

**13. DELEGATIONS CHANGES -  
APPOINTMENT OF OFFICER SUBCOMMITTEES**

RR 9471

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Corporate Plan Output: Legal Advice	

The purpose of this report is to seek approval to reappoint a number of Standing Officer Subcommittees.

With the Council election last year it is necessary to reappoint these subcommittees. The appropriate resolution to be passed by the Council is set out in the recommendation below. These subcommittees will exercise powers which have previously been conferred on them by the Council.

- Recommendation:** 1. That the Council appoint the following officer sub-committees with the powers as set out below:

**ROAD CONSTRUCTION ZONE SUBCOMMITTEE  
(OFFICER SUBCOMMITTEE)**

Director of Operations  
City Streets Manager

**Delegations**

That the Director of Operations and City Streets Manager be jointly or severally authorised to exercise the power of the Council under Regulation 12 of the Heavy Motor Vehicle Regulations 1974.

Note: The Council has authorised the City Streets Manager to sign any notices made by the Subcommittee pursuant to Regulation 12.

**SALE OF LIQUOR SUBCOMMITTEE  
(OFFICER SUBCOMMITTEE)**

Environmental Services Manager  
Principal Environmental Health Officer  
Team Leader Environmental Effects

**Delegations**

1. To consider and determine applications for Special Licences to which no objections have been received.
2. To consider and determine any application for temporary authority under sections 24 and 47 of the Sale of Liquor Act 1989 to which no objections have been received.

3. To grant pursuant to section 18 (On Licence), section 41 (Off Licence), and section 64 (Club Licence) of the Act, applications for renewal of licence where these licences are not required by the Act to be forwarded to the Liquor Licensing Authority.
4. To grant such applications for renewal of Managers Certificates where these are not required by this Act to be forwarded for determination by the Liquor Licensing Authority.
5. To hear and consider any application made to the District Licensing Agency for waiver of certain omissions within the terms of section 111 of the Sale of Liquor Act 1989.

The above delegations to be subject to the following general directions:

- (a) The Subcommittee in considering Special Licences shall have regard to and apply standards and conditions as applicable and appropriate to the occasion or the event, and in general shall:
  - (i) In residential areas approve licensed hours between 9.00 am to 12.00 pm, 7 days per week;
  - (ii) In Commercial/Industrial areas approve licensed hours between 9.00 am to 1.00 am the next day, for 7 days per week;
  - (iii) Notwithstanding the above in (i) and (ii), on Sundays the closing time shall be no later than 11.00 pm;
  - (iv) Apply the Standard Conditions as applicable and appropriate to the nature of the event.
  - (v) No Special Licence is to be granted for longer than one month's duration.
- (b) The Subcommittee may decline to consider an application where in its opinion there are good reasons to do so and refer the application to the Resource Management Hearings Panel for a decision.
- (c) That the Subcommittee meet on a weekly basis (normally Wednesday (the dates to be publicly notified), but may meet as and when required at any other time when the occasion is deemed necessary.

## **TENANCY SUBCOMMITTEE**

Property Manager  
Housing Manager

### **Delegations**

To exercise generally the powers of the Council contained in the Residential Tenancies Act 1986.

Note: The Council has authorised the Property Manager or the Housing Manager to sign any documents which may be necessary arising out of decisions made by the Tenancy Subcommittee.

## **ENVIRONMENTAL HEALTH SUBCOMMITTEE (OFFICER SUBCOMMITTEE)**

Principal Environmental Health Officer  
Senior Environmental Health Officers  
Environmental Health Officers (Special Grade)  
(Quorum any two members)

### **Delegations**

To exercise:

- (a) All the powers of the Council in respect of Cleansing Orders under section 42 of the Health Act 1956.
- (b) The power of the Council to issue Repair Notices and Closing orders pursuant to section 42 of the Health Act 1956.
- (c) The power of the Council to cancel a Closing Order under section 45 of the Health Act 1956.
- (d) All the powers of the Council under section 81 of the Health Act 1956 relating to the cleansing and disinfecting of any premises or article.
- (e) The power of the Council under section 128 of the Health Act 1956 to authorise any person to enter, at all reasonable times, any dwellinghouse, building, land, shop or other premises and to inspect the same, and to execute thereon any works authorised under or pursuant to that Act.
- (f) The power of the Council to serve any notice under Regulation 9 of the Health (Registration of Premises) Regulations 1966.

**FENCING SUBCOMMITTEE (OFFICER SUBCOMMITTEE)**

City Streets Manager  
Property Services Manager

**Delegations**

That the Subcommittee be delegated power to approve individual cases (of fence replacement) as appropriate if the following criteria can be met for fencing land resumed by the Council for road widening:

- (a) The owner is not the original owner from whom the land was acquired and;
- (b) It was not obvious on either the property or adjacent properties that there is a road widening designation.
- (c) Other relevant factors (including fairness and ability to pay) that may be taken into consideration.

With financial assistance for fence replacement to be provided, up to a maximum of 100% of the value of the existing fence, depending on its age and condition.

**Chairman's**

**Recommendation:** That the above recommendation be adopted.