



# Delegations Manual

Amended 12 February 2026  
Adopted by Council 26 February 2026

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1. **Introduction**

1.1 **Glossary**

- a) **Senior Leadership Team:** The Chief Executive and the Senior Managers comprising of the General Manager District Assets, General Manager Business Enablement, General Manager Regulatory and Compliance, Chief Financial Officer, Senior HR Advisor, Strategy and Transformation Manager, and Quality Assurance Manager.
- b) **Manager:** A member of the Senior Leadership Team other than the Chief Executive.
- c) **Activity:** The particular branch of the Council's functions (e.g., water, sewerage, library) as opposed to the particular accounts which comprise that activity.
- d) **Cost Centre Controllers:** Officers nominated by the Senior Leadership Team to assume responsibility for particular activities within the Council's functions so as to ensure agreed works are completed and the budget is not overspent.

1.2 **The Place of the Delegations Manual**

This Delegations Manual has been adopted by the Westland District Council to define methods, means of operations, managerial and administrative relationships. The manual is related to other key documents including Council's Bylaws and other formal expressions of policy.

2. **The Philosophy of the Council**

- 2.1 The Westland District Council believes that it is essential, in the interests of good management and effective administration, to encourage a delegation of decision making to the lowest competent level. This will achieve best use of the abilities of elected representatives and officers, minimise the cost of material, technical and financial resources, promote the development of effective managers and minimise bureaucratic interference in the daily affairs of the District's residents.
- 2.2 Authority and responsibility are inseparable. Those with responsibility for a task or function should always have the authority to carry it out effectively. Those with authority should always be responsible for its wise use. Delegations will not however remove from the Council and top management ultimate accountability for the affairs of this Council.
- 2.3 Delegates 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 reviewed lightly.
- 2.4 It is the statutory function of this Council to lead and guide the good management of the District by determining primary goals and objectives, by setting strategies and policies for their achievement and to encourage their achievement through the considered use of committees and the appointment of a Chief Executive.
- 2.5 Officers in turn implement and administer those policies, contribute substantially to their formulation, and provide and manage the infrastructures on which the District is based. Delegation focuses and sharpens this relationship and assists in the better achievement of the respective functions of elected representatives and officers.

- 2.6** A necessary consequence of delegation is the need for clear reporting. The Westland District Council adheres to the concept of exception reporting. This means that when the Council makes a decision, it expects the decision to be implemented without further reporting. Only if the target is not met, i.e., an exception occurs, should further reporting be necessary.
- 2.7** Finally, the level of delegation is symptomatic of the health and well-being of the Council. Without it, the mutual trust and respect which should exist between members of the Council and its officers, and the effectiveness and efficiency of the organisation must be at risk.

### **3. General and Specific Delegations**

- 3.1** In this manual, a general delegation implies the granting of authority to determine a range of matters of a similar kind as and when they arise over a period of time without further reference to the delegator.
- 3.2** From time to time, the Council may delegate authority to determine a specific issue, and this authority will exist only so long as that matter is unresolved and will then lapse. This is a specific delegation.
- 3.3** This manual will be revised for general delegations as they are granted, but not those of a specific nature, which will be largely historical by the time they are recorded.

### **4. The Meaning of Delegation**

- 4.1** Delegation in the manual means the assignment of a duty or power of action to another, together with the authority to carry out that duty or complete the action assigned, with responsibility for the outcome.
- 4.2** A power merely to hear evidence or consider a proposal is not a delegation and is not therefore generally included in this manual. It is assumed that all committees, subcommittees, and officers have authority to hear any matter within their jurisdiction and submit a report or recommendation to a higher authority unless that is prohibited by law.

### **5. What May Be Delegated**

- 5.1** In almost all situations the Council itself is a delegatee, in that its functions, powers and duties derive from Parliament through empowering legislation under which legislative, judicial, and administrative authority is granted to the Council for specific purposes.
- 5.2** The limits under which functions, power and duties may be further delegated are strictly interpreted in accordance with the empowering legislation concerned, although rules in these matters are generally well settled.
- 5.3** Parliament has shown awareness that, in the interests of the effective and efficient management of a district, delegation (of other than legislative powers) is permitted subject only to specific exceptions. Special additional common law rules apply also, particularly to the delegation of legislative powers.
- 5.4** In this environment, the Council has a wide discretion to arrange its own administration in a way which provides efficiency, flexibility, and responsiveness to local needs. In doing so, it must, however, comply with the special requirements imposed by law in given circumstances.

## **6. The Characteristics of Delegation**

It is important to understand the following characteristics of delegation:

- 6.1** The delegator does not lose the function, power or duty by delegation and may exercise this concurrently with the delegatee;
- 6.2** It is implicit that a delegation may be revoked at any time without notice.
- 6.3** The delegatee is acting in their own name on behalf of the Council when exercising delegated authority;
- 6.4** If a delegatee's decision is invalid, it cannot be ratified by the delegator. The correct action is generally for the matter to be considered in full again by the delegator, assuming it is within the delegator's power to determine the matter at issue.
- 6.5** The laws relating to Local Government generally recognise that the decisions of a delegatee may be reviewed or appealed to the delegator, who may confirm, vary, override, or substitute a decision, although there are some exceptions. In such cases, the grounds for the review should be clearly stated, and a decision varied only when compelling circumstances arise.

A local authority may not rescind or amend a decision made by the committee pursuant to a delegation authorising the making of the decision (Schedule 7, Section 30 (6) of the Local Government Act 2002).

## **7. Care in Defining Authority**

- 7.1** The law recognises, in certain circumstances, the right of individuals acting in good faith in reliance on the apparent authority of a delegatee to enforce a decision of a delegatee, whether or not the delegatee in fact had the authority claimed.
- 7.2** Accuracy and precision should always be a feature when defining the scope and limitations of any delegated authority in order to protect the interests of the Council, the delegatee and any interested third party.

## **8. Statutory Authority**

- 8.1** The delegations contained in this manual are made in accordance with the Local Government Act 2002 and any other statutory authority permitting delegation.
- 8.2** In accordance with Section 42(3)(a) of the Local Government Act 2002, the Council shall maintain a clear separation between regulatory and service delivery functions. The management structure shall also reflect this separation. The delegations to both committees and staff have been drafted to coincide with this separation.

**9. Delegations to be in Writing**

Every delegation under this manual shall be in writing and shall define with reasonable precision the nature, purpose and bounds of a given delegation.

