ROTORUA
LAKES COUNCIL
Te Kaunihera o ngā Roto o Rotorua

ATTACHMENTS

Late Items

Council Meeting

Under Separate Cover

Wednesday, 28 October 2026

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10.7 General RMA Delegations - additional delegation under transitional consenting framework

Attachment 1 Existing RMA Delegations Manual 4

ROTORUA LAKES COUNCIL DELEGATIONS UNDER THE RESOURCE MANAGEMENT ACT 1991

3458-9245-3160-V2

COUNCIL DELEGATIONS UNDER THE RESOURCE MANAGEMENT ACT 1991

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DELEGATIONS MANUAL VERSIONS	**DATE**
Version 1	**17 Dec 2015**
Version 2	**1 Dec 2017**
Version 3	**8 Nov 2023**

1. RMA DELEGATION RULES AND GENERAL DELEGATIONS

Delegation Rules

1. The exercise of delegated powers and the performance of delegated functions and duties by Delegates delegated powers, duties and functions under this Delegations Register must be undertaken in a manner which:

   (a) Gives effect to the purpose and principles of the Resource Management Act 1991 ('RMA');

   (b) Complies with any restrictions, exceptions and conditions prescribed in the RMA (including the duties and restrictions prescribed in Part 3 of the RMA);

   (c) Conforms with Council's decision-making responsibilities, as prescribed by the Local Government Act 2002;

   (d) Complies with all applicable Council-adopted plans, policies and procedures; and

   (e) Complies with any restrictions, rules, exceptions and conditions set out in this Delegations Register.

2. Delegates who are Council employees must at all times exercise the power, or perform the duty or responsibility delegated to them, in accordance with:
   (a) their position description; and
   (b) under the direction and supervision of the Council officer/s to whom they report.

3. It is the responsibility of each officer to whom a Delegate reports, to ensure that that Delegate has the appropriate and necessary skills, judgment and qualifications to exercise the power or undertake the duty or function delegated to him/her.

4. Where more than one officer is given delegated authority, any one of the officers may individually exercise the power or perform the duty delegated (unless expressly provided otherwise), so long as the decision or action is within the ambit of that officer's position description and in conformity with a direction given by that officer's direct supervisor and/or group manager.

5. Where any delegation refers to a position title and the name of the position title subsequently changes without substantial changes being made to the position holder's job description (in respect of the function to which the delegation relates), all delegations in the name of the previous position title are and shall be effective for the position holder of the new position title.

General RMA Delegations

Chief Executive Delegations confirmed

1. Council confirms its broad delegation of Council powers, duties and functions to the Chief Executive on 4 November 2010 ("the Chief Executive Delegations"), in which the Chief Executive was conferred, pursuant to section 34A of the Resource Management Act 1991, the responsibilities and duties permitted to be delegated under that legislation.

2. Delegations to officers in this Delegations Register do not prevent the Chief Executive from exercising any powers, duties and functions delegated in the Chief Executive Delegations.

Delegations to Council Officers

2. In addition to the Chief Executive Delegations and in accordance with the powers conferred on it by section 34A of the RMA, Council delegates such of Council's powers, duties and functions as are specified in Section 1 of this Delegations Register to Council Officers.

Delegations to Hearings Commissioners

3. In accordance with the powers conferred by section 34A of the RMA, Council hereby delegates to each Council-appointed Hearings Commissioner, such of Council's powers, duties and functions to

hear and determine (or recommend in the case of notices of requirement for requiring authorities other than Council) resource consent applications, notices of requirement and objections under the RMA as are more particularly specified in Section 2 of this Delegations Register.

4. Hearings Commissioners may only exercise the powers and perform the duties delegated to them, once appointed to hear and/or determine or recommend a particular matter.

Officers in acting capacities

5. Delegations made to Council officers apply also to those officers who, from time to time, have been authorised or appointed to undertake an acting role in respect of that particular office (e.g. whilst the officer holder is on leave). For the duration of the officer's absence, the "acting" officer is authorised to exercise the powers and perform the duties conferred on, or delegated to, the absent officer by this Delegation and to sign all documents which that officer is authorised or required to sign under the RMA.

Effect of delegation

6. As provided by section 34A(4) of the RMA:

   (a) All Delegates may, without confirmation by Council, exercise or perform a function, power, or duty delegated to them in like manner and with the same effect as Council could itself have exercised or performed it;

   (b) No delegation affects the performance or exercise of any function, power, or duty by Council.

Ancillary powers, duties and functions

7. For the avoidance of doubt, all delegated powers, duties and functions include the delegation of any ancillary powers, duties and functions necessary to give effect to those delegated powers, duties or functions.

Exclusions

8. As provided by section 34A(1) of the RMA, no Delegate has the power to:

   (a) Approve a proposed district plan under clause 17 of Schedule 1 of the RMA; or

   (b) Sub-delegate any of the powers, duties and functions delegated to them in this Delegations Register, either to Council Officers or others.

Continuity of Delegations

9. All Council delegations to the Chief Executive, to Council Officers and to Hearings Commissioners remain in force until varied or revoked by Council.

Section 1: Officer Delegations

General Provisions of RMA

Section/Part – Brief Description of Delegation	Delegates
Part 3 – Duties and Restrictions	
Section 9 to 17 Duties **as person** to comply with the prohibitions and restrictions applying to land, coastal marine area, river and lake beds, water, discharges, noise and adverse effects on the environment.	GMgr.C&DD WSMgr A&ECMgr GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr
Part 4 - Functions, powers and duties	
Section 27 Duty as **local authority** to supply information about the exercise of powers, duties and functions under the Act.	GMgr.C&DD GMgr.CS
Section 32 Duty as **local authority** to prepare and publish evaluation reports re proposals, in the manner prescribed.	GMgr.CS GMgr.C&DD P&DSMgr TLPC SPol.A PolPl SnrPP GradPP
Section 32AA Duty as **local authority** to prepare and publish further evaluations reports re changes to proposals, in the manner prescribed.	GMgr.CS GMgr.C&DD P&DSMgr TLPC SPol.A PolPl SnrPP GradPP
Section 34A(1) Power to appoint Hearings Commissioners from the Panel of Hearings Commissioners. Duty to consult with iwi authorities prior to appointing Hearings Commissioners. For information and monitoring purposes, duty to report all decisions made by Commissioners to the next appropriate meeting of Council.	GMgr.C&DD P&DSMgr PAdBP TLPC
Section 35 Duties as **local authority** to gather information, monitor operation of the RMA in Rotorua district and review results of monitoring, keep records and make information available to public, as prescribed.	GMgr.C&DD GMgr.CS P&DSMgr TLPC
Section 35A Powers and duties as **local authority** to keep records about iwi and hapu, as prescribed.	GMgr.C&DD Man.TAH
Sections 36(5) and (6), 36AAB and 36AA Power as **local authority** to: • require payment of an additional charge; • provide an estimate of any additional charge. • remit any charge payable under s.36 (in accordance with Council policies); • provide a discount on administrative charges.	GMgr.C&DD P&DSMgr TLPC SCP IntCP PAdBP PITech

Section/Part – Brief Description of Delegation	Delegates
Section 37 & 37A Powers and duties as **consent authority** or **local authority** to: • extend an applicable statutory time period; • waive procedural defects relating to the time/method of service; • waive compliance with an information requirement; • direct rectification of information, as prescribed.	GMgr.C&DD P&DSMgr TLPC SCP IntCP PAdBP PITech
Section 41B Power to direct applicant to provide briefs of evidence.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Part 14 – Miscellaneous provisions	
Section 355 Power as local authority to apply for a right, title or interest in reclaimed riverbed or lakebed to be vested in Council.	GMgr.C&DD GMgr.CS

2. DISTRICT PLAN (PART 5)

Council as Administrator of District Plan

Section/Part – Brief Description of Delegation	Delegates
Functions, powers and duties (Part 4)	
Section 25A Duty as **territorial authority** to prepare a change to district plan/variation to proposed district plan when directed by Minister.	GMgr.C&DD P&DSMgr
Section 25B Duty as **territorial authority** to commence review of whole/part of district plan when directed by Minister.	GMgr.C&DD P&DSMgr
Plans (Part 5)	
Section 44A Power and duty as **local authority** to amend plan/proposed plan to remove duplication or conflict with a provision in a national environmental standard, in the manner prescribed.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP
Section 55 Power and duty as **local authority** to amend a document if directed to do so by a national policy statement or as required to give effect to a provision in a national policy statement, in the manner prescribed.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP
Sections 58I and 58J Power and duty as **local authority** to amend a document if directed to do so by a national planning standard or as required to give effect to a provision in a national planning standard, in the manner and in the timeframes prescribed.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP

Section/Part – Brief Description of Delegation	Delegates
Section 58K Duty as **local authority** to make documents publicly available on a single searchable Internet site.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP
Section 84 Duty as **territorial authority** to observe and to enforce the operative district plan.	GMgr.C&DD P&DSMgr TLPC MgrComm&RegS
Section 85 Duty as **territorial authority** to comply with a direction of the Environment Court to modify, delete or replace a provision of the district plan (as if made under Sch.1 clause 15).	GMgr.C&DD P&DSMgr
Declarations, enforcement and ancillary powers (Part 12)	
Section 333 For the purposes connected with preparation, change, or review of the District Plan, power as **territorial authority** to authorise an enforcement officer to conduct survey, investigations, test, or take measurements, take samples, and enter or re-enter land, with or without assistance and equipment, in the manner prescribed. **Note:** Delegation also in Section 7. **Declarations, Enforcement & Ancillary Powers**	GMgr.C&DD P&DSMgr MgrComm&RegS
Preparation, change, and review of plans (Schedule 1)	
Part 1 – Preparation and change of district plans	
Schedule 1, Clause 1 Power as **local authority** under s.37 to extend a Schedule 1 time limit and duty, where no time limit set, to avoid unreasonable delay.	GMgr.C&DD P&DSMgr TLPP
Schedule 1, Clause 2 Duty as **local authority** to commence preparation of plan by preparing a proposed plan.	GMgr.C&DD P&DSMgr TLPP
Schedule 1, Clauses 3, 3B, 3C, 4A Duty as **local authority** to consult on the proposed plan, as prescribed. Power as **local authority** to determine whether consultation has already occurred under other enactments. Duty as **local authority** to provide draft proposed plan to iwi authorities and have particular regard to any advice received.	GMgr.C&DD P&DSMgr TLPP
Schedule 1, Clause 4 Powers and duties as **territorial authority**, in the manner and within the timeframes prescribed, to: • invite requiring authorities to seek inclusion of designations in proposed district plan; • Include or withdraw designations and heritage orders and requirements for designations or heritage orders, in proposed district plan; • Make information publicly available.	GMgr.C&DD P&DSMgr TLPP
Schedule 1, Clause 5 Duties as **local authority/territorial authority**, in the manner and within the timeframes prescribed, to: • prepare a s.32 report; • publicly notify the proposed plan; • give notice of requirement or modification of designations or heritage orders; • provide copies to public bodies and make copies publicly available; • provide further information to persons specified.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP PolPl GradPP

Section/Part – Brief Description of Delegation	Delegates
Schedule 1, Clause 5A Power as **local authority** to give limited notification of proposed change or variation in the manner prescribed.	GMgr.C&DD P&DSMgr TLPP
Schedule 1, Clause 7 Duty as **local authority** to give public or limited notice re submissions and right to make further submissions on proposed plan, in the manner and within the timeframes prescribed.	GMgr.C&DD P&DSMgr TLPP
Schedule 1, Clause 8AA(1) Power as **local authority** to hold pre-hearing meetings with submitter/s, for the purposes prescribed.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP
Schedule 1, Clause 8AA(3) - (6) Power as **local authority** to refer issues to mediation, as prescribed.	GMgr.C&DD P&DSMgr TLPP
Schedule 1, Clause 8B Duty as **local authority** to hold hearings into submissions on proposed plan and cl.4 notified requirements, as prescribed.	GMgr.C&DD P&DSMgr TLPP
Schedule 1, Clause 8B Duty as **local authority** to give notice of hearings, as prescribed.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP PolPl GradPP
Schedule 1, Clause 8C Power as **local authority** to consider submissions etc. without holding a hearing, in the circumstances prescribed.	GMgr.C&DD P&DSMgr TLPP
Schedule 1, Clause 9 &13 Powers and duties as **local authority** re designations and heritage orders: • making and notifying recommendations and decisions; • modifying or deleting requirement in proposed plan; • notifying decisions and reasons of requiring authority or heritage protection authority; • notifying rights of appeal; • making decisions publicly available.	See **Section 5. Designations and Heritage Orders** for applicable delegations
Schedule 1, Clause 8AA(7), 10 & 11 Powers and duties as **local authority** re matters raised in submissions: • making decisions on submissions; • notifying decisions and reasons; • notifying rights of appeal; • making decisions publicly available.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP PolPl GradPP

