HAWKE'S BAY
REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

Meeting of the Hawke's Bay Regional Council

Date: 26 February 2025

Time: 1.30pm

Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Attachments excluded from the Agenda
available online only

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Resource Management Act 1991 Delegations

Version Control		
Version	**Date approved by Council**	**Delegations Amended (by reference to sections/clauses)**
1	TBA	Establishment. This version supersedes all previous delegations of RMA powers to council officers, except for the Chief Executive's General Delegation.

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Functions, powers and duties			
Powers, Functions and Duties of Local authorities			
27	Supply information to Minister for the Environment as requested by Minister	• GM – Policy and Regulation • Mgr – Consents • Mgr – P&P • Mgr – Compliance • GM - Māori Partnerships	Examples of this delegation include providing information annually for the National Monitoring System, and providing written advice on how the Council is providing for vegetable growing activities in its implementation of the NPSFM.
28A	Supply information to Minister of Conservation as requested by Minister	• GM – Policy and Regulation • Mgr – P&P • Mgr – Compliance	
34A(1A)(a)	Consult with iwi authorities on Hearing Commissioner for plan-related hearing	• GM – Policy and Regulation • Mgr – P&P	
35(2A)	Prepare and make publicly available a report on plan effectiveness	• GM – Policy and Regulation • Mgr – P&P	
36(1)(ab)	Fix charges payable by a submitter requesting an independent commissioner under s 100A	• GM – Policy and Regulation • Mgr - Consents • Team Leader - Consents	If applicant does not make a request.
36(5)	Require a person to pay additional charges, where fixed charges are inadequate to cover actual and reasonable costs	• GM – Policy and Regulation • Mgr – Consents • Mgr – Compliance • Mgr – P&P • Team Leader - Consents • Consents Administrator • Consents Advisor	
36(6)	Provide an estimate of any additional charges likely to be imposed under s 36(5)	• GM – Policy and Regulation • Mgr – P&P • Mgr – Consents • Mgr – Compliance • Team Leader – Consents • Senior Consents Planner • Consents Planner • Consents Administrator • Consents Advisor	
36AA	Provide a discount on an administrative charge as required by regulations	• GM – Policy and Regulation • Mgr - Consents • Team Leader - Consents	

Section	Description of function, power or duty	Delegated to	Conditions/Limits
36AAB(1)	Remit whole or part of any charge under s 36 that would otherwise be payable	• GM – Policy and Regulation • Mgr – P&P • Mgr – Consents • Mgr – Compliance • Team Leader - Consents • Consents Administrator • Consents Advisor • GM – Integrated Catchment Management • Mgr – Environmental Information • Mgr –Science	Some of the circumstances where it may be appropriate to remit part or all of charge is where an application is withdrawn, where the activity is not able to be undertaken due to hardship or special circumstances (e.g. cyclone damage), where the activity is for an environmental, cultural or community good, where the application is not processed within the time frames set out in the Act and the responsibility sits with the Council, where the charge is unreasonable or it is impractical to try and collect it e.g. got no address or where the sum due is not worth pursuing, or where gravel abstraction under an individual resource consent is required for flood control purposes.
36AAB(2)	Decision as to whether or not to perform the action to which a charge relates until the charge has been paid in full.	• GM – Policy and Regulation • Mgr - Consents • Team Leader – Consents Senior Consents Planner	Does not apply to requests made by submitters for use of an independent commissioner.
Waivers and extension of time limits			
37(1)	Extend a time period or waive a failure to comply with a requirement	• GM – Policy and Regulation • Mgr – P&P • Mgr – Consents • Team Leader - Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Consents Administrator • Consents Advisor • Senior Regulatory Advisor	In accordance with the requirements in s 37A. If special circumstances apply, in accordance with 37A(4)(b)(i), then the delegation may be exercised no lower than Team Leader – Consents
37(2)	Waive compliance with a requirement or direct that an omission or inaccuracy be rectified	• GM – Policy and Regulation • Mgr – Consents • Team Leader - Consents • Senior Consents Planner • Consents Planner • Intermediate consents planner • Senior Regulatory Advisor	In accordance with s 37A.

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
37A(4)(b)(ii) & s37A(5)(a)	Extend timeframes for consent processing, where applicant agrees	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Consents Planner • Intermediate consents planner • Senior Regulatory Advisor	
37A(4)(b)(i)	Extend timeframes for consent processing, where special circumstances exist	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents	

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Enforcement officers			
38	Authorise staff or any other officer listed in the section to carry out functions and powers as an enforcement officer under the RMA	• GM – Policy and Regulation	Warrants must state the functions and powers that the person concerned has been authorised to exercise.

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Powers and duties in relation to hearings			
39AA	Direct that a hearing or part of a hearing may be conducted using one or more remote facilities	• GM – Policy and Regulation • Mgr – P&P • Mgr – Consents	
39B(3) and (4)	Determine whether there are exceptional circumstances that warrant not all of the persons being accredited	• GM – Policy and Regulation	Exercise of this delegation must be reported back to Council via RPC
41D	Direct that a submission or part of a submission be struck out.	• GM – Policy and Regulation • Mgr – Consents • Mgr – P&P • Team Leader – Consents	This power can only be exercised if Council officers are satisfied that at least one of the grounds in s41D(1) apply. In accordance with s 41A.
42	Make an order prohibiting or restricting the publication or communication of any sensitive information obtained during proceedings	• GM – Policy and Regulation • Mgr – P&P • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	

Reports (in relation to hearings)			
42A	Require preparation of a report on information, by an applicant or any person who made a submission	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	This applies in relation to any matter described in s 39(1).
42A(5)	Waive compliance with ss (3) and (4)(b)	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P& • Principal Adv – Strategic Planning • Mgr – Consents • Team Leader – Consents	If satisfied there is no material prejudice or is not aware of material prejudice to any person who should be given notice of the report.

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Standards, policy statements and plans			
44A	Amend plan or proposed plan to remove duplication or conflict with a national environmental standard; and publicly notify that amendment	• GM – Policy and Regulation • Mgr – P&P • Team Leader - P&P • Principal Adv – Strategic Planning • Senior Policy Planner	A register of such amendments is maintained within the Table of changes amendments and corrections at the beginning of the Regional Resource Management Plan and Regional Coastal Environment Plan
46A	Make or withdraw a submission to the Minister on a proposed national direction	• GM – Policy and Regulation • Mgr - P&P • Mgr – Consents	A record of the submission made is found on the Council website, search #hbrcsubmissions. Feedback on discussion documents and similar is not the same as formal submission on proposed NES/NPS/Regulations.
55	The power to amend a document (including a plan, proposed plan or variation) in accordance with section 55(2)–(2A); and publicly notify that amendment	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Planning • Senior Policy Planner	A register of such amendments is maintained within the Table of changes, amendments and corrections at the beginning of the Regional Resource Management Plan and Regional Coastal Environment Plan.
58D and 58H	Make or withdraw a submission to the Minister on national planning standards.	• GM – Policy and Regulation • Mgr - Policy Planning • Mgr – Consents	A record of the submission made is found on the Council website, search #hbrcsubmissions. Feedback on discussion documents and similar is not the same as formal submission on proposed NES/NPS/Regulations.

Section	Description of function, power or duty	Delegated to	Conditions/Limits
58I(2)	Power to amend a plan or proposed plan in accordance with section 58I	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	A register of such amendments is maintained within the Table of changes, amendments and corrections at the beginning of the Regional Resource Management Plan and Regional Coastal Environment Plan.
58O–58R	Participate in the Mana Whakahono a Rohe process on behalf of Council	• GM – Policy and Regulation • GM – Māori Partnerships • Mgr – P&P • Mgr – Consents	
58S	Participate in any dispute resolution process relating to negotiation of a Mana Whakahono a Rohe	• GM – Policy and Regulation • GM – Māori Partnerships • Mgr – Policy Planning • Mgr – Consents	
58T	Review Council policies and processes to be consistent with the Mana Whakahono a Rohe	• GM – Policy and Regulation • Mgr – P&P • Team Leader - P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
82	Refer a dispute to the Environment Court regarding inconsistencies between planning documents	• GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to exercising power. Exercise of this delegation is to be reported to RPC and Council
85AA	Amend a plan to reflect any new aquaculture settlement areas or changes to existing areas	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
86D(2)	Power to apply to the Environment Court for a rule to have legal effect from a date other than the date on which the decision on submissions relating to the rule is made and publicly notified.	• GM – Policy and Regulation • Mgr – P&P	Must consult CLA or external legal Counsel prior to exercising power.

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
Resource Consents			
Streamlining decision-making on resource consents			
87BB	Determine whether activity meeting certain requirements is a permitted activity	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	See s 87BB(2) and (3) for notice requirements.
87E	Determine request for direct referral to Environment Court	• GM – Policy and Regulation	
87F	Prepare a report addressing relevant issues set out in s 104 to 112, suggest conditions to be imposed if granted, and provide a summary of submissions received	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Consents Planner • Intermediate Consents Planner	This may also include technical advice from other staff or external contractors.

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Application for resource consents			
88(3)	Determine that an application is incomplete and provide reasons	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	Reasons for determining an application is incomplete: (a) Missing the information prescribed by regulations, or (b) Missing the information required by s 88(2)(b).
91	Determine not to proceed with the notification or hearing of an application	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner	If it considers on reasonable grounds: (a) That other resource consents will be required in respect of the proposal to which the application relates, and (b) It is appropriate that applications for any of those other resource consents be made before proceeding.
91C and 91F	Decide whether to return an application or to continue to process the application after an application has been suspended for 130 days (notified application) or 20 working days (non-notified application)	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	There is a need to provide reasons if it is returned. There is a s 357(3A) right of objection.

