

COUNCIL POLICY:
DELEGATIONS TO OFFICERS
SPECIFIC TO THE RESOURCE MANAGEMENT ACT 1991 ('RMA')

REVISION HISTORY

Revision #	Policy Sponsor	Approval Date and date of next scheduled review	Decision to adopt Policy to be made by Council	# TRIM Reference / Location	Related Operating Policies
1	GM Growth	Approved by Council 5 Oct 2021; Review by 5 Oct 2024	Yes, as required by section 34A of the RMA	D-3748707 / Delegations from Council to Officers specific to the RMA Management Policy - 5 Oct 2021 FINAL.docx	

1. PURPOSE

- Council has made the following delegations under the RMA:
- Council to its Chief Executive (these delegations are set out in Council's Policy Delegations to Positions ('Delegations Policy');
- Council to the Independent Hearings Commissioners' Panel (these delegations are recorded in the Governance Structure); and
- Council to Council officers (these delegations are recorded in this Council Policy).

This Council Policy is to be read with reference to the delegated financial authorities set out in the *Management Policy - Financial Delegations to Officers*.

2. DELEGATIONS BY COUNCIL TO THE CHIEF EXECUTIVE (SPECIFIC TO THE RMA)

In adopting the Delegations Policy, Council delegated to its Chief Executive all responsibilities, duties and powers to act on any matter in respect of the RMA, subject to the Exclusions, Conditions and Notes listed in the Delegations Policy. The following exclusions and conditions apply to the RMA:

Exclusions

- Sub-delegation by the Chief Executive (prohibited by s34A(1)(b)).
- Approval of a proposed district plan (prohibited by s34A(1)(a)).
- Notification of a proposed district plan.
- Rejection of a private plan change request.
- Hearing and determining objections to officer-declined resource consent applications (delegated to independent hearings commissioners).

Conditions

- This delegation does not preclude the Chief Executive from referring any matter to the Council or a Committee for decision if the matter is: particularly significant; of political importance or sensitivity; of special community interest; or for any other reasons the Chief Executive determines.
- The Chief Executive shall exercise this delegation in accordance with any plans, policies, and procedures and bylaws adopted by Council and with any specific directives given by way of resolution of the Council or a Committee.
- This delegation shall remain in effect until such time as it is varied or revoked by resolution of the Council.
- Where a delegation is exercised by a General Manager (other than the Deputy Chief Executive) in the unplanned or unforeseen absence of the Chief Executive, that prior consultation occurs with the Senior Leadership Team.

3. DELEGATIONS BY COUNCIL TO COUNCIL OFFICERS (SPECIFIC TO THE RMA)

Council hereby delegates to the officers shown in the **attached** Delegation Structure the Council's responsibilities, duties and powers to act on any matter where the officer's position is shown as having authority in the **attached** section by section summary of delegations under the RMA. The following Exclusions, Notes and Principles apply.

Exclusions

- Sub-delegation by officers (prohibited by s34A(1)(b)).
- Approval of a proposed district plan (prohibited by s34A(1)(a)).
- Notification of a proposed district plan.
- Rejection of a private plan change request.
- Hearing and determining objections to officer-declined resource consent applications (delegated to independent hearings commissioners).

Notes:

- The delegations to Council officers as set out in this Council Policy are consistent with the direction set out in section 34A(1) of the RMA that Council delegates to an employee.
- Where more than one officer is delegated authority, any one officer may exercise the noted function, power or duty.
- References to 'Relevant General Manager' or 'Relevant Unit Manager' in the attached Delegations Structure refer to the General Manager or Unit Manager (as appropriate) who is undertaking a specific responsibility, duty and/or power under the RMA within that officer's area of responsibility.
- Where any delegation refers to a position title and the name of the position title subsequently changes without substantial changes being made to the position holder's job description (in respect of the function to which the delegation relates), all delegations in the name of the previous position title are and shall be effective for the position holder of the new position title.
- Where a Council employee is appointed to act in the position of a delegate, that Council employee shall be deemed to have the delegated authority of the Delegate for the duration that she/he is appointed to act in that position. This is consistent with section 14 of the of the Interpretation Act 1999 – Exercise of Powers by Deputies – which specifies that a person lawfully acting in an office may exercise any of the powers conferred on the holder of that office. However, to clarify, that employee must only exercise the relevant delegated authority within his/her area of expertise and responsibility as detailed in their position job description.
- Where under the RMA or associated regulations, a named position (for example, "enforcement officer" or "authorised officer") is expressly authorised to carry out a specific responsibility, duty or power, the appointment of the officers to carry out that specific responsibility, duty or power is recorded in the individual warrant issued by the Chief Executive (or other officer having delegated authority), from time to time.

