|
| | | | Licensing Committees), 197 (Appointment of IL licensing inspectors), 198 (Delegation of functions, <u>duties, or powers of Chief Executives</u>) and include the powers, functions and duties of the secretary of licensing committees specified in Sections 64, 66, 67, 72, 73, 102, 103, 128, 129, 140, 141, 220, 225, 283 and 284. | |
| 6 | Power to prepare and distribute an annual report of the district licensing committees | S-Section 199 | As per SSAA- | Yes |
| 7 | Power to authorise a person to appear in proceedings. | S-Section 204 | As per SSAA- | Yes |
| 8 | Power to authorise a person to appear in relation to appeal | S-Section 205 | As per SSAA- | Yes |
| 9 | Power to ensure that decisions of any district licensing committee are publicly available | S-Section 211(5) | As per SSAA- | Yes |

Schedule Table C ~~Sale and Supply of Alcohol Act~~ **SSAA** Delegations – Powers to be delegated to Officers/Timaru District Council ~~by the Chief Executive~~

| # | Power to be delegated | SSAA Sections | Officer | Conditions |
|---|--|------------------------------|---|-------------|
| 1 | Powers to issue licences, certificates and authorities | S-Section 64 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 2 | Powers to keep records of applications | S-Section 66 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 3 | Powers relating to certified extracts | S-Section 67 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 4 | Powers to issue duplicate licence or certificate | S-Section 72 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council* | As per SSAA |

| # | Power to be delegated | SSAA Sections | Officer | Conditions |
|---|--|-------------------------------|---|-------------|
| 5 | Powers relating to surrender of licence or manager's certificate | S-Section 73 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 6 | Power to give notice of adoption of a local alcohol policy | S-Section 90 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 7 | Power to provide copy of local alcohol policy to licensing authority | S-Section 91 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 8 | Powers relating to objections to applications | S-Section 102 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |

| # | Power to be delegated | SSAA Sections | Officer | Conditions |
|----|--|-------------------------------|--|-------------|
| 9 | Powers relating to reports of Police, Medical Officer of Health and Inspectors | S-Section 103 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee and Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 10 | Powers relating to objections to renewal applications | S-Section 128 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 11 | Powers relating to reports of Police, Medical Officer of Health and Inspectors on renewal applications | S-Section 129 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 12 | Powers relating to objections to special licence applications | S-Section 140 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |

| # | Power to be delegated | SSAA Sections | Officer | Conditions |
|----|--|---|---|-------------|
| 13 | Powers relating to reports of Police, Medical Officer of Health and Inspectors on special licence applications | <u>S-Section</u> 141 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 14 | Power to maintain and publish a list of persons approved to be members of the district licensing committee | <u>S-Section</u> s 192(1) and 192(4) | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 15 | Power to appoint a chief licensing inspector | <u>S-Section</u> 197(5) | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council* | As per SSAA |
| 16 | Power to prepare and distribute an annual report of the district licensing committees | <u>S-Section</u> 199 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Timaru District Council Chief Executive * | As per SSAA |

| # | Power to be delegated | SSAA Sections | Officer | Conditions |
|----|---|----------------------------------|---|-------------|
| 17 | Power to authorise a person to appear in proceedings. | S-Section 204 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 18 | Power to authorise a person to appear in relation to appeal | S-Section 205 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 19 | Power to ensure that decisions of any district licensing committee are publicly available | S-Section 211(5) | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 20 | Powers relating to reports on manager's certificate applications | S-Section 220 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |

| # | Power to be delegated | SSAA Sections | Officer | Conditions |
|----|--|-------------------------------|---|-------------|
| 21 | Powers relating to reports on manager's certificate renewal applications | S-Section 225 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 22 | Powers relating to variation, suspension or cancellation of special licences | S-Section 283 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |
| 23 | Powers relating to hearing for variation, suspension or cancellation of special licences | S-Section 284 | Regulatory & Compliance Group Manager and Secretary of the Waimate District Licensing Committee, Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council * | As per SSAA |

* Delegation to be exercised to the Environmental Compliance Manager Timaru District Council and Chief Executive Timaru District Council only in the absence of other delegated officers.

Liquor Licensing Inspectors

That Council's contracted Environmental Health Officers be confirmed as the Waimate District Liquor Licensing Agencies Inspector pursuant to, but not limited to [Section-section 197](#) of the [Sale and Supply of Alcohol Act 2012SSAA](#) to deal with the duties pursuant to, but not limited to [Sections-sections 99, 100, 101, 103, 141,- 204, 205, 206, 220, 225 and 267](#) of the [ActSSAA](#).

That Council's contracted Environmental Health Officers be appointed an Inspector under [Section-section 103](#) of the [Sale and Supply of Alcohol Act 2012SSAA](#) to deal with Special Liquor Licence duties under [Section-section 78](#) of the [ActSSAA](#).

