



**I, Malcolm Alexander, Interim Chief Executive, hereby give notice that
an Ordinary Meeting of Council will be held on:**

Date: Tuesday, 27 May 2025
Time: 1:30 pm
Location: Council Chamber, Wairoa District Council,
Coronation Square, Wairoa

AGENDA

Ordinary Council Meeting

27 May 2025

MEMBERSHIP: His Worship the Mayor Craig Little, Cr Denise Eaglesome-Karekare, Cr Jeremy Harker, Cr Melissa Kaimoana, Cr Chaans Tumataroa-Clarke, Cr Benita Cairns, Cr Roslyn Thomas

The agenda and associated papers are also available on our website: www.wairoadc.govt.nz

For further information please contact us 06 838 7309 or by email info@wairoadc.govt.nz

Order Of Business

1	Karakia	5
2	Apologies for Absence	5
3	Declarations of Conflict of Interest	5
4	Chairperson's Announcements.....	5
5	Late items of Urgent Business	5
6	Public Participation	5
7	Minutes of the Previous Meeting	5
8	General Items.....	14
8.1	WAIROA ECONOMIC DEVELOPMENT PLAN 2025	14
8.2	Local Election 2025 Voting Document - Candidate Name Order.....	16
8.3	Local Water Done Well - Terms of Reference Review	18
8.4	Updates - Delegation Manual	22
8.5	Deferment of Proposed Development Contributions Policy	124
9	Receipt of Minutes from Committees/Action Sheets.....	127
	Nil	
10	Public Excluded Items.....	128
10.1	EMERGENCY WORKS PROCUREMENT PROGRAMME.....	128
10.2	ROAD MAINTENANCE CONTRACTS -SEALED AND UNSEALED ROADS.....	128
10.3	Property Maintenance Contracts.....	128

- 1 KARAKIA**
- 2 APOLOGIES FOR ABSENCE**
- 3 DECLARATIONS OF CONFLICT OF INTEREST**
- 4 CHAIRPERSON'S ANNOUNCEMENTS**
- 5 LATE ITEMS OF URGENT BUSINESS**
- 6 PUBLIC PARTICIPATION**

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 15.1 requests to speak must be made to the Chief Executive Officer at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

7 MINUTES OF THE PREVIOUS MEETING

Ordinary Meeting - 29 April 2025

Extraordinary Meeting - 20 May 2025

**MINUTES OF WAIROA DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA
ON TUESDAY, 29 APRIL 2025 AT 1:30 PM**

PRESENT: His Worship the Mayor Craig Little, Cr Denise Eaglesome-Karekare, Cr Jeremy Harker, Cr Melissa Kaimoana, Cr Benita Cairns, Cr Roslyn Thomas

IN ATTENDANCE: **Malcolm Alexander** (Interim Chief Executive), **Gary Borg** (Tumu Whakarae Tuarua | Deputy Chief Executive & Pouwhakarae – Pūtea/Tautāwhi Rangapū | Group Manager Finance and Corporate Support), **Hinetaakoha Viriaere** (Pouwhakarae Whakamahere me te Waeture | Group Manager Planning and Regulatory), **Langley Cavers** (Pouwhakarae – Hua Pūmau | Acting Group Manager Assets and Infrastructure), **Juanita Savage** (Pouwhakarae Rātonga Hapori me te Whakawhanake | Group Manager Community Services and Development), **Te Aroha Cook** (Kaiarataki Whakaoranga | Recovery Manager), **Hinemoa Hubbard** (Kaiurungi Mana Ārahi | Governance Officer), **Kate Standring** (Executive Principal|Office of the Mayor/Office of the Chief Executive), **Henare Mita** (Chair of Māori Standing Committee), **Erena Hammond** (Māori Standing Committee member), **Tyler Trafford-Misson** (District Planner) via teams

1 KARAKIA

A karakia was held before the meeting.

2 APOLOGIES FOR ABSENCE

APOLOGY

RESOLUTION 2025/26

Moved: Cr Benita Cairns

Seconded: Cr Melissa Kaimoana

That the apology received from Cr Chaans Tumataroa-Clarke be accepted and leave of absence granted.

CARRIED

3 DECLARATIONS OF CONFLICT OF INTEREST

Nil.

4 CHAIRPERSON'S ANNOUNCEMENTS

His Worship acknowledged the recent ANZAC Day services, the Wairoa Golf-Club's 100-year celebration, the Mahia Hunt Club's 125-year anniversary, and the Corporate Waka Ama Battle on the river, which saw strong participation and a commendable spirit of involvement from all.

5 LATE ITEMS OF URGENT BUSINESS**LATE ITEM****RESOLUTION 2025/27**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Denise Eaglesome-Karekare

That the report *Local Water Done Well - Proposed Water Services Delivery Models for Consultation* be received as a late item.

CARRIED

6 PUBLIC PARTICIPATION

Nil.

7 MINUTES OF THE PREVIOUS MEETING**RESOLUTION 2025/28**

Moved: Cr Jeremy Harker

Seconded: Cr Melissa Kaimoana

That the minutes and confidential minutes of the Ordinary Meeting held on 1 April 2025 be confirmed.

CARRIED

8 GENERAL ITEMS**8.1 ROAD NAMING - TIHI TIHI PA (RM220035)****RESOLUTION 2025/29**

Moved: Cr Jeremy Harker

Seconded: Cr Denise Eaglesome-Karekare

That Council:

1. Receive the report, AND
2. Approves the three proposed road names endorsed by the Māori Standing Committee.

3. CARRIED

8.2 PURCHASE OF ETS CARBON UNITS**RESOLUTION 2025/30**

Moved: Cr Benita Cairns

Seconded: Cr Roslyn Thomas

That Council approves the purchase of up to \$300,000 of Carbon New Zealand Units, subject to a favourable spot price.

CARRIED

Council asked if the item was included in the current Annual Plan. The Group Manager of Finance and Corporate Support confirmed it was, noting that although usage was over, increased revenue from recovery packages kept the net position within budget.

8.3 UPDATE TO FEES AND CHARGES

RESOLUTION 2025/31

Moved: Cr Melissa Kaimoana

Seconded: Cr Jeremy Harker

That Council adopts the fees and charges schedule attached as **Appendix 1**, prices to be effective from 1 July 2025, subject to any notice periods required by contract or statute.

CARRIED

The Group Manager of Finance and Corporate Support noted that a few minor edits were still being finalised when the report was prepared. Any proposed changes in the attachment are clearly marked in red for easy reference. It was also noted that fees and charges do not take capital subsidies into account.

Council inquired about the methodology used to apply increases, including whether a standard CPI rate (e.g., 5% or 10%) is used. The Group Manager of Finance and Corporate Support explained that activity managers were advised to indicate if regulatory constraints prevented fee adjustments. Following that, managers assessed whether true cost recovery was achieved, whether changes in user activity warranted price increases, or if shifts in the public benefit profile justified price adjustments. If none of these applied, fees were to increase in line with general rates. Additionally, if other activities had contributed to rate increases, this could also justify fee adjustments.

L.1 LOCAL WATER DONE WELL - PROPOSED WATER SERVICES DELIVERY MODELS FOR CONSULTATION

RESOLUTION 2025/32

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Jeremy Harker

That having considered all matters raised in the report, Council:

1. **Note** that the Local Government (Water Services Preliminary Arrangements) Act 2024 requires Council to produce and submit a Water Services Delivery Plan to Central Government no later

than 3 September 2025.

2. **Note** that Council is required by Government to:
 - 2.1. Consider and consult with the community on at least two options for future delivery of water services one of which must be a modified status quo
 - 2.2. Demonstrate, as part of its water services delivery plan, that it will meet requirements that the delivery water services will be financially sustainable by 30 June 2028
 - 2.3. Moving forward, ring-fence revenue for three waters so that is separate from other Council activities.
3. **Approves** that Council consult on three delivery models for consultation:
 - 3.1. Option 1 – Internal Business Unit - Modified Status Quo (also referred to as In-House and Council Delivered Service), the current delivery model with needed changes as required by legislation; and in particular the new economic regulation regime.
 - 3.2. Option 2 – A Single-council Owned Water Organisation (WO), also know as Wairoa Water Services Council Controlled Organisation (WWSCCO); and
 - 3.3. Option 3 – A Regional Hawke’s Bay Multi-owned Water Organisation (HBWSCCO). This would include Central Hawke’s Bay District Council (CHBDC), Hastings District Council (HDC), Napier City Council (NCC) and Wairoa District Council (WDC).
4. **Agrees** to identify Option 3 – Joint Hawke’s Bay WSCCO as the preferred delivery model for consultation, pending approval of the other member councils of CHBDC, HDC, and NCC.
5. **Note** that officers are currently preparing a consultation document to be known as Local Water Done Well for Wairoa and **agree** to delegate approval for that document to Mayor Little on advice from the Interim Chief Executive.
6. **Instruct** Officers to proceed with a consultation month from 12 May 2025 to 15 June 2025.
7. **Note** that officers will summarise the outcomes of consultation considering community feedback, submissions, and hearings and provide a final advice via a report to Council on 22 July 2025 to confirm the delivery model to be identified in the Water Services Delivery Plan.

CARRIED

The Interim Chief Executive introduced the report and noted that an additional consultation would be incorporated into the timeline outlined on page 17 of the late report.

Council expressed concern about the impact if a council withdrew from the regional model, rendering it no longer viable.

The Interim Chief Executive advised that strict timelines would apply under Option B. A Water Services Delivery Plan would still be required, meeting legal obligations and requiring certification by the Chief Executive.

At 2:25 pm, Cr Denise Eaglesome-Karekare left the meeting.

At 2:28 pm, Cr Denise Eaglesome-Karekare returned to the meeting.

9 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS

Nil.

10 PUBLIC EXCLUDED ITEMS

Nil.

The Meeting closed with a closing karakia by His Worship the Mayor at 2:42pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 May 2025.

.....

CHAIRPERSON

**MINUTES OF WAIROA DISTRICT COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA
ON TUESDAY, 20 MAY 2025 AT 09:00 AM**

PRESENT: His Worship the Mayor Craig Little, Cr Denise Eaglesome-Karekare, Cr Jeremy Harker, Cr Melissa Kaimoana, Cr Chaans Tumataroa-Clarke

IN ATTENDANCE: Malcolm Alexander (Interim Chief Executive), **Gary Borg** (Tumu Whakarae Tuarua | Deputy Chief Executive & Pouwhakarae – Pūtea/Tautāwhi Rangapū | Group Manager Finance and Corporate Support), **Hinetaakoha Viriaere** (Pouwhakarae Whakamahere me te Waeture | Group Manager Planning and Regulatory), **Langley Cavers** (Pouwhakarae – Hua Pūmau | Acting Group Manager Assets and Infrastructure), **Juanita Savage** (Chief of Operations), **Te Aroha Cook** (Kaiarataki Whakaoranga | Recovery Manager & Acting Group Manager Community Services and Development), **Hinemoa Hubbard** (Kaiurungi Mana Ārahi | Governance Officer), **Kate Standring** (Executive Principal|Office of the Mayor/Office of the Chief Executive), **Michael West** (Business Analyst), **Allan Manson** (Wairoa Star Reporter)

1 KARAKIA

The opening karakia was given by His Worship the Mayor, Craig Little.

2 APOLOGIES FOR ABSENCE

APOLOGIES

RESOLUTION 2025/33

Moved: His Worship the Mayor Craig Little

Seconded: Cr Denise Eaglesome-Karekare

That the apologies received from Cr Benita Cairns and Cr Roslyn Thomas be accepted and leave of absence granted.

CARRIED

3 DECLARATIONS OF CONFLICT OF INTEREST

Nil.

4 PUBLIC PARTICIPATION

Nil.

6 PUBLIC EXCLUDED ITEMS**RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2025/35**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Jeremy Harker

That the public be excluded from the following parts of the proceedings of this meeting at 9am.

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
5.1 - Chief Executive Appointment	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

CARRIED**RESOLUTION 2025/36**

Moved: Cr Jeremy Harker

Seconded: Cr Melissa Kaimoana

That Council moves out of Closed Council into Open Council at 9:06am.

CARRIED**5 GENERAL ITEMS****5.1 ADOPTION OF THE 2025/26 ANNUAL PLAN****RESOLUTION 2025/34**

Moved: Cr Jeremy Harker

Seconded: Cr Melissa Kaimoana

That Council adopt the 2025/26 Annual Plan (attached as Schedule 1), as amended to incorporate the typographical changes suggested at this meeting.

CARRIED

Council discussed various textual amendments to the Annual Plan (referencing page numbers within the Annual Plan document):

- Consider adding a reference to the June weather event on page 5.
- Clarify which residential zone (A, B, or C) the pie chart on page 16 represents.
- Revise the heading “Leadership & Governance” on pages 12 and 37 to minimise potential misintepretation.
- Update the statement on page 20 from “Planning to meet with the Mahia community” to “We have met with the Mahia community.”

The Meeting closed at 9:33am.

The minutes of this meeting were confirmed at the Council Meeting held on 27 May 2025.

.....
CHAIRPERSON

8 GENERAL ITEMS

8.1 WAIROA ECONOMIC DEVELOPMENT PLAN 2025

Author: Austin King, Kaiwhakahaere Hapori me te Whakapāpā | Community and Engagement Manager

Authoriser: Juanita Savage, Chief of Operations

Appendices:

1. Wairoa Economic Development Plan 2025 - FULL REPORT (under separate cover - Vol 1)
2. Wairoa Economic Development Plan 2025 - SUMMARY REPORT (under separate cover - Vol 1)

PURPOSE

- 1.1 This report provides a high-level summary for Committee members of a final draft of the Wairoa Economic Development Plan 2025.

RECOMMENDATION

The Kaiwhakahaere Hapori me te Whakapāpā | Community and Engagement Manager RECOMMENDS that Council receives the report.

BACKGROUND

- 1.2 In October 2023, a report was presented to this Committee recommending the development of a five-year Wairoa District Economic Development Plan.
- 1.3 The aim was to gain support for a locally driven approach to supporting economic growth and building resilience from the ground up, reflecting the needs, ideas, and aspirations of our community.
- 1.4 In early April 2025, APR Consultants delivered two draft reports (the plan) for the Committee and Council's review and consideration: a 35-page summary report and a full 169-page report.
- 1.5 The main difference between the two is that the full report includes all the supporting data and references to other relevant work and strategies that inform the economic development plan for the district. See attachment 1.
- 1.6 The summary report highlights the key actions and presents condensed data specific to the Wairoa District. See attachment 2.

2. ALIGNING WITH COUNCIL'S VISION

- 2.1 The reports directly support Wairoa District Council's vision of building a vibrant, resilient, and connected Wairoa community.
- 2.2 By setting out clear actions and priorities, the plan contributes to Council's long-term outcomes of sustainable economic growth, improved well-being, and inclusive development.

- 2.3 It aligns with Council's goal by focusing on strengthening infrastructure, creating quality jobs, supporting local businesses, and ensuring that all parts of the community have opportunities to thrive.
- 2.4 Through this plan, Council can take a more strategic and coordinated approach to achieving its vision for the district.

3. SUMMARY OF THE PLAN

- 3.1 The draft reports (the plan) lay out a range of ideas to help Wairoa become stronger economically, socially, and environmentally.
- 3.2 They look at how to deal with current issues – like the impact of severe weather events – and focus on how to build a better future.
- 3.3 A key focus is on improving infrastructure and transport, especially upgrading key routes like State Highway 2, to support local business growth and attract outside investment.
- 3.4 The plan also addresses issues around jobs and industry, noting the need to retain skilled workers and reduce reliance on just a few sectors by diversifying the local economy. Industries like horticulture hold strong potential, but face barriers like geographic isolation and skills shortages.
- 3.5 The plan encourages support for these sectors and a shift away from the “Fortress Wairoa” mindset to enable better regional connection and collaboration.
- 3.6 Promotion of Wairoa is another key theme, with the goal of attracting visitors and new residents. The plan also looks at tackling demographic issues, such as an ageing population and rural-to-urban migration. Aligning local efforts with wider regional projects is also seen as essential, along with securing external funding to make things happen.
- 3.7 In tourism, the plan recognises the need for stronger coordination, better funding, and targeted marketing to help the sector grow.
- 3.8 In health, employment, and education, it backs initiatives that improve job readiness, expand training options, and ensure funding decisions are based on sound evidence.
- 3.9 Several sector-specific projects are included, such as developing cold storage for horticulture, supporting new crop types, expanding local wood processing, and growing Wairoa-branded food products.
- 3.10 Collaboration across sectors and regions is encouraged, with ideas like a Special Economic Zone and more local apprenticeships aimed at boosting long-term skills and investment.
- 3.11 Finally, the plan highlights housing as a priority and emphasises the importance of working closely with Māori communities, ensuring cultural values are respected and reflected in future development.

8.2 LOCAL ELECTION 2025 VOTING DOCUMENT - CANDIDATE NAME ORDER

Author: Juanita Savage, Chief of Operations

Authoriser: Malcolm Alexander, Interim Chief Executive

Appendices: Nil

1. PURPOSE

- 1.1 This report seeks a decision on the order of candidates' names in the voting documents for the Local Election 2025.

RECOMMENDATION

The Chief of Operations RECOMMENDS that Council receive this report and decide on its preferred option for the order of candidates' names on the voting documents for the Local Election 2025.

EXECUTIVE SUMMARY

In accordance with Regulation 31(1) of the Local Electoral Regulations 2001, Council can decide whether candidate names are to be arranged on voting documents in alphabetical order of surname, pseudo-random order, or random order.

Council has traditionally used alphabetical order in the triennial elections, and if Council does not resolve otherwise, the candidates' names must be arranged in alphabetical order of surname.

2. SUMMARY OF OPTIONS**2.1 Alphabetical order by surname**

- 2.1.1 Alphabetical order is simply listing candidate surnames alphabetically and is the order traditionally used in local authority and parliamentary elections.
- 2.1.2 The order of candidates on the voting document matches the order of candidates listed in the candidate directory (candidate profile statements).
- 2.1.3 This is the order resolved at previous local elections.

2.2 Pseudo-random order

- 2.2.1 Under this arrangement, the names of candidates are placed into a receptable, thoroughly mixed, and then drawn at random. The order in which the names are drawn determines their placement on all voting documents for that election.
- 2.2.2 In accordance with the regulations, if a council decides to utilize a pseudo-random order, the Electoral Officer is required to specify the date, time, and location of the candidate name arrangement in the public notice. This notice must be issued in advance, and any interest party is permitted to be present during the draw.

2.3 Random order

- 2.3.1 Under this arrangement, the names of the candidates for each election are displayed in a unique order on every voting document. This is achieved through software that ensures the names are printed in a different sequence on each ballot.

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

8.3 LOCAL WATER DONE WELL - TERMS OF REFERENCE REVIEW

Author: Juanita Savage, Chief of Operations

Authoriser: Malcolm Alexander, Interim Chief Executive

Appendices: Nil

1. PURPOSE

- 1.1 This report provides information on the Terms of Reference for Local Water Done Well and the payments allocated to the participating Councils being Hastings District Council (HDC), Napier City Council (NCC), Central Hawke's Bay District Council (CHBDC) and Wairoa District Council (WDC).

RECOMMENDATION

The Chief of Operations RECOMMENDS that Council adopt option b:

- Supply a purchase order to Hastings District Council for \$65,000 + GST that would align with the Terms of Reference version that Hastings District Council, Napier City Council and Central Hawke's Bay District Council have tabled to their council table.

2. BACKGROUND

- 2.1 The Terms of Reference (ToR) – Hawke's Bay Water were composed and agreed between WDC, HDC, CHBDC and NCC.
- 2.2 Included in the ToR is that the funding will be held by HDC on behalf of the councils.
- 2.3 HDC issued an invoice for payment due on the 19th December 2024 for WDC's share of \$165,000 + GST.
- 2.4 Overdue reminder notices were sent for the non-payment of this invoice.
- 2.5 HDC contacted Regional Recovery Agency (RRA) to assist with the overdue invoice.

3. INVESTIGATION FINDINGS

- 3.1 Two versions of the Terms of Reference have been tabled at the respective Council meetings.
- 3.2 HDC, NCC and CHBDC has a version that shows a budget table with the following:

	TSP – total remaining
Wairoa	\$165k
Napier	\$500k
Hastings	\$500k
CHB	\$165k
TOTAL	\$1.33M

This version has been tabled at the respective Council tables and approval of the payments accepted.

HDC Strategic Financial Advisor has confirmed all Councils except WDC have made payments for the amounts identified in the table above.

- 3.3 WDC has a version of the ToR that shows a budget table with the following:

	TSP – total remaining
Wairoa	\$100k
Napier	\$500k
Hastings	\$500k
CHB	\$100k
TOTAL	\$1.2M

The WDC version was tabled at this council's table at an ordinary council meeting held 2 July 2024 under report title Local Waters Done Well – Hawke's Bay Water Draft Terms of Reference.

- 3.4 Copy of resolution information passed as below:

RESOLUTION 2024/01

Moved: Cr Jeremy Harker

Seconded: Cr Denise Eaglesome-Karekare

The Tumu Whakarae Chief Executive RECOMMENDS that Council receive the report and;

- 1.1. Adopt the Terms of Reference set out in Attachment 1.
- 1.2. Note that with its adoption, Council will:
 - 1.2.1. endorse the hiring Project Management support, within the Regional Recovery Agency (RRA), to work on the Hawke's Bay Water programme
 - 1.2.2. endorse the use of \$1.2m plus GST of Local Water Done Well Support Package Funding (previously Council Transition Support and other DiA funds) toward the deliverables outlined in the Terms of Reference
 - 1.2.3. support the Hawke's Bay Water work programme and process, including:
 - Engagement with mana whenua
 - Providing expertise from council officers to support the process
- 1.3 Note that as legislation progresses and further Government policy is released, the Terms of Reference may need to be altered as appropriate for context.

CARRIED

Elected members requested to see the financial projections of the model to compare to Wairoa District Councils and were supportive of being included to develop the model. Elected Members suggested to host the next Regional Collaboration day in August in Wairoa.

Noted that elected members adopted the terms of reference on the basis that it doesn't lock Council into any future decisions.

- 3.4 ACTIONS TAKEN Purchase order raised for \$100,000 + GST and supplied to HDC to generate a new invoice.
- 3.5 HDC supplied an invoice dated 13 March 2025.
- 3.6 WDC processed payment for this invoice on 20 March 2025.
- 3.7 Chief of Operations has been unsuccessful with locating documentation of a variation to apply to WDC's version of the ToR.
- 3.8 Advised HDC that council resolution was for the ToR version tabled at that time, therefore payment of \$100,000 + GST is approved.
- 3.9 Advised HDC that a report will be presented to council seeking direction on how to proceed.

4. OPTIONS

- 4.1 The options identified are:
 - a. Do nothing – accept the version tabled 2 July 2024 as true and correct, and request Hastings District Council issue a credit for the invoice issued for \$65,000 + GST.
 - b. Supply a purchase order to Hastings District Council for \$65,000 + GST that would align with the Terms of Reference version that Hastings District Council, Napier City Council and Central Hawke's Bay District Council have tabled to their council table.
 - c. The recommended option is b.

5. CORPORATE CONSIDERATIONS

What is the change?

- 5.1 Acceptance of the Terms of Reference tabled by the other councils, with the share for WDC at \$165,000 + GST.

What are the key benefits?

- 5.2 Demonstration to a strong commitment to fostering positive relationships and working together harmoniously with councils in the region. This approach emphasising mutual respect, open communication, and shared goals, ensuring that we can effectively address community needs and achieve common objectives.

What is the cost?

- 5.3 \$65,000 + GST

References (to or from other Committees)

Ordinary Council Meeting – 2 July 2024 – Local Waters Done Well – Hawke's Bay Water (the Terms of Reference)

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,

- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

8.4 UPDATES - DELEGATION MANUAL

Author: Juanita Savage, Chief of Operations

Authoriser: Malcolm Alexander, Interim Chief Executive

Appendices: 1. Draft Delegations Manual [↓](#)

1. PURPOSE

- 1.1 To request that Council amend the Wairoa District Council Delegations Manual in specific areas outlined within this report.

RECOMMENDATION

The Chief of Operations RECOMMENDS that Council approves the updates listed, that can also be referenced in the Wairoa District Council Delegations Manual attached as appendix 1.

These updates include:

1. To delete “Decisions, other than on minor or routine matters, made under delegated authority will be reported to the Council or a relevant Committee”. (p8 – Table 1 - General Terms and Conditions)
2. To amend the detail of 7.1 Tender Evaluation Panel from “for approved works, less than \$200,000” to “for approved works greater than \$200,000”. (p20)
3. To increase the financial delegation of the Chief Executive from \$100,000 to \$500,000; (p21)
4. To increase the financial delegation of the Group Manager – Assets and Infrastructure from \$50,000 to \$250,000; (p21)
5. To add the role of Chief of Operations to the Delegation Manual;
6. To add the financial delegation of the Chief of Operations to \$250,000. (p21)

2. BACKGROUND

- 2.1 The Delegations Manual sets out the general nature of Council’s delegations relating to decision making when giving effect to its statutory duties, responsibilities and powers.
- 2.2 For the purpose of administrative efficiency and expediency in the conducting of its day-to-day business, the Council delegates certain statutory duties, responsibilities and powers to its standing committees, members or staff. Likewise, the Chief Executive delegates certain duties and responsibilities to a subordinate level. These delegations are a necessary operational requirement to achieve best use of the abilities of elected representatives and officers and to promote effective and expeditious decision-making.
- 2.3 Delegations seek to avoid administrative delays and inefficiencies that might otherwise occur if all matters had to be referred to Council or the Chief Executive every time a decision needed to be made.

