

Kaunihera | Council

Ngā Tāpiritanga – Pūrongo | Attachments – Reports

ATTACHMENTS UNDER SEPARATE COVER

Notice is hereby given that an ordinary meeting of Matamata-Piako District Council will be held on:

Ko te rā | Date: Wednesday 22 November 2023
Wā | Time: 9.00am
Meeting Room: Council Chambers
Wāhi | Venue: 35 Kenrick Street
TE AROHA

TAKE | ITEM NGĀ IHINGA | TABLE OF CONTENTS

WHĀRANGI | PAGE

7.7 Review of Delegation Policy and Delegation Register 2023

- | | | |
|----|---|---|
| A. | Delegation Policy and Delegation Register 2023 (With Tracked Changes) | 2 |
|----|---|---|



Delegation Policy and Delegation Register ~~2022~~2023

Department	Strategic Partnerships and Governance
Policy Type	Internal
CM Reference	15/7396 Current Delegations
Resolution Date	14 December 2022
Review Frequency	Ongoing as required by Council or legislative changes
Review Date	Ongoing
Policy Supersedes	Delegation Policy and Register 2020/24 2022

Contents

Delegation Policy	2
Delegation Register	5
Powers retained by Council.....	5
Mayoral Powers	5
Committee delegations.....	6
Hearings Commission delegations	8
Financial delegations.....	11
Warrants of Appointment delegations	13
Statutory delegations.....	46

Delegation Policy

Background

This document sets out the policy for the Matamata-Piako District Council for delegations of responsibilities, powers and duties to a range of different parties as provided for in the Local Government Act 2002 (the Act) and other legislation.

Objectives

The objectives of this Policy are twofold - to provide a framework which:

- provides for the delegation of powers to create efficient and effective decision-making within Council;
- allows Council to concentrate on the delegations (or the decision not to delegate matters) of greatest magnitude and risk.

The above objectives will enable Council to consistently determine all delegations that it makes.

Policy

Efficient and effective decision making

The volume and diversity of decisions that need to be made and the powers that are required to be exercised for the operation and development of the district means that elected members do not have the capacity to undertake all these functions. The role of Council is to develop the set of policies and manage the policy settings that govern the individual decisions and exercise of powers of those to whom the detailed decision making has been delegated.

Part of good management practice is to encourage delegation of decision making to the lowest competent level, and it is Council's policy to do so. This will best utilise the Council's resources and promote the development of effective people. However, the emphasis is on competency, as those with responsibility for a task or function should always have the training and authority to carry it out effectively. Those with authority should always be responsible and accountable for its wise use.

Managing risk

Delegations do not remove from the Council or management ultimate accountability for the affairs of the Council. Poor decision making can expose Council to significant risks. Council has identified the following 'top five risks' which are to be considered by Council and staff when making a delegation:

- whether the delegation could allow a decision that would be significantly inconsistent with the Long Term Plan, Annual Plan or other legislative requirements;
- whether the delegation would allow a decision that involves a governance matter, for example setting of external policies and plans for the organisation;
- whether there is a risk of significant additional unbudgeted costs to Council (for example in excess of agreed contractual obligations);
- whether there is a significant risk associated with litigation (either exposure to or commencement of on);
- whether there is a significant risk of controversy or reputational damage to the organisation.

Council's policy is to retain or restrict the delegation of decision making on matters where it considers the above to be a real risk to the organisation.

Guidance

When making delegations to give effect to this Policy, Council and staff will give consideration to the following matters:

Efficient and effective decision making

- When making a delegation, the delegator must give consideration to the nature of the decisions to be made, or powers or duties to be undertaken under the delegation.

- It is expected that matters of governance, including the development and approval of external policy will sit at a governance level.
- The lowest competent level means the lowest position within the Council hierarchy that has adequate skills to undertake the delegated powers, duties or responsibilities.
- The assessment of the adequacy of skills will be made by the Executive Team or Third Tier Manager in association with the proposed delegate and will include the assessment of the knowledge, skills, understanding of any relevant legislation, attitude and experience of the holder of the office of the proposed delegate.
- It is the responsibility of the Executive Team or Third Tier Manager to ensure that the holder of the office with the delegation has the competencies required for the delegation.

Managing risk

- Delegations should distinguish between those necessary to facilitate ordinary operations in the district and matters that are extraordinary or carry high risk.
- Matters that should be considered extraordinary or as carrying high risk in particular are those identified in this policy, however this is not an exhaustive list, and matters should also be considered in light of Council's Risk Management Policy.
- In general, matters relating to civil litigation will not be delegated by Council.
- In general matters relating to litigation associated with the enforcement of regulatory matters should be restricted to the Chief Executive and relevant Executive Team member(s).
- Delegations which carry a higher risk should be clearly identified in the delegation tables.

Delegation categories

The categories of delegation have been identified below, as detailed in the following sections. Whilst the differentiation between some of these categories is imprecise, the separation is useful in identifying the different responsibilities that are delegated to different areas of the Council structure, the different levels and types of accountability appropriate for each and the different parties to whom delegations have been made.

- Powers retained by Council
- Mayoral Powers
- Committee delegations
- Hearings Commission delegations
- Financial delegations
- Warranted officer appointments
- Statutory delegations

Relevant legislation

The Council has extensive powers of delegation under the Act. These powers are limited only to those items excluded under sub-clause 1. The preparatory work on those items may be delegated, but Council must make the final decision.

Clause 32 of Schedule 7 to the Act is the primary legislative authority that empowers the Council to make delegations. It provides as follows:

- (1) *Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, Community Board, or member or officer of the local authority any of its responsibilities, duties, or powers except—*
- (a) *the power to make a rate; or*
 - (b) *the power to make a bylaw; or*
 - (c) *the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*
 - (d) *the power to adopt a long-term plan, annual plan, or annual report; or*
 - (e) *the power to appoint a chief executive; or*

- (f) *the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or*
- (g) *[repealed]*
- (h) *the power to adopt a remuneration and employment policy.*
- (2) *Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise by the local authority (after consultation with the committee or body or person) of any power or duty specified in sub-clause (1).*
- (3) *A committee or other subordinate decision-making body, community board, or member or officer of the local authority may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the local authority or by the committee or body or person that makes the original delegation.*
- (4) *A committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, or duties are delegated may, without confirmation by the local authority or committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.*
- (5) *A local authority may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing, and administration related to bylaws and other regulatory matters.*
- (6) *A territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.*
- (7) *To avoid doubt, no delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure performance of any function or duty.*
- (8) *The delegation powers in this clause are in addition to any power of delegation a local authority has under any other enactment.*

Implementation procedure

Guidance on the process for creating delegations is contained in Promapp.

Audience

- Staff
- Councillors
- Mayor
- Community

Authorisation

Authorised by: Don McLeod
 Chief Executive
 Matamata-Piako District Council

Delegation Register

Powers retained by Council

Council retains the following non-delegable powers.

- the power to make a rate;
- the power to make a bylaw;
- the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan or annual plan;
- the power to adopt a long-term plan, annual plan, or annual report;
- the power to appoint a Chief Executive;
- the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement;
- the power to adopt a remuneration and employment policy.

Mayoral Powers

Section 41A of the Act provides the following Role and Powers of Mayors

- 1) *The role of a mayor is to provide leadership to:*
 - a) *the other members of the territorial authority; and*
 - b) *the people in the district of the territorial authority.*
- 2) *Without limiting subsection (1), it is the role of a mayor to lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.*
- 3) *For the purposes of subsections (1) and (2), a mayor has the following powers:*
 - a) *to appoint the deputy mayor;*
 - b) *to establish committees of the territorial authority;*
 - c) *to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor—*
 - i) *may make the appointment before the other members of the committee are determined; and*
 - ii) *may appoint himself or herself.*
- 4) *However, nothing in subsection (3) limits or prevents a territorial authority from—*
 - a) *removing, in accordance with clause 18 of Schedule 7, a deputy mayor appointed by the mayor under subsection (3)(a); or*
 - b) *discharging or reconstituting, in accordance with clause 30 of Schedule 7, a committee established by the mayor under subsection (3)(b); or*
 - c) *appointing, in accordance with clause 30 of Schedule 7, 1 or more committees in addition to any established by the mayor under subsection (3)(b); or*
 - d) *discharging, in accordance with clause 31 of Schedule 7, a chairperson appointed by the mayor under subsection (3)(c).*
- 5) *A mayor is a member of each committee of a territorial authority.*
- 6) *To avoid doubt, a mayor must not delegate any of his or her powers under subsection (3).*
- 7) *To avoid doubt,—*
 - a) *clause 17(1) of Schedule 7 does not apply to the election of a deputy mayor of a territorial authority unless the mayor of the territorial authority declines to exercise the power in subsection (3)(a);*
 - b) *clauses 25 and 26(3) of Schedule 7 do not apply to the appointment of the chairperson of a committee of a territorial authority established under subsection (3)(b) unless the mayor of the territorial authority declines to exercise the power in subsection (3)(c) in respect of that committee.*

Committee delegations

These functions are delegated to provide for the efficient and effective provision of Council's governance responsibilities and the operation of Council. Delegations under this category include:

- setting policy and monitoring performance for a set of functions,
- consulting with the community on proposals and options,
- hearing submissions from community members under the consultative procedures,
- approving expenditure that exceeds the delegated authority of officers.

Council shall review its governance structure immediately following each triennial election. Council's current Committee structure and delegations are set out below, these may be updated from time to time.

The District Licensing Committee

The Council is required to establish a District Licensing Committee under the Sale and Supply of Alcohol Act 2012.

Councillor Sue Whiting is appointed as Chair of the Committee and Councillor Russell Smith is appointed as the Deputy Chair of the Committee. The Chair and Deputy Chair of the Committee shall be established at the time of the triennial elections, and may be changed as circumstances require. Any further appointments shall be made to the District Licensing Committee in accordance with the Sale and Supply of Alcohol Act 2012. The District Licensing Committee is required under the Sale and Supply of Alcohol Act 2012 and shall carry out the functions of a District Licensing Committee under that Act. Neil Goodger, Ross Murphy and ~~Alan Sciascia~~ ~~Dennis Taylor~~ are current list members of the Matamata-Piako District Licensing Committee.

The Risk and Assurance Committee

The Mayor has established the Risk and Assurance Committee. The membership and role of the Committee ~~is as provided in the charter for Risk and Assurance, shall be:~~

- ~~• the Mayor~~
- ~~• the Deputy Mayor~~
- ~~• three Councillors~~
- ~~• an Independent Chairperson~~
- ~~• an Independent Member~~

~~The member Councillors and Chair of the Committee shall be established at the time of the triennial elections, and may be changed as circumstances require. Councillors, Bruce Dewhurst, Kevin Tappin and Gary Thompson are appointed as members of the Committee. Jaydene Kana is appointed as the independent Chairperson and Joanna Aoake is appointed as an independent member.~~

~~Council delegates to the Risk and Assurance Committee the role of ensuring Council has appropriate risk management and internal and financial control systems and that the Risk and Assurance Committee be requested to propose a work programme for consideration by Council for the fulfilment of this delegation.~~

Te Manawhenua Forum Mo Matamata-Piako Committee

The Council has established Te Manawhenua Forum Mo Matamata-Piako Committee. The membership and role of the Committee shall be established at the time of the triennial elections and updated from time to time ~~as follows: as per the charter for the Te Manawhenua Forum Mo Matamata-Piako Committee~~

- ~~• the Mayor~~
- ~~• the Deputy Mayor~~
- ~~• the Maori Ward Councillor~~
- ~~• a principle and alternate representative from~~

- Ngāti Haua
- Ngāti Maru
- Ngāti Paoa
- Raukawa
- Ngāti Rahiri Tumutumu
- Ngāti Whanaunga
- Ngāti Hinerangi

~~Te Ao Marama Maaka is appointed Chairperson of Te Manawhenua Mo Matamata-Piako Forum, and the Mayor is appointed Deputy Chairperson.~~

~~Ngāti Tamatera has the ability to join the Committee. Council delegates to the Te Manawhenua Forum Mo Matamata-Piako Committee those functions agreed to under the Heads of Agreement between Matamata-Piako District Council and the Te Manawhenua Mo Matamata-Piako Committee.~~

Waharoa (Matamata) Aerodrome Committee

The establishment of the Waharoa (Matamata) Aerodrome Committee is provided for under the Ngāti Haua Settlement Act 2014. The following Elected Members are established (under statute) as members of the Waharoa (Matamata) Aerodrome Committee:

- the Mayor
- the Deputy Mayor

A third appointment shall be made by Council following each triennial election, Councillor Kevin Tappin has been appointed. Three members shall be appointed under statute to the Waharoa (Matamata) Aerodrome Committee by the Trustees of the Ngāti Haua Iwi Trust. The Waharoa (Matamata) Aerodrome Committee has the powers set out in its enabling legislation, the Ngāti Haua Settlement Act 2014, and shall carry out the functions of the Waharoa (Matamata) Aerodrome Committee under that Act. Council has provided no further delegations to the Waharoa (Matamata) Aerodrome Committee.

On 23 August 2023 Council approved delegation of the following functions and powers to the Waharoa (Matamata) Aerodrome Committee in alignment with section 89(1)(d) of the Ngāti Haua Claims Settlement Act 2014;

- all of the functions and powers associated with the review, amendment and approval of a Reserve Management Plan for the Waharoa (Matamata) Aerodrome under section 41 of the Reserves Act 1977, including initiation of a review, conducting any hearings, decision-making and approval of a Reserve Management Plan, including sub-delegating the power under the Reserves Act 1977 - Ministerial Instrument of Delegation for Territorial Authorities, dated 12 June 2013, to approve a reserve management plan for the Waharoa (Matamata) Aerodrome pursuant to section 41(1) of the Reserves Act 1977;
- the authority to develop a draft masterplan for Waharoa (Matamata) Aerodrome, to carry out community consultation and/or engagement in accordance with Council's Significance and Engagement Policy, to make decisions in respect of the draft masterplan, and any ancillary powers necessary to enable it to carry out these functions;
- in respect of Section 72 Block XIII Wairere SD, the Council delegates to the Waharoa (Matamata) Aerodrome Committee its power to classify the land under section 16(1) of the Reserves Act 1977 according to its principal or primary purpose, and subdelegates its power under the Reserves Act 1977 - Ministerial Instrument of Delegation for Territorial Authorities, dated 12 June 2013 to gazette the reserve classification under section 16(1) of the Reserves Act 1977; and
- in respect of Matamata North E Block and Matamata North F Block, Part Lot 1 DP 29064 and Part Section 71 Block XIII Wairere SD, the Council delegates to the Waharoa (Matamata) Aerodrome Committee its decision-making powers to declare the land as reserve under 14(1) of the Reserves Act, including the power to notify the proposed declaration, to consider any submissions and to hold hearings as necessary and

subdelegates its power under the Reserves Act 1977 - Ministerial Instrument of Delegation for Territorial Authorities, dated 12 June 2013 to gazette any resolution made under section 14(1), pursuant to section 14(4) of the Reserves Act 1977.

Chief Executive Officer Performance Committee

The Mayor has established the Chief Executive Officer Performance Committee by

- the Mayor
- the Deputy Mayor
- three Councillors

The member Councillors and Chair of the Committee shall be established at the time of the triennial elections, and may be changed as circumstances require, Councillors Bruce Dewhurst, James Sainsbury and Sue Whiting are appointed as Committee members. Council delegates to the Chief Executive Officer Performance Committee the authority to undertake a review of the performance and remuneration of the Chief Executive Officer and based upon the review findings make a remuneration offer on an annual basis in accordance with the Chief Executive Officer's employment agreement.

Waikato Civil Defence Emergency Management Group Joint Committee

Councillor Russell Smith has been delegated the authority to act for the Mayor as Council's representative on the Waikato Civil Defence Emergency Management Group and have delegated authority to act for the Mayor as the Council's representative.

Waikato Regional Transport Committee

The Mayor is appointed as Council's representative on the Waikato Regional Transport Committee and in the absence of the Mayor the Deputy Mayor is appointed as the alternative.

Regional Triennial Agreement Forum

The Mayor is appointed as Council's representative on the Regional Triennial Agreement Forum and in the absence of the Mayor the Deputy Mayor is appointed as the alternative.

Hauraki Gulf Forum

Councillor James Sainsbury is appointed to the Hauraki Gulf Forum.

Waihou-Piako Flood Protection Advisory Sub-committee

Council has appointed Councillor Sarah-Jane Bourne as a representative on the Waihou-Piako Flood Protection Advisory Sub-Committee of the Waikato Regional Council.

Waikato Plan Leadership Committee

Council has deferred the decision on representation pending ongoing discussions between Matamata-Piako, Hauraki and Thames-Coromandel District Councils on representation.

Local Government New Zealand: Zone 2

The Mayor is appointed as Council's representative for Local Government New Zealand: Zone 2 and in the absence of the Mayor the Deputy Mayor is appointed as the alternate. All other members are invited as attendees.

Hauraki Rail Trail Charitable Trust

Shaun O'Neill is the Matamata-Piako District Council Trustee for the Hauraki Rail Trail Charitable Trust.

Pare Hauraki Collective Working Group

The Mayor and Deputy Mayor are appointed as Council's representatives for the purposes of discussion on the Pare Hauraki Co-Governance discussions.

Future Proof Implementation Committee

The Mayor and Deputy Mayor be appointed as Council's representatives to the Future Proof Implementation Committee

Te Aroha Spa Governance Group

The Mayor be appointed as Council's representative on the Te Aroha Spa Governance Group.

Creative Communities Scheme Assessment Committee

Councillor Kevin Tappin and Councillor Gary Thompson be nominated as Council's representatives on the Creative Communities Assessment Committee.

Hearings Commission delegations

Council has established the Hearings Commission. The membership of the Commission shall be established at the time of the triennial elections and updated from time to time as follows:

- Mayor Adrienne Wilcock and Councillors Kevin Tappin and Sue Whiting are appointed as members of the Hearings Commission.

Council appointed Councillor Kevin Tappin to the position of Coordinator (noting no elected member currently holds the Chairpersons accreditation) (under the Local Government Act 2002) of the Hearings Commission.

The above appointments are made subject to each Elected Member holding the relevant required accreditation/recertification (Making Good Decisions).

Resource Management Act 1991

Hearing Commissioners who are acting in a capacity under the Resource Management Act 1991 must be appropriately accredited in order to exercise the following delegations.

Council has delegated to not less than two (2) members of the Hearings Commission the power to hear and determine all applications that are within Council's functions, powers and duties under the Resource Management Act 1991 (RMA), except:

- the approval of proposed policy statements or plans or any change to a policy statement or plan;
- the hearing of resource consent applications where a conflict of interest exists;
- where a joint hearings is held with Waikato Regional Council;
- where legislation requires a certain appointment process for Hearings Commissioners;
- where requirements under the RMA for commissioners and/or a chairperson to have appropriate qualifications mean that an independent commissioner must be appointed;
- where Council's hearings commission prefer to opt out either because of the technical or other nature of the application; or
- where none of Council's hearing commissioners is available to hold a hearing within the statutory timeframe.

Where the above applies, pursuant to section 34A(1) of the Resource Management Act 1991 the Matamata-Piako District Council hereby delegated to one or more Independent Hearing Commissioner(s) appointed by the Chief Executive Officer, Group Manager Community Development, Group Manager Business Services or Group Manager Service Delivery, the power to hear and determine all applications that are within Council's functions, powers and duties under the Resource Management Act 1991.

Pursuant to clause 32 of Schedule 7 to the Local Government Act 2002 and section 34A(1) of the Resource Management Act 1991, the Matamata-Piako District Council hereby delegated to the Coordinator of the Hearings Commission or any other member in their absence the power to determine applications where:

- in accordance with section 99 of the RMA, a resolution has been reached by all parties prior to the hearing; or
- in accordance with section 100 the RMA, the Applicant and all persons who have made a submission advises that they do not wish to be heard; or

- in accordance with section 357 of the RMA, any person who has made an objection advises that they do not wish to be heard.

Dog Control Act 1996

Pursuant to clause 32 of Schedule 7 to the Local Government Act 2002 and the Dog Control Act 1996, Council has delegated to not less than two (2) members of the Hearings Commission the power to hear and determine all objections under the Dog Control Act 1996 to:

- a probationary owner classification;
- a disqualified owner classification;
- a menacing dog classification;
- a dangerous dog classification.

Building Act 2004

Pursuant to clause 32 of Schedule 7 to the Local Government Act 2002, pursuant to section 12, section 6 and clause 11 of the Fencing of Swimming Pools Act 1987 and section 9 of the Building (Pools) Amendment Act 2016 (effective 1 January 2017), the Matamata-Piako District Council hereby delegated to not less than two members of the Hearings Commission the power to hear and determine all applications.

Gambling Act 2003

Where an objection is raised by an affected party to the application, Council delegates to not less than two (2) members of the Hearings Commission the power to hear and determine in accordance with Council's Class 4 Gambling Policy all applications that are within Council's functions, powers and duties under the Gambling Act 2003.

General Delegations:

The Chief Executive delegated the following responsibilities, powers and duties, to enter into contracts subject to their delegated financial authority unless the contract is for something already approved by Council in the Long Term Plan or Annual Plan.

The Executive Managers are delegated the following responsibilities, powers and duties within their respective areas of responsibility, where that is permitted by law, in accordance with any Council policy (as appropriate) and subject to any condition, limitation or prohibition imposed by Council or any statutory limitation:

- The power to enter into contracts subject to their delegated financial authority, unless the contract is for something already approved by Council in the Long Term Plan or Annual Plan.
- The power to undertake their specific delegations without further reference (though some may require to be reported).
- The power to act for the Chief Executive in an emergency where the Chief Executive and the Deputy Chief Executive cannot be contacted, provided this is done through prior consultation with the Senior Leadership Team.

Where any currently adopted delegations to Council staff refer to a position title and the name of the position title has subsequently changed without substantial changes being made to the position holder's job description (in respect of the function to which the delegation relates), that any current delegations in the name of the previous position title are and shall be effective for the position holder of the new position title.

Financial delegations

The delegations of powers and responsibilities to facilitate the effective and efficient financial management of the Council. The delegations for Council and Corporate and Operations Committees and Chief Executive are noted below.

The Council delegates to the CEO the ability to sub-delegate and amend purchasing authority to Council staff as they deem reasonable, taking into account the delegation levels applied to the relevant Group Managers in this policy, and the role and responsibility of the staff. The Chief Executive is responsible for ensuring the financial delegation to staff is appropriate. The Group Manager positions have been included as they have the authority to approve payments on behalf of the CEO in his absence. This delegation for staff is recorded and tracked by the Finance Department

The CEO is entitled to enter into contracts above their delegated financial authority where the contract is for something already approved by Council in the Long Term Plan or Annual Plan

All delegations are inclusive of GST.

Delegations for all roles extend to the staff acting in their place for the agreed period of time.