Any other matters the Environmental Health and Liquor Licensing Inspectors may carry out in terms of the ~~Sale and Supply of Alcohol Act 2012~~ SSAA.

Gambling Act 2003

The Chief Executive or Regulatory & Compliance Group Manager have ~~discretion for the allocation of power to allocate~~ gaming machines under the Council's Gambling Venue Policy.

Local Electoral Act 2001

Warwick Lampp from Electionz.com is delegated as the ~~Waimate District~~ Council electoral officer (as per Council resolution 23 May 2017).

Building Act 2004

That pursuant to the Building Act 2004 and the ~~Local Government Act 2002~~ LGA the Council delegate the power to consider exemptions for building consents under Part 1; ~~and~~ Cl clauses 2(a) and 2(b) ~~of to~~ Schedule 1 of the Building Act 2004 to the ~~following officers, the~~ Building Control Manager and/or Regulatory & Compliance Group Manager subject to the delegated authority being exercised by either one of them in accordance with the criteria:

- That the application be received in writing; ~~:-~~
- That the structures only be approved for exemption where the officer making the decision is satisfied that the building will either be constructed in accordance with the building code or where it is not so proposed that the building is unlikely to endanger people or adjoining property; ~~:-~~
- That the application demonstrates that the structure will not conflict with section 6 of the Building Act, (i.e. purpose and principles); ~~:-~~
- In making any decision the officers concerned will have regard to whether the structure is intended for human habitation, whether the detail provided with the application adequately demonstrates compliance with the code and the location of the building; ~~and~~ :-
- That the structure complies with the requirements of the Waimate District Plan.

Pursuant to the Building Act 2004 and the ~~Local Government Act 2002~~ LGA the Council delegate all of its functions, powers and duties under the Building Act 2004 to:

- The Building Control Officers, subject to compliance with Waimate Building Consent Authority, Quality Assurance System (**QAS**) and excluding the power to set fees and/or charges under sections 219 and 281A to 281D of the Building Act 2004. For the avoidance of doubt, this exclusion does not prevent Building Control Officers from imposing fees and/or charges that have been set by, or in accordance with a methodology determined by Council.

~~delegations~~ Delegations to bca Building Consent Authority staff and contractors under the building Building act Act — 2004

Abbreviations

BCA Building Consent Authority

BCO Building Control Officer

BCMB Building Control Manager

CE Chief Executive

CO Compliance Officer

RCM Regulatory & Compliance Group Manager

SRSO Senior Regulatory Support Officer CE Chief Executive RCM Regulatory & Compliance Group Manager