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
Further information			
92(1)	Request an applicant for a consent to provide further information	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Senior Regulatory Advisor	At any reasonable time before a hearing or before the decision is made – by written notice with reasons. For significant or continuous s 92 requests, discussion with Mgr - Consents or GM - Policy and Regulation should occur before the exercise of the power. (Note only one "stop the clock" s92 (1) request is now allowed and must be pre notification).
92(2)	Commission any person to prepare a report on any matter relating to an application	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	Allowed if: • The activity for which the resource consent is sought may have significant adverse environmental effects • The applicant is notified and agrees to the commissioning of the report • The contract for service price requires approval by the CE or GMRS.
92A(2)(a)	Set reasonable time limit for applicants to provide information requested	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Senior Regulatory Advisor	

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
Public notification and limited notification of applications			
95-95E	All decisions, determinations and assessments that are necessary as part of the decision whether to give public or limited notification to an application for resource consent or an application to change or cancel a resource consent condition	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	Includes s 95C, where notification is required if a request for information under s 92(1) or 92(2) is not fulfilled
95F and 95G	Decide if an activity may have effects on a protected customary right. Decide if an activity may have effects on the exercise of the rights applying to a customary marine title group.	• GM – Policy and Regulation, • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	If these groups rights are considered to be affected and they have not provided their written approval they should be regarded as an affected party and notified.
97(4)	Adopt an earlier closing date	• GM – Policy and Regulation, • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Pre-hearing meetings and mediation			
99(1)–(3)	Invite or require a person who has made an application or a submission on an application to attend a meeting	• GM – Policy and Regulation, • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	A pre-hearing meeting is not mandatory, but if convened there is discretion to require persons to attend.
99(4)	Decide whether certain staff, who have the power to make a decision on an application, may attend and participate in a pre-hearing meeting	• GM – Policy and Regulation • Mgr - Consents • Team Leader – Consents • Senior Consents Planner	Subject to all persons at the meeting agreeing to their attendance.
99(8)	Decline to process an application or consider a submission if such person fails to attend the meeting without reasonable excuse	• GM – Policy and Regulation • Mgr – Consents	
99A(1) & (2)	Refer to mediation a person who has made an application or submission to an application for a resource consent	• GM – Policy and Regulation • Mgr – Consents	Only with the consent of all persons being referred.
99A(3)(b)	Appoint a mediator where the authority is the person who has made an application for a resource consent.	• GM – Policy and Regulation • Mgr – Consents	

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Hearing			
100	Decide whether a hearing is necessary	• GM – Policy and Regulation • Mgr – Consents	A hearing is not needed unless consent authority decides there should be one or applicant or submitter requests to be heard. Staff discretion here is to decide to hold a hearing when not otherwise required.
101	Set hearing dates and give notice	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Consents Administrator • Consents Advisor	
102	Determine whether two or more applications are sufficiently unrelated that a joint hearing is unnecessary	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents	
103	Determine whether two or more applications are sufficiently unrelated that a combined hearing is unnecessary	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents	

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Decisions			
104(6)	Decline an application for a resource consent on the grounds of inadequate information	• GM – Policy and Regulation • Mgr – Consents	
104–104D & 105	Determinations of non-notified applications for resource consents (in accordance with considerations in s 104)	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	
104–104D & 105	Determine publicly notified applications and limited notified applications for resource consents, when no submissions are received, or when submissions have been withdrawn or where submitters do not wish to be heard	• GM – Policy and Regulation • Mgr – Consents	
107(2)–(3)	Grant a discharge permit or coastal permit in the circumstances prescribed in the s 107(1)	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
108, 108A and 108AA	Impose any condition considered appropriate on a resource consent to be granted	• GM – Policy and Regulation, • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	Exception is where expressly provided in the section. Subject to s 108AA.
109(3)	Power to enter land to inspect and ascertain whether bonded work has been completed to the satisfaction of Council as the consent authority.	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Mgr – Compliance • Team Leaders Compliance • Senior Compliance Officers • Compliance Officers	Power to enter onto land pursuant to this delegation requires the officer to have a warrant of authority under s 174 of the Local Government Act 2002,
109(4)–(6)	Power to extend timeframe within which bonded work is required to be completed. Power to determine bonded work has not been completed to Council's satisfaction within the required timeframe and to authorise the entering onto land by Council to complete the work and power to recover Council's costs.	• GM – Policy and Regulation • Mgr – Consents • Mgr – Compliance	Power to enter onto land pursuant to this delegation requires the officer to have a warrant of authority under s 174 of the Local Government Act 2002,

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
Notification of Decision			
114	Serve applicant with copy of decision on an application for a resource consent	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Consents Administrator • Consents Advisor	
Lodging an Appeal			
120(1)	Lodge an appeal to the Environment Court against the decision of a consent authority on a resource consent, application to change consent conditions or review consent conditions.	• GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to the exercise of power.
Duration of Consent			
124	Allow the exercise of an existing resource consent pending determination for a new consent	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	The staff listed have the discretion to allow the consent holder to continue to operate if an application for a new consent is made in the period that— (i) begins 6 months before the expiry of the existing consent; and (ii) ends 3 months before the expiry of the existing consent; and the other circumstances in s 124(2) are met. If the view is that the applicant should not be allowed to continue to operate then the matter should be referred to the GM – Policy and Regulation.
124	Exercise discretion not to allow the exercise of an existing resource consent pending determination for a new consent	• GM – Policy and Regulation	
124A	Determination of whether s 124B and 124C apply	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents	

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
125	Consider and make a decision on whether a consent has been given effect to and extend (on application) the time period within which a consent must be exercised before it lapses.	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	
126	Cancellation of consent not exercised for the preceding 5 years and power to revoke notice of cancellation of consent	• GM – Policy and Regulation • Mgr – Consents	
127	Approve or decline a change or cancellation of consent condition on application by the consent holder and determine whether an application for a change or cancellation of a condition of consent shall be notified	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
Review of consent conditions			
128	Serve notice on a consent holder of its intention to review the conditions of a resource consent; and Serve notice of review of consent in line with Regional Plan rules, if a relevant national environmental standard has been made or if information made available for the application contained inaccuracies which materially influenced the decision and effects of the exercise of the consent are such that it is necessary to apply more appropriate conditions.	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	For the purpose of: (a) Dealing with adverse effects on the environment which may arise from the exercise of a consent, (appropriate to deal with at a later stage), (b) Requiring a holder of a discharge permit or coastal permit to do something that contravenes s 15 &15B to adopt the best option to remove or reduce any adverse effects on the environment, or (c) For any purpose specified in the consent. In accordance with s 129.
130	Process a review of consent with all necessary modifications.	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner	If the consent authority considers special circumstances exist. Determine whether a review shall be notified – see delegations for s95 to 95G, 96-102. Must serve on the Minister notice of the review for s128(1)(ba).
131-132	Consider and decide on non-notified review of consent conditions including changing conditions or cancellation of resource consent.	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents	In accordance with s 128 and with matters to be considered under s 131. Cancellation may only be exercised by GM – Policy and Regulation and Mgr – Consents
133A	Issue an amendment to a consent that corrects minor mistakes or defects in the consent	• GM – Policy and Regulation, • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner	Within 20 working days of granting the consent.

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
Transfer of consents			
136(4)	Approve the transfer of a water permit to another site if change is non-notified.	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	
138	Accept the surrender or part surrender of a resource consent, or refuse surrender of part of a resource consent under certain considerations	• GM – Policy and Regulation • Mgr – Consents • Mgr – Compliance • Team Leader – Consents • Team Leader – Compliance	Prior to exercising this power, staff should discuss the matter with the RCP responsible for monitoring the consent.
138A	Exercise powers relating to special provisions relating to coastal permits for dumping and incineration.	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents	Overall purpose to adopt the best practicable option to prevent or minimise any actual or likely adverse effects on the environment.

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Certificates of compliance or existing use			
139	Issue a certificate of compliance including requiring further information from an applicant	• GM – Policy and Regulation • Mgr - Consents • Team Leader - Consents • Senior Consents Planner	
139A	Issue an existing use certificate, including requiring further information from an applicant	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Proposal of national significance			
Matter lodged with EPA			
147(4)	Provide views to the Minister of a matter of national significance	• GM – Policy and Regulation	
General provisions for matters lodged with local authority			
149	Prepare any report requested by the EPA on a plan development-related matter	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
149B	Provide the EPA with any information they request relating to the matter being called in for plan-related matters	• GM – Policy and Regulation, • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	

Section	Description of function, power or duty	Delegated to	Conditions/Limits
149E	Make a submission to the EPA where Minister has made a direction in relation to a resource consent application, and public notice given	• GM – Policy and Regulation	A record of the submission made is found on the Council website, search #hbrcsubmissions
149F	Make or withdraw a further submission to the EPA	• GM – Policy and Regulation	A record of the submission made is found on the Council website, search #hbrcsubmissions
149G	Prepare a report on the key issues in relation to a matter that has been called in, when commissioned by the EPA	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Consents Planner • Intermediate Consents Planner	
149I	Withdrawal of change or variation	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning	A register of such amendments is maintained within the Table of changes, amendments and corrections at the beginning of the Regional Resource Management Plan and Regional Coastal Environment Plan
Matter decided by board of inquiry			
149K	Provide suggestions to the Minister for members of a Board of Inquiry	• GM – Policy and Regulation	
149M(4)(b)	Prepare the plan change in accordance with s149N, if this has not already been prepared	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
149N	Undertake process steps specified for the local authority by the EPA	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
149O	Make or withdraw a submission on a proposed plan or regional policy statement	• GM – Policy and Regulation • Mgr – P&P	A record of the submission made is found on the Council website, search #hbrcsubmissions