Section/Part – Brief Description of Delegation	Delegates
Schedule 1, Clause 16(1) Duty as **local authority** to amend proposed plan if directed to do so by national policy statement (under s.55-2(2)) or the Environment Court (under s.293).	GMgr.C&DD P&DSMgr TLPP
Schedule 1, Clause 16(2) & 20A Power as **local authority** to make minor amendments/corrections to proposed plan and operative plan, in the manner and circumstances prescribed.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP PolPl GradPP
Schedule 1, Clause 20 Duty as **local authority** to give notice of plan becoming operative, provide and make copies available, as specified.	GMgr.C&DD P&DSMgr TLPP
Schedule 1, Part 2 – requests by others to change district plan	
Schedule 1, Clause 23 Power as **local authority** to: • seek further information or commission a report relating to private plan change requests under cl.21; • reject request/not approve plan change request, in the circumstances and manner prescribed.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP PolPl GradPP
Schedule 1, Clause 24 Power as **local authority** to modify a request with the agreement of the person who made the request.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP PolPl GradPP
Schedule 1, Clause 25 Powers and duties as **local authority** to consider request and determine whether to accept, adopt or reject the request, in the manner and within the timeframes prescribed.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP PolPl GradPP
Schedule 1, Clause 26 Duty as **local authority** to notify accepted plan change request within the timeframes prescribed.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP PolPl GradPP
Schedule 1, Clause 28 Power and duties as **local authority** on withdrawal of a plan change request and power to proceed with the request itself, as prescribed.	GMgr.C&DD P&DSMgr TLPP SPolA

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Section/Part – Brief Description of Delegation	Delegates
	SnrPP PolPl GradPP
Schedule 1, Clause 29 Powers and duties as **local authority** to process plans or changes requested under Part 2 in the manner prescribed.	GMgr.C&DD P&DSMgr TLPP SPolA PolPl SnrPP GradPP
Schedule 1, Clause 29(9) Power as **local authority** to initiate a variation to the plan or change before making its decision, with the agreement of the person who made the request.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP PolPl GradPP
See **Section 9. Court Proceedings** for delegations re appeals to Environment Court etc.	
Schedule 1, Part 3 – Incorporation of documents by reference in plans	
Schedule 1, **Clauses 30, 31, 32, 33, 34 & 35** Powers and duties as **local authority** re incorporation of documents in plans and proposed plans by reference: • Material that can be incorporated by reference; • Methods of incorporation; • Certification of material incorporated; • Public notification of and providing access to proposed material; • Consultation on proposal material and consideration of comments; • Access to material incorporated by reference; all in the circumstances and manner prescribed.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP PolPl GradPP
See **Section 4. Proposals of National Significance** for further delegations re changes/variations to plans	

DISTRICT PLAN

Council as submitter inside own District

Section/Part – Brief Description of Delegation	Delegates
Schedule 1, Clauses 6(2) and 6A(3) Power as **local authority** to make a submission on a proposed policy statement or plan in own area.	GMgr.C&DD GMgr.I&E
Schedule 1, Clauses 8 & 8A Power as **local authority** to make a further submission on a proposed policy statement or plan in own area.	GMgr.C&DD GMgr.E&E
See **Section 9. Court Proceedings** for delegations re appeals to Environment Court etc.	

DISTRICT PLAN

Council as submitter outside own District

Section/Part Section/Part – Brief Description of Delegation	Delegates
Part 5	
Section 60, Schedule 1, Clause 21 to 24, 28 to 29 Powers and duties as **person/territorial authority** to: • request change to a regional plan or regional policy statement or another Council's district plan; • withdraw request; • make decisions re requests for information; • appear before the local authority; • respond to local authority withdrawal notices; • agree to a variation being initiated, in the circumstances and manner prescribed.	GMgr.C&DD P&DSMgr TLPP SPolA SnrPP PolPl GradPP
Schedule 1, Clauses 6 and 6A Power as **person** to make a submission on a proposed policy statement or plan..	GMgr.C&DD GMgr.I&E
Schedule 1, Clauses 8 and 8A Power as **person** to make a further submission on a proposed policy statement or plan.	GMgr.C&DD GMgr.I&E
Schedule 1, Clause 29 Power as person to make submissions and further submissions on private plan changes.	GMgr.C&DD GMgr.I&E
See **Section 9. Court Proceedings** for delegations re appeals to Environment Court etc.	

Section/Part – Brief Description of Delegation	Delegates
Council as requiring authority or heritage protection authority	
See **Section 5. Designations and Heritage Orders** for relevant delegations	

3. RESOURCE CONSENTS (PART 6)

Council as Consent Authority

Section/Part – Brief Description of Delegation	Delegates
Parts 3 and 4	
Section 10(2) Power as **territorial authority** to determine whether criteria met to grant an extension for certain existing land uses which contravene a rule in a district plan or proposed district plan..	GMgr.C&DD P&DSMgr TLPC SCP IntCP CP PITech PAdBP
Section 10A Following district plan becoming operative or rule taking legal effect, power as **territorial authority** to determine whether criteria met to permit existing activity (using surface of water in lakes and rivers) to continue until an application for resource consent has been determined.	GMgr.C&DD IntCP SCP CP PITech PAdBP
Section 10B Power as **territorial authority** to determine whether certain building works are deemed lawfully established and therefore permitted to contravene a rule in plan/proposed plan.	GMgr.C&DD P&DSMgr TLPC PAdBP SnrCP MgrComm&RegS

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Section/Part – Brief Description of Delegation	Delegates
	SBldg.Insp. Bldg.Insp. Bldg.CO
Section 36A Powers and duties as **local authority** re consultation on resource consent applications and notices of requirement.	GMgr.C&DD P&DSMgr TLPC SCP PITech CP IntCP PAdBP
Resource Consents (Part 6)	
Section 87A Powers and duties as **consent authority** generally to require resource consents, decline and grant resource consents (with or without conditions) for controlled activities, restricted discretionary activities, discretionary activitiesand non-complying activities.	GMgr.C&DD P&DSMgr TLPC SCP PITech CP IntCP PAdBP
Section 87B Duty as **consent authority** to treat consent applications as applications for discretionary activities in the circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PITech CP IntCP PAdBP
Section 87BA Duty as **consent authority** to allow boundary activities approved by neighbours on infringed boundaries as permitted activities, and to give notice as prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 87BB Duty as **consent authority** to allow activities meeting certain requirements as permitted activities, and to give notice as prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Streamlining decision-making	
Section 87E Powers and duties as **consent authority** to return, decline or grant a request to allow the application to be determined by the Environment Court.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP
Section 87F Duties as **consent authority** when request granted to allow the application to be determined by the Environment Court, including: • preparing report on the application and providing copies to applicant and submitters;	GMgr.C&DD P&DSMgr TLPC PAdBP

Section/Part – Brief Description of Delegation	Delegates
• providing reasonable assistance to Environment Court (being a party to the proceedings, attending/taking part in proceedings - as required).	SCP IntCP
Section 87G Duty as **consent authority** to provide the Environment Court with the application, submissions, information and reports on the application.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP
Section 87H Powers, duties and functions as **consent authority** in relation to the resource consent granted by Environment Court (on direct referral) as if it were granted by itself.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP MgrComm&RegS TL.CC MCO
Section 87I Duty as **consent authority** to determine the application for a consent where Environment Court direct referral application is not lodged..	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP
Application for resource consent	
Section 88 Power as **consent authority** to assess and determine that an application is incomplete and duty to return the application to the applicant, with written reasons for the determination. Duty as **consent authority** to treat re-lodged application as a new one.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PlTech
Section 88A Duty as **consent authority** to process, consider and decide application as an application for the type of activity it was (or was treated as) at time lodged.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PlTech
Section 88B Duty as **consent authority** to comply with the deferred time limits re applications, as specified.	GMgr.C&DD P&DSMgr TLPC SCP IntCP CP Pl.Tech

Section/Part – Brief Description of Delegation	Delegates
Section 88C Duty as **consent authority** to comply with the extended time limits re further information and commissioning of reports, as specified.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech
Section 88D Duty as **consent authority** to exclude certain time periods relating to requests for direct referrals, as specified.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech
Section 88E Duty as **consent authority** to exclude certain time periods re other matters (applications for additional consents, approvals sought by affected persons/groups, mediations, suspensions).	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech
Section 88G Duty as **consent authority** to exclude certain time periods when a non-notified application is suspended.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech
Section 88H Power as **consent authority** to exclude certain time periods when a fixed charge is not paid.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech
Section 88I Duty as **consent authority** to exclude certain time periods for applications under the Urban Development Act 2020.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech
Section 89A(2) and (5) Duty to provide relevant documents to Maritime New Zealand and to the parties.	GMgr.C&DD P&DSMgr TLPC

Section/Part – Brief Description of Delegation	Delegates
	SCP PAdBP IntCP CP PITech
Section 91(1) & (2) Power as **consent authority** to defer notification or hearing on a consent application pending additional applications; and duty to notify decision.	GMgr.C&DD TLPC SCP PAdBP IntCP CP PITech
Section 91A & 91B Duty as **consent authority** to suspend (and to cease suspension of) processing a notified application where request made by applicant, in the manner and circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Section 91C Duty as **consent authority** to decide to return or continue to process notified applications if suspended after certain period, and to provide explanation for returned applications.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Section 91D & 91E Duty as **consent authority** to suspend (and to cease suspension of) processing a non-notified application where request is made by applicant, in the manner and circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech
Section 91F Duty as consent authority to decide to return or continue to process non-notified applications if suspended after certain period, and to provide explanation for returned applications.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech
Further information	
Section 92 Before hearing or making decision re consent application: • power as **consent authority** to request the applicant to provide further information; or commission a report. • duty as **consent authority** to give reasons for request or report; make information or report available and give notice of its availability.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech

Section/Part – Brief Description of Delegation	Delegates
Section 92A and 92B Powers and duties as **consent authority** re responses to requests – to set time limit; give notice; consider consent application under s.104.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Public notification and limited notification of applications	
Section 95, 95A, 95B, 95C, 95D,95E, 95F and 95G Powers and duties as **consent authority** to decide notification process to apply to a resource consent application, in the manner and in the timeframes prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 97 Where limited notification applies, power as **consent authority** to adopt an earlier submission closing date, in the circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 98 Duty as **consent authority** to advise applicant of submissions.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Pre-hearing meetings and mediation	
Section 99(1) – (4) Power as **consent authority** to call pre-hearing meetings and invite or require applicants/submitters and others to attend.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech
Section 99(5) & (6) Duty, as chairperson of meeting, to prepare a report of meeting and distribute as prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 99(7) Duty as **consent authority** to have regard to the report in making its decision.	GMgr.C&DD P&DSMgr TLPC

Section/Part – Brief Description of Delegation	Delegates
	PAdBP SCP IntCP PITech
Section 99(8) Power as **consent authority** to decline to process a consent application or consider a submission, in circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Section 99A(1) & (2) Power as **consent authority** to refer parties who have made a consent application or submission/s on the application to mediation, as prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Section 99A(3)(b) Power as **consent authority** to appoint a mediator in the circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC SCP IntCP CP PAdBP
Hearings	
Section 100(a) Power as **consent authority** to determine whether a hearing on a consent application is necessary.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 101 Duty as **consent authority** to fix date, time and place for hearing of consent application, and to give notice as prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Section 102 Power as **consent authority** to determine (with other consent authorities and applicant) whether a joint hearing is required.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP

Section/Part – Brief Description of Delegation	Delegates
Section 103 Power as **consent authority** to determine whether applications are to be heard and decided together (subject to agreement of applicant).	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 103A Duty as **consent authority** to hold hearings for consent applications that have been notified or given limited notification, within the prescribed time limits.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Section 103B Duty as **consent authority** re consent applications that have been notified, to provide/make available the authority's evidence and make available the applicant's and submitters' evidence, as prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Section 104 Powers and duties as **consent authority** when considering consent applications where a hearing is not required.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech
Decisions	
Section 104A, 104B, 104C, 104D, 106, 127 and 149Z Powers and duties as **consent authority** to grant or refuse applications, and matters must/must not have regard to, for: • controlled activities (s.104A); • discretionary activities (s.104B); • restricted discretionary activities (s.104C); • non-complying activities (s. 104B, 104D); • subdivisions (s.106); • changing or cancelling consent conditions (s.127); • matters referred to it under s.149Y(3) (s.149Z). **Note**: • Officer delegations are restricted to all non-notified applications and notified applications where submitters and the applicant do not wish to be heard at a hearing. • For all other applications, delegation is to Commissioner/Panel only.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech
Section 108, 108AA, 108A, 109, 127, 220 & 221 Powers and duties as **consent authority** to: • impose consent conditions, bonds and covenants; • change or cancel consent conditions; • issue a consent notice; and • vary of cancel conditions in a consent notice.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech

Section/Part – Brief Description of Delegation	Delegates
Note: • Officer delegations are restricted to non-notified applications and non-notified applications to change or cancel conditions of a resource consent. • For all other applications, delegation is to Commissioner/Panel only.	
Section 108, 108A, 109, 127, 220 & 221 Power as **consent authority** to execute documents to: • register a bond (whether cash or by registered guarantee) or covenant; • discharge, cancel or vary a bond (in part or whole); • register a land charge (or remove a land charge) on the land for costs of performing works, where costs exceed funds secured, • register a consent notice, together with all ancillary administrative tasks, including certification and online registration of certificates as **authorised officer**, and duty to return remaining money or securities (under s.109(4)(b)).	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech
Section 109(3) – enter land under s.171 Local Government Act 2002 Power as **consent authority** to enter land where bond given to ascertain conditions bonded are being/have been completed to authority's satisfaction.	GMgr.C&DD P&DSMgr TLPC MgrComm&RegS TL.CC MCO GMgr.CS L&PMgr LD&CCMgr LDE LD&CCE PAdBP SCP CP IntCP
Section 109(4) – undertake works on default Power as **consent authority**, if the bond holder fails to complete the work in the timeframe required/to authority's satisfaction, to enter land and complete the required work.	GMgr.C&DD P&DSMgr TLPC GMgr.I&E WSMgr GMgr.CS L&PMgr
Section 109(4) – recover costs Power as **consent authority**, to recover the cost of works undertaken on default of consent holder.	GMgr.C&DD MgrComm&RegS GMgr.CS L&PMgr P&DSMgr
Section 110 Power and duty as **consent authority** where resource consent lapses and activity doesn't proceed, to: • refund money and/or return land set aside; • retain a portion equivalent to costs incurred.	GMgr.C&DD P&DSMgr TLPC GMgr.I&E WSMgr GMgr.CS L&PMgr
Section 111 Duty as **consent authority** re use of financial contributions received.	GMgr.C&DD P&DSMgr TLPC WSMgr A&ECMgr