SRSO Senior Regulatory Support Officer

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | <u>CO</u> |
|---|--|-----------|------------|------------|------------|------------|---|------------------|
| Section 33 | | | | | | | | |
| Section 33 Authority to determine the information required in applications for Project Information Memoranda. | Authority to determine the information required in applications for Project Information Memoranda. | | Y | Y | | Y | Y | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|--|--|----|-----|-----|-----|-----|---|----|
| Section 34 | | | | | | | | |
| Section 34 Authority to issue Voluntary Project Information Memoranda in accordance with the Act. | Authority to issue Project Information Memoranda in accordance with the Building Act 2004. | | Y | Y | Y | | | |
| Section 36 | | | | | | | | |
| Section 36 Authority to attach a development contribution notice to project information memoranda. | Authority to issue a development contribution notice attached to a project information memorandum. | | | Y | | Y | | |
| Section 48 | | | | | | | | |
| Section 48 Authority to request | Authority to request further reasonable information in | | Y | Y | Y | Y | Y | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|---|--|-----------|------------|------------|------------|------------|--|-----------|
| further reasonable information in respect of building consent applications. | respect of building consent applications. | | | | | | | |
| Section 49 | | | | | | | | |
| Section 49 Authority to grant building consents and to impose appropriate conditions. | Authority to grant building consents and to impose appropriate conditions. | | | Y | | Y | Y | |
| Section 50 | | | | | | | | |
| Section 50 Authority to refuse to grant building consents. | Authority to refuse to grant building consents. | | | Y | | Y | Y | |
| Section 51 | | | | | | | | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | <u>CO</u> |
|---|--|-----------|------------|------------|------------|------------|--|------------------|
| Section 51 Authority to issue building consents upon payment of the charge fixed by the Council. | <u>Authority to issue building consents upon payment of the charge fixed by the Council.</u> | | | Y | Y | Y | Y | |
| Section 52 | | | | | | | | |
| Section 52 Authority to extend the period of 12 months where reasonable progress has not been made and the building consent would otherwise lapse. | <u>Authority to extend the period of 12 months where reasonable progress has not been made and the building consent would otherwise lapse.</u> | | | Y | | Y | Y | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|---|---|----|-----|-----|-----|------------------------------|---|----|
| Section 53 | | | | | | | | |
| Section 53 Authority to collect levies on building consent applications. | <u>Authority to collect levies on building consent applications.</u> | | | Y | Y | Y | Y | |
| Section 67 | | | | | | | | |
| Section 67 Authority to grant waivers or modifications of the building code and to impose appropriate conditions. | <u>Authority to grant waivers or modifications of the building code and to impose appropriate conditions.</u> | | | Y | | Y (With agreement of BCM) | Y (With agreement of BCM) | |
| Section 71 | | | | | | | | |
| Section 71 Authority to refuse to grant a building consent on land subject to or likely to be subject to natural hazards. | <u>Authority to refuse to grant a building consent on land subject to or likely to be subject to natural hazards.</u> | | | Y | | Y | Y | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|--|---|----|-----|-----|-----|------------------------------|---|----|
| building consent on land subject to or likely to be subject to natural hazards. | | | | | | (With agreement of BCM) | (With agreement of BCM) | |
| Section 72 | | | | | | | | |
| Section 72 Authority to grant a building consent on land subject to natural hazards in certain conditions as provided for in the Act and to determine whether the conditions have been met to enable consent | Authority to grant a building consent on land subject to natural hazards in certain conditions as provided for in the Act and to determine whether the conditions have been met to enable consent approval to be given. | | | Y | | Y (With agreement of BCM) | Y (With agreement of BCM) | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|---|---|-----------|------------|------------|------------|------------|--|-----------|
| approval to be given: | | | | | | | | |
| Section 74 | | | | | | | | |
| Section 74 Authority to revoke the certificate issued under Section 72 of the Act when mitigation of the hazard has occurred or the condition is no longer appropriate. | Authority to revoke the certificate issued under Section 72 of the Act when mitigation of the hazard has occurred or the condition is no longer appropriate. | | | Y | | | | |
| Section 75 | | | | | | | | |
| Section 75 Authority to grant a project information memorandum subject to | Authority to grant a project information memorandum subject to a condition requiring that allotments may not be transferred or leased in conjunction with any specified | | | Y | | Y | Y | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|---|--|-----------|------------|------------|------------|------------------------------|--|-----------|
| a condition requiring that allotments may not be transferred or leased in conjunction with any specified other or others of those allotments. | <u>other or others of those allotments.</u> | | | | | | | |
| Section 77 | | | | | | | | |
| Section 77 Authority to issue a certificate imposing a condition on the building consent that allotments may not be transferred or leased in conjunction with any | <u>Authority to issue a certificate imposing a condition on the building consent that allotments may not be transferred or leased in conjunction with any specified other or others of those allotments.</u> | | | Y | | Y (With agreement of BCM) | Y (With agreement of BCM) | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | <u>CO</u> |
|---|--|----|-----|-----|-----|-----|---|-----------|
| specified other or others of those allotments. | | | | | | | | |
| | Section 83 | | | | | | | |
| Section 83 Authority to revoke the certificate issued under section 77 of the Act imposing a condition on the building consent that allotments may not be transferred or leased in conjunction with any specified other or others of those | <u>Authority to revoke the certificate issued under section 77 of the Act imposing a condition on the building consent that allotments may not be transferred or leased in conjunction with any specified other or others of those allotments.</u> | | | Y | | | | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|--|---|----|-----|-----|-----|-----|---|----|
| these allotments- | | | | | | | | |
| Section 90 | | | | | | | | |
| Section 90 Authority to enter onto land and into buildings to undertake inspections of building work | Authority to enter onto land and into buildings to undertake inspections of building work | | | Y | | Y | Y | |
| Section 93 | | | | | | | | |
