



Rārangi take Kaunihera  
Whanokē

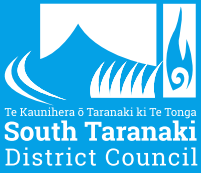
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# Extraordinary Council Agenda

Wednesday 11 November 2020, 5.30pm  
Council Chamber, Albion Street, Hāwera

To determine if Māori representation will be implemented  
for the 2022 Local Body Elections





# Pūrongo Whaitikanga Governance Information

## Ngā Mema o te Komiti / Committee Members



Phil Nixon  
Mayor



Robert Northcott  
Deputy Mayor



Andy Beccard  
Councillor



Mark Bellringer  
Councillor



Gary Brown  
Councillor



Celine Filbee  
Councillor



Aaron Langton  
Councillor



Steffy Mackay  
Councillor



Jack Rangiwahia  
Councillor



Diana Reid  
Councillor



Bryan Roach  
Councillor



Brian Rook  
Councillor



Chris Young  
Councillor

## Apatono / Delegations

The Full Council's role is to carry out responsibilities under the Local Government Act 2002. It is the final decision-making authority within the Council and generally ratifies recommendations made by other committees. It is made up of all Councillors and the Mayor.

### Powers that cannot be delegated

The powers that cannot be delegated by the Council are:

- (a) the power to make a rate
- (b) the power to make a bylaw
- (c) the power to borrow money, or purchase or dispose

- of assets, other than in accordance with the long-term plan
- (d) the power to adopt a long-term plan, annual plan or annual report
- (e) the power to appoint a chief executive
- (f) the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the Local Governance Statement.
- (g) the power to adopt a remuneration and employment policy

## He Karere Haumaruru / Health and Safety Message

In the event of an emergency, please follow the instructions of Council staff.  
If there is an earthquake – drop, cover and hold where possible. Please remain where you are until further instruction is given.

## He Pānga Whakararu / Conflicts of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected member and any private or other external interest they might have.



# Rārangi Agenda

## Extraordinary Council Meeting Wednesday 11 November 2020 at 5.30 pm

To determine if Māori representation will be implemented for the 2022 Local Body Elections

### 1. Matakore / Apologies

### 2. Whakatakoto Kaupapa Whānui, Whakaaturanga hoki / Open Forum and Presentations

### 3. Pūrongo / Report

3.1 [Māori Representation – 2022 Local Body Elections](#)..... Page 5

### 4. Take Tōmuri / Late Item

4.1 [Delegations Register Update – Resource Management Act 1991](#) ..... Page 11

This item cannot be delayed as delegations for newly developed roles have to be approved by the Council. The Council must resolve to agree to consider the report prior to adopting recommendations within the report.

**THAT the Council agrees to accept the (report name) to be considered as part of the agenda.**



# Matakore Apologies

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**Leave of Absence:** *The Council may grant a member leave of absence following an application from that member. Leave of absences will be held in the Public Excluded section of the meeting.*



# Pūrongo Report

To	Mayor and Councillors
From	Tumu Whakahaere / Chief Executive, Waid Crockett
Date	11 November 2020
Subject	<b>Māori Representation – 2022 Local Body Elections</b>

(This report shall not be construed as policy until adopted by full Council)

## Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Council can consider whether Māori wards should be introduced for the 2022 and 2025 local body elections. If the Council resolves to introduce Māori representation via Māori wards, a public notice will need to be published by 30 November.
2. The public notice allows the community to demand a poll by 21 February 2021 on whether Māori wards should be introduced for South Taranaki. If a poll is demanded, it must be held by 21 May 2021. The results of the poll are binding for two triennial elections.
3. A representation review was undertaken in 2018 and it was agreed at that time not to introduce Māori representation via Māori wards. On 14 October 2020 the Iwi Liaison Committee resolved that a representation review be undertaken by the Council in 2021, with the purpose of introducing Māori wards. This resolution is subject to Council approval.
4. This report considers the options available to the Council under the Local Electoral Act 2001 and the impacts of each option.

## Taunakitanga / Recommendation(s)

THAT the Council **agrees** to implement Option [*enter number and title*].

## Kupu Whakamārama / Background

5. The Local Electoral Act 2001 provides for the Council to consider whether Māori wards should be introduced for the 2022 and 2025 triennial elections. The South Taranaki District Council undertook a representation review in 2018 and is not required to undertake a further representation review until 2024. At that time it was agreed by the Iwi Liaison Joint Working Party that Māori wards would not be considered as part of the 2018 representation review.
6. The introduction of Māori wards is optional. If the Council want to establish Māori wards for the 2022 and 2025 triennial elections, a decision is required by 23 November 2020.

