



WAITAKERE CITY

DELEGATIONS TO OFFICERS - RESPONSIBILITIES

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Index

	Page
INTRODUCTION	3
CHIEF EXECUTIVE	5
DIRECTOR: CITY SERVICES	13
DIRECTOR: CORPORATE & CIVIC SERVICES.....	26
DIRECTOR: STRATEGY & DEVELOPMENT	31
DIRECTOR: FINANCE	32
DIRECTOR: PUBLIC AFFAIRS.....	35
DIRECTOR: QUALITY ASSURANCE	36
LOCAL CONTROLLER OF CIVIL DEFENCE.....	37
ELECTORAL OFFICER.....	38
PRINCIPAL RURAL FIRE OFFICER.....	39
POUNDKEEPER.....	40
DEPUTY POUNDKEEPER	41
RANGER	42
RANGER - RESERVES	43
DOG CONTROL OFFICER.....	44
LITTER CONTROL OFFICER	45
INSPECTOR - DANGEROUS GOODS.....	46
INSPECTOR - WAITAKERE DISTRICT LICENSING AGENCY	47
ENVIRONMENTAL HEALTH OFFICER.....	48
INSPECTOR - FOOD	50
ENFORCEMENT OFFICER.....	51
PARKING WARDEN	52
FINANCIAL CONTRACT DELEGATIONS.....	53
APPENDIX A.....	58
APPENDIX B.....	67
APPENDIX C.....	69
APPENDIX D.....	71
APPENDIX E.....	73
APPENDIX F	78
APPENDIX G	79

INTRODUCTION

The Council is a creature of Statute. Its powers, functions, and duties are all prescribed either expressly or implied by various acts and regulations.

An act or regulation empowering the “Council” or the “territorial authority” to carry out a decision-making function means that the decision to act must be by way of a resolution of the full Council, unless otherwise provided for within that act or regulation, or alternatively, is lawfully delegated to a Committee, Subcommittee or Officer specifically by resolution of the Council, and, where permitted by a further sub-delegation.

Generally, the principal legislation, which the Council uses on a day-to-day basis, provides for delegation.

This register deals only with officer delegations. Delegations to Committees or Subcommittees are listed in the Delegations to Committees and Community Boards Register.

The following legislation contains sections permitting delegations to officers:

A) Acts

Building Act 1991	-	Section 78
Impounding Act 1955	-	Section 63
Local Government Act 2002	-	Schedule 7 clause 32
Local Government Official Information and Meetings Act 1987	-	Sections 42, 43
Local Government Rating Act 2002	-	Section 132
Privacy Act 1993	-	Sections 124, 125
Rating Valuations Act 1998	-	Section 50
Resource Management Act 1991	-	Section 34A
Sale of Liquor Act 1989	-	Section 104

There are other acts used by the Council e.g. the Local Government (Rating) Act 2002 and subsequent amendments and the Reserves Act 1977 which do not provide for officer delegation. Unless an act mentions the “ Chief Executive” or the “Principal Administrative Officer” or “duly authorised officer” or specifically provides for officer delegation (e.g. the Rating Valuations Act 1998) then a Council action (other than an administrative task) cannot be delegated by the Council to an officer.

B) Regulations

In addition to the above acts, certain regulations also provide for the delegation of the Council's powers, for example, Regulation 22 of the Housing Improvement Regulations 1947 provides for the general or particular delegation of powers to officers, other than those to be exercised by special order or by resolution.

C) Bylaws

The Council has a wide range of bylaw making powers derived mainly from the Local Government Act 2002. Several other acts also empower the Council to make bylaws, e.g. Reserves Act 1977, Transport Act 1962, Health Act 1956. While some acts, including these latter three Acts do not provide for delegation to officers, it is possible, through the promulgation of bylaws, to empower officers to make discretionary decisions, (refer to Section 13 of the Bylaws Act 1910). However, the discretion allowed to an officer, in terms of the bylaw, must not be so great as to be unreasonable.

The procedure for making bylaws is set out in Subpart 1 of Part 8 of the Local Government Act 2002.

Care must be taken when exercising a decision making power given to the Council, especially where a person's rights may be affected. Increasingly, the legality of actions purported to have been taken by staff under delegated powers are being questioned. Before initiating any action, it is important to check whether the matter has been delegated and that the action is being made or taken by the person, or Committee, or Subcommittee so delegated.

If a particular statute does not provide for sub-delegation by an officer, then it is to be taken that sub-delegation is prohibited. Schedule 7 clause 32(1) of the Local Government Act 2002, allows the delegation of certain powers of the Council to officers. Schedule 7 clause 32(3) of that Act permits an officer to sub-delegate, in writing, all or any of the powers exercisable by that officer **INCLUDING** the power to delegate, **UNLESS** the Council specifically places limitations on the power to sub-delegate. Council considers it prudent to impose such limitations, through this delegation register, so as to make it clear that the officer to whom a delegation is made may not further sub-delegate.

Generally therefore, an officer may sub-delegate all or any of the powers delegated to him or her **EXCEPT**:

- i) The power to delegate; and
- ii) Any power delegated to him/her by the Council, unless that power specifically authorises him/her to sub-delegate.

This means that where the Chief Executive or other officer sub-delegates (with the authority of the Council to sub-delegate) a power given to him/her by the Council under the Local Government Act, for example, that officer may not further sub-delegate unless specifically authorised to do so by the original delegation.

A person holding acting capacity in respect of a particular position may exercise the delegated powers assigned to that position.

In all cases where an officer has made a legally permitted sub-delegation:

- i) It must be in writing, stating the power, duty or discretion being sub-delegated, AND
- ii) The original **MUST** be sent to the Group Manager, Democracy and Support Services for the legally required delegation register. Any delegation not held within the register will be deemed to be non-conforming and invalid.

References in this document to legislation shall apply, unless otherwise prohibited, to successor legislation. References to the Local Government Act 1974 are to provisions saved in terms of schedule 18 to the Local Government Act 2002.

CHIEF EXECUTIVE

The Chief Executive is responsible to the Council for;

- a) Implementing the decisions of the Council.
- b) Providing advice to Members of the Council and to its Community Boards.
- c) Ensuring that all responsibilities, duties, and powers delegated to him/her or to any person employed by the Council, or imposed or conferred by an Act, regulation, or bylaw are properly performed or exercised.
- d) Ensuring the effective, efficient, and economic management of the activities of the Council.
- e) Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the Council.
- f) Providing leadership for the staff of the Council.
- g) Employing, on behalf of the Council, the staff of the Council.
- h) Negotiating the terms of employment of the staff of the Council.
(Section 42(2) of the Local Government Act 2002).

The Chief Executive is further responsible to the Council for ensuring, so far as is practicable, that the management structure of the Council complies with the following:

- a) Reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes.
- b) Is capable of delivering adequate advice to the Council to facilitate the explicit resolution of conflicting objectives.
(Section 42(3) Local Government Act 2002).

The Chief Executive is, in accordance with Section 42(4) of the Local Government Act 2002, the Principal Administrative Officer for the purposes of any other Act.

The Chief Executive is delegated all powers and authorities exercisable by the Chief Executive under the Local Government Act 2002 and any other Act or Regulation or Bylaw or Standing Order of the Waitakere City Council using that terminology, as well as by the "Principal Administrative Officer" in terms of any other Act or Regulation or Bylaw or Standing Order of the Waitakere City Council using that terminology.

Every local authority must be a member of a Civil Emergency Management Group in accordance with Section 13 (1) of the Civil Defence Emergency Management Act 2002. The Chief Executive Officer (or a person acting on the Chief Executive Officer's behalf) is a member of the Civil Defence Emergency Management Co-ordinating Executive Group. To perform functions and powers of the Civil Defence Emergency Management Group or member in accordance with Section 17 and 18 respectively of the Civil Defence Emergency Management Act 2002.

Transitional provision is made, in terms of Section 119(1) of the Civil Defence Emergency Management Act 2002, for Sections 23 to 42 of the Civil Defence Act 1983 to remain in force until the first Civil Defence Emergency Management Group Plan becomes operative. Accordingly, the Chief Executive is appointed Local Controller of Civil Defence, pursuant to Section 40(1) of the Civil Defence Act 1983.

Pursuant to the provisions of Schedule 7, Clause 32 of the Local Government Act 2002, the Waitakere City Council hereby delegates all of its powers under Local Government Acts 1974 and 2002 in respect to the matters listed hereafter to the Chief Executive of the Waitakere City Council, together with the power to delegate in writing to any other officer of the Council, all or any of the powers exercisable by the Chief Executive pursuant to these delegations, together with any general or special directions or conditions as may be appropriate in the circumstances.

Any delegations made by the Council under the Resource Management Act 1991 are required by section 34A of that Act to be delegated through the Chief Executive Officer. These include: Delegation of specific hearings to Commissioners as advised by the Hearings Committee.

Legal and Administrative

1. Any specific power delegated by the Council to any other officer.
2. Interpretation of the delegated powers of all officers.
3. Power to authorise the undertaking of any prosecution proceedings by way of Information laid by any Council officer for breach of any Act, Regulation, or Waitakere City bylaw, or the commencement of any action (whether for recovery of money or otherwise) in the Council's name in the District Court (or any lesser forum such as the Disputes Tribunal) and the seeking of an injunction where appropriate, and the exercise of all powers available to the Council for recovery of rates, penalties and other charges under the Local Government (Rating) Act 2002. Such powers include rating sale proceedings, in which event this shall be reported to the Finance and Operational Performance Committee.

This further includes the power to authorise council officers to file charges and to lodge Information and act as an informant on behalf of Council as follows in respect of any offence:

- (a) under the Building Act 1991.
 - (b) under the Dangerous Goods Act 1974.
 - (c) under the Dog Control Act 1996.
 - (d) under the Fencing of Swimming Pools Act 1987.
 - (e) under the Food Act 1981 and the Food Hygiene Regulations 1974.
 - (f) under the Health Act 1956.
 - (g) under the Impounding Act 1995.
 - (h) under the Litter Act 1979.
 - (i) under the Local Government Act 2002.
 - (j) under the saved provisions of the Local Government Act 1974.
 - (k) under the Resource Management Act 1991.
 - (l) under the Reserves Act 1977 (Section 101).
 - (m) under the Sale of Liquor Act 1989.
 - (n) under the Traffic Regulations 1976.
 - (o) under the Transport Act 1962, or
 - (p) against any Council Bylaw.
4. Power to act in the case of urgency for the protection of matters referred to in the Waitakere City District Plan or the Waitakere City Bylaws or to protect the Council's position in any proceedings before any New Zealand court of competent jurisdiction, by appeal or otherwise.
 5. All the powers of the Council as owner or occupier of any land or premises under and pursuant to the provisions of the Trespass Act 1980.

6. Any certification or authentication required of the Council under the Unit Titles Act 1972.
7. Authority to exercise all those powers and duties specified in the Council's Standing Orders with respect to attesting to the affixing of the Council's Common Seal.
8. Pursuant to Section 42 of the Local Government Official Information and Meetings Act 1987 all the powers and authorities of the Council under Parts II to V of that Act, **EXCEPT** powers specified in Section 32 of that Act (recommendations made to Local Authorities).
9. Authority to delegate to any officer in writing, all or any of the powers referred to in paragraph (8) above, including Section 46A (agendas), pursuant to Section 43 of the Local Government Official Information and Meetings Act 1987 together with any general or special directions or conditions as may be appropriate in the circumstances.
10. Powers conferred on the Council by Clauses 11 and 12 of the Tenth Schedule of the Local Government Act 1974 (temporary prohibition of traffic on roads).
11. Authority to act as Privacy Officer pursuant to Section 23 of the Privacy Act 1993, and pursuant to Section 124 of that Act, to undertake all of the Council's powers and duties in respect of Privacy Act matters insofar as they relate to information held or kept by the Council.

(**Note:** Under Section 125 of the Privacy Act 1993, the Chief Executive may sub-delegate in writing all or any of these powers to any other officer or employee of the Council **EXCEPT** the powers specified in Section 125(1)(a) and (b) of the Act).
12. Authority to determine all matters requiring a decision by the Council under Section 40(2), Section 40(4) and Section 42 of the Public Works Act 1991.
13. Authority to suspend or revoke the appointment of any person as an enforcement officer under the Local Government Act 2002.

Property

14. Authority to enter into contracts for the sale and purchase of land or property when the Council has determined to sell or purchase and to make judgements and decide on sale or purchase price where that price is different from market value. Where the difference is greater than 20% the Chief Executive shall refer the sale or purchase to the Council for decision.
15. Authority to enter into tenancy agreements on behalf of Council in respect of land and buildings for a period of up to two years, whether as landlord or tenant, with the authority to delegate this authority to any agent to act on behalf of the Council, provided that any tenancy agreement entered into under this authority may not be extended beyond a two-year period without reference back to the Council or its appropriate Committee.

Financial

- 16 Authority to open, to operate and to close the Council's bank accounts in conjunction with any one of the following:
 - Director: Corporate & Civic Services;
 - Director: Finance;
 - Chief Management Accountant;
 - Revenue Accountant;
 - Revenue Services Manager.
16. Authority to add or delete officers from the list of those authorised to enter into contracts.
17. Authority to enter into contracts up to the amount of \$250,000 in respect of authorised works for which provision has been made in the Council's approved budget and carried out within the criteria laid down by Council's purchasing, tendering and contract tendering procedures. (**Note:** Refer to Financial Contract Delegations for details on reporting requirements).
18. Authority to appoint in writing any officer to act in the position of any other officer who is specifically delegated the authority to enter into contracts.
19. Authority to execute contracts or issue letters of acceptance for the purpose of creating a contract, where it has been resolved by the Council or any Committee or Subcommittee of the Council to accept any tender or quotation, or where such contract is within the delegation to any officer.
21. Authority to make any decision, election, or determination as 'Principal' in relation to any contract entered into between the Council and any third party, in accordance with the relevant New Zealand Standard Specification or accepted Professional Institute document (for example, those of the New Zealand Institute of Architects and the Institution of Professional Engineers) incorporated within the Conditions of Contract, and to give sign or authorise any notice to any third party in the name of or on behalf of the Principal under the contract and to carry out or authorise the carrying out of any works or other expenditures in accordance with the contract considered necessary or desirable to be undertaken by the Principal pursuant to the said Conditions of Contract.
22. Authority to exempt the calling of tenders under \$150,000 (GST inclusive).
23. Authority to certify and authorise the payment of progress payments in relation to contracts entered into by the Council.
24. Authority to pay on behalf of the Council creditors and accounts due for payment.
25. In the absence of the Purchasing Officer authority to appoint another officer to act in the capacity of the Purchasing Officer.
26. Authority to act as a Waitakere City Council Sinking Fund Commissioner.
27. Authority as provided in the Council's Borrowing and Investment Policy.
28. Authority to approve overseas travel, expenditure of associated costs and matters incidental thereto for members of the Council's staff.
29. Authority to approve domestic travel, expenditure of associated costs and matters incidental thereto for members of the Council's staff.
30. Authority to write off unrecoverable bad debts or stock up to a maximum of \$20,000 in any one case; any amount over this sum shall be referred to the Finance and Operational Performance Committee for decision.
- 31 Authority, jointly with the Director: Finance, to issue and monitor the use of Credit Cards.

Resource Management Act 1991

32. Pursuant to Section 34A of the Resource Management Act, the Council delegates through the Chief Executive to persons nominated in writing from time to time by the Chief Executive the following functions, powers and duties under the Resource Management Act 1991: (See Appendix A and E in this Delegations Register).

a) District Plan Administration

1. The exercise of the Council's powers, duties and discretions in relation to notified applications for resource consents under Part VI of the Resource Management Act 1991, **OTHER** than:

- (i) Those applications where submissions have been received.
- (ii) Those applications where the officer's recommendation is to decline such consent.

Such powers and duties shall include but are not restricted to:

- (a) The deferment of notification because of other consents required.
- (b) Requiring further information from an applicant.
- (c) The notification and service of documents; including the extent of notification of affected parties.
- (d) The requiring of notification of applications, which would not normally require notification.
- (e) The provision of a list of persons making submissions to the applicant.
- (f) The calling of pre-hearing meetings and the participation thereat.
- (g) The determination of the need to hold a hearing.
- (h) The fixing of the date, time, and place of hearings and the notification of all parties as required under the Act.
- (i) The decision to hold a joint hearing or combined hearing of applications for resource consent including all necessary actions required in connection with such hearings.
- (j) The authority to require bonds, caveats and all other documents prepared as required by any resource consents.
- (k) The notification and service of decisions on an application for resource consent.
- (l) The taking of all actions in relation to appeals under the Act.
- (m) The granting/issuing of Certificates of Compliance.
- (n) Pursuant to Section 94 of the Act, determine whether or not to notify applications for non-complying activities or discretionary activities.
- (o) Any other matters required in relation to applications for resource consent, including applications called in by the Minister, the change, cancellation, or review of a consent where that consent was determined under these delegated functions.
- (p) The setting of procedures for consideration of various resource consent applications under the Act.

2. The determination of non-notified applications made under the Resource Management Act 1991.
3. Such other powers, duties and functions as required under the Resource Management Act 1991, including, but not restricted to:
 - (a) The powers of waiver and powers of extension of time limits as provided under Section 37.
 - (b) The granting of extension of time for existing uses under Section 10 of the Act.
 - (c) The service of abatement notices or enforcement orders under Part XII of the Act.
 - (d) The duty to gather information, monitor and keep records under Section 35 of the Act.
 - (e) The fixing of administrative charges for the processing of applications under Section 36 of the Act.
4. The power to appoint officers to represent the Council's interest in Hearings under the Act.

b. District Plan Review

1. The exercise of the Council's powers, duties, functions and discretions in respect of Designations and Heritage Orders under Part VII of the Resource Management Act 1991,
2. The powers, duties and discretions of the Council (other than the approval of a policy statement or plan or any change to a policy statement or plan) in respect of:
 - (a) Notification of transitional district plans, new district plans (reviews), changes and variations, and any summary of submissions or requests for changes to any new plan, review, change or variation.
 - (b) Service of copies of proposed district plans, district plan rules, and policy statements, and approved district plans, district rules and policy statements.
 - (c) Any other matters involved in the preparation and processing of district plans, district plan rules or policy statements.

c. Subdivision

The functions and powers of the Council, and the issue of any certificate or the grant of any approval, permission or authority in relation to any application for a subdivision consent pursuant to Parts VI or X of the Resource Management Act 1991.

d. Enforcement officer

Appointment, suspension and cancellation of warrants to enforcement officers under the Resource Management Act 1991.