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
Matter decided by Environment Court			
149T	Become a party to matter referred to Environment Court under s 274	• GM – Policy and Regulation • Mgr – P&P	Refer to section for guidelines for application
Appeals			
149V	Appeal to the High Court against a decision (under s 129R(1) or 149U) made by the Board of Inquiry or Environment Court	GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to the exercise of the power. Appeal only regarding questions of law.
149W	Implement decision of a board of inquiry (under s149R) or the Environment Court (under s149U)	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
149Z	Process a matter referred to it, and as directed, by the Minister under s149Y	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner • Mgr – Consents • Team Leader – Consents	
149ZA(3)(a)	Hold a joint hearing, where instructed by the Minister	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner • Mgr – Consents • Team Leader – Consents	
149ZD	Recover from an applicant actual and reasonable cost incurred in complying with Part 6AA	• GM – Policy and Regulation • Mgr – Consents • Mgr – P&P	

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
Occupation of common marine and coastal area			
Managing occupation			
165D	Refuse to receive applications for coastal permits	• GM – Policy and Regulation • Mgr – Consents	
165H	Prepare and report on certain matters required before making an allocation rule in a regional coastal plan	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
165X	Accept or reject offers for authorisations, or negotiate with and tenderer Give public notice of accepted tender	• GM – Policy and Regulation • Mgr – Consents	
165ZF	Request direction from the Minister to process and hear applications jointly	• GM – Policy and Regulation • Mgr - Consents	
165ZFE	Grant or decline applicants' requests to have affected applications determined by the Environment Court	• GM – Policy and Regulation • Mgr - Consents	
165ZFHI	Review conditions of extended permits	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	
165ZFHM	Decide whether to add to, amend, or make no change to conditions of coastal permits	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
Designations			
174	Power to appeal to the Environment Court against a decision of the territorial authority.	GM – Policy and Regulation GM – ICM GM – Asset Management	Must consult CLA or external legal Counsel prior to the exercise of power.
176	Provide written approval to undertake works within a Council designation	GM – Policy and Regulation GM – ICM GM – Asset Management	
176A(1) and (5)	Power to submit outline plan as requiring authority and decide whether to accept any changes to the outline plan	GM – Policy and Regulation GM – ICM GM – Asset Management	
177	Power to give or withhold consent as the authority responsible for a designation. Power to apply to the authority responsible for an earlier designation or heritage order for its written consent (when the Council is the requiring authority responsible for a later designation).	GM – Policy and Regulation GM – ICM GM – Asset Management	
181	Power to give notice to a territorial authority of its requirement to alter a designation.	GM – Policy and Regulation GM – ICM GM – Asset Management	
182(1) and 182(5)	Power to give notice that a designation is no longer required. Power to object to decision of territorial authority to decline to remove part of a designation.	GM – Policy and Regulation GM – ICM GM – Asset Management	
184(1) and 184(3)	Power to apply to the territorial authority to extend the lapse period of a designation. Power to object to the decision not to fix a longer lapse period.	GM – Policy and Regulation GM – ICM GM – Asset Management	
198G	Power to decide not to lodge a notice of motion and refer the notice of requirement back to the territorial authority	GM – Policy and Regulation GM – ICM GM – Asset Management	

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
Water Conservation Orders			
205	Make or withdraw a submission to a special tribunal on an application for a water conservation order	• GM – Policy and Regulation • Mgr – P&P	A record of the submission made is found on the Council website, search #hbrcsubmissions
209	Make or withdraw a submission to the Environment Court on an application for a water conservation order	• GM – Policy and Regulation • Mgr – P&P	A record of the submission made is found on the Council website, search #hbrcsubmissions
211	Represent Council at an inquiry relating to a water conservation order	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
216	Agree to an amendment of a water conservation order	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Mgr – Consents • Team Leader – Consents	
217(2)(c)	Impose conditions necessary to ensure that the provisions of the water conservation order are maintained	• GM – Policy and Regulation, • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Subdivisions and reclamations			
Reclamations			
245	Approve a plan of survey where resource consent granted for a reclamation if satisfied under certain conditions in ss (4)	• GM – Policy and Regulation • Mgr – Consents • Mgr – Compliance	Approval completed by affixing common seal to the plan of survey and CE to sign and date a certificate stating the reclamation conforms with the resource consent and relevant provisions of any regional plan, and where any condition doesn't comply, a bond has been given (s 108(2)(b)) or a covenant has been entered into (s 108(2)(d)).
Environment Court			
267	Request a judicial conference Decide on matters arising at a conference	• GM – Policy and Regulation	

Section	Description of function, power or duty	Delegated to	Conditions/Limits
268A	Authority to represent Council at alternative dispute resolution (ADR) and settle matters on appeal that are subject to those processes.	• GM – Policy and Regulation • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner • Mgr – Consents • Team Leader – Consents	In relation to appeals on proposed policy statements, proposed regional plans, plan variations and plan changes, the delegation to settle is subject to the following: - any direction as to scope for the resolution and settlement of appeals from HBRPC. - any other delegation of authority to settle a specific appeal on the recommendation of the HBRPC from time to time, where required.
268	Power to consent to a matter being referred to alternative dispute resolution.	• GM – Policy and Regulation • Mgr – Consents	Must consult CLA or external legal Counsel prior to the exercise of power.
274	Application to the Environment Court to become a party to proceedings.	• GM – Policy and Regulation • Mgr – Consents • Mgr – P&P • GM – Asset Management • Mgr – Regional Assets	Must consult CLA or external legal Counsel prior to the exercise of power.
278–279	Application to the Environment Court for any order and/or to agree the content of the order	• GM – Policy and Regulation • GM – Asset Management	Must consult CLA or external legal Counsel prior to the exercise of power. The GM – Policy and Regulation can apply to the Environment Court for an order in relation to Enforcement proceedings. For example, the result of mediation between parties.
281(1)	Apply to the Environment Court to waive a requirement or give a direction	• GM – Policy and Regulation • GM – Asset Management	
281B	Request review of exercise of a power by a Registrar	• GM – Policy and Regulation	
285	Apply to the Environment Court for an order for, or waiver of, costs	• GM – Policy and Regulation • GM – Asset Management	Must consult CLA or external legal Counsel prior to the exercise of power.
291	Lodge, oppose, join or withdraw a Notice of Motion seeking an order from the Environment Court	• GM – Policy and Regulation • GM – Asset Management	Must consult CLA or external legal Counsel prior to the exercise of power.
292(2)	Remedy a defect in a regional plan as directed by the Environment Court without use of Schedule 1.	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	Staff update the register of Table of changes, amendments and corrections at the beginning of the relevant plan

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
293	Request and/or respond to an Environment Court order for change to a regional policy statement or plan	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
300	Power to execute notice of appeal.	• GM – Policy and Regulation • GM – Asset Management	Must consult CLA or external legal Counsel prior to the exercise of power.
301	Power to give notice of intention to appear.	• GM – Policy and Regulation • GM – Asset Management	Must consult CLA or external legal Counsel prior to the exercise of power.
305	Lodge, join, oppose or withdraw from an additional appeal on questions of law to the High Court	• GM – Policy and Regulation • GM – Asset Management	Must consult CLA or external legal Counsel prior to the exercise of power.
306	Power to apply to the High Court for an extension of time.	• GM – Policy and Regulation • GM – Asset Management	Must consult CLA or external legal Counsel prior to the exercise of power.
308	Lodge, join, oppose or withdraw from an appeal to the Court of Appeal	• GM – Policy and Regulation • GM – Asset Management	Must consult CLA or external legal Counsel prior to the exercise of power.
308G	Power to bring proceedings in the Environment Court for a declaration.	• GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to the exercise of power.
308I	Power to bring proceedings for damages in the High Court.	• GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to the exercise of power.

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Enforcement orders			
311	Power to seek a declaration	• GM – Policy and Regulation • GM – Asset Management	Must consult CLA or external legal Counsel prior to the exercise of power
314, 316, 318 & 320	Apply and/or respond to the Environment Court for an enforcement order of the kind specified in s 314(1)(da) & (e), or an interim enforcement order	• GM – Policy and Regulation • GM – Asset Management	Must consult CLA or external legal Counsel prior to the exercise of power.
315	Power to seek the consent of the Environment Court to take any action specified in s 315(2) where a person fails to comply with an enforcement order	• GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to the exercise of power.
Re317	Power to sign and serve notice of application for enforcement order.	• GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to the exercise of power.

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
321	Power to apply to the Environment Court for a change or cancellation of an enforcement order.	• GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to the exercise of power.

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Abatement notices			
325	Power to appeal to the Environment Court against an abatement notice and power to apply to an Environment Court Judge for a stay of an abatement notice pending appeal.	• GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to the exercise of power.
325A(2)	Cancel an abatement notice (by written notice to any person subject to that abatement notice)	• GM – Policy and Regulation • Mgr – Compliance • Team Leader – Compliance • Senior Compliance Officer	
325A(5)	Consider an application to change or cancel an abatement notice	• GM – Policy and Regulation • Mgr – Compliance • Team Leader – Compliance • Senior Compliance Officer	

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
Water shortage			
329	Issue a direction if Council considers there is a serious temporary shortage of water in the region Amend or revoke a direction issued under this section	• GM – Policy and Regulation	Directions: (a) That the taking, use, damming or diversion of water, (b) That the discharge of any contaminant into water – Is to be apportioned, restricted, or suspended to the extent and in the manner set out in the direction.

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Emergency works			
330	Power to take preventive or remedial action	• GM – Asset Management • Mgr – Regional Assets • Mgr – Operations • Incident Controller pursuant to Emergency Plan • Regional On-Scene Commander pursuant to Tier 2 Oil Response Plan	Also see s 330A
331(1)	Require reimbursement of costs for emergency works, where action was taken because of the default of any person	• GM – Policy and Regulation • Mgr – Compliance • Team Leader – Compliance	
331(1A)	Application for enforcement order under s 314(1)(d) to recover costs	• GM – Policy and Regulation • Mgr – Compliance	

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Section	Description of function, power or duty	Delegated to	Conditions/Limits
Powers of entry and search			
336	Determine whether to return seized property Give notice of intention to dispose of unclaimed property Dispose of property not claimed within 6 months	• GM – Policy and Regulation • Mgr – Compliance	

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Infringement offences			
343C(4)	Commence proceedings in accordance with s 21 of the Summary Proceedings Act 1957	• GM – Policy and Regulation • Mgr – Compliance	Must consult CLA or external legal Counsel prior to the exercise of power.

