

# Komiti o te Mōrearea me te Tūmaru | Risk & Assurance Committee

## Ngā Tāpiritanga – Pūrongo | Attachments – Reports ATTACHMENTS UNDER SEPARATE COVER

Notice is hereby given that an ordinary meeting of Komiti o te Mōrearea me te Tūmaru | Risk & Assurance Committee will be held on:

**Ko te rā | Date:** Tuesday 10 September 2024  
**Wā | Time:** 9:00  
**Meeting Room:** Council Chambers  
**Wāhi | Venue:** 35 Kenrick Street  
TE AROHA

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**Legislative Warrant of Fitness – ~~July 2022-2023~~2024**

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### Council as a good employer

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
1	<p><b>Anzac Day Act 1966</b> The Act regulates the observance of Anzac Day and commercial activities after noon.</p> <p>Where Anzac Day falls on a Sunday it shall be observed as a Sunday. Where Anzac Day does not fall on a Sunday, it is observed up to 1 o'clock in the afternoon as if it were a Sunday, and after that hour on that day such activities shall be permitted as may lawfully take place after noon on a Saturday. The Act is subject to section 45A of the Holidays Act 2003 (which concerns the transfer of the public holiday for the purposes of Part 2, subpart 3 of that Act when Anzac Day falls on a Saturday or a Sunday).</p>	Compliance with the requirements to observe Anzac Day and limit commercial activities.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under the legislation.	Leave Policy  Individual and Collective Employment Agreements	Yes	<p><del>Compliant with the Act regarding opening hours and payment to staff. Council offices and Libraries close on ANZAC Day, office and Library staff are not required to attend work. Staff that are required to work on ANZAC Day for the celebration events are paid in accordance with the Holidays Act 2003</del></p> <p><del>Pool facilities are open after 4pm. KVS staff not required to work except those that are on call/standby or undertaking work for the ANZAC Day celebration events.</del></p>
2	<p><b>New Zealand Bill of Rights Act 1990 (NZBORA)</b> The NZBORA protects the rights of peoples in New Zealand – freedom of thought, conscience, religion, expression, peaceful assembly, discrimination etc.</p>	Maintenance of the rights and freedoms as set out in the NZBORA.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under the legislation.	Equal Employment Opportunities Policy, Harassment (including bullying and discrimination) policy, Recruitment and Selection Policy, Substandard Performance, Misconduct and Disciplinary Policy, Employment Relations Policy	Yes	Council is an equal opportunity employer and undertakes a number of steps to ensure the workplace is free from harassment (including bullying and discrimination)
3	<p><b>Criminal Records (Clean Slate) Act 2004</b> The Criminal Records (Clean Slate) Act establishes a clean slate regime that enables eligible individuals to conceal their criminal record in some circumstances. As a part of the state sector and an employer there are implications for the questions that can be asked of people.</p>	Compliance with the prohibition to ask or require a person to disregard the effect of the clean slate scheme when answering a question about their criminal records. It is also an offence to require or request an individual to disregard the effect of the clean slate and disclose, or give consent to the disclosure of, his or her criminal record.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under the legislation.	Application for employment process  Ministry of Justice Criminal Conviction checks undertaken on all new staff.  Promapp process - Criminal conviction and police vetting checks	Yes	The requirements of the Act are met in Council's application process and during Criminal Conviction checks
4	<p><b>Employment Relations Act 2000</b> This Act covers the negotiation of employment agreements and procedures for employment relations problems. It is integral to the function of the Council as an employer.</p>	Compliance with legislative requirements regarding employment agreements, bargaining, union membership, personal grievance processes, record keeping etc.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a	Policies - Employment Relations Policy, Flexible Ways of Working Policy, Storage of	Yes	The requirements of this act are met and People and Wellness ensures compliance with all Individual and Collective Employment Agreements. Various policies

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				power under the legislation.	Employee Records Policy  Collective and Individual Employment Agreements  Partnership <del>for Quality</del> Agreement with the Unions, Bargaining Process Agreements  Processes – creating an individual employment agreement, Employee opts to join Union, Employee opts out of Union, Staff request for flexible hours, MPDC info security and control		are in place such as: Employment Relations Policy, Flexible Ways of Working Policy, Storage of Employee Records Policy.
5	<b>Equal Pay Act 1972</b> This Act enables the elimination and prevention of gender discrimination in remuneration rates in all sectors of paid employment.	Rates paid to women are to be based on the rates paid to male employees with the same (or substantially similar) skills, responsibilities and service.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under the legislation.	Equal Opportunities policy  Remuneration Policy  SP5 Job Sizing system	Yes	The SP5 Job Sizing system is used to evaluate most positions at Council. This system has been <u>previously</u> proven to meet the Standard for Gender Inclusive Job Evaluation. This system determines what rates are paid for positions. <del>Note this system is only used for some positions at KVS but we will be looking into this further in the future. We have previously investigated whether to undertake a PAEE review but we determined it was not required as we use the SP5 system and staff views on pay equality at MPDC at the time.</del>
6	<b>Fees and Travelling Allowances Act 1951</b> This Act sets out the payment of remuneration and travelling allowances and expenses to members of statutory Boards and of travelling allowances and expenses to members of local authorities	Where, under any enactment, a member of a local authority is entitled to receive payment of travelling allowances or travelling expenses, the provisions of this Act, as far as they are applicable and with the necessary modifications,	<del>Finance Manager</del> <del>People, Safety and Wellness Manager</del>	No delegation required as Council is not exercising a	Mileage claim form	Yes	To the best of staff's knowledge this legislation has been complied with.

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		shall apply to that member as if the local authority were a statutory Board.		power under the legislation.			<del>Council removed the IRD travel Allowance, now only mileage is paid.</del>
7	<b>Health and Safety at Work Act 2015</b> An Act relating to the health and safety of employees and other people at work, to promote health and safety management by employers.	Compliance with the requirements of a person conducting a business or undertaking under the Health and Safety at Work Act 2015.	People, Safety and Wellness Manager  Safety and Wellness Team Leader	Yes - 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	Multiple processes included: Risk Management - Health and Safety, Staff Occupational Health Monitoring, Planning Safety & Wellness Training for Staff. <u>Safety and Wellness Policy, Safety &amp; Wellness Reporting (Governance) Council H&amp;S Charter, H&amp;S Policy Vault Database for managing safety and wellness information</u>	Yes	<u>To the best of staff's knowledge, this legislation has been complied with. Safety and Wellness Policy and Promapp processes are in place. Damstra Safety system is used to track Health and Safety information. Objectives have been set for 2022/2023 Financial Year and a strategic plan is in place.</u>
8	<b>Holiday Act 2003</b> The purpose of this Act is to promote balance between work and other aspects of employees' lives and, to that end, to provide employees with minimum entitlements to annual holidays, public holidays, sick leave and bereavement leave.	The Act provides to enforce several days for the worker as holidays. As an employer, the Council must ensure that its employment contracts comply with the legislation and employees and allowed leave accordingly. All required records are kept of this.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under legislation.	Leave Policy  Individual and Collective Employment agreements  Promapp process - MPDC info security and control, Average and Ordinary hourly rate calculation, Pay MPDC and KVS Employees	Yes	People and Wellness ensures compliance with the Holidays Act and Individual and Collective Employment Agreements <u>We will be undertaking an audit to determine whether there are any historical issues that need to be addressed.</u>
9	<b>Human Rights Act 1993</b> This Act governs the protection of human rights in New Zealand. It is applicable for Council in employment and the provision of access for the disabled.	Compliance with requirement not to discriminate based on a prohibited ground *  <i>*Prohibited Grounds:</i> Discrimination on the basis of gender, pregnancy and childbirth, marital status, religious ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment or family status, sexual orientation.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under legislation.	Employment Relations Policy, Equal Employment Opportunities Policy, Harassment (including bullying and discrimination) policy, Recruitment and Selection Policy, Substandard Performance, Misconduct and Disciplinary Policy	Yes	<u>Policies and processes are in place to ensure we comply. People and Wellness ensures compliance with the Human Rights Act. Various policies are in place. Our previous application for employment form had been checked by an Employment Lawyer for compliance and our new application process is based on the same information. The pre-employment medical form has also been reviewed by an Employment Lawyer to</u>

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							<del>ensure there are no discriminatory questions.</del>
10	<b>Injury Prevention, Rehabilitation and Compensation Act 2001</b> This Act regulates the area of accident compensation coverage.	Comply with obligations as an employer for the payment of levies and premiums.	People, Safety and Wellness Manager  Safety and Wellness Team Leader	No delegation required as Council is not exercising a power under legislation.	Calculating lost time injury frequency rates  Information is supplied to ACC as required for the calculation of levies and premiums. Payments are made within required timeframes. Payroll information is also supplied to ACC for the calculation of earnings for injured employees.	Yes	Annual report includes Lost Time Injury Frequency rates. Number of Lost Time Injuries are reported each quarter. Injuries monitored on ACC website.  Return to work (RTW) programme in place.
11	<b>Kiwi Saver Act 2006</b> This Act is to encourage a long-term savings habit and asset accumulation by individuals for retirement. The Act aims to increase individuals' well-being and financial independence, particularly in retirement, and to provide retirement benefits.	Information provided to new employees, meet enrolment requirements for employees, compulsory contributions and tax credit entitlements etc.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under legislation.	Employee payroll start form  Kiwisaver employee information sheet (including the investment statement from our preferred provider)  Kiwisaver information – forms and processes: <del>forms and processes: existing staff wanting to join, Kiwisaver deduction form, opt-out form existing staff wanting to join, Kiwisaver deduction form, opt-out form</del>  <del>Cease KiwiSaver Compulsory Employer Contribution</del>	Yes	A number of processes are in place to ensure the requirements of the KiwiSaver Act are met <del>(as outlined in the promapp processes column)</del>
12	<b>Local Government Act 2002</b> This Act sets out the requirements of Council to be a good employer, and certain disclosure requirements regarding employee salaries in its Annual Reporting.	Compliance with requirement to be a good employer and other reporting requirements under this legislation.  <i>42 Chief executive A chief executive appointed under subsection (1) is responsible to his or her local authority for—</i>	People, Safety and Wellness Manager	Council has delegations under the LGA but not specifically in relation to employment. The Local	There are a number of policies that relate to Council being a good employer such as: <del>Staff Occupational Health and Exposure</del>	Yes	The People, Safety and Wellness Manager is responsible for meeting the reporting requirements under the Local Government Act 2002 in relation to employee salaries and the number of employees

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
		<i>(c)ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and (g)employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and (h) negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).</i>		Government Act 2002 specifically identifies the CE as the employer of Council staff. S42 of the Act provides authority for the CE to comply with legislation.	Monitoring, Leave policy, Flexible ways of working policy, Employment relations policy, Remuneration Policy, Equal Employment Opportunities Policy, Harassment (including bullying and discrimination) policy, Recruitment and Selection Policy, Substandard Performance, Misconduct and Disciplinary Policy, Training and Development Policy, Workplace Support Policy and Family Violence Policy.  Appointment Approval – signed off by CEO  The annual staff climate survey is undertaken to monitor staff culture.		
13	<b>Minimum Wage Act 1983</b> The Act provides for minimum wage rates for adults and for youth workers to be paid. The Minister has discretion to set the minimum wage order.	Compliance with minimum wage rates.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under the legislation	Process - Process payroll end of tax year  Individual and Collective Employment Agreements	Yes	People and Wellness ensures compliance with the Minimum Wage Act and Individual and Collective Employment Agreements.  MPDC has agreed to pay at least the living wage for all staff.
14	<b>Parental Leave and Employment Protection Act 1987</b> Prescribes the minimum entitlement with respect to parental leave for male and female employees and protects employees during pregnancy and parental leave.	Comply with the requirements regarding parental leave under this legislation	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under the legislation	Leave Policy, Employment Relations Policy, Harassment (including bullying and discrimination) policy  Process – Employee Parental Leave, HR Parental Leave process	Yes	Requirements are met as outlined in Council's employee parental leave process
15	<b>Protected Disclosures (Protection of Whistleblowers) Act 2022</b>	Compliance with the requirements regarding protection of employees, advising staff of	People, Safety and	No delegation	Protected Disclosures –	Yes	<del>We meet the requirements of this act. There have been no</del>



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	An employee of the Council (including a former employee and a person working under contract of services) may disclose information about serious wrongdoing in or by the organisation which the employee believes on reasonable grounds to be true or likely to be true and the purpose is to enable investigation of the allegations and the employee wishes the disclosure to be protected.	Council's protected disclosures policy as required by legislation.	Wellness Manager	required as Council is not exercising a power under the legislation	Whistleblowers policy  Protected Disclosures procedure  Fraud and Corruption, Conflicts of Interest and Protected Disclosures brochure		<del>protected disclosures in the 2022/2023+ financial year.</del>
16	<b>Smoke Free Environments Act 1990</b> The Act is intended to protect persons from cigarette smoke within all premises other than private homes. Another part limits sponsorship by tobacco companies.	Hold a written policy on smoking in the workplace and maintain a smoke free work environment.	People, Safety and Wellness Manager  Safety and Wellness Team Leader	No delegation required as Council is not exercising a power under the legislation	Designated smoking areas.	Yes	Designated smoking areas in place.
17	<b>Te Kahui o Matariki Public Holiday Act 2022</b> The Act prescribes the observance of Matariki Day as a public holiday.	Observance of Matariki day as a public holiday.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under the legislation	Leave Policy  Individual and Collective Employment Agreements	Yes	People and Wellness ensures compliance with the Holidays Act and Individual and Collective Employment Agreements
18	<b>Waitangi Day Act 1978</b> The Act prescribes the observance of Waitangi Day as a public holiday.	Observance of Waitangi day as a public holiday.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under the legislation	Leave Policy  Individual and Collective Employment Agreements	Yes	People and Wellness ensures compliance with the Holidays Act and Individual and Collective Employment Agreements
19	<b>Wages Protection Act 1983</b> This legislation restricts the ability of an employer to deduct money from an employee's wages.	Comply with restrictions on making deductions from employee wages.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under the legislation	Individual and Collective Employment Agreements  <del>COSACS deduction authority form</del>  Staff member wants to change payroll deductions including Maintenance Form  Induction packs for new staff	Yes	People and Wellness ensure compliance with legislation and Individual and Collective Employment Agreements

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
20	<b>Vulnerable Children Act 2014</b> One of the purposes of this Act is to reduce the risk of harm to children by requiring people employed or engaged in work that involves regular or overnight contact with children to be safety checked.	Compliance with the requirements to carry out checks on any staff who are classified as working with children under this Act.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under the legislation	Promapp process - Criminal conviction and police vetting checks.	Review Underway  A training programme is underway. A policy is still in review and will be finished soon.	'Children's workers' are safety checked as per legislative requirements. <u>Police vetting for volunteers and contractors to be considered as part of the policy development.</u> <u>No consideration given at this time to volunteers doing H&amp;S work i.e. tracks, parks, gardens etc. (unless working with children).</u> <u>Also no consideration of work undertaken by Contractors on Council facilities i.e. pools, libraries where there are children.</u>
21	<b>The Domestic Violence – Victim's Protection Act 2018</b> Adds legal protections in the workplace for people affected by family violence	Compliance with employees' rights to take 10 days of paid family violence leave, ask for short term flexible working arrangements and not be treated adversely in the workplace because they might have experienced family violence.	People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under the legislation	Family Violence Policy  Request for flexible working hours form  Leave application process	Yes	Workplace support also available.

### Council as a landlord and land owner

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
22	<b>Fencing Act 1978</b> This Act sets out the rights and obligations of property owners when fencing common boundaries.	Compliance with Council's obligations under the legislation as a property owner.	Property and Community Projects Manager  Assets & Projects Manager	Y	Boundary Fencing Procedure	Yes	Council as an Authority has no obligation under the Fencing Act to contribute to the cost of boundary fences on roads. All modern Reserves acquired by Council as part of subdivisions in the past decade have covenants on them that exclude Council from contributing to a boundary fence, older reserves and general Council owned property still require Council to make a contribution. Note: The Fencing Act does not apply to esplanade reserves created through subdivisions. When asked to contribute Council checks that no covenant exists.
23	<b>Property Law Act 2007</b> This act sets out various laws regarding leases (other than residential), easements and mortgages etc.	Compliance with obligations under the Act – the area most commonly dealt with is obligations around commercial leases.	Property and Community Projects Manager  Legal Counsel	Y	Leasing procedure/ guidelines  Sale/purchase of Own your own and other properties	Yes	Council staff follow set processes for the leasing of land, and the sale/purchase of property. These include controls such as obtaining valuations and using external legal firms for conveyancing. Other legislative requirements – such as residential tenancies, public works act and reserves act requirements are also considered on a case by case basis depending on the nature of the land and transaction.
24	<b>Residential Tenancies Act 1986</b> This Act regulates the relationship between tenant and landlord in residential tenancies.	Compliance with the requirements of the act regarding tenancy agreements, bonds, notices etc.	Property and Community Projects Manager	Y	Elderly persons housing rent reviews- policy  Selection of own your own housing and elderly persons housing occupants	Yes	Staff follow promapp processes for the leasing of residential property as well as accessing resources/guidance provided by the Tribunal services.  Council also undertakes a survey of residents annually to gauge their satisfaction with Council as a land lord – these results are available on request.  Council has not been taken to the tenancy tribunal by a resident. Council has not taken any tenant to the service for any reason this financial year.
25	<b>Trespass Act 1980</b> This act sets out the ability of person/entity to warn and trespass persons from land that they occupy or own	Compliance with processes regarding trespassing person from Council property. Persons who are trespassed have been done so on a sound legal basis.	District Library Manager  Legal Counsel  Facilities Operations Manager	Y	Issuing a Trespass Notice	Yes	A small number of trespass notices have been issued for aggressive and antisocial behavior. These are issued according to the Promapp process with notes of each event stored in our systems (including Vault).

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
							<u>Staff ensure that there are the necessary staff involved in decisions where it is not clear cut.</u>
26	<b>Public Bodies Leases Act 1969</b> This Act relates to the powers of certain public bodies to lease land. There is an interface between the Reserves Act 1977 and the Public Bodies Leasing Act 1969 with regard to Local Purpose Reserves.	Compliance with Council's obligations under the legislation as a property owner.	Assets & Projects Manager  Property and Community Projects Manager	N	Review to be undertaken	No	<p>Council staff are reviewing this Act to check what (if any processes are affected) and whether delegations are required. However a significant remainder of the land Council owns is not put out for public tender every time a lease ends as s8 requires. Only large and commercial leases are publically advertised. This is mostly due to the costly process that would be involved for each piece of land. There are certain sections (such as the floodplain in Te Aroha) that are advertised every time they come up for renewal. Compliance with this legislation will require further work by staff.</p> <p>The PBLA does not apply to Recreation Reserves leased under s.54, Reserves Act 1977. Staff need to determine whether s61(2A) means that you do not have to comply with the PBLA for local purpose reserves i.e. you can either lease them under the provisions of the PBLA (s61(2)) or lease them under s.61(2A) for the purposes specified under s.61(2A)(a-b).</p>
27	<b>Biosecurity (National PA Pest Management Plan) Order 2022</b> This order relates to the duties required by landowners who have public tracks in areas where kauri grow, for the protection of kauri forests	Compliance with Council's obligations under the legislation as a property owner that has kauri on MPDC managed lands.	Assets & Projects Manager	N	No	No	Not currently fully compliant but are working through the requirements and gathering data on kauri on MPDC managed lands in order to develop an action plan to comply. Report supplied to Council in August 2023 with further info.

**Council as an information holder and provider**

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
28	<b>Copyright Act 1994</b> The Copyright Act protects the property right associated with ownership of original works. The Council has compliance risks in relation to the use of original works by the Commission's staff in conducting their work, for example in communications and outreach.	The Council must not copy, or allow to be copied, original works for which it does not have this right.	Communications & Engagement Manager	No delegation required as Council is not exercising a power under the legislation	No processes	Yes	How this could be reflected in Promapp needs to be reviewed further.  Council's agreements regarding intellectual property/datasharing etc cover the position on copyright.  Council has copyright disclaimers for Council information supplied through the website and how people are to use this information.  <u>In the 2023/24 year council was found to have breached StandardsNZ copyright by publishing to the MPDC website a full copy of a NZS standard. The matter was investigated and the Standards office accepted the explanation provided and training was subsequently delivered to the staff involved.</u>
29	<b>Local Government Official Information and Meetings Act 1987</b> The intent of this Act is to make official information more freely available, to provide for proper access by each person to official information relating to that person, to protect official information to the extent consistent with public interest and the preservation of personal privacy. Where the Council makes official information available in good faith no civil or criminal proceedings should lie against it.	Compliance with the requirements to release information under LGOIMA	Legal Counsel	Y	LGOIMA or OIA request management overview	No	Promapp process and guidelines for staff are documented, and new staff required to respond to LGOIMA requests are provided with training.  There is a Promapp process for Staff to follow when responding to LGOIMA requests. There are four staff members that respond to LGOIMA requests, one from the communications department, one from records department and two from the SPAG team. The Legal Counsel oversees <del>the other SPAG member responses</del> to ensure the messaging is correct and consistent. The limited number keeps the process consistent and ensures that all requests are responded to. It provides better accountability and measures to ensure LGOIMAs are responded to on time. In the 2023/24/23 year there were <del>ninety five one hundred and four (10495)</del> requests of these <del>94.5894.23% (9887)</del> were responded to within the 20-day timeframe. <del>Six-Five</del> were missed due to human error and for <del>two one</del> an extension of time was requested. <u>Staff have implemented task tracking through the authority register to help avoid going over the timeframe.</u>
	This act also provides for the provision of Land Information Memorandums, which can attract liability if incorrect information is provided.	Compliance with requirements to release information in LIMS	Customer Services Manager Information Manager Legal Counsel	Y	Public access requirements for information release	Yes	Council's <del>customer services</del> LIM management team have established processes and templates <u>and these are reviewed as changes occur. This to ensure</u> information is collected, <del>and checked</del> and supplied according to the correct legislative requirements.  <del>A revised template is currently being worked on to plain English the language and improve the document flow. We are working on implementing the following with Taituara and Waikato Regional Council as soon as guidance is available.</del>  <u>Key changes:</u> <ul style="list-style-type: none"> <li>• <u>Require natural hazard and climate change information be included on LIMs.</u></li> <li>• <u>Puts an obligation on regional councils to share information to territorial authorities.</u></li> </ul>

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							<ul style="list-style-type: none"> <li>Provides for national direction on Natural Hazard Information.</li> <li>Include new reasons for withholding information under LGOIMA.</li> </ul> <p>Taituarā is working with DIA to ensure that the regulations and guidance are clear and easy to use.</p>
30	<p><b>Privacy Act 2020</b> The New Zealand Privacy Act 2020 sets out the functions of the Office of the Privacy Commissioner. 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. From the 1993 Act to the updated 2020, Council is required to be more proactive with ensuring that the private data it holds is secure as well as notifying the Office of privacy breaches. The Commissioner now holds stronger powers to ensure businesses and organisations are protecting private information</p>	Compliance with privacy principles and obligation to release/update private information.	<p>Legal Counsel</p> <p>Information Manager (Privacy Officer)</p>	Y	MPDC information security and control	Yes	<p>To the best of knowledge this has been complied with, staff are given training as part of their induction on LGOIMA and Privacy Act requirements.</p> <p><u>MPDC staff in customer related roles receive annual follow-up Privacy Training, including completing online Privacy Modules (currently using CoLab &amp; OPC tools)</u></p> <p><u>In response to the changes – A register has been established in-An Authority register is used to capture breaches and actions taken by MPDC. Any breach that is given an initial potentially significant assessment is lodged on the OPC website.</u></p> <p><u>Development of new or modified existing forms, updated technologies and arrangements involving data are reviewed as they occur. MPDC Websites Privacy Statements are updated when data related changes are made. Projects involving data are required to involve the Privacy Officer to ascertain risk, response and identify appropriate Privacy actions.</u></p> <p><u>to comply with the changes to the Privacy Act. Training is being given to staff handling personal information around the changes to the Act and the purpose of the register.</u></p> <p><u>All current forms, hardcopy &amp; digital were reviewed Nov/Dec 2018 to check the personal information requested is required so we minimise what information we then need to maintain.</u></p> <p><u>The Information Manager has reviewed processes to ensure we are compliant with the new legislation.</u></p>
31	<p><b>Public Records Act 2005</b> 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.</p>	The Council is required to create and maintain full and accurate records in accordance with normal, prudent business practice. These records must also be accessible over time. The Council must gain the Chief Archivist's authorisation before disposing of public records.	<p>Information Technology Manager</p> <p><u>Information Manager</u></p> <p>Communications &amp; Engagement Manager</p>	Y	Document management	Majority Compliance	<p>The Public Records Act also applies to our websites and Social Media.</p> <p>We are working towards complying with this Act by capturing logs on the MPDC website of who made changes, when, and what the change was. Our Disaster Recovery processes also provide the ability to restore old versions of the website, however, these do not comply with the requirements of the Records Act.</p> <p>We have implemented Archive Social, a social media archiving solution to improve compliance with the Public Records Act. This platform also archives the Council website. The information held in Council's Content Manager system and at our offsite storage providers is compliant but our storage of hardcopies documentation onsite does not comply (this is the situation for most councils across the country).</p> <p><u>MPDC is moving to the use of M365, and associated AI technologies, as well as moving to the use of Sharepoint. All of these steps have an impact on compliance with the PRA</u></p>

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							for all Council records. It will be necessary to include processes to the implementation of these changes that address PRA related compliance matters.

### Council as a governance body

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
32	<b>Citizenship Act 1977</b> Provides for Councils to facilitate citizenship ceremonies on behalf of the government.	Undertaking citizenship ceremonies in accordance with legislation	Communications & Engagement Manager	No delegation required as Council is not exercising a power under the legislation – specific staff members and the Mayor are appointed by the DIA to carry out ceremonies.	Citizenship ceremony Taking photos at citizenship ceremonies	Y	Citizenship ceremonies are carried out 6-8 times per year depending on demand, they have all been carried out in accordance with the Council's MOU with the DIA.
33	<b>Civil Defence Emergency Management Act 2002</b> The purpose of this Act is to improve and promote the sustainable management of hazards and provide for planning and preparation for emergencies and for response and recovery in the event of an emergency.	Compliance with Council's obligations to co-ordinate civil defence readiness and operations under the Act.	Group Manager Growth & Regulation	On 9 May 2018 Council approved Councillor Russell Smith, with delegated authority to act for the Mayor on behalf of MPDC.  Council also appointed Julian Snowball, to act as a Local Controller for the Matamata-Piako District Council.  All other appointments are made by the Civil Defence Emergency Management Group	Service level agreement with WRC to provide an emergency management officer. Staff training on-going. Incident Management team appointed and trained. Regular attendance at meetings. Various processes incl. Utilising the civil defence status board Civil defence brief form Managing a crisis/emergency What to do in a crisis / emergency	Y	Several staff are trained to a level where they can respond to events nationally.  Civil Defence Emergency Management Group meets regularly for planning, exercises etc.  <i>The annual exercise assessed to measure the efficacy of training moved MPDC from 48% (late developing) in May 2022 to 64% (advancing) in 2023</i>
34	<b>Ngāti Hauā Claims Settlement Act 2014</b> The purpose of this Act is to record the acknowledgements and apology given by the Crown to Ngāti Hauā in the deed of settlement; and to give effect to certain provisions of the deed of settlement that settles the non-raupatu historical claims of Ngāti Hauā.	Compliance with the requirements to convene a committee for governance matters on the Waharoa (Matamata) Aerodrome. Compliance with the requirements to disclose certain matters in the district plan and implement them through resource consent processing.	Policy, Partnerships & Governance Manager  Planning Manager  <a href="#">Iwi Relationship Manager</a>	No delegation required as Council is not exercising a power under the legislation – Council has appointed members to <u>and administers</u> the Committee. To meet the requirements of the RMA we need to consider the NHCSA and there are delegations are under the RMA which are relevant.	Meeting processes in Promapp  District Plan amendments processes  This is assessed through the resource consent processes and is therefore included in the resource consent templates.  There are promapp processes in regards to resource consents	Y	Waharoa Aerodrome Committee meetings are held <u>two</u> -three times per year.  The District Plan has been updated to include the Ngāti Haua Claims Settlement as a statutory acknowledgment.  Council are complying with the settlement legislation requirements when processing Resource Consents and District Plan changes.
35	<b>Ngāti Hinerangi Claims Settlement Act 2021</b>  Ngāti Hinerangi and the Crown signed a Deed of Settlement on 4 May 2019.	Compliance with the requirements to disclose certain matters in the district plan and implement them through resource consent processing.	Planning Manager  <a href="#">Iwi Relationship Manager</a>	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.  To meet the requirements of the RMA we need to consider the NHCSA and there are delegations are under the RMA which are relevant.	District Plan amendments processes  This is assessed through the resource consent processes and is therefore included in the resource consent templates.  There are promapp processes in regards to resource consents	Y	Staff are aware of the legislation for Ngāti Hinerangi which they are monitoring to ensure Council is compliant with legislative requirements  Council are complying with the settlement legislation requirements when processing Resource Consents and District Plan changes.
36	<b>Ngāti Koroki Kahukura Claims Settlement Act 2014</b> The purpose of this Act is to record the acknowledgements and apology given by the Crown to Ngāti Koroki Kahukura in the deed of settlement; and to give effect to certain provisions of the deed	Compliance with the requirements to disclose certain matters in the district plan and implement them through resource consent processing.	Planning Manager  <a href="#">Iwi Relationship Manager</a>	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.  To meet the requirements of the RMA we need to consider the act	District Plan amendments processes  This is assessed through the resource consent processes and is therefore included in the resource consent templates.	Y	The District Plan has been updated to include the Ngāti Koroki Kahukura settlement as a statutory acknowledgment.  Council are complying with the settlement legislation requirements when processing



#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
	of settlement that settles the historical claims of Ngāti Koroki Kahukura.			and there are delegations are under the RMA which are relevant.	There are promapp processes in regards to resource consents		Resource Consents and District Plan changes.
37	<b>Local Authorities (Members' Interests) Act 1968</b> This Act sets limits on the total of all payments made or to be made by or on behalf of the local authority in respect of all contracts made by it to elected members, and restrictions regarding voting where the elected member has a pecuniary interest	Compliance with limits for contract payments, voting restrictions and disclosures to Auditor General	Finance and Business Service Manager	Y	Members Interests process in Promapp	Y	To the best of staff's knowledge this legislation has been complied with.  There were no applications made to the OAG to exceed the \$25k contract limit for elected members.
38	<b>Local Electoral Act 2001</b> The purpose of this Act is to provide uniform rules in relation to the timing of local elections; and the right of individuals to vote, stand for election, and nominate candidates for election.	Compliance with the obligations to undertake local body elections every three years	Policy, Partnerships & Governance Manager	Y – Council delegates directly to the <u>Electoral Officer (EO) and the EO appoints the Deputy Electoral Officer (DEO)</u> to carry out functions.  <del>Taituara Electoral Working party calendar and handbook for EO's</del>  <del>EO/DEO training provided.</del>  EO appointed via Council resolution <u>and DEO noted in Council report.</u>  Service provider contracts signed.	<del>Triennial Elections Promapp process issuing special votes process.</del>  <del>Taituara SOLGM-Electoral Working party calendar and handbook for EO's</del>  EO/DEO training provided. <u>EO appointed via Council resolution. Service provider contracts signed.</u>	Y	Warwick Lamm is the chief returning officer for Electionz.com Following a procurement process he has been appointed Council's external Electoral Officer. A staff member has been appointed as DEO and as a point of contact for the external EO.  Delegation added to the Delegations Register (Statutory Delegations).
39	<b>Local Government Act 2002</b> The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities. The Act provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and promotes the accountability of local authorities to their communities; and provides for local authorities to play a broad role in meeting the current and future needs of their communities for good-quality local infrastructure, local public services, and performance of regulatory functions.	Compliance with the obligations of local authorities relating to community outcomes, the purpose of local government, Maori decision making and decision making/consultation processes under the Act.	Policy, Partnerships & Governance Manager	No delegation required as Council is not exercising a power under the legislation	Policy Making Guide and Information for Council Policies  Determining if a project is significant and needs consultation  Council has documented in the LTP (as required under the LGA) how it will engage Maori e.g. Waharoa Committee, TMF. There are also engagement processes in Promapp	Y	To the best of staff's knowledge these matters have been complied with.
		Required to keep a register of members' pecuniary interests and make a summary of the information contained in the register publicly available. Information must be kept for 7 years.	Legal Counsel	The chief executive of a local authority may be the Registrar under section 54G(1).	Members Interests process in Promapp	Y	The new legislative requirements sets the responsibility on the members to complete and update their declarations. Staff have assisted by distributing and collating the completed declarations, these are kept in our systems. Website has been updated to have a notification of the information available on the members.

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
40	<b>Local Government Official Information and Meetings Act 1987</b> This act provides for the public notification of meeting to ensure the community has reasonable knowledge of when they will be held.	Compliance with obligations to publicly notify meetings and agendas/minutes.	Policy, Partnerships & Governance Manager  <del>Legal Counsel</del>	No delegation required as Council is not exercising a power under the legislation	Adding minutes and agendas to the website <del>How to place a notice of meetings advertisement</del>  Advertising notice of meetings deadlines  <del>Adding minutes and agendas to the website</del>	Y	Meetings have all been notified in accordance with legislation this year. Agendas and minutes have been provided as required.
41	<b>Local Government (Rating of Whenua Maori) Amendment Act 2021</b> The purpose of this Act is to provide local authorities with flexible powers to set, assess, and collect rates to fund local government activities, ensuring that rates are set in accordance with decisions that are made in a transparent and consultative manner, and providing for processes and information to enable ratepayers to identify and understand their liability for rates and facilitate the administration of rates in a manner that supports the principles set out in the Preamble to Te Ture Whenua Maori Act 1993.	The Act has six key provisions which support the development of, and provision for housing on, Māori land. These are: <ul style="list-style-type: none"> <li>allowing, and in certain instances requiring, a local authority chief executive to write off rates arrears;</li> <li>a statutory rates remission process for Māori land under development;</li> <li>making unused Māori land and land subject to Ngā Whenua Rāhui kawenata non-rateable;</li> <li>treating multiple blocks of Māori land that are used together 'as one' for rating purposes;</li> <li>allowing individual houses on Māori land to be rated separately from other houses and land uses on the same block, which provides low income occupants of those houses with access to the Rates Rebate Scheme; and</li> <li>requiring some of our revenue and financing policies to support the principles of the Preamble to Te Ture Whenua Māori Act 1993.</li> </ul>	Finance and Business Service Manager	Y - In line with section 90C of the Act, the CE delegated exercise of powers under 90A and 90B to the Finance and Business Services Manager (at Council meeting of 30/6/21)	No Processes	Y	To the best of staff's knowledge these matters have been complied with.  There <del>are</del> further <a href="#">transitional</a> requirements of the Act to be complied with <a href="#">this year</a> as follows:  <a href="#">The following policies required review (by 1 July 2024 or next review date) to support the principles set out in the Preamble to Te Ture Whenua Maori Act 1993:</a>  - <a href="#">Rates remission and postponement policy</a> - <a href="#">Revenue and Financing policy</a> - <a href="#">DC Policy</a>  <a href="#">These policies have been reviewed as part of the LTP process, and amendments made to support the principles as required. The LTP was adopted 3 July 2024.</a>  <a href="#">Changes to general rates remission and postponement policy (if required) (by 1 July 2024 or next review date)</a>  <a href="#">Changes to Revenue and Financing Policy and DC Policy (if required) (by 1 July 2024 or next review date)</a>
42	<b>Ombudsmen Act 1975</b>  The purpose of this Act is to create the Ombudsmen's office and set out its functions and powers.	Comply with obligations to respond to and assist ombudsmen's investigations under LGOIMA and the Ombudsmen Act 1975	Legal Counsel	No delegation required as Council is not exercising a power under the legislation	No Processes identified – Council would be expected to comply with Ombudsmen directions.	Y	The Ombudsman office has directed that Local Authorities should publish their LGOIMA requests; this is not a requirement only a direction, which staff will look at when

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
							capacity allows. A register has been created to allow for better reporting and publishing of LGOIMAs in due course. This just requires configuration with the website.
43	<b>Raukawa Claims Settlement Act 2014</b> The purpose of this Act is to record the acknowledgements and apology given by the Crown to Raukawa in the deed of settlement; and to give effect to certain provisions of the deed of settlement that settles the historical claims of Raukawa.	Compliance with the requirements to disclose certain matters in the district plan and implement them through resource consent processing.	Planning Manager  <a href="#">Iwi Relationship Manager</a>	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.  To meet the requirements of the RMA we need to consider the NHCSA and there are delegations are under the RMA which are relevant.	District Plan amendments processes  This is assessed through the resource consent processes and is therefore included in the resource consent templates.  There are promapp processes in regards to resource consents	Y	The District Plan has been updated to include the Raukawa Claims Settlement as a statutory acknowledgment.  Council are complying with the settlement legislation requirements when processing Resource Consents and District Plan changes.