Building Act 1991

33. The Council hereby delegates to the Chief Executive and to persons nominated, all of its powers, duties and discretions under the Building Act **OTHER** than: (See Appendix B and E in this Delegations Register).
- (i) The transfer of any function, power or duty pursuant to Section 25 of that Act.
 - (ii) The fixing of any fees or charges in accordance with Section 28(1) of that Act.
 - (iii) Making any complaint about or query about the conduct or ability of any building certifier to the Building Industry Authority under Section 54 of that Act.
 - (iv) Appeals to the High Court under Sections 69 and 86 of that Act.
- (**Note:** In terms of Schedule 7 clause 32(1)(g) of the Local Government Act 2002 the authority given to Council to warrant enforcement officers in terms of that Act, and the Building Act 1991, may not be delegated.)
34. Authority to suspend or revoke the appointment of any person as an enforcement officer under the Building Act 1991.

General

35. Every local authority must be a member of a Civil Emergency Management Group in accordance with Section 13(1) of the Civil Defence Emergency Management Act 2002. The Chief Executive (or a person acting on the Chief Executive's behalf) is a member of the Civil Defence Emergency Management Co-ordinating Executive Group. Accordingly, authority is delegated to perform functions and powers of the Civil Defence Emergency Management Group or member in accordance with Section 17 and 18 respectively of the Civil Defence Emergency Management Act 2002.
36. Authority as Local Controller of Civil Defence, (a statutory appointment under Section 40(1) of the Civil Defence Act 1983) to exercise the functions and powers of the Council under the Civil Defence Act 1983 and the Waitakere City Civil Defence Plan **EXCEPT** powers specified in Section 42(a) to (d) inclusive of the Civil Defence Act 1983 (in accordance with the Transitional Provisions of Section 119(1) of the Civil Defence Emergency Management Act 2002).
37. In the absence or unavailability of the Principal Rural Fire Officer (a statutory appointment under Section 13 of the Forest and Rural Fires Act 1977) or the appointed alternative, the authority to act in the position of Principal Rural Fire Officer in terms of that Act and any regulation pursuant to the Forest and Rural Fires Regulations 1979.
38. Authority to implement, develop, maintain and amend the Code of Practice for City Infrastructure and Land Development in accordance with its administrative requirements, and authority where necessary, to sub-delegate that authority to the appropriate council officers.
39. Authority to implement, develop, maintain and amend the Council's Procurement Manual, and authority where necessary, to sub-delegate that authority to appropriate council officers. (**Note:** The Procurement Manual currently consists of two parts: Purchasing Policies and Procedures, and Contract Tendering Procedures).
40. Authority to consider and issue or refuse licences for carrying out collection of refuse pursuant to Part 111 of Bylaw 30 Refuse Placement and Collection and to set such conditions as are considered necessary in respect of such license.
41. Authority to issue licences, subject to such conditions as may be imposed pursuant to the provisions of Bylaw 31: Hygienic Operation of Massage Facilities and any notices provided for under the provisions of that Bylaw, including collection of appropriate fees.

42. Authority to issue notices relating to private drains pursuant to Section 459 of the Local Government Act 1974 with the authority to delegate such powers and duties in accordance with the provisions of Schedule 7 clause 32 of the Local Government Act 2002.
43. In relation to matters arising at the end of the term of the Council, from the day of the declaration of results of the triennial general election until the first meeting of the Council, following the triennial general election, authority to make decisions on behalf of the Council, in respect of urgent matters arising during this time:
- (a) in consultation with the Director: Corporate & Civic Services or the Director: City Services, in respect of Tenders and Contracts with delegated powers up to \$2.5 million;
 - (b) in consultation with the Director: Corporate & Civic Services or the Director: City Services in respect of Liquor Licensing and Regulatory matters;
 - (c) in consultation with the incoming Mayor, as may be appropriate in respect of other matters;
- with any decision made to be reported to the first ordinary meeting of the incoming Council or to a prior meeting of the appropriate Standing Committee of the Council.
44. In relation to matters arising during the Christmas recess, from the 25th day of December until the 15th day of January, the authority to make decisions (including entering in to any contract or authorising any expenditure) on behalf of the Council, in respect of urgent matters arising at this time, in consultation the Mayor, if the Mayor is not available the Deputy Mayor, if the Deputy Mayor is not available, then the Chairperson of the appropriate committee or the appropriate standing committee, with any such decision made to be reported to the first Ordinary meeting of the Council in the New Year or to a prior meeting of the appropriate Standing Committee of the Council.

DIRECTOR: CITY SERVICES

Introduction

1. Pursuant to the provisions of Schedule 7 clause 32 of the Local Government Act 2002, the Council hereby delegates all of its powers under the Local Government Acts 1974 and 2002 in respect to the matters listed hereafter to the Director: City Services, together with the power to sub-delegate in writing to any other officer of the Council, all or any of the powers pursuant to the delegation within the jurisdiction of the Director: City Services (The officer to whom sub-delegation is made may not further sub-delegate):

Administration

2. The establishment of procedures to carry out the Council's policies and any enforcement thereof, within the jurisdiction of the Director: City Services.
3. Authority to proceed with works and services within the jurisdiction of the Director: City Services for which provision has been made in the Council's approved budget.
4. Determining all matters relating to accommodation within the Moselle, EcoWater and GPT (in conjunction with the Director: Corporate & Civic Services) premises.
5. Authority to perform the functions and duties and to exercise the powers of the Local Controller in the absence of the Local Controller (Section 40(2) of the Civil Defence Act 1983) in the order of precedence of alternates as determined by the Council in terms of Section 40(3) of the Civil Defence Act 1983 (in accordance with the Transitional Provisions of Section 119(1) of the Civil Defence Emergency Management Act 2002). (**Note:** See order of precedence under Statutory Appointment: Local Controller of Civil Defence).

Contracts

6. Authority on behalf of the Council and any Standing Committee or Subcommittee of the Council to issue a letter of acceptance for the purpose of creating a contract where it has been resolved to accept any tender or quotation in respect of matters within the jurisdiction of the Director: City Services.
7. Authority to make any decision, election or determination as "Principal" in relation to any contract entered into between the Council and any third party, in accordance with the relevant New Zealand Standard Specification incorporated within the conditions of contract and to give, sign or authorise any notice to any third party in the name of or on behalf of the Principal under the contract and to carry out or authorise the carrying out of any works or other expenditures in accordance with the contract considered necessary or desirable to be undertaken by the Principal pursuant to the said contract.
8. Authority to perform the duties of "Engineer" under any Waitakere City Council Bylaw, with authority to delegate such powers and duties in accordance with the provisions of Schedule 7 clause 32 of the Local Government Act 2002.
9. Authority to negotiate contracts for the supply of bulk water and wastewater services by Watercare Services Limited, **PROVIDED** that no contract shall be entered into without Council's prior approval.
10. Authority to enter into contracts up to the amount of \$150,000 in respect of authorised works for which provision has been made in the Council's approved budget and carried out within the criteria laid down by Council's purchasing, tendering and contract tendering procedures. (**Note:** Refer to Financial Contract Delegations for details on reporting requirements).
11. Authority to certify and authorise the payment of progress payments in relation to contracts entered into by the Council.

12. Authority on behalf of the Council and any Standing Committee or Subcommittee of the Council to issue a letter of acceptance for the purpose of creating a contract where it has been resolved to accept any tender or quotation in respect of matters within the jurisdiction of City Services.
13. Authority to certify that a bond may be released by the Council on receipt of advice that all conditions of a bond (including but not limited to performance bonds for contracts) have been complied with or should be waived.
14. Determining forfeiture of bonds (partial or total).
15. Authority to pay on behalf of the Council creditors and accounts due for payment as they relate to City Services.
16. Authority to nominate the 'Engineer to the Contract' under NZS 3910, the 'Architect to the Contract' under the New Zealand Institute of Architects standard specifications or the 'Contract Manager' of any other contracts within the scope of City Services Directorate.

Operational and Commercial

17. Authority to apply for consents under the Resource Management Act 1991 which are necessary for the completion of projects identified in the Council's approved Long Term Council Community Plan and Annual Plan, or otherwise directed by Council.
18. Recommending to the appropriate Community Board that certain drains be declared public drains (Section 462 of the Local Government 1974).
19. Authority to exercise the powers, duties, and functions of the Council under the following sections of the Local Government Act 2002:
 - Section 193 : Power to restrict water supply.
 - Section 194 : Power to stop water services.
 - Section 196 : Right to discharge trade wastes into sewerage drains.
20. Authority to exercise the powers, duties, and functions of the Council under the following sections of the Local Government Act 1974 saved by Schedule 18 to the Local Government Act 2002:
 - Section 446 : Council may cover in watercourse so as to make it a public drain.
 - Section 451 : Diversion, etc. of drainage works.
 - Section 459 : Council may require owners of land in certain cases to provide private drains.
 - Section 460 : Construction of private drains through adjoining premises.
 - Section 467 : Unlawful connection of a private drain.
 - Section 511 : Removal of obstructions from drainage channel or watercourse.
 - Section 647 : Fire hydrants.
 - Section 648 : Pipes to be kept charged with water.
21. Authority to issue a notice of intention to construct or maintain waterworks, drainage works, trade waste systems and drainage channels on roads not under the control of the Council (Fourteenth Schedule of the Local Government Act 1974).
22. Authority to give written notice of intention to construct works on private land (Section 181 of the Local Government Act 2002).

Community Facilities

23. Setting hire charges for individual users and organisations using community facilities and the granting of any reduction or waiving of any charges for community facilities under the jurisdiction of the Director: City Services.
24. Approval of sponsorship arrangements for any community facility (including but not limited to recreational, sporting and cultural facilities) under the jurisdiction of the Director: City Services.
25. Erection of commercial sponsorship signs at any community facility within the jurisdiction of the Director: City Services.
26. Approval of public entertainment on Sunday, Good Friday, or Christmas Day in community facilities and public places.

Excess Water Charges

27. Following an application for relief from excess water charges due to a loss of water through breaks in water pipes, discretionary authority to approve a reduction in water charges based upon an assessment of the amount of water losses on the basis of bulk water supply plus 20% EXCEPT that in cases where there is extreme consumption or the monetary value of the account will lead to hardship, the Director: City Services, in conjunction with the Director: Finance, is authorised to assess the account on the basis of bulk water supply costs.

Roading and Traffic

28. In addition to the following delegations to the Director: City Services, the following delegations (comprising numbers 28 to 42) have been made also through the Chief Executive to the officers listed in [Appendix C](#) in this Delegations Register.
29. Removal of trees from street verges and road reserves where such trees are dead, dying, dangerous or causing obstruction to services **SUBJECT** to the provisions of the Waitakere City District Plan.
30. Authority to list trees suitable for planting on street verges by citizens, and approval of the siting of each tree, (Section 334(1)(b) of the Local Government Act 1974 saved by Schedule 18 to the Local Government Act 2002). For the avoidance of doubt these delegations do not include any of the powers specified in paragraphs (a) to (g) of Schedule 7 clause 32(1) of the Local Government Act 2002.
31. Authority to approve temporary prohibition of traffic under the provisions of Clauses 11 and 12 of the Tenth Schedule of the Local Government Act 1974 saved by Schedule 18 to the Local Government Act 2002.
32. Authority to approve temporary speed limits under the provisions of Regulation 23 of the Traffic Regulations 1976.
33. Power to authorise temporary **NO STOPPING** measures.

34. Authority to grant use of Council car parks for purposes additional to usual parking requirements, where such uses are intermittent and are not primarily for commercial gain.
35. Authority to approve statutory requests from Network Utility Operators to carry out work in roads.
36. Direct liaison with New Zealand Police with regard to the removal of obstructions in roads (Section 22 of the Summary Offences Act 1981).
37. To give notice of the adoption by the Council under Section 147 of the Local Government Act 2002 of any bylaws for liquor control purposes, to arrange to display notices having the prescribed wording in the specified place, and to consult with the Police over other means of public notice. For the avoidance of doubt these delegations do not include any of the powers specified in paragraphs (a) to (g) of Schedule 7 clause 32 of the Local Government Act 2002.
38. Issuing of permits to exceed weight limits in accordance with the Heavy Motor Vehicle Regulations 1974.
39. Authority to approve fences, memorials, special signs and other legal structures on roads.
40. Power to carry out or authorise any relevant actions or procedures regarding street parades or processions. For the avoidance of doubt these delegations do not include any of the powers specified in paragraphs (a) to (g) of Schedule 7 clause 32(1) of the Local Government Act 2002.
41. Authority to exercise the provisions of Section 335(l) of the Local Government Act 1974 saved by Schedule 18 to the Local Government Act 2002, whereby the occupier or owner of the land (where a vehicle crossing is required but has not been constructed) is required to pay for the cost of construction undertaken by the Council.
42. Authority to appoint Parking Wardens (a statutory appointment under Section 7 of Transport Act 1962).

Parks and Reserves

Pursuant to the Local Government Act 2002 and the Reserves Act 1977 the following delegations (comprising numbers 42 to 62) have been made also through the Chief Executive to the officers listed in Appendix D in this Delegations Register.

43. For the purposes of Bylaw 4, 1990, NZS 9201, Chapter 17 (Parks and Reserves) the Director: City Services shall be deemed to be the authorised officer named therein and may sub-delegate in writing any of the powers and duties specified therein to any Council employee under his or her control and direction.
44. Power to authorise play on Council sports grounds.
45. Power to authorise allocation of sports and recreation grounds, winter and summer and the closing of grounds, as circumstances shall require from time to time and the authority to review and recommend to the Council the setting of relevant fees and charges.
46. Power to authorise applications for the use of Council sports grounds and reserves, for sporting activities and fixing of charges within the limits imposed by the Reserves Act 1977.
47. Power to authorise temporary use of any park or reserve for any recreation or entertainment and to impose any terms and conditions applicable.
48. Power to authorise commercial activities in parks and on beaches, **SUBJECT** to compliance with the District Plan requirements.
49. Power to authorise the letting of catering rights on reserves.
50. Power to authorise the letting of grazing rights on reserves.
51. Power to authorise applications to take up collections on reserves and beaches.
52. Power to authorise the use of reserves for flying model aeroplanes.

53. Power to authorise temporary encroachments on to reserves and access over reserves.
54. Power to approve and set terms and conditions of leases for any community or sporting facility or any voluntary organisation.
55. Power to authorise the playing of Christmas Carols on reserves.
56. Power to authorise the granting of drainage easements over parks and reserves.
57. Power to authorise temporary helicopter landing and take-off sites on parks and reserves, **SUBJECT** to other regulatory approvals.
58. Power to authorise the erection of commercial sponsorship signs on sports parks.
59. Power to authorise subject to the Waitakere City District Plan or Proposed District Plan and other regulatory requirements the temporary erection of hoardings for public meetings on any reserve or property administered by the Council.
60. Power to authorise the use of pesticides and chemicals in the Council's Parks and Reserves.
61. For the purposes of Bylaw Number 9 1990 - Beaches and Waters, the Director: City Services shall be deemed to be the Chief Executive named therein and may sub-delegate in writing any of the powers and duties specified therein to any Council employee under the Director's control and direction.
62. Power to authorise the use of beaches and foreshore areas for approved purposes.
63. Authority to grant use of Council car parks for purposes additional to usual parking requirements, where such uses are intermittent and are not primarily for commercial gain.
64. Reserves Act procedures not otherwise delegated.

Resource Management Act Administration

65. Section 34A of the Resource Management Act 1991 provides for the Council to delegate certain of its powers and duties under that Act to an officer through the Chief Executive and specifically prohibits the delegation of any functions, powers or duties listed in section 34A(1)(a) to (b) inclusive.;
66. Pursuant to Section 34A of Resource Management Act 1991, the following delegations (comprising numbers 1 to 4 of Clause 63) have been made through the Chief Executive to the officers listed in Appendix A in this Delegations Register:
 1. The exercise of the Council's powers, duties and discretions in relation to notified applications for resource consents under Part VI of the Resource Management Act 1991, **OTHER** than:
 - (i) Those applications where submissions have been received.
 - (ii) Those applications where the officer's recommendation is to decline such consent.
 - (iii) The granting of a resource consent for a non-complying activity in respect of any application which is notified in accordance with Section 93 of this Act.
 2. The exercise of the Council's powers, duties, functions, and discretions in respect of Designations and Heritage Orders under Part VIII of the Resource Management Act 1991 **OTHER** than
 - (i) The making of a recommendation on a requirement for a Designation or a Heritage Order under Part VIII.
 3. The exercise of the Council's powers, duties, and discretions in respect of the Waitakere City District Plan administration **OTHER** than:
 - (i) The approval of a policy statement or plan or any change to a policy statement or plan.

4. The exercise of the Council's powers and functions and the issue of any certificate or the grant of any approval, permission or authority in relation to any application for a subdivision consent pursuant to Parts VI or X of the Resource Management Act 1991:
 - (i) The determination of any application for a subdivision consent which is notified.
 - (ii) The declining of any application for a subdivision consent.
67. The power to give any certificate or authentication for purposes of Resource Management Act and Unit Titles Act 1972.
68. The continuation of all existing powers, duties, functions and discretions in relation to matters under the Local Government Act 1974, and other statutes as required under the transitional provisions of Part XV of the Resource Management Act 1991.
69.
 - (a) Authority to take appropriate action to control the display of signs in any public place.
 - (b) The power to approve or decline the temporary erection of hoardings and signs for election campaigns and public meetings.
70. The power to appoint a Hearings Commissioner pursuant to Section 34 of the Resource Management Act 1991.
71. **NOTWITHSTANDING** the specific delegations to the officers listed in Appendix A in this Delegations Register, the Director: City Services has also been delegated through the Chief Executive the authority to carry out all or any of the powers, duties, discretions, and functions listed in Appendix A in the absence of any of the officers listed.