Section	Description of function, power or duty	Delegated to	Conditions/Limits
Miscellaneous provisions			
Rights of objection			
357–357C	Exercise a right of objection in relation to a submission made to a board of inquiry, territorial authority, or other relevant decision-maker	• GM – Policy and Regulation • Mgr – P&P • Mgr – Consents	
357A &357D	Power to consider and make decisions on objections	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents	
357B & 357D	Consider and make a decision on objections where the additional charge or costs that are the subject of the objection are less than $20,000	• GM – Policy and Regulation, • Mgr – Consents	
357B & 357D	Consider and make a decision on objections where the additional charge or costs that are the subject of the objection exceed $20,000	• GM – Policy and Regulation	
357C(1)	Power to allow a person a longer time to make an objection.	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents	

Section	Description of function, power or duty	Delegated to	Conditions/Limits
357C(3)(b)	Give appropriate notice to parties	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Consents Planner • Intermediate Consents Planner • Consents Administrator • Consents Administrator	
357C(4)(b)	Give appropriate notice of objection hearing to parties	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Consents Administrator • Consents Advisor	
357D(2)	Give appropriate notice of decision to parties.	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Consents Administrator • Consents Advisor	
358	Appeal to the Environment Court in relation to a right of objection under ss357 - 357B	• GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to exercise of power.
360(2G)	Amend or withdraw, and publicly notify amendment or withdrawal of rules to remove inconsistency with a s 360 regulation	• GM – Policy and Regulation • Mgr – P&P • Team Leader - P&P • Team Leader – P&P • Principal Adv – Strategic Planning	A register of such amendments is maintained within the Table of changes, amendments and corrections at the beginning of the Regional Resource Management Plan and Regional Coastal Environment Plan
360B(2)(b)	Provide feedback to the Minister of Aquaculture in relation to aquaculture	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	A record of the submission made is found on the Council website, search #hbrcsubmissions
360C	Amend and publicly notify an amendment to the regional coastal plan to give effect to regulations made under s360A(1)	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	A register of such amendments is maintained within the Table of changes, amendments and corrections at the beginning of the Regional Coastal Environment Plan
360F	Fix administrative charges in accordance with regulations	• GM – Policy and Regulation • Mgr – P&P • Mgr – Consents	

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Planning and Policy			
Reference	**Description of function or duty**	**Delegated to**	**Conditions/Limits**
The clauses referred to in the below section are a reference to clauses within **Schedule 1** of the RMA.			
Clause 2	Commence preparation of a plan or policy statement	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	With reference to the RPC.
Clause 3	Consult with various parties during the preparation of a plan or policy statement	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 3A	Consult as required for a regional policy statement	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 3B,	Consult as required with iwi authorities	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 4	Respond to a district plan review on behalf of Council as a requiring authority	• GM – Policy and Regulation	Asset managers lead any designation work on behalf of Council. The Policy Team may advise on this process.
Clause 4A	Pre-notification to authorities	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	

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Planning and Policy			
Reference	**Description of function or duty**	**Delegated to**	**Conditions/Limits**
Clause 5	Prepare evaluation report and notify a proposed plan or regional policy statement	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	RPC must recommend proposal for notification before it is publicly notified. Public notice must be approved by GM – Policy and Regulation. Staff update the register of Table of changes, amendments and corrections at the beginning of the relevant plan.
Clause 5A	Decision to give limited notification of a proposed change or variation Decisions on provision of further information Decisions on adopting an earlier closing date Decisions on additional places a proposed change or variation should be available	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	RPC must recommend proposal for notification before limited notification. Public notice must be approved by GM – Policy and Regulation.
Clause 6	Make or withdraw a submission on a proposed plan or regional policy statement	• GM – Policy and Regulation • Mgr – P&P	
Clause 6A	Make or withdraw a submission on a proposed change	• GM – Policy and Regulation • Mgr – P&P	
Clause 7	Power to publicly notify summary of decisions and submissions.	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	Mgr – P&P must approve summary before it is released to the public
Clause 8	Power to approve the making of further submissions on behalf of Council provided that the subject matter of the submission falls within the scope of the Delegate's role.	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	Mgr – P&P must approve further submission before it is lodged with the relevant council and submitter
Clause 8A	Power to serve a copy of further submissions.	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	

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Planning and Policy			
Reference	**Description of function or duty**	**Delegated to**	**Conditions/Limits**
Clause 8AA	Powers of Council in respect of dispute resolution on any matter relating to a proposed policy statement or plan.	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
8C	Determine whether a hearing is required where submissions are made but no person indicates they wish to be heard, or the request to be heard is withdrawn,	• GM – Policy and Regulation • Mgr – P&P	
Clause 8D	Withdraw and publicly notify the withdrawal of a plan or policy statement	• GM – Policy and Regulation • Mgr – P&P	Staff update the register of Table of changes, amendments and corrections at the beginning of the Regional Resource Management Plan and Regional Coastal Environment Plan.
Clause 10A	Apply for an extension of time to the Minister to make a decision and publicly notify any extension granted.	• GM – Policy and Regulation • Mgr – P&P	
Clause 11	Notify a decision	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	Public notice must be approved by GM – Policy and Regulation
Clause 14	Power to appeal to the Environment Court.	• GM - Policy and Regulation	Must consult CLA or external legal Counsel prior to exercising power.
Clause 16	Power to amend a proposed plan required by section 55(2) or the Environment Court and to amend a proposed plan to alter any information where such an alteration is of minor effect or is to correct minor errors.	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	Staff update the register of Table of changes, amendments and corrections at the beginning of the relevant plan
Clause 16A, 16B	Prepare a variation and process as if a plan change	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	RPC must recommend proposal for notification. Public notice must be approved by GM – Policy and Regulation.

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Planning and Policy			
Reference	**Description of function or duty**	**Delegated to**	**Conditions/Limits**
Clause 19	Power to make changes to a proposed regional coastal plan required by the Minister of Conservation.	• GM – Policy and Regulation, • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 20	Power to notify an operative date.	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	Council sets the operative date when it adopts the proposal
Clause 20A	Power to amend an operative plan to correct any minor errors.	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	Staff update the register of Table of changes, amendments and corrections at the beginning of the relevant plan
Clause 23	Power to require additional information and commission reports and notify requester.	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 24	Modify a plan change request by agreement with the person requesting the change	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 26	Prepare and notify the accepted proposal in consultation with the person who made the plan change request	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 27	Power to appeal to the Environment Court against the decision of another local authority for a plan change.	• GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to the exercise of power.

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Planning and Policy			
Reference	**Description of function or duty**	**Delegated to**	**Conditions/Limits**
Clause 28	Power to give notice of withdrawal of a request	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 29(9)	Seek approval of the requester to initiate a variation of a private plan change	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 32	Provide proof of material incorporated by reference	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 34	Notify and distribute material to be incorporated by reference	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 35	Make available information incorporated by reference	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 37	Submit freshwater planning documents to Chief Freshwater Commissioner	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 41	Support and participate pre-hearing meetings as requested by the chairperson of the freshwater hearings panel	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	

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Planning and Policy			
Reference	**Description of function or duty**	**Delegated to**	**Conditions/Limits**
Clause 43	Participate in a conference of experts as requested by the chairperson of the freshwater hearings panel	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 44	Participate in any alternative dispute resolution as requested by the chairperson of the freshwater hearings panel	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 45	Prepare or commission a report as requested by the chairperson of the freshwater hearings panel	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 46	Support the appointment of a special advisor and friend of submitter, as requested by the chairperson of the freshwater hearings panel	• GM – Policy and Regulation • Mgr – P&P	
Clause 47	Request an extension of time in relation to a freshwater planning instrument	• GM – Policy and Regulation	
Clause 52(5)	Undertake process steps regarding notification of Council's decisions	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 53	Prepare a variation to a freshwater planning instrument and advise the Chief Freshwater Commissioner	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 55, 56, 57	Participate as necessary in any appeal to the Environment Court or High Court, or judicial review	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	Must consult CLA or external legal Counsel prior to exercising power.

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Planning and Policy			
Reference	**Description of function or duty**	**Delegated to**	**Conditions/Limits**
Clause 59	Nominate 2 representatives on the freshwater hearings panel	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	Nomination must be confirmed by Council. Staff delegation enables preparation and implementation of Council decision
Clause 63	Ensure Council funds the freshwater hearings panel and any related activities	• GM – Policy and Regulation • Mgr – P&P	
Clause 75	Apply to the Minister to use the streamlined planning process under s80C	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 76	Provide any further information requested by the Minister	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 80	Request the Minister amend a direction	• GM – Policy and Regulation • Mgr – P&P	
Clause 81	Request a time limit extension	• GM – Policy and Regulation • Mgr – P&P	
Clause 83	Submit proposed planning instrument and supporting documentation to responsible Minister	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 86	Address any matters that the Minister refers back to Council	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 87	Notify the Minister's decision under cl 90	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	

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Planning and Policy			
Reference	**Description of function or duty**	**Delegated to**	**Conditions/Limits**
Clause 88	Withdraw any proposal using the streamlined planning pathway at any time before the Minister makes a cl 84 decision	• GM – Policy and Regulation	
Clause 89	Give notice that the proposed planning instrument is withdrawn	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	
Clause 90	Publicly notify the Minister's decision and complete associated tasks	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	Public notice must be approved by GM – Policy and Regulation
Clause 92	Lodge an appeal in relation to a designation or heritage order affecting Council	• GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to exercising power.
Clause 93, 94	Prepare and lodge an appeal to the High Court in relation to a designation or heritage order affecting Council on a point of law	• GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to exercising power.
Clause 108	Exercise the right of judicial review in relation to an intensification planning instrument	• GM – Policy and Regulation	Must consult CLA or external legal Counsel prior to exercising power.