### Council as a policy maker

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
44	<b>Building Act 2004</b> The purpose of this Act is to regulate the building of structures in New Zealand, and deal with dangerous, insanitary and earthquake prone buildings.	Dangerous, Affected and Insanitary buildings policy in place and reviewed in accordance with legislative requirements	Policy, Partnerships & Governance Manager	Y	Multiple processes sitting in the Building Accreditation module	Y	<del>The Building (Earthquake-prone Buildings) Amendment Act 2016 commenced on 13 May 2018 which means all parts of the previous Policy relating to earthquake-prone buildings have been removed. References to dangerous and insanitary buildings will remain. The Policy has been renamed the Dangerous and Insanitary Buildings Policy 2019 and adopted.</del>  <u>The Dangerous, Affected and Insanitary Building Policy was reviewed and adopted by Council on 22 May 2024.</u>  Work to identify roads, footpath, or other thoroughfares where parts of an unreinforced masonry building could fall in an earthquake etc. has also been completed (including public consultation) and are available on the council website.
45	Climate Change Adaptation Act (Is not yet active legislation)						
46	<b>Dog Control Act 1996</b> This act provides for the regulation of dog control, registrations, offences etc.	Policy on Dogs in place and reviewed in accordance with legislative requirements  Dog Control Bylaw in place and reviewed in accordance with legislative requirements	Policy, Partnerships & Governance Manager	Y	Multiple processes in pro-map <sub>2</sub>	Y	Policy on Dogs – due for review in 2026.  Dog Control Bylaw – due for review in 2026.  (see also Bylaws)
47	<b>Gambling Act 2003</b> This act regulates the issuing of gambling licenses in New Zealand	Gambling Venue policy in place and reviewed in accordance with legislative requirements	Policy, Partnerships & Governance Manager	Y	Consultation processes in Promapp	Y	Gambling Venue Policy – has been reviewed in 2022 and is due for its next review in 2025.
48	<b>Hauraki Gulf and Marine Park Act 2000</b> The purpose of this Act is to— <ul style="list-style-type: none"> <li>integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:</li> <li>establish the Hauraki Gulf Marine Park:</li> <li>establish objectives for the management of the Hauraki Gulf, its islands, and catchments:</li> <li>recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands:</li> <li>establish the Hauraki Gulf Forum.</li> </ul>	Compliance with the requirements of the Act in the District Plan	Planning Manager	A councillor is appointed each term to this body – no delegations are required.	There are District Plan review and update processes that are relevant to this act.	Y	This Act takes the role of an NPS under the RMA and therefore we are required to give effect to it when reviewing the District Plan and processing resource consents.  In regards to the Hauraki Gulf Forum all updates and any decision sought are put on the Council or COC agenda.
49	<b>Local Government Act 2002</b> The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities. The Act provides a framework and	The following documents in place and reviewed in accordance with legislative requirements: <ul style="list-style-type: none"> <li>Development Contributions Policy</li> </ul>	Policy, Partnerships & Governance Manager	Y	Various Consultation processes in Promapp	Y	<u>Reviewed as part of the 2024-34 Long Term Plan process</u> <ul style="list-style-type: none"> <li><u>Development Contributions Policy</u></li> <li><u>Significance and Engagement Policy</u></li> </ul>

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
	<p>powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and promotes the accountability of local authorities to their communities; and provides for local authorities to play a broad role in meeting the current and future needs of their communities for good-quality local infrastructure, local public services, and performance of regulatory functions.</p> <p>(see also bylaws below)</p>	<ul style="list-style-type: none"> <li>Significance and Engagement Policy</li> <li>Policy on the Remission and Postponement of Rates</li> <li>Rates Remission Policy</li> <li>Revenue and Financing Policy</li> <li>Investment Policy</li> <li>Liability Management Policy</li> <li>Infrastructure Strategy</li> <li>Financial Strategy</li> <li>Long Term Plan</li> <li>Annual Plan</li> <li>Annual Report</li> <li>Code of Conduct</li> <li>Governance Statement</li> <li>Triennial Agreement</li> <li>Representation review</li> <li>Pre-election report</li> </ul>	Finance & Business Services Manager		<p>Calculating Development contributions</p> <p>Determining if a project is significant and needs consultation</p> <p>New Investments</p> <p>Long term plan</p> <p>Annual Plan</p> <p>Annual report</p> <p>Triennial Update - Code of Conduct and Local Governance Statement</p> <p>Pre-Election Report as required by LGA Section 36</p>		<ul style="list-style-type: none"> <li><a href="#">Policy on the Remission and Postponement of Rates</a></li> <li><a href="#">Rates Remission Policy</a></li> <li><a href="#">Revenue and Financing Policy</a></li> <li><a href="#">Infrastructure Strategy</a></li> <li><a href="#">Financial Strategy</a></li> </ul> <p><u>Reviewed as required</u></p> <ul style="list-style-type: none"> <li><a href="#">Annual Plan</a></li> <li><a href="#">Annual Report</a></li> <li><a href="#">Pre-Election Report</a></li> <li><a href="#">Representation Review</a></li> <li><a href="#">Investment Policy and Liability Management Policy – both adopted January 2024, and now subject to 3 yearly review to coincide with the LTP (rather than annual review)</a></li> </ul> <p><u>Reviewed following 2022 Triennial Election</u></p> <ul style="list-style-type: none"> <li><a href="#">Code of conduct</a></li> <li><a href="#">Governance Statement</a></li> <li><a href="#">Triennial Agreement</a></li> </ul> <p><del>Development Contributions Policy will be reviewed as part of the 2024-34 LTP process. It was identified that the annual increase in our Development Contribution fees for 2019-2023 was not calculated in accordance with the provisions of section 106 of the Local Government Act. The arising error in DC revenue has been provided for in the 2023 financial year.</del></p> <p><del>Significance and Engagement Policy – will be reviewed as part of the 2024-34 LTP process</del></p> <p><del>Development Contributions Policy – will be reviewed as part of the 2024-34 LTP process</del></p> <p><del>Significance and Engagement Policy – will be reviewed as part of the 2024-34 LTP process</del></p> <p><del>Policy on the Remission and Postponement of Rates – reviewed and adopted as part of the 2024/34 LTP in 2021 with a revision in July 2022 due to the Local Government (Rating of Whenua Māori) Amendment Act 2021.</del></p> <p><del>Revenue and Financing Policy – will be reviewed as part of the 2024-34 LTP process</del></p> <p><del>Investment Policy and Liability Management Policy – both adopted January 2024, and now subject to 3 yearly review to coincide with the LTP (rather than annual review) reviewed annually by the Risk and Assurance Committee.</del></p> <p><del>Infrastructure Strategy – will be reviewed as part of the 2024-34 LTP process</del></p> <p><del>Financial Strategy – will be reviewed as part of the 2024-34 LTP process</del></p>

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
							Code of Conduct — reviewed in 2022 following triennial election. Governance Statement — reviewed in 2022 following triennial election. Triennial Agreement — Facilitated after each local government election by WRC. Pre-election report — was released prior to the 2022 Local Government elections.
50	<b>Local Electoral Act 2001</b> The purpose of this Act is to provide uniform rules in relation to the timing of local elections; and the right of individuals to vote, stand for election, and nominate candidates for election.	Representation review	Policy, Partnerships & Governance Manager	Not required – Council decision process	<u>Promapp processes are to be recorded as the current representation review is being undertaken be developed</u>  <u>Local Government Commission – guidelines for local authorities undertaking representation reviews</u>	Y	Representation review – <u>last reviewed outside of usual cyclical review in 2021/22 – reviewed minimum every 6 years, next review due 2026/27 due to the advent of a Maori Ward. Usually reviewed six yearly.</u>
51	<b>Psychoactive Substances Act 2013</b> The purpose of this act is to regulate the sale of psychoactive substances.	Local Approved Products Policy in place and reviewed in accordance with legislative requirements	Policy, Partnerships & Governance Manager	Not required – Council had adopted a policy which MoH must refer to when making a decision to grant a license.	Legal Highs Sensitive Site Map updates	Y	<u>Psychoactive Substances Policy (Local Approved Products Policy) this was reviewed in 2019. Due for review in 2024, reviewed minimum every 5 years, next review due 2029.</u>
52	<b>Racing Act 2003</b> This act provides for the preparation of a TAB licensing policy by Council, and other functions regarding racing in NZ by other bodies.	TAB Board venue policy in place and reviewed in accordance with legislative requirements	Policy, Partnerships & Governance Manager	Not required – Council had adopted a policy	Consultation processes in Promapp	Y	TAB Board Venue Policy review was completed 2022, <u>next review due 2025.</u>
53	<b>Reserves Act 1977</b> This act provides for the classification and management of public reserves	Reserve Management Plans in place and reviewed in accordance with legislative requirements	Assets & Projects Manager	Y	Reserve Management Plan Process	Y	General Policies RMP 2019 – Adopted. Effective 1 July 2019. Aerodrome RMP review underway. Outdoor Adventure Parks - planned for (e.g. Te Miro) - planned for 2024-25 Remaining RMPs plan to be reviewed over the next five years. <i>Note: Note these dates are aspirational and the time taken to complete RMPs is dependent on public consultation processes etc.</i>  Staff need to work within the two hats worn by Council i.e. as the Administering Body of Reserves (s.40, Reserves Act 1977) and as the Minister's Delegate for various sections as per the Instrument of Delegation 12 July 2013. Other Councils tend to deal with this by using hearings commissioners and/or delegating to staff.

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
							Staff to determine whether all revenue generated from reserves is in fact applied to reserves purposes (s.78).
54	<b>Resource Management Act 1991</b> The purpose of this Act is to promote the sustainable management of natural and physical resources.	District Plan in place and reviewed in accordance with legislative requirements, including compliance with requirements in RPS, RP, NES and NPS documents.	Planning Manager	Y	Update District Plan Council district plan change process	N	District Plan Operative 25 July 2005 - A review of all provisions needs to be commenced no later than every 10 years. Council has committed to a rolling review of the District Plan. A number of reviews have been completed or are in progress however a complete list of all reviews has been established. There has been a new Act past that does not require Council's to undertake a full review if this is due.  We have achieved the first year compliance with the National Planning Standards. However, given the limited capacity and resources, Council is focusing on priority plan changes for the district rather than investing in the electronic capability as required by the National Planning Standard.  <del>In addition given that the Natural and Built Environment Act and the Spatial Planning Act have achieved Royal assent Council will need to make a decision when they no longer invest money in achieving the RMA requirements in relation to plan review.</del>
55	<del>Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Bill/Act 2023</del>		<del>Planning Manager</del>				<del>This Act will come in over the next 10 years and there are currently no responsibilities in the policy space.</del>
55	<del>Natural and Built Environments Act 2023</del>	<del>This legislation was created to supersede the RMA and will be implemented over the next 10 years</del>	<del>Planning Manager</del>	<del>Y</del>	<del>Participation in Joint Committee establishment  Development of Statement of Community Outcomes</del>	<del>Y (Transitional)</del>	<del>This Act will come in over the next 10 years and there are currently no responsibilities in the policy space.</del>
56	<b>Sale and Supply of Alcohol Act 2012</b> This act regulates the sale and supply of alcohol, including who can purchase it and where it can be sold and under what conditions – through licencing and inspection frameworks.	Local Alcohol Policy in place and reviewed in accordance with legislative requirements	Policy, Partnerships & Governance Manager	Y	Consultation processes in Promapp	Y	The Local Alcohol Policy has been adopted and came into force on 11 September 2023, <u>next review date 2029.</u>
57	<b>Shop Trading Hours Act 1990</b> This act regulates the days and times which particular categories of retail shops may be open.	Easter Trading Policy in place and reviewed in accordance with legislative requirements	Policy, Partnerships & Governance Manager	Not required – Council has adopted a policy which DoL(MBIE) must refer to.	Consultation processes in Promapp	Y	Easter Trading Policy – Review completed 2022 <u>next review due 2027.</u>
58	<del>Spatial Planning Act 2023</del>	<del>This legislation was created to supersede the RMA and will be implemented over the next 10 years</del>	<del>Planning Manager</del>	<del>Y</del>	<del>Participation in Joint Committee establishment</del>	<del>Y (Transitional)</del>	<del>This Act will come in over the next 10 years and there are currently no responsibilities in the policy space.</del>

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
59	<b>Waste Minimisation Act 2008</b> The purpose of this Act is to encourage waste minimisation and a decrease in waste disposal in order to protect the environment from harm; and provide environmental, social, economic, and cultural benefits.	Waste Minimisation and Minimisation Plan in place and reviewed in accordance with legislative requirements	Policy, Partnerships & Governance Manager	Not required – Council has adopted a policy which DoL(MBIE) must refer to	Consultation processes in Promapp	Y	Waste management and minimisation plan (WMMP) –reviewed in <del>2017/2021</del> . <del>The plans have to be reviewed every six years. This was due for review in 2022/23 but was reviewed in 2021 outside the usual cycle to align with the Long Term Plan and expiry of the existing waste contract in 2023.</del> Next review due in 2027.
60	<b>Prostitution Reform Act 2003</b> <b>Bylaws Act 1910</b> <b>Local Government Act 2002</b> <b>Council Bylaws</b> The above acts have provisions regarding the creation of bylaws by local authorities.	The following documents in place and reviewed in accordance with legislative requirements: <ul style="list-style-type: none"> <li>• Introductory Bylaw</li> <li>• Land Transport Bylaw</li> <li>• Public Amenities Bylaw</li> <li>• Public Safety Bylaw</li> <li>• <del>Solid Waste Bylaw</del></li> <li>• Wastewater Bylaw <del>2008</del></li> <li>• Water Supply Bylaw <del>2008</del></li> <li>• Stormwater Management Bylaw <del>2009</del></li> <li>• Trade Waste Bylaw</li> <li>• Dog Control Bylaw</li> </ul> <p>Pending:</p> <ul style="list-style-type: none"> <li>• <u>Solid Waste Management and Minimisation Bylaw</u></li> <li>• Freedom Camping Bylaw</li> </ul>	Policy, Partnerships & Governance Manager	Not required – Council adopts the bylaws.  Staff have appropriate warrants to enforce bylaws.	Consultation processes in Promapp	Y	Introductory Bylaw – <del>due for review in 2030</del> reviewed in 2030 Land Transport Bylaw - due for review in 2027 Public Amenities Bylaw - due for review in 2024 ( <u>currently underway</u> ) Public Safety Bylaw - due for review in 2026 ( <u>currently underway</u> ) <del>(alcohol bans due for review in 2026)</del> <del>Solid Waste Bylaw – will be reviewed to align with the new solid waste contract</del> Wastewater Bylaw 2008 - due for review in 2027 Water Supply Bylaw 2008 - due for review in 2027 Stormwater Management Bylaw 2009 - due for review in 2027 Trade Waste Bylaw – due for review in 2030 Dog Control Bylaw - due for review in 2026 (alongside the Policy on Dogs – see above) <del>Staff have plans to relook at a few bylaws including the Introductory and Trade Waste Bylaw.</del> A bylaw review programme has been identified and is included in the policy register. <u>Solid Waste Management and Minimisation bylaw – due for review 2029</u> Freedom Camping Bylaw - <u>due for review 2028</u> <del>draft has been approved by Council, with consultation starting September 2023</del>



### Council as a financially prudent public entity

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
61	<b>Construction Contracts Act 2002</b> Provides additional rules around retentions held by contracts for Contracts.	Restrictions on what can be included in contract retention clauses. There are accounting requirements for the holding of retention funds (Council can no longer hold retention funds as just part of our general council funds) There are requirements for regular reporting by the Principal to each Contractor and internally within the Principal's organisation on the retention funds held.	Finance and Business Services Manager	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.	N	Y	<a href="#">Contract retention clause requirement unlikely to be an issue for MPDC because we use the NZ Standard conditions.</a> <a href="#">Staff made aware that special conditions regarding the holding of retentions needs to be checked against the act.</a> <a href="#">Trust Retention funds are held separately from general funds, account set up by Council and process for regular reporting is currently being put in place to suppliers is in place.</a>
62	<b>Good and Services Tax 1985</b> This act provides the framework and rules for the payment of goods and services tax.	The Council must account for and pay GST	Finance and Business Services Manager	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.	GST – Invoice compliance	Y	To the best of staff's knowledge these matters have been complied with. Advice is sought from Tax Professionals as/when required (for more complex matters). An external review of Council's GST procedures was last undertaken in Feb 2015. Property transactions (or a sample thereof) are reviewed by our external auditors on an annual basis for compliance with GST requirements.
63	<b>Income Tax Act 1996</b> The main purposes of this Act are to define, and impose tax on, net income, to impose obligations concerning tax and to set out rules for calculating tax and for satisfying the obligations imposed.	The Council must deduct and pay to the Commissioner of Inland revenue the following taxes or levies: <ul style="list-style-type: none"> <li>• ACC</li> <li>• PAYE</li> <li>• Fringe Benefit Tax</li> <li>• Withholding tax</li> <li>• Income tax (on dividends from CCOs)</li> </ul> The Council must comply with disclosure and tax rules relating to the sale and purchase of land	Finance and Business Services Manager  People, Safety and Wellness Manager	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.	FBT Return PAYE reporting and payment to IRD - mid month PAYE reporting and payment to IRD – end of month AP Withholding Tax Induction packs for new staff	Y	To the best of staff's knowledge these matters have been complied with.  <a href="#">Annual income tax return filed in respect of any dividends received from CCOs (eg Waikato Regional Airport)</a>
64	<b>Local Government Act 1974</b> The parts of the LGA 1974 which have not been repealed relate to fuel tax, roading powers and land drainage	Requirements for accounting of fuel tax are complied with under the act.	Finance and Business Services Manager	No delegation required in respect of these functions as Council is not exercising a power under the legislation – this is a compliance matter. Council has made other delegations for this Act.	No Processes	Y	To the best of staff's knowledge these matters have been complied with. An annual return is submitted to Hamilton City Council, the administrator for the Waikato Region's fuel tax pool.
65	<b>Local Government Act 2002</b> The purpose of this Act is to provide for democratic and effective local government that	Compliance with the statutory disclosures required in the Long	Finance and Business Services Manager	No delegation required as Council is not exercising a	Consultation processes in promapp and AP,	Y	To the best of staff's knowledge these matters have been complied with.

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments and Signature
	recognises the diversity of New Zealand communities. The Act provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and promotes the accountability of local authorities to their communities; and provides for local authorities to play a broad role in meeting the current and future needs of their communities for good-quality local infrastructure, local public services, and performance of regulatory functions.	Term Plan, Annual Plan and Annual Report and associated regulations.	Policy, Partnerships & Governance Manager	power under the legislation in these instances – this is a compliance matter.	LTP and AR processes.		
66	<b>Local Government Borrowing Act 2011</b> The purpose of this Act is to facilitate the operation of the New Zealand Local Government Funding Agency Limited. The Act authorises local authorities to deal with the Funding Agency in a manner in which they would otherwise not be authorised to do so; and authorises or requires local authorities, in certain situations, to act in a manner in which they would otherwise not be authorised or required to act.	Compliance with the requirements for Local Authorities under the Act	Finance and Business Services Manager	No delegation required as Council is not exercising a power under the legislation in these instances – this is a compliance matter following a Council decision to use the LGFA.	No Processes	Y	To the best of staff's knowledge these matters have been complied with.
67	<b>Local Government (Rating) Act 2002</b> This Act provides local authorities with flexible powers to set, assess, and collect rates to fund local government activities, ensures that rates are set in accordance with decisions that are made in a transparent and consultative manner and provides for processes and information to enable ratepayers to identify and understand their liability for rates.	Compliance with the processes for establishing rating structures and striking/collecting rates.	Finance and Business Services Manager	Y	No Processes	Y	To the best of staff's knowledge these matters have been complied with.  For the 2024/25 rating year, before adoption, Council obtained legal advice on the <a href="#">rates resolution, funding impact statement and Revenue and Financing Policy, application of the remission in respect of kerbside collection targeted rates for those who would either no longer receive the service or would begin to receive the service part way through the rating year. An outstanding issue exists with the potential legality of the 50% discount applied to metered water rates for Matamata Farm Properties. Legally the discount may be better achieved through a remission policy. It is accepted the risk of legal challenge in respect of this matter is minimal.</a>

### Council as a regulator and matters of compliance

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments
68	<b>Airport Authorities Act 1966</b> 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.	Compliance with requirements to operate as an airport authority under this Act.  Section 6 of the Act enables airport authorities to grant leases and regulates matters concerning such leases.	Facilities Operations Property Manager	Y	Yes – several process relating to the management of the MM Aerodrome, mainly The Standard Operating Procedures for the aerodrome	Y	MPDC coordinate a safety committee that includes representatives from the various user groups. These include aero club, gliding club, models, hangar owners, Walsh flying school, Sky Venture, parachuting clubs. This group meets quarterly to discuss health and safety and general operations.
69	<b>Building Act 2004</b> The purpose of this Act is to regulate the building of structures in New Zealand, and deal with dangerous, insanitary and earthquake prone buildings.	Compliance with functions as the building control authority, building consents, swimming pool inspections, building warrant of fitnesses, dangerous insanitary and earthquake prone buildings – and associated regulations.	Group Manager Growth & Regulation  Building Control Manager	Y	Section 75 certificate building act 2004  Several processes under Building accreditation module	N	To the best of our knowledge the vast majority of work is in compliance with the legislation. During 1 July 2023 to 30 June 2024 we processed 832-728 building consents. 655758 of these were processed within statutory timeframes (9091.40%).  Council has been assessed by IANZ and the BCA has been confirmed as compliant and can continue issuing consents as a BCA.
70	<b>Building Research Levy Act 1969</b> This act provides for the authority for the Crown to collect building research levies	Payment of research levies in accordance with the Act	Group Manager Growth & Regulation  Building Control Manager	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.	Several processes under Building accreditation module	Y	The building levy is stated in Council's fees and charges and collected for every building consent over \$20,000, on behalf of the Crown.
71	<b>Burial and Cremations Act 1964</b> This act provides for the creation management and regulation of cemeteries by local authorities.	Management of Council cemeteries in accordance with the Act	Kaimai Valley Services Manager	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter. Appropriate staff have been warranted to manage cemeteries.	Cemeteries Policy and procedures	Y	To the best of staff's knowledge these matters have been complied with.
72	<b>Civil Aviation Act 1990</b> This act sets out the functions, powers, and duties of participants in the civil aviation system	Compliance with duties under the act and co-operation with the CAA when required.	Facilities Operations Property Manager	No delegation required as Council is not exercising a power under the legislation – this	Yes – several process relating to the management of the MM Aerodrome	Y	Non certificated airport. Small part of Pt 139 only. 1. Identify obvious hazards on the aerodrome. 2. Make sure that the landing plate on the AIP shows any local hazards for aircraft.

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments
				is a compliance matter.			3. Able to provide the director of CAA with record of annual aircraft movements The review of the safety management plan is underway at present with the user groups
73	<b>Dog Control Act 1996</b> This act provides for the regulation of dog control , registrations, offences etc.	Compliance with processes and carrying out of functions as the Dog Control Authority.	Community Protection & Compliance Manager	Y	Adding in a dog Annual registration process Unregistered dog Maintain existing records	Y	We received <del>745-759</del> animal control complaints during the period 1 July <del>2023</del> to 30 June <del>2023</del> <del>2024</del> . Of these <del>721-734</del> ( <del>98.495</del> %) were responded to within the assigned timeframes. This includes dogs and stock control complaints. These timeframes are as per the Long-Term Plan (these timeframes are not statutory).
74	<b>Impounding Act 1955</b> This act provides for Council and individuals to impound stock and for Council to operate a stock pound.	Compliance with processes and carrying out of functions as the pound keeper.	Community Protection & Compliance Manager	Y	Barking dog Impounding of dog Impounding of stock	Y	To the best of staff's knowledge these matters have been complied with.
75	<b>Food Act 2014</b> The purpose of this Act is to achieve the safety and suitability of food for sale.	Carrying out the role of Council under section 19 of the act.	Community Protection & Compliance Manager	Y	Food Act 2014 verification Food premises health licence renewal	Y	All food businesses are operating under the Food Act 2014. Council and a Council office have maintained their accreditation as an agency and Officer respectively, to process National Programmes.
76	<b>Gambling Act 2003</b> This act regulates the issuing of gambling licenses in New Zealand	Carrying out Council functions in relation to gambling licences under the act and Council's policy	Community Protection & Compliance Manager	Y	No Processes	Y	Council in 2022 have reviewed the Gambling Policy and as a result of this are in the process of generating an application form and website page.  <del>No An</del> applications <del>has</del> have been received <del>and objected to</del> under this policy. <del>this is currently being worked through.</del>
77	<b>Hazardous Substances and New Organisms Act 1996</b>	Carrying out the functions of the Council under the act.	Community Protection & Compliance Manager  Safety and Wellness Team Leader	Y	<del>No processes in place</del>  Multiple processes relating to Hazardous Substances.	<del>Underway</del> Y	All sites have inventories. Staff are trained in managing and handling hazardous substances. <del>Some sites are operating under a Provisional Improvement Notice while Location Compliance issues are resolved.</del>  Although the act sets out Council's requirements, in practice the fire and police are the first responders and therefore take control of the site.
78	<b>Hauraki Gulf and Marine Park Act 2000</b> The purpose of this Act is to— <ul style="list-style-type: none"> <li>integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:</li> <li>establish the Hauraki Gulf Marine Park:</li> <li>establish objectives for the management of the Hauraki Gulf, its islands, and catchments:</li> <li>recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands:</li> </ul>	Compliance with the requirements of the Act requirements in the assessing resource consents	Planning Manager	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.  To meet the requirements of the RMA we need to consider	Assessed as part of a resource consent and included in the resource consent templates.  There are promapp processes in regards to resource consents.	Y	Councilor Sainsbury and a staff member regularly attend the forum meetings.  The Acts requirements are considered as part of the District Plan and applications for resource consent.

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments
	<ul style="list-style-type: none"> <li>establish the Hauraki Gulf Forum.</li> </ul>			the HGMPA and there are delegations under the RMA which are relevant.			
79	<b>Health Act 1956</b> This act regulates drinking water standards and reporting requirements, requires Councils to provide sanitary services, and provides powers to deal with nuisances and insanitary sites.	Compliance with drinking water standards/reporting	Assets & Projects Manager  Water and Wastewater Manager	Y	Bacterial testing and result reporting for council water supplies	N	Council is taking a proactive stance towards full compliance with the drinking water standards for New Zealand (DWSNZ).  MPDC's interim 2022/23 Annual report result shows a regression in compliance with the bacteriological standards (Part 4) upto December 2022. All networks missed compliance with Part 4 in December 2022 due to an incorrect number of samples being collected. The majority of networks have since been compliant with D2-3 requirements under the DWQAR. Similarly, compliance with protozoological standards (Part 5) has regressed due to the shift from monthly to daily compliance periods. Non-compliance against part 5 are technical in nature and the completion of the SCADA upgrade and implementation of CCP programming in the plants has significantly improved compliance with T2-3 rules of the DWQAR. We expect most plants to be compliant with T2-3 in the 23 All sites have now have DWSP to comply with the old 69Z requirements. These plans continue to be updated annually.
		Carrying out functions as a local authority regarding nuisances and insanitary sites (Including health licences Hairdressers, Funeral Directors and Camping Grounds)	Community Protection & Compliance Manager	Y	This is recorded through the CRM system which there are processes for. We are currently in the process of developing an enforcement policy which will sit alongside the CRM process.	Underway	We are currently in the process of developing an enforcement policy which will sit alongside the CRM process.
		Require local authorities to provide 'sanitary works' which includes services Council provides to the public (includes cemeteries and public toilets for example).	Assets & Projects Manager	N	No Processes	Y	Council has undertaken a sanitary services assessment of some of its 'sanitary works'.  A report on these services was presented to Council at its COC meeting on 24 July 2019. Council has provided additional public toilets, ashes walls and burial space in response to the sanitary services assessment.

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments
80	<b>Heritage New Zealand Pouhere Taonga Act 2014</b> This superseded the former Historic Places Act 1993. The purpose of the Act is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand.	Compliance with the requirements of the act in relation to historic sites/buildings	Planning Manager	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.	This is assessed through the resource consent processes.  There are promapp processes in regards to resource consents.	Y	Heritage buildings and archeological sites are considered as part of the resource consent and District Plan review process.
81	<b>Litter Act 1979</b> This act provides powers to Council to require the removal of litter.	Complying with the requirements of the act in carrying out powers as Litter Control Officers	Legal Counsel	Council staff have been warranted as litter control officers pursuant to the legislation.	No Processes	Y	In practice very little enforcement is carried out. Fly tipping in urban areas is often collected by KVS and by Fulton Hogan in rural areas. If and 'owner' can be identified they are sent a letter warning of consequences.
82	<b>Local Government Act 1974</b> The parts of the LGA 1974 which have not been repealed relate to fuel tax, roading powers and land drainage	Councils functions and powers in relation to roading and land drainage are carried out in accordance with the act.	Roading Manager  Assets & Projects Manager	Y	Road stoppage procedure  <a href="#">Temporary Road Closure</a>	Y	This is a PSO function in conjunction with AMS&P and generally applies to the sale of surplus land/acquisition of land for roads.  <a href="#">The act has a process that roading team follows for any temporary road closures.</a>
83	<b>Local Government Act 2002</b> The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities. The Act provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and promotes the accountability of local authorities to their communities; and provides for local authorities to play a broad role in meeting the current and future needs of their communities for good-quality local infrastructure, local public services, and performance of regulatory functions. Council is required to consult if they are planning to sell or otherwise dispose of any parks.	Council's powers in relation to utilities and entry of land are performed in accordance with the act.	Property and Community Projects Manager  Water and Wastewater Manager  Assets & Projects Manager	Y	KVS interruption to services  KVS – district utilities asset sign in	Y	Involvement here is mainly to do with powers to enter land to undertake survey and investigation work.  It will also enable contractors engaged by the council to undertake physical work.  No parks have been disposed of in the last year.
84	<b>Public Works Act 1981</b> 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.	Land is acquired for public works in accordance with the act  Land no longer required for public works is disposed of in accordance with the act	Property and Community Projects Manager  Legal Counsel	Y	Easements and covenants on reserve land  Property disposal procedure  Esplanade reserve deferral bond preparation	Y	To the best of staff's knowledge these matters have been complied with.
85	<b>Racing Act 2003</b> This act provides for the preparation of a TAB licensing policy by Council, and other functions regarding racing in NZ by other bodies.	Carrying out Council functions in relation to TAB licences under the act and Council's policy	Community Protection & Compliance Manager	No delegations – only power is to consent to a Board venue, which can be undertaken as a Council decision.	No Processes	Y	In the last 10 years we have not received an application under the Racing Act. It was intended that we would write a process when the first application came in.

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments
86	<b>Railways Act 2005</b> The purpose of this Act is to promote the safety of rail operations by stating the duty of rail participants to ensure safety; and authorising the Minister to make rules relating to rail activities; and clarifying the nature of approved safety systems established by rail participants restate and amend the law relating to the management of the railway corridor consolidate legislation relating to railways.	Complying with the requirements of Kiwirail in relation to railway corridors as provided for in the act.	Assets & Projects Manager  Roading Manager  <a href="#">KVS Manager</a>  <a href="#">3 Waters Mangers</a>	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.	No Processes	Y	Any council work in the rail corridor has a kiwi rail staff member “watching over”
87	<b>Resource Management Act 1991</b> The purpose of this Act is to promote the sustainable management of natural and physical resources.	Implementation of the District Plan, processing of resource and other consents within statutory timeframes, investigation on breached of the District Plan and Act, including unreasonable and excessive noise complaints.  Compliance with NES and NPS	Planning Manager	Y	Noise complaints (office hours)  Entering after hours noise complaints  Alert staff to a district plan or bylaw non-compliance relating to a property  CRM process  Resource Consent processes	Partial Compliance	We have a number of resource consent processes and delegations in place to ensure compliance.  <a href="#">During 2023/24 Council received 280 consents of those 239 (85%) were processed with timeframe and 41 processed outside the timeframe. Due to the number and complexity of consents and current resources over the 2022/23 financial year a number of consents were processed outside of the statutory timeframe.</a>
		Compliance with resource consents issued to Council	Assets & Projects Manager  Water and Wastewater Manager	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.	N	N	Council has a number of wastewater discharge consents, water takes and stormwater comprehensive discharge consents issued from the Regional Council.  Compliance with regional consents is monitored annually. Overall, MPDC maintains a high level of compliance (low risk non-compliances). Non-compliances are often technical and represent a low environmental risk.  There has been a recent focus from Regional Council on stormwater and landfill consent performance, which has resulted in enforcement action against MPDC.  MPDC is active in addressing these non-compliances particularly with regard to data and reporting.
		Compliance with the Regional Plan and Regional Policy Statement	Planning Manager	No delegation required as Council is not exercising a power under the	This is assessed through the resource consent processes and is therefore included	Y	Council works closely with the Regional Council on both the Regional Plan and the RPS.