3. CURRENT SITUATION

- 3.1 There have been recent changes to Council's organisation appointments that require consideration to additions and amendments in the current version of the Delegations Manual.
- 3.2 Amendments for Council's consideration today is tabled before the review is fully complete due to the nature of the recommendation items being high priority to ensure statutory obligations are met.
- 3.3 Due to limited time, the review could not be fully completed. However, the work is ongoing, and officers are committed to finalising it as soon as possible.

4. OPTIONS

- 4.1 The options identified are:
- a. To approve the proposed changes outlined in the recommendation.
 - b. To not approve the proposed changes outlined in the recommendation.
 - c. Approve with amendments, the proposed changes outlined in the recommendation.
- 4.2 The preferred option is:
- a. To approve the proposed changes outlined in the recommendation.

5. CORPORATE CONSIDERATIONS**What is the change?**

- 5.1 A Delegations Manual that accurately reflects the roles of the Council and the financial delegations.

What are the key benefits?

- 5.2 A clear document outlining statutory duties, responsibilities and power to Council members and staff.

6. RISK MANAGEMENT

- 6.1 In accordance with the Council's Risk Management Policy the inherent risks associated with this matter are:

Human	Financial	Regulatory
Low	Low	Medium
Operations	Employees	Image & Reputation
Medium	Low	Low

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

DELEGATIONS MANUAL

This Delegations Manual records all delegations from the Wairoa District Council to Standing Committees, Subcommittees, Members and Officers. The delegations have been approved by Council resolution/s. Delegations, unless otherwise stated, are deemed to have been made under Clause 32, Schedule 7 of the Local Government Act 2002 (LGA).



WAIROA
DISTRICT COUNCIL

Approved by:

Department:

Date Approved:

Next Review Date:

Reviewed:

Revision No:

Relevant:

Legislation related policies:

Related forms:

Council

Finance and Corporate Support

As required

October 2024

CONTENTS

Contents

PART A5

INTRODUCTION.....5

1.1 PURPOSE6

1.2 BACKGROUND6

1.2.1 Definition of Delegation6

1.2.2 The Legal Basis6

1.2.3 Principles, Terms and Conditions.....7

1.2.4 Term of Delegation.....9

1.2.5 Delegation to Office.....9

1.3 STRUCTURE9

PART B1110

ADMINISTRATIVE DELEGATIONS1110

2. EMPLOYMENT RELATED DELEGATIONS1211

2.1 THE CHIEF EXECUTIVE1211

2.2 CHIEF EXECUTIVE DELEGATION TO MANAGEMENT1211

3. AUTHORISATION TO USE COMMON SEAL1312

4. DELEGATED AUTHORITY TO MAKE SUBMISSIONS1413

5. REQUESTS AND THE RELEASE OF INFORMATION1413

5.1 OFFICIAL INFORMATION1413

5.2 PRIVACY ACT REQUESTS1514

5.3 NEWS MEDIA AND WEBSITE1514

5.4 PLACEMENT OF PUBLIC NOTICES OR ADVERTISEMENTS1514

5.5 DISPOSAL OF COUNCIL RECORDS1615

PART C1716

LEGAL AND FINANCIAL DELEGATIONS1716

6. LEGAL ADVICE AND PROCEEDINGS.....1817

6.1 AUTHORISATION TO OBTAIN LEGAL ADVICE1817

6.2 AUTHORISATION TO SIGN LEGAL DOCUMENTS1817

6.3 AUTHORISATION TO RELEASE OR ALTER LOANS, MORTGAGES AND STATUTORY LAND CHARGES
1817

6.4 AUTHORISATION TO COMMENCE COURT PROCEEDINGS.....1817

6.5 AUTHORISATION TO SETTLEMENT OF CLAIMS AGAINST COUNCIL.....1918

6.6 AUTHORISATION TO INITIATE PROCEEDINGS TO RECOVER COSTS.....1918

6.7 AUTHORISATION TO ISSUE A TRESPASS NOTICE1918

6.8 AUTHORISATION TO VOTE ON BEHALF OF COUNCIL2018

7. OPERATING, PLANT AND CONTINGENCY EXPENDITURE2019

7.1	TENDER EVALUATION PANEL	2019
7.2	AUTHORISATION OF FINANCIAL DELEGATION WITHIN APPROVED BUDGETS	2119
7.3	AUTHORISATION OF CONTINGENCY EXPENDITURE	2423
7.4	AUTHORISATION FOR CARBON CREDIT TRANSACTIONS.....	2423
8.	FINANCIAL AND ACCOUNTING MATTERS.....	2423
8.1	AUTHORISATION TO BANK, INVEST AND SIGN CHEQUES	2423
8.2	AUTHORISATION TO RECOVER DEBTS	2524
8.3	AUTHORISATION TO CONSIDER BAD DEBTS	2524
8.4	AUTHORISATION TO APPROVE CREDIT NOTES	2625
8.5	COUNCIL PROPERTY, LEASES AND LICENSES	2625
8.6	USE OF COUNCIL PROPERTY, ASSETS AND STAFF BY OUTSIDE ORGANISATIONS	2625
8.7	ELECTED MEMBER PAYMENTS	2726
8.8	AUTHORISATION FOR CHIEF EXECUTIVE CREDIT CARD EXPENDITURE	2726
8.9	AUTHORISATION TO DECIDE ON RATES REMISSIONS	2726
8.10	OBJECTIONS TO RATING VALUATIONS.....	2726
8.11	DELEGATIONS WITHIN THE LOCAL GOVERNMENT (RATING) ACT 2002.....	2928
8.12	RECEIPTING AND ADMINISTERING EXTERNAL GRANTS	3736
8.13	RECEIPTING AND ADMINISTERING OF MONIES HELD BY COUNCIL FOR EXTERNAL ENTITIES	3736
8.14	AUTHORISATION TO RAISE LOANS	3736
PART D	4038
STATUTORY DELEGATIONS	4038
9.	DELEGATION TO OFFICERS	4139

PART A

INTRODUCTION

Part A of this Delegations Manual contains introductory and background information for the reader. Of particular note are the principles and general terms and conditions that apply to all Wairoa District Council delegations.

1.1 PURPOSE

This document is the Delegations Manual for the Wairoa District Council ('the Delegations Manual').

The purpose of the Delegation Manual is to set out the Wairoa District Council's ('the Council') policies, procedures and delegations relating to decision making when giving effect to its statutory duties, responsibilities and powers.

1.2 BACKGROUND

1.2.1 Definition of Delegation

Delegation is the conveying of a duty or power to act to another person, including the authority that the person making the decision would themselves have had in carrying out that duty or exercising that power.

For the purpose of administrative efficiency and expediency in the conducting of its day-to-day business, the Council delegates certain statutory duties, responsibilities and powers to its standing committees, subcommittees, members or staff. Likewise the Chief Executive delegates certain duties and responsibilities to a subordinate level. These delegations are a necessary operational requirement to achieve best use of the abilities of elected representatives and officers and to promote effective and expeditious decision-making. Delegations seek to avoid administrative delays and inefficiencies that might otherwise occur if all matters had to be referred to Council or the Chief Executive every time a decision needed to be made.

1.2.2 The Legal Basis

Council's authority to delegate to its standing committees, subcommittees, members or staff is principally derived from Schedule 7, Clause 32 of the Local Government Act 2002 (LGA).

Schedule 7 Clause 32 of the LGA states that:

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

- a) The power to make a rate; or*
- b) The power to make a bylaw; or*
- c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-Term Plan; or*
- d) The power to adopt a Long-Term Plan, annual plan, or annual report; or*
- e) The power to appoint a chief executive; or*

- f) *The power to adopt policies required to be adopted and consulted on under this Act in association with the Long-Term Plan or developed for the purpose of the local governance statement; or*
- g) *The power to adopt a remuneration and employment policy.*

Other statutes¹ also confer or limit the ability for the Council to delegate decision-making powers and duties. For instance, Section 34 of the Resource Management Act 1991 restricts the delegation of certain plan approval functions to other than the Council. While the Local Government Official Information and Meetings Act 1987 provides for delegations under section 42 and 43 of that Act, a response to recommendations made to the Council by the Ombudsman (section 32) may not be delegated.

Authority and responsibility are inseparable. Those with responsibility for a task or function should always have the authority to carry it out effectively. It should be noted that no delegation relieves the local authority, member, or officers of the liability or legal responsibility to perform or ensure performance of any function or duty.

The act of delegating involves mutual trust and respect without which the efficiency and effectiveness of the Council would be at risk. Delegates (i.e. the person given the delegation) should willingly accept authority and responsibility for decision-making in the certain knowledge that their decisions, if made in a full, fair, and objective manner, will not be interfered with. It should be ensured that delegates understand the function and implications of any delegation they have responsibility for.

1.2.3 Principles, Terms and Conditions

Unless a delegation in this Manual states otherwise, the delegation is derived from the Council. The Council or Chief Executive in their determination as to duties, responsibilities and powers to be delegated will align with the principles outlined in Table 1 (below).

In the exercise of any delegation, the delegate must comply with the general terms and conditions, which are also identified in Table 1. In addition to the general terms and conditions, the delegate must also comply with any additional terms and conditions that might apply to specific delegations. These will be noted at the time of delegation to ensure clarity of responsibilities.

The laws relating to local government generally recognize that the decisions of a delegate may be reviewed or appealed to the delegator who may confirm, vary overrule, or substitute any decisions. There are, however, exceptions such as where a decision is made, and other review remedies are available. (e.g. appeal to a court or tribunal).

¹ See Building Act 2004 – Section 232; Civil Defence Emergency Management Act 2002 – Section 12; Impounding Act 1955 – Section 63; Local Government Official Information and Meetings Act 1987 – Sections 42, 43; Privacy Act 1993 – Sections 124, 125; Public Bodies Contracts Act 1959 – Section 4; Resource Management Act 1991 – Section 34A(3); Sale and Supply of Alcohol Act 2012; Fencing of Swimming Pools Act 1987 – Section 12.

Table 1: Principles, Terms and Conditions

Principles
<p>Business to be undertaken by the Council is diverse and wide-ranging. Delegations are necessary to ensure the efficient, effective, and timely delivery of services to the communities it represents.</p> <p>Delegations have generally been made to the lowest level of competence, commensurate with the degree of responsibility and difficulty involved in the undertaking of the task delegated.</p> <p>In deciding what is the lowest level of competence for each delegation, particular attention has been paid to the responsibilities and accountability for correct and effective implementation and any reporting requirements that accompany the powers and duties contained in the delegation.</p> <p>Wherever possible, delegations to staff have been made on basis that promote the most effective and efficient implementation and delivery of Council’s policies and objectives.</p>
General Terms and Conditions
<p>No delegations shall limit the power of Council or other delegator to exercise a function, duty or power in substitution for a delegate.</p> <p>Delegations must be precise and in writing in order to protect both the Council and the delegate.</p> <p>In the exercise of any delegation, the delegate will ensure they act in accordance with:</p> <div><div>1.</div><div>Any binding statutory authority (in relation to each delegation, relevant sections of the Act will be identified); and</div></div> <div><div>2.</div><div>Any relevant Council policy or procedural documentation (including reporting and recording requirements).</div></div> <p>In relation to delegations to officer level, every delegation will be to a stated officer and will be exercised in relation to the duties of their position as identified in their Position Description or when an officer has been appointed in an acting capacity.</p> <p>Decisions, other than on minor or routine matters, made under delegated authority will be reported to the Council or a relevant Committee.</p> <p>For the avoidance of doubt, supervisors shall have the same powers of delegation as subordinate staff, unless the exercise of such delegation requires, by law, a particular qualification or registration.</p> <p>A delegation once made cannot be further sub-delegated.</p> <p>The Council may, at any time, revoke, suspend for a period, or amend the terms of conditions in relation to any delegation it has made. When this occurs, it will be recorded by resolution of Council.</p>

Formatted: Highlight

The Chief Executive may revoke or suspend for a period, or amend the terms and conditions in relation to:

1. Any delegation to subordinates that they have made; and
2. Any delegation to the Chief Executive Office that Council has revoked or suspended.

Staff will not exercise delegated authority in cases of uncertainty or where it would be desirable that policy direction be given. There are also circumstances where staff will be required to seek peer review prior to exercising delegated authority, in which case supervisors will make this known.

All staff decisions made under delegated authority should clearly contain an appropriate endorsement e.g. ‘made under delegated authority’. Where a delegation exists to make a decision on behalf of Council, the delegate has all the necessary powers of Council to affect that decision, including any related transitional powers prescribed by statute.

The delegation to staff, if required by any enactment, are also made through the Chief Executive by virtue of inclusion in this Manual.

1.2.4 Term of Delegation

Unless any delegation is expressed to be for a definable period it will continue until revoked by the delegator or the Council or withdrawn by operation of law. The Delegations Manual is a ‘living’ document and as such will be reviewed and amended from time-to-time. The decision to apply for review will be on the basis of new evidence or a change in circumstances.

1.2.5 Delegation to Office

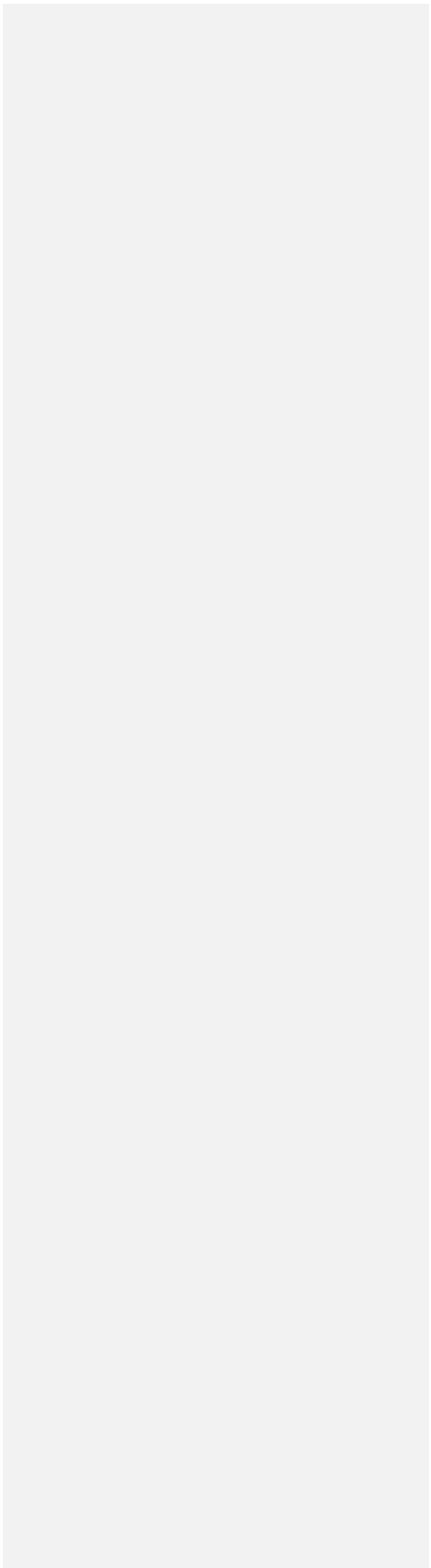
Every delegation will be to a stated office or position and not to an individual or the membership of a group in their personal capacities. In every case of this type the delegation will survive any change in the occupier of any such office.

1.3 STRUCTURE

The Delegations Manual is structured in four parts.

- Part A** of the Delegations Manual presents introductory and background information for the Delegations Manual.
- Part B** of the Delegation Manual contains general administrative delegations relating to employment matters, the use of the Common Seal, the making of submissions on behalf of Council, and the release of information. Part B has five sections.
- Part C** of the Delegations Manual contains legal and financial delegations. Part C has four sections.

Part D of the Delegations Manual contains delegations (not already addressed) relating to the Council’s regulatory functions, duties and powers under various statutes. Part D has four sections.



PART B

ADMINISTRATIVE DELEGATIONS

Part B of this Delegations Manual sets out general administrative delegations relating to employment matters, the issuing of warrants, the use of the Common Seal, submissions on behalf of Council, and the release of information.

2. EMPLOYMENT RELATED DELEGATIONS

2.1 THE CHIEF EXECUTIVE

Pursuant to section 42(2) of the Local Government Act 2002, the Chief Executive is responsible, on behalf of the Council, for ensuring the effective and efficient management of the Council, employing staff and negotiating the terms of employment of staff.

It is the role of the Chief Executive to lead and oversee staff in implementing the decisions of the Council and ensuring that all statutory responsibilities of the Council are met. The Chief Executive is also responsible for ensuring that all responsibilities, duties and powers delegated to them, or to any person employed by the Council, are properly performed or exercised. The Chief Executive may delegate to any other officer of the Council any of his or her powers under the Act, or any other statute, except the power to delegate or any power that is subject to a prohibition on delegations.

The Chief Executive has absolute control over all employment related matters concerning staff, and has authority to:

- a) Approve the employment of all staff.
- b) Approve variations to employment agreements of all staff.
- c) Approve staff members taking up or engaging in other employment, in addition to their Council employment, subject to the following provisos:
 - Council duties having priority;
 - The other employment is not to interfere with or impair the due and proper discharge of their normal duties;
 - The other employment will not be carried out during the staff member's Council working hours; and
 - There being no conflict of interest arising from the other employment.

The Chief Executive may request any person appointed by the Council to act as Chief Executive during temporary periods of absence from duties together with such of the Chief Executive's Officers powers as they consider appropriate.

2.2 CHIEF EXECUTIVE DELEGATION TO MANAGEMENT

Pursuant to section 42(2) of the LGA 2002, the Chief Executive has authorised the [Chief of Operations](#), Group Manager – Assets and Infrastructure, Group Manager – Finance and Corporate Support, Group Manager – Community Services and Development and Group Manager – Planning and Regulatory in relation to their area of responsibility and in accordance with relevant Council policy to:

- a) Determine staff hours of attendance that best suits Council's needs;
- b) Approve the temporary reallocation of duties provided they do not require additional remuneration or amendment to the Position Description;
- c) Approve overtime, including time off in lieu of overtime;
- d) Approve time in lieu and all types of leave, except:
 - Leave identified as being at the sole discretion of the Chief Executive; and

- Leave without pay for periods in excess of two weeks;
- e) Approve the attendance of staff at conferences, courses or seminars;
- f) Disciplinary action, excluding dismissal.

Delegates are authorised to undertake the tasks above in relation to the area ~~of~~ responsibility and in accordance with relevant Council policy. Delegates must act in a manner of good faith consistent with the Employment Relations Act 2000 and any other applicable legislative requirements, any disciplinary policy of Council, and any specific requirements set out in the collective and individual employment agreements.

3. AUTHORISATION TO USE COMMON SEAL

The Common Seal of the Council shall be held by the Chief Executive who is responsible for its use.

A Council resolution is required for the Seal to be affixed to a document, however in the case of a document of a routine nature, and/or a document which is urgent, the Seal may be affixed to such documents and such action reported to the next Council meeting for a confirmation resolution.

Where the Common Seal of the Council is affixed to any document it shall be attested by:

- a) The Mayor, or in their absence, the Deputy Mayor; and
- b) The Chief Executive, or in their absence, the Acting Chief Executive.

The Common Seal will be affixed to any document that is required to be executed under the Seal, including:

- Warrants to enter private land on behalf of the Council made under the Resource Management Act, the Biosecurity Act, the Building Act, Local Government Act 1974 or the Local Government Act 2002;
- When executing any Memorandum of Transfer pursuant to section 80 of the Local Government (Rating) Act 2002;
- Regional policy statements and regional and district plans prepared under the Resource Management Act;
- Bylaws prepared under the Local Government Act 2002 or other relevant statutes;
- Any documents (e.g. covenants, caveats, or consent notices) which otherwise require the use of the Council’s Common Seal with the exception of “Deeds”.
- In relation to executing any Deed, the authority to impress on any document the Common Seal of the Council is delegated to the Mayor or in their absence Deputy Mayor, and any one councillor by virtue of section 9 of the Property Law Act 2007 (two signatures required).

Specific terms and conditions

All Common Seal transactions will be recorded on the Common Seal Register, which is maintained by the Executive Assistant to the Mayor and Chief Executive and reported to a subsequent Council meeting when not already authorised by Council resolution.

4. DELEGATED AUTHORITY TO MAKE SUBMISSIONS

The authority to:

- Make a submission to a Board of Inquiry in relation to a proposed national policy statement under section 49 of the Resource Management Act;
- Make a further submission to a Board of Inquiry in relation to a proposed national policy statement under section 50(2) of the Resource Management Act;
- Make a submission to the Environment Court in relation to a special tribunal's report relating to a water conservation order (section 209 of the Act);
- Be heard at an inquiry for a proposed Water Conservation Order (section 211 of the Act); and
- Apply for the revocation or amendment of any Water Conservation Order (section 216 of the Act);
- Make a submission to an adjoining local authority on any proposed regional policy statement, regional or district plan or change or variation (Clause 6 of Schedule 1 of the Act)
- Make a submission to any application to an adjoining authority for resource consent (section 96 of the Act).

Is delegated to:

Chief Executive
Group Manager – Assets and Infrastructure
Group Manager – Finance and Corporate Support
Group Manager – Planning and Regulatory

The authority to make a submission on any other matter of general Council interest or concern, where it is not possible within the available time to refer the matter to the Council or relevant standing committee, is delegated to:

Chief Executive
[Chief of Operations](#)
Group Manager – Assets and Infrastructure
Group Manager – Finance and Corporate Support
Group Manager – Community Services and Development
Group Manager – Planning and Regulatory

5. REQUESTS AND THE RELEASE OF INFORMATION

5.1 OFFICIAL INFORMATION

All requests for official information from the Council will be referred to the Local Government Official Information Act (LGOIMA) Officer on behalf of the Chief Executive for his or her information.

The authority to exercise the Council's powers under Parts II to V of the Local Government Official Information and Meetings Act 1987 (except those in section 32 of that Act) is delegated to:

Chief Executive
Acting Chief Executive

The ability to refuse to release information under Part 1 clause 6 or clause 7; or Part 2 clause 17 of the Local Government Official Information and Meetings Act 1987 is restricted to:

Chief Executive
Acting Chief Executive

5.2 PRIVACY ACT REQUESTS

The authority to determine in respect of any request for personal information under Part V of the Privacy Act 1993:

- Whether the request can be granted in whole or in part; or
- Where a request has been granted, whether any information should be withheld; or
- Whether a request for personal information to be corrected should be granted; or
- Ensure compliance with all related administrative requirements.

Is delegated to:

Chief Executive
[Strategic Projects](#)[Chief of Operations](#)

5.3 NEWS MEDIA AND WEBSITE

News Media

The authority to make statements to the news media relating to Council's business is delegated to:

Chief Executive

The Chief Executive may delegate to an appropriate staff member a specific media task.

5.4 PLACEMENT OF PUBLIC NOTICES OR ADVERTISEMENTS

The authority to place public notices and advertisements in relevant newspapers or other publications is delegated to:

Chief Executive
[Chief of Operations](#)
Group Manager – Assets and Infrastructure
Group Manager – Finance and Corporate Support

Group Manager – Community Services and Development
Group Manager – Planning and Regulatory

5.5 DISPOSAL OF COUNCIL RECORDS

The authority to dispose of any Council records after receiving confirmation from the relevant Department Manager or, where required, to make application to another authority for disposal, is delegated to:

Group Manager – Community Services and Development
Archivist

PART C

LEGAL AND FINANCIAL DELEGATIONS

Part C of the Delegations Manual sets out the delegations relating to legal matters, significant decision-making procedures under the Local Government Act 2002, operating expenditure, financial and accounting matters including rating.

6. LEGAL ADVICE AND PROCEEDINGS

6.1 AUTHORISATION TO OBTAIN LEGAL ADVICE

The authority to obtain legal advice on Council's behalf is delegated to:

Chief Executive (all legal proceedings to be approved by CE[⊕])

[Chief of Operations](#)

Group Manager – Assets and Infrastructure

Group Manager – Finance and Corporate Support

Group Manager – Community Services and Development

Group Manager – Planning and Regulatory

6.2 AUTHORISATION TO SIGN LEGAL DOCUMENTS

The authority to sign on Council's behalf any routine legal administrative document is delegated to:

Chief Executive

[Chief of Operations](#)

Group Manager – Assets and Infrastructure

Group Manager – Finance and Corporate Support

Group Manager – Community Services and Development

Group Manager – Planning and Regulatory

6.3 AUTHORISATION TO RELEASE OR ALTER LOANS, MORTGAGES AND STATUTORY LAND CHARGES

The authority to release or alter loans, mortgages and statutory land charges has been delegated to:

Chief Executive

Acting Chief Executive

6.4 AUTHORISATION TO COMMENCE COURT PROCEEDINGS

Unless otherwise provided for in the Manual, the authority to commence Court proceedings is confined to the Council except in exceptional circumstances where time does not permit consideration by Council and where such action is necessary to protect or further Council's interests. In such circumstances the authority to commence Court proceedings is delegated to the Chief Executive, following discussion with the Mayor.

