

**Mayor and Councillors**  
COUNCIL

28 SEPTEMBER 2017

Meeting Status: **Public**

Purpose of Report: For Decision

**ALIGNMENT OF THE BEACH BYLAW AND COUNCIL DELEGATIONS TO CHIEF EXECUTIVE AND STAFF WITH THE FIRE AND EMERGENCY NEW ZEALAND ACT 2017**

**PURPOSE OF REPORT**

- 1 This report recommends:
  - 1.1 One amendment to the Beach Bylaw 2009 to address inconsistencies with the Fire and Emergency New Zealand Act 2017 (FENZ Act 2017); and
  - 1.2 The Council adopts the revised Council Delegations to the Chief Executive and staff following the repeal of the Forest and Rural Fire Act 1977.

**DELEGATION**

- 2 According to Schedule 7, clause 32(1) of the Local Government Act 2002, only Council has the authority to consider bylaw matters:

*Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except—*

- a) *the power to make a rate; or*
  - b) *the power to make a bylaw; or*
  - c) *the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*
  - d) *the power to adopt a long-term plan, annual plan, or annual report; or*
  - e) *the power to appoint a chief executive; or*
  - f) *the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or*
  - h) *the power to adopt a remuneration and employment policy (emphasis added).*
- 3 Clauses 32(1)–(8) declare that Council is empowered to consider appropriate delegations to a committee or other subordinate decision-making body, community board, or member or officer of the local authority for any Council responsibilities, duties, or powers that are not made exempt in clause 32(1) for the purposes of efficiency and effectiveness in the conduct of Council's business.

## BACKGROUND

### *Beach Bylaw 2009*

- 4 The Beach Bylaw 2009 (clause 17) currently provides for the following:
- A Council permit is required for all fires on the beach and will be subject to the following conditions always being met:*
- i. fires are confined to specified areas of the beach (see Schedule 1 for details); and*
  - ii. the rules stipulated in the Fire Permit and 'Open Air Burning Guide' are complied with.*
- 5 In accordance with the FENZ Act 2017, from 1 July 2017, Council should no longer have the authority to authorise fire permits because this authority should now reside with Fire and Emergency New Zealand (FENZ). Because it has taken some time to establish FENZ, it was agreed that Council would continue to issue some permits until 1 October 2017. After 1 October 2017, residents who would like to obtain a beach fire permit must apply to FENZ.
- 6 An adjustment is necessary to the Beach Bylaw 2009 to align it with the FENZ Act 2017. A full review of the Beach Bylaw is scheduled to occur in 2018 according to the agreed Policy Work Programme (refer SP-17-202).

### *Council Delegations to Chief Executive and staff*

- 7 Under the Forest and Rural Fire Act 1977, Council has powers and functions regarding fire hazards. Council delegated this authority to the Chief Executive and staff because it allowed for administrative efficiency and ensured timeliness in the conduct of Council's daily business activities.
- 8 Now that the Forest and Rural Fire Act 1977 has been repealed, the Council Delegations to Chief Executive and staff must be amended to remove these powers and functions.

## ISSUES AND OPTIONS

### Issues

#### *Beach Bylaw 2009*

- 9 S152B (3) of the FENZ Act 2017 states:
- If any bylaw made by a territorial authority is inconsistent with the Fire and Emergency New Zealand Act 2017 or any regulations or notice under that Act,—*
- (a) the Act, regulations, or notice prevails and the bylaw has no effect to the extent of the inconsistency; and*
  - (b) the territorial authority must amend or revoke the bylaw to remove the inconsistency (emphasis added).*
- 10 To enable the Beach Bylaw 2009 to remain consistent with the FENZ Act 2017, clause 17 (beach fire permits) must be deleted from the Bylaw.

*Council Delegations to Chief Executive and staff*

- 11 The Forest and Rural Fire Act 1977 was repealed on 1 July 2017 by s195 of the FENZ Act 2017. As such, powers that had been delegated under the Forest and Rural Fire Act 1977 must be removed from the Council Delegations to Chief Executive and staff.
- 12 The revised Council Delegations to the Chief Executive and staff can be found in Appendix 4.

**CONSIDERATIONS****Policy considerations**

- 13 There are no policy considerations with respect to the proposed amendments to the Beach Bylaw 2009 or the revised Council Delegations to the Chief Executive and staff.

**Legal considerations**

- 14 Under s152B(4) of the FENZ Act 2017, Council is not required to consult as prescribed in s83 of the Local Government Act 2002. The proposed amendment complies with s152B of the FENZ Act 2017 and has been reviewed and agreed with Council's legal representatives.

**Financial considerations**

- 15 There are no financial considerations with respect to these proposed amendments.

**Tāngata whenua considerations**

- 16 Tāngata whenua may have concerns regarding future requirements for traditional cooking fires and ahi kaa fires. The Kāpiti Coast District Council Fire Prevention Bylaw 2010 did not require permits for traditional cooking fires when certain requirements were met and, in a recent review of the 2010 Fire Prevention Bylaw, the need to provide for ahi kaa (ceremonial) fires was raised. The introduction of the FENZ Act 2017 means that authority over traditional cooking fires and ahi kaa fires now sits with FENZ. Therefore, tāngata whenua will need to work with the new FENZ agency to address any concerns related to traditional cooking fires and ahi kaa fires.
- 17 While these tāngata whenua concerns do not impact these recommendations to amend the Beach Bylaw 2009 or revise the Council Delegations, public communications may be required to ensure that tāngata whenua are aware of these changes.

**SIGNIFICANCE AND ENGAGEMENT****Degree of significance**

- 18 In accordance with Council's Significance and Engagement Policy, this matter has a low level of significance. There is no legislative requirement to consult, and the proposed amendments are simply to align with new legislation.

## Publicity

- 19 If the proposed amendment to the Beach Bylaw is introduced, then a notice advising of the amendment will be placed in a local paper.
- 20 The Communications team has been working closely with FENZ to ensure a smooth, well-publicised transition. TWOK and the Iwi Relationship Team will be consulted to determine whether additional publicity is required to ensure that tāngata whenua are aware of this transition.

## RECOMMENDATIONS

- 21 That Council approves the following amendment to the Beach Bylaw 2009 to go into effect on 1 October 2017:
  - (a) Clause 17 (beach fire permits) is deleted from the Bylaw.
- 22 That Council adopts the revised Council Delegations to the Chief Executive and staff, as shown in Appendix 4, inclusive of the amendment specified in paragraph 11 of Report SP-17-264.