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments
				legislation – this is a compliance matter.  To meet the requirements of the RMA we need to consider the Regional Plan and RPS and there are delegations are under the RMA which are relevant.	in the resource consent templates.  There are promapp processes in regards to resource consents		Council became a s274 party to Plan Change One – Healthy River which is currently in the appeal phase.
88	<b>Reserves Act 1977</b> This act provides for the classification and management of public reserves	Management of reserves in accordance with the act	Assets & Projects Manager	Y	Reserve management plan process	Y	All of Councils reserves are subject to a Reserve Management Plan. There is a programme to have these reviewed over the next few years. The general reserve management plan was adopted by Council in 2019.  Relevant staff are also warranted and appointed as Rangers under the provisions of the Act. There has been no enforcement action taken under this Act during the past year.
89	<b>Sale and Supply of Alcohol Act 2012</b> This act regulates the sale and supply of alcohol, including who can purchase it and where it can be sold and under what conditions – through licencing and inspection frameworks.	Compliance with requirements to issue licences and carry out inspections in accordance with the act.	Community Protection & Compliance Manager	Y	Application for new on/off/club liquor licence  Application for renewal of liquor licence  Alcohol hearing preparation  Undertaking annual inspections of licensed premises	Y	We have a number of alcohol licenses/certificates processes and delegations in place to ensure compliance which are currently been reviewed.  All unopposed licenses and certificates are signed off on the papers by the Chair of the District Licensing Committee with all opposed applications heard by the full Committee. Council reports in accordance with section 19 every year on our website.
90	<b>Search and Surveillance Act 2012</b> The purpose of this Act is to facilitate the monitoring of compliance with the law and the investigation and prosecution of offences in a manner that is consistent with human rights values by— <ul style="list-style-type: none"> <li>modernising the law of search, seizure, and surveillance to take into account advances in technologies and to regulate the use of those technologies; and</li> <li>providing rules that recognise the importance of the rights and entitlements affirmed in other enactments, including the New Zealand Bill of Rights Act 1990, the Privacy Act 1993, and the Evidence Act 2006; and</li> </ul>	Compliance with requirements to issue notices and record warrantless searches and otherwise obtain warrants in accordance with legislation.	Community Protection & Compliance Manager  Group Manager Growth and Regulation	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.	No Processes	Underway	Currently reviewing the enforcement policy which will link into this.



#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments
	<ul style="list-style-type: none"> <li>ensuring investigative tools are effective and adequate for law enforcement needs.</li> </ul>						
91	<p><b>Walking Access Act 2008</b> The purpose of this Act is to provide the New Zealand public with free, certain, enduring, and practical walking access to the outdoors (including around the coast and lakes, along rivers, and to public resources) so that the public can enjoy the outdoors; and to establish the New Zealand Walking Access Commission with responsibility for leading and supporting the negotiation, establishment, maintenance, and improvement of walking access (including walkways, which are one form of walking access) over public and private land; and types of access that may be associated with walking access, such as access with firearms, dogs, bicycles, or motor vehicles.</p>	Compliance with the act where Council is the administering authority.	Assets & Projects Manager	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter. Other decisions around declaring land as walk ways would be considered by Council.	No Processes	Underway	<p>There are numerous paper roads within the district. There is currently no enforcement of the compliance in place and council deals with compliance on a one off basis where complaints have been received.</p> <p>Council has not to date been appointed as the controlling authority of any public walkways under the provisions of the Act.</p> <p>This ties into the Biosecurity (National PA Pest Management Plan) Order 2022.</p>
92	<p><b>Waste Minimisation Act 2008</b> The purpose of this Act is to encourage waste minimisation and a decrease in waste disposal in order to protect the environment from harm; and provide environmental, social, economic, and cultural benefits.</p>	Carry out Council's functions to monitor waste disposal and administer the waste minimisation levy in accordance with the act	Solid Waste Lead	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter. Appropriate staff have warrants of appointment.	No Processes	Y	Council has employed a Solid Waste Lead to ensure requirements under this legislation are met such as the WMMP and waste levy spend.
93	<p><b>Weathertight Homes Resolution Services Act 2006</b> This act provides for an alternative process for home owners to resolve 'leaky building' claims</p>	<p>Disclosure of information as required under this act in LIMs</p> <p>Participation in the claims process under the act.</p>	<p>Customer Services Manager</p> <p>Legal Counsel</p>	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.	<p>Handling Weathertight Homes Resolution Service (WHRS) Notifications</p> <p>Generate Lim report</p>	Y	<p>Documentation found on property files/council systems is included in the LIM Report and the Legal Counsel assess the information to provide a comment to be attached to the release of the file.</p> <p>Claim processes are managed by Council's Legal Counsel and assisted by the Group Manager Growth &amp; Regulation and Building Manager.</p>
94	<p><b>Utilities Act 2010</b> The purpose of this Act is to require utility operators and corridor managers to comply with a national code of practice that regulates access to transport corridors; and provide for the making and administration of that code.</p>	Compliance with the code as required under legislation.	Roading Manager	No delegation required as Council is not exercising a power under the legislation – this is a compliance matter.	Corridor Access Request processes in Promapp	Y	<p>Roading Manager manages the CAR (Corridor Access Request) system.</p> <p>Under Section 2.7.1 of the Code of Practice Council is required to share works programmes with Utility Operators and also receiving planned works programmes from Utility Operators. Under 2.7.2 there is a requirement to participate in Liaison Meetings with all parties including internal departments to co-ordinate works programmes within the road corridor. The National Code of Practice for Utility Operators Access to Transport Corridors is currently out for review. Submissions close 29 September 2023.</p> <p><u><a href="#">There is still no news on the review and updates</a></u></p>

#	Legislation and Purpose	Area of compliance	Responsible Manager	Delegations Y/N	Promapp Processes	Compliance? Yes No N/A	Comments
95	<b>Council Bylaws</b>	Implementation and investigation of breaches of Council bylaws - <ul style="list-style-type: none"> <li>• Introductory Bylaw</li> <li>• Land Transport Bylaw</li> <li>• Public Amenities Bylaw</li> <li>• Public Safety Bylaw</li> <li>• Solid Waste <u>Management and Minimisation</u> Bylaw</li> <li>• Wastewater Bylaw <del>2008</del></li> <li>• Water Supply Bylaw <del>2008</del></li> <li>• Storm water Management Bylaw <del>2009</del></li> <li>• Trade Waste Bylaw</li> <li>• Dog Control Bylaw</li> <li>• <u>Freedom Camping Bylaw</u></li> </ul>	Community Protection & Compliance Manager  Assets & Projects Manager  Policy, Partnerships & Governance Manager	Y – under the LGA 2002 and warrants to various staff	This is recorded through the CRM system which there are processes for. We are currently in the process of developing an enforcement policy which will sit alongside the CRM process.	Underway	Currently reviewing enforcement policy which will link to this.  <u>Council is developing a Freedom Camping Bylaw</u>



# Delegation Policy and Delegation Register 2024

Department	<a href="#">Strategic Partnerships and Governance Legal</a>
Policy Type	Internal
CM Reference	15/7396 Current Delegations
Resolution Date	<del>24 July</del> <b>XX</b> <a href="#">October</a> 2024
Review Frequency	Ongoing as required by Council or legislative changes
Review Date	Ongoing
Policy Supersedes	Delegation Policy and Register 2024 <a href="#">43</a>

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## 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.*

### Mayoral delegations:

Under Section 25(5) of the Civil Defence Emergency Management Act 2002, the Mayor delegates to the Deputy Mayor the powers to act on their behalf in their absence.

### 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 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.

#### 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 per the charter for the Te Manawhenua Forum 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 Hauā 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 PM 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, Sarah-Jane Bourne 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 hearing 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 or Executive Managers, 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 of 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:**

For the purpose of performing his or her duties, the Council delegates to the Chief Executive the ability to sub-delegate any of the warranted or statutory powers set out in the below register, subject to the restrictions set out above or within the legislation, sub-delegations must be approved in writing.

For avoidance of doubt, any:

- delegation of statutory and other delegations by the Council to the Chief Executive, or
  - delegations by the Council to officers, e.g. the Building Act 2004 and the Resource Management Act 1991, or
  - changes to legislation or the addition of new legislation, or
  - delegations to Committees, sub-committees
- must be approved via a Council report.

The Chief Executive delegated to staff and contractors where applicable the following responsibilities, powers and duties and the ability to enter into contracts subject to their delegated financial authority. The Chief Executive may enter a contract above their delegation if 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.

The Chief Executive provides delegation to the Group Manager of Business Support to undertake the duties of the Chief Executive Officer in their absence, The Chief Executive Officer shall be considered absent if:

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

**Amendments to this Delegations Register**

This Delegations Register is maintained by Legal, whom may amend it to:

- Give effect to any Council resolution;
- Give effect to any written instruction to that effect given by the Chief Executive;
- Make any typographical or grammatical corrections.

### 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 Operations <i>NB Authority to approve payments on behalf of the CEO in their absence*</i>		X			
	<a href="#">Group Manager Business Support</a> <i>NB Authority to approve payments on behalf of the CEO in their absence*</i>		X			
50,000.00	Group Manager Group Manager Customer Experience, <i>NB Authority to approve payments on behalf of the CEO in his absence*</i>		X			
	Group Manager People Governance and Relationships <i>NB Authority to approve payments on behalf of the CEO in his absence*</i>		X			
	Group Manager Growth and Regulation <i>NB Authority to approve payments on behalf of the CEO in their 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 [and contractors](#) in accordance with the Delegations Policy and to update/amend warranted appointments below from time to time on this basis. The Executive Team is authorised to sign warrants on behalf of the Chief Executive Officer in their absence. 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.

Key to position titles/department groups	
<b>Eteam</b>	
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMCE	Group Manager Customer Experience,
GMPGR	Group Manager People Governance and Relationships
GMBS	Group Manager Business Support
<b>Third tier</b>	
APM	Assets and Projects Manager
BCM	Building Control Manager
CPCM	Community Protection and Compliance Manager
CSM	Customer Services Manager
PM	Planning Manager
PCPM	Property & Community Projects Manager
KVSM	Kaimai Valley Services Manager
PSWM	People, Safety and Wellness Manager
RM	Roading Manager
WWWM	Water & Wastewater Manager
<b>Fourth tier</b>	
BCTL	Building Control Team Leader (inclusive of Processing and Inspections)
CSTL	Customer Services Team Leader
IASTL	Infrastructure Asset And Strategy Team Leader
PFPTL	Parks and Facilities Planning Team Leader
PMTL	Project Management Team Leader
PROM	Parks & Reserves Operations Manager
SWTL	Safety and Wellness Team Leader
TLC	Team Leader Contracts
TLCE	Team Leader Consents Engineer
TLRC	Team Leader Resource Consents

TWPDM	Three Waters Project Delivery Manager
WWOM	Water & Wastewater Operations Manager
<b>Fifth tier (inclusive contractors except as authorised elsewhere)</b>	
ACO	Animal Control Officer (Inclusive of Senior)
APM <del>E</del>	Assets Project Management Officer <del>(fixed term)</del>
BCompO	Building Compliance Officer
BCO	Building Control Officer (inclusive senior and graduate)
CE	Consents Engineer (Inclusive of senior and graduate)
COP	Coordinator Operations & Projects
CP	Consent Planner (inclusive of senior and graduate)
CSA	Customer Services Advisor (inclusive of senior)
DE	Design Engineer - Utilities
EA	Engineering Administrator
EHO	Environmental Health Officer
EOR	Engineering Officer - Roding
RMAPP	RMA Policy Planner
FMO	Food and Monitoring Officer
IAPO	Infrastructure Assets Project Officer
IAPTL	Infrastructure Assets Project Team Leader
KVSW	Kaimai Valley Services Workers (inclusive Works Manager)
KVSTA	Kaimai Valley Services Technical Advisor
MO	Monitoring Officer
MALO	Monitoring & Alcohol Licensing Officer
PA	Parks Advisor
PGO	Planning Guidance Officer
PM	Project Manager (inclusive of graduate) (for Water Team)
PMS	Property Maintenance Supervisor
PP	Policy Planner (inclusive of graduate and senior)
PSRO	<del>Property (Property Services Officer, Project Managers)</del>
RAE	Roding Assets Engineer
RES	Roding (Engineers, Surveyors)
RO	Roding Officer
RTL	Reticulation Team Leader
RT	Reticulation Technician (inclusive of Senior)
SCSR	Senior Contract Supervisor - Roding
SNA	Systems and Network Administrator
SWL	Solid Waste Lead
TWPGM	Three Waters Programme Manager
<del>TWAEUEA</del>	<del>Utilities Three Waters Asset</del> Engineer - Assets <del>(inclusive of senior)</del>
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
	<b>Contractors:</b>
CR	Contractor - Roothing
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. Any changes to titles at Hauraki DC will not impact the delegations
NCC	Noise Control Contractor
GMPEHDC	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. Any changes to titles at Hauraki DC will not impact the delegations
SSSWCM	Shared Services Solid Waste Contract Manager
ACSC	Animal Control Security Contractor
BCON	Building Contractor
COLAB	COLAB Solutions

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>Note: These powers shall only be exercised with the approval of the CEO or a group manager. (Noise control is an exception to this when accompanied by Police under the RMA Section 335(b))</u></p> <p><i>164 Seizure of property not on private land (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) before seizing and impounding the property, the enforcement officer— (i) directed (orally or in writing) the person committing the offence to stop committing the offence; and (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 (iii) provided the person with a reasonable opportunity to stop committing the offence.</i></p> <p><i>165 Seizure of property from private land (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 (1) An enforcement officer executing a warrant issued under section 165(1) must be accompanied by a constable.</i></p>	GMGR GMO	APM BCM <a href="#">CPCM</a> CSM PM KVSM PCPM RM	ACM BCTL CSTL <a href="#">IASTL</a> PFPTL PROM TLC TLCE PMTL TLRC	ACO <a href="#">APM</a> BCO  CE PA CP CSA DE EHO EOR FMO PGO RMAPP <a href="#">PSRO</a> RES RO KVSTA MALO  MO  PMS PP SCSR SWL <a href="#">UEATWAE</a> TWPGM UE  SSSWCM ACSC COLAB

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>GMGR GMO</p>	<p>APM BCM <a href="#">CPCM</a> CSM PM PCPM KVSM RM WWWMM</p>	<p>ACM BCTL CSTL <a href="#">IASTL</a> PFPTL PROM TLC TLCE PMTL TLRC</p> <p>TWPDM WTL WWOM</p>	<p>ACO <a href="#">APBCO</a> <a href="#">APM</a> BCO</p> <p>CE PA CP CSA DE EHO EOR FMO PGO RMAPP IAPO IAPTL KVSTA KVSW MALO</p> <p>MO</p> <p>PM PMS PP <a href="#">PSRO</a> RES RO RTL RT SCSR SNA SWL TWPGM <a href="#">UEATWAE</a> UE WO WTF WTL WWO WWWO WWPSO WWT</p> <p>SSSWCM ACSC COLAB</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	GMGR GMO	APM BCM <a href="#">CPCM</a> CSM PM KVSM PCPM RM	ACM BCTL CSTL <a href="#">IASTL</a> PFPTL PROM TLC TLCE PMTL	ACO <a href="#">APM</a> BCO  CE PA CP CSA DE  EHO EOR FMO PGO RMAPP <a href="#">PSRO</a> RES RO KVSTA MALO  MO PMS PP SCP SCSR SWL <a href="#">UEATWAE</a> TWPGM UE BCompO  SSSWCM ACSC

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 against bylaws made under the Local Government Act 2002  <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.	GMGR GMO	APM BCM <a href="#">CPCM</a> CSM PM KVSM PCPM RM	ACM BCTL CSTL <a href="#">IASTL</a> PFPTL PROM TLC TLCE PMTL TLRC	ACO <a href="#">APM</a> BCO  CE PA CP CSA DE EHO EOR FMO PGO RMAPP  <a href="#">PSRO</a> RES RO KVSTA MALO  MO PMS PP SCSR SWL <a href="#">UEATWAE</a> TWPGM UE BCompO  SSSWCM ACSC

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></p> <p><i>(a)his or her name and address; and</i></p> <p><i>(b)the name and address and whereabouts of any other person connected in any way with the alleged offence.</i></p>	GMGR GMO	APM BCM <a href="#">CPCM</a> CSM PM KVSM PCPM RM	ACM BCTL CSTL <a href="#">IASTL</a> PFPTL PROM TLC TLCE PMTL	ACO <a href="#">APM</a> BCO  CE PA CP CSA DE EHO EOR FMO PGO RMAPP  <a href="#">PSRO</a> RES RO KVSTA MALO  MO PMS PP SCSR SWL <a href="#">UEATWAE</a> TWPGM UE BCompO  SSSWCM ACSC COLAB

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>  <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—</i>  <i>(a)water supplied from any waterworks or water race to any land or building is being wasted or misused; or</i>  <i>(b)any drainage works on any land are being misused; or</i>  <i>(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.</i>  <i>(2)The power under subsection (1) may only be exercised if the enforcement officer—</i>  <i>(a)believes on reasonable grounds that the circumstances in any of paragraph (a), paragraph (b), or paragraph (c) of that subsection exist; and</i>  <i>(b)the local authority gives reasonable notice to the occupier of the land or building of the intention to exercise the power.</i>  <i>(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.</i></p>	<p>GMGR GMO</p>	<p>APM BCM <a href="#">CPCM</a> CSM PM KVSM PCPM RM WWWM</p>	<p>ACM BCTL CSTL <a href="#">IASTL</a> PFPTL PROM TLC TLCE PMTL</p> <p>TWPDM WTL WWOM</p>	<p>ACO APM⊕ BCO</p> <p>CE PA CP CSA DE EHO EOR FMO PGO RMAPP IAPO IAPTL KVSTA KVSW MALO</p> <p>MO</p> <p>PM PMS PP <a href="#">PSRO</a> RES RO RTL RT SCP SCSR SNA SWL TWPGM <a href="#">UEATWAE</a> UE WO WTF WTL WWO WWWO WWPSO WWT</p> <p>COLAB</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>                      (1) An infringement notice may be served on a person if an enforcement officer—                      (a) observes a person committing an infringement offence; or                      (b) has reasonable cause to believe that an infringement offence is being or has been committed by that person.                      (2) An infringement notice not relating to a breach of an alcohol ban may be served—                      (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                      (b) by post addressed to that person's last known place of residence or business.</p>	GMGR GMO	APM BCM <a href="#">CPCM</a> CSM PM KVSM PCPM RM	ACM BCTL CSTL <a href="#">IASTL</a> PFPTL PROM TLC TLCE PMTL TLRC	ACO <a href="#">APM</a> BCO  CE PA CP CSA DE EHO EOR FMO PGO RMAPP <a href="#">PSRO</a> RES RO KVSTA MALO  MO PMS PP SCSR SWL <a href="#">UEATWAE</a> TWPGM UE



Local Government Act 2002		Eteam	Third tier	Fourth tier	Fifth tier
	Power to enforce Matamata-Piako District Council bylaws	GMGR GMO	APM BCM <a href="#">CPCM</a> CSM PM KVSM PCPM RM	ACM BCTL CSTL <a href="#">IASTL</a> PFPTL PROM TLC TLCE PMTL TLRC	ACO APMⓄ BCO  CE PA CP CSA DE EHO EOR FMO PGO RMAPP IAPO IAPTL KVSTA MALO  MO PMS PP <a href="#">PSRO</a> RES RO SCSR SNA SWL TWPGM <a href="#">JEATWAE</a> UE BCompO  SSSWCM
	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>	GMGR GMO	APM BCM CPCM PM PCPM	BCTL PFPTL TLCE PMTL TLRC	BCompP BCO  CE CP EHO FMO PGO RMAPP PRO RES KVSTA MO MALO  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>	GMGR GMO	APM CPCM PM		
Enforcement Officer	Power to issue and serve an abatement notice pursuant to	GMGR GMO	APM CPCM	BCTL PFPTL	BCompO BCO

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
pursuant to section 38 of the Resource Management Act 1991	<p>section 322 of the Resource Management Act 1991.</p> <p>322 Scope of abatement notice</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> <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>BCM</p> <p>PM</p>	<p>TLCE</p> <p>PMTL</p> <p>TLRC</p>	<p>CE</p> <p>CP</p> <p>EHO</p> <p>FMO</p> <p>RMAPP</p> <p>MO</p> <p>MALO</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>	<p>GMGR</p> <p>GMO</p>	<p>APM</p> <p>BCM</p> <p>CPCM</p> <p>PM</p>	<p>BCTL</p> <p>PEPTL</p> <p>TLCE</p> <p>PMTL</p>	<p>BCompO</p> <p>BCO</p> <p>CE</p> <p>CP</p> <p>EHO</p> <p>FMO</p> <p>RMAPP</p>

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
					MO MALO  SWL UEA TWPGM UE
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power to issue excessive noise direction pursuant to section 327 of the Resource Management Act 1991</p> <p><i>327 Issue and effect of excessive noise direction</i> (1) Any enforcement officer, or any constable acting upon the request of an enforcement officer, who— (a) has received a complaint that excessive noise is being emitted from any place; and (b) upon investigation of the complaint, is of the opinion that the noise is excessive,— 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. (2) A direction under subsection (1) may be given in writing or orally. (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. (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>	GMGR GMO	APM BCM CPCM PM	BCTL PFPTL TLCE PMTL TLRC	BComp BCO  CE PA CP EHO FMO RMAPP PRO MO MALO  NCC
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><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</p>	GMGR GMO	APM BCM CPCM PM	BCTL PFPTL TLCE PMTL TLRC	BComp BCO  CE PA CP EHO FMO RMAPP  PRO MO MALO NCC

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
	<p>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— 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>				
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power to take steps (accompanied by a 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>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)</p>	<p>GMGR</p> <p>GMO</p>	<p>APM</p> <p>BCM</p> <p>CPCM</p> <p>PM</p>	<p>BCTL</p> <p>PEPTL</p> <p>TLCE</p> <p>PMTL</p> <p>TLRC</p>	<p>BCompO</p> <p>BCO</p> <p>CE</p> <p>PA</p> <p>CP</p> <p>EHO</p> <p>EOR</p> <p>FMO</p> <p>RMAPP</p> <p>PRO</p> <p>MO</p> <p>MALO</p> <p>NCC</p>

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
	<p>render inoperable by the removal of any part from; or</p> <p>(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.</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—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 reasonable</p>				
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<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, a group manager, or one of the third tier managers listed.</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>	GMGR GMO	APM BCM CPCM PM	BCTL PFPTL TLCE PMTL TLRC	BCompO BCO  CE PA COP CP DE EHO EOR RMAPP  PRO RES KVSTA MO

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
	<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— 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— 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— 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>MALO</p> <p>PP</p> <p>RAE</p> <p>SCSR</p> <p>SWL</p> <p>UEA</p> <p>TWPGM</p> <p>UE</p>
<p>Enforcement Officer pursuant to section 38 of the Resource Management Act 1991</p>	<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, a group manager or third tier 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</p>	<p>GMGR</p> <p>GMO</p>	<p>APM</p> <p>BCM</p> <p>CPCM</p> <p>PM</p>	<p>BCTL</p> <p>PFRTL</p> <p>TLCE</p> <p>PMTL</p> <p>TLRC</p>	<p>BCompO</p> <p>BCO</p> <p>CE</p> <p>PA</p> <p>GOP</p> <p>CP</p> <p>DE</p> <p>EHO</p> <p>EOR</p> <p>RMAPP</p> <p>PRO</p> <p>RES</p> <p>KVSTA</p> <p>MO</p> <p>MALO</p>

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
	<p>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 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>				<p>PP</p> <p>RAE</p> <p>SCSR</p> <p>SWL</p> <p>TWPGM</p> <p>UEA</p> <p>UE</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),—</p> <p>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: (b) of the purpose for which entry is required: (c) how and when entry is to be made.</p>	<p>GMGR</p> <p>GMQ</p>	<p>APM</p> <p>BCM</p> <p>CPCM</p> <p>PM</p>	<p>BCTL</p> <p>PFPTL</p> <p>TLCE</p> <p>PMTL</p> <p>TLRC</p>	<p>BCompO</p> <p>BCO</p> <p>CE</p> <p>PA</p> <p>GOP</p> <p>CP</p> <p>DE</p> <p>EHO</p> <p>EOR</p> <p>RMAPP</p> <p>PRO</p> <p>RES</p> <p>KVSTA</p> <p>MO</p> <p>MALO</p> <p>PP</p> <p>RAE</p> <p>SCSR</p> <p>SWL</p> <p>TWPGM</p> <p>UEA</p> <p>UE</p>



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 execute warrant pursuant to section 335 of the Resource Management Act 1991</p> <p><i>335 Direction and execution of warrant for entry for search</i></p> <p><i>(1) Every warrant under section 334 shall be directed to and executed by—</i></p> <p><i>(a) any specified constable; or</i></p> <p><i>(b) any specified enforcement officer when accompanied by a constable; or</i></p> <p><i>(c) generally, every constable; or</i></p> <p><i>(d) generally, every enforcement officer when accompanied by a constable.</i></p>	GMGR GMO	APM BCM CPCM PM	BCTL PFPTL TLCE PMTL TLRC	<p>BCompO BCO</p> <p>CE PA COP CP DE EHO EOR RMAPP PRO RES KVSTA MO MALO</p> <p>PP RAE SCSR UEA TWPGM UE</p>
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power to <b>issue</b> infringement Notices pursuant to section 343C of the Resource Management Act 1991</p> <p><i>(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.</i></p> <p><i>(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.</i></p> <p><i>(3) Every infringement notice shall be in the prescribed form and shall contain the following particulars:</i></p> <p><i>(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</i></p> <p><i>(b) the amount of the infringement fee specified for that offence; and</i></p> <p><i>(c) the address of the place at which the infringement fee may be paid; and</i></p> <p><i>(d) the time within which the infringement fee must be paid; and</i></p> <p><i>(e) a summary of the provisions of section 21(10) of the Summary Proceedings Act 1957; and</i></p> <p><i>(f) a statement that the person served with the notice has a right to request a hearing; and</i></p> <p><i>(g) a statement of what will happen if the person served with the notice neither pays the infringement fee nor requests a</i></p>	GMGR GMO	APM BCM CPCM PM	BCTL PFPTL TLCE PMTL TLRC	

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
	<p>hearing; and (h) such other particulars as are prescribed. (4) If an infringement notice has been issued under this section,— (a) a reminder notice must be in the form prescribed under this Act; and (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>				
	<p>Power to <b>serve</b> infringement Notices pursuant to section 343C of the Resource Management Act 1991 (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. (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. (3) Every infringement notice shall be in the prescribed form and shall contain the following particulars: (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 (b) the amount of the infringement fee specified for that offence; and (c) the address of the place at which the infringement fee may be paid; and (d) the time within which the infringement fee must be paid; and (e) a summary of the provisions of section 21(10) of the Summary Proceedings Act 1957; and (f) a statement that the person served with the notice has a right to request a hearing; and (g) a statement of what will happen if the person served with the notice neither pays the infringement fee nor requests a hearing; and (h) such other particulars as are prescribed. (4) If an infringement notice has been issued under this section,— (a) a reminder notice must be in the form prescribed under this Act; and (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>	<p>GMGR GMO</p>	<p>APM BCM CPCM PM PCPM RM</p>	<p>BCTL PFRTL TLCE PMTL TLRC</p>	<p>BCompO BCO CE CP EHO FMO MO MALO PGO PRO</p>

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>	<p>GMGR</p>	<p>BCM CPCM PM</p>	<p>BCTL TLGE - - - - - - -</p>	<p>BCompO BCO  CE CP EHO FMO MALO  MO PGO  BCON</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> (1)An infringement notice may be served on a person if an enforcement officer— (a)observes the person committing an infringement offence; or (b)has reasonable cause to believe that an infringement offence is being or has been committed by that person. (2)An infringement notice may be served— (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 (b)by post addressed to the person's last known place of residence or business. (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.</p>	<p>GMGR</p>	<p>BCM CPCM PM</p>	<p>BCTL TLGE -</p>	<p>BCompO BCO  CE EHO MALO  MO -</p>

<p>Health Act 1956</p>	<p>Eteam</p>	<p>Third tier</p>	<p>Fourth tier</p>	<p>Fifth tier</p>
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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>  <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—</i>  <i>(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:</i>  <i>(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:</i>  <i>(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:</i>  <i>(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:</i>  <i>(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:</i>  <i>(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.</i></p> <p><i>Section 28 relates to the technical aspects of appointing a health officer.</i></p>	GMGR	CPCM		<p>EHO  <a href="#">FMO</a>                      GMPESH                      D                      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>EHO <a href="#">FMO</a></p> <p>EHOHDC*</p> <p>*Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</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>				<p>EHO <a href="#">FMO</a></p> <p>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 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>	GMGR	CPCM		<p>EHO FMO MALO MO</p> <p>GMPEHDC* EHOHDC*</p> <p>*Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</p>
	<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>	GMGR	CPCM		<p>EHO FMO MALO MO</p> <p>GMPEHDC * EHOHDC*</p> <p>*Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</p>
	<p>Power to require a person to state their name and address pursuant to section 134 of the Health Act 1956</p>				<p>EHO</p> <p>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 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>	GMGR	CPCM		<p>EHO FMO MALO MO</p> <p>GMPESHDC * EHOHDC*</p> <p>*Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</p>

Food Act 2014		Eteam	Third tier	Fourth tier	Fifth tier
Food Safety Officer and Authorised Officer pursuant to the Food Act 2014	<p>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> <p><u><a href="#">*FMO to only undertake activities that are not solely delegated under the act to the warranted Food Safety Officer.</a></u></p>				<p>EHO FMO EHOHDC* GMPESHDC*</p> <p>Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</p>
<p><b>173 Functions of territorial authority</b>                      (1) A territorial authority has the following functions:                      (a) to perform the function of a registration authority:                      (b) to manage and train its staff to carry out functions and activities in relation to this Act;                      (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;                      (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;                      (e) to instigate appropriate corrective and preventative actions for matters described in paragraph (d);                      (f) to enable its food safety officers to enforce the applicable requirements of this Act;                      (g) to respond to recalls and to respond in an emergency situation;                      (h) to disseminate information and provide advice promoting the safety and suitability of food to food businesses and the public;                      (i) to perform administrative functions relating to this Act, including—                      (i) gathering information:                      (ii) receiving applications for registration of food control plans and of food businesses subject to national programmes;                      (iii) transferring information to the Ministry;                      (iv) if requested under section 184(1)(b), reporting to the chief executive;                      (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;                      (k) to perform any other function relevant to its role.                      (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.                      (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.                      (4) A territorial authority may not contract out any of the following functions, except to another territorial authority:                      (a) the function of a recognised agency; and                      (b) any of the functions referred to in subsection (1)(a) and (d) to (h).                      (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.                      (6) If a territorial authority contracts out 1 or more of its functions, it continues to have responsibility for that function.</p>					
<p><b>174 Duties of territorial authority</b>                      A territorial authority must—                      (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;                      (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;                      (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;                      (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;                      (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;                      (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);                      (g) provide capability to respond as required in an emergency situation;                      (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) carry out any other function, duty, or direction imposed or given by or under this Act.</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	GMGR	CPCM		EHO FMO MALO
	Power to issue infringement notices pursuant to section 262 of the Sale and Supply of Alcohol Act 2012  <i>262 Infringement notices (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. (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.</i>				MO
	Power to enter licensed premises pursuant to section 267 of the Sale and Supply of Alcohol Act 2012  <i>267 Powers of entry on licensed premises (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. (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. (3)For the purposes of exercising the power conferred by this section, a constable or an inspector may— (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 (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.</i>				
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	Power to seize samples of alcohol from any licensed premises pursuant to section 268 of the Sale and Supply of Alcohol Act 2012  <i>268 Power to seize samples of alcohol (1)This section applies where a constable or inspector has entered and is conducting an inspection of any licensed premises under section 267. (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.</i>	GMGR	CPCM		EHO FMO MALO  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				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	GMGR or in absence of above delegate to GMBS, GMCE, GMPGR or GMO	Or CPCM		

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>	GMGR GMO	APM PM PCPM KVSM CPCM	TLC TLCE PMTL CPCM <u>I</u> ASTL PFPTL PROM	<p><u>APM</u> BCompO BCO CE CP COP DE EA</p> <p>EHO EOR FMO PA PFPTL PGO <u>PSRO</u> RES RO KVSW KVSTA MALO</p> <p>MO PMS RAE RTL SCSR SWL TWPM <u>UEATWAE</u> UE WTL</p>
	<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 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. This includes all of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive (including but not limited to sections 12, 98 and 100).</i></p>	GMGR	CPCM		<p>EHO FMO MALO</p> <p>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>93Powers 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>	GMGR	<p>APM CPCM PM PCPM KVSM</p>	<p>PFPTL PROM TLCE</p>	<p><a href="#">APM</a> CE PA COP EHO EOR FMO PFPTL <a href="#">PSRO</a> RES</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 (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</i></p> <p><i>102 Evidence of offences (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.</i></p>					<p>MALO</p> <p>MO RAE</p>
<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 (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.</i></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 (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.</i></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>95 Seizure 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
<p>Dog Control Officer pursuant to section 11 of the Dog Control Act 1996</p>	<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>	GMGR	CPCM		<p>ACO</p> <p>AGSC</p>

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>				
	<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 rangers 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>				

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>	GMGR	CPCM		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	GMBS	APM	IASTL	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
<p>Authorised Officer pursuant to section 19 of the Burial and Cremations Act 1964</p>	<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>		<p>CSM KVSM</p>	<p>CSTL PROM</p>	<p>CSA WTL KVSW</p>

Health and Safety at Work Act 2015		Eteam	Third tier	Fourth tier	Fifth tier
<p>Authorised Health and Safety Officer</p>	<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>		<p>PSWM</p>	<p>SWTL</p>	

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

### 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 holder 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.

All delegations are made severally unless specified otherwise (ie the delegation can be exercised by the officer acting alone).