7. The decision to introduce Māori representation will require the Council to prepare a public notice by 30 November 2020. The public will have the opportunity to demand a poll by 21 February 2021 on whether Māori wards should be established. The demand for a poll must be submitted by 5% of the electors, and for South Taranaki this would be 887 electors. The result of the poll is binding for two elections.
8. Under the Council's current structure of 12 councillors the introduction of Māori wards would mean that there would be councillors elected from the general electoral population and 2 councillors elected from the Māori electoral population. There are other scenarios that can be considered and, if a decision to introduce Māori wards was successful, this would form part of the representation review process.
9. At the Iwi Liaison Committee meeting on 14 October 2020 it was resolved "That a representation review, subject to Council approval, will be undertaken in 2021". The purpose of which is to introduce Māori wards. The decision was unanimous and supported by all South Taranaki Iwi, Ngaa Rauru Kiihahi, Ngāti Ruanui, Taranaki and Ngāruahine.

### **Local Government Purpose**

10. The purpose of the Local Government Act (LGA) is to enable democratic decision-making by, and on behalf of, communities. The LGA also requires local authorities to provide opportunities for Māori to contribute to decision-making. It is suggested that the introduction of Māori representation via Māori wards would meet the purpose and requirements of the LGA.
11. Introducing Māori wards would promote the outcomes identified in the social and cultural wellbeings of the South Taranaki community in the present and for the future.

### **Ngā Kōwhiringa – Tautuhi me te Tātari / Options – Identification and analysis**

#### **Option 1 – Resolve to introduce Māori representation via Māori wards for the 2022 and 2025 triennial elections.**

12. The decision to introduce Māori representation via Māori wards will initiate a legislative process to publicly notify the community of the decision and allow the public to demand a poll. If a demand for a poll is received by 21 February 2021 this must be undertaken by 21 May 2021. If the poll is positive (public agrees with Māori wards) or if no demand for a poll is received, a representation review will need to be undertaken and completed by August 2021. The outcome of the poll is binding for two elections.
13. Option 1 meets the purpose of the LGA and is aligned to the Council's strategies and policies to build Māori capacity to contribute to decision-making processes. If the result of a poll is positive a representation review would be initiated, which would include consideration of the number of councillors.

#### **Option 2 – Resolve to hold a poll to consider Māori representation via Māori wards for the 2022 and 2025 triennial elections.**

14. The decision to undertake a poll will require the Council to complete this by 21 May 2021. If the poll is positive (public agrees with Māori wards) a representation review will need to be undertaken and completed by August 2021.
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15. The cost to undertake a poll has been estimated between \$45,000 to \$50,000. The outcome of the poll is binding for two elections and the Council will not be able to consider Māori representation again until 2027.

**Option 3 – Resolve to not consider Māori representation via Māori wards for the 2022 and 2025 triennial elections.**

16. The decision to not consider Māori representation via Māori wards does not require a public notice to be prepared. The Council will have the option to consider Māori representation via Māori wards in 2023 for the 2025 and 2028 local body elections.
17. The Iwi Liaison Committee resolved “That a representation review, subject to Council approval, will be undertaken in 2021” and Option 3 would not support the resolution submitted by the Committee.
18. A demand for a poll can be received by the public at any time and if received by 21 February 2021 a poll would need to be completed by 21 May 2021.

**Option 4 – Resolve to consider Māori representation via Māori wards in conjunction with the 2022 local body elections**

19. The Council can consider Māori representation at any time and may choose to resolve to undertake a poll on whether to introduce Māori representation as part of the 2022 local body elections.
20. The result of the poll would be binding for two triennial elections, 2025 and 2028. If the result was negative, Māori representation would not be able to be considered again until 2030.

**Option 5 – Resolve to consider Māori representation via Māori wards for the 2025 local body election**

21. Local authorities are required to undertake a representation review every six years. South Taranaki carried out a representation review in 2018 and at that time it was agreed, in consultation with the Iwi Liaison Committee not to introduce Māori wards. The Council will be required to undertake a further representation review in 2024.
22. A demand for a poll can be received by the public at any time and if received by 21 February 2021 a poll would need to be completed by 21 May 2021.

**Option 6 – Resolve to lobby Central Government to amend the Local Electoral Act and remove the ability for Māori wards to be subject to a demand for a poll**

23. The Society of Local Government Managers (SOLGM) has appealed to Central Government requesting a change to the Local Electoral Act 2001 to remove the requirement to demand a poll. The Council may wish to resolve to support the Local Government Minister’s plan to change the legislation to include Māori representation in Local Government. A statement by the Local Government Minister on 3 November 2020 signalled that amending this piece of legislation is a priority.