**10. Extent of Delegation**

Subject to any specified limitation, term or condition applied by the delegator or by law a delegatee may exercise the power or authority delegated in the same manner and to the same effect as could the delegator.

**11. Sub-delegation**

**11.1** Every committee, the Chief Executive and each manager may further delegate any power granted to them in this manual or otherwise by the Council, either generally or specifically and may impose any term or condition upon that sub-delegation.

**11.2** Subcommittees and officers below the level stated may not subdelegate a power of decision but may instruct an officer or person to carry out investigations and make recommendations.

**11.3** Within 1 month of the manual being adopted by the Council, each manager shall determine the delegations which they wish to make under this clause and shall supply a statement of these to the Chief Executive for inclusion as a schedule in the manual. Additional delegations may be made at this time in which case a statement of that delegation or delegations shall be supplied to the Chief Executive within 1 month of them being made.

**12. Reporting Decisions**

A delegatee need not generally report decisions to the delegator except:

**12.1** All contracts accepted under delegated authority are to be reported by the delegatee (in this case, either a manager, the Senior Leadership Team, or a standing committee) to the next higher level of authority (the Senior Leadership Team, standing committee or Council) at the earliest opportunity.

**12.2** Other decisions are to be reported on as specifically provided for.

**13. Term of Delegation**

Unless any delegation is expressed to be for a definable term, it shall continue until revoked by the delegator or the Council or withdrawn in any way by operation of law.

#### **14. Variation of Decision**

- 14.1** The Council and any delegator may review, reserve, or vary any decision of a delegatee at any time except to the extent that the decision has already become binding on the delegator by operations of law and cannot be reversed.
- 14.2** A reversal or variation of a decision is not of itself a revocation of a delegation under this manual.
- 14.3** A decision of a delegatee shall only be reserved or varied where:
- a) it is manifestly wrong; or
  - b) it is contrary to a decision of the delegator of which the delegatee was unaware; or
  - c) it contains serious implications for the Council of which the delegatee was unaware; or
  - d) there is another good cause to reserve or vary that decision.

#### **15. Concurrent Jurisdiction**

Nothing in this manual shall limit the power of the Council or a delegator to exercise a function, duty, or power concurrently with or in substitution for a delegatee.

#### **16. Policy and Delegated Decision Making**

- 16.1** In reaching a decision under delegated authority, full regard must be had to both:
- a) any Council policy applying to an issue; and
  - b) all relevant facts applying to the case.
- 16.2** Should any delegatee, having considered all the facts of the case, be unable to make a decision which complies with Council policy on any matter, the correct action is then to refer the matter to the Council if a decision cannot be made in compliance with any policy applying to the decision to be made.

#### **17. Delegation to Office**

- 17.1** Unless a contrary intention is indicated, every delegation shall 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 shall survive any change in the occupiers of any such office.
- 17.2** Delegation to the Senior Leadership Team shall be exercised by a majority vote. Dissenting votes are to be recorded, and all exercises of this delegated power shall be recorded in the proceedings of the Senior Leadership Team. The acceptance of tenders by the Senior Leadership Team shall be subject to the approval of the manager of the department concerned. If the department manager does not approve, the matter will be referred to the appropriate standing committee.

**18. Appeals**

**18.1** Any person affected by any decision of a delegatee may appeal that decision:

- a) in the case of a decision by an officer, to the Chief Executive in consultation with the appropriate department manager, as the case may be; and
- b) in the case of a decision made by the Chief Executive, a committee or subcommittee, to the Council; and
- c) in the case of a decision made pursuant to the Resource Management Act 1991, in accordance with Section 357.

**18.2** In reviewing any decision on appeal under this clause, the Chief Executive or the Council shall have regard to:

- a) any reason given by the delegatee in making a decision; and
- b) any Council policy applying to the matter at issue; and
- c) the facts of the case; and
- d) the grounds for review of a decision contained in clause 14 of this manual; and
- e) any other relevant matter.

**19. Amendments to this Manual**

This manual shall be maintained by the Quality Assurance Team, who shall amend it in accordance with:

- a) any instructions to that affect given by the Council and any delegatee authorised to amend this manual;  
or
- b) any need for typographical, grammatical, or other minor amendment where the intention of the Council in the matter of a delegation is not altered.

20. **Standing Committees/Other Committees**

i) **Chief Executive’s Review Committee**

**Delegations of the Committee:**

- Approving the employment agreement between the local authority and the chief executive and setting key performance indicators in a performance agreement.
- Working with the chief executive on the implementation of the performance agreement.
- Conducting any performance reviews required by the performance agreement.
- Making decisions about the remuneration of the chief executive.
- Conducting any statutory performance reviews under clauses 34 and 35 of Schedule 7 of the Act.
- Deciding any other issues that may arise in relation to the employment or performance of the chief executive.
- Fulfilling the local authority’s contractual obligations to the chief executive.
- Approving any legal representation on performance-related issues or defamation proceedings.
- Disciplinary or performance issues that may need to be addressed/investigated relating to the chief executive.

ii) **Council Controlled Organisation Oversight Committee**

The purpose of the Council Controlled Organisation Oversight Committee is to have a general overview of the strategy, direction and priorities of the Council Controlled Organisations, and monitor the performance and delivery on strategic outcomes of Council Controlled Organisations by:

- Review of CCO strategy documents
- Review of Statement of Intent
- Recommending to Council on the content of annual letters of expectations
- Monitor the performance of each of the organisations
- Promoting a culture of openness and continuous improvement.

iii) **Risk and Assurance Committee**

**Delegations to the Committee**

- The Risk and Assurance Committee can conduct and monitor special investigations in accordance with Council policy, including engaging expert assistance, legal advisors, or external auditors, and where appropriate, recommend action (s) to Council.
- Subject to any expenditure having been approved in the Long-Term Plan or Annual Plan, the Risk and Assurance Committee has delegated authority to approve:
  - Risk management and internal audit programmes.
  - The appointment of the internal auditor, risk management and internal audit programmes, audit engagement letters and letters of undertaking for audit functions, and additional services provided by the external auditor.
  - The proposal and scope of the internal audit.