Purchasing authority \$	Position	Council	Eteam	Third tier	Fourth tier	Fifth tier
Unlimited	Council <i>NB provided that Council has given due consideration to its decision-making and long term planning requirements under the Act.</i>	X				
500,000.00 or as authorised by Council resolution	Chief Executive Officer		X			
200,000.00	Group Manager Service Delivery <i>NB Authority to approve payments on behalf of the CEO in his absence*</i>		X			
50,000.00	Group Manager Business Support <i>NB Authority to approve payments on behalf of the CEO in his absence*</i>		X			
	Group Manager Community Development <i>NB Authority to approve payments on behalf of the CEO in his absence*</i>		X			

* The Chief Executive Officer shall be considered absent if:

- They are at a course/conference/meeting, on annual leave or incapacitated, for more than 24 hours; or
- the position is vacant.

Matamata-Piako District Council Civil Defence Financial Delegations

Council agrees to delegate the following financial delegations **for declared events** to the respective positions in the event there is a civil defence emergency. These delegations are subject to the powers delegated under the Civil Defence Emergency Management Act 2002 on page 56.

Purchasing authority \$	Position
Unlimited	Controller
	BAU Control
	Recovery Manager
	Recovery Team Member
\$10,001	Controllers Assistant
	Iwi/Maori Representation
	Response Manager
	Risk and Legal Advisors
	Science and Technical Advisors
\$5,001	Intelligence Manager
	Intelligence Alternate Manager
	Planning Manager
	Planning Alternate Manager
	Operations Manager
	Operations Alternate Manager
	Logistics Manager
	Logistics Alternate Manager
	Public Information Manager
	Public Information Alternate Manager
	Welfare Manager
	Welfare Alternate Manager
	Safety Manager
	Safety Alternate Manager
\$499	Intelligence Team Member
	Planning Team Member
	Operations Team Member
	Logistics Team Member
	Public Information Team Member
	Welfare Team Member
	Safety Team Member

Warrants of Appointment delegations

These are delegations of powers and responsibilities for warranted powers exercised on behalf of Council.

The Council has delegated to the Chief Executive Officer the ability to warrant Council staff in accordance with the Delegations Policy and to update/amend warranted appointments below from time to time on this basis.

Key to position titles/department groups	
Eteam	
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
AMSP	Asset Manager Strategy & Policy
BCM	Building Control Manager
CSM	Customer Services Manager
DP	District Planner
PCPM	Property & Community Projects Manager
KVSM	Kaimai Valley Services Manager
PSWM	People, Safety and Wellness Manager
RM	Roading Manager
WWWM	Water & Wastewater Manager
Fourth tier	
ACM	Animal Control Manger
BCTL	Building Control Team Leader
CSS	Customer Services Supervisor
PFPTL	Parks and Facilities Planning Team Leader
PROM	Parks & Reserves Operations Manager
SWTL	Safety and Wellness Team Leader
TLC	Team Leader Contracts
TLCE	Team Leader Consents Engineer
TLP	Team Leader Projects - Roading
TLRC	Team Leader Resource Consents
TWPDM	Three Waters Project Delivery Manager
TWPM	Three Waters Project Manager
WWOM	Water & Wastewater Operations Manager
WM	Works Manager
Fifth tier (inclusive contractors except as authorised elsewhere)	
ACO	Animal Control Officer
APMO	Assets Project Management Officer (fixed term)
BCompO	Building Compliance Officer
BCO	Building Control Officer (inclusive senior and graduate)
CE	Consents Engineer

COP	Coordinator Operations & Projects
CP	Consent Planner (inclusive of graduate)
CSA	Customer Services Advisor (inclusive of senior)
DE	Design Engineer - Utilities
EA	Engineering Administrator
EHO	Environmental Health Officer
EOR	Engineering Officer - Roding
EPP	Environmental Policy Planner
IAPPO	Infrastructure Assets Project Officer
<u>IAPTL</u>	<u>Infrastructure Assets Project Team Leader</u>
KVSW	Kaimai Valley Services Workers (inclusive Works Manager)
KVSTA	Kaimai Valley Services Technical Advisor
MO	Monitoring Officer
MALO	Monitoring & Alcohol Licensing Officer
MEO	Monitoring & Engineering Officer
PA	Parks Advisor
PM	Project Manager (inclusive of graduate) (for Water Team)
PMS	Property Maintenance Supervisor
PP	Policy Planner (inclusive of graduate and senior)
PRO	Property (Property Services Officer, Project Managers)
RAE	Roding Assets Engineer
RES	Roding (Engineers, Surveyors)
RO	Roding Officer
RTL	Reticulation Team Leader
<u>RT</u>	<u>Reticulation Technician (inclusive of Senior)</u>
SCSR	Senior Contract Supervisor - Roding
SNA	Systems and Network Administrator
SWL	Solid Waste Lead
TWPGM	Three Waters Programme Manager
UEA	Utilities Engineer - Assets (inclusive of senior)
UE	Utilities Engineer
WO	Water Operator
WTF	Water Treatment Foreman
WWO	Wastewater Operator
WWWO	Water and Wastewater Operator
WWT	Wastewater Technician
WTL	Works Team Leader
	Contractors:
CR	Contractor - Roding
EHOHDC	Environmental Health Officer Hauraki District Council Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC

	and HDC
NCC	Noise Control Contractor
GMPESHDC	Group Manager Planning & Environmental Services Hauraki District Council Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC
SSSWCM	Shared Services Solid Waste Contract Manager
ACSC	Animal Control Security Contractor
<u>BCON</u>	<u>Building Contractor</u>

Local Government Act 2002		Eteam	Third tier	Fourth tier	Fifth tier
Enforcement Officer pursuant to section 174 and 177 of the Local Government Act 2002	<p>Power to seize and impound property pursuant to sections 164-166 of the Local Government Act 2002</p> <p><u>These powers shall only be exercised with the approval of the CEO or a group manager.</u></p> <p><i>164 Seizure of property not on private land</i> <i>(1) An enforcement officer may seize and impound property that is not on private land if—</i> <i>(a) the property is materially involved in the commission of an offence; and</i> <i>(b) it is reasonable in the circumstances to seize and impound the property; and</i> <i>(c) before seizing and impounding the property, the enforcement officer—</i> <i>(i) directed (orally or in writing) the person committing the offence to stop committing the offence; and</i> <i>(ii) has advised (orally or in writing) the person committing the offence that, if he or she does not stop committing the offence, the enforcement officer has power to seize and impound the property; and</i> <i>(iii) provided the person with a reasonable opportunity to stop committing the offence.</i></p> <p><i>165 Seizure of property from private land</i> <i>(1) An issuing officer (within the meaning of section 3 of the Search and Surveillance Act 2012) may issue a warrant authorising an enforcement officer to enter private property involved in the commission of an offence, and seize and impound property.</i></p> <p><i>166 Conditions for exercise of warrant to seize property on private land</i> <i>(1) An enforcement officer executing a warrant issued under section 165(1) must be accompanied by a constable.</i></p>	GMCD GMSD	AMSP BCM CSM DP KVSM PCPM RM	ACM BCTL CSS PFPTL PROM TLC TLCE TLP TLRC	ACO BCO BI CE PA CP CSA DE EHO EOR EPP PRO RES RO KVSTA MALO MEO MO PMS PP SCSR SWL UEA TWPGM UE WM SSSWCM ACSC

Local Government Act 2002	Eteam	Third tier	Fourth tier	Fifth tier
<p>Power to enter private land pursuant to sections 171-173 of the Local Government Act 2002</p> <p><u>These powers shall only be exercised with the approval of the CEO or a group manager.</u></p> <p><i>171 General power of entry</i> (1) For the purpose of doing anything that the local authority is empowered to do under this Act or any other Act, a local authority may enter any land or building other than a dwellinghouse.... (4) If a local authority exercises the power under subsection (1) to enter unoccupied land or unoccupied buildings, the local authority must notify the owner— (a) not less than 24 hours in advance of the intended entry if it is reasonably practicable to do so; or (b) as early as reasonably practicable, whether before or after entry has been made. (5) This section does not limit section 172 or section 173.</p> <p><i>172 Power of entry for enforcement purposes</i> (1)A warranted enforcement officer may enter land for the purpose of detecting a breach of a bylaw or the commission of an offence against this Act if the officer has reasonable grounds for suspecting that a breach of the bylaw or the commission of the offence has occurred or is occurring on the land. (2)Before exercising the power in subsection (1), the officer must, if practicable, give reasonable notice to the occupier of the land of the intention to exercise the power, unless the giving of notice would defeat the purpose of entry. (3)The power in subsection (1) to enter a dwellinghouse must not be exercised unless— (a)the entry is authorised by a warrant given by an issuing officer (within the meaning of section 3 of the Search and Surveillance Act 2012) on application made in the manner provided for an application for a search warrant in subpart 3 of Part 4 of that Act; and (b)when exercising the power, the enforcement officer is accompanied by a constable.</p> <p><i>173 Power of entry in cases of emergency</i> (1)A local authority may, for the purpose of doing anything that it is authorised to do under this Act or any other enactment, enter occupied land or buildings without giving prior notice, if— (a)there is a sudden emergency causing or likely to cause— (i)loss of life or injury to a person; or (ii)damage to property; or (iii)damage to the environment; or (b)there is danger to any works or adjoining property. (2)The provisions of Part 4 of the Search and Surveillance Act 2012 (except subparts 2 and 3, and sections 118 and 119) apply.</p>	<p>GMCD GMSD</p>	<p>AMSP BCM CSM DP PCPM KVSM RM WWWMM</p>	<p>ACM BCTL CSS PFPTL PROM TLC TLCE TLP TLRC TWPM TWPDM WWOM</p>	<p>ACO APBCO BCO BI CE PA CP CSA DE EHO EOR EPP IAPOL IAPTL KVSTA KVSW MALO MEO MO</p> <p>PM PMS PP PRO RES RO RTL RT SCSR SNA SWL TWPGM UEA UE WO WTF WTL WWO WWWO WWPSO WWT</p> <p>SSSWCM ACSC</p>

Local Government Act 2002		Eteam	Third tier	Fourth tier	Fifth tier
	Power of enforcement pursuant to section 177 of the Local Government Act 2002 in relation to offences under the Local Government Act 2002	GMCD GMSD	AMSP BCM CSM DP KVSM PCPM RM	ACM BCTL CSS PFPTL PROM TLC TLCE TLP	ACO BCO BI CE PA CP CSA DE ECCPM EHO EOR EPP PRO RES RO KVSTA MALO MEO MO PMS PP SCP SCSR SWL UEA TWPGM UE BCompO SSSWCM ACSC

Local Government Act 2002		Eteam	Third tier	Fourth tier	Fifth tier
	<p>Power of enforcement pursuant to section 177 of the Local Government Act 2002 in relation to offences against bylaws made under the Local Government Act 2002</p> <p><i>177 Appointment of enforcement officer</i> (1)A local authority may appoint persons to be enforcement officers in the district or region of the local authority in relation to any offence under this Act, including, without limitation,— (a)offences against bylaws made under this Act; (b)infringement offences provided for by regulations made under section 259. (2)A local authority must issue warrants in writing to enforcement officers appointed under this section, specifying— (a)the responsibilities and powers delegated to them; and (b)the infringement offences in relation to which they are appointed. (3)An enforcement officer must produce his or her warrant and evidence of identity whenever reasonably required to do so by any person. (4)Enforcement officers may exercise the power to seize an object under section 164.</p>	<p>GMCD GMSD</p>	<p>AMSP BCM CSM DP KVSM PCPM RM</p>	<p>ACM BCTL CSS PFPTL PROM TLC TLCE TLP TLRC</p>	<p>ACO BCO BI CE PA CP CSA DE EHO EOR EPP PRO RES RO KVSTA MALO MEO MO PMS PP SCSR SWL UEA TWPGM UE BCompO SSSWCM ACSC</p>

Local Government Act 2002		Eteam	Third tier	Fourth tier	Fifth tier
	<p>Power to direct a person to give information pursuant to section 178 of the Local Government Act 2002</p> <p><i>178 Enforcement officers may require certain information If an enforcement officer believes on reasonable grounds that a person is committing or has committed an offence under this Act, the officer may direct the person to give—</i> <i>(a) his or her name and address; and</i> <i>(b) the name and address and whereabouts of any other person connected in any way with the alleged offence.</i></p>	<p>GMCD GMSD</p>	<p>AMSP BCM CSM DP KVSM PCPM RM</p>	<p>ACM BCTL CSS PFPTL PROM TLC TLCE TLP</p>	<p>ACO BCO BI CE PA CP CSA DE EHO EOR EPP</p> <p>PRO RES RO KVSTA MALO MEO MO PMS PP SCSR SWL UEA TWPGM UE BCompO</p> <p>SSSWCM ACSC</p>

Local Government Act 2002		Eteam	Third tier	Fourth tier	Fifth tier
	<p>Power to enter any land or building (excluding dwelling houses) to check utility services pursuant to section 182 of the Local Government Act 2002</p> <p><i>182 Power of entry to check utility services</i> (1)An enforcement officer of a local authority may enter any land or building (but not a dwellinghouse) for the purpose of ascertaining whether— (a)water supplied from any waterworks or water race to any land or building is being wasted or misused; or (b)any drainage works on any land are being misused; or (c)any appliance or equipment associated with a local authority utility service on the land is in a condition that makes it dangerous to life or property. (2)The power under subsection (1) may only be exercised if the enforcement officer— (a)believes on reasonable grounds that the circumstances in any of paragraph (a), paragraph (b), or paragraph (c) of that subsection exist; and (b)the local authority gives reasonable notice to the occupier of the land or building of the intention to exercise the power. (3)If an enforcement officer is refused entry or obstructed when exercising the power in subsection (1), the local authority may restrict the water supply to the land or building, as provided for in section 193.</p>	<p>GMCD GMSD</p>	<p>AMSP BCM CSM DP KVSM PCPM RM WWWMM</p>	<p>ACM BCTL CSS PFPTL PROM TLC TLCE TLP TWPM TWPDM WWOM</p>	<p>ACO APMO BCO BI CE PA CP CSA DE EHO EOR EPP IAPOL IAPTL KVSTA KVSW MALO MEO MO PM PMS PP PRO RES RO RTL RT SCP SCSR SNA SWL TWPDM UEA UE WO WTF WTL WWO WWWO WWPSO WWT</p>

Local Government Act 2002		Eteam	Third tier	Fourth tier	Fifth tier
	<p>Power to issue infringement notices pursuant to section 245 of the Local Government Act 2002</p> <p><i>245 Issue of infringement notices</i> <i>(1)An infringement notice may be served on a person if an enforcement officer—</i> <i>(a)observes a person committing an infringement offence; or</i> <i>(b)has reasonable cause to believe that an infringement offence is being or has been committed by that person.</i> <i>(2)An infringement notice not relating to a breach of an alcohol ban may be served—</i> <i>(a)by an enforcement officer (not necessarily the person who issued the notice) personally delivering it (or a copy of it) to the person alleged to have committed the infringement offence concerned; or</i> <i>(b)by post addressed to that person's last known place of residence or business.</i></p>	GMCD GMSD	AMSP BCM CSM DP KVSM PCPM RM	ACM BCTL CSS PFPTL PROM TLC TLCE TLP TLRC	ACO BCO BI CE PA CP CSA DE EHO EOR EPP PRO RES RO KVSTA MALO MEO MO PMS PP SCSR SWL UEA TWPGM UE
	Power to enforce Matamata-Piako District Council bylaws	GMCD GMSD	AMSP BCM CSM DP KVSM PCPM RM	ACM BCTL CSS PFPTL PROM TLC TLCE TLP TLRC	ACO APMO BCO BI CE PA CP CSA DE EHO EOR EPP IAPO IAPTL KVSTA MALO MEO MO PMS PP PRO RES RO SCSR SNA SWL TWPGM UEA UE BCompO SSSWCM

Local Government Act 2002		Eteam	Third tier	Fourth tier	Fifth tier
	Power to enforce Hauraki District Council bylaws				SSSWCM
	Power to enforce Thames-Coromandel District Council bylaws				SSSWCM

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power to direct a person to give information pursuant to section 22 of the Resource Management Act 1991</p> <p><i>22 Duty to give certain information</i></p> <p>(1) This section applies when an enforcement officer has reasonable grounds to believe that a person (person A) is breaching or has breached any of the obligations under this Part.</p> <p>(2) The enforcement officer may direct person A to give the officer the following information:</p> <p>(a) if person A is a natural person, his or her full name, address, and date of birth;</p> <p>(b) if person A is not a natural person, person A's full name and address.</p> <p>(3) The enforcement officer may also direct person A to give the officer the following information about a person (person B) on whose behalf person A is breaching or has breached the obligations under this Part:</p> <p>(a) if person B is a natural person, his or her full name, address, and date of birth;</p> <p>(b) if person B is not a natural person, person B's full name and address.</p>	GMCD GMSD	AMSP BCM DP PCPM	BCTL PFPTL TLC TLCE TLP TLRC	BCO BI CE PA COP CP DE EHO EOR EPP PRO RES KVSTA MO MALO MEO PP RAE SCSR SWL UEA TWPGM UE
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power to apply to the Environment Court in the prescribed form for an enforcement order.</p> <p><i>316 Application for enforcement order</i></p> <p>(1) Any person may at any time apply to the Environment Court in the prescribed form for an enforcement order of a kind specified in paragraphs (a) to (d) of section 314(1), or in section 314(2).</p> <p>(2) A local authority or consent authority may at any time apply to the Environment Court in the prescribed form for an enforcement order of the kind specified in paragraph (da) or paragraph (e) of section 314(1).</p> <p>(3) An application for an enforcement order under section 314(1)(f) may be lodged—</p> <p>(a) by a local authority (or the Minister of Conservation in regard to regional coastal plan) at any time; or</p> <p>(b) by any other person, no later than 3 months after the date on which the policy statement or plan becomes operative.</p> <p>(4) Any person who applies for an enforcement order under any provision of this section may request that the enforcement order be made on any terms and conditions permitted by section 314(3) or section 314(4).</p> <p>(5) No person (other than the consent authority or the Minister) may apply to the Environment Court for an enforcement order to enforce any condition of a resource consent or a rule in a plan or proposed plan that requires the holder to adopt the best practicable option to avoid or minimise any adverse effect of the discharge to which the consent or rule relates.</p>	GMCD GMSD	AMSP BCM DP PCPM	BCTL TLC TLCE TLP TLRC	
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power to issue and serve an abatement notice pursuant to section 322 of the Resource Management Act 1991.</p> <p><i>322 Scope of abatement notice</i></p> <p>(1) An abatement notice may be served on any person by an enforcement officer—</p> <p>(a) requiring that person to cease, or prohibiting that person from commencing, anything done or to be done by or on behalf of that person that, in the opinion of the enforcement officer,—</p> <p>(i) contravenes or is likely to contravene this Act, any regulations, a rule in a plan, or a resource consent; or</p> <p>(ii) is or is likely to be noxious, dangerous, offensive, or objectionable to such an extent that it has or is likely to have an adverse effect on the environment;</p>	GMCD GMSD	AMSP BCM DP PCPM RM	BCTL PFPTL TLC TLCE TLP TLRC	BCO BI CE PA COP CP DE EHO EOR EPP KVSTA MO

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
	<p>(b)requiring that person to do something that, in the opinion of the enforcement officer, is necessary to ensure compliance by or on behalf of that person with this Act, any regulations, a rule in a plan or a proposed plan, or a resource consent, and also necessary to avoid, remedy, or mitigate any actual or likely adverse effect on the environment—</p> <p>(i)caused by or on behalf of the person; or</p> <p>(ii)relating to any land of which the person is the owner or occupier;</p> <p>(c)requiring that person, being—</p> <p>(i)an occupier of any land; or</p> <p>(ii)a person carrying out any activity in, on, under, or over a water body or the water within the coastal marine area,— who is contravening section 16 (which relates to unreasonable noise) to adopt the best practicable option of ensuring that the emission of noise from that land or water does not exceed a reasonable level.</p> <p>(2)Where any person is under a duty not to contravene a rule in a proposed plan under sections 9, 12(3), 14(2), or 15(2), an abatement notice may be issued to require a person—</p> <p>(a)to cease, or prohibit that person from commencing, anything done or to be done by or on behalf of that person that, in the opinion of the enforcement officer, contravenes or is likely to contravene a rule in a proposed plan; or</p> <p>(b)to do something that, in the opinion of the enforcement officer, is necessary in order to ensure compliance by or on behalf of that person with a rule in a proposed plan.</p> <p>(3)An abatement notice may be made subject to such conditions as the enforcement officer serving it thinks fit.</p> <p>(4)An abatement notice shall not be served unless the enforcement officer has reasonable grounds for believing that any of the circumstances in subsection (1) or subsection (2) exist.</p>				<p>MALO</p> <p>MEO</p> <p>PP</p> <p>PRO</p> <p>RES</p> <p>RAE</p> <p>SCSR</p> <p>SWL</p> <p>UEA</p> <p>TWPGM</p> <p>UE</p>
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power of entry pursuant to section 323 of the Resource Management Act 1991</p>	GMCD GMSD	AMSP BCM DP PCPM RM	BCTL PFPTL TLC TLCE TLP	<p>BCO</p> <p>BI</p> <p>CE</p> <p>PA</p> <p>COP</p> <p>CP</p> <p>DE</p> <p>ECCPM</p> <p>EHO</p> <p>EOR</p> <p>EPP</p> <p>PRO</p> <p>RES</p> <p>KVSTA</p> <p>MO</p> <p>MALO</p> <p>MEO</p> <p>PP</p> <p>RAE</p> <p>SCP</p> <p>SCSR</p> <p>SWL</p> <p>UEA</p> <p>TWPGM</p> <p>UE</p>
Enforcement Officer pursuant to section 38 of the Resource	<p>Power to issue excessive noise direction pursuant to section 327 of the Resource Management Act 1991</p> <p>327 Issue and effect of excessive noise direction</p> <p>(1)Any enforcement officer, or any constable acting upon the request of an enforcement officer, who—</p>	GMCD GMSD	AMSP BCM DP PCPM RM	BCTL PFPTL TLC TLCE TLP TLRC	<p>BCO</p> <p>BI</p> <p>CE</p> <p>PA</p> <p>COP</p> <p>CP</p>