Legislation	Adopted On 9 November 2016	
Airport Authorities Act 1966	44	Amended <a href="#">July-October 2024</a>
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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCE	Group Manager Customer Experience
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People, Governance and Relationships
<b>Third tier</b>	
<del>CFOM</del>	<del>Community Facilities Operations Manager</del>
PCPM	Property & Community Projects Manager
<b>Fifth tier</b>	
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 <del>GMGR</del> GMO <del>GMCE</del> <del>GMPGR</del>	<del>CFOM</del> PCPM		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 <del>GMGR</del> GMO <del>GMCE</del> <del>GMPGR</del>			

### Delegations – Building Act 2004

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMGR	Group Manager Growth and Regulation
<b>Third tier</b>	
BCM	Building Control Manager
<a href="#">CPCM</a>	<a href="#">Community Protection and Compliance Manager</a>
CSM	Customer Services Manager
PM	Planning Manager
<b>Fourth tier</b>	
BCTL	Building Control Team Leader
CSTL	Customer Services Team Leader
TLRC	Team Lead Resource Consents
<b>Fifth tier</b>	
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
MO	Monitoring Officer
RO	Receiving Officer
<b>Contractors</b>	
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 CSTL	BCAO BCO BCOS CON CSA CSAA
34 and 35	Power to issue project information memorandum.		BCM CSM	BCTL CSTL	BCAO BCO BCOS CSA CSAA
36	Power to issue a development contribution notice <sup>102</sup>	CEO GMGR	BCM CSM	BCTL CSTL	ASO BCAO BCO BCOS CSA CSAA
37	Power to issue a certificate restricting building work until issue of resource consent		BCM CSM PM	BCTL CSTL 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 CSTL 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 GMGR	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 GMGR	BCM CSM	BCTL CSTL	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 GMGR	BCM	BCTL	BCAO BCO BCOS
60	Power to retain part of levy	CEO GMGR			
62	Power to recover unpaid levy from applicant for building consent	CEO GMGR			
63	Power to request that information provided to Chief Executive be treated as confidential.	CEO GMGR	BCM		
67	Power to grant building consent subject to waiver or modifications of the building code.		BCM	BCTL	BCO BCOS
71 and 72	Power to grant building consent on land subject to natural hazards.		BCM	BCTL	BCO BCOS
73	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 Maori Land Court;		BCM	BCTL	BCOS
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 GMGR	BCM		
75 and 77	Power to place conditions on the construction of a building on two or more allotments.	CEO GMGR	BCM	BCTL	BCOS
83	Power to approve or decline an application to have an entry under section 78 removed.	CEO GMGR	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 CON
91	Power to issue code compliance certificate includes 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 <a href="#">CPCM</a> PM	BCTL	<a href="#">BCompO</a> BCO BCOS MALO  MO
126	Power to apply to the District Court for authorisation to carry out building work.	CEO GMGR	BCM <a href="#">CPCM</a>		
130	Power to apply to the District Court for confirmation of a warrant issued under section 129(2).	CEO GMGR	<a href="#">CPCM</a>		LC
133AH	Power to request engineering assessment of potentially earthquake-prone buildings	CEO GMGR	BCM <a href="#">CPCM</a>	BCTL	<a href="#">BCompO</a> 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 GMGR	BCM	BCTL	BCO BCOS
133AJ	Power to grant or decline an extension of time to provide engineering assessment	CEO GMGR	BCM	BCTL	BCO BCOS
133AK	Power to determine whether building is earthquake prone	CEO GMGR	BCM	BCTL	BCO BCOS
133AL	Power to issue EPB notice for earthquake-prone buildings	CEO GMGR	BCM <a href="#">CPCM</a>	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 GMGR	BCM	BCTL	BCO BCOS
133AR	Power to impose safety requirements	CEO GMGR	BCM	BCTL	BCO BCOS
133AS	Power to authorise carrying out seismic work		BCM <a href="#">CPCM</a>	BCTL	<a href="#">BCompO</a> 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 <a href="#">CPCM</a>	BCTL	<a href="#">BCompO</a> 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 <a href="#">CPCM</a>	BCTL	<a href="#">BCompO</a> BCO BCOS
167	Power to inspect and confirm or refuse to confirm whether or not a notice to fix has been complied with.		BCM <a href="#">CPCM</a>	BCTL	<a href="#">BCompO</a> BCO BCOS
177	Power to apply to the Chief Executive of the Department of Building and Housing for a determination	CEO GMGR	BCM		
180	Power to withdraw application for a determination	CEO GMGR	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 GMGR	BCM		
215	Power to apply for accreditation and registration as a building consent authority under Part 3 of the Building Act 2004.	CEO GMGR	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 GMGR			LC
221(2)	Power to dispose of materials resulting from Council's performing building work.	CEO GMGR	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 GMGR			
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 <a href="#">CPCM</a>	BCTL	<a href="#">BCompO</a> BCO BCOS
375	Power to prosecute offences	CEO GMGR	<a href="#">CPCM</a>		LC
377	Power to lay information for an offence	CEO GMGR	<a href="#">CPCM</a>		LC
381	Power to apply to District Court for an injunction	CEO GMGR	<a href="#">CPCM</a>		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"> <li>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.</li> <li>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.</li> </ul>	CONT		

### Delegations – Dog Control Act 1996

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMGR	Group Manager Growth and Regulation
<b>Third tier</b>	
CPCM	Community Protection & Compliance Manager
CSM	Customer Services Manager
PSWM	People, Safety and Wellness Manager (including Acting)
<b>Fourth tier</b>	
CSTL	Customer Services Team Leader
<b>Fifth tier (inclusive contractors)</b>	
<a href="#">ACA</a>	<a href="#">Animal Control Administrator</a>
ACO	Animal Control Officer (inclusive of Senior)
CSA	Customer Services Advisor (inclusive of Senior)
LC	Legal Counsel
<b>External</b>	
<a href="#">CON</a>	<a href="#">Contractors</a>

Section	Power	Council	Eteam	Third tier	Fourth tier	Fifth tier
11	Power to appoint and to revoke appointment of Dog Control Officers		CEO GMGR	<a href="#">CPCM</a> <a href="#">PSWM</a>		
12	Power to appoint and to revoke appointment of Dog Rangers		CEO GMGR	<a href="#">CPCM</a> <a href="#">PSWM</a>		
13	Power to supply warrant of appointment to Dog Control Officers and Dog Rangers		CEO GMGR			
21	Power to classify any person as probationary owner		CEO GMGR	CPCM		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 GMGR	CPCM		ACO
25	Power to disqualify any person from being the owner of any dog		CEO GMGR	CPCM		
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 GMGR	CPCM		<a href="#">ACO</a>
31	Power to classify dog as dangerous dog		CEO GMGR	CPCM		ACO
31(3)	Power to hear and determine objections to the classification of any dog as a dangerous dog under section 31(1)	Hearings Commission as a Committee of Council.				
32(1)(f)	Power to consent to the disposal of any dangerous dog to any other person		CEO GMGR	CPCM		ACO
33A	Power to classify a dog as a menacing dog		CEO GMGR	CPCM		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 GMGR	CPCM		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 GMGR	CPCM		ACO
33E(5)	Power to exempt any menacing dog from the muzzling requirements in any specified circumstances		CEO GMGR	CPCM		ACO
33EB	To require neutering of menacing dog classified as menacing by another territorial authority when subsequently registered with this Council, and the power to require the production of a veterinarian's certificate		CEO GMGR	CPCM		ACO
33ED	To classify certain dogs as dangerous or menacing unless satisfied that circumstances were exceptional and do not justify classification		CEO GMGR	CPCM		ACO
35	Power to request register information		CEO GMGR	CPCM	<a href="#">CSTL</a>	<a href="#">ACA</a> <a href="#">ACO</a> <a href="#">CSA</a>
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 GMGR	CPCM		<a href="#">ACO</a>

36A	Power to instruct any owner to make any dog available for verification that it has been implanted with a functioning microchip transponder		CEO GMGR	CPCM CSM	CSTL	<a href="#">ACA</a> ACO CSA
39	Power to issue refunds or reduce fees.		CEO GMGR	CPCM CSM	CSTL	<a href="#">ACA</a> 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 GMGR	CPCM CSM	CSTL	<a href="#">ACA</a> ACO CSA
46	Power to issue registration label or disc, and to issue replacement label or disc		CEO GMGR	CPCM CSM	CSTL	<a href="#">ACA</a> ACO CSA
48	Power to issue registration label or disc upon change of ownership of dog		CEO GMGR	CPCM CSM	CSTL	<a href="#">ACA</a> ACO CSA
49	Power to issue registration label or disc upon transfer of dog.		CEO GMGR	CPCM CSM	CSTL	<a href="#">ACA</a> 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 barking or howling by any dog.	Hearings Commission as a Committee of Council.				
64(5)	Power to collect the reasonable costs of the collection, destruction and disposal of any dog.		CEO GMGR	CPCM CSM	CSTL	<a href="#">ACA</a> 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 GMGR	CPCM		LC
66	To authorise any person other than a dog control officer to issue an infringement notice under this section		CEO GMGR	CPCM		
69	Power to impound <del>and dispose of</del> any dog.		CEO GMGR	CPCM		ACO <a href="#">CON</a>
<a href="#">69</a>	<a href="#">Power to dispose of any dog</a>		<a href="#">CEO GMGR</a>	<a href="#">CPCM</a>		<a href="#">ACO CON</a>
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		CEO GMGR	CPCM		ACO <a href="#">CON</a>



	in custody					
70(7)	Power to determine whether or not to dispose of the dog.		CEO GMGR	CPCM		ACO
71(1)(d)	Power to authorise retention of a dangerous dog.		CEO GMGR	CPCM		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 GMGR	CPCM		ACO
	Power to bring a prosecution for offences under the Dog Control Act 1996		CEO GMGR	CPCM		LC
	Power to lay information for offences under the Dog Control Act 1996		CEO GMGR	CPCM		LC
General	To institute any prosecution for an offence under the Act or under any bylaw made by the Council under the Act and to make any decision in any matter relating to any such prosecution.		CEO GMGR	CPCM		
General	To apply for an injunction preventing a person from committing a breach of any bylaw made by the Council under section 20 of the Act and to make any decision in any matter relating to such an application.		CEO GMGR	CPCM		
General	To take enforcement action against any person who breaches any such injunction and to make any decision in any matter relating to such action		CEO GMGR	CPCM		

Delegations – Electricity Act 1992

<u>Key to position titles</u>				
<u>Eteam</u>				
<u>CEO</u>	<u>Chief Executive Officer</u>			
<u>GMBS</u>	<u>Group Manager Business Support</u>			
<u>GMO</u>	<u>Group Manager Operations</u>			
<u>Third tier</u>				
<u>APM</u>	<u>Assets and Projects Manager</u>			
<u>RM</u>	<u>Roading Manager</u>			
<u>Description</u>	<u>Eteam</u>	<u>Third tier</u>	<u>Fourth tier</u>	<u>Fifth tier</u>
<u>All of its responsibilities, duties, and powers under this Act.</u>	<u>CEO</u> <u>GMBS</u> <u>GMO</u>	<u>APM</u> <u>RM</u>		

### Delegations - Fencing Act 1978

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMO	Group Manager Operations
GMGR	Group Manager Growth and Regulations
GMCE	Group Manager Customer Experience
<b>Third tier</b>	
FOM	Facilities Operations Manager
PCPM	Property & Community Projects Manager
<b>Fifth tier (inclusive contractors)</b>	
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 GMCE GMGR GMO	PCPM		LC PSO
11(1)	Power to serve a cross-notice of objection to notice under section 10(1)	CEO GMCE GMGR GMO	PCPM		LC PSO
18(1)	Power to serve notice on person taking advantage of fence	CEO GMCE GMGR GMO	PCPM		LC PSO
19(1)	Power to serve notice requiring contribution towards value of fence.	CEO GMCE GMGR GMO	PCPM		LC PSO
25	Power to come in and defend proceedings	CEO GMCE GMGR GMO			LC

### Delegations – Food Act 2014

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMO	Group Manager Operations
GMGR	Group Manager Growth and Regulation
GMBS	Group Manager Business Support
<del>GMCE</del>	<del>Group Manager Customer Experience</del>
<del>GMPGR</del>	<del>Group Manager People, Governance and Relationships</del>
<b>Third tier</b>	
PM	Planning Manager
<b>Fifth tier (inclusive contractors)</b>	
EHO	Environmental Health Officer
<del>FMO</del>	<del>Food Monitoring Officer</del>
<del>EHA</del>	<del>Environmental Health Administrator</del>
EHOHDC	Environmental Health Officer Hauraki District Council

Section	Description	Eteam	Third tier	Fourth tier	Fifth tier
41 Food control plan: form	Power to accept an application		<del>CPCM</del>		EHO <del>FMO</del> <del>EHA</del> *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> 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		CPCM		EHO <del>FMO</del> <del>EHA</del> *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> 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)	GMGR <del>GMO</del> CEO GMBS	<del>CPCM</del> PM		EHO <del>FMO</del> <del>EHA</del> *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam
55 Registration authority may require further information	Power to require further information	GMGR <del>GMO</del> CEO GMBS	<del>CPCM</del> PM		EHO <del>FMO</del> <del>EHA</del> *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam

62 Mandatory suspension	Power to suspend a registered food control plan	GMGR <a href="#">GMO</a> CEO GMBS	<a href="#">CPCM</a>		
63 Registration authority may extend mandatory suspension	Power to extend mandatory suspension	GMGR <a href="#">GMO</a> CEO GMBS	<a href="#">CPCM</a>		
67 Cancellation of registration	Power to cancel the registration of a food control plan	GMGR <a href="#">GMO</a> CEO GMBS	<a href="#">CPCM</a>		
84 Registration authority may refuse to process application for registration ( <a href="#">National Programme</a> )	Power to refuse to process an application for registration	GMGR <a href="#">GMO</a> CEO GMBS	<a href="#">CPCMPM</a>		EHO *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam
85 Registration authority may require further information	Power to request further information	GMGR <a href="#">GMO</a> CEO GMBS	<a href="#">CPCMPM</a>		EHO <a href="#">FMO</a> <a href="#">EHA</a> *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam
90 Mandatory suspension	Power to suspend operations of a business subject to a national programme	GMGR <a href="#">GMO</a> CEO GMBS	<a href="#">CPCM</a>		
91 Registration authority may extend mandatory suspension	Power to extend suspension	GMGR <a href="#">GMO</a> CEO GMBS	<a href="#">CPCM</a>		
95 Cancellation of registration	Power to cancel registration	GMGR <a href="#">GMO</a> CEO GMBS	<a href="#">CPCM</a>		
280 Person to whom directions may be given under sections 281 to 286	Power to give direction under section 281-286	GMGR <a href="#">GMO</a> CEO GMBS	<a href="#">CPCMPM</a>		EHO <a href="#">FMO</a> <a href="#">EHA</a> *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> 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	GMGR <a href="#">GMO</a> CEO GMBS	<a href="#">CPCMPM</a>		EHO <a href="#">FMO</a> <a href="#">EHA</a> *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam

282 Give directions to complete and supply declarations	Power to give directions to complete and supply declarations	GMGR <a href="#">GMO</a> CEO GMBS	<a href="#">CPCMPM</a>		EHO <a href="#">FMO</a> <a href="#">EHA</a> *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam
283 Give directions to impose movement or related controls	Power to give directions to movement or related controls	GMGR <a href="#">GMO</a> CEO GMBS	<a href="#">CPCMPM</a>		EHO <a href="#">FMO</a> <a href="#">EHA</a> *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam
285 Give directions to manage food or food-related accessory	Power to give directions to manage food or food-related accessory	GMGR <a href="#">GMO</a> CEO GMBS	<a href="#">CPCMPM</a>		EHO <a href="#">FMO</a> <a href="#">EHA</a> *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam

Freedom Camping Act 2003

<u>Key to position titles</u>	
<u>Eteam</u>	
<u>CEO</u>	<u>Chief Executive Officer</u>
<u>GMGR</u>	<u>Group Manager Growth and Regulation</u>
<u>Third Tier</u>	
<u>CPCM</u>	<u>Community Protection and Compliance Manager</u>
<u>Fifth Tier</u>	
<u>EHO</u>	<u>Environmental Health Officer</u>
<u>FMO</u>	<u>Food Monitoring Officer</u>
<u>MALO</u>	<u>M</u>
<u>MO</u>	

<u>Section</u>	<u>Power</u>	<u>Eteam</u>	<u>Third tier</u>	<u>Fourth tier</u>	<u>Fifth tier</u>
32	<u>To appoint enforcement officers under this Act and to arrange for the issue of warrants of appointment.</u>	<u>CEO</u>			
39	<u>To decide whether or not to return seized and impounded property.</u>	<u>CEO</u> <u>GMGR</u>	<u>CPCM</u>		<u>EHO</u> <u>FMO</u> <u>MALO</u> <u>MO</u>
40	<u>To dispose of seized and impounded property.</u>	<u>CEO</u> <u>GMGR</u>	<u>CPCM</u>		<u>EHO</u> <u>FMO</u> <u>MALO</u> <u>MO</u>

### Delegations - Gambling Act 2003

Subject to section 48 and clause 32 of the 7<sup>th</sup> 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 Growth and Regulation 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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMGR	Group Manager Growth and Regulation

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 GMGR			
s100(1)(b)(ii)	Power to refuse consent to a gambling venue application.	CEO GMGR			
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 GMGR			



**Delegations - Health and Safety at Work Act 2015**

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCE	Group Manager Customer Experience,
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People Governance and Relationships
<b>Third tier</b>	
PSWM	People, Safety and Wellness Manager
<b>Fourth tier</b>	
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 GMCE GMGR GMO GMPGR	PSWM	SWTL	

### Delegations - Impounding Act 1955

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
<b>Third tier</b>	
CPCM	Community Protection and Compliance Manager
<b>Fifth tier</b>	
ACO	Animal Control Officer

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
8	Power to appoint poundkeepers and rangers.	CEO GMGR	<a href="#">CPCM</a>		
9(1)	Power to appoint a deputy of any poundkeeper.	CEO GMGR	<a href="#">CPCM</a>		
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 GMGR	CPCM		
22(2)	Power to authorise a ranger to convey trespassing stock to a pound.	CEO GMGR	CPCM		ACO
32(1)	Power to declare an area a temporary pound.	CEO GMGR	CPCM		ACO
32(3)	Power to appoint a keeper for each temporary pound.	CEO GMGR	CPCM		
42(1)	Power to authorise the destruction of wild stock.	CEO GMBS GMGR <a href="#">GMO</a>	CPCM		
46	Power to issue impounding notice.	CEO GMGR	CPCM		ACO
50(2)	Power to authorise a person to act as an auctioneer.	CEO GMGR	CPCM		
52(2)	Power to give written notice of an intention to destroy an animal.	CEO GMGR	CPCM		<a href="#">ACO</a>
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 GMGR	CPCM		
	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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMGR	Group Manager Growth and Regulation
<del>GMØ</del>	<del>Group Manager Operations</del>
<del>GMPGR</del>	<del>Group Manager People Governance and Relationships</del>
<b>Third Tier</b>	
<del>FM</del>	<del>Finance Manager</del>
<b>Fifth Tier</b>	
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 GMGR <del>GMØ</del> <del>GMPGR</del>	<del>FM</del>		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 GMGR <del>GMØ</del> <del>GMPGR</del>	<del>FM</del>		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 GMGR <del>GMØ</del> <del>GMPGR</del>	<del>FM</del>		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	Appoint <del>edment of an</del> electoral officer	EO				
13	Appoint <del>edment of a</del> deputy electoral officer				<u>DEO</u>	<u>DEO</u>

Delegations - Local Government Official Information and Meetings Act 1987

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCE	Group Manager Customer Experience,
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People Governance and Relationships
<b>Third tier</b>	
PPGM	Policy, Partnerships & Governance Manager
CEM	Communications and Engagement Manager
CSM	Customer Services Manager
<u>IM</u>	<u>Information Manager</u>
PSWM	People, Safety and Wellness Manager (including Acting)
<b>Fourth tier</b>	
CETL	Communications and Engagement Team Leader
CSTL	Customer Services Team Leader
GTL	Governance Team Leader
<u>ITL</u>	<u>Information Team Leader</u>
PLTL	Policy Team Leader
<b>Fifth tier (inclusive contractors)</b>	
CSA	Customer Services Advisor (inclusive of Senior)
CO	Communications Officer <u>(inclusive of graduate and coordinator)</u>
<u>GASO</u>	Governance <u>Support Officer/Advisor (inclusive of Senior)</u>
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 GMGR GMO GMCE GMPGR	PPGM CEM CSM <u>IM</u> PSWM	CETL <u>ITL</u> GTL PLTL	CO <u>GASO</u> LC
12	Power to transfer request to another local authority or a Department or Minister of the Crown or organisation	CEO GMBS GMGR GMO GMCE GMPGR	PPGM CEM CSM <u>IM</u> PSWM	CETL <u>ITL</u> GTL PLTL	CO <u>GASO</u> LC
13(1)	Power to determine whether or not a request for information is granted, and in what manner and for what charge such request is to be granted.	CEO GMBS GMGR GMO GMCE GMPGR	PPGM CEM CSM <u>IM</u> PSWM	CETL <u>ITL</u> GTL PLTL	CO <u>GASO</u> LC

13(1A)	Power to charge for the supply of official information	CEO GMBS GMGR GMO GMCE GMPGR	PPGM CEM CSM <a href="#">IM</a> PSWM	CETL <a href="#">ITL</a> GTL PLTL	CO <a href="#">GASO</a> LC
13(4)	Power to require payment in advance	CEO GMBS GMGR GMO GMCE GMPGR	PPGM CEM CSM <a href="#">IM</a>	CETL <a href="#">ITL</a> GTL PLTL	CO <a href="#">GASO</a> LC
13(5)	Power to decide on request that has been transferred	CEO GMBS GMGR GMO GMCE GMPGR	PPGM CEM CSM <a href="#">IM</a>	CETL <a href="#">ITL</a> GTL PLTL	CO <a href="#">GASO</a> LC
14	Power to extend the time limits set out in section 12 and 13	CEO GMBS GMGR GMO GMCE GMPGR	PPGM CEM CSM <a href="#">IM</a>	CETL <a href="#">ITL</a> GTL PLTL	CO <a href="#">GASO</a> LC
15(2)	Power to determine whether information should be made available in the way preferred by the person requesting it.	CEO GMBS GMGR GMO GMCE GMPGR	PPGM CSM <a href="#">IM</a>	CETL <a href="#">ITL</a> GTL PLTL	CO <a href="#">GASO</a> LC
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 GMGR GMO GMCE GMPGR	PPGM CEM CSM <a href="#">IM</a>	CETL <a href="#">ITL</a> GTL PLTL	CO <a href="#">GASO</a> LC
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 GMGR GMO GMCE GMPGR	PPGM CEM CSM <a href="#">IM</a>	CETL <a href="#">ITL</a> GTL PLTL	CO <a href="#">GASO</a> LC
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 GMGR GMO GMCE GMPGR	PPGM CEM CSM <a href="#">IM</a>	CETL <a href="#">ITL</a> GTL PLTL	CO <a href="#">GASO</a> LC
24	Power to determine identity of person making request.	CEO GMBS GMGR GMO GMCE GMPGR	PPGM CEM CSM <a href="#">IM</a>	CETL CSTL GTL PLTL	CSA CO <a href="#">GASO</a> LC
26(1)	Power to refuse to disclose any personal information requested under section 23(1)	CEO GMBS GMGR GMO GMCE GMPGR	PPGM CEM CSM <a href="#">IM</a>	CETL <a href="#">ITL</a> GTL PLTL	CO <a href="#">GASO</a> LC
29(2)	Power to extend time limit within which Local Authority must comply with requirement under section 29(1)	CEO GMBS GMGR GMO GMCE GMPGR	PPGM CEM CSM <a href="#">IM</a>	CETL ITL GTL PLTL	CO <a href="#">GASO</a> LC
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 GMGR GMO GMCE GMPGR	CSM <a href="#">IM</a>	CSTL	CSA LC
44A	Power to issue LIM	CEO GMBS GMGR GMO GMCE GMPGR	CSM <a href="#">IM</a>	CSTL	CSA LC



**Delegations - Local Government (Rating) Act 2002**

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Services
<b>Third tier</b>	
FABSM	Finance and Business Service Manager
<b>Fourth tier</b>	
RTL	Rates Team Leader
ASTL	Accounting Systems Team Leader
<b>Fifth tier</b>	
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	RTL ASTL	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	RTL ASTL	RVO
29(3)	Power to decide on an objection relating to information contained in the Rating Information Database	CEO GMBS	FABSM	RTL ASTL	
35	Authority to remove a name from the RID.	CEO GMBS	FABSM	RTL ASTL	RVO
39(3)	Power to decide on an objection relating to information contained in the rates records	CEO GMBS	FABSM	RTL ASTL	
40	Authority to correct errors in the RID and Rate Records.	CEO GMBS	FABSM	RTL ASTL	RVO
52	Authority to agreed methods of payments for rates.	CEO GMBS	FABSM	RTL ASTL	
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	RTL ASTL	
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	RTL ASTL	
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	RTL ASTL	
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	RLT ASTL	
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	RLT ASTL	
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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Services
GMCE	Group Manager Customer Experience
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People Governance and Relationships
<b>Third tier</b>	
APM	Assets and Projects Manager
CPCM	Community Protection and Compliance Manager
PM	Planning Manager
PCPM	Property & Community Projects Manager
<b>Fourth tier</b>	
PMTL	Project Management Team Leader
TLC	Team Leader Contracts
<b>Fifth tier</b>	
FMO	Food and Monitoring Officer
MALO	Monitoring & Alcohol Licensing 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 seal.	CEO GMBS GMCE GMGR GMO GMPGR			

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"> <li>revenue and financing policy;</li> <li>liability management policy;</li> <li>investment policy;</li> <li>policy on development contributions/financial contributions;</li> <li>policy on the remission and postponement of rates on Māori freehold land;</li> <li>rates remission policy;</li> <li>rates postponement policy.</li> </ul>	Delegations are as stated in each individual policy.				
	Policy on development contributions/financial contributions – Ability to reconsider development contributions (clause 8.2)	CEO GMBS GMCE GMGR GMO GMPGR	APM PM			
162	Power to apply to the District Court for an injunction restraining a person from breaching a bylaw or an offence.	CEO GMBS GMCE GMGR GMO GMPGR				
163	Power to enforce bylaw to remove a work constructed in breach of bylaw and to recover the costs of removal.	CEO GMBS GMCE GMGR GMO GMPGR	APM CPCM	PMTL PROM TLC	FMO MALO  MO WTL	
168	Power to dispose of property seized and impounded under s164.	CEO GMGR GMO GMBS	APM CPCM PCPM	PMTL TLC	FMO MALO  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 GMCE GMGR GMO GMPGR				

177	Power to appoint Enforcement Officers.	CEO GMBS GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR	APM CPCM 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 GMCE GMGR GMO GMPGR	APM CPCM PM PCPM	PMTL TLC	FMO MALO  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 GMCE GMGR GMO GMPGR			
220	Power to authorise work under s220(2) to enforce removal order.	CEO GMBS GMCE GMGR GMO GMPGR			
220(3)	Power to register Statutory Land Charge in respect of unpaid costs incurred in enforcing removal order.	CEO GMBS GMCE GMGR GMO GMPGR			
241	Power to lay information for a summary offence under this Act.	CEO GMBS GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR			

**Delegations - Local Government Act 1974**

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Services
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
<b>Third tier</b>	
APM	Assets and Projects Manager
CPCM	Community Protection and Compliance Manager
PM	Planning Manager
ITM	Information & Technology Manager
PCPM	Property & Community Projects Manager
<a href="#">RM</a>	<a href="#">Roading Manager</a>
KVSM	Kaimai Valley Services Manager
<b>Fourth tier</b>	
ITL	Information Team Leader
<a href="#">PMTL/APTL</a>	<a href="#">Infrastructure Asset and Policy Team Leader</a> <a href="#">Project Management Team Leader</a>
PROM	Parks & Reserves Operations Manager
<a href="#">RTL</a>	<a href="#">Roading Team Leader</a>
TLC	Team Leader Contracts
<b>Fifth tier</b>	
<a href="#">EOR</a>	<a href="#">Engineering Officer – Roading</a>
FMO	Food and Monitoring Officer
MALO	Monitoring & Alcohol Licensing Officer
<a href="#">LC</a>	<a href="#">Legal Counsel</a>
MO	Monitoring Officer
RAE	Roading Asset Engineer
SCSR	Senior Contract Supervisor – Roading
<a href="#">TMC</a>	<a href="#">Traffic Management Coordinator</a>
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 GMGR	PM		
331	Power to provide for the formation of footpaths.	CEO GMBS	APM PCPM	<a href="#">IAPTLPMTL</a>	RAE
333	Power to provide for erection of dividing strips.	CEO GMBS	APM PCPM	<a href="#">IAPTLPMTL</a>	RAE
334	Power to provide for erection of monuments.	CEO GMBS	APM		
334A	Power to provide for lighting of roads.	CEO GMBS	APM		
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 <a href="#">GMCE</a> GMGR GMO <a href="#">GMPGR</a>	APM PCPM	<a href="#">IAPTLPMTL</a>	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 GMGR GMO			
335(9)	Power to serve notice on occupier/owner of intention to remove a vehicle crossing.	CEO GMBS <a href="#">GMCE</a> GMGR GMO <a href="#">GMPGR</a>	APM PCPM	<a href="#">IAPTLPMTL</a>	RAE
337	Power to require alteration to any pipe, drain or other apparatus on or under a road.	CEO GMBS	APM PCPM	<a href="#">IAPTLPMTL</a>	RAE
338	Power to grant rights to lay pipes.	CEO GMBS	APM		
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 <a href="#">GMCE</a> GMGR GMO <a href="#">GMPGR</a>	APM		
344(1)	Power to permit the erection of a swing gate and or/cattle stop across any road.	CEO GMBS <a href="#">GMCE</a> GMGR GMO <a href="#">GMPGR</a>	APM	<a href="#">IAPTLPMTL</a>	RAE
344(3)	Power to require that a gate and/or cattle stop across any road be removed.	CEO GMBS <a href="#">GMCE</a> GMO GMGR <a href="#">GMPGR</a>	APM	<a href="#">IAPTLPMTL</a>	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 GMCE GMO GMGR GMPGR			
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			<a href="#">LC</a>
346E	Power to give notice authorising crossing places on limited access roads.	CEO GMBS	APM PCPM	<a href="#">IAPTL</a> <a href="#">PMTL</a>	RAE
346F	Power to authorise movement to or from limited access road.	CEO GMBS	APM PCPM	<a href="#">IAPTL</a> <a href="#">PMTL</a>	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	APM PCPM	<a href="#">IAPTL</a> <a href="#">PMTL</a>	
347-349	Power to impose conditions and approve right of way plans.	CEO GMGR	APM PM		
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 GMGR	PM		
349	Power to issue notice in respect of offence of laying out private roads in contravention of Act.	CEO GMGR GMBS			
353	Power to require owner or occupier of land adjoining road to take safety provisions.	CEO GMBS	APM PCPM	<a href="#">IAPTL</a> <a href="#">PMTL</a>	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	APM PCPM	<a href="#">IAPTL</a> <a href="#">PMTL</a>	RAE
356(2)(a)	Power to remove and store any category A, B or C motor vehicle abandoned on a road within the district.		CPCM PCPM <a href="#">RM</a>	<a href="#">IAPTL</a> <a href="#">PMTL</a> <a href="#">RTL</a>	FMO MALO MO <a href="#">SCSRCSR</a>
356	Powers in respect of abandoned vehicles on roads.		CPCM APM <a href="#">RM</a>	<a href="#">IAPTL</a> <a href="#">PMTL</a> <a href="#">RTL</a>	FMO MALO MO <a href="#">SCSRCSR</a>



356A(2)(a)	Power to remove abandoned vehicle from road or public place.		CPCM PCPM <a href="#">RM</a>	<a href="#">IAPTL</a> <a href="#">PMTL</a> <a href="#">RLT</a>	FMO MALO MO <a href="#">CSRSGSR</a>
356A	Powers in respect of abandoned vehicles on roads or in public places.		CPCM APM <a href="#">RM</a>	<a href="#">IAPTL</a> <a href="#">PMTL</a> <a href="#">RLT</a>	FMO MALO MO <a href="#">CSRSGSR</a>
357(1)	Power to lay information with the Court in respect of the offence of doing or causing damage to roads.	CEO GMGR GMBS			
511(1)	Power to give notice requiring the removal of obstructions from drainage channel or watercourse.	CEO GMO	PCPM KVSM	<a href="#">IAPTL</a> <a href="#">PMTL</a> PROM TLC	WTL
512(1)	Power to give notice requiring the removal of obstructions in watercourses outside the district.	CEO GMO	PCPM KVSM	<a href="#">IAPTL</a> <a href="#">PMTL</a> PROM 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 GMO	PCPM <a href="#">RM</a>	<a href="#">IAPTL</a> <a href="#">PMTL</a> <a href="#">RLT</a>	<a href="#">TMC</a> <a href="#">EOR</a>

### Delegations - Privacy Act [1993-2020](#)

The New Zealand Privacy Act [1993-2020](#) 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 125-201](#) of the Privacy Act [1993-2020](#), the Matamata-Piako District Council delegates the following powers:

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCE	Group Manager Customer Experience
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People, Governance & Relationships
<b>Third tier</b>	
CEM	Communications & Engagement Manager
CSM	Customer Services Manager
IM	Information Manager
PSWM	People, Safety and Wellness Manager
<b>Fourth Tier</b>	
<a href="#">PWTL</a>	<a href="#">People Wellness Team Leader</a>
<b>Fifth Tier</b>	
LC	Legal Counsel

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
<a href="#">20123</a>	<b>Privacy officers</b> Appointment of one or more Privacy Officers responsibilities include— <ul style="list-style-type: none"> <li>the encouragement of compliance:</li> <li>dealing with requests</li> <li>working with the Commissioner in relation to investigations</li> <li>otherwise ensuring compliance</li> </ul>		<a href="#">GM</a> IM		LC
<b>IPP6 Requests</b>					
<a href="#">43</a>	<a href="#">Power to transfer an IPP 6 Request as they do not hold the information or believes that the information to which the request relates is more closely connected with the functions or activities of another agency.</a>	<a href="#">CEO</a> <a href="#">GMBS</a> <a href="#">GMCE</a> <a href="#">GMGR</a> <a href="#">GMO</a> <a href="#">GMPGR</a>	<a href="#">CEM</a> <a href="#">CSM</a> <a href="#">IM</a> <a href="#">PSWM</a>	<a href="#">PWTL</a>	<a href="#">LC</a>
<a href="#">46</a>	<a href="#">An agency may refuse access to the personal information requested, or some of the personal information requested, only if the agency is able to rely on any of sections 49 to 53 (see also section 24).</a>	<a href="#">CEO</a> <a href="#">GMBS</a> <a href="#">GMCE</a> <a href="#">GMGR</a> <a href="#">GMO</a> <a href="#">GMPGR</a>	<a href="#">CEM</a> <a href="#">CSM</a> <a href="#">IM</a> <a href="#">PSWM</a>	<a href="#">PWTL</a>	<a href="#">LC</a>