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Policy & Planning			
Reference	**Description of function or duty**	**Delegated to**	**Conditions/Limits**
The clauses referred to in the below section are a reference to clauses within **Schedule 11** of the RMA.			
	Append all relevant Statutory Acknowledgements (from Treaty Settlement legislation) to the RPS and regional plans	• GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner	No Schedule 1 RMA process necessary. Each Treaty Settlement Legislation will have its own particular details.

Resource Management (Measurement and Reporting of Water Takes) Regulations 2010			
Reference	**Description of function or duty**	**Delegated to**	**Conditions/Limits**
Rights of objection			
9	Approval to measure water taken each week (instead of each day)	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	
10	Approval to use device or system installed near (instead of at) location from which water taken	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	
11	Revoke approval of 9 or 10	• GM – Policy and Regulation • Mgr - Consents, • Team Leader - Consents • Senior Consents Planner	
8A	Ability to request evidence from consent holder that the measuring device is verified as accurate	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Mgr – Compliance • Team Leader – Compliance	

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Resource Management (Forms, Fees, and Procedure) Regulations 2003			
Reference	**Description of function or duty**	**Delegated to**	**Conditions/Limits**
Public Notice			
10	Service of notice on prescribed persons	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	
10A	Discretion to require notice to be affixed to site	• GM – Policy and Regulation • Mgr - Consents • Team Leader - Consents • Senior Consents Planner	A consent authority may require the following to be affixed to a conspicuous place on or adjacent to the site to which the application relates: (a) a short summary of the notice; and (b) details of the Internet site where the full public notice in form 12 can be accessed.

Severe Weather Emergency Recovery (Hawke's Bay Flood Protection Works) Order 2024			
Reference	**Description of function or duty**	**Delegated to**	**Notes for Staff**
12 - 13	Deciding if an application under the order is complete and/or that additional consents are required.	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	
15	Notification of specified parties of an application and invite comments	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	
17	Set conditions, amend or add to conditions set out in Schedule 2	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner	
18	Issue notice of decision	• GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Consents Administrator • Consents Advisor	

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HAWKE'S BAY REGIONAL COUNCIL

Policy	
Title:	**Non-financial Delegations Policy**
Policy number:	CD0060

Team policy owned by:	Legal, Compliance and Risk	**Version number:**	1
Document owner:	Chief Legal Advisor	**Date policy last reviewed and published:**	26 February 2025
Document approver:	Group Manager, Policy and Regulation	**Next review due:**	26 February 2028

Purpose

This Policy sets out the framework for delegating responsibilities, duties, and powers the Council holds pursuant to the LGA and other legislation.

This Policy outlines the key principles to be applied when delegating to ensure authority and responsibility exist at the appropriate level.

Target audience

This Policy applies to all delegations made or proposed to be made under legislation or Council bylaws, policies, and procedures. Accordingly, this policy applies to HBRC personnel involved in:

- Preparing delegations for approval, and
- Exercising responsibilities, duties and powers pursuant to such delegations.

Policy details

1. **Policy goal or objective**
   1.1. This Policy sets out the framework for delegating responsibilities, duties, and powers the Council holds pursuant to the LGA and other legislation. This Policy applies to all delegations made or proposed to be made under legislation or Council bylaws, policies, and procedures.
2. **Related documents (e.g. Legislation, Policies, SOPs, etc)**
   2.1. HBRC General Delegation to the Chief Executive, as approved by Council on 30 August 2023,
   2.2. When published, the HBRC Delegations Manual
3. **Key definitions/abbreviations**
   3.1. For the purposes of this Policy:

   "**Council**" refers to the collective group of Elected Members of Hawke's Bay Regional Council. A single member of the Council is referred to as an Elected Member.

   "**Council officer**" means an employee of Hawke's Bay Regional Council.

   "**LGA**" means the Local Government Act 2002.
4. **Introduction**
   4.1. A delegation is the transfer of a responsibility, duty, or power from the Council to another subordinate decision-making body (for example, a committee), the Chief Executive, or a Council officer. In certain circumstances, a responsibility, duty, or power may be transferred from the Chief Executive to Council officers and third parties.
   4.2. Delegations from the Council to subordinate decision-making bodies ensure that Elected Members can focus on governance and strategic issues. At the same time, the Chief Executive and

Council officers can carry out management, operational, and administrative responsibilities. This enables the efficient and effective conduct of Council business.

4.3. The Council supports the principle of delegating decision-making to the lowest competent level. Delegation makes the best use of Elected Members' abilities, ensuring the cost-effective use of resources and promoting the development of efficient and effective management.

4.4. Delegations of responsibilities, duties and powers of Council and the Chief Executive are to be made in accordance with this Policy. The Delegations Manual then records the specific delegations which have been made. The principle of delegating decision-making to the lowest competent level should be applied in preparing any record of delegations from Council or the Chief Executive. This Policy should be read in conjunction with any record of delegations.

5. **Legal Framework**

5.1. Unless expressly stated otherwise in the LGA or any other Act, the Council has the authority to delegate its responsibilities, duties, or powers to a committee or other subordinate decision-making body, community board, or member or officer of the Council. This provides for efficiency and effectiveness in the Council's business.

5.2. The Council may also have the power to delegate its responsibilities, duties, and powers under legislation other than the LGA, including the Resource Management Act 1991. Occasionally, legislation will empower the Chief Executive directly to have the primary power of delegation.

5.3. The Council may not delegate the following matters:

5.3.1. The powers expressly excluded by the LGA, Schedule 7, cl 32(1), being:

5.3.2. The power to make a rate;

5.3.3. The power to make a bylaw;

5.4. The power to borrow money or purchase or dispose of assets other than in accordance with the long-term plan;

5.4.1. The power to appoint a chief executive;

5.4.2. The power to adopt policies required to be adopted and consulted on under the LGA in association with the long-term plan or developed for the purpose of the local governance statement;

5.4.3. The power to adopt a remuneration and employment policy.

5.4.4. Any matter not permitted to be delegated by any other Act (for example, the approval of a policy statement or plan under the Resource Management Act 1991);

5.4.5. Any matter that can only be given effect by a Council resolution.

5.5. The restrictions in clause 4.3 of this Policy apply only to delegating the actual decision referred to. They do not prevent the Council from delegating preparatory work to inform the Council's decision. For example, the Council can delegate the functions of drafting a bylaw and conducting public consultation but cannot delegate the decision to make the bylaw.

5.6. A committee, or other sub-ordinate decision-making body, community board, or member or officer of the Council may delegate any of its responsibilities, duties or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by whichever body made the original delegation. The enforcement, inspection, licensing, and administration related to bylaws and other regulatory matters may also be delegated to another local authority, organisation or person.

5.7. To avoid doubt, delegation does not relieve the person making the delegation of the liability or legal responsibility to perform or ensure the performance of any delegated responsibility, duty, or power.

HAWKE'S BAY REGIONAL COUNCIL

6. **Chief Executive**

6.1. The Chief Executive is appointed by the Council and is the Council's principal administrative officer. In performing this role, the Chief Executive employs all Council staff.

6.2. The Chief Executive is responsible for implementing the decisions of the Council and ensuring that all responsibilities, duties, and powers delegated to them, or any person employed by the Council, are properly performed, or exercised. This includes those responsibilities, duties and powers imposed or conferred by any Act, regulation, or bylaw.

6.3. The Chief Executive may delegate to any other officer of the Council any of their powers under the LGA or any other statute, except the power to delegate or any power that is subject to a prohibition on delegation. Further sub-delegations are not permitted under the LGA.

7. **Committees, Sub-committees, and Other Sub-Ordinate Decision-Making Bodies**

7.1. Any of the Council's responsibilities, duties, and powers other than those referred to in clause 4.3 may be delegated to a committee, sub-committee, or other sub-ordinate decision-making body. In turn, committees or other sub-ordinate decision-making bodies may delegate any of their responsibilities, duties, or powers to a sub-committee or person, subject to any conditions, limitations or prohibitions imposed by the Council or by the committee or body or person that made the original delegation.

7.2. The Council cannot rescind or amend a decision made under a delegation authorising the making of a decision by a committee, sub-committee, or any sub-ordinate decision-making body.

8. **Elected Members and Council Officers**

8.1. The Council may delegate to an Elected Member or an officer of the Council any of its responsibilities, duties, or powers other than those referred to in clause 4.3.

8.2. An officer may delegate to another officer of the Council any of their powers delegated by the Council to that officer, except:

8.2.1. The power to delegate; or

8.2.2. Any power delegated to the officer that is subject to a prohibition on delegation; or

8.2.3. Any power under an enactment where the enactment expressly prohibits the delegation of that power.

8.3. Officers may not sub-delegate powers given by the Chief Executive.

8.4. Only one sub-delegation is permitted.

9. **Principles**

9.1. All delegations must comply with the following key principles:

9.1.1. Every delegation must be made in writing and included in a record of delegations (including, if relevant, a Delegations Manual). The delegation needs to define who the delegation is made to, the nature and terms of the delegation, and any conditions, directions, limitations, or prohibitions relating to the exercise of the delegation.

9.1.2. Delegations must be made to positions, not to named individuals unless legislation specifically requires delegation to individual Council Officers or Elected Members.

9.1.3. Any delegated authority must be exercised in accordance with all relevant statutory requirements, and any Council policies, procedures, and conditions, such as financial limits, process, and reporting requirements.

9.1.4. A responsibility, duty or power delegated to a Council officer holding a named position or level of authority is also to be delegated to all Council officers in a direct line of authority above that Council officer. This applies to any officer who performs or exercises the same or a substantially similar role or function, whatever the name of their position. The exception is where there is a statutory requirement that the delegation must be made:

- to a named Council officer or Elected Member; or
- to a person with a particular qualification or registration.

9.1.5. Unless expressly time-limited, a delegation will continue in force until revoked or varied by the delegator or Council.