Section/Part – Brief Description of Delegation	Delegates
	GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr
Sections 113, 114 & 115 Duty as **consent authority** to notify decision and rights of appeal, as prescribed. **Note:** Officer delegation applies only where there is no hearing.	GMgr.C&DD
Duration of consent	
Section 124(2)(e) Power as **consent authority** to allow a consent holder to continue to operate under existing consent where new consent applied for, as prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 125(1A) Power as **consent authority** to grant or decline applications to extend lapse period and duty to take matters into account, as specified.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Section 126 Power as **consent authority** to cancel a resource consent by written notice and to revoke the notice, in the circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Section 127 & 149Z(8) Power as **consent authority** to consider and determine an application to change or cancel a condition as if it were a consent application for a discretionary activity. **Note:** Delegations under specified sections apply.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Review of consent conditions	
Section 128,129 &130 Power and duty as **consent authority** to give notice of intention to review conditions of a resource consent, in the circumstances and manner prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Section 130 & 131 Powers and duties as **consent authority** to review conditions of a resource consent as an application for a resource consent. **Note:** Delegations under specified sections apply.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP

Section/Part – Brief Description of Delegation	Delegates
	CP
Section 132 Powers and duties as **consent authority** re decisions on a review under s.128. **Note:** Delegations under specified sections apply.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Section 132(3) & (4) Power as **consent authority** to cancel a consent, in the circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Section 133A Power as **consent authority,** following grant of consent, to make minor changes or corrections to consent, as prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP PITech
Section 138 Power as **consent authority** to accept or refuse the surrender of a resource consent, as prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Certificates of compliance or existing use	
Section 139 – Certificate of compliance Powers and duties as **consent authority**, following request for issue of certificate of compliance, to: • Require further information; • Issue certificate in the circumstances, manner and time limit prescribed; • Not issue certificate, in the circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Section 139A(1) to (6) – Existing use certificate Powers and duties as **consent authority**, following request for issue of existing use certificate, to: • Require further information; • Issue certificate in the circumstances, manner and time limit prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP
Section 139A(7) & (8) Where existing use certificate issued, duty as **consent authority** to revoke certificate, in the circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP

Section/Part – Brief Description of Delegation	Delegates
	IntCP CP
Proposals of national significance (ss.140 – 150AA) Part 6AA	
See separate delegations – Section 4. **Proposals of National Significance.**	
Declarations and Enforcement (Part 12)	
Emergency works	
Section 330A Power as **consent authority** to consider and determine application/s for resource consents for emergency works. **Note**: Delegations under specified sections apply.	GMgr.C&DD P&DSMgr TLPC PAdBP IntCP CP
Section 330B Power as **consent authority** to consider and determine application/s for resource consents for civil defence emergency works. **Note**: Delegations under specified sections apply.	GMgr.C&DD P&DSMgr TLPC PAdBP IntCP CP

RESOURCE CONSENTS

Council as Applicant

Section/Part – Brief Description of Delegation	Delegates
Resource consents	
Section 36A Powers and duties as **applicant** re consultation on resource consent application.	GMgr.C&DD WSMgr A&ECMgr GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr GMgr.I&E
Section 87A & 87B Power as **person** to undertake the activities permitted and duty to apply for resource consents for the activities prescribed.	GMgr.C&DD WSMgr A&ECMgr GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr GMgr.I&E
Streamlining decision-making	
Section 87C & 87D Power as **applicant** to request application for resource consent or to change or cancel a condition of resource consent to be determined by Environment Court not consent authority, in the manner prescribed.	GMgr.C&DD GMgr.CS
Section 87E(9) Power as **applicant**, if request is declined, to object to consent authority.	See **Section 8. Objections**
Application for resource consent	
Section 88 Power as **applicant** to apply for a resource consent, as prescribed.	GMgr.C&DDWSMgr A&ECMgr GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr GMgr.I&E
Section 91A & 91B Power as **applicant** to request suspension and cessation of suspension of notified application, as prescribed.	GMgr.C&DD GMgr.CS GMgr.I&E
Section 91D & 91E Power as **applicant** to request suspension and cessation of suspension of non-notified application, as prescribed.	GMgr.C&DD GMgr.CS GMgr.I&E
Section 91C Power as **applicant** to object to return of non-notified application.	GMgr.C&DD GMgr.I&E GMgr.CS
Further information	

Section/Part – Brief Description of Delegation	Delegates
Section 92, 92A & 92B Powers and duties as **applicant** to determine whether or not to agree to providing consent authority with information requested or to authority commissioning a report, as prescribed. Power to provide the information requested.	WSMgr A&ECMgr GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr GMgr.C&DD GMgr.CS
Public notification and limited notification of applications	
Section 95A Power as **applicant** to request public notification of application.	GMgr.I&E GMgr.C&DD GMgr.CS
Pre-hearing meetings and mediation	
Section 99 Duty as **applicant** to attend pre-hearing meeting if requested by consent authority. Power as **applicant** to request a pre-hearing meeting and to consent or not to others attending meeting.	GMgr.C&DD GMgr.I&E GMgr.CS
Section 99A Power as **applicant** to request mediation/consent to mediation and take part in mediation, including power to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.I&E GMgr.CS
Hearings	
Section 100(b) Power as **applicant** to request to be heard (a hearing held).	GMgr.C&DD GMgr.I&E GMgr.CS
Section 100A Power as **applicant** (where application is notified and a hearing is to be held) to request a local authority to appoint one or more independent commissioners to hear and decide consent application .	GMgr.C&DD GMgr.I&E GMgr.CS
Section 102(1) Power as **applicant** to agree that a joint hearing need not be held.	GMgr.C&DD GMgr.I&E GMgr.CS
Section 103 Power as **applicant** to agree that a combined hearing need not be held.	GMgr.C&DD GMgr.I&E GMgr.CS
Section 103B(3) Duty as **applicant** to provide briefs of evidence, as prescribed.	GMgr.C&DD GMgr.I&E GMgr.CS
Duration of consent	
Section 124 Power as **consent holder/applicant** to continue to exercise existing consent while applying for new consent.	GMgr.C&DD WSMgr A&ECMgr GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr
Section 125 Power as **consent holder/applicant** to apply for extension of consent lapse period.	GMgr.C&DD GMgr.I&E

Section/Part – Brief Description of Delegation	Delegates
	GMgr.CS
Section 126 Power as **consent holder/applicant** to apply for revocation of a cancellation notice.	GMgr.C&DD GMgr.I&E GMgr.CS
Section 127 Power as **consent holder/applicant** to apply for change/cancellation of a condition of resource consent.	GMgr.C&DD GMgr.I&E GMgr.CS
Section 129, *130, 131 & 132* Power as **consent holder** to respond and propose new conditions in response to consent authority's s.128 review notice, as prescribed.	GMgr.C&DD GMgr.I&E GMgr.CS
Transfer of consents	
Section 134 Power as **land use consent holder** to transfer specified interest (re use of beds of lakes and/or rivers), as prescribed.	GMgr.C&DD GMgr.I&E GMgr.CS
Sections 135, 136 and 137 Power to transfer a coastal, water or discharge permit to another person.	GMgr.C&DD GMgr.I&E GMgr.CS
Section 138 Power to surrender a consent.	GMgr.C&DD GMgr.I&E GMgr.CS
Certificate of compliance or existing use	
Section 139 Power to request a certificate of compliance.	GMgr.C&DD GMgr.I&E GMgr.CS
Section 139A Power to request an existing use certificate.	GMgr.C&DD GMgr.I&E GMgr.CS
See Section 8. Objections and Section 9. Court Proceedings.	

RESOURCE CONSENTS

Council as Submitter

Section/Part – Brief Description of Delegation	Delegates
Part 6	
Public notification and limited notification of applications	
Section 95E(3)(a) Power to give written approval to a proposal as an affected person.	GMgr.C&DD GMgr.I&E A&ECMgr L&PMgr GMgr.CS
Streamlining decision-making	
Section 87G(4) Power as **submitter** to give notice under section 274, where application has been made to have application determined by Environment Court.	GMgr.C&DD GMgr.CS GMgr.I&E
Submissions on applications	
Section 96 & 97 Power as **person** to make a submission, in the form and manner prescribed.	GMgr.C&DD GMgr.CS GMgr.I&E
Pre-hearing meetings and mediation	
Section 99 Duty as **submitter** to attend pre-hearing meeting if requested by consent authority.	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr L&PMgr
Section 99A Power as **submitter** to request mediation/consent to mediation and to take part in mediation, including power to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr L&PMgr
Hearings	
Section 100(b) Power as **submitter** to request that a hearing be held.	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr L&PMgr
Section 100A Power as **submitter** (where application is notified and a hearing is to be held) to request a local authority to appoint one or more independent commissioners to hear and decide consent application.	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr L&PMgr
Section 103B(4) Duty as **submitter** to provide briefs of evidence, as prescribed.	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr L&PMgr
See Section 8. Objections and Section 9. Court Proceedings.	

4. PROPOSALS OF NATIONAL SIGNIFICANCE (PART 6AA)

Council as Local Authority

Section/Part – Brief Description of Delegation	Delegates
PART 6AA - Subpart 1 – Minister may make direction	
Section 142 & 143 Power as **local authority** to request Minister to call in a matter of national significance and to advise the Minister of its views, as prescribed.	GMgr.C&DD
If matter referred to board of inquiry or Court	
Section 149B Duty as **local authority** , once served with a s.149A direction, to provide the EPA with the matter and all relevant information.	GMgr.C&DD
Section 149G Duty as **local authority (territorial authority or consent authority)**, to prepare a report when commissioned by the EPA	GMgr.C&DD
Section 149H Duty as **local authority** not to notify further change or variation to a plan, in the circumstances prescribed.	GMgr.C&DD
Section 149I Power as **local authority** to withdraw a change or variation to a plan only in the time periods prescribed.	GMgr.C&DD
Subpart 2 – How matter decided	
Section 149K Power as **local authority** to suggest to the minister members for a board of inquiry.	GMgr.C&DD
Section 149L, 149M & 149N Powers and duties as **local authority** re inquiry, to: • Provide the board of inquiry with its views; • Participate in prescribed process where: - change not yet prepared; or - change prepared but not notified.	GMgr.C&DD
Section 149RA & 149S Power as **local authority** to respond to any opportunity given by board of inquiry to comment on a change proposed under s.149R or to request correction of minor mistakes or defects in board decision.	GMgr.C&DD
Subpart 3 – Miscellaneous	
Process after decision of board of inquiry or Court	
Section 149W Duty as **local authority** , to implement decision of board of inquiry or Court, by making the required changes to a plan/variation to a proposed plan, in the manner prescribed.	GMgr.C&DD
Section 149X Powers, duties and functions as **consent authority** re resource consents, where board of inquiry or Court grants resource consent. Powers, duties and functions as **territorial authority** where requirement is confirmed by board of inquiry or Court. **Note:** For specific resource consent delegations, see delegations in 'Resource Consents (Part 6)'.	GMgr.C&DD P&DSMgr TLPC MgrComm&RegS TL.CC MCO (as applicable – see Note)
Minister makes direction to refer matter to local authority	
Section 149Z Power as **local authority** to process resource consent application referred under s149Y(3).	GMgr.C&DD
Costs of processes	
Section 149ZD Power as **local authority** to recover costs from applicant, in the circumstances and manner prescribed.	GMgr.C&DD P&DSMgr TLPC

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Section/Part – Brief Description of Delegation	Delegates

PROPOSALS OF NATIONAL SIGNIFICANCE

Council as Applicant

Section/Part – Brief Description of Delegation	Delegates
Subpart 1 – Ministry may make direction	
Section 142 Power as **applicant** to request the Minister to call in a matter of national significance, in the circumstances and manner prescribed.	GMGR.C&DD GMgr.CS
Section 143 Duty as **applicant** to comply with the prescribed consultation requirements before requesting a call in.	GMgr.C&DD GMgr.CS
Section 145 Power as **person/applicant** to lodge an application with the EPA for: • a resource consent; • a change to a plan; or • a change to, or cancellation of, the conditions of a resource consent in the circumstances and manner prescribed.	GMgr.C&DD GMgr.CS
Section 149 Power and duty as **applicant** to respond to request by EPA, by providing further information/refusing to provide information/agreeing to provide information, as prescribed.	GMgr.C&DD GMgr.CS
How matter processed if direction made to refer matter to board of inquiry or Court	
Section 149I Power as **applicant** to withdraw a change or variation to a plan only in the time periods prescribed.	GMgr.C&DD GMgr.CS
Subpart 2 – How matter decided	
Section 149L, 149M & 149N Powers and duties as **applicant** re inquiry, to participate in prescribed process where: • change not yet prepared; or • change prepared but not notified.	GMgr.C&DD GMgr.CS
Section 149S Power as **applicant** to decide whether or not to agree to an extension of time being granted by Minister.	GMgr.C&DD GMgr.CS
Subpart 3 – Miscellaneous	
Costs of processes	
Section 149ZD Power as **applicant** to: • request estimate of costs likely to be recovered; • object to a requirement to pay costs.	GMgr.C&DD GMgr.CS
See **Section 9. Court Proceedings** for appeals to Environment Court etc.	