Building Control

72. The Council hereby delegates all of its powers, duties, and discretions as listed in Appendix B of this Delegation Register to the officers listed therein.
73. Pursuant to Section 78 of the Building Act 1991 and Schedule 7 Clause 32 of the Local Government Act 2002 the following are also delegated to the Director: City Services:
 1. All of the Council's powers, duties and discretions under the Building Act 1991 **OTHER** than:-
 - (i) The transfer of any function, power or duty pursuant to Section 25 of that Act.
 - (ii) The fixing of any fees or charges in accordance with Section 28(1) of that Act.
 - (iii) Making any complaint about or query about the conduct or ability of any building certifier to the Building Industry Authority under Section 54 of that Act.
 2. Such powers and duties shall include but are not restricted to:
 - a. Applying to the Building Industry Authority for a determination in respect of a doubt or dispute pursuant to Section 17 of the Building Act 1991 and to appear before the Building Industry Authority in relation to any doubt or dispute to which the Council is a party.
 - b. Authority to gather information and keep records.
 - c. Requiring the payment of any appropriate additional fee or charges pursuant to Section 28(2) of the Building Act 1991.
 - d. Determining what information is required to be provided with any particular Project Information Memorandum pursuant to Section 30 of the Building Act 1991.
 - e. Exercising all of the Council's powers and duties relating to the processing and issue of project information memoranda.
 - f. All of the Council's powers and duties in relation to applications for the processing of building consents under Sections 33, 34, 35, 36 and 57 of the Building Act 1991, including (but not restricted to):
 - i) Accepting from any applicant a producer statement establishing compliance with the building code.

- ii) Granting or refusing any applications for building consent.
 - iii) Requiring further information.
 - iv) Granting any waivers or modifications to the building code in relation to any application for building consent.
 - v) Imposing any conditions to attach to any building consent.
 - vi) Determining whether or not to grant any building consent in relation to land subject to erosion, avulsion, alluvion, falling debris, subsidence, inundation, or slippage.
- g. Approving, in terms of Section 37(8) of the Building Act 1991, the removal of a certificate requiring that one or more specified allotments shall not be transferred or leased separately from a Certificate of Title.
- h. All of the Council's powers and duties relating to alterations to existing buildings.
- i. Pursuant to Section 41 of the Building Act 1991:-
- Granting an extension to the period any building consent remains in force; and
 - Cancelling any building consent where there has been a change in circumstances, a break of any condition or for failure to comply with any notice to rectify.
- j. Issuing of, and all other action relating to, notices to rectify pursuant to Section 42 of the Building Act 1991.
- k. Issuing or refusal to issue Code Compliance Certificates under Section 43 of the Building Act 1991.
- l. Under Section 44 and 45 of the Building Act 1991:-
- Issuing and monitoring of code compliance schedules;
 - Approving and accepting independent qualified persons;
 - Monitoring annual building warrants of fitness and accepting or rejecting those submitted.
- m. All of the Council's powers and duties relating to change of use of buildings under Section 46 of the Building Act 1991.
- n. Putting up any hoarding or fence so as to protect the public in respect of dangerous buildings under Section 65 of the Building Act 1991.
- o. Issuing of notices in respect of dangerous or insanitary buildings pursuant to Section 71 of the Building Act 1991, including specifying work required to be undertaken, any time limit or alteration to that time limit.
- p. Applying to the District Court for an order authorising the Council to carry out work in respect of dangerous or insanitary buildings pursuant of Section 65 of the Building Act 1991.
- q. Issue of notices in respect of buildings that are deemed to be earthquake prone under Section 66 of the Building Act 1991.
- r. Authorising or instructing entry upon land by Council officers or agents of Council to undertake urgent work, pursuant to Section 74 of the Building Act 1991.
- s. Action in respect of offences against the Building Act and all action related thereto pursuant to Sections 80 and 81 of that Act.
- t. Authorisation to approve and authenticate amalgamation certificates issued pursuant to Section 37 of the Building Act 1991 and to take all other action connected therewith.
74. Authority to exercise the powers of the 'Engineer' under any building bylaw and under the Drainage and Plumbing Regulations 1978.

75. To set contributions of such amount as is fair and reasonable towards the cost of providing water or drainage pipes, or to pay a fair and reasonable contribution towards the cost of forming or upgrading roads pursuant to Sections 24, 108, 220 and 407 of the Resource Management Act 1991.
76. Authority to dispense with any requirement from the Council's Building Bylaw or any standard adopted by the Bylaw or used as a means of compliance pursuant to the bylaw where no hearing is necessary.
77. Approval of reduced fire ratings with or without conditions.
78. Authority to certify that a bond may be released by the Council on receipt of advice that all conditions of a bond (including but not limited to temporary accommodation bonds and subdivision bonds) have been complied with or should be waived.
79. Authority to suspend or revoke the appointment of any person as an enforcement officer under the Building Act 1991.
80. Authority to suspend or revoke the appointment of any person as an enforcement officer under the Local Government Act 2002.

Environmental Health

81. Pursuant to Schedule 7 Clause 32 of the Local Government Act 2002, the following are delegated to the Director: City Services, and further pursuant to the provisions of the aforesaid clause, the Director: City Services is specifically authorised to either generally or particularly sub-delegate in writing to any other officer of the Council all or any of the following powers, functions, and duties. The officer to whom sub-delegation is made may not further sub-delegate. (See Appendix E in this Delegations Register).
 - 1. Authority to issue licenses for -**
 - i) Hawkers (NZS 9201, Clause 406).
 - ii) Mobile Shops (NZS 9201, Clause 406).
 - iii) Billiard Rooms (NZS 9201, Clause 1802 and 1803).
 - iv) Dangerous Goods (Sections 9 and 12, Dangerous Goods Act 1974).
 - v) Piggeries (NZS 9201, Clause 1302).
 - vi) Scheduled Processes (Clean Air Act 1972).
 - 2. Authority to issue Certificates of Registration for -**
 - i) Food Premises (Regulation 4 Food Hygiene Regulations 1974).
 - ii) Hairdressers [Regulation 3 Health (Hairdressers) Regulations 1980].
 - iii) Offensive Trades (Section 54, Health Act 1956).
 - iv) Funeral Directors [Regulation 16 Health (Burial) Regulations 1946].
 - v) Camping-Grounds (Camping-Grounds Regulations 1985).
 - 3. Authority to issue -**
 - i) Certificates pursuant to Sections 42 and 48 of the Health Act 1956.
 - ii) Repair notices under Section 42 of the Health Act 1956.
 - iii) Issue of demolition requisitions and enforcement of demolition orders under Section 48 and Section 51 of the Health Act 1956.
82. Power to authorise action under Section 183 Local Government Act 2002 in relation to removal of scrub likely to constitute a fire hazard.
83. Authority to issue permits for operation of an amusement device (Regulation 11, Amusement Devices Regulations 1978).

84. Powers under the Litter Act 1979.
85. Authority to authorise any officer to carry out all or any of the functions of a Litter Control Officer under the Litter Act 1979.
86. Authority to remove motor vehicles which may be abandoned (Section 356 of the Local Government Act 1974 saved by schedule 18 Local Government Act 2002).
87. Authority to take appropriate action to prevent obstruction of a public place (NZS 9201, Clause 109.1).
88. Authority to grant consent to the keeping of goats (NZS 9201, Clause 1309).
89. Authority to grant consent to the keeping of poultry (NZS 9201, Clause 1311).
90. Authority to execute and lodge statutory land charges pursuant to Section 51 of the Noxious Plants Act 1978 and Section 183 of the Local Government Act 2002.
91. Pursuant to Clause 7.4 of Bylaw 25 - Radio Frequency Radiation, the power to decide, in respect of applications made under Clause 7 and Clause 8 of that Bylaw, whether an applicant has demonstrated it can comply with the acceptable levels of public exposure to radio frequency radiation and the power to refuse or accept applications accordingly.
92. For the purposes of Bylaw 25 - Radio Frequency Radiation, authority to approve and appoint independent and qualified persons.
93. Authority to grant dispensation to the use of restricted traps, under Bylaw 10, Restriction On Use of Jaw Traps and the setting of conditions in respect of such dispensation.
94. Authority to authorise any officer to carry out all or any of the functions of an Inspector under the Food Act 1981.

Health Act 1956

95. Pursuant to the provisions of the Health Act 1956, the following are delegated to the Director: City Services, as an Environmental Health Officer (under Section 28 of the Health Act 1956):
 1. Authority to issue Cleansing Orders (Section 41 Health Act 1956).
 2. Authority to carry out Disinfection of Premises (Section 81 Health Act 1956).
 3. Assessing whether objection should be made against the establishment of Offensive Trades (Section 54 Health Act 1956).
96. Authority to exercise the powers and functions of the Council under the Housing Improvement Regulations 1947 that are not required by the Regulations to be exercised by the Council by resolution or by Special Order (Regulation 22).
97. Authority to authorise any officer to carry out all or any of the functions of an Inspector under the Food Act 1981.

Fencing of Swimming Pool Act 1987

98. Authority to enter land for inspection (Section 11).
99. Authority to authorise any officer to carry out all or any of the functions of an Enforcement Officer under the Fencing of Swimming Pools Act 1987.

Sale of Liquor Act 1989

100. Pursuant to the provisions of Section 104 of the Sale of Liquor Act 1989, and subject to the sub-delegation in that behalf by the Hearings Committee, and in the capacity as Secretary of the Waitakere District Licensing Agency to have the following powers, duties, and discretions:
101. To consider and determine temporary authority applications under Sections 24 and 47 of the Act.
 1. Issuing renewals of licenses where no objections have been received.
 2. Issuing renewals of managers' certificates where no objections have been received.
 3. To consider and determine special licence applications where no objections have been received and authority to reject late applications in cases where there are no acceptable reasons for lateness, pursuant to the Council's Sale of Liquor Policy.
 4. To consider, determine and grant such applications for any on-licences, off-licences and club licences or manager's certificate as is not required to be forwarded to the Liquor Licensing Authority for determination as provided under any section or sections of the Sale of Liquor Act.
 5. To set such conditions as may be appropriate and allowed for pursuant to Sections 13, 30 and 45 of the Sale of Liquor Amendment Act 1999 as they relate to on-licence, off- licence, and club licences.
 6. Issuing renewals of on-, off-, and club licences where variation of conditions are also proposed; but where no objections have been received.
102. Authority to appoint Inspectors (a statutory appointment under Section 103 of the Sale of Liquor Act 1989).

Legal Proceedings

103. Pursuant to the Acts, Regulations and Bylaws listed hereunder, the Director: City Services is authorised to file and pursue legal proceedings in respect of any offence under or against any of the following and also the authority to initiate injunctive proceedings:
 - Building Act 1991;
 - Dangerous Goods Act 1974;
 - Dog Control Act 1996;
 - Fencing of Swimming Pools Act 1987;
 - Food Act 1981 and the Food Hygiene Regulations 1974;
 - Health Act 1956;
 - Impounding Act 1995;
 - Litter Act 1979;
 - Local Government Act 1974 (saved provisions);
 - Local Government Act 2002;
 - Reserves Act 1977 (Section 101);
 - Resource Management Act 1991;
 - Sale of Liquor Act 1989;
 - Traffic Regulations 1976;
 - Transport Act 1962;
 - Waitakere City Council Building Bylaw;
 - any Council Bylaw administered by the City Services Directorate;

Property

104. Authority to enter into contracts for the sale or purchase of land or property to a consideration not exceeding \$150,000 when the Council has determined to sell or purchase, **PROVIDED** that any purchase price by the Council is no greater than the Market Value assessed by an independent registered valuer and that any sale price by the Council is no less than the market value assessed by an independent registered valuer **PROVIDED FURTHER**, that any proposed price falling outside these parameters shall be referred to the Chief Executive for approval.
105. Completion of sale and purchase agreements and other relevant documentation including leases and tenancy agreements, when such transactions have been previously approved by the Council, and to approve the terms and conditions contained therein, whether as vendor, purchaser, lessee, landlord or other capacity.
106. Power to authorise the termination of tenancies of Council property, for non-compliance with tenancy agreements or for other valid reasons.

Vehicle Testing Station

107. Authority to set fees relating to activities of the Vehicle Testing Station.

Refuse Transfer Station

108. Authority to review and recommend to the Council tipping fees and charges and to take whatever action is necessary in order to maintain the profitability of the Waitakere Refuse Transfer Station operation.

Cemetery and Crematorium

109. Authority to remit charges pursuant to Sections 16(h) and 49 of the Burial and Cremation Act 1964.
(Note: Setting of fees requires Council resolution as stated in Bylaw 18).

Waitakere Aquatic and Recreation Centre

110. Power to let cafeteria leases and catering, coaching, fitness training and all general organisational usage rights for swimming and recreation centres.
111. Authority to review and recommend to the Council the setting of entry fees for individuals and organisations using swimming and recreation centres.
112. Power to approve of sponsorship arrangements for the aquatic centre and/or recreation centre.
113. Power to erect commercial sponsorship signs at the aquatic centre and/or recreation centre.

Animal Control and Welfare

114. Pursuant to the relevant statutory powers, the following delegations (comprising numbers 114 to 124) are made to the Director: City Services and have been made through the Chief Executive to the officers listed in [Appendix F](#) in this Delegations Register:
115. Appointment of the Pound Keeper (a statutory appointment under Section 8 of the Impounding Act 1955) and appointment of a deputy (a statutory appointment under Section 9 of the Impounding Act 1955).
116. Authority to publicly notify every appointment, or suspension, or removal from office of any poundkeeper or deputy poundkeeper, as required by Section 11 of the Impounding Act 1955.

117. Authority to authorise any officer to carry out all or any functions of a Ranger under the Impounding Act 1955.
118. Authority to appoint Dog Control Officers (a statutory position under Section 11 of the Dog Control Act 1996).
119. Authority to exercise the power of the Council to maintain records and to provide information as required by Section 30 of the Dog Control Act 1996.
120. Authority to exercise the power of the Council to keep a register of all dogs registered with the Council as required by Section 34 of the Dog Control Act 1996.
121. Authority to exercise the power of the Council to supply copies of the prescribed application forms etc. as required by Section 36 of the Dog Control Act 1996.
122. Authority to exercise the power of the Council to issue labels or discs and to complete registration as required by Section 46 of the Dog Control Act 1996.
123. Authority to authorise any officer to carry out all or any of the functions of a Ranger under the Reserves Act 1977
124. Authority to approve the keeping of more than two dogs on a residential premises pursuant to Clause 8 of Bylaw Number 29 - The Control of Dogs and to set conditions in respect of such approval.

General

125. In accordance with the appropriate legislation, the Council hereby also delegates all the powers and duties to the officers listed in Appendix E of this Delegations Register.
126. Authority to certify requisitions.
127. Authority to approve store orders.
128. Power to authorise payment of employees' expense claims.
129. Power to authorise domestic travel, expenditure of associated costs and matters incidental thereto for members of the Council's staff.
130. Authority to carry out the City Services Directorate plant replacement programme in conjunction with the Tenders Subcommittee where required by delegation (excluding the Council's fleet).
131. Authority to approve or decline the remission of any fees and charges imposed by the Council pursuant to any Act, Regulation, or Bylaw under the jurisdiction of the City Services Directorate (including penalty or additional charges) to an amount not exceeding \$2,000.
132. The establishment of procedures to carry out the Council's policies and any enforcement thereof, within the jurisdiction of the Director: City Services.
133. Pursuant to Section 42 of the Local Government Official Information and Meetings Act 1987 all the powers and authorities of the Council under Parts II to V of that Act insofar as they relate to information held or kept by the City Services Directorate; **EXCEPT** powers specified in Section 32 of that Act.
134. Authority to consider and issue or refuse licences for carrying out collection of refuse pursuant to Part 111 of Bylaw 30 - Refuse Placement and Collection.
135. Authority to issue licences, subject to such conditions as may be imposed pursuant to the provisions of Bylaw 31: Hygienic Operation of Massage Facilities and any notices provided for under the provisions of that Bylaw, including collection of appropriate fees.
136. Authority to certify that a bond may be released by the Council on receipt of advice that all conditions of a bond (including but not limited to performance bonds for contracts) have been complied with or should be waived.
137. Determining forfeiture of bonds (partial or total).
138. Authority to implement, develop, and maintain the Code of Practice for City Infrastructure and Land Development.

139. Authority to appoint Dangerous Goods Inspectors (a statutory position under Section 27 of the Dangerous Goods Act 1974).
140. Authority to issue permits for the erection and operation of amusement devices (Section 21A of the Machinery Act 1950).
141. Authority to act as Privacy Officer pursuant to Section 23 of the Privacy Act 1993, and pursuant to Section 124 of that Act, to undertake all of the Council's powers and duties in respect of Privacy Act matters insofar as they relate to information held or kept by the City Services Directorate.
142. Authority to write off unrecoverable bad debts up to a maximum of \$20,000 in any one case; any amounts over this sum shall be reported to the Finance and Operational Performance Committee.
143. Authority to agree on a compromise accommodation with debtors.
144. Authority to engage a debt collection agency to assist in the recovery of outstanding debts and to authorise legal proceedings for the recovery of debts (whether such proceedings are instituted in the District Court, the High Court, the Disputes Tribunal or any other forum).
145. Authority to pay on behalf of the Council creditors and accounts due for payment as they relate to the City Services Directorate.
146. Authority to exercise all of the powers of the Council as owner or occupier of any land or premises under the control of the Director: City Services, under and pursuant to the provisions of the Trespass Act 1980.
147. Authority to exercise the power contained in the Waitakere City Council Bylaw 22, 1990, amendment 6, 2001, relating to Filming on Public Roads.
148. In respect of bidding for contracts for business units where the contract is outside the Council's organisation, and associated subcontracting, the power to enter into contracts up to a value of \$500,000.

