

Mayor and Councillors
COUNCIL

28 JUNE 2018

Meeting Status: **Public**

Purpose of Report: For Decision

AMENDMENTS TO THE COUNCIL DELEGATIONS TO CHIEF EXECUTIVE AND STAFF

PURPOSE OF REPORT

- 1 This report seeks Council's approval of amendments to the Council delegations to Chief Executive and Staff.

DELEGATION

- 2 Council has the authority to consider this matter.
- 3 The delegations comply with the provisions of the Local Government Act 2002 (clause 32, schedule 7), which empowers the Council to consider an appropriate governance structure and associated delegations.
- 4 It also meets the requirements of section 10 of the Local Government Act 2002 which prescribes the purpose of local government.
- 5 The delegations will be available to be audited by Council's auditors EY as part of their scheduled audits.

BACKGROUND

- 6 The Council has certain statutory powers it can exercise and duties it must fulfil. Various statutes recognise that it is not efficient or practical for Elected Members to have to deal with every aspect of their functions, duties and powers.
- 7 Various Acts of Parliament provide the Council with the legal authority to delegate to officers. In particular, Council has the authority to delegate to officers under clause 32 of Schedule 7 of the Local Government Act 2002. Clause 32 also sets out certain powers that cannot be delegated as follows:
 32. *Delegations—(1) Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except—*

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

- 8 Delegated authority allows for administrative efficiency and ensures timeliness in the conduct of Council's daily business activities.

Issues

- 9 A legal review on request of staff recognised the requirement for the Property Law Act 2007 to be delegated to the Chief Executive and staff.
- 10 A change in staff title from Financial Controller to Chief Financial Officer and an additional delegation to the Manager Financial Accounting and Manager Financial Planning and Performance positions requires amendment to the Local Government (Rating) Act 2002 delegations. The title Acting Group Manager, Finance has also been removed from this delegation.
- 11 Complete Council to CE and staff delegations can be found in **Appendix A** (including amendments highlighted in red on pages 7 and 8).

CONSIDERATIONS

Policy considerations

- 12 The proposed delegations support the Council's Governance Structure and Delegations.

Legal considerations

- 13 This paper has been reviewed by the Council's Legal Counsel.

Financial considerations

- 14 There are no financial considerations relating to the process of making these amendments.

Tāngata whenua considerations

- 15 There are no tāngata whenua considerations relating to the process of making these amendments.

SIGNIFICANCE AND ENGAGEMENT

Degree of significance

- 16 This decision has a low level of significance under the Council's Significance and Engagement policy. No engagement required.

Consultation already undertaken

- 17 This is a technical procedure to enable staff to perform their roles efficiently. No engagement and no consultation is necessary.

RECOMMENDATIONS

- 18 That the Council adopts the revised Council Delegations to the Chief Executive and Staff as shown in Appendix A inclusive of amendments specified in Report SP-18-533.

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ATTACHMENT

Appendix A Delegations made by Council to Chief Executive and Staff

**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>Building Act 2004, any regulations made under that Act, and the Building Code (Schedule 1 to Building Regulations 1992) 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, except:</p> <ul style="list-style-type: none"> • the adoption, amendment or replacement of the Council’s policy on dangerous, earthquake prone and insanitary buildings as required by sections 131 and 132; • the making of arrangements to transfer functions to another building authority under section 213; • the transfer of functions, duties or powers of a territorial authority to another territorial authority under sections 233-236; • the setting of fees or charges under section 219.

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

Legislation and Authority	Powers Delegated
<p>Criminal Procedure Act 2011 and any regulations made under that Act</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>Dog Control Act 1996 and any regulations made under that Act</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, including but not limited to the power to:</p> <ul style="list-style-type: none"> • appoint dog control officers and dog rangers under section 11 and section 12; • 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; • disqualify a person from being an owner of a dog under section 25; • classify a dog as dangerous under section 31; • provide consent for disposal of dangerous dog to other persons if satisfied that conditions are met as set out in section 33; • 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; • authorise persons other than dog control officers to issue infringement notices under section 66; • impound and subsequently dispose of a dog under section 69; • dispose of or return under section 70 a dog impounded for barking;

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

Legislation and Authority	Powers Delegated
<p>Domestic Violence Act 1995 (amended to Family and Whānau Violence Act 1995 as of 1 July 2018) and any regulations made under that Act, including the Domestic Violence (Public Registers) Regulations 1998</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 Part 6 “Non-publication of information relating to protected person on public registers” of the Domestic Violence Act (Family and Whānau Violence Act 1995) and any regulations made under the Act.</p>