48	<p>On receiving an IPP 6 request, an agency may extend the time limit set out in section 43 or 44 in respect of the request if,</p> <ul style="list-style-type: none"> <li>the request is for a large quantity of information or necessitates a search through a large quantity of information,</li> <li>consultations necessary to make a decision on the request,</li> <li>the processing of the request raises issues of such complexity.</li> </ul>	<p>CEO GMBS GMCE GMGR GMO GMPGR</p>	<p>CEM CSM IM PSWM</p>	PWTL	LC
<b>Power to Refuse Information</b>					
49	<p>Power to refuse access to personal information requested if:</p> <ul style="list-style-type: none"> <li>disclosure would pose a serious threat to the life, health, or safety of any individual, or to public health or public safety; or</li> <li>create a significant likelihood of serious harassment of an individual; or</li> <li>disclosure is about another person who is a victim of an offence or alleged offence</li> <li>Information relates to the physical or mental health of the requestor would likely to prejudice the health of the individual concerned</li> <li>Individual is under 16 and releasing is contrary to their interests</li> <li>information in respect of the individual concerned who has been convicted of an offence or is or has been detained in custody, would be likely to prejudice the safe custody or the rehabilitation of the individual concerned.</li> </ul>	<p>CEO GMBS GMCE GMGR GMO GMPGR</p>	<p>CEM CSM IM PSWM</p>	PWTL	LC
50	<p>Power to refuse access to personal information if:</p> <ul style="list-style-type: none"> <li>the information is evaluative material and the disclosure of that information or of the information identifying the person who supplied it would breach an express or implied promise made to the supplier that their information would be held in confidence</li> </ul>	<p>CEO GMBS GMCE GMGR GMO GMPGR</p>	<p>CEM CSM IM PSWM</p>	PWTL	LC
5127	<p>Power to refuse access to personal information under section 27-51 (Security, defence, international relations, <del>prejudice to the maintenance of the law, endangering the safety of any individual</del>)</p>	<p>CEO GMBS GMCE GMGR GMO GMPGR</p>	<p>CEM CSM IM PSWM</p>	PWTL	LC
5228	<p>Power to refuse access to personal information under section 5228 (Trade secrets, prejudice the commercial position of the person who supplied or who is the subject of the information)</p>	<p>CEO GMBS GMCE GMGR GMO GMPGR</p>	<p>CEM CSM IM PSWM</p>	PWTL	LC

5329	<p>Power to refuse access to personal information under section <a href="#">5328</a> for other reasons including:</p> <ul style="list-style-type: none"> <li>• <a href="#">the information requested does not exist or, despite reasonable efforts to locate it, cannot be found;</a></li> <li>• unwarranted disclosure of the affairs of another individual or of a deceased individual;</li> <li>• <a href="#">likely to prejudice the maintenance of the law by any public sector;</a></li> <li>• <del><a href="#">the disclosure would breach an express implied promise of confidence</a></del></li> <li>• breach legal professional privilege;</li> <li>• 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;</li> <li>• the disclosure would constitute contempt of court <a href="#">or House of Representatives;</a></li> <li>• the request is frivolous or vexatious <a href="#">or, the information requested is trivial;</a></li> <li>• <a href="#">the request is made by a defendant or a defendant's agent</a></li> </ul> <p><del>the information requested is not readily retrievable; or does not exist or cannot be found; or is not held by the agency</del></p>	CEO GMBS GMCE GMGR GMO GMPGR	CEM CSM IM PSWM	<a href="#">PWTL</a>	LC
54-55	<p><a href="#">Power to impose conditions instead of refusing access to personal information and power to delete of information from documents where there is good reason for withholding some of the information contained in that document.</a></p>	CEO GMBS GMCE GMGR GMO GMPGR	CEM CSM IM PSWM	<a href="#">PWTL</a>	<a href="#">LC</a>
32	<p><del>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.</del></p>	CEO GMBS GMCE GMGR GMO GMPGR	CEM CSM IM-PSWM		<a href="#">LC</a>
39	<p><del>Power to transfer of requests where the information is believed by the person dealing with the request to be held by another agency.</del></p>	CEO GMBS GMCE GMGR GMO GMPGR	CEM CSM IM-PSWM		<a href="#">LC</a>
40	<p><del>Power to decide whether the request is to be granted and, if it is to be granted, in what manner.</del></p>	CEO GMBS GMCE GMGR GMO GMPGR	CEM CSM IM-PSWM		<a href="#">LC</a>
<a href="#">Power to Extend Time Limit</a>					

6544	Power to extend the time limit set out in section <del>39-62</del> or section <del>40(1)63</del> in respect of the request if <ul style="list-style-type: none"> <li>the request is for a large quantity of information or necessitates a search through a large quantity of information,</li> <li>consultations necessary to make a decision on the request,,-</li> <li><u>the processing of the request raises issues of such complexity.</u></li> </ul>	CEO GMBS GMCE GMGR GMO GMPGR	CEM CSM IM PSWM	<u>PWTL</u>	LC
43	<del>Power to delete of information from documents where there is good reason for withholding some of the information contained in that document.</del>	CEO GMBS GMCE GMGR GMO GMPGR	CEM CSM IM PSWM		LG
124	<del>Delegation of powers as Privacy Officer by Council</del>		IM (Privacy Officer)		
125	<del>Delegation of powers by officers of local authority (ITL to other officers as Privacy Officer)</del>	CEO GMBS GMCE GMGR GMO GMPGR	CEM CSM PSWM		LG

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

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCE	Group Manager Customer Experience
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People, Governance & Relationships

Power	Eteam	Third tier	Fourth tier	Fifth tier
<b>Agreements for Sale and Purchase of Land:</b>				
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 GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR			
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 <a href="#">GMCE</a> GMGR GMO <a href="#">GMPGR</a>			
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 GMCE GMGR GMO GMPGR			
<b>Underpass and Sewer Encumbrances:</b>				
Power to sign encumbrance instruments and related authority and instruction forms in respect of encumbrances over Council land	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			

Power to sign discharge of mortgage instrument and discharge the encumbrance in accordance with section 83 of the Property Law Act 2007.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
<b>Leases:</b>				
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 or s.138 Local Government Act 2002	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
Power to cancel lease and to give notice in accordance with sections 243-247 of the Property Law Act 2007.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
<b>Easements:</b>				
Power to sign easement instruments and related authority and instruction forms in respect of easements over Council land	CEO GMBS GMCE GMGR GMO GMPGR			
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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
<b>Statutory Land Charges:</b>				

Power to sign statutory land charges and related authority and instruction forms in respect of statutory land charges over Council land	CEO GMBS <del>GMCE</del> <del>GMGR</del> GMO <del>GMPGR</del>			
<b>Caveats:</b>				
Power to sign caveats and related authority and instruction forms in respect of Council land	CEO GMBS <del>GMCE</del> <del>GMGR</del> GMO <del>GMPGR</del>			
<b>Building Line Restrictions:</b>				
Power to sign Building Line Restrictions and related authority and instruction forms in respect of Council land	CEO GMBS <del>GMCE</del> <del>GMGR</del> GMO <del>GMPGR</del>			
<b>Fencing Covenants:</b>				
Power to sign, approve and register fencing Covenants over Council land in accordance with Part 2 of the Fencing Act 1978	CEO GMBS <del>GMCE</del> <del>GMGR</del> GMO <del>GMPGR</del>			
<b>Landlocked Land:</b>				
Power to apply to Court for relief in respect of landlocked land under section 327 of the Property Law Act 2007.	CEO GMBS <del>GMCE</del> <del>GMGR</del> GMO <del>GMPGR</del>			
<b>Trees and unauthorised structures:</b>				
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 GMCE <del>GMGR</del> GMO <del>GMPGR</del>			



### 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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCE	Group Manager Customer Experience
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People, Governance & Relationships
<b>Third tier</b>	
IM	Information Manager
<b>Fourth tier</b>	
<del>ITL</del>	<del>Information Team Leader</del>

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 GMCE GMGR GMO GMPGR	IM	<del>ITL</del>	
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 GMCE GMGR GMO GMPGR	IM		
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 GMCE GMGR GMO GMPGR	IM	<del>ITL</del>	
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 GMCE GMGR GMO GMPGR	IM	<del>ITL</del>	

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 GMCE GMGR GMO GMPGR	IM	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 GMCE GMGR GMO GMPGR	IM	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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCE	Group Manager Customer Experience
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People, Governance & Relationships
<b>Third tier</b>	
<a href="#">APM</a>	<a href="#">Assets and Projects Manager</a>
<a href="#">KVSM</a>	<a href="#">KVS Manager</a>
PCPM	Property & Community Projects Manager
RM	Roading Manager
<b>Fourth tier</b>	
<a href="#">IAPTL</a>	<a href="#">Infrastructure Asset and Policy Team Leader</a>
<a href="#">RTL</a>	<a href="#">Rooding Team Leader</a>
<b>Fifth tier</b>	
PSO	Property Services Officer
PER	Projects Engineer - Rooding
<a href="#">RAE</a>	<a href="#">Rooding Asset Engineer</a>
<a href="#">RCS</a>	<a href="#">Rooding Contracts Supervisor</a>
<a href="#">SUR</a>	<a href="#">Surveyor</a>

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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
17	Power to enter into an agreement to purchase any land for any public work by agreement	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			

18	Power to undertake negotiations required for acquisition of land for essential works prior to compulsory acquisition process.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	<a href="#">APM</a> PCPM		
19	Power to register Compensation certificate to protect agreement	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	<a href="#">APM</a> PCPM		
23	Power to give notice of intention to compulsorily take land	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
27	Power to acquire or take natural material on land for public work	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
40	Power to dispose of land not required for public work to former owner	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
43	Power to sell land on deferred payments	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
45	Power to lease/licence land held for public works	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	PCPM		PSO
48	Power to grant easement over land held for Public Work	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			

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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
79	Power to take proceedings to determine compensation if person entitled fails to make claim	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
103	Power to grant easements, in lieu of compensation	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
105	Power to grant land as compensation where equivalent land not readily available	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
107A	Power to grant lease or licence as compensation	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
110	Powers of entry for certain survey purposes	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	PCPM RM		PER <a href="#">SUR</a>
111	Powers of entry for other survey and investigation purposes	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	PCPM RM		PER <a href="#">SUR</a>

14	Power to declare land to be road	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	<a href="#">APM</a> PCPM <a href="#">RM</a>		
116	Power to consent to the stopping of a road	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
133	Power to remove trees, hedges, etc, that obscure visibility or interfere with a public work	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	<a href="#">APM</a> PCPM RM	<a href="#">IAPTL</a>	PER PSO <a href="#">RAE</a> <a href="#">RCS</a>
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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	<a href="#">APM</a> PCPM RM	<a href="#">IAPTL</a> <a href="#">RTL</a>	PER PSO <a href="#">RAE</a> <a href="#">RCS</a>
238	Power to bring action for damage to public work	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
239	Power to remove and dispose of abandoned property from public works land	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	<a href="#">KVSM</a> PCPM RM	<a href="#">RTL</a>	PER PSO <a href="#">RCS</a>
240	Power to recover of land from persons holding illegal possession	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	PCPM		

**Delegations - Reserves Act 1977**

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCE	Group Manager Customer Experience
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People, Governance & Relationships
<b>Third tier</b>	
APM	Assets and Projects Manager
PCPM	Property & Community Projects Manager
KVSM	Kaimai Valley Services Manager
CSM	Customer Services Manager
<b>Fourth tier</b>	
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
<b>Fifth tier (inclusive contractors)</b>	
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 GMBS GMCE GMGR GMO GMPGR		PFPTL	LC
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 GMBS GMCE GMGR GMO GMPGR			

40	Representative for purpose of Section 40 (Functions of Administering Body) of the Reserves Act.	CEO -GMBS GMCE GMGR GMO GMPGR			
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 GMBS* GMCE* GMGR* GMO* GMPGR*  <i>*Powers to be exercised in accordance with requirements of the Act</i>	PCPM APM	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 GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR	KVSM APM	PFPTL PROM	
52(1)	Power to consent to the union of reserves.	CEO			
53	Power to exercise powers (other than leasing) in respect of recreation reserves.	CEO	APM	PFPTL PROM	
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* GMCE* GMGR* GMO* GMPGR*  <i>*Powers to be exercised in accordance with requirements of the Act</i>			
55	Power to exercise powers (other than leasing) in respect of scenic reserves.	CEO GMBS GMO	APM	PFPTL PROM	



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 GMCE GMGR GMO GMPGR			
57	Power to exercise powers in respect of nature reserves.	CEO GMBS GMO	APM	PFPTL PROM	
58	Power to exercise powers in respect of historic reserves.	CEO GMBS GMCE GMO	APM	PFPTL PROM	
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* GMCE* GMGR* GMO* GMPGR*			
59	Power to exercise powers in respect of scientific reserves.	CEO GMBS	APM		
60	Power to exercise powers in respect of Government purpose reserves.	CEO GMBS	APM		
61	Power to exercise powers (excluding leasing) in respect of local purpose reserves.	CEO GMBS	APM		
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 GMCE GMGR GMO GMPGR			
63	Power to exercise powers in respect of Reserves not vested in the Crown.	CEO* <i>Powers to be exercised in accordance with requirements of the Act</i>			
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 GMCE GMGR GMO GMPGR			
74(2)	Power to grant licence to occupy reserves temporarily.	CEO GMBS GMCE	APM		
75	Power to enter into a contract for the afforestation of any recreation or local purpose reserve.	CEO GMBS	APM		

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 GMCE GMGR GMO GMPGR			
101(1)	Power to lay any information in respect of offences against this Act.	CEO GMBS GMCE GMGR GMO GMPGR	CPCM		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 GMBS GMCE GMGR GMO GMPGR			

#### 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'	APM	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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCE	Group Manager Customer Experience
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People, Governance & Relationships
<b>Third tier</b>	
APM	Assets and Projects Manager
FOM	Facilities Operations Manager
KVSM	Kaimai Valley Services Manager
<b>Fourth tier</b>	
PROM	Parks & Reserves Operations Manager
PFPTL	Parks and Facilities Planning Team Leader
COOP	Coordinator Operations & Projects
<b>Fifth tier</b>	
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</i>		CEO			

	<i>deemed not to be derived from the Crown if the reserve was going through a revocation process (s.25). 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 GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR			
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 GMBS GMCE GMGR GMO GMPGR	APM		
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.* <i>*Council to pass over duty when conflict of interest, independent hearings commissioner to step in.</i>	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.* <i>*Council to pass over duty when conflict of interest, independent hearings commissioner to step in.</i>					
24(5)	Power to form an opinion that the change in the classification of a historic reserve is justified.* <i>*Council to pass over duty when conflict of interest, independent hearings commissioner to step in.</i>					
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</i>		CEO GMBS GMO	APM PCPM		

	<i>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). Note this delegation is intended to allow territorial authorities to decide how and for what purpose the land may be disposed of.</i>					
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 GMCEG MGR GMO GMPGR	APM	PFPTL PROM	
44(1)	Power to consent to the use of a reserve for temporary or permanent personal accommodation.		CEO GMBS GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR	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 GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR			

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 GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR			
49	Power to grant or decline to grant in writing any qualified person a right to take specified specimens of flora or fauna or rock mineral or soil from a reserve for scientific or educational purposes. Form opinion as to whether qualified person has the necessary credentials. Impose conditions on the grant in writing. <i>With regard to fauna, the delegation of for exotic fauna which are not protected under the Wildlife Act 1953.</i>		CEO GMBS GMCE GMGR GMO GMPGR	APM KVSM		
50(1)	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. Authorise or decline to authorise the use of firearms, traps, nets or other like objects within reserve for the foregoing purposes. <i>This delegation is for non-protected exotic fauna only</i>		CEO GMBS GMCE GMGR GMO GMPGR	APM		
51(1)	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). Impose conditions on the giving of authorisation.		CEO GMBS GMCE GMGR GMO GMPGR	APM KVSM	PFPTL	
52(1)	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. <i>All affected reserves or parts of reserves must have the same administering body and must all either</i>	No staff delegation – remains with Council				

	<i>be vested in that body or held under an appointment to control and manage.</i>					
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 GMBS	APM		
53(1)(e)	To approve the fixing of charges generally or with respect to any specified occasion or event.		CEO GMBS	APM		
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 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</p>		<p>CEO GMBS GMCE GMGR GMO GMPGR</p> <p>CEO GMBS GMCE GMGR GMO GMPGR</p>			

	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. 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.					
55(2)(a) (d), (e) (f) and (g)	In the case of a scenic reserve, power to give or decline to give consent to: <ul style="list-style-type: none"> <li>• The enclosure and grassing or grazing of open parts of the reserve;</li> <li>• The setting apart of areas for other purposes;</li> <li>• The erection of buildings and other structures and amenities;</li> <li>• Such things considered necessary for the public to obtain benefit of the reserve;</li> <li>• The setting apart of sites for residences and other building and structures necessary for the management of the reserve. Provided it is not inconsistent with the management plan for that reserve.</li> </ul>		CEO GMBS	APM		
56(1)	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). 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. Provided it is not inconsistent with the management plan for that reserve.		CEO GMBS GMCE GMGR GMO GMPGR			
56(2)	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.	No staff delegation – remains with Council				
58(b)	In respect of Historic Reserves, the power to set apart and use part of a reserve as a site for residences and		CEO GMBS	APM		



	other buildings. Provided any decision is not inconsistent with the management plan for that reserve.					
58A(1)	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 within the reserve and grant leases of any such building or site for any such purpose or purposes. 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. Provided any decision is not inconsistent with the management plan for that reserve.		CEO GMBS GMCE GMGR GMO GMPGR			
59A(1)	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. Provided any decision is not inconsistent with the management plan for that reserve.* <i>*Council to pass over duty when conflict of interest, independent hearings commissioner to step in.</i>		CEO GMBS GMCE GMGR GMO GMPGR			
67(1)(b)	Power to consent or decline consent to lease of recreation reserve set apart for race course purposes, to a racing club. Provided it is not inconsistent with the management plan for that reserve.		CEO GMBS GMCE GMGR GMO GMPGR			
72(1)	To enter into and agree the terms of a lease or other agreement for the farming of a recreation or local purpose reserve. Provided any decision is not inconsistent with the management plan for that reserve. <i>Note Section 72(3) applies.</i>		CEO GMBS GMCE GMGR GMO GMPGR			
73(1)	Power to consent or decline prior consent to grant a lease of recreation reserve in the circumstances specified		CEO GMBS GMCE			

	<p>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). Provided it is not inconsistent with the management plan for that reserve.</p>		<p>GMGR GMO GMPGR</p>			
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). Provided any decision is not inconsistent with the management plan for that reserve.</p>		<p>CEO GMBS GMCE GMGR GMO GMPGR</p>			
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). 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)). Note s.73(3A)(a) applies.</i></p>		<p>CEO GMBS GMCE GMGR GMO GMPGR</p>			
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> <p><i>*Council to pass over duty when conflict of interest, independent hearings commissioner to step in.</i></p>		<p>CEO GMBS GMCE GMGR GMO GMPGR</p>			
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</i></p>		<p>CEO GMBS GMCE GMGR</p>			

	<i>territorial authority under this delegation.</i>		GMO GMPGR			
74(1)(b)(i) (proviso)	Power to consent or decline consent to granting of a licence to occupy a historic, scenic or scientific reserve. Provided any decision is not inconsistent with the management plan for that reserve.		CEO GMBS GMCE GMGR GMO GMPGR			
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 GMBS GMO	APM		
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 GMCE GMGR GMO GMPGR	APM 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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Services
GMCE	Group Manager Customer Experience
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People, Relationships & Governance
<b>Third tier</b>	
APM	Assets and Projects Manager
PCPM	Property & Community Projects Manager
<b>Fifth tier</b>	
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 GMCE GMGR GMO GMPGR	APM PCPM		PSO
13B	Power to vary/renew a tenancy agreement.	CEO GMBS GMCE GMGR GMO GMPGR	APM 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 GMCE GMGR GMO GMPGR	APM 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 GMCE GMGR GMO GMPGR	APM 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 GMCE GMGR GMO GMPGR	APM 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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
24A	Power to grant a temporary rent reduction.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM 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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM 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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
42	Power to consent to tenant's fixtures, renovation, alteration, or addition of or to the premises.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
44	Power to consent to assignment, subletting, or parting with possession by tenant.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
44A	Power to recovery of expenses of assignment incurred by landlord	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
48	Power to exercise Landlord's right of entry.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
50A	Power to terminate tenancy following death of sole tenant.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO

51	Power to terminate tenancy by notice (e.g. 90 notice to vacate premises)	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
52	Power to apply to the tribunal for shorter notice.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
55	Power to apply to the Tribunal for termination on non-payment of rent, damage, or assault.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
55AA	Power to terminated a fixed-term or periodic tenancy by notice for physical assault by tenant	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
55A	Power to apply to the Tribunal for anti-social behaviour	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM 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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM 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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM 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 <a href="#">GMCE</a> GMGR GMO <a href="#">GMPGR</a>	APM 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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO

62	Power to dispose of foodstuffs or other perishable goods left on premises on the termination of the tenancy.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
62A	Power to dispose of abandoned goods following assessment of market value.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
62B	Power to apply and dispose of abandoned goods in accordance with Tribunal order.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM 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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
65	Power to apply to the Tribunal for an order for the eviction of squatters.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM 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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
106	Power to file possession orders with the District Court.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
107	Power to file orders other than possession orders and work orders with the District Court.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO

108	Power to lodge with the Tribunal an application for the enforcement of a work order.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM 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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM 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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
117	Power to lodge an appeal with the District Court where dissatisfied with the decision of the Tribunal.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO
135	Power to make an application for recovery of money paid by mistake.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMGR</a> GMO <a href="#">GMPGR</a>	APM PCPM		PSO



**Delegations - Resource Management Act 1991**

Key to position titles	
<b>Council</b>	
HC	Hearings Commission*
IHC	Independent Hearings Commissioner*
CHC	Chairman Hearings Commission*
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCE	Group Manager Customer Experience
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People, Governance & Relationships
<b>Third tier</b>	
PM	Planning Manager
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 Planning Manager only, the decision on application for a resource consent in respect of Discretionary, Non-Complying. d) In respect of the Planning Manager only, the making of a recommendation on a requirement for a designation; and e) In respect of the Planning Manager 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:	CEO GMBS GMCE GMGR GMO GMPGR	PM		

<ul style="list-style-type: none"> <li>This delegation does not prevent the said position holders from doing anything before a final decision on any matter referred to in (a) through (d) (inclusive) above.</li> <li>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.</li> </ul>				
<p>The power to grant deemed permitted activity certificates under sections 87BA and BB</p>	<p>CEO GMBS <a href="#">GMCE</a> GMGR GMO <a href="#">GMPGR</a></p>	<p>PM</p>	<p>TLRC</p>	<p>CP</p>
<p>Pursuant to section 48 and clause 32 of the 7<sup>th</sup> 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 <a href="#">Growth and Regulation</a> <a href="#">Community Development</a>, Group Manager Business Support, Group Manager Operations and the Planning Manager:</p> <ol style="list-style-type: none"> <li>To require a development plan and to exercise all the powers and rights of the Council in relation to developments;</li> <li>To accept cash in lieu of parking in accordance with a policy adopted by the Council;</li> <li>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.</li> </ol>	<p>CEO GMGR GMBS <a href="#">GMCE</a> GMO <a href="#">GMPGR</a></p>	<p>PM</p>		
<p>Pursuant to section 48 and clause 32 of the 7<sup>th</sup> 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> <ol style="list-style-type: none"> <li>Of an administrative nature; or</li> <li>Relating to the receiving and processing of applications for resource consent; or</li> <li>Relating to the administration, monitoring and supervision of resource consents including certificates of compliance.</li> <li>This delegation does not include:</li> <li>The approval of a policy statement or plan or any change to a policy statement or plan; or</li> <li>The power to make the final decision on an application for resource consent; or</li> <li>The power of delegation.</li> </ol>	<p>All staff</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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCE	Group Manager Customer Experience
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People, Governance & Relationships
SDLC	Secretary District Licensing Committee
<b>Third tier</b>	
CPCM	Community Protection and Compliance Manager
CSM	Customer Services Manager
PM	Planning Manager
<b>Fourth tier</b>	
CSTL	Customer Services Team Leader
<b>Fifth tier</b>	
CSA	Customer Services Advisor (inclusive of senior)
EHO	Environmental Health Officer
FMO	Food and Monitoring Officer
MALO	Monitoring & Alcohol Licensing Officer
MO	Monitoring Officer
LC	Legal Counsel
EHA	Environmental Health Administration
PO	Planning Officer

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	GMGR SDLC	CPCM		
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 GMCE GMGR GMO GMPGR	CPCM		LC
<b>Sale and Supply of Alcohol Act 2012 - CEO Delegations</b>					
<b>Section</b>	<b>Power</b>	<b>Eteam</b>	<b>Third tier</b>	<b>Fourth tier</b>	<b>Fifth tier</b>
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 GMCE GMGR GMO GMPGR	CPCM	CSTL	CSA  EHA EHO MALO
72	Power to issue, on behalf of the Secretary, a duplicate licence or certificate.	GMBS GMCE GMGR GMO GMPGR	CPCM	CSTL	CSA  EHA EHO MALO
73	Power to notify the Secretary of the licensing authority that a licence has been surrendered.	GMBS GMCE GMGR GMO GMPGR	CSM CPCM	CSTL	CSA EHA EHO MALO
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 GMCE GMGR GMO GMPGR	CSM CPCM	CSTL	CSA EHA EHO MALO
103(5)	Power to send, on behalf of the Secretary, an inspector's report filed with the licensing committee to the applicant.	GMBS GMCE GMGR GMO GMPGR	CSM CPCM	CSTL	CSA  EHA EHO MALO

128(4)	Power to send, on behalf of the Secretary, a copy of every objection to the applicant.	GMBS GMCE GMGR GMO GMPGR	CSM CPCM	CSTL	CSA  EHA EHO MALO
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 GMCE GMGR GMO GMPGR	CPCM		
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 GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR	CSM CPCM	CSTL	CSA EHA EHO MALO
155(6)	Power to send documents to the secretary of the licensing authority on behalf of the Secretary.	GMBS GMCE GMGR GMO GMPGR	CSM CPCM	CSTL	CSA EHA EHO MALO
193	Power to appoint a commissioner to a licensing Committee on the recommendation of Council.	GMBS GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR	CPCM		
203(8)	Power to sign a decision, order, direction, certificate, or other document issued by the licensing committee on its behalf.	GMBS GMCE GMGR GMO GMPGR			
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 GMCE GMGR GMO GMPGR	CSM CPCM	CSTL	CSA EHO MALO  EHA

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 GMCE GMGR GMO GMPGR	CSM CPCM	CSTL	CSA EHOMAL O EHA
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 GMCE GMGR GMO GMPGR	CSM CPCM	CSTL	CSA EHO MALO EHA
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 GMCE GMGR GMO GMPGR	CSM CPCM	CSTL	CSA EHO MALO EHA

**Delegations - Transport (Vehicular Traffic Road Closure) Regulations 1965**

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMO	Group Manager Operations
<b>Third tier</b>	
RM	Roading Manager
<b>Fifth tier</b>	
<a href="#">TMC</a>	<a href="#">Traffic Management Coordinator</a>

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 GMO	RM		<a href="#">TMC</a>



### Delegations - Trespass Act 1980

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCE	Group Manager Customer Experience
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People, Governance & Relationships
<b>Third tier</b>	
CPCM	Community Protection and Compliance Manager
CSM	Customer Services Manager
DLM	District-Library Manager
PM	Planning Manager
FOM	Facilities Operations Manager
PSWM	People Safety and Wellness Manager
PCPM	Property & Community Projects Manager
KVSM	Kaimai Valley Services Manager
<b>Fourth tier</b>	
<a href="#">FM</a>	<a href="#">Facility Managers (inclusive of all fourth tier managers under the FOM)</a>
CSTL	Customer Services Team Leader
<a href="#">FSO</a>	<a href="#">Facilities Support Officer</a>
LTL	Library Team Leader
<del>SWFM</del>	<del>Swim Zone Facility Manager</del>
<del>TASFM</del>	<del>Te Aroha Spas Facility Manager</del>
<b>Fifth and Sixth tier (inclusive contractors)</b>	
<a href="#">EHO</a>	<a href="#">Environmental Health Officer</a>
LC	Legal Counsel
<a href="#">MALO</a>	<a href="#">Monitoring and Alcohol Licensing Officer</a>
PSO	Property Services Officer
<del>SW<del>STL</del></del>	<del>Swim Zone <del>Team Leader</del>Shift Supervisor</del>
<a href="#">SWFM</a>	<a href="#">Swim Zone Facility Managers</a>
<a href="#">TASFM</a>	<a href="#">Te Aroha Spas Facility Manager</a>
<b>External</b>	
POLICE	Including but not limited to Senior Constable Craig GORDON Senior Constable Ross MORATTI 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 & Sixth tier	External
4(1) & (2)	Power to issue warning to stay off.	CEO GMBS GMCE GMGR GMO GMPGR	CPCM CSM DLM PM FOM PSWM PCPM KVSM	<a href="#">FM</a> CSTL <a href="#">FSO</a> LTL <a href="#">SEM</a> <a href="#">SWFM</a> <a href="#">TASFM</a>	<a href="#">EHO</a> LC <a href="#">MALO</a> PSO <a href="#">SWSSTL</a> <a href="#">SWFM</a> <a href="#">TASFM</a>	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 GMCE GMGR GMO GMPGR	CPCM CSM DLM PM FOM PSWM PCPM KVSM	<a href="#">FM</a> CSTL <a href="#">FSO</a> LTL <a href="#">SEM</a> <a href="#">SWFM</a> <a href="#">TASFM</a>	LC PSO <a href="#">SWSSTL</a> <a href="#">SWFM</a> <a href="#">TASFM</a>	POLICE
10	Power to lay information for proceedings under the Trespass Act 1980.	CEO GMBS GMCE GMGR GMO GMPGR			LC	

## Other Matters

### Authority and Instruction (A&I) Forms

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
GMCE	Group Manager Customer Experience
GMGR	Group Manager Growth and Regulation
GMO	Group Manager Operations
GMPGR	Group Manager People, Governance & Relationships

Power	Eteam	Third tier	Fourth tier	Fifth tier
<p>To sign on behalf of the Council all necessary 'Authority and Instruction' (A&amp;I) forms as required from time to time:</p> <p>(a) To authorise and instruct the solicitors acting for the Council (including those solicitors employed by Legal Services) to undertake land conveyancing transactions electronically by e-dealing on behalf of the Council on the Land Information New Zealand internet based land registry system known as 'Landonline'; and</p> <p style="padding-left: 20px;">i. This also extends to lawyers undertaking work for their private client on matters that are required by Council (e.g. to ensure compliance with Resource Consent conditions).</p> <p>(b) To comply with the requirements of Regulation 7 of the Land Transfer Regulations 2018 and the 'Rules of conduct and client care for Lawyers' set out in the Schedule to the Lawyers and Conveyancers Act (Lawyers: Conduct and Client Care) Rules 2008.</p>	<p>CEO GMBS GMCE GMGR GMO GMPGR</p>			





# Delegation Policy and Delegation Register 202~~3~~<sup>4</sup>

<b>Department</b>	Strategic Partnerships and Governance
<b>Policy Type</b>	Internal
<b>CM Reference</b>	15/7396 Current Delegations
<b>Resolution Date</b>	<del>22 November 2023</del> <u>24 July 2024</u>
<b>Review Frequency</b>	Ongoing as required by Council or legislative changes
<b>Review Date</b>	Ongoing
<b>Policy Supersedes</b>	Delegation Policy and Register 202 <del>3</del> <sup>2</sup>

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## 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.*

#### Mayoral delegations:

Under Section 25(5) of the Civil Defence Emergency Management Act 2002, the Mayor delegates to the Deputy Mayor the powers to act on their behalf in their absence.

### 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 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.

#### 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 per the charter for the Te Manawhenua Forum 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 Hauā 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 [DPPM](#) 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, Sarah-Jane Bourne 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 hearing 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 ~~or Executive Managers, 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 to staff the following responsibilities, powers and duties and the ability to enter into contracts subject to their delegated financial authority. ~~unless The Chief Executive may enter a contract above their delegation if~~ 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 <del>Service Delivery</del> <u>Operations</u> <i>NB Authority to approve payments on behalf of the CEO in <del>his</del> their absence*</i>		X			
50,000.00	<u>Group Manager Group Manager Customer Experience</u> <i>NB Authority to approve payments on behalf of the CEO in his absence*</i>		<del>X</del>			
	<u>Group Manager People Governance and Relationships</u> <i>NB Authority to approve payments on behalf of the CEO in his absence*</i>		<del>X</del>			
	Group Manager Business Support <i>NB Authority to approve payments on behalf of the CEO in <del>their</del> his absence*</i>		X			
	Group Manager <del>Community Development</del> <u>Growth and Regulation</u> <i>NB Authority to approve payments on behalf of the CEO in <del>their</del> 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. The Executive Team is authorised to sign warrants on behalf of the Chief Executive Officer in their absence. 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.