DIRECTOR: CORPORATE & CIVIC SERVICES

Introduction

1. Pursuant to the provisions of Schedule 7 Clause 32 of the Local Government Act 2002, the Council hereby delegates all of its powers under the Local Government Act 1974 and 2002 in respect to the matters listed hereafter to the Director: Corporate & Civic Services, and further, pursuant to the provisions of that clause, the Director: Corporate & Civic Services is specifically authorised to either generally or particularly sub-delegate in writing to any other officer of the Council, all or any of the powers pursuant to the delegation within the jurisdiction of the Director: Corporate & Civic Services (The officer to whom sub-delegation is made may not further sub-delegate):

Administration

2. The establishment of procedures to carry out the Council's policies and any enforcement thereof, within the jurisdiction of the Director: Corporate & Civic Services.
3. Determining all matters relating to accommodation within the Civic Centre, Libraries, GPT (in conjunction with the Director: City Services), Service Centres, and Civil Defence premises.
4. Authority to sign certificates consenting to legal boundary definitions adjoining Council land.
5. Authority to make any decision, election or determination as "Principal" in relation to any contract entered into between the Council and any third party, in accordance with the relevant New Zealand Standard Specification incorporated within the conditions of contract and to give, sign or authorise any notice to any third party in the name of or on behalf of the Principal under the contract and to carry out or authorise the carrying out of any works or other expenditures in accordance with the contract considered necessary or desirable to be undertaken by the Principal pursuant to the said contract.
6. Authority to organise all official Civic Ceremonies.
7. Authority to administer the Waitakere City Council's Sister City programme.
8. Authority to carry out the fleet replacement programme (**Note:** Director: City Services 133 for other plant).
9. Authority to take all necessary action in regards to elections, polls and referenda, **EXCEPT**, the statutory powers and duties of the Electoral Officer (a statutory appointment under Section 12 of the Local Electoral Act 2001); such powers and duties are set out in the Local Electoral Act 2001, the Local Electoral Regulations 2001, and the Local Government Act 2002.
10. All the powers of the Council as owner or occupier of any land or premises under and pursuant to the provisions of the Trespass Act 1980.

Legal

11. Power to authorise the undertaking of any prosecution proceedings by way of Information laid by any Council officer for breach of any Act, Regulation, or Waitakere City bylaw, or the commencing of any action (whether for recovery of money or otherwise) in the Council's name in the District Court (or any lesser forum such as the Disputes Tribunal) and the seeking of an injunction where appropriate, and the exercise of all powers available to the Council for recovery of rates, penalties and other charges under the Local Government (Rating) Act 2002 and any subsequent amendments. Such powers include rating sale proceedings, in which event this shall be reported to the Finance and Operational Performance Committee.

This further includes the power to authorise Council officers to file charges and lodge Information's and act as an informant on behalf of Council in respect of any offence:

- (a) under the Building Act 1991.
 - (b) under the Dangerous Goods Act 1974.
 - (c) under the Dog Control Act 1996.
 - (d) under the Fencing of Swimming Pools Act 1987.
 - (e) under the Food Act 1981 and the Food Hygiene Regulations 1974.
 - (f) under the Health Act 1956.
 - (g) under the Impounding Act 1995.
 - (h) under the Litter Act 1979.
 - (i) under the saved sections of the Local Government Act 1974.
 - (j) under the Local Government Act 2002.
 - (k) under the Resource Management Act 1991.
 - (l) under the Reserves Act 1977 (Section 101).
 - (m) under the Sale of Liquor Act 1989.
 - (n) under the Traffic Regulations 1976.
 - (o) under the Transport Act 1962.
 - (p) or against any Council Bylaw.
12. Authority on behalf of the Council and any Standing Committee or Subcommittee the Council to issue a letter of acceptance for the purpose of creating a contract where it has been resolved to accept any tender or quotation in respect of matters within the jurisdiction of the Director: Corporate & Civic Services.
13. Power to act in the case of urgency for the protection of matters referred to in the Waitakere City District Plan or the Waitakere City Bylaws or to protect the Council's position in any proceedings before any New Zealand court of competent jurisdiction, by appeal or otherwise".
14. Power to appoint marina wardens pursuant to Clause 5 (a) of Waitakere City Council's Bylaw No. 13 - West Harbour Marina, 1990.

The following powers (15 to 22 inclusive) are also delegated to the Legal Services Manager:

15. Authority to determine on Council's behalf all interlocutory matters (including requests for adjournments) arising during the conduct of any High Court or District Court proceeding, or any appeal from any such proceeding, or any appeal to the Environment Court, or in relation to any prosecution for any offence commenced by Council or any officer of Council, or in relation to any matter before the Liquor Licensing Authority or Land Valuation Tribunal, whether Council shall be plaintiff, defendant, informant, respondent or applicant, including authority to seek and apply for security for costs, and to make and/or file any affidavits in relation to such proceedings.
16. Authority in consultation with Chief Executive, Director: City Services, or Manager, Field Services to determine on Council's behalf to withdraw, discontinue or otherwise settle or conclude any proceeding or prosecution commenced in Council's name or by any officer of Council.
17. Authority to engage external counsel to represent Council or any officer of Council in relation to any proceeding or prosecution involving Council or any officer of Council as a party or as an informant, and to instruct counsel in relation to any matter involving the conduct of such proceeding.
18. Authority to issue any Statutory Demand under the Companies Act 1993 or any Bankruptcy Notice on Council's behalf and/or in Council's name to recover any rates (including penalty charges) levied by Council or to enforce any judgment sum or debt owing to Council.
19. Authority to cause a Charging Order to be registered against any property to secure any judgment sum or debt owing to Council.
20. Authority, in consultation with the Chief Executive, Director: City Services, or Director: Finance, to compound, compromise or submit to arbitration any claim, debt, sum of money, action or demand made, owing or brought either by or against the Council and to determine the terms and conditions to be contained in any Deed of Settlement or memorandum or record relating to or arising from any such exercise of authority.

21. Authority to initiate and/or agree to Council's participation as a party in any formal or informal mediation process having as its principal objective the resolution of any dispute, claim, action or demand made or brought either by or against Council and to determine the basis of representation on Council's behalf in such process and the terms and conditions (if any) to be contained in any memorandum or record relating to or arising from any mediation.
22. Where the exercise of the power given in 21 above, requires the delegatee to be a Solicitor of the High Court of New Zealand in which case the Director: Corporate and Civic Services shall have the authority to instruct a Solicitor of the High Court of New Zealand to exercise the particular power.

Property

23. Authority to enter into contracts for the sale or purchase of land or property to a consideration not exceeding \$150,000 when the Council has determined to sell or purchase, **PROVIDED** that any purchase price by the Council is no greater than the Market Value assessed by an independent registered valuer and that any sale price by the Council is no less than the market value assessed by an independent registered valuer **PROVIDED FURTHER**, that any proposed price falling outside these parameters shall be referred to the Chief Executive for approval.
24. Completion of sale and purchase agreements and other relevant documentation including leases and tenancy agreements, when such transactions have been previously approved by the Council, and to approve the terms and conditions contained therein, whether as vendor, purchaser, lessee, landlord or other capacity.
25. Authority to enter into tenancy agreements on behalf of Council in respect of land and buildings for a period of up to two years, whether as landlord or tenant, with the authority to delegate this authority to any agent to act on behalf of the Council, provided that any tenancy agreement entered into under this authority may not be extended beyond a two-year period without reference back to the Council or its appropriate Committee
26. Power to authorise the termination of tenancies of Council property, for non-compliance with tenancy agreements or for other valid reasons.

Financial

27. Authority to operate the Council's bank accounts in conjunction with any of the following:
 - Chief Executive;
 - Director: Finance;
 - Chief Management Accountant;
 - Revenue Accountant;
 - Revenue Services Manager.
28. Authority to engage a debt collection agency to assist in the recovery of outstanding debts and to authorise legal proceedings for the recovery of debts (whether such proceedings are instituted in the District Court, the High Court, the Disputes Tribunal or any other forum).
29. Exercise all powers available to the Council for the recovery of any monies owing and payable to the Council including such court actions as may be necessary.
30. Authority to enter into contracts up to the amount of \$150,000 in respect of authorised works for which provision has been made in the Council's approved budget and carried out within the criteria laid down by Council's purchasing, tendering and contract tendering procedures. (**Note:** Refer to Financial Contract Delegations for details on Reporting Requirements).
31. Authority to certify and authorise the payment of progress payments in relation to contracts entered into by the Council.

32. Authority to nominate the 'Engineer to the Contract' under NZS 3910, the 'Architect to the Contract' under the New Zealand Institute of Architects standard specifications or the 'Contract Manager' of any other contracts within the scope of Director: Corporate & Civic Services, and any other contracts where the appropriate Director is unable to act.
33. Authority to certify requisitions, and authority to add or delete officers from the list of those authorised to certify requisitions.
33. Authority to pay on behalf of the Council creditors and accounts due for payment insofar as they relate to the Corporate and Civic Services Directorate.
34. Authority to write off unrecoverable bad debts up to a maximum of \$20,000 in any one case; any amounts over this sum shall be reported to the Finance and Operational Performance Committee.
35. Authority to agree on a compromise accommodation with debtors.

Insurance

In respect of insurance matters:

36. Authority to engage insurance broker services and to determine from time to time the basis of Council's insurance arrangements and in consultation with the broker to effect placements with underwriters and to agree on Council's behalf all policy terms and conditions and any excess sum to be applicable, and any related asset schedule descriptions.
37. Authority to settle claims under any policy of insurance effected by Council and to execute any form of discharge or release in relation to any such claim, on Council's behalf.
38. Authority to contribute any excess payable in accordance with the insurance policy.
39. Authority to settle uninsured claims for compensation or damages where the amount does not exceed \$10,000 whether or not legal proceedings have been issued by the claimant.

The above authorities (36 to 39 inclusive) are also delegated to the Legal Services Manager.

Human Resources

40. To establish procedures to carry out the Council's policies and any enforcement thereof, within the jurisdiction of Human Resources operations.

Emergency Management

41. Power to authorise action under Section 183 of the Local Government Act 2002 in relation to removal of scrub likely to constitute a fire hazard.
42. Authority to perform the functions and duties and to exercise the powers of a member of the Civil Defence Emergency Management Co-ordinating Executive Group in the absence of the Chief Executive. To perform functions and powers of the Civil Defence Emergency Management Group or member in accordance with Section 17 and 18 respectively of the Civil Defence Emergency Management Act 2002. Every local authority must be a member of a Civil Emergency Management Group in accordance with Section 13 (1) of the Civil Defence Emergency Management Act 2002
(Note: See order of precedence under Statutory Appointment: Emergency Management Group).
43. Authority to perform the functions and duties and to exercise the powers of the Local Controller in the absence of the Local Controller (Section 40(2) of the Civil Defence Act 1983) in the order of precedence of alternates as determined by the Council in terms of Section 40(3) of the Civil Defence Act 1983(in accordance with the Transitional Provisions of Section 119 of the Civil Defence Emergency Management Act 2002).
(Note: See order of precedence under Statutory Appointment: Local Controller of Civil Defence).

44. To chair the Rural Fire Committee in terms of the Forest and Rural Fires Act 1977 and any Regulation pursuant to that Act and authority to approve the Waitakere Rural Fire Plan.
45. Authority to take all necessary action in regard to the Petroleum Demand Restraint Act 1981 and any Regulation pursuant to that Act.

Community Information Services

46. All of the Council's powers in relation to the management of libraries and Community Information Services.
47. Setting of library borrowing charges.

General

48. Authority to issue warrants of appointment and identity cards for Council officers and any other authorised appointments including:
 - Enforcement Officer (Noise Control), Sections 38 and 327 Resource Management Act 1991;
 - Enforcement Officer, Section 38, Resource Management Act 1991;
 - Dog Control Officer, Section 11, Dog Control Act 1996;
 - Litter Control Officer, Section 5, Litter Act 1979;
 - Environmental Health, Officer Section 28, Health Act 1956;
 - Inspector (Licensing Control), Section 103, Sale of Liquor Act 1989;
 - Ranger, Section 8 Impounding Act 1955;
 - Ranger, Section 8 Reserves Act 1977;
 - Dangerous Goods Inspector, Section 17 Dangerous Act 1974;
 - Inspector (Food), Section 7 Food Act 1981;
 - Parking Wardens, Section 7 Transport Act 1962.

(Note: In terms of Schedule 7 clause 32(1)(g) the authority given to Council to warrant enforcement officers in terms of the Local Government Act 2002 and the Building Act 1991 may not be delegated).
49. Authority to suspend or revoke the appointment of any person as an enforcement officer under the Building Act 1991.
50. Pursuant to Section 42 of the Local Government Official Information and Meetings Act 1987 all the powers and authorities of the Council under Parts II to V of that Act insofar as they relate to information held or kept by the Corporate & Civic Services Directorate; **EXCEPT** powers specified in Section 32 of that Act.
51. Authority to act as Privacy Officer pursuant to Section 23 of the Privacy Act 1993, and pursuant to Section 124 of that Act, to undertake all the Council's powers and duties in respect of Privacy Act matters insofar as they relate to information held or kept by the Corporate & Civic Services Directorate.
52. Allocation and alteration of property numbers.

DIRECTOR: STRATEGY & DEVELOPMENT

Introduction

1. Pursuant to the provisions of Schedule 7 Clause 32 of the Local Government Act 2002, the Council hereby delegates all of its powers under the Local Government Act 1974 and 2002 in respect of the matters listed thereafter to the Director: Strategy & Development is specifically authorised to either generally or particularly sub-delegate in writing to any other officer of the Council, all or any of the powers pursuant to the delegations within the jurisdiction of the Director: Strategy & Development (the officer to whom sub-delegation is made may not further sub-delegate):

Policy Matters

2. The establishment of procedures to develop and carry out the Council's policies and any enforcement thereof, within the jurisdiction of the Director: Strategy & Development.
3. Authority on behalf of the Council and any Standing Committee or Subcommittee of the Council to issue a letter of acceptance for the purpose of creating a contract where it has been resolved to accept any tender or quotation in respect of matters within the jurisdiction of the Director: Strategy & Development.

General

4. Authority to enter into contracts up to the amount of \$150,000 in respect of authorised works for which provision has been made in the Council's approved budget, and carried out within the criteria laid down by Council's purchasing, tendering and contract tendering procedure. (**Note:** Refer to Financial Contract Delegations for details on reporting requirements).
5. Authority to certify and authorise the payment of progress payments in relation to contracts entered into by the Council.
6. Authority to pay on behalf of the Council creditors and accounts due for payment as they relate to the Strategy and Development Directorate.
7. Authority to certify requisitions.
8. Power to authorise payment of employees' expense claims.
9. Power to authorise domestic travel, expenditure of associated costs and matters incidental thereto for members of the Council's staff.
10. Pursuant to Section 42 of the Local Government Official Information and Meetings Act 1987 all the powers and authorities of the Council under Parts II to V of that Act insofar as they relate to information held or kept by the Strategy & Development Directorate; **EXCEPT** powers specified in Section 32 of that Act.
11. Authority to act as Privacy Officers pursuant to Section 23 of the Privacy Act 1993, and pursuant to Section 124 of that Act, to undertake all of the Council's powers and duties in respect of Privacy Act matters insofar as they relate to information held or kept by the Strategy & Development Directorate.

DIRECTOR: FINANCE

Introduction

1. Pursuant to the provisions of Schedule 7 Clause 32 of the Local Government Act 2002, the Council hereby delegates all of its powers under the Local Government Acts 1974 and 2002 in respect of the matters listed hereafter to the Director: Finance, and further, pursuant to the provisions of that clause, the Director: Finance is specifically authorised to either generally or particularly sub-delegate in writing to any other officer of the Council, all or any of the powers pursuant to the delegation within the jurisdiction of the Director: Finance (the officer to whom sub-delegation is made may not further sub-delegate):

Administration

2. Determine all matters relating to accommodation with the BNZ premises.

Policy Matters

3. The functions and duties of the Council under Section 101 of the Local Government Act 2002 (Financial management).
4. The establishment of procedures to carry out the Council's policies and any enforcement thereof, within the jurisdiction of the Director: Finance.

Finance

5. Power to authorise domestic travel, expenditure of associated costs and matters incidental thereto for members of the Council's staff.
6. Power to authorise cash advances to Council members and employees.
7. Power to authorise payment of employees' expense claims.
8. Authority to engage a debt collection agency to assist in the recovery of outstanding debts and to authorise legal proceedings for the recovery of debts (whether such proceedings are instituted in the District Court, the High Court, the Disputes Tribunal or any other forum).
9. Authority to invest Council funds in any manner specified in Council policy.
10. Authority in terms of the Council's approved Borrowing and Investment Policy to negotiate and set rates of interest and maturity dates in respect to new loans and to vary maturity dates and conditions of repayment (including rates of interest) in respect to existing loans.
11. Authority to act as a Waitakere City Council Sinking Fund Commissioner.
12. Authority to borrow on behalf of the Council short term borrowings up to a maximum of \$30 (thirty) million dollars for capital and revenue purposes and to determine the specific terms and conditions at the time of borrowing in compliance with the Council's approved Borrowing and Investment Policy.
13. Authority in conjunction with the Chief Executive, to issue, and monitor the use of, Credit Cards.
14. Power to authorise the expenditure of any amount under \$20,000 where such expenditure is of an urgent nature and no provision has been made in the Council's approved budget **SUBJECT** to such matter being reported to the next meeting of the Finance and Operational Performance Committee.
15. Exercise all powers available to the Council for the recovery of any monies owing and payable to the Council including such court actions as may be necessary.
16. Delegated authority as provided in the Council's approved Borrowing and Investment Policy.

