



DELEGATIONS

Part 4

Sub-Delegation

Instrument of Sub-Delegation

From General Manager Planning, Regulation and Environment to Environmental Services Manager, Environmental Health Officers, Compliance Officers, Food Safety Officers, Animal Management Officers / Dog Control Officer, Team Leader Environmental Compliance, Building Compliance Officer / Building Control Officer, Team Leader Environmental Health

The following sub-delegation has been approved in accordance with delegated authority granted to the General Manager Planning, Regulation and Environment (ref clauses 32(3) and 32B Schedule 7 of the Local Government Act 2002):

Background

The Council adopted the Delegations Manual, which is available on the Council's website. Under Part 4 of the Delegations Manual, specifically Delegation S-DM 1058, the Council delegated to me, as General Manager Planning, Regulation and Environment, powers, duties and responsibilities under various legislation and Council bylaws.

Sub-delegation

Under clauses 32(3) and 32B, Schedule 7 of the Local Government Act 2002, I sub-delegate to the officers identified in the third column of the attached schedule the powers, duties, and responsibilities identified in the second column of the schedule, subject to any conditions, limitations, or prohibitions identified.

Please click [here](#) for Workplace and the organisational chart for positions.

Signed:

Kelly LaValley
General Manager Planning, Regulation and Environment

21 November 2023



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Officer Key:

Environmental Services Manager	1	Environmental Health Officer	2
Food Safety Officer	3	Compliance Officers/ Enforcement Officer	4
Animal Management Officers / Dog Control Officers	5	Team Leader Environmental Compliance	6
Building Compliance Officer / Building Control Officer	7		
General Manager Planning, Regulation and Environment	9	Senior Compliance Officer	10
Team Leader Environmental Health	11	Senior Environmental Compliance Officer	12

Animal Welfare Act 1999

Section	Description	Officer
s.139	Destruction of impounded animals that are diseased, injured or sick	1, 6, 9
s.173	Power to recover costs in destroying an animal under s139 from an owner or person in charge of the animal.	1, 6, 9

Criminal Procedure Act 2011

Section	Description	Officer
	All powers, functions and duties under this Act and regulations made under this Act.	1, 9

Dog Control Act 1996

Section	Description	Officer
s. 6	All powers, functions and duties under this Act and regulations made under this Act.	1, 9
s.10, 10A, 10AA	Requirement to adopt and review policy about dogs and annually report on the policy and other matters.	1, 6, 9
s.11	The power to appoint a Dog Control Officer/Management Officer.	1, 9
s.12	Power to appoint dog rangers.	1, 9
s.13	Requirement for officer and rangers to be warranted and provide proof of authority and evidence of identity.	1, 6,9



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Environmental Health Officers, Compliance Officers, Food Safety Officers, Animal Management
Officers / Dog Control Officer, Team Leader Environmental Compliance, Building Compliance Officer /
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Section	Description	Officer
s.14	Powers of entry.	1, 5, 6, 9
s.15	Power of dog control officer or dog ranger to feed and shelter dogs.	1, 5, 6, 9
s.17	Power to seize dog.	1, 5, 6, 9
s.19, 19A	Powers of dog control officer or dog ranger to obtain information about owner and dog(s).	1, 5, 6, 9
s.21	Power to classify probationary owners.	1, 5, 6, 9
s.23A	Power to require a probationary owner to undertake a dog owner education programme or a dog obedience course (or both).	1, 5, 6, 9
s.25	Power to disqualify a person from being the owner of a dog.	1, 5, 6, 9
s.28(6)	Power to extend any period of disqualification.	1, 5, 6, 9
s.30	Requirement to maintain records and provide information.	1, 5, 6, 9
s.31, 33A	Power to classify dangerous or menacing dogs.	1, 5, 6, 9
s.32 (5)	Authority to seize and retain custody of dog	1, 5, 6, 9
s.33	Power to consent to the disposal of a dangerous dog.	1, 6, 9
s.33C, 33ED	Power to classify dogs as dangerous or menacing by breed or type as listed in schedule 4.	1, 5, 6, 9
s.33E	The power to exempt any dog or class of dog classified as menacing from the muzzling or control requirements in public places.	1, 6, 9
s.34	Requirement to keep and maintain a register of dogs.	1, 9
s.35	Power to provide register information and make any necessary determinations under this section.	1, 5, 6, 9
s.36A	Power to issue instructions relating to the making available of a dog for verification that it has been implanted with a functioning microchip transponder.	1, 5, 6, 9
s.39	Power to remit, reduce or refund dog control fees or part thereof.	1, 9
s.40	To require proof of class of dog.	1, 5, 6, 9
s.42	Power to seize and impound unregistered dogs.	1, 5, 6, 9
s.46	Power to issue a replacement label or disc	1, 5, 6, 9
s.50	Power to seize and impound dogs not wearing proper label or disc.	1, 5, 6, 9
s.55	Power to consider objections re barking dogs	1, 5, 6, 9
s.56	Power to remove barking dog causing distress.	1, 5, 6, 9
s.57	Power to seize and destroy dogs attacking persons or animals	1, 5, 6, 9