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
Management Act 1991	<p>(a)has received a complaint that excessive noise is being emitted from any place; and</p> <p>(b)upon investigation of the complaint, is of the opinion that the noise is excessive,—</p> <p>may direct the occupier of the place from which the sound is being emitted, or any other person who appears to be responsible for causing the excessive noise, to immediately reduce the noise to a reasonable level.</p> <p>(2)A direction under subsection (1) may be given in writing or orally.</p> <p>(3)Every direction under subsection (1) shall prohibit the person to whom it is given, and every other person bound by the direction, from causing or contributing to the emission of excessive noise from or within the vicinity of the place at any time during the period of 72 hours or such shorter period as the enforcement officer or constable specifies, commencing at the time the direction is given.</p> <p>(4)The powers under this section are in addition to the powers under sections 322 to 325 to issue abatement notices relating to unreasonable noise and to seek an enforcement order under section 316.</p>				<p>DE EHO EOR EPP PRO RES KVSTA MO MALO MEO</p> <p>PP RAE SCSR UEA TWPGM UE</p> <p>NCC</p>
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power of entry pursuant to section 328 of the Resource Management Act 1991</p> <p>328 Compliance with an excessive noise direction</p> <p>(1)Every person who is given a direction under section 327 shall immediately comply with the direction.</p> <p>(2)Every person who knows or ought to know that a direction under section 327 has been given in respect of a particular place shall comply with that direction as if he or she were the recipient of it, while on or in the vicinity of that place.</p> <p>(3)If a person against whom an excessive noise direction is made fails to comply immediately with the notice, an enforcement officer (accompanied by a constable), or a constable may enter the place without further notice and—</p> <p>(a)seize and remove from the place; or</p> <p>(b)render inoperable by the removal of any part from; or</p> <p>(c)lock or seal so as to make unusable—</p> <p>any instrument, appliance, vehicle, aircraft, train, or machine that is producing or contributing to the excessive noise.</p> <p>(4)Where a direction under section 327 is unable to be given because there is no person occupying the place from which the sound is being emitted or the occupier of the place cannot reasonably be identified, and there is no other person who appears to be responsible for causing the excessive noise, an enforcement officer (accompanied by a constable) or a constable may enter the place without notice and—</p> <p>(a)seize and remove from the place; or</p> <p>(b)render inoperable by the removal of any part from; or</p> <p>(c)lock or seal so as to make unusable—</p> <p>any instrument, appliance, vehicle, aircraft, train, or machine that is producing or contributing to the excessive noise.</p> <p>(5)Where any enforcement officer or constable enters any place under subsection (4), he or she must leave in that place, in a prominent position,—</p> <p>(a)a copy of the relevant written excessive noise direction issued under section 327; and</p> <p>(b)a written notice stating—</p> <p>(i)the date and time of the entry;</p> <p>(ii)the name of the person in charge of the entry;</p> <p>(iii)the actions taken to ensure compliance with the excessive noise direction;</p> <p>(iv)the address of the office at which inquiries may be made in relation to the entry.</p> <p>(6)Any enforcement officer or constable exercising any power under this section may use such assistance as is reasonably necessary.</p> <p>(7)Any constable may, in exercising any power under this section, use such force as is reasonable in the circumstances.</p>	<p>GMCD GMSD</p>	<p>AMSP BCM DP PCPM RM</p>	<p>BCTL PFPTL TLC TLCE TLP TLRC</p>	<p>BCO BI CE PA COP CP DE EHO EOR EPP</p> <p>PRO RES KVSTA MO MALO MEO PP RAE SCSR UEA TWPGM UE</p> <p>NCC</p>
Enforcement	Power to take steps (accompanied by a	GMCD	AMSP	BCTL	BCO

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
Officer pursuant to section 38 of the Resource Management Act 1991	<p>constable) pursuant to section 328 of the Resource Management Act 1991 when there is a failure to comply with an excessive noise direction</p> <p><i>328 Compliance with an excessive noise direction</i> (1) Every person who is given a direction under section 327 shall immediately comply with the direction. (2) Every person who knows or ought to know that a direction under section 327 has been given in respect of a particular place shall comply with that direction as if he or she were the recipient of it, while on or in the vicinity of that place. (3) If a person against whom an excessive noise direction is made fails to comply immediately with the notice, an enforcement officer (accompanied by a constable), or a constable may enter the place without further notice and— (a) seize and remove from the place; or (b) render inoperable by the removal of any part from; or (c) lock or seal so as to make unusable—any instrument, appliance, vehicle, aircraft, train, or machine that is producing or contributing to the excessive noise. (4) Where a direction under section 327 is unable to be given because there is no person occupying the place from which the sound is being emitted or the occupier of the place cannot reasonably be identified, and there is no other person who appears to be responsible for causing the excessive noise, an enforcement officer (accompanied by a constable) or a constable may enter the place without notice and— (a) seize and remove from the place; or (b) render inoperable by the removal of any part from; or (c) lock or seal so as to make unusable—any instrument, appliance, vehicle, aircraft, train, or machine that is producing or contributing to the excessive noise. (5) Where any enforcement officer or constable enters any place under subsection (4), he or she must leave in that place, in a prominent position,— (a) a copy of the relevant written excessive noise direction issued under section 327; and (b) a written notice stating— (i) the date and time of the entry; (ii) the name of the person in charge of the entry; (iii) the actions taken to ensure compliance with the excessive noise direction; (iv) the address of the office at which inquiries may be made in relation to the entry. (6) Any enforcement officer or constable exercising any power under this section may use such assistance as is reasonable</p>	GMSD	BCM DP PCPM RM	PFPTL TLC TLCE TLP TLRC	<p>BI CE PA COP CP DE ECCPM EHO EOR EPP</p> <p>PRO RES KVSTA MO MALO MEO PP RAE SCSR UEA NCC</p>
Enforcement Officer pursuant to section 38 of the Resource Management	<p>Power of entry (including dwelling house when accompanied by a Constable) pursuant to section 330 of the Resource Management Act 1991</p> <p>These powers shall only be exercised with the approval of the CEO or a group</p>	GMCD GMSD	AMSP BCM DP PCPM RM	BCTL PFPTL TLC TLCE TLP TLRC	BCO BI CE PA COP CP DE

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
Act 1991	<p>manager.</p> <p>330 Emergency works and power to take preventive or remedial action</p> <p>(1) Where—</p> <p>(a) any public work for which any person has financial responsibility; or</p> <p>(b) any natural and physical resource or area for which a local authority or consent authority has jurisdiction under this Act; or</p> <p>(c) any project or work or network utility operation for which any network utility operator is approved as a requiring authority under section 167; or</p> <p>(ca) any service or system that any lifeline utility operates or provides—</p> <p>is, in the opinion of the person, authority, network utility operator, or lifeline utility, affected by or likely to be affected by—</p> <p>(d) an adverse effect on the environment which requires immediate preventive measures; or</p> <p>(e) an adverse effect on the environment which requires immediate remedial measures; or</p> <p>(f) any sudden event causing or likely to cause loss of life, injury, or serious damage to property—</p> <p>the provisions of sections 9, 12, 13, 14, and 15 shall not apply to any activity undertaken by or on behalf of that person, authority, network utility operator, or lifeline utility to remove the cause of, or mitigate any actual or likely adverse effect of, the emergency.</p> <p>(1A) Subsection (1) applies whether or not the adverse effect or sudden event was foreseeable.</p> <p>(2) Where a local authority or consent authority—</p> <p>(a) has financial responsibility for any public work; or</p> <p>(b) has jurisdiction under this Act in respect of any natural and physical resource or area—</p> <p>which is, in the reasonable opinion of that local authority or consent authority, likely to be affected by any of the conditions described in paragraphs (d) to (f) of subsection (1), the local authority or consent authority by its employees or agents may, without prior notice, enter any place (including a dwellinghouse when accompanied by a constable) and may take such action, or direct the occupier to take such action, as is immediately necessary and sufficient to remove the cause of, or mitigate any actual or likely adverse effect of, the emergency.</p>				<p>EHO EOR EPP</p> <p>PRO RES KVSTA MO MALO MEO PP RAE SCSR SWL UEA TWPGM UE</p>
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power of entry (excluding dwelling house) for inspection and collection of samples pursuant to section 332 of the Resource Management Act 1991</p> <p>These powers shall only be exercised with the approval of the CEO or a group manager.</p> <p>332 Power of entry for inspection</p> <p>(1) Any enforcement officer, specifically authorised in writing by any local authority or consent authority to do so, may at all reasonable times go on, into, under, or over any place or structure, except a dwellinghouse, for the purpose of inspection to determine whether or not—</p> <p>(a) this Act, any regulations, a rule of a plan, a resource consent, section 10 (certain existing uses protected), or section 10A (certain existing activities allowed), or section 20A (certain lawful existing activities allowed) is being complied with; or</p> <p>(b) an enforcement order, interim enforcement order, abatement notice, or water shortage direction is being complied with; or</p> <p>(c) any person is contravening a rule in a proposed plan in a manner prohibited by any of sections 9, 12(3), 14(1), 15(2), and 15(2A).</p> <p>(d) [Repealed]</p> <p>(2) For the purposes of subsection (1), an enforcement officer may take samples of water, air, soil, or organic matter.</p> <p>(2A) Where a sample is taken under subsection (2), an</p>	<p>GMCD GMSD</p>	<p>AMSP BCM DP PCPM RM</p>	<p>BCTL PFPTL TLC TLCE TLP TLRC</p>	<p>BCO BI CE PA COP CP DE EHO EOR EPP PRO RES KVSTA MO MALO MEO</p> <p>PP RAE SCSR SWL TWPGM UEA UE</p>

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
	<p>enforcement officer may also take a sample of any substance that the enforcement officer has reasonable cause to suspect is a contaminant of any water, air, soil, or organic matter.</p> <p>(3) Every enforcement officer who exercises any power of entry under this section shall produce for inspection his or her warrant of appointment and written authorisation upon initial entry and in response to any later reasonable request.</p> <p>(4) If the owner or occupier of a place subject to inspection is not present at the time of the inspection, the enforcement officer shall leave in a prominent position at the place or attached to the structure, a written notice showing the date and time of the inspection and the name of the officer carrying out the inspection.</p> <p>(5) An enforcement officer may not enter, unless the permission of the landowner is obtained, any land which any other Act states may not be entered without that permission.</p>				
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power of entry (excluding dwelling house) for surveys, investigations, tests, or measurements pursuant to section 333 of the Resource Management Act 1991</p> <p>333 Power of entry for survey</p> <p>(1) For any purpose connected with the preparation, change, or review of a policy statement or plan, any enforcement officer specifically authorised in writing by any local authority or consent authority to do so, may do all or any of the following:</p> <p>(a) carry out surveys, investigations, tests, or measurements:</p> <p>(b) take samples of any water, air, soil, or vegetation:</p> <p>(c) enter or re-enter land (except a dwellinghouse),— at any reasonable time, with or without such assistance, vehicles, appliances, machinery, and equipment as is reasonably necessary for that purpose.</p> <p>(1A) [Repealed]</p> <p>(2) Reasonable written notice shall be given to the occupier of land to be entered under subsection (1)—(a) that entry on to the land is authorised under this section:</p> <p>(b) of the purpose for which entry is required:</p> <p>(c) how and when entry is to be made.</p>	GMCD GMSD	AMSP BCM DP PCPM	BCTL PFPTL TLC TLCE TLP TLRC	BCO BI CE PA COP CP DE EHO EOR EPP PRO RES KVSTA MO MALO MEO PP RAE SCSR SWL TWPGM UEA UE
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power to execute warrant pursuant to section 335 of the Resource Management Act 1991</p> <p>335 Direction and execution of warrant for entry for search</p> <p>(1) Every warrant under section 334 shall be directed to and executed by—</p> <p>(a) any specified constable; or</p> <p>(b) any specified enforcement officer when accompanied by a constable; or</p> <p>(c) generally, every constable; or</p> <p>(d) generally, every enforcement officer when accompanied by a constable.</p>	GMCD GMSD	AMSP BCM DP PCPM	BCTL PFPTL TLC TLCE TLP TLRC	BCO BI CE PA COP CP DE EHO EOR EPP PRO RES KVSTA MO MALO MEO PP RAE SCSR UEA

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
					TWPGM UE
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power to issue and serve infringement Notices pursuant to section 343C of the Resource Management Act 1991</p> <p>(1) Where an enforcement officer observes a person committing an infringement offence, or has reasonable cause to believe such an offence is being or has been committed by that person, an infringement notice in respect of that offence may be served on that person.</p> <p>(2) Any enforcement officer (not necessarily the officer who issued the notice) may deliver the infringement notice (or a copy of it) to the person alleged to have committed an infringement offence personally or by post addressed to that person's last known place of residence or business; and, in that case, it (or the copy) shall be deemed to have been served on that person when it was posted.</p> <p>(3) Every infringement notice shall be in the prescribed form and shall contain the following particulars:</p> <p>(a) such details of the alleged infringement offence as are sufficient fairly to inform a person of the time, place, and nature of the alleged offence; and</p> <p>(b) the amount of the infringement fee specified for that offence; and</p> <p>(c) the address of the place at which the infringement fee may be paid; and</p> <p>(d) the time within which the infringement fee must be paid; and</p> <p>(e) a summary of the provisions of section 21(10) of the Summary Proceedings Act 1957; and</p> <p>(f) a statement that the person served with the notice has a right to request a hearing; and</p> <p>(g) a statement of what will happen if the person served with the notice neither pays the infringement fee nor requests a hearing; and</p> <p>(h) such other particulars as are prescribed.</p> <p>(4) If an infringement notice has been issued under this section,—</p> <p>(a) a reminder notice must be in the form prescribed under this Act; and</p> <p>(b) proceedings in respect of the offence to which the infringement notice relates may be commenced in accordance with section 21 of the Summary Proceedings Act 1957, and the provisions of that section apply with all necessary modifications.</p>	GMCD GMSD	AMSP BCM DP PCPM	BCTL PFPTL TLC TLCE TLP TLRC	

Building Act 2004	Eteam	Third tier	Fourth tier	Fifth tier
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<p>Authorised Officer pursuant to section 222 of the Building Act 2004;</p>	<p>Power, at all times during normal working hours or while building work is being carried out:</p> <p>(a) to inspect:</p> <p>(i) land on which building work is or is proposed to be carried out; and</p> <p>(ii) building work that has been or is being carried out on or off the building site; and</p> <p>(iii) any building; and</p> <p>(b) to enter premises for:</p> <p>(i) the purpose of inspecting the building; or</p> <p>(ii) the purpose of determining whether the building is dangerous, earthquake prone, or insanitary within the meaning of subpart 6 of the Building Act 2004.</p>	GMCD	BCM DP	BCTL TLCE	<p>BCO BI CE EHO MALO MEO MO BCompO</p> <p><u>BCON</u></p>
<p>Enforcement Officer pursuant to sections 370 and 371B of the Building Act 2004</p>	<p>Power to issue infringement notices under section 371A, 371B and 372 of the Building Act 2004</p> <p><i>372 Issue of infringement notices</i> <i>(1)An infringement notice may be served on a person if an enforcement officer—</i> <i>(a)observes the person committing an infringement offence; or</i> <i>(b)has reasonable cause to believe that an infringement offence is being or has been committed by that person.</i> <i>(2)An infringement notice may be served—</i> <i>(a)by an enforcement officer (not necessarily the person who issued the notice) personally delivering it (or a copy of it) to the person alleged to have committed the infringement offence; or</i> <i>(b)by post addressed to the person's last known place of residence or business.</i> <i>(3)An infringement notice sent to a person under subsection (2)(b) must be treated as having been served on that person when it was posted.</i></p>	GMCD	BCM DP	BCTL TLCE	<p>BCO BI CE EHO MALO MEO MO BCompO</p>

Health Act 1956	Eteam	Third tier	Fourth tier	Fifth tier
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Health Act 1956		Eteam	Third tier	Fourth tier	Fifth tier
Environmental Health Officer pursuant to sections 23 and 28 of the Health Act 1956	<p>Power to carry out all of the functions of an Enforcement officer pursuant to sections 23 and 28 of the Health Act 1956</p> <p><i>23 General powers and duties of local authorities in respect of public health</i> Subject to the provisions of this Act, it shall be the duty of every local authority to improve, promote, and protect public health within its district, and for that purpose every local authority is hereby empowered and directed—</p> <p>(a) to appoint all such environmental health officers and other officers and servants as in its opinion are necessary for the proper discharge of its duties under this Act:</p> <p>(b) to cause inspection of its district to be regularly made for the purpose of ascertaining if any nuisances, or any conditions likely to be injurious to health or offensive, exist in the district:</p> <p>(c) if satisfied that any nuisance, or any condition likely to be injurious to health or offensive, exists in the district, to cause all proper steps to be taken to secure the abatement of the nuisance or the removal of the condition:</p> <p>(d) subject to the direction of the Director-General, to enforce within its district the provisions of all regulations under this Act for the time being in force in that district:</p> <p>(e) to make bylaws under and for the purposes of this Act or any other Act authorising the making of bylaws for the protection of public health:</p> <p>(f) to furnish from time to time to the medical officer of health such reports as to diseases, drinking water, and sanitary conditions within its district as the Director-General or the medical officer of health may require.</p> <p>Section 28 relates to the technical aspects of appointing a health officer.</p>	GMCD	DP	TLCE	<p>CE EHO MALO MEO MO</p> <p>GMPESHD C * EHOHDC*</p> <p>Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</p>

Health Act 1956		Eteam	Third tier	Fourth tier	Fifth tier
	<p>Power to, without further warrant, take a person failing to comply with an inform or neglected persons order and place them in the custody of the Medical Superintendent or manager or other person in charge of such hospital or institution</p> <p><i>126 Infirm and neglected persons</i> (1) If any aged, infirm, incurable, or destitute person is found to be living in insanitary conditions or without proper care or attention, a District Court may, on the application of the medical officer of health, make an order for the committal of that person to any appropriate hospital or institution available for the reception of such persons. (2) An order under this section may be made in respect of any such person who habitually lives in any such conditions as aforesaid, notwithstanding that at the time of the application or of the order he may have been temporarily removed from such conditions or such conditions may have been temporarily remedied. (3) If any person in respect of whom an order is made under this section refuses to comply with that order, any environmental health officer under this Act or any constable may, without further warrant than this section, take that person and place him in the custody of the Medical Superintendent or manager or other person in charge of such hospital or institution as aforesaid, who shall have authority to detain him pursuant to the order of committal.</p>				
	<p>Power to abate nuisance without notice pursuant to section 34 of the Health Act 1956</p> <p><i>34 Power to abate nuisance without notice</i> (1) Where by reason of the existence of a nuisance on any premises within the district of any local authority immediate action for the abatement of the nuisance is necessary in the opinion of the engineer or environmental health officer of the local authority, the engineer or environmental health officer, with such assistants as may be necessary, and without notice to the occupier, may enter on the premises and abate the nuisance. (2) All expenses incurred in the abatement of a nuisance under this section shall be recoverable from the owner or the occupier of the premises in respect of which they are incurred, as a debt due to the local authority.</p>				

Health Act 1956		Eteam	Third tier	Fourth tier	Fifth tier
	<p>Power to disinfect premises and destroy infected articles pursuant to sections 81 and 83 of the Health Act 1956</p> <p><i>81 Power of local authority to disinfect premises Where the local authority is of opinion that the cleansing or disinfection of any premises or of any article is necessary for preventing the spread or limiting or eradicating the infection of any infectious disease, the local authority may authorise any environmental health officer, with or without assistants, to enter on the premises and to carry out such cleansing and disinfection.</i></p> <p><i>83 Infected articles may be destroyed Where any article dealt with by a local authority or any environmental health officer under section 81 or section 82 is of such a nature that it cannot be effectively disinfected, the local authority or environmental health officer may cause the article to be destroyed.</i></p>				
	<p>Power to require a person to state their name and address pursuant to section 134 of the Health Act 1956</p>				
Authorised Officer pursuant to sections 42, 45 and 128 of the Health Act 1956	<p>Power to carry out the functions of an Authorised Officer to require repairs, issue and determine a closing order pursuant to sections 42 and 45 of the Health Act 1956</p> <p><i>A Local authority may require repairs and issue closing order for any dwellinghouse within that district is, by reason of its situation or insanitary condition, likely to cause injury to the health of any persons therein, or otherwise unfit for human habitation.</i></p>				
	<p>Power to at all reasonable times enter any dwelling house, building, land, ship, or other premises and inspect the same, and may execute thereon any works authorised under or pursuant the Health Act 1956 pursuant to section 128 of the Health Act 1956</p> <p><u>These powers shall only be exercised with the approval of the CEO or a group manager.</u></p> <p><i>128 Power of entry and inspection For the purposes of this Act any medical officer of health, or any health protection officer, or any other person authorised in writing in that behalf by the medical officer of health or by any local authority, may at all reasonable times enter any dwellinghouse, building, land, ship, or other premises and inspect the same, and may execute thereon any works authorised under or pursuant to this Act.</i></p>				

Food Act 2014		Eteam	Third tier	Fourth tier	Fifth tier
Food Safety Officer and Authorised Officer pursuant to the Food Act 2014	Power to carry out all of the functions and duties of Matamata-Piako District Council pursuant to sections 173 and 174 of the Food Act 2014				<p>EHO</p> <p>EHOHDC* GMPESHDC*</p> <p>Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</p>
<p>173 Functions of territorial authority <i>(1) A territorial authority has the following functions:</i> <i>(a) to perform the function of a registration authority:</i> <i>(b) to manage and train its staff to carry out functions and activities in relation to this Act:</i> <i>(c) to manage verification functions (including acting as a recognised agency) in relation to certain food control plans and national programmes, and as otherwise provided for under this Act:</i> <i>(d) to investigate non-compliance and complaints regarding the safety and suitability of food in relation to food control plans or, as the case may be, food businesses subject to national programmes registered by the territorial authority, or to investigate any other matters:</i> <i>(e) to instigate appropriate corrective and preventative actions for matters described in paragraph (d):</i> <i>(f) to enable its food safety officers to enforce the applicable requirements of this Act:</i> <i>(g) to respond to recalls and to respond in an emergency situation:</i> <i>(h) to disseminate information and provide advice promoting the safety and suitability of food to food businesses and the public:</i> <i>(i) to perform administrative functions relating to this Act, including—</i> <i>(i) gathering information:</i> <i>(ii) receiving applications for registration of food control plans and of food businesses subject to national programmes:</i> <i>(iii) transferring information to the Ministry:</i> <i>(iv) if requested under section 184(1)(b), reporting to the chief executive:</i> <i>(j) in relation to its district, to carry out monitoring and information-gathering activities for the purpose of ascertaining compliance with the applicable requirements of this Act:</i> <i>(k) to perform any other function relevant to its role.</i> <i>(2) A territorial authority may, by written agreement, combine with 1 or more other territorial authorities for the purpose of performing the function of a registration authority referred to in subsection (1)(a) in the combined district of the territorial authorities that are parties to the agreement.</i> <i>(3) If 2 or more territorial authorities have combined under subsection (2), they may designate any of them as the territorial authority responsible for performing the function of a registration authority for the combined district.</i> <i>(4) A territorial authority may not contract out any of the following functions, except to another territorial authority:</i> <i>(a) the function of a recognised agency; and</i> <i>(b) any of the functions referred to in subsection (1)(a) and (d) to (h).</i> <i>(5) A territorial authority may not contract out the function referred to in subsection (1)(c) to a person who is not recognised to carry out that function under this Act.</i> <i>(6) If a territorial authority contracts out 1 or more of its functions, it continues to have responsibility for that function.</i></p>					
<p>174 Duties of territorial authority <i>A territorial authority must—</i> <i>(a) take all reasonable steps to ensure it has adequate resources and capability to carry out its role, functions, and duties and to exercise its powers under this Act:</i> <i>(b) take all reasonable steps to ensure its functions, duties, and powers under this Act are managed, performed, and exercised in accordance with any relevant national outcomes issued under section 175:</i> <i>(c) take all reasonable steps to ensure that relevant persons who are employed or engaged by the territorial authority are able to carry out their functions and activities under this Act, including verification, investigation, and enforcement activities:</i> <i>(d) take all reasonable steps to ensure that relevant persons who are employed or engaged by the territorial authority for the purposes of this Act maintain their competencies:</i> <i>(e) take all reasonable steps to ensure that any person who is employed, engaged, or used by the territorial authority is not placed in a situation that compromises his or her impartiality or independence in relation to the performance of his or her functions or activities under this Act:</i> <i>(f) monitor its performance of its functions and duties and its exercise of its powers under this Act and provide written reports on these matters to the chief executive annually or at intervals specified in a notice under section 405 (which reports must include any details specified in the notice under that section):</i> <i>(g) provide capability to respond as required in an emergency situation:</i> <i>(h) if it is being reviewed under section 185, facilitate the conduct of the review and provide any information required under section 189 by the person conducting the review:</i> <i>(i) carry out any other function, duty, or direction imposed or given by or under this Act.</i></p>					

