

Meeting of the Hawke's Bay Regional Council

Date: 29 January 2025
Time: 1.30pm
Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Attachments excluded from Agenda [Available online only](#)

Item	Title	Page
6.	Council officer delegations under the Resource Management Act	
	Attachment 1: RMA Delegations Register - January 2025	2

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Functions, powers and duties			
Powers, Functions and Duties of Local authorities			
22	Enforcement officer may direct someone to provide information	<ul style="list-style-type: none"> Warranted enforcement officers 	Enforcement officer must have reasonable grounds to suspect a breach of that Part of the RMA.
27	Supply information to Minister for the Environment as requested by Minister	<ul style="list-style-type: none"> 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.
28	Provide Minister of Conservation with copy of Regional Coastal Plan for approval in accordance with RMA Schedule 1	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P 	
28A	Supply information to Minister of Conservation as requested by Minister	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Mgr – Compliance 	
32	Prepare and publish an evaluation report	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	
33	Local authority may transfer 1 or more of its functions, powers or duties to another public authority	<ul style="list-style-type: none"> <i>No delegation additional to the CE's general delegation.</i> 	<p>This applies to both Council transferring its powers and accepting the transfer of another local authority's powers. Appropriate agreements are to be executed by the CE.</p> <p>Note – the special consultative procedure must be used prior to exercise if this power.</p>
34A(1A)(a)	Consult with iwi authorities on Hearing Commissioner for plan-related hearing	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P 	
35	Gather information, monitor and keep records	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Mgr – Consents Mgr – Compliance Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	
35(2A)	Prepare and make publicly available a report on plan effectiveness	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P 	

Section	Description of function, power or duty	Delegated to	Criteria/Notes
36(1)(aa)	Fix charges payable by an applicant requesting an independent commissioner under s 100A	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Mgr – P&P • Team Leader – Consents 	
36(1)(ab)	Fix charges payable by a submitter requesting an independent commissioner under s 100A	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader - Consents 	If applicant does not make a request.
36(3)	Require payment of additional charges to those fixed to enable recovery of actual and reasonable costs	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Mgr – Compliance • Team Leader - Consents • Consents Administrator • Consents Advisor 	
36(5)	Require a person to pay additional charges, where fixed charges are inadequate to cover actual and reasonable costs	<ul style="list-style-type: none"> • 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 ss (5), where requested by any person liable to pay a charge under s 36	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr - Consents • Team Leader - Consents 	

Section	Description of function, power or duty	Delegated to	Criteria/Notes
36AAB(1)	Remit whole or part of any charge under s 36 that would otherwise be payable	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Mgr – Consents • Mgr – Compliance • Team Leader - Consents • Consents Administrator • Consents Advisor • Senior Regulatory 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. gone no address or where the sum due is not worth pursuing. 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.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr - Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Consents Administrator • Consents Advisor 	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	<ul style="list-style-type: none"> • 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 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 (see practice note).
37(1)	Extend or waive a time period specified in the Act or Regulations	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Mgr – Consents • Team Leader – Consents 	General ability to extend specified time periods or waive a failure to comply with a requirement for time or method of document service (e.g. a submission).

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37(2)	Waive compliance with a requirement or direct that an omission or inaccuracy be rectified	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader - Consents • Senior Consents Planner • Consents Planner • Intermediate consents planner • Senior Regulatory Advisor 	Where a person is required to provide information and the information is inaccurate or omitted, or a procedural requirement is omitted. In accordance with s 37A.
37A(4)(a) & s37A(5)(a)	Extend timeframes for consent processing, where applicant agrees	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Consents Planner • Intermediate consents planner • Senior Regulatory Advisor 	Where applicant agrees – e.g. for circulating draft conditions
37A(4)(b) or 37A(5)(b)	Extend timeframes for consent processing, where special circumstances exist	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents 	May be less than double the timeframes (37A(4)(b)) or more than double (37A(5)(b))

Section	Description of function, power or duty	Delegated to	Criteria/Notes
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	<ul style="list-style-type: none"> • 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	Criteria/Notes
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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Mgr – Consents 	And/or as delegated to a hearing panel/chair by Council
39B(3) and (4)	Determine whether there are exceptional circumstances that warrant not all of the persons being accredited	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Exercise of this delegation must be reported back to Council via RPC
41B	In consultation with the Chairperson of a hearing panel or a sole Commissioner, power to issue directions or requests to applicants and/or submitters, including to provide briefs of evidence before commencement of a hearing.	<ul style="list-style-type: none"> • 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 	And/or as delegated to a hearing panel/chair by Council

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41D	Direct that a submission or part of a submission be struck out.	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – Consents Mgr – P&P Team Leader – Consents 	<p>This power can only be exercised if Council is satisfied that at least one of the grounds in s41D(1) apply.</p> <p>And/or as delegated to a hearing panel/chair by Council</p>
42	Make an order prohibiting or restricting the publication or communication of any sensitive information obtained during proceedings	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Mgr – Consents Team Leader – Consents Senior Consents Planner 	And/or as delegated to a hearing panel/chair by Council
Reports (in relation to hearings)			
42A	Require preparation of a report on information, by an applicant or any person who made a submission	<ul style="list-style-type: none"> 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 Senior Regulatory Advisor 	<p>Any matter described in s 39(1).</p> <p>And/or as delegated to a hearing panel/chair by Council</p>
42A(1AA)	Require an officer of a local authority or commission a consultant or any other person employed for the purpose to prepare the report.	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Mgr - Consents Team Leader – Consents Senior Consents Planner Senior Regulatory Advisor 	Any matter described in s 39(1).
42A(5)	Waive compliance with ss (3) and (4)(b)	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P& Principal Adv – Strategic Planning Mgr – Consents Team Leader – Consents 	If satisfied there is no 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	Criteria/Notes
Standards, policy statements and plans			
44A	Amend plan or proposed plan to remove duplication or conflict with a national environmental standard; publicly notify that amendment	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader - 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