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Section	Description	Officer
s.57A	Power to seize and take into custody dogs rushing at persons, animals or vehicles.	1, 5, 6, 9
s.59	Power to seize or destroy dog at large in vicinity of protected wildlife.	1, 5, 6, 9
s.60	Power to Seize or destroy a dog running at large among stock or poultry.	1, 5, 6, 9
s.64	Power to seize a dog where order made for destruction	1, 5, 6, 9
s.65, 66	Power to issue infringements under the Act.	1, 5, 6, 9
s.69	Power to dispose of any dog	1, 5, 6, 9
s.69A	Power to microchip and register dog before release	1, 5, 6, 9
s.70	Authority to take into custody barking dog.	1, 5, 6, 9
s.71	Power to exercise all of the Council's powers (retention of dog threatening public safety).	1, 5, 6, 9
s.71A	Power to dispose of seized dog	1, 5, 6, 9
s.72A	Retain custody of a dog or seize a dog released in breach of section 72.	1, 5, 6, 9

Food Act 2014

Section	Description	Officer
	All powers, functions and duties under the Food Act 2014.	1, 9
s.54	Authority to refuse to process an application for registration.	1, 9
s.55	Authority to require further information to be provided.	1, 2, 3, 9, 11
s.57	Authority to refuse to register a food control plan.	1, 9
s.60	Authority to impose conditions on registration of a food control plan.	1, 9
s.62, 63	Authority to suspend all or any operations under a registered food control plan and extend the suspension if considered necessary.	1, 9
s.67	Authority to cancel the registration of a food control plan.	1, 9
s.84	Authority to refuse to process an incomplete application for registration.	1, 9, 11
s.85	Authority to require an applicant to supply further information.	1, 9, 11
s.89	Authority to impose conditions on registration of a food business.	1, 9



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Section	Description	Officer
s.90, 91	Authority to suspend all or any operations of a registered food business that is subject to a national programme and extend the suspension if considered necessary.	1, 9
s.95	Authority to cancel the registration of a food business that is subject to a national programme.	1, 9
s.184	Authority to provide files required under the Food Act to Ministry of Primary Industries.	1, 9, 11
s.219 (1)	Power to issue an infringement notice	1, 3, 9, 11
s.219 (2)	Power to cancel an infringement notice.	1, 3, 9, 11
s.294	Verifiers' rights of access and verifier powers.	1, 2, 3, 9, 11
s.296	Power of food safety officers.	1, 3, 9, 11
s.299	Powers to facilitate entry, search and seizure.	1, 3, 9, 11
s.300, 301, 302, 304, 305	Powers gather information, examine, issue notices, give direction.	1, 3, 9, 11
s.306, 307, 308	Power to seize, condemn and require disposal, restrict use or close place.	1, 3, 9, 11
s.310, 311, 312	Power to enter and test samples.	1, 3, 9, 11

Freedom Camping Act 2011

Section	Description	Officer
s.32	Appointment of enforcement officers by local authority	1, 9
s.25	Proceedings for Offences	1, 4, 6, 9, 10, 12
s.27	Power to issue infringement notices	1, , 9
s.27A	Ways to serve infringement notices	1, 4, 6, 9, 10, 12
s.35	Power to request required information	1, 4, 6, 9, 10, 12
s.36	Power to require persons to leave the local authority areas	1, 4, 6, 9, 10, 12
s.37	Power to seize and impound	1, 4, 6, 9, 10, 12