Sale and Supply of Alcohol Act 2012		Eteam	Third tier	Fourth tier	Fifth tier
Inspector pursuant to section 197 of the Sale and Supply of Alcohol Act 2012 with all of the functions, powers, and duties conferred on them by or under the Sale and Supply of Alcohol Act 2012	Power to monitor licensees' compliance with the Sale and Supply of Alcohol Act 2012		DP	TLCE	CE MALO MEO MO
	Power to issue infringement notices pursuant to section 262 of the Sale and Supply of Alcohol Act 2012				
	<p><i>262 Infringement notices</i></p> <p>(1) If a constable observes a person committing an infringement offence, or an inspector observes a person committing a specified infringement offence, or he or she has reasonable cause to believe that such an offence is being or has been committed by that person, an infringement notice in respect of that offence may be served on that person.</p> <p>(2) Any constable or inspector (not necessarily the person who issued the notice) may deliver the infringement notice (or a copy of it) to the person alleged to have committed an infringement offence personally or by post addressed to that person's last known place of residence.</p> <p>Power to enter licensed premises pursuant to section 267 of the Sale and Supply of Alcohol Act 2012</p> <p><i>267 Powers of entry on licensed premises</i></p> <p>(1) A constable or an inspector may at any reasonable time enter and inspect any licensed premises, or any part of any licensed premises, to ascertain whether the licensee is complying with the provisions of this Act and the conditions of the licence.</p> <p>(2) A constable or an inspector may at any time enter and inspect any licensed premises when he or she has reasonable grounds to believe that any offence against this Act is being committed on those licensed premises.</p> <p>(3) For the purposes of exercising the power conferred by this section, a constable or an inspector may—</p> <p>(a) require the production of any licence, or any book, notice, record, list, or other document that is required by this Act to be kept, and examine and make copies of it; and</p> <p>(b) require the licensee or manager to provide any information or assistance reasonably required by a constable or an inspector relating to any matter within the duties of the licensee or manager.</p>				
Inspector pursuant to section 197 of the Sale and Supply of Alcohol Act 2012 with all of the functions, powers, and duties conferred on them by or under the Sale	<p>Power to seize samples of alcohol from any licensed premises pursuant to section 268 of the Sale and Supply of Alcohol Act 2012</p> <p><i>268 Power to seize samples of alcohol</i></p> <p>(1) This section applies where a constable or inspector has entered and is conducting an inspection of any licensed premises under section 267.</p> <p>(2) If a constable or an inspector has reasonable cause to suspect that any person on the premises has committed, is committing, or is attempting to commit any offence against this Act, he or she may seize, without warrant, for the purpose of analysis, any liquid (including the container holding the liquid) in the possession of that person that is suspected of being alcohol.</p>	GMCD	DP	TLCE	CE MALO MEO MO

Sale and Supply of Alcohol Act 2012		Eteam	Third tier	Fourth tier	Fifth tier
and Supply of Alcohol Act 2012	Power to give notice in writing give to the appropriate territorial authority details of the respects in which a building or site work is believed not to comply with the Sale and Supply of Alcohol Act 2012 pursuant to section 279 of the Sale and Supply of Alcohol Act 2012				
	Power to apply to the licensing authority for the Variation, suspension, or cancellation of licences other than special licences pursuant to section 280 of the Sale and Supply of Alcohol Act 2012				
Chief Licensing Inspector pursuant to section 197 of the Sale and Supply of Alcohol Act 2012 with all of the functions, powers, and duties conferred on them by or under the Sale and Supply of Alcohol Act 2012	Power to seize samples of alcohol from any licensed premises pursuant to section 268 of the Sale and Supply of Alcohol Act 2012			TLCE	EHO
	Power to give notice in writing give to the appropriate territorial authority details of the respects in which a building or site work is believed not to comply with the Sale and Supply of Alcohol Act 2012 pursuant to section 279 of the Sale and Supply of Alcohol Act 2012				
	Power to apply to the licensing authority for the Variation, suspension, or cancellation of licences other than special licences pursuant to section 280 of the Sale and Supply of Alcohol Act 2012				
Secretary of MPDC licensing committee pursuant to section 198 of the Sale and Supply of Alcohol Act 2012	Power to carry out all of the functions and duties of a licensing committee secretary pursuant to section 198 of the Sale and Supply of Alcohol Act 2012	GMCD or in absence of above delegate to GMBS or GMSD			

Litter Act 1979		Eteam	Third tier	Fourth tier	Fifth tier
Litter Control Officer pursuant to section 5 of the Litter Act 1979	<p>Power to enforce the provisions of the Litter Act 1979 as a Litter Control Officer pursuant to section 7 of the Litter Control Act 1979</p> <p><i>7 Powers and duties of Officers</i> (1) Every Officer appointed by a public authority who is for the time being in possession of his or her warrant of appointment, and every other Officer who is in possession of a warrant or other evidence of that Officer's authority to act as such, is authorised to enforce the provisions of this Act and may, without further authority than this section, summarily intervene to prevent any of the following: (a) the deposit or attempted deposit of litter in any public place in which the Officer is authorised to act; (b) the deposit or attempted deposit of litter from any such public place onto private land, if the Officer has good reason to believe the deposit or attempted deposit has been or is being made without the consent of the occupier of that private land; (c) the wilful damage or attempted wilful damage of any litter receptacle in any such public place. (2) Where any such Officer finds a person depositing litter (whether inadvertently or otherwise) in a public place in which he is authorised to act or from any such public place onto private land without the consent of the occupier of that private land, or has good cause to believe that a person has deposited litter (whether inadvertently or otherwise) in or onto any such place or land, the Officer may require that person to remove the litter from that place or land and to dispose of it in such a manner as the Officer may direct or as will not contravene the provisions of this Act. (3) Where any such Officer has reasonable cause to believe litter has been deposited from any motor vehicle or trailer he may require the user or owner of the motor vehicle or trailer, on that motor vehicle or trailer being stationary, to give his name and place of residence and also the name and place of residence of any other person or persons whom the Officer has reason to believe deposited litter from that motor vehicle or trailer, and the user or owner of the motor vehicle or trailer shall on such demand give the information requested. (4) An Officer may, if permitted or requested to do so by the occupier of any private land, enter that land if so required for the discharge of his duty.</p>	GMCD GMSD	AMSP DP PCPM KVSM	TLC TLCE TLP PROM	CE PA COP DE EA ECCPM EHO EOR PFPTL PRO RES RO KVSTA MALO MEO MO PMS RAE SCSR SWL UEA UE
	<p>Power to require occupier of private land to clear litter pursuant to section 10 of the Litter Control Act 1979</p> <p><i>10 Territorial authority may require occupier of private land to clear litter</i> (1) Any territorial authority may serve or cause a Litter Control Officer appointed by it to serve, on its behalf, on the occupier of any private land or any land vested in or controlled by the Crown or any local authority (within the meaning of section 5(1) of the Local Government Act 2002) a notice in writing requiring the occupier, to the satisfaction of an Officer,— (a) to clear away, or remove, from the land; or (b) to clean up; or (c) to screen, cover, or otherwise obscure from view—such litter as may be specified in the notice within 14 days or such further time as may be so specified, being litter which, in the opinion of the territorial authority, tends to grossly deface or to defile the area in which the private land is sited.</p>				

Litter Act 1979		Eteam	Third tier	Fourth tier	Fifth tier
	<p>Power to issue infringement notices pursuant to section 14 of the Litter Control Act 1979</p> <p><i>14 Infringement notices</i> (1)Where a Litter Control Officer observes a person committing an infringement offence or has reasonable cause to believe such an offence is being or has just been committed by that person, an infringement notice in respect of that offence may be issued to that person by that Officer.</p>				

Hazardous Substances and New Organisms Act 1996		Eteam	Third tier	Fourth tier	Fifth tier
<p>Enforcement Officer and District Hazardous Substances Officer pursuant to sections 98 and 100 of the Hazardous Substances and New Organisms Act 1996</p>	<p>Power to undertake the functions of a Enforcement Officer and District Hazardous Substances Officer pursuant to the Hazardous Substances and New Organisms Act 1996</p> <p><i>The purpose of this Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms.</i></p>	GMCD	DP	TLCE	<p>CE EHO MALO MEO MO</p> <p>GMPESH DC * EHOHDC *</p> <p>Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</p>

Reserves Act 1977		Eteam	Third tier	Fourth tier	Fifth tier
<p>Ranger pursuant to section 8 of the Reserves Act 1977</p>	<p>Power to instruct persons to stop committing an offence pursuant to section 93 of the Reserves Act 1977</p> <p><i>93 Powers of constables, rangers, and other officers</i> (1)Any officer may summarily interfere to prevent any actual or attempted breach of this Act or of any regulation or bylaw thereunder, and he or she may require any person found offending to desist from the offence. If any person when so required continues the offence, he or she commits a further offence against this Act.</p>	GMCD	AMSP DP PCPM KVSM	PROM TLCE	<p>CE PA COP EHO EOR PFPTL PRO RES MALO MEO</p>

Reserves Act 1977		Eteam	Third tier	Fourth tier	Fifth tier
	<p>Power to instruct persons to provide certain information pursuant to sections 93 and 102 of the Reserves Act 1977</p> <p><i>93 Powers of constables, rangers, and other officers</i> (2) It shall be lawful for an officer to require any person found offending against this Act or any regulation or bylaw made under this Act to disclose his or her true first name, surname, and place of abode</p> <p><i>102 Evidence of offences</i> (2) If within a reserve or in its vicinity any person is found in possession of any wood, tree, shrub, fern, plant, stone, mineral, bird, egg, nest, animal, taonga tūturu, relic, or any part of any such thing, and, upon being thereunto required by any constable or ranger or any employee of the Crown or of any administering body employed in the reserve or by any ranger appointed under the Wildlife Act 1953, fails or refuses to give a satisfactory account of the manner in which he or she became possessed of the same, he or she shall be deemed to have wilfully removed or taken the same in breach of this Act, unless he or she satisfies the court to the contrary.</p>				MO RAE
	<p>Power to stop and search boats pursuant to sections 100 of the Reserves Act 1977</p> <p><i>100 Stopping and searching of boats</i> (1) Any officer who has good cause to suspect that an offence against this Act or any regulations made under section 123 or any bylaw made under section 106 has been committed on or from or in respect of any boat or by any person on any boat, he or she may, while that boat is within the territorial sea of New Zealand (as defined in section 3 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977),— (a) stop, board, and search the boat; and (b) inspect, seize, and detain any specimens of flora or fauna or rock mineral or soil or protected New Zealand objects on board which he or she has good cause to suspect of having been taken from a reserve; and (c) arrest without warrant any person whom he or she has good cause to suspect of having committed such an offence.</p>				
	<p>Power to remove and dispose of vehicles and boats pursuant to section 110 of the Reserves Act 1977</p> <p><i>110 Removal and disposal of vehicles and boats</i> (1) Any ranger, any person employed by the administering body of any reserve, or, in the case of a reserve that is not under the management and control of an administering body, any officer of the Department who has reason to believe that any vehicle or boat has been abandoned in a reserve may remove it or cause it to be removed to any place authorised for that purpose by the administering body or, as the case may be, by the Commissioner.</p>				

Reserves Act 1977		Eteam	Third tier	Fourth tier	Fifth tier
	<p>Power to seize property pursuant to section 95 of the Reserves Act 1977</p> <p><i>95Seizure and forfeiture of property</i> (1)Any animal or bird or the nest or egg of any bird or the body of any animal or bird, or any part thereof, or anything specified in section 94(1)(f), or any boundary mark, sign, or poster, found in the possession of any person in a reserve may be seized by any officer as defined in section 93(5), if he or she has good cause to suspect that that person in obtaining possession thereof has committed an offence against this Act.</p>				

Dog Control Act 1996		Eteam	Third tier	Fourth tier	Fifth tier
Dog Control Officer pursuant to section 11 of the Dog Control Act 1996	<p>Power to enter on to land or premises pursuant to section 14 of the Dog Control Act 1996</p> <p><i>14 Power of entry</i> (1)Where any dog control officer has good cause to suspect that an offence against this Act or against any bylaw made under this Act is being committed on any land or premises, the dog control officer, and all persons he or she calls to his or her assistance, may enter at any reasonable time onto the land or premises— (a)to inspect any dog for the time being appearing to be kept on that land or premises or to inspect the conditions in which any such dog is kept; and (b)if authorised under any other provision of this Act, to seize or take custody of any dog on the land or premises. (2)Where any dog control officer has good cause to suspect that an offence against this Act or against any bylaw made under this Act has, at any time in the preceding 6 months, been committed in respect of any dog for the time being appearing to be kept on any land or premises, the dog control officer, and all persons he or she calls to his or her assistance, may enter at any reasonable time onto the land or premises— (a)to inspect any dog on the land or premises; and (b)if authorised under any other provision of this Act, to seize or take custody of any dog on the land or premises. (3)Nothing in this section shall authorise any dog control officer to enter any dwellinghouse unless— (a)the entry is authorised by a warrant given by an issuing officer (within the meaning of section 3 of the Search and Surveillance Act 2012) on application by a dog control officer in the manner provided in subpart 3 of Part 4 of the Search and Surveillance Act 2012; and (b)he or she is accompanied by a constable.</p>	GMCD		ACM	ACO ACSC

Dog Control Act 1996		Eteam	Third tier	Fourth tier	Fifth tier
	<p>Power to request information pursuant to sections 19 and 19A of the Dog Control Act 1996</p> <p><i>19 Power of constable, dog control officer, or dog ranger to request information about owner</i> (1)A constable, dog control officer, or dog ranger may, for the purposes of this Act, request the following persons to state his or her full name, date of birth, address, telephone contact number, and place of work (if applicable): (a)any person appearing to be in charge of a dog; or (b)any person appearing to be the occupier of any land or premises on which a dog for the time being is being kept. (1A)If a person referred to in subsection (1)(a) or (b) claims not to be the owner of the dog, the person must state the name, address, and place of work of the owner of the dog (if known).</p> <p><i>19A Power of constable, dog control officer, or dog ranger to request information about dog</i> (1)A constable, dog control officer, or dog ranger may, for the purposes of this Act, request the owner of a dog to state the name, gender, and a description of the dog.</p>				
Dog Ranger pursuant to section 12 of the Dog Control Act 1996	<p>Power to issue infringement notices pursuant to section 66 of the Dog Control Act 1996</p> <p><i>66 Infringement notices</i> (1)Where a dog control officer or dog ranger has reasonable cause to believe that any person has committed an infringement offence under this Act, an infringement notice may be issued to that owner by the dog control officer or dog ranger or by any person so authorised by the territorial authority.</p>				ACO
	<p>Power to seize and impound dogs pursuant to the Dog Control Act 1996</p> <p><i>Under section 57 and 59 of the Dog Control Act 1996, dog ranges have the ability to seize dogs if they are attacking persons or animals or are at large and is an immediate disturbance or threat to any protected wildlife</i></p>				ACO ACSC

Impounding Act 1955		Eteam	Third tier	Fourth tier	Fifth tier
Pound keeper and Ranger pursuant to section 8 of the Impounding Act 1955	<p>Power to impound stock pursuant to the Impounding Act 1955</p> <p><i>The Impounding Act 1955 provides for local authorities to impound stock, operate a pound for stock and to auction uncollected stock, as well as charge fees for doing so.</i></p>	GMCD		ACM	ACO ACSC

Waste Minimisation Act 2008		Eteam	Third tier	Fourth tier	Fifth tier
Enforcement Officer pursuant to section 76 of the Waste Minimisation Act 2008	Power to ensure compliance with any regulations made under section 23(1)(a) of the Waste Minimisation Act 2008			TLC	SSSWCM SWL
	Power to ensure compliance with any bylaw made under section 56 of the Waste Minimisation Act 2008 <i>The bylaw in relation to this section is the MPDC Solid Waste Bylaw</i>				
	Power to inspect property and obtain information (except a marae or dwelling house unless consent or a warrant is obtained) pursuant to sections 79 and 80 of the Waste Minimisation Act 2008 <u>These powers shall only be exercised with the approval of the CEO or a group manager.</u> <i>79 Power to inspect property and obtain information (1)An enforcement officer may, if he or she believes on reasonable grounds that an offence against this Act or a bylaw made under section 56 has been or is being committed,— (a)enter any land, building, or place at any reasonable time: (b)inspect and examine any property and any books, accounts, records, or documents (including records or documents held in electronic or any other form): (c)require any person to produce any books, accounts, records, or documents (including records or documents held in electronic or any other form) in that person's possession or under that person's control, and allow copies of or extracts from those books, accounts, records, or documents to be made or taken. (2)Before exercising the power in subsection (1)(a), the officer must, if practicable, give reasonable notice to the occupier of the land, building, or place of the intention to exercise the power, unless the giving of notice would defeat the purpose of the entry. 80 Consent or warrant required to inspect dwellinghouse or marae (1)An enforcement officer may not exercise the power of entry under section 79(1)(a) in relation to a dwellinghouse or marae— (a)except with the consent of the occupier of the dwellinghouse or marae; or (b)unless— (i)authorised to do so by a warrant issued under subsection (2); and (ii)when exercising the power, the enforcement officer is accompanied by a constable.</i>				

Waste Minimisation Act 2008		Eteam	Third tier	Fourth tier	Fifth tier
	<p>Power to seize property not on private land pursuant to section 81 of the Waste Minimisation Act 2008</p> <p><i>81 Seizure of property not on private land</i> (1) An enforcement officer may seize and impound property that is not on private land if— (a) the property is materially involved in the commission of an offence; and (b) it is reasonable in the circumstances to seize and impound the property; and (c) the property is in possession of a person at the time the officer proposes to seize and impound it, and before seizing and impounding it, the officer— (i) directs (orally or in writing) the person committing the offence to stop committing the offence; and (ii) advises (orally or in writing) the person committing the offence that, if he or she does not stop committing the offence, the enforcement officer has the power to seize and impound the property; and (iii) provides the person with a reasonable opportunity to stop committing the offence. (2) As soon as practicable after seizing and impounding property, an enforcement officer must give notice— (a) to the person in possession of the property at the time it was seized and impounded; or (b) to any person who the enforcement officer can ascertain is the owner of, or has an interest in, the property, if paragraph (a) does not apply.</p>				
	<p>Power to seize property from private land (on issue of a warrant from an issuing officer within the meaning of section 3 of the Search and Surveillance Act 2012) pursuant to section 82 of the Waste Minimisation Act 2008</p> <p><u>These powers shall only be exercised with the approval of the CEO or a group manager.</u></p> <p><i>82 Seizure of property from private land</i> (1) An issuing officer (within the meaning of section 3 of the Search and Surveillance Act 2012) may issue a warrant authorising an enforcement officer to enter private land and seize and impound property materially involved in the commission of an offence. (2) A warrant may be issued only if— (a) the application for it is made in the manner provided for an application for a search warrant in subpart 3 of Part 4 of the Search and Surveillance Act 2012; and (b) the issuing officer is satisfied that— (i) the property is materially involved in the commission of an offence; and (ii) it is reasonable in the circumstances for the property to be seized; and (iii) the enforcement officer has— (A) directed the person committing the offence to stop committing the offence; and (B) advised the person that, if he or she fails to do so, the officer intends to apply for a warrant; and (C) given the person committing the offence a reasonable opportunity to stop committing the offence.</p>				

Burial and Cremations Act 1964		Eteam	Third tier	Fourth tier	Fifth tier
Authorised Officer pursuant to section 19 of the Burial and Cremations Act 1964	<p>Power to carry out all of the functions and duties of an Authorised Officer pursuant to the Burial and Cremations Act 1964</p> <p><i>The purpose of the Burial and Cremations Act 1964 is to provide for the establishment, maintenance and regulation of cemeteries by Councils. This includes, provision of cemeteries, ensuring they are open to the public, naming and general management of cemeteries, erection of monuments etc.</i></p>		CSM KVSM	CSS PROM	CSA

Health and Safety at Work Act 2015		Eteam	Third tier	Fourth tier	Fifth tier
Authorised Health and Safety Officer	<p>Power to undertake all the duties and functions of a person conducting a business or undertaking under the Health and Safety at Work Act 2015</p> <p><i>Purpose</i> (1)The main purpose of this Act is to provide for a balanced framework to secure the health and safety of workers and workplaces by— (a)protecting workers and other persons against harm to their health, safety, and welfare by eliminating or minimising risks arising from work or from prescribed high-risk plant; and (b)providing for fair and effective workplace representation, consultation, co-operation, and resolution of issues in relation to work health and safety; and (c)encouraging unions and employer organisations to take a constructive role in promoting improvements in work health and safety practices, and assisting PCBUs and workers to achieve a healthier and safer working environment; and (d)promoting the provision of advice, information, education, and training in relation to work health and safety; and (e)securing compliance with this Act through effective and appropriate compliance and enforcement measures; and (f)ensuring appropriate scrutiny and review of actions taken by persons performing functions or exercising powers under this Act; and (g)providing a framework for continuous improvement and progressively higher standards of work health and safety.</p>		PSWM		SWTL

Public Amenities Bylaw 2008		Eteam	Third tier	Fourth tier	Fifth tier
Cemetery Manager pursuant to Matamata-Piako District Council Public Amenities Bylaw 2008	Power to carry out all of the functions and duties of a Cemetery Manager pursuant to Matamata-Piako District Council Public Amenities Bylaw 2008			PROM	

Statutory delegations

These are delegations of powers, duties and responsibilities to facilitate the effective and efficient conduct of the Council's statutory responsibilities. Examples of the types of delegations that will be made under this category are:

- Specific obligations under legislation
- Consideration and granting of licenses and consents,
- Monitoring, compliance and enforcement of statutes, regulations and bylaws,
- Administration of regulatory and bylaw matters.