Principles:

- The delegate is acting on behalf of the Council when exercising delegated authority. In so doing, the delegate will ensure they act in accordance with any:
 - binding statutory authority (in relation to each delegation, relevant sections of legislation will be identified); and
 - relevant Council policy or process, including delegated financial authority and reporting requirements.
- Those officers with responsibility for a delegated task or function should always have the authority to carry it out effectively.
- Those officers with authority to perform a delegated responsibility, duty or power should always be responsible for the performance of the delegation in a full, fair and objective manner. To this end, it is open to the person delegated a responsibility, duty or power to consider whether or not to exercise that delegated responsibility, duty or power, or to refer the matter back to the Council or the relevant Committee.
- Subject to any legislative restrictions, a responsibility, duty or power delegated to an officer is also delegated to all officers in a direct line of authority above that officer and is also delegated to any officer who is in an acting capacity for that officer.
- Any delegation made includes any ancillary responsibilities, duties or powers necessary to give effect to that delegation.
- Unless specifically restricted, a delegation under this Council Policy continues in force until expressly revoked or varied by resolution of Council in writing. A delegation will survive any change in the person occupying the office to which the delegation was made.

4. DELEGATIONS BY COUNCIL TO HEARINGS COMMISSIONERS (SPECIFIC TO RMA)

In adopting the Governance Structure, Council delegated to an Independent Hearings Commissioners' Panel the following specific powers:

1. The power to hear and decide any of the following RMA matters:
 - a. application for a resource consent or change to conditions of resource consent;
 - b. notice of objection; or
 - c. notice of requirement to designate land or alter a designation; for a heritage order or alteration to a heritage order; or
 - d. plan changes and reviews of the Operative Hamilton City District Plan under schedule 1 to the Resource Management Act 1991 where Council resolves to not hear and decide on those matters.
2. The power to exercise all procedural powers under the RMA relevant to the matter to be heard from the date selection being confirmed by the General Manager Growth until the date the final decision is delivered by the hearings commissioner(s).
3. The power to select a hearings chairperson; and give the chairperson, if one is selected, a casting vote.

Notes:

- The General Manager Growth is delegated authority to select the Hearings Commissioner/s from the appointed Panel to hear and decide RMA matters within the Panel's terms of reference.

- The Hearing Commissioner's/s' decisions are reported to Council for information and monitoring of District Plan effectiveness.
- Where a hearings commissioner is appointed to act in the position of Delegate, that hearings commissioner shall be deemed for the duration that she/he is appointed to act in that position. This is consistent with section 14 of the Interpretation Act 1999 – Exercise of Powers by Deputies – which specifies that a person lawfully acting in an office may exercise any of the powers conferred on the holder of that office.

5. MONITORING AND IMPLEMENTATION

The Chief Executive's Office will monitor the implementation of this Council Policy.

Delegations of Council powers under the Resource Management Act 1991

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RESOURCE CONSENTS & SUBDIVISION

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Council as consent authority or territorial authority														
Section 87BA	Boundary activities approved by neighbours on infringed boundaries are permitted activities <ul style="list-style-type: none"> - Power to determine and notify applicant as to whether activity is a permitted activity. - Power to determine and return an application for a boundary activity to the applicant if it is not a permitted activity, with written reasons. 	✓	✓	✓	✓	✓	✓	✓						

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
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Section 87BB	Activities meeting certain requirements are permitted activities - Power to determine and notify that an activity, meeting certain requirements, is a permitted activity.	✓	✓	✓	✓	✓	✓	✓						
Section 87E	Consent authority's decision on request - Power to determine applicant's request to allow application for resource consent to be determined by the Environment Court instead of Council.	✓	✓	✓										

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Section 87F	Consent authority's subsequent processing - Power to continue processing application and prepare and provide report where the applicant has requested direct referral to the Environment Court.	✓	✓	✓										
Section 87G(3)	Environment Court determines application - Duty to provide the Court with certain documents.	✓	✓	✓										
Section 87H	Residual powers of consent authority - Where resource consent is granted by the Environment Court on direct referral, Council has the same functions powers and duties in relation to the	✓	✓	✓										