PROPOSALS OF NATIONAL SIGNIFICANCE

Council as Submitter

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Section/Part – Brief Description of Delegation	Delegates
Subpart 1 – Ministry may make direction	
How matter processed	
Section 149E Power as a **person** to make a submission to the EPA, as prescribed.	GMgr.C&DD GMgr.I&E
Section 149F Power as **local authority** to make a further submission to the EPA, as prescribed.	GMgr.C&DD GMgr.CS GMgr.I&E
Subpart 2 – How matter decided	
Section 149O Power as **person** to make a submission on proposed plan or change, as prescribed.	GMgr.C&DD GMgr.CS GMgr.I&E
Subpart 3 – Miscellaneous	
Section 149ZC Power as **person** to make a submission re application or notice of requirement.	GMgr.C&DD GMgr.CS GMgr.I&E

5. DESIGNATIONS AND HERITAGE ORDERS (PART 8)

Council as Territorial Authority

Section/Part – Brief Description of Delegation	Delegates
Functions, powers and duties (Part 4)	
Section 36A Power and duties as **territorial authority** re consultation on designations or heritage orders sought by requiring authorities or heritage protection authorities.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP IntCP CP TLPP SPolA SnrPP PolPl
Designations and heritage orders (Part 8)	
Designations	
Section 168(5), 168A(1B) & 149Z(3) Duty as **territorial authority**, following receipt of notification of withdrawal of requirement from requiring authority, to give notice as specified.	GMgr.C&DD P&DSMgr TLPC SAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl

Section/Part – Brief Description of Delegation	Delegates
Section 168A(1A),(1B) & (2) & s.149Z(4) Powers and duties as **territorial authority** to consider and determine its own notice of requirement in its own district.	GMgr.C&DD P&DSMgr TLPC SAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Section 168A(2A),(3) & (4) & s.149Z(4) Powers and duties as **territorial authority** when considering and determining Council's own notice of requirement in its own district. **Note:** 1. Officer delegations only apply when: • No submissions have been received; or • No request is made for a hearing; or A hearing is not necessary 2. All other notices of requirement are to be considered and determined by Commissioner/Panel.	GMgr.C&DD P&DSMgr TLPC SAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Section 169 Powers and duties as **territorial authority** to determine the notification, submission and hearing process for a notice of requirement. **Note:** Delegations under specified sections in Part 6 and Part 8 apply.	GMgr.C&DD P&DSMgr TLPC SAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Section 169(3) Duty as **territorial authority** to commence hearing within timeframes prescribed.	GMgr.C&DD P&DSMgr TLPC SAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Section 170 Powers and duties as **territorial authority**, if it decides to publicly notify the notice of requirement under clause 5 Schedule 1, as part of a district plan review.	GMgr.C&DD P&DSMgr TLPC SAdBP SCP IntCP CP TLPP SPolA SnrPP

Section/Part – Brief Description of Delegation	Delegates
	PolPl
Section 171 & s.149Z(3) Powers and duties as **territorial authority** to consider and make a recommendation on notice of requirement of a requiring authority other than Council. **Note:** 1. Officer delegations only apply when: • No submissions have been received; or • No request is made for a hearing; or A hearing is not necessary. 2. All other notices of requirement are to be considered and determined by Commissioner/Panel.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Section 173 Duty as **territorial authority** to notify requiring authority's decision and rights of appeal, as prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Section 175 Duty as **territorial authority** to include the designation (where no appeal, designation confirmed etc.) in its district plan and proposed district plan, in the manner prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP TLPP SPolA SnrPP
Section 176A(2)(c) Power as **territorial authority** to waive requirement for requiring authority to submit an outline plan.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech TLPP SPolA SnrPP PolPl GradPP
Section 176A(4) Power as **territorial authority** to request the requiring authority to make changes to an outline plan submitted to it.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech TLPP SPolA

Section/Part – Brief Description of Delegation	Delegates
	SnrPP PolPl GradPP
Section 180 Duty as **territorial authority** to note transfer to another requiring authority in the district plan, as specified.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP TLPP SPolA SnrPP
Section 181 & s.149Z(4) Duty as **territorial authority** to consider and make a recommendation on a notice to alter a designation as a requirement for a new designation. Power as **territorial authority** not to use above process, in the circumstances and subject to the process prescribed. **Note:** 1. Officer delegations only apply when: • No submissions have been received; or • No request is made for a hearing; or A hearing is not necessary. 2. All other notices to alter a designation are to be considered and determined by Commissioner/Panel.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Section 182 Powers and duties as territorial authority to: • amend the district plan to remove a designation/part of a designation in response to a requiring authority's notice; • decline to remove part of a designation, in the circumstances and manner prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP TLPP SPolA SnrPP
Section 184 Powers and duties as **territorial authority** on application being made by a requiring authority, to determine whether or not to fix a longer lapse period for the designation.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP TLPP SPolA SnrPP
Heritage Orders	
Section 189(5) & s.149Z(5) Duty as **territorial authority**, following receipt of withdrawal of notice of requirement for a heritage order, to give notice as specified.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl

Section/Part – Brief Description of Delegation	Delegates
Section 190 and 191 Powers and duties as **territorial authority** when considering and making a recommendation on a requirement or a notice of requirement for a heritage protection authority other than Council. **Note:** 1. Officer delegations only apply when: • No submissions have been received; or • No request is made for a hearing; or A hearing is not necessary 2. All other notices for heritage orders are to be considered and determined by Commissioner/Panel.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Section 192 Powers and duties as **territorial authority** in relation to requirement. **Note:** Delegations under specified sections apply.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Notice in own district	
Section 189A(2) & s. 149Z(6) Powers and duties as **territorial authority** when considering and determining Council's own notice for a heritage order in its own district. Note: 1. Delegations under specified sections in Part 6 and Part 8 apply.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Section 189A(10) & (11) & s. 149Z(6) & 191 Powers and duties as **territorial authority** when considering and determining Council's own notice of requirement in its own district. **Note:** 1. Officer delegations only apply when: • No submissions have been received; or • No request is made for a hearing; or A hearing is not necessary 2. All other notices for heritage orders are to be considered and determined by Commissioner/Panel.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Section 195A(1) to (4) Duty as **territorial authority** to consider and make a recommendation on a notice to alter a heritage order as a requirement for a new heritage order Power as **territorial authority** not to use above process, in the circumstances and subject to the process prescribed. **Note:** 1. Officer delegations only apply when: • No submissions have been received; or • No request is made for a hearing; or A hearing is not necessary	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl

Section/Part – Brief Description of Delegation	Delegates
2. All other notices to alter a heritage order are to be considered and determined by Commissioner/Panel.	
Section 195B(5) Power as **territorial authority** to make a written objection or submission re Minister's determination to transfer responsibility for heritage order.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Section 195C Duty as **territorial authority** to note transfer of responsibility for heritage order in district plan.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Section 196 Powers and duties as **territorial authority** under s.182 to: • remove a heritage order/part of a heritage order from the District Plan in response to a requiring authority's notice; • decide whether or not to decline to remove part of a heritage order, in the circumstances and manner prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Section 198AA to 198AD Duties as territorial authority re excluded time periods for designation and heritage order processes.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP TLPP SPolA SnrPP PolPl
Streamlining decision-making on designations and heritage orders	
Section 198C Power as **territorial authority** to determine requiring authority or heritage protection authority request that the Environment Court decide the requirement, as prescribed.	GMgr.C&DD
Section 198D	GMgr.C&DD P&DSMgr

Section/Part – Brief Description of Delegation	Delegates
Power and duties as **territorial authority** to process the requirement, where request denied/granted, in the manner prescribed.	TLPC PAdBP SCP IntCP CP
Section 198E(3) Duty as territorial authority to provide the Environment Court with the specified documents.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 198F Powers, duties and functions as **territorial authority** to deal with the resulting designation or heritage order, as if it had dealt with requirement itself.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP TLPP MgrComm&RegS TL.CC MCO
Section 198G and 198M Powers, duties and functions as **territorial authority** to deal with the requirement when no notice of motion is lodged.	GMgr.C&DD P&DSMgr TLPC
Section 198H & 198I Power as **territorial authority** to determine that certain requirements be decided by the Environment Court.	GMgr.C&DD
Section 198J, & 198K Duties as **territorial authority** to process requirements as prescribed, when matter referred to Environment Court and notice of motion lodged with the Environment Court.	GMgr.C&DD P&DSMgr TLPC
Section 198L Powers, duties and functions as **territorial authority** to deal with the resulting designation or heritage order, as if it had dealt with requirement itself.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP MgrComm&RegS TL.CC MCO
Schedule 1, Part 1 - Preparation and change of district plans	

Section/Part – Brief Description of Delegation	Delegates
Schedule 1, Clauses 4, 9 &13 Powers and duties as **territorial authority** on designations and heritage orders in the context of a district plan review: • giving written notice to requiring authorities inviting designations to be included in the district plan; • including its own requirements for designations or heritage orders in the district plan; • making and notifying recommendations and decisions; • modifying or deleting requirement in proposed plan; • notifying decisions and reasons of requiring authority or heritage protection authority; • notifying rights of appeal; • making decision publicly available.	GMgr.C&DD P&DSMgr TLPP SPolPA SnrPP PolPl GradPP
See Section 8. Objections and Section 9. Court Proceedings.	

DESIGNATIONS AND HERITAGE ORDERS

Council as Requiring Authority or Heritage Protection Authority

Section/Part – Brief Description of Delegation	Delegates
Designations and heritage orders (Part 8)	
Designations	
Section 168(1), S 174, S 168A(1), S 168A(5) & S 36A Power as **requiring authority** to issue a notice of requirement for and in relation to public works, in the circumstances and manner prescribed and	GMgr.C&D DGMgr.CS GMgr.I&E A&ECMgr
Section 168(4) & 168A(1B) Power as **requiring authority** to withdraw a requirement.	GMgr.C&DD GMgr.CS GMgr.I&E
Section 169 Power as **requiring authority** under sections 92 to 92B and 96 to 103 including power to request a local authority to appoint one or more independent commissioners to hear and decide notice of requirement (s100A).	GMgr.C&DD GMgr.CS GMgr.I&E
Section 170 Power as **requiring authority** to consent, or not, to territorial authority including the requirement in its proposed plan.	GMgr.CS GMgr.I&E
Section 172 Powers and duties as **requiring authority** to make a decision on the recommendation of territorial authority under s.171, and to give reasons for its decision.	GMgr.CS GMgr.I&E
Section 176 Power as **requiring authority** to: • use designated land as prescribed; • give consent/or not to persons doing anything in/on the designated land.	GMgr.I&E WSMgr A&ECMgr GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr A&ECMgr
Section 176A Duty as **requiring authority**, if outline plan is required for the work, to submit the outline plan to the territorial authority, in the circumstances and manner provided.	GMgr.I&E WSMgr A&ECMgr A&ECMgr GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr
Section 176A(5) Power as **requiring authority** to decide whether to make the changes requested by the territorial authority.	GMgr.I&E GMgr.CS A&ECMgr
Section 177 Power and duties as **requiring authority** to apply to another requiring authority responsible for an earlier designation for its written consent. Power as **requiring authority responsible for an earlier designation** to give or withhold consent to application by another requiring authority to do anything that would prevent/hinder the public work.	GMgr.I&EG Mgr.CS A&ECMgr
Section 178 Power as **requiring authority** to give consent to persons doing anything in/on the designated land that would prevent or hinder the public work.	GMgr.I&E WSMgr A&ECMgr

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Section/Part – Brief Description of Delegation	Delegates
	A&ECMgr GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr
Sections 180 & 180A Power as **requiring authority** to transfer responsibility for the designation, in the manner prescribed.	A&ECMgr GMgr.C&DD GMgr.I&E GMgr.CS
Section 181 Power as **requiring authority** responsible for a designation, to: • give notice of its requirement to alter the designation, as specified; • agree to territorial authority altering a designation or requirement under subs.(3).	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr
Section 182 Duty as **requiring authority** to give notice if it no longer wants a designation, as specified.	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr
Section 184 & S 184A Power as **requiring authority** to apply to have a longer lapse period fixed for the designation, in the circumstances and manner prescribed.	GMgr.C&DD GMgr.CS A&ECMgr GMgr.I&E
Heritage orders	
Section 189/189A Power as **heritage protection authority** to issue a notice of requirement for a heritage order, in the circumstances and manner prescribed.	GMgr.C&DD GMgr.CS P&DSMgr
Section 189(4) and 189A(3) Power as **heritage protection authority** to withdraw a requirement.	GMgr.C&DD GMgr.CS P&DSMgr
Section 190 Power as **heritage protection authority** under sections 92 to 92B and 98 to 103 including power to request a local authority to appoint one or more independent commissions to hear and decide notice of requirement (s100A).	GMgr.C&DD GMgr.CS P&DSMgr
Section 192 Powers and duties as **heritage protection authority** re requirement, with delegations under the following sections to apply*: • Section 170 - Power to consent, or not, to territorial authority including the requirement in its proposed plan; • Section 172 - Powers and duties to make a decision on the territorial authority recommendation (under s.191), and requirement to give reasons for its decision; *If there is no corresponding delegation, no delegation is made under s.192.	GMgr.C&DD GMgr.CS P&DSMgr
Section 193 Power as **heritage protection authority** to give/decline consent to a person doing things on/re the land protected by its heritage order.	GMgr.C&DD GMgr.CS P&DSMgr
Section 193A Power and duties, as **heritage protection authority** responsible for an earlier/later heritage order or designation, where a new order is included in district plan to obtain, give/withhold consent, as specified.	GMgr.C&DD GMgr.CS P&DSMgr
Section 194	GMgr.OG GMgr.CS P&DSMgr