17. Authority to write off unrecoverable bad debts or stock up to a maximum of \$20,000 in any one case; any amounts over this sum shall be reported to the Finance and Operational Performance Committee.
18. Authority to agree on a compromise accommodation with debtors.
19. Authority to open, to operate, and to close the Council's bank accounts in conjunction with any of the following:
 - Chief Executive;
 - Director: Corporate & Civic Services;
 - Chief Management Accountant;
 - Revenue Accountant;
 - Revenue Services Manager.
20. Authority to determine forfeiture of bonds (partial or total).
21. Authority to certify the release of bonds and the waiver of conditions of bond.
22. Authority to pay on behalf of the Council creditors and accounts due for payment.
23. Authority to advance monies in respect of the cost of drainage connections within the established criteria and the authority to further delegate that power as required.
24. Authority to pay statutory levies.

Rating

25. Authority pursuant to the provisions of the Local Government (Rating) Act 2002 and subsequent amendments to approve or decline the remission of additional charges in respect of rates, **PROVIDED** that such ratepayers shall have a right of appeal to the Finance and Operational Performance Committee against any such decision.
26. Authority to exercise all powers available to the Council for the recovery of rates, penalties and other charges under the Local Government (Rating) Act 2002 and subsequent amendments. Such powers to include rating sale proceedings, in which event, this shall be reported to the Finance and Operational Performance Committee.
27. Authority to grant postponements of rates in terms of the policy adopted in terms of Section 110 of the Local Government Act 2002.
28. Recommend to the Council the appointment of a valuation services provider (Section 8 of the Rating Valuations Act 1998).
29. Pursuant to Section 50 of the Rating Valuations Act 1998 to exercise all other functions and duties of the Council for the preparation, general revaluation, and maintenance of the Waitakere City district valuation roll in terms of the Rating Valuations Act 1998.

General

30. Authority to enter into contracts up to the amount of \$150,000 in respect of authorised works for which provision has been made in the Council's approved budget, and carried out within the criteria laid down by Council's purchasing, tendering and contract tendering procedures.
(Note: Refer to Financial Contract Delegations for details on reporting requirements).
31. Authority to certify and authorise the payment of progress payments in relation to contracts entered into by the Council.
32. Authority on behalf of the Council and any Standing Committee or Subcommittee of the Council to issue a letter of acceptance for the purpose of creating a contract where it has been resolved to accept any tender or quotation in respect of matters within the jurisdiction of the Director: Finance.

33. Authority to certify requisitions, and authority to add or delete officers from the list of those authorised to certify requisitions.
34. Authority to approve stores orders.
35. Pursuant to Section 42 of the Local Government Official Information and Meetings Act 1987 all the powers and authorities of the Council under parts II to V of that Act insofar as they relate to information held or kept by the Finance Directorate: **EXCEPT** powers specified in Section 32 of that Act.
36. Authority to act as Privacy Officer pursuant to Section 23 of the Privacy Act 1993, and pursuant to Section 124 of that Act, to undertake all of the Council's powers and duties in respect of Privacy Act matters insofar as they relate to information held or kept by the Finance Directorate.

DIRECTOR: PUBLIC AFFAIRS

Introduction

1. Pursuant to the provisions of Schedule 7 Clause 32 of the Local Government Act 2002, the Council hereby delegates all of its powers under that Act in respect to the matters listed hereafter to the Director: Public Affairs, and further, pursuant to the provisions of that clause, the Director: Public Affairs is specifically authorised to either generally or particularly sub-delegate in writing to any other officer of the Council, all or any of the powers pursuant to the delegations within the jurisdiction of the Director: Public Affairs (the officer to whom sub-delegation is made may not further sub-delegate):

Policy Matters

2. The establishment of procedures to carry out the Council's policies and any enforcement thereof, within the jurisdiction of the Director: Public Affairs.
3. Authority on behalf of the Council and any Standing Committee or Subcommittee of the Council to issue a letter of acceptance for the purpose of creating a contract where it has been resolved to accept any tender or quotation in respect of matters within the jurisdiction of the Director: Public Affairs.

General

4. Authority in to enter into contracts up to the amount of \$50,000 in respect of authorised works for which provision has been made in the Council's approved budget, and carried out within the criteria laid down by Council's purchasing, tendering and contract tendering procedure.

(**Note:** Refer to Financial Contract Delegations for details on reporting requirements).

5. Authority to certify and authorise the payment of progress payments in relation to contracts entered into by the Council in respect of matters within the jurisdiction of the Director: Public Affairs.
6. Authority to pay, on behalf of the Council, creditors and accounts due for payment as they relate to the Director: Public Affairs.
7. Authority to certify requisitions in respect of matters within the jurisdiction of the Director: Public Affairs.
8. Power to authorise payment of employees' expense claims in respect of matters within the jurisdiction of the Director: Public Affairs.
9. Power to authorise domestic travel, expenditure of associated costs and matters incidental thereto for members of the Council's staff, in respect of matters within the jurisdiction of the Director: Public Affairs.

DIRECTOR: QUALITY ASSURANCE

Introduction

1. Pursuant to the provisions of Schedule 7 Clause 32 of the Local Government Act 2002 Schedule 7 Clause 32 of the Local Government Act 2002, the Council hereby delegates all of its powers under that Act in respect to the matters listed hereafter to the Director: Quality Assurance, and further, pursuant to the provisions of that clause, the Director: Quality Assurance is specifically authorised to either generally or particularly sub-delegate in writing to any other officer of the Council, all or any of the powers pursuant to the delegations within the jurisdiction of the Director: Quality Assurance (the officer to whom sub-delegation is made may not further sub-delegate):

Policy Matters

2. The establishment of procedures to carry out the Council's policies and any enforcement thereof, within the jurisdiction of the Director: Quality Assurance.
3. Authority on behalf of the Council and any Standing Committee or Subcommittee of the Council to issue a letter of acceptance for the purpose of creating a contract where it has been resolved to accept any tender or quotation in respect of matters within the jurisdiction of the Director: Quality Assurance.

General

4. Authority to enter into contracts up to the amount of \$50,000 in respect of authorised works for which provision has been made in the Council's approved budget, and carried out within the criteria laid down by Council's purchasing, tendering and contract tendering procedure, in respect of matters within the jurisdiction of the Director: Quality Assurance.
(**Note:** Refer to Financial Contract Delegations for details on reporting requirements).
5. Authority to certify and authorise the payment of progress payments in relation to contracts entered into by the Council, in respect of matters within the jurisdiction of the Director: Quality Assurance.
6. Authority to pay on behalf of the Council creditors and accounts due for payment as they relate to the Director: Quality Assurance.
7. Authority to certify requisitions, in respect of matters within the jurisdiction of the Director: Quality Assurance.
8. Power to authorise payment of employees' expense claims, in respect of matters within the jurisdiction of the Director: Quality Assurance.
9. Power to authorise domestic travel, expenditure of associated costs and matters incidental thereto for members of the Council's staff, in respect of matters within the jurisdiction of the Director: Quality Assurance.

STATUTORY APPOINTMENTS

LOCAL CONTROLLER OF CIVIL DEFENCE

(A statutory appointment under Section 40(1) of the Civil Defence Act 1983, as read with Section 119 of the Civil Defence Emergency Management Act 2002.)

Note: The Chief Executive is appointed to this position. The Council also appoints the following persons pursuant to Section 40(2) of the Civil Defence Act 1983 as alternate Local Controller and in terms of Section 40(3) of that Act, as read with Section 119 of the Civil Defence Emergency Management Act 2002, has set the following order of precedence of alternates:

- 1 Director: City Services
- 2 Derek Quentin Battersby
- 3 Director: Corporate & Civic Services
- 4 Manager: Emergency Management

Statutory Powers

These include those set out in Section 41, Civil Defence Act 1983, or the provisions of any successor legislation.

Statutory Delegations

These delegations are made in terms of Section 42 Civil Defence Act 1983 (as read with Section 119 of the Civil Defence Emergency Management Act 2002).

(Note: The persons to whom powers are delegated have no power to sub-delegate).

1. Authority to exercise the functions and powers of the Council under Sections 43, 58, and 60-64 inclusive of the Civil Defence Act 1983, or the provisions of any successor legislation.
2. Authority to exercise the functions and powers of the Council under the Waitakere City Civil Defence Plan.

(Note: The above powers continue to be effective under the transitional provisions of the Civil Defence Emergency Management Act 2002 (Sections 118 and 119)).

STATUTORY APPOINTMENTS

ELECTORAL OFFICER

(A statutory appointment under Section 12 of the Local Electoral Act 2001)

The Council appoints the Group Manager: Democracy and Support Services, Darryl Griffin as the Electoral Officer, pursuant to Section 12 of the Local Electoral Act 2001.

Statutory Powers and Duties

These are set out in the Local Electoral Act 2001 and the Local Electoral Regulations 2001 and the Local Government Act 1974.

Statutory Delegations

Authority to initiate, conduct, compromise and conclude any action in the District Court in respect of alleged offences against the Local Electoral Act 2001 and associated legislation.

STATUTORY OFFICERS

PRINCIPAL RURAL FIRE OFFICER

(A statutory appointment under Section 13 of the Forest and Rural Fires Act 1977)

The Council appoints Mr Peter Barbour as the Principal Rural Fire Officer, pursuant to Section 13 of the Forest and Rural Fires Act 1977.

Note: The alternates in the event of the unavailability of the appointed Principal Rural Fire Officer are:

- 1 L G Morley (as the Council's Manager: Emergency Management)
- 2 R B McLeod
- 3 H V O'Rourke

Statutory Powers

To exercise the powers, duties and functions of the Principal Fire Officer or Fire Officer as prescribed by the Forest and Rural Fires Act 1977 and the Forest and Rural Fires Regulations Act 1979, for the Waitakere Rural Fire District.

Statutory Delegations

1. To carry out the duties of the Council in its capacity as Fire Authority prescribed by Section 12(1) and 12(4) of the Forest and Rural Fires Act 1977 Section 13(5).
2. To enforce any bylaws made by the Council in its capacity as Fire Authority, Section 12 Forest and Rural Fires Act 1997.
3. Authority to initiate, conduct, compromise and conclude any action at the District Court in respect of alleged offences against the Forest and Rural Fires Act 1977 Section 61.

STATUTORY APPOINTMENTS

POUNDKEEPER

(A statutory appointment under Section 8 of the Impounding Act 1955)

The holder of this warrant is authorised pursuant to Sections 8 and 63 of the Impounding Act 1955 to carry out all or any of the functions and powers of a Poundkeeper under this Act within Waitakere City.

Statutory Powers

The statutory powers and functions are prescribed by the Impounding Act 1955 and Regulations, and include:

1. The exercise of the Council's powers under Section 12 (provisions for health of impounded stock).
2. Keeping of a Pound Book and Impounding Register Section 13.
3. Copy of Impounding Act, and the fees, rates, and charges payable to be available for inspection Section 20.
4. Release of stock on payment of charges Sections 26 and 29.
5. The exercise of the Council's duties under Section 38 (Wild stock trespassing on land).
6. Power to destroy stock after obtaining written authority as provided for in Section 42 (Disposal of wild stock straying on roads).
7. Duties of Poundkeeper prescribed in Part VII of the Act (Procedure for impounding stock in a pound).
8. The exercise of the Council's powers under Section 46 (Notice to owner of stock impounded).
9. May act as auctioneer at any sale of impounded stock Section 50.
10. The exercise of the Council's powers under Section 52 (Destruction of suffering or worthless animals) and Section 53 (Disposal of unsold stock).

Statutory Delegations

1. Authority to exercise the powers, functions and duties of the Council, other than the setting of poundage fees conferred by Section 14(1) of the Act Section 63 Impounding Act 1955.
2. Authority to initiate, conduct, compromise, and conclude any action at the District Court in respect of alleged offences against the Impounding Act 1955 or in respect of the recovery of any related fees and charges and costs incurred by the Council, and service of notices.
3. The exercise of the Council's powers to declare temporary pounds Section 32.
4. Authority to seize and impound wandering stock Section 33.
5. Power to enter land to recover escaped stock Section 36.

STATUTORY OFFICER

DEPUTY POUNDKEEPER

(A statutory appointment under Section 9 of the Impounding Act 1955)

The holder of this warrant is authorised pursuant to Section 9 of the Impounding Act 1955 to carry out all or any of the functions and powers of a Deputy Poundkeeper under this Act, within Waitakere City.

Statutory Powers

These are limited by Section 9 of the Impounding Act 1955 and include the powers and delegations of the Poundkeeper.

STATUTORY OFFICER

RANGER

(A statutory appointment under Section 8 of the Impounding Act 1955)

The holder of this warrant is authorised pursuant to Section 8 of the Impounding Act 1955 to carry out all or any of the functions and powers of a Ranger under this Act, within Waitakere City.

Statutory Powers

These are prescribed by the Impounding Act 1955 and Regulations, and include:

1. If requested, and with the approval of the Council, lead, drive, or convey trespassing stock to the pound Section 22.
2. Authority to seize and impound wandering stock Section 33.
3. Power to enter land to recover escaped stock Section 36.
4. Power to destroy stock after obtaining written authority as provided for in Section 42 (disposal of wild stock straying on roads).
5. Authority to service notices pursuant to the provisions of the Act Section 64.

(Note: See also statutory delegations for Ranger - Reserves).

STATUTORY OFFICER

RANGER - RESERVES

(A statutory appointment under Section 8 of the Reserves Act 1977)

The holder of this warrant is authorised pursuant to Section 8 of the Reserves Act 1997 to carry out all or any of the functions and powers of a Ranger under this Act, within Waitakere City.

Statutory Powers

These are prescribed by the Reserves Act 1977 and Regulations, and the Council's Bylaws made under this Act and include:

1. Authority to exercise the powers given in relation to offences on reserves Sections 93 and 94.
2. Power to seize property Section 95.
3. Power to seize and dispose of trespassing animals Section 96.
4. Power to stop and search boats Section 100.
5. Power to seize and remove boats in certain circumstances Section 100A.
6. Power to remove and dispose of abandoned vehicles and boats from reserves Section 110.

(**Note:** See also statutory delegations for Ranger appointed under the Impounding Act 1955).

STATUTORY OFFICER

DOG CONTROL OFFICER

(A statutory position under Section 11 of the Dog Control Act 1996)

The holder of this warrant is authorised pursuant to Section 11 of the Dog Control Act 1996 to perform the duties and exercise the powers of a Dog Control Officer under this Act, within Waitakere City.

Statutory Powers

These are prescribed by the Dog Control Act 1996 and include:

1. General powers of entry Section 14.
2. Power to feed dogs Section 15.
3. Power to request information Section 19.
4. Power to seize and impound dogs Section 42 (failure to register dog).
5. Power to impound dog not wearing proper label or disc Section 50.
6. Power to seize a dog and cause it to be returned to its owner or impounded Section 52 (control of dogs).
7. Power to abate nuisance being created by the persistent and loud barking or howling of any dog Section 55.
8. Power to remove barking dogs Section 56.
9. Power to seize or destroy dogs attacking persons or animals or rushing at vehicles Section 57.
10. Power to seize or destroy dogs at large in the vicinity of protected wildlife Section 59.
11. Power to seize or destroy dogs running at large among stock or poultry Section 60.
12. Power to seize and destroy a dog where there is a Court Order for destruction of the dog Section 64.
13. Power to issue infringement notices Section 66.

STATUTORY OFFICER

LITTER CONTROL OFFICER

(A statutory position under Section 5 of the Litter Act 1979)

The holder of this warrant is authorised pursuant to Section 5 of the Litter Act 1979 to carry out all or any of the functions and powers of a Litter Control Officer under this Act, within Waitakere City.

Statutory Powers

These are prescribed by the Litter Act 1979 and include the authority:

1. To enforce the provisions of this Act and to prevent littering Section 7.
2. To require the occupier of private land to clear litter Section 10.
3. To enforce the Council's bylaws made pursuant to the provisions of this Act Section 12.
4. To serve infringement notices Section 14.

STATUTORY OFFICER

INSPECTOR - DANGEROUS GOODS

(A statutory position under Section 17 of the Dangerous Goods Act 1974)

The holder of this warrant is authorised pursuant to Section 17 of the Dangerous Goods Act 1974 to carry out all or any of the functions and powers of an Inspector under this Act, and all Regulations made thereunder, within Waitakere City.

Statutory Powers

These are prescribed by the Dangerous Goods Act 1974 and include:

1. Powers of inspection Section 19.
2. Searching of dwelling-house or secured premises Section 20.
3. Making enquiries, testing installations and seizing or detaining dangerous goods Section 21.
4. Requiring defects to be remedied or dangerous practices to cease Section 22.
5. Enforcement of requirements Section 24.

STATUTORY OFFICER

INSPECTOR - WAITAKERE DISTRICT LICENSING AGENCY

(A statutory appointment made under Section 103 of the Sale of Liquor Act 1989 by the Waitakere City Council in its capacity as the Waitakere District Licensing Agency)

The holder of this warrant is authorised pursuant to Section 103 of the Sale of Liquor Act 1989 to carry out all or any of the functions and powers of an Inspector under this Act, within Waitakere City.

Statutory Powers

These are prescribed by the Sale of Liquor Act 1989 and include the authority:

1. To appear and be heard at any proceedings Section 108.
2. To exercise the powers of inspector to enter licensed premises Section 131.
3. To give notice in respect of non-complying building or site work Section 131A.
4. To apply to the Waitakere District Licensing Authority for a variation, suspension or cancellation of a licence Section 132.
5. To apply to the Waitakere District Licensing Authority for a variation, suspension or cancellation of a special licence Section 133.
6. To apply for suspension or cancellation of a manager's certificate Section 135.
7. To apply for a cancellation of a licence under Section 225 of the Act. (This section relates to changes in company shareholding).

STATUTORY OFFICER

ENVIRONMENTAL HEALTH OFFICER

(A statutory position under Section 28 of the Health Act 1956)

The holder of this warrant is authorised pursuant to Section 28 of the Health Act 1956 to carry out all or any of the functions and powers of an Environmental Health Officer under this Act, and all Regulations made thereunder, within Waitakere City.