**Option 7 – The Council may wish to resolve a combination of the options mentioned above – Options 1 to 6**

## Whaiwhakaaro me ngā aromatawai / Considerations and Assessments

### Assessment of Significance and Engagement

24. The South Taranaki District Council’s general approach to determining the level of “significance” will be to consider:

Criteria	Measure	Assessment
Degree	The number of residents and ratepayers affected and the degree to which they are affected by the decision or proposal.	There is likely to be interest from residents within South Taranaki and the Council could receive a demand for a poll (required by 5% of the electoral population).
LOS	The achievement of, or ability to achieve, the Council’s stated levels of service as set out in the Long Term Plan 2018-2028.	The decision to introduce Māori wards will not impact the Council’s ability to deliver levels of service as set out in the LTP 2018-2028.
Decision	Whether this type of decision, proposal or issue has a history of generating wide public interest within South Taranaki.	It is unknown the level of public interest this will generate in South Taranaki. However, there is evidence that this has generated considerable public interest in other parts of the country including New Plymouth District.
Financial	The impact of the decision or proposal on the Council’s overall budget or included in an approved Long Term Plan and its ability to carry out its existing or proposed functions and activities now and in the future.	If a demand for a poll is received it is estimated to cost \$45,000 to \$50,000 which has not been budgeted for in the current LTP 2018-2028.
Reversible	The degree to which the decision or proposal is reversible.	The result of a poll is binding for two triennial elections. If no poll is held the Council can consider Māori wards again in 2023.

25. In terms of the Council’s Significance and Engagement Policy this matter is of medium significance.
26. The level to which the Council will engage will be to inform initially via a public notice. If a demand for a poll is received the final decision-making will be based on the outcome of the poll.



Level	Goal	Outcome
Inform	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.	The Council is required by legislation to inform the community via a public notice.
Empower	To place final decision-making in the hands of the public.	If a demand for a poll is received, the results of the poll are binding for two triennial elections.

**Legislative Considerations**

- 27. Section 4 of the Local Government Act 2002 requires local authorities to facilitate participation by Māori in decision-making processes and improve opportunities for Māori to contribute to local government decision making.
- 28. Section 14(d) of the Local Government Act 2002 requires local authorities to provide opportunities for Māori to contribute to its decision-making processes.
- 29. Section 19ZA of the Local Electoral Act 2001 provides for the Council to be able to consider whether to introduce Māori representation for the 2022 and 2025 local body elections.

**Financial/Budget Considerations**

- 30. If a demand for a poll is received it is estimated to cost \$45,000 to \$50,000.
- 31. If the Council resolves to undertake a poll during the 2022 local body election to consider Māori wards it is estimated to cost \$5,000.
- 32. No budgets have been allowed for in the current LTP 2018-2028 to undertake a poll, however it is suggested that funding a poll could be covered within current operating budgets.

**Consistency with Plans/Policies/Community Outcomes**

- 33. The decision to consider Māori representation via Māori wards is consistent with the Council’s current plans and policies including the Building Māori Capacity to Contribute to Council Decision-Making Policy. This decision contributes to the “Together South Taranaki” outcome.

**Impact on Māori/Iwi**

- 34. The decision to introduce Māori representation via Māori wards will enable Māori to contribute to the Council’s decision-making processes. The Iwi Liaison Committee has resolved that subject to Council approval, Māori wards be introduced for the 2022 local body elections.

## **Whakakapia / Conclusion**

35. Introducing Māori wards will meet the purpose and objectives of the Local Government Act 2002 relating to building Māori capacity and inclusion in decision making around the Council table.
36. Issues and detail such as councillor numbers would form part of the process once any review, if agreed, was underway. The decision to be made under this report is to consider whether Māori wards should be implemented, deferred to a later time or to undertake a poll.
37. It is recommended that the Council consider and select a preferred option regarding Māori representation around the Council table.



Waid Crockett

**Tumu Whakahaere / Chief Executive**



# Pūrongo Report

To	Mayor and Councillors
From	Kaitātari Matatapu me te Kaupapa Here / Privacy and Policy Advisor – Adrienne Cook
Date	11 November 2020
Subject	<b>Delegations Register Update – Resource Management Act 1991</b>

(This report shall not be construed as policy until adopted by full Council)

## Whakarāpopoto Kāhui Kahika / Executive Summary

1. The Delegations Register is a living document which requires regular updates to ensure that it is current and correct. The Delegations Register (the Register) provides a clear transfer of delegation of authority from the Council to the Chief Executive (CE), and from the CE on to the appropriate officers (specific to their position). An exception to this is delegations under the Resource Management Act (RMA) 1991, which are directly conferred by the Council to officers.
2. This report proposes an update of the Register to incorporate changes made to the delegations listed in [Appendix 1](#) of this report. The report proposes that the powers and functions for the Planning Manager are amended to reflect the new role title of Planning and Development Manager (highlighted in track changes).

## Taunakitanga / Recommendation(s)

- 1) THAT the Council approves the amended delegations (contained within [Appendix 1](#) of this report), as per their powers under section 33 of the Resource Management Act 1991.