#### iv) **Hokitika Wastewater Treatment Plant Project Oversight Committee**

##### **Delegations to the Subcommittee**

The Hokitika WWTP Project Oversight Subcommittee will have the following delegated powers and be accountable to the Council for the exercise of these powers. In exercising the delegated powers, the Subcommittee will operate within:

- Policies, plans, standards, or guidelines that have been established and approved by Council;
- The overall priorities of the Council;
- The needs of Iwi and the local communities; and
- The approved budgets for the activity.

The Hokitika WWTP Project Oversight Subcommittee will have delegated authority to:

- Define the overall objectives and values of the Hokitika WWTP project.
- Power to co-opt technical advice as appropriate.
- All powers necessary to perform the Subcommittee's responsibilities except:
  - Powers that the Council cannot legally delegate or has retained for itself.
  - Where the Subcommittee's responsibility is limited to making a recommendation only.
  - Deciding significant matters for which there is high public interest, and which are controversial.
  - The commissioning of reports on new policy where that policy programme of work has not been approved by the Council.

#### v) **Tenders Subcommittee**

##### **Delegations to the Subcommittee**

The Tenders Subcommittee will have the following delegated powers and will be a Subcommittee of the Risk and Assurance Committee.

- In accordance with the Council's Adopted Delegations Manual, the Chief Executive has delegated authority to sign off tenders less than \$100,000.
- Tenders from \$100,000 to \$499,999 must be approved by the Tenders Committee.
- Tenders from \$500,000 and greater must be approved by the full Council.

### **21. Items that cannot be delegated**

**21.1** Councils have broad powers of delegation however, there are some decisions that can only be exercised by the full governing body and cannot be delegated, these include:

- a) the power to make a rate
- b) the power to make a bylaw (although local boards have the right to recommend these for their local areas)
- c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term council community plan
- d) the power to adopt a long-term plan, annual plan, or annual report
- e) the power to appoint a chief executive (cl. 32 of Schedule 7 of the LGA 2002)
- 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.

**21.2** No officer may exercise the powers listed in clauses 21.1 (a) – (g) above.

**22. Subcommittees**

**22.1** A subcommittee shall exercise only such delegated authority as is granted to it from time to time by the Council or the relevant head committee.

**22.2** The primary purposes of subcommittees are:

- a) to dispose of matters which have been delegated to it; and
- b) to investigate and report, with recommendations if appropriate, on matters referred from the head committee; and
- c) to act as a forum for communication between elected representatives, officers, and interested parties.

**23. District Licensing Committee**

**23.1** The following is delegated to the District Licensing Committee

- a) To hear all matters relating to the functions, duties and responsibilities of a District Licensing Committee as provided for in the Sale and Supply of Alcohol Act 2012.

*Guideline: The Sale and Supply of Alcohol Act 2012 allows the Committee Chairperson/Commission to decide certain matters (such as unopposed applications) without a hearing.*

*Guideline: The Council appoints the District Licensing Committee(s) for a five-year period, and members need not be Councillors.*

**24. Elected Members' Expenses**

Elected members' expenses are approved in accordance with Council Policy.

## PART IV – DELEGATION TO STAFF

### 25. **Staff: Contractual Authority and Financial Management of Activities**

- 25.1 The contractual authorities for staff are set down in the charts following. Where staff are not included in the charts, they have no authority to enter into contracts/commitments on behalf of the Council. The amounts stated are all maximums.
- 25.2 Members of the Senior Leadership Team have the right (within the terms of their contractual authority) to enter into contracts for the expenditure of funds within activities for which their subordinates also have authority and will be held accountable for the activities which they control.
- 25.3 Managers should always consult with the designated cost centre controller prior to expending funds in accounts other than those for which they themselves are directly responsible.
- 25.4 Where a cost centre controller is aware that an activity is about to be or has been overspent, they should report that fact to the person to whom they are responsible as soon as practicable.
- 25.5 The criterion to be used in assessing managerial financial performance will be whether or not the total budget for the department is adhered to. Variations on activity budgets within departments may therefore emerge, but must be reported to the appropriate committee.
- 25.6 No oral contract shall be made for a sum exceeding \$1,000 (see Section 3 Public Bodies Contracts Act).
- 25.7 All commitments entered into under the contractual authorities set out in the following charts shall be reported to the next highest level of authority at the earliest opportunity.

**25.8 Delegations to Staff – Contractual Authority and Activity Management**

Staff Member	Item	Amount
<b>OFFICE OF THE CE</b> <b>Chief Executive</b>	Contractual Authority for emergency expenditure not provided for in the budgets. Contractual Authority in excess of \$100,000, where it has been pre-approved by Council Resolution through a Long Term Plan or Annual Plan. Contractual Authority for expenditure provided for in the budgets, Contractual Authority for emergency expenditure not provided for in the budgets. Contractual Authority for expenditure provided for in the budgets, Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	\$100,000 per item As determined.  \$100,000 per item \$100,000 per item \$100,000 per item All activities Elected Representatives and CE's Department

**25.8 Delegations to Staff – Contractual Authority and Activity Management cont.**

Staff Member	Item	Amount
<b>General Manager: District Assets</b>	Contractual Authority for emergency expenditure not provided for in the budgets. Contractual Authority for expenditure provided for in budgets Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$100,000 per item Assets and Operations Assets and Operations
<b>Chief Financial Officer</b>	Contractual Authority for emergency expenditure not provided for in the budgets. Contractual Authority for expenditure provided for in budgets Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$100,000 per item All activities Financial Services
<b>General Manager Regulatory and Compliance</b>	Contractual Authority for emergency expenditure not provided for in the budgets. Contractual Authority for expenditure provided for in budgets. Activities to which contractual authority applies.  Activities for which the officer is the Budget Manager.  The return of any bond taken for the performance of a condition of consent.	Nil \$100,000 per item Regulatory and Compliance, including Resource Management, Building, Environmental Health, Alcohol Licensing, Animal Control, Hokitika Swimming Pool, Emergency Management Regulatory and Compliance, including Resource Management, Building, Environmental Health, Alcohol Licensing, Animal Control, Hokitika Swimming Pool, Emergency Management Full amount
<b>Quality Assurance Manager</b>	Contractual Authority for emergency expenditure not provided for in budgets. Contractual Authority for expenditure provided for in budgets. Activities to which contractual authority applies.  Activities for which the officer is the Budget Manager.	Nil \$10,000 per item Governance, Chief Executive’s Office, Quality Assurance, Communications Governance, Chief Executive’s Office, Quality Assurance, Communications