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46A(4)(b)	Make or withdraw a submission to the Minister on a proposed national direction	<ul style="list-style-type: none"> • 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.
46A(5)	Provide feedback as requested by Minister when preparing a national direction	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	
49	Make or withdraw a submission to a Board of Inquiry on a proposed national direction	<ul style="list-style-type: none"> • GM – Policy and Regulation 	A record of the submission made is found on the Council website, search #hbrcsubmissions.
55	The power to amend a document (including a plan, proposed plan or variation) in accordance with section 55(2)	<ul style="list-style-type: none"> • 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.
58l(2)	Power to amend a plan or proposed plan in accordance with section 58l	<ul style="list-style-type: none"> • 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.
58l(4) and (7)	Exercise Council's powers under this section in relation to national planning standards	<ul style="list-style-type: none"> • 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	Participate in the Mana Whakahono a Rohe process on behalf of Council	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	Criteria/Notes
80A(3)	Use the freshwater planning process when preparing a plan or policy statement	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> GM – Policy and Regulation 	<p>Must consult CLA or external legal Counsel.</p> <p>Advice Note: See also the HBRC Delegations Manual with regard to the settlement of legal proceedings.</p> <p>Exercise of this delegation is to be reported to RPC and Council</p>
86B	Authority to recommend to Council or its appropriately authorised subordinate decision-making body that it resolves that a rule should have legal effect only once the proposed plan becomes operative in accordance with clause 20 of Schedule 1.	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P 	
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.	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P 	Must consult CLA or external legal Counsel.

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Resource Consents			
Streamlining decision-making on resource consents			
87BB	Determine whether activity meeting certain requirements is a permitted activity	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – Consents Team Leader – Consents Senior Consents Planner Senior Regulatory Advisor 	See s87BB(2) and (3) for notice requirements.
87E	Determine request for direct referral to Environment Court	<i>No delegation additional to the CE's general delegation.</i>	<p>If the application is non-notified the request must be returned.</p> <p>Decision must be given within 15 working days after notification.</p> <p>Must give reasons on decision</p>

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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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Consents Planner • Intermediate Consents Planner • Senior Regulatory Advisor 	This may also include technical advice from other staff or external contractors. Refer to section for guidance.

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Application for resource consents			
88(3)	Determine that an application is incomplete and provide reasons	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	Reasons for determining an application is incomplete: (a) Missing the information prescribed by regulations, or (b) Missing the information required by s (2)(b) or (c).
91	Determine not to proceed with the notification or hearing of an application	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Senior Regulatory Advisor 	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.
91(c) and 91(f)	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)	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	There is a need to provide reasons if it is returned. There is a s357(3A) right of objection.

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Further information			
92(1)	Request an applicant for a consent to provide further information	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Senior Regulatory Advisor 	<p>At any reasonable time before a hearing or before the decision is made – by written notice with reasons.</p> <p>For significant or continuous s92 requests, discussion with Mgr - Consents or GM - Policy and Regulation should occur. (Note only one “stop the clock” s92 (1) request is now allowed and must be pre notification).</p>
92(2)	Commission any person to prepare a report on any matter relating to an application	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	<p>Allowed if:</p> <ul style="list-style-type: none"> • The activity for which the resource consent is sought may have significant adverse environmental effects • The contract for service price requires approval by the CE or GMRS. • The commissioning of a report requires the agreement of the applicant.
92A(2)(a)	Set reasonable time limit for applicants to provide information requested	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Senior Regulatory Advisor 	
92A(3)	Consider an application where the applicant does not respond or provide all requested information under s104	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Senior Regulatory Advisor 	
92B(2)	Consider an application where the applicant does not respond or refuses to agree to the commissioning of a report	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Senior Regulatory Advisor 	

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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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	Includes s95C, where notification is required if a request for information under s92(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.	<ul style="list-style-type: none"> • GM – Policy and Regulation, • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	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	<ul style="list-style-type: none"> • GM – Policy and Regulation, • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	

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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	<ul style="list-style-type: none"> • GM – Policy and Regulation, • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr - Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	Subject to all persons at the meeting agreeing to their attendance.
99(5) & (6)	All functions, powers and duties to act as a chairperson of pre-hearing meetings.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	
99(8)	Decline to process an application or consider a submission if such person fails to attend the meeting without reasonable excuse	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents 	Discretion is available to decline to process a resource consent or to decline to consider a submission if the applicant or submitters who are required to attend a prehearing meeting fail to attend.