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Section	Description	Officer
S.38	Requirements relating to seizure and impoundment of boats and motor vehicles	1, 4, 6, 9, 10, 12
	Infringements and other offences - Description	
s.20(1)	Relating to local authority areas	1, 4, 6, 9, 10, 12
s.20(c)	Other infringement offences (for providing false information)	1, 4, 6, 9, 10, 12
s.20(f)	Offence to discharge certain substances (Conviction)	1, 4, 6, 9, 10, 12
s.20(g)	Offence to interfere with Enforcement Officer (Conviction)	1, 4, 6, 9, 10, 12
	Others - Description	
s.39	Decision for the return of the seized and impounded property	1, 9
s.40	Disposal or property seized and impounded	1, 9

Gambling Act 2003

Section	Description	Officer
s.98-100	Power to receive and process consent applications pursuant to the Waimakariri District Council Gambling Venue Policy.	1, 2, 9, 11

Hazardous Substances and New Organisms Act 1996

Section	Description	Officer
	All powers, functions and duties under the HSNO Act 1996.	1, 9
s.12	Powers, functions and duties of enforcement officers.	1, 4, 6, 8, 9, 10, 11
s.97	Shall ensure provisions of this Act are enforced.	1, 9
s.98	To take enforcement action under the HSNO Act.	1, 4, 6, 8, 9, 10, 11
s.100	Appointment of enforcement officers.	1, rr9
s.103	Powers of entry for inspection.	1, 4, 6, 8, 9, 10, 11
s.104	Power to serve Compliance Orders.	1, 4, 6, 8, 9, 10, 11, 12



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Section	Description	Officer
s.112	Power to serve Infringement notices.	1, 4, 6, 8, 9, 10, 11, 12
s.119	Power to issue a search warrants.	9
s.136	Power to declare a HSNO emergency.	1, 4, 6, 8, 9, 10, 11, 12
s.137	Emergency powers under s.36.	1, 6, 9, 10, 11, 12

Health Act 1956, and Regulations make under this Act

Section	Description	Officer
	All powers, functions and duties under the Health Act 1956.	1, 9
s.23	Duty and powers to improve, promote and protect public health within the district.	1, 2, 9, 11
s.28	Appointment of Environment Health Officers	1, 9
s.29-35	Authority to issue notices.	1, 2, 9, 11
s.34	Power to enter premises to abate nuisance, without notice to occupier.	1, 2, 9, 11
s.41	Power to require owners or occupiers to cleanse property.	1, 2, 9, 11
s.42	Engineer or any other officer of a local authority duly authorised may certify that dwelling-house unfit for human habitation and Territorial Authority has power to require repair or issue a closing order.	1, 2, 9, 11
s.54	Grant consent for offensive trade.	1, 2, 9, 11
s.58	Grant consent for stock sale-yards.	1, 2, 9, 11
s.69ZZP	Duty to warn users of self-supplied building water supplies about contamination.	1, 2, 9, 11
s.81	Authority to disinfect premises.	1, 2, 9, 11
s.82	Obligation to disinfect and cleanse when ordered to do so by the Medical Officer of Health.	1, 2, 9, 11
s.83	Power to destroy articles that cannot be effectively disinfected.	1, 2, 9, 11
s.86	Duty to cause bodies to be buried when required by Medical Officer of Health.	1, 2, 9, 11
s.121	Regulations as to qualifications of environmental health officers appointed by local authorities.	1, 9
s.128	Power of entry to inspect and execute work.	1, 2, 9, 11



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Section	Description	Officer
s.134	Failure to disclose name of owner or occupier.	1, 2, 9, 11

Health (Hairdressers) Regulations 1980

Section	Description	Officer
Regulation 3	Issue Certificates of Registration for hairdressers.	1, 2, 9, 11,

Health (Registration of Premises) Regulations (5) 1966 & Health (Burial) Regulations (21) 1946

Section	Description	Officer
Regulation 5	Issue, renew and transfer licences, permits or registrations for Food premises, Funeral Directors, Camping grounds and any other premises requiring such registration.	1, 2, 9, 11
Regulation 20	To carry out inspections to assess compliance with Regulation 21 for the purpose of Regulation 20	1, 2, 9, 11