The authority to file in the name of the Council a Statement of Defence, or other appropriate response, to any proceedings against the Council, commenced in any Court or Tribunal is delegated to:

Chief Executive

[Chief of Operations](#)

[Group Manager – Assets and Infrastructure](#)

Group Manager – Finance and Corporate Support

Group Manager – Community Services and Development

Group Manager – Planning and Regulatory

6.5 AUTHORISATION TO SETTLEMENT OF CLAIMS AGAINST COUNCIL

The authority to settle claims against Council up to a limit of \$50,000 (exclusive of GST) in accordance with a recommendation from Council's insurers, or competent legal advice is delegated to:

Chief Executive

[Chief of Operations](#)

Group Manager – Assets and Infrastructure

Group Manager – Finance and Corporate Support

Group Manager – Community Services and Development

Group Manager – Planning and Regulatory

6.6 AUTHORISATION TO INITIATE PROCEEDINGS TO RECOVER COSTS

The authority to:

Initiate to have Court costs awarded; and

Initiate legal proceedings to collect Court costs awarded;

Is delegated to:

Chief Executive

[Chief of Operations](#)

Group Manager – Finance and Corporate Support

Group Manager – Community Services and Development

6.7 AUTHORISATION TO ISSUE A TRESPASS NOTICE

The authority to issue a trespass notice on Council's behalf is delegated to:

Chief Executive

[Chief of Operations](#)

Group Manager – Finance and Corporate Support

Group Manager – Assets and Infrastructure

Group Manager – Community Services and Development

Group Manager – Planning and Regulatory

Health, Safety and Wellbeing Officer

6.8 AUTHORISATION TO VOTE ON BEHALF OF COUNCIL

The authority to vote on behalf of Council, where a resolution of Council is not a prerequisite, is delegated to:

Chief Executive
~~Acting Chief Executive~~[Chief of Operations](#)

And/or is delegated to:

The Mayor; and in their absence
The Deputy Mayor

7. OPERATING, PLANT AND CONTINGENCY EXPENDITURE

7.1 TENDER EVALUATION PANEL

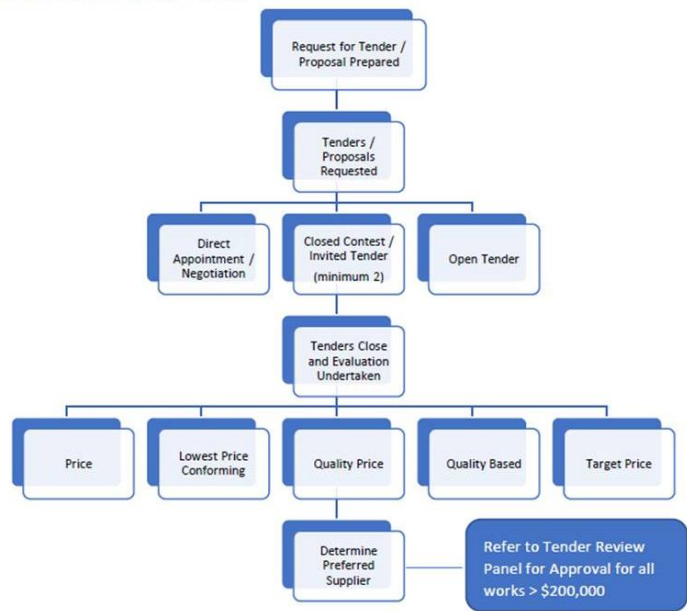
The Tender Evaluation Panel is approved to process tender evaluation reports, for approved works [greater than \\$200,000](#), ~~valued at less than \$200,000~~.

Members of the Tender Evaluation Panel are:

The Mayor
Chief Executive
Infrastructure and Regulatory Committee - Chair
Independent Member of the Infrastructure [and Regulatory](#) Committee

Formatted: Line spacing: Multiple 1.08 li

10.6.2 Flow Chart of the Tender Process



7.2 AUTHORISATION OF FINANCIAL DELEGATION WITHIN APPROVED BUDGETS

The designated positions identified in Table 2 are also authorised to enter into specified contracts for services commensurate with their authorised expenditure limits.

Note: All limits are GST exclusive

Table 2: Delegated authority to approve expenditure within approved budgets.

Designation	Financial Delegated Limit
Chief Executive	\$ 5 100,000
Chief of Operations	\$250,000
Group Manager – Assets and Infrastructure	\$ <u>2</u> 50,000
Group Manager – Finance and Corporate Support	\$110,000
Group Manager – Community Services and Development	\$20,000
Group Manager – Planning and Regulatory	\$20,000
Recovery Manager	\$50,000

Archivist	\$500
BCA Manager	\$5,000
Building Compliance Officer	\$1,000
Assets and Infrastructure Administration Officer	\$500
Community and Engagement Manager	\$5,000
Community Development Officer	\$500
Compliance and Environmental Health Technician	\$
Compliance and Licensing Manager	\$5,000
Compliance Officer	\$500
Compliance Team Leader	\$5,000
Contracts Engineers Roads	\$1,000
Customer Services Officer	\$500
Customer Services Officer (Records)	\$1,000
Customer Services Manager	\$1,000
Economic Development Officer	\$1,000
Environmental Engineer	\$500
Environmental Health Officer	\$1,000
Executive Assistant	\$5,000
Finance Manager	\$20,000
Financial Support Officer	\$500
Financial Support Officer – Rates	\$500
Funding and Contracts Advisor	\$
GIS Cadet	\$500
GIS Officer	\$500
Graphics and Communications	\$
Governance Officer	\$1,000
Health, Safety and Wellbeing Officer	\$1,000
Information Services Manager	\$5,000
Infrastructure Operations Engineer	\$500
Intermediate Planner	\$500
Library Service Manager	\$1,000
Māori Relationships Manager	\$500
Operations Engineer Roads	\$5,000

Formatted: Default

People and Capability Manager	\$2,000
Policy Officer	\$500
Principal Planner	\$5,000
<u>Planning Administrator and Support Officer</u>	\$
Project and Procurement Co-Ordinator	\$500
Project Engineer	\$5,000
Project Manager	\$10,000
Property Officer – Waste Management	\$5,000
Property Officer	\$2,000
Regulatory Administrator	\$500
Regulatory Officer	\$5,000
Regulatory Support Officer	\$500
Senior Accountant	\$20,000
Senior Building Compliance Officer / Technical Leader	\$1,000
Senior Library Services Officer	\$500
Senior Property Operations Officer	\$10,000
Senior Rates Officer	\$5,000
<u>Strategic Projects</u>	<u>\$1,000</u>
The Gaiety Operations Officer	\$500
Tourism and Community Development Team Leader	\$1,000
Tourism Information Officer	\$500
Trade Waste Compliance Officer	\$1,000
Transport Asset Manager	\$10,000
Utilities Manager	\$10,000
Water Production Business Unit Manager	\$5,000
Water Treatment Operating Engineer	\$1,000

Formatted: Default

The Chief Executive, and in relation to their departmental budgets, Group Managers are authorised to re-allocate operating expenditure between budgets with the same rating mechanisms activity budget provided it is necessary to achieve committed outputs and provided the end-of-year budgeted surplus or deficit will be achieved, provided that any likely exceedance is reported to approved by Council or the relevant Committee.

Formatted: Line spacing: Multiple 1.08 li

7.3 AUTHORISATION OF CONTINGENCY EXPENDITURE

The authority to approve contingency expenditure for an emergency including but not limited to flood events, a civil defence emergency management event, maritime oil spills or a pest animal, plant or disease outbreak is delegated to the officers identified in Table 3 and in accordance with the reporting thresholds identified below.

Table 3: Delegated authority to approve contingency expenditure

Position	Name	Reporting threshold (exclusive of GST)	Reporting to
Controller	J Savage	\$500,000	Wairoa District Council as soon as practicable
Controller	M Hardie T Cook	\$500,000	
Controller	Person appointed by HB Civil Defence Emergency Management Group Plan	\$500,000	

7.4 AUTHORISATION FOR CARBON CREDIT TRANSACTIONS

The authority to approve carbon credit transactions including but not limited to sell, purchase, transfer and redeem carbon credits is delegated to the officers identified in Table 4.

Table 4: Delegated authority to approve carbon credit transactions

Account	Position
X	Chief Executive
	Group Manager – Assets and Infrastructure
	Chief of Operations

8. FINANCIAL AND ACCOUNTING MATTERS

8.1 AUTHORISATION TO BANK, INVEST AND SIGN ~~CHEQUES~~APPROVE PAYMENTS

The authority to open/close bank accounts is delegated to:

Either
Group Manager – Finance and Corporate Support or

Finance Manager

AND one of:

Chief Executive

Group Manager - Community Services and Development

Group Manager – Planning and Regulatory

People and Capability Manager

The authority to:

- a) Bank, transfer, and invest funds held by the Council in accordance with Council policy, subject to the observance of appropriate internal controls;
- b) Sign and countersign ~~term sheets~~cheques, bills of exchange, promissory notes and other negotiable instruments, withdrawal notices or authorize electronic payments on behalf of Council;
- c) Approve payroll payments and all payroll related matters; and
- d) Approve all tax payments and tax related matters.

Is delegated to:

~~Chief Executive~~

~~Group Manager – Community and Engagement~~

~~Chief of Operations~~

Group Manager – Finance and Corporate Support

Group Manager - Community Services and Development

Group Manager – Planning and Regulatory

Finance Manager

People and Capability Manager

Specific terms and conditions:

The above delegation is subject to two of the delegates signing and countersigning appropriate documentation.

8.2 AUTHORISATION TO RECOVER DEBTS

The authority to take appropriate action within Council policy to recover debts, including, but not limited to Court (excluding High Court), Tribunal proceedings and debt collection agencies is delegated to:

Chief Executive

Group Manager – Finance and Corporate Support

8.3 AUTHORISATION TO CONSIDER BAD DEBTS

The authority to write off bad debts of up to \$20,000 following discussion with the Group Manager from where the debt originated is delegated to:

Chief Executive

The authority to write off bad debts of up to \$250.00 is delegated to:
Group Manager – [Planning and Regulatory Community and Engagement](#)
Group Manager – Assets and Infrastructure
Group Manager – Community Services and Development
Group Manager – Finance and Corporate Support

8.4 AUTHORISATION TO APPROVE CREDIT NOTES

The authority to approve credit notes up to \$20,000 following discussion with the Group Manager from where the debt originated is delegated to:

Chief Executive
Group Manager – Finance and Corporate Support

8.5 COUNCIL PROPERTY, LEASES AND LICENSES

The authority to:

- a) Approve the leasing or granting of any licence to occupy or tenancy, to vary the terms and conditions of any lease, licence to occupy or tenancy, or to terminate any lease, licence to occupy or tenancy involving Council land;
- b) Enter into contracts for maintenance, management and development of any Council property;
- c) Enter into binding agreements for the sale and purchase of property with schedules listing such sales or purchases being submitted to the relevant Standing Committee on a regular basis. (Sales or purchases in excess of \$150,000 are delegated to the Chief Executive).

Is delegated to:

Group Manager – Assets and Infrastructure
Group Manager – Finance and Corporate Support

- d) Grant and administer stall site licences including licences for the occupation of legal road (including termination thereof where required for non-payment of rental or other good reason);

Is delegated to:

Chief Executive
Group Manager – Assets and Infrastructure
Group Manager – Planning and Regulatory
Transport Asset Manager

8.6 USE OF COUNCIL PROPERTY, ASSETS AND STAFF BY OUTSIDE ORGANISATIONS

The authority to approve:

- a) The use of any Council building, facility or equipment by an outside person or organisation in accordance with established guidelines;
- b) The disposal (whether by tender or otherwise) of any motor vehicle or item of plant in accordance with recognised programme of vehicle and plant replacement;
- c) The disposal (whether by tender or otherwise), and the terms thereof, of any other surplus Council asset up to a book value of \$10,000 (exclusive of GST) per item; and
- d) The hiring out, and the terms and conditions thereof, of any Council asset or staff.

Is delegated to:

Chief Executive
Group Manager – Assets and Infrastructure
Group Manager – Finance and Corporate Support
Group Manager – Community Services and Development
Group Manager – Planning and Regulatory
Senior Property Operations Officer
Tourism and Community Development Team Leader
Library Services Team Leader

8.7 ELECTED MEMBER PAYMENTS

The authority to consider and approve elected members remuneration and expense claims is delegated to:

Chief Executive
Group Manager – Finance and Corporate Support

8.8 AUTHORISATION FOR CHIEF EXECUTIVE CREDIT CARD EXPENDITURE AND REIMBURSEMENT OF EXPENSES

Delegated authority to approve credit card expenditure is assigned to:

The Mayor or in the Mayor's absence the Deputy Mayor for the Chief Executive Credit Card.

8.9 AUTHORISATION TO DECIDE ON RATES REMISSIONS

The authority to consider and decide on applications made under the following Rates Remissions Policies is delegated to the:

Chief Executive
Group Manager – Finance and Corporate Support
Finance Manager
Senior Rates Officer

8.10 OBJECTIONS TO RATING VALUATIONS

Section 6 of the Rating Valuations Regulations 1998 allows for a local authority to extend the due date for objections to rating valuations, either because the valuation wasn't received or for any other good reason. The power to decide on an extension to a due dates for an objection is delegated to either:

Chief Executive
Group Manager – Finance and Corporate Support

8.11 DELEGATIONS WITHIN THE LOCAL GOVERNMENT (RATING) ACT 2002

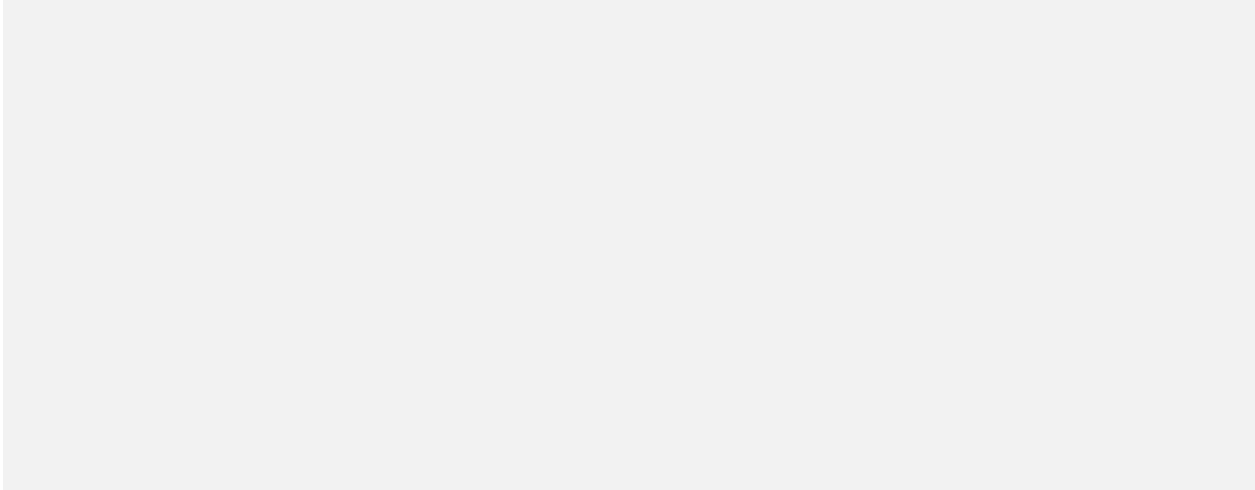
Section	Details of Power	Reason	Delegation
15	To apply the Council's definition (if any) of a separately used or inhabited part of a rating unit.		Group Manager – Finance and Corporate Support Senior Rates Officer
20, 20A	Rating units in common ownership. Decisions on two or more rating units to be treated as one rating unit.		Group Manager – Finance and Corporate Support Finance Manager Senior Rates Officer
27	To keep and maintain the rating information database and to make decisions about the recognition of a rating unit in the rating information database.		Group Manager – Finance and Corporate Support Senior Rates Officer
27 / Sch 1 and 2	To determine the non-rateable status of a rating unit.		Group Manager – Finance and Corporate Support Senior Rates Officer
27(4)	To make decision with respect to determining: <ul style="list-style-type: none">The category to which a rating unit belongs for the general rateThe categories to which the rating unit belongs for a targeted rateExcess water charges		Group Manager – Finance and Corporate Support Senior Rates Officer

27(5)	The decision on whether to divide rating units and the methodology for division.	A division may be required where a single rating unit falls into a number of differential categories	Group Manager – Finance and Corporate Support Senior Rates Officer
28(2)	The decision on whether the discloser of the name of any person is necessary to identify a rating unit.	The Rating Information Database (RID) may not contain the name of any person unless this is necessary to identify the particular property	Group Manager – Finance and Corporate Support Senior Rates Officer
28(3)	Rating database information copy fee. To determine the fee for supplying copies of information from the rating information database.		Group Manager – Finance and Corporate Support Senior Rates Officer
28(4)	To give notice as required.		Chief Executive Group Manager – Finance and Corporate Support Senior Rates Officer
28C	To remove names from the rating information database.		Group Manager – Finance and Corporate Support Senior Rates Officer
29	Authority to determine objections to the RID.	An owner has the right to object to any entry in the RID on a number of grounds. Council determines whether the objection is valid and any actions required correcting it.	Group Manager – Finance and Corporate Support Senior Rates Officer
31, 32, 33	To update the rating information database in accordance with these sections.		Group Manager – Finance and Corporate Support Senior Rates Officer Credit Controller / Rates Administrator

35	Authority to remove a name from the RID.	A person's name may be removed from the RID in circumstances outline in Section 35. Generally, this is as a result of a sale or disposal of the property.	Group Manager – Finance and Corporate Support Senior Rates Officer Credit Controller / Rates Officer
36	To update the rating information database in accordance with this section.		Group Manager – Finance and Corporate Support Senior Rates Officer Credit Controller / Rates Officer
37	To keep and maintain the rates records.		Group Manager – Finance and Corporate Support Senior Rates Officer
39	Authority to determine objections to rates records.	A ratepayer may object to information contained in the rates records on the ground that the rates are calculated incorrectly or that the rates balance is incorrect.	Group Manager – Finance and Corporate Support Senior Rates Officer
40	Authority to correct errors in the RID and Rates Records.	Errors in the RID or rate records may be corrected even if there was no objection.	Group Manager – Finance and Corporate Support Senior Rates Officer
41, 41A	To issue an amended rates assessment if an error is corrected.		Group Manager – Finance and Corporate Support Senior Rates Officer
42	To recover additional rates from a ratepayer and set the interest rate in accordance with this section.		Group Manager – Finance and Corporate Support Finance Manager Senior Rates Officer Credit Controller / Rates Officer
44-51	To provide for the delivery of rates assessments and rates invoices in accordance with these sections.		Group Manager – Finance and Corporate Support Finance Manager

			Senior Rates Officer Credit Controller/Rates Administrator
45, 46	To provide for the design (form and content) of rates assessments and invoices.		Group Manager – Finance and Corporate Support Group Manager – Community Services and Development Senior Rates Officer
50	Rates invoices: To issue invoices based on previous year's rates.		Group Manager – Finance and Corporate Support Finance Manager Senior Rates Officer
51	Combined ratees assessment and rates invoice		Group Manager – Finance and Corporate Support Finance Manager Senior Rates Officer
52	Authority to agree methods of payments for rates	The Act allows rates to be paid by any method that is agreed by the local authority.	Group Manager – Finance and Corporate Support Finance Manager Senior Rates Officer Credit Controller / Rates Administrator
54	Authority not to collect small amounts.	The Act allows the authority to not collect small amounts where, in its opinion, it is uneconomic to do so. It is envisaged that this will only occur where the cost to collect a debt is likely to exceed the amount of the debt due.	Group Manager – Finance and Corporate Support Finance Manager Senior Rates Officer
55, 56	Policy for advance payment of rates		Group Manager – Finance and Corporate Support Finance Manager

			Senior Rates Officer Credit Controller / Rates Administrator
58	To impose penalties in accordance with this section.		Senior Rates Officer Credit Controller/Rates Administrator
61	Authority to collect unpaid rates from the owner.	Where a ratepayer, other than the owner, is in default, the local authority may collect rates that are in default, from the owner.	Group Manager – Finance and Corporate Support Senior Rates Officer Credit Controller / Rates Administrator
62	Authority to collect unpaid rates from persons other than the owner.	Where the owner is in default of their rates, the local authority may recover the rates from a mortgagee.	Group Manager – Finance and Corporate Support Senior Rates Officer Credit Controller / Rate Administrator
62A	Person actually using certain abandoned general land liable for rates		Senior Rates Officer Credit Controller / Rates Administrator
63	Ability to commence legal proceedings for the recovery of rates that are in default.	Where rates are in default, the local authority may commence legal proceedings against the owner for recovery of the rates.	Group Manager – Finance and Corporate Support Senior Rates Officer Credit Controller / Rate Administrator
67	Commencement of rating sales or lease provisions.	Once a local authority has received judgement and payment had not been received within the prescribed period, the authority may commence the process to carry out a rating sale or lease of the land to satisfy the level of the debt.	Chief Executive Group Manager – Finance and Corporate Support Senior Rates Officer Credit Controller / Rate Administrator



72	Authority to sell land by private treaty.	<p>Note: This process is carried out by the District Court Registrar and does not apply to Māori Freehold Land.</p> <p>If land that was the subject of a rating sale does not sell above the reserve set by the Registrar, the Registrar may, with the consent of the local authority, sell the land by private treaty for any consideration that the Registrar thinks reasonable.</p> <p>Note: This does not apply to Māori Freehold Land.</p>	Chief Executive Group Manager – Finance and Corporate Support
77-83	Authority to sell abandoned land.	<p>A local authority has the power to commence the process to have land declared ‘abandoned’ if rates have not been paid on it for three years, and the ratepayer:</p> <ul style="list-style-type: none">• Is unknown, or• Cannot be found after due enquiry, or• Has given notice of the intention to abandon or has abandoned the land. <p>The process is carried out through the District Court and the Court has to be satisfied the appropriate endeavours have been made to discover the owner.</p>	Chief Executive Group Manager – Finance and Corporate Support Senior Rates Officer

		Note: This does not apply to Māori Freehold Land.	
Sch 1 and 2	Non-rateability of land. Determining non-rateable land.		Group Manager – Finance and Corporate Support Senior Rates Officer
85	Authority to administer rates remission and postponement policies.	As defined within the remission and postponement policies.	Chief Executive Group Manager – Finance and Corporate Support
85/87/ 114/115	Remissions and postponement. To administer remissions and postponement policies.		Chief Executive Group Manager – Finance and Corporate Support Senior Rates Officer
90	To authorize the register of a notice of charge under section 90 in relation to postponed rates.		Chief Executive Group Manager – Finance and Corporate Support
90A	Chief Executive may write off rates that cannot be recovered.		Chief Executive
90B	Chief Executive may write off rates of deceased owners of Māori freehold land.		Chief Executive
90C	Chief Executive may delegate power to write off rates.		Chief Executive
90D	Amount of rates written off to be included in notes to financial statements.		Group Manager – Finance and Corporate Support
98A – 98F	How rating unit on Māori freehold land divided into separate ratings areas.	Determine a part of a rating unit to be a separate rating area, apportionment of rates for separate rating area.	Group Manager – Finance and Corporate Support Senior Rates Officer

99	Authority to apply for charging orders.	The Act provides that where it has proved impossible to obtain rate on Māori Freehold Land, a local authority may apply to the Māori Land Court for a charging order on the land.	Group Manager – Finance and Corporate Support Senior Rates Officer Credit Controller / Rate Officer
108	To apply to the Māori Land Court for payment of unpaid rates.		Group Manager – Finance and Corporate Support Senior Rates Officer Credit Controller/Rates Administrator
114	Remission of rates on Māori freehold land generally.		Group Manager – Finance and Corporate Support
114A	Remission of rates of Māori freehold land under development.	The Act authorises the remission of rates from Māori freehold land under development.	Chief Executive Group Manager – Finance and Corporate Support
135	Authority to sign documents for Court proceedings.	The Act authorises Council to commence legal proceedings. The authority to sign such documents needs to be delegated to appropriate officers.	Chief Executive Group Manager – Finance and Corporate Support Group Manager – Community Services and Development Group Manager – Planning and Regulatory
Schedule 1 Clause 14A	An unused rating unit of Māori freehold land.	Unused Māori freehold non rateable.	Chief Executive Group Manager – Finance and Corporate Support

8.12 RECEIPTING AND ADMINISTERING EXTERNAL GRANTS

Staff are already delegated the authority to enter into contracts within authorised expenditure limits. However, at other times, staff are required to enter into contracts where Council is receiving external funding or administering funding on behalf of external organisations. The power to receive and/or administer external grants or funding be delegated to each of:

Chief Executive

[Chief of Operations](#)

Group Manager – Assets and Infrastructure

Group Manager – Finance and Corporate Support

Group Manager – Community Services and Development

Group Manager – Planning and Regulatory

[Library Services Team Leader](#)

[Community Development Manager](#)

[Tourism and Community Development Team Leader](#)

8.13 RECEIPTING AND ADMINISTERING OF MONIES HELD BY COUNCIL FOR EXTERNAL ENTITIES

Where Council holds funds for external entities, a separate memorandum of understanding governing the receipt and expenditure shall be held. Such memorandum of understanding shall comply with any requirements of Council policies and delegated authority.