## Kupu Whakamārama / Background

3. This section outlines the background and context for the discussion, for example, the history of any past Council decisions or actions, the development of the proposal or the decision to date. In some cases, this will be a full chronology of events going back some years but in others, it may simply discuss some recent interest in the subject matter or a request from the Council, CB, committee or the public.
4. A Register is a formal document which effects the daily operation of the Council and as such, it is important in providing a legal foundation to decision-making and exercising of authority provided for by legislation, regulations, bylaws and policies. It provides evidence showing how particular functions are authorised.

5. The Register is considered a living document which requires regular updates to ensure that:
  - a) The document reflects changes to legislation, regulations, Council bylaws, and policies;
  - b) Changes to the operation of the Council are incorporated into the document; and
  - c) Officers are provided with the correct delegation to undertake specific tasks.
6. To ensure that the Council operates at an efficient and effective manner, the powers provided to the Council under legislation can be divided into the following:

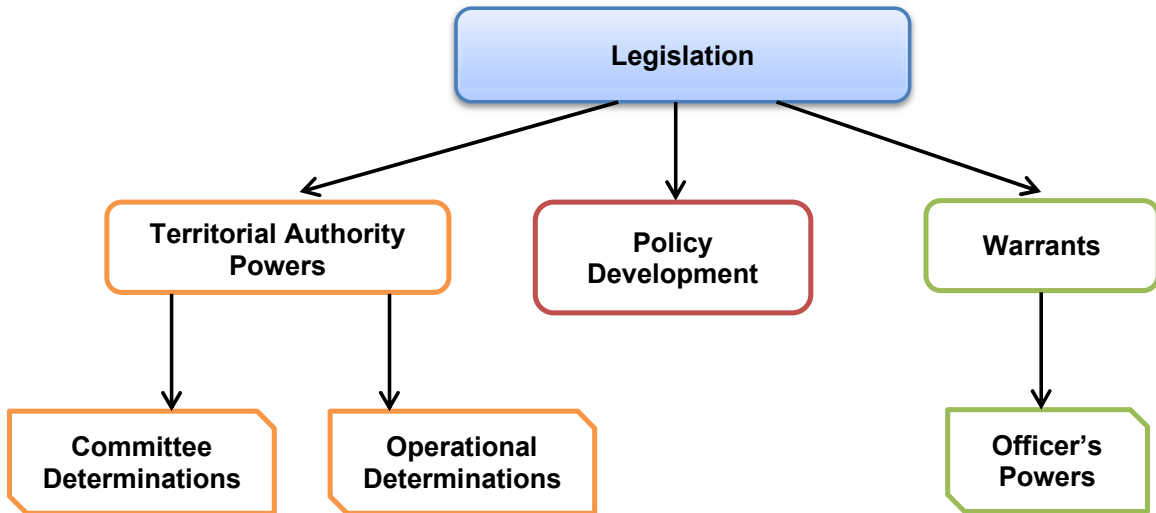


Figure 1: powers provided under legislation.

### Local Government Purpose

7. Under the LGA 2002, the Council’s purpose is to “promote the social, economic, environmental and cultural well-being of communities in the present and for the future.” It is important to be able to balance the regulatory aspect of enforcing the bylaws to maintain the health and safety of the public (to promote well-being of communities), with the rights of individuals within the community. Therefore, it is important that officers are warranted and authorised to undertake their delegated functions; and be able to legally provide that regulatory function.

### Ngā Kōwhiringa / Options – Identification and analysis

8. Reviews on the existing Register are undertaken on a regular basis to ensure that the Council has delegated powers to enable council officers to make operational decisions and act on behalf of the Council.
9. In this case, the role of Planning Manager has been disestablished, and a new role of Planning and Development Manager has been established. The delegations are required to be updated in the Register, to ensure that the officer can make operational decisions as part of their role.

**Risks**

10. The following points provide a risk analysis associated with this decision:

a) Political

A Register provides transparency to the general public on how the Council operates and who is delegated with the power to make decisions under specific legislation, policies and bylaws. This provides certainty that the Council is undertaking its obligations with the required legal authority.

b) Legal

This is the most important risk that the Council needs to consider when analysing the impact of this decision. The Register provides assurance that the authority to act under the Act, Regulation, Bylaw or Policy has been correctly transferred from the Council directly to officers (such as required under the RMA 1991), or to the CE and then on-delegated from the CE to officers. This reduces the risk of legal challenge.

**Option(s) available**

**Adopt the Proposed Recommendation**

11. Adopting the recommendation would ensure that the Planning and Development Manager role is included in the Register, so that daily operational matters under the Resource Management Act 1991 can be undertaken by that role (along with the existing delegations to other officers).