| Section 93 Authority to request further reasonable information in respect of code compliance certificate applications and to determine | Authority to request further reasonable information in respect of code compliance certificate applications and to determine any further period agreed to between the owner and the BCA. | | | Y | | Y | Y | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | <u>CO</u> |
|---|--|-----------|------------|------------|------------|------------|---|------------------|
| any further period agreed to between the owner and the BCA. | | | | | | | | |
| Section 94 | | | | | | | | |
| Section 94 Authority to determine whether a code compliance certificate should be issued. | Authority to determine whether a code compliance certificate should be issued. | | | Y | | Y | Y | |
| Section 95 | | | | | | | | |
| Section 95 Authority to issue a code compliance certificate. | Authority to issue a code compliance certificate. | | | Y | Y | Y | Y | |
| Section 95A | | | | | | | | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|---|---|----|-----|-----|-----|------------------------------|---|----|
| Section 95A Authority to refuse to issue a code compliance certificate. | Authority to refuse to issue a code compliance certificate. | | | Y | | | | |
| Section 96 | | | | | | | | |
| Section 96 Authority to determine whether a certificate of acceptance should be issued. | Authority to determine whether a certificate of acceptance should be issued. | | | Y | | | | |
| Section 98 | | | | | | | | |
| Section 98 Authority to grant or refuse a certificate of acceptance. | Authority to grant or refuse a certificate of acceptance. | | | Y | | Y (With agreement of BCM) | Y (With agreement of BCM) | |
| Authority to request further | Authority to request further reasonable information in respect of certificate of acceptance applications. | | | Y | | Y | | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | <u>CO</u> |
|--|---|-----------|------------|------------|-----------------|-------------------------|--|------------------|
| reasonable information in respect of certificate of acceptance applications. | | | | | | (With agreement of BCM) | | |
| Authority to issue certificates of acceptance. | <u>Authority to issue certificates of acceptance.</u> | | | Y | | | | |
| Section 102 | | | | | | | | |
| Section 102 Authority to issue compliance schedules upon payment of the charge fixed by the Council. | <u>Authority to issue compliance schedules upon payment of the charge fixed by the Council.</u> | | | Y | Y (RSO only) | Y | Y | |
| Sections 106, 107 and 109 Authority to amend | <u>Authority to amend compliance schedules.</u> | | | Y | | Y | Y | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|--|--|-----------|------------|------------|------------|------------------------------|--|-----------|
| <u>compliance schedules:</u> | | | | | | | | |
| Section 112 | | | | | | | | |
| <u>Section 112 Authority to determine whether a building consent should be issued for an alteration to an existing building. Authority to determine that after alteration, a building will continue to comply with the other provisions of the building code to at least the same extent as before the alteration.</u> | <u>Authority to determine whether a building consent should be issued for an alteration to an existing building. Authority to determine that after alteration, a building will continue to comply with the other provisions of the building code to at least the same extent as before the alteration.</u> | | | Y | | Y (With agreement of BCM) | Y (With agreement of BCM) | |
| <u>Authority to determine that after alteration, a building will continue to comply with the other provisions of the building code to at least the same extent</u> | | | | | | | | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|---|---|----|-----|-----|-----|------------------------------|---|----|
| as before the alteration: | | | | | | | | |
| Section 115 | | | | | | | | |
| Section 115 Authority to determine that reasonably practicable compliance with the provisions of the building code for means of escape from fire and for access and facilities for use by people with disabilities (where this is a requirement of the Disabled Persons Community Welfare Act 1975) will be achieved after a change of use to an existing building. | Authority to determine that reasonably practicable compliance with the provisions of the building code for means of escape from fire and for access and facilities for use by people with disabilities (where this is a requirement of the Disabled Persons Community Welfare Act 1975) will be achieved after a change of use to an existing building. | | | Y | | Y (With agreement of BCM) | Y (with agreement of BCM) | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|--|--|-----------|------------|------------|------------|------------------------------|--|-----------|
| Community Welfare Act 1975) will be achieved after a change of use to an existing building. | | | | | | | | |
| Section 116 | | | | | | | | |
| Section 116 Authority to determine that reasonably practicable compliance with the provisions of the building code for means of escape from fire and for access and facilities for use by people with disabilities (where this is a requirement of the Disabled Persons Community Welfare Act 1975) will be achieved after an extension to the intended life of a building or a subdivision that affects a building is given effect. | Authority to determine that reasonably practicable compliance with the provisions of the building code for means of escape from fire and for access and facilities for use by people with disabilities (where this is a requirement of the Disabled Persons Community Welfare Act 1975) will be achieved after an extension to the intended life of a building or a subdivision that affects a building is given effect. | | | Y | | Y (With agreement of BCM) | Y (With agreement of BCM) | |
| Authority to determine that after alteration, a building will continue to comply with the other provisions of the building | Authority to determine that after alteration, a building will continue to comply with the other provisions of the building | | | Y | | Y | Y | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|--|---|-----------|------------|------------|------------|-------------------------|--|-----------|
| disabilities (where this is a requirement of the Disabled Persons Community Welfare Act 1975) will be achieved after an extension to the intended life of a building or a subdivision that affects a building is given effect. | <u>code to at least the same extent as before the alteration.</u> | | | | | (With agreement of BCM) | (With agreement of BCM) | |
| Authority to determine that after alteration, a building will continue to comply with the other provisions of | | | | | | | | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | <u>CO</u> |
|--|---|----|-----|-----|-----|------------------------------|---|-----------|
| the building code to at least the same extent as before the alteration. | | | | | | | | |
| Section 124 | | | | | | | | |