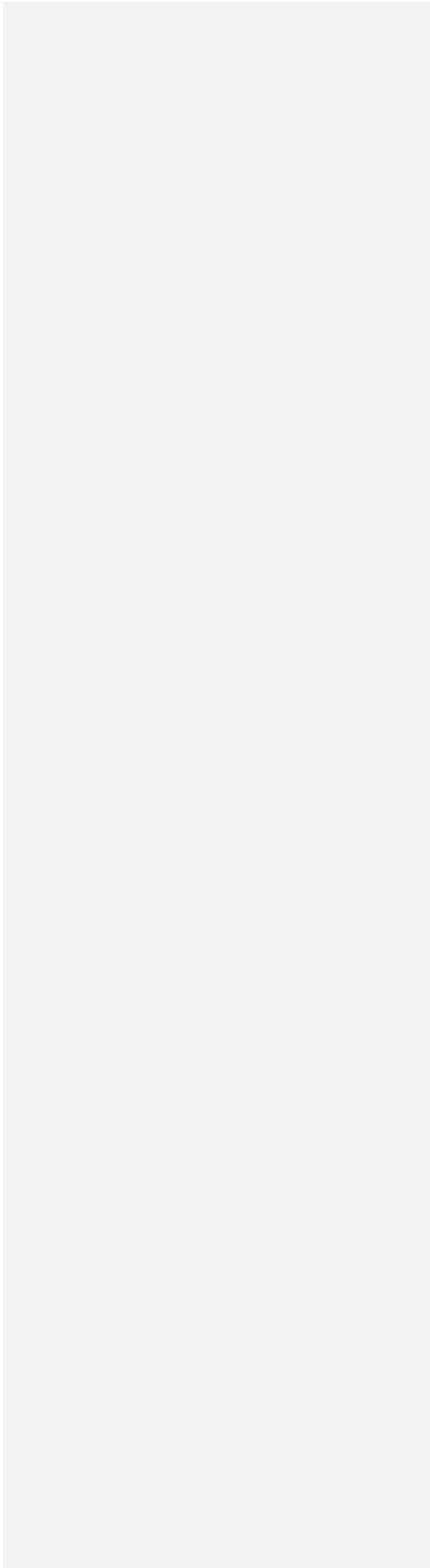
8.14 AUTHORISATION TO RAISE LOANS

1. That Council borrow such amounts and enter into such incidental arrangements on such terms and conditions (including, without limitation, the provision of any security granted by Council) as the Authorised Persons named in 4 below may determine from time to time.
2. Every borrowing or incidental arrangement incurred or entered into by Council on the terms and conditions determined by any of the Authorised Persons shall:
 - 2.1 Be for a purpose or purposes specified in the Long Term Plan as it may be amended or supplemented by Council from time to time, or for general working capital purposes of Council, subject, in each case, to the financial limitations contained in the Liability Management Policy.
 - 2.2 Be secured and have the benefit of a Deed of charge, creating a charge over the rate deemed to be made by Council on the date each loan is raised.
3. Council considers that financial limitations contained in the Long Term Plan and the Liability Management and Investment Policies (as the same may be amended from time to time by Council) address the risks and benefits of the proposed borrowings and incidental arrangements to be undertaken by Council, and that no borrowing or incidental arrangement should be incurred or entered into by Council if such borrowing

or incidental arrangement would exceed those financial limitations, without, in each case, specific authorisation at a full meeting of Council.

4. The persons from time to time holding the following offices with Council (or such other office with Council, howsoever designate, as may from time to time replace or succeed any such office), namely:
 - 4.1 The **Chief Executive** and the **Group Manager – Finance and Corporate Support** be designated as “Authorised Persons”.
- 5 The Authorised Persons are hereby authorised, empowered and appointed, on behalf of Council, while acting jointly (but subject to 1 and 2 above) to:
 - 5.1 Investigate, consider, negotiate, agree and approve the specific terms and conditions of each borrowing and/or incidental arrangement entered into by Council from time to time, in accordance with and for the purpose of implementing, the capital and operating expenditure programmes set out in the Long Term Plan and otherwise in accordance with the financial limitations contained in the Treasury Management Policy including Liability Management and Investments Policies;
 - 5.2 Negotiate, agree, enter into, execute and deliver such documents and take all actions and make all decision as the Authorised Persons may consider necessary or desirable for the purpose of giving effect to any borrowing or incidental arrangement and any security which may be given in respect thereof; and
 - 5.3 Sign, dispatch, give or make, any letter, acknowledgement, notice, certificate, demand, authority, undertaking, approval, payment instruction or other document on behalf of Council as the Authorised Persons may consider necessary or desirable in connection with, or incidental to, the matters referred to or authorised in paragraphs 5.1 or 5.2 above.
- 6 All further actions, documents, agreements, deeds, resolutions, powers of attorney, authorities, letters, payments, undertaking, approvals or notices required under or in connection with the matters approved and authorized by these Resolutions be from time to time undertaken, executed, entered into, made or given by or on behalf of Council by the Authorised Persons; such further matters to be in the form and/or on the terms and conditions approved by the Authorised Persons (appointed pursuant to these Resolutions) and the execution of any document(s) relating to such matters by the Authorised Persons shall be conclusive evidence of the agreement to and authorisation, approval and confirmation of that matter by Council and the Authorised Persons.
- 7 The authorisations set out in 4 to 6 above:
 - 7.1 Shall remain in force and effect until they are revoked by resolution of Council, provided that any person dealing with the Authorised Person shall be entitled to assume that the authorisations have not been revoked and remain in force and effect and, in so assuming, shall be protected unless and until actual notice of revocation has been given; and
 - 7.2 Shall be exercisable by the Authorised Persons without, and be valid and effective to bind Council notwithstanding the absence of, notice to or approval by Council, but shall not operate to the exclusion of Council powers in respect of

the matters referred to therein, to the effect that Council may continue to exercise those powers themselves notwithstanding the authorisations.



PART D

STATUTORY DELEGATIONS

Part D of the Delegations Manual sets out delegations under various statutes to Council committees, staff, and other functionaries.

9. DELEGATION TO OFFICERS

Title	Delegation / Authority
Chief Executive	<p>An Enforcement Officer pursuant to Section 232, and an Authorised Officer pursuant to Section 222(4) of the Building Act 2004 with the following delegated responsibilities, powers and duties:</p> <ul style="list-style-type: none">• Section 45A – Grant a Minor Variation• Section 49 – Grant a Building Consent• Section 50 – Refusal of application for Building Consent• Section 51 – The Authority to Issue a Building Consent• Section 215 – Territorial Authority must gain accreditation and be registered• Section 381 –District Council may grant injunctions for certain continuing breaches <p>An Authorised Officer pursuant to the Building Research Levy Act 1969.</p> <p>An Authorised Officer pursuant to the Burial and Cremation Act 1964.</p> <p>An Authorised Officer pursuant to Civil Defence Emergency Management Act 2002 for the purpose of:</p> <ul style="list-style-type: none">• Section 64 – duties of local authorities <p>A warranted Dog Control Officer pursuant to Section 11 of the Dog Control Act 1996, for the purpose of:</p> <ul style="list-style-type: none">• Section 33E(5) – Effect of classification as menacing dog <p>An Authorised Officer pursuant to the Electronic Transactions – Land Transfer Act 1952.</p> <p>An Authorised Officer pursuant to Fencing Act 1978.</p> <p>An Inspector pursuant to Section 11 of the Fencing of Swimming Pools Act 1987 for the purpose of:</p> <p>An Authorised Officer pursuant to the Food Act 2014.</p> <p>An Authorised Officer pursuant to the Freedom Camping Act 2011 for the purpose of:</p> <ul style="list-style-type: none">• Section 32 – Appointment of enforcement officers by local authorities <p>An Authorised Officer pursuant to the Gambling Act 2003 for the purpose of:</p> <ul style="list-style-type: none">• Section 100 – Considering and determining application for territorial authority consent <p>An Authorised Officer pursuant to the Gas Act 1992.</p> <p>An Authorised Officer pursuant to the Government Roothing Powers Act 1989.</p>

	<p>An Authorised Officer pursuant to the Hazardous Substance and New Organisms Act 1996 for the purpose of:</p> <ul style="list-style-type: none"> • Section 100 – Appointment of enforcement officers <p>An Authorised Officer pursuant to the Health Act 1956 for the purpose of:</p> <ul style="list-style-type: none"> • Section 23 – General powers and duties of local authorities in respect of public health • Section 28 – Appointment of environmental health officers by local authorities • Section 42 – Local authority may require repairs and issue closing order • Section 45 – Determination of closing order • Section 54 – Restrictions on carrying on offensive trade • Section 58 – Restrictions on establishment of stock saleyards • Section 128 – Power of entry and inspection <p>An Authorised Officer pursuant to the Impounding Act 1955.</p> <p>An Authorised Officer pursuant to the Land Drainage Act 1908.</p> <p>An Authorised Officer pursuant to the Land Transport Act 1998 for the purpose of:</p> <ul style="list-style-type: none"> • Section 128D – Appointment of parking wardens <p>An Authorised Officer pursuant to the Land Transport Management Act 2003.</p> <p>A Litter Control Officer pursuant to Section 5 of the Litter Act 1979 for the purpose of:</p> <ul style="list-style-type: none"> • Section 5 – Litter control officers • Section 8 – Litter wardens • Section 10 – Territorial authority may require occupier of private land to clear litter <p><u>An Authorised Officer pursuant to the Local Government Act 1974:</u> <u>An Authorised Officer pursuant to the Local Government Act 1974 for the purpose of:</u></p> <ul style="list-style-type: none"> • Section 330 – Road levels • Section 331 – Footpaths and channels • Section 333 – Dividing strips, etc • Section 334 – Erection of monuments, etc, and provision of facilities on or under roads • Section 335(1) – Vehicle crossings • Section 335(9) – Vehicle crossings • Section 337 – Alternation of pipes and drains • Section 338 – Council may grant right to lay conduit pipes along or under road • Section 340 – Motor garages • Section 341 – Leases of airspace or subsoil of roads • Section 342 – Stopping and Closing Roads • Section 344(1) – Gates and cattle stops across roads • Section 355 – Council may require removal of overhanging trees, etc • Section 356 – Removal of abandoned vehicles from roads
--	---

43

	<ul style="list-style-type: none"> • Section 105 – Granting of land as compensation where equivalent land not readily available • Section 107(1) – Provisions relating to grants of land in exchange <p>An Authorised Officer pursuant to the Racing Act 2003.</p> <p>An Authorised Officer pursuant to the Rates Rebate Act 1973.</p> <p>An Authorised Officer pursuant to the Reserves Act 1977 for the purpose of:</p> <ul style="list-style-type: none"> • Section 15(3) – Minister may authorize exchange of reserves for other land • Section 18(2)(e) – Historic reserves • Section 19(2)(a) – Scenic reserves • Section 19(3)(a) – Scenic reserves • Section 44(2) – Unauthorised use of reserve • Section 50(1) – Taking or killing of fauna • Section 53(1)(e) – Powers (other than leasing) in respect of recreation reserves <p>An Enforcement Officer pursuant to Section 38(1) of the Resource Management Act 1991, for the purposes of:</p> <ul style="list-style-type: none"> • Section 42 – Protection of sensitive information <p>An inspector pursuant to Section 197 of the Sale and Supply of Alcohol Act 2012 for the purpose of:</p> <ul style="list-style-type: none"> • Section 64(1) – Issue of licences, certificates, and authorities • Section 196 – Secretary of licensing committees • Section 197(5) – Licensing inspectors <p>An Authorised Officer pursuant to the Statutory Land Charges Registration Act 1928 for the purpose of:</p> <ul style="list-style-type: none"> • Section 7(2) <p>An Authorised Officer pursuant to the Utilities Access Act 2010.</p> <p>An Authorised Officer pursuant to the Walking Access Act 2008</p> <p>An Authorised Officer pursuant to the Waste Minimisation Act 2008.</p> <p>An Authorised Officer pursuant to the Weathertight Homes Resolution Services Act 2006.</p> <p>An Authorised Officer pursuant to the Wairoa District Council Bylaws for the purpose of:</p> <ul style="list-style-type: none"> • Part 1 – Introductory • Part 2 – Land Transport • Part 3 – Public Safety • Part 4 – Urban Fire Prevention • Part 5 – Water Supply • Part 6 – Cemeteries • Part 7 – Dog Control • Part 8 – Trade Waste and Wastewater • Part 8 – Wastewater Bylaw
--	--

	<ul style="list-style-type: none"> • Part 9 – Freedom Camping (Note shown as Part 9 as adopted in 2019) • Part 9 – Tradewaste Bylaw (Note 'Part 9' has been repeated when this bylaw was adopted in 2022) • Part 10- Stormwater Bylaw
Group Manager – Assets and Infrastructure	<p>An Authorised Officer pursuant to the Burial and Cremation Act 1964.</p> <p>An Authorised Officer pursuant to the Electronic Transactions – Land Transfer Act 1952.</p> <p>An Authorised Officer pursuant to the Gas Act 1992.</p> <p>An Authorised Officer pursuant to the Government Rooding Powers Act 1989.</p> <p>An Authorised Officer pursuant to the Land Drainage Act 1908.</p> <p>An Authorised Officer pursuant to the Land Transport Act 1998.</p> <p>An Authorised Officer pursuant to the Land Transport Management Act 2003.</p> <p>An Authorised Officer pursuant to the Litter Act 1979 for the purpose of:</p> <ul style="list-style-type: none"> • Section 5 – Litter control officers • Section 8 – Litter wardens • Section 10 – Territorial authority may require occupier of private land to clear litter <p>An Authorised Officer pursuant to the Local Government Act 1974 for the purpose of:</p> <ul style="list-style-type: none"> • Section 330 – Road levels • Section 331 – Footpaths and channels • Section 333 – Dividing strips, etc • Section 334 – Erection of monuments, etc, and provision of facilities on or under roads • Section 335(1) – Vehicle crossings • Section 335(9) – Vehicle crossings • Section 337 – Alternation of pipes and drains • Section 338 – Council may grant right to lay conduit pipes along or under road • Section 340 – Motor garages • Section 341 – Leases of airspace or subsoil of roads • Section 342 – Stopping and Closing Roads • Section 344(1) – Gates and cattle stops across roads • Section 355 – Council may require removal of overhanging trees, etc • Section 356 – Removal of abandoned vehicles from roads • Section 356A – Further provision in relation to removal of vehicles from roads • Section 356B – Relationship between section 356 and section 356A

	<ul style="list-style-type: none"> • Section 357 – Penalties for damage to roads • 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 461 – Further provisions with respect to private drains • Section 468 – Tree roots obstructing public drains • Section 511 – Removal of obstructions from drainage channel or watercourse • Section 514 – Council may make advances to owners • Schedule 10 – Clause 11 – Temporary prohibition of traffic • Schedule 10 – Clause 12 – Temporary prohibition of traffic <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency <p>An Authorised Officer pursuant to the Local Government Act 2002 for the purpose of:</p> <ul style="list-style-type: none"> • Section 181 – Construction of works on private land • Section 181(1) – Construction of works on private land • Section 181(2) – Construction of works on private land • Section 199C – Right to object to assessed amount of development contributions • Section 199D – Scope of development contribution objections • Section 199E – Procedure for development contribution objections • Section 199F – Appointment and register of development contributions commissioners • Section 199G – Removal of development contribution commissioners • Section 199H – Who may decide development contribution objections • Section 199I – Development contribution objection hearings • Section 199J – Consideration of development contribution objection • Section 199K – Additional powers of development contributions commissioners • Section 199L – Liability of development contributions commissioners • Section 199M – Residual powers of territorial authority relating to development contribution objection decision • Section 199N – Objector's right to apply for judicial review unaffected • Section 208 – Powers of territorial authority if development contributions not paid or made • Schedule 13A – Procedure relating to development contribution objections <p>An Authorised Officer pursuant to Parking and Traffic Enforcement.</p>
--	--

	<p>An Authorised Officer pursuant to the Public Works Act 1981 for the purpose of:</p> <ul style="list-style-type: none"> • Section 4(6)(b)(ii) – Service and content of notices • Section 17(1) – Acquisition by agreement • Section 17(4) – Acquisition by agreement • Section 18(1) – Prior negotiations required for acquisition of land for essential works • Section 18(1)(d) – Prior negotiations required for acquisition of land for essential works • Section 18(2) – Prior negotiations required for acquisition of land for essential works • Section 18(3) – Prior negotiations required for acquisition of land for essential works • Section 18(4) – Prior negotiations required for acquisition of land for essential works • Section 18(5) – Prior negotiations required for acquisition of land for essential works • Section 18(7) – Prior negotiations required for acquisition of land for essential works • Section 20 – Declaration may give effect to agreement • Section 21 – Land may be purchased or improved for granting as compensation • Section 23(1) – Notice of intention to take land • Section 23(8) – Notice of intention to take land • Section 24(6) – Objection to be heard by Environment Court • Section 25 – Environment Judge may conduct inquiry alone by agreement • Section 26 – When Proclamation may issue • Section 27 – National material on land may be acquired or taken for public work • Section 28 – Particular estates in land may be acquired or taken • Section 31 – Surface, subsoil, or air space may be acquired separately • Section 34(3) – Owner may require severed land to be taken • Section 40 – Disposal of former owner of land not required for public work • Section 41(e) – Disposal of former Māori land when no longer required • Section 42 – Disposal in other cases of land not required for public work • Section 43 – Land may be sold on deferred payments • Section 45(1) – Land held for public work may be leased, etc • Section 45(6) – Land held for public work may be leased, etc • Section 47 – Issue of record of title to land held for public work • Section 48 – Easement may be granted over land held for public work • Section 49 – Dealing with strata • Section 50 – Transfer of existing public works • Section 52(4) – Setting apart Crown land, public reserve, etc, for public work • Section 65 – Compensation for land for which no general demand exists • Section 71(6) – Claimant's acts making execution of work more costly
--	---

	<ul style="list-style-type: none"> • Section 71(7) – Claimant’s acts making execution of work more costly • Section 73(4) – Assistance to purchase dwelling • Section 74(4) – Assistance to purchase dwelling • Section 75 – Compensation for tenants of residential and business premises • Section 76 – Refund of expenses where acquisition of land abandoned • Section 79 – Minister or local authority may take proceedings to determine compensation if person entitled fails to make claim • Section 81 – Public Trust may be ordered to represent infants, absentee owners, etc • Section 84 – Filing claims in District Court • Section 96 – When title doubtful compensation, etc, to be paid to Public Trust • Section 99(2) – Mortgaged land • Section 100(3) – Land subject to rent charge • Section 103 – Minister or local authority may grant easements, etc, in lieu of compensation • Section 105 – Granting of land as compensation where equivalent land not readily available • Section 107(1) – Provisions relating to grants of land in exchange • Section 107(2) – Provisions relating to grants of land in exchange • Section 107(5) – Provisions relating to grants of land in exchange • Section 107(6) – Provisions relating to grants of land in exchange • Section 107(9C) – Provisions relating to grants of land in exchange • Section 107A – Grant of lease or licence as compensation • Section 110 – Powers of entry for certain survey purposes • Section 111 – Powers of entry for other survey and investigation purposes • Section 114 – Declaring land to be road • Section 115(9) – Certificate of consent may be registered • Section 133(2) – Removal of trees, hedges, etc, that obscure visibility or interfere with a public work • Section 133(5) – Removal of trees, hedges, etc, that obscure visibility or interfere with a public work • Section 133(7) – Removal of trees, hedges, etc, that obscure visibility or interfere with a public work • Section 133(8) – Removal of trees, hedges, etc, that obscure visibility or interfere with a public work • Section 133(9) – Removal of trees, hedges, etc, that obscure visibility or interfere with a public work • Section 134 – Service of notice • Section 135 – Emergency work on trees, etc • Section 191 – Secondary use of land held for public work • Section 233 – Notice of entry to be given • Section 234 – Emergency entry on land • Section 237 – Excavations near public works
--	---

	<ul style="list-style-type: none"> Section 239 – Removal and disposal of abandoned property from public works land <p>An Authorised Officer pursuant to the Reserves Act 1977 for the purpose of:</p> <ul style="list-style-type: none"> Section 15(3) – Minister may authorise exchange of reserves for other land Section 48(1) – Grants of rights of way and other easements Section 48A(1) – Use of reserve for communications station Section 48A(3) – Use of reserve for communications station Section 49 – Taking of specimens Section 50(1) – Taking or killing of fauna Section 51(1) – Introduction of flora and fauna Section 52(1) – Union of reserves Section 53(1)(d) – Powers (other than leasing) in respect of recreation reserves Section 53(1)(e) – Powers (other than leasing) in respect of recreation reserves Section 54(1) – Leasing powers in respect of recreation reserves (except farming, grazing, or afforestation leases) Section 56(1) – Leasing powers in respect of scenic reserves Section 58A(1) – Leasing powers in respect of historic reserves Section 59A(1) – Granting of concessions on reserves administered by Crown Section 73(1) – Leasing of recreation reserves for farming, grazing, afforestation, or other purposes Section 73(2) – Leasing of recreation reserves for farming, grazing, afforestation, or other purposes Section 73(3) – Leasing of recreation reserves for farming, grazing, afforestation, or other purposes Section 73(6) – Leasing of recreation reserves for farming, grazing, afforestation, or other purposes Section 74(1)(b)(ii) – Licences to occupy reserves temporarily Section 121 – Minister may give conditional consent or approval <p>An Authorised Officer pursuant to the Resource Management Act 1991 for the purpose of:</p> <ul style="list-style-type: none"> Section 176 – Effect of designation Section 235 – Creation of esplanade strips by agreement Section 237B – Access strips Section 237C – Closure of strips to public Section 237D – Transfer to the Crown or regional council Section 237H – Valuation Section 388 – Requirement to supply information <p>An Authorised Officer pursuant to the Utilities Access Act 2010.</p> <p>An Authorised Officer pursuant to the Walking Access Act 2008.</p> <p>An Authorised Officer pursuant to the Waste Minimisation Act 2008.</p> <p>An Authorised Officer pursuant to the Wairoa District Council Bylaws for the purpose of:</p> <ul style="list-style-type: none"> Part 2 – Land Transport
--	---

	<ul style="list-style-type: none"> • Part 3 – Public Safety • Part 5 – Water Supply • Part 6 – Cemeteries • Part 8 – Trade Waste and Wastewater
Group Manager – Finance and Corporate Support	<p>An Authorised Officer pursuant to the Building Act 2004 for the purpose of:</p> <ul style="list-style-type: none"> • Section 62 – Territorial authority may recover unpaid levies from applicant for building consent • Section 221 – Recovery of costs when territorial authority carries out work on default <p>An Authorised Officer pursuant to the Impounding Act 1955 for the purpose of:</p> <ul style="list-style-type: none"> • Section 42(1) – Disposal of wild stock straying on roads <p>An Authorised Officer pursuant to the Public Works Act 1981 for the purpose of:</p> <ul style="list-style-type: none"> • Section 63 – Compensation for injurious affection where no land taken • Section 65 – Compensation for land for which no general demand exists • Section 70(1) – Offer of compensation when land taken • Section 75 – Compensation for tenants of residential and business premises • Section 96 – When title doubtful compensation, etc, to be paid to Public Trust • Section 105 – Granting of land as compensation here equivalent land not readily available • Section 107(1) – Provisions relating to grants of land in exchange <p>An Authorised Officer pursuant to the Rates Rebate Act 1973 for the purpose of:</p> <ul style="list-style-type: none"> • Section 13 – Form of verification <p>An Authorised Officer pursuant to the Reserves Act 1977 for the purpose of:</p> <ul style="list-style-type: none"> • Section 15(3) – Minister may authorise exchange of reserve for other land • Section 53(1)(e) – Powers (other than leasing) in respect of recreation reserves
Group Manager – Community Services and Development	<p>An Authorised Officer pursuant to the Gambling Act 2003 for the purpose of:</p> <ul style="list-style-type: none"> • Section 100 – Consideration and determining application for territorial authority consent <p>An Authorised Officer pursuant to the Hazardous Substances and New Organisms Act 1996 for the purpose of:</p> <ul style="list-style-type: none"> • Section 100 – Appointment of enforcement officers <p>An Authorised Officer pursuant to the Local Government Act 2002 for the purpose of:</p> <ul style="list-style-type: none"> • Section 174 – Authority to act

	<ul style="list-style-type: none"> Section 177 – Appointment of enforcement officer <p>An Authorised Officer pursuant to the Local Government Official Information and Meetings Act 1987 for the purpose of:</p> <ul style="list-style-type: none"> Section 11 - Assistance Section 12 – Transfer of request Section 13 – Decisions on requests Section 14 – Extension of time limits Section 15 - Documents Section 16 – Deletion of information from documents Section 17 – Refusal of requests Section 17A – Requests involving substantial collation or research Section 17B – Duty to consider consulting person if request likely to be refused under section 17(e) or (f) Section 18 – Reason for refusal to be given Section 21 – Right of access to internal rules affecting decisions Section 22 – Right of access by person to reasons for decisions affecting that person Section 24 Precautions Section 25 – Correction of information Section 26 – Reasons for refusal of requests for personal information Section 46 – Meetings of local authorities to be publicly notified Section 46A – availability of agendas and reports Section 49 – Provisions applying when meeting open to public Section 51 – Right of public to inspect or receive copies of minutes of meeting Section 51A – Public notification of resolution at extraordinary meeting <p>An Authorised Officer pursuant to the Public Records Act 2005 for the purpose of:</p> <ul style="list-style-type: none"> Section 17 – Requirement to create and maintain records Section 40 – Protected records of local authorities Section 45 – Requirement to classify access status of local authority records Section 46 – Basis for determining access status of local authority records Section 47 – Public inspection of open access records
Group Manager – Planning and Regulatory	<p>An Enforcement Officer pursuant to Section 232, and an Authorised Officer pursuant to Section 222(4) of the Building Act 2004 with the following delegated responsibilities, powers and duties:</p> <ul style="list-style-type: none"> Section 7 - Interpretation Section 31 – Building consent authority must apply for project information memorandum Section 33 – Content of application Section 34 – Issue of project information memorandum Section 35 – Content of project information memorandum Section 36 – Territorial authority may issue development contribution notice