9.1.6. Except where a delegation is made to the Chief Executive, a delegation must not include the power to further sub-delegate.

9.1.7. Any delegation made includes any ancillary responsibilities, duties, or powers necessary to give effect to that delegation.

9.1.8. Where there is ambiguity or appears to be conflict between the description of a delegation and the wording of a legislative responsibility, power, or duty, the wording of the legislation will prevail.

9.1.9. Where a Council officer is in a position in an acting capacity, the officer may exercise the delegations to that position. However, the officer should state that they are exercising the delegation in an acting capacity.

9.1.10. A delegation made under legislation that is subsequently repealed will be read as a delegation made, with or without modification, under any replacement or corresponding legislation.

9.2. As identified above under clause 4 of this Policy, delegations must be made to the lowest competent organisational level. This means that:

9.2.1. The Council will delegate all their lawfully delegable functions and powers to the Chief Executive, subject only to the limits set out in the Delegations Manual.

9.2.2. The Chief Executive will delegate functions and powers to Council officers:

- where those functions and powers are relevant and necessary for those Council officers to conduct their roles; and
- to the lowest organisational level competent to exercise that function or power, having regard to the nature of the function or power in question.

9.3. Where a function or power to decide on a matter has been delegated to the Chief Executive (and/or has been sub-delegated from the Chief Executive to a Council officer), the Chief Executive may still refer the matter to the Council for a decision, particularly where the matter has high policy content or is particularly significant, contentious, or of high public interest.

Summary of key document changes and version control

Version	Date	Key changes to be communicated to staff	Document owner	Approver
1		Establishment of Delegations Policy.	Chief Legal Advisor	Group Manager, Policy and Regulation (upon adoption by Council)

HBRC Enterprise Dashboard

How the HBRC Enterprise Dashboard Works

This dashboard in effect presents the ***Strategic Risk Profile for HBRC***.

Rather than traditional risk reports, that provide a list of 'things that could go wrong', this dashboard provides a broad overview of 'the things that matter the most' for HBRC, and expresses risk in terms of:

- ***Our purpose and vision:*** what we are here to achieve
- ***Success:*** what success looks like for us that broadly indicates we are delivering on our purpose and vision
- ***Groups of activities:*** the work we do
- ***Uncertainty:*** the major areas of risk (i.e. the effect of uncertainty on our objectives) that we need to understand and manage effectively to be successful. Note, these areas of uncertainty may present both upside opportunity or downside risk, depending on how effectively this is anticipated and managed

How to interpret

Colour reflects the collective view of the ELT as per the latest sentiment survey

#: area of uncertainty/risk
The extent to which ... (a definition of what this area of uncertainty/risk means for HBRC)

H | ELT Lead / Business Owner

This reflect the degree of alignment or divergence of views across the ELT

Roles reflect the ELT Lead and Business Owner accountable for each area and ensuring the underlying one-page management plans are current and used for decision making.

The colour reflects the rating as shown in these supporting management plans

Key for rating and symbols

High confidence | G | Y | A | R | High concern

Each statement on the dashboard (essentially a broad area of risk) is scored to reflect the relative confidence of concern that this area (risk) is understood and managed effectively. The definition of each rating is set out in page 3 of this document

High alignment | V | H | M | L | Low alignment

Each statement on the dashboard is also rated to reflect how consistent or divergent the views of the ELT and Council are with respect to this area. This allows differences in perspective to be surfaced and addressed

Triangle represents where there has been a change in sentiment from the prior period. The colour of the triangle shows the confidence/concern rating from the last period

A star indicated that there has been an addition or change to the definition for an area of focus (success/activity/uncertainty) on the dashboard

1

HBRC: Enterprise Dashboard – perspective of the ELT

For the period ending: December 2024

HAWKES BAY REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

Our purpose & vision

What matters the most to us as Hawkes Bay Regional Council

A healthy environment and a resilient and prosperous community

Trust, confidence and continuing social licence to operate…

…from our community, mana whenua, partners and stakeholders…

…as a result of our work to protect and manage the region's precious taonga of rivers, lakes, soils, air, coast and biodiversity for health, wellbeing and connectivity

V

Success

What we need to achieve in order to delivery on our purpose and vision (our strategic priorities)

A. We keep our communities safe
The extent to which enhance the wellbeing of the community we serve and prevent harm through the work we do
V Group Manager (GM) CDEM/ Team Leader HS&W

B. We understand the expectations of the community we serve & our actions meet community needs
The extent to which we appropriately identify what is expected of us, and we align our actions to balance competing expectations in line with our role and resources available
V GM ICM/Director Comms & Engagement

C. We deliver on the commitments we make
The extent to which we do what we promise to do, to an acceptable standard and timeframe
V GM Corporate Services/Manager Strategy & Governance

D. We demonstrate our values in the work we do
The extent to which our values are understood by our staff, sets expectations on how we behave and are lived/exhibited in the work we do
H GM Māori Partnerships / Strategic Advisor CS

E. We uphold the principles of Te Tiriti o Waitangi
The extent to which we deliver on our purpose and bring to life meaningful and trusted relationships through embedding the principles of Te Tiriti in our work
V GM Māori Partnerships/Manager Māori Partnerships

Groups of activities

What we do and need to deliver

1. Effectiveness of governance & partnerships
The extent to which community and partner representation effectively support robust and transparent decision-making relating to regional development and sustainability
V GM Māori Partnerships/ Team Leader Governance

2. Effectiveness of policy & regulation
The extent to which we develop, implement, monitor and enforce policy and regulation in our role as a Regional Council
H GM Policy & Regulation/ Manager Regulatory Implementation

3. Effectiveness of integrated catchment management
The extent to which we monitor the region's natural resources, use evidence, data and insight to inform our decision making and actions and implement at place coordination and delivery
V GM ICM/Senior Advisor ICM

4. Effectiveness of infrastructure asset management
The extent to which assets are planned for, acquired, operated, maintained and decommissioned in an effective manner
V GM Asset Management/Manager Regional Assets

5. Effectiveness of emergency management
The extent to which HBRC effectively supports CDEM to enables the reduction, readiness, response and recovery to regional emergencies, as per our legislative responsibilities and LTP commitments
V GM CDEM/Quality & Assurance Advisor

6. Effectiveness of transport management
The extent to which we effectively plan for and provide safe and equitable transport across modes for the region
V GM Policy & Regulation/Manager Transport

Uncertainty

What we need to understand and manage effectively to successfully delivery on our vision and strategic priorities

By 'uncertainty' we mean major areas that present upside opportunity or downside threat (i.e. risk)

7.Culture, capability, capacity of people
The extent to which we are able to secure and retain the skills and knowledge required within our workforce needed to deliver on our commitments, and that our staff consistently act in an appropriate and ethical manner
H GM Corporate Services/Team Leader Human Resources

8.Capability & capacity of service providers and partners
The extent to which we access the right external skills and services at the right time to enable use to deliver on our purpose and commitments
H GM Corporate Services/Team Leader Procurement

9. Effectiveness of technology
The extent to which technology is fit for purpose to effectively enable the work we do and our role in the community we serve
H GM Corporate Services/Team Leader Procurement

10. Health, safety, resilience & wellbeing of people
The extent to which our people are kept healthy, safe and well while at work
V GM Asset Management/Team Leader HS&W

11. Effectiveness of funding & financial management
The extent to which financial resources are optimized, efficiently allocated, used and controlled appropriately to achieve our goals, while maintaining compliance with regulations and ethical standards
V GM Corporate Services/Chief Finance Officer

12. Effectiveness of programme and project delivery
The extent to which we effectively implement changes to our business and ways of working through programme/project delivery
H GM Asset Management / Manager Strategy & Governance

13. Coordination and connectedness of activity and decision making across HBRC
The extent to which we operate in a whole-of-HBRC and non siloed manner
H GM ICM / Manager Strategy & Governance

14. Legislative and regulatory compliance by HBRC
The extent to which we meet our legal obligations on an ongoing basis
V GM Corporate Services/Chief Legal Advisor

15. External change and reform
The extent to which we anticipate, understand, and effectively manage the potential impact of external events (eg changes in the authorizing environment economic conditions, societal change, sector reform and similar) on our operations and in our work
V GM Policy & Regulation / Manager Policy & Planning

16. Effectiveness of external partner and stakeholder relationships
The extent to which key partners/stakeholders and their needs have been identified, and the effectiveness of relationship management approaches adopted.
M ICM Manager/Manager Rural Partnerships

17. Resilience from disruption to service
The extent to which we understand and effectively manage events or situations that might impact our ability to deliver our core services and asset performance to an acceptable level.
V Group Manager (GM) CDEM/Manager Corporate Operations

18. Effectiveness of investment strategy
The extent to which HBRC's investment strategy provides a cash return that materially offsets the rate burden, while protecting the capital base
H GM Corporate Services/Chief Finance Officer

19. Effectiveness of communication and engagement
The extent to which we interact effectively internally and externally.
H GM Māori Partnerships/Director Comms & Engagement

20. Our impact on the environment
The extent to which our operations and actions (or inaction) have an environmental impact.
V GM ICM/Manager Corporate Operations

21. Security, integrity & privacy of data & information
The extent to which we manage data/information from collection, use, access, and disposal that ensured the confidentiality, integrity, availability and non-repudiation of information.
V GM Corporate Services/Chief Information Officer

22. NIWE Resilience Programme
The extent to which we deliver fit for purpose flood protection assets that improve the resilience of Hawke's Bay communities
H GM Asset Management / Manager Regional Projects

HBRC: Enterprise Dashboard – perspective of Councillors

For the period ending: January 2025

HAWKES BAY REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

Our purpose and vision

What matters the most to us as Hawkes Bay Regional Council

H **A healthy environment & a resilient and prosperous community**
Trust, confidence and continuing social license to operate…
…from our community, mana whenua, partners and stakeholders…
…as a result of our work to protect and manage the region's precious taonga of rivers, lakes, soils, air, coast and biodiversity for health, wellbeing and connectivity