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	consent as if it had granted the consent itself.													
Section 87I(2)	When consent authority must determine application - Power to determine an application for resource consent where no notice of motion is lodged with the Environment Court.	✓	✓	✓										
Section 88	Making an application - Power to return an incomplete application.	✓	✓	✓	✓	✓								
Section 89A(2) & (5)	Applications affecting navigation to be referred to Maritime New Zealand - Duty to provide relevant documents to Maritime New Zealand and to the parties.	✓	✓	✓										

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Section 91	Deferral pending application for additional consents - Power to defer an application for resource consent if other resource consents are required.	✓	✓	✓	✓	✓								
Section 91A - C	Applicant may have processing of notified application suspended - Power to suspend processing on request. - Power to cease to suspend processing. - Power to decide to return or continue to process an application following expiry of suspension period.	✓	✓	✓	✓	✓	✓	✓						

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Section 91D - F	Applicant may have processing of non-notified application suspended <ul style="list-style-type: none"> - Power to suspend processing on request. - Power to cease to suspend processing. - Power to decide to return or continue to process an application following expiry of suspension period. 	✓	✓	✓	✓	✓	✓	✓						
Section 92 Section 92A	Further information, or agreement, may be requested <ul style="list-style-type: none"> - Power to request further information or commission a report, including setting timeframes for providing requested information (if applicable). 	✓	✓	✓	✓	✓	✓	✓						

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Section 95	Time limit for public notification or limited notification - Duty to comply with time limits for determining whether a consent application is required to be notified.	✓	✓	✓	✓	✓	✓	✓						

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Section 95A Section 95D	Public notification of consent applications <ul style="list-style-type: none"> - Power to determine whether to publicly notify a consent application including the power to determine whether: <ul style="list-style-type: none"> • The consent application meets the criteria for mandatory public notification; • The consent application is precluded from public notification; • The activity will have or is likely to have adverse effects on the environment that are more than minor; • Special circumstances exist. 	✓	✓	✓	✓	✓	✓	✓						

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Section 95B Section 95E Section 95F Section 95G	Limited notification of consent application - Power to determine whether to give limited notification of a consent application, including the power to determine whether: <ul style="list-style-type: none"> • There are any affected groups or persons; • The activity is on, adjacent to or may affect land that is the subject of a statutory acknowledgement; • Limited notification is precluded; • Special circumstances exist. 	✓	✓	✓	✓	✓	✓	✓						

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Section 95C	Public notification of consent application after request for further information or report - Duty to publicly notify a consent application where a request for further information or to commission a report is refused or not actioned.	✓	✓	✓	✓	✓	✓	✓						

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Section 97	Time limit for submissions - Power to adopt an earlier closing date for submissions under the circumstances specified.	✓	✓	✓										
Section 98	Advice of submissions to applicant - Duty to provide the applicant with a list of submitters.	✓	✓	✓	✓	✓	✓	✓						
Section 99	Pre-hearing meetings - Power to determine whether to hold a pre-hearing meeting. - Power to decline to process an application or consider a submission.	✓	✓	✓	✓	✓	✓							
Section 99A	Mediation - Power to refer a resource consent applicant and submitters to mediation; and - Power to appoint a mediator.	✓	✓	✓										

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Section 100(a)	Obligation to hold a hearing - Power to determine whether a hearing is necessary.	✓	✓	✓	✓	✓								
Section 101	Hearing date and notice - Power to fix a commencement date, time and the place of a hearing.	✓	✓	✓	✓	✓	✓							

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Section 102	Joint hearings by two or more consent authorities - Power to determine if a joint hearing is required.	✓	✓	✓	✓									
Section 103	Combined hearings in respect of two or more applications - Power to determine if a combined hearing is required.	✓	✓	✓	✓									
Section 103B	Requirement to provide a report and other evidence before hearing - Duty to provide report and other evidence before hearing.	✓	✓	✓	✓	✓								
Section 104	Consideration of applications - Power to grant or refuse an application for resource consent.	✓	✓	✓	✓	✓	✓	✓						