	<ul style="list-style-type: none"> • Section 37 – Territorial authority must issue certificate if resource consent required • Section 38 – Territorial authority must give copy of project information memorandum in certain circumstances • Section 39 – Territorial authority must advise Heritage New Zealand Pouhere Taonga in certain circumstances • Section 42 – Owner must apply for certificate of acceptance if building work carried out urgently • Section 45 – How to apply for building consent • Section 45A – Minor variations to building consents • Section 46 – Copy of certain applications for building consent must be provided to Fire and Emergency New Zealand • Section 48(1) – Processing application for building consent • Section 49 – Grant of building consent • Section 50 – Refusal of application for building consent • Section 51 – Issue of building consent • Section 52 – Lapse of building consent • Section 54 – Building consent authority must advise applicant of amount of levy payable • Section 58 – Liability to pay levy: building consent authority • Section 59 – Liability to pay levy: territorial authority • Section 62 – Territorial authority may recover unpaid levies from applicant for building consent • Section 64 – Audit of issue of building consents for purpose of ascertaining payment of levy • Section 67 – Territorial authority may grant building consent subject to waivers or modifications of building code • Section 67A – Territorial authority may grant waivers or modifications in relation to means of restricting access to residential pools • Section 68 – Territorial authority must notify chief executive if waiver or modification granted • Section 70 – Applications relating to energy work • Section 71 – Building on land subject to national hazards • Section 72 – Building consent for building on land subject to natural hazards must be granted in certain cases • Section 73 – Conditions on building consents granted under section 72 • Section 74 – Steps after notification • Section 75 – Construction of building on 2 or more allotments • Section 77 – Building consent must not be granted until condition is imposed under section 75 • Section 83 – Owner may apply for entry to be removed • Section 90 – Inspections by building consent authorities • Section 91 – Building consent authority that grants building consent to issue code compliance certificate • Section 93 – Time in which building consent authority must decide whether to issue code compliance certificate • Section 94 – Matters for consideration by building consent authority in deciding issue of code compliance certificate • Section 95 – Issue of code compliance certificate • Section 95A – Refusal to issue code compliance certificate • Section 96 – Territorial authority may issue certificate of acceptance in certain circumstances
--	---

	<ul style="list-style-type: none"> • Section 97 – How to apply for certificate of acceptance • Section 98 – Processing application for certificate of acceptance • Section 99 – Issue of certificate of acceptance • Section 99AA – Withholding certificate of acceptance • Section 99A – Refusal of application for certificate of acceptance • Section 102 – When compliance schedule must be issued • Section 102A – Procedure for obtaining compliance schedule where building consent not required • Section 103 – Content of compliance schedule • Section 104 – Building consent authority must notify territorial authority of issue of compliance schedule • Section 106 – Applications of owner if compliance schedule is issued • Section 107 – Territorial authority may amend compliance schedule on own initiative • Section 111 – Inspections by territorial authority • Section 112 – Alterations of existing buildings • Section 113 – Buildings with specified intended lives • Section 115 – Code compliance requirements: change of use • Section 116 – Code compliance requirements: extension of life • Section 116A – Code compliance requirements: subdivision • Section 124 – Dangerous, affected, or insanitary buildings: powers of territorial authority • Section 125 – Requirements for notice requiring building work or restricting entry • Section 126 – Territorial authority may carry out work • Section 127 – Building work includes demolition of building • Section 128 – Prohibition on using dangerous, affected, or insanitary building • Section 128A – Offences in relation to dangerous, affected, or insanitary buildings • Section 129 – Measures to avoid immediate danger or to fix insanitary conditions • Section 130 – Territorial authority must apply to District Court for confirmation of warrant • Section 163 – Definitions for this subpart • Section 164 – Issue of notice to fix • Section 165 – Form and content of notice to fix • Section 166 – Special provisions for notices to fix from building consent authority • Section 167 – Inspection of building work under notice to fix • Section 177 – Application for determination • Section 180 – Application for determination may be withdrawn • Section 212 – Territorial authority must act as building consent authority for its district • Section 215 – Territorial authority must gain accreditation and be registered • Section 216 – Territorial authority must keep information about buildings • Section 217 – Access to certain information kept by territorial authority • Section 218 – Territorial authority must provide information to chief executive for purpose of facilitating performance of chief executive's function under sections 169 and 169A
--	---

	<ul style="list-style-type: none"> • Section 219 – Territorial authority may impose fee or charge and must collect levy • Section 220 – Territorial authority may carry out building work on default • Section 221 – Recovery of costs when territorial authority carries out work on default • Section 222 – Inspections by territorial authority • Section 362A – Outline of this Part • Section 362B – Meaning of building work and residential building contract • Section 362C – Consumer rights under Fair Trading Act 1986 or Consumer Guarantees Act 1993 not affected by this Part • Section 362D – Building contractor must provide information before residential building contract entered into • Section 362E – Purpose of regulations under section 362D • Section 362F – Minimum requirements for residential building contract over certain value • Section 362G – Regulations may prescribe content, etc of residential building contract • Section 362H – When provisions relating to implied warranties apply • Section 362I – Implied warranties for building work in relation to household units • Section 362J – Proceedings for breach of warranties may be taken by non-party to contract • Section 362K – Person may not give away benefit of warranties • Section 362L – Remedies for breach of implied warranty • Section 362M – Remedies if breach of warranty can be remedied • Section 362N – Remedies if breach of warranty cannot be remedied or breach is substantial • Section 362O – Meaning of substantial breach • Section 362P – Rules applying to cancellation • Section 362Q – Building contractor or on-seller must remedy defect notified within 1 year of completion • Section 362R – Definitions for purposes of section 362Q • Section 362S – Exclusion of liability for event not attributable to fault of building contractor or on-seller • Section 362T – Building contractor must provide prescribed information and documentation on completion of residential building work • Section 362U – Purpose of regulations under section 362T(2) • Section 362V – Offence for commercial on-seller to transfer household unit without code compliance certificate • Section 362W – Premises in respect of which duty arises under section 363 • Section 363 – Protecting safety of members of public using premises open to public or intended for public use • Section 363A – Public use of premises may be allowed before issue of code compliance certificate in some circumstances • Section 363C – Section 363 does not apply to building work commenced before 31 March 2005 • Section 371 – Proceedings for infringement offences • Section 371A – Who may issue infringement notices • Section 371B – Authorisation to issue infringement notice
--	--

	<ul style="list-style-type: none"> • Section 371C – Conditions of authorisation • Section 371D – Offence to impersonate enforcement officer • Section 372 – Issue of infringement notices • Section 373 – Form of infringement notices • Section 374 – Payment of infringement fees • Section 377 – Filing charging document • Section 378 – Time limit for filing charging document • Section 379 – Offence under more than 1 enactment • Section 381 – District Court may grant injunctions for certain continuing breaches <p>An Authorised Officer pursuant to the Building Research Levy Act 1969.</p> <p>A warranted Dog Control Officer pursuant to Section 11 of the Dog Control Act 1996, for the purpose of:</p> <ul style="list-style-type: none"> • Section 2 - Interpretation • Section 10A – Territorial authority must report on dog control policy and practices • Section 11 – Dog control officers • Section 12 – Dog rangers • Section 13 – Dog control officer and dog ranger to produce warrant of authority and evidence of identity • Section 20 – Dog control bylaws • Section 21 – Classification of probationary owners • Section 23A – Territorial authority may require probationary owner to undertake training • Section 25 – Disqualification of owners • Section 28(6) – Effect of disqualification • Section 30 – Maintenance of records and provision of information • Section 31 – Territorial authority to classify dangerous dogs • Section 32(1)(f) – Effect of classification as dangerous dog • Section 32(5)(b) – Effect of classification as dangerous dog • Section 33 – Territorial authority's consent to disposal of dangerous dog • Section 33A – Territorial authority may classify dog as menacing • Section 33C – Dogs belonging to breed or type listed in Schedule 4 to be classified as menacing • Section 33E(1) – Effect of classification as menacing dog • Section 33E(5) – Effect of classification as menacing dog • Section 33EB(2) – Territorial authority (other than classifying authority) may require neutering of menacing dog • Section 33ED – Territorial authority to classify certain dogs as dangerous or menacing • Section 35 – Supply of register information • Section 35A – National dog control information database • Section 35AB – National dog control information database may contain additional information supplied by territorial authority • Section 36(5) – Application for registration • Section 36A – Microchip transponder must be implanted in certain dogs • Section 37 – Territorial authority to set fees
--	---

	<ul style="list-style-type: none"> • Section 38 – Registration fee for certain dogs registered on or after 2 August • Section 39 – Refund or reduction of fees • Section 40 – Proof of class of dog • Section 42 – Offence of failing to register dog • Section 46 – Issue of label or disc and completion of registration • Section 48 – Change of ownership of dog • Section 49 – Transfer of dog from one address or district to another • Section 50 – Dog not wearing proper label or disc may be impounded • Section 55 – Barking dogs • Section 66 – Infringement notices • Section 67 – Provision of pound facilities • Section 69 – Impounding and subsequent disposal of dog • Section 70 – Custody of dog removed for barking • Section 71 – Retention of dog threatening public safety • Section 71A – Disposal of dog seized under section 15 or 33EC <p>An Authorised Officer pursuant to the Electronic Transactions - Land Transfer Act 1952.</p> <p>An Authorised Officer pursuant to Fencing Act 1978.</p> <p>An Authorised Officer pursuant to the Food Act 2014.</p> <p>An Authorised Officer pursuant to the Freedom Camping Act 2011 for the purpose of:</p> <ul style="list-style-type: none"> • Section 32 – Appointment of enforcement offices by local authorities • Section 39 – Return of property seized and impounded • Section 40 – Disposal of property seized and impounded <p>An Authorised Officer pursuant to the Hazardous Substances and New Organisms Act 1996 for the purpose of:</p> <ul style="list-style-type: none"> • Section 100 – Appointment of enforcement officers <p>An Authorised Officer pursuant to the Health Act 1956 for the purpose of:</p> <ul style="list-style-type: none"> • Section 23 – General powers and duties of local authorities in respect of public health • Section 28 – Appointment of environmental health officer by local authority • Section 33 – Proceedings in respect of nuisances • Section 41 – Owner or occupiers may be required to cleanse premises • Section 42 – Local authority may require repairs and issue closing order • Section 45 – Determination of closing order • Section 54 – Restriction on carrying on offensive trade • Section 58 – Restrictions on establishment of stock saleyards • Section 81 – Power of local authority to disinfect premises • Section 128 – Power of entry and inspection
--	---

	<p>An Authorised Officer pursuant to the Health (Registration of Premises) Regulations 1966 for the purpose of:</p> <ul style="list-style-type: none"> • Clause 4 • Clause 5 • Clause 8 • Clause 9 <p>An Authorised Officer pursuant to the Impounding Act 1955 for the purpose of:</p> <ul style="list-style-type: none"> • Section 8 – Appointment of poundkeepers, etc • Section 9 – Appointment of deputies • Section 42(1) – Disposal of wild stock straying on roads <p>A litter Control Officer pursuant to Section 5 of the Litter Act 1979 for the purpose of:</p> <ul style="list-style-type: none"> • Section 10 – Territorial authority may require occupier of private land to clear litter <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency <p>An Authorised Officer pursuant to Section 356 of Local Government Act 1974 for the purpose of:</p> <ul style="list-style-type: none"> • Section 327A – Building-line restrictions • Section 340 – Motor garages • Section 348 – Powers of council with respect to private roads and private ways <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency • Section 174 – Authority to Act • Section 177 – Power to appoint Enforcement Officer <p>An Authorised Officer pursuant to Local Government Official Information and Meetings Act 1987 for the purpose of:</p> <ul style="list-style-type: none"> • Section 44A – Land information memorandum • Section 46A – Availability of agendas and reports • Section 49 – Provisions applying when meeting open to public • Section 51 – right of public to inspect or receive copies of minute of meeting • Section 51A – Public notification of resolution at extraordinary meeting <p>An Authorised Officer pursuant to the Amusement Devices Regulations 1978 for the purpose of:</p> <ul style="list-style-type: none"> • Clause 11 – Local authority permit
--	--

	<p>An Authorised Officer pursuant to Parking and Traffic Enforcement.</p> <p>An Authorised Officer pursuant to the Plumbers, Gasfitters, and Drainlayers Act 2006 for the purpose of:</p> <ul style="list-style-type: none"> • Section 15 – Exemption for householders • Section 16 – Exemption for sanitary plumbing in areas in rural districts • Section 91 – Registrar must appoint investigator <p>An Authorised Officer pursuant to the Reserves Act 1977 for the purpose of:</p> <ul style="list-style-type: none"> • Section 18(2)(e) – Historic reserves • Section 19(2)(a) – Scenic reserves • Section 19(3)(a) – Scenic reserves • Section 50(1) – Taking or killing of fauna <p>An Authorised Officer pursuant to the Resource Management Act 1991 for the purpose of:</p> <ul style="list-style-type: none"> • Section 10 – Certain existing uses in relation to land protected • Section 10A – Certain existing activities allowed • Section 10B – Certain existing building works allowed • Section 22 – Duty to give certain information • Section 32 – Requirements for preparing and publishing evaluation reports • Section 36 – Administrative charges • Section 36(3) – Administrative charges • Section 36(3)(a) – Administrative charges • Section 36(5) – Administrative charges • Section 36(7) – Administrative charges • Section 36AAA – Criteria for fixing administrative charges • Section 36AAB – Other matters relating to administrative charges • Section 37 – Power to waiver and extension of time limits • Section 37A – Requirements for waivers and extensions • Section 38 – Authorisation and responsibilities of enforcement officers • Section 39B – Persons who may be given hearing authority • Section 41D – Striking out submissions • Section 42 – Protection of sensitive information • Section 42A – Reports to local authority • Section 44A – Local authority recognition of national environmental standards • Section 55(2) – Local authority recognition of national policy statements • Section 58(2) – Local authority recognition of national planning standards • Section 58(7) – Local authority recognition of national planning standards • Section 86D – Environment Court may order rule to have legal effect from date other than standard date • Section 87BA – boundary activities approved by neighbours on infringed boundaries are permitted activities • Section 87BB – Activities meeting certain requirements are permitted activities
--	--

	<ul style="list-style-type: none"> • Section 87E – Consent authority's decision on request • Section 87F – Consent authority's subsequent processing • Section 87G – Environment Court determines application • Section 88 – Making an application • Section 91 – Deferral pending application for additional consents • Section 92 – Further information, or agreement, may be requested • Section 92A – Responses to request • Section 95 – Time limit for public notification or limited notification • Section 95A – Public notification of consent applications • Section 95B – Limited notification of consent applications • Section 95C – Public notification of consent application after request for further information or report • Section 95D – Consent authority decides if adverse effects likely to be more than minor • Section 95E – Consent authority decides if persons is affected person • Section 95F – Meaning of affected protected customary rights group • Section 96 – Making submissions • Section 98 – Advice of submissions to applicant • Section 99 – Pre-hearing meetings • Section 99A – Mediation • Section 100 – Obligation to hold a hearing • Section 101 – Hearing date and notice • Section 102 – Joint hearings by 2 or more consent authorities • Section 103 – Combined hearings in respect of 2 or more applications • Section 104 – Consideration of applications • Section 104A – Determination of applications for controlled activities • Section 104B – Determination of applications for discretionary or non-complying activities • Section 104C – Determination of applications for restricted discretionary activities • Section 104D – Particular restrictions for non-complying activities • Section 104F – Implementation of national environmental standards • Section 105 – Matters relevant to certain applications • Section 106 – Consent authority may refuse subdivision consent in certain circumstances • Section 107 – Restriction on grant of certain discharge permits • Section 108 – Conditions of resource consents • Section 108A – Bonds • Section 109(3) – Special provisions in respect of bonds or covenants • Section 110 – Refund of money and return of land where activity does not proceed • Section 113 – Decisions on applications to be in writing, etc • Section 114 – Notification • Section 114(7) – Notification
--	---

	<ul style="list-style-type: none"> • Section 114 (8) - Notification • Section 116B – When resource consent commences if subject to grant of application to exchange recreation reserve land • Section 120 – Right to appeal • Section 124 – Exercise of resource consent while applying for new consent • Section 125 – Lapsing of consents • Section 126 – Cancellation of consent • Section 127 – Change or cancellation of consent condition on application by consent holder • Section 128 – Circumstances when consent conditions can be reviewed • Section 129 – Notice of review • Section 130 – Public notification, submissions, and hearing, etc • Section 131 – Matters to be considered in review • Section 132 – Decisions on review of consent conditions • Section 133A – Minor corrections of resource consents • Section 136(2) – Transferability of water permits • Section 137(5) – Transferability of discharge permits • Section 138(2) – Surrender of consent • Section 138A – Special provisions relating to coastal permits for dumping and incineration • Section 139 – Consent authorities and Environmental Protection Authority to issue certificates of compliance • Section 139A – Consent authorities to issue existing use certificates • Section 142 – Minister may call in matter that is or is part of proposal of national significance • Section 143 – Restriction on when local authority may request call in • Section 144 – Restriction on when Minister may call in matter • Section 144A – EPA to advise and make recommendations to Minister in relation to call-in • Section 145 – Matter lodged with EPA • Section 146 – EPA to recommend course of action to Minister • Section 147 – Minister makes direction after EPA recommendation • Section 148 – Proposals relating to coastal marine area • Section 149 – EPA may request further information or commission report • Section 149B – Local authority's obligations if matter called in • Section 149E – EPA to receive submissions on matter if public notice of direction has been given • Section 149F – EPA to receive further submissions if matter is request, change, or variation • Section 149G – EPA must provide board or court with necessary information • Section 149I – Limitation on withdrawal of change or variation • Section 149K – How members appointed • Section 149M – Process if matter is request for regional plan or change and particular circumstance apply • Section 149V – Appeal from decisions only on question of law • Section 149ZD – Cost of processes under this Part recoverable from applicant
--	--

	<ul style="list-style-type: none"> • Section 159 – Acceptance of tender, etc • Section 168 – Notice of requirement to territorial authority • Section 168A – Notice of requirement by territorial authority • Section 171(2) – Recommendation by territorial authority • Section 173 – Notification of decision on designation • Section 174 - Appeals • Section 175 – Designation to be provided for in district plan • Section 176 – effect of designation • Section 176A – Outline plan • Section 181(1) – Alternation of designation • Section 181(2) – Alternation of designation • Section 181(3) – Alternation of designation • Section 182 – Removal of designation • Section 184 – Lapsing of designations which have not been given effect to • Section 189 – Notice of requirement to territorial authority • Section 189A – Notice of requirement for heritage order by territorial authority • Section 190 – Further information, notification, submissions, and hearing for notice of requirement to territorial authority • Section 193 – Effect of heritage order • Section 195- Appeals relating to sections 193 and 194 • Section 195A – alternation of heritage order • Section 196 – Removal of heritage order • Section 198D – Territorial authority's subsequent processing • Section 198H – Sections 198I to 198M apply to requirements under section 168A or 189A • Section 198I – Territorial authority's decision • Section 198J – Territorial authority's subsequent processing • Section 198K – Environment Court decides • Section 198L – Residual powers of territorial authority • Section 198M – When territorial authority must deal with requirement • Section 221 – Territorial authority to issue a consent notice • Section 222 – Completion certificates • Section 223 – Approval of survey plan by territorial authority • Section 224 – Restrictions upon deposit of survey plan • Section 235 – Creation of esplanade strips by agreement • Section 237B – Access strips • Section 237D – Transfer to the Crown or regional council • Section 237H - Valuation • Section 240(4) – Covenant against transfer of allotments • Section 241(3) – Amalgamation of allotments • Section 243(e) – Survey plan approved subject to grant or reservation of easements • Section 245(4) – Consent authority approval of a plan of survey of a reclamation • Section 245(5)(b) – Consent authority approval of a plan of survey of a reclamation • Section 267 - Conferences • Section 268 – Alternative dispute resolution • Section 269 – Court procedure • Section 270 – Hearing matter together • Section 271 – Local hearing
--	---

	<ul style="list-style-type: none"> • Section 272 – Hearing of proceedings • Section 273 – Successors to partis to proceedings • Section 274 – Representation at proceedings • Section 275 – Personal appearance or by representative • Section 276 – Evidence • Section 276A – Evidence of documents • Section 277 – Hearings and evidence generally to the public • Section 277A – Powers of Environment Court in relation to evidence heard on appeal by way of rehearing • Section 278 – Environment Court has powers of District Court • Section 279 – Powers of Environment Judge sitting alone • Section 280 – Powers of Environment commissioner sitting without Environment Judge • Section 281 – Waivers and directions • Section 281A – Registrar may waive, reduce, or postpone payment of fee • Section 281B – Review of exercise of power by Registrar • Section 282 – Application of Contempt of Court Act 2019 • Section 283 – Non-attendance or refusal to co-operate • Section 284 – Witnesses’ allowances • Section 285 – Awarding costs • Section 286 – Enforcing orders for costs • Section 287 – Reference of questions of law to High Court • Section 288 – Privileges and immunities • Section 288A – Information regarding reserved judgements • Section 288B – Recusal guidelines • Section 288C – Judge may make order restricting commencement or continuation of proceeding • Section 288D – Grounds for making section 288C order • Section 288E – Terms of section 288C order • Section 288F – Procedure and appeals relating to section 288C orders • Section 290 – Powers of court in regard to appeals and inquiries • Section 290AA – Powers of court in regard to certain appeals under clause 14 of Schedule 1 • Section 290A – Environment Court to have regard to decision that is subject to appeal or inquiry • Section 291 – Other proceedings before court • Section 294 – Review of decision by court • Section 299 – Appeal to Hight Court on question of law • Section 300 – Notice of appeal • Section 301 – Right to appear and be heard on appeal • Section 302 – Parties to the appeal before the High Court • Section 303 – Orders of the High Court • Section 304 – Dismissal of appeal • Section 305 – Additional appeals on questions of law • Section 306 – Extension of time • Section 307 – Date of hearing • Section 308 – appeals to the Court of Appeal • Section 311 – Application for declaration • Section 312 – Notification of application • Section 315 – Compliance with enforcement order • Section 316 – Application for enforcement order • Section 320 – Interim enforcement order
--	---

	<ul style="list-style-type: none"> • Section 321 – Change or cancellation of enforcement order • Section 322 – Scope of abatement notice • Section 323 – Compliance with abatement notice • Section 325A – Cancellation of abatement notice • Section 330 – Emergency works and power to take preventative or remedial action • Section 331 – Reimbursement or compensation for emergency works • Section 332 – Power of entry for inspection • Section 333 – Power of entry for survey • Section 334 – Application for warrant for entry for search • Section 336 – Return of property seized under sections 323 and 328 • Section 338 – Offences against this Act • Section 355 – Vesting of reclaimed land • Section 357 – Right of objection against certain decisions • Section 388 – Requirement to supply information • Schedule 1 – Clause 3 – Consultation • Schedule 1 – Clause 3B – Consultation with iwi authorities • Schedule 1 – Clause 3C – Previous consultation under other enactments • Schedule 1 – Clause 4 – Requirements to be inserted prior to notification of proposed district plans • Schedule 1 – Clause 4A – Further pre-notification requirements concerning iwi authorities • Schedule 1 – Clause 5 – Public notice and provision of document to public bodies • Schedule 1 – Clause 5A – Option to give limited notification of proposed change or variation • Schedule 1 – Clause 6 – Making of submissions under clause 5 • Schedule 1 – Clause 7 – Public notice of submissions • Schedule 1 – Clause 8 – Certain persons may make further submissions • Schedule 1 – Clause 8A – Service of further submissions • Schedule 1 – Clause 8D – Withdrawal of proposed policy statements and plans • Schedule 1 – Clause 10A – Application to Minister for extension of time • Schedule 1 – Clause 11 – Notification of decision • Schedule 1 – Clause 14 – Appeals to Environment Court • Schedule 1 – Clause 16 – Amendment of proposed policy statement or plan • Schedule 1 – Clause 20 – Operative date • Schedule 1 – Clause 20A – Correction of operative policy statement or plan • Schedule 1 – Clause 21 – Requests • Schedule 1 – Clause 23 – Further information may be required • Schedule 1 – Clause 24 – Modification of request • Schedule 1 – Clause 25 – Local authority to consider request • Schedule 1 – Clause 26 – Notification timeframes • Schedule 1 – Clause 28 – Withdrawal of requests • Schedule 1 – Clause 29(2) – Procedure under this Part • Schedule 1 – Clause 29(5) – Procedure under this Part • Schedule 1 – Clause 29(9) – Procedure under this Part
--	--