Section	Description of function, power or duty	Delegated to	Criteria/Notes
99A(1) & (2)	Refer to mediation a person who has made an application or submission to an application for a resource consent	<ul style="list-style-type: none"> 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.	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – Consents 	

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Hearing			
100	Decide whether a hearing is necessary	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – Consents Team Leader – 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. This decision will be made by the Mgr Consents in the first instance.
101	Set hearing dates and give notice	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – Consents Team Leader – Consents Consents Administrator Consents Advisor 	
102	Determine whether a joint hearing is necessary and when a joint hearing is necessary to take steps in relation to notification and other matters	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – Consents Team Leader – Consents 	
103	Determine whether a combined hearing in respect of two or more applications is necessary	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – Consents Team Leader – Consents 	

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Decisions			
104(6)	Decline an application for a resource consent on the grounds of inadequate information	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – Consents 	
104, 104A, 104B, 104C, 104D & 105	Determinations of non-notified applications for resource consents (in accordance with considerations in s 104)	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – Consents Team Leader – Consents Senior Consents Planner Senior Regulatory Advisor 	

Section	Description of function, power or duty	Delegated to	Criteria/Notes
104, 104A, 104B, 104C 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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents 	
107(2), (2A) and (3)	Grant a discharge permit or coastal permit to do something which contravenes s 15 or 15A, subject to criteria	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	<p>Only if satisfied on any of the following grounds:</p> <p>(a) Exceptional circumstances, or</p> <p>(b) Temporary nature, or</p> <p>(c) Necessary maintenance work, and is consistent with the purpose of the Act.</p> <p>Or if conditions included that will contribute to a reduction in effects</p>
108, 108A and 108AA	Grant a resource consent on any condition considered appropriate	<ul style="list-style-type: none"> • GM – Policy and Regulation, • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	<p>Exception is where expressly provided in the section.</p> <p>Subject to s 108AA.</p>
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.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor • Mgr – Compliance • Team Leaders Compliance • Senior Compliance Officers • Compliance Officers 	
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.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Mgr – Compliance 	

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Notification of Decision			
114	Serve applicant with copy of decision on an application for a resource consent	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Consents Administrator • Consents Advisor • Senior Regulatory Advisor 	
116(1A)	Determine the commencement date of consent if not the date of notification of decision under s 114	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Senior Regulatory Advisor • 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.	<ul style="list-style-type: none"> • GM – Policy and Regulation 	<p>Must consult CLA or external legal Counsel.</p> <p>Advice Note: See also the HBRC Delegations Manual with regard to the settlement of legal proceedings.</p>
Duration of Consent			
124	Allow the exercise of an existing resource consent pending determination for a new consent	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	<p>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—</p> <p>(i) begins 6 months before the expiry of the existing consent; and</p> <p>(ii) ends 3 months before the expiry of the existing consent; and the other circumstances in s 124(2) are met.</p> <p>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.</p>

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124A	Determination of whether s 124B and 124C apply	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents 	<p>S 124A, 124B and 124C deal with the issue of priority when a person applies for a new resource consent to undertake an activity using a natural resource.</p> <p>A regional plan can allocate resources amongst competing activities. A regional plan cannot reallocate a resource that is subject to existing resource consents. However, a plan can set rules that provide for reallocation when existing consents expire.</p>
124B	Determination of application in accordance with s124B	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents 	Relevant criteria listed in s 124(4).
124C	Steps pursuant to s 124C including holding an application, notification to a holder of existing consent and processing and determination of application	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner 	
125	Set a lapse date when determining non-notified or notified applications, determine that a consent has been given effect to and extend (on application) the time period within which a consent must be exercised before it lapses. Except for water takes in catchments which are fully allocated.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor • Mgr – Compliance • Team Leader – Compliance • Senior Environmental Compliance Officer • Environmental Compliance Officer 	
126	Cancellation of consent not exercised for the preceding 5 years and power to revoke notice of cancellation of consent	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Review of consent conditions			
128(1)(a)	Serve notice on a consent holder of its intention to review the conditions of a resource consent	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	<p>For the purpose of:</p> <p>(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),</p> <p>(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</p> <p>(c) For any purpose specified in the consent.</p> <p>In accordance with s 129.</p>
128(b), (ba) & (c)	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.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	In accordance with s 129.
130	Process a review of consent with all necessary modifications.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Senior Regulatory Advisor 	<p>If the consent authority considers special circumstances exist.</p> <p>Determine whether a review shall be notified – see delegations for s95 to 95G, 96-102.</p> <p>Must serve on the Minister notice of the review for s128(1)(ba).</p>
131-132	Consider and decide on non-notified review of consent conditions.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents 	<p>In accordance with s 128 and with matters to be considered under s 131.</p> <p>May also cancel resource consent under certain conditions.</p>

Section	Description of function, power or duty	Delegated to	Criteria/Notes
133A	Issue an amendment consent that corrects minor mistakes or defects in the consent	<ul style="list-style-type: none"> • GM – Policy and Regulation, • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Senior Regulatory Advisor 	Within 20 working days of granting the consent.

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Transfer of consents			
134	Receive on behalf of Council written notice of transfer of a land use consent	<ul style="list-style-type: none"> • Consents Advisor • Consents Administrator 	Only for written notice of transfer of s13 land use consents and not s9 land use consents.
135	Receive on behalf of Council written notice of transfer of a coastal permit	<ul style="list-style-type: none"> • Consents Advisor • Consents Administrator 	
136(1) and (2)	Receive on behalf of Council written notice of transfer of a water permit	<ul style="list-style-type: none"> • Consents Advisor • Consents Administrator 	
136(4)	Approve the transfer of a water permit to another site if change is non-notified.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	<p>If the transfer is notified and needs to be heard the hearings panel will hear and decide. If there is no hearing required CE or GMPR shall decide.</p> <p>If the transfer is recommended to be declined, then it should be heard by a hearing panel.</p>
136(5)	If notified or limited notified applications for resource consent transfer, when no submissions are received, or when submissions have been withdrawn or where submitters do not wish to be heard.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents 	<p>If the transfer is notified and needs to be heard the hearings panel will hear and decide. If there is no hearing required CE or GMPR shall decide.</p> <p>If the transfer is recommended to be declined, then it should be heard by a hearing panel.</p>
137(1) and (2)	Receive on behalf of Council written notice of transfer of a discharge permit	<ul style="list-style-type: none"> • Consents Advisor • Consents Administrator 	
137(3), (4) and (5)	Approve or decline the transfer of a discharge permit to another site if change is non-notified.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents 	