**Amend the Proposed Delegations**

12. The Council may wish to amend the proposed delegations.

**Whaiwhakaaro me ngā aromatawai / Considerations and Assessments**

**Assessment of Significance and Engagement**

13. South Taranaki District Council’s general approach to determining the level of “significance” will be to consider:

Criteria	Measure	Assessment
Degree	The number of residents and ratepayers affected and the degree to which they are affected by the decision or proposal.	<b>Low:</b> Residents and rate payers would not be affected by this decision.
LOS	The achievement of, or ability to achieve, the Council’s stated levels of service as set out in the Long Term Plan 2018-2028.	<b>Low:</b> No effect on the Long Term Plan.
Decision	Whether this type of decision, proposal or issue has a history of generating wide public interest within South Taranaki.	<b>Low:</b> This is an internal function.

Criteria	Measure	Assessment
Financial	The impact of the decision or proposal on the Council's overall budget or included in an approved Long Term Plan and its ability to carry out its existing or proposed functions and activities now and in the future.	<b>Low:</b> The incorporation of delegations within the Delegations Register has been absorbed into existing budgets and will ensure officers are delegated to undertake operational matters.
Reversible	The degree to which the decision or proposal is reversible.	<b>Medium:</b> The Council may revoke delegated authority by resolution.

14. In terms of the Council's Significance and Engagement Policy, this matter is of Low Significance. Consultation is not required for delegations, as it is an internal legislative requirement.

### Legislative Considerations

15. Under Schedule 7 of the LGA 2002, section 32 states that:
- "for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to ...[an] officer of the local authority, any of its responsibilities, duties, or powers except*
- (a) The power to make a rate; or*
  - (b) The power to make a bylaw; or*
  - (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long term plan; or*
  - (d) the power to adopt a long term plan, annual plan, or annual report; or*
  - (e) the power to appoint a chief executive; or*
  - (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long term plan or developed for the purpose of the local governance statement; or*
  - (g) the power to adopt a remuneration and employment policy."*

### Financial/Budget Considerations

16. The costs relating to the review and amendment of the Register have been, and will continue to be, derived from existing budgets.

### Consistency with Plans/Policies/Community Outcomes

17. Transferring the daily operational powers and functions within the legislation and policies (listed in [Appendix 1](#) of this report), to Council officers, would provide a consistent approach for RMA 1991 delegations contained within the Register.

### Impact on Māori/Iwi

18. Māori will benefit from the Council undertaking its operational functions, as will all the South Taranaki community. This is a statutory process.

### **Affected Parties Consultation**

19. External consultation is not required for additions or amendments to the Delegations Register. This is a statutory process.

### **Whakakapia / Conclusion**

20. This report proposes that the Council adopts the amendments as attached in [Appendix 1](#) of this report, which revokes powers to the Planning Manager, and transfers powers to the Planning and Development Manager (as highlighted by track changes below).



Adrienne Cook

**Kaitātari Matatapu me te Kaupapa Here /  
Privacy and Policy Advisor**



[Seen by]

Becky Wolland

**Kaihautū Kaupapa Here me te Whaitikanga /  
Policy and Governance Manager**



# Āpitihianga Tuatahi

## Appendix One

Resource Management Act 1991	Description	Delegated to
<b>RMA 1</b>	<b>Section 10 – Certain existing uses in relation to land protected</b> Power to administer the determination of extensions to period of discontinuance allowed for activities with existing use rights.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 2</b>	<b>Section 22 – Direction for personal information where breach of RMA</b> Power to direct a person who is breaching or has breached any of the obligations of Part 3 of the Act, to give his or her full name, address, and date of birth (where a natural person); or, where not a natural person, the person's full name & address; or, where the person is breaching or has breached the obligations of Part 3 of the Act on behalf of another person, the same information of that person.	1) Environmental Monitoring Officer 2) Planner 3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 4</b>	<b>Section 35 – Gathering Information, monitoring and keeping records</b> Power to gather such information, and undertake or commission such research, as is necessary to carry out effectively its functions under this Act or regulations under this Act.	1) Planning Administration Officer 2) Environmental Monitoring Officer 2) Development Engineer 3) Planner 4) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 5) Group Manager Environmental Services
<b>RMA 5 a</b>	<b>Section 36 – Administrative Charges</b> 3.) Power to impose additional charges within the policies set by the Council.	1) Planning Administration Officer 2) Environmental Monitoring Officer 2) Development Engineer 3) Planner 4) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 5) Group Manager Environmental Services
<b>RMA 5 b</b>	<b>Section 36 – Administrative Charges</b> 7.) Power to not commence or continue processing resource consent applications if insufficient money has been paid as required by the Council's Fees and Charges policy.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 3) Planner 4) Development Engineer 4) Environmental Monitoring Officer