| Section 124 Authority to exercise the powers of the Council in respect of buildings deemed to be dangerous; earthquake-prone or insanitary under Sections 121-123 of the Act. | <u>Authority to exercise the powers of the Council in respect of buildings deemed to be dangerous, affected or insanitary under sections 121-123A of the Act.</u> | | | Y | | Y (With agreement of BCM) | Y (With agreement of BCM) | |
| Sections 126 and 220 | | | | | | | | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|--|---|-----------|------------|------------|------------|------------|--|-----------|
| <u>Sections 126 and 220</u> Authority to apply to the District Court for an order authorising the Council to carry out work on default of the owner: Authority to enter on to land to do required work: Authority to recover costs: Authority to authorise entry on to land: | <u>Authority to apply to the District Court for an order authorising the Council to carry out work on default of the owner.</u> | Y | | | | | | |
| | <u>Authority to enter on to land to do required work.</u> | | Y | Y | | | | |
| | <u>Authority to recover costs.</u> | | Y | Y | | | | |
| | <u>Authority to authorise entry on to land.</u> | | Y | Y | | | | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|--|---|-----------|------------|------------|------------|-------------------------------------|--|-----------|
| Section 129 | | | | | | | | |
| Section 129 Authority to avert immediate danger or rectify insanitary conditions. | Authority to avert immediate danger or rectify insanitary conditions. | Y | | | | | | |
| Section 133AT | | | | | | | | |
| Section 133AT Authority to determine whether a building consent should be issued for an alteration to a building or part of a building that is subject to | Authority to determine whether a building consent should be issued for an alteration to a building or part of a building that is subject to an EPB notice. | | | Y | | Y (With agreement of BCM) | Y (With agreement of BCM) | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|---|--|-----------|------------|------------|------------|------------------------------|--|-------------------------------------|
| <u>an EPB notice</u> | | | | | | | | |
| Section 164 | | | | | | | | |
| Section 164 Authority to issue notices to fix: | <u>Authority to issue notices to fix.</u> | | | Y | | Y (With agreement of BCM) | Y (With agreement of BCM) | <u>Y</u> (With agreement of BCM) |
| Section 167 | | | | | | | | |
| Section 167 Authority to revoke or refuse to revoke a notice to fix: | <u>Authority to revoke or refuse to revoke a notice to fix.</u> | | | Y | | Y (With agreement of BCM) | Y (With agreement of BCM) | <u>Y</u> (With agreement of BCM) |
| Section 219 | | | | | | | | |
| Section 219 Authority to require a person to pay an additional charge where the standard set charge is inadequate for the Council to recover its actual and reasonable costs of providing a service and to collect levies payable under section 53. | <u>Authority to require a person to pay an additional charge where the standard set charge is inadequate for the Council to recover its actual and reasonable costs of providing a service and to collect levies payable under section 53.</u> | | Y | Y | | Y (With agreement of BCM) | Y (With agreement of BCM) | <u>Y</u> (With agreement of BCM) |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|--|--|----|-----|-----|-----|-----|---|----|
| charge is inadequate for the Council to recover its actual and reasonable costs of providing a service and to collect levies payable under Section 53. | | | | | | | | |
| Section 224 | | | | | | | | |
| Section 221 Authority to place a charge on the land and to destroy or sell or otherwise dispose of any materials resulting from the | Authority to place a charge on the land and to destroy or sell or otherwise dispose of any materials resulting from the doing of the work. | | Y | Y | | | | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|--|--|----|-----|-----|-----|-----|---|----------|
| doing-of-the work: | | | | | | | | |
| Section 222 | | | | | | | | |
| Section 222 Authority to carry out inspections and to enter land on which building work is being carried out, and building work carried out on or off building site, and enter any building and any residential pool or immediate pool area and to enter premises to inspect the premises or building. | Authority to carry out inspections and to enter land on which building work is being carried out, and building work carried out on or off building site, and enter any building and any residential pool or immediate pool area and to enter premises to inspect the premises or building. | | Y | Y | | Y | Y | <u>Y</u> |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | <u>CO</u> |
|---|---|-----------|------------|------------|------------|------------|---|------------------|
| premises or building- | | | | | | | | |
| Section-363 | | | | | | | | |
| Section 363 Authority to initiate prosecution for an offence- | <u>Authority to initiate prosecution for an offence.</u> Protecting members of the public from using premises open to the public or intended for public use. | Y | | | | | | |
| Section-363A | | | | | | | | |
| Section 363A Authority to issue a certificate of public use- | <u>Authority to issue a certificate of public use.</u> | | | Y | | Y | Y | |
| Section-364 | | | | | | | | |
| Section 364 Authority to initiate prosecution for an offence- | <u>Authority to initiate prosecution for an offence.</u> Offence for a residential property developer to transfer household unit without Code Compliance Certificate. | Y | | | | | | |
| Section-365 | | | | | | | | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|---|--|----|-----|-----|-----|-----|---|----|
| Section 365 Authority to initiate prosecution for offence. | Authority to initiate prosecution for offence. Offence to fail to comply with direction of authorised person. | Y | | | | | | |
| Section 366 | | | | | | | | |
| Section 366 Authority to initiate prosecution for an offence. | Authority to initiate prosecution for an offence. Offence to impersonate building consent authority or regional authority. | Y | | | | | | |
| Section 367 | | | | | | | | |
| Section 367 Authority to initiate prosecution for an offence. | Authority to initiate prosecution for an offence. Offence to wilfully obstruct execution of powers under this Act. | Y | | | | | | |
| Section 368 | | | | | | | | |
| Section 368 Authority to initiate prosecution | Authority to initiate prosecution for an offence. Offence to remove or deface notice. | Y | | | | | | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|---|--|----|-----|-----|-----|-----|---|----|
| for an offence. | | | | | | | | |
| Section 369 | | | | | | | | |
| Section 369 Authority to initiate prosecution for an offence. | Authority to initiate prosecution for an offence. Offence to make false statement. | Y | | | | | | |
| Section 374 | | | | | | | | |
| Section 371 Where a person has committed an infringement offence; authority to determine whether to proceed under the Summary Proceedings Act 1957 or to issue an | Where a person has committed an infringement offence, authority to determine whether to proceed under the Summary Proceedings Act 1957 or to issue an infringement notice. | Y | | | | | | |