Legislation and Authority	Powers Delegated
<p>Fencing Act 1978 and any regulations made under that Act</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.</p>

Legislation and Authority	Powers Delegated
<p>Fire Safety and Evacuation of Building Regulations 2006</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 regulation.</p>

Legislation and Authority	Powers Delegated
<p>Food Act 1981 and any regulations made under that Act</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, including but not limited to the processing of exemptions from Food Hygiene Regulations 1974 under section 8N of the Act.</p>

Legislation and Authority	Powers Delegated
<p>Food Act 2014 and any regulations made under that Act</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 except those powers specified in section 34 of the Act (which relates to the power to grant an exemption).</p>

Legislation and Authority	Powers Delegated
<p>Freedom Camping Act 2011 and any regulations made under that Act 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, including but not limited to the power to appoint enforcement officers under section 32 of the Act.

Legislation and Authority	Powers Delegated
<p>Gambling Act 2003 and any regulations made under that Act 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, including 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"> • grant consent with or without specifying the maximum number of machines that can be operated at the venue; or • not grant consent.

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

Legislation and Authority	Powers Delegated
<p>Impounding Act 1955 and any regulations made under that Act 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, including 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, except the powers contained in section 14(1) of the Act (setting pound fees).

Legislation and Authority	Powers Delegated
<p>Land Transport Act 1998 and any regulations made under that Act 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 including but not limited to the power to:</p> <ul style="list-style-type: none"> • appoint parking wardens under section 128D.

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

Legislation and Authority	Powers Delegated
<p>Local Government Act 2002 and any regulations made under that Act 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, except:</p> <ul style="list-style-type: none"> • the powers set out in clause 32(1)(a) to (h) of Schedule 7 of the Act; • any Local Government Act 2002 power expressly reserved to the Council or expressly delegated by the Council to a committee; • where sections 138 or 140 of the Local Government Act 2002 apply; or • as limited by the conditions set out below. <p>Delegation of authority to affix the Council's common seal:</p> <ul style="list-style-type: none"> • to any warrants issued by the Council where the warrants authorise entry onto private land on behalf of the Council; • 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); • to any document that has been prepared to implement a resolution previously made by the Council; and • in any other situation where the Council is directed by legislation to use its common seal; <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"> • implement any proposal or decision contained within the Council's Long Term Plan (LTP) or Annual Plan or other adopted Council policy; • issue warrants under the Local Government Act 2002 or any other enactment under which Council officers may be warranted; • appoint enforcement officers under section 177 of the Act; • 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; • 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; • grant leases of residential properties (see note above about deed execution); • 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); • grant licences to occupy Council land where the term of the licence is 1 year or less; and • grant easements over land (see note above about deed execution). <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"> • 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; • 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

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

Legislation and Authority	Powers Delegated
Local Government (Rating) Act 2002 and any regulations made under that Act To the Chief Executive, the Group Manager Corporate Services, Chief Financial Officer, Manager Financial Accounting and Manager Financial Planning and Performance.	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, except: <ul style="list-style-type: none"> • the power to make further delegations; • 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); • functions, powers and duties conferred by subpart 1 of Part 5 (replacement of rates).

Legislation and Authority	Powers Delegated
Local Government Act 1974 and any regulations made under that Act 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 but not limited to the power to: <ul style="list-style-type: none"> • repair local roads (section 319(a)); • make various alterations to roads, such as levels, etc (section 319(c) to (i) and (k) to (j)); • allocate property numbers (section 319B); • contribute to an adjoining districts road maintenance (section 324); • seek payments for betterment (section 326); • 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); • require alterations to pipes and drains and apparatus on or under roads (section 337); • grant rights to lay pipes (section 338); • enable construction of motor garages (section 340) (subject to RMA process); • enter into leases of air space or subsoil (section 341); • contribute to the cost of railway, subways or bridges (section 341A); • enable gates and cattle stops (section 344); • contribute towards Maori road ways (section 324A); • declare roads to be limited access roads; • permit the construction of private roads; • permit the construction of cellars or excavation in the vicinity of road (section 354); • require the removal of overhanging trees (section 355); • remove abandoned vehicles from roads (section 356); • prosecute in relation to penalties for damage to roads

Legislation and Authority	Powers Delegated
	<p>(section 357);</p> <ul style="list-style-type: none"> • provide parking places in buildings and transport stations under section 591; • make and maintain drainage channels (sections 509 to 511); • make allowances (grants) to the owner of land to enable work to keep drainage channels clear (section 514); and • issue infringement notices and prosecute for offences under the Act.