The following statutory delegations have been approved by Council. The delegations are set out in more detail in the following pages. Highlighted delegations denote matters where there is a higher risk associated with the decision making authority.

In adopting the statutory delegations Council has also resolved the following matters:

- all previous delegations under the relevant legislation are revoked
- where any currently adopted delegations to Council staff refer to a position title and the name of the position title has subsequently changed without substantial changes being made to the position holder's job description (in respect of the function to which the delegation relates), that any current delegations in the name of the previous position title are and shall be effective for the position holder of the new position title.

Legislation	Adopted On 9 November 2016	
Airport Authorities Act 1966	44	Amended November 2020
Building Act 2004	45	
Civil Defence Emergency Management Act 2002	50	
Dog Control Act 1996	51	
Fencing Act 1978	54	
Food Act 2014	55	
Gambling Act 2003	58	
Health and Safety at Work Act 2015	59	
Impounding Act 1955	60	
Local Authorities (Members' Interests) Act 1968	61	
Local Electoral Act 2001	62	
Local Government Official Information and Meetings Act 1987	63	
Local Government (Rating) Act 2002	65	
Local Government Act 2002	67	
Local Government Act 1974	69	
Privacy Act 1993	72	
Property Law Act 2007 in Respect of Council Land	74	
Public Records Act 2005	76	
Public Works Act 1981	77	
Reserves Act 1977	80	
Reserves Act 1977- Ministerial Delegations	83	
Residential Tenancies Act 1986	92	
Resource Management Act 1991	96	
Sale and Supply of Alcohol Act 2012 (inclusive CEO Delegations) & Sale and Supply of Alcohol (Fees) Regulations 2013	99	

Transport (Vehicular Traffic Road Closure) Regulations 1965	106	
Trespass Act 1980	107	

Delegations – Airport Authorities Act 1966

Any local authority, with the prior consent of, and in accordance with any conditions prescribed by, the Governor-General by Order in Council, may establish, improve, maintain, operate, or manage airports (including the approaches, buildings, and other accommodation, and equipment and appurtenances for any such airports) and may acquire land for any such purpose either within or without its district or region. Any local authority empowered to carry out any undertaking under this section may carry on or cause to be carried on in connection therewith any subsidiary business or undertaking. The Matamata-Piako District Council delegates the following powers:

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
CFOM	Community Facilities Operations Manager
Fifth tier	
PSO	Property Services Officer

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
4	Power to improve, maintain, operate, or manage an airport, whether or not the airport was established under this Act in accordance with Council's Reserve management Plans or other Council resolution.	CEO GMBS GMCD GMSD	CFOM		PSO
6	Power to grant a lease of all or any part of any land, buildings, or installations vested in the airport authority for any purpose that will not interfere with the safe and efficient operation of the airport.	CEO GMBS GMCD GMSD	CFOM		PSO

Delegations – Building Act 2004

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMCD	Group Manager Community Development
Third tier	
BCM	Building Control Manager
CSM	Customer Services Manager
DP	District Planner
Fourth tier	
BCTL	Building Control Team Leader
CSS	Customer Services Supervisor
TLRC	Team Lead Resource Consents
Fifth tier	
ASO	Assets Systems Officer
BCAO	Building Control Administration Officer
BCompO	Building Compliance Officer
BCO	Building Control Officer (inclusive graduate)
BCOS	Building Control Officer Senior
CP	Consent Planner (inclusive of graduate & intermediate)
CSA	Customer Services Advisor (inclusive of Senior)
CSAA	Customer Services Administration Advisor
LC	Legal Counsel
MALO	Monitoring & Alcohol Licensing Officer
MEO	Monitoring & Engineering Officer
MO	Monitoring Officer
RO	Receiving Officer
Contractors	
CON	Contractors

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
19	Power to establish compliance with the building code		BCM	BCTL	BCO BCOS CON
28	Power to not grant a Building Consent or issue a CCC in cases involving bans under section 26		BCM	BCTL	BCO BCOS
31	Power to apply for a project information memorandum		BCM	BCTL	BCO BCOS CON

33	Power to require information in relation to an application for a project information memorandum.		BCM CSM	BCTL CSS	BCAO BCO BCOS CON CSA CSAA
34 and 35	Power to issue project information memorandum.		BCM CSM	BCTL CSS	BCAO BCO BCOS CSA CSAA
36	Power to issue a development contribution notice ¹⁰²	CEO GMCD	BCM CSM	BCTL CSS	ASO BCAO BCO BCOS CSA CSAA
37	Power to issue a certificate restricting building work until issue of resource consent		BCM CSM DP	BCTL CSS TLRC	BCAO BCO BCOS CP CSA CSAA
45	Power to refuse building consent applications without required documentation and requirements		BCM	BCTL	BCO BCOS BCAO CON RO
45A	Power to grant or refuse minor variations to building consents		BCM	BCTL	BCO BCOS
46(3)	Powers to provide a copy of certain applications to Fire and Emergency New Zealand		BCM	BCTL	
47(3)	Power to proceed with application without the memorandum from Fire and Emergency New Zealand as specified in subsection (1)		BCM	BCTL	
48(1) 49 and 50	Power to grant or refuse an application for building consent		BCM	BCTL	BCO BCOS
48(2)	Power to require further reasonable information in respect of a building consent application, and to suspend the time limit until such further reasonable information is received.		BCM	BCTL	BCO BCOS CON
51	Power to issue Building Consent		BCM	BCTL	BCO BCOS CSM CSS CSA CSAA
51(3)	Power to grant building consent without section 51(1)(b) or (ba) information.		BCM	BCTL	BCO BCOS
52	Power to allow extension of period after lapse of building consent.	CEO GMCD	BCM	BCTL	BCO BCOS

53(2)(b)	Power to receive building levy		BCM	BCTL	BCO BCOS BCAO CSA CSAA RO
54	Power to advise the building consent applicant of the amount of their levy.	CEO GMCD	BCM CSM	BCTL CSS	BCAO BCO BCOS CSA CSAA
58	Power to pay levy to the territorial authority at the same time that it provides, under section 238(2)(d), copies of information about the collection of that levy.		BCM	BCTL	BCO BCOS BCAO CSA CSAA RO
59	Power to pay the Chief Executive of the Ministry Business Innovation and Employment all applicable levies and issue relevant certificates.	CEO GMCD	BCM	BCTL	BCAO BCO BCOS
60	Power to retain part of levy	CEO GMCD			
62	Power to recover unpaid levy from applicant for building consent	CEO GMCD			
63	Power to request that information provided to Chief Executive be treated as confidential.	CEO GMCD	BCM		
67	Power to grant building consent subject to waiver or modifications of the building code.		BCM	BCTL	BCO BCOS
71, and 72 and 73	Power to grant building consent on land subject to natural hazards.		BCM	BCTL	BCO BCOS
73	<u>Power to notify the Registrar-General of Land or appropriate Minister and the Surveyor-General; or in the case of an application made by, or on behalf of, the owners of Māori land, the Registrar of the Māori Land Court;</u>		<u>BCM</u>	<u>BCTL</u>	
74	Power to determine if a previous entry is no longer required and duty to notify where a previous entry is no longer required.	CEO GMCD	BCM		
75 and 77	Power to place conditions on the construction of a building on two or more allotments.	CEO GMCD	BCM	BCTL	BCO BCOS
83	Power to approve or decline an application to have an entry under section 78 removed.	CEO GMCD	BCM	BCTL	BCO BCOS
90	Power to inspect, land, building work or any building to ensure they comply and/or are being carried out in accordance with a building consent.		BCM	BCTL	BCO BCOS <u>CON</u>
91	Power to issue code compliance certificate <u>includes</u> where Council did not grant the consent and where appropriate persons agree.		BCM	BCTL	BCO BCOS

93, 94, and 95	Power to issue or refuse to issue code compliance certificate		BCM	BCTL	BCO BCOS
93(4)	Power to require further reasonable information in respect of the application for a code compliance certificate		BCM	BCTL	BCO BCOS
95A	Power to refuse to issue a code compliance certificate		BCM	BCTL	BCOS
96, 98	Power to issue certificate of acceptance		BCM	BCTL	BCO BCOS
98(2)	Power to require further reasonable information in respect of an application for certificate of acceptance		BCM	BCTL	BCO BCOS
99	Power to qualify the scope of a certificate of acceptance to the extent that Council was able to inspect the building work.		BCM	BCTL	BCO BCOS
102	Power to issue compliance schedule		BCM	BCTL	BCO BCOS
103	Power to authorise contents of a compliance schedule		BCM	BCTL	BCO BCOS
104	Power to notify the issuing of a compliance schedule		BCM	BCTL	BCO BCOS
106, 107	Power to review and amend compliance schedule		BCM	BCTL	BCO BCOS
109	Power to accept or refuse recommendation to amend compliance schedule		BCM	BCTL	BCO BCOS
110	Power to require reports relating to a compliance schedule		BCM	BCTL	BCO BCOS
111	Power to authorise an agent to inspect a building for which a compliance schedule has been issued and to issue a warrant accordingly; and the power to revoke such authorisation and warrant.	CEO			
112	Power to grant building consent for the alteration of an existing building.		BCM	BCTL	BCO BCOS
113	Power to grant building consent on buildings with specified intended lives of less than 50 years		BCM	BCTL	BCO BCOS
115	Power to give written notice that a building's change in use will comply with certain provisions of the building code		BCM	BCTL	BCO BCOS
116	Power to consent to the extension of the specified intended life of a building		BCM	BCTL	BCO BCOS
116A	Power to assess and decide if a building will comply with certain aspects of the Building Code prior to release of a 224(f) certificate under the RMA		BCM	BCTL	

121-125, 127 and 128	Powers in respect of dangerous, affected or insanitary buildings or parts of buildings		BCM DP	BCTL	BCO BCOS MALO MEO MO
126	Power to apply to the District Court for authorisation to carry out building work.	CEO GMCD	BCM		
130	Power to apply to the District Court for confirmation of a warrant issued under section 129(2).	CEO GMCD			LC
133AH	Power to request engineering assessment of potentially earthquake-prone buildings	CEO GMCD	BCM	BCTL	BCO BCOS
133AI	Engineering assessments (2) Power to cancel a request for an engineering assessment and give the owner of the building or part written notice of that fact. (3) Power to obtain an engineering assessment of the building or part and recover, as a debt due from the owner of the building or part, the costs of doing so.	CEO GMCD	BCM	BCTL	BCO BCOS
133AJ	Power to grant or decline an extension of time to provide engineering assessment	CEO GMCD	BCM	BCTL	BCO BCOS
133AK	Power to determine whether building is earthquake prone	CEO GMCD	BCM	BCTL	BCO BCOS
133AL	Power to issue EPB notice for earthquake-prone buildings	CEO GMCD	BCM	BCTL	BCO BCOS
133AN	Power to grant or decline an exemption from requirement to carry out seismic work		BCM	BCTL	BCO BCOS
133AO	Power to grant or decline an extension of time to complete seismic work on certain heritage buildings		BCM	BCTL	BCO BCOS
133AP	Power to attach EPB notices and EPB exemption notices to earthquake-prone buildings		BCM	BCTL	BCO BCOS
133AQ	Power to assess information relating to earthquake-prone building status at any time	CEO GMCD	BCM	BCTL	BCO BCOS
133AR	Power to impose safety requirements	CEO GMCD	BCM	BCTL	BCO BCOS
133AS	Power to authorise carrying out seismic work		BCM	BCTL	BCO BCOS

133AT	Alterations to buildings subject to EPB notice (2) Power to determine whether or not to grant a building consent for the alteration of the building subject to EPB notice (3) Power to specify 1 or more of the provisions of the building code referred to in subsection (2) and allow the alteration of the building or part without the building complying with the specified provisions		BCM	BCTL	
162D(1)	Power to undertake periodic inspections of residential pools		BCM	BCTL	BCO BCOS BCompO
162D(2)	Power to accept or to not accept a certificate of periodic inspection from an independently qualified pool inspector		BCM	BCTL	BCO BCOS BCompO
164, 165	Power to issue notice to fix.		BCM	BCTL	BCO BCOS
164	Power to notify another responsible authority that it is more appropriate to issue the notice to fix.		BCM	BCTL	BCO BCOS
166	Power to issue a notice to fix under special provisions.		BCM	BCTL	BCO BCOS
167	Power to inspect and confirm or refuse to confirm whether or not a notice to fix has been complied with.		BCM	BCTL	BCO BCOS
177	Power to apply to the Chief Executive of the Department of Building and Housing for a determination	CEO GMCD	BCM		
180	Power to withdraw application for a determination	CEO GMCD	BCM	BCTL	BCO BCOS
212 and 213	Power to make arrangements for 1 or more other building consent authorities to perform functions of a building consent authority.	CEO GMCD	BCM		
215	Power to apply for accreditation and registration as a building consent authority under Part 3 of the Building Act 2004.	CEO GMCD	BCM		
220(1)(b)(ii)	Power to issue certificate that building work required is urgent.		BCM	BCTL	BCO BCOS
220	Power to apply to the District Court for an order authorising Council to carry out building work.	CEO GMCD			LC
221(2)	Power to dispose of materials resulting from Council's performing building work.	CEO GMCD	BCM	BCTL	BCO BCOS

222	Power to authorise officer to inspect and enter premises and to issue a warrant accordingly; power to revoke such authorisation and warrant.	CEO			
238	Power to perform functions of a building consent authority		BCM	BCTL	BCO BCOS RO
239	Power to provide information to the Chief Executive		BCM	BCTL	
240	Power to impose a fee or charge and power to collect levy.		BCM	BCTL	BCO BCOS
281C	Power to waive or refund fee or charge in whole or in part, for a function or service performed by Council under the Building Act 2004.	CEO GMCD			
363A(2)	Power to issue certificate for public use.		BCM	BCTL	BCO BCOS
363A(5)	Power to require further reasonable information in relation to the certificate for public use.		BCM	BCTL	BCO BCOS
371A, 371B, 372	Power to authorise officers to issue infringement notices under section 372 and to issue a warrant accordingly; Power to revoke such authorisation and warrant.	CEO			
371A, 371B, 372	Power to issue infringement notices		BCM	BCTL	BCO BCOS
375	Power to prosecute offences	CEO GMCD			LC
377	Power to lay information for an offence	CEO GMCD			LC
381	Power to apply to District Court for an injunction	CEO GMCD			LC
436	Power to consider and determine an application for a code compliance certificate in respect of building work carried out under a building consent issued under section 34 of the Building Act 1991.		BCM	BCTL	BCO BCOS

Delegations – Civil Defence Emergency Management Act 2002

Key to position titles	
Eteam	
CONT	CDEM Group Controller and Alternate Group Controllers and Local CDEM Controllers ('the Controllers')

Section	Power	External	Council	Eteam
94	<p>'The Controllers', and the Civil Defence Emergency Management Group for the Waikato Region, are authorised to enter into urgent contracts on behalf of Matamata-Piako District Council for the purposes of the Act, as outlined in the Waikato Civil Defence Emergency Management Group Plan, subject to the following limitations:</p> <ul style="list-style-type: none"> In a declared emergency, the Controller is delegated automatic uncapped delegated financial authority when formally identified as acting as a Controller. The Controller is required to present incremental reporting to the Chief Executive and Group Controller for every \$250,000 of expenditure incurred when exercising this delegation to ensure there is appropriate oversight. In a non-declared emergency, the Controller is delegated uncapped delegated financial authority when formally identified as acting in control of that emergency. The Controller is required to present incremental reporting to the Chief Executive and Group Controller for every \$250,000 of expenditure incurred when exercising this delegation to ensure there is appropriate oversight. 	CONT		

Delegations – Dog Control Act 1996

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMCD	Group Manager Community Development
Third tier	
CSM	Customer Services Manager
PSWM	People, Safety and Wellness Manager (including Acting)
Fourth tier	
ACM	Animal Control Manager
CSS	Customer Services Supervisor
Fifth tier (inclusive contractors)	
ACO	Animal Control Officer
CSA	Customer Services Advisor (inclusive of Senior)
LC	Legal Counsel

Section	Power	Council	Eteam	Third tier	Fourth tier	Fifth tier
11	Power to appoint and to revoke appointment of Dog Control Officers		CEO GMCD	PSWM		
12	Power to appoint and to revoke appointment of Dog Rangers		CEO GMCD	PSWM		
13	Power to supply warrant of appointment to Dog Control Officers and Dog Rangers		CEO GMCD			
21	Power to classify any person as probationary owner		CEO GMCD		ACM	ACO
22	Power to consider and determine objections to probationary classifications	Hearings Commission as a Committee of Council				
23A	Power to require probationary owner to undertake training		CEO GMCD		ACM	ACO
25	Power to disqualify any person from being the owner of any dog		CEO GMCD		ACM	
26	Power to consider and determine objections to disqualification	Hearings Commission as a Committee of Council	CEO			
28(6)	Power to extend the disqualification period of any person		CEO GMCD			
31	Power to classify dog as dangerous dog		CEO GMCD		ACM	ACO
31(3)	Power to hear and determine	Hearings				

	objections to the classification of any dog as a dangerous dog under section 31(1)	Commission as a Committee of Council.				
32(1)(f)	Power to consent to the disposal of any dangerous dog to any other person		CEO GMCD		ACM	ACO
33A	Power to classify a dog as a menacing dog		CEO GMCD		ACM	ACO
33B	Power to hear and determine objections to the classification of any dog as menacing under section 33A of this Act. Includes power to uphold or rescind the classification.	Hearings Commission as a Committee of Council.				
33C	Power to classify certain breeds as menacing		CEO GMCD		ACM	ACO
33D	Power to hear and determine objections to classification of dog as menacing	Hearings Commission as a Committee of Council.				
33E(1)	Power to require that menacing dog be neutered		CEO GMCD		ACM	ACO
35	Power to request register information		CEO GMCD		ACM	ACO
35(5)	Power to determine whether or not a dog should be delivered into the custody of a Dog Control Officer or Dog Ranger		CEO GMCD			
36A	Power to instruct any owner to make any dog available for verification that it has been implanted with a functioning microchip transponder		CEO GMCD	CSM	ACM CSS	ACO CSA
39	Power to issue refunds or reduce fees.		CEO GMCD	CSM	ACM CSS	ACO CSA
40	Power to require written statement that a dog is a working dog of a specified class and to require production of a certificate that the dog has been neutered.		CEO GMCD	CSM	ACM CSS	ACO CSA
46	Power to issue registration label or disc, and to issue replacement label or disc		CEO GMCD	CSM	ACM CSS	ACO CSA
48	Power to issue registration label or disc upon change of ownership of dog		CEO GMCD	CSM	ACM CSS	ACO CSA
49	Power to issue registration label or disc upon transfer of dog.		CEO GMCD	CSM	ACM CSS	ACO CSA
55	Power to hear and determine objections to any notice served on any owner under section 55 of this Act requiring abatement of loud	Hearings Commission as a Committee of Council.				

	barking or howling by any dog.					
64(5)	Power to collect the reasonable costs of the collection, destruction and disposal of any dog.		CEO GMCD	CSM	ACM CSS	ACO CSA
66	Power to commence proceedings in accordance with section 21 of the Summary Proceedings Act 1957 where an infringement notice has been issued.		CEO GMCD		ACM	LC
69	Power to impound and dispose of any dog.		CEO GMCD		ACM	ACO
70	The power to hear and determine applications for the return of a dog being held under section 56 (Removal of a barking dog causing distress) of this Act.	Hearings Commission as a Committee of Council.				
70(5)	Power to determine whether or not the dog is to be kept in custody		CEO GMCD		ACM	ACO
70(7)	Power to determine whether or not to dispose of the dog.		CEO GMCD		ACM	ACO
71(1)(d)	Power to authorise retention of a dangerous dog.		CEO GMCD		ACM	ACO
71(5)	Power to hear and determine applications for the release of any dog being held under sections 57 (dogs attacking persons or animals), 57A (dogs rushing at persons, animals or vehicles, and 58(Dogs causing serious injury).	Hearings Commission as a Committee of Council.				
71A	Power to dispose of dog seized under section 15 or 33EC		CEO GMCD		ACM	ACO
	Power to bring a prosecution for offences under the Dog Control Act 1996		CEO GMCD		ACM	LC
	Power to lay information for offences under the Dog Control Act 1996		CEO GMCD		ACM	LC

Delegations - Fencing Act 1978

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMSD	Group Manager Service Delivery
Third tier	
FOM	Facilities Operations Manager
PCPM	Property & Community Projects Manager
Fifth tier (inclusive contractors)	
LC	Legal Counsel
PSO	Property Services Officer

Section	Description	Eteam	Third tier	Fourth tier	Fifth tier
10(1)	Power to serve notice to contribute to cost of fence	CEO GMSD	FOM PCPM		LC PSO
11(1)	Power to serve a cross-notice of objection to notice under section 10(1)	CEO GMSD	FOM PCPM		LC PSO
18(1)	Power to serve notice on person taking advantage of fence	CEO GMSD	FOM PCPM		LC PSO
19(1)	Power to serve notice requiring contribution towards value of fence.	CEO GMSD	FOM PCPM		LC PSO
25	Power to come in and defend proceedings	CEO GMSD			LC

Delegations – Food Act 2014

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMSD	Group Manager Service Delivery
GMCD	Group Manager Community Development
GMBS	Group Manager Business Support
Third tier	
DP	District Planner
FOM	Facilities Operations Manager
Fifth tier (inclusive contractors)	
PSO	Property Services Officer

Section	Description	Eteam	Third tier	Fourth tier	Fifth tier
41 Food control plan: form	Power to accept an application				EHO *EHOHDC *GMPESHDC *under the direction of 3 rd tier or Eteam
45 Operator may amend food control plan based on template or model issued under section 39 or approved under section 40	Power to accept an application				EHO *EHOHDC *GMPESHDC *under the direction of 3 rd tier or Eteam
54 Registration authority may refuse to process application for registration	Power to refuse to process application for registration (Application must contain all appropriate information or can be refused)	GMCD GMSD CEO GMBS	DP		EHO *EHOHDC *GMPESHDC *under the direction of 3 rd tier or Eteam
55 Registration authority may require further information	Power to require further information	GMCD GMSD CEO GMBS	DP		EHO *EHOHDC *GMPESHDC *under the direction of 3 rd tier or Eteam
62 Mandatory suspension	Power to suspend a registered food control plan	GMCD GMSD CEO GMBS			
63 Registration authority may extend mandatory suspension	Power to extend mandatory suspension	GMCD GMSD CEO GMBS			