| Section of Building Act 2004 | | CE | RCM | BCM | RSO | BCO | Contracted BCO or Technical Leader (off-site) | CO |
|---|--|----|-----|-----|-----|------------------------------|---|------------------------------|
| infringement notice- | | | | | | | | |
| Section 374B | | | | | | | | |
| Section 371B Authority to issue infringement notices- | Authority to issue infringement notices. | | | Y | | Y (With agreement of BCM) | Y (With agreement of BCM) | Y (With agreement of BCM) |
| Section 375 | | | | | | | | |
| Section 375 Authority to initiate prosecution for an offence- | Authority to initiate prosecution for an offence. Prosecution of offences. | Y | | | | | | |
| Section 377 | | | | | | | | |
| Section 377 Authority to lay an information for an offence- | Authority to lay an information for an offence. Filing charging documents. | Y | | | | | | |

Abbreviations

CE — Chief Executive

RCM — Regulatory & Compliance Group Manager

BCMBM — Building Control Manager

BCO — Building Control Officer

SRSO — Senior Regulatory Support Officer

8. Publication Details

| | |
|---|--|
| All inquiries or suggestions regarding this document should be referred to: | Corporate Services Group Manager |
| Revision: | Revised Version |
| Revision Dates: | 22 April 2014 (minor) 25 November 2014 (full review) 30 June 2015 (minor) 4 October 2016 (minor) 6 December 2016 (minor) 23 May 2017 (minor) 22 August 2017 (minor) 12 September 2017 (Committee Delegations) 9 October 2018 Resolution 2018/90 (minor and staff delegation) 12 March 2019 <u>20 August 2019 (full review)</u> |
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| Document Owner – Corporate Services Group Manager | Corporate Services Group Manager |
| Chief Executive: | Stuart Duncan |
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| Policy filed at: | L:\POLICIES, MOU's & STRATEGIES\Policies\300 policy - General Council |
| Policy Writer: | Policy Analyst |

16.4 DOG CONTROL ANNUAL REPORT 2018/19

Author: Paul Cooper, Regulatory and Compliance Group Manager

Authoriser: Paul Cooper, Regulatory and Compliance Group Manager

Attachments: Nil

PURPOSE

1. The purpose of this report is to inform the Committee of dog control activities during the period 1 July 2018 to 30 June 2019.

BACKGROUND

2. Section 10A of the Dog Control Act 1996 (the Act) requires that Waimate District Council provides specific information to the Secretary for Local Government by way of an annual report each financial year (within one month of the Council adopting this report). This report is provided to satisfy that requirement.

PROPOSAL

3. The following dog control data relates to the 12 month period ending 30 June 2019.

Number of Registered Dogs in the District

| Class | 2017/18 | 2018/19 |
|-----------------------------|-------------|-------------|
| Pet, Working, and Rural Pet | 2811 | 2869 |
| Dangerous | 3 | 2 |
| Menacing | 33 | 34 |
| Total | 2847 | 2905 |

Total Number of Disqualified Owners in the District

| Period | 2017/18 | 2018/19 |
|--------------|----------|----------|
| Total | 3 | 2 |

Number of Dogs Classified as Dangerous during the Reporting Year

| Period | 2017/18 | 2018/19 |
|--------------|----------|----------|
| Total | 3 | 2 |

Number of Dogs Classified as Menacing during the Reporting Year

| Period | 2017/18 | 2018/19 |
|--------------|-----------|-----------|
| Total | 26 | 34 |

Number of Infringement Notices Issued

| Infringement | | 2017/18 | 2018/19 |
|---|---------|----------------|----------------|
| Failure to keep dog under control or confined | s52A | 9 | 15 |
| Failure to microchip dog | s33A(6) | 5 | 47 |
| Failure to register dog | s42 | 19 | 34 |
| Failure to comply with classification | s33EC | 2 | 4 |
| Failure to carry leash | s54A | 1 | 1 |
| Failure to give information | s19(2) | - | 1 |
| Total | | 36 | 102 |

Note: The total number of infringement notices served excludes cancellations.