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Section 104A	Determination of applications for controlled activities <ul style="list-style-type: none"> - Power to grant an application for a controlled activity; - Power to impose consent conditions. - Power to refuse an application for a controlled activity if there is insufficient information to determine whether or not the activity is a controlled activity. 	✓	✓	✓	✓	✓	✓	✓						
Section 104B Section 104D	Determination of applications for discretionary or non-complying activities <ul style="list-style-type: none"> - Power to grant or refuse an application for a discretionary or non-complying activity; - Power to impose consent conditions. 	✓	✓	✓	✓	✓	✓	✓						

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Section 104C	Determination of applications for restricted discretionary activities <ul style="list-style-type: none"> - Power to grant or refuse an application for a restricted discretionary activity; - Power to impose consent conditions. 	✓	✓	✓	✓	✓	✓	✓						

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Section 106	Consent authority may refuse subdivision consent in certain circumstances - Power to refuse to grant subdivision consent, or grant subdivision consent subject to conditions, in certain circumstances.	✓	✓	✓	✓	✓								
Section 108 and 108AA	Conditions of resource consent - Power to impose consent conditions.	✓	✓	✓	✓	✓	✓	✓						
Section 108A	Bonds - Power to impose terms of bonds.	✓	✓	✓	✓	✓								

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Section 109	Special provisions in respect of bonds or covenants <ul style="list-style-type: none"> - Power to enter land and complete works and to recover costs and register any shortfall as a charge on the land. 	✓	✓	✓										
Section 357C	Procedure for making and hearing objection under section 357 to 357B <ul style="list-style-type: none"> - Power to allow a longer objection period. - Duty to provide written notice of the date, time and place for a hearing. 	✓	✓	✓	✓	✓								

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Section 357D	Decision on objections made under sections 357 to 357B (excluding 357A(2)) - Power to decide objections against certain Council decisions but excluding: <ul style="list-style-type: none"> objections against officer-declined resource consent applications; and objections that are not resolved under s357C(3) or (4); which will need to be heard by hearings commissioners (independent).	✓	✓	✓	✓	✓								
Section 110	Refund of money and return of land where activity does not proceed - Power to retain a portion of a financial contribution or land	✓	✓	✓										

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	<p>equivalent to costs incurred by Council.</p> <p>- Power to authorise the refund of a financial contribution or land where an activity does not proceed</p>													

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Sections 113, 114 and 115	Decisions on applications to be in writing, etc - Duty to give written notice of the decision within the specified timeframes.	✓	✓	✓	✓	✓	✓	✓						
Sections 120 and 358	Right to appeal - Powers (as respondent) in respect of an appeal to the Environment Court as set out in the Environment Court Procedure section of this Council Policy.	✓	✓	✓						✓	✓	✓		
Section 124	Exercise of resource consent while applying for new consent - Power to allow resource consent to be exercised while application for new consent being processed.	✓	✓	✓	✓	✓								

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Section 125(1A)	Lapsing of consent - Power to extend the lapse period of a consent.	✓	✓	✓	✓	✓								
Section 126	Cancellation of consent - Power to cancel a resource consent. - Power to revoke a cancellation notice in the circumstances specified.	✓	✓	✓	✓	✓								
Section 127	Change or cancellation of consent condition on application by consent holder - Power to grant or refuse an application to cancel or change consent conditions ¹	✓	✓	✓	✓	✓	✓							

¹ For clarity, this power is delegated to an Independent Commissioner where an application to change or cancel a condition of a resource consent is referred to a hearing.

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Section 128 Section 130 Section 131	Circumstances when consent conditions can be reviewed - Power to review consent conditions and attend to notice requirements.	✓	✓	✓										
Section 132	Decisions on review of consent conditions - Power to make decisions on a review of consent conditions.	✓	✓	✓	✓	✓								
Section 133A	Minor corrections of resource consents - Power to correct minor mistakes or defects in a resource consent and issue an amended consent.	✓	✓	✓	✓	✓	✓	✓						
Section 138	Surrender of consent - Power to accept or refuse the surrender of a consent, either in whole or in part.	✓	✓	✓	✓	✓								

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Section 139	Consent authorities and Environmental Protection Authority to issue certificates of compliance <ul style="list-style-type: none"> - Power to issue a certificate of compliance. - Power to require further information to be provided in order to determine if a certificate of compliance must be issued. 	✓	✓	✓	✓	✓								
Section 139A	Consent authorities to issue existing use certificates <ul style="list-style-type: none"> - Power to issue or revoke an existing use certificate. - Power to require further information to be provided in order to determine if an existing use certificate must be issued. 	✓	✓	✓	✓	✓								