67 Cancellation of registration	Power to cancel the registration of a food control plan	GMCD GMSD CEO GMBS			
84 Registration authority may refuse to process application for registration	Power to refuse to process an application for registration	GMCD GMSD CEO GMBS	DP		EHO *EHOHDC *GMPESHDC *under the direction of 3 rd tier or Eteam
85 Registration authority may require further information	Power to request further information	GMCD GMSD CEO GMBS	DP		EHO *EHOHDC *GMPESHDC *under the direction of 3 rd tier or Eteam
90 Mandatory suspension	Power to suspend operations of a business subject to a national programme	GMCD GMSD CEO GMBS			
91 Registration authority may extend mandatory suspension	Power to extend suspension	GMCD GMSD CEO GMBS			
95 Cancellation of registration	Power to cancel registration	GMCD GMSD CEO GMBS			
280 Person to whom directions may be given under sections 281 to 286	Power to give direction under section 281-286	GMCD GMSD CEO GMBS	DP		EHO *EHOHDC *GMPESHDC *under the direction of 3 rd tier or Eteam
281 Give general directions to operators and other persons required to comply with Act	Power to give general directions to operate and other persons required to comply with Act	GMCD GMSD CEO GMBS	DP		EHO *EHOHDC *GMPESHDC *under the direction of 3 rd tier or Eteam
282 Give directions to complete and supply declarations	Power to give directions to complete and supply declarations	GMCD GMSD CEO GMBS	DP		EHO *EHOHDC *GMPESHDC *under the direction of 3 rd tier or Eteam
283 Give directions to impose movement or related controls	Power to give directions to movement or related controls	GMCD GMSD CEO GMBS	DP		EHO *EHOHDC *GMPESHDC *under the direction of 3 rd tier or Eteam
285 Give directions to manage food or food-related accessory	Power to give directions to manage food or food-related accessory	GMCD GMSD CEO GMBS	DP		EHO *EHOHDC *GMPESHDC *under the direction of 3 rd tier or Eteam

Delegations - Gambling Act 2003

Subject to section 48 and clause 32 of the 7th Schedule to the Local Government Act 2002, the Matamata-Piako District Council hereby makes the following delegations:

1. Where no objection is raised by an affected party to the application, Council delegates to its Chief Executive Officer and Group Manager Community Development the power to hear and determine in accordance with Council's Class 4 Gambling Policy all applications that are within Council's functions, powers and duties under the Gambling Act 2003, being a delegation of the statutory powers set out in Schedule 1 below; and
2. Where an objection is raised by an affected party to the application, *Council delegates to not less than two (2) members of the Hearings Commission the power to hear and determine in accordance with Council's Class 4 Gambling Policy all applications that are within Council's functions, powers and duties under the Gambling Act 2003, being a delegation of the statutory powers set out in Schedule 1 below.*

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMCD	Group Manager Community Development

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
s100(1)(b)(i)	Power to grant consent to a gambling venue application with or without a condition specifying the maximum number of gaming machines that may be operated at the venue.	CEO GMCD			
s100(1)(b)(ii)	Power to refuse consent to a gambling venue application.	CEO GMCD			
s100(2)(a)	Power to determine an application for an amendment to a class 4 venue licence without condition specifying the maximum number of machines operable at the venue.	CEO GMCD			

Delegations - Health and Safety at Work Act 2015

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
PSWM	People, Safety and Wellness Manager
Fourth tier	
SWTL	Safety and Wellness Team Leader

Health and Safety at Work Act 2015		Eteam	Third tier	Fourth tier	Fifth tier
Entire Act	Power to undertake all the duties and functions of a person conducting a business or undertaking under the Health and Safety at Work Act 2015	CEO GMBS GMCD GMSD	PSWM	SWTL	

Delegations - Impounding Act 1955

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
ACM	Animal Control Manager
Fifth tier	
ACO	Animal Control Officer

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
8	Power to appoint poundkeepers and rangers.	CEO GMCD			
9(1)	Power to appoint a deputy of any poundkeeper.	CEO GMCD			
10	Power to remove or suspend from duty any poundkeeper, deputy poundkeeper or any ranger or other person appointed for the purposes of this Act.	CEO GMCD			
22(2)	Power to authorise a ranger to convey trespassing stock to a pound.	CEO GMCD		ACM	ACO
32(1)	Power to declare an area a temporary pound.	CEO GMCD		ACM	ACO
32(3)	Power to appoint a keeper for each temporary pound.	CEO GMCD			
42(1)	Power to authorise the destruction of wild stock.	CEO GMBS GMCD GMSD			
46	Power to issue impounding notice.	CEO GMCD		ACM	ACO
50(2)	Power to authorise a person to act as an auctioneer.	CEO GMCD			
52(2)	Power to give written notice of an intention to destroy an animal.	CEO GMCD		ACM	
55(1)	Power to apply to the District Court for an order that damages be paid out of the proceeds of sale of impounded stock.	CEO GMCD			
	Power to authorise action under this Act on behalf of Council in its capacity as an occupier of land.	CEO			
63	General delegation of the local authority's powers under this Act.	CEO			

Delegations - Local Authorities (Members' Interests) Act 1968

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Fifth Tier	
LC	Legal Counsel

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
3(3)(a)	Power to apply to the Audit Office for prior approval of a contract in which an elected member is concerned or interested.	CEO GMBS GMCD GMSD			LC
3(3)(aa)	Power to apply to the Audit Office for subsequent approval of a contract in which an elected member is concerned or interested.	CEO GMBS GMCD GMSD			LC
6(3)(f)	Power to apply to the Audit Office for its opinion as to whether the pecuniary interest of a member is so remote or insignificant that it cannot reasonably be regarded as likely to influence him in voting.	CEO GMBS GMCD GMSD			LC

Delegations - Local Electoral Act 2001

Key to position titles	
EO	Warwick Lampp of Electionz.com as Electoral Officer
DEO	Tamara Kingi

Section	Power	Contractor	Eteam	Third tier	Fourth tier	Fifth tier
12	Appointment of an electoral officer	EO				
13	Appointment of a deputy electoral officer					DEO

Delegations - Local Government Official Information and Meetings Act 1987

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
SPAGM	Strategic Partnerships and Governance Manager
CM	Communications Manager
CSM	Customer Services Manager
PSWM	People, Safety and Wellness Manager (including Acting)
Fourth tier	
CSS	Customer Services Supervisor
ITL	Information Team Leader
PLTL	Policy and Legal Team Leader
Fifth tier (inclusive contractors)	
CSA	Customer Services Advisor (inclusive of Senior)
CO	Communications Officer
GSO	Governance Support Officer
LC	Legal Counsel
PP	Policy Planner (inclusive of graduate)

Section	Description	Eteam	Third tier	Fourth tier	Fifth tier
8	Power to give notice neither confirming or denying the existence or non-existence of information.	CEO GMBS GMCD GMSD	SPAGM CM CSM PSWM	ITL PLTL	CO GSO LC PP
12	Power to transfer request to another local authority or a Department or Minister of the Crown or organisation	CEO GMBS GMCD GMSD	SPAGM CM CSM PSWM	ITL PLTL	CO GSO LC PP
13(1)	Power to determine whether nor not a request for information is granted, and in what manner and for what charge such request is to be granted.	CEO GMBS GMCD GMSD	SPAGM CM CSM PSWM	ITL PLTL	CO GSO LC PP
13(1A)	Power to charge for the supply of official information	CEO GMBS GMCD GMSD	SPAGM CM CSM PSWM	ITL PLTL	CO GSO LC PP
13(4)	Power to require payment in advance	CEO GMBS GMCD GMSD	SPAGM CM CSM	ITL PLTL	CO GSO LC PP

13(5)	Power to decide on request that has been transferred	CEO GMBS GMCD GMSD	SPAGM CM CSM	ITL PLTL	CO GSO LC PP
14	Power to extend the time limits set out in section 12 and 13	CEO GMBS GMCD GMSD	SPAGM CSM	ITL PLTL	CO GSO LC PP
15(2)	Power to determine whether information should be made available in the way preferred by the person requesting it.	CEO GMBS GMCD GMSD	SPAGM CSM	ITL PLTL	CO GSO LC PP
17A(1)	Power to decide whether fixing a charge or extending the time limit would enable the request to be granted where substantial collation or research required.	CEO GMBS GMCD GMSD	SPAGM CSM	ITL PLTL	CO GSO LC PP
17B	Power to decide whether consulting with the requester would assist that person to make the request in a form that would remove the reason for the refusal.	CEO GMBS GMCD GMSD	SPAGM CSM	ITL PLTL	CO GSO LC PP
22(1A)(b)	Power to determine that information relates to a person and that disclosure of information would be likely to prejudice the physical or mental health of that person.	CEO GMBS GMCD GMSD	SPAGM CSM	ITL PLTL	CO GSO LC PP
24	Power to determine identity of person making request.	CEO GMBS GMCD GMSD	SPAGM CSM	CSS PLTL	CSA CO GSO LC PP
26(1)	Power to refuse to disclose any personal information requested under section 23(1)	CEO GMBS GMCD GMSD	SPAGM CSM	ITL PLTL	CO GSO LC PP
29(2)	Power to extend time limit within which Local Authority must comply with requirement under section 29(1)	CEO GMBS GMCD GMSD	SPAGM CSM	ITL PLTL	CO GSO LC PP
42(1)	Power to delegate any of the powers of the local authority under Parts 2 to 5 of this Act (except s32) to any officer or employee of the local authority.	CEO			
44A	Power to determine and include other relevant information in a LIM.	CEO GMBS GMCD	CSM	CSS	CSA LC
44A	Power to issue LIM	CEO GMBS GMCD	CSM	CSS	CSA LC

Delegations - Local Government (Rating) Act 2002

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Services
Third tier	
FABSM	Finance and Business Service Manager
Fourth tier	
DFABSM	Deputy Finance and Business Service Manager
Fifth tier	
RVO	Rating and Valuation Officer

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
27	Power to authorise the division of a rating unit	CEO GMBS	FABSM	DFABSM	RVO
28(2)	The decision on whether the disclosure of the name of any person is necessary to identify a rating unit.	CEO GMBS	FABSM	DFABSM	RVO
29(3)	Power to decide on an objection relating to information contained in the Rating Information Database	CEO GMBS	FABSM	DFABSM	
35	Authority to remove a name from the RID.	CEO GMBS	FABSM	DFABSM	RVO
39(3)	Power to decide on an objection relating to information contained in the rates records	CEO GMBS	FABSM	DFABSM	
40	Authority to correct errors in the RID and Rate Records.	CEO GMBS	FABSM	DFABSM	RVO
52	Authority to agreed methods of payments for rates.	CEO GMBS	FABSM	DFABSM	
54(1)	Power to decide not to collect rates payable on a rating unit due to it being uneconomical to collect them.	CEO GMBS	FABSM	DFABSM	
61	Power to recover rates from the owner if a ratepayer other than the owner, defaults in paying the rates on the rating unit.	CEO GMBS	FABSM	DFABSM	
62	Power to accept payment of rates from persons with an interest in a rating unit and recover rates as a debt from the first mortgagee of a rating unit if the owner is in default	CEO GMBS	FABSM	DFABSM	
63(1)	Power to authorise commencement of proceedings for the recovery of debt rates.	CEO GMBS	FABSM		
66(3)	Power to consent to the registration of a dealing against a rating unit that is subject to a charging order.	CEO GMBS			

67	Commencement of rating sales or lease provisions.	CEO GMBS			
72(1)	Power to consent to the sale or lease of a rating unit by private treaty for any consideration the Registrar thinks reasonable.	CEO GMBS			
77(2)	Power to authorise the giving of public notice of Council's intent to have land declared abandoned and to sell or lease the land.	CEO GMBS			
77(5)	Power to decide whether to proceed under section 67 to sell or lease abandoned land.	CEO GMBS			
79(3)	Power to refuse any tender for the sale or lease of abandoned land.	CEO GMBS			
85	Authority to administer rate remission and postponement policies.	CEO GMBS	FABSM	DFABSM	
90(1)	Power to authorise the registration of a notice of charge on a rating unit where the rating unit is subject to a postponement of rates.	CEO GMBS			
90(2)	Power to consent to the registration of a dealing by the owner of the rating unit against the land comprising the rating unit that is subject to a notice of charge under section 90(1).	CEO GMBS			
94(2)	Power to apply to the Maori Land Court for the appointment of 1 owner to receive rates assessments and rates invoices for Maori freehold land in multiple ownership.	CEO GMBS	FABSM	DFABSM	
99(1)	Power to apply to the Maori Land Court for an order charging unpaid rates against rateable Maori freehold land.	CEO GMBS			
104(a)	Power to consent to an owner dealing with land subject to a charging order made under section 101.	CEO GMBS			
108(1)	Power to apply to the Maori Land Court to enforce an unsatisfied charging order made under section 101.	CEO GMBS			
111(1)	Power to apply to the Maori Land Court for an order for the payment of unpaid rates where the Court has made a charging order under section 101.	CEO GMBS			
116(1)	Power to consent to the exemption of Maori freehold land from some or all liability for rates.	CEO GMBS			
117N(2)	Power to decide whether to cancel an election to make a lump sum payment or to recover the amount owing in a Court as a debt due.	CEO GMBS			
130(b)	Power to determine that it would be unreasonable not to cancel the requirement to pay a deficit in a particular case.	CEO GMBS			

135	Authority to sign documents for Court proceedings.	CEO GMBS			
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Delegations - Local Government Act 2002

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Services
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
AMSP	Asset Manager Strategy and Policy
DP	District Planner
PCPM	Property & Community Projects Manager
Fourth tier	
TLP	Team Leader Projects
TLC	Team Leader Contracts
Fifth tier	
MALO	Monitoring & Alcohol Licensing Officer
MEO	Monitoring & Engineering Officer
MO	Monitoring Officer
LC	Legal Counsel
RAE	Roading Asset Engineer
WTL	Works Team Leader

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
	Delegation to exercise any powers granted to any subordinate Council Officer under Council's staff delegations in respect of any statute.	CEO			
	Delegation to affix the Council's make.	CEO GMBS GMCD GMSD			
54G	A local authority must appoint a Registrar to— (a) compile and maintain the register of members' pecuniary interests; and (b) provide advice and guidance to members in connection with their obligations under this subpart.	CEO			LC

102	Delegation of certain decision-making functions as stated (if any) in the: <ul style="list-style-type: none"> revenue and financing policy; liability management policy; investment policy; policy on development contributions/financial contributions; policy on the remission and postponement of rates on Māori freehold land; rates remission policy; rates postponement policy. 	Delegations are as stated in each individual policy.			
162	Power to apply to the District Court for an injunction restraining a person from breaching a bylaw or an offence.	CEO GMBS GMCD GMSD			
163	Power to enforce bylaw to remove a work constructed in breach of bylaw and to recover the costs of removal.	CEO GMBS GMCD GMSD	AMSP DP	TLP TLC	MALO MEO MO WTL
168	Power to dispose of property seized and impounded under s164.	CEO GMCD	AMSP DP PCPM	TLP TLC	MALO MEO MO RAE WTL
171, 172, 174	Power to authorise Council Officer to Act under sections 171, 172, 173, 174 in respect of the power of entry onto private property.	CEO GMBS GMCD GMSD			
177	Power to appoint Enforcement Officers.	CEO GMBS GMCD GMSD			
181	Power to authorise Council Officers to enter private land to inspect, alter, renew, repair or clean any public work constructed under subsection (1).	CEO GMBS GMCD GMSD	AMSP PCPM		
185(1)	Power to approve the doing of work by an occupier where the owner has defaulted in doing work required under this Act.	CEO GMBS GMCD GMSD	AMSP DP PCPM	TLP TLC	MALO MEO MO RAE WTL
215	Power to apply to the District Court for a removal order requiring an owner or occupier of any property to remove or alter a fence/structure/vegetation.	CEO GMBS GMCD GMSD			
220	Power to authorise work under s220(2) to enforce removal order.	CEO GMBS GMCD GMSD			
220(3)	Power to register Statutory Land Charge in respect of unpaid costs incurred in enforcing removal order.	CEO GMBS GMCD GMSD			
241	Power to lay information for a summary offence under this Act.	CEO GMBS GMCD GMSD			

241	Power to authorise any Council Officer to lay information for a summary offence under this Act.	CEO			
249(2)(b)	Power to appoint a Council Officer or other person to represent Council in District Court proceedings.	CEO			
Schedule 7, Part 1, Clause 32A	Power to issue warrants to Enforcement Officers without restrictions under clause 32A(2).	CEO GMBS GMCD GMSD			

Item 7.7

Attachment A

Delegations - Local Government Act 1974

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Services
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
AMSP	Asset Manager Strategy and Policy
DP	District Planner
ITM	Information & Technology Manager
PCPM	Property & Community Projects Manager
KVSM	Kaimai Valley Services Manager
Fourth tier	
ITL	Information Team Leader
TLP	Team Leader Projects
TLC	Team Leader Contracts
Fifth tier	
MALO	Monitoring & Alcohol Licensing Officer
MEO	Monitoring & Engineering Officer
MO	Monitoring Officer/
RAE	Road Asset Engineer
SCSR	Senior Contract Supervisor – Road Asset
WTL	Works Team Leader

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
318(1)	Power to request determination from Commission relating to control and maintenance of boundary roads.	CEO			
319, 319A	Power to repair local roads.	CEO			
319B	Power to allocate property numbers.	CEO GMBS	ITM	ITL	
326(1) & (2)	Power to make a claim for the payment of betterment in respect of adjoining land where a road is formed or widened.	CEO			
327A	Power to cancel building line restrictions.	CEO GMCD	DP		
331	Power to provide for the formation of footpaths.	CEO GMBS	AMSP PCPM	TLP	RAE
333	Power to provide for erection of dividing strips.	CEO GMBS	AMSP PCPM	TLP	RAE

334	Power to provide for erection of monuments.	CEO GMBS	AMSP		
334A	Power to provide for lighting of roads.	CEO GMBS	AMSP		
335(1)	Power to require by written notice the occupier or owner of land to pay for the cost of construction of a vehicle crossing.	CEO GMBS GMCD GMSD	AMSP PCPM	TLP	RAE
335(4)	Power to apply to the District Court for an order confirming a notice under s335(1) relating to the cost of construction of a vehicle crossing.	CEO GMBS GMCD GMSD			
335(9)	Power to serve notice on occupier/owner of intention to remove a vehicle crossing.	CEO GMBS GMCD GMSD	AMSP PCPM	TLP	RAE
337	Power to require alteration to any pipe, drain or other apparatus on or under a road.	CEO GMBS	AMSP PCPM	TLP	RAE
338	Power to grant rights to lay pipes.	CEO GMBS	AMSP		
341(1)	Power to grant a lease of the airspace above the surface of any road or of the subsoil beneath the surface of any road.	CEO GMBS GMCD GMSD	AMSP		
344(1)	Power to permit the erection of a swing gate and or/cattle stop across any road.	CEO GMBS GMCD GMSD	AMSP	TLP	RAE
344(3)	Power to require that a gate and/or cattle stop across any road be removed.	CEO GMBS GMSD GMCD	AMSP	TLP	RAE
345(1)(a)(i)	Power to authorise sale of land not required for road to owners of adjoining land.	CEO			
345(1)(a)(ii) & 345(1)(c)	Power to grant lease over land not required for road.	CEO GMBS GMSD GMCD			
346A	Declare roads to be limited access roads	CEO			
346C(c)	Power to witness affixing of Council Seal to certificate authenticated under this section.	CEO			
346E	Power to give notice authorising crossing places on limited access roads.	CEO GMBS	AMSP PCPM	TLP	RAE
346F	Power to authorise movement to or from limited access road.	CEO GMBS	AMSP PCPM	TLP	RAE
346G	Power to issue notice to the District Land Registrar specifying conditions on which limited access road may be deemed a road.	CEO GMBS	AMSP PCPM	TLP	

347-349	Power to impose conditions and approve right of way plans.	CEO GMCD	AMSP DP		
348	Power to grant permission to form any private road or private way or grant/reserve a right of way over any private way; and Power to require in respect of any private road or private way.	CEO GMCD	DP		
349	Power to issue notice in respect of offence of laying out private roads in contravention of Act.	CEO GMCD GMBS			
353	Power to require owner or occupier of land adjoining road to take safety provisions.	CEO GMBS	AMSP PCPM	TLP	RAE
355	Power to require removal of overhanging trees etc. with the exception of trees scheduled or generally protected by the Operative District Plan.	CEO GMBS	AMSP PCPM	TLP	RAE
356(2)(a)	Power to remove and store any category A, B or C motor vehicle abandoned on a road within the district.		PCPM	TLP	MALO MEO MO SCSR
356	Powers in respect of abandoned vehicles on roads.		AMSP	TLP	MALO MEO MO SCSR
356A(2)(a)	Power to remove abandoned vehicle from road or public place.		PCPM	TLP	MALO MEO MO SCSR
356A	Powers in respect of abandoned vehicles on roads or in public places.		AMSP	TLP	MALO MEO MO SCSR
357(1)	Power to lay information with the Court in respect of the offence of doing or causing damage to roads.	CEO GMCD GMBS			
511(1)	Power to give notice requiring the removal of obstructions from drainage channel or watercourse.	CEO GMSD	PCPM KVSM	TLP TLC	WTL
512(1)	Power to give notice requiring the removal of obstructions in watercourses outside the district.	CEO GMSD	PCPM KVSM	TLP TLC	WTL
Schedule 10(11)	Power to exercise powers conferred on the Council under Schedule 10 Clause 11 relating to the temporary prohibition of traffic.	CEO GMSD	PCPM	TLP	

Delegations - Privacy Act 1993

The New Zealand Privacy Act 1993 established the Office of the Privacy Commissioner and sets out its functions. It sets out the principles of privacy the Council must adhere to and matters relating to the collection, use and storage of private information and response to requests/complaints regarding private information. Pursuant to sections 124 and 125 of the Privacy Act 1993, the Matamata-Piako District Council delegates the following powers:

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
CM	Communications Manager
CSM	Customer Services Manager
PSWM	People, Safety and Wellness Manager
Fourth tier	
ITL	Information Team Leader
Fifth Tier	
LC	Legal Counsel

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
23	Privacy officers Appointment of one or more Privacy Officers responsibilities include— <ul style="list-style-type: none"> the encouragement of compliance: dealing with requests working with the Commissioner in relation to investigations otherwise ensuring compliance 		CM	ITL	LC
27	Power to refuse access to personal information under section 27 (Security, defence, international relations, prejudice to the maintenance of the law, endangering the safety of any individual)	CEO GMBS GMCD GMSD	CM CSM PSWM	ITL	LC
28	Power to refuse access to personal information under section 28 (Trade secrets, prejudice the commercial position of the person who supplied or who is the subject of the information)	CEO GMBS GMCD GMSD	CM CSM PSWM	ITL	LC