<b>Report prepared by</b>	<b>Approved for submission</b>	<b>Approved for submission</b>
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## ATTACHMENTS

- Appendix 1 Proposed Beach Bylaw 2009 with amendments
- Appendix 2 Council Delegations to Chief Executive and staff (including amendments as discussed in Report SP-17-264).

## Appendix 1:

# Proposed amended (August 2017) - KAPITI COAST DISTRICT COUNCIL BEACH BYLAW 2009

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## **1 Title, Commencement and Application**

- 1.1 This Bylaw may be cited as the Kapiti Coast District Council Beach Bylaw 2009 and comes into force on 01 September 2009.
- 1.2 This Bylaw is made pursuant to Sections 145 and 146 of the Local Government Act 2002.
- 1.3 This Bylaw applies to any part of the beach (the term ‘beach’ is defined in section 4.1 of this Bylaw) in the Kapiti Coast District.
- 1.4 This Bylaw replaces the Kapiti Coast District Council Beach Bylaw 2002.

## **2 Kapiti Coast District Council Beach Bylaw 2009 Validation**

**In 2.2, the date of this most recent amendment has been added.**

- 2.1 The Kapiti Coast District Council Beach Bylaw 2009 was approved at a meeting of the Kapiti Coast District Regulatory Management Committee held on 07 May 2009 after completion of the Special Consultative Procedure.
- 2.2 An amendment to the Bylaw was approved at a meeting of the Kapiti Coast District Council on 28 September 2017, and scheduled to come into force on 1 October 2017.
- 2.3 The Common seal of the Kapiti Coast District Council was affixed, pursuant to a resolution of Council on 28 September 2017 in the presence of:

**Space has been allocated here for the current mayor, CE and a current Councillor to sign this amended bylaw.**

K Gurunathan  
**Mayor**

Pat Dougherty  
**Chief Executive**

**Councillor**

### 3 Objective

3.1 Subject to the limitations of Sections 145 and 146 of the Local Government Act 2002, the purpose of this Bylaw is to manage human activities on the beach and protect the beach environment in accordance with the overarching objective defined in the ‘*Kapiti Coast District Council Coastal Strategy 2006*’, which states:

*“That the environment and lifestyle values that have always attracted people to the area are protected and enhanced and the historical, geological and cultural values are preserved”.*

3.2 Nothing in this Bylaw derogates from any provision of, or the necessity for compliance with:

- i. the Land Transport Act 1998 or any Act passed in amendment or substitution thereof;
- ii. the Summary Offences Act 1981 or any Act passed in amendment or substitution thereof;
- iii. any other applicable Acts, regulations or rules;
- iv. any other Council bylaws, District Plan requirements;
- v. any other requirements imposed by either Greater Wellington Regional Council or Department of Conservation; and
- vi. any customary rights.

### 4 Interpretation

4.1 In this Bylaw, unless the context requires otherwise:

<b>Animals</b>	Means any mammal (excluding human beings), any bird, reptile, amphibian, fish or invertebrate organism of any kind
<b>Approved</b>	Means approved by Council or by any authorized Officer of Council
<b>Authorised Boat Launching Area</b>	Means a signposted section of the foreshore designated for the purpose of launching boats and parking trailers or vehicles after launching boats
<b>Authorised Disability Parking Area</b>	Means a signposted section of the foreshore designated for the purpose of people with disabilities to park and access the beach
<b>Beach</b>	Means the area covered and uncovered by the ebb and flow of the tide and any adjacent area which can be considered part of the beach environment, including any area of sand, pebbles, shingle, dunes or coastal vegetation that is vested in the Council or is under its management or regulatory control as per the Local Government Act 2002

<b>Chief Executive</b>	Means the Chief Executive of the Kapiti Coast District Council or a person acting under delegated authority on behalf of the Chief Executive
<b>Coastal Protection Works</b>	Means any hard or soft structures (such as sea walls, rock revetments, dune fencing and coastal plants) used to prevent erosion and controlled by the Council
<b>Council</b>	Means the Kapiti Coast District Council
<b>District</b>	Means the Kapiti Coast District
<b>Dunes</b>	Means the section of the beach lying generally above the high tide mark where mounds or ridges of sand formed by wind or water action exist. These dune areas may be covered or uncovered by vegetation
<b>Enforcement Officer</b>	Means any person appointed by the Council to enforce the provisions of this Bylaw and who holds a warrant under section 177 of the Local Government Act 2002
<b>Foreshore</b>	Means the land edging the sea, estuaries and rivers that are normally submerged and exposed by the sea's tidal ebb and flow, that is, the area between the line of mean high water springs level and the mean low water springs level
<b>Green Waste</b>	Means any waste organic material generated by human activities
<b>Horse</b>	Means any horse, mule, donkey or ass
<b>Land Yacht</b>	Means any unmotorised wheeled vehicle used in land sailing which consists of little more than a carriage and a sail
<b>Motorbike</b>	Means any motorised two-wheeled road or off-road vehicle, such as: dirt bikes, multi terrain bikes, road bikes, scooters and pocket or mini bikes etc.
<b>Motorised water craft</b>	Means any boat, jet ski or vessel propelled by a motor and controlled by a person or any other means
<b>Official Beach Access Point</b>	Means a Council sign posted road or track allowing pedestrian or vehicular access to the beach from public roads, parking bays, reserves or picnic areas
<b>Stock</b>	Includes poultry, cattle, deer, goats, sheep, pigs or any other farmed animal (excluding horses)
<b>Vehicle or Motor</b>	Means any motor car, motor bike, or any other wheeled vehicle



**Vehicle** powered by an engine, wind or solar power or capable of moving at speeds greater than 8 Km/h

## **5 Appropriate Behaviour**

- 5.1 No person shall use any dressing shed or toilet except for its intended purpose, nor loiter in or around any dressing shed or toilet.
- 5.2 No person shall clean fish or bring, deposit or leave any filth or rubbish in any dressing shed or toilet.
- 5.3 It is the responsibility of all surfcasters to take reasonable steps to ensure their lines or equipment do not present a safety hazard to other beach users.
- 5.4 No person shall remain upon any part of the beach in deliberate view of others in such a state of undress as to cause offence.

## **6 Litter**

- 6.1 No person shall dump green waste on any part of the beach.
- 6.2 Any person found discarding or dumping or directing the discarding or dumping of litter or green waste contrary to this Bylaw, is liable to prosecution and or a fine to recover the costs associated with its removal.