Section	Description of function, power or duty	Delegated to	Criteria/Notes
	If notified or 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.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents 	
138	Accept the surrender or part surrender of a resource consent, or refuse surrender of part of a resource consent under certain considerations	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Mgr – Compliance • Team Leader – Consents • Team Leader – Compliance • Senior Consents Planner • Senior Environmental Compliance Officer • Intermediate consent planner • Environmental Compliance Officer • Consents Planner • Senior Regulatory Advisor • Consents Administrator • Compliance Administrator • Consents Advisor 	Prior to exercising this power, staff should discuss the matter with the RCP responsible for monitoring the consent.
138A	Consider special provisions relating to coastal permits for dumping and incineration.	<ul style="list-style-type: none"> • 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	Criteria/Notes
Certificates of compliance or existing use			
139	Issue a certificate of compliance	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr - Consents • Team Leader - Consents • Senior Consents Planner • Senior Regulatory Advisor 	Can require further information from an applicant Refusal if: (a) The request for a certificate is made after a proposed plan is notified, and (b) The activity could not be done lawfully in the particular location without resource consent under the proposed plan. (c) Notice issued under s 87BB
139A	Issue an existing use certificate, including requiring further information from an applicant	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Proposal of national significance			
Matter lodged with local authority			
142	Request Ministers to call in a matter (by making a direction under ss (2)) for any consent application lodged with the Council	<i>No delegation additional to the CE's general delegation.</i>	Must serve the other party with notice of the request. Restriction under s 143.
142(4)	Provide views on making a direction to Minister (if call in is requested by applicant or considered by Minister)	<i>No delegation additional to the CE's general delegation.</i>	
Matter lodged with EPA			
147(4)	Provide views to the Minister of a matter of national significance	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • GM – Policy and Regulation, • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	
149E	Make a submission to the EPA where Minister has made a direction in relation to a resource consent application, and public notice given	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Further submissions may be made under s 149F. A record of the submission made is found on the Council website, search #hbrsubmissions
149F	Make or withdraw a further submission to the EPA	<ul style="list-style-type: none"> • GM – Policy and Regulation 	A record of the submission made is found on the Council website, search #hbrsubmissions
149G	Prepare a report on the key issues in relation to a matter that has been called in, when commissioned by the EPA	<ul style="list-style-type: none"> • 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 • Senior Regulatory Advisor 	

Section	Description of function, power or duty	Delegated to	Criteria/Notes
149I	Withdrawal of change or variation	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	<p>No later than 5 working days after the close of the last day on which further submissions may be made under s 149F.</p> <p>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</p>
Matter decided by board of inquiry			
149K	Provide suggestions to the Minister for members of a Board of Inquiry	<ul style="list-style-type: none"> GM – Policy and Regulation 	
149M(4)(b)	Prepare the plan change in accordance with s149N, if this has not already been prepared	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P 	A record of the submission made is found on the Council website, search #hbrsubmissions
149RA	<p>Make minor amendment to a plan or regional policy statement as instructed by a board of inquiry; publicly notify that amendment.</p> <p>Make a minor amendment to a resource consent as instructed by a BoI</p>	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner Mgr – Consents Team Leader – Consents 	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 Environment Court			
149T	Become a party to matter referred to Environment Court under s 274	<ul style="list-style-type: none"> 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	<p>Must consult CLA or external legal Counsel.</p> <p>Appeal only regarding questions of law.</p>

Section	Description of function, power or duty	Delegated to	Criteria/Notes
149W	Implement decision of a board of inquiry (under s149R) or the Environment Court (under s149U)	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Mgr – P&P 	

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Occupation of common marine and coastal area			
Managing occupation			
165H	Prepare and report on certain matters required before making an allocation rule in a regional coastal plan	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	
165L	Request Ministerial approval to the allocation method for space in the common marine and coastal area and give notice of the request by public notice and the Environmental Protection Authority	<i>No delegation additional to the CE's general delegation.</i>	Note that in the event that Council decides to make a request to the Minister under this section, further delegations will need to be put in place in respect of the related provisions in Part 7A of the RMA.
165ZB	Request suspension of applications to occupy common marine and coastal area for purposes of aquaculture activities.	<i>No delegation additional to the CE's general delegation.</i>	

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Privately initiated plan changes			
165ZN	Undertake actions necessary to prepare a concurrent coastal plan change and coastal permit application	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	
165ZS	Decide on acceptance of a concurrent coastal plan change request	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Staff delegation may be exercised when a commitment is required before a Council meeting can be convened. Staff exercise of this delegation must be reported to the next RPC and Council meetings
165ZT	Notification of an accepted plan change request and its concurrent application	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P 	
165ZZ	Lodge, join, oppose or withdraw from an appeal in relation to a concurrent application and plan change	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Must consult CLA or external legal Counsel.