29	Power to refuse access to personal information under section 28 for other reasons including: <ul style="list-style-type: none"> unwarranted disclosure of the affairs of another individual or of a deceased individual; the disclosure would breach an express implied promise of confidence breach legal professional privilege; the disclosure of the information, being information contained in material placed in any library or museum or archive, would breach a condition subject to which that material was so placed; the disclosure would constitute contempt of court the request is frivolous or vexatious, the information requested is trivial the information requested is not readily retrievable; or does not exist or cannot be found; or is not held by the agency 	CEO GMBS GMCD GMSD	CM CSM PSWM	ITL	LC
32	Power to refuse access to personal information where the interest protected by section 27 or section 28 would be likely to be prejudiced by the disclosure of the existence or non-existence of such information, give notice in writing to the applicant that it neither confirms nor denies the existence or non-existence of that information.	CEO GMBS GMCD GMSD	CM CSM PSWM	ITL	LC
39	Power to transfer of requests where the information is believed by the person dealing with the request to be held by another agency.	CEO GMBS GMCD GMSD	CM CSM PSWM	ITL	LC
40	Power to decide whether the request is to be granted and, if it is to be granted, in what manner.	CEO GMBS GMCD GMSD	CM CSM PSWM	ITL	LC
41	Power to extend the time limit set out in section 39 or section 40(1) in respect of the request if <ul style="list-style-type: none"> the request is for a large quantity of information or necessitates a search through a large quantity of information, consultations necessary to make a decision on the request. 	CEO GMBS GMCD GMSD	CM CSM PSWM	ITL	LC
43	Power to delete of information from documents where there is good reason for withholding some of the information contained in that document.	CEO GMBS GMCD GMSD	CM CSM PSWM	ITL	LC
124	Delegation of powers as Privacy Officer by Council			ITL (Privacy Officer)	
125	Delegation of powers by officers of local authority (ITL to other officers as Privacy Officer)	CEO GMBS GMCD GMSD	CM CSM PSWM		LC

Delegations - Property Law Act 2007 and in respect of Council Land

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery

Power	Eteam	Third tier	Fourth tier	Fifth tier
Agreements for Sale and Purchase of Land:				
Power to sign agreements for sale and purchase and related edealing authority and instruction forms in respect of Council land in accordance with Council resolution.	CEO GMBS GMCD GMSD			
Power to cancel agreement for sale of Council land and to issue notice to the purchaser in respect of that cancellation in accordance with sections 28 and 29 of the Property Law Act 2007.	CEO GMBS GMCD GMSD			
Power to apply to the Court for an order for the possession of Council land in accordance with section 28(4)(a) of the Property Law Act 2007.	CEO GMBS GMCD GMSD			
Power to apply to the Court for relief against the cancellation of an agreement for the purchase of land in accordance with section 33 of the Property Law Act 2007.	CEO GMBS GMCD GMSD			
Power to apply to the Court as purchaser under an agreement for sale and purchase for order requiring refund of deposit under section 37 of the Property Law Act 2007.	CEO GMBS GMCD GMSD			
Underpass and Sewer Encumbrances:				
Power to sign encumbrance instruments and related authority and instruction forms in respect of encumbrances over Council land	CEO GMBS GMCD GMSD			
Power to sign discharge of mortgage instrument and discharge the encumbrance in accordance with section 83 of the Property Law Act 2007.	CEO GMBS GMCD GMSD			
Power to sign a variation of mortgage instrument and to vary the terms of the encumbrance in accordance with section 85 of the Property Law Act 2007.	CEO GMBS GMCD GMSD			
Leases:				
Power to sign and authorise leases over Council land and related authority and instruction forms and to issue any notices in respect of land other than land falling under the Reserves Act 1977	CEO GMBS GMCD GMSD			

Power to give consent in respect of a covenant under a lease in accordance with sections 225-228 of the Property Law Act 2007.	CEO GMBS GMCD GMSD			
Power to cancel lease and to give notice in accordance with sections 243-247 of the Property Law Act 2007.	CEO GMBS GMCD GMSD			
Power to apply to Court for an order for possession of the Land in accordance with section 244 of the Property Law Act 2007.	CEO GMBS GMCD GMSD			
Where Council is the lessee under the lease, the power to apply to the Court for relief against the cancellation of the lease in accordance with section 253 of the Property Law Act 2007.	CEO GMBS GMCD GMSD			
Easements:				
Power to sign easement instruments and related authority and instruction forms in respect of easements over Council land	CEO GMBS GMCD GMSD			
Power to apply to Court for order modifying or extinguishing easement pursuant to sections 316 and 317 of the Property Law Act 2007	CEO GMBS GMCD GMSD			
Statutory Land Charges:				
Power to sign statutory land charges and related authority and instruction forms in respect of statutory land charges over Council land	CEO GMBS GMCD GMSD			
Caveats:				
Power to sign caveats and related authority and instruction forms in respect of Council land	CEO GMBS GMCD GMSD			
Building Line Restrictions:				
Power to sign Building Line Restrictions and related authority and instruction forms in respect of Council land	CEO GMBS GMCD GMSD			
Fencing Covenants:				
Power to sign, approve and register fencing Covenants over Council land in accordance with Part 2 of the Fencing Act 1978	CEO GMBS GMCD GMSD			
Landlocked Land:				
Power to apply to Court for relief in respect of landlocked land under section 327 of the Property Law Act 2007.	CEO GMBS GMCD GMSD			
Trees and unauthorised structures:				
Power to apply to Court for order for removal or trimming of trees or removal or alteration of structures under sections 332-338 of the Property Law Act 2007.	CEO GMBS GMCD GMSD			

Delegations – Public Records Act 2005

This Act establishes a recordkeeping framework, and focuses on supporting good recordkeeping in government. The Council is to create and maintain records and to dispose of them in accordance with the authority of the Chief Archivist. The Matamata-Piako District Council delegates the following powers:

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
ITM	Information & Technology Manager
Fourth tier	
ITL	Information Team Leader

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
17	Power to maintain records in an accessible form, so as to be able to be used for subsequent reference, all protected records that are in its control, until their disposal is authorised by or under this Act.	CEO GMBS GMCD GMSD	ITM	ITL	
30 and 51	The Chief Archivist may, on such terms and conditions (if any) that the Chief Archivist thinks appropriate, exempt a public office or a local authority that has requested the exemption from compliance with a standard or instruction issued by the Chief Archivist. Power to appeal to the Minister against a decision of the Chief Archivist to decline a request for an exemption under section 30.	CEO GMBS GMCD GMSD			
38	Power to transfer a prescribed record to the possession of Archives New Zealand, an approved repository, a public office, or a local authority as directed by the Chief Archivist.	CEO GMBS GMCD GMSD	ITM	ITL	
40	Power to consult with the Chief Archivist regarding the declaration that a local authority record is a protected record for the purposes of this Act. Power to dispose of a protected record following written notice to the Chief Archivist of his or her intention to dispose of the protected record.	CEO GMBS GMCD GMSD	ITM	ITL	
45	Power to classify a local authority archive as either an open access record; or a restricted access record. Power to at any time, change the classification of a local authority record in accordance with section 46.	CEO GMBS GMCD GMSD	ITM	ITL	
49	Power to prohibit the public from accessing or copying a local authority archive for any period that he or she thinks necessary in the interest of preserving the local authority archive; or pending the classification, repair, or other treatment of the local authority archive.	CEO GMBS GMCD GMSD	ITM	ITL	

Delegations – Public Works Act 1981

This act provides the framework for Council to take land for the purposes of public works; it also provides the framework for the disposal of land no longer required for a public work. The Matamata-Piako District Council delegates the following powers:

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
PCPM	Property & Community Projects Manager
Fourth tier	
Fifth tier	
PSO	Property Services Officer
PER	Projects Engineer - Roading

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
16	Power to acquire under this Act any land required for a local work for which it has financial responsibility.	CEO GMBS GMCD GMSD			
17	Power to enter into an agreement to purchase any land for any public work by agreement	CEO GMBS GMCD GMSD			
18	Power to undertake negotiations required for acquisition of land for essential works prior to compulsory acquisition process.	CEO GMBS GMCD GMSD	PCPM		
19	Power to register Compensation certificate to protect agreement	CEO GMBS GMCD GMSD	PCPM		
23	Power to give notice of intention to compulsorily take land	CEO GMBS GMCD GMSD			
27	Power to acquire or take natural material on land for public work	CEO GMBS GMCD GMSD			
40	Power to dispose of land not required for public work to former owner	CEO GMBS GMCD GMSD			

42	Power to dispose of land other where an offer to sell land under section 40(2) has not been accepted within 40 working days or such further period as the local authority considers reasonable; or any land is no longer required for a public work and subsections (2) and (4) of section 40 do not apply.	CEO GMBS GMCD GMSD			
43	Power to sell land on deferred payments	CEO GMBS GMCD GMSD			
45	Power to lease/licence land held for public works	CEO GMBS GMCD GMSD	PCPM		PSO
48	Power to grant easement over land held for Public Work	CEO GMBS GMCD GMSD			
50	Power to transfer existing public works to the Minister or another local authority, for a public work, whether of the same kind or not	CEO GMBS GMCD GMSD			
79	Power to take proceedings to determine compensation if person entitled fails to make claim	CEO GMBS GMCD GMSD			
103	Power to grant easements, in lieu of compensation	CEO GMBS GMCD GMSD			
105	Power to grant land as compensation where equivalent land not readily available	CEO GMBS GMCD GMSD			
106	Power to grant with the agreement of the person entitled, in payment or satisfaction or in part payment or part satisfaction of the compensation payable to that person, for any land taken or acquired for a public work, or for any damage done or injurious affection caused by reason of the construction or use of a public work, any Crown land or any land held for any public work.	CEO GMBS GMCD GMSD			
107	In granting to person so entitled any land under section 105 or section 106, the power to enter into an agreement with that person for the repayment to the local authority of any money agreed to be due by way of equality of exchange on such terms and conditions (including interest) as may be agreed upon.	CEO GMBS GMCD GMSD			
107A	Power to grant lease or licence as compensation	CEO GMBS GMCD GMSD			
110	Powers of entry for certain survey purposes	CEO GMBS GMCD GMSD	PCPM		PER

111	Powers of entry for other survey and investigation purposes	CEO GMBS GMCD GMSD	PCPM		PER
14	Power to declare land to be road	CEO GMBS GMCD GMSD			
115	Power to register certificate of consent where it is proposed that land shall be declared to be road pursuant to section 114.	CEO GMBS GMCD GMSD	PCPM		
116	Power to consent to the stopping of a road	CEO GMBS GMCD GMSD			
133	Power to remove trees, hedges, etc, that obscure visibility or interfere with a public work	CEO GMBS GMCD GMSD	PCPM		PER PSO
135	Power to carry out emergency work on trees if there is imminent danger to life or property, or a likelihood of serious interference with any road or public work, arising from any tree, hedge, plant, or debris.	CEO GMBS GMCD GMSD	PCPM		PER PSO
238	Power to bring action for damage to public work	CEO GMBS GMCD GMSD			
239	Power to remove and dispose of abandoned property from public works land	CEO GMBS GMCD GMSD	PCPM		PER PSO
240	Power to recover of land from persons holding illegal possession	CEO GMBS GMCD GMSD	PCPM		

Delegations - Reserves Act 1977

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
AMSP	Asset Manager Strategy and Policy
PCPM	Property & Community Projects Manager
KVSM	Kaimai Valley Services Manager
CSM	Customer Services Manager
Fourth tier	
PROM	Parks & Reserves Operations Manager
PFPTL	Parks and Facilities Planning Team Leader
COOP	Coordinator Operations & Projects
EPC	Events and Promotions Coordinator
PSO	Property Services Officer
Fifth tier (inclusive contractors)	
LC	Legal Counsel
PRGL	Parks & Reserves Gardeners/Labourers

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
8(9)	To appoint person to be a ranger for the purposes of the Act; power to sign warrant of appointment	CEO			
16(1)	Power to declare by notice in the <i>Gazette</i> in accordance with Council resolution that a reserve shall be known by a specified name.	CEO			
23(3)	Power to give public notice prohibiting access to the whole or any specified part of a local purpose reserve; Power to issue permit permitting access to a local purpose reserve.	CEO GMSD			
24A(1)	Power to change the purpose for which a local purpose reserve is classified by notice in the <i>Gazette</i> in accordance with Council resolution.	CEO GMSD			
40	Representative for purpose of Section 40 (Functions of Administering Body) of the Reserves Act.	CEO GMSD			
42(2)	Power to consent to the cutting or destruction of trees and bush on any recreation reserve, or Government purpose reserve or local purpose reserve administered by Council.	CEO GMSD	PCPM AMSP	PROM PFPTL	

48(1)	Power to grant rights of way and other easements over a reserve vested in Council; power to sign documents on behalf of Council necessary for the grant of any such rights of way and other easements.	CEO GMBS GMCD GMSD			
48A	Power to grant a licence relating to the use of a reserve for a communications station; power to sign documents on behalf of Council necessary for the grant of any such licence.	CEO GMBS GMCD GMSD			
50(1)	Power to consent in writing to the taking or killing by any person of any specified kind of fauna found within the reserve.	CEO GMBS GMCD GMSD	KVSM AMSP	PFPTL	
52(1)	Power to consent to the union of reserves.	CEO GMSD			
53	Power to exercise powers (other than leasing) in respect of recreation reserves.	CEO GMSD	AMSP		
54	Power to exercise powers in respect of the leasing of recreation reserves (except for farming, grazing, or afforestation leases); power to sign any documents on behalf of Council necessary for the granting of any lease under this section.	CEO GMBS GMCD GMSD			
55	Power to exercise powers (other than leasing) in respect of scenic reserves.	CEO GMSD	AMSP		
56	Power to exercise powers in respect of the leasing of scenic reserves; power to sign any documents on behalf of Council necessary for the granting of any lease under this section.	CEO GMBS GMCD GMSD			
57	Power to exercise powers in respect of nature reserves.	CEO GMSD	AMSP		
58	Power to exercise powers in respect of historic reserves.	CEO GMSD	AMSP		
58A	Power to exercise powers in respect of the leasing of historic reserves; power to sign any documents on behalf of Council necessary for the granting of any lease under this section.	CEO GMBS GMCD GMSD			
59	Power to exercise powers in respect of scientific reserves.	CEO GMSD	AMSP		
60	Power to exercise powers in respect of Government purpose reserves.	CEO GMSD	AMSP		
61	Power to exercise powers (excluding leasing) in respect of local purpose reserves.	CEO GMSD	AMSP		
61(2), (2A)	Power to exercise powers in respect of the leasing of local purpose reserves; power to sign any documents on behalf of Council necessary for the granting of any lease under this section.	CEO GMBS GMCD GMSD			
63	Power to exercise powers in respect of Reserves not vested in the Crown.	CEO			

73	Power to exercise powers in respect of the leasing of recreation reserves for farming, grazing, afforestation or other purposes; power to sign any documents on behalf of Council necessary for the granting of any lease under this section.	CEO GMBS GMCD GMSD			
74(2)	Power to grant licence to occupy reserves temporarily.	CEO GMSD	AMSP		
75	Power to enter into a contract for the afforestation of any recreation or local purpose reserve.	CEO GMSD	AMSP		
77(1)	Power to enter into a conservation covenant in respect of private or Crown land; power to sign any documents on behalf of Council necessary in order to enter into any such conservation covenant.	CEO GMBS GMCD GMSD			
101(1)	Power to lay any information in respect of offences against this Act.	CEO GMBS GMCD GMSD			LC
115	Power to consent to the transfer, sublease or mortgage of a lessee's or licensee's interest in a lease or licence in respect of a reserve.	CEO GMSD			

Delegations – General Policies Reserve Management Plan 2019

Defined role as per Section 5.3 of the Plan	MPDC Position Titles delegated to the defined role	Section(s) of RMP that delegation applies to
'Asset Manager'	AMSP	All sections
'Parks Officer'	PROM PFPTL COOP	All sections
'Parks Officer'	CSM EPC	8.5 Circuses etc. 8.8 Events 8.9 Fireworks
'Parks Officer'	PSO	10.2 Fencing

Delegations - Reserves Act 1977: Ministerial Delegations

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
AMSP	Asset Manager Strategy and Policy
FOM	Facilities Operations Manager
KVSM	Kaimai Valley Services Manager
Fourth tier	
PROM	Parks & Reserves Operations Manager
PFPTL	Parks and Facilities Planning Team Leader
COOP	Coordinator Operations & Projects
Fifth tier	
PFA	Parks and Facilities Advisor
PRTL	Parks & Reserves Team Leader
PRGL	Parks & Reserves Gardeners/Labourers

Section	Power & Limitations	Council	Eteam	Third tier	Fourth tier	Fifth tier
6(3)	Power to revoke a Gazette notice and issue a fresh notice or amend the original notice where any error of description has been made. <i>This only applies to notices in the Gazette given by the territorial authority.</i>		CEO			
14(4)	Decision to gazette resolution to declare vested land to be a reserve where Council has by resolution declared land vested in it to be a reserve. <i>Note: it is, therefore no longer necessary to consult the Commissioner in terms of sec14(3) of the Act.</i>		CEO			
15(1)	Authorise or decline to authorise, by Gazette notice, the exchange of land in any reserve or any part(s) of a reserve for any other land to be held for purposes of that reserve where Council has resolved to do so. <i>Only to be exercised where the territorial authority did not derive title from the Crown, or title would be deemed not to be derived from the Crown if the reserve was going through a revocation process (s.25).</i>		CEO			

	<i>The territorial authority must consult with the Crown before making a decision under s.15(1) if the land it proposes to grant in exchange was purchased with funds provided either wholly or partly by the Crown.</i>					
15(3)	Power to do all things necessary to effect any exchange authorised by the local authority under Section 15(1) of the Act, or by the Crown in the case of vested reserves derived from the Crown, including the payment or receipt of any money by way of equality of exchange in the case of non Crown derived reserves.		CEO GMBS GMCD GMSD			
16(1)	Power to classify a reserve, by Gazette notice, according to their principal or primary purpose all reserves.		CEO			
16(4)	Power to advertise the intention to classify a reserve in accordance with sec 16(1).		CEO GMBS GMCD GMSD			
18(2)(e) 19(2)(a) 19(3)(a)	Power in relation to Historic and Scenic Reserves to determine in which cases exceptions can be made to the preservation of flora and fauna and the natural environment.		CEO GMSD	AMSP		
24(1)	Power to change the classification or purpose of a reserve by notice in the Gazette following a Council resolution. <i>Does not apply to the revocation of reserves</i>		CEO			
24(2)(e)	Power to consider all objections received to a proposed change of classification or purpose.	No staff delegation – remains with Council				
24(3)	Power to form an opinion that the change of classification or purpose of a scenic, nature or scientific reserve is justified.					
24(5)	Power to form an opinion that the change in the classification of a historic reserve is justified.					
25(1)	Upon revocation of the reservation of any public reserve (or part of one) pursuant to section 24, dispose of that land in such manner and for such purpose as the Minister specifies. <i>The delegation only applies where the title to the reserve was not derived from the Crown, or is deemed not to be derived from the Crown in terms of s24(4) or (5).</i> <i>Note this delegation is intended to allow territorial authorities to decide how and for what purpose the land may be disposed of.</i>		CEO GMSD	AMSP		
41(1)	Power to approve reserve management plans.	No staff delegation				

		– remains with Council				
42(1)	Power to give or decline to give express written consent to the cutting or destruction of trees and bush on any historic, scenic, nature, or scientific reserve. Determine terms and conditions subject to which written consent is given.		CEO GMBS GMCD GMSD			
44(1)	Power to consent to the use of a reserve for temporary or permanent personal accommodation.		CEO GMBS GMCD GMSD			
44(2)	Power to consent to any vehicle caravan, tent or removable structure remaining on a reserve during the period 1 November to 31 March.		CEO GMBS GMCD GMSD	FOM		
45	Power to give or decline to give prior approval to administering body to erect, or authorise any voluntary organisation or educational institution to erect shelters, huts, cabins, lodges etc., on any recreation or scenic reserve, provided it is not inconsistent with the management plan for that reserve.		CEO GMBS GMCD GMSD			
48(1)	Power to consent or refuse consent to granting rights of way and other easements over any part of a vested reserve for any of the purposes specified in section 48(1) Impose such conditions as it thinks fit in giving the consent. Provided that granting the easement does not interfere with the use and enjoyment of the reserve by the public.		CEO GMBS GMCD GMSD			
48A(1)	Power to consent or refuse consent to granting a licence over a vested reserve to any person or department of State- a) to erect, maintain and use buildings, dwellings, masts and other structures, and plant and machinery; and b) to construct, maintain, and use tracks and engage in other works -for any of the purposes of communication stations as specified in section 48A		CEO GMBS GMCD GMSD			
48A(3)	Power to approve terms and conditions for the grant of a licence for the purposes of communication stations as specified in section 48A		CEO GMBS GMCD GMSD			
49	Power to grant or decline to grant in writing any qualified person a right to take specified specimens of flora or		CEO GMBS GMCD	KVSM		

	<p>fauna or rock mineral or soil from a reserve for scientific or educational purposes.</p> <p>Form opinion as to whether qualified person has the necessary credentials.</p> <p>Impose conditions on the grant in writing.</p> <p><i>With regard to fauna, the delegation of for exotic fauna which are not protected under the Wildlife Act 1953.</i></p>		GMSD			
50(1)	<p>Power to authorise or decline to authorise any person to take and kill any specified kind of fauna that may be found in any scenic, historic, nature or scientific reserve.</p> <p>Authorise or decline to authorise the use of firearms, traps, nets or other like objects within reserve for the foregoing purposes.</p> <p><i>This delegation is for non-protected exotic fauna only</i></p>		CEO GMBS GMCD GMSD	KVSM		
51(1)	<p>Power to authorise or decline to authorise in writing an administering body to introduce indigenous flora or fauna or exotic flora into any scenic reserve for any of the purposes referred to in section 51(1).</p> <p>Impose conditions on the giving of authorisation.</p>		CEO GMBS GMCD GMSD	KVSM		
52(1)	<p>Power to declare by Gazette notice that any 2 or more reserves, or parts of 2 or more reserves, or parts of one or more reserves and the whole of one or more other reserves, are to be united to form one reserve.</p> <p><i>All affected reserves or parts of reserves must have the same administering body and must all either be vested in that body or held under an appointment to control and manage.</i></p>	No staff delegation – remains with Council				
53(1)(d)	To consent to an increase in the number days the public shall not be entitled to have admission to a reserve.		CEO GMSD	AMSP		
53(1)(e)	To approve the fixing of charges generally or with respect to any specified occasion or event.		CEO GMSD	AMSP		
54(1)	<p>Power to give or decline to give prior consent, in the case of a recreation reserve vested in it, to grant leases for any of the purposes specified in paragraphs (a), (b), (c). These purposes include:</p> <p>(a) lease any area set out under section 53(1)(h) for baths, a camping ground, a parking or mooring place, or other facilities for –public recreation or</p>		CEO GMBS GMCD GMSD			