	Note: When using this provision the application effectively remains “on hold” until the correct payment is made.	
<b>RMA 6</b>	<b>Section 37 and 37A</b> Power of waiver and extension of time limits.	For non-notified consents: 1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>  For notified consents up to close of submissions: 1) Group Manager Environmental Services  For notified consents: 1) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s) or the chair for any matter prior to the commencement of hearing.
<b>RMA 10</b>	<b>Section 42A – Reports to local authority</b> Powers in relation to requiring or commissioning a report on information provided on any matter described in section 39(1).	1) Planner 2) Environmental Monitoring Officer 3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 12</b>	<b>Section 87F – Consent authority’s subsequent processing</b> Providing a report on applications that are to be determined by the Environment Court and attending relevant hearings.	1) Planner 2) Environmental Monitoring Officer 2) Development Engineer 3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 13</b>	<b>Section 87G – Documentation for Environment Court hearing</b> Power to, without delay, provide the Environment Court with— (a) the application to which the notice of motion relates; and (b) the authority’s report on the application; and (c) all the submissions on the application that the authority received; and (d) all the information and reports on the application that the authority was supplied with.	1) Environmental Monitoring Officer 1) Development Engineer 2) Planner 3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 14</b>	<b>Section 87I – Applications returned from Environment Court</b> Power to determine a resource consent application when: (a) an applicant receives a report under section 87F(5); and (b) either—	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 3) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s) or the chair for any matter prior to commencement of hearing.

	(i) the applicant advises the authority that the applicant does not intend to lodge a notice of motion with the Environment Court under section 87G(2); or (ii) the applicant does not lodge a notice of motion with the Environment Court under section 87G(2); and (c) the applicant continues to want the application determined.	
<b>RMA 15</b>	<b>Section 88 – Incomplete resource consent</b> Power to determine that a resource consent application is incomplete.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 18 a</b>	<b>Section 92 – Further information may be required</b> To require any applicant for resource consent to provide further information relating to the application and power to set a time limit for further information.	1) Planner 2) Environmental Monitoring Officer 2) Development Engineer 3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 18 b</b>	<b>Section 92 – Commissioning a Report</b> To commission a report on any matters raised in relation to the application.	1) Planner 2) Environmental Monitoring Officer 2) Development Engineer 3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 19 a</b>	<b>Sections 95A, 95B and 95C</b> Decisions on public notification, limited notification and notification after request for further information.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 19 b</b>	<b>Sections 95D, 95E and 95F</b> Adverse Effects, Affected Persons Decision as to whether the activity will have, or is likely to have, effects on the environment that are more than minor and if there are any affected persons or affected customary order holders.	1) Planner 2) Environmental Monitoring Officer 3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 21</b>	<b>Section 98 – Advice of submissions to applicant</b> A list of submissions received by Council is to be supplied to the applicant.	1) Planner 2) Environmental Monitoring Officer 3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 23</b>	<b>Section 100 – Obligation to hold a hearing</b> Decisions as to necessity for hearings where applicants or persons who have made submissions do not wish to be heard.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>

<b>RMA 24</b>	<b>Section 101 – Hearing date and notice</b> To set a hearing date and inform all parties.	1) Planner 2) Environmental Monitoring Officer 3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 27 a</b>	<b>Sections 104A, 108 and 220</b> Determination of applications for controlled activities, Conditions of resource consents and Conditions of subdivision consents Granting consent for non-notified controlled activities not involving a matter of precedent and imposing conditions for those matters over which control is reserved in an NES or in the Plan or proposed Plan.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 28 a</b>	<b>Sections 104B, 108 and 220</b> Determination of application for discretionary or non-complying activities, Conditions of resource consents and Conditions of subdivision consents Granting consent for non-notified and limited notified discretionary and non-complying activities that do not require a hearing or involve a matter of precedent and imposing conditions.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 29 a</b>	<b>Sections 104C, 108 and 220</b> Determination of applications for restricted discretionary activity, Conditions of resource consents and Conditions of Subdivision consents Granting consent for non-notified and limited notified restricted discretionary activities that do not require a hearing or involve a matter of precedent and imposing conditions only for those matters to which discretion has been restricted in an NES or the Plan or proposed Plan.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 30 a</b>	<b>Sections 104D, 108 and 220</b> Particular restrictions on grant of consent for non-complying activities, Conditions of resource consents and Conditions of subdivision consents Granting consent for non-notified and limited notified non-complying activities that do not involve a matter of precedent and imposing conditions.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 32</b>	<b>Section 108 – Conditions of resource consent</b> Inclusion of conditions (s.220 for subdivisions).	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 3) Environment and Hearings Committee
<b>RMA 33</b>	<b>Section 108A – Bonds</b>	1) Group Manager Environmental Services