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Designations			
Refer HBRC Delegations Manual for delegations relating to the managing and settling Environment Court proceedings.			
168	Power to issue a notice of requirement.	<i>No delegation additional to the CE's general delegation.</i>	
172	Power, as requiring authority, to determine and to advise the territorial authority whether the requiring authority accepts or rejects the recommendation in whole or in part. Power to modify the requirement if the modification is recommended by the territorial authority or is not inconsistent with the requirement as notified.	<i>No delegation additional to the CE's general delegation.</i>	
168A(5) and 174	Power to appeal to the Environment Court against a decision of the territorial authority.	Tier 2 Managers	
176A(1) and (5)	Power to submit outline plan as requiring authority and decide whether to accept any changes to the outline plan	Tier 2 Managers	

Section	Description of function, power or duty	Delegated to	Criteria/Notes
177	Power to give or withhold consent as the authority responsible for a designation or heritage order. 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).	Tier 2 Managers	
179	Power to appeal to the Environment Court against a refusal of consent by the requiring authority or against conditions imposed on a consent provided by the requiring authority.	<i>No delegation additional to the CE's general delegation.</i>	
181	Power to give notice to a territorial authority of its requirement to alter a designation.	Tier 2 Managers	
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.	Tier 2 Managers	
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.	Tier 2 Managers	
198B	Power to request direct referral to the Environment Court for a notice of requirement	<i>No delegation additional to the CE's general delegation.</i>	
198G	Power to decide not to lodge a notice of motion and refer the notice of requirement back to the territorial authority	Tier 2 Managers	

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Water Conservation Orders			
205	Make or withdraw a submission to a special tribunal on an application for a water conservation order	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P 	A record of the submission made is found on the Council website, search #hbrsubmissions
209	Make or withdraw a submission to the Environment Court on an application for a water conservation order	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P 	A record of the submission made is found on the Council website, search #hbrsubmissions

Section	Description of function, power or duty	Delegated to	Criteria/Notes
211	Represent Council at an inquiry relating to a water conservation order	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	
216	Apply for variation or revocation of a water conservation order	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Staff delegation may be exercised when a commitment is required before a Council meeting can be convened. Staff exercise of this delegation must be reported to the next RPC and Council meetings

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Environment court			
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)	<ul style="list-style-type: none"> • 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)).
267	Decide on matters arising at a conference	<ul style="list-style-type: none"> • GM – Policy and Regulation 	
268A	Decide on matters arising at Alternative dispute resolution processes (ADR)	<ul style="list-style-type: none"> • 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 	
268	Power to consent to a matter being referred to alternative dispute resolution. Authority to represent Council at alternative dispute resolution.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents 	Must consult CLA or external legal Counsel.

Section	Description of function, power or duty	Delegated to	Criteria/Notes
274	Application to the Environment Court to become a party to proceedings.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Mgr – P&P 	Must consult CLA or external legal Counsel.
274(2A), (4-4B)	Participate in proceedings before the Environment Court	<ul style="list-style-type: none"> • 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 • Senior Regulatory Advisor 	
276a	Provide a certified true copy of a policy statement or plan to the Environment Court	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P 	
279(1)	Application to the Environment Court for an order and to agree the content of the order	<ul style="list-style-type: none"> • GM – Policy and Regulation 	<p>Must consult CLA or external legal Counsel.</p> <p>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.</p>
281(1)	Apply to the Environment Court to waive a requirement or give a direction	<ul style="list-style-type: none"> • GM – Policy and Regulation 	
281B	Request review of exercise of a power by a Registrar	<ul style="list-style-type: none"> • GM – Policy and Regulation 	
285	Apply to the Environment Court for an order for, or waiver of, costs	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
291	Lodge, oppose, join or withdraw a Notice of Motion seeking an order from the Environment Court	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
292(2)	Remedy a defect in a regional plan as directed by the Environment Court without use of Schedule 1.	<ul style="list-style-type: none"> • 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

Section	Description of function, power or duty	Delegated to	Criteria/Notes
293	Respond to an Environment Court order for change to a regional policy statement or plan	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	
294(2)	Apply for a rehearing of proceedings before the Environment Court	<ul style="list-style-type: none"> • GM – Policy and Regulation 	<p>Must consult CLA or external legal Counsel.</p> <p>Staff delegation may be exercised when a commitment is required before a Council meeting can be convened. Staff exercise of this delegation must be reported to the next RPC and Council meetings</p>
299	Power to appeal to the High Court on a point of law.	<ul style="list-style-type: none"> • GM – Policy and Regulation 	<p>Must consult CLA or external legal Counsel.</p> <p>Staff delegation may be exercised when a commitment is required before a Council meeting can be convened. Staff exercise of this delegation must be reported to the next RPC and Council meetings.</p>
300	Power to execute notice of appeal.	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
301	Power to give notice of intention to appear.	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
305	Lodge, join, oppose or withdraw from an additional appeal on questions of law to the High Court	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
306	Power to apply to the High Court for an extension of time.	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
308	Lodge, join, oppose or withdraw from an appeal to the Court of Appeal	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
308G	Power to bring proceedings in the Environment Court for a declaration.	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
308I	Power to bring proceedings for damages in the High Court.	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Must consult CLA or external legal Counsel.