Staff Member	Item	Amount
<b>Senior Human Resources Advisor</b>	Contractual Authority for emergency expenditure not provided for in budgets. Contractual Authority for expenditure provided for in budgets. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$10,000 per item Human Resources Human Resources
<b>General Manager Business Enablement</b>	Contractual Authority for emergency expenditure not provided for in the budgets. Contractual Authority for expenditure provided for in budgets. Activities to which contractual authority applies.  Activities for which the officer is the Budget Manager	Nil \$100,000 per item Community Services, Information Technology, Information Services, Civic Facilities (Library, Museum, isite, Customer Service) Community Services, Information Technology, Information Services, Civic Facilities (Library, Museum, isite, Customer Service)
<b>Strategy and Transformation Manager</b>	Contractual Authority for emergency expenditure not provided for in budgets. Contractual Authority for expenditure provided for in budgets. Activities to which contractual authority applies.  Activities for which the officer is the Budget Manager.	Nil \$50,000 Economic Development, Strategic Planning and Mayors Taskforce Economic Development, Strategic Planning and Mayors Taskforce
<b>Mayors Taskforce for Jobs Employment Navigator</b>	Contractual Authority for emergency expenditure not provided for in budgets. Contractual Authority for expenditure provided for in budgets. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$5,000 per item Mayors Taskforce Mayors Taskforce
<b>BUSINESS ENABLEMENT</b>		
<b>Museum Director</b>	Contractual Authority for emergency expenditure not provided for in budgets.. Contractual Authority for expenditure provided for in budgets. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$10,000 per item Hokitika Museum Hokitika Museum
<b>Library Manager</b>	Contractual Authority for emergency expenditure not provided for in budgets. Contractual Authority for expenditure provided for in budgets. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$10,000 per item District Library District Library

Staff Member	Item	Amount
<b>Hokitika Westland isite Manager</b>	Contractual Authority for emergency expenditure not provided for in budgets. Contractual Authority for expenditure provided for in budgets. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$10,000 per item Hokitika Westland isite Hokitika Westland isite
<b>Information Technology Manager</b>	Contractual Authority for emergency expenditure not provided for in budgets. Contractual Authority for expenditure provided for in budgets. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$10,000 per item Information Technology Information Technology
<b>Information Manager</b>	Contractual Authority for emergency expenditure not provided for in budgets. Contractual Authority for expenditure provided for in budgets. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$10,000 per item Information Services Information Services
<b>FINANCE</b>		
<b>Senior Management Accountant</b>	Contractual Authority for emergency expenditure not provided for in budgets. Contractual Authority for expenditure provided for in budgets. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$50,000 per item Accounting and Administrative Functions Accounting and Administrative Functions
<b>DISTRICT ASSETS</b>		
<b>Transportation Manager</b>	Contractual Authority for emergency expenditure not provided for in the budget. Contractual Authority for expenditure provided for in the budget. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$50,000 per item Professional Services Business Unit Professional Services Business Unit
<b>Contract Manager – Recreation and Disposals</b>	Contractual Authority for emergency expenditure not provided for in the budget. Contractual Authority for expenditure provided for in the budget. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$50,000 per item Professional Services Business Unit Professional Services Business Unit

Staff Member	Item	Amount
<b>Asset Strategy and Development Manager</b>	Contractual Authority for emergency expenditure not provided for in the budget. Contractual Authority for expenditure provided for in the budget. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$50,000 per item Professional Services Business Unit Professional Services Business Unit
<b>Facilities and Property Manager</b>	Contractual Authority for emergency expenditure not provided for in the budget. Contractual Authority for expenditure provided for in the budget. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$50,000 per item Professional Services Business Unit Professional Services Business Unit
<b>Water Delivery Manager</b>	Contractual Authority for emergency expenditure not provided for in the budget. Contractual Authority for expenditure provided for in the budget. Activities to which contractual authority applies.  Activities for which the officer is the Budget Manager.	Nil \$50,000 per item Professional Services Business Unit – Water Delivery Professional Services Business Unit – Water Delivery
<b>REGULATORY AND COMPLIANCE</b>		
<b>Building Control Manager</b>	Contractual Authority for emergency expenditure not provided for in the budget. Contractual Authority for expenditure provided for in the budget. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. The return of any bond taken for the performance of a condition of a consent.	Nil \$20,000 per item Building Services Building Services The full amount
<b>Planning Manager</b>	Contractual Authority for emergency expenditure not provided for in the budget. Contractual Authority for expenditure provided for in the budget. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager. The return of any bond taken for the performance of a condition of a consent.	Nil \$10,000 per item Resource Management Resource Management The full amount
<b>Compliance Team Leader</b>	Contractual Authority for emergency expenditure not provided for in the budget. Contractual Authority for expenditure provided for in the budget. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$10,000 per item Compliance Compliance

Staff Member	Item	Amount
Pool Supervisor	Contractual Authority for emergency expenditure not provided for in the budget. Contractual Authority for expenditure provided for in the budget. Activities to which contractual authority applies. Activities for which the officer is the Budget Manager.	Nil \$10,000 per item Hokitika Swimming Pool Hokitika Swimming Pool

## 26. Staff Delegations

### 26.1 Chief Executive

- Interpretations of the delegated authority of all officers.
- Appointed as Principal Administrative Officer for the purpose of the Local Government Act 2002 and other relevant legislation.
- As Principal Administrative Officer, authority to exercise all those powers and duties specified in Council's standing orders with respect to the Common Seal.
- Internet Banking Authority in conjunction with any one of the following:
  - Senior Management Accountant
  - Financial Accountant
  - Chief Financial Officer
- Authority to operate Council's bank accounts in conjunction with any one of the following:
  - Senior Management Accountant
  - Financial Accountant
  - Chief Financial Officer
- Authority to operate the following Business Visa Cards:
  - A credit limit of \$5,000 on the Chief Executive's card  
Card to be in the name of the Chief Executive.  
Statements are to be approved by the Chief Executive and the Mayor.
  - A credit limit of \$10,000 on the Chief Financial Officer's card  
Card to be in the name of the Chief Financial Officer.  
Statements are to be approved by the Chief Executive.
- Authority to issue press releases provided, however that any such press releases shall not do anything whereby the goodwill and reputation of the Council may be prejudicially affected.
- Approval where applications for Class 4 Gambling Consents can be demonstrated to be in full compliance with Council's Class 4 Gambling Policy.
- To assess and approve discounts or alternative payments owed to Council, where a case of financial hardship has been proven.
- The authority to issue warrants of appointment pursuant to Section 174 Local Government Act 2002,
  - appoint enforcement officers pursuant to Section 177 Local Government Act 2002,
  - appoint authorised officers pursuant to Section 222 of the Building Act 2004,
  - appoint enforcement officers pursuant to Section 371B of the Building Act 2004,
  - appoint officers under the Westland District Council bylaws,
  - appoint enforcement officers pursuant to Section 38 of the Resource Management Act 1991,