## **7 Aircraft and Hovercraft**

- 7.1 No person shall (except in the case of an emergency) land or attempt to land on any part of the beach any aircraft, glider, balloon, parachute or other craft for air flying nor any hovercraft, except a hang-glider, unless:
  - i. the Council has given written permission to carry out the activity; and
  - ii. all other statutory requirements are also complied with.
- 7.2 No person shall (except in the case of an emergency) land or attempt to land on any part of the beach any hang glider or para-glider unless:
  - i. the Council has given written permission to carry out the activity and all other statutory requirements are also complied with; or
  - ii. the person is landing a hang glider or para-glider on the foreshore between the southernmost limit of Ames Street, Paekakariki, and the Fisherman's Table Restaurant at the southern boundary of the District.
- 7.3 Any person landing or attempting to land a hang glider or paraglider on the foreshore between the southernmost limit of Ames Street, Paekakariki and the

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Fisherman's Table Restaurant, shall take all possible steps to avoid causing a nuisance or danger to other beach users.

- 7.4 No person shall (except in the case of an emergency) attempt to become airborne or water-borne in any aircraft, glider, paraglider, hang glider, balloon, parachute or other craft for air flying nor any hovercraft, from any part of the beach, unless the Council has given written permission to carry out the activity and the person complies with all other statutory requirements.

## **8 Vehicles: Conditions for Driving**

- 8.1 No person shall, except for emergency purposes, on any part of the beach:

8.1.1 Drive a vehicle through an official vehicle beach access point at a speed greater than 10 km/h.

8.1.2 Drive any vehicle at a speed greater than 20 km/h or in a manner which:

- i. causes nuisance or annoyance to other beach users;
- ii. causes damage to any part of the beach; or
- iii. has adverse effects on plants and/or native animals or their habitats.

- 8.2 All vehicles (including land yachts) being driven on the beach must give way to pedestrians, bathers, horses and dogs at all times.

- 8.3 No person shall tow or drag any wave board or similar device behind any motor vehicle in such a way as to cause a danger or inconvenience to any person.

## **9 Vehicles: Beach Restrictions**

- 9.1 Two wheeled road or off-road motorbikes are not permitted to drive on any part of the beach.

- 9.2 No person may drive any vehicle in a prohibited driving area of the beach or on any dunes or coastal protection works, unless that person has the prior permission of the Council or when any of the following circumstances apply:

- i. an emergency or law enforcement situation; or
- ii. Council, groups recognised by Council, Greater Wellington Regional Council or Department of Conservation Staff (or their delegated contractors) carrying out restoration or beach maintenance work.

- 9.3 All beaches in the District are prohibited driving areas apart from the following:

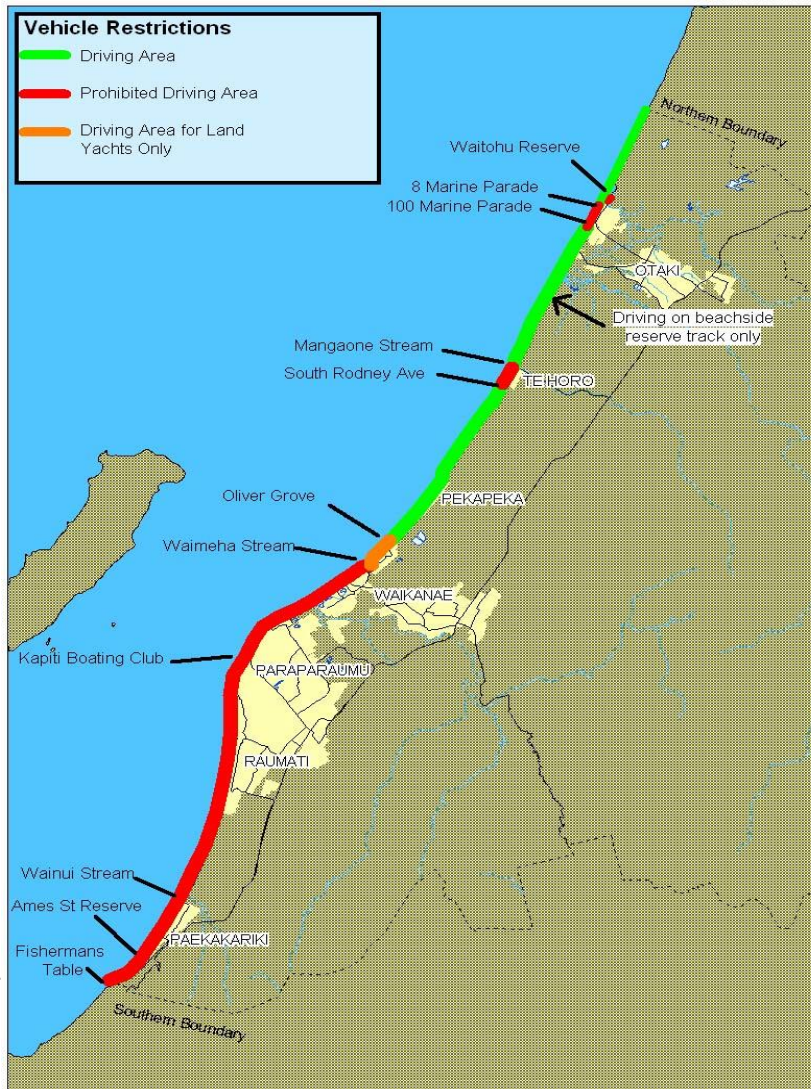
9.3.1 In relation to any vehicle (excluding two wheeled motorbikes):

- i. the foreshore between the Official Beach Access Point at Olliver Grove, North Waikanae, to the Official Beach Access Point at the southern end of Rodney Avenue, Te Horo;
- ii. the formed shingle track through the reserve area adjacent to the foreshore between the northern bank of the Mangaone Stream, Te Horo Beach, to the southern bank of the Otaki River mouth;
- iii. the formed shingle track adjacent to the foreshore between the northern bank of the Otaki River mouth to the Official Beach Access Point opposite 100 Marine Parade, Otaki Beach;
- iv. the foreshore between the Official Beach Access Point opposite 8 Marine Parade, Otaki Beach, to the northern limit of the District (Note: The Waitohu Reserve area is outside the limits of the foreshore and is off limits to all vehicles); and

9.3.2 In relation to land yachts only:

- i. the foreshore between the north bank of the Waimeha Stream Mouth, North Waikanae, and the Official Beach Access Point at Olliver Grove, North Waikanae

**MAP 1: Vehicle Zones on the Beach Foreshore**



- 9.4 No person shall, except for emergency purposes, bring or drive any motor vehicle, land yacht, or trailer onto any part of the beach except via an Official Beach Access Point signposted for vehicle use.
- 9.5 No person shall, except for emergency purposes:
- 9.5.1 park any craft, trailer or vehicle on or near any Authorised Boat Launching and Disability Parking areas so as to obstruct or impede the reasonable use of such areas; or
  - 9.5.2 park beyond the signposted boundaries of an Authorised Boat Launching or Disability Parking area in a vehicle prohibited part of the beach; or
  - 9.5.3 access an Authorised Boat Launching or Disability Parking area from a vehicle prohibited part of the beach.
- 9.6 No person shall, except for emergency purposes, park any vehicle and or trailer in an Authorised Boat Launching area, other than:
- i. vehicles and trailers used during the launching or retrieving of boats; or
  - ii. vehicles and trailers used for the storage of fishing equipment.
- 9.7 No person shall, except for emergency purposes, park any vehicle in an Authorised Disability Parking area, other than vehicles displaying a valid mobility permit<sup>1</sup>.
- 9.8 Vehicles displaying mobility permits must give way to vehicles launching boats at all times when driving through boat launching areas or accessways.