Impounding Act 1955

Section	Description	Officer
s.3	Duty to provide and maintain a public pound and provide for separate holding of infected stock.	1, 9
s.4	Provision for joint pound administration.	1, 6, 9
s.5	Requirement to give public notice of location of pound.	1, 9
s.6	Requirement to erect and maintain a notice board providing particulars.	1, 9
s.8, 9, 10, 11	Obligation to appoint pound-keeper and power to appoint a deputy and remove or suspend the pound-keeper and publicly notify these actions.	1, 9
s.12	Pounds to be kept clean and in good order and stock to be provided sufficient food, water, care and attention.	1, 5, 6, 9
s.13	Pound book and impounding register to be maintained and open to inspection.	1, 5, 6, 9
s.14	Power to recover actual costs of providing sustenance.	1, 5, 6, 9
s.32	Declare any fenced paddock a temporary pound with the consent of the occupier and appoint a keeper and fix a notice setting out specified information.	1, 5, 6, 9



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Section	Description	Officer
s.35	Stock straying on roads may be impounded in a temporary pound.	1, 5, 6, 9
s.36	Recovery of stock that escapes while being taken to a pound.	1, 5, 6, 9
s.38	Power to issue notice regarding wild stock trespassing on land and sell the stock if not removed.	1, 5, 6, 9
s.42	Power to dispose of wild stock straying on roads.	1, 5, 6, 9
s.43	Pound keeper to receive stock tendered for impounding.	1, 5, 6, 9
s.44	Authority to approve additional site if pound is of insufficient size.	9
s.46	Obligation to give notice of stock impounded.	1, 5, 6, 9
s.47	Power to authorise stock to be detained until all charges are paid.	1, 5, 6, 9
s.49	Obligation to sell stock not claimed via auction.	1, 5, 6, 9
s.50	Power to authorise person to act as auctioneer for sale of impounded stock.	1, 9
s.52	Authority to destroy worthless or suffering animals.	1, 5, 6, 9
s.53	Power to dispose of unsold stock.	1, 5, 6, 9
s.56	Power to recover any deficiency in costs from the owner of stock.	1, 5, 6, 9

Land Transport Act 1998

Section	Description	Officer
s.34, 40, 41	Powers regarding contravention of rules.	1, 9
s.128D	Powers of parking wardens.	1, 9
s.128E	Appointment of parking wardens.	9
s.133A	Owner liability for stationary vehicle offences.	1, 4, 6, 9, 12
s.139	Power to issue infringement notices.	1, 4, 6, 9, 12

Land Transport (Infringement and Reminder Notices) Regulations 2012

Section	Description	Officer
Schedule 4	Power to review or waive stationary vehicle infringements.	1, 6, 9, 12



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Land Transport (Offences and Penalties) Regulations 1999

Section	Description	Officer
Regulation 4	Infringement offences and impounding of motor vehicles.	1, 4, 6, 9, 12
Regulation 8	Impoundment of motor vehicles under section 96A of the Act	1, 4, 6, 9, 12
Regulation 10	Offences parking wardens may enforce under Schedule 7	1, 4, 6, 9, 12

Litter Act 1979

Section	Description	Officer
s.5(1)	Authority to appoint litter control officers	1, , 9, 12
s.7	Powers and duties of officers to enforce provisions of the Act.	1, 4, 6, 9, 10, 12
s.8	Authority to appoint litter wardens.	1, , 9, 12
s.10	Power to require owners of private property to clear litter from their property.	1, 4, 6, 9, 10, 12
s.14	Power to issue infringement notices.	1, 4, 6, 9, 10, 12

Local Government Act 1974

Section	Description	Officer
s.356 and 356A	The power to authorise any person to remove and dispose of motor vehicles found on a road or in a public place which may be abandoned.	1, 4, 6, 9, 10, 12

Local Government Act 2002

Section	Description	Officer
s.163	Authority to remove works in breach of bylaws.	1, 6,9, 12
s.164	Authority to seize property not on private land.	1, 4, 6, 9, 10, 11, 12
s.168	Power to dispose of property seized and impounded.	1, 6, 9, 10, 11, 12
s.171, 173, 174 and 181	To be an authorised officer to act and enter private land.	1, 2, 4, 6, 9, 10, 11, 12
s. 172, 178,	Power of entry for enforcement purposes and require certain	1, 2, 4, 6, 9,



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Section	Description	Officer
182	information.	10, 11, 12
s.245	Issue of Infringement Notices.	1, 2, 4, 6, 9, 10 11, 12
s.249	Authority to act, on behalf of local authority, in proceedings.	1, 2, 4, 6, 9, 10 11, 12