	<ul style="list-style-type: none"> • Schedule 1 – Clause 34 – Consultation on proposal to incorporate material by reference • Schedule 1 – Clause 35 – Access to material incorporated by reference • Schedule 1 – Clause 43 – Conference of experts • Schedule 1 – Clause 45 – Freshwater hearings panel may commission reports • Schedule 1 – Clause 49 – Freshwater hearings panel must make recommendations to regional council on freshwater planning instrument • Schedule 1 – Clause 51 – Deadline for recommendations • Schedule 1 – Clause 57 – Judicial review • Schedule 1 – Clause 64 – continued existence of freshwater hearings panel • Schedule 1 – Clause 88 – Power to withdraw • Schedule 1 – Clause 90 – Notification of responsible Minister's decision <p>An Authorised Officer pursuant to the Sale and Supply of Alcohol Act 2012 for the purpose of:</p> <ul style="list-style-type: none"> • Section 64(1) – Issue of licences, certificates, and authorities • Section 65(1) – Secretary of authority to set up and maintain registers • Section 66(1) – Record of applications • Section 66(3) – Record of applications • Section 67 – Certified extracts to be evidence • Section 72 – Duplicate licence or certificate • Section 73(2) – Surrender of licence or manager's certificate • Section 102(5) – Objections to applications • Section 103(1) – Police, Medical Officer of Health, and inspector must inquire into application • Section 103(5) – Police, Medical Officer of Health, and inspector must inquire into application • Section 120 – Variation of conditions • Section 128(4) – Objections to renewal • Section 129 – Police, Medical Officer of Health, and inspector must inquire into application • Section 139(b) – Notification requirements • Section 140(2) – Objections to applications • Section 140(4) – Objections to applications • Section 141(1) – Inquiry into applications by Police, inspector, and Medical Officer of Health • Section 141(6) – Inquiry into applications by Police, inspector, and Medical Officer of Health • Section 155(6) – Procedure for commencing appeal • Section 196 – Secretary of licensing committees • Section 197(5) – Licensing inspectors • Section 220(1) - Reports • Section 220(2) - Reports • Section 220 (5) - Reports • Section 225(1) – Reports and applications for renewals • Section 225(2) – Reports and applications for renewals • Section 283(1) – Variation, suspension, or cancellation of special licences
--	---

	<ul style="list-style-type: none"> • Section 283(4) – Variation, suspension, or cancellation of special licences • Section 284(3) – Hearing for variation, suspension, or cancellation of special licences under section 283 <p>An Authorised Officer pursuant to the Unit Titles Act 2010 for the purpose of:</p> <ul style="list-style-type: none"> • Section 32 – Restrictions on deposit of unit plans <p>An Authorised Officer pursuant to the Waste Minimisation Act 2008.</p> <p>An Authorised Officer pursuant to the Weathertight Homes resolution Services Act 2006.</p> <p>An Authorised Officer pursuant to the Wairoa District Council Bylaws for the purpose of:</p> <ul style="list-style-type: none"> • Part 3 – Public Safety • Part 4 – Urban Fire Prevention • Part 7 – Dog Control • Part 8 – Trade Waste and Wastewater • Part 9 – Freedom Camping • Part 9 – Trade Waste
Recovery Manager	<p>An Authorised Officer pursuant to the Local Government Act 2002 for the purpose of:</p> <ul style="list-style-type: none"> • Section 174 – Authority to act <p>An Authorised Officer pursuant to Civil Defence Emergency Management Act 2002 for the purpose of:</p> <ul style="list-style-type: none"> • Section 30A – Functions of Recovery Managers • Section 64 – Duties of local authorities
Archivist	<p>An Authorised Officer pursuant to the Public Records Act 2005 for the purpose of:</p> <ul style="list-style-type: none"> • Section 17 – Requirement to create and maintain records • Section 40 – Protected records of local authorities • Section 45 – Requirement to classify access status of local authority records • Section 46 – Basis for determining access status of local authority records • Section 47 – Public inspection of open access records
Building Compliance Officer	<p>An Enforcement Officer pursuant to Section 232, and an Authorised Officer pursuant to Section 222(4) of the Building Act 2004 with the following delegated responsibilities, powers and duties:</p> <ul style="list-style-type: none"> • Section 31 – Building consent authority must apply for project information memorandum • Section 33 – Content of application • Section 34 – Issue of project information memorandum • Section 35 – Content of project information memorandum • Section 37 – Territorial authority must issue certificate if resource consent required • Section 38 – Territorial authority must give copy of project information memorandum in certain circumstances

	<ul style="list-style-type: none"> • Section 39 – Territorial authority must advise Heritage New Zealand Pouhere Taonga in certain circumstances • Section 42 – Owner must apply for certificate of acceptance if building work carried out urgently • Section 45 – How to apply for building consent • Section 45A – Minor variations to building consents • Section 46 – Copy of certain applications for building consent must be provided to Fire and Emergency New Zealand • Section 48(1) – Processing application for building consent • Section 49 – Grant of building consent • Section 50 – Refusal of application for building consent • Section 51 – Issue of building consent • Section 52 – Lapse of building consent • Section 54 – Building consent authority must advise applicant of amount of levy payable • Section 67 – Territorial authority may grant building consent subject to waivers or modifications of building code • Section 67A – Territorial authority may grant waivers or modifications in relation to means of restricting access to residential pools • Section 68 – Territorial authority must notify chief executive if waiver or modification granted • Section 70 – Applications relating to energy work • Section 71 – Building on land subject to national hazards • Section 72 – Building consent for building on land subject to natural hazards must be granted in certain cases • Section 73 – Conditions on building consents granted under section 72 • Section 74 – Steps after notification • Section 75 – Construction of building on 2 or more allotments • Section 77 – Building consent must not be granted until condition is imposed under section 75 • Section 83 – Owner may apply for entry to be removed • Section 90 – Inspections by building consent authorities • Section 91 – Building consent authority that grants building consent to issue code compliance certificate • Section 93 – Time in which building consent authority must decide whether to issue code compliance certificate • Section 94 – Matters for consideration by building consent authority in deciding issue of code compliance certificate • Section 95 – Issue of code compliance certificate • Section 95A – Refusal to issue code compliance certificate • Section 96 – Territorial authority may issue certificate of acceptance in certain circumstances • Section 97 – How to apply for certificate of acceptance • Section 98 – Processing application for certificate of acceptance • Section 99 – Issue of certificate of acceptance • Section 99AA – Withholding certificate of acceptance • Section 99A – Refusal of application for certificate of acceptance • Section 102 – When compliance schedule must be issued • Section 102A – Procedure for obtaining compliance schedule where building consent not required • Section 103 – Content of compliance schedule
--	--

	<ul style="list-style-type: none"> • Section 104 – Building consent authority must notify territorial authority of issue of compliance schedule • Section 106 – Applications of owner if compliance schedule is issued • Section 107 – Territorial authority may amend compliance schedule on own initiative • Section 111 – Inspections by territorial authority • Section 112 – Alterations of existing buildings • Section 113 – Buildings with specified intended lives • Section 115 – Code compliance requirements: change of use • Section 116 – Code compliance requirements: extension of life • Section 116A – Code compliance requirements: subdivision • Section 124 – Dangerous, affected, or insanitary buildings: powers of territorial authority • Section 125 – Requirements for notice requiring building work or restricting entry • Section 126 – Territorial authority may carry out work • Section 127 – Building work includes demolition of building • Section 128 – Prohibition on using dangerous, affected, or insanitary building • Section 128A – Offences in relation to dangerous, affected, or insanitary buildings • Section 129 – Measures to avoid immediate danger or to fix insanitary conditions • Section 130 – Territorial authority must apply to District Court for confirmation of warrant • Section 163 – Definitions for this subpart • Section 164 – Issue of notice to fix • Section 165 – Form and content of notice to fix • Section 166 – Special provisions for notices to fix from building consent authority • Section 167 – Inspection of building work under notice to fix • Section 177 – Application for determination • Section 180 – Application for determination may be withdrawn • Section 212 – Territorial authority must act as building consent authority for its district • Section 216 – Territorial authority must keep information about buildings • Section 217 – Access to certain information kept by territorial authority • Section 218 – Territorial authority must provide information to chief executive for purpose of facilitating performance of chief executive's function under sections 169 and 169A • Section 219 – Territorial authority may impose fee or charge and must collect levy • Section 220 – Territorial authority may carry out building work on default • Section 221 – Recovery of costs when territorial authority carries out work on default • Section 222 – Inspections by territorial authority • Section 362A – Outline of this Part • Section 362B – Meaning of building work and residential building contract
--	--

	<ul style="list-style-type: none"> • Section 362C – Consumer rights under Fair Trading Act 1986 or Consumer Guarantees Act 1993 not affected by this Part • Section 362D – Building contractor must provide information before residential building contract entered into • Section 362E – Purpose of regulations under section 362D • Section 362F – Minimum requirements for residential building contract over certain value • Section 362G – Regulations may prescribe content, etc of residential building contract • Section 362H – When provisions relating to implied warranties apply • Section 362I – Implied warranties for building work in relation to household units • Section 362J – Proceedings for breach of warranties may be taken by non-party to contract • Section 362K – Person may not give away benefit of warranties • Section 362L – Remedies for breach of implied warranty • Section 362M – Remedies if breach of warranty can be remedied • Section 362N – Remedies if breach of warranty cannot be remedied or breach is substantial • Section 362O – Meaning of substantial breach • Section 362P – Rules applying to cancellation • Section 362Q – Building contractor or on-seller must remedy defect notified within 1 year of completion • Section 362R – Definitions for purposes of section 362Q • Section 362S – Exclusion of liability for event not attributable to fault of building contractor or on-seller • Section 362T – Building contractor must provide prescribed information and documentation on completion of residential building work • Section 362U – Purpose of regulations under section 362T(2) • Section 362V – Offence for commercial on-seller to transfer household unit without code compliance certificate • Section 362W – Premises in respect of which duty arises under section 363 • Section 363 – Protecting safety of members of public using premises open to public or intended for public use • Section 363A – Public use of premises may be allowed before issue of code compliance certificate in some circumstances • Section 363C – Section 363 does not apply to building work commenced before 31 March 2005 • Section 371 – Proceedings for infringement offences • Section 371A – Who may issue infringement notices • Section 371B – Authorisation to issue infringement notice • Section 371C – Conditions of authorisation • Section 371D – Offence to impersonate enforcement officer • Section 372 – Issue of infringement notices • Section 373 – Form of infringement notices • Section 374 – Payment of infringement fees • Section 377 – Filing charging document • Section 378 – Time limit for filing charging document • Section 379 – Offence under more than 1 enactment
--	--

	<p>An Authorised Officer pursuant to the Health Act 1956 for the purpose of:</p> <ul style="list-style-type: none"> Section 42 – Local authority may require repairs and issue closing order Section 45 – Determination of closing order <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> Section 171 – General power of entry Section 172 – Power to entry for enforcement purposes Section 173 – Power of entry in cases of emergency <p>An Authorised Officer pursuant to the Local Government Official Information and Meetings Act 1987 for the purpose of:</p> <p>Section 44A – Land information memorandum</p>
Civil Defence Emergency Management Controller	<p>An Authorised Officer pursuant to Civil Defence Emergency Management Act 2002 for the purpose of:</p> <ul style="list-style-type: none"> Section 64 – duties of local authorities
Communications Governance Officer	<p>An Authorised Officer pursuant to the Local Government Official Information and Meetings Act 1987 for the purpose of:</p> <ul style="list-style-type: none"> Section 46 – Meetings of local authorities to be publicly notified Section 46A – Availability of agendas and reports Section 49 – Provisions applying when meeting open to public Section 51 – Right of public to inspect or receive copies of minutes of minutes <p>Section 51A – Public notification of resolution at extraordinary meeting</p>
Compliance and Licensing Manager	<p>An Authorised Officer pursuant to the Amusement Devices Regulations 1978 for the purpose of:</p> <ul style="list-style-type: none"> Clause 11 – Local authority permit <p>A Dog Control Officer pursuant to Section 11 of the Dog Control Act 1996 for the purpose of:</p> <ul style="list-style-type: none"> Section 14 – Power of entry Section 15 – Power of dog control officer or dog ranger to feed and shelter dogs Section 16 – Districts in which dog control officer or dog ranger may exercise powers Section 17 – Powers of warranted officers Section 19 – Power of constable, dog control officer, or dog ranger to request information about owner Section 19A – Power of constable, dog control officer, or dog ranger to request information about dog <p>An Authorised Officer pursuant to Section 173 of the Food Act 2014 for the purpose of:</p> <ul style="list-style-type: none"> Section 137 – Recognition of territorial authorities for certain verification functions and activities Section 173 – Functions of territorial authority

	<p>An Authorised Officer pursuant to the Health Act 1956 for the purpose of:</p> <ul style="list-style-type: none"> • Section 34 – Power to abate nuisance without notice • Section 128 – Power of entry and inspection <p>An Authorised Officer pursuant to the Housing Improvements Regulations 1947 for the purpose of:</p> <ul style="list-style-type: none"> • Section 22 - Power to exercise powers and functions of a local authority <p>A Litter Control Officer pursuant to Section 5 of the Litter Act 1979 for the purpose of:</p> <ul style="list-style-type: none"> • Power to enforce the Litter Act 1979 • Section 14 – Infringement notices <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 163 – Removal of works in reach of bylaws • Section 164 – Seizure of property not on private land • Section 165 – Seizure of property from private land • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency • Section 174 – Authority to act <p>An Enforcement Officer pursuant to Section 38(1)(a) of the Resource Management Act 1991 for the purpose of:</p> <ul style="list-style-type: none"> • Section 22 – Duty to give certain information • Section 327 – Issue and effect of excessive noise direction • Section 328 – Compliance with an excessive noise direction • Section 332 – Power of entry for inspection <p>An Authorised Officer pursuant to the Sale and Supply of Alcohol Act 2012 for the purpose of:</p> <ul style="list-style-type: none"> • Section 197 – Licensing inspectors • Power to enforce the provisions of the Sale and Supply of Alcohol Act 2012 • Power to enforce the Wairoa District Council Local Alcohol Policy <p>An Authorised Officer pursuant to the Waste Minimisation Act 2008.</p> <p>An Authorised Officer pursuant to the Wairoa District Council Bylaws for the purpose of:</p> <ul style="list-style-type: none"> • Part 3 – Public Safety Bylaw • Part 7 – Dog Control Bylaw • Part 9 – Freedom Camping Bylaw • Part 9 – Trade Waste and Wastewater Bylaw
--	--

Compliance Officer	<p>A warranted Dog Control Officer pursuant to Section 11 of the Dog Control Act 1996, for the purpose of:</p> <ul style="list-style-type: none"> • Section 14 – Power of entry • Section 15 – Power of dog control officer or dog ranger to feed and shelter dogs • Section 16 – Districts in which dog control officer or dog ranger may exercise powers • Section 17 – Powers of warranted officers • Section 19 – Power of constable, dog control officer, or dog ranger to request information about owner • Section 19A – Power of constable, dog control officer, or dog ranger to request information about dog <p>An Enforcement Officer pursuant to Section 32 of the Freedom Camping Act 2011 for the purpose of:</p> <ul style="list-style-type: none"> • Section 20 – Offences • Section 27 – Issue of infringement notices • Section 35 – Enforcement officers may require certain information • Section 36 – Enforcement officers may require certain persons to leave local authority area or conservation land • Section 37 – Enforcement officers may seize and impound certain property • Section 38 – Requirements relating to seizure and impoundment of boats, caravans and motor vehicles <p>An Authorised Officer pursuant to Section 63 of the Impounding Act 1955 for the purpose of:</p> <ul style="list-style-type: none"> • Part 6 – Provisions for stock found straying or wandering on roads, and for wild stock • Part 7 – Procedure for impounding stock in a pound • Part 8 – Procedure for disposing of unclaimed, suffering, or worthless impounded stock <p>A Litter Control Officer pursuant to Section 5 of the Litter Act 1979 for the purpose of:</p> <ul style="list-style-type: none"> • Section 14 - Infringement notices <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 163 – Removal of works in breach of bylaw • Section 164 – Seizure of property not on private land • Section 165 – Seizure of property from private land • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency • Section 174 – Authority to Act <p>An Authorised Officer pursuant to the Wairoa District Council Bylaws for the purpose of:</p> <ul style="list-style-type: none"> • Part 7 – Dog Control • Part 9 – Freedom Camping
--------------------	--

Compliance Team Leader	<p>A warranted Dog Control Officer pursuant to Section 11 of the Dog Control Act 1996, for the purpose of:</p> <ul style="list-style-type: none"> • Section 14 – Power of entry • Section 15 – Power of dog control officer or dog ranger to feed and shelter dogs • Section 16 – Districts in which dog control officer or dog ranger may exercise powers • Section 17 – Powers of warranted officers • Section 19 – Power of constable, dog control officer, or dog ranger to request information about owner • Section 19A – Power of constable, dog control officer, or dog ranger to request information about dog <p>An Enforcement Officer pursuant to Section 32 of the Freedom Camping Act 2011 for the purpose of:</p> <ul style="list-style-type: none"> • Section 20 – Offences • Section 27 – Issue of infringement notices • Section 35 – Enforcement officers may require certain information • Section 36 – Enforcement officers may require certain persons to leave local authority area or conservation land • Section 37 – Enforcement officers may seize and impound certain property • Section 38 – Requirements relating to seizure and impoundment of boats, caravans and motor vehicles <p>An Authorised Officer pursuant to Section 63 of the Impounding Act 1955 for the purpose of:</p> <ul style="list-style-type: none"> • Part 6 – Provisions for stock found straying or wandering on roads, and for wild stock • Part 7 – Procedure for impounding stock in a pound • Part 8 – Procedure for disposing of unclaimed, suffering, or worthless impounded stock <p>A Litter Control Officer pursuant to Section 5 of the Litter Act 1979 for the purpose of:</p> <ul style="list-style-type: none"> • Section 14 - Infringement notices <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 163 – Removal of works in breach of bylaw • Section 164 – Seizure of property not on private land • Section 165 – Seizure of property from private land • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency • Section 174 – Authority to Act <p>An Authorised Officer pursuant to the Wairoa District Council Bylaws for the purpose of:</p> <ul style="list-style-type: none"> • Part 7 – Dog Control • Part 9 – Freedom Camping
------------------------	--

Financial Support Officer - Rates	<p>An Authorised Officer pursuant to the Building Act 2004 for the purpose of:</p> <ul style="list-style-type: none"> Section 62 – Territorial authority may recover unpaid levies from applicant for building consent Section 221 – Recovery of costs when territorial authority carries out work on default <p>An Authorised Officer pursuant to the Rates Rebate Act 1973 for the purpose of:</p> <ul style="list-style-type: none"> Section 5 – Applications to territorial authority for rates rebate Section 6 – Applications for refunds of rates paid Section 7 – Refund to owner of owner-occupier flat of contribution towards rates Section 8 – Provisions applying where system of rating by instalments in force Section 9 – Refund to territorial authorities of rebates granted Section 10(1) – Recovery of overpayments Section 13 – Form of verification
Customer Services Officer (Records)	<p>An Authorised Officer pursuant to the Public Records Act 2005 for the purpose of:</p> <ul style="list-style-type: none"> Section 17 – Requirement to create and maintain records Section 40 – Protected records of local authorities Section 45 – Requirement to classify access status of local authority records Section 46 – Basis for determining access status of local authority records Section 47 – Public inspection of open access records
Information Services Manager	<p>An Authorised Officer pursuant to the Electronic Transactions – Land Transfer Act 1952.</p> <p>An Authorised Officer pursuant to the Local Government Act 1974 for the purpose of:</p> <ul style="list-style-type: none"> Section 319B – Allocation of property numbers
Electoral Officer	<p>An Electoral Officer pursuant to Section 12 of the Local Electoral Act 2001 for the purpose of:</p> <ul style="list-style-type: none"> Section 15 – Conducting Elections and Polls
Deputy Electoral Officer	<p>An Electoral Officer pursuant to Section 12 of the Local Electoral Act 2001 for the purpose of:</p> <ul style="list-style-type: none"> Section 15 – Conducting Elections and Polls
Environmental Health Officer	<p>An Authorised Officer pursuant to the Building Act 2004 for the purpose of:</p> <ul style="list-style-type: none"> Section 163 – Definitions for this subpart Section 164 – Issue of notice to fix Section 165 – Form and content of notice to fix Section 166 – Special provisions for notices to fix from building consent authority Section 167 – Inspection of building work under notice to fix Section 371 – Proceedings for infringement offences Section 371A – Who may issue infringement notices

	<ul style="list-style-type: none"> • Section 371B – Authorisation to issue infringement notice • Section 371C – Conditions of authorisation • Section 371D – Offence to impersonate enforcement officer • Section 372 – Issue of infringement notices • Section 373 – Form of infringement notices • Section 374 – Payment of infringement fees <p>An Authorised Officer pursuant to the Health Act 1956 for the purpose of:</p> <ul style="list-style-type: none"> • Section 33 – Proceedings in respect of nuisances • Section 41 – Owners or occupiers may be required to cleanse premises • Section 42 – Local authority may require repairs and issue closing order • Section 45 – Determination of closing order • Section 54 – Restrictions on carrying on offensive trade • Section 58 – Restrictions on establishment of stock saleyards • Section 81 – Power of local authority to disinfect premises <p>An Authorised Officer pursuant to the Health (Registration of Premises) Regulations 1966 for the purpose of:</p> <ul style="list-style-type: none"> • Clause 4 • Clause 5 • Clause 8 • Clause 9 <p>A Litter Control Officer pursuant to Section 5 of the Litter Act 1979 for the purpose of:</p> <ul style="list-style-type: none"> • Section 10 – Territorial authority may require occupier of private land to clear litter <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency <p>An Authorised Officer pursuant to the Local Government Official Information and Meetings Act 1987 for the purpose of:</p> <p>Section 44A – Land information memorandum</p> <p>An Authorised Officer pursuant to the Amusement Devices Regulations 1978 for the purpose of:</p> <ul style="list-style-type: none"> • Clause 11 – Local authority permit <p>An Authorised Officer pursuant to the Sale and Supply of Alcohol Act 2012 for the purpose of:</p> <ul style="list-style-type: none"> • Section 64(1) – Issue of licences, certificates, and authorities • Section 65(1) – Secretary of authority to set up and maintain registers • Section 66(1) – Record of applications • Section 66(3) – Record of applications • Section 72 – Duplicate licence or certificate
--	--

	<ul style="list-style-type: none"> • Section 73(2) – Surrender of licence or manager’s certificate • Section 102(5) – Objections to applications • Section 103(1) – Police, Medical Officer of Health, and inspector must inquire into application • Section 103(2) - Police, Medical Officer of Health, and inspector must inquire into application • Section 103(5) – Police, Medical Officer of Health, and inspector must inquire into application • Section 120 – Variation of conditions • Section 128(4) – Objections to renewal • Section 129 – Police, Medical Officer of Health, and inspector must inquire into application • Section 139(b) – Notification requirements • Section 140(2) – Objections to applications • Section 140(4) – Objections to applications • Section 141(1) – Inquiry into applications by Police, inspector, and Medical Officer of Health • Section 141(2) - Inquiry into applications by Police, inspector, and Medical Officer of Health • Section 141(6) – Inquiry into applications by Police, inspector, and Medical Officer of Health • Section 154 – Who may appeal • Section 155(6) – Procedure for commencing appeal • Section 220(1) - Reports • Section 220(2) - Reports • Section 220 (5) - Reports • Section 225(1) – Reports and applications for renewals • Section 225(2) – Reports and applications for renewals • Section 283(1) – Variation, suspension, or cancellation of special licences • Section 283(4) – Variation, suspension, or cancellation of special licences • Section 284(3) – Hearing for variation, suspension, or cancellation of special licences under section 283 <p>An Authorised Officer pursuant to the Waste Minimisation Act 2008.</p> <p>An Authorised Officer pursuant to the Wairoa District Council Bylaws for the purpose of:</p> <ul style="list-style-type: none"> • Part 3 – Public Safety • Part 5 – Water Supply • Part 8 – Trade Waste and Wastewater
Governance Officer	<p>An Authorised Officer pursuant to the Local Government Official Information and Meetings Act 1987 for the purpose of:</p> <ul style="list-style-type: none"> • Section 46 – Meetings of local authorities to be publicly notified • Section 46A – Availability of agendas and reports • Section 49 – Provisions applying when meeting open to public • Section 51 – Right of public to inspect or receive copies of minutes of minutes • Section 51A – Public notification of resolution at extraordinary meeting