## **10 Motorised Watercraft**

- 10.1 All motorised water craft shall, except in emergency situations, launch and land in Authorised Boat Launching areas only.

## **11 Horses and Stock**

- 11.1 Between 11am –5pm from 01 December to the end of Daylight Savings (currently the first Sunday in April) no person shall ride, drive or lead a horse on the foreshore in the following restricted areas:
- i. from the southern boundary of the District to the Wainui Stream mouth at the north of the Paekakariki Settlement;
  - ii. from the Official Beach Access at Jeep Road, Raumati South, to the Kapiti Boating Club, Paraparaumu Beach;

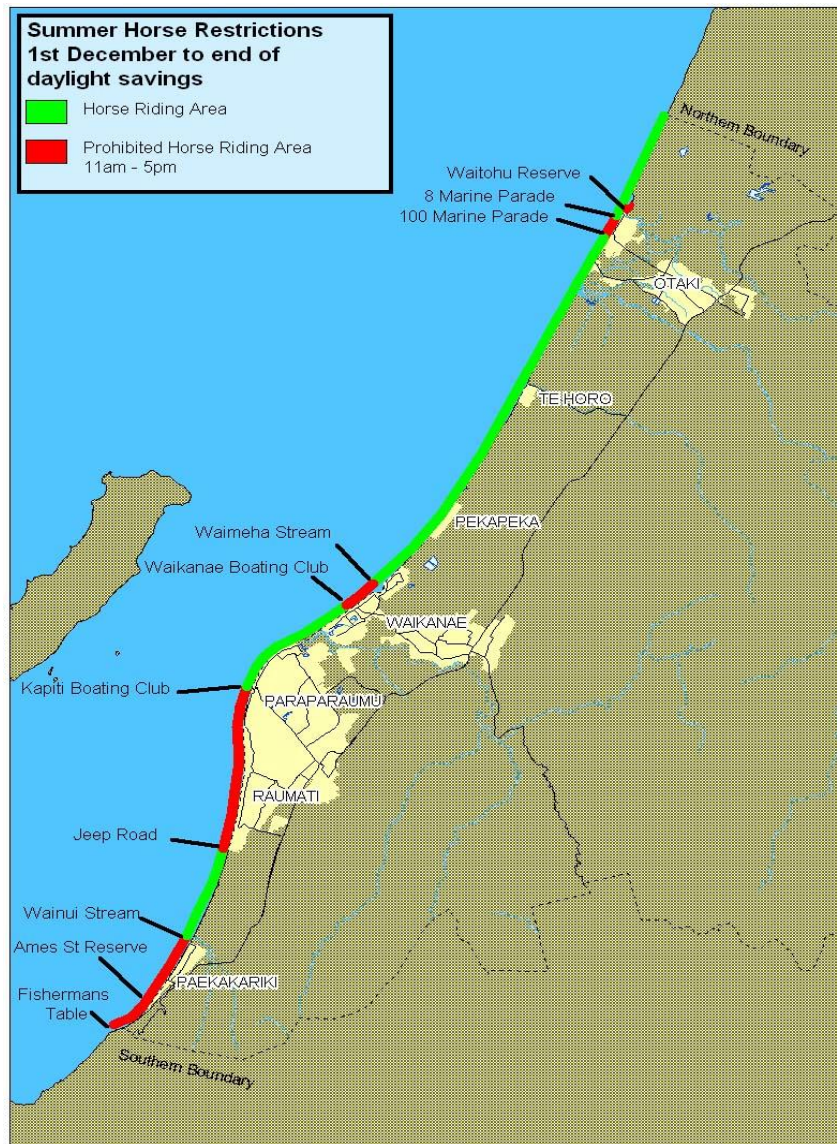
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<sup>1</sup> A current mobility permit must be displayed in the vehicle at all times. Inquiries about the mobility permit scheme can be made to the Kapiti Disability Information and Equipment Centre - Ph: 04 298 2914, fax 04 298 2941.

- iii. from the Waikanae Boating Club, Waikanae Beach to the Waimeha Stream mouth, Waikanae Beach;
- iv. from the beach access point opposite 100 Marine Parade, Otaki Beach to the beach access point opposite 8 Marine Parade, Otaki Beach.

11.2 At all other times and locations, a person may ride, drive or lead a horse on the foreshore.

### MAP 2: Horse Summer Zone Restrictions on the Beach



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- 11.3 No person shall, on any part of the foreshore, ride any horse in a manner which causes danger or unreasonable inconvenience to any person or causes damage to the beach environment.
- 11.4 The Council may from time to time issue a permit authorizing horse racing or riding in a restricted area of the foreshore, in which case:
- i. the provisions of this Bylaw apply except so far as varied by the permit and any conditions on the permit; and
  - ii. the rider must either clearly display the approved sticker or carry the permit so that it can be produced on demand.
- 11.5 Horses are prohibited from traversing all areas of the beach other than the foreshore and appropriately marked beach access ways.
- 11.6 A Council permit is required to lead stock on the beach.
- 11.7 No person who has obtained prior written permission from the Council to drive or lead any stock on any part of the beach shall do so in a manner which causes danger or inconvenience to any person or causes damage to the beach environment.

Please refer to the Kapiti Coast District Council Dog Bylaw 2008 for rules and restrictions for dogs on Kapiti Coast beaches
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## **12 Hiring of Craft**

- 12.1 The Council may authorise the use of any part of the foreshore for the hiring, storing, launching and recovery of any types of water borne craft made available for public hire, and may issue a permit to any person or persons for the carrying out of one or more of those activities.
- 12.2 Any such permit may include such conditions as may be desirable in the interests of the safety and inconvenience of the public.

## **13 Trading on the Beach**

- 13.1 No person shall, on any part of the beach, sell, offer for sale, or trade, any article without prior written permission of the Council.