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Enforcement orders			
311	Power to seek a declaration	<ul style="list-style-type: none"> GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
316 & 320	Apply to the Environment Court for an enforcement order of the kind specified in s 314(1)(da) & (e), or an interim enforcement order	<ul style="list-style-type: none"> GM – Policy and Regulation 	<p>May apply to the Environment Court for an enforcement order or interim enforcement order where there are grounds and the need to do so after consideration of a report from the EDG.</p> <p>Advice Note: See also the HBRC Delegations Manual with regard to the settlement of legal proceedings.</p>
317	Power to sign and serve notice of application for enforcement order.	<ul style="list-style-type: none"> GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
321	Power to apply to the Environment Court for a change or cancellation of an enforcement order.	<ul style="list-style-type: none"> GM – Policy and Regulation 	For avoidance of doubt, for the purpose of this delegation “apply” means make the decision to apply to the Court proceedings.

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Abatement notices			
322(1)	Power to issue and serve an abatement notice	<ul style="list-style-type: none"> Warranted enforcement officers 	
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.	<ul style="list-style-type: none"> GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
325A(2)	Cancel an abatement notice (by written notice to any person subject to that abatement notice)	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – Compliance Team Leader – Compliance Senior Compliance Officer 	
325A(5)	Consider an application to change or cancel an abatement notice	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – Compliance Team Leader – Compliance Senior Compliance Officer 	

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Water shortage			
329	Issue a direction if Council considers there is a serious temporary shortage of water in the region	<ul style="list-style-type: none"> GM – Policy and Regulation 	Directions: <ol style="list-style-type: none"> That the taking, use, damming or diversion of water, 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	Criteria/Notes
Emergency works			
330	Undertake emergency works where criteria under ss (1) is met	Tier 2 Manager Tier 3 Manager Tier 4 Manager	Persons exercising this power may, within their area of responsibility, enter any place and take such action, or direct the occupier to take such action as is immediately necessary and sufficient to remove the cause of, or mitigate any actual or likely adverse effect of, the emergency. Staff members using this power are to advise their reporting manager as soon as practicable following the event.
331(1)	Require reimbursement of costs for emergency works, where action was taken because of the default of any person	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – Compliance Team Leader – Compliance 	The costs are actual and reasonable as defined in s 314(2).
331(1A)	Application for enforcement order under s 314(1)(d) to recover costs	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – Compliance 	If costs required under s 331(1) are not paid within 20 working days then an application for enforcement order can be filed with the Environment Court.

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Powers of entry and search			
332	Power of entry for inspection – authorisation of enforcement officers	Warranted enforcement officers	<p>GM – Policy and Regulation, is to specifically authorise in writing an enforcement officer to exercise the power of entry and inspection under s 332. This authorisation should be given at the time the GM – Policy and Regulation issues a warrant pursuant to s 38(5) of the RMA.</p> <p>If entry is denied the officer involved should leave the property and notify the GM – Policy and Regulation, Mgr - Consents or Mgr - Compliance.</p> <p>When an enforcement officer enters a property where the owner/occupier is not present, the officer should attach a Notice of Inspection form.</p>
333	Power of entry for survey – authorisation of enforcement officers	Warranted enforcement officers	<p>GM – Policy and Regulation is to specifically authorise in writing an enforcement officer to exercise the power of entry for survey under s 333. This authorisation should be given at the time the GM – Policy and Regulation issues a warrant pursuant to s 38(5) of the RMA.</p> <p>Staff with this power may undertake surveys and take any of the other steps specified in s 333 for any purposes connected with the preparation, change or review of a policy statement or plan.</p> <p>Reasonable written notice should be given to the occupier.</p> <p>If entry is denied the officer involved should leave the property and notify the GM – Policy and Regulation, Mgr – Consents or Mgr – Compliance.</p> <p>When an enforcement officer enters a property where the owner/occupier is not present, the officer should attach a Notice of Inspection form.</p>
334	<p>Application to District Court for warrant for entry and search</p> <p>Refer to the circumstances as set out in Waikato RC (Re an application) 25/06/03, Venning J, HC Auckland AP18-SW03, [2003] NZRMA 481.</p>	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Compliance • Mgr – Consents • Mgr – P&P 	<p>An application for warrant should be made if entry under s332 is not possible.</p> <p>Must consult CLA or external legal Counsel.</p> <p>Refer to the circumstances as set out in Waikato RC (Re an application) 25/06/03, Venning J, HC Auckland AP18-SW03, [2003] NZRMA 481.</p>

Section	Description of function, power or duty	Delegated to	Criteria/Notes
335(1)(b)	Enforcement officer authorised to enter and search a place or vehicle under a search warrant, when accompanied by an officer	Warranted enforcement officers	GM – Policy and Regulation is to specifically authorise in writing an enforcement officer to exercise this power.
338	Commence a prosecution for an offence against the RMA	<i>No delegation additional to the CE's general delegation.</i>	<p>The recommendation for prosecutions will be made via the EDG after considering the provisions of the RMA, Solicitor General's Prosecution Guidelines and/or Council's legal advice.</p> <p>Must consult CLA or external legal Counsel.</p> <p>The decision to prosecute will sit with the Chief Executive following a recommendation from the GM Policy and Regulation</p> <p>For avoidance of doubt, for the purpose of this delegation "commence" means make the decision to commence a prosecution to the Court proceedings.</p>

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Infringement offences			
343C	<p>Serve an infringement notice on a person who is committing an infringement offence</p> <p>The steps available to the recipient include a request for a hearing or a request to make an arrangement to pay the infringement fee by instalments.</p>	Warranted enforcement officer	<p>GM – Policy and Regulation is to specifically authorise in writing an enforcement officer to exercise this power.</p> <p>Low-level enforcement mechanism.</p> <p>Procedure in s21 of the Summary Proceedings Act 1957 applies. S21 of that Act sets out the options available to a recipient of an infringement notice including a request for a hearing in Court.</p>