Health, Safety and Wellbeing Officer	<p>An Authorised Officer pursuant to the Amusement Devices Regulations 1978 for the purpose of:</p> <ul style="list-style-type: none"> • Clause 11 – Local authority permit <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency
Māori Relationships Manager	<p>An Authorised Officer pursuant to the Resource Management Act 1991 for the purpose of:</p> <ul style="list-style-type: none"> • Section 42 – Protection of sensitive information
Intermediate Planner	<p>An Authorised Officer pursuant to the Electronic Transactions – Land Transfer Act 1952.</p> <p>An Authorised Officer pursuant to the Local Government Act 1974 for the purpose of:</p> <ul style="list-style-type: none"> • Section 327A – Building-line restrictions • Section 340 – Motor garages • Section 348 – Powers of council with respect to private roads and private ways <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency <p>An Authorised Officer pursuant to the Local Government Official Information and Meetings Act 1987 for the purpose of:</p> <p>Section 44A – Land information memorandum</p> <p>An Authorised Officer pursuant to the Reserves Act 1977 for the purpose of:</p> <ul style="list-style-type: none"> • Section 18(2)(e) – Historic reserves • Section 19(2)(a) – Scenic reserves • Section 19(3)(a) – Scenic reserves <p>An Authorised Officer pursuant to the Resource Management Act 1991 for the purpose of:</p> <ul style="list-style-type: none"> • Section 10 – Certain existing uses in relation to land protected • Section 22 – Duty to give certain information • Section 32 – Requirements for preparing and publishing evaluation reports • Section 36 – Administrative charges • Section 36(3) – Administrative charges • Section 36(3)(a) – Administrative charges • Section 36(5) – Administrative charges • Section 36(7) – Administrative charges • Section 36AAA – Criteria for fixing administrative charges • Section 37 – Power to waiver and extension of time limits

	<ul style="list-style-type: none"> • Section 37A – Requirements for waivers and extensions • Section 42 – Protection of sensitive information • Section 42A – Reports to local authority • Section 58I(2) – Local authority recognition of national planning standards • Section 58I(7) – Local authority recognition of national planning standards • Section 87BA – boundary activities approved by neighbours on infringed boundaries are permitted activities • Section 87BB – Activities meeting certain requirements are permitted activities • Section 88 – Making an application • Section 91 – Deferral pending application for additional consents • Section 92 – Further information, or agreement, may be requested • Section 92A – Responses to request • Section 95 – Time limit for public notification or limited notification • Section 95A – Public notification of consent applications • Section 95B – Limited notification of consent applications • Section 95C – Public notification of consent application after request for further information or report • Section 95D – Consent authority decides if adverse effects likely to be more than minor • Section 95E – Consent authority decides if persons is affected person • Section 95F – Meaning of affected protected customary rights group • Section 98 – Advice of submissions to applicant • Section 99 – Pre-hearing meetings • Section 100 – Obligation to hold a hearing • Section 101 – Hearing date and notice • Section 104 – Consideration of applications • Section 104A – Determination of applications for controlled activities • Section 104B – Determination of applications for discretionary or non-complying activities • Section 104C – Determination of applications for restricted discretionary activities • Section 104D – Particular restrictions for non-complying activities • Section 104F – Implementation of national environmental standards • Section 105 – Matters relevant to certain applications • Section 106 – Consent authority may refuse subdivision consent in certain circumstances • Section 107 – Restriction on grant of certain discharge permits • Section 108 – Conditions of resource consents • Section 108A – Bonds • Section 109(3) – Special provisions in respect of bonds or covenants • Section 113 – Decisions on applications to b in writing, etc • Section 114 – Notification
--	--

	<ul style="list-style-type: none"> • Section 114(7) – Notification • Section 114(8) – Notification • Section 116B – When resource consent commences if subject to grant of application to exchange recreation reserve land • Section 120 – Right to appeal • Section 124 – Exercise of resource consent while applying for new consent • Section 125 – Lapsing of consents • Section 126 – Cancellation of consent • Section 127 – Change or cancellation of consent condition on application by consent holder • Section 128 – Circumstances when consent conditions can be reviewed • Section 129 – Notice of review • Section 130 – Public notification, submissions, and hearing, etc • Section 131 – Matters to be considered in review • Section 132 – Decisions on review of consent conditions • Section 133A – Minor corrections of resource consents • Section 136(2) – Transferability of water permits • Section 137(5) – Transferability of discharge permits • Section 138(2) – Surrender of consent • Section 138A – Special provisions relating to coastal permits for dumping and incineration • Section 139 – Consent authorities and Environmental Protection Authority to issue certificates of compliance • Section 139A – Consent authorities to issue existing use certificates • Section 149G – EPA must provide board or court with necessary information • Section 149ZD – Cost of processes under this Part recoverable from applicant • Section 159 – Acceptance of tender, etc • Section 168 – Notice of requirement to territorial authority • Section 168A – Notice of requirement by territorial authority • Section 171(2) – Recommendation by territorial authority • Section 173 – Notification of decision on designation • Section 175 – Designation to be provided for in district plan • Section 176A – Outline plan • Section 181(1) – Alternation of designation • Section 181(2) – Alternation of designation • Section 181(3) – Alternation of designation • Section 182 – Removal of designation • Section 184 – Lapsing of designations which have not been given effect to • Section 189A – Notice of requirement for heritage order by territorial authority • Section 190 – Further information, notification, submissions, and hearing for notice of requirement to territorial authority • Section 193 – Effect of heritage order • Section 195A – alternation of heritage order • Section 196 – Removal of heritage order • Section 198D – Territorial authority's subsequent processing • Section 198H – Sections 198I to 198M apply to requirements under section 168A or 189A
--	--

	<ul style="list-style-type: none"> • Section 198I – Territorial authority's decision • Section 198J – Territorial authority's subsequent processing • Section 198K – Environment Court decides • Section 198L – Residual powers of territorial authority • Section 198M – When territorial authority must deal with requirement • Section 221 – Territorial authority to issue a consent notice • Section 222 – Completion certificates • Section 223 – Approval of survey plan by territorial authority • Section 224 – Restrictions upon deposit of survey plan • Section 235 – Creation of esplanade strips by agreement • Section 237B – Access strips • Section 240(4) – Covenant against transfer of allotments • Section 241(3) – Amalgamation of allotments • Section 267 – Conferences • Section 268 – Alternative dispute resolution • Section 281 – Waivers and directions • Section 315 – Compliance with enforcement order • Section 316 – Application for enforcement order • Section 320 – Interim enforcement order • Section 321 – Change or cancellation of enforcement order • Section 322 – Scope of abatement notice • Section 323 – Compliance with abatement notice • Section 325A – Cancellation of abatement notice • Section 330 – Emergency works and power to take preventative or remedial action • Section 332 – Power of entry for inspection • Section 333 – Power of entry for survey • Section 334 – Application for warrant for entry for search • Section 388 – Requirement to supply information • Schedule 1 – Clause 3 – Consultation • Schedule 1 – Clause 3B – Consultation with iwi authorities • Schedule 1 – Clause 3C – Previous consultation under other enactments • Schedule 1 – Clause 4 – Requirements to be inserted prior to notification of proposed district plans • Schedule 1 – Clause 4A – Further pre-notification requirements concerning iwi authorities • Schedule 1 – Clause 5 – Public notice and provision of document to public bodies • Schedule 1 – Clause 5A – Option to give limited notification of proposed change or variation • Schedule 1 – Clause 6 – Making of submissions under clause 5 • Schedule 1 – Clause 7 – Public notice of submissions • Schedule 1 – Clause 10A – Application to Minister for extension of time • Schedule 1 – Clause 11 – Notification of decision • Schedule 1 – Clause 16 – Amendment of proposed policy statement or plan • Schedule 1 – Clause 20 – Operative date • Schedule 1 – Clause 20A – Correction of operative policy statement or plan • Schedule 1 – Clause 23 – Further information may be required • Schedule 1 – Clause 26 – Notification timeframes
--	---

	<ul style="list-style-type: none"> • Schedule 1 – Clause 29(2) – Procedure under this Part • Schedule 1 – Clause 29(5) – Procedure under this Part • Schedule 1 – Clause 34 – Consultation on proposal to incorporate material by reference • Schedule 1 – Clause 35 – Access to material incorporated by reference • Schedule 1 – Clause 43 – Conference of experts • Schedule 1 – Clause 45 – Freshwater hearings panel may commission reports • Schedule 1 – Clause 49 – Freshwater hearings panel must make recommendations to regional council on freshwater planning instrument • Schedule 1 – Clause 51 – Deadline for recommendations • Schedule 1 – Clause 57 – Judicial review • Schedule 1 – Clause 88 – Power to withdraw • Schedule 1 – Clause 90 – Notification of responsible Minister's decision <p>An Authorised Officer pursuant to the Unit Titles Act 2010 for the purpose of:</p> <ul style="list-style-type: none"> • Section 32 – Restrictions on deposit of unit plans
Community and Engagement Manager	<p>An Authorised Officer pursuant to the Local Government Official Information and Meetings Act 1987 for the purpose of:</p> <ul style="list-style-type: none"> • Section 46 – Meetings of local authorities to be publicly notified • Section 46A – Availability of agendas and reports • Section 49 – Provisions applying when meeting open to public • Section 51 – Right of public to inspect or receive copies of minutes of minutes • Section 51A – Public notification of resolution at extraordinary meeting
Property Officer – Waste Management	<p>A Litter Control Officer pursuant to Section 5 of the Litter Act 1979 for the purpose of:</p> <ul style="list-style-type: none"> • Section 10 – Territorial authority may require occupier of private land to clear litter <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency <p>An Authorised Officer pursuant to the Wairoa District Council Bylaws for the purpose of:</p> <ul style="list-style-type: none"> • Part 6 – Cemeteries
Property Officer – Open Spaces	<p>A Litter Control Officer pursuant to Section 5 of the Litter Act 1979 for the purpose of:</p> <ul style="list-style-type: none"> • Section 10 – Territorial authority may require occupier of private land to clear litter

	<p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency <p>An Authorised Officer pursuant to the Wairoa District Council Bylaws for the purpose of:</p> <ul style="list-style-type: none"> • Part 6 – Cemeteries
Regulatory Officer	<p>An Enforcement Officer pursuant to Section 232, and an Authorised Officer pursuant to Section 222(4) of the Building Act 2004 with the following delegated responsibilities, powers and duties:</p> <ul style="list-style-type: none"> • Section 31 – Building consent authority must apply for project information memorandum • Section 33 – Content of application • Section 37 – Territorial authority must issue certificate if resource consent required • Section 38 – Territorial authority must give copy of project information memorandum in certain circumstances • Section 39 – Territorial authority must advise Heritage New Zealand Pouhere Taonga in certain circumstances • Section 45 – How to apply for building consent Section 46 – Copy of certain applications for building consent must be provided to Fire and Emergency New Zealand • Section 51 – Issue of building consent • Section 52 – Lapse of building consent • Section 54 – Building consent authority must advise applicant of amount of levy payable • Section 58 – Liability to pay levy: building consent authority • Section 59 – Liability to pay levy: territorial authority • Section 64 – Audit of issue of building consents for purpose of ascertaining payment of levy • Section 74 – Steps after notification • Section 90 – Inspections by building consent authorities • Section 102 – When compliance schedule must be issued • Section 102A – Procedure for obtaining compliance schedule where building consent not required • Section 103 – Content of compliance schedule • Section 104 – Building consent authority must notify territorial authority of issue of compliance schedule • Section 106 – Applications of owner if compliance schedule is issued • Section 107 – Territorial authority may amend compliance schedule on own initiative • Section 111 – Inspections by territorial authority • Section 216 – Territorial authority must keep information about buildings • Section 217 – Access to certain information kept by territorial authority • Section 218 – Territorial authority must provide information to chief executive for purpose of facilitating performance of chief executive's function under sections 169 and 169A

	<ul style="list-style-type: none"> • Section 219 – Territorial authority may impose fee or charge and must collect levy • Section 222 – Inspections by territorial authority • Section 371 – Proceedings for infringement offences • Section 371A – Who may issue infringement notices • Section 371B – Authorisation to issue infringement notice • Section 371C – Conditions of authorisation • Section 371D – Offence to impersonate enforcement officer • Section 372 – Issue of infringement notices • Section 373 – Form of infringement notices • Section 374 – Payment of infringement fees <p>A warranted Dog Control Officer pursuant to Section 11 of the Dog Control Act 1996, for the purpose of:</p> <ul style="list-style-type: none"> • Section 30 – Maintenance of records and provision of information • Section 32(1)(f) – Effect of classification as dangerous dog • Section 33 – Territorial authority's consent to disposal of dangerous dog • Section 33C – Dogs belonging to breed or type listed in Schedule 4 to be classified as menacing • Section 35 – Supply of register information • Section 35A – National dog control information database • Section 35AB – National dog control information database may contain additional information supplied by territorial authority • Section 36(5) – Application for registration • Section 36A – Microchip transponder must be implanted in certain dogs • Section 39 – Refund or reduction of fees • Section 40 – Proof of class of dog • Section 46 – Issue of label or disc and completion of registration • Section 48 – Change of ownership of dog • Section 49 – Transfer of dog from one address or district to another <p>An Authorised Officer pursuant to the Health (Registration of Premises) Regulations 1966 for the purpose of:</p> <ul style="list-style-type: none"> • Clause 4 • Clause 8 <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency <p>An Authorised Officer pursuant to the Local Government Official Information and Meetings Act 1987 for the purpose of:</p> <p>Section 44A – Land information memorandum</p> <p>An Authorised Officer pursuant to the Amusement Devices Regulations 1978 for the purpose of:</p> <ul style="list-style-type: none"> • Clause 11 – Local authority permit
--	---

	<p>An Authorised Officer pursuant to the Resource Management Act 1991 for the purpose of:</p> <ul style="list-style-type: none"> • Section 36(7) – Administrative Charges • Section 88 – Making an application • Section 95D – Consent authority decides if adverse effects likely to be more than minor • Section 95E – Consent authority decides if person is affected person • Section 95F – meaning of affected protected customary rights group • Section 98 – Advice of submissions to applicant • Section 101 – Hearing date and notice • Section 114 – Notification • Section 149ZD – Costs of processes under this Part recoverable from applicant • Section 173 – Notification of decision on designation • Section 175 – Designation to be provided for in district plan • Section 189 – Notice of requirement to territorial authority • Schedule 1 – Clause 43 – conference of experts • Schedule 1 – Clause 45 – Freshwater hearings panel may commission reports • Schedule 1 – Clause 49 – Freshwater hearings panel must make recommendations to regional council on freshwater planning instrument • Schedule 1 – Clause 57 – Judicial review <p>An Authorised Officer pursuant to the Sale and Supply of Alcohol Act 2012 for the purpose of:</p> <ul style="list-style-type: none"> • Section 65(1) – Secretary of authority to set up and maintain registers • Section 66(1) – Record of applications • Section 66(3) – Record of applications • Section 72 – Duplicate licence or certificate • Section 73(2) – Surrender of licence or manager's certificate • Section 102(5) – Objections to applications • Section 103(1) – Police, Medical Officer of Health, and inspector must inquire into application • Section 103(2) – Police, Medical Officer of Health, and inspector must inquire into application • Section 103(5) – Police, Medical Officer of Health, and inspector must inquire into application • Section 120 – Variation of conditions • Section 128(4) – Objections to renewal • Section 129 – Police, Medical Officer of Health, and inspector must inquire into application • Section 139(b) – Notification requirements • Section 140(2) – Objections to applications • Section 140(4) – Objections to applications • Section 141(1) – Inquiry into applications by Police, inspector, and Medical Officer of Health • Section 141(6) – Inquiry into applications by Police, inspector, and Medical Officer of Health • Section 155(6) – Procedure for commencing appeal
--	---

	<ul style="list-style-type: none"> • Section 220(1) - Reports • Section 220 (5) - Reports • Section 225(1) – Reports and applications for renewals • Section 283(4) – Variation, suspension, or cancellation of special licences • Section 284(3) – Hearing for variation, suspension, or cancellation of special licences under section 283
BCA Manager	<p>An Enforcement Officer pursuant to Section 232, and an Authorised Officer pursuant to Section 222(4) of the Building Act 2004 with the following delegated responsibilities, powers and duties:</p> <ul style="list-style-type: none"> • Section 31 – Building consent authority must apply for project information memorandum • Section 33 – Content of application • Section 37 – Territorial authority must issue certificate if resource consent required • Section 38 – Territorial authority must give copy of project information memorandum in certain circumstances • Section 39 – Territorial authority must advise Heritage New Zealand Pouhere Taonga in certain circumstances • Section 45 – How to apply for building consent • Section 46 – Copy of certain applications for building consent must be provided to Fire and Emergency New Zealand • Section 49 – The Authority to grant a Building Consent • Section 50 – Refusal of application for building consent • Section 51 – The Authority to Issue a Building Consent • Section 52 – Lapse of building consent • Section 54 – Building consent authority must advise applicant of amount of levy payable • Section 58 – Liability to pay levy: building consent authority • Section 59 – Liability to pay levy: territorial authority • Section 64 – Audit of issue of building consents for purpose of ascertaining payment of levy • Section 74 – Steps after notification • Section 90 – Inspections by building consent authorities • Section 91 – Building consent authority that grants building consent to issue code compliance certificate • Section 95 – Issue of code compliance certificate • Section 102 – When compliance schedule must be issued • Section 102A – Procedure for obtaining compliance schedule where building consent not required • Section 103 – Content of compliance schedule • Section 104 – Building consent authority must notify territorial authority of issue of compliance schedule • Section 106 – Applications of owner if compliance schedule is issued • Section 107 – Territorial authority may amend compliance schedule on own initiative • Section 111 – Inspections by territorial authority • Section 164 – Issue of notice to fix • Section 216 – Territorial authority must keep information about buildings • Section 217 – Access to certain information kept by territorial authority

	<ul style="list-style-type: none"> • Section 218 – Territorial authority must provide information to chief executive for purpose of facilitating performance of chief executive's function under sections 169 and 169A • Section 219 – Territorial authority may impose fee or charge and must collect levy • Section 222 – Inspections by territorial authority • Section 371 – Proceedings for infringement offences • Section 371A – Who may issue infringement notices • Section 371B – Authorisation to issue infringement notice • Section 371C – Conditions of authorisation • Section 371D – Offence to impersonate enforcement officer • Section 372 – Issue of infringement notices • Section 373 – Form of infringement notices • Section 374 – Payment of infringement fees <p>An Authorised Officer pursuant to the Health Act 1956 for the purpose of:</p> <ul style="list-style-type: none"> • Section 42 – Local authority may require repairs and issue closing order • Section 45 – Determination of closing order <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency <p>An Authorised Officer pursuant to the Local Government Official Information and Meetings Act 1987 for the purpose of: Section 44A – Land information memorandum</p>
--	---

Regulatory Support Officer	<p>An Enforcement Officer pursuant to Section 232, and an Authorised Officer pursuant to Section 222(4) of the Building Act 2004 with the following delegated responsibilities, powers and duties:</p> <ul style="list-style-type: none"> • Section 31 – Building consent authority must apply for project information memorandum • Section 33 – Content of application • Section 37 – Territorial authority must issue certificate if resource consent required • Section 38 – Territorial authority must give copy of project information memorandum in certain circumstances • Section 39 – Territorial authority must advise Heritage New Zealand Pouhere Taonga in certain circumstances • Section 45 – How to apply for building consent • Section 46 – Copy of certain applications for building consent must be provided to Fire and Emergency New Zealand • Section 51 – Issue of building consent • Section 52 – Lapse of building consent • Section 54 – Building consent authority must advise applicant of amount of levy payable
----------------------------	--

	<ul style="list-style-type: none"> • Section 58 – Liability to pay levy: building consent authority • Section 59 – Liability to pay levy: territorial authority • Section 64 – Audit of issue of building consents for purpose of ascertaining payment of levy • Section 74 – Steps after notification • Section 90 – Inspections by building consent authorities • Section 102 – When compliance schedule must be issued • Section 102A – Procedure for obtaining compliance schedule where building consent not required • Section 103 – Content of compliance schedule • Section 104 – Building consent authority must notify territorial authority of issue of compliance schedule • Section 106 – Applications of owner if compliance schedule is issued • Section 107 – Territorial authority may amend compliance schedule on own initiative • Section 111 – Inspections by territorial authority • Section 216 – Territorial authority must keep information about buildings • Section 217 – Access to certain information kept by territorial authority • Section 218 – Territorial authority must provide information to chief executive for purpose of facilitating performance of chief executive's function under sections 169 and 169A • Section 219 – Territorial authority may impose fee or charge and must collect levy • Section 222 – Inspections by territorial authority • Section 371 – Proceedings for infringement offences • Section 371A – Who may issue infringement notices • Section 371B – Authorisation to issue infringement notice • Section 371C – Conditions of authorisation • Section 371D – Offence to impersonate enforcement officer • Section 372 – Issue of infringement notices • Section 373 – Form of infringement notices • Section 374 – Payment of infringement fees <p>An Authorised Officer pursuant to the Health (Registration of Premises) Regulations 1966 for the purpose of:</p> <ul style="list-style-type: none"> • Clause 4 • Clause 8 <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency <p>An Authorised Officer pursuant to the Local Government Official Information and Meetings Act 1987 for the purpose of: Section 44A – Land information memorandum</p> <p>An Authorised Officer pursuant to the Amusement Devices Regulations 1978 for the purpose of:</p>
--	---

	<ul style="list-style-type: none"> • Clause 11 – Local authority permit <p>An Authorised Officer pursuant to the Resource Management Act 1991 for the purpose of:</p> <ul style="list-style-type: none"> • Section 88 – Making an application • Section 95D – Consent authority decides if adverse effects likely to be more than minor • Section 95E – Consent authority decides if person is affected person • Section 95F – meaning of affected protected customary rights group • Section 98 – Advice of submissions to applicant • Section 101 – Hearing date and notice • Section 149ZD – Costs of processes under this Part recoverable from applicant • Section 173 – Notification of decision on designation • Section 175 – Designation to be provided for in district plan • Section 189 – Notice of requirement to territorial authority • Schedule 1 – Clause 43 – conference of experts • Schedule 1 – Clause 45 – Freshwater hearings panel may commission reports • Schedule 1 – Clause 49 – Freshwater hearings panel must make recommendations to regional council on freshwater planning instrument • Schedule 1 – Clause 57 – Judicial review <p>An Authorised Officer pursuant to the Sale and Supply of Alcohol Act 2012 for the purpose of:</p> <ul style="list-style-type: none"> • Section 65(1) – Secretary of authority to set up and maintain registers • Section 66(1) – Record of applications • Section 66(3) – Record of applications • Section 72 – Duplicate licence or certificate • Section 73(2) – Surrender of licence or manager's certificate • Section 102(5) – Objections to applications • Section 103(1) – Police, Medical Officer of Health, and inspector must inquire into application • Section 103(5) – Police, Medical Officer of Health, and inspector must inquire into application • Section 120 – Variation of conditions • Section 128(4) – Objections to renewal • Section 129 – Police, Medical Officer of Health, and inspector must inquire into application • Section 139(b) – Notification requirements • Section 140(2) – Objections to applications • Section 140(4) – Objections to applications • Section 141(1) – Inquiry into applications by Police, inspector, and Medical Officer of Health • Section 141(6) – Inquiry into applications by Police, inspector, and Medical Officer of Health • Section 155(6) – Procedure for commencing appeal • Section 220(1) - Reports • Section 220 (5) - Reports • Section 225(1) – Reports and applications for renewals
--	--

	<ul style="list-style-type: none"> • Section 283(4) – Variation, suspension, or cancellation of special licences • Section 284(3) – Hearing for variation, suspension, or cancellation of special licences under section 283
Senior Building Compliance Officer / Technical Leader	<p>An Enforcement Officer pursuant to Section 232, and an Authorised Officer pursuant to Section 222(4) of the Building Act 2004 with the following delegated responsibilities, powers and duties:</p> <ul style="list-style-type: none"> • Section 7 - Interpretation • Section 31 – Building consent authority must apply for project information memorandum • Section 33 – Content of application • Section 34 – Issue of project information memorandum • Section 35 – Content of project information memorandum • Section 36 – Territorial authority may issue development contribution notice • Section 37 – Territorial authority must issue certificate if resource consent required • Section 38 – Territorial authority must give copy of project information memorandum in certain circumstances • Section 39 – Territorial authority must advise Heritage New Zealand Pouhere Taonga in certain circumstances • Section 42 – Owner must apply for certificate of acceptance if building work carried out urgently • Section 45 – How to apply for building consent • Section 45A – Minor variations to building consents • Section 46 – Copy of certain applications for building consent must be provided to Fire and Emergency New Zealand • Section 48(1) – Processing application for building consent • Section 49 – Grant of building consent • Section 50 – Refusal of application for building consent • Section 51 – Issue of building consents • Section 52 – Lapse of building consent • Section 54 – Building consent authority must advise applicant of amount of levy payable • Section 58 – Liability to pay levy: building consent authority • Section 59 – Liability to pay levy: territorial authority • Section 64 – Audit of issue of building consents for purpose of ascertaining payment of levy • Section 67 – Territorial authority may grant building consent subject to waivers or modifications of building code • Section 67A – Territorial authority may grant waivers or modifications in relation to means of restricting access to residential pools • Section 68 – Territorial authority must notify chief executive if waiver or modification granted • Section 70 – Applications relating to energy work • Section 71 – Building on land subject to national hazards • Section 72 – Building consent for building on land subject to natural hazards must be granted in certain cases • Section 73 – Conditions on building consents granted under section 72 • Section 74 – Steps after notification • Section 75 – Construction of building on 2 or more allotments