Number and Nature of Dog Related Service Requests Received

| Service Request | 2017/18 | 2018/19 |
|------------------------|----------------|----------------|
| Wandering dogs | 152 | 192 |
| Barking dogs | 61 | 71 |
| Rushing dogs | 25 | 22 |
| Animal attacks | 9 | 6 |
| Person attacks | 3 | 3 |
| Wandering stock | 54 | 78 |
| Animal welfare | 24 | 22 |
| Total | 328 | 394 |

Number of Prosecutions Undertaken

| Prosecutions | 2017/18 | 2018/19 |
|---------------------|----------------|----------------|
| Total | 1 | 0 |

Options

- It is a statutory requirement for Waimate District Council to provide an annual report each financial year which must be publicly notified and forwarded to the Secretary for Local Government.

ASSESSMENT OF SIGNIFICANCE

- This matter is not deemed significant under the Council's Significance Policy.

CONSIDERATIONS

6. The dog control data provided in this report is similar to previous years in most respects, with one notable change in the number of infringements issued. One reason that more infringements have been issued is that we now have a full time Animal Control Officer. Increased awareness of dog control matters may also have contributed to there being more reports of wandering dogs. Increased awareness around Mycoplasma Bovis may also have contributed to the increased number of reports of wandering stock, with rural people being less likely to simply put stock into a paddock if they find them wandering.
7. On 4 December 2018, Council adopted a reviewed and amended Dog Control Policy and Bylaw as part of a Bylaw review conducted under the Local Government Act 2002. Minor amendments occurred.
8. The report meets the reporting requirements of section 10A of the Act and it will be submitted to the Department of Internal Affairs (DIA), once adopted by the Committee.

Legislation

9. Dog Control Act 1996

Territorial or Regional Council Regulations, Plans or Bylaws

10. Waimate District Council Bylaw Chapter 6 – Control of Dogs
11. Waimate District Council Policy Document – Dog Control

RECOMMENDATION

1. That the Dog Control Annual Report 2018/19 be accepted; and
2. That, as required by the Act, Council adopts and publically notifies the report and forward to the Secretary for Local Government.

16.5 ECONOMIC DEVELOPMENT STEERING GROUP UPDATE AS AT 2 AUGUST 2019

Author: Michelle Jones, Executive Support Manager

Authoriser: Michelle Jones, Executive Support Manager

Attachments: Nil

PURPOSE

1. To provide Council with an update on Economic Development Steering Group activities and progress against the Economic Development Strategy Action Plans.

BUDGETS

2. The 2018/19 year end budgets have not yet been finalised, however, the unspent funds will be carried over into the 2019/20 financial year.

PRIORITIES

3. The 21 action items were prioritised with nine projects ranked the highest according to importance and urgency. The top three projects were then selected to allow a small number of projects to be executed at any one time and ensure that resources are not spread too thinly. The top three projects are:
 - Item 2.1 – Roll out the Waimate District brand
 - Item 3.1 – Develop a signage plan
 - Item 3.2 – Develop a landscaping plan
4. Along with the above projects, an additional two projects were selected. They were:
 - Item 1.3 – Investigate the development of an industrial park
 - Item 2.3 – Enhance the Whitehorse monument and surrounds

PROJECTS**Item 2.1 – Roll out the Waimate District brand**

5. There has recently been two resignations from within the promotions team – the Promotions Officer (one day per week) and the contractor who managed the Explore Waimate website and social media platforms. This has allowed the Executive Support Manager to refocus the tasks and bring them in-house. Recruitment is underway for a newly created part-time Marketing and Promotions Officer role, which will encompass the promotions tasks, Explore Waimate function and marketing of Council's facilities, i.e. camping grounds, pool and Event Centre.
6. The appointment of the Marketing and Promotions Officer role will greatly assist in implementing the project deliverables. In the meantime, business as usual work is continuing.
7. The Waimate District Official Visitor Guide is under review. It will have a new look which aligns with the Explore Waimate brand and will include more information about the district's activities and attractions, in particular the cycling/walking tracks, which are being mapped. Advertising has been sold and advertisements collated and designed.

Item 3.1 – Develop a signage plan

8. The project team is currently working on designs and colour schemes that align with the Explore Waimate brand. The signs being considered are district gateway signs, town entrance signs, directional signs, community facility signs, information kiosks, event signs, walkway/cycleway information/marker signs, interpretive signs and street banners.

Item 3.2 – Develop a landscaping plan

9. The project team recently toured Seddon Square, the Town Belt, the old Waimate Cemetery, Victoria Park, and Knottingley Park & Arboretum with the Parks and Reserves Manager and Supervisor. While some minor improvements were noted the project team were very impressed overall with the facilities.
10. The Edwardian Waimate main street theme will be retained and enhanced. The existing lights and bollards will be painted in spring. Painting of the rubbish bins and seats has commenced.
11. NZTA has arranged for the thresholds at St Andrews, Makikihi and Glenavy to be cleared out. A planting plan is being developed in-house by Council and will be submitted for NZTA approval. The Parks and Reserves staff will be responsible for planting.
12. Painting of the Town Belt bell tower will occur in spring, along with work on the concrete steps, landscaping and an interpretive sign.
13. Research into contemporary street furniture is continuing.