	Requiring bonds.	2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 3) Environment and Hearings Committee
<b>RMA 34</b>	<b>Section 109(3) – Special provisions in respect of bonds or covenants</b> The power to decide whether any work the subject of a Bond or Covenant is completed satisfactorily.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 35</b>	<b>Section 110 – Refund of money and return of land where activity does not proceed</b> Refunds where activity does not proceed.	1) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 2) Group Manager Environmental Services
<b>RMA 36</b>	<b>Section 114 – Notification</b> Notification of decisions.	1) Planner 2) Environmental Monitoring Officer 3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 37</b>	<b>Section 124 – Exercise of resource consent while applying for new resource consent</b> Power determine an application for a new consent for the same activity at least 6 months before the expiry of the existing consent; or between 6 and 3 months before the expiry of the existing consent (at the discretion of council) with reference to practice under existing consent, while allowing the holder of the existing resource consent that is due to expire to continue to operate until the application for the new consent is determined.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 3) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s)
<b>RMA 38</b>	<b>Section 125 – Lapsing of consent</b> To determine whether consent period should be extended and for how long.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 39</b>	<b>Section 126 – Cancellation of consent</b> Power to cancel a resource consent by written notice served on the consent holder if the resource consent has been exercised in the past but has not been exercised during the preceding 5 years.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 40</b>	<b>Section 127 – Change or cancellation of consent condition on application by consent holder</b> Power to grant a change or cancellation of a condition of the consent.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 3) Environment and Hearings Committee
<b>RMA 42</b>	<b>Section 129 – Notice of review</b> Inform consent holder of review of consent conditions.	1) Planner 2) Environmental Monitoring Officer

		3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 43</b>	<b>Section 130 – Notification of a review of conditions</b> Power to require that a review of conditions be notified and a hearing be held even if a plan expressly states that a rule shall affect the exercise of existing consents under section 68(7).	1) Planner 2) Environmental Monitoring Officer 3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 45</b>	<b>Section 133A – Minor correction of resource consents</b> Power to make minor corrections to resource consents.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 47</b>	<b>Section 139 – Consent authorities and Environmental Protection Authority</b> to issue certificates of compliance Grant or refuse certificate of compliance.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 48</b>	<b>Section 139A – Consent authorities to issue existing use certificates</b> Grant or refuse existing use certificates.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 50</b>	<b>Section 149G – EPA must provide board or Court with necessary information</b> Provision of report to EPA.	1) Planner 2) Environmental Monitoring Officer 3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 51</b>	<b>Section 149ZD – Costs of process under this part recoverable from applicant</b> Recover cost of undertaking work from applicant.	1) Planning Administration Officer 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 3) Group Manager Environmental Services
<b>RMA 52 a</b>	<b>Section 168A – Notice of requirement for a public work</b> Powers to issue and decide whether to notify a notice of requirement for a designation.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 53 a</b>	<b>Section 171(2) – Recommendation to requiring authority</b> Power to make recommendations to the requiring authority including reasons when no hearing is required.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 54</b>	<b>Section 173 – Notification of decision on designation</b> Power to notify a requiring authority's decision.	1) Planner 2) Environmental Monitoring Officer 3) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services

<b>RMA 56</b>	<b>Section 176A – Outline plan</b> Approval of Outline Plans, requests for changes to Outline Plans and waivers of the requirement to provide Outline Plans.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 57</b>	<b>Section 181(3) – Alteration of a designation</b> Power for minor alterations of designations.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 58</b>	<b>Section 182 – Removal of designation</b> Power to remove a designation on request of Requiring Authority.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 59</b>	<b>Section 184 – Lapsing of designations which have not been given effect to</b> Power to determine a longer period than 5 years for the expiry of a designation, on an application made within 3 months before the expiry of that period that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 61</b>	<b>Section 190 – Further information, notification, submissions, and hearing for notice of requirement to a territorial authority</b> Procedural matters relating to notice of requirement (Heritage Orders) to a territorial authority.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 64</b>	<b>Section 196 – Removal of heritage order</b> Removal of heritage order on request of Heritage Protection Authority.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 66</b>	<b>Section 221 – Conditions subject to Consent Notice</b> Issue, review, change or cancel a consent notice in whole or in part.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 67</b>	<b>Section 222 – Completion certificates</b> Issue of Completion Certificates and extension of time.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 68</b>	<b>Section 223 – Approval of survey plan by TA</b> Approval of survey plan by the Council	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 69</b>	<b>Section 224 – Restrictions upon deposit of a survey plan</b>	1) Group Manager Environmental Services