Section/Part – Brief Description of Delegation	Delegates
Power as **heritage protection authority**, during period for which interim protection is afforded, to give/decline consent to a person to do anything that would affect the heritage order.	
Section 195A Power as **heritage protection authority responsible for heritage order** to give notice to alter the heritage order.	GMgr.C&DD GMgr.CS P&DSMgr
Section 195B Power as **heritage protection authority** to transfer responsibility for heritage order, in the manner prescribed.	GMgr.C&DD GMgr.CS P&DSMgr
Section 196 Power as **heritage protection authority** to give notice if it no longer wants a heritage order, as specified.	GMgr.C&DD GMgr.CS P&DSMgr
Section 197 Where **heritage protection authority** acquires land to give effect to heritage order, duty to deal with it as an acquisition of a public work under the Public Works Act 1981.	GMgr.C&DD GMgr.CS L&PMgr
Streamlining decision-making on designations and heritage orders	
Section 198A & 198B Power as **requiring authority** or **heritage protection authority** to: • determine that it wants requirement decided by Environment Court; and • request the territorial authority to allow requirement to be decided by Environment Court, in the manner prescribed. •	GMgr.C&DD GMgr.CS P&DSMgr TLPC
Schedule 1- Preparation and change of district plans (re designations and heritage orders)	
Schedule 1, Clause 4 Power, as **requiring authority**, to require inclusion of designations or notices of requirement in a proposed district plan, with or without modifications. Power, as a **heritage protection authority**, to require inclusion of heritage protection orders or notices of requirement in a proposed district plan, with or without modifications.	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr
Schedule 1, Clause 4(9) Power as **requiring authority or heritage protection authority** to withdraw a requirement, as prescribed.	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr
Schedule 1, Clause 6 Power as **requiring authority or heritage protection authority** to make a submission.	GMgr.C&DD GMgr.CS GMgr.I&E &ECMgr
Schedule 1, Clause 8 Power as **requiring authority or heritage protection authority** to make a further submission.	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr
Schedule 1, Clause 8B Power as **requiring authority** or **heritage protection authority** to attend local authority hearings into submissions on proposed plan and cl.4 notified requirements, as prescribed.	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr
See Section 8. Objections and Section 9. Court Proceedings. .	

DESIGNATIONS AND HERITAGE ORDERS **Council as submitter**

Section/Part – Brief Description of Delegation	Delegates
Designations and heritage orders (Part 8)	
Section 169 & S 190 Power as **submitter** to make a submission on a notice of requirement. Power as **submitter** to request a Commissioner to hear and make a recommendation on a notice of requirement.	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr
Section 193 Power **as person** to request a heritage protection authority to consent to it doing things on/re the land protected by a heritage order.	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr
Section 194 Power as **person**, during period for which interim protection is afforded, to request consent of requiring authority to do anything that would affect the heritage order.	GMgr.C&DD GMgr.CS GMgr.I&E A&ECMgr
See **Section 9. Court Proceedings** for delegations re appeals to Environment Court etc.	

6. SUBDIVISION AND RECLAMATIONS (Part 10)

Council as Territorial Authority

Section/Part – Brief Description of Delegation	Delegates
Part 10 - Subdivision and reclamations	
Section 220 & 232(4) & (5) Powers as **consent authority** to impose conditions on subdivision consents, and related duties.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Section 221(1) Duty as **territorial authority** to issue a consent notice specifying conditions which must be complied with, in the circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Section 221(2) Duty as **person authorised** to sign and register consent notices.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 221(3) & (3A) Power and duties as **territorial authority** to determine applications to vary or cancel a consent notice or to conduct a review of a condition, as prescribed. **Note:** Delegations under specified sections in **Section 3. Resource Consents** apply.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP

Section/Part – Brief Description of Delegation	Delegates
	CP PITech
Section 221 **Person authorised** by territorial authority to give effect to decisions on applications or reviews undertaken by territorial authority, by executing and registering instrument/s varying, cancelling or recording the expiry of a consent notice.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 222 Powers as **territorial authority**, to: • issue completion certificates and impose bonds; • extend the period for completion of works or making a financial contribution; • exercise specified consent authority powers. **Note:** Delegations under specified sections in **Section 3. Resource Consents** apply.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Approval and deposit of survey plans	
Section 223 Power as **territorial authority** to consider survey plans and to approve or decline them (in the manner required).	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Section 223(3) & (4) Power as **authorised officer of territorial authority**, to certify that a survey plan has been approved.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Section 224(c) Power as **authorised officer** of **territorial authority** to sign/provide certificate stating that a survey plan has been approved under s.223 and that there has been compliance, as prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Section 224(f) Duty as **territorial authority** to decide whether (re cross lease, company lease or unit title plan) Building Act has been complied with.	GMgr.C&DD MgrComm&RegS Mgr.BS SBldg.Insp. Bldg.Insp. Bldg.CO P&DSMgr
Section 224(f)	GMgr.C&DD

Section/Part – Brief Description of Delegation	Delegates
Duty as **authorised officer of territorial authority**, to sign/provide certificate stating compliance with Building Act, as specified.	P&DSMgr TLPC SCP Mgr.BS
Section 226(1)(e) Duty as **territorial authority** to decide whether allotment on survey plan complies, as prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Section 226(1)(e) Duty as **authorised officer of territorial authority**, to sign/provide certificate of compliance, as prescribed.	GMgr.C&DD P&DSMgr TLPC
Esplanade reserves and strips	
Section 229, 230, 231, 232 & 236 Powers and duties as **territorial authority** to: • determine whether an esplanade strip/reserve should be created; • determine purpose of esplanade strip/reserve; • determine what matters should/shouldn't be provided for.	GMr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 229, 230, 231, 232 & 236 Power as **territorial authority** to execute esplanade strip/reserve instrument and do such things as are necessary to effect registration of the instrument.	GMr.C&DD P&DSMgr TLPC PABP SCP IntCP CP
Section 231 Power as **territorial authority** to administer land for the purposes for which it has been set aside - as local purpose reserve for esplanade purposes.	GMgr.C&DD GMgr.CS L&PMgr A&ECMgr
Section 234 Powers and duties as **territorial authority** to consider and determine an application to vary or cancel an esplanade strip instrument or a proposal initiated by territorial authority, as prescribed. **Note:** Delegations under specified sections in **Section 3. Resource Consents** apply.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP
Section 234(7) Power as **authorised officer** to sign a certificate specifying variations to or cancellation of instrument.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 235 Power as **local authority** to enter into agreement for creation of an esplanade.	GMgr.C&DD P&DSMgr

Section/Part – Brief Description of Delegation	Delegates
	TLPC PAdBP SCP IntCP CP
Section 236 Power as **territorial authority** to require, as condition, that additional esplanade reserve be set aside in the circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 237 Duty as **territorial authority** to receive and determine whether or not to approve a separate survey plan for an esplanade reserve or esplanade strip, in the circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 237B Power as **local authority** to agree to acquire an easement over land for an access strip, to determine the conditions of the easement, and to execute the easement.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 237B(8) Power as **local authority** to vary or cancel an easement, in the circumstances prescribed.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Section 237C & Schedule 10 Power as **local authority** to close an esplanade reserve or access strip and duty to erect signs, in the circumstances prescribed.	GMgr.C&DD GMgr.CS L&PMgr A&ECMgr
Section 237D Power to agree to vest an esplanade reserve or the bed of any river or lake in the Crown or a regional council.	GMgr.C&DD GMgr.CS L&PMgr A&ECMgr P&DSMgr TLPC
Sections 237E, 237F & 237G Duty as **territorial authority** to pay compensation or agree with owner that no compensation be paid for esplanade reserves or strips, or bed of a river or lake, in the circumstances described.	GMgr.C&DD GMgr.CS
Section 237H - compensation payable under ss. 237E, 237F & 237G Power as **territorial authority** to have compensation and survey costs determined by registered valuer.	GMgr.C&DD GMgr.CS L&PMgr

Section/Part – Brief Description of Delegation	Delegates
Section 237H Power as **territorial authority** to object to determination of registered valuer as to compensation and survey costs payable by territorial authority, including the authority to determine and direct Council involvement in the process.	GMgr.C&DD
Vesting of roads and reserves	
Section 239 Power as **territorial authority** to certify specified interests to remain on land vested as road under s.238.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP
Amalgamation – conditions	
Section 240 Powers and duties as **territorial authority** to: • Endorse survey plan with certificate that covenant entered into; • Cancel in whole/part a covenant against transfer of allotment. • Execute memorandum of cancellation and endorse survey plan.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Section 240 Power as **authorised officer** of the territorial authority to execute and register: • Amalgamation covenant against transfer of allotment; • Certificate of cancellation.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Section 241 Powers and duties as **territorial authority** to: • Endorse survey plan with amalgamation condition; • Determine whether or not to approve separation of parcels in amalgamated title; • Cancel in whole/part an amalgamation condition; • Execute memorandum of cancellation and endorse survey plan.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Section 241 Power as **authorised officer of the territorial authority** to execute and register a certificate of cancellation.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Easements – conditions	
Sections 243 Powers and duties as **territorial authority** to: • Determine whether or not to surrender etc. easement covenant; • Revoke in whole/part an easement condition; • Execute memorandum of cancellation and endorse survey plan.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech

Section/Part – Brief Description of Delegation	Delegates
Sections 243 Power as **authorised officer of the territorial authority** to execute and register a certificate of cancellation.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
Reclamations	
Section 245 Powers and duties as **consent authority** re approval/or not of survey plan of reclamation.	GMgr.C&DD P&DSMgr TLPC PAdBP SCP IntCP CP PITech
See **Section 9. Court Proceedings** for delegations re appeals to Environment Court etc.	

SUBDIVISION AND RECLAMATIONS

Council as Applicant

Section/Part – Brief Description of Delegation	Delegates
Subdivision process	
Section 11, 87, 87A & 87B Duty **as person** not to subdivide land without a resource consent unless it is: • expressly allowed by the operative and proposed district plans; • land acquired and disposed of under the Public Works Act 1981 (subs.11(1)(b)); • effected by a vesting in or transfer or gift of any land as a reserve under the Reserves Act 1977 (subs. 11(1)(cb)). Note: See Delegations in **Section 3. Resource Consents, 'Council as Applicant'** for delegated powers, duties and functions re applications for land use consents, subdivision consents, water permits and discharge permits.	GMgr.C&DD WSMgr A&ECMgr GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr
Section 106, 108, 108A 109, 220, 222 Duty **as person/applicant** to comply with conditions, consent notices, bonds, and covenants imposed as conditions of consent.	GMgr.C&DD WSMgr A&ECMgr GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr
Section 106, 108, 108A 109, 220, 222 Power as **person/applicant** to do such things as are necessary to enter into and effect registration of all necessary agreements and instruments required to meet resource consent conditions. Power as **consent holder** to enter into agreements with the authority to vary, cancel or renew bonds and all associated instruments.	GMgr.C&DD GMgr.CS L&PMgr
Section 127 Power as **subdivision consent holder** to apply for a change or cancellation of a condition of subdivision consent, before deposit of survey plan.	GMgr.C&DD WSMgr A&ECMgr GMgr.I&E WIPMgr TSMgr

Section/Part – Brief Description of Delegation	Delegates
	GMgr.CS L&PMgr
Section 134 Power as **subdivision consent holder** to deal with the land as provided by the consent.	GMgr.C&DD WSMgr A&ECMgr GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr
Section 221 Power as **owner of land/subdivision consent holder** to apply for a change or cancellation of a condition specified in a consent notice, after deposit of survey plan.	GMgr.C&DD WSMgr A&ECMgr GMgr.I&E WIPMgr TSMgr GMgr.CS L&PMgr
Approval and deposit of survey plans	
Section 223 & 224 Powers and duties as **owner of land/ subdivision consent holder/certificate of compliance holder**, to submit a survey plan for approval and certification, as prescribed.	GMgr.C&DD GMgr.CS L&PMgr
Esplanade reserves and strips	
Section 229, 230, 231, 232, 233 & 236 Where esplanade strip is required to be created, powers and duties as **owner of land** to do such things as are necessary to enter into and effect registration of the instrument, and to comply with the terms of the instrument.	GMgr.C&DD GMgr.CS L&PMgr A&ECMgr
Section 234 & 237 Powers and duties as **registered owner of land/applicant** subject to an esplanade strip to apply to vary or cancel an esplanade strip instrument, as prescribed.	GMgr.C&DD GMgr.CS L&PMgr A&ECMgr A&ECMgr
Section 235 Power as **registered owner of land** to: • enter into agreement for creation of an esplanade strip, with the local authority; • endorse consent to creation of esplanade strip on the instrument.	GMgr.C&DD GMgr.CS A&ECMgr
Section 237B & Schedule 10 Powers and duties as **registered owner** to: • agree to create an easement (access strip); • agree on the conditions of the easement; • agree to cancel or vary an easement for access; • execute easement instrument and do such things as are necessary to effect registration of the easement.	GMgr.C&DD GMgr.CS L&PMgr A&ECMgr GMgr.I&E
Section 237H - compensation payable under ss. 237E, 237F & 237G Power as **registered owner of land** to object to determination of registered valuer as to compensation and survey costs payable by territorial authority (under Rating Valuations Act 1998), including the authority to determine and direct Council involvement in the process.	GMgr.C&DD GMgr.CS
Easements - conditions	
Sections 243 Duties as **resource consent holder,** where consent granted subject to condition that easement be granted or reserved, to:	GMgr.C&DD GMgr.CS L&PMgr

Section/Part – Brief Description of Delegation	Delegates
• obtain written consent for specified dealings; • prepare and execute instruments as required.	A&ECMgr GMgr.I&E
Reclamations	
Section 245 Duty as **subdivision consent holder** to submit for approval a survey plan of reclamation, as prescribed.	GMgr.C&DD GMgr.CS L&PMgr
See **Section 9. Court Proceedings** for delegations re appeals to Environment Court etc.	