- appoint licensing inspectors pursuant to Section 197 of the Sale and Supply of Alcohol Act 2012,
  - appoint litter officers pursuant to Section 5 of the Litter Act 1979, and
  - appoint enforcement officers pursuant to Section 32 of the Freedom Camping Act 2011.
- The Principal Administrative Officer shall hold the Common Seal of the local authority and be responsible for the use of the same.
  - The Chief Executive or other officers authorised by them may affix the seal to any document and shall report to the Council at its next ordinary meeting as to the documents thus sealed.
  - Authority to appoint a Risk Coordinator.
  - The authority to sign any form of information, evidence or consent relating to matters of litigation.

## **26.2 General Delegations to Senior Managers**

- Approval to authorise the carry forward of annual leave for direct reports, of up to an accumulation of 10 days.
- Authority to direct officers to take leave if they have not reduced their excess annual leave.
- Authority to grant, at their discretion, up to 10 days leave without pay in any one year to members of their staff. (Periods of leave in excess of 10 working days are to be referred to the Chief Executive).
- Authority to approve letters of offer and individual employment agreements provided the “Request to Recruit Form” has been completed and signed by the Chief Executive.
- Authority to approve merit promotions, accelerated increments, and double increments to members of their staff; provided, however that such increased salaries are no more than the approved maximum for that position.
- Require bonds for any use of Council property under departmental manager’s control.

Where such is permitted by law and is not inconsistent with Council policy every manager may, in regard to matters within their jurisdiction, set, vary or waive fees or charges.

- Authority to issue such public notices as may be required from time to time by the Westland District Council, provided however that such public notices are issued under the name of the Chief Executive.
- Authority to issue press releases on activities for which the officer is the manager, provided, however that any such press releases shall not do anything whereby the goodwill and reputation of the Council may be prejudicially affected.
- Authority to appoint staff within established limits, up to but excluding those reporting directly to managers.

- Authority to make any decision on applications for the erection of extensions of ancillary buildings that are licensed to occupy legal road, subject to applicants having a right of appeal to Council.
- The authority to sign any form of information, evidence or consent relating to matters of litigation.

### 26.3 **Regulatory and Compliance Group**

The tiers within the Regulatory and Compliance Group are as follows:

<b>Tier</b>		<b>Compliance</b>	<b>Building Control</b>	<b>Planning</b>
1	Chief Executive			
2	General Manager Regulatory and Compliance			
3	Hokitika Swimming Pool Supervisor	Compliance Team Leader Regulatory	Building Control Manager	Planning Manager
4	Senior Lifeguard		Building Team Leader – Inspections  Building Team Leader – Processing	Planning Team Leader
5	Lifeguard		Senior Building Control Officer	Senior Planner
6			Building Control Officer	Planner

“Officer” in tiers 4-6 includes contractors that are engaged by the Council to carry out the same functions as the named roles in the table above and who are, at the relevant time, under the direction and control of the Chief Executive of the Council.

Any power delegated to a tier of officer can be exercised by officers in tiers above that person in their reporting line.

#### 26.3.1 **General Manager Regulatory and Compliance**

##### **General Delegations:**

- Approve and issue and/or renew licenses for trading in public places.
- The functions, powers, duties and discretions of the Council pursuant to the Dog Control Act 1996.
- Issue permits for operations of an amusement device (Amusement Devices Regulations 1978, Regulation 11).
- Issue Cleansing Orders (Section 41 Health Act 1956) and carry out Disinfection of Premises (Section 81 Health Act 1956).
- Action under Section 183 Local Government Act 2002 in relation to removal of growth likely to constitute a fire hazard.
- Delegation of functions pursuant to Regulation 22 (1) Housing Improvement Regulations 1947.
- Service of notices to occupiers of private land, to clear litter (Section 10, Litter Act 1979).

- Issue notices pursuant to Section 29 of the Health Act 1956.
- Issue of demolition requisitions and enforcement of demolition orders under Section 48 and Section 51 of the Health Act 1956
- Issue of certificate pursuant to Sections 42 and 48 of the Health Act.
- Issue of repair notices under Section 42 of the Health Act.
- Approve and issue and/or renew Certificates of Registration for all premises referred to in the Health (Registration of Premises) Regulations 1966.
- Issue Certificates of Exemption pursuant to Regulation 14 of the Camping Ground Regulations 1985.
- Refund fees in respect of any withdrawn applications in proportion to the remainder, less cost incurred by the time of withdrawal.
- Cancel a building line restriction pursuant to Section 327A of the Local Government Act, 1974 subject to all buildings being in conformity with the Operative District Plan and Te Tai o Poutini Plan (TTPP).
- Approve of the creation of a right of way pursuant to Section 348 of the Local Government Act, 1974.
- Remedy contravention under the Forest and Rural Fires Act 1977 and to initiate proceedings to recover costs for such actions.
- File prosecutions for offences under the Forest and Rural Fires Act 1977.
- Issue fire restriction notices and burning permits pursuant to the
- The functions, powers and duties vested in Council pursuant to Council Bylaws, excluding those the making and amending of a bylaw and those powers that are given to warranted officers.
- All the functions, powers and duties delegated to the Planning Manager, Building Control Manager, and Environmental Health Officer.

**NOTE: The General Manager Regulatory and Compliance may subdelegate any or all of the above.**

- Remit fees and charges for volunteer or not-for-profit organisations. (Decisions to be reported back to the next meeting of Council.)
- Affix the Common Seal in accordance with Clause 32.1 of this manual.

### **26.3.2 Planning Department**

Sub-delegation is prohibited under the Resource Management Act 1991, and so the powers under that Act are delegated by the Council directly to relevant officers, rather than to the Chief Executive, and then to officers via sub-delegation. These delegations are set out in the Resource Management Act Delegations Table at 26.3.2.1.