	Issuing of a certificate stating that all or any of the conditions of the subdivision consent have been complied with.	2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> (on confirmation of compliance with conditions).
<b>RMA 70</b>	<b>Section 226 – Restrictions upon issue of certificates of title for subdivision</b> 1) e) TA may certify (signed by Principal Administrative Officer or other authorised officer) that: i), ii), or iii).	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 71</b>	<b>Section 230 – Creation of esplanade strips on allotments less than 4 hectares</b> Power, where any allotment of less than 4 hectares is created when land is subdivided, to set aside an esplanade reserve 20 metres in width from that allotment along the mark of mean high water springs of the sea, and along the bank of any river or along the margin of any lake.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 3) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s)
<b>RMA 72 a</b>	<b>Section 232 – Creation of esplanade strips</b> The creation of esplanade strips 20 metres wide.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a> 3) Environment and Hearings Committee or any duly appointed Hearings Commissioner(s)
<b>RMA 75</b>	<b>Section 237B – Access strips</b> Power to create access strips and conditions of use of such easement, variation and cancellation of conditions.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 77</b>	<b>Sections 237E, 237F, 237G &amp; 237H</b> Power to pay to the registered proprietor of an allotment compensation for any esplanade reserve or any interest in land taken for any esplanade strip or coastal marine area and to contract a valuer to this end.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 78</b>	<b>Section 240 (4) – Covenant against transfer of allotments</b> Cancellation of covenant against transfer of allotments.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 79</b>	<b>Section 241 (3) – Amalgamation of allotments</b> Cancellation of conditions of amalgamation of titles.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>
<b>RMA 80</b>	<b>Section 243 (e) – Survey plan approved subject to grant or reservation of easements</b> Revocation of conditions on survey plans.	1) Group Manager Environmental Services 2) <a href="#">Planning Manager</a> <a href="#">Planning and Development Manager</a>

<p><b>RMA 96</b></p>	<p><b>Section 332 – Power of entry for inspection</b> Enforcement Officer may go onto, into, under or over (excluding a dwelling house) to inspect.</p>	<p>1) Environmental Monitoring Officer 1) Development Engineer 1) Planner 1) Environmental Health Officer 1) Environmental Health Technician 1) Contracted Staff 2) <a href="#">Planning Manager</a><a href="#">Planning and Development Manager</a> 2) Regulatory Services Manager 3) Group Manager Environmental Services</p>
<p><b>RMA 97</b></p>	<p><b>Section 333 - Power of entry for survey</b> Power of entry for survey.</p>	<p>1) Environmental Monitoring Officer 1) Development Engineer 1) Enforcement Officer appointed under s38 1) Planner 2) <a href="#">Planning Manager</a><a href="#">Planning and Development Manager</a> 3) Group Manager Environmental Services</p>

<p><b>Schedule 1 - Preparation, change, and review of policy statements and plans</b></p>		
<p><b>RMA 101</b></p>	<p><b>Part 1 – Clauses 3 &amp; 3C – Consultation</b> Power to consult during the preparation of a proposed policy statement or plan.</p>	<p>1) Planner 2) Environmental Monitoring Officer 3) <a href="#">Planning Manager</a><a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services</p>
<p><b>RMA 102</b></p>	<p><b>Part 1 – Clause 4 – Requirements</b> Power to invite requiring authorities which have a designation in the district that has not lapsed to give written notice to the territorial authority stating whether the requiring authority requires the designation to be included in the proposed plan, with or without modification.</p>	<p>1) Planner 2) Environmental Monitoring Officer 3) <a href="#">Planning Manager</a><a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services</p>
<p><b>RMA 103</b></p>	<p><b>Part 1 – Clauses 5 &amp; 7 – Public notice</b> Power, where a local authority that has prepared a proposed policy statement or plan, to-</p>	<p>1) <a href="#">Planning Manager</a><a href="#">Planning and Development Manager</a> 2) Group Manager Environmental Services</p>



	(a) prepare an evaluation report for the proposed policy statement or plan in accordance with section 32 and have particular regard to that report when deciding whether to proceed with the statement or plan; and (b) publicly notify the proposed policy statement or plan if the local authority decides to proceed with the policy statement or plan.	
<b>RMA 106</b>	<b>Part 1 – Clause 11 – Notification of decision on submissions</b> Power, at the same time as a local authority publicly notifies a decision under clause 10(4)(b), to serve, on every person who made a submission on the proposed policy statement or plan concerned.	1) Planner 2) Environmental Monitoring Officer 3) <del>Planning Manager</del> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 107</b>	<b>Part 1 – Clause 13 – Decision of requiring authority or heritage protection authority</b> Power to ensure a notice of decision by the requiring authority or heritage protection authority and a statement of the time within which an appeal may be lodged is served on every person who made a submission on the requirement, and on the land owners and occupiers who are directly affected by the decision.	1) Planner 2) Environmental Monitoring Officer 3) <del>Planning Manager</del> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services
<b>RMA 109</b>	<b>Part 2 – Clauses 23 and 24 – Further Information may be required</b> To require any applicant for a plan change to provide further information relating to the application.	1) Planner 2) Environmental Monitoring Officer 3) <del>Planning Manager</del> <a href="#">Planning and Development Manager</a> 4) Group Manager Environmental Services