7. DECLARATIONS, ENFORCEMENT & ANCILLARY POWERS (PART 12)

Section/Part – Brief Description of Delegation	Delegates
Duties and restrictions (Part 3)	
Appointment of enforcement officers	
Section 38(1) Power as **local authority** to authorise officers to carry out all or any functions and powers as an enforcement officer under the RMA.	GMgr.C&DD MgrComm&RegS GMgr.CS
Section 38(2) Power as **local authority** to authorise persons licensed (or employed by someone who is) under the Private Security Personnel and Private Investigators Act 2010, to carry out all/any s.327 and 328 enforcement officer functions and powers.	GMgr.C&DD GMgrR.CS
Section 38 Duty as **local authority** to supply enforcement officers with warrant, clearly specifying officer's functions and powers under the RMA.	GMgr.C&DD MgrComm&RegS GMgr.CS
Resource consents (Part 6)	
Section 109 & 222 Power as **consent authority** to enter land under s.171 of the Local Government Act 2002 to ascertain conditions/bonds are being/have been completed, to authority's satisfaction.	GMgr.C&DD MgrComm&RegS TL.CC MCO GMgr.I&E WIPMgr GMgr.CS L&PMgr P&DSMgr TLPC PAdBP CP IntCP CP PITech
Section 109 & 222 Power as **consent authority** to enter land to complete required work and recover the cost, where bond holder fails to complete the work in the timeframe required and/or to authority's satisfaction.	GMgr.C&DD MgrComm&RegS GMgr.I&E WSMgr GMgr.CS L&PMgr
Declarations and Enforcement Orders (Part 12)	
Declarations	
Sections 311 & 312 Power to apply to the Environment Court for a declaration, in the manner and circumstances prescribed, as:	GMgr.C&DD GMgr.CS P&DSMgr

Section/Part – Brief Description of Delegation	Delegates
• **consent authority;** • **local authority;** • **territorial authority;** • **requiring authority;** • **heritage protection authority;** • **submitter;** • **registered proprietor of land,** and to determine and direct Council involvement in the proceedings.	
Enforcement orders	
Sections 316 to 318 & 320 to 321 Power as **person, local authority or consent authority** to apply to Environment Court for enforcement orders specified, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS MgrComm&RegS
Sections 314 Power as **person** to: • enter property, undertake work where order not complied with and sell/dispose of property; • recover costs/expenses as debt due; • register statutory land charge for unpaid costs/expenses (including executing and registering necessary instrument), as prescribed.	GMgr.C&DD MgrComm&RegS GMgr.I&E WSMgr GMgr.CS L&PMgr
Section 318, 320(5) & 321 Powers and duties as **person by whom or against whom an order is sought/made** to: • respond to application for an enforcement order; • apply to Environment Court to change or cancel an enforcement order or interim enforcement order, including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS MgrComm&RegS
Abatement notices	
Section 325 Power as person served with an abatement notice to: • appeal to Environment Court, including applicable duties and the authority to determine and direct Council involvement in the proceedings;. • apply for a stay of the abatement notice.	GMgr.C&DD GMgr.CS GMgr.I&E
Section 325A(2) Power as **local authority** to cancel an abatement notice, as prescribed.	GMgr.C&DD MgrComm&RegS GMgr.I&E WIPMgr GMgr.CS
Section 325A (4) – (6) Power as **local authority** to consider and determine an application to change or cancel an abatement notice, as prescribed.	GMgr.C&DD MgrComm&RegS GMgr.I&E WIPMgr GMgr.CS L&PMgr
Emergency works	
Section 330(1) In cases of emergency, power as **person, local authority consent authority,** or **lifeline utility operator** to take preventative or remedial action, as prescribed.	GMgr.C&DD MgrComm&RegS GMgr.I&E WSMgr GMgr.CS L&PMgr
Section 330(2)	GMgr.C&DD

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Section/Part – Brief Description of Delegation	Delegates
In cases of emergency, power as **local authority or consent authority** (re public work or with jurisdiction over specified resources/area) to enter a place and take preventative or remedial action, or direct occupier to take necessary action, in the circumstances and manner prescribed.	MgrComm&RegS GMgr.I&E WIPMgr GMgr.CS L&PMgr P&DSMgr GMgr.I&E
Section 330A Duty as person, **authority, or lifeline utility operator** exercising emergency powers (under s. 330) to notify consent authority of action/works undertaken and to apply for resource consent , as prescribed. **Note:** Delegations under specified sections in Section 3. Resource Consents apply.	GMgr.C&DD MgrComm&RegS GMgr.I&E WSMgr GMgr.CS L&PMgr
Section 330B Duty as **person** exercising emergency powers under Civil Defence Emergency Management Act 2002 to advise the consent authority and to apply for resource consent for civil defence emergency works or activities, as prescribed. **Note:** Delegations under specified sections in Section 3. Resource Consents apply.	GMgr.C&DD MgrComm&RegS GMgr.I&E WIPMgr GMgr.CS L&PMgr GMgr.I&E
Section 331(1) Power as **local authority** or **consent authority** to require reimbursement and,, where reimbursement not made, to apply to Environment Court for an enforcement order, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS GMgr.I&E
Section 331(2) & (3) Duty as **local authority** or **consent authority** taking action under s.330(2), to pay compensation under the Public Works Act 1991.	MgrComm&RegS GMgr.I&E WIPMgr GMgr.CS L&PMgr GMgr.I&E
Powers of entry and search	
Section 332 Power as **local authority** or **consent authority** to specifically authorise in writing an enforcement officer to enter structures and places for inspection purposes in connection with compliance and enforcement.	GMgr.C&DD MgrComm&RegS GMgr.I&E WIPMgr GMgr.CS L&PMgr
Section 333 Power as **local authority** or **consent authority** to specifically authorise in writing an enforcement officer to conduct survey, investigations, test, or take measurements, take samples, and enter or re-enter land, for purposes connected with preparation, change or review of a plan, as prescribed.	GMgr.C&DD MgrComm&RegS GMgr.CS L&PMgr
Section 334 & 335 Power as **local authority** or **consent authority** to apply for warrant authorising enforcement officer/s to enter and search a place or vehicle, as prescribed.	GMgr.C&DD MgrComm&RegS GMgr.CS
Section 336 Power as **local authority** or **consent authority** to consider and determine applications seeking return of property seized by enforcement officer/s, as prescribed and to dispose of property and account for proceeds, as prescribed.	GMgr.C&DD MgrComm&RegS GMgr.CS L&PMgr
Offences	
Section 338 to 342 (as applicable)	GMgr.C&DD

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Section/Part – Brief Description of Delegation	Delegates
Power as **local authority** or **consent authority** to commence a prosecution for offence/s against the Act, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.CS MgrComm&RegS
Transitional Provisions (Part 15)	
Section 388 Power as **consent authority** to request information from persons as to the nature and extent of the activities carried out under the deemed consent and the effects of those activities upon the environment.	GMgr.C& P&DSMgr TLPC PAdBP SCP IntCP CP MgrComm&RegS TL.CC MCO

8. OBJECTIONS

Powers of Council to object to authority decisions/actions under sections 357 to 357B

Section/Part – Brief Description of Delegation	Delegates
Part 3	
Section 10(2) Power as **registered owner** to object to territorial authority decision not to grant an extension to the 12 month expiry for a discontinuation of use.	GMgr.CS GMgr.C&DD
Part 4	
Section 36(5) Power as **person** liable to pay an additional charge to object to local authority.	GMgr.CSG GMgr.C&DD
Section 41D Power as **submitter** whose submission has been struck out (in whole or part), to object to authority.	GMgr.CSG GMgr.C&DD
Part 6	
Section 87E(9) Power as **applicant** to object to consent authority declining request for application to go directly to Environment Court.	GMgr.CSG GMgr.C&DD GMgr.I&E
Section 88(5) Power as **applicant** to object to a determination by a consent authority to return consent application as incomplete.	GMgr.CSG GMgr.C&DD GMgr.I&E
Section 88 Power as applicant to object to decision on application unless consent refused under s104B or 104C (unless consent refused by officer under delegated authority).	GMgr.CSG GMgr.C&DD GMgr.I&E
Section 91C and 91F Power as **applicant** to object if consent authority returns consent application.	GMgr.CSG GMgr.C&DD GMgr.I&E
Section 99(9) Power as **applicant** to object to consent authority's decision to decline to process consent application.	GMgr.CSG GMgr.C&DD GMgr.I&E
Section 99(10) Power as **submitter** to object to consent authority's decision to decline to consider submission.	GMgr.CSG GMgr.C&DD GMgr.I&E
Sections 127 or 221 Power as **consent holder** to object to decision by consent authority re application to change or cancel condition or consent notice (where notified but no submissions, submissions withdrawn or not notified).	GMgr.CSG GMgr.C&DD GMgr.I&E
Section 128 to 132 Power as **consent holder** to object to decisions of consent authority in reviewing conditions of consent and of esplanade strip instrument.	GMgr.CSG GMgr.C&DD GMgr.I&E
Section 139 Power as **person** to object to decisions of consent authority or EPA re request for certificate of compliance and re charges etc. imposed.	GMgr.CSG GMgr.C&DD GMgr.I&E
Section 139A Power as **person** to object to decisions of consent authority re issue of existing use certificates.	GMgr.CSG GMgr.C&DD GMgr.I&E
Part 6AA	
Section 149ZD	GMgr.CS

Section/Part – Brief Description of Delegation	Delegates
Power as **applicant** to object to a requirement by local authority to pay costs of Part 6AA requirements.	GMgr.C&DD GMgr.I&E
Part 8	
Section 182 Power as **requiring authority** to object to territorial authority decision to decline removal of whole/part of a designation.	GMgr.CS GMgr.C&DD GMgr.I&E
Section 184 Power as **requiring authority** to object to territorial authority decision not to fix a longer lapse period.	GMgr.CSG GMgr.C&DD GMgr.I&E
Section 196 Power as **heritage protection authority responsible for heritage order** to object to decision of territorial authority declining request to remove part of heritage order.	GMgr.CSG GMgr.C&DD
Section 198C Power as **requiring authority** or **heritage protection authority** to object to territorial authority's decision to decline request for application to go directly to Environment Court.	GMgr.CSG GMgr.C&DD

OBJECTIONS

Powers and duties of Council to consider and decide objections under sections 357 to 357D

Section/Part – Brief Description of Delegation	Delegates
Sections 357, 357C and 257D Powers and duties as **territorial authority** to consider and make decisions on objections made, under: • Section 10(2) – re refusal to grant extension to 12 month expiry of a discontinuation of use. • Section 41D – re submission being struck out; • Section 88(3) – re decision to return a person's application; • Section 99(8) – re decision to decline to process an application or submission; • Section 182(5) – re requiring authority's notice being declined; • Section 184 – re requiring authority's application not being granted; • Section 198C(4) to (5A) – re request by a requiring authority or heritage protection authority not being granted, as prescribed.	GMgr.C&DD P&DSMgr TLPC TLPP
Sections 357A, 357C and 357D Powers and duties as **consent authority** to consider and make decisions on objections, in the manner prescribed, under the following sections: • section **124(2)** - re exercise of a resource consent while applying for a new resource consent: • section **125(1A)(b)** - re lapsing of consents: • section **126(2)(b)** - re cancellation of consents: • section **139** - re certificates of compliance:	GMgr.C&DD P&DSMgr TLPC TLPP

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Section/Part – Brief Description of Delegation	Delegates
• section **139A** - re existing use certificates: • section **99(8)** – re application or submission declined to be processed or considered: • section **87E(5) to (6A)** – re request made under section 87D: • section **104** - re decision made by officer under delegated authority refusing grant of resource consent under sections 104B and 104C (where application was not notified, or application was notified and either no submissions were received or any submissions were withdrawn): • section **127** – re application to change or cancel a condition of a resource consent (where application was not notified or application was notified and either no submissions were received or any submissions were withdrawn): • sections **128 to 132** - re review of the conditions of a resource consent (where the application was not notified or the application was notified and either no submissions were received or any submissions were withdrawn): • section **221** - re application to vary or cancel a condition in a consent notice(where the application was not notified or the application was notified and either no submissions were received or any submissions were withdrawn), as prescribed.	
Sections 357B, 357C and 357D Powers and duties as **local authority** to consider and make decisions on objections, under: • section **36(5)** – re additional charges; • section **149ZD** - re additional costs, as prescribed.	GMgr.C&DD P&DSMgr TLPC SCP PAdBP

9. COURT PROCEEDINGS

Powers and duties of Council as applicant, submitter and respondent re Environment Court Proceedings

Section/Part – Brief Description of Delegation	Delegates
Functions, powers and duties (Part 4)	
Functions, powers and duties of local authorities	
Hearings	
Section 42 Power as **local authority** to apply to the Environment Court for an order cancelling or varying an order made by another local authority to protect sensitive information, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD
District Plans (Part 5)	
Miscellaneous provisions	
Section 82 Power as **territorial authority** responsible for a relevant district plan to refer disputes about policy statements and plans to the Environment Court, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD
Section 86D Power as **local authority** to apply to the Environment Court for an order that a rule in a proposed plan or change is to have legal effect from a date other than standard date, as prescribed.	GMgr.C&DD
Section 87D	GMgr.C&DD