Regardless of the tier referred to in the Resource Management Act Delegations Table below, the Chief Executive, General Manager Regulatory and Compliance, and Planning Manager all have the authority to exercise all of the powers, duties and functions listed. Where a power, duty or function is delegated to tier 5 or below, it can also be exercised by those who the delegate report to directly.

Where a delegation relates to litigation, it includes the ability to instruct counsel in relation to that power.

The tier referred to in the table relates to the minimum tier that holds the delegation, and it can be exercised by those in tiers above that officer within the planning department.

Delegations to Hearing Commissioners (HC) are held by those officers or elected members who have been approved as Commissioners.

### 26.3.2.1 Resource Management Act Delegations Table

All powers, functions and duties are to be exercised in accordance with the requirements of the empowering section.

The table below sets out the powers of the Council as regulator or territorial authority. The Council's power as landowner to participate in processes under the Resource Management Act, by way of submission or otherwise, is a matter for the department responsible for the affected asset.

The delegations set out in the table below do not preclude the Council from referring any matter to a committee (including a subcommittee) of the Council for a decision for any reason.

Any powers, functions or duties under the Resource Management Act 1991 not set out in the table below is delegated to the Chief Executive.

Resource Management Act section	Power	Tier
Regional Council Applications	In conjunction with the General Manager District Assets, make a submission on any Resource Consent notified by the West Coast Regional Council and give affected person approval on behalf of the Council.	3
Regional Council Plans	Make a submission for minor amendments and changes to any Plan or Policy Statement notified by the West Coast Regional Council <i>Any submission must be consistent with Council policy and any major change to a Plan or Policy Statement will be considered by the Council.</i>	3
Section 10(2)(b)	Grant an extension to the discontinuance period for an existing use right to be preserved.	3 HC
Section 34A	Power to appoint independent hearing commissioner to a hearing.	3
Section 36(5)	Remit fees and charges for volunteer or not-for-profit organisations. Decisions to be reported back to the next meeting of Council. Assess and require a person to pay any additional actual and reasonable charges.	3
Section 36AA	Calculate and apply any discount due in accordance with the Resource Management (Discount on Administrative Charges) Regulations 2010.	4
Section 36AA	Review the application of the Resource Management (Discount on Administrative Charges) Regulations 2010 following a request from the applicant	4
Section 36AAB	Approve the reimbursement of a fee where an application is withdrawn, and the processing costs are less than the fee. Adjust or write off any outstanding fees where it is determined that the fee requires adjustment, or it is unreasonable or not possible to try and collect it.	3
Sections 37 and 37A	Waive and extend time limits. Waive compliance with information requirement. Direct that the omission or inaccuracy in the information be rectified.	4
Section 38	Authorise an Officer/s to carry out all or any of the functions of an enforcement officer Power as an enforcement officer under the Resource Management Act.	1

Resource Management Act section	Power	Tier
<b>Hearing Powers</b>		
Section 39	Duty to ensure hearings are held in public and without unnecessary formality.	HC
Section 40(2)	Power, if it is considered that there is likely to be excessive repetition, to limit the circumstances in which parties having the same interest in a matter may speak or call evidence in support.	HC
Section 41(4)	Power to request and receive, from any person who makes a report under section 42A or who is heard by the authority or who is represented at the hearing, any information or advice that is relevant and reasonably necessary to determine the application.	HC
Section 41A	Power to regulate how the hearing is conducted.	HC
Section 41B	Power to make directions to provide evidence within time limits.	HC
Section 41C	Power to make directions or requests before or at hearing.	HC
Section 41C(5)	Duty to provide a copy of any further information requested and received before the hearing, to the applicant and every person who made a submission, as directed in the Act.	5
Section 42	Power to make sensitive information orders.	HC
Section 42A	Power to, at any reasonable time before a hearing or, if no hearing is to be held, before the decision is made, require an officer of a local authority or to commission a consultant or any other person employed for the purpose, to prepare a report on information provided on any matter by the applicant or any person who made submissions.	3
<b>Resource Consents</b>		
Section 87BA	Make determination on issuing permitted certificates for boundary activities.	3
Section 87BB	Give written notice that a marginal or temporary non-compliant activities is a permitted activity.	3
Section 87E	Determine requests for applications to be directly referred to the Environment Court.	2
Section 87F	Appoint a planner to prepare a report on the application for direct referral.	3
Section 88	Determine whether an application for a resource consent is incomplete and if so, return the application with written reasons for that determination.	6
Section 91	Determine not to proceed with the notification or hearing of an application pending application for additional consents.	6
Section 91C	Determine whether to return applications that have remained on hold for a total of more than 130 working days with written reasons.	6
Section 91F	Determine whether to return non-notified applications that have been suspended for a total of more than 20 working days with written reasons.	6
Section 92	Require further information to be provided, or to commission a report.	6
Section 92A	Set time limits within which further information requested must be provided.	6
Section 95A	Determine whether public notification of an application is required.	6
Section 95B	Determine whether to give limited notification where an application is not publicly notified.	6
Section 99	Initiate pre-hearing meetings. Act as chairperson at pre-hearings meetings.	3 HC

<b>Resource Management Act section</b>	<b>Power</b>	<b>Tier</b>
Section 99A	Refer applicants and persons who made submissions on the application to mediation. Appoint a delegated mediator.	3
Section 100	Determine that a hearing is necessary.	3
Section 100A	Select a commissioner when an applicant has requested one be appointed.	3
Section 101	Fix a date, time and place for a hearing.	4
Section 102	Make a decision to establish a joint hearing where applications in relation to the same proposal have been made to two or more consent authorities.	2
Section 103	Decide and arrange the holding of combined hearings where two or more applications are made to Council.	3
Section 104 Section 104A Section 104B Section 104C Section 104D Section 105 Section 106 Section 108 Section 108A Section 220	Determine resource consent application.	4 HC
Section 109	Decide whether any work subject of a bond or covenant is completed satisfactorily.	3
Section 110	Authorise the refund or return of a financial contribution in accordance with this section.	3
Section 114	Determine what other authorities and persons are considered appropriate to be notified of a decision on a resource consent application.	4
Section 116	Support or oppose any application made to the Environment Court pursuant to Section 116 for early commencement of a consent.	3
Section 124	Allow the holder of the consent to continue to operate pending determination of an application for a new consent for the same activity.	4
Section 125	Extend the period after which a resource consent lapses.	4
Section 126	Cancel a resource consent by written notice served on the consent holder. Revoke a notice to cancel a resource consent and state a period after which a new notice may be served.	3 HC
Section 127	Decide on an application for change to or cancellation of resource consent conditions.	4
Sections 128 to 132	Initiate review of a condition of a resource consent and decide following the review.	4
Section 133A	Correct minor mistakes or defects in resource consent within 20 working days of decision.	4
Section 138	Refuse to accept the surrender of part of a resource consent.	4
Section 139	Grant or refuse an application for a Certificate of Compliance.	4
Section 139A	Grant or refuse an application for an existing use certificate	4
<b>Water conservation orders</b>		
Section 201	Apply to the Minister for a Water Conservation Order	3