Key to position titles/department groups	
<b>Eteam</b>	
<u>GMCDGMGR</u>	Group Manager <del>Community Development</del> Growth and Regulation
<u>GMSDGMO</u>	Group Manager <del>Service Delivery</del> Operations
<u>GMCE</u>	<del>Group Manager</del> Customer Experience.
<u>GMPGR</u>	<del>Group Manager</del> People Governance and Relationships
<u>GMBS</u>	<del>Group Manager</del> Business Support
<b>Third tier</b>	
<u>AMSPAPM</u>	Assets and Projects Manager <del>Strategy &amp; Policy</del>
BCM	Building Control Manager
<u>CPCM</u>	<del>Community Protection and Compliance</del> Manager
CSM	Customer Services Manager
<u>DPPM</u>	<del>District Planner</del> Planning Manager
PCPM	Property & Community Projects Manager
KVSM	Kaimai Valley Services Manager
PSWM	People, Safety and Wellness Manager
RM	Roading Manager
WWWM	Water & Wastewater Manager
<b>Fourth tier</b>	
<u>AGM</u>	<del>Animal Control</del> Manger
BCTL	Building Control Team Leader <u>(inclusive of Processing and Inspections)</u>
<u>CSSCSTL</u>	<del>Customer Services Supervisor</del> Customer Services Team Leader
<u>IASTL</u>	<del>Infrastructure Asset And Strategy</del> Team Leader
PFPTL	Parks and Facilities Planning Team Leader
<u>PMTL</u>	<del>Project Management</del> Team Leader
PROM	Parks & Reserves Operations Manager
SWTL	Safety and Wellness Team Leader
TLC	Team Leader Contracts
TLCE	Team Leader Consents Engineer
<u>TLP</u>	<del>Team Leader Projects –</del> Roading

TLRC	Team Leader Resource Consents
TWPDM	Three Waters Project Delivery Manager
<del>TWPM</del>	<del>Three Waters Project Manager</del>
WWOM	Water & Wastewater Operations Manager
<del>WM</del>	<del>Works Manager</del>
<b>Fifth tier (inclusive contractors except as authorised elsewhere)</b>	
ACO	Animal Control Officer <u>(Inclusive of Senior)</u>
APMO	Assets Project Management Officer (fixed term)
BCompO	Building Compliance Officer
BCO	Building Control Officer (inclusive senior and graduate)
CE	Consents Engineer <u>(Inclusive of senior and graduate)</u>
COP	Coordinator Operations & Projects
CP	Consent Planner (inclusive of <u>senior and graduate</u> )
CSA	Customer Services Advisor (inclusive of senior)
DE	Design Engineer - Utilities
EA	Engineering Administrator
EHO	Environmental Health Officer
EOR	Engineering Officer - Roading
<del>EPPRMAPP</del>	<del>Environmental Policy Planner</del> <del>RMA Policy Planner</del>
<del>FMO</del>	<del>Food and Monitoring Officer</del>
IAPO	Infrastructure Assets Project Officer
IAPTL	Infrastructure Assets Project Team Leader
KVSW	Kaimai Valley Services Workers (inclusive Works Manager)
KVSTA	Kaimai Valley Services Technical Advisor
MO	Monitoring Officer
MALO	Monitoring & Alcohol Licensing Officer
<del>MEO</del>	<del>Monitoring &amp; Engineering Officer</del>
PA	Parks Advisor
<del>PGO</del>	<del>Planning Guidance Officer</del>
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	Roading Assets Engineer
RES	Roading (Engineers, Surveyors)
RO	Roading Officer
RTL	Reticulation Team Leader
RT	Reticulation Technician (inclusive of Senior)
SCSR	Senior Contract Supervisor - Roading
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
	<b>Contractors:</b>
CR	Contractor - Roothing
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. <u>Any changes to titles at Hauraki DC will not impact the delegations</u>
NCC	Noise Control Contractor
GMPEHDC	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. <u>Any changes to titles at Hauraki DC will not impact the delegations</u>
SSSWCM	Shared Services Solid Waste Contract Manager
ACSC	Animal Control Security Contractor
BCON	Building Contractor
<u>COLAB</u>	<u>COLAB Solutions</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>Note: These powers shall only be exercised with the approval of the CEO or a group manager. (Noise control is an exception to this when accompanied by Police under the RMA Section 335(b))</u></p> <p><i>164 Seizure of property not on private land (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) before seizing and impounding the property, the enforcement officer— (i) directed (orally or in writing) the person committing the offence to stop committing the offence; and (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 (iii) provided the person with a reasonable opportunity to stop committing the offence.</i></p> <p><i>165 Seizure of property from private land (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 (1) An enforcement officer executing a warrant issued under section 165(1) must be accompanied by a constable.</i></p>	<p><del>GMCD</del> <del>GMGR</del> <del>GMSD</del> <del>GMO</del></p>	<p><del>AMSPA</del> <del>PM</del> BCM CSM <del>DPPM</del> KVSM PCPM RM</p>	<p>ACM BCTL <del>GSSCS</del> <del>TL</del> PFPTL PROM TLC TLCE <del>TLPPM</del> <del>TL</del> TLRC</p>	<p>ACO BCO <del>B</del> CE PA CP CSA DE EHO EOR <del>FMO</del> <del>PGO</del> <del>EPPRMAP</del> <del>P</del> PRO RES RO KVSTA MALO <del>MEQ</del> MO  PMS PP SCSR SWL UEA TWPGM UE <del>WM</del>  SSSWCM ACSC <del>COLAB</del></p>

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><del>GMCD</del> <del>GMGR</del> <del>GMSD</del> <del>GMO</del></p>	<p><del>AMSPA</del> <del>PM</del> BCM CSM <del>DPPM</del> PCPM KVSM RM WWWWM</p>	<p>ACM BCTL <del>GSSCS</del> <del>TL</del> PFPTL PROM TLC TLCE <del>TLPPM</del> <del>TL</del> TLRC <del>TWPM</del> TWPDM <del>WTL</del> WWOM</p>	<p>ACO APBCO BCO <del>B</del> CE PA CP CSA DE EHO EOR <del>FMO</del> <del>PGO</del> <del>EPPRMAP</del> <del>P</del> IAPO IAPTL KVSTA KVSW MALO <del>MEQ</del> MO  PM PMS PP PRO RES RO RTL RT SCSR SNA SWL TWPGM UEA UE WO WTF WTL WWO WWWO WWPSO WWT  SSSWCM ACSC <del>COLAB</del></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	<del>GMCD</del> <del>GMGR</del> <del>GMSD</del> <del>GMO</del>	<del>AMSPA</del> <del>PM</del> BCM CSM <del>DPPM</del> KVSM PCPM RM	ACM BCTL <del>GSSCS</del> <del>TL</del> PFPTL PROM TLC TLCE <del>TLPPM</del> <del>TL</del>	ACO BCO <del>B</del> CE PA CP CSA DE <del>ECCPM</del> EHO EOR <del>FMO</del> <del>PGO</del> <del>EPPRMAP</del> <del>P</del> PRO RES RO KVSTA MALO <del>MEQ</del> 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><del>GMCD</del>  <del>GMGR</del>  <del>GMSD</del>  <del>GMO</del></p>	<p><del>AMSPA</del>  <del>PM</del>                      BCM                      CSM  <del>DPPM</del>                      KVSM                      PCPM                      RM</p>	<p>ACM                      BCTL  <del>GSSCS</del>  <del>TL</del>                      PFPTL                      PROM                      TLC                      TLCE  <del>TLPPM</del>  <del>TL</del>                      TLRC</p> <p>ACO                      BCO  <del>B</del>                      CE                      PA                      CP                      CSA                      DE                      EHO                      EOR  <del>FMO</del>  <del>PGO</del>  <del>EPPRMAP</del>  <del>P</del></p> <p>PRO                      RES                      RO                      KVSTA                      MALO  <del>MEQ</del>                      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 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></p> <p><i>(a)his or her name and address; and</i></p> <p><i>(b)the name and address and whereabouts of any other person connected in any way with the alleged offence.</i></p>	<p><del>GMCD</del></p> <p><del>GMGR</del></p> <p><del>GMSD</del></p> <p><del>GMO</del></p>	<p><del>AMSPA</del></p> <p><del>PM</del></p> <p>BCM</p> <p>CSM</p> <p><del>DPPM</del></p> <p>KVSM</p> <p>PCPM</p> <p>RM</p>	<p>ACM</p> <p>BCTL</p> <p><del>GSSCS</del></p> <p><del>TL</del></p> <p>PFPTL</p> <p>PROM</p> <p>TLC</p> <p>TLCE</p> <p><del>TLPPM</del></p> <p><del>TL</del></p>	<p>ACO</p> <p>BCO</p> <p><del>B</del></p> <p>CE</p> <p>PA</p> <p>CP</p> <p>CSA</p> <p>DE</p> <p>EHO</p> <p>EOR</p> <p><del>FMO</del></p> <p><del>PGO</del></p> <p><del>EPPRMAP</del></p> <p><del>P</del></p> <p>PRO</p> <p>RES</p> <p>RO</p> <p>KVSTA</p> <p>MALO</p> <p><del>MEQ</del></p> <p>MO</p> <p>PMS</p> <p>PP</p> <p>SCSR</p> <p>SWL</p> <p>UEA</p> <p>TWPGM</p> <p>UE</p> <p>BCompO</p> <p>SSSWCM</p> <p>ACSC</p> <p><del>COLAB</del></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>  <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—</i>  <i>(a)water supplied from any waterworks or water race to any land or building is being wasted or misused; or</i>  <i>(b)any drainage works on any land are being misused; or</i>  <i>(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.</i>  <i>(2)The power under subsection (1) may only be exercised if the enforcement officer—</i>  <i>(a)believes on reasonable grounds that the circumstances in any of paragraph (a), paragraph (b), or paragraph (c) of that subsection exist; and</i>  <i>(b)the local authority gives reasonable notice to the occupier of the land or building of the intention to exercise the power.</i>  <i>(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.</i></p>	<p><u>GMCD</u> <u>GMGR</u> <u>GMSD</u> <u>GMO</u></p>	<p><u>AMSPA</u> <u>PM</u> BCM CSM <u>DPPM</u> KVSM PCPM RM WWWWM</p>	<p>ACM BCTL <u>GSSCS</u> <u>TL</u> PFPTL PROM TLC TLCE <u>TLPPM</u> <u>TL</u> <u>TWPM</u> TWPDM <u>WTL</u> WWOM</p>	<p>ACO APMO BCO <del>B</del> CE PA CP CSA DE EHO EOR <u>FMO</u> <u>PGO</u> <u>EPPRMAP</u> <u>P</u> IAPO IAPTL KVSTA KVSU MALO <u>MEQ</u> MO  PM PMS PP PRO RES RO RTL RT SCP SCSR SNA SWL TWPGM UEA UE WO WTF WTL WWO WWWO WWPSO WWT  <u>COLAB</u></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>                      (1) An infringement notice may be served on a person if an enforcement officer—                      (a) observes a person committing an infringement offence; or                      (b) has reasonable cause to believe that an infringement offence is being or has been committed by that person.                      (2) An infringement notice not relating to a breach of an alcohol ban may be served—                      (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                      (b) by post addressed to that person's last known place of residence or business.</p>	<p><del>GMCD</del>  <del>GMGR</del>  <del>GMSD</del>  <del>GMO</del></p>	<p><del>AMSPA</del>  <del>PM</del>                      BCM                      CSM  <del>DPPM</del>                      KVSM                      PCPM                      RM</p>	<p>ACM                      BCTL  <del>GSSCS</del>  <del>TL</del>                      PFPTL                      PROM                      TLC                      TLCE  <del>TLPPM</del>  <del>TL</del>                      TLRC</p>	<p>ACO                      BCO  <del>B</del>                      CE                      PA                      CP                      CSA                      DE                      EHO                      EOR  <del>FMO</del>  <del>PGO</del>  <del>EPPRMAP</del>  <del>P</del>                      PRO                      RES                      RO                      KVSTA                      MALO  <del>MEQ</del>                      MO                      PMS                      PP                      SCSR                      SWL                      UEA                      TWPGM                      UE</p>

Local Government Act 2002		Eteam	Third tier	Fourth tier	Fifth tier
	Power to enforce Matamata-Piako District Council bylaws	<del>GMCD</del> <del>GMGR</del> <del>GMSD</del> <del>GMO</del>	<del>AMSPA</del> <del>PM</del> BCM CSM <del>DPPM</del> KVSM PCPM RM	ACM BCTL <del>GSSCS</del> <del>TL</del> PFPTL PROM TLC TLCE <del>TLPPM</del> <del>TL</del> TLRC	ACO APMO BCO <del>B</del> CE PA CP CSA DE EHO EOR <del>FMO</del> <del>PGO</del> <del>EPPRMAP</del> <del>P</del> IAPO IAPTL KVSTA MALO <del>MEQ</del> MO PMS PP PRO RES RO SCSR SNA SWL TWPGM UEA UE BCompO  SSSWCM
	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>	<p><del>GMCDGMGR</del></p> <p><del>GMSDGMO</del></p>	<p><del>AMSPAPM</del></p> <p>BCM</p> <p><del>CPCM</del></p> <p><del>DPPM</del></p> <p>PCPM</p>	<p>BCTL</p> <p>PFPTL</p> <p><del>TLG</del></p> <p>TLCE</p> <p><del>TLPPMTL</del></p> <p>TLRC</p>	<p><del>BCompP</del></p> <p>BCO</p> <p><del>B</del></p> <p>CE</p> <p><del>PA</del></p> <p><del>GOP</del></p> <p>CP</p> <p><del>DE</del></p> <p>EHO</p> <p><del>EORFMO</del></p> <p><del>PGO</del></p> <p><del>EPPRMAPP</del></p> <p>PRO</p> <p>RES</p> <p>KVSTA</p> <p>MO</p> <p>MALO</p> <p><del>MEQ</del></p> <p>PP</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 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</p>	<p><del>GMCDGMGR</del></p> <p><del>GMSDGMO</del></p>	<p><del>AMSPAPM</del></p> <p><del>CPCM</del></p> <p>BCM</p> <p><del>DPPM</del></p> <p><del>PCPM</del></p>	<p><del>BCTL</del></p> <p><del>TLG</del></p> <p><del>TLCE</del></p> <p><del>TLP</del></p> <p><del>TLRC</del></p>	

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
	<i>relates.</i>				
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>322 Scope of abatement notice</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> <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,—</p> <p>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><u>GMCDGMGR</u></p> <p><u>GMSDGMO</u></p>	<p><u>AMSPAPM</u></p> <p><u>CPCM</u></p> <p>BCM</p> <p><u>DPMP</u></p> <p><u>PCPM</u></p> <p><u>RM</u></p>	<p>BCTL</p> <p>PFPTL</p> <p><u>TLG</u></p> <p>TLCE</p> <p><u>TLPPMTL</u></p> <p>TLRC</p>	<p>BCompO</p> <p><u>BCO</u></p> <p><u>BI</u></p> <p>CE</p> <p>PA</p> <p><u>COP</u></p> <p>CP</p> <p><u>DE</u></p> <p>EHO</p> <p><u>EORFMO</u></p> <p><u>EPPRMAPP</u></p> <p><u>KVSTA</u></p> <p>MO</p> <p>MALO</p> <p><u>MEQ</u></p> <p><u>PP</u></p> <p><u>PRO</u></p> <p><u>RES</u></p> <p><u>RAE</u></p> <p><u>SCSR</u></p> <p><u>SWL</u></p> <p><u>UEA</u></p> <p><u>TWPGM</u></p> <p><u>UE</u></p>
Enforcement Officer pursuant to section 38 of the Resource	<p>Power of entry pursuant to section 323 of the Resource Management Act 1991</p>	<p><u>GMCDGMGR</u></p> <p><u>GMSDGMO</u></p>	<p><u>AMSPAPM</u></p> <p>BCM</p> <p><u>CPCM</u></p> <p><u>DPMP</u></p> <p><u>PCPM-RM</u></p>	<p>BCTL</p> <p>PFPTL</p> <p><u>TLG</u></p> <p>TLCE</p> <p><u>TLPPMTL</u></p>	<p>BCompO</p> <p><u>BCO</u></p> <p><u>BI</u></p> <p>CE</p> <p>PA</p> <p><u>COP</u></p>

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
Management Act 1991					CP DE ECGPM EHO EORFMO EPPRMAPP  PRO RES KVSTA MO MALO MEO PP RAE SCP SCSR SWL UEA TWPGM UE
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	Power to issue excessive noise direction pursuant to section 327 of the Resource Management Act 1991  <i>327 Issue and effect of excessive noise direction</i> (1) Any enforcement officer, or any constable acting upon the request of an enforcement officer, who— (a) has received a complaint that excessive noise is being emitted from any place; and (b) upon investigation of the complaint, is of the opinion that the noise is excessive,— 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. (2) A direction under subsection (1) may be given in writing or orally. (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. (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.	GMCDGMGR GMSDGMO	AMSPAPM BCM CPCM DPPM PCPM RM	BCTL PFPTL TLC TLCE TLPMTL TLRC	BCO BCO BI CE PA COP CP DE EHO EORFMO EPPRMAPP PRO RES KVSTA MO MALO MEO  PP RAE SCSR UEA TWPGM UE  NCC
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	Power of entry pursuant to section 328 of the Resource Management Act 1991  <i>328 Compliance with an excessive noise direction</i> (1) Every person who is given a direction under section 327 shall immediately	GMCDGMGR GMSDGMO	AMSPAPM BCM CPCM DPPM PCPM RM	BCTL PFPTL TLC TLCE TLPMTL TLRC	BCO BCO BI CE PA COP CP

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
Act 1991	<p>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— 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— 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><del>DE</del></p> <p>EHO</p> <p><del>EORFMO</del></p> <p><del>EPPRMAPP</del></p> <p>PRO</p> <p><del>RES</del></p> <p><del>KVSTA</del></p> <p>MO</p> <p>MALO</p> <p><del>MEQ</del></p> <p><del>PP</del></p> <p><del>RAE</del></p> <p><del>SCSR</del></p> <p><del>UEA</del></p> <p><del>TWPGM</del></p> <p><del>UE</del></p> <p>NCC</p>
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power to take steps (accompanied by a 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>328 Compliance with an excessive noise direction</p> <p>(1) Every person who is given a direction</p>	<p><del>GMCDGMGR</del></p> <p><del>GMSDGMO</del></p>	<p><del>AMSPAPM</del></p> <p>BCM</p> <p><del>CPCM</del></p> <p><del>DPPM</del></p> <p><del>PCPM</del></p> <p><del>RM</del></p>	<p>BCTL</p> <p>PFPTL</p> <p><del>TLG</del></p> <p>TLCE</p> <p><del>TLPPMTL</del></p> <p>TLRC</p>	<p><del>BCompO</del></p> <p>BCO</p> <p><del>BI</del></p> <p>CE</p> <p>PA</p> <p><del>CP</del></p> <p>CP</p> <p><del>DE</del></p> <p><del>ECCPM</del></p> <p>EHO</p> <p>EOR</p>

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
	<p>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—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—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 reasonable</p>				<p><u>FMO</u> <u>EPARMAPP</u></p> <p>PRO RES KVSTA MO MALO MEO PP RAE SCSR UEA</p> <p>NCC</p>
Enforcement	Power of entry (including	<u>GMCDGMGR</u>	<u>AMSPAPM</u>	BCTL	<u>BCompO</u>



Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
Officer pursuant to section 38 of the Resource Management Act 1991	<p>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, <del>or</del> a group manager, <u>or one of the third tier managers listed.</u></p> <p><i>330 Emergency works and power to take preventive or remedial action</i> (1)Where— (a)any public work for which any person has financial responsibility; or (b)any natural and physical resource or area for which a local authority or consent authority has jurisdiction under this Act; or (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 (ca)any service or system that any lifeline utility operates or provides— is, in the opinion of the person, authority, network utility operator, or lifeline utility, affected by or likely to be affected by— (d)an adverse effect on the environment which requires immediate preventive measures; or (e)an adverse effect on the environment which requires immediate remedial measures; or (f)any sudden event causing or likely to cause loss of life, injury, or serious damage to property— 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. (1A)Subsection (1) applies whether or not the adverse effect or sudden event was foreseeable. (2)Where a local authority or consent authority— (a)has financial responsibility for any public work; or (b)has jurisdiction under this Act in respect of any natural and physical resource or area— 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>	<del>GM</del> <u>MSD</u> <del>GM</del> <u>O</u>	<p>BCM</p> <p><del>CPCM</del></p> <p><del>DP</del><u>PPM</u></p> <p><del>PCPM</del></p> <p><del>RM</del></p>	<p>PFPTL</p> <p><del>TLG</del></p> <p>TLCE</p> <p><del>TL</del><u>PPMTL</u></p> <p>TLRC</p>	<p>BCO</p> <p><del>B</del></p> <p>CE</p> <p>PA</p> <p>COP</p> <p>CP</p> <p>DE</p> <p>EHO</p> <p>EOR</p> <p><del>EPP</del><u>RMAPP</u></p> <p>PRO</p> <p>RES</p> <p>KVSTA</p> <p>MO</p> <p>MALO</p> <p><del>MEQ</del></p> <p>PP</p> <p>RAE</p> <p>SCSR</p> <p>SWL</p> <p>UEA</p> <p>TWPGM</p> <p>UE</p>
Enforcement Officer pursuant to	Power of entry (excluding dwelling house) for inspection and collection of samples	<del>GM</del> <u>CD</u> <del>GM</del> <u>GR</u> <del>GM</del> <u>SD</u> <del>GM</del> <u>O</u>	<del>AM</del> <u>SP</u> <del>AP</del> <u>PM</u> BCM <del>CPCM</del>	BCTL PFPTL <del>TLG</del>	<del>B</del> <u>CompO</u> BCO <del>B</del>

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
<p>section 38 of the Resource Management Act 1991</p> <p>pursuant to section 332 of the Resource Management Act 1991</p> <p>These powers shall only be exercised with the approval of the CEO, <del>or</del> a group manager or third tier manager.</p> <p><i>332 Power of entry for inspection</i> (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— (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 (b) an enforcement order, interim enforcement order, abatement notice, or water shortage direction is being complied with; or (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). (d) [Repealed] (2) For the purposes of subsection (1), an enforcement officer may take samples of water, air, soil, or organic matter. (2A) Where a sample is taken under subsection (2), an 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. (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. (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. (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>			<p><del>DPPM</del> <del>PCPM</del> <del>RM</del></p>	<p>TLCE <del>TLPPMTL</del> TLRC</p>	<p>CE PA COP CP DE EHO EOR <del>EPPRMAPP</del> PRO RES KVSTA MO MALO <del>MEQ</del>  PP RAE SCSR SWL TWPGM UEA UE</p>
<p>Enforcement Officer pursuant to section 38 of the Resource Management Act 1991</p> <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><i>333 Power of entry for survey</i> (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</p>		<p><del>GMCDGMGR</del> <del>GMSDGMG</del></p>	<p><del>AMSPAPM</del> BCM <del>CPCM</del> <del>DPPM</del> <del>PCPM</del></p>	<p>BCTL PFPTL <del>TLG</del> TLCE <del>TLPPMTL</del> TLRC</p>	<p><del>BCompO</del> BCO <del>B</del> CE PA COP CP DE EHO EOR</p>

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
	<p>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),—</p> <p>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: (b) of the purpose for which entry is required: (c) how and when entry is to be made.</p>				<p><u>EPPRMAPP</u></p> <p>PRO RES KVSTA MO MALO <del>MEQ</del></p> <p>PP RAE SCSR SWL TWPGM UEA UE</p>
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>	<p><u>GMCDGMGR</u></p> <p><u>GMSDGMO</u></p>	<p><u>AMSPAPM</u></p> <p>BCM <u>CPCM</u> <u>DPPM</u> <u>PCPM</u></p>	<p>BCTL PFPTL <u>TLG</u> TLCE <u>TLPPMTL</u> TLRC</p>	<p><u>BCompO</u></p> <p>BCO <del>B</del> CE PA COP CP DE EHO EOR <u>EPPRMAPP</u></p> <p>PRO RES KVSTA MO MALO <del>MEQ</del></p> <p>PP RAE SCSR UEA TWPGM UE</p>
Enforcement Officer pursuant to section 38 of the Resource Management Act 1991	<p>Power to <b>issue and serve</b> 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</p>	<p><u>GMCDGMGR</u></p> <p><u>GMSDGMO</u></p>	<p><u>AMSPAPM</u></p> <p>BCM <u>CPCM</u> <u>DPPM</u> <u>PCPM</u></p>	<p>BCTL PFPTL <u>TLG</u> TLCE <u>TLPPMTL</u> TLRC</p>	

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
	<p>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>				
	<p><b>Power to serve infringement Notices pursuant to section 343C of the Resource Management Act 1991</b></p> <p><i>(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.</i></p> <p><i>(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.</i></p> <p><i>(3) Every infringement notice shall be in the prescribed form and shall contain the following particulars:</i></p> <p><i>(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</i></p> <p><i>(b) the amount of the infringement fee specified for that offence; and</i></p> <p><i>(c) the address of the place at which the infringement fee may be paid; and</i></p> <p><i>(d) the time within which the infringement fee must be paid; and</i></p> <p><i>(e) a summary of the provisions of section 21(10) of the Summary Proceedings Act 1957; and</i></p> <p><i>(f) a statement that the person served with the notice has a right to request a hearing; and</i></p> <p><i>(g) a statement of what will happen if the person served with the notice neither pays</i></p>	<p>GMGR GMO</p>	<p>APM BCM CPCM PM PCPM RM</p>	<p>BCTL PFPTL TLCE PMTL TLRC</p>	<p>BCompO BCO CE CP EHO FMO MO MALO PGO PRO</p>

Resource Management Act 1991		Eteam	Third tier	Fourth tier	Fifth tier
	<p><i>the infringement fee nor requests a hearing; and</i>  <i>(h) such other particulars as are prescribed.</i>  <i>(4) If an infringement notice has been issued under this section,—</i>  <i>(a) a reminder notice must be in the form prescribed under this Act; and</i>  <i>(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.</i></p>				

Building Act 2004		Eteam	Third tier	Fourth tier	Fifth tier
<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:                      (i) land on which building work is or is proposed to be carried out; and                      (ii) building work that has been or is being carried out on or off the building site; and                      (iii) any building; and</p> <p>(b) to enter premises for:                      (i) the purpose of inspecting the building; or                      (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>	<p><del>GMCDG</del> MGR</p>	<p>BCM CPCM DPMP</p>	<p>BCTL TLCE</p>	<p>BCompO BCO <del>BI</del> CE CP EHO FMO MALO <del>MEQ</del> MO PGO  BCON</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>	<p><del>GMCDG</del> MGR</p>	<p>BCM DPMP</p>	<p>BCTL TLCE</p>	<p>BCompO BCO <del>BI</del> CE EHO MALO <del>MEQ</del> MO</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>  <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—</i>  <i>(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:</i>  <i>(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:</i>  <i>(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:</i>  <i>(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:</i>  <i>(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:</i>  <i>(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.</i></p> <p><i>Section 28 relates to the technical aspects of appointing a health officer.</i></p>	<p><del>GMGD</del> <del>GMGR</del></p>	<p><del>DPCP</del> <del>CM</del></p>	<p><del>TLCE</del></p>	<p><del>CE</del> EHO <del>MALO</del> <del>MEQ</del> <del>MO</del></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><a href="#">EHO</a></p> <p><a href="#">EHOHDC*</a></p> <p><i>*Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</i></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>				<p><a href="#">EHO</a></p> <p><a href="#">EHOHDC*</a></p> <p><i>*Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</i></p>

Health Act 1956	Eteam	Third tier	Fourth tier	Fifth tier
<p><u>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</u></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>	<u>GMGR</u>	<u>CPCM</u>		<p><u>EHO</u> <u>FMO</u> <u>MALO</u> <u>MO</u></p> <p><u>GMPESHDC*</u> <u>EHOHDC*</u></p> <p><i>*Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</i></p>
<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>	<u>GMGR</u>	<u>CPCM</u>		<p><u>EHO</u> <u>FMO</u> <u>MALO</u> <u>MO</u></p> <p><u>GMPESHDC *</u> <u>EHOHDC*</u></p> <p><i>*Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</i></p>
<p>Power to require a person to state their name and address pursuant to section 134 of the Health Act 1956</p>				<p><u>EHO</u></p> <p><u>EHOHDC*</u></p> <p><i>*Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</i></p>



Health Act 1956	Eteam	Third tier	Fourth tier	Fifth tier
<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>	<p><a href="#">GMGR</a></p>	<p><a href="#">CPCM</a></p>		<p><a href="#">EHO</a>  <a href="#">FMO</a>  <a href="#">MALO</a>  <a href="#">MO</a></p> <p><a href="#">GMPESHDC *</a>  <a href="#">EHOHDC*</a></p> <p><i>*Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC</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				EHO  EHOHDC* GMPESHDC*  Note: delegations can only be exercised in accordance with the current shared services agreement between MPDC and HDC
<p><i>173 Functions of territorial authority</i></p> <p>(1) A territorial authority has the following functions:</p> <p>(a) to perform the function of a registration authority:</p> <p>(b) to manage and train its staff to carry out functions and activities in relation to this Act:</p> <p>(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:</p> <p>(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:</p> <p>(e) to instigate appropriate corrective and preventative actions for matters described in paragraph (d):</p> <p>(f) to enable its food safety officers to enforce the applicable requirements of this Act:</p> <p>(g) to respond to recalls and to respond in an emergency situation:</p> <p>(h) to disseminate information and provide advice promoting the safety and suitability of food to food businesses and the public:</p> <p>(i) to perform administrative functions relating to this Act, including—</p> <p>(i) gathering information:</p> <p>(ii) receiving applications for registration of food control plans and of food businesses subject to national programmes:</p> <p>(iii) transferring information to the Ministry:</p> <p>(iv) if requested under section 184(1)(b), reporting to the chief executive:</p> <p>(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:</p> <p>(k) to perform any other function relevant to its role.</p> <p>(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.</p> <p>(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.</p> <p>(4) A territorial authority may not contract out any of the following functions, except to another territorial authority:</p> <p>(a) the function of a recognised agency; and</p> <p>(b) any of the functions referred to in subsection (1)(a) and (d) to (h).</p> <p>(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.</p> <p>(6) If a territorial authority contracts out 1 or more of its functions, it continues to have responsibility for that function.</p> <p><i>174 Duties of territorial authority</i></p> <p>A territorial authority must—</p> <p>(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:</p> <p>(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:</p> <p>(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:</p> <p>(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:</p> <p>(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:</p> <p>(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):</p> <p>(g) provide capability to respond as required in an emergency situation:</p> <p>(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:</p> <p>(i) carry out any other function, duty, or direction imposed or given by or under this Act.</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	<u>GMGR</u>	<u>DP</u> <u>CPCM</u>	<u>TLGE</u>	<u>GE</u> <u>EHO</u> <u>FMO</u> MALO <u>MEQ</u> MO
	Power to issue infringement notices pursuant to section 262 of the Sale and Supply of Alcohol Act 2012  <i>262 Infringement notices</i> <i>(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.</i> <i>(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.</i>				
	Power to enter licensed premises pursuant to section 267 of the Sale and Supply of Alcohol Act 2012  <i>267 Powers of entry on licensed premises</i> <i>(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.</i> <i>(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.</i> <i>(3) For the purposes of exercising the power conferred by this section, a constable or an inspector may—</i> <i>(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</i> <i>(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.</i>				
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	Power to seize samples of alcohol from any licensed premises pursuant to section 268 of the Sale and Supply of Alcohol Act 2012  <i>268 Power to seize samples of alcohol</i> <i>(1) This section applies where a constable or inspector has entered and is conducting an inspection of any licensed premises under section 267.</i> <i>(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.</i>	<u>GMCDGMGR</u>	<u>DP</u> <u>CPCM</u>	<u>TLGE</u>	<u>GE EHO</u> <u>FMO</u> MALO <u>MEQ</u> MO

Sale and Supply of Alcohol Act 2012		Eteam	Third tier	Fourth tier	Fifth tier
Sale 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			<del>TLCE</del>	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	<del>GMCDGMGR</del> or in absence of above delegate to GMBS, GMCE, GMPGR or GMSDGMQ			

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>	<p><del>GMCDGMGR</del>  <del>GMSDGMO</del></p>	<p><del>AMSPAPM</del>  <del>DPPM</del>                      PCPM                      KVSM  <del>CPCM</del></p>	<p>TLC                      TLCE  <del>TLPPMTL</del>  <del>CPCM</del>  <del>PFPTL</del>                      PROM</p>	<p><del>BCompO</del>  <del>BCO</del>                      CE  <del>CP</del>  <del>PA</del>                      COP                      DE                      EA  <del>ECCPM</del>                      EHO                      EOR  <del>FMO</del>  <del>PA</del>                      PFPTL  <del>PGO</del>                      PRO                      RES                      RO  <del>KVSW</del>                      KVSTA                      MALO  <del>MEQ</del>                      MO                      PMS                      RAE  <del>RTL</del>                      SCSR                      SWL  <del>TWPM</del>                      UEA                      UE  <del>WTL</del></p>

Litter Act 1979		Eteam	Third tier	Fourth tier	Fifth tier
	<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>				
	<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</p> <p><del>pursuant to sections 98 and 100</del> 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. This includes all of the responsibilities, duties, and powers under this Act that have been delegated to the Chief Executive (including but not limited to sections 12, 98 and 100).</i></p>	<p><del>GMCD</del> <del>GMGR</del></p>	<p><del>DPCPC</del> <del>M</del></p>	<p><del>FLGE</del></p>	<p><del>CE</del> <del>EHO</del> <del>FMO</del> <del>MALO</del> <del>MEQ</del> <del>MO</del></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

Reserves Act 1977		Eteam	Third tier	Fourth tier	Fifth tier
Ranger pursuant to section 8 of the Reserves Act 1977	<p>Power to instruct persons to stop committing an offence pursuant to section 93 of the Reserves Act 1977</p> <p><i>93Powers 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>	GMCDGMGR	<p>AMSPAPM CPCM DPPM PCPM KVSM</p>	<p>PFPTL -PROM TLCE</p>	<p>CE PA COP EHO EOR FMO PFPTL PRO RES MALO MEO MO RAE</p>
	<p>Power to instruct persons to provide certain information pursuant to sections 93 and 102 of the Reserves Act 1977</p> <p><i>93Powers 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>				
	<p>Power to stop and search boats pursuant to sections 100 of the Reserves Act 1977</p> <p><i>100Stopping 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>				

Reserves Act 1977		Eteam	Third tier	Fourth tier	Fifth tier
<p>Power to remove and dispose of vehicles and boats pursuant to section 110 of the Reserves Act 1977</p> <p><i>110Removal and disposal of vehicles and boats                      (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.</i></p>					
<p>Power to seize property pursuant to section 95 of the Reserves Act 1977</p> <p><i>95Seizure and forfeiture of property                      (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.</i></p>					

Dog Control Act 1996	Eteam	Third tier	Fourth tier	Fifth tier



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>	<u>GMCDGMGR</u>	<u>CPCM</u>	<u>-ACM</u>	ACO  ACSC
	<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 Control Act 1996		Eteam	Third tier	Fourth tier	Fifth tier
Dog Ranger pursuant to section 12 of the Dog Control Act 1996	Power to issue infringement notices pursuant to section 66 of the Dog Control Act 1996  <i>66 Infringement notices (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.</i>				ACO
	Power to seize and impound dogs pursuant to the Dog Control Act 1996  <i>Under section 57 and 59 of the Dog Control Act 1996, dog rangers 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>				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	Power to impound stock pursuant to the Impounding Act 1955  <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>	<del>GMCDGMGR</del>	<del>CPCM</del>	<del>ACM</del>	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	<u>GMBS</u>	<u>APM</u>	<u>FLC</u> <u>IASTL</u>	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
<p>Authorised Officer pursuant to section 19 of the Burial and Cremations Act 1964</p>	<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>		<p>CSM KVSM</p>	<p><del>CSSCSTL</del> PROM</p>	<p>CSA <del>WTL</del> <del>KVSW</del></p>

Health and Safety at Work Act 2015		Eteam	Third tier	Fourth tier	Fifth tier
<p>Authorised Health and Safety Officer</p>	<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> <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—</i> <i>(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</i> <i>(b)providing for fair and effective workplace representation, consultation, co-operation, and resolution of issues in relation to work health and safety; and</i> <i>(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</i> <i>(d)promoting the provision of advice, information, education, and training in relation to work health and safety; and</i> <i>(e)securing compliance with this Act through effective and appropriate compliance and enforcement measures; and</i> <i>(f)ensuring appropriate scrutiny and review of actions taken by persons performing functions or exercising powers under this Act; and</i> <i>(g)providing a framework for continuous improvement and progressively higher standards of work health and safety.</i></p>		<p>PSWM</p>	<p><del>SWTL</del></p>	<p><del>SWTL</del></p>

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

### 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 holder 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.

All delegations are made severally unless specified otherwise (ie the delegation can be exercised by the officer acting alone).