Section	Description of function, power or duty	Delegated to	Criteria/Notes
Miscellaneous provisions			
Rights of objection			
357 and 357C	Exercise a right of objection in relation to a submission made to a board of inquiry, territorial authority, or other relevant decision-maker	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Mgr – Consents 	

Section	Description of function, power or duty	Delegated to	Criteria/Notes
357A and 357C	Power to consider and make decisions on objections	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr - Consents • Team Leader – Consents 	Other objections to decisions will be heard by a Hearing Panel. Costs re recoverable.
357B	Consider and make a decision on objections where the additional costs that are the subject of the objection are less than \$20,000	<ul style="list-style-type: none"> • GM – Policy and Regulation, • Mgr – Consents 	For objection to costs. If cannot resolve will go to Hearing Panel.
357C(1)	Power to allow a person a longer time to make an objection.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents 	
357C(3)(b)	Give appropriate notice to parties	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Consents Planner • Intermediate Consents Planner • Senior Regulatory Advisor • Consents Administrator • Consents Administrator 	
357C(4)(b)	Give appropriate notice of objection hearing to parties	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Consents Administrator • Consents Advisor • Senior Regulatory advisor 	
357D(2)	Give appropriate notice of decision to parties.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Intermediate Consents Planner • Consents Planner • Consents Administrator • Consents Administrator • Senior Regulatory advisor 	
358	Appeal to the Environment Court in relation to a right of objection under ss357 - 357B	<ul style="list-style-type: none"> • GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
360(2G)	Amend or withdraw, and publicly notify amendment or withdrawal of rules to remove inconsistency with a s360 regulation	<ul style="list-style-type: none"> • 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

Section	Description of function, power or duty	Delegated to	Criteria/Notes
360B(2)(b)	Provide feedback to the Minister of Aquaculture in relation to aquaculture	<ul style="list-style-type: none"> • 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 #hbrsubmissions
360C	Amend and publicly notify an amendment to the regional coastal plan to give effect to regulations made under s360A(1)	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Mgr – Consents 	
363	Address any conflicts with other Acts	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	

Planning and Policy			
Reference	Description of function or duty	Delegated to	Notes for Staff
<p>The clauses referred to in the below section are a reference to clauses within Schedule 1 of the RMA.</p> <p>Advice note: Many of the policy and plan making decisions have not been delegated to the CE or specifically delegated to a sub-committee of Council. If a power is not included in the below delegations then staff must obtain Council or sub-committee approval to exercise that power.</p>			
Clause 1	Grant time extensions as necessary under s37	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	
Clause 1A	Comply with any Mana Whakahono a Rohe	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	
Clause 2	Commence preparation of a plan or policy statement	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	RPC-Council decision-making as per RCP's Terms of Reference.
Clause 3	Consult with various parties during the preparation of a plan or policy statement	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	
Clause 3B, 4A	Consult as required with iwi authorities	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> GM – Policy and Regulation 	Asset managers lead any designation work on behalf of Council. The Policy Team may advise on this process.

Planning and Policy			
Reference	Description of function or duty	Delegated to	Notes for Staff
Clause 5	Prepare and publicly notify a proposed plan or regional policy statement	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	RPC recommends 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. RPC-Council decision-making as per RCP's Terms of Reference.
Clause 5A	Prepare and give limited notification of a proposed change or variation	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	RPC recommends proposal for notification before limited notification. Public notice must be approved by GM – Policy and Regulation. RPC-Council decision-making as per RCP's Terms of Reference.
Clause 6	Make or withdraw a submission on a proposed plan or regional policy statement	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P 	
Clause 6A	Make or withdraw a submission on a proposed change	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P 	
Clause 7	Power to publicly notify summary of decisions and submissions.	<ul style="list-style-type: none"> 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.	<ul style="list-style-type: none"> 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.	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	
Clause 8AA	Powers of Council in respect of dispute resolution on any matter relating to a proposed policy statement or plan.	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	

Planning and Policy			
Reference	Description of function or duty	Delegated to	Notes for Staff
Clause 8B, 8C	Support the hearing process, or alternate consideration of submissions	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	
Clause 8D	Withdraw and publicly notify the withdrawal of a plan or policy statement	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	RPC may recommend withdrawal of proposed plan or policy statement. 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. RPC-Council decision-making as per RCP's Terms of Reference.
Clause 10	Support hearing commissioners in the decision-making process on provisions and matters raised in submissions, including public notification of decision made	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	Under cl10(4), RPC must recommend and Council adopt (or otherwise) any Hearing Commissioners recommendations . Staff update the register of Table of changes, amendments and corrections at the beginning of the relevant plan
Clause 10A	Apply for an extension of time to the Minister to make a decision and publicly notify any extension granted.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P 	
Clause 11	Notify a decision	<ul style="list-style-type: none"> • 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.	<ul style="list-style-type: none"> • GM - Policy and Regulation 	<p>Must consult CLA or external legal Counsel.</p> <p>Advice Note: See also the HBRC Delegations Manual with regard to the settlement of legal proceedings.</p>
Clause 16(1)	Power to amend a proposed plan required by section 55(2) or the Environment Court.	<ul style="list-style-type: none"> • 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