Item 1.3 – Investigate the development of an industrial park

14. This project was considered a priority as any potential land rezoning would need to feed into the district plan review, which commences later this year. The project team are in the process of identifying potential land and requirements, and have been in discussions with Council's Resource Planner and Asset Group Manager.

Item 2.3 – Enhance the Whitehorse monument and surrounds

15. Following an approach by the Economic Development Steering Group, Waimate2gether has confirmed their interest in leading this project. As the project is of interest to the community and requires significant collaboration with many organisations and individuals it meets their programme's principles.
16. A subcommittee made up of key stakeholders will be established to ensure there is full buy-in. Steering Group members on the subcommittee will be Cr Peter Collins, Mandy Tangney and Michelle Jones.
17. Waimate2gether will be hosting a public meeting (date to be confirmed) to outline their key projects and seek ideas and interest from the community. The Whitehorse project will be one of the 13 projects.

Ian Moore
Chairman, Economic Development Steering Group

RECOMMENDATION

That the Economic Development Steering Group Update as at 2 August 2019 report is accepted.

16.6 WAIMATE DISTRICT CIVIC AWARDS COMMITTEE - TERMS OF REFERENCE

Author: Karalyn Reid, Committee Secretary and PA to the Mayor

Authoriser: Tina Stevenson, Corporate Services Group Manager

Attachments: 1. Waimate District Civic Awards - Terms of Reference [↓](#) 

PURPOSE

1. For the Committee to review and adopt the Terms of Reference for the Waimate District Civic Awards Committee.

BACKGROUND

2. The Waimate District Civic Awards Committee adopts its Criteria each year, but has not previously had a Terms of Reference.
3. A draft Terms of Reference is attached for the consideration of Council.

PROPOSAL

4. The Council reviews and adopts the Terms of Reference, with or without amendments, for the Waimate District Civic Awards Committee.

ASSESSMENT OF SIGNIFICANCE

5. This matter is not deemed significant under the Council's Significance and Engagement Policy.

CONSIDERATION**Cost-effectiveness**

6. Cost-effectiveness consideration is not applicable.

RECOMMENDATION

1. That the Waimate District Civic Awards Committee – Terms of Reference report is accepted; and
2. That Council adopts the Waimate District Civic Awards Committee's Terms of Reference with or without amendments.



WAIMATE DISTRICT CIVIC AWARDS COMMITTEE TERMS OF REFERENCE

Name of Committee

The Waimate District Civic Awards Committee (the Committee).

Establishment

The Committee was established in 2010.

Purpose/Objective

The Committee is a voluntary external committee of Council formed to organise and administer the annual Civic Awards programme.

Council will provide administration support by way of:

- Advertising and facilitation of the nomination process
- Preparation and facilitation of meetings including agenda, minute taking and correspondence
- Letters of invitation relating to the function arrangements
- Arranging the Civic Awards Function with the assistance of the Committee
- Payment of any expenses relating to the nomination process and function
- Promotion and media releases, as appropriate

Membership

The membership of the Committee consists of the following:

1. His Worship the Mayor
2. One Council Elected representative
3. Two Service Club representatives
4. Two Community representatives
5. One Iwi representative

The head boy and head girl of Waimate High School are invited to attend the selection meeting to assist with the selection of the Youth Award.

A refresh of the service club and the community representatives is held every three years. Existing members are welcome to reapply.

The Runanga representative is advised by Te Runanga o Waihao, and the Council representative is elected after the Local Body Elections every three years.

Accountability

The Committee is an external committee of Council. The confirmed minutes of each meeting are presented for the information of the Environmental Services and Finance Committee.

Review

The Terms of Reference for the Committee are reviewed and adopted every three years.

Structure and Operation

The Committee meet at least three times a year – in late November to set the dates for the nomination process, selection meeting, and function; in early February to select the recipients and organise the function; and in late March following the Awards Function to debrief and approve payment of accounts. There may be additional meetings if and when required.

The Committee assists with the preparation of refreshments, set up and clean up after the function.

The Chair is elected annually at the November meeting.

Financial/Budget

Waimate District Council will make appropriate provision for the costs associated with the Civic Awards Function and resources.

Terms of Reference – 6 August 2019

17 CONSIDERATION OF MAJOR (URGENT) OR MINOR ITEMS NOT ON THE AGENDA

Nil

PUBLIC EXCLUDED

18 EXCLUSION OF THE PUBLIC REPORT

RESOLUTION TO EXCLUDE THE PUBLIC

RECOMMENDATION

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under section 48 for the passing of this resolution |
|---|---|--|
| 18.1 - Public Excluded Minutes of the Council Meeting held on 25 June 2019 | s6(a) - the making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| 18.2 - Outstanding Actions Report - Public Excluded | s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |
| 18.3 - Refresh of the Waimate District Civic Awards Committee | s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |

19 RE-ADMITTANCE OF THE PUBLIC REPORT
MEETING CLOSURE