Success

What we need to achieve in order to delivery on our purpose and vision (our strategic priorities)

A. We keep our communities safe
The extent to which enhance the wellbeing of the community we serve and prevent harm through the work we do
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By 'uncertainty' we mean major areas that present upside opportunity or downside threat (i.e risk)

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The extent to which we are able to secure and retain the skills and knowledge required within our workforce needed to deliver on our commitments, and that our staff consistently act in an appropriate and ethical manner
H M Corporate Services/Team Leader Human Resources

8.Capability & capacity of service providers and partners
The extent to which we access the right external skills and services at the right time to enable use to deliver on our purpose and commitments
H GM Corporate Services/Team Leader Procurement

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The extent to which technology is fit for purpose to effectively enable the work we do and our role in the community we serve
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The extent to which we effectively implement changes to our business and ways of working through programme/project delivery
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M Group Manager (GM) CDEM/Manager Corporate

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The extent to which HBRC's investment strategy provides a cash return that materially offsets the rate burden, while protecting the capital base
H GM Corporate Services/Chief Finance Officer

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The extent to which our operations and actions (or inaction) have an environmental impact.
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21. Security, integrity & privacy of data & information
The extent to which we manage data/information from collection, use, access, and disposal that ensured the confidentiality, integrity, availability and non-repudiation of information.
H GM Corporate Services/Chief Information Officer

22. NIWE Resilience Programme
The extent to which we deliver fit for purpose flood protection assets that improve the resilience of Hawke's Bay communities
M GM Asset Management/ Manager Regional Projects

Difference in assessment across leadership

Area	ELT Owner	Business Lead	ELT Sentiment	Owner/Lead Sentiment	Councillor Sentiment	# causes (sub risks)	Red rated sub risks
A. We keep our community safe through the work we do	GM CDEM	Team Leader HS&W	G	Y	A	5	No
B. We understand the expectations and needs of the community we serve and our plans meet community needs	GM ICM	Director Comms & Engagement	Y	A	Y	8	Yes
C. We deliver on the commitments we make	GM Corporate Services	Manager Strategy & Governance	Y	Y	Y	8	No
D. We live our values of collaboration, accountability, transparency, integrity and excellence	GM Māori Partnerships	Strategic Advisor CS	Y	Y	Y	9	No
E. We uphold the principles of Te Tiriti o Waitangi in all that we do	GM Māori Partnerships	Manager Māori Partnerships	Y	A	G	7	No
1. Effectiveness of Governance and Partnerships	GM Māori Partnerships	Team Leader Governance	Y	Not yet rated	Y	9	tbd
2. Effectiveness of Policy and Regulation	GM Policy & Regulation	Manager Regulatory Implementation	G	Y	Y	9	Yes
3. Effectiveness of integrated catchment management	GM ICM	Senior ICM Advisor	Y	A	Y	9	No
4. Effectiveness of infrastructure asset management	GM Asset Management	Manager Regional Assets	G	Y	Y	9	No
5. Effectiveness of emergency management	GM CDEM	Quality & Assurance Advisor	A	A	A	9	Yes
6. Effectiveness of transport management	GM Policy & Regulation	Manager Transport	Y	A	A	9	Yes
7. Culture, capability and capacity of people	GM Corporate Services	Team Leader Human Resources	Y	A	Y	11	Yes
8. Capability and capacity of service providers and partners	GM Corporate Services	Team Leader Procurement	G	A	Y	9	No
9. Effectiveness of technology	GM Corporate Services	Chief Information Officer	Y	Y	Y	9	Yes
10. Health, safety, resilience and wellbeing of people	GM Asset Management	Team Leader HS&W	G	Y	G	5	No
11. Effectiveness of funding and financial management	GM Corporate Services	Chief Finance Officer	Y	A	G	10	No
12. Effectiveness of programme and project delivery	GM Asset Management	Manager Strategy & Governance	Y	Y	Y	9	No
13. Coordination and connectedness of activity and decision making across HBRC	GM ICM	Manager Strategy & Governance	A	Y	A	10	No
14. Legislative and regulatory compliance by HBRC	GM Corporate Services	Chief Legal Advisor	Y	A	G	8	Yes
15. Impact of external change and reform	GM Policy & Regulation	Manager Policy & Planning	Y	A	A	10	Yes**
16. Effectiveness of external partner and stakeholder relationships	GM ICM	Manager Rural Partnerships	Y	Y	Y	9	Yes
17. Resilience from disruption to operations	GM CDEM	Manager Corporate Operations	Y	A	Y	9	Yes
18. Effectiveness of investment strategy	GM Corporate Services	Chief Finance Officer	Y	G	A	7	No
19. Effectiveness of communication, consultation and engagement	GM Māori Partnerships	Director Comms & Engagement	Y	A	A	9	Yes
20. Our impact on the environment	GM ICM	Manager Corporate Operations	Y	Y	Y	9	Yes
21. Security, integrity and privacy of information	GM Asset Management	Chief Information Officer	Y	A	Y	10	Yes
22. Effectiveness of North Island Weather Event Programme	GM Asset Management	Manager Regional Assets	Y	Y	Y	15	No

Spread of your views

	Individual members of ELT					Individual members of Council					
Success statements	7	8	7	8	8	7	5	7	6	6	5
	7	6	6	8	8	5	8	6	9	5	6
	8	7	7	7	8	8	7	6	9	5	6
	8	6	7	8	4	8	6	6	9	6	7
	6	7	8	7	8	8	8	9	9	8	10
Groups of activity	7	6	7	7	6	6	6	7	6	8	9
	8	9	7	6	8	5	8	7	5	8	10
	7	8	6	7	8	7	7	6	5	7	10
	8	8	7	8	8	7	7	7	7	6	8
	6	6	6	6	5	7	4	6	5	5	7
	8	7	7	8	7	7	4	5	8	8	1
Uncertainty/risk statements	8	7	6	7	5	7	6	7	9	5	7
	9	9	8	8	8	8	7	7	7	5	8
	7	8	7	6	6	6	6	7	8	7	7
	9	7	7	8	8	8	9	8	8	5	10
	8	8	8	7	6	7	9	8	10	6	8
	7	6	6	8	7	6	7	7	9	6	8
	6	5	6	7	6	6	5	7	4	6	4
	8	8	6	8	7	9	8	8	9	5	9
	7	8	7	7	7	6	8	6	9	6	7
	8	8	7	7	7	7	4	6	3	6	6
	6	6	7	8	7	8	7	7	2	8	8
	8	7	8	6	6	6	8	5	4	6	5
	6	6	7	7	6	6	4	5	2	8	6
	9	8	7	7	6	7	5	7	7	5	8
	7	6	7	7	6	8	5	7	4	6	8
	7	6	6	8	8	6	5	7	9	4	7
Overall trust and confidence, social license	8	7	7	8	7	7	7	7	3	7	6
Average confidence or concern by individual	7.4	7.1	6.9	7.3	6.8	6.9	6.4	6.7	6.7	6.1	7.2
	0.6	(0.1)	0.1	0.7	0.2	0.1	0.6	0.3	(3.7)	0.9	(1.2)

Reflects relative consistency between average sentiment on individual statements and overall confidence in HBRC

5

Defining risk in terms of relative confidence or concern

Rating	What this means in terms of risk	...or in terms of uncertainty	... and in terms of opportunity	Risk appetite
Red	**Extreme risk** Very significant potential impact on HBRC's operations, people, rightsholders and wider stakeholder trust and confidence Current management practices (controls/mitigations) insufficient to reduce potential exposure to an acceptable level	**Extreme volatility** Very uncertain or changeable environment, that presents major downside (threats) or upside (opportunities) Insufficient or ineffective mechanisms to monitor or respond appropriately to the threats or opportunities that may present themselves	**Extreme opportunity** Very significant areas of opportunity or potential for positive change Current plans, initiative or projects do not fully capture these opportunities, and significant gaps exist between what we want to achieve and what we are currently doing to achieve this	***Outside** of 'risk appetite' so action required to manage this to a level that we are comfortable to live with*
	Fundamental concerns, cannot live with this, intervention required as a matter of priority			
Amber	**High risk** Relatively high level of exposure or impact to HBRC Some controls or mitigations in place however these may not be sufficient to reduce exposure to an acceptable level	**High volatility** Quite a changeable environment with respect to areas of major priority or commitment to your organisation A lower level of ability to respond quickly than is desirable	**High opportunity** A relatively high level of opportunity or potential to do things differently Some initiatives in place but may not be sufficient to deliver on our commitments or achieve our strategic priorities	
	Significant concerns, uncomfortable to live with this and we need to do something different			
Yellow	**Moderate risk** A reasonable level of risk faced by HBRC but with a level that your are able to respond to Some controls in place, but could do more or uncertain as to the effectiveness of these controls in practice May cause some pain or disruption, potentially could mitigate further, but broadly in line with risk appetite	**Moderate volatility** Some level of uncertainty or variability faced Reasonable mechanisms to identify and respond to threats or opportunities, should they present themselves	**Moderate opportunity** A reasonable level of opportunity to do things better, more consistently and effectively Some controls in place, but scope to strengthen, enhance and improve these Reasonable opportunity to increase the level of assurance that what we expect to occur is in place and working effectively	***Within** our 'risk appetite', i.e. we think we are doing enough at this stage and can live with any residual uncertainty (risk)*
	Some concerns, can live with this currently but would like to do more			
Green	**Low risk** Relatively low level of exposure, but not necessarily no risk Confidence that effective management practices and controls in place	**Low volatility** Highly stable or predictable, little impact on your mandate, commitments or priorities Effective mechanisms identify and respond to change	**Low opportunity** Major areas of opportunity have been captured Little areas of major improvement or potential for positive change Effective initiatives in place to deliver on commitments	
	Reasonably well placed, comfortable to live with this			

