

STRATFORD DISTRICT COUNCIL

SECTION: DELEGATIONS	
POLICY: <u>RESOURCE MANAGEMENT</u>	
RESPONSIBILITY: [Click here]	REVIEW DATE: April 2008
VERSION: 1	APPROVED DATE: April 2005
FILE NUMBER: 16069	
DELEGATIONS REGISTER NO: [Click here]	

1. **DELEGATION AUTHORITY**

The delegations listed below are made pursuant to Schedule 7, Clause 32(1) of the Local Government Act 2002 and Section 34A of the Resource Management Act 1991. All section references are to the Resource Management Act 1991 unless stated otherwise.

2. **ENFORCEMENT OFFICERS**

Section 38 - The following Officers are authorised by the Stratford District Council as enforcement officers to carry out all of the functions and powers of an enforcement officer.

- Chief Executive Officer
- Operations Manager
- Planning & Regulatory Manager
- Environmental Health Officer
- Compliance Officer

3. **DELEGATIONS TO OFFICERS**

The following delegations are made through the Chief Executive Officer to:

- Chief Executive Officer
- Operations Manager
- Planning & Regulatory Manager

- Section 10 – determine extent of existing use rights
- Section 36(5) – remission of charges on application
- Section 37 – waive or extend time periods
- Sections 72 to 86 - the powers, duties and discretions of the Council (other than the approval of a policy statement or plan or any change to a policy statement or plan or the hearing of submissions in relation to such matters) in respect of:
 - (a) Notification of new district plans (reviews), changes and variations, and any summary of submissions or requests for changes to any new plan, review, change or variation;
 - (b) Service of copies of proposed district plans, district rules, and policy statements, and approved district plans, district rules and policy statements;
 - (c) Any other matters involved in the preparation and processing of district plans, district rules or policy statements.
- Section 88 – determine the adequacy of an application
- Section 91 – deferral of an application pending additional applications
- Section 92 – request further information

- Section 93 – decide on whom an application should be served
- Section 94 – decide when an application need not be notified
- Section 94A – deciding whether or not adverse effects are minor
- Section 94B – deciding who may be adversely affected
- Section 94C – notifying under special circumstances
- Section 94D – decision on waiving of notification or service
- Section 96 – submit on resource consent applications to other consent authorities
- Section 98 – provide applicants with a list of submissions received
- Section 99 – initiate and participate in pre-hearing meetings
- Section 100 – determine that a hearing is not required
- Section 101 – fix hearing dates
- Section 102 – decide to establish a joint hearing
- Section 103 – decide to establish a combined hearing
- Sections 104, 105, 107, and 108 – make decisions on consent applications for which no hearing is required
- Section 109 – decide whether work which is the subject of a bond or covenant is completed satisfactorily
- Section 110 – refund money or land
- Section 114 – serve copies of applications and arrange public notification
- Section 125 – extend the period in which a resource consent lapses
- Section 126 – cancel a resource consent which has not been exercised
- Section 127(1) – change or cancel a consent condition
- Section 127(4) – decide from whom written approvals are required
- Sections 128 to 132 – initiate and determine a review of consent conditions
- Section 138 – accept or refuse surrender of consent
- Section 139 – issue Certificate of Compliance
- Section 143 – undertake obligations in response to Ministerial direction
- Sections 166 to 198 - the exercise of Council's powers, duties, functions and discretions in respect of Designations and Heritage Orders under Part VIII of the Resource Management Act 1991, except the hearing of submissions in relation to these matters.
- Section 221 – issue Consent Notice
- Section 222 – issue a Completion Certificate
- Section 223 – approve Survey Plan
- Section 226 – certify Survey Plan
- Section 311 – application for a Declaration
- Section 316 – application for an Enforcement Order
- Section 325A – cancellation of an Abatement Notice
- Section 343C - the power to reach a decision on any appeal lodged in regard to the payment of a fine associated with the issue of an infringement notice

4. **HEARINGS**

The Chief Executive Officer shall delegate to an appointed Hearings Commissioner the power to hear and to make a decision on the following matters when a hearing is required:

- Sections 100 to 108 – an application for resource consent
- Sections 166 to 198 – an application for a Designation or a Heritage Order

5. **STRATFORD DISTRICT PLAN**

The Stratford District Council delegates to the Policy and Services Committee the power to hear all submissions on the preparation of, reviews of and changes to the Stratford District Plan and to make recommendations on requirements involving hearings as required under the First Schedule to the Resource Management Act 1991.