<b>Resource Management Act section</b>	<b>Power</b>	<b>Tier</b>
Section 205	Make a submission to a tribunal concerning an application made under section 204	3
<b>Subdivision and reclamations</b>		
Section 221	Issue, vary and cancel a consent notice.	4
Section 222	Issue a Completion Certificate.	4
Section 223	Approve and certify a survey plan.	5
Section 224	Certify all conditions of subdivision consent are met and that a survey plan under s 223 has been approved.	5
Section 226(1)(e)	Issue a certificate.	4
Section 232	Agree to an esplanade strip instrument.	4
Section 234	Grant or decline an application to vary or cancel an esplanade strip. Certify a varied or cancelled esplanade strip.	4
Section 237B	Agree to the creation, variation, or cancellation of access strip easements.	4
Section 237C	Close esplanade strip or access strip during periods of emergency or public risk likely to cause loss of life, injury, or serious damage to property.	3
Section 237D	Give written agreement that an esplanade reserve or riverbed ceasing to be vested in the territorial authority and classified or included in an existing reserve.	2
Sections 237E, 237F and 237G	Pay compensation in relation to esplanade reserves or strips in the required circumstances.	2
Section 237H	Object to the level of compensation determined by a registered valuer	2
Section 240	Cancel a covenant in whole or in part, in accordance with 240(4).	2
Section 241	Cancel in whole or in part, an amalgamation condition.	4
Section 243	Give written consent to the revocation, variation or transfer of easements.	4
<b>Environment Court proceedings and other litigation</b>		
Delegations in this part include the power to instruct external legal counsel and experts for the purposes of proceedings and litigation.		
Sections 274 and 313	File a notice of wish to be heard.	2
Section 294	Apply to the Environment Court for a rehearing.	2
Section 299	Appeal to the High Court.	2
Section 301	Give notice of intention to appear and be heard on appeal to the High Court (when an appeal is brought by another party).	2
Section 311	Apply to the Environment Court for a declaration.	2
Sections 316 and 320	Apply for enforcement order or interim enforcement order.	3
Section 318	Notify the Registrar that the Council wishes to be heard in relation to orders sought against it.	3
Section 325A	Cancel or confirm an abatement notice. Approve a request for change or cancellation of an abatement notice, and to give written notice of this.	4
Section 329	Issue water shortage direction	3

Resource Management Act section	Power	Tier
<b>Emergency Works</b>		
Section 331	Require reimbursement of actual and reasonable costs where occupier does not act as required.	3
<b>Seized Property</b>		
Section 336	Consider an application to return seized property.	3
<b>Prosecutions and Infringement Offences</b>		
Section 343B	Serve an infringement notice as provided for in <a href="#">section 343C</a> for an infringement offence, following discussions with direct manager. <i>Note: section requires that infringement notice be issued by an enforcement officer</i>	5
Sections 338 and 343B	Decide whether initiate a prosecution. File charging document under <a href="#">section 14</a> of the Criminal Procedure Act 2011.	2
	Discontinue prosecutions or withdrawn infringement notices	3
<b>Miscellaneous</b>		
Section 355	Reclaim land by applying to the relevant Minister for any right, title, or interest in the land reclaimed, which is land of the Crown, to be vested in the Council.	2
Section 357(6), (7) and (8)	Object to the territorial authority, as requiring authority, in relation to notice of requirement.	2
<b>Objections and Appeals</b>		
Sections 357C and 357D	Grant an extension of time to lodge an objection. Consider, hear and determine any objections made under sections 357, 357A, or 357B.	3 HC
General	Determine whether to take Environment Court actions conditional on consultation with CE and legal and reporting any court action taken to the relevant committee.	3
General	Determine whether to initiate High Court, Court of Appeal or Supreme Court proceedings on points of law arising from a judgement of the Environment Court. Conditional on consultation with CE and legal and reporting any court action taken to the relevant committee.	3
General	Agree with a party believed to be liable to the Council, the terms for settlement of a matter that would otherwise be determined by the Environment Court, up to a value of \$10,000. Conditional on consultation with General Manager and legal and reporting any settlements to the relevant committee.	3
<b>Resource Management (Forms, Fees, and Procedure) Regulations 2003</b>		
Sections 10, 10A, 12 and 12A	Serve persons affected. Require notice to be affixed to a conspicuous place.	3

### 26.3.2.2 Other Statutory Delegations Table

<b>Local Government Act 1974</b>		
Section 327A	Cancel a building line restriction.	3
Section 348	Approve of the creation of a right of way.	3
<b>Local Government Act 2002</b>		
Section 162	Make an application to the District Court seeking an injunction to restrain a person from committing a breach of a bylaw.	3
Section 179	Contract out administration of enforcement.	3
<b>Fast Track Approvals Act 2024</b>		
17(3)	Provide comments to the Minister regarding any competing applications that have been lodged, or any existing resource consents of the kind referred to in s 30(3)(a).	5
20	Respond to a request for further information from the Minister for Infrastructure.	5
30	Advise as to whether there are existing resource consents to which, or that there are no existing resource consents of that kind. Notify the authorised persons and holders of any existing consent as required by this section.	5
47(5)	Notify the Minister when a competing application has been determined and any rights of appeal that relate to that application have been exhausted.	5
53	Provide comments on substantive applications.	5
67	Provide further information or report in respect of a substantive application. Decline to provide the information or report and provide reasons for doing so.	5
70	Provide comments on draft conditions the Council will have statutory responsibility to enforce or monitor compliance with.	5
76	Respond to any ministerial request for further information. Provide advice in relation to request a decision is called in or transferred to a Minister.	5
90-91	Respond to a request for information that the EPA considers is held by the Council. The obligation to provide information under s 90 is subject to qualifications set out in s 91 where that information is sensitive to an iwi or a hapū.	5
104	Seek to recover actual and reasonable costs incurred in consulting. Provide assistance before an application is lodged, and in performing or exercising its functions, duties, or powers.	5
Schedule 3, clause 3	Nominate members for the expert panel.	3
Schedule 3, Clause 12	Assist the panel by providing advice if requested.	5

### **26.3.3 Sale and Supply of Alcohol Act 2012 Delegations:**

To act as Secretary of the District Licensing Committee.