Legislation	Adopted On 9 November 2016	
Airport Authorities Act 1966	44	Amended <del>November 2020</del> July 2024
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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<u>GMCE</u>	<u>Group Manager Customer Experience</u>
<u>GMGRCD</u>	Group Manager <del>Community Development</del> <u>Growth and Regulation</u>
<u>GMQSD</u>	Group Manager <del>Service Delivery</del> <u>Operations</u>
<u>GMPGR</u>	<u>Group Manager People, Governance and Relationships</u>
<b>Third tier</b>	
CFOM	Community Facilities Operations Manager
<u>PCPM</u>	<u>Property &amp; Community Projects Manager</u>
<b>Fifth tier</b>	
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 <u>GMCDGMGR</u> <u>GMSDGMQ</u> <u>GMCE</u> <u>GMPGR</u>	CFOM <u>PCPM</u>		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 <u>GMCDGMGR</u> <u>GMSDGMQ</u> <u>GMCE</u> <u>GMPGR</u>	<u>CFOM</u>		<u>PSO</u>

### Delegations – Building Act 2004

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
<del>GMCDGMGR</del>	Group Manager <del>Community Development</del> Growth and Regulation
<b>Third tier</b>	
BCM	Building Control Manager
CSM	Customer Services Manager
<del>DPPM</del>	<del>District Planner</del> Planning Manager
<b>Fourth tier</b>	
BCTL	Building Control Team Leader
<del>GSSCSTL</del>	<del>Customer Services Supervisor</del> Customer Services Team Leader
TLRC	Team Lead Resource Consents
<b>Fifth tier</b>	
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
<del>MEO</del>	<del>Monitoring &amp; Engineering Officer</del>
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 <del>GSSCSTL</del>	BCAO BCO BCOS CON CSA CSAA
34 and 35	Power to issue project information memorandum.		BCM CSM	BCTL <del>GSSCSTL</del>	BCAO BCO BCOS CSA CSAA
36	Power to issue a development contribution notice <sup>102</sup>	CEO <del>GMCDGMGR</del>	BCM CSM	BCTL <del>GSSCSTL</del>	ASO BCAO BCO BCOS CSA CSAA
37	Power to issue a certificate restricting building work until issue of resource consent		BCM CSM <del>DPPM</del>	BCTL <del>GSSCSTL</del> 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 <del>GSSCSTL</del> 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 <del>GMCDGMGR</del>	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 <del>GMCDGMGR</del>	BCM CSM	BCTL <del>GSSCSTL</del>	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 <del>GMCDGMGR</del>	BCM	BCTL	BCAO BCO BCOS
60	Power to retain part of levy	CEO <del>GMCDGMGR</del>			
62	Power to recover unpaid levy from applicant for building consent	CEO <del>GMCDGMGR</del>			
63	Power to request that information provided to Chief Executive be treated as confidential.	CEO <del>GMCDGMGR</del>	BCM		
67	Power to grant building consent subject to waiver or modifications of the building code.		BCM	BCTL	BCO BCOS
71 and 72	Power to grant building consent on land subject to natural hazards.		BCM	BCTL	BCO BCOS
73	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 Maori Land Court;		BCM	BCTL	<del>BCOS</del>
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 <del>GMCDGMGR</del>	BCM		
75 and 77	Power to place conditions on the construction of a building on two or more allotments.	CEO <del>GMCDGMGR</del>	BCM	BCTL	<del>BCOS</del>
83	Power to approve or decline an application to have an entry under section 78 removed.	CEO <del>GMCDGMGR</del>	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 CON

91	Power to issue code compliance certificate includes 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 <del>DP</del> PM	BCTL	BCO BCOS MALO MEQ MO
126	Power to apply to the District Court for authorisation to carry out building work.	CEO <del>GMCDGMGR</del>	BCM		
130	Power to apply to the District Court for confirmation of a warrant issued under section 129(2).	CEO <del>GMCDGMGR</del>			LC
133AH	Power to request engineering assessment of potentially earthquake-prone buildings	CEO <del>GMCDGMGR</del>	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 <del>GMCDGMGR</del>	BCM	BCTL	BCO BCOS
133AJ	Power to grant or decline an extension of time to provide engineering assessment	CEO <del>GMCDGMGR</del>	BCM	BCTL	BCO BCOS
133AK	Power to determine whether building is earthquake prone	CEO <del>GMCDGMGR</del>	BCM	BCTL	BCO BCOS
133AL	Power to issue EPB notice for earthquake-prone buildings	CEO <del>GMCDGMGR</del>	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 <del>GMCDGMGR</del>	BCM	BCTL	BCO BCOS
133AR	Power to impose safety requirements	CEO <del>GMCDGMGR</del>	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 <a href="#">GMCDGMGR</a>	BCM		
180	Power to withdraw application for a determination	CEO <a href="#">GMCDGMGR</a>	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 <a href="#">GMCDGMGR</a>	BCM		
215	Power to apply for accreditation and registration as a building consent authority under Part 3 of the Building Act 2004.	CEO <a href="#">GMCDGMGR</a>	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 <a href="#">GMCDGMGR</a>			LC
221(2)	Power to dispose of materials resulting from Council's performing building work.	CEO <a href="#">GMCDGMGR</a>	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 <del>GMCDGMGR</del>			
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 <del>GMCDGMGR</del>			LC
377	Power to lay information for an offence	CEO <del>GMCDGMGR</del>			LC
381	Power to apply to District Court for an injunction	CEO <del>GMCDGMGR</del>			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"> <li>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.</li> <li>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.</li> </ul>	CONT		

### Delegations – Dog Control Act 1996

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
<u>GMCDGMGR</u>	Group Manager <del>Community Development</del> Growth and Regulation
<b>Third tier</b>	
<u>CPCM</u>	<u>Community Protection &amp; Compliance Manager</u>
CSM	Customer Services Manager
PSWM	People, Safety and Wellness Manager (including Acting)
<b>Fourth tier</b>	
<u>ACM</u>	<u>Animal Control Manager</u>
<u>CSSCSTL</u>	<u>Customer Services Supervisor</u> Customer Services Team Leader
<b>Fifth tier (inclusive contractors)</b>	
ACO	Animal Control Officer <u>(inclusive of Senior)</u>
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 <u>GMCDGMGR</u>	<u>CPCM</u> PSWM		
12	Power to appoint and to revoke appointment of Dog Rangers		CEO <u>GMCDGMGR</u>	<u>CPCM</u> PSWM		
13	Power to supply warrant of appointment to Dog Control Officers and Dog Rangers		CEO <u>GMCDGMGR</u>			
21	Power to classify any person as probationary owner		CEO <u>GMCDGMGR</u>	<u>CPCM</u>	<u>AGM</u>	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 <u>GMCDGMGR</u>	<u>CPCM</u>	<u>AGM</u>	ACO
25	Power to disqualify any person from being the owner of any dog		CEO <u>GMCDGMGR</u>	<u>CPCM</u>	<u>AGM</u>	
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 <u>GMCDGMGR</u>	<u>CPCM</u>		



31	Power to classify dog as dangerous dog		CEO <u>GMCDGMGR</u>	<u>CPCM</u>	<u>AGM</u>	ACO
31(3)	Power to hear and determine objections to the classification of any dog as a dangerous dog under section 31(1)	Hearings Commission as a Committee of Council.				
32(1)(f)	Power to consent to the disposal of any dangerous dog to any other person		CEO <u>GMCDGMGR</u>	<u>CPCM</u>	<u>AGM</u>	ACO
33A	Power to classify a dog as a menacing dog		CEO <u>GMCDGMGR</u>	<u>CPCM</u>	<u>AGM</u>	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 <u>GMCDGMGR</u>	<u>CPCM</u>	<u>AGM</u>	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 <u>GMCDGMGR</u>	<u>CPCM</u>	<u>AGM</u>	ACO
<u>33E(5)</u>	<u>Power to exempt any menacing dog from the muzzling requirements in any specified circumstances</u>		CEO <u>GMGR</u>	<u>CPCM</u>		<u>ACO</u>
<u>33EB</u>	<u>To require neutering of menacing dog classified as menacing by another territorial authority when subsequently registered with this Council, and the power to require the production of a veterinarian's certificate</u>		CEO <u>GMGR</u>	<u>CPCM</u>		<u>ACO</u>
<u>33ED</u>	<u>To classify certain dogs as dangerous or menacing unless satisfied that circumstances were exceptional and do not justify classification</u>		CEO <u>GMGR</u>	<u>CPCM</u>		<u>ACO</u>
35	Power to request register information		CEO <u>GMCDGMGR</u>	<u>CPCM</u>	<u>AGM</u>	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 <u>GMCDGMGR</u>	<u>CPCM</u>		
36A	Power to instruct any owner to make any dog available for verification that it has been implanted with a functioning microchip		CEO <u>GMCDGMGR</u>	<u>CPCM</u> CSM	<u>AGM</u> <u>GSSCSTL</u>	ACO CSA

	transponder					
39	Power to issue refunds or reduce fees.		CEO <a href="#">GMCDGMGR</a>	<a href="#">CPCM</a> CSM	<a href="#">AGM</a> <a href="#">GSSCSTL</a>	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 <a href="#">GMCDGMGR</a>	<a href="#">CPCM</a> CSM	<a href="#">AGM</a> <a href="#">GSSCSTL</a>	ACO CSA
46	Power to issue registration label or disc, and to issue replacement label or disc		CEO <a href="#">GMCDGMGR</a>	<a href="#">CPCM</a> CSM	<a href="#">AGM</a> <a href="#">GSSCSTL</a>	ACO CSA
48	Power to issue registration label or disc upon change of ownership of dog		CEO <a href="#">GMCDGMGR</a>	<a href="#">CPCM</a> CSM	<a href="#">AGM</a> <a href="#">GSSCSTL</a>	ACO CSA
49	Power to issue registration label or disc upon transfer of dog.		CEO <a href="#">GMCDGMGR</a>	<a href="#">CPCM</a> CSM	<a href="#">AGM</a> <a href="#">GSSCSTL</a>	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 barking or howling by any dog.	Hearings Commission as a Committee of Council.				
64(5)	Power to collect the reasonable costs of the collection, destruction and disposal of any dog.		CEO <a href="#">GMCDGMGR</a>	<a href="#">CPCM</a> CSM	<a href="#">AGM</a> <a href="#">GSSCSTL</a>	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 <a href="#">GMCDGMGR</a>	<a href="#">CPCM</a>	<a href="#">AGM</a>	LC
<a href="#">66</a>	<a href="#">To authorise any person other than a dog control officer to issue an infringement notice under this section</a>		CEO <a href="#">GMGR</a>	<a href="#">CPCM</a>		
69	Power to impound and dispose of any dog.		CEO <a href="#">GMCDGMGR</a>	<a href="#">CPCM</a>	<a href="#">AGM</a>	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 <a href="#">GMCDGMGR</a>	<a href="#">CPCM</a>	<a href="#">AGM</a>	ACO
70(7)	Power to determine whether or not to dispose of the dog.		CEO <a href="#">GMCDGMGR</a>	<a href="#">CPCM</a>	<a href="#">AGM</a>	ACO
71(1)(d)	Power to authorise retention of a dangerous dog.		CEO <a href="#">GMCDGMGR</a>	<a href="#">CPCM</a>	<a href="#">AGM</a>	ACO
71(5)	Power to hear and determine applications for	Hearings Commission				

	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).	as a Committee of Council.				
71A	Power to dispose of dog seized under section 15 or 33EC		CEO <del>GMCDGMGR</del>	<u>CPCM</u>	<del>AGM</del>	ACO
	Power to bring a prosecution for offences under the Dog Control Act 1996		CEO <del>GMCDGMGR</del>	<u>CPCM</u>	<del>AGM</del>	LC
	Power to lay information for offences under the Dog Control Act 1996		CEO <del>GMCDGMGR</del>	<u>CPCM</u>	<del>AGM</del>	LC
<u>General</u>	<u>To institute any prosecution for an offence under the Act or under any bylaw made by the Council under the Act and to make any decision in any matter relating to any such prosecution.</u>		<u>CEO GMGR</u>	<u>CPCM</u>		
<u>General</u>	<u>To apply for an injunction preventing a person from committing a breach of any bylaw made by the Council under section 20 of the Act and to make any decision in any matter relating to such an application.</u>		<u>CEO GMGR</u>	<u>CPCM</u>		
<u>General</u>	<u>To take enforcement action against any person who breaches any such injunction and to make any decision in any matter relating to such action</u>		<u>CEO GMGR</u>	<u>CPCM</u>		

**Delegations - Fencing Act 1978**

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
<u>GMSDGMO</u>	Group Manager <del>Service-Delivery-Operations</del>
<u>GMGR</u>	<u>Group Manager Growth and Regulations</u>
<u>GMCE</u>	<u>Group Manager Customer Experience</u>
<b>Third tier</b>	
FOM	Facilities Operations Manager
PCPM	Property & Community Projects Manager
<b>Fifth tier (inclusive contractors)</b>	
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 <u>GMCE</u> <u>GMGR</u> <u>GMSDGMO</u>	<del>FOM</del> PCPM		LC PSO
11(1)	Power to serve a cross-notice of objection to notice under section 10(1)	CEO <u>GMCE</u> <u>GMGR</u> <u>GMSDGMO</u>	<del>FOM</del> PCPM		LC PSO
18(1)	Power to serve notice on person taking advantage of fence	CEO <u>GMCE</u> <u>GMGR</u> <u>GMSDGMO</u>	<del>FOM</del> PCPM		LC PSO
19(1)	Power to serve notice requiring contribution towards value of fence.	CEO <u>GMCE</u> <u>GMGR</u> <u>GMSDGMO</u>	<del>FOM</del> PCPM		LC PSO
25	Power to come in and defend proceedings	CEO <u>GMCE</u> <u>GMGR</u> <u>GMSDGMO</u>			LC

Delegations – Food Act 2014

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
<del>GMSD</del> <u>GMO</u>	Group Manager <del>Service Delivery</del> <u>Operations</u>
<del>GMCD</del> <u>GMGR</u>	Group Manager <del>Community Development</del> <u>Growth and Regulation</u>
GMBS	Group Manager Business Support
<del>GMCE</del>	<del>Group Manager Customer Experience</del>
<del>GMPGR</del>	<del>Group Manager People, Governance and Relationships</del>
<b>Third tier</b>	
<del>DPPM</del>	<del>District Planner</del> <u>Planning Manager</u>
<b>Fifth tier (inclusive contractors)</b>	
<del>PSO</del>	<del>Property Services Officer</del>
<del>EHO</del>	<del>Environmental Health Officer</del>
<del>EHOHDC</del>	<del>Environmental Health Officer Hauraki District Council</del>

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 <sup>rd</sup> 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 <sup>rd</sup> 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)	<del>GMCD</del> <u>GMGR</u> <del>GMSD</del> <u>GMO</u> CEO GMBS	<del>DPPM</del>		EHO *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam
55 Registration authority may require further information	Power to require further information	<del>GMCD</del> <u>GMGR</u> <del>GMSD</del> <u>GMO</u> CEO GMBS	<del>DPPM</del>		EHO *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam
62 Mandatory suspension	Power to suspend a registered food control plan	<del>GMCD</del> <u>GMGR</u> <del>GMSD</del> <u>GMO</u> CEO GMBS			

63 Registration authority may extend mandatory suspension	Power to extend mandatory suspension	<a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> CEO GMBS			
67 Cancellation of registration	Power to cancel the registration of a food control plan	<a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> CEO GMBS			
84 Registration authority may refuse to process application for registration	Power to refuse to process an application for registration	<a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> CEO GMBS	<a href="#">DPPM</a>		EHO *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam
85 Registration authority may require further information	Power to request further information	<a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> CEO GMBS	<a href="#">DPPM</a>		EHO *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam
90 Mandatory suspension	Power to suspend operations of a business subject to a national programme	<a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> CEO GMBS			
91 Registration authority may extend mandatory suspension	Power to extend suspension	<a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> CEO GMBS			
95 Cancellation of registration	Power to cancel registration	<a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> CEO GMBS			
280 Person to whom directions may be given under sections 281 to 286	Power to give direction under section 281-286	<a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> CEO GMBS	<a href="#">DPPM</a>		EHO *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> 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	<a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> CEO GMBS	<a href="#">DPPM</a>		EHO *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam
282 Give directions to complete and supply declarations	Power to give directions to complete and supply declarations	<a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> CEO GMBS	<a href="#">DPPM</a>		EHO *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam
283 Give directions to impose movement or related controls	Power to give directions to movement or related controls	<a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> CEO GMBS	<a href="#">DPPM</a>		EHO *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam

285 Give directions to manage food or food-related accessory	Power to give directions to manage food or food-related accessory	<del>GMCDGMGR</del> <del>GMSDGMO</del> CEO GMBS	<del>DPPM</del>	EHO *EHOHDC *GMPESHDC *under the direction of 3 <sup>rd</sup> tier or Eteam
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### Delegations - Gambling Act 2003

Subject to section 48 and clause 32 of the 7<sup>th</sup> 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~~Growth and Regulation 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
<del>GMCDGMGR</del>	Group Manager <del>Community Development</del> <u>Growth and Regulation</u>

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 <del>GMCDGMGR</del>			
s100(1)(b)(ii)	Power to refuse consent to a gambling venue application.	CEO <del>GMCDGMGR</del>			
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 <del>GMCDGMGR</del>			



Delegations - Health and Safety at Work Act 2015

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<u>GMCE</u>	<u>Group Manager Customer Experience.</u>
<u>GMCDGMGR</u>	Group Manager <u>Community Development</u> <u>Growth and Regulation</u>
<u>GMSDGMO</u>	Group Manager <u>Service Delivery</u> <u>Operations</u>
<u>GMPGR</u>	<u>Group Manager People Governance and Relationships</u>
<b>Third tier</b>	
PSWM	People, Safety and Wellness Manager
<b>Fourth tier</b>	
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>	PSWM	SWTL	

Delegations - Impounding Act 1955

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<del>GMCDGMGR</del>	Group Manager <del>Community Development</del> Growth and Regulation
<del>GMSDGMO</del>	Group Manager <del>Service Delivery</del> Operations
<b>Third tier</b>	
<del>ACM</del>	<del>Animal Control Manager</del>
<del>CPCM</del>	<del>Community Protection and Compliance Manager</del>
<b>Fifth tier</b>	
ACO	Animal Control Officer

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
8	Power to appoint poundkeepers and rangers.	CEO <del>GMCDG</del> MGR	<del>CPCM</del>		
9(1)	Power to appoint a deputy of any poundkeeper.	CEO <del>GMCDG</del> MGR	<del>CPCM</del>		
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 <del>GMCDG</del> MGR	<del>CPCM</del>		
22(2)	Power to authorise a ranger to convey trespassing stock to a pound.	CEO <del>GMCDG</del> MGR	<del>CPCM</del>	<del>ACM</del>	ACO
32(1)	Power to declare an area a temporary pound.	CEO <del>GMCDG</del> MGR	<del>CPCM</del>	<del>ACM</del>	ACO
32(3)	Power to appoint a keeper for each temporary pound.	CEO <del>GMCDG</del> MGR	<del>CPCM</del>		
42(1)	Power to authorise the destruction of wild stock.	CEO GMBS <del>GMCDG</del> MGR <del>GMSDG</del> MO	<del>CPCM</del>		
46	Power to issue impounding notice.	CEO <del>GMCDG</del> MGR	<del>CPCM</del>	<del>ACM</del>	ACO
50(2)	Power to authorise a person to act as an auctioneer.	CEO <del>GMCDG</del> MGR	<del>CPCM</del>		
52(2)	Power to give written notice of an intention to destroy an animal.	CEO <del>GMCDG</del> MGR	<del>CPCM</del>	<del>ACM</del>	
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 <del>GMCDG</del> MGR	<del>CPCM</del>		

	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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<del>GMCD</del> <del>GMGR</del>	Group Manager <del>Community Development</del> <del>Growth and Regulation</del>
<del>GMSD</del> <del>GMO</del>	Group Manager <del>Service Delivery</del> <del>Operations</del>
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 <del>GMCD</del> <del>GMGR</del> <del>GMSD</del> <del>GMO</del>			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 <del>GMCD</del> <del>GMGR</del> <del>GMSD</del> <del>GMO</del>			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 <del>GMCD</del> <del>GMGR</del> <del>GMSD</del> <del>GMO</del>			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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<u>GMCE</u>	<u>Group Manager Customer Experience</u>
<u>GMCDGMGR</u>	Group Manager <u>Community Development</u> <u>Growth and Regulation</u>
<u>GMSDGMO</u>	Group Manager <u>Service-Delivery</u> <u>Operations</u>
<u>GMPGR</u>	<u>Group Manager People Governance and Relationships</u>
<b>Third tier</b>	
<u>SPAGMPPGM</u>	<u>Policy, Partnerships &amp; Governance Manager</u> <u>Strategic Partnerships and Governance Manager</u>
<u>CEM</u>	Communications <u>and Engagement</u> Manager
CSM	Customer Services Manager
PSWM	People, Safety and Wellness Manager (including Acting)
<b>Fourth tier</b>	
<u>CETL</u>	<u>Communications and Engagement Team Leader</u>
<u>GSSCSTL</u>	<u>Customer Services Supervisor</u> <u>Customer Services Team Leader</u>
<u>GTL</u>	<u>Governance Team Leader</u>
ITL	Information Team Leader
PLTL	Policy Team Leader
<b>Fifth tier (inclusive contractors)</b>	
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 <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> <u>CEM</u> CSM PSWM	<u>CETL</u> ITL <u>GTL</u> PLTL	CO GSO LC <u>PP</u>
12	Power to transfer request to another local authority or a Department or Minister of the Crown or organisation	CEO GMBS <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> <u>CEM</u> CSM PSWM	<u>CETL</u> ITL <u>GTL</u> PLTL	CO GSO LC <u>PP</u>
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 <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> <u>CEM</u> CSM PSWM	<u>CETL</u> ITL <u>GTL</u> PLTL	CO GSO LC <u>PP</u>

13(1A)	Power to charge for the supply of official information	CEO GMBS <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> <u>CEM</u> CSM PSWM	<u>CETL</u> ITL <u>GTL</u> PLTL	CO GSO LC <u>PP</u>
13(4)	Power to require payment in advance	CEO GMBS <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> <u>CEM</u> CSM	<u>CETL</u> ITL <u>GTL</u> PLTL	CO GSO LC <u>PP</u>
13(5)	Power to decide on request that has been transferred	CEO GMBS <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> <u>CEM</u> CSM	<u>CETL</u> ITL <u>GTL</u> PLTL	CO GSO LC <u>PP</u>
14	Power to extend the time limits set out in section 12 and 13	CEO GMBS <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> <u>CEM</u> CSM	<u>CETL</u> ITL <u>GTL</u> PLTL	CO GSO LC <u>PP</u>
15(2)	Power to determine whether information should be made available in the way preferred by the person requesting it.	CEO GMBS <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> CSM	<u>CETL</u> ITL <u>GTL</u> PLTL	CO GSO LC <u>PP</u>
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 <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> <u>CEM</u> CSM	<u>CETL</u> ITL <u>GTL</u> PLTL	CO GSO LC <u>PP</u>
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 <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> <u>CEM</u> CSM	<u>CETL</u> ITL <u>GTL</u> PLTL	CO GSO LC <u>PP</u>
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 <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> <u>CEM</u> CSM	<u>CETL</u> ITL <u>GTL</u> PLTL	CO GSO LC <u>PP</u>
24	Power to determine identity of person making request.	CEO GMBS <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> <u>CEM</u> CSM	<u>CETL</u> <u>GSS</u> <u>CSTL</u> <u>GTL</u> PLTL	CSA CO GSO LC <u>PP</u>
26(1)	Power to refuse to disclose any personal information requested under section 23(1)	CEO GMBS <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> <u>CEM</u> CSM	<u>CETL</u> ITL <u>GTL</u> PLTL	CO GSO LC <u>PP</u>
29(2)	Power to extend time limit within which Local Authority must comply with requirement under section 29(1)	CEO GMBS <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMCE</u> <u>GMPGR</u>	<u>SPAGMP</u> <u>PGM</u> <u>CEM</u> CSM	<u>CETL</u> ITL <u>GTL</u> PLTL	CO GSO LC <u>PP</u>

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 <del>GMCD</del> GMGR GMO GMCE GMPGR	CSM	<del>CSSC</del> STL	CSA LC
44A	Power to issue LIM	CEO GMBS <del>GMCD</del> GMGR GMO GMCE GMPGR	CSM	<del>CSSC</del> STL	CSA LC



Delegations - Local Government (Rating) Act 2002

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Services
<b>Third tier</b>	
FABSM	Finance and Business Service Manager
<b>Fourth tier</b>	
<del>DFABSM</del>	<del>Deputy Finance and Business Service Manager</del>
<u>RTL</u>	<u>Rates Team Leader</u>
<u>ASTL</u>	<u>Accounting Systems Team Leader</u>
<b>Fifth tier</b>	
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	<del>DFABSM</del> <u>RTL</u> <u>ASTL</u>	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	<del>DFABSM</del> <u>RTL</u> <u>ASTL</u>	RVO
29(3)	Power to decide on an objection relating to information contained in the Rating Information Database	CEO GMBS	FABSM	<del>DFABSM</del> <u>RTL</u> <u>ASTL</u>	
35	Authority to remove a name from the RID.	CEO GMBS	FABSM	<del>DFABSM</del> <u>RTL</u> <u>ASTL</u>	RVO
39(3)	Power to decide on an objection relating to information contained in the rates records	CEO GMBS	FABSM	<del>DFABSM</del> <u>RTL</u> <u>ASTL</u>	
40	Authority to correct errors in the RID and Rate Records.	CEO GMBS	FABSM	<del>DFABSM</del> <u>RTL</u> <u>ASTL</u>	RVO
52	Authority to agreed methods of payments for rates.	CEO GMBS	FABSM	<del>DFABSM</del> <u>RTL</u> <u>ASTL</u>	
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	<del>DFABSM</del> <u>RTL</u> <u>ASTL</u>	
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	<del>DFABSM</del> <u>RTL</u> <u>ASTL</u>	
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	<del>DFABSM</del> <u>RTL</u> <u>ASTL</u>	

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	<del>DFABSM</del> <del>RLT</del> <del>ASTL</del>	
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	<del>DFABSM</del> <del>RLT</del> <del>ASTL</del>	
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			

**Delegations - Local Government Act 2002**

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Services
<u>GMCE</u>	<u>Group Manager Customer Experience</u>
<u>GMCDGMGR</u>	Group Manager <del>Community Development</del> <u>Growth and Regulation</u>
<u>GMSDGMO</u>	Group Manager <del>Service Delivery</del> <u>Operations</u>
<u>GMPGR</u>	<u>Group Manager People Governance and Relationships</u>
<b>Third tier</b>	
<u>AMSPAPM</u>	<del>Asset Manager Strategy and Policy</del> <u>Assets and Projects Manager</u>
<u>CPCM</u>	<u>Community Protection and Compliance Manager</u>
<u>DPPM</u>	<del>District Planner</del> <u>Planning Manager</u>
PCPM	Property & Community Projects Manager
<b>Fourth tier</b>	
<u>TLPPMTL</u>	<del>Team Leader Projects</del> <u>Project Management Team Leader</u>
TLC	Team Leader Contracts
<b>Fifth tier</b>	
<u>FMO</u>	<u>Food and Monitoring Officer</u>
MALO	Monitoring & Alcohol Licensing Officer
<u>MEO</u>	<del>Monitoring &amp; Engineering Officer</del>
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 <u>make</u> seal.	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			

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"> <li>revenue and financing policy;</li> <li>liability management policy;</li> <li>investment policy;</li> <li>policy on development contributions/financial contributions;</li> <li>policy on the remission and postponement of rates on Māori freehold land;</li> <li>rates remission policy;</li> <li>rates postponement policy.</li> </ul>	Delegations are as stated in each individual policy.			
	<u>Policy on development contributions/financial contributions – Ability to reconsider development contributions (clause 8.2)</u>	CEO GMBS GMCE GMGR GMO GMPGR	APM		
162	Power to apply to the District Court for an injunction restraining a person from breaching a bylaw or an offence.	CEO GMBS GMCE GMCDGMGR GMSDGMO GMPGR			
163	Power to enforce bylaw to remove a work constructed in breach of bylaw and to recover the costs of removal.	CEO GMBS GMCE GMCDGMGR GMSDGMO GMPGR	AMSPAPM CPCM DP	TLPPMTL PROM TLC	FMO MALO MEO MO WTL
168	Power to dispose of property seized and impounded under s164.	CEO GMCD GMGR GMO GMBS	AMSPAPM CPCM DP PCPM	TLPPMTL TLC	FMO 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 GMCE GMCDGMGR GMSDGMO GMPGR			

177	Power to appoint Enforcement Officers.	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>	<u>AMSPAPM</u> <u>CPCM</u> 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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>	<u>AMSPAPM</u> <u>CPCM</u> <u>DPPM</u> PCPM	<u>FLPPMTL</u> TLC	<u>FMO</u> MALO <u>MEQ</u> 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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
220	Power to authorise work under s220(2) to enforce removal order.	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
220(3)	Power to register Statutory Land Charge in respect of unpaid costs incurred in enforcing removal order.	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
241	Power to lay information for a summary offence under this Act.	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			

Delegations - Local Government Act 1974

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Services
<del>GMCDGMGR</del>	Group Manager <del>Community Development</del> Growth and Regulation
<del>GMSDGMO</del>	Group Manager <del>Service Delivery</del> Operations
<b>Third tier</b>	
<del>AMSPAPM</del>	<del>Asset Manager Strategy and Policy</del> Assets and Projects Manager
<del>CPCM</del>	<del>Community Protection and Compliance</del> Manager
<del>DPPM</del>	<del>District Planner</del> Planning Manager
ITM	Information & Technology Manager
PCPM	Property & Community Projects Manager
KVSM	Kaimai Valley Services Manager
<b>Fourth tier</b>	
ITL	Information Team Leader
<del>TLPPMTL</del>	<del>Team Leader Projects</del> Project Management Team Leader
<del>PROM</del>	<del>Parks &amp; Reserves Operations</del> Manager
TLC	Team Leader Contracts
<b>Fifth tier</b>	
<del>FMO</del>	<del>Food and Monitoring</del> Officer
MALO	Monitoring & Alcohol Licensing Officer
<del>MEO</del>	<del>Monitoring &amp; Engineering</del> Officer
MO	Monitoring Officer
RAE	Roading Asset Engineer
SCSR	Senior Contract Supervisor – Roading
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 <del>GMCDGMGR</del>	<del>DPPM</del>		

331	Power to provide for the formation of footpaths.	CEO GMBS	<del>AMSPAPM</del> <del>PCPM</del>	<del>FLPPMTL</del>	RAE
333	Power to provide for erection of dividing strips.	CEO GMBS	<del>AMSPAPM</del> <del>PCPM</del>	<del>FLPPMTL</del>	RAE
334	Power to provide for erection of monuments.	CEO GMBS	<del>AMSPAPM</del>		
334A	Power to provide for lighting of roads.	CEO GMBS	<del>AMSPAPM</del>		
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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> <del>PCPM</del>	<del>FLPPMTL</del>	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 <del>GMCDGMGR</del> <del>GMSDGMO</del>			
335(9)	Power to serve notice on occupier/owner of intention to remove a vehicle crossing.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> <del>PCPM</del>	<del>FLPPMTL</del>	RAE
337	Power to require alteration to any pipe, drain or other apparatus on or under a road.	CEO GMBS	<del>AMSPAPM</del> <del>PCPM</del>	<del>FLPPMTL</del>	RAE
338	Power to grant rights to lay pipes.	CEO GMBS	<del>AMSPAPM</del>		
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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del>		
344(1)	Power to permit the erection of a swing gate and or/cattle stop across any road.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del>	<del>FLPPMTL</del>	RAE
344(3)	Power to require that a gate and/or cattle stop across any road be removed.	CEO GMBS <del>GMCE</del> <del>GMSDGMO</del> <del>GMCDGMGR</del> <del>GMPGR</del>	<del>AMSPAPM</del>	<del>FLPPMTL</del>	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 <del>GMCE</del> <del>GMSDGMO</del> <del>GMCDGMGR</del> <del>GMPGR</del>			



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	<del>AMSPAPM</del> PCPM	<del>FLPPMTL</del>	RAE
346F	Power to authorise movement to or from limited access road.	CEO GMBS	<del>AMSPAPM</del> PCPM	<del>FLPPMTL</del>	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	<del>AMSPAPM</del> PCPM	<del>FLPPMTL</del>	
347-349	Power to impose conditions and approve right of way plans.	CEO <del>GMCDGMGR</del>	<del>AMSPAPM</del> <del>DPMP</del>		
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 <del>GMCDGMGR</del>	<del>DPMP</del>		
349	Power to issue notice in respect of offence of laying out private roads in contravention of Act.	CEO <del>GMCDGMGR</del> GMBS			
353	Power to require owner or occupier of land adjoining road to take safety provisions.	CEO GMBS	<del>AMSPAPM</del> PCPM	<del>FLPPMTL</del>	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	<del>AMSPAPM</del> PCPM	<del>FLPPMTL</del>	RAE
356(2)(a)	Power to remove and store any category A, B or C motor vehicle abandoned on a road within the district.		<del>CPCM</del> PCPM	<del>FLPPMTL</del>	<del>FMO</del> MALO <del>MEQ</del> MO SCSR
356	Powers in respect of abandoned vehicles on roads.		<del>CPCM</del> <del>AMSPAPM</del>	<del>FLPPMTL</del>	<del>FMO</del> MALO <del>MEQ</del> MO SCSR
356A(2)(a)	Power to remove abandoned vehicle from road or public place.		<del>CPCM</del> PCPM	<del>FLPPMTL</del>	<del>FMO</del> MALO <del>MEQ</del> MO SCSR

356A	Powers in respect of abandoned vehicles on roads or in public places.		<del>CPCM</del> <del>AMSPAPM</del>	<del>TLPPMTL</del>	<del>FMO</del> MALO <del>MEQ</del> MO SCSR
357(1)	Power to lay information with the Court in respect of the offence of doing or causing damage to roads.	CEO <del>GMCDGMGR</del> GMBS			
511(1)	Power to give notice requiring the removal of obstructions from drainage channel or watercourse.	CEO <del>GMSDGMQ</del>	PCPM KVSM	<del>TLPPMTL</del> <del>PROM</del> TLC	WTL
512(1)	Power to give notice requiring the removal of obstructions in watercourses outside the district.	CEO <del>GMSDGMQ</del>	PCPM KVSM	<del>TLPPMTL</del> <del>PROM</del> 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 <del>GMSDGMQ</del>	PCPM	<del>TLPPMTL</del>	

### 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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<u>GMCE</u>	<u>Group Manager Customer Experience</u>
<u>GMCDGMGR</u>	Group Manager <del>Community Development</del> <u>Growth and Regulation</u>
<u>GMSDGMO</u>	Group Manager <del>Service Delivery</del> <u>Operations</u>
<u>GMPGR</u>	<u>Group Manager People, Governance &amp; Relationships</u>
<b>Third tier</b>	
<u>CEM</u>	Communications <u>&amp; Engagement</u> Manager
CSM	Customer Services Manager
<u>IM</u>	<u>Information Manager</u>
PSWM	People, Safety and Wellness Manager
<b>Fourth tier</b>	
<u>ITL</u>	<u>Information Team Leader</u>
<b>Fifth Tier</b>	
LC	Legal Counsel

Section	Power	Eteam	Third tier	Fourth tier	Fifth tier
23	<b>Privacy officers</b> Appointment of one or more Privacy Officers responsibilities include— <ul style="list-style-type: none"> <li>the encouragement of compliance:</li> <li>dealing with requests</li> <li>working with the Commissioner in relation to investigations</li> <li>otherwise ensuring compliance</li> </ul>		CM <u>IM</u>	<u>ITL</u>	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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>	<u>CEM</u> CSM <u>IM</u> PSWM	<u>ITL</u>	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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>	<u>CEM</u> CSM <u>IM</u> PSWM	<u>ITL</u>	LC