Legislation and Authority	Powers Delegated
<p>Local Government Official Information and Meetings Act 1987 and any regulations made under that Act</p> <p>To the Chief Executive with power of sub-delegation to officers and, in respect of Parts 2 to 5 of the Act, to employees.</p>	<p>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, except those in section 32 (which relates to responses to recommendations made by the Ombudsman under section 30(1)).</p> <p>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.</p>

Legislation and Authority	Powers Delegated
<p>Machinery Act 1950 and any regulations made under that Act, including the Amusement Devices Regulations 1978</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 including the Amusement Devices Regulations 1978, including but not limited to the power under section 21A of the Act to authorise, permit and carry out inspections in relation to amusement devices.</p>

Legislation and Authority	Powers Delegated
<p>Privacy Act 1993 and any regulations made under that Act</p> <p>To the Chief Executive with power of sub-delegation to officers.</p>	<p>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.</p>

Legislation and Authority	Powers Delegated
<p>Property Law Act 2007 and any regulations made under that Act</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.</p>

Legislation and Authority	Powers Delegated
<p>Public Works Act 1981 and any regulations made under that Act 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, including but not limited to the power to:</p> <ul style="list-style-type: none"> • deal with trees on roads (sections 133 to 135); • enter onto land (under section 234) to repair public works; • control excavations near public works (under section 237); • remove property abandoned on land for a public work (under section 239); • bring action for damages to public works (under section 238) and to recover land from persons holding illegal possession (under section 240); • prosecute in respect of offences against the Act.

Legislation and Authority	Powers Delegated
<p>Railways Act 2005 and any regulations made under that Act 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, including but not limited to:</p> <ul style="list-style-type: none"> • the section 74 duty to maintain drains above or under railway infrastructure; • the section 83 duty to maintain level crossings.

Legislation and Authority	Powers Delegated
<p>Rates Rebate Act 1973 and any regulations made under that Act 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>Rating Valuations Act 1998 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.</p>	<p>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.</p>

Legislation and Authority	Powers Delegated
<p>Reserves Act 1977 and any regulations made under that Act 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 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 except:</p> <ol style="list-style-type: none"> a) 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); b) the power to exchange reserve land for other land

	<p>under section 15;</p> <ul style="list-style-type: none"> c) the power to classify reserves, by Gazette notice, according to their principal or primary purpose under section 16(1); d) the power to give full consideration to objections and submissions under 16(4); e) 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); 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; g) the power to approve reserve management plans under section 41(1); 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; 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; j) the power under section 58(b) to set apart and use part of a reserve as a site for residences and other buildings; 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; 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; m) the power to make bylaws under section 106; 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); 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) the power to determine from time to time whether a park has Districtwide importance and is therefore not a "local" park; q) any power that is expressly required by the Act to be exercised by resolution of the Council; r) the power to grant leases, licences, permits and easements for reserve land. <p>For the avoidance of doubt:</p> <ul style="list-style-type: none"> - exceptions b) and p) do not preclude the power to recommend or report to the Strategy and Policy
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	<p>Committee or Council on these matters;</p> <ul style="list-style-type: none"> - exception r) does not include the powers relating to licences under section 74 as delegated to the Chief Executive and other officers below. <p>* For leases, easements, transfers and other documents dealing with land, see notes about deed execution under the Local Government Act 2002 delegations</p>
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.

Legislation and Authority	Powers Delegated
<p>Residential Tenancies Act 1986 and any regulations made under that Act</p> <p>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 Residential Tenancies Act 1986 and any regulations made under the Act.

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

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

Legislation and Authority	Powers Delegated
<p>Summary Proceedings Act 1957 and any regulations made under that Act</p> <p>To the Chief Executive with power of sub-delegation to officers and the Enforcement Decision Group.</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.

Legislation and Authority	Powers Delegated
Trespass Act 1980 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
Unit Titles Act 2010 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
Waste Minimisation Act 2008 and any regulation made under that Act. 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 except the power to: <ul style="list-style-type: none"> • prepare, adopt, amend or revoke a waste management and minimisation plan; or • make or review a bylaw.
Legislation and Authority	Powers Delegated
Kapiti Coast District Council General Bylaw and all other Bylaws To the Chief Executive with power of sub-delegation to officers	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. 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, including but not limited to authority to do all things necessary to: <ul style="list-style-type: none"> • implement and uphold the Kapiti Coast District Council General Bylaw and all other Bylaws; • 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; • 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.