***NOTE: The General Manager Regulatory and Compliance may subdelegate any or all of the above.***

### **26.3.4 Building Act Delegations:**

All of the functions, powers, duties and discretions of the Council pursuant to the Building Act 1991 and the Building Act 2004 and Building Codes issued pursuant to them.

***NOTE: The General Manager Regulatory and Compliance may subdelegate any or all of the above.***

## **26.4 Chief Financial Officer**

- Authority to institute legal proceedings for recovery of debts owed to Council.
- Authority to remit penalty on rates in respect to any particular ratepayer and ratepayers in the circumstances when the officer considers it would be just and equitable to do so. In all instances, the amounts shall not exceed delegation. All penalties written off are to be reported back to Council once a year.
- Authority to deposit surplus general funds with any bank and to invest special funds in any manner authorised by the Trustees Act and within the Audit Office and Council policy.
- Authority to negotiate loan interest rates and terms with brokers and/or lending institutes for loans raised by Council.
- The writing off of bad debts considered to be bad or uncollectable up to the value of delegated authority. All debts to be written off to be reported back to Council once a year.
- Arrange overdraft facilities up to statutory limit.
- Make or take any oath or declaration in regard to Council's financial affairs.
- Enter into any arrangements for payment of a debt owed to Council over a period.
- In consultation with the General Manager District Assets, discontinue any service for non-payment and authorise resumption of service where appropriate.
- Amend any entries in the valuation roll or the Council's rating records which are the result of an error or which are no longer correct as a result of changed circumstances.
- Authority to apply to the Valuer General for valuation equalization certificates for rating purposes.

***NOTE: The Chief Financial Officer may subdelegate any or all of the above to the Senior Management Accountant.***

- Internet Banking Authority in conjunction with any one of the following:
  - Chief Executive
  - Senior Management Accountant
  - Financial Accountant

- Authority to operate a Council Business Visa Card as approved by the Chief Executive.
- Authority to operate Council's bank accounts in conjunction with any one of the following:
  - Chief Executive
  - Senior Management Accountant
  - Financial Accountant

## **26.5 General Manager District Assets**

- The powers conferred on the Council by clause 11 of the Tenth Schedule of the Local Government Act 1974 (temporary prohibition of traffic on roads).
- Authority to remove motor vehicles which may be abandoned (Section 356 Local Government Act 1974).
- The closing of sports grounds as circumstances shall require from time to time.
- The granting of drainage easements over parks and reserves.
- Variation of the allocation of sports grounds, winter, and summer.
- Temporary use of any park or reserve for any recreation or entertainment and to impose any terms and conditions applicable.
- Approval of applications to take up collections on reserves and beaches and Council owned public open spaces.
- Approval of the erection of commercial signs and sponsorship signs on sports parks, subject to other necessary approvals (i.e., CAA or Building Consents)
- Approval of temporary helicopter landing and take-off sites on parks and reserves, subject to other necessary approvals.
- Authority to issue notices to property owners and residents in area where works are to be carried out subject to any other statutory provisions.
- Authorise the planting or removal of trees from any reserve, street, or other Council land.
- Approval of erection of directional signs.
- Authority to set fees and charges for inspections and repair of service authority trenches (i.e., utility providers), in conjunction with the Chief Executive.
- Fixing of charges within the limits imposed by the Reserves Act 1977, for the use of Council reserves in conjunction with the Chief Executive.
- All the functions, powers and duties vested in Council by virtue of the Jackson Bay Wharf Bylaw.
- The powers conferred on the Council by the Transport (Vehicular Traffic Road Closure) Regulations 1965.
- Power to carry out or authorise any relevant actions or procedures regarding market days and special functions in shopping areas.

- Authority to carry out or authorise any relevant actions or procedures regarding parades or processions, public entertainment and playing of Christmas Carols on streets and public places.
- Remission of burial charges pursuant to Section 49 of the Burial and Cremation Act 1964.

***NOTE: The General Manager District Assets may subdelegate any or all of the above.***

## **26.6 Privacy Officers**

The following staff member has been appointed as a Privacy Officer by the Senior Leadership Team:

- Compliance Team Leader Regulatory

## **27. Warrants of Appointments**

### **Introduction**

The purpose of granting a warrant by Council is to facilitate the conduct of the regulatory functions of Council. Warranted Officers are expected to apply good judgement at all times in the exercise of their duties under warrant. Officers must carry their warrants at all times when undertaking duties for which they are warranted and must display their warrant when requested to do so.

### **Delegations**

All warrants of appointments will come back to Council for approval.

### **Warranted Officers**

Council and Contractor staff members have been granted warrants for the Council for the specific Acts, Regulations and Bylaws detailed for each Officer. Staff of contractors may be appointed as Officers of the Council. Warrants are granted to Officers only for the period of time the Warranted Officer holds the position of responsibility necessitating the warrant. In the event a Warranted Officer changes their position or resigns as an Officer of Council their warrant is forfeit at the time the change or resignation becomes effective. Officers to whom warrants have been issued are required to surrender their warrants to the Council at that time.

Contractors are responsible for keeping and maintaining current at all times a register of all their staff who are Warranted Officers of Council. When any staff member resigns or leaves the employment of the contractor, they are to ensure that the warrant issued to that staff member is withdrawn and any warrant documents are returned.

### **Warrants Schedule**

Refer to the Warrant Register for details (separate document).

### Record of Amendments 2026

27.02.26	Accepted tracked changes and numbering changes as noted at the Council Meeting on 26.02.26	Various	Various
12.02.26	Update to Privacy Officers	26.7	33
12.02.26	Addition of Committee Structure and Delegations	20	Various
12.02.26	Decrease in Credit Card limit for the Chief Executive	26.1	
12.02.26	Removal of Senior Management Accountant Delegations	26.5	
12.02.26	Rationalisation of Delegations to Staff	25.7	Various