29	Power to refuse access to personal information under section 28 for other reasons including: <ul style="list-style-type: none"> <li>unwarranted disclosure of the affairs of another individual or of a deceased individual;</li> <li>the disclosure would breach an express implied promise of confidence</li> <li>breach legal professional privilege;</li> <li>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;</li> <li>the disclosure would constitute contempt of court</li> <li>the request is frivolous or vexatious,</li> <li>the information requested is trivial</li> <li>the information requested is not readily retrievable; or does not exist or cannot be found; or is not held by the agency</li> </ul>	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	<a href="#">CEM</a> CSM <a href="#">IM</a> PSWM	<a href="#">ITL</a>	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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	<a href="#">CEM</a> CSM <a href="#">IM</a> PSWM	<a href="#">ITL</a>	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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	<a href="#">CEM</a> CSM <a href="#">IM</a> PSWM	<a href="#">ITL</a>	LC
40	Power to decide whether the request is to be granted and, if it is to be granted, in what manner.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	<a href="#">CEM</a> CSM <a href="#">IM</a> PSWM	<a href="#">ITL</a>	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"> <li>the request is for a large quantity of information or necessitates a search through a large quantity of information,</li> <li>consultations necessary to make a decision on the request.</li> </ul>	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	<a href="#">CEM</a> CSM <a href="#">IM</a> PSWM	<a href="#">ITL</a>	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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	<a href="#">CEM</a> CSM <a href="#">IM</a> PSWM	<a href="#">ITL</a>	LC
124	Delegation of powers as Privacy Officer by Council		<a href="#">IM</a> (Privacy Officer)	<a href="#">ITL</a> (Privacy Officer)	

125	Delegation of powers by officers of local authority (ITL to other officers as Privacy Officer)	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>	CEM CSM PSWM		LC
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Delegations - Property Law Act 2007 and in respect of Council Land

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<u>GMCE</u>	<u>Group Manager Customer Experience</u>
<u>GMCDGMGR</u>	Group Manager <u>Community Development</u> <u>Growth and Regulation</u>
<u>GMSDGMO</u>	Group Manager <u>Service Delivery</u> <u>Operations</u>
<u>GMPGR</u>	<u>Group Manager People, Governance &amp; Relationships</u>

Power	Eteam	Third tier	Fourth tier	Fifth tier
<b>Agreements for Sale and Purchase of Land:</b>				
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
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 <u>GMCDGMGR</u> <u>GMSDGMO</u>			
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
<b>Underpass and Sewer Encumbrances:</b>				
Power to sign encumbrance instruments and related authority and instruction forms in respect of encumbrances over Council land	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			

Power to sign discharge of mortgage instrument and discharge the encumbrance in accordance with section 83 of the Property Law Act 2007.	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
<b>Leases:</b>				
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 <u>or s.138 Local Government Act 2002</u>	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
Power to cancel lease and to give notice in accordance with sections 243-247 of the Property Law Act 2007.	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
<b>Easements:</b>				
Power to sign easement instruments and related authority and instruction forms in respect of easements over Council land	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
<b>Statutory Land Charges:</b>				

Power to sign statutory land charges and related authority and instruction forms in respect of statutory land charges over Council land	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
<b>Caveats:</b>				
Power to sign caveats and related authority and instruction forms in respect of Council land	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
<b>Building Line Restrictions:</b>				
Power to sign Building Line Restrictions and related authority and instruction forms in respect of Council land	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
<b>Fencing Covenants:</b>				
Power to sign, approve and register fencing Covenants over Council land in accordance with Part 2 of the Fencing Act 1978	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
<b>Landlocked Land:</b>				
Power to apply to Court for relief in respect of landlocked land under section 327 of the Property Law Act 2007.	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
<b>Trees and unauthorised structures:</b>				
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			



### 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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<u>GMCE</u>	<u>Group Manager Customer Experience</u>
<u>GMCDGMGR</u>	Group Manager <u>Community Development</u> <u>Growth and Regulation</u>
<u>GMSDGMO</u>	Group Manager <u>Service Delivery</u> <u>Operations</u>
<u>GMPGR</u>	<u>Group Manager People, Governance &amp; Relationships</u>
<b>Third tier</b>	
<u>ITM</u>	<u>Information &amp; Technology Manager</u>
<u>IM</u>	<u>Information Manager</u>
<b>Fourth tier</b>	
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>	<u>IM</u> <u>ITM</u>	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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>	<u>IFM</u>	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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>	<u>IFM</u>	ITL	

45	<p>Power to classify a local authority archive as either an open access record; or a restricted access record.</p> <p>Power to at any time, change the classification of a local authority record in accordance with section 46.</p>	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSPGMO</u> <u>GMPGR</u>	IFM	ITL	
49	<p>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.</p>	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSPGMO</u> <u>GMPGR</u>	IFM	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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<u>GMCE</u>	<u>Group Manager Customer Experience</u>
<u>GMCDGMGR</u>	Group Manager <del>Community Development</del> <u>Growth and Regulation</u>
<u>GMSDGMO</u>	Group Manager <del>Service Delivery</del> <u>Operations</u>
<u>GMPGR</u>	<u>Group Manager People, Governance &amp; Relationships</u>
<b>Third tier</b>	
PCPM	Property & Community Projects Manager
<u>RM</u>	<u>Roading Manager</u>
<b>Fourth tier</b>	
<b>Fifth tier</b>	
PSO	Property Services Officer
PER	Projects Engineer - Roding

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 <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
17	Power to enter into an agreement to purchase any land for any public work by agreement	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>			
18	Power to undertake negotiations required for acquisition of land for essential works prior to compulsory acquisition process.	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>	PCPM		
19	Power to register Compensation certificate to protect agreement	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>	PCPM		

23	Power to give notice of intention to compulsorily take land	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
27	Power to acquire or take natural material on land for public work	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
40	Power to dispose of land not required for public work to former owner	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
43	Power to sell land on deferred payments	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
45	Power to lease/licence land held for public works	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	PCPM		PSO
48	Power to grant easement over land held for Public Work	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
79	Power to take proceedings to determine compensation if person entitled fails to make claim	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			

103	Power to grant easements, in lieu of compensation	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
105	Power to grant land as compensation where equivalent land not readily available	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
107A	Power to grant lease or licence as compensation	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
110	Powers of entry for certain survey purposes	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	PCPM <a href="#">RM</a>		PER
111	Powers of entry for other survey and investigation purposes	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	PCPM <a href="#">RM</a>		PER
14	Power to declare land to be road	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	PCPM		

116	Power to consent to the stopping of a road	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
133	Power to remove trees, hedges, etc, that obscure visibility or interfere with a public work	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	PCPM <a href="#">RM</a>		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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	PCPM <a href="#">RM</a>		PER PSO
238	Power to bring action for damage to public work	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
239	Power to remove and dispose of abandoned property from public works land	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	PCPM <a href="#">RM</a>		PER PSO
240	Power to recover of land from persons holding illegal possession	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	PCPM		

Delegations - Reserves Act 1977

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<u>GMCE</u>	<u>Group Manager Customer Experience</u>
<u>GMCDGMGR</u>	Group Manager <del>Community Development</del> <u>Growth and Regulation</u>
<u>GMSDGMO</u>	Group Manager <del>Service Delivery</del> <u>Operations</u>
<u>GMPGR</u>	<u>Group Manager People, Governance &amp; Relationships</u>
<b>Third tier</b>	
<u>AMSPAPM</u>	<del>Asset Manager Strategy and Policy</del> <u>Assets and Projects Manager</u>
PCPM	Property & Community Projects Manager
KVSM	Kaimai Valley Services Manager
CSM	Customer Services Manager
<b>Fourth tier</b>	
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
<b>Fifth tier (inclusive contractors)</b>	
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 <u>GMBS</u> <u>GMCE</u> <u>GMGR</u> <u>GMO</u> <u>GMPGR</u> <u>GMSD</u>		<u>PFPTL</u>	<u>LC</u>
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 <u>GMBS</u> <u>GMCE</u> <u>GMGR</u> <u>GMO</u> <u>GMPGR</u> <u>GMSD</u>			

40	Representative for purpose of Section 40 (Functions of Administering Body) of the Reserves Act.	CEO <del>GMSD</del> <del>GMBS</del> <del>GMCE</del> <del>GMGR</del> <del>GMO</del> <del>GMPGR</del>			
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 <del>GMBS*</del> <del>GMCE*</del> <del>GMGR*</del> <del>GMO*</del> <del>GMPGR*</del>  <i>*Powers to be exercised in accordance with requirements of the Act</i> <del>GMSD</del>	PCPM <del>AMSPAPM</del>	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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>			
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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>			
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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	KVSM <del>AMSPAPM</del>	PFPTL <del>PROM</del>	
52(1)	Power to consent to the union of reserves.	CEO <del>GMSD</del>			
53	Power to exercise powers (other than leasing) in respect of recreation reserves.	CEO <del>GMSD</del>	<del>AMSPAPM</del>	<del>PFPTL</del> <del>PROM</del>	
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* <del>GMBS*</del> <del>GMCE*</del> <del>GMCDGMGR*</del> <del>GMSDGMO*</del> <del>GMPGR*</del>  <i>*Powers to be exercised in accordance with requirements of the Act</i>			
55	Power to exercise powers (other than leasing) in respect of scenic reserves.	CEO <del>GMSDGMO</del>	<del>AMSPAPM</del>	<del>PFPTL</del> <del>PROM</del>	
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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>			



57	Power to exercise powers in respect of nature reserves.	CEO <del>GMSDGMQ</del>	<del>AMSPAPM</del>	<del>PFPTL PROM</del>	
58	Power to exercise powers in respect of historic reserves.	CEO <del>GMSDGMQ</del>	<del>AMSPAPM</del>	<del>PFPTL PROM</del>	
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* <del>GMCE*</del> <del>GMCDGMGR*</del> <del>GMSDGMQ*</del> <del>GMPGR*</del>  <i>*Powers to be exercised in accordance with requirements of the Act</i>			
59	Power to exercise powers in respect of scientific reserves.	CEO <del>GMBSGMSD</del>	<del>AMSPAPM</del>		
60	Power to exercise powers in respect of Government purpose reserves.	CEO <del>GMSDGMBS</del>	<del>AMSPAPM</del>		
61	Power to exercise powers (excluding leasing) in respect of local purpose reserves.	CEO <del>GMBSGMSD</del>	<del>AMSPAPM</del>		
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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMQ</del> <del>GMPGR</del>			
63	Power to exercise powers in respect of Reserves not vested in the Crown.	CEO* <i>Powers to be exercised in accordance with requirements of the Act</i>			
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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMQ</del> <del>GMPGR</del>			
74(2)	Power to grant licence to occupy reserves temporarily.	CEO <del>GMBSGMSD</del>	<del>AMSPAPM</del>		
75	Power to enter into a contract for the afforestation of any recreation or local purpose reserve.	CEO <del>GMSDGMBS</del>	<del>AMSPAPM</del>		
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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMQ</del> <del>GMPGR</del>			
101(1)	Power to lay any information in respect of offences against this Act.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMQ</del> <del>GMPGR</del>	<del>CPCM</del>		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 <a href="#">GMBS</a> <a href="#">GMCE</a> <a href="#">GMGR</a> <a href="#">GMO</a> <a href="#">GMPGRGMSD</a>			
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**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'	<a href="#">AMSPAPM</a>	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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<u>GMCE</u>	<u>Group Manager Customer Experience</u>
<u>GMCDGMGR</u>	<u>Group Manager <del>Community Development</del>Growth and Regulation</u>
<u>GMSDGMO</u>	<u>Group Manager <del>Service Delivery</del>Operations</u>
<u>GMPGR</u>	<u>Group Manager People, Governance &amp; Relationships</u>
<b>Third tier</b>	
<u>AMSPAPM</u>	<u><del>Asset Manager Strategy and Policy</del>Assets and Projects Manager</u>
FOM	Facilities Operations Manager
KVSM	Kaimai Valley Services Manager
<b>Fourth tier</b>	
PROM	Parks & Reserves Operations Manager
PFPTL	Parks and Facilities Planning Team Leader
COOP	Coordinator Operations & Projects
<b>Fifth tier</b>	
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</i>		CEO			

	<i>deemed not to be derived from the Crown if the reserve was going through a revocation process (s.25). 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 <del>GMCEG</del> <del>MCDGM</del> GR <del>GMSDG</del> MO <del>GMPGR</del>			
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 <del>GMCE</del> <del>GMCDG</del> MGR <del>GMSDG</del> MO <del>GMPGR</del>			
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 <del>GMBS</del> <del>GMCE</del> <del>GMGR</del> GMO <del>GMPGR</del> <del>GMSD</del>	AMSP APM		
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.* <i>*Council to pass over duty when conflict of interest, independent hearings commissioner to step in.</i>	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.* <i>*Council to pass over duty when conflict of interest, independent hearings commissioner to step in.</i>					
24(5)	Power to form an opinion that the change in the classification of a historic reserve is justified.* <i>*Council to pass over duty when conflict of interest, independent hearings commissioner to step in.</i>					
25(1)	Upon revocation of the reservation of any public reserve (or part of one) pursuant to section 24, dispose of that		CEO <del>GMBS</del> <del>GMSDG</del>	AMSP APM PCPM		

	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>		<u>MO</u>			
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 <del>GMCEG</del> <del>MCDGM</del> GR <del>GMSDG</del> MO GMPGR	<u>APM</u>	<u>PFPTL</u> <u>PROM</u>	
44(1)	Power to consent to the use of a reserve for temporary or permanent personal accommodation.		CEO GMBS <del>GMCEG</del> <del>MCDGM</del> GR <del>GMSDG</del> MO GMPGR			
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 <del>GMCE</del> <del>GMCDDG</del> MGR <del>GMSDG</del> MO GMPGR	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 <del>GMCE</del> <del>GMCDDG</del> MGR <del>GMSDG</del> MO GMPGR			
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 <del>GMCE</del> <del>GMCDDG</del> MGR <del>GMSDG</del> MO GMPGR			

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 <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>			
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 <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>			
49	Power to grant or decline to grant in writing any qualified person a right to take specified specimens of flora or fauna or rock mineral or soil from a reserve for scientific or educational purposes. Form opinion as to whether qualified person has the necessary credentials. Impose conditions on the grant in writing. <i>With regard to fauna, the delegation of for exotic fauna which are not protected under the Wildlife Act 1953.</i>		CEO GMBS <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>	<u>APM</u> KVSM		
50(1)	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. Authorise or decline to authorise the use of firearms, traps, nets or other like objects within reserve for the foregoing purposes. <i>This delegation is for non-protected exotic fauna only</i>		CEO GMBS <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>	<u>KVSM</u> <u>APM</u>		
51(1)	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). Impose conditions on the giving of authorisation.		CEO GMBS <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>	<u>APM</u> KVSM	<u>PFPTL</u>	
52(1)	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. <i>All affected reserves or parts of</i>	No staff delegation – remains with Council				

	<i>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>					
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 GMBS GMSD	AMSP APM		
53(1)(e)	To approve the fixing of charges generally or with respect to any specified occasion or event.		CEO GMBS GMSD	AMSP APM		
54(1)	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: (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 enjoyment. The lease- 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. ii) shall be subject to further provisions set out in Schedule 1 relating to leases of recreation reserves. (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. (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. and to grant a lease or licence for any of the purposes specified in paragraph (d): (d) for the carrying out of any trade, business, or occupation on any		CEO GMBS GMCE GMCDG MGR GMSDG MO GMPGR  CEO GMBS GMCE GMCDG MGR GMSDG MO GMPGR			

	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. 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.					
55(2)(a) (d), (e) (f) and (g)	In the case of a scenic reserve, power to give or decline to give consent to: <ul style="list-style-type: none"> <li>The enclosure and grassing or grazing of open parts of the reserve;</li> <li>The setting apart of areas for other purposes;</li> <li>The erection of buildings and other structures and amenities;</li> <li>Such things considered necessary for the public to obtain benefit of the reserve;</li> <li>The setting apart of sites for residences and other building and structures necessary for the management of the reserve. Provided it is not inconsistent with the management plan for that reserve.</li> </ul>		CEO <u>GMBS</u> <u>GMSD</u>	<u>AMSP</u> <u>APM</u>		
56(1)	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). 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. Provided it is not inconsistent with the management plan for that reserve.		CEO GMBS <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>			
56(2)	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.	No staff delegation – remains with Council				
58(b)	In respect of Historic Reserves, the		CEO	<u>AMSP</u>		



	power to set apart and use part of a reserve as a site for residences and other buildings. Provided any decision is not inconsistent with the management plan for that reserve.		<u>GMBS</u> <u>GMSD</u>	<u>APM</u>		
58A(1)	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 within the reserve and grant leases of any such building or site for any such purpose or purposes. 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. Provided any decision is not inconsistent with the management plan for that reserve.		CEO GMBS <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>			
59A(1)	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. Provided any decision is not inconsistent with the management plan for that reserve.* <i>*Council to pass over duty when conflict of interest, independent hearings commissioner to step in.</i>		CEO GMBS <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>			
67(1)(b)	Power to consent or decline consent to lease of recreation reserve set apart for race course purposes, to a racing club. Provided it is not inconsistent with the management plan for that reserve.		CEO GMBS <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>			
72(1)	To enter into and agree the terms of a lease or other agreement for the farming of a recreation or local purpose reserve. Provided any decision is not inconsistent with the management plan for that reserve.		CEO GMBS <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u>			

	<i>Note Section 72(3) applies.</i>		<a href="#">GMPGR</a>			
73(1)	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. Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(1). Provided it is not inconsistent with the management plan for that reserve.		<a href="#">CEO</a> <a href="#">GMBS</a> <a href="#">GMCE</a> <a href="#">GMCDG</a> <a href="#">MGR</a> <a href="#">GMSDG</a> <a href="#">MO</a> <a href="#">GMPGR</a>			
73(2)	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. Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(2). Provided any decision is not inconsistent with the management plan for that reserve.		<a href="#">CEO</a> <a href="#">GMBS</a> <a href="#">GMCE</a> <a href="#">GMCDG</a> <a href="#">MGR</a> <a href="#">GMSDG</a> <a href="#">MO</a> <a href="#">GMPGR</a>			
73(3)	Form an opinion as to whether recreation reserve is not likely to be used for purposes of a recreation reserve. Power to consent or decline consent to administering body granting leases of whole or part of reserve vested in administering body. Grant of decline to grant leases of whole or part of a reserve held under an appointment to control and manage. Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(3). Provided any decision is not inconsistent with the management plan for that reserve. <i>Note the provisions of Part 3B Conservation Act apply (s.73(3A)(b)).</i> <i>Note s.73(3A)(a) applies.</i>		<a href="#">CEO</a> <a href="#">GMBS</a> <a href="#">GMCE</a> <a href="#">GMCDG</a> <a href="#">MGR</a> <a href="#">GMSDG</a> <a href="#">MO</a> <a href="#">GMPGR</a>			
73(5)	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. Provided any decision is not inconsistent with the management plan for that reserve and any procedures for leasing of reserves.* <i>*Council to pass over duty when conflict of interest, independent hearings commissioner to step in.</i>		<a href="#">CEO</a> <a href="#">GMBS</a> <a href="#">GMCE</a> <a href="#">GMCDG</a> <a href="#">MGR</a> <a href="#">GMSDG</a> <a href="#">MO</a> <a href="#">GMPGR</a>			

73(6)	Power to consent or decline consent to surrender of lease. <i>Only exercisable where the original approval for the lease was given by the territorial authority under this delegation.</i>		CEO GMBS <u>GMCE</u> <u>GMCDG</u> MGR <u>GMSDG</u> MO <u>GMPGR</u>			
74(1)(b)(i) (proviso)	Power to consent or decline consent to granting of a licence to occupy a historic, scenic or scientific reserve. Provided any decision is not inconsistent with the management plan for that reserve.		CEO GMBS <u>GMCE</u> <u>GMCDG</u> MGR <u>GMSDG</u> MO <u>GMPGR</u>			
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 GMBS <u>GMSDG</u> MO	<u>AMSP</u> APM		
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 <u>GMCE</u> <u>GMCDG</u> MGR <u>GMSDG</u> MO <u>GMPGR</u>	<u>AMSP</u> APM 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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Services
<del>GMCE</del>	<del>Group Manager Customer Experience</del>
<del>GMCDGMGR</del>	<del>Group Manager Community Development Growth and Regulation</del>
<del>GMSDGMO</del>	<del>Group Manager Service Delivery Operations</del>
<del>GMPGR</del>	<del>Group Manager People, Relationships &amp; Governance</del>
<b>Third tier</b>	
<del>AMSPAPM</del>	<del>Asset Manager Strategy and Policy Assets and Projects Manager</del>
PCPM	Property & Community Projects Manager
<b>Fifth tier</b>	
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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
13B	Power to vary/renew a tenancy agreement.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
24A	Power to grant a temporary rent reduction.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
42	Power to consent to tenant's fixtures, renovation, alteration, or addition of or to the premises.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
44	Power to consent to assignment, subletting, or parting with possession by tenant.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
44A	Power to recovery of expenses of assignment incurred by landlord	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
48	Power to exercise Landlord's right of entry.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
50A	Power to terminate tenancy following death of sole tenant.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO

51	Power to terminate tenancy by notice (e.g. 90 notice to vacate premises)	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
52	Power to apply to the tribunal for shorter notice.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
55	Power to apply to the Tribunal for termination on non-payment of rent, damage, or assault.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
55AA	Power to terminated a fixed-term or periodic tenancy by notice for physical assault by tenant	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
55A	Power to apply to the Tribunal for anti-social behaviour	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO

62	Power to dispose of foodstuffs or other perishable goods left on premises on the termination of the tenancy.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
62A	Power to dispose of abandoned goods following assessment of market value.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
62B	Power to apply and dispose of abandoned goods in accordance with Tribunal order.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
65	Power to apply to the Tribunal for an order for the eviction of squatters.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
106	Power to file possession orders with the District Court.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO
107	Power to file orders other than possession orders and work orders with the District Court.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>AMSPAPM</del> PCPM		PSO

108	Power to lodge with the Tribunal an application for the enforcement of a work order.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	<a href="#">AMSPAPM</a> 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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	<a href="#">AMSPAPM</a> 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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	<a href="#">AMSPAPM</a> PCPM		PSO
117	Power to lodge an appeal with the District Court where dissatisfied with the decision of the Tribunal.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>			
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 <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	<a href="#">AMSPAPM</a> PCPM		PSO
135	Power to make an application for recovery of money paid by mistake.	CEO GMBS <a href="#">GMCE</a> <a href="#">GMCDGMGR</a> <a href="#">GMSDGMO</a> <a href="#">GMPGR</a>	<a href="#">AMSPAPM</a> PCPM		PSO



**Delegations - Resource Management Act 1991**

Key to position titles	
<b>Council</b>	
HC	Hearings Commission*
IHC	Independent Hearings Commissioner*
CHC	Chairman Hearings Commission*
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<u>GMCE</u>	<u>Group Manager Customer Experience</u>
<u>GMCDGMGR</u>	Group Manager <u>Community Development</u> <u>Growth and Regulation</u>
<u>GMSDGMO</u>	Group Manager <u>Service Delivery</u> <u>Operations</u>
<u>GMPGR</u>	<u>Group Manager People, Governance &amp; Relationships</u>
<b>Third tier</b>	
<u>DPPM</u>	<u>District Planner</u> <u>Planning Manager</u>
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 <u>District Planner</u> <u>Planning Manager</u> only, the decision on application for a resource consent in respect of Discretionary, Non-Complying. d) In respect of the <u>District Planner</u> <u>Planning Manager</u> only, the making of a recommendation on a requirement for a designation; and e) In respect of the <u>District Planner</u> <u>Planning Manager</u> 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.	CEO GMBS <u>GMCE</u> <u>GMCDGMGR</u> <u>GMSDGMO</u> <u>GMPGR</u>	<u>DPPM</u>		

<p>PROVIDED THAT:</p> <ul style="list-style-type: none"> <li>This delegation does not prevent the said position holders from doing anything before a final decision on any matter referred to in (a) through (d) (inclusive) above.</li> <li>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.</li> </ul>				
<p>The power to grant deemed permitted activity certificates under sections 87BA and BB</p>	<p>CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del></p>	<p><del>DPPM</del></p>	<p>TLRC</p>	<p>CP</p>
<p>Pursuant to section 48 and clause 32 of the 7<sup>th</sup> 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 <del>Service</del> <del>Delivery</del> <del>Operations</del> and the <del>District Planner</del> <u>Planning Manager</u>:</p> <ol style="list-style-type: none"> <li>To require a development plan and to exercise all the powers and rights of the Council in relation to developments;</li> <li>To accept cash in lieu of parking in accordance with a policy adopted by the Council;</li> <li>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.</li> </ol>	<p>CEO <del>GMCDGMGR</del> GMBS <del>GMCE</del> <del>GMSDGMO</del> <del>GMPGR</del></p>	<p><del>DPPM</del></p>		
<p>Pursuant to section 48 and clause 32 of the 7<sup>th</sup> 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> <ol style="list-style-type: none"> <li>Of an administrative nature; or</li> <li>Relating to the receiving and processing of applications for resource consent; or</li> <li>Relating to the administration, monitoring and supervision of resource consents including certificates of compliance.</li> <li>This delegation does not include:</li> <li>The approval of a policy statement or plan or any change to a policy statement or plan; or</li> <li>The power to make the final decision on an</li> </ol>	<p>All staff</p>			

<p>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	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<u>GMCE</u>	<u>Group Manager Customer Experience</u>
<u>GMCDGMGR</u>	Group Manager <del>Community Development</del> <u>Growth and Regulation</u>
<u>GMSDGMO</u>	Group Manager <del>Service Delivery</del> <u>Operations</u>
<u>GMPGR</u>	<u>Group Manager People, Governance &amp; Relationships</u>
SDLC	Secretary District Licensing Committee
<b>Third tier</b>	
<u>CPCM</u>	<u>Community Protection and Compliance Manager</u>
CSM	Customer Services Manager
<u>DPPM</u>	<u>District Planner</u> <u>Planning Manager</u>
<b>Fourth tier</b>	
<u>GSSCSTL</u>	<u>Customer Services Supervisor</u> <u>Customer Services Team Leader</u>
<b>Fifth tier</b>	
CSA	Customer Services Advisor <u>(inclusive of senior)</u>
<u>GSAA</u>	<u>Customer Services &amp; Administration Advisor</u>
EHO	Environmental Health Officer
<u>FMO</u>	<u>Food and Monitoring Officer</u>
MALO	Monitoring & Alcohol Licensing Officer
<u>MEO</u>	<u>Monitoring &amp; Engineering Officer</u>
MO	Monitoring Officer
LC	Legal Counsel
<u>PEHAO</u>	<u>Planning and</u> Environmental Health Administration <u>Officer</u>
PO	Planning Officer
<u>SGSA</u>	<u>Senior Customer Services Advisor</u>

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	<u>GMCDG</u> <u>MGR</u> SDLC	<u>DPCPCM</u>		
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 <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>	<u>CPCMDP</u>		LC
<b>Sale and Supply of Alcohol Act 2012 - CEO Delegations</b>					
<b>Section</b>	<b>Power</b>	<b>Eteam</b>	<b>Third tier</b>	<b>Fourth tier</b>	<b>Fifth tier</b>
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 <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>	<u>DPCPCM</u>	<u>GSSCST</u> L	CSA <u>CSAA</u> <u>SCSA</u> <u>PEHA</u> <u>EHO</u> <u>MALO</u>
72	Power to issue, on behalf of the Secretary, a duplicate licence or certificate.	GMBS <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>	<u>DPCPCM</u>	<u>GSSCST</u> L	CSA <u>CSAA</u> <u>SCSA</u> <u>PEHA</u> <u>EHO</u> <u>MALO</u>
73	Power to notify the Secretary of the licensing authority that a licence has been surrendered.	GMBS <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>	CSM <u>DPCPCM</u>	<u>GSSCST</u> L	CSA <u>CSAA</u> <u>PEHA</u> <u>EHO</u> <u>MALO</u> <u>PO</u> <u>SCSA</u>
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 <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>	CSM <u>DPCPCM</u>	<u>GSSCST</u> L	CSA <u>CSAA</u> <u>PEHA</u> <u>EHO</u> <u>MALO</u> <u>PO</u> <u>SCSA</u>

103(5)	Power to send, on behalf of the Secretary, an inspector's report filed with the licensing committee to the applicant.	GMBS GMCE GMCDG MGR GMSDG MO GMPGR	CSM DPCPCM	GSSCST L	CSA GSAA PEHAO EHO MALO PO SCSA
128(4)	Power to send, on behalf of the Secretary, a copy of every objection to the applicant.	GMBS GMCE GMCDG MGR GMSDG MO GMPGR	CSM CPCMDP	GSSCST L	CSA GSAA PEHAO EHO MALO 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 GMCE GMCDG MGR GMSDG MO GMPGR	DPCPCM		
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 GMCE GMCDG MGR GMSDG MO GMPGR			
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 GMCE GMCDG MGR GMSDG MO GMPGR	CSM DPCPCM	GSSCST L	CSA GSAA PEHAO EHO MALO PO SCSA
155(6)	Power to send documents to the secretary of the licensing authority on behalf of the Secretary.	GMBS GMCE GMCDG MGR GMSDG MO GMPGR	CSM DPCPCM	GSSCST L	CSA GSAA PEHAO EHO MALO PO SCSA
193	Power to appoint a commissioner to a licensing Committee on the recommendation of Council.	GMBS GMCE GMCDG MGR GMSDG MO GMPGR			
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 GMCE GMCDG MGR GMSDG MO GMPGR			

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 <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>	<u>DPCPCM</u>		
203(8)	Power to sign a decision, order, direction, certificate, or other document issued by the licensing committee on its behalf.	GMBS <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>			
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 <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>	CSM <u>DPCPCM</u>	<u>GSSCST</u> L	CSA <u>CSAA</u> EHO MALO <u>MEQ</u> <u>MO</u> <u>PEHAQ</u> <u>PO</u> <u>SCSA</u>
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 <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>	CSM <u>DPCPCM</u>	<u>GSSCST</u> L	CSA <u>CSAA</u> EHO MALO <u>MEQ</u> <u>MO</u> <u>PEHAQ</u> <u>PO</u> <u>SCSA</u>
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 <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>	CSM <u>DPCPCM</u>	<u>GSSCST</u> L	CSA <u>CSAA</u> EHO MALO <u>MEQ</u> <u>MO</u> <u>PEHAQ</u> <u>PO</u> <u>SCSA</u>
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 <u>GMCE</u> <u>GMCDG</u> <u>MGR</u> <u>GMSDG</u> <u>MO</u> <u>GMPGR</u>	CSM <u>DPCPCM</u>	<u>GSSCST</u> L	CSA <u>CSAA</u> EHO MALO <u>MEQ</u> <u>MO</u> <u>PEHAQ</u> <u>PO</u> <u>SCSA</u>

**Delegations - Transport (Vehicular Traffic Road Closure) Regulations 1965**

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
<del>GMSDGMO</del>	Group Manager <del>Service-Delivery</del> Operations
<b>Third tier</b>	
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 <del>GMSDGMO</del>	RM		



### Delegations - Trespass Act 1980

Key to position titles	
<b>Eteam</b>	
CEO	Chief Executive Officer
GMBS	Group Manager Business Support
<del>GMCE</del>	<del>Group Manager Customer Experience</del>
<del>GMCDGMGR</del>	<del>Group Manager Community Development</del> <del>Growth and Regulation</del>
<del>GMSDGMQ</del>	<del>Group Manager Service Delivery</del> <del>Operations</del>
<del>GMPGR</del>	<del>Group Manager People, Governance &amp; Relationships</del>
<b>Third tier</b>	
<del>SPAGM</del>	<del>Strategic Partnerships and Governance Manager</del>
<del>CPCM</del>	<del>Community Protection and Compliance Manager</del>
CSM	Customer Services Manager
DLM	District-Library Manager
<del>DPPM</del>	<del>District Planner</del> <del>Planning Manager</del>
FOM	Facilities Operations Manager
PSWM	People Safety and Wellness Manager
PCPM	Property & Community Projects Manager
KVSM	Kaimai Valley Services Manager
<b>Fourth tier</b>	
<del>CL</del>	<del>Community Librarian</del>
<del>CSSCSTL</del>	<del>Customer Services Supervisor</del> <del>Customer Services Team Leader</del>
LTL	Library Team Leader
SWFM	Swim Zone Facility Manager
TASFM	Te Aroha Spas Facility Manager
<b>Fifth tier (inclusive contractors)</b>	
LC	Legal Counsel
PSO	Property Services Officer
SWTL	Swim Zone Team Leader
<b>External</b>	
POLICE	Including but not limited to Senior Constable Craig GORDON Senior Constable Ross MORATTI <del>Sergeant Ryan JOHNSTON</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>CPCM</del> CSM DLM <del>DPPM</del> FOM PSWM PCPM KVSM	<del>CL</del> <del>CSSCSTL</del> 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 <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>	<del>CPCM</del> CSM DLM <del>DPPM</del> FOM PSWM PCPM KVSM	<del>CL</del> <del>CSSCSTL</del> LTL SWFM TASFM	LC PSO SWTL	POLICE
10	Power to lay information for proceedings under the Trespass Act 1980.	CEO GMBS <del>GMCE</del> <del>GMCDGMGR</del> <del>GMSDGMO</del> <del>GMPGR</del>			LC	

**Other Matters**

**Authority and Instruction (A&I) Forms**

<b><u>Key to position titles</u></b>	
<b><u>Eteam</u></b>	
<u>CEO</u>	<u>Chief Executive Officer</u>
<u>GMBS</u>	<u>Group Manager Business Support</u>
<u>GMCE</u>	<u>Group Manager Customer Experience</u>
<u>GMGR</u>	<u>Group Manager Growth and Regulation</u>
<u>GMO</u>	<u>Group Manager Operations</u>
<u>GMPGR</u>	<u>Group Manager People, Governance &amp; Relationships</u>

<b><u>Power</u></b>	<b><u>Eteam</u></b>	<b><u>Third tier</u></b>	<b><u>Fourth tier</u></b>	<b><u>Fifth tier</u></b>
<p>To sign on behalf of the Council all necessary 'Authority and Instruction' (A&amp;I) forms as required from time to time:</p> <p>(a) To authorise and instruct the solicitors acting for the Council (including those solicitors employed by Legal Services) to undertake land conveyancing transactions electronically by e-dealing on behalf of the Council on the Land Information New Zealand internet based land registry system known as 'Landonline'; and</p> <p>i. This also extends to lawyers undertaking work for their private client on matters that are required by Council (e.g. to ensure compliance with Resource Consent conditions).</p> <p>(b) To comply with the requirements of Regulation 7 of the Land Transfer Regulations 2018 and the 'Rules of conduct and client care for Lawyers' set out in the Schedule to the Lawyers and Conveyancers Act (Lawyers: Conduct and Client Care) Rules 2008.</p>	<p><u>CEO</u> <u>GMBS</u> <u>GMCE</u> <u>GMGR</u> <u>GMO</u> <u>GMPGR</u></p>			