## **14 Coastal Protection Works**

- 14.1 No person shall damage, break, destroy, remove or otherwise interfere with any coastal protection works legally placed, planted, erected or maintained on any part of the beach for the control of sand or shingle or for the prevention of erosion without a written permit from the Council.

## 15 Defined Areas

15.1 The Council may from time to time following public consultation, upon such terms and conditions and for such period or periods as it thinks fit, declare that a defined area of the beach shall be notified and identified as an area where specific activities may be expected to occur, either:

- a) to limit damage to the natural environment; or,
- b) to restrict an activity that might not be acceptable in all areas; or
- c) to provide for safety matters.

For example and without limitation, a defined area could include:

- i. dune restoration areas;
- ii. clothing optional areas; and
- iii. vehicle driving areas.

*Note: Unless specific prohibitions are established, a defined area does not exclude the general public from use of those areas.*

## 16 Life Saving

- 16.1 No person shall obstruct, hinder or interfere with any life-saving operations or with any person engaged in life saving activities.
- 16.2 The Council may at its discretion authorize any life-saving club to erect and remove danger notices from any place.
- 16.3 No person shall swim in any place, or in the vicinity of any place, which is declared unsafe for such activity by a Council approved “danger” board or notice. No person shall swim or bathe in any place after being warned by an enforcement officer or qualified life-saving attendant that it is dangerous to swim in such a place.
- 16.4 No person shall use, displace, or otherwise interfere with any appliance, warning device or sign provided by the Council or by any life saving club unless authorized by the Chief Executive, an enforcement officer, surf club member, or member of Police.

(The original Clause 17 on permits for beach fires has been deleted).

## 17 Beach Preservation

- 17.1 No person is permitted to cultivate or tend any plant/s on the beach, other than those that naturally occur within the Foxton Ecological District unless with prior permission of the Council.

- 17.2 Other than horses or dogs, no person is permitted to introduce or release any animal into the beach environment, without prior written permission of the Council.
- 17.3 The Council reserves the right to work with landowners to ensure that private access-ways to the beach are consolidated when cause for consolidation is justified to prevent harm to the coastal dune system.

## **18 Harvesting**

- 18.1 Except with the written permission of the Chief Executive no beach material listed in clause 18.2 may be removed:
- i. using any power equipment or tool (such as a chainsaw) to chop up or break down material; and
  - ii. in quantities exceeding that which can be carried on foot (unless the permitted quantity is specified in some other bylaw or Act of Parliament).
- 18.2 Except with the written permission of the Chief Executive, no person shall remove any of the following resources from the beach in quantities greater than that specified in clause 18.1 above:
- i. sand;
  - ii. driftwood;
  - iii. native estuary vegetation; and
  - iv. stones - where they form the predominant beach material.

## **19 Special Events**

- 19.1 Any person or organization wishing to hold a special event on the foreshore shall apply in writing to the Council for a permit to hold such an event. This application should be received at the Council a minimum of six weeks before the planned event.
- 19.2 The issuing of a permit for a special event may be subject to a bond to cover the costs of any clean-up or remediation undertaken by the Council following the event. The bond amount will be determined by the Council Compliance Manager based on the size and potential risk of staging the said event.

## **20 Permits Issued Pursuant to the Bylaw**

- 20.1 Where the Council issues any permit pursuant to the terms of this Bylaw, it may impose any reasonable conditions on that permit that it thinks fit.



- 20.2 When undertaking a permit required activity on the beach, permits or permit stickers must be either visibly displayed or readily available so that they can be produced on demand.

## **21 Offenders against the Bylaw**

- 21.1 Any person who commits a breach of any of the provisions of this bylaw shall, if so requested, supply Council Enforcement Officers or Police their full name and address<sup>2</sup>.
- 21.2 Every person who commits an offence against any provision of this Bylaw or any condition imposed on a permit issued under this Bylaw could be subject to a fine not exceeding \$20,000<sup>3</sup> upon summary conviction.

## **22 Kāpiti Coast District Council General Bylaw**

- 22.1 The provisions of the Kāpiti Coast General Bylaw 2010 and any bylaw passed in amendment or substitution are implied into and form part of this bylaw.

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<sup>2</sup> Failure to do so is an offence under Section 178 of the Local Government Act 2002.

<sup>3</sup> As per section 242(4) of the Local Government Act 2002.

**DELEGATIONS MADE BY COUNCIL TO CHIEF EXECUTIVE AND STAFF**

The Council makes its delegations under the various powers of delegation referred to in this instrument. In the absence of a reference to a specific power, the Council makes the delegation under clause 32 of Schedule 7 of the Local Government Act 2002.

For the avoidance of doubt:

- a reference in this document to an enactment, regulation or bylaw includes any enactment, regulation or bylaw that, with or without modification, replaces or corresponds to that enactment, regulation or bylaw;
- a reference in this document to a Council officer position includes any Council officer position that replaces or corresponds to that Council officer position and involves substantially the same duties; and
- all financial limits stated in these delegations are GST exclusive.

Note: all delegations are subject to the restriction set out in clause 32(1) of Schedule 7 of the Local Government Act 2002, that the following powers are not included in these delegations:

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

Legislation and Authority	Powers Delegated
<p><b>Building Act 2004, any regulations made under that Act, and the Building Code (Schedule 1 to Building Regulations 1992)</b> To the Chief Executive with power of sub-delegation to officers.</p>	<p>Under section 232 of the Building Act 2004 – delegation of authority to exercise and administer all responsibilities, duties and powers of the Council as a Territorial Authority and Building Consent Authority under the Building Act 2004, any regulations made under that Act and the Building Code (Schedule 1 to the Building Regulations 1992) including delegation to the Chief Executive (with the power to sub-delegate) to write off sundry debts to the value of \$1,000, <b>except:</b></p> <ul style="list-style-type: none"> <li>• the adoption, amendment or replacement of the Council’s policy on dangerous, earthquake prone and insanitary buildings as required by sections 131 and 132;</li> <li>• the making of arrangements to transfer functions to another building authority under section 213;</li> <li>• the transfer of functions, duties or powers of a territorial authority to another territorial authority under sections 233-236;</li> <li>• the setting of fees or charges under section 219.</li> </ul>

Legislation and Authority	Powers Delegated
<p><b>Burial and Cremation Act 1964 and any regulations made under that Act, including the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967</b></p> <p>To the Chief Executive with power of sub-delegation to officers except that the Chief Executive may not sub-delegate the power to appoint officers under section 19 of the Act.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, <b>including</b> but not limited to the power to:</p> <ul style="list-style-type: none"> <li>• manage cemeteries as set out in sections 8 and 9;</li> <li>• sell burial plots under section 10;</li> <li>• appoint officers under section 19 to assist in execution of Act;</li> <li>• enable burials of poor persons to take place free of charge under section 49;</li> <li>• prosecute in relation to offences under sections 54AA to 57;</li> <li>• give notice, advertise and remove dilapidated or neglected monuments or tablets under the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967.</li> </ul>