Section/Part – Brief Description of Delegation	Delegates
Power as **applicant** to request the consent authority to allow application for resource consent to be determined by the Environment Court instead of consent authorityl.	GMgr.CS
Resource Consents (Part 6) and Subdivisions (Part 10)	
Streamlining decision-making	
Section 87F & 87G Powers as **applicant** to lodge proceedings in Environment Court, including power to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS
Section 91 Power as **applicant** to apply to the Environment Court for revocation of determination by consent authority that consideration of application be deferred, including power to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS
Section 91(3) Powers and duties, as **consent authority** respondent, re application to Environment Court by applicant seeking revocation of determination.	GMgr.C&DD
Appeals	
Section 120, 121, 221 & 234 Power to appeal to Environment Court, in the manner prescribed: • against decision of consent authority on application for resource consent, as **applicant**; • against decision of consent authority on review of conditions of consent, as **resource consent holder**; • against decision of territorial authority on review of conditions of consent, as **subdivision consent holder**; • against decision of territorial authority on review of esplanade strip instrument, as **registered owner of land**, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS P&DSMgr TLPC
Section 120, 121, 221 & 234 Powers and duties as **respondent consent authority or territorial authority** re appeal against authority's decision on review of resource consent or subdivision consent conditions or re esplanade strip/reserve instrument, including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS
Section 120 & 121 Power and duties as **submitter** to appeal to the Environment Court against consent authority decision re consent application or application for change of consent conditions, as prescribed, including power to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS GMgr.I&E
PART 6AA - Subpart 1 – Minister may make direction	
Matter decided by Environment Court	
Section 149T Power as **local authority (territorial authority or consent authority)**, to join the proceedings as an interested party under s.274, including power to determine and direct Council involvement in the proceedings.	GMgr.C&DD
Section 149T Powers as **applicant** to commence Environment Court proceedings in the manner prescribed, including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS
Designations and heritage orders (Part 8)	
Section 174 Power as **submitter** to appeal to the Environment Court against a requiring authority's decision.	GMgr.C&DD GMgr.CS GMgr.I&E
Section 168A/174 Power as **territorial authority, requiring authority (s168A)** or **submitter** to appeal to Environment Court against decision of requiring authority or territorial authority (s. 168A)	GMgr.C&DD GMgr.CS GMgr.I&E

Section/Part – Brief Description of Delegation	Delegates
under sections 168A(5)/174, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	
Section 168A/174 Powers and duties as **requiring authority respondent** in an appeal against its decision to the Environment Court, including power to determine and direct requiring authority's involvement in proceedings.	GMgr.C&DD GMgr.CS GMgr.I&E
Section 176A Power as **territorial authority** to appeal to the Environment Court against the requiring authority's decision not to make changes to outline plan, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS
Section 176A Powers and duties as **requiring authority** to respond to appeal by territorial authority to the Environment Court – including power to determine and direct requiring authority's involvement in proceedings.	GMgr.C&DD GMgr.CS GMgr.I&E
Section 179 Power as **person seeking consent** to appeal to the Environment Court against a refusal of consent or re conditions imposed by requiring authority, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS
Section 179 Power as **requiring authority applicant,** to appeal to the Environment Court, against another requiring authority's refusal to give consent/against conditions imposed on written consent, including power to determine and direct authority's involvement in proceedings.	GMgr.C&DD GMgr.CS GMgr.I&E
Section 185 Powers and duties as **requiring authority respondent** in application made to Environment Court by owner of an estate in land seeking order directing requiring authority to acquire the land subject to a designation or requirement, including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS GMgr.I&E
Section 192(c) and 174 Power as **territorial authority** or **heritage protection authority or submitter** to appeal to Environment Court against decision of heritage protection authority, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS
Section 195 Power as **person seeking consent** to appeal to the Environment Court against a refusal of consent or re conditions imposed by heritage protection authority, including applicable duties and the authority to determine and direct Council involvement in the proceedings .	GMgr.C&DD GMgr.CS
Section 195 Powers and duties as **heritage protection authority respondent** in appeals to Environment Court against its decision/s, including power to determine and direct heritage authority's involvement in proceedings.	GMgr.C&DD GMgr.CS
Section 198 Power to apply to the Environment Court, as registered owner, for an order requiring a heritage protection authority to withdraw or remove a heritage order or take the land under Public Works Act 1981.	GMgr.C&DD GMgr.CS
Streamlining decision-making	
Section 198E & 198G Power as **requiring authority** or **heritage protection authority** to lodge a notice of motion requesting requirement be determined by Environment Court and to decide not to lodge a notice of motion, as prescribed, including power to determine and direct authority's involvement in proceedings.	GMgr.C&DD GMgr.CS GMgr.I&E
Section 198E	GMgr.C&DD

Section/Part – Brief Description of Delegation	Delegates
Power as **territorial authority respondent** re notice of motion requesting requirement be determined by Environment Court, including power to determine and direct Council's involvement in proceedings.	GMgr.CS
Environment Court (Part 11)	
Conferences and additional dispute resolution	
Section 267 Power as **party** to proceedings to request the Environment Court to convene a judicial conference, including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS
Section 268A Power as **party** to proceedings to consent to take part in alternative dispute resolution processes, including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS P&DSMgr TLPP TLPC
Procedure and powers	
Section 272 Power as **party** to appear and call evidence at the hearing.	GMgr.C&DD GMgr.CS
Section 274 Power as **local authority, consent authority, territorial authority, requiring authority, person, submitter** to join proceedings as a party, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS GMgr.I&E
Section 276A Power as **authorised officer** to certify a copy of, or extract from, the district plan as a true copy of the original.	GMgr.C&DD
Section 279 & 280 Power as **party** to proceedings to: • agree to settle an appeal; • apply for orders from an Environment Court judge sitting alone, or an Environment Commissioner/s; and • seek review of decisions, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS GMgr.I&E P&DSMgr TLPP TLPC
Section 281 Power as **party** to proceedings to apply to the Environment Court for a waiver or direction, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS
Appeals, inquiries, and other proceedings before Environment Court	
Section 292 Power as **party** to proceedings to seek a direction to amend a district plan to remedy a defect, give full effect to plan etc., including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS
Section 292 Duty as **local authority** subject to order, to comply with Environment Court direction, in the manner prescribed.	GMgr.C&DD GMgr.CS
Section 293 Duty as **local authority** to comply with direction of Environment Court to Council re proposed plan; to: • prepare changes; • consult parties and other persons; • submit changes to Court for determination (with all applicable delegations under Part 5 to apply).	GMgr.C&DD
Section 294 Power as **party** to proceedings to apply to the Environment Court for a rehearing, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS

Section/Part – Brief Description of Delegation	Delegates
Section 308A and 308I Power to apply to the Environment Court to declare a contravention of trade competition provisions, and to apply for damages where declaration obtained.	GMgr.C&DD
Section 356 Power to apply to the Environment Court for order authorising arbitration.	GMgr.C&DD
Miscellaneous provisions (Part 14)	
Section 358 Power as **applicant** to appeal to the Environment Court against decisions made on objections, including applicable duties and the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS
Section 358 Power**s** and duties as **respondent** re appeals to the Environment Court against decisions made on objections, including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS
Schedule 1 – Preparation, change and review of policy statements and plans	
Schedule 1, Clause 14 Power as **submitter** to appeal to Environment Court against another authority's decision on a plan or policy statement, including the authority to determine and direct Council's involvement in the proceedings.	GMgr.C&DD GMgr.CS
Schedule 1, Clause 14 Power as **territorial authority respondent** in respect of appeal on a plan or policy statement, including the authority to determine and direct Council's involvement in the proceeding.	GMgr.C&DD
Schedule 1, Clause 14 Power as **territorial authority** to appeal to Environment Court, against requiring authority or heritage protection authority decision, including power to determine and direct Council's involvement in proceedings	GMgr.C&DD GMgr.CS
Schedule 1, Clause 14 Powers and duties as **requiring authority or heritage protection authority respondent** re appeal to Environment Court against authority's decision, including power to determine and direct authority's involvement in proceedings.	GMgr.C&DD GMgr.CS
Schedule 1, Clause 27 Powers and duties as **local authority respondent** in appeal to the Environment Court against Council's decision on requests, including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD
Schedule 1, Clause 27 Power as **local authority** requesting change, to appeal to the Environment Court against other authority's decisions re request, as prescribed, including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD
Schedule 1, Clause 29 Powers and duties as **local authority respondent** re appeal by requester/submitter to Environment Court against Council's decision, including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD
Schedule 1, Clause 29 Power as **submitter** to appeal to the Environment Court against authority's decision on a plan change request, including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD
Schedule 1, Clause 29(6) Power as **local authority** requesting change to appeal to the Environment Court against other authority's decisions re plan change request, as prescribed, including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD

COURT PROCEEDINGS

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Powers and duties of Council as applicant or respondent re High Court and Court of Appeal Proceedings

Section/Part – Brief Description of Delegation	Delegates
Environment Court (Part 11)	
Appeals from Environment Court decisions	
Sections 299, 300, 301 and 305 Powers and duties as **respondent** or **applicant** re: • references of questions of law to High Court; • appeals to High Court against Environment Court or Board of Inquiry decisions, • including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD GMgr.CS
Section 308 Powers and duties as respondent or applicant re power to appeal a decision of the High Court to the Court of Appeal, including the authority to determine and direct Council involvement in the proceedings.	GMgr.C&DD

10. ABBREVIATIONS - RLC POSITION TITLES

Chief Executive's Office	
Chief Executive's Group	
Man.TAH	Manahautū Te Arawa Hourua
GMgr.C&DD	Group Manager – Community & District Development
GMgr.I&E	Group Manager – Infrastructure & Environment
GMgr.CS	Group Manager – Corporate Services
Planning & Development Solutions	As consent authority, local authority, territorial authority
RMA Consents: **P&DSMgr** **TLPC** **PAdBP** **SCP** **IntCP** **CP** **PITech** **District Plan:** **TLPP** **SPolA** **SnrPP** **PolPl** **GradPP** **Building:** **Mgr.BS** **SBldg.Insp.** **Bldg.Insp.** **Bldg.CO**	RMA Consents: Planning & Development Solutions Manager Team Lead Planning Consenting Principal Advisor - Best Practice Senior Consents Planner Intermediate Consents Planner Consents Planners Planning Technician District Plan: Team Lead Policy Planning Senior Policy Advisor Senior Policy Planner Policy Planner Graduate Policy Planner Building Manager, Building Services Senior Building Inspector Building Inspector Building Compliance Officer
Community Safety – Community & Regulatory Services	Resource Management Compliance - monitoring and enforcement
MgrComm&RegS **TL.CC** **MCO**	Manager Community & Regulatory Services Team Leader - Community Compliance Monitoring and Compliance Officer
Infrastructure & Environmental Solutions	
Active & Engaged Communities	Re parks & reserves/public works/NORs - Council as requiring authority, owner of land, applicant, person
A&ECMgr	Active and Engaged Communities Manager
R&OSMgr	Recreation & Open Spaces Manager
Infrastructure Group	
Land Development & Utilities	As consent authority, local authority, territorial authority
LD&CCMgr	Land Development & Corridor Control Manager
LDE	Land Development Engineer
LD&CCE	Land Development & Corridor Compliance Engineer
Waste Services	Re public works/designations: Council as requiring authority, owner of land, applicant, person
WSMgr	Waste Services Manager
Transport Services	Re public works/designations: Council as requiring authority, owner of land, applicant, person
TSMgr	Transport Services Manager

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Water Infrastructure Planning	Re public works/designations: Council as requiring authority, owner of land, applicant, person
WIPMgr	Water Infrastructure Planning Manager
Legal & Property	Re public works/NORs: Council as requiring authority, heritage protection authority, owner of land, applicant, person
L&PMgr	Legal & Property Manager

Section 2: Hearings Commissioner Delegations

11. General Provisions of RMA

Section/Part – Brief Description of Delegation	Delegates
Sections 36(5) and (6), 36AAB and 36AA Power as **local authority** to: • require payment of an additional charge; • provide an estimate of any additional charge. • remit any charge payable under s.36 (in accordance with Council policies); provide a discount on administrative charges.	Commissioner/Panel
Section 37 & 37A Powers and duties as **consent authority** or **local authority** to: • extend an applicable statutory time period; • waive procedural defects relating to the time/method of service; • waive compliance with an information requirement; • direct rectification of information, as prescribed.	Commissioner/Panel

12. DISTRICT PLAN (PART 5)

Council as Administrator of District Plan

Section/Part – Brief Description of Delegation	Delegates
Preparation, change, and review of plans (Schedule 1)	
Part 1 – Preparation and change of district plans	
Schedule 1, Clause 8B Duty as **local authority** to hold hearings into submissions on proposed plan and cl.4 notified requirements, as prescribed.	Commissioner/Panel
Schedule 1, Clause 8AA(7), 10 & 11 Powers and duties as **local authority** re matters raised in submissions: • making decisions on submissions; • notifying decisions and reasons; • notifying rights of appeal; • making decisions publicly available.	Commissioner/Panel