Programme Management Reporting - Internal Use Only

NIWE RESILIENCE PROGRAMME
MONTHLY PROGRAMME PROGRESS REPORT – JANUARY 2025

HAWKE'S BAY REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

IRP Infrastructure Resilience Programme

PROGRAMME SUMMARY

Project	Area	Stage	Project Status	Prior month
Wairoa	Wairoa District	Initiation	Major concerns	
Whirinaki/Pohutukawa Drive	Hastings District	Planning	Major concerns	
Waiohiki		Planning	On track	
Omāhu/Ōhiti Road		Planning	Minor concerns	▲
Pākōwhai		Initiation	Minor concerns	
Pōrangahau	Central Hawke's Bay District	Planning	Minor concerns	
Telemetry	Region wide	Execution	On track	▲
Pump Station Upgrades Required	Hastings District & Napier City	Planning	Minor concerns	▲
Scheme Reviews	Region wide	Execution	Minor concerns	
Rapid Repair Level of Service (LOS)	Region wide	Initiation	Minor concerns	
Havelock North	Hastings District	Planning	n/a	

COMMUNITY BAROMETER

Wairoa	HBRC, WDC and the Crown Manager are working together to deliver the comms and engagement plan, to ensure open and transparent communications. Community sentiment is shifting, perhaps more receptive and open than previously.	
Whirinaki	No public meetings were held in January. The next community meeting is in Feb 2025.	
Waiohiki	Community engagement continues to yield positive outcomes. The implimentation of restricted haulage hours has been well-received by the community. A new communication flyer is being distributed. Communication channels are being further strengthened with the establishment of a Stakeholder Advisory Group.	
Ōhiti	The project is committed to a hands-on approach in keeping the community informed and engaged throughout the project. Regular updates and direct engagement continue to be a priority.	
Pākōwhai	Newsletters continue to be issued. One on one meetings with affected landowners continue.	
Pōrangahau	Positive engagement with community members during a site visit provided an excellent opportunity to shift perceptions. A newsletter was distributed to the community. The project website hub was also updated. The recruitment of a Community Connector is underway.	

PROJECT DELIVERY PLANS UPDATE

Project Delivery Plan Status	Project
Approved ✔	• Waiohiki • Ōhiti/Omāhu • Telemetry • Havelock North (delivered by HDC) • Interim PDP Whirinaki • Interim PDP Wairoa
Submitted to CIP	• Pākōwhai • Pōrangahau • Scheme Reviews • Pump Stations
Drafting and expected submission by 7 Mar 2025	• Whirinaki • Wairoa • Rapid Repair LOS

STATUS/RISK KEY:	
Red (Off-Track / critical risk)	Cannot live with this, intervention required as a matter of priority
Amber (Major concerns / high risk)	Uncomfortable to live with this and we need to do something different
Yellow (Minor concerns / medium risk)	Can live with this but would like to do more
Green (On track / low risk)	Comfortable to live with this

PROGRAMME SPEND & FORECAST COMPLETION

Project	Project Value (Budget)	Dec/Jan Spend ($)	Total Spend to date ($)	Forecast Final Cost	Variance Forecast Final Cost vs Project Value ($)	Construction Commencement	Project Forecast Completion
Wairoa	70,000,000	934,339	3,022,008	69,667,518	-332,482	Q2 CY2026 *2	Q2 CY2027*2
Whirinaki/Pohutukawa Drive	11,050,000	410,258	2,138,885	26,942,999	+15,892,999 *1	Q3 CY2025	Q2 CY2026
Waiohiki	10,000,000	390,542	1,638,783	10,000,000		Q1 CY2025	Q1 CY2026
Omāhu/Ōhiti Road	10,000,000	168,638	1,154,596	10,000,000		Q1 CY2025	Q2 CY2026
Pākōwhai	50,000,000	583,283	2,139,912	50,000,000		Q4 CY2025	Q4 CY2026
Pōrangahau	14,587,904	238,658	758,701	14,587,904		Q4 CY2025	Q4 CY2026
Telemetry	5,000,000	252,765	534,932	5,000,000		n/a	Q2 CY2026
Pump Station Upgrades Required	30,000,000	144,922	1,121,782	30,000,000		Q3 CY2025	Q4 CY 2026
Scheme Reviews	3,987,092	162,431	1,567,389	3,987,092		n/a	Q1 CY2026
Rapid Repair Level of Service (LOS)	30,000,000	108,176	339,841	30,000,000		TBC	TBC
Havelock North	10,000,000	105,559	589,668	10,000,000		Q4 CY2024	Q2 CY2026
TOTAL	**244,624,996**	**3,499,571**	**15,006,497**	**260,185,513**	15,560,517		
Less: Pre-committed HBRC Co-Funding for Scheme Reviews	987,092						
ADJUSTED TOTAL	**243,637,904**						

Other Commentary:
- These numbers do not include Fast Track Funding of which is still to be included across the projects or other co-funding options as the approvals and endorsements come through.

**1 – this includes c$11m of NZTA upgrades and HBRC are working on options for funding shortfall*
**2 – Crown Manager has requested HBRC consider options to restore timeframes for construction commencement and forecast completion*

Green cell = Construction commenced

KEY PROGRAMME METRICS

Cost of delivery	There are cost uncertainties associated with some projects in particular driven around key high-risk factors such as land access, consequential flooding mitigations including extension of bunding and roading components in Ohiti, State Highway works in Whirinaki. Revised estimates and site investigations aim to improve cost certainty, with ongoing assessments to refine project budgets and address key risks.	
Timeframe of delivery	Projects are generally on track, with design, procurement, and landowner agreements influencing timelines. Land access remains a significant risk, but community support is aiding engagement. Substantial work in concept design has shortened subsequent phases. Revised schedules are underway. Overall, most projects maintain positive momentum with effective management of workstreams and community considerations. The main project schedule pressure is present for Wairoa, due to lack of agreed option. Additional community requests, external reviews have absorbed resources and caused the most significant delays in Ohiti and Whirinaki.	
Scope & Quality of deliverable	The programme includes scope refinement through modelling and assessments, with some projects requiring change requests due to cultural impacts. Revised build estimates and additional schemes have been integrated without changing the overall scope. Stakeholder requests and technical assessments have extended some timelines.	
Reputation with stakeholders	Projects show strong stakeholder engagement, proactive communication strategies, and positive relationships with landowners and utility providers. Key points include the appointment of mana whenua representatives and cultural monitors, successful community meetings, and ongoing collaboration with local contractors. Challenges are being addressed through effective partnership management and community-focused adjustments.	
Health, Safety & Wellbeing	Site investigations are underway with safety plans and inductions in place. The project teams are addressing safety and design considerations. One minor incident is recorded.	
Environmental	There are comprehensive environmental assessments, mitigation planning, and proactive engagement with stakeholders. Key points highlight concerns about ecological impacts, contaminated soils, and archaeological findings. Protocols and controls are in place to address these issues, with ongoing monitoring and adjustments. Projects emphasise collaboration with DoC and mana whenua representatives, ensuring environmental and cultural considerations are prioritised.	
Legal & Compliance	Some projects include land access challenges, compliance with legal and regulatory standards, and proactive engagement with the Māori Land Court. Key points highlight the identification of high-risk properties, ongoing consent requirements, and the importance of land access. Legal and compliance requirements are being addressed through established protocols, with significant progress in key compliance areas and proactive environmental management.	
Public & Media Attention	The programme includes proactive community engagement, regular updates, and positive stakeholder interactions. Community sentiment is mostly positive, with effective engagement through meetings, updated websites, and targeted communication efforts to maintain transparency and responsiveness.	

LAND ACCESS / INTEREST UPDATE – JANUARY 2025

HAWKE'S BAY REGIONAL COUNCIL

IRP Infrastructure Resilience Programme

LAND ACCESS METRICS

Metrics / Projects	# of permanent land access arrangements required	# of temporary land access arrangements required	TOTAL # of land access arrangements required	# of properties identified as Whenua Māori impacted (incl permanent & temporary)	# of properties where compulsory acquisition has been initiated	# of properties notified of potential impacts	# of impacted properties where negotiations have commenced	# of properties where Council valuation complete (only for permanent access)	# of properties where offers made	TOTAL # of land access arrangements secured
Wairoa *based on 1C option	74	TBC	**74**	20	0	~40	0	0	0	**0**
Whirinaki & Pohutukawa Dr	3	2	**5**	0	0	ALL ✓	ALL ✓	ALL ✓	ALL ✓	**4**
Waiohiki	4	3	**7**	2	0	ALL ✓	ALL ✓	ALL ✓	5	**4**
Omāhu/ Ōhiti Road	10	4	**14**	6	0	10	10	4	3	**1**
Pākōwhai	30	4	**34**	0	0	ALL ✓	4	2	0	**0**
Pōrangahau	22	4	**26**	1	0	ALL ✓	0	0	0	**0**
Havelock North (delivered by HDC)	6	15	**21**	TBC	0	Many	16	2	1	**1**

NOTES

Wairoa – Based on 1C option only. These properties include Ski Club and the townside of the river. Permanent access numbers also include 10 x A&P land parcels and 5 x WDC land parcels. First Judicial conference before the Māori Land Court set down for 27 February 2025.

Whirinaki – Pan Pac land access left to finalise who have indicated verbal agreement, however, project team awaiting confirming funding prior to agreement.

Waiohiki – An easement is required over one whenua Māori block, however, succession needs to occur. First Judicial conference before the Māori Land Court set down for 17 February 2025.

Ōhiti – New properties identified due to design changes. Māori Land Court is assisting Council to locate the trustees and owners of 3 whenua Māori blocks on the Omāhu township side of the stream. First Judicial conference before the Māori Land Court is set down for 17 February 2025.

Pākōwhai – Property specialists have now been engaged.

Pōrangahau – Property specialists have now been engaged. First Judicial conference before the Māori Land Court set down for 17 February 2025.

Havelock North - One property acquisition under negotiation. Engagement with number of landowners planned for February 2025. One property settled in Dec 2024. One property recategorisation.