	<ul style="list-style-type: none"> • Section 77 – Building consent must not be granted until condition is imposed under section 75 • Section 83 – Owner may apply for entry to be removed • Section 90 – Inspections by building consent authorities • Section 91 – Building consent authority that grants building consent to issue code compliance certificate • Section 93 – Time in which building consent authority must decide whether to issue code compliance certificate • Section 94 – Matters for consideration by building consent authority in deciding issue of code compliance certificate • Section 95 – Issue of code compliance certificate • Section 95A – Refusal to issue code compliance certificate • Section 96 – Territorial authority may issue certificate of acceptance in certain circumstances • Section 97 – How to apply for certificate of acceptance • Section 98 – Processing application for certificate of acceptance • Section 99 – Issue of certificate of acceptance • Section 99AA – Withholding certificate of acceptance • Section 99A – Refusal of application for certificate of acceptance • Section 102 – When compliance schedule must be issued • Section 102A – Procedure for obtaining compliance schedule where building consent not required • Section 103 – Content of compliance schedule • Section 104 – Building consent authority must notify territorial authority of issue of compliance schedule • Section 106 – Applications of owner if compliance schedule is issued • Section 107 – Territorial authority may amend compliance schedule on own initiative • Section 111 – Inspections by territorial authority • Section 112 – Alterations of existing buildings • Section 113 – Buildings with specified intended lives • Section 115 – Code compliance requirements: change of use • Section 116 – Code compliance requirements: extension of life • Section 116A – Code compliance requirements: subdivision • Section 124 – Dangerous, affected, or insanitary buildings: powers of territorial authority • Section 125 – Requirements for notice requiring building work or restricting entry • Section 126 – Territorial authority may carry out work • Section 127 – Building work includes demolition of building • Section 128 – Prohibition on using dangerous, affected, or insanitary building • Section 128A – Offences in relation to dangerous, affected, or insanitary buildings • Section 129 – Measures to avoid immediate danger or to fix insanitary conditions • Section 130 – Territorial authority must apply to District Court for confirmation of warrant • Section 163 – Definitions for this subpart • Section 164 – Issue of notice to fix • Section 165 – Form and content of notice to fix • Section 166 – Special provisions for notices to fix from building consent authority
--	---

	<ul style="list-style-type: none"> • Section 167 – Inspection of building work under notice to fix • Section 177 – Application for determination • Section 180 – Application for determination may be withdrawn • Section 212 – Territorial authority must act as building consent authority for its district • Section 215 – Territorial authority must gain accreditation and be registered • Section 216 – Territorial authority must keep information about buildings • Section 217 – Access to certain information kept by territorial authority • Section 218 – Territorial authority must provide information to chief executive for purpose of facilitating performance of chief executive's function under sections 169 and 169A • Section 219 – Territorial authority may impose fee or charge and must collect levy • Section 220 – Territorial authority may carry out building work on default • Section 221 – Recovery of costs when territorial authority carries out work on default • Section 222 – Inspections by territorial authority • Section 362A – Outline of this Part • Section 362B – Meaning of building work and residential building contract • Section 362C – Consumer rights under Fair Trading Act 1986 or Consumer Guarantees Act 1993 not affected by this Part • Section 362D – Building contractor must provide information before residential building contract entered into • Section 362E – Purpose of regulations under section 362D • Section 362F – Minimum requirements for residential building contract over certain value • Section 362G – Regulations may prescribe content, etc of residential building contract • Section 362H – When provisions relating to implied warranties apply • Section 362I – Implied warranties for building work in relation to household units • Section 362J – Proceedings for breach of warranties may be taken by non-party to contract • Section 362K – Person may not give away benefit of warranties • Section 362L – Remedies for breach of implied warranty • Section 362M – Remedies if breach of warranty can be remedied • Section 362N – Remedies if breach of warranty cannot be remedied or breach is substantial • Section 362O – Meaning of substantial breach • Section 362P – Rules applying to cancellation • Section 362Q – Building contractor or on-seller must remedy defect notified within 1 year of completion • Section 362R – Definitions for purposes of section 362Q • Section 362S – Exclusion of liability for event not attributable to fault of building contractor or on-seller • Section 362T – Building contractor must provide prescribed information and documentation on completion of residential building work
--	--

	<ul style="list-style-type: none"> • Section 362U – Purpose of regulations under section 362T(2) • Section 362V – Offence for commercial on-seller to transfer household unit without code compliance certificate • Section 362W – Premises in respect of which duty arises under section 363 • Section 363 – Protecting safety of members of public using premises open to public or intended for public use • Section 363A – Public use of premises may be allowed before issue of code compliance certificate in some circumstances • Section 363C – Section 363 does not apply to building work commenced before 31 March 2005 • Section 371 – Proceedings for infringement offences • Section 371A – Who may issue infringement notices • Section 371B – Authorisation to issue infringement notice • Section 371C – Conditions of authorisation • Section 371D – Offence to impersonate enforcement officer • Section 372 – Issue of infringement notices • Section 373 – Form of infringement notices • Section 374 – Payment of infringement fees • Section 377 – Filing charging document • Section 378 – Time limit for filing charging document • Section 379 – Offence under more than 1 enactment <p>An Authorised Officer pursuant to the Electronic Transactions – Land Transfer Act 1952.</p> <p>An Authorised Officer pursuant to the Health Act 1956 for the purpose of:</p> <ul style="list-style-type: none"> • Section 42 – Local authority may require repairs and issue closing order • Section 45 – Determination of closing order <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency <p>An Authorised Officer pursuant to the Local Government Official Information and Meetings Act 1987 for the purpose of: Section 44A – Land information memorandum</p> <p>An Authorised Officer pursuant to the Weathertight Homes Resolution Services Act 2006.</p>
Principal Planner	<p>An Authorised Officer pursuant to the Electronic Transactions – Land Transfer Act 1952.</p> <p>An Authorised Officer pursuant to the Local Government Act 1974 for the purpose of:</p> <ul style="list-style-type: none"> • Section 327A – Building-line restrictions • Section 340 – Motor garages

	<ul style="list-style-type: none"> Section 348 – Powers of council with respect to private roads and private ways <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> Section 171 – General power of entry Section 172 – Power to entry for enforcement purposes Section 173 – Power of entry in cases of emergency <p>An Authorised Officer pursuant to the Local Government Official Information and Meetings Act 1987 for the purpose of:</p> <ul style="list-style-type: none"> Section 44A – Land information memorandum <p>An Authorised Officer pursuant to the Reserves Act 1977 for the purpose of:</p> <ul style="list-style-type: none"> Section 18(2)(e) – Historic reserves Section 19(2)(a) – Scenic reserves Section 19(3)(a) – Scenic reserves <p>An Authorised Officer pursuant to the Resource Management Act 1991 for the purpose of:</p> <ul style="list-style-type: none"> Section 10 – Certain existing uses in relation to land protected Section 22 – Duty to give certain information Section 32 – Requirements for preparing and publishing evaluation reports Section 36 – Administrative charges Section 36(3) – Administrative charges Section 36(3)(a) – Administrative charges Section 36(5) – Administrative charges Section 36(7) – Administrative charges Section 36AAA – Criteria for fixing administrative charges Section 37 – Power to waiver and extension of time limits Section 37A – Requirements for waivers and extensions Section 42 – Protection of sensitive information Section 42A – Reports to local authority Section 58I(2) – Local authority recognition of national planning standards Section 58I(7) – Local authority recognition of national planning standards Section 86D – Environment Court may order rule to have legal effect from date other than standard date Section 87BA – boundary activities approved by neighbours on infringed boundaries are permitted activities Section 87BB – Activities meeting certain requirements are permitted activities Section 88 – Making an application Section 91 – Deferral pending application for additional consents Section 92 – Further information, or agreement, may be requested Section 92A – Responses to request Section 95 – Time limit for public notification or limited notification
--	--

	<ul style="list-style-type: none"> • Section 95A – Public notification of consent applications • Section 95B – Limited notification of consent applications • Section 95C – Public notification of consent application after request for further information or report • Section 95D – Consent authority decides if adverse effects likely to be more than minor • Section 95E – Consent authority decides if persons is affected person • Section 95F – Meaning of affected protected customary rights group • Section 98 – Advice of submissions to applicant • Section 99 – Pre-hearing meetings • Section 100 – Obligation to hold a hearing • Section 101 – Hearing date and notice • Section 104 – Consideration of applications • Section 104A – Determination of applications for controlled activities • Section 104B – Determination of applications for discretionary or non-complying activities • Section 104C – Determination of applications for restricted discretionary activities • Section 104D – Particular restrictions for non-complying activities • Section 104F – Implementation of national environmental standards • Section 105 – Matters relevant to certain applications • Section 106 – Consent authority may refuse subdivision consent in certain circumstances • Section 107 – Restriction on grant of certain discharge permits • Section 108 – Conditions of resource consents • Section 108A – Bonds • Section 109(3) – Special provisions in respect of bonds or covenants • Section 113 – Decisions on applications to b in writing, etc • Section 114 – Notification • Section 114(7) – Notification • Section 114(8) – Notification • Section 116B – When resource consent commences if subject to grant of application to exchange recreation reserve land • Section 120 – Right to appeal • Section 124 – Exercise of resource consent while applying for new consent • Section 125 – Lapsing of consents • Section 126 – Cancellation of consent • Section 127 – Change or cancellation of consent condition on application by consent holder • Section 128 – Circumstances when consent conditions can be reviewed • Section 129 – Notice of review • Section 130 – Public notification, submissions, and hearing, etc • Section 131 – Matters to be considered in review • Section 132 – Decisions on review of consent conditions • Section 133A – Minor corrections of resource consents • Section 136(2) – Transferability of water permits
--	---

	<ul style="list-style-type: none"> • Section 137(5) – Transferability of discharge permits • Section 138(2) – Surrender of consent • Section 138A – Special provisions relating to coastal permits for dumping and incineration • Section 139 – Consent authorities and Environmental Protection Authority to issue certificates of compliance • Section 139A – Consent authorities to issue existing use certificates • Section 149G – EPA must provide board or court with necessary information • Section 149ZD – Cost of processes under this Part recoverable from applicant • Section 159 – Acceptance of tender, etc • Section 168 – Notice of requirement to territorial authority • Section 168A – Notice of requirement by territorial authority • Section 171(2) – Recommendation by territorial authority • Section 173 – Notification of decision on designation • Section 175 – Designation to be provided for in district plan • Section 176A – Outline plan • Section 181(1) – Alternation of designation • Section 181(2) – Alternation of designation • Section 181(3) – Alternation of designation • Section 182 – Removal of designation • Section 184 – Lapsing of designations which have not been given effect to • Section 189 – Notice of requirement to territorial authority • Section 189A – Notice of requirement for heritage order by territorial authority • Section 190 – Further information, notification, submissions, and hearing for notice of requirement to territorial authority • Section 193 – Effect of heritage order • Section 195A – alternation of heritage order • Section 196 – Removal of heritage order • Section 198D – Territorial authority's subsequent processing • Section 198H – Sections 198I to 198M apply to requirements under section 168A or 189A • Section 198I – Territorial authority's decision • Section 198J – Territorial authority's subsequent processing • Section 198K – Environment Court decides • Section 198L – Residual powers of territorial authority • Section 198M – When territorial authority must deal with requirement • Section 221 – Territorial authority to issue a consent notice • Section 222 – Completion certificates • Section 223 – Approval of survey plan by territorial authority • Section 224 – Restrictions upon deposit of survey plan • Section 235 – Creation of esplanade strips by agreement • Section 237B – Access strips • Section 240(4) – Covenant against transfer of allotments • Section 241(3) – Amalgamation of allotments • Section 243(e) – Survey plan approved subject to grant or reservation of easements • Section 267 – Conferences • Section 268 – Alternative dispute resolution
--	--

	<ul style="list-style-type: none"> • Section 281 – Waivers and directions • Section 315 – Compliance with enforcement order • Section 316 – Application for enforcement order • Section 320 – Interim enforcement order • Section 321 – Change or cancellation of enforcement order • Section 322 – Scope of abatement notice • Section 323 – Compliance with abatement notice • Section 325A – Cancellation of abatement notice • Section 330 – Emergency works and power to take preventative or remedial action • Section 332 – Power of entry for inspection • Section 333 – Power of entry for survey • Section 334 – Application for warrant for entry for search • Section 388 – Requirement to supply information • Schedule 1 – Clause 3 – Consultation • Schedule 1 – Clause 3B – Consultation with iwi authorities • Schedule 1 – Clause 3C – Previous consultation under other enactments • Schedule 1 – Clause 4 – Requirements to be inserted prior to notification of proposed district plans • Schedule 1 – Clause 4A – Further pre-notification requirements concerning iwi authorities • Schedule 1 – Clause 5 – Public notice and provision of document to public bodies • Schedule 1 – Clause 5A – Option to give limited notification of proposed change or variation • Schedule 1 – Clause 6 – Making of submissions under clause 5 • Schedule 1 – Clause 7 – Public notice of submissions • Schedule 1 – Clause 10A – Application to Minister for extension of time • Schedule 1 – Clause 11 – Notification of decision • Schedule 1 – Clause 16 – Amendment of proposed policy statement or plan • Schedule 1 – Clause 20 – Operative date • Schedule 1 – Clause 20A – Correction of operative policy statement or plan • Schedule 1 – Clause 23 – Further information may be required • Schedule 1 – Clause 26 – Notification timeframes • Schedule 1 – Clause 29(2) – Procedure under this Part • Schedule 1 – Clause 29(5) – Procedure under this Part • Schedule 1 – Clause 34 – Consultation on proposal to incorporate material by reference • Schedule 1 – Clause 35 – Access to material incorporated by reference • Schedule 1 – Clause 43 – Conference of experts • Schedule 1 – Clause 45 – Freshwater hearings panel may commission reports • Schedule 1 – Clause 49 – Freshwater hearings panel must make recommendations to regional council on freshwater planning instrument • Schedule 1 – Clause 51 – Deadline for recommendations • Schedule 1 – Clause 57 – Judicial review • Schedule 1 – Clause 88 – Power to withdraw
--	---

	<ul style="list-style-type: none"> Schedule 1 – Clause 90 – Notification of responsible Minister’s decision <p>An Authorised Officer pursuant to the Unit Titles Act 2010 for the purpose of:</p> <ul style="list-style-type: none"> Section 32 – Restrictions on deposit of unit plans
Senior Property Operations Officer	<p>An Authorised Officer pursuant to the Burial and Cremation Act 1964.</p> <p>An Authorised Officer pursuant to the Electronic Transactions – Land Transfer Act 1952.</p> <p>A litter Control Officer pursuant to Section 5 of the Litter Act 1979 for the purpose of:</p> <ul style="list-style-type: none"> Section 5 – Litter control officers Section 8 – Litter wardens Section 10 – Territorial authority may require occupier of private land to clear litter <p>An Authorised Officer pursuant to the Local Government Act 1974 for the purpose of:</p> <ul style="list-style-type: none"> Section 355 – Council may require removal of overhanging trees, etc Section 356 – Removal of abandoned vehicles from roads Section 356A – Further provision in relation to removal of vehicles from roads Section 356B – Relationship between section 356 and 356A <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> Section 171 – General power of entry Section 172 – Power to entry for enforcement purposes Section 173 – Power of entry in cases of emergency <p>An Authorised Officer pursuant to the Resource Management Act 1991 for the purpose of:</p> <ul style="list-style-type: none"> Section 355 – Vesting of reclaimed land Section 388 – Requirement to supply information <p>An Authorised Officer pursuant to the Waste Minimisation Act 2008.</p> <p>An Authorised Officer pursuant to the Wairoa District Council Bylaws for the purpose of:</p> <ul style="list-style-type: none"> Part 6 – Cemeteries
Senior Rates Officer	<p>An Authorised Officer pursuant to the Rates Rebate Act 1973 for the purpose of:</p> <ul style="list-style-type: none"> Section 5 – Applications to territorial authority for rates rebate Section 6 – Applications for refunds of rates paid Section 7 – Refund to owner of owner-occupier flat of contribution towards rates Section 8 – Provisions applying where system of rating by instalments in force Section 9 – Refund to territorial authorities of rebates granted

	<ul style="list-style-type: none"> • Section 10(1) – Recovery of overpayments • Section 11A – Advice of Secretary for Local Government as to applications for rebates or refunds • Section 13 – Form of verification
Trade Waste Officer	<p>A warranted Dog Control Officer pursuant to Section 11 of the Dog Control Act 1996 for the purpose of:</p> <ul style="list-style-type: none"> • Section 14 – Power of entry • Section 15 – Power of dog control officer or dog ranger to feed and shelter dogs • Section 16 – Districts in which dog control officer or dog ranger may exercise powers • Section 17 – Powers of warranted officers • Section 19 – Power of constable, dog control officer, or dog ranger to request information about owner • Section 19A – Power of constable, dog control officer, or dog ranger to request information about dog <p>An Enforcement Officer pursuant to Section 32 of the Freedom Camping Act 2011 for the purpose of:</p> <ul style="list-style-type: none"> • Section 20 – Offences • Section 27 – Issue of infringement notices • Section 35 – Enforcement officers may require certain information • Section 36 – Enforcement officers may require certain persons to leave local authority area or conservation land • Section 37 – Enforcement officers may seize and impound certain property • Section 38 – Requirements relating to seizure and impoundment of boats, caravans and motor vehicles <p>An Authorised Officer pursuant to Section 63 of the Impounding Act 1955 for the purpose of:</p> <ul style="list-style-type: none"> • Part 6 – Provisions for stock found straying or wandering on roads, and for wild stock • Part 7 – Procedure for impounding stock in a pound • Part 8 – Procedure for disposing of unclaimed, suffering, or worthless impounded stock <p>A Litter Control Officer pursuant to Section 5 of the Litter Act 1979 for the purpose of:</p> <ul style="list-style-type: none"> • Section 14 - Infringement notices <p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <p>Offences against Bylaws made under this Act</p> <ul style="list-style-type: none"> • Section 163 – Removal of works in breach of bylaws • Section 164 – Seizure of property not on private land • Section 165 – Seizure of property from private land • Section 171 – General power of entry • Section 172 – Power of entry for enforcement purposes • Section 173 – Power of entry in cases of emergency • Section 174 – Authority to Act

	<p>An Authorised Officer pursuant to the Wairoa District Council Bylaw for the purpose of:</p> <ul style="list-style-type: none"> • Part 3 – Public Safety • Part 9 - Trade Waste and Wastewater • Part 9 – Freedom Camping
Transport Asset Manager	<p>An Authorised Officer pursuant to the Local Government Act 1974 for the purpose of:</p> <ul style="list-style-type: none"> • Section 319B – Allocation of property numbers • Section 356 – Removal of abandoned vehicles from roads • Section 356A – Further provision in relation to removal of vehicles from roads • Section 356B – Relationship between section 356 and 356A <p>An Authorised Officer pursuant to the Resource Management Act 1991 for the purpose of:</p> <ul style="list-style-type: none"> • Section 388 – Requirement to supply information <p>An Authorised Officer pursuant to the Wairoa District Council Bylaws for the purpose of:</p> <ul style="list-style-type: none"> • Part 2 – Land Transport
Utilities Manager	<p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <ul style="list-style-type: none"> • Section 171 – General power of entry • Section 172 – Power to entry for enforcement purposes • Section 173 – Power of entry in cases of emergency • Section 181(3) – Construction of works on private land • Section 181(4) – Construction of works on private land • Section 181(5) – Construction of works on private land • Section 186 – Local authority may execute works if owner or occupier defaults • Section 187 – Recovery of costs of works by local authority • Section 190 – Compensation payable by local authority for land taken or injuriously affected • Section 191 – Local authority not authorised to create nuisance • Section 196 – Discharge of trade waste • Section 199A – Right to reconsideration of requirement for development contribution • Section 199B – Territorial authority to notify outcome of reconsideration <p>An Authorised Officer pursuant to the Resource Management Act 1991 for the purpose of:</p> <ul style="list-style-type: none"> • Section 388 – Requirement to supply information <p>An Authorised Officer pursuant to the Wairoa District Council Bylaws for the purpose of:</p> <ul style="list-style-type: none"> • Part 5 – Water Supply • Part 8 – Trade Waste and Wastewater

Noise Abatement Officer	<p>An Enforcement Officer pursuant to Section 177 of the Local Government Act 2002, in relation to any offence under this Act including, without limitation:</p> <p>Offences Against Bylaws made under this Act</p> <ul style="list-style-type: none">• Section 164 – Exercise the power to seize property not on private land• Section 165 – Exercise the power to seize property on private land• Section 171 – General power of entry• Section 172 – Power of entry for enforcement purposes• Section 173 – Power of entry in cases of emergency• Section 174 – Authority to act <p>An Enforcement Officer pursuant to Section 38(1) of the Resource Management Act 1991, for the purposes of:</p> <ul style="list-style-type: none">• Section 323 – Compliance with abatement notice• Section 327 – Issue and effect of excessive noise direction
-------------------------	---

8.5 DEFERMENT OF PROPOSED DEVELOPMENT CONTRIBUTIONS POLICY

Author: Tyler Trafford-Misson, Kaiwhakamahere Planner

Authoriser: Hinetaakoha Viriaere, Pouwhakarae - Whakamahere me te Waeture |
Group Manager Planning and Regulatory

Appendices: Nil

1. PURPOSE

- 1.1 The purpose of this report is to provide advice and recommend deferment of work on Wairoa District Council's (WDC) proposed Development Contributions Policy, in light of significant central government reforms, and the need for further strategic alignment with Council's Long-Term Plan (LTP), Revenue and Financing Policy, and Infrastructure Strategy.

RECOMMENDATION

The Kaiwhakamahere Planner RECOMMENDS that Council:

1. Receive the report AND
2. Agrees to defer any further works on WDC's proposed Development Contributions Policy once further clarity is received on central government reforms AND
3. Instruct Council officers to report back on the status of the proposed Development Contributions Policy by no later than 1 April 2026.

2. BACKGROUND

- 2.1 Development contributions are a tool under the Local Government Act 2002 (LGA) that enables councils to recover costs of providing infrastructure required to support growth. WDC has been exploring their use to fund critical infrastructure without placing the full burden on general ratepayers.
- 2.2 Council has previously undertaken consultation on a draft Development Contributions Policy to ensure growth-related infrastructure costs are recovered equitably from developers. However, due to increasing regulatory uncertainty and reform at the central government level, it is prudent to defer further works on the proposed policy until further clarity is provided.
- 2.3 Three major considerations underpin this recommendation:
- Central government's ongoing water services reform programme and the potential impact on local government infrastructure funding models.
 - The government's stated intention to transition from development contributions and financial contributions to a unified, nationally consistent development levy system.
 - The requirement to ensure alignment between any development funding policy and WDC's long-term financial and infrastructure strategies.

3. KEY ISSUES

3.1 Uncertainty Surrounding “Local Water Done Well” and Its Impact

The Local Water Done Well reform programme introduces material uncertainty into how Three Waters services will be managed and funded in future. Should these functions be consolidated or significantly restructured, the ability of territorial authorities to charge and manage development contributions for water infrastructure may be curtailed or made redundant.

Until clear legislative direction is provided, there is a risk that WDC may establish a contributions policy based on responsibilities that could shift within the next 12–18 months.

3.2 Government’s Intention to Transition to a National Levy Framework

The Government has signalled a shift away from the current development and financial contributions model in favour of a new, nationwide system of development levies. While the framework is not yet enacted, its intent suggests that any local policy adopted in this transitional environment may soon be obsolete or require major revision.

Government direction indicates that the new framework will be introduced in time for the 2027 LTP, with mandatory implementation of levies in the following LTP.

3.3 Need for further alignment with future LTP’s, Infrastructure Strategy, and Revenue and Financing Policy

The development of a robust Development Contributions Policy requires integration with:

- The Long-Term Plan (2024–2034), which outlines growth projections, infrastructure needs, and funding models.
- The Revenue and Financing Policy, which determines how council activities are funded and by whom.
- The Infrastructure Strategy, which provides a 30-year view of planned infrastructure investment.

4. OPTIONS

- 4.1 The options identified are:
- a. Proceed with works on the Proposed Development Contributions Policy.
 - b. Defer any further work until further legislative clarity is received.
- 4.2 Option A may enable cost recovery for growth-related infrastructure if the policy is enacted but does present a high risk of redundancy or misalignment with the current reforms and upcoming government frameworks.
- 4.3 Option B aligns with government reforms and LTP timing however, delays Council’s ability for cost recovery for growth related infrastructure in the short term.
- 4.4 The preferred option is Option B, this contributes to the following community outcomes:

Cultural wellbeing	Economic wellbeing	Social Wellbeing	Environmental Wellbeing
--------------------	--------------------	------------------	-------------------------

Valued and cherished community.	Strong and prosperous economy.	Safe, supported and well-led community.	Protected and healthy environment
---------------------------------	--------------------------------	---	-----------------------------------

5. CORPORATE CONSIDERATIONS

What is the change?

No changes to any existing policies, the proposed Development Contributions policy has been drafted and consulted on – no decisions affecting Council operations have been made.

What are the key benefits?

- Avoids Policy Redundancy Due to Imminent Reforms
- Ensures further opportunity for Strategic and Financial Alignment
- Reduces Legal and Administrative Risk
- Improves Stakeholder Confidence
- Provides Time to Monitor and Respond to National Policy Settings

What is the cost?

- No further cost at this time associated with the development of policy.
- Growth-related infrastructure costs (where applicable) will continue to be borne by Wairoa ratepayers until a policy or new levy system is introduced.
- Opportunity cost to Council given delayed additional revenue stream.

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

9 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS

Nil

10 PUBLIC EXCLUDED ITEMS**RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATION**

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
10.1 - EMERGENCY WORKS PROCUREMENT PROGRAMME	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.2 - ROAD MAINTENANCE CONTRACTS -SEALED AND UNSEALED ROADS	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.3 - Property Maintenance Contracts	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7