Statutory Powers and Delegations

These include:

1. To assist the Council in the proper discharge of its duties under the Health Act 1956 Section 23.
2. Power to abate a nuisance without notice Section 34 Health Act 1956.
3. To exercise the powers of Environmental Health Officer under:
 - (i) Camping-Ground Regulations 1985.
 - (ii) Food Act 1981 Section 13.
 - (iii) Food Hygiene Regulations 1974.
 - (iv) Health (Burial) Regulations 1946.
 - (v) Health (Hairdressers) Regulations 1980.
 - (vi) Health (Infections and Notifiable Diseases) Regulations 1966 (Regulation 7).
 - (vii) Water Supplies Protection Regulations 1961.
- Note:** Section 2(4) of the Health Amendment Act 1988 provides for any reference to Inspector in the above Regulations to be read as reference to an Environmental Health Officer. Also, in some Regulations, the definition of Engineer includes an Environmental Health Officer.
4. Authority to carry out inspections under Section 76 of the Building Act 1991 and to enter any premises for the purpose of determining whether a building is dangerous or insanitary (Section 64 Building Act 1991) or is earthquake prone (Section 66 Building Act 1991).
5. Ordering the clearance of a watercourse or drainage channel under Section 511 of the Local Government Act 1974 (saved by Schedule 18 Local Government Act 2002).
6. Issuing and declining Certificates of Registration and issuing notices under Regulation 9 of the Health (Registration of Premises) Regulations 1966.
7. Granting Certificates of Exemption pursuant to Regulation 6 of the Food Hygiene Regulations 1974, Regulation 4(2) of the Health (Hairdressers) Regulations 1980, and Regulation 14 of the Camping-ground Regulations 1985.
8. Registration of Funeral Directors and premises under the Health (Burial) Regulations 1946.
9. Exercising the powers of the Council under Section 81 of the Health Act 1956 relating to cleansing and disinfection.
10. Issuing cleansing orders under Section 41 of the Health Act 1956.
11. Exercising the powers and functions of the Council under the Housing Improvement Regulations 1947 that are not required by the Regulations to be exercised by the Council by resolution or by Special Order (Regulation 22).
12. Issuing repair notices under Section 42 of the Health Act 1956.
13. Assessing under Section 54(2) of the Health Act 1956 whether objections should be made against the establishment of offensive trades.
14. Delegated powers under the Building Act 1991 as approved by the Director: City Services from time to time.

15. Administering and enforcing the Council's bylaws made pursuant to the provisions of the Health Act 1956 Section 64.
 16. Power to enter, inspect, and to take action to prevent the spread of infectious disease Section 70 of the Health Act 1956.
 17. Authority to cause infected articles to be destroyed Section 83 of the Health Act 1956.
 18. Exercising the power of the Council to enter and inspect premises (Section 128 of the Health Act 1956).
- Note:**
- 1) Entry to premises under the Food Act 1981 is limited to warranted Environmental Health Officers (Section 13).
 - 2) Environmental Health Officers are required to be qualified under the Environmental Officers Qualifications Regulations 1993.

STATUTORY OFFICER

INSPECTOR - FOOD

(A statutory appointment made under Section 7 of the Food Act 1981)

The holder of this warrant is authorised pursuant to Section 7 of the Food Act 1981 to carry out all or any of the functions and powers of an Inspector under this Act within Waitakere City.

Statutory Powers

These are prescribed by the Food Act 1981 and include:

1. Power to enter and inspect, seize and detain Section 13.
2. Order article seized to be detained on premises or vehicle from which it was seized, or removed and detained at another place Section 14.
3. Seizure and destruction of decayed or putrefied food Section 15.
4. Require name and address of the person from whom the food was obtained Section 18.

STATUTORY OFFICERS

ENFORCEMENT OFFICER

(A statutory appointment made under Section 11 of the Fencing of Swimming Pools Act 1987)

The holder of this warrant is delegated pursuant to Section 11 of the Fencing of Swimming Pools Act 1987 the following statutory function within Waitakere City.

Statutory Powers

Authority to enter land for inspection (Section 11).

ENFORCEMENT OFFICER

(A statutory appointment made under Section 38 of the Resource Management Act 1991).

The holder of this warrant is delegated pursuant to Section 38 of the Resource Management Act 1991 all of the functions and powers as an Enforcement Officer under the provisions of that Act, within Waitakere City.

ENFORCEMENT OFFICER

(A statutory appointment made under Section 77 of the Building Act 1991).

The holder of this warrant is delegated pursuant to Section 77 of the Building Act 1991 all of the functions and powers as an Enforcement Officer under the provisions of that Act, within Waitakere City.

Statutory Powers

These are prescribed by the Building Act 1991 and include:

1. Authority to issue notices to rectify Section 42.
2. Authority to issue Compliance Schedules Section 44.
3. Authority to enter any property for inspection Section 76.
4. The authority to serve documents Section 87.

STATUTORY OFFICER

PARKING WARDEN

(A statutory appointment made under Section 7 of the Transport Act 1962).

The holder of this warrant is authorised pursuant to Section 7 of the Transport Act 1962 to carry out all or any of the functions and powers of a Parking Warden under this Act, within Waitakere City.

Statutory Powers

These are prescribed by the Transport Act 1962 and Regulations and include:

1. Power to issue infringement notices Section 42A.
2. Power under Section 68BA, and to enforce the provisions specified in Schedule 2A of the Act.

FINANCIAL CONTRACT DELEGATIONS

1. To enable the respective officers of the Council to fulfil their duties in an efficient and timely manner, and notwithstanding anything else in regard to delegations in general, the Council, pursuant to Schedule 7 clause 32 of the Local Government Act 2002, hereby delegates to the officers listed below its powers to enter into contracts including variations up to the limitation of the amounts specified in Schedule A below. The original contract sum plus any variation can not exceed this limitation. Officers named in Schedule B below are delegated those powers in respect of variances only to the limitation amounts specified.
2. The delegations to the Council officers are all subject to the proviso that financial provision has been made in the Council's approved budget.
3. Where any contract has been entered into by an officer of the Council pursuant to these delegations, a report on contracts so entered, shall be made to the next meeting of the Council's Finance and Operational Performance Committee (or, if that is not practical, to the next successive meeting) by way of a schedule of payments made as a result of such a contract.
4. Where any contract exceeds \$100,000 (net of GST) and is let to other than the lowest tenderer, that matter shall be reported to the next ordinary meeting of the Council's Tenders Subcommittee and the report shall advise the reasons why the lowest tenderer was not preferred.
5. Pursuant to the provisions of Schedule 7 clause 32 of the Local Government Act 2002, the officers listed in the schedule may, from time to time, by writing under their hand, either partially or fully, delegate to any officer of the Council, any of the financial and contractual delegations listed therein. The officer to whom sub-delegation is made may NOT further sub-delegate.
6. This delegation allows officers named within Schedule A the authority to certify requisitions with the value of the delegations set.
7. Pursuant to Schedule 7 clause 32 of the Local Government Act 2002, the Chief Executive and the Director: Finance are individually authorised to add to or remove personnel from this list of contractual delegations or to vary the amounts from time to time. Details of those positions and appropriate delegations are as follows.
8. The normal purchasing procedures must be followed.
9. The Purchasing Officer is authorised to sign orders entering into contracts in accordance with the delegated authority of the officer authorising the requisition.
10. Where the person is formally appointed to an acting position, that person assumes the contract delegation for that position.

SCHEDULE A

UNIT	TITLE	AMOUNT NET OF GST \$
EXECUTIVE	CHIEF EXECUTIVE	250,000
CITY SERVICES	DIRECTOR: CITY SERVICES (Note: See Delegation No.158 to the Director: City Services where there is a further delegation to enter into specific contracts up to a value of \$500,000)	150,000

UNIT	TITLE	AMOUNT NET OF GST \$
CORPORATE & CIVIC SERVICES	DIRECTOR: CORPORATE & CIVIC SERVICES	150,000
STRATEGIC GROUP	DIRECTOR: STRATEGY & DEVELOPMENT	150,000
FINANCE	DIRECTOR: FINANCE	150,000
CITY SERVICES	GROUP MANAGER: ASSET MANAGEMENT	100,000
CITY SERVICES	GROUP MANAGER: PROJECT SERVICES	100,000
EXECUTIVE	DIRECTOR: QUALITY ASSURANCE	50,000
PUBLIC AFFAIRS	DIRECTOR: PUBLIC AFFAIRS	50,000
CITY SERVICES	GROUP MANAGER: REGULATORY	50,000
CITY SERVICES	GROUP MANAGER: PLANNING & COMMUNITY SERVICES	50,000
CITY SERVICES	GROUP MANAGER: SERVICE MANAGEMENT	50,000
CITY SERVICES	MANAGER: FIELD SERVICES	50,000
CORPORATE & CIVIC SERVICES	INFORMATION MANAGEMENT MANAGER	50,000
CORPORATE & CIVIC SERVICES	GROUP MANAGER: DEMOCRACY & SUPPORT SERVICES	50,000
CORPORATE & CIVIC SERVICES	ELECTORAL OFFICER	50,000
CORPORATE & CIVIC SERVICES	MANAGER: EMERGENCY MANAGEMENT	50,000
CORPORATE & CIVIC SERVICES	MANAGER: LEGAL SERVICES	50,000
CITY SERVICES	ASSETS & NETWORK MANAGER	50,000
FINANCE	GROUP MANAGER: RATES	60,000
FINANCE	GROUP MANAGER: FINANCIAL MANAGEMENT	50,000
FINANCE	GROUP MANAGER: FINANCIAL OPERATIONS	50,000
FINANCE	REVENUE SERVICES MANAGER	50,000
FINANCE	CHIEF MANAGEMENT ACCOUNTANT	50,000
CITY SERVICES	SERVICE MANAGER: PARKS	20,000
CITY SERVICES	SERVICE MANAGER: PARKS	20,000
CITY SERVICES	MANAGER SOLID WASTE	20,000

UNIT	TITLE	AMOUNT NET OF GST \$
CITY SERVICES	ASSET PLANNING MANAGER	15,000
CITY SERVICES	SERVICE MANAGER: LANDSCAPE DEVELOPMENT	20,000
CITY SERVICES	SERVICE MANAGER: LEISURE	20,000
CITY SERVICES	SERVICE MANAGER: TRANSPORT ASSETS	20,000
CORPORATE & CIVIC SERVICES	HUMAN RESOURCES MANAGER	20,000
CORPORATE & CIVIC SERVICES	PRINCIPAL RURAL FIRE OFFICER	20,000
CORPORATE & CIVIC SERVICES	WAITAKERE LIBRARIES AND INFORMATION SERVICES MANAGER	20,000
STRATEGY AND DEVELOPMENT	MANAGER STRATEGIC PARTNERSHIP AND ADVOCACY	20,000
STRATEGY AND DEVELOPMENT	GROUP MANAGER STRATEGIC POLICY AND PLANNING	20,000
STRATEGY AND DEVELOPMENT	MANAGER URBAN DEVELOPMENT AND DESIGN	20,000
STRATEGY AND DEVELOPMENT	TRANSPORT STRATEGY MANAGER	20,000
STRATEGY AND DEVELOPMENT	GROUP MANAGER CITY DEVELOPMENT PROJECTS	20,000
CITY SERVICES	AQUATIC AND RECREATION CENTRE MANAGER	5,000
CITY SERVICES	MANAGER: ANIMAL WELFARE	5,000
CITY SERVICES	MANAGER: TESTING STATION	5,000
CITY SERVICES	MANAGER: WAIKUMETE CEMETERY AND CREMATORIUM	5,000
CITY SERVICES	MANAGER: RESOURCE CONSENTS	10,000
CITY SERVICES	MANAGER: OPERATIONS SUPPORT	5,000
CITY SERVICES	MANAGER: CUSTOMER SERVICES	10,000
CORPORATE & CIVIC SERVICES	INSURANCE AND LEGAL OFFICER	10,000
CITY SERVICES	BUSINESS MANAGER	5,000

UNIT	TITLE	AMOUNT NET OF GST \$
CORPORATE & CIVIC SERVICES	MANAGER: UNIT CO-ORDINATION & SUPPORT	5,000
CORPORATE & CIVIC SERVICES	TEAM LEADER DEMOCRACY & GOVERNANCE	5,000
CORPORATE & CIVIC SERVICES	TEAM LEADER SUPPORT SERVICES	5,000
CORPORATE & CIVIC SERVICES	SECURITY MANAGER	5,000
CITY SERVICES	MANAGER ADMIN & UNIT SUPPORT	5,000
STRATEGY AND DEVELOPMENT	ADMINISTRATION TEAM LEADER	5,000
FINANCE	CORPORATE PLANNER	5,000
CORPORATE & CIVIC SERVICES	MANAGER MAORI ISSUES	5,000
CITY SERVICES	INDEPENDENT QUALITY CONTROL MANAGER	10,000
CITY SERVICES	DEVELOPMENT ACCOUNT MANAGER	5,000
CITY SERVICES	SUSTAINABLE ENGINEERING MANAGER	5,000
CITY SERVICES	MANAGER CONTRACTS MANAGEMENT	15,000
CITY SERVICES	ROADING PROJECTS MANAGER	15,000
CITY SERVICES	WATER PROJECTS MANAGER	10,000
CITY SERVICES	WATER PROJECTS MANAGER	10,000
CITY SERVICES	PROPERTY ASSETS MANAGER	10,000
CITY SERVICES	SPECIAL PROJECTS MANAGER	10,000

SCHEDULE B

UNIT	TITLE	AMOUNT NET OF GST \$
CITY SERVICES	DESIGN ENGINEER - AFTERCARE/SPECIAL PROJECTS	5,000
CITY SERVICES	PARKS ASSETS	5,000
CITY SERVICES	PARKS ENGINEER	5,000
CITY SERVICES	PARKS PLANNER	5,000

UNIT	TITLE	AMOUNT NET OF GST \$
CITY SERVICES	PARKS PROJECT MANAGER - DEVELOPMENT	5,000
CITY SERVICES	PARKS PROJECTS MANAGER - ENVIRONMENT	5,000
CITY SERVICES	PARKS SPORTS	5,000
CITY SERVICES	RESERVES MANAGEMENT PLANNER - PARKS	5,000
CITY SERVICES	SPECIAL PROJECTS ENGINEER / CONTRACT ENGINEERS	5,000
CITY SERVICES	TRANSPORTATION ENGINEER/ASSET MANAGEMENT	5,000

APPENDIX A

DELEGATIONS TO OFFICERS UNDER SECTION 34A OF THE RESOURCE MANAGEMENT ACT 1991 (RMA)

<p>DELEGATIONS</p> <p>The following delegations have been made through the Chief Executive as required by Section 34A(3) of the RMA and Schedule 7 clause 32 of the Local Government Act 2002, and</p> <p>The Council's entire functions, powers, duties or discretions under the particular sections and clauses listed and described below are delegated to the officer named where identified by a tick.</p> <p>Note: 1. Officers may NOT sub-delegate - see Section 35A RMA (alternatively, in respect of any applications or procedures commenced before 1 August 2003 the repealed Section 34(4)(d) of the RMA, in terms of Section 112 of the RMA Amendment Act 2003); 2. Refer also to delegations to particular officers.</p>	<p>KEY</p> <p>GMR - Group Manager: Regulatory</p> <p>MRC - Manager: Resource Consents</p> <p>GMPC - Group Manager: Planning & Community Services</p> <p>PP - Principal Planner</p> <p>RMTL - Team Leader Resource Consents / Resource Planner band 10 or above.</p> <p>RP/SP - Resource Planner / Service Planner / Planner Counter Services</p> <p>RPS - Resource Planner: Subdivisions</p> <p>RMEM - Resource Management Environmental Monitoring Officer</p> <p>MFS - Manager: Field Services</p> <p>M/S Multi Skilled Customer Services Representative</p>
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Delegations to Officers

Section of RMA	Brief Description	MRC/ MGMR	GMPC	PP	TLRC	RP/SP	RPS	RMEM	MFS	M/S
S.10(A) & (B)	Refuse / grant existing use rights.	✓	✓	✓	✓					
S.34 & 34A	Appointment of Commissioners to process and/or make the decision on an application for resource consent and for making a recommendation on a requirement for a designation.	✓	✓							
S.35	Duty to gather information and monitor.	✓	✓	✓	✓	✓	✓	✓		
S.36	a) Authority to increase base fee payable for processing a resource consent or plan change where application is complex. b) Authority to charge the actual and reasonable cost including the remission of a charge in whole or part. c) Authority not to perform an action until charge paid. d) Authority to charge additional fees in relation to monitoring functions.	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓			
S.37 & 37A	Authority to extend time limits or to waive failure to comply. Notification of affected persons.	✓	✓	✓	✓	✓	✓			
S.42	Authority to decline or make an order in relation to protection of sensitive information.	✓	✓	✓	✓					
S88	Determine if application is adequate	✓	✓	✓	✓	✓	✓			✓
S.91	Deferment pending additional consents.	✓	✓	✓	✓	✓	✓			
S.92	Further information or report required and postponement of processing.	✓	✓	✓	✓	✓	✓			✓
S.93	a) Notification of Applications. b) Scope of notification.	✓ ✓	✓ ✓	✓ ✓	✓ ✓	✓ ✓	✓ ✓			
S.93(2)	Preparation of notice	✓	✓	✓	✓	✓	✓			
S.94(1)	Determination who is adversely affected.	✓	✓	✓	✓	✓	✓			