Legislation and Authority	Powers Delegated
<p><b>Criminal Procedure Act 2011 and any regulations made under that Act</b></p> <p>To the Chief Executive with power of sub-delegation to officers and the Enforcement Decision Group.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.</p>

Legislation and Authority	Powers Delegated
<p><b>Dog Control Act 1996 and any regulations made under that Act</b></p> <p>To the Chief Executive with power of sub-delegation to officers.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, <b>including</b> but not limited to the power to:</p> <ul style="list-style-type: none"> <li>• appoint dog control officers and dog rangers under section 11 and section 12;</li> <li>• classify a person as a probationary owner under section 21, remove that classification under section 23 and require that person to undergo probationary training under section 23A;</li> <li>• disqualify a person from being an owner of a dog under section 25;</li> <li>• classify a dog as dangerous under section 31;</li> <li>• provide consent for disposal of dangerous dog to other persons if satisfied that conditions are met as set out in section 33;</li> <li>• classify as menacing by behaviour, characteristic or breed as set out in section 33A and section 33C, and require a menacing dog to be neutered under section 33EB;</li> <li>• authorise persons other than dog control officers to issue infringement notices under section 66;</li> <li>• impound and subsequently dispose of a dog under section 69;</li> <li>• dispose of or return under section 70 a dog impounded for barking;</li> </ul>

Legislation and Authority	Powers Delegated
	<ul style="list-style-type: none"> <li>retain a dog threatening public safety under section 71;</li> <li>dispose of dog seized as set out in section 71A.</li> </ul>

Legislation and Authority	Powers Delegated
<b>Domestic Violence Act 1995 and any regulations made under that Act, including the Domestic Violence (Public Registers) Regulations 1998</b> To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under Part 6 “Non-publication of information relating to protected person on public registers” of the Domestic Violence Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
<b>Fencing Act 1978 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
<b>Fire Service Act 1975 and any regulations made under that Act, including the Fire Safety and Evacuation of Building Regulations 2006</b> To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
<b>Food Act 1981 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, <b>including</b> but not limited to the processing of exemptions from Food Hygiene Regulations 1974 under section 8N of the Act.

Legislation and Authority	Powers Delegated
<b>Food Act 2014 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act except those powers specified in section 34 of the Act (which relates to the power to grant an exemption).

Legislation and Authority	Powers Delegated
<p><b>Freedom Camping Act 2011 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.</p>	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, <b>including</b> but not limited to the power to appoint enforcement officers under section 32 of the Act.

Legislation and Authority	Powers Delegated
<p><b>Gambling Act 2003 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.</p> <p>Delegation does not include the adoption, amendment or replacement of a class 4 venue policy under sections 101 – 102.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, <b>including</b> but not limited to the power to consider applications for territorial authority consent for class 4 venue licenses in accordance with the class 4 venue policy and:</p> <ul style="list-style-type: none"> <li>• grant consent with or without specifying the maximum number of machines that can be operated at the venue; or</li> <li>• not grant consent.</li> </ul>

Legislation and Authority	Powers Delegated
<p><b>Health Act 1956 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act <b>including</b> but not limited to:</p> <ul style="list-style-type: none"> <li>• the power to appoint Environmental Health Officers under section 28;</li> <li>• the power to issue cleansing orders under section 41;</li> <li>• the power to issue repair or closing orders under section 42;</li> <li>• issuing consent for the establishment of any offensive trade under section 54;</li> <li>• the power to initiate proceedings under section 33 in respect of nuisances;</li> <li>• the Council's powers in relation to back-flow prevention systems and devices under section 69ZZZ;</li> <li>• the power to cleanse and disinfect premises or articles under section 82.</li> </ul>

Legislation and Authority	Powers Delegated
<p><b>Impounding Act 1955 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.</p>	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, <b>including</b> but not limited to the power to appoint poundkeepers, deputies and rangers under section 8 and section 9 for the proper carrying out of the provisions of this Act, <b>except</b> the powers contained in section 14(1) of the Act (setting pound fees).

Legislation and Authority	Powers Delegated
<p><b>Land Transport Act 1998 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of Council under the Act, any regulations made under that Act and associated requirements of the Land Transport Rules <b>including</b> but not limited to the power to:</p> <ul style="list-style-type: none"> <li>• appoint parking wardens under section 128D.</li> </ul>

Legislation and Authority	Powers Delegated
<p><b>Litter Act 1979 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, <b>including</b> but not limited to the powers to:</p> <ul style="list-style-type: none"> <li>• appoint litter control officers as set out in section 5;</li> <li>• require the provision and maintenance of litter receptacles under section 9;</li> <li>• issue notices under section 10 in relation to litter;</li> <li>• make grants or spend money on campaigns for the abatement or prevention of litter under section 11;</li> <li>• issue infringement notices under section 14.</li> </ul>

Legislation and Authority	Powers Delegated
<p><b>Local Government Act 2002 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, <b>except</b>:</p> <ul style="list-style-type: none"> <li>• the powers set out in clause 32(1)(a) to (h) of Schedule 7 of the Act;</li> <li>• any Local Government Act 2002 power expressly reserved to the Council or expressly delegated by the Council to a committee;</li> <li>• where sections 138 or 140 of the Local Government Act 2002 apply; or</li> <li>• as limited by the conditions set out below.</li> </ul> <p>Delegation of authority to affix the Council's common seal:</p> <ul style="list-style-type: none"> <li>• to any warrants issued by the Council where the warrants authorise entry onto private land on behalf of the Council;</li> <li>• to any deed entered into by Council (Note that leases, easements, instruments and other land-related documents are deemed to have the same effect as deeds and should be executed as deeds. See clause 13 of the Land Transfer Regulations 2002);</li> <li>• to any document that has been prepared to implement a resolution previously made by the Council; and</li> <li>• in any other situation where the Council is directed by legislation to use its common seal;</li> </ul> <p>providing that the signature of the Chief Executive followed by that of the Mayor or Deputy Mayor and one Councillor have first been obtained and that the use of the common seal is recorded in a register and advised to Council on a weekly basis via the Elected Members Bulletin.</p>