Machinery Act 1950 and Amusement Devices Regulations 1978

Section	Description	Officer
21A(7)	Power to inspect and issue a permit for the erection and operation of amusement devices	1, 2, 4, 6, 7, 9, 10, 11, 12
21A(9)	Power to cancel any permit to operate an amusement device.	1, 2, 4, 6, 7, 9, 10, 11, 12
Regulation 11	Power to inspect and issue a permit for amusement devices.	1, 2, 4, 6, 7, 9, 10, 11, 12
Regulation 16	Power to require improvements	1, 2, 4, 6, 7, 9, 10, 11, 12
Regulation 17	Power to revoke certificates	1, 2, 4, 6, 7, 9, 10, 11, 12
Regulation 23	Power of entry	1, 2, 4, 6, 7, 9, 10, 11, 12

Resource Management Act 1991

Section	Description	Officer
s.269-291	Authority to determine and direct Council involvement in Environmental Court proceedings	1, 9
s.315	To seek consent of the Environment Court to comply with an enforcement order on behalf of a person who has failed to comply with an order	1, 9
s.316-320	Authority to initiate enforcement order and interim enforcement order proceedings and take all steps incidental to seeking an order	1, 9



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Section	Description	Officer
s.322-325	To issue abatement notices	1, 4, 6, 9, 10, 11, 12
s.325A	To consider applications to change or cancel an abatement notice	1, 6, 9, 11, 12
s.327	Issue and effect of excessive noise direction	1, 4, 6, 9, 10, 11, 12
s.328	Compliance with an excessive noise direction and authority to enter and seize (with a Constable)	1, 4, 6, 9, 10, 11, 12
s.330 -330A	Emergency works and power to take preventive or remedial action	1, 6, 9, 11, 12
s.332-333	To provide written authorization to enforcement officers under these sections	1, 2, 6, 9, 11, 12
s.336	To decide on an application for property seized under section 323 Or 328 to be returned or /and dispose of the property where authorised under section 336.	1, 9
s.343B and 343C	To initiate and serve an infringement notice	1, 4, 6, 9, 10, 11, 12
s.338	Authority to initiate any prosecution and make decisions on any matter relating to any such prosecution	9

Search and Surveillance Act 2019

Section	Description	Officer
s.150, 151, 155, 156	Functions and duties associated with seized property.	1, 4, 6, 9, 10, 11, 12

Waimakariri District Council Bylaws

To be an authorised officer for the purpose of the Waimakariri District Council bylaws.

Alcohol Control Bylaw 2018

Description	Officer
The enforcement of the provisions of this bylaw shall be carried out by either Licensing Inspectors, Compliance Officer, or where appropriate, Enforcement Officers appointed by the Council.	1, 2, 4, 6, 9, 10, 11, 12



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Commercial Charity Bylaw 2017

Description	Officer
The enforcement of the provisions of this bylaw shall be carried out by either Compliance Officer, or where appropriate, Enforcement Officers appointed by the Council.	1, 4, 6, 9, 10, 12

Dog Control Bylaw 2019

Description	Officer
The enforcement of the provisions of this bylaw shall be carried out by Animal Management Officers, or where appropriate, Dog Control Officers appointed by the Council	1, 5, 6, 9

Parking Bylaw 2019

Description	Officer
The enforcement of the provisions of this bylaw shall be carried out by either Police Officers or General Inspectors, or where appropriate, Enforcement Officers appointed by the Council.	1, 4, 6, 9, 10, 12

Property Maintenance Bylaw 2020

Description	Officer
The enforcement of the provisions of this bylaw shall be carried out by either General Inspectors, or where appropriate, Enforcement Officers appointed by the Council.	1, 4, 6, 9, 10, 11, 12

Signage Bylaw 2019

Officer	Officer
In this bylaw where any written permission or approval of the Council is required, that approval may be given by the Chief Executive, and the Chief Executive may delegate all or part of that function to any other officer of the Council.	1, 6, 9
The enforcement of the provisions of this bylaw shall be carried out by either General Inspectors, or where appropriate, Enforcement Officers appointed by the Council.	1, 4, 6, 9, 10, 12



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Stock Movement Bylaw 2020

Description	Officer
The enforcement of the provisions of this bylaw shall be carried out by either Animal Manager Officers, Compliance Officer , or where appropriate, Dog Control Officers appointed by the Council.	1, 5, 6, 9, 10, 12