Delegations to Officers



APPENDIX A

Section of RMA	Brief Description	MRC/MGM R	GMPC	PP	RMTL	RP/SP	RPS	RMEM	MFS	MS
94(2) & S94 to 94D	<p>a) Non-notification of applications.</p> <p>b) Non notification of applications OTHER than applications that involve:</p> <p>i) residential development on sites <350m2 and residential development that is a discretionary or non complying activity;</p> <p>ii) any alterations to items listed in the heritage appendix of the Proposed District Plan;</p> <p>iii) any application for a discretionary or non complying activity under the sensitive ridge rule of the relevant human environment of the Proposed District Plan and on any natural element identified in the Proposed District Plan;</p> <p>iv) any development including earthworks and vegetation removal within any Protected Natural Area;</p> <p>v) medium density housing developments;</p> <p>vi) parking shortfalls greater than required by the Waitakere City Parking and Driveway Guideline;</p> <p>vii) any application for a discretionary or non complying activity for earthworks or vegetation removal within any Natural Area;</p> <p>viii) applications for discretionary/non complying activities for non residential activities outside the Community, Community Periphery, Working and Special Areas Environments;</p> <p>ix) any application for development not meeting the height rule of the relevant human environment.</p>	✓	✓	✓	✓	✓	✓			

Delegations to Officers



APPENDIX A

Section of RMA	Brief Description	MRC/MGM R	GMPC	PP	RMTL	RP/SP	RPS	RMEM	MFS
S.94C	Notification where special circumstances exist (land use and subdivision consents).	✓	✓	✓	✓				
S.95	Notification of application/further information.	✓	✓	✓	✓				
S.98	Advice of submissions to applicant.	✓	✓	✓	✓	✓	✓		
S.99	Approval of pre-hearing meetings and circulation of report.	✓	✓	✓	✓	✓	✓		
S.100(a)	Determination that a hearing is necessary.	✓	✓	✓	✓				
S.101	Fixing and notification of commencement date, time and place of hearing.	✓	✓	✓	✓	✓	✓		
S.102(1) & (3)	Joint hearing and decision not appropriate.	✓	✓	✓	✓				
S.103(1)(a)	Combined hearing not necessary.	✓	✓	✓	✓				
S.105(6)	Transfer of application or part to another authority.	✓	✓	✓	✓				
S.104, 105, 108, 108A	<p>a) Consideration and granting consent of non-notified applications for land use consent OTHER that applications that involve:</p> <p>i) residential development on sites <350m2 and residential development that is discretionary or non complying activity;</p> <p>ii) any alterations to items listed in the heritage appendix of the Proposed District Plan;</p> <p>iii) any application for a discretionary or non complying activity under the sensitive ridge rule of the relevant human environment of the Proposed District Plan and on any natural element identified in the Proposed District Plan;</p> <p>iv) any development including earthworks and vegetation removal within any Protected Natural Area;</p> <p>v) medium density housing developments;</p>					✓	✓		

Delegations to Officers

APPENDIX A

Section of RMA	Brief Description	MRC/MGM R	GMPC	PP	RMTL	RP/SP	RPS	RMEM	MFS
	<ul style="list-style-type: none"> vi) parking shortfalls greater than required by the Waitakere City Parking and Driveway Guideline; vii) any application for a discretionary or non-complying activity for earthworks or vegetation removal within any Natural Area; viii) applications for discretionary/non-complying activities for non-residential activities outside the Community, Community Periphery, Working and Special Areas Environments; ix) any application for development not meeting the height rule of the relevant human environment. 								
	b) Consideration and the granting and refusal of all non-notified applications for land use consent.	✓	✓	✓	✓				
	c) Granting of consent for notified applications for which no submissions against the proposal have been received and a positive recommendation is given by the processing planner.	✓	✓	✓	✓				
S.104, 105, 106, S.108, 108A, 220	<ul style="list-style-type: none"> a) Consideration and granting consent to non-notified applications for Subdivision Consent. b) Consideration and granting consent and approval to above. 					✓	✓		
S.109	Bonding option to take a bond.	✓	✓	✓	✓				
S.110	Refund of money paid as a financial contribution wholly or partially.	✓	✓	✓	✓				
S.114	Notification of decisions. Also a role of the Committee Secretary	✓	✓	✓	✓	✓	✓		
S.120	Lodgement of an appeal to the Environment Court.	✓	✓						
S.123	Set period of consent.	✓	✓	✓	✓				
S.124(b)	Continuation of expired resource consents.	✓	✓	✓	✓				
S.125	Lapsing of consent and extension of consent period.	✓	✓	✓	✓				
S.126	Cancellation of consent, extension of time limits.	✓	✓	✓	✓				
S.127(1) & (2)	Change or cancellation of condition of consents within time specified in consent PROVIDED the officer had or would have had the power to determine the original application under Sections 94, 104, 105, 220.	✓	✓	✓	✓				

Delegations to Officers



APPENDIX A

Section of RMA	Brief Description	MRC/MGM R	GMPC	PP	RMTL	RP/SP	RPS	RMEM	MFS
S.127(3) & (4)	Non-notification of application for variation or cancellation of conditions PROVIDED the officer had or would have had the power to determine the original application under Sections 94, 104, 105, 220.	✓	✓	✓	✓				
S.128	Review and variation of consent conditions.	✓	✓	✓	✓				
S.129	Notice of review.	✓	✓	✓	✓				
S.132	Decision on review of consent conditions.	✓	✓	✓	✓				
S.139	Certificates of compliance.	✓	✓	✓	✓				
S.143	Council's obligations where Minister's direction received.	✓	✓						
S.168(5)	Notification of withdrawal of requirements for designation.	✓	✓						
S.168A	Notification of requirement by territorial authority.	✓	✓	✓	✓				
S.169	a) Further information and public notification of requirements for designations. b) Scope of notification.	✓ ✓	✓ ✓	✓ ✓	✓ ✓	✓	✓		
S.173	Notification of decision of requiring authority.	✓	✓	✓	✓				
S.176, 177, 178	Consent to work on designated land.	✓	✓						
S.176(4)	Outline plan approves.	✓	✓	✓	✓				
S.182(2)	Amendment of plan on removal of designations.	✓	✓	✓	✓				
S.182(5)	Decline to remove part of a designation.	✓	✓	✓	✓				
S.189(5)	Notification of withdrawal of heritage order.	✓	✓	✓	✓				
S.189A	Notification of requirement by territorial authority.	✓	✓	✓	✓				
S.190	Further information and public notification of requirements for heritage orders.	✓	✓	✓	✓				
S.191	Recommendation on heritage order.	✓	✓						
S.192(6)	Notification of decision by heritage protection authority. Also a role of the Committee Secretary.	✓	✓	✓	✓	✓	✓		
S.220	Conditions of subdivision consent.	✓	✓	✓	✓	✓	✓		
S.221(2)	Authentication of consent notices as Chief Executive.	✓	✓	✓	✓	✓	✓		
S.222	Completion certificates.	✓	✓	✓	✓	✓	✓		
S.223, 237, 245	Approval of survey plans.	✓	✓	✓	✓	✓	✓		
S.224(c) S.224(f)	Authentication of certificates as Chief Executive.	✓	✓	✓	✓	✓	✓		
S.226	Certification on survey plans.	✓	✓	✓	✓	✓	✓		

Delegations to Officers



APPENDIX A

Section of RMA	Brief Description	MRC/MGM R	GMPC	PP	RMTL	RP/SP	RPS	RMEM	MFS
S.235	Agreement to access strips.	✓	✓						
S.237(H)	Valuation.	✓	✓						
S.237(3)	Access strips.	✓	✓						
S.239(2)	Certification of specified interests in reserves to be vested.	✓	✓	✓	✓	✓	✓		
S.240	Covenant against transfer allotment.	✓	✓	✓	✓	✓	✓		
S.241(3)	Cancellation of condition.	✓	✓	✓	✓	✓	✓		
S.243(e)	Revocation of condition.	✓	✓	✓	✓				
S.274	Representation at proceedings.	✓	✓	✓	✓	✓			✓
S.316	Application for enforcement order.	✓						✓	✓
S.320	Application for an interim enforcement order.	✓						✓	✓
S.322	Service of abatement notices.	✓						✓	✓
S.325	Appeals	✓							✓
S.325A	Cancellation of Abatement Notice where notice has been complied with.	✓							✓
S406	May refuse to grant subdivision	✓	✓	✓	✓	✓	✓		
S.330	Preventative or remedial action in an emergency.	✓	✓	✓	✓				✓
S.343(c)	Infringement notices.	✓	✓	✓	✓	✓	✓	✓	✓
S.357	Objections.	✓	✓	✓	✓				
S.402	Existing subdivision approvals.	✓	✓	✓	✓	✓	✓		
S.407	Conditions relating to subdivision contributions.	✓	✓	✓	✓	✓	✓		
S.409	Financial contributions for Developments.	✓	✓	✓	✓	✓	✓		
	Authority to take appropriate action to control the display of signs in a public place.								✓
	The power to approve or decline the temporary erection of hoardings and signs for election campaigns and public meetings.								✓

Delegations to Officers



APPENDIX A

Clause of RMA	Brief Description	MRC/MGM R	GMPC	PP	RMTL	RP/SP
1st Schedule						
Cl.5	Public notification of proposed plan, etc.	✓	✓			
Cl.7	Notification of public submissions.	✓	✓			
Cl.16	Amendment of proposed plan. Note: Clause 16(2) can only be used to update information where the amendment would not affect, either prejudicially or beneficially, the rights of some member of the public (Decision W177/96)	✓	✓			
Cl.16A	Processing of variations.	✓	✓			
Cl.20	Notification of operative date.	✓	✓			
Cl.23	Further additional information (including reports).	✓	✓			
Cl.24	Modification of request for plan change.	✓	✓			
Cl.25	Dealing with request of plan change as if application for resource consent.	✓	✓			
Cl.25(2)(a)(i)	Notification of plan change request.	✓	✓			
Cl.25(2)(b)	Notification of plan change request.	✓	✓			
Cl.25(5)	Notification of plan change request.	✓	✓			
Cl.26	Preparation and notification of plan change request.	✓	✓			
Cl.28(2)	Notice of withdrawal of request.	✓	✓			

Delegations to Officers

APPENDIX A

Item	MISCELLANEOUS DELEGATIONS: PLANNING	MRC	GMPC	PP	RMTL	RP/SP	RPS	RMEM	MFS
1	For the purposes of Section 252 and 461 of the Local Government Act 1974 as the Principal Administrative Officer in respect of authentication of documents and certificates.	✓	✓	✓	✓		✓		
2	Authority to exercise the powers, duties and discretions of the Council in respect of private roads and private ways and rights-of-way under Section 348 of the Local Government Act 1974.	✓	✓	✓	✓	✓			✓
3	Authority to approve of access to any allotment on foot only, or to determine that Section 321(1) shall not apply to an allotment in accordance with the criteria set out in Section 321 of the Local Government Act 1974. Also, for the purposes of Section 252 of that Act, to act as Principal Administrative Officer for the purposes of certifying copies of decisions made under this section.	✓	✓	✓	✓	✓			
4	For the purposes of Section 5(1)(g) of the Units Titles Act 1972, to act as Principal Officer in respect of certificates for building and development work.	✓	✓	✓	✓	✓			
5	Authority, under Sections 108 and 222, Resource Management Act 1991, to require a cash bond not exceeding \$50,000 to be lodged with the Council.	✓	✓	✓	✓	✓	✓		
6	Authority to determine the exceptional circumstances under which a performance bond other than a cash bond will be accepted for sub-divisional works PROVIDED the amount of the bond is \$50,000 or less.	✓	✓	✓	✓	✓	✓		
7	Authority to determine the conditions applicable to permitted activities in accordance with criteria specified in the District Plan.	✓	✓	✓	✓	✓			
8	Authority to approve temporary uses included as part of the District Plan and to fix conditions in accordance with criteria specified on the District Plan.	✓	✓	✓	✓	✓			
9	To decide whether or not matters which are left to the discretion of the Council or stated to be to the satisfaction of the Council in any Bylaw relating to resource management matters or in any condition attached to a resource consent, are being satisfactorily performed or have been provided for or have been carried out.	✓	✓	✓	✓	✓		✓	
10	Approval to appoint independent Planning Commissioners for Planning Hearings.	✓	✓						
11	Functions and powers of the Council, and the issue of any certificate or the grant of any approval, permission, or authority in relation to any application for a sub-divisional consent pursuant to Part XXI of the Local Government Act 1974.	✓	✓	✓	✓		✓		

Delegations to Officers



APPENDIX B

DELEGATIONS TO OFFICERS UNDER SECTION 78 OF THE BUILDING ACT 1991

DELEGATIONS	KEY
<p>The Council's entire functions, powers, duties and discretions under the particular sections and clauses listed and described below have been delegated to the officers named where identified by a tick.</p> <p>Officers may sub-delegate in writing.</p> <p>A copy of any sub-delegation MUST be sent to the Group Manager: Democracy and Support Services for inclusion in the legally required delegations register.</p> <p>Note: Refer also to delegations to particular officers.</p>	<p>MCS - Manager: Consent Services</p> <p>MCB - Team Manager: Building Consents</p> <p>TLBI - Team Leader: Building Inspections</p> <p>TLPD - Team Leader: Plumbing and Drainage</p> <p>MOS - Manager: Operations Support</p> <p>BS - Building Surveyor</p> <p>MFS - Manager: Field Services</p> <p>RPS - Resource Planner: Subdivisions</p>

Section of Building Act	Brief Description	MCS	MCB	TLBI	TLPD	MOS	BS	MFS	RPS
S.26	Duty to gather information and monitor.	✓				✓			
S.27	Records	✓				✓			
S.28	Additional/reduced charges, deferral of work until charge paid	✓	✓						
S.30, 31	Project Information Memoranda	✓	✓						
S.33	Acceptance of producer statements	✓	✓	✓	✓				
S.34	Processing and granting/refusing building consents (but <u>not</u> waivers or modifications of building code).	✓	✓						
S.34 A	Referral of applications to Authority.	✓							
S.36	Building on suspect land.	✓							
S.37	Tying allotments together. Removal of requirements. Acting as Principal Administrative Officer (Section 252, Local Government Act 1974 saved by Schedule 18 Local Government Act 2002).	✓	✓			✓			✓
S.38	Compliance of alterations to buildings.	✓	✓						
S.39	Buildings having specified intended lives.	✓	✓						
S.41	Lapse and cancellation of building consent.	✓	✓			✓			
S.42	Notices to rectify.	✓		✓	✓			✓	
S.43	Code compliance certificate.	✓		✓	✓				
S.44	Compliance schedules.	✓	✓					✓	
S.45	Annual building warrant of fitness.	✓					✓	✓	

Delegations to Officers



APPENDIX B

Section of Building Act	Brief Description	MCS	MCB	TLBI	TLPD	MOS	BS	MFS	RPS
S.46	Change of use of buildings, Section 224(f) Resource Management Act Certificates Acting as Principal Administrative Officer (Section 252, Local Government Act 1974 saved by Schedule 18 Local Government Act 2002).	✓	✓	✓					
S.57(4)	Amendment of building consents.	✓	✓						
S.64	Advice on buildings which are dangerous, etc.	✓		✓				✓	
S.65	Powers in respect of dangerous or insanitary buildings.	✓		✓				✓	
S.66	Earthquake-prone buildings.	✓		✓				✓	
S.74	Entry on to land to do work, etc.	✓		✓			✓	✓	
S.75	Recovery of costs.	✓				✓		✓	
S.76	Entry and inspection of land.	✓	✓	✓	✓		✓	✓	
S.79	Supply of information to Authority.	✓	✓					✓	
Third Sch. Cl(m)	Exempt buildings and building works.	✓	✓						

Delegations to Officers



APPENDIX C

DELEGATIONS TO OFFICERS - ROADING AND TRAFFIC

DELEGATIONS	KEY
<p>The following delegations have been made through the Chief Executive as permitted by Schedule 7 clause 32 of the Local Government Act 2002.</p> <p>The Council's entire functions, powers, duties or discretions under the particular sections and clauses listed and described below are delegated to the officer named where identified by a tick.</p> <p>Officers may sub-delegate in writing.</p> <p>A copy of any sub-delegation MUST be sent to the Group Manager: Democracy and Support Services for inclusion in the legally required delegations register.</p>	<p>SMP - Service Manager - Parks</p> <p>SMT - Service Manager - Transport Assets</p> <p>TE - Transportation Engineer</p> <p>MFS - Manager Field Services</p>

	Brief Description	SMP	SMT	TE	MFS
Roading and Traffic	Removal of trees from street verges and road reserves where such trees are dead, dying, dangerous or causing obstruction to services SUBJECT to the provisions of the Waitakere City District Plan.	✓			✓
	Authority to approve temporary prohibition of traffic under the provisions of Clauses 11 and 12 of the Tenth Schedule of the Local Government Act 1974 9 saved by Schedule 18 Local Government Act 2002).		✓		✓
	Authority to grant use of Council carparks for purposes additional to usual parking requirements, where such uses are intermittent and are not primarily for commercial gain.		✓	✓	
	Authority to list trees suitable for planting on street verges by citizens, and approval of the siting of each tree, (Section 334(1)(b) of the Local Government Act 1974 saved by Schedule 18 Local Government Act 2002).	✓			
	Authority to approve statutory requests from Network Utility Operators to carry out work in roads.				✓
	Direct liaison with New Zealand Police regard the removal of obstructions in roads (Section 22 of the Summary Offences Act 1981).		✓	✓	
	Issuing of permits to exceed weight limits in accordance with the Heavy Motor Vehicle Regulations 1974.		✓	✓	
	Authority to approve fences, memorials, special signs and other legal structures on roads.		✓		
	Power to carry out or authorise any relevant actions or procedures regarding street parades or processions.		✓	✓	✓
	Power to authorise <u>temporary</u> NO STOPPING measures.		✓	✓	✓

Delegations to Officers



APPENDIX C

	Brief Description	SMP	SMT	TE	MFS
	Authority to exercise the provisions of Section 335(l) of the Local Government Act 1974(saved by Schedule 18 Local Government Act 2002), whereby the occupier or owner of the land (where a vehicle crossing is required but has not been constructed) is required to pay for the cost of construction undertaken by the Council.				✓
	Authority to appoint Parking Wardens (a statutory appointment under Section 7 of Transport Act 1962).				✓
	Authority to exercise the powers of the Principal Administrative Officer for the purpose of issuing notices under Section 355 or Section 468 of the Local Government Act 1974 (trimming trees, etc.)(saved by Schedule 18 Local Government Act 2002) PROVIDED that a Resource Consent shall be obtained for work on any tree scheduled or generally protected by the Waitakere City District Plan.	✓	✓		✓