Legislation and Authority	Powers Delegated
	<p>Without limiting the powers delegated to the Chief Executive above, the Chief Executive may:</p> <ul style="list-style-type: none"> <li>• implement any proposal or decision contained within the Council's Long Term Plan (LTP) or Annual Plan or other adopted Council policy;</li> <li>• issue warrants under the Local Government Act 2002 or any other enactment under which Council officers may be warranted;</li> <li>• appoint enforcement officers under section 177 of the Act;</li> <li>• give approval to matters or activities relating to land or buildings under the control, authorisation or ownership of the Council, except as limited by clause 32(1)(c) of Schedule 7 of the Act;</li> <li>• approve, in accordance with the LTP, any recommendation in relation to the acquisition of land or new assets in lieu of money, as a reserve contribution under the Resource Management Act 1991 and any associated acquisition in addition to those reserve contribution requirements up to a total value of \$250,000;</li> <li>• grant leases of residential properties (see note above about deed execution);</li> <li>• grant leases of Council land or non-residential buildings where the term of the lease is 1 year or less, or where the annual rent is \$22,000 or less (see note above about deed execution);</li> <li>• grant licences to occupy Council land where the term of the licence is 1 year or less; and</li> <li>• grant easements over land (see note above about deed execution).</li> </ul> <p>The following conditions apply to the exercise of the Chief Executive's delegated powers under the Act:</p> <ul style="list-style-type: none"> <li>• The Chief Executive may commit Council expenditure for any contracts or agreements up to \$2.4million, for any one contract or agreement, including the authority to enter into such a contract or agreement, providing that before exercising these powers the Chief Executive is satisfied that full allowance has been made and remains for the proposed expenditure in an approved budget and that, if applicable, all tenders accepted over a value of \$250,000 are reported to the Operations and Finance Committee;</li> <li>• The Chief Executive may sub-delegate the authority to commit the Council to expenditure for any contracts or other agreements under approved circumstances eg mediation, for a lesser amount than \$600,000 for any one contract or agreement, including the authority to enter into such a contract or agreement, providing that before exercising these powers the sub-delegate is satisfied that full allowance has been made and remains for the proposed expenditure in an approved budget and that, if applicable, all tenders accepted</li> </ul>

Legislation and Authority	Powers Delegated
	<p>over a value of \$250,000 are reported to the Operations and Finance Committee;</p> <ul style="list-style-type: none"> <li>• The Chief Executive (with the power to sub-delegate) may write off sundry debts (excluding rating debts) to the value of \$1,000.</li> </ul>

Legislation and Authority	Powers Delegated
<p><b>Local Government (Rating) Act 2002 and any regulations made under that Act</b> To the Chief Executive, the Group Manager Corporate Services, Financial Controller, Acting Group Manager, Finance and the Rates Manager.</p>	<p>Delegation, under section 132, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, <b>except</b>:</p> <ul style="list-style-type: none"> <li>• the power to make further delegations;</li> <li>• functions, powers and duties conferred by subpart 2 of Part 1 (key provisions on what is rateable, i.e. who must pay rates, and kinds of rates that may be set);</li> <li>• functions, powers and duties conferred by subpart 1 of Part 5 (replacement of rates).</li> </ul>

Legislation and Authority	Powers Delegated
<p><b>Local Government Act 1974 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, <b>including</b> but not limited to the power to:</p> <ul style="list-style-type: none"> <li>• repair local roads (section 319(a));</li> <li>• make various alterations to roads, such as levels, etc (section 319(c) to (i) and (k) to (j));</li> <li>• allocate property numbers (section 319B);</li> <li>• contribute to an adjoining districts road maintenance (section 324);</li> <li>• seek payments for betterment (section 326);</li> <li>• construct footpaths and channels (section 331); cycle tracks (section 332); dividing strips (section 333); monuments, etc (section 334); lighting (section 334A); vehicle crossings (section 335); transport shelters (section 339);</li> <li>• require alterations to pipes and drains and apparatus on or under roads (section 337);</li> <li>• grant rights to lay pipes (section 338);</li> <li>• enable construction of motor garages (section 340) (subject to RMA process);</li> <li>• enter into leases of air space or subsoil (section 341);</li> <li>• contribute to the cost of railway, subways or bridges (section 341A);</li> <li>• enable gates and cattle stops (section 344);</li> <li>• contribute towards Maori road ways (section 324A);</li> <li>• declare roads to be limited access roads;</li> <li>• permit the construction of private roads;</li> <li>• permit the construction of cellars or excavation in the vicinity of road (section 354);</li> <li>• require the removal of overhanging trees (section 355);</li> <li>• remove abandoned vehicles from roads (section 356);</li> <li>• prosecute in relation to penalties for damage to roads (section 357);</li> <li>• provide parking places in buildings and transport</li> </ul>



Legislation and Authority	Powers Delegated
	stations under section 591; <ul style="list-style-type: none"> <li>• make and maintain drainage channels (sections 509 to 511);</li> <li>• make allowances (grants) to the owner of land to enable work to keep drainage channels clear (section 514); and</li> <li>• issue infringement notices and prosecute for offences under the Act.</li> </ul>

Legislation and Authority	Powers Delegated
<b>Local Government Official Information and Meetings Act 1987 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers and, in respect of Parts 2 to 5 of the Act, to employees.	Delegation, under section 42 of the Local Government Official Information and Meetings Act 1987, of authority to exercise and administer all responsibilities, duties and powers of the Council under Parts 2 to 5 of the Act and any regulations made under the Act, <b>except</b> those in section 32 (which relates to responses to recommendations made by the Ombudsman under section 30(1)).  Delegation, under clause 32 in Schedule 7 of the Local Government Act 2002, of authority to exercise and administer all responsibilities, duties and powers of the Council under section 44A of the Act.

Legislation and Authority	Powers Delegated
<b>Machinery Act 1950 and any regulations made under that Act, including the Amusement Devices Regulations 1978</b> To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act including the Amusement Devices Regulations 1978, <b>including</b> but not limited to the power under section 21A of the Act to authorise, permit and carry out inspections in relation to amusement devices.