	<p>enjoyment. The lease-</p> <p>i) may require the lessee to construct, develop, control or manage the facilities for public recreation or enjoyment, or may require the lessee to control and manage those facilities provided by Council.</p> <p>ii) shall be subject to further provisions set out in Schedule 1 relating to leases of recreation reserves.</p> <p>(b) lease to any voluntary organisation part of the reserve for the erection of stands, pavilions, gymnasiums and, subject to section 44 and 45, other buildings and structures associated with and necessary for the use of the reserve for outdoor sports, games, or other recreational activities, or to lease to any voluntary organisation any structures or buildings already on the reserve. Provided that a lease granted be consider to be in the public interest.</p> <p>(c) lease to any voluntary organisation the whole or part of the reserve for the playing of any outdoor sport, games or other recreational activity where the preparation and maintenance of the area for such sport, games or other recreation activity requires the voluntary organisation to spend a sum of money that in the opinion of Council is substantial. The lease shall be subject to the further provisions set out in Schedule 1 relating to the lease of recreation reserve.</p> <p>and to grant a lease or licence for any of the purposes specified in paragraph (d):</p> <p>(d) for the carrying out of any trade, business, or occupation on any specified site within the reserve, subject to the provisions set out in Schedule 1 relating to the leases or licences of a recreation reserves. Provided that the trade, business, or occupation must be necessary to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve.</p> <p>and to exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.54(1)(a), (b), (c) and (d). Provided it is not inconsistent with the management plan for that reserve.</p>		CEO GMBS GMCD GMSD			
55(2)(a) (d), (e) (f) and (g)	<p>In the case of a scenic reserve, power to give or decline to give consent to:</p> <ul style="list-style-type: none"> The enclosure and grassing or 		CEO GMSD	AMSP		

	<p>grazing of open parts of the reserve;</p> <ul style="list-style-type: none"> • The setting apart of areas for other purposes; • The erection of buildings and other structures and amenities; • Such things considered necessary for the public to obtain benefit of the reserve; • The setting apart of sites for residences and other building and structures necessary for the management of the reserve. <p>Provided it is not inconsistent with the management plan for that reserve.</p>					
56(1)	<p>In respect of Scenic Reserves, the power to give or decline prior consent, in the case of a scenic reserve vested in it, to grant lease or licences for the purposes set out in s.56(1) and to exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.56(1)(a) and (b).</p> <p>Consent or decline consent to variations or amendments to leases and licences, and consent to the carrying out of any other necessary actions arising out of the leases and licences consistent with the First Schedule, Reserves Act.</p> <p>Provided it is not inconsistent with the management plan for that reserve.</p>		CEO GMBS GMCD GMSD			
56(2)	<p>In respect of Scenic Reserves, the power to give public notice in accordance with section 119 of the Act and give full consideration in accordance with section 120 to all objections and submissions.</p>	No staff delegation – remains with Council				
58(b)	<p>In respect of Historic Reserves, the power to set apart and use part of a reserve as a site for residences and other buildings.</p> <p>Provided any decision is not inconsistent with the management plan for that reserve.</p>		CEO GMSD	AMSP		
58A(1)	<p>Power to give or decline prior consent, in the case of an historic reserve vested in it, to grant leases or licences to any person, body, voluntary organisation, or society for domestic residential purposes or for the carrying on of any activity, trade, business, or occupation in any building or on any specified site</p>		CEO GMBS GMCD GMSD			

	<p>within the reserve and grant leases of any such building or site for any such purpose or purposes.</p> <p>Consent or decline consent to variations or amendments to leases and licences and consent to the carrying out of any other necessary actions arising out of the leases and licences, consistent with the First Schedule, Reserves Act.</p> <p>Provided any decision is not inconsistent with the management plan for that reserve.</p>					
59A(1)	<p>In accordance with Part 3B Conservation Act 1987, grant or refuse a concession in respect of any reserve controlled or managed by an administering body under s.28 Reserves Act so that the administering body may apply Part 3B as if references in that Part to a conservation area where references to such a reserve and references to the Minister of Conservation and to the Director-General of Conservation are references to an administering body.</p> <p>Provided any decision is not inconsistent with the management plan for that reserve.</p>		CEO GMBS GMCD GMSD			
67(1)(b)	<p>Power to consent or decline consent to lease of recreation reserve set apart for race course purposes, to a racing club.</p> <p>Provided it is not inconsistent with the management plan for that reserve.</p>		CEO GMBS GMCD GMSD			
72(1)	<p>To enter into and agree the terms of a lease or other agreement for the farming of a recreation or local purpose reserve.</p> <p>Provided any decision is not inconsistent with the management plan for that reserve.</p> <p><i>Note Section 72(3) applies.</i></p>		CEO GMBS GMCD GMSD			
73(1)	<p>Power to consent or decline prior consent to grant a lease of recreation reserve in the circumstances specified in s.73(1), where the reserve is vested in the administering body, and consent or decline prior consent to an administering body granting a lease in the circumstances specified in section 73(1) in all other cases.</p> <p>Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(1).</p> <p>Provided it is not inconsistent with the management plan for that reserve.</p>		CEO GMBS GMCD GMSD			

73(2)	<p>Power to consent or decline prior consent to an administering body granting a lease of recreation reserve for afforestation where the reserve is vested in the administering body, and consent or decline prior consent to an administering body granting a lease of recreation reserve for afforestation purposes in all other cases.</p> <p>Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(2).</p> <p>Provided any decision is not inconsistent with the management plan for that reserve.</p>		CEO GMBS GMCD GMSD			
73(3)	<p>Form an opinion as to whether recreation reserve is not likely to be used for purposes of a recreation reserve.</p> <p>Power to consent or decline consent to administering body granting leases of whole or part of reserve vested in administering body.</p> <p>Grant of decline to grant leases of whole or part of a reserve held under an appointment to control and manage.</p> <p>Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(3).</p> <p>Provided any decision is not inconsistent with the management plan for that reserve.</p> <p><i>Note the provisions of Part 3B Conservation Act apply (s.73(3A)(b)).</i></p> <p><i>Note s.73(3A)(a) applies.</i></p>		CEO GMBS GMCD GMSD			
73(5)	<p>Power to consent or decline consent in writing to a member of an administering body becoming the lessee of any land under the control of that body.</p> <p>Provided any decision is not inconsistent with the management plan for that reserve and any procedures for leasing of reserves.</p>		CEO GMBS GMCD GMSD			
73(6)	<p>Power to consent or decline consent to surrender of lease.</p> <p><i>Only exercisable where the original approval for the lease was given by the territorial authority under this delegation.</i></p>		CEO GMBS GMCD GMSD			
74(1)(b)(i) (proviso)	<p>Power to consent or decline consent to granting of a licence to occupy a historic, scenic or scientific reserve.</p> <p>Provided any decision is not inconsistent with the management plan for that reserve.</p>		CEO GMBS GMCD GMSD			

75(1) and (2)	Power to consent or decline to consent to the afforestation of a recreation or local purpose reserve. Provided any decision is not inconsistent with the management plan for that reserve.		CEO GMSD	AMSP		
121	Where under the provisions of the Act consent or approval is required, give consent or approval subject to such conditions as are thought fit. Provided any decision is not inconsistent with the management plan for that reserve <i>Only exercisable in respects of matters delegated under this Instrument of Delegation.</i>		CEO GMBS GMCD GMSD	AMSP KVSM	PROM PFPTL COOP	PFA PRGL PRTL

Delegations – Residential Tenancies Act 1986

This Act regulates the relationship between tenant and landlord in residential tenancies.

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Services
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
AMSP	Asset Manager Strategy and Policy
PCPM	Property & Community Projects Manager
Fifth tier	
PSO	Property Services Officer

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
n/a	Power to enter in to tenancy agreements and Council's representative for administration of the Act.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
13B	Power to vary/renew a tenancy agreement.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
22	Power to apply for payment of a bond, or part of a bond where the application is made with the agreement of the other party; or in favour of the other party.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
22A	Power to apply for payment of a bond, or part of a bond, without the agreement of the other party.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
22B	Power to apply to the Tribunal for an order determining to who the bond, or any part of it, is to be paid.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
24	Power to increase rent payable in respect of any tenancy*. <i>*This power only relates to residential tenancies which are subject to and in accordance with market rents.</i>	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
24A	Power to grant a temporary rent reduction.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO

28	Power to rent in case of substantial improvements, improved facilities, or variation of terms. This may be done either by agreement with the tenant or by application to the Tribunal.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
28A	Power to make an application to the Tribunal for an increase of rent by order in case of unforeseen expenses.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
42	Power to consent to tenant's fixtures, renovation, alteration, or addition of or to the premises.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
44	Power to consent to assignment, subletting, or parting with possession by tenant.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
44A	Power to recovery of expenses of assignment incurred by landlord	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
48	Power to exercise Landlord's right of entry.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
50A	Power to terminate tenancy following death of sole tenant.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
51	Power to terminate tenancy by notice (e.g. 90 notice to vacate premises)	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
52	Power to apply to the tribunal for shorter notice.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
55	Power to apply to the Tribunal for termination on non-payment of rent, damage, or assault.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
55AA	Power to terminated a fixed-term or periodic tenancy by notice for physical assault by tenant	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
55A	Power to apply to the Tribunal for anti-social behaviour	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
56	Power to apply to the Tribunal for termination for non-payment of rent and other breaches of the tenancy agreement.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
59	Power to give notice where otherwise than as a result of a breach of the tenancy agreement (whether for a fixed-term tenancy or a periodic tenancy), the premises are destroyed, or are so seriously damaged as to be uninhabitable.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO

59A	Power to terminate a tenancy where as a result of a breach of the tenancy agreement (whether for a fixed-term tenancy or a periodic tenancy), the premises are destroyed or are so seriously damaged as to be uninhabitable.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
61	Power to apply to the Tribunal for an order terminating a tenancy where the tenant has abandoned the premises and the rent is in arrears.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
62	Power to dispose of foodstuffs or other perishable goods left on premises on the termination of the tenancy.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
62A	Power to dispose of abandoned goods following assessment of market value.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
62B	Power to apply and dispose of abandoned goods in accordance with Tribunal order.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
64	Power to apply to the Tribunal for an order for possession of the premises following the termination of a tenancy.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
65	Power to apply to the Tribunal for an order for the eviction of squatters.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
66	Power to apply to the Tribunal for an order reducing the term of the tenancy by a period stated in the order, and making such variations in the terms of the tenancy as are necessary because of the reduction of the term, where it is satisfied that, because of an unforeseen change in the applicant's circumstances, the severe hardship which the applicant would suffer if the term of the tenancy were not reduced would be greater than the hardship which the other party to the tenancy would suffer if the term were reduced.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
106	Power to file possession orders with the District Court.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
107	Power to file orders other than possession orders and work orders with the District Court.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
108	Power to lodge with the Tribunal an application for the enforcement of a work order.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
109	Power to apply to the Tribunal for an order requiring any other person to pay to the applicant an amount in the nature of exemplary damages on the ground that that other person has committed an unlawful act.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO

112B	Power to apply to the chief executive for contact information about a judgment debtor named in the order to be made available to the court in which enforcement proceedings against the judgment debtor have been, or may be, commenced.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
117	Power to lodge an appeal with the District Court where dissatisfied with the decision of the Tribunal.	CEO GMBS GMCD GMSD			
119	Power to lodge an appeal on questions of law to the High Court Where Council is dissatisfied with the decision of the District Court Judge as being erroneous in point of law may appeal to the High Court on that question of law.	CEO GMBS GMCD GMSD			
120	Power to appeal under section 119, with the leave of the High Court or (if that leave is refused) with special leave of the Court of Appeal, appeal to the Court of Appeal against the determination of the High Court.	CEO GMBS GMCD GMSD			
126C	Power to issue infringement notice	CEO			
126D	Power to revoke infringement notice	CEO			
126D	Power to issue improvement notices	CEO			
126D	Power to withdraw improvement notice	CEO			
134	Power to waiver breach of tenancy agreement by tenant.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO
135	Power to make an application for recovery of money paid by mistake.	CEO GMBS GMCD GMSD	AMSP PCPM		PSO

Delegations - Resource Management Act 1991

Key to position titles	
Council	
HC	Hearings Commission*
IHC	Independent Hearings Commissioner*
CHC	Chairman Hearings Commission*
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
DP	District Planner
Fourth Tier	
TLRC	Team Leader Resource Consents
Fifth Tier	
CP	Consents Planer (including graduate)

*Hearing Commissioners who are acting in a capacity under the Resource management Act 1991 must be appropriately accredited in order to exercise the following delegations.

Section & Power		Eteam	Third tier	Fourth tier	Fifth tier
All of its functions, powers, or duties under the Resource Management Act 1991, except: a) The approval of a policy statement or plan or any change to a policy statement or plan; b) The power of delegation; c) In respect of the District Planner only, the decision on application for a resource consent in respect of Discretionary, Non-Complying. d) In respect of the District Planner only, the making of a recommendation on a requirement for a designation; and e) In respect of the District Planner only, the decision on time limit extensions in respect of District Plan changes pursuant to section 37 of the Resource Management Act 1991. f) The power to make a decision on a request to refer the decision on an application for resource consent directly to the Environment Court pursuant to section 87E of the Resource Management Act 1991. PROVIDED THAT: • This delegation does not prevent the		CEO GMBS GMCD GMSD	DP		

<p>said position holders from doing anything before a final decision on any matter referred to in (a) through (d) (inclusive) above.</p> <ul style="list-style-type: none"> Where any application is recommended for refusal or if the position holders would not grant it, the matter shall be determined by the Hearings Commission upon a hearing being held. 					
The power to grant deemed permitted activity certificates under sections 87BA and BB		CEO GMBS GMCD GMSD	DP	TLRC	CP
<p>Pursuant to section 48 and clause 32 of the 7th schedule to the Local Government Act 2002 and section 34A(1) of the Resource Management Act 1991 the Matamata-Piako District Council hereby delegates the following powers severally to the Group Manager Community Development, Group Manager Business Support, Group Manager Service Delivery and the District Planner:</p> <p>a) To require a development plan and to exercise all the powers and rights of the Council in relation to developments;</p> <p>b) To accept cash in lieu of parking in accordance with a policy adopted by the Council;</p> <p>c) To issue certificates of compliance under Section 139 of the Resource Management Act 1991, and certificates of compliance with that Act for other purposes, such as motor vehicle dealers' licences, alcohol licences, education facilities, land promotion settlement and the like.</p>		CEO GMCD GMBS GMSD	DP		
<p>Pursuant to section 48 and clause 32 of the 7th schedule to the Local Government Act 2002 and section 34A(1) of the Resource Management Act 1991 the Matamata-Piako District Council hereby delegates severally to each of its employees, those of its functions, powers and duties under that Act:</p> <p>a) Of an administrative nature; or</p> <p>b) Relating to the receiving and processing of applications for resource consent; or</p> <p>c) Relating to the administration, monitoring and supervision of resource consents including certificates of compliance.</p> <p>d) This delegation does not include:</p> <p>e) The approval of a policy statement or plan or any change to a policy</p>		All staff			

<p>statement or plan; or</p> <p>f) The power to make the final decision on an application for resource consent; or</p> <p>g) The power of delegation.</p> <p>h) The power to make a decision on a request to refer the decision on an application for resource consent directly to the Environment Court pursuant to section 87E of the Resource Management Act 1991.</p> <p>But does include, in accordance with section 36(6) of the Resource Management Act 1991, the power to do anything to assist with any of the functions referred to in paragraphs (a) through (f) (inclusive) above, other than conducting a hearing or making a final decision.</p>		
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**Delegations - Sale and Supply of Alcohol (Fees) Regulations 2013,
Sale and Supply of Alcohol Act 2012 inclusive of CEO Delegations**

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMCD	Group Manager Community Development
GMBS	Group Manager Business Support
GMSD	Group Manager Service Delivery
SDLC	Secretary District Licensing Committee
Third tier	
CSM	Customer Services Manager
DP	District Planner
Fourth tier	
CSS	Customer Services Supervisor
Fifth tier	
CSA	Customer Services Advisor
CSAA	Customer Services & Administration Advisor
EHO	Environmental Health Officer
MALO	Monitoring & Alcohol Licensing Officer
MEO	Monitoring & Engineering Officer
MO	Monitoring Officer
LC	Legal Counsel
PEHAO	Planning and Environmental Health Administration Officer
PO	Planning Officer
SCSA	Senior Customer Services Advisor

Sale and Supply of Alcohol (Fees) Regulations 2013					
Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
10(2)	Assign a fee category, which is one level lower than prescribed under the Regulations	GMCD SDLC	DP		
Sale and Supply of Alcohol Act 2012					
Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
198	Authority for the CEO to delegate any of the CEO's functions, powers and duties under the Act.	CEO			

201(3)	Power to issue summonses requiring the attendance of witnesses before the licensing committee, or the production of documents, or to do any other act preliminary or incidental to the hearing of any matter by the committee.	CEO			
203(8)	Power to sign any decision, order, direction, certificate, or other document issued by the licensing committee on its behalf.	CEO			
261(1)(a)	Power to lay information under the Summary Proceedings Act 1957 for an infringement offence.	CEO GMBS GMCD GMSD	DP		LC
Sale and Supply of Alcohol Act 2012 - CEO Delegations					
Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
66(3)	Power to send, on behalf of the Secretary, copies of applications and decisions made by the licensing committee to the licensing authority.	GMBS GMCD GMSD	DP	CSS	CSA CSAA SCSA PEHAO
72	Power to issue, on behalf of the Secretary, a duplicate licence or certificate.	GMBS GMCD GMSD	DP	CSS	CSA CSAA SCSA PEHAO
73	Power to notify the Secretary of the licensing authority that a licence has been surrendered.	GMBS GMCD GMSD	CSM DP	CSS	CSA CSAA PEHAO PO SCSA
103(1)	Power to send, on behalf of the Secretary, a copy of a licence application to the police, an inspector and the Medical Officer of Health.	GMBS GMCD GMSD	CSM DP	CSS	CSA CSAA PEHAO PO SCSA
103(5)	Power to send, on behalf of the Secretary, an inspector's report filed with the licensing committee to the applicant.	GMBS GMCD GMSD	CSM DP	CSS	CSA CSAA PEHAO PO SCSA
128(4)	Power to send, on behalf of the Secretary, a copy of every objection to the applicant.	GMBS GMCD GMSD	CSM DP	CSS	CSA CSAA PEHAO PO SCSA
139	Power to require, on behalf of the Secretary, that an applicant for a special licence attach the notice of the application on or adjacent to the application site.	GMBS GMCD GMSD	DP		

140	Power to require, on behalf of the Secretary, the period within which an objection must be filed with the licensing committee. Power to give, on behalf of the secretary, a copy of every objection to the applicant.	GMBS GMCD GMSD			
141	Power to send, on behalf of the Secretary, a copy of a special licence application to the police, an inspector and the Medical Officer of Health. Power to send, on behalf of the Secretary, an inspector's report filed with the licence committee, to the applicant.	GMBS GMCD GMSD	CSM DP	CSS	CSA CSAA PEHAO PO SCSA
155(6)	Power to send documents to the secretary of the licensing authority on behalf of the Secretary.	GMBS GMCD GMSD	CSM DP	CSS	CSA CSAA PEHAO PO SCSA
193	Power to appoint a commissioner to a licensing Committee on the recommendation of Council.	GMBS GMCD GMSD			
197	Power to appoint 1 or more licensing inspectors, and, if more than one inspector is appointed, to appoint one inspector as chief licensing inspector.	GMBS GMCD GMSD			
201(3)	Power to issue summonses requiring the attendance of witnesses before the licensing committee, or the production of documents, or to do any other act preliminary or incidental to the hearing of any matter by the committee.	GMBS GMCD GMSD	DP		
203(8)	Power to sign a decision, order, direction, certificate, or other document issued by the licensing committee on its behalf.	GMBS GMCD GMSD			
220	Power to send, on behalf of the Secretary, a copy of the manager's certificate application to the police and an inspector. Power to send, on behalf of the Secretary, a copy of the inspector's report to the applicant.	GMBS GMCD GMSD	CSM DP	CSS	CSA CSAA EHO MALO MEO MO PEHAO PO SCSA
225	Power to send to the applicant, on behalf of the Secretary, a copy of the manager's certificate renewal application to the Police and to an inspector. Power to send, on behalf of the Secretary, a copy of the inspector's report.	GMBS GMCD GMSD	CSM DP	CSS	CSA CSAA EHO MALO MEO MO PEHAO PO SCSA

283(4)	Power to send, on behalf of the Secretary, a copy of an application under s283(1) to the licensee, to fix the earliest practicable date for a public hearing of the application, and to give notice of the date, time and place of the hearing to the applicant and the licensee.	GMBS GMCD GMSD	CSM DP	CSS	CSA CSAA EHO MALO MEO MO PEHAO PO SCSA
284(3)	Power to send, on behalf of the Secretary, a copy of an order made under s284(1) to the secretary of the licensing authority.	GMBS GMCD GMSD	CSM DP	CSS	CSA CSAA EHO MALO MEO MO PEHAO PO SCSA

Delegations - Transport (Vehicular Traffic Road Closure) Regulations 1965

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMSD	Group Manager Service Delivery
Third tier	
RM	Roading Manager

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
6	Where objections to closure received - Power to consider objections to a closure are received and to make a decision on that objection.	CEO GMSD	RM		

Delegations - Trespass Act 1980

Key to position titles	
Eteam	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCD	Group Manager Community Development
GMSD	Group Manager Service Delivery
Third tier	
SPAGM	Strategic Partnerships and Governance Manager
CSM	Customer Services Manager
DLM	District-Library Manager
DP	District Planner
FOM	Facilities Operations Manager
PSWM	People Safety and Wellness Manager
PCPM	Property & Community Projects Manager
KVSM	Kaimai Valley Services Manager
Fourth tier	
CL	Community Librarian
CSS	Customer Services Supervisor
LTL	Library Team Leader
SWFM	Swim Zone Facility Manager
TASFM	Te Aroha Spas Facility Manager
Fifth tier (inclusive contractors)	
LC	Legal Counsel
PSO	Property Services Officer
SWTL	Swim Zone Team Leader
External	
POLICE	Including but not limited to Senior Constable Craig GORDON Senior Constable Ross MORATTI Sergeant Ryan JOHNSTON Constable Bryan CARTER

Delegations to the following positions are limited to issuing Trespass Notices within the position titles area of operation.

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier	External
4(1) & (2)	Power to issue warning to stay off.	CEO GMBS GMCD GMSD	CSM DLM DP FOM PSWM PCPM KVSM	CL CSS LTL SWFM TASFM	LC PSO SWTL	POLICE
9(1)	Power to require any person found trespassing to give particulars of his name and place of abode and give the number of his firearms licence if he is in possession of a firearm.	CEO GMBS GMCD GMSD	CSM DLM DP FOM PSWM PCPM KVSM	CL CSS LTL SWFM TASFM	LC PSO SWTL	POLICE
10	Power to lay information for proceedings under the Trespass Act 1980.	CEO GMBS GMCD GMSD			LC	