Delegations to Officers



APPENDIX D

DELEGATIONS TO OFFICERS - PARKS AND RESERVES

DELEGATIONS	KEY
<p>The Council's entire functions, powers, duties and discretions under the particular sections and clauses listed and described below have been delegated to the officers named where identified by a tick.</p> <p>Officers may sub-delegate in writing.</p> <p>A copy of any sub-delegation MUST be sent to the Group Manager: Democracy and Support Services for inclusion in the legally required delegations register.</p> <p>Note: Refer also to delegations to particular officers.</p>	<p>LP - Landscape Planner</p> <p>PM - Parks Manager</p> <p>PP - Parks Planner</p> <p>PE - Parks Engineer</p> <p>PMD - Parks Project Manager Dev</p> <p>PME - Parks Project Manager Env</p> <p>PA - Parks Assets</p> <p>PS - Parks Sports</p>

	Brief Description	LP	PM	PP	PE	PMD	PME	PA	PS
Parks and Reserves	For the purposes of Bylaw 4 1990; NZS 9201, Chapter 17 (Parks and Reserves) the Director of City Services shall be deemed to be the authorised officer named therein and may sub-delegate in writing any of the powers and duties specified therein to any Council employee under his or her control and direction.								
	Power to authorise play on Council sports grounds.		✓						✓
	Power to authorise allocation of sports and recreation grounds, winter and summer and the closing of grounds, as circumstances shall require from time to time and the setting of relevant fees and charges.		✓						✓
	Power to authorise applications for the use of Council sports grounds and reserves, for sporting activities and fixing of charges within the limits imposed by the Reserves Act 1977.		✓						✓
	Power to authorise temporary use of any park or reserve for any recreation or entertainment and to impose any terms and conditions applicable.		✓	✓					✓
	Power to authorise commercial activities in parks and on beaches, SUBJECT to compliance with the District Plan requirements.		✓	✓					✓
	Power to authorise the letting of catering, and grazing rights on reserves.		✓	✓					✓

Delegations to Officers



APPENDIX D

Brief Description	LP	PM	PP	PE	PMD	PME	PA	PS
Power to authorise applications to take up collections on reserves and beaches.		✓	✓					✓
Power to authorise the use of reserves for flying model aeroplanes.		✓	✓					✓
Power to authorise <u>temporary</u> encroachments on to reserves and access over reserves.		✓	✓					✓
Power to approve and set terms and conditions of leases for any community or sporting facility or any voluntary organisation.		✓						
Power to authorise the playing of Christmas Carols on reserves.		✓	✓					✓
Power to authorise the granting of drainage easements over parks and reserves.		✓	✓					✓
Power to authorise <u>temporary</u> helicopter landing and take-off sites on parks and reserves, SUBJECT to other regulatory approvals.		✓	✓					✓
Power to authorise the erection of commercial sponsorship signs on sports parks.		✓						✓
Power to authorise subject to the Waitakere City District Plan and other regulatory requirements the <u>temporary</u> erection of hoardings for public meetings on any reserve or property administered by the Council.		✓	✓					✓
Power to authorise the use of pesticides and chemicals in the Council's Parks and Reserves.	✓	✓				✓		
For the purposes of Bylaw Number 9 1990 - Beaches and Waters, the Director of City Services shall be deemed to be the Chief Executive named therein and may sub-delegate in writing any of the powers and duties specified therein to any Council employee under the Director's control and direction.		✓						
Power to approve contract payments within the approved and allocated budget without reference to Service Manager.			✓	✓	✓	✓	✓	✓

Delegations to Officers



APPENDIX E

DELEGATIONS TO OFFICERS - HEALTH AND MISCELLANEOUS

DELEGATIONS	KEY
<p>The following delegations have been made through the Chief Executive as required by Schedule 7 clause 32 of the Local Government Act 2002.</p> <p>The Council's entire functions, powers, duties or discretions under the particular sections and clauses listed and described below are delegated to the officer named where identified by a tick.</p> <p>Officers may sub-delegate in writing.</p> <p>A copy of any sub-delegation MUST be sent to the Manager: Democracy and Support services for inclusion in the legally required delegations register.</p>	<p>LCCS - Licensing Clerk: Consent Services MFS - Manager: Field Services MCS - Manager: Consent Services MRC - Manager Resource Consents TLFS - Team Leader: Field Services PSTL - Parking Services Team Leader COFS - Compliance Officer: Field Services MOS - Manager: Operations Support</p>

	Brief Description	LCCS	MFS	MCS	TLFS	PSTL	COFS	MOS
Environmental Health	Authority to take appropriate action to prevent obstruction of a public place (NZS 9201 Clause 109.1).		✓	✓	✓	✓	✓	
	Authority to grant consent to the keeping of goats (NZS 9201, Clause 1309).		✓	✓	✓			
	Authority to grant consent to the keeping of poultry (NZS 9201, Clause 1311).		✓	✓	✓			
	Authority to execute and lodge statutory land charges pursuant to Section 51 of the Noxious Plants Act 1978 and Section 183 of the Local Government Act 2002.		✓	✓				✓
	Pursuant to Clause 7.4 of Bylaw 25 - Radio Frequency Radiation, the power to decide, in respect of applications made under Clause 7 and Clause 8 of that Bylaw, whether an applicant has demonstrated it can comply with the acceptable levels of public exposure to radio frequency radiation and the power to refuse or accept applications accordingly.		✓	✓				✓
	For the purposes of Bylaw 25 - Radio Frequency Radiation, authority to approve and appoint independent and qualified persons.		✓	✓				✓
	Authority to grant dispensation to the use of restricted traps, under Bylaw 10, Restriction On Use of Jaw Traps and the setting of conditions in respect of such dispensation.		✓	✓				

Delegations to Officers



APPENDIX E

	Brief Description	LCCS	MFS	MCS	TLFS	PSTL	COFS	MOS
	Authority to authorise any officer to carry out all or any of the functions of an Inspector under the Food Act 1981.		✓	✓	✓			
Health Act 1956	1. Authority to issue Cleansing Orders (Section 41 Health Act 1956). 2. Authority to carry out Disinfection of Premises (Section 81 Health Act 1956). 3. Assessing whether objection should be made against the establishment of Offensive Trades (Section 54 Health Act 1956).		✓	✓	✓			
	Exercising the powers and functions of the Council under the Housing Improvement Regulations 1947 that are not required by the Regulations to be exercised by the Council by resolution or by Special Order (Regulation 22).		✓	✓				
	Authority to authorise any officer to carry out all or any of the functions of an Environmental Health Officer under the Health act 1956.		✓	✓				✓
Fencing of Swimming Pool Act 1987	Authority to enter land for inspection (Section 11).		✓	✓	✓		✓	
	Authority to authorise any officer to carry out all or any of the functions of an Enforcement Officer under the Fencing of Swimming Pools Act 1987.		✓	✓				
Sale of Liquor Act 1989	To perform the particular duties of the Chief Executive as Secretary of the Waitakere District Licensing Agency under the Sale of Liquor Act 1989.			✓				✓

APPENDIX E

	Brief Description	LCCS	MFS	MCS	TLFS	PSTL	COFS	MOS
	<p>Pursuant to the provisions of Section 104 of the Sale of Liquor Act 1989, and subject to the sub-delegation in that behalf by the Hearings Committee, and in the capacity as Secretary of the Waitakere District Licensing Agency to have the following powers, duties, and discretions:</p> <p>(i) To consider and determine temporary authority applications under Sections 24 and 47 of the Act.</p> <p>(ii) Issuing renewals of on -, off -, and club licenses where no objections have been received.</p> <p>(iii) Issuing renewals of managers' certificates where no objections have been received.</p> <p>(iv) To consider and determine special licence applications where no objections have been received and authority to reject late applications in cases where there are no acceptable reasons for lateness, pursuant to the Council's Sale of Liquor Policy.</p> <p>(v) To consider, determine and grant such applications for any on-licences, off-licences and club licences or manager's certificate as is not required to be forwarded to the Liquor Licensing Authority for determination as provided under any section or sections of the Sale of Liquor Act.</p> <p>(vi) To set such conditions as may be appropriate and allowed for pursuant to Sections 13, 30 and 45 of the Sale of Liquor Amendment Act 1999 as they relate to on-, off-, and club licences.</p> <p>(vii) Issuing renewals of on-, off-, and club licences where variation of conditions are also proposed; but where no objections have been received.</p>			<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>				<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>

Delegations to Officers



APPENDIX E

	Brief Description	LCCS	MFS	MCS	MRC	TLFS	PSTL	COFS	MOS
Legal Proceedings	<p>Pursuant to the Acts, Regulations and bylaws listed hereunder, the Officers named are authorised to file and pursue legal proceedings in respect of any offence under or against any of the following and also the authority to initiate Injunction proceedings:</p> <ul style="list-style-type: none"> - Building Act 1991; - Dangerous Goods Act 1974; - Fencing of Swimming Pools Act 1987; - Food Act 1981 and the Food Hygiene Regulations 1974; - Health Act 1956; - Litter Act 1979; - Local Government Act 1974 and Local Government Act 2002; - Reserves Act 1977 (Section 101); - Resource Management Act 1991; - Sale of Liquor Act 1989; - Traffic Regulations 1976; - Transport Act 1962; - Waitakere City Council Building Bylaw; - any Council Bylaw administered by the City Services Directorate; 		<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ 	<ul style="list-style-type: none"> ✓ 		<ul style="list-style-type: none"> ✓ ✓ 		

Delegations to Officers



APPENDIX E

Item	Brief Description	LCCS	MFS	MCS	TLFS	COFS	MOS
	Authority to exercise the powers of Council under Section 354 of the Local Government Act 1984 (excavations).			✓			
	Authority to issue licences for Billiard Rooms (NZS 9201, Clause 1802 and 1803).	✓		✓			✓
	Authority to act as officer for the purposes of the Amusement Devices Regulations 1978.			✓	✓		
	To determine applications for mobile food stalls.	✓		✓			✓
	Authority to issue licences for one day street trading (in consultation with the appropriate community board nominee).	✓		✓			✓
	Authority to issue licences for Hawkers (NZS 9201, Clause 406).	✓		✓			✓
	Authority to issue licences for Mobile Shops (NZS 9201, Clause 406).	✓		✓			✓
	Authority to issue licences for Dangerous Goods (Sections 9 and 12, Dangerous Goods Act 1974).	✓		✓	✓		✓
	Authority to issue licences for Piggeries (NZS 9201, Clause 1302).	✓		✓			✓
	Authority to issue licences for Scheduled Processes (Clean Air Act 1972).		✓	✓	✓		
	Authority to issue Certificates of Registration for Food Premises (Regulation 4 Food Hygiene Regulations 1974).	✓		✓	✓		
	Authority to issue Certificates of Registration for Hairdressers [Regulation 3 Health (Hairdressers) Regulations 1980].	✓		✓			✓
	Authority to issue Certificates of Registration for Offensive Trades (Section 54, Health Act 1956).	✓		✓			✓
	Authority to issue Certificates of Registration for Funeral Directors [Regulation 16 Health (Burial) Regulations 1946].	✓		✓			✓
	Authority to issue Certificates of Registration for Camping-Grounds (Camping-Grounds Regulations 1985).	✓		✓			✓
	To give notice of any bylaws made by the Council under Section 147 of the Local Government Act 2002 (Power to make bylaws for liquor control purposes) arrange to display notices having the prescribed wording in the specified place, and to consult with the Police over other means of public notice.						✓

Delegations to Officers



APPENDIX F

DELEGATIONS TO OFFICERS - ANIMAL CONTROL AND WELFARE

<p>DELEGATIONS</p> <p>The following delegations have been made through the Chief Executive as required by Schedule 7 clause 32 of the Local Government Act 2002.</p> <p>The Council's entire functions, powers, duties or discretions under the particular sections and clauses listed and described below are delegated to the officer named where identified by a tick.</p> <p>Officers may sub-delegate in writing.</p> <p>A copy of any sub-delegation MUST be sent to the Group Manager: Democracy and Support Services for inclusion in the legally required delegations register.</p>	<p>KEY</p> <p>AWM - Animal Welfare Manager TLFS - Team Leader - Field Services TLCS - Team Leader - Customer Service</p>
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	Brief Description	AWM	TLFS	TLCS
Animal Control and Welfare	Appointment of the Pound Keeper (a statutory appointment under Section 8 of the Impounding Act 1955) and appointment of a deputy (a statutory appointment under Section 9 of the Impounding Act 1955).	✓	✓	
	Authority to publicly notify every appointment, or suspension, or removal from office of any poundkeeper or deputy poundkeeper, as required by Section 11 of the Impounding Act 1955.	✓	✓	
	Authority to authorise any officer to carry out all or any functions of a Ranger under the Impounding Act 1955.	✓	✓	
	Authority to appoint Dog Control Officers (a statutory position under Section 11 of the Dog Control Act 1996).	✓		
	Authority to exercise the power of the Council to maintain records and to provide information as required by Section 30 of the Dog Control Act 1996.	✓	✓	
	Authority to exercise the power of the Council to keep a register of all dogs registered with the Council as required by Section 34 of the Dog Control Act 1996.	✓		
	Authority to manage the supply of copies of the prescribed application forms etc. as required by Section 36 of the Dog Control Act 1996.	✓	✓	✓
	Authority to exercise the power of the Council to issue labels or discs and to complete registration as required by Section 46 of the Dog Control Act 1996.	✓	✓	✓
	Authority to approve the keeping of more than two dogs on a residential premises pursuant to Clause 8 of Bylaw Number 29 - The Control of Dogs and to set conditions in respect of such approval.	✓	✓	✓

Delegations to Officers



APPENDIX G

MISCELLANEOUS DELEGATIONS TO OFFICERS: CITY SERVICES DIRECTORATE

DELEGATIONS	KEY
<p>The following delegations have been made through the Chief Executive as required by Schedule 7 clause 32 of the Local Government Act 2002.</p> <p>The Council's entire functions, powers, duties or discretions under the particular sections and clauses listed and described below are delegated to the officer named where identified by a tick.</p> <p>Officers may sub-delegate in writing.</p> <p>A copy of any sub-delegation MUST be sent to the Group Manager: Democracy and Support Services for inclusion in the legally required delegations register.</p>	<p>ALL - All Managers City Services MP - Manager: Parks MOS - Manager: Operations Support MCS - Manager: Consent Services MRC - Manager Resource Consents MAS - Manager: Audit and Support MFS - Manager: Field Services</p>

	Brief Description	ALL	MP	MOS	MCS	MRC	MAS	MFS
General	Authority to enter into contracts up to the amount of \$150,000 in respect of authorised works for which provision has been made in the Council's approved budget, and carried out within the criteria laid down by Council's purchasing, tendering and contract tendering procedures.				✓		✓	
	Authority to certify requisitions.	✓						
	Authority to approve store orders.	✓						
	Power to authorise payment of employees' expense claims.	✓						
	Authority to carry out the City Services Directorate plant replacement programme in conjunction with the Tenders Subcommittee.		✓					
	Authority to approve or decline the remission of any fees and charges imposed by the Council pursuant to any Act, Regulation, or Bylaw under the jurisdiction of the City Services Directorate (including penalty or additional charges) to an amount not exceeding \$2,000.			✓	✓	✓		
	The establishment of procedures to carry out the Council's policies and any enforcement thereof, within the jurisdiction of the Director: City Services.	✓						

Delegations to Officers



APPENDIX G

Brief Description	ALL	MP	MOS	MCS	MRC	MAS	MFS
For the purpose of Section 461 of the Local Government Act 1974 as the Principal Administrative Officer in respect of authentication of documents and certificates.				✓			
Pursuant to Section 42 of the Local Government Official Information and Meetings Act 1987 all the powers and authorities of the Council under Parts II to V of that Act insofar as they relate to information held or kept by the City Services Directorate; EXCEPT powers specified in Section 32 of that Act.	✓		✓	✓			
Authority to consider and issue or refuse licences for carrying out collection of refuse pursuant to Part 111 of Bylaw 30 - Refuse Placement and Collection.				✓			
Authority to issue licences, subject to such conditions as may be imposed pursuant to the provisions of Bylaw 31: Hygienic Operation of Massage Facilities and any notices provided for under the provisions of that Bylaw, including collection of appropriate fees.			✓	✓			
Authority to certify that a bond may be released by the Council on receipt of advice that all conditions of a bond (including but not limited to performance bonds for contracts) have been complied with or should be waived.				✓	✓		✓
Determining forfeiture of bonds (partial or total).				✓	✓		
Authority on behalf of the Council and any Standing Committee or Subcommittee of the Council to issue a letter of acceptance for the purpose of creating a contract where it has been resolved to accept any tender or quotation in respect of matters within the jurisdiction of the Director: City Services.						✓	✓
Authority to implement, develop, and maintain the Code of Practice for City Infrastructure and Land Development.	This delegation currently remains with the Director: City Services.						
Authority to issue permits for the erection and operation of amusement devices (Section 21A of the Machinery Act 1950).				✓			✓

Delegations to Officers



APPENDIX G

	Brief Description	ALL	MP	MOS	MCS	MRC	MAS	MFS
	Authority to act as Privacy Officer pursuant to Section 23 of the Privacy Act 1993, and pursuant to Section 124 of that Act, to undertake all of the Council's powers and duties in respect of Privacy Act matters insofar as they relate to information held or kept by the City Services Directorate.			✓				
	Issuing of and all other action relating to notices to construct, lay and connect private drains pursuant to Section 459 of the Local Government Act 1974.							✓
	Authority to file and pursue legal proceedings under Section 459 of the Local Government Act 1974.							✓