13. RESOURCE CONSENTS (PART 6)

Council as Consent Authority

Section/Part – Brief Description of Delegation	Delegates
Resource Consents (Part 6)	
Streamlining decision-making	
Section 87I Duty as **consent authority** to determine the application for a consent where Environment Court direct referral application is not lodged..	Commissioner/Panel
Application for resource consent	
Section 88 Power as **consent authority** to assess and determine that an application is incomplete and duty to return the application to the applicant, with written reasons for the determination. Duty as **consent authority** to treat re-lodged application as a new one.	Commissioner/Panel
Section 88A Duty as **consent authority** to process, consider and decide application as an application for the type of activity it was (or was treated as) at time lodged.	Commissioner/Panel
Section 88B Duty as **consent authority** to comply with the deferred time limits re applications, as specified.	Commissioner/Panel
Section 88C Duty as **consent authority** to comply with the extended time limits re further information and commissioning of reports, as specified.	Commissioner/Panel
Section 88D Duty as **consent authority** to exclude certain time periods relating to requests for direct referrals, as specified.	Commissioner/Panel
Section 88E Duty as **consent authority** to exclude certain time periods re other matters (applications for additional consents, approvals sought by affected persons/groups, mediations, suspensions).	Commissioner/Panel
Section 88G Duty as **consent authority** to exclude certain time periods when a non-notified application is suspended.	Commissioner/Panel
Section 88H Power as **consent authority** to exclude certain time periods when a fixed charge is not paid.	Commissioner/Panel
Section 88I Duty as **consent authority** to exclude certain time periods for applications under the Urban Development Act 2020.	Commissioner/Panel
Section 89A(2) and (5) Duty to provide relevant documents to Maritime New Zealand and to the parties.	Commissioner/Panel
Section 91(1) & (2) Power as **consent authority** to defer notification or hearing on a consent application pending additional applications; and duty to notify decision.	Commissioner/Panel
Section 91A & 91B Duty as **consent authority** to suspend (and to cease suspension of) processing a notified application where request made by applicant, in the manner and circumstances prescribed.	Commissioner/Panel
Section 91C Duty as **consent authority** to decide to return or continue to process notified applications if suspended after certain period, and to provide explanation for returned applications.	Commissioner/Panel
Further information	

Section/Part – Brief Description of Delegation	Delegates
Section 92 Before hearing or making decision re consent application: • power as **consent authority** to request the applicant to provide further information; or commission a report. • duty as **consent authority** to give reasons for request or report; make information or report available and give notice of its availability.	Commissioner/Panel
Section 92A and 92B Powers and duties as **consent authority** re responses to requests – to set time limit; give notice; consider consent application under s.104.	Commissioner/Panel
Public notification and limited notification of applications	
Section 95, 95A, 95B, 95C, 95D,95E, 95F and 95G Powers and duties as **consent authority** to decide notification process to apply to a resource consent application, in the manner and in the timeframes prescribed.	Commissioner/Panel
Section 97 Where limited notification applies, power as **consent authority** to adopt an earlier submission closing date, in the circumstances prescribed.	Commissioner/Panel
Section 98 Duty as **consent authority** to advise applicant of submissions.	Commissioner/Panel
Pre-hearing meetings and mediation	
Section 99(1) – (4) Power as **consent authority** to call pre-hearing meetings and invite or require applicants/submitters and others to attend.	Commissioner/Panel
Section 99(5) & (6) Duty, as chairperson of meeting, to prepare a report of meeting and distribute as prescribed.	Commissioner/Panel
Section 99(7) Duty as **consent authority** to have regard to the report in making its decision.	Commissioner/Panel
Section 99(8) Power as **consent authority** to decline to process a consent application or consider a submission, in circumstances prescribed.	Commissioner/Panel
Section 99A(1) & (2) Power as **consent authority** to refer parties who have made a consent application or submission/s on the application to mediation, as prescribed.	Commissioner/Panel
Hearings	
Section 100(a) Power as **consent authority** to determine whether a hearing on a consent application is necessary.	Commissioner/Panel
Section 101 Duty as **consent authority** to fix date, time and place for hearing of consent application, and to give notice as prescribed.	Commissioner/Panel
Section 102 Power as **consent authority** to determine (with other consent authorities and applicant) whether a joint hearing is required.	Commissioner/Panel
Section 103 Power as **consent authority** to determine whether applications are to be heard and decided together (subject to agreement of applicant).	Commissioner/Panel

Section/Part – Brief Description of Delegation	Delegates
Section 103A Duty as **consent authority** to hold hearings for consent applications that have been notified or given limited notification, within the prescribed time limits.	Commissioner/Panel
Section 103B Duty as **consent authority** re consent applications that have been notified, to provide/make available the authority's evidence and make available the applicant's and submitters' evidence, as prescribed.	Commissioner/Panel
Decisions	
Section 104 Powers and duties **as consent authority** when considering consent applications.	Commissioner/Panel
Section 104A, 104B, 104C, 104D, 106, 127 and 149Z Powers and duties as **consent authority** to grant or refuse applications, and matters must/must not have regard to, for: • controlled activities (s.104A); • discretionary activities (s.104B); • restricted discretionary activities (s.104C); • non-complying activities (s. 104B, 104D); • subdivisions (s.106); • changing or cancelling consent conditions (s.127); • matters referred to it under s.149Y(3) (s.149Z). •	Commissioner/Panel
Section 113(1) – (3) Duty as **consent authority**, where application has been notified, to give decision in writing (with reasons), as specified.	Commissioner/Panel
Section 113(4) Duty as **consent authority**, where application has not been notified, to give decision in writing and to state the reasons, as specified.	Commissioner/Panel
Section 114 & 115 Duty as **consent authority** to notify decision and rights of appeal, as prescribed.	Commissioner/Panel
Duration of consent	
Section 127 & 149Z(8) Power as **consent authority** to consider and determine an application to change or cancel a condition as if it were a consent application for a discretionary activity. **Note:** Delegations under specified sections apply.	Commissioner/Panel
Review of consent conditions	
Section 130 & 131 Powers and duties as **consent authority** to review conditions of a resource consent as an application for a resource consent. **Note:** Delegations under specified sections apply.	Commissioner/Panel
Section 132 Powers and duties as **consent authority** re decisions on a review under s.128. **Note:** Delegations under specified sections apply.	Commissioner/Panel
Section 132(3) & (4)	Commissioner/Panel

Section/Part – Brief Description of Delegation	Delegates
Power as **consent authority** to cancel a consent, in the circumstances prescribed.	

14. PROPOSALS OF NATIONAL SIGNIFICANCE (PART 6AA)

Council as Local Authority

Section/Part – Brief Description of Delegation	Delegates
Subpart 3 – Miscellaneous	
Minister makes direction to refer matter to local authority	
Section 149ZA Where a matter is referred to local authority, duty as **local authority** to hold a joint hearing, where directed by Minister.	Commissioner/Panel

15. DESIGNATIONS AND HERITAGE ORDERS (PART 8)

Council as Territorial Authority

Section/Part – Brief Description of Delegation	Delegates
Designations and heritage orders (Part 8)	
Designations	
Section 168A(1A),(1B) & (2) & s.149Z(4) Powers and duties as **territorial authority** to consider and determine its own notice of requirement in its own district.	Commissioner/Panel
Section 168A(2AA) & s.149Z(4) Duty as **territorial authority** to commence hearing within timeframes prescribed.	Commissioner/Panel
Section 168A(2A),(3) & (4) & s.149Z(4) Powers and duties as **territorial authority** when considering and determining Council's own notice of requirement in its own district.	Commissioner/Panel
Section 169 Powers and duties as **territorial authority** to determine the notification, submission and hearing process for a notice of requirement. **Note:** Delegations under specified sections in Part 6 and Part 8 apply.	Commissioner/Panel
Section 169(3) Duty as **territorial authority** to commence hearing within timeframes prescribed.	Commissioner/Panel
Section 171 & s.149Z(3) Powers and duties as **territorial authority** to consider and make a recommendation on notice of requirement of a requiring authority other than Council.	Commissioner/Panel
Section 181 & s.149Z(4) Duty as **territorial authority** to consider and make a recommendation on a notice to alter a designation as a requirement for a new designation. Power as **territorial authority** not to use above process, in the circumstances and subject to the process prescribed.	Commissioner/Panel
Heritage Orders	

Section/Part – Brief Description of Delegation	Delegates
Section 190 Powers and duties as **territorial authority** when considering and making a recommendation on notice of requirement for a heritage protection authority other than Council.	Commissioner/Panel
Section 190(8) Duty as **territorial authority** to commence hearing of notice under s.189 within timeframes prescribed.	Commissioner/Panel
Section 191 Powers and duties as **territorial authority** when considering and making a recommendation on a requirement.	Commissioner/Panel
Notice in own district	
Section 189A(2) & s. 149Z(6) Powers and duties as **territorial authority** when considering and determining Council's own notice for a heritage order in its own district. Note: Delegations under specified sections in Part 6 and Part 8 apply.	Commissioner/Panel
Section 189A(9A) & s. 149Z(6) Duty as **territorial authority** to commence hearing within timeframes prescribed.	Commissioner/Panel
Section 189A(10) & (11) & s. 149Z(6) & 191 Powers and duties as **territorial authority** when considering and determining Council's own notice of requirement in its own district.	Commissioner/Panel
Section 195A(1) to (4) Duty as **territorial authority** to consider and make a recommendation on a notice to alter a heritage order as a requirement for a new heritage order Power as **territorial authority** not to use above process, in the circumstances and subject to the process prescribed.	Commissioner/Panel
Section 198AA to 198AD Duties as territorial authority re excluded time periods for designation and heritage order processes.	Commissioner/Panel
Streamlining decision-making on designations and heritage orders	
Section 198D Power and duties as **territorial authority** to process the requirement, where request denied/granted, in the manner prescribed.	Commissioner/Panel
Schedule 1, Part 1 - Preparation and change of district plans	
Schedule 1, Clauses 4, 9 &13 Powers and duties as **territorial authority** on designations and heritage orders in the context of a district plan review: • giving written notice to requiring authorities inviting designations to be included in the district plan; • including its own requirements for designations or heritage orders in the district plan; • making and notifying recommendations and decisions; • modifying or deleting requirement in proposed plan; • notifying decisions and reasons of requiring authority or heritage protection authority; • notifying rights of appeal; • making decision publicly available.	Commissioner/Panel (and implementation of District Plan processes)

16. SUBDIVISION AND RECLAMATIONS (Part 10)

Council as Territorial Authority

Section/Part – Brief Description of Delegation	Delegates
Part 10 - Subdivision and reclamations	
Section 220 & 232(4) & (5) Powers as **consent authority** to impose conditions on subdivision consents, and related duties.	Commissioner/Panel
Section 221(3) & (3A) Power and duties as **territorial authority** to determine applications to vary or cancel a consent notice or to conduct a review of a condition, as prescribed. **Note:** Delegations under specified sections in **Section 3. Resource Consents** apply.	Commissioner/Panel
Section 222 Powers as **territorial authority**, to: • issue completion certificates and impose bonds; • extend the period for completion of works or making a financial contribution; • exercise specified consent authority powers. **Note:** Delegations under specified sections in **Section 3. Resource Consents** apply.	Commissioner/Panel
Esplanade reserves and strips	
Section 229, 230, 231, 232 & 236 Powers and duties as **territorial authority** to: • determine whether an esplanade strip/reserve should be created; • determine purpose of esplanade strip/reserve; • determine what matters should/shouldn't be provided for.	Commissioner/Panel
Section 234 Powers and duties as **territorial authority** to consider and determine an application to vary or cancel an esplanade strip instrument or a proposal initiated by territorial authority, as prescribed. **Note:** Delegations under specified sections in **Section 3. Resource Consents** apply.	Commissioner/Panel

17. OBJECTIONS

Powers and duties of Council to consider and decide objections under sections 357 to 357D

Section/Part – Brief Description of Delegation	Delegates
Sections 357, 357C and 257D **Sections 357, 357C and 257D** Powers and duties as **territorial authority** to consider and make decisions on objections made, under: • Section 10(2) – re refusal to grant extension to 12 month expiry of a discontinuation of use. • Section 41D – re submission being struck out; • Section 88(3) – re decision to return a person's application; • Section 99(8) – re decision to decline to process an application or submission; • Section 182(5) – re requiring authority's notice being declined; • Section 184 – re requiring authority's application not being granted; • Section 198C(4) to (5A) – re request by a requiring authority or heritage protection authority not being granted,	Commissioner/Panel

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Section/Part – Brief Description of Delegation	Delegates
as prescribed.	
Sections 357A, 357C and 357D Powers and duties as **consent authority** to consider and make decisions on objections, in the manner prescribed, under the following sections: • section **124(2)** - re exercise of a resource consent while applying for a new resource consent: • section **125(1A)(b)** - re lapsing of consents: • section **126(2)(b)** - re cancellation of consents: • section **139** - re certificates of compliance: • section **139A** - re existing use certificates: • section **99(8)** – re application or submission declined to be processed or considered: • section **87E(5) to (6A)** – re request made under section 87D: • section **104** - re decision made by officer under delegated authority refusing grant of resource consent under sections 104B and 104C (where application was not notified, or application was notified and either no submissions were received or any submissions were withdrawn): • section **127** – re application to change or cancel a condition of a resource consent (where application was not notified or application was notified and either no submissions were received or any submissions were withdrawn): • sections **128 to 132** - re review of the conditions of a resource consent (where the application was not notified or the application was notified and either no submissions were received or any submissions were withdrawn): • section **221** - re application to vary or cancel a condition in a consent notice(where the application was not notified or the application was notified and either no submissions were received or any submissions were withdrawn), as prescribed.	Commissioner/Panel
Sections 357B, 357C and 357D Powers and duties as **local authority** to consider and make decisions on objections, under: • section **36(5)** – re additional charges; • section **149ZD** - re additional costs, as prescribed.	Commissioner/Panel

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