Planning and Policy			
Reference	Description of function or duty	Delegated to	Notes for Staff
Clause 16(2)	Power to amend a proposed plan to alter any information where such an alteration is of minor effect or is to correct minor errors.	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	RPC recommends proposal for notification. Public notice must be approved by GMPR. RPC-Council decision-making as per RCP's Terms of Reference.
Clause 17, 18	Support consideration of a final plan or policy statement	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	Council makes the decision to adopt a plan or policy statement, including setting the operative date (refer to cl 20)
Clause 19	Power to make changes to a proposed regional coastal plan required by the Minister of Conservation.	<ul style="list-style-type: none"> 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.	<ul style="list-style-type: none"> 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.	<ul style="list-style-type: none"> 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.	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	

Planning and Policy			
Reference	Description of function or duty	Delegated to	Notes for Staff
Clause 25	Support Council in making its decision to adopt, adopt in part or accept the request for further processing	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	RPC recommends process to be followed. RPC-Council decision-making as per RCP's Terms of Reference.
Clause 26	Prepare and notify the accepted proposal in consultation with the person who made the plan change request	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	
Clause 26A	Ensure Council complies with any Mana Whakahono a Rohe relevant to Council's exercising or performing any powers, functions, or duties under this Part	<ul style="list-style-type: none"> 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.	<ul style="list-style-type: none"> GM – Policy and Regulation 	<p>Must consult CLA or external legal Counsel.</p> <p>Advice Note: See also the HBRC Delegations Manual with regard to the settlement of legal proceedings.</p>
Clause 28	Power to give notice of withdrawal of a request.	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	
Clause 29	Support the requested plan change as specified	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	

Planning and Policy			
Reference	Description of function or duty	Delegated to	Notes for Staff
Clause 35	Make available information incorporated by reference	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	
Clause 42	Participate during the hearing as requested by the chairperson of the freshwater hearings panel	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	
Clause 43	Participate in a conference of experts as requested by the chairperson of the freshwater hearings panel	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P 	
Clause 47	Request an extension of time in relation to a freshwater planning instrument	<ul style="list-style-type: none"> • GM – Policy and Regulation 	

Planning and Policy			
Reference	Description of function or duty	Delegated to	Notes for Staff
Clause 52	Prepare a report for Council with respect to each recommendation of the Freshwater hearings panel, and undertake process steps regarding notification of Council's decisions	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	RPC may recommend variation. RPC-Council decision-making as per RCP's Terms of Reference.
Clause 55, 56, 57	Participate as necessary in any appeal to the Environment Court or High Court, or judicial review	<ul style="list-style-type: none"> • 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.
Clause 59	Nominate 2 representatives on the freshwater hearings panel	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P 	
Clause 75	Apply to the Minister to use the streamlined planning process under s80C	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	RPC to recommend use of streamlined planning process. RPC-Council decision-making as per RCP's Terms of Reference.
Clause 76	Provide any further information requested by the Minister	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P 	
Clause 81	Request a time limit extension	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P 	
Clause 82	Comply with the Minister's direction regarding use of the stream-lined planning process	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – P&P • Team Leader – P&P • Principal Adv – Strategic Planning • Senior Policy Planner 	

Planning and Policy			
Reference	Description of function or duty	Delegated to	Notes for Staff
Clause 83	Submit proposed planning instrument and supporting documentation to responsible Minister	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> GM – Policy and Regulation Mgr – P&P Team Leader – P&P Principal Adv – Strategic Planning Senior Policy Planner 	
Clause 88	Withdraw any proposal using the streamlined planning pathway at any time before the Minister makes a cl 84 decision	<ul style="list-style-type: none"> GM – Policy and Regulation 	RPC must recommend withdrawal from use of stream-lined planning process. RPC-Council decision-making as per RCP's Terms of Reference.
Clause 89	Give notice that the proposed planning instrument is withdrawn	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
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	<ul style="list-style-type: none"> GM – Policy and Regulation 	Must consult CLA or external legal Counsel.
Clause 108	Exercise the right of judicial review in relation to an intensification planning instrument	<ul style="list-style-type: none"> GM – Policy and Regulation 	Must consult CLA or external legal Counsel.

Policy & Planning			
Reference	Description of function or duty	Delegated to	Notes for Staff
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	<ul style="list-style-type: none"> • 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	Notes for Staff
Rights of objection			
9	Approval to measure water taken each week (instead of each day)	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	
10	Approval to use device or system installed near (instead of at) location from which water taken	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	
11	Revoke approval of 9 or 10	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr - Consents, • Team Leader - Consents • Senior Consents Planner • Senior Regulatory advisor • 	
8A	Ability to request evidence from consent holder that the measuring device is verified as accurate	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor • Mgr – Compliance • Team Leader – Compliance 	

Resource Management (Forms, Fees, and Procedure) Regulations 2003			
Reference	Description of function or duty	Delegated to	Notes for Staff
Public Notice			
10	Service of notice on prescribed persons	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	

Resource Management (Forms, Fees, and Procedure) Regulations 2003			
Reference	Description of function or duty	Delegated to	Notes for Staff
10A	Discretion to require notice to be affixed to site	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr - Consents • Team Leader - Consents • Senior Consents Planner • Senior Regulatory Advisor 	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.	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	
15	Notification of specified parties of an application and invite comments	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	Decide on relevant parties to be notified and receive, summarise and publish comments from such parties
17	Set conditions, amend or add to conditions set out in Schedule 2	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor 	
18	Issue notice of decision	<ul style="list-style-type: none"> • GM – Policy and Regulation • Mgr – Consents • Team Leader – Consents • Senior Consents Planner • Senior Regulatory Advisor • Consents Administrator • Consents Advisor 	