Legislation and Authority	Powers Delegated
<b>Privacy Act 1993 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.	Delegation, under section 124 of the Privacy Act 1993, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
<b>Public Works Act 1981 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, <b>including</b> but not limited to the power to: <ul style="list-style-type: none"> <li>• deal with trees on roads (sections 133 to 135);</li> <li>• enter onto land (under section 234) to repair public works;</li> <li>• control excavations near public works (under section 237);</li> <li>• remove property abandoned on land for a public work (under section 239);</li> </ul>

Legislation and Authority	Powers Delegated
	<ul style="list-style-type: none"> <li>bring action for damages to public works (under section 238) and to recover land from persons holding illegal possession (under section 240);</li> <li>prosecute in respect of offences against the Act.</li> </ul>

Legislation and Authority	Powers Delegated
<b>Railways Act 2005 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, <b>including</b> but not limited to: <ul style="list-style-type: none"> <li>the section 74 duty to maintain drains above or under railway infrastructure;</li> <li>the section 83 duty to maintain level crossings.</li> </ul>

Legislation and Authority	Powers Delegated
<b>Rates Rebate Act 1973 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
<b>Rating Valuations Act 1998 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.	Delegation, under section 50(1) of the Rating Valuations Act 1998, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
<b>Reserves Act 1977 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers* of the Council in its role as an Administering Body, and as a delegate of the Minister of Conservation, under the Reserves Act 1977 and any regulations made under the Act and management plans <b>except</b> : <ol style="list-style-type: none"> <li>the power to declare land to be a reserve and the power to hear objections and make a decision on whether to confirm the resolution under section 14 (other than the power to attend to gazettal under section 14(4));</li> <li>the power to exchange reserve land for other land under section 15;</li> <li>the power to classify reserves, by Gazette notice, according to their principal or primary purpose under section 16(1);</li> <li>the power to give full consideration to objections and submissions under 16(4);</li> <li>the power to change a classification or purpose of a reserve, consider objections and form an opinion that the change in the classification of a scenic, nature, scientific or historic reserve is justified under section 24(1), 24(2)(e), 24(3) and 24(5);</li> </ol>

	<p>f) the power under section 25(1) to dispose of land in such manner and for such purposes as the Minister specifies following the revocation of the reservation of any public reserve (or part of one) under section 24;</p> <p>g) the power to approve reserve management plans under section 41(1);</p> <p>h) the power to give or decline approval for the erection of shelters, huts, cabins, lodges etc on any recreation or scenic reserve under section 45;</p> <p>i) the power under section 55(2)(a), (d), (e), (f) and (g) to decline or give consent to specific activities on a scenic reserve;</p> <p>j) the power under section 58(b) to set apart and use part of a reserve as a site for residences and other buildings;</p> <p>k) the power under section 73(5) to consent or decline consent in writing to a member of an administering body becoming the lessee of any land under the control of that body;</p> <p>l) the power under section 75(1) and (2) to consent or decline to consent to the afforestation of a recreation or local purpose reserve;</p> <p>m) the power to make bylaws under section 106;</p> <p>n) the power to grant licences pursuant to Section 48A of the Reserves Act 1977 for the use of a reserve for a communications station (such granting of licences to be subject where appropriate to the approval of the appropriate Minister of the Crown and the provision of the First Schedule of the Reserves Act 1977);</p> <p>o) the power to hear and report to Council on submissions and to make recommendations to Council on decisions, relating to the revocation of reserve land;</p> <p>p) the power to determine from time to time whether a park has Districtwide importance and is therefore not a "local" park;</p> <p>q) any power that is expressly required by the Act to be exercised by resolution of the Council;</p> <p>r) the power to grant leases, licences, permits and easements for reserve land.</p> <p><b>For the avoidance of doubt:</b></p> <ul style="list-style-type: none"> <li>- exceptions b) and p) do not preclude the power to recommend or report to the Strategy and Policy Committee or Council on these matters;</li> <li>- exception r) does not include the powers relating to licences under section 74 as delegated to the Chief Executive and other officers below.</li> </ul> <p>* For leases, easements, transfers and other documents dealing with land, see notes about deed execution under the Local Government Act 2002 delegations</p>
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To the Chief Executive, the Group Manager Community Services and the Parks and Recreation Manager with no power of sub-delegation.	Delegation of the power under section 74 of the Reserves Act to issue and cancel licences to occupy reserves temporarily.
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Legislation and Authority	Powers Delegated
<b>Residential Tenancies Act 1986 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Residential Tenancies Act 1986 and any regulations made under the Act.

Legislation and Authority	Powers Delegated
<b>Resource Management Act 1991 and any regulations made under that Act</b> To the Chief Executive and the Deputy Chief Executive with no power of sub-delegation	Delegation, under section 34A of the Resource Management Act 1991, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, <b>including</b> delegation to the Chief Executive to write off sundry debts to the value of \$1,000, <b>except</b> : <ul style="list-style-type: none"> <li>• the power of delegation; or</li> <li>• the power of approval of a policy statement or plan under clause 17 of Schedule 1.</li> </ul>

Legislation and Authority	Powers Delegated
<b>Sale and Supply of Alcohol Act 2012 and any regulations made under that Act</b> To the Chief Executive.	<ul style="list-style-type: none"> <li>• Delegation of the power in section 197(5) to appoint a chief licensing inspector.</li> <li>• The Chief Executive is provided with general authority to exercise his/her power of delegation under section 198 of the Act.</li> </ul>

Legislation and Authority	Powers Delegated
<b>Summary Proceedings Act 1957 and any regulations made under that Act</b> To the Chief Executive with power of sub-delegation to officers and the Enforcement Decision Group.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
<b>Trespass Act 1980</b> To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council as occupier of any place or land.

Legislation and Authority	Powers Delegated
<p><b>Unit Titles Act 2010</b> To the Chief Executive with power of sub-delegation to officers.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.</p>

Legislation and Authority	Powers Delegated
<p><b>Waste Minimisation Act 2008 and any regulation made under that Act.</b> To the Chief Executive with power of sub-delegation to officers.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act except the power to:</p> <ul style="list-style-type: none"> <li>• prepare, adopt, amend or revoke a waste management and minimisation plan; or</li> <li>• make or review a bylaw.</li> </ul>

Legislation and Authority	Powers Delegated
<p><b>Kapiti Coast District Council General Bylaw and all other Bylaws</b> To the Chief Executive with power of sub-delegation to officers</p>	<p>The Council appoints the Chief Executive as an authorised officer under the Kapiti Coast District Council General Bylaw, and as the appropriate officer designation under all other Bylaws.</p> <p>Delegation of authority to exercise and administer all responsibilities, duties and powers of Council under the Kapiti Coast District Council General Bylaw and all other Bylaws, <b>including</b> but not limited to authority to do all things necessary to:</p> <ul style="list-style-type: none"> <li>• implement and uphold the Kapiti Coast District Council General Bylaw and all other Bylaws;</li> <li>• appoint Council staff members as authorised officers under the Kapiti Coast District Council General Bylaw, and appoint Council staff members as officers with the appropriate officer designation under all other Bylaws;</li> <li>• sub-delegate generally and particularly any of those powers conferred upon the Chief Executive under the Kapiti Coast District Council General Bylaw and all other Bylaws.</li> </ul>