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Section 142	Minister may call in matter that is or is part of proposal of national significance - Power to request the Minister to call in a matter of national significance.	✓	✓											
Section 149B	Local authority's obligations if matter called in - Duty to provide information to the EPA.	✓	✓											

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 149K	How members appointed - Power to suggest to the Minister members for a board of inquiry.	✓	✓											
Section 149V(1)	Appeal from decisions only on questions of law - Power to appeal to the High Court against a decision of a board of inquiry.	✓	✓											
Section 149Z	Local authority must process referred matter - Duty to process a matter referred by the EPA under s149Y.	✓	✓	✓										
Section 149ZD	Costs of processes under this Part recoverable from applicant - Power to recover actual and reasonable costs from applicant, and to provide estimate on request.	✓	✓	✓										

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 220	Condition of subdivision consents - Power to impose subdivision consent conditions.	✓	✓	✓	✓	✓	✓	✓	✓					
Section 221	Territorial authority to issue a consent notice - Power to issue a consent notice. - Power to vary or cancel conditions in a consent notice.	✓	✓	✓	✓	✓			✓					
Section 222	Completion certificates - Power to issue a completion certificate; - Power to impose a bond.	✓	✓	✓	✓				✓					
Section 223	Approval of survey plan by territorial authority - Power to approve or decline a survey plan.	✓	✓	✓	✓				✓					

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 224(c)	Restrictions upon deposit of survey plan - Power to issue a certificate under s 224(c).	✓	✓	✓	✓				✓					
Section 226	Restriction upon issue of certificates of title for subdivision - Power to issue a certificate under s 226(1)(e).	✓	✓	✓	✓				✓					
Section 232	Creation of esplanade strips - Power to create an esplanade strip.	✓	✓	✓	✓									

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 234	Variation or cancellation of esplanade strips - Power to grant or decline an application to vary or cancel an instrument creating an esplanade strip.	✓	✓	✓	✓									
Section 235	Creation of esplanade strips by agreement - Power to enter into an agreement to create an esplanade strip and do all things necessary to effect registration of the instrument.	✓	✓	✓	✓				✓					
Section 237	Approval of survey plans where esplanade reserve or esplanade strips required - Power to approve a separate survey plan showing an esplanade reserve or esplanade strip.	✓	✓	✓	✓									

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 237B	Access strips - Power to create an easement over land; - Power to vary or cancel the easement.	✓	✓	✓	✓									

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 237C	Closure of strips to the public - Power to close an esplanade strip or access strip.	✓	✓	✓										
Section 237D	Transfers to the Crown or Regional Council - Power to agree to vest an esplanade reserve or the bed of any river or lake in the Crown or a regional council.	✓												
Section 237E	Compensation for taking of esplanade reserves or strips on allotments of less than 4 hectares - Duty to pay compensation.	✓	✓											
Section 237F	Compensation for taking up esplanade reserves or strips on allotments of 4 hectares or more - Duty to pay compensation.	✓	✓											
Section 237G	Compensation - Duty to pay compensation.	✓	✓											

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 237H	Valuation - Power to object to compensation determined by a registered valuer.	✓	✓											

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 239	Vesting of reserves or other land - Power to certify specified interests on a survey plan.	✓	✓	✓	✓				✓					
Section 240	Covenant against transfer of allotments - Power to cancel a covenant against the transfer of allotment; - Power to certify cancellation of a covenant.	✓	✓	✓	✓	✓								
Section 241	Amalgamation of allotments - Power to cancel a subdivision consent condition requiring amalgamation of allotments; - Power to certify cancellation of the condition.	✓	✓	✓	✓	✓								

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 243	Survey plan approved subject to grant or reservation of easements <ul style="list-style-type: none"> - Power to cancel a subdivision consent condition requiring the grant or reservation of easements; - Power to certify cancellation of the condition. 	✓	✓	✓	✓	✓								

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 299 Section 305	Appeal to the High Court on a question of law - Power to appeal an Environment Court decision, report or recommendation on a question of law to the High Court.	✓												
Section 301	Right to appear and be heard on appeal - Power to give notice of intention to appear before the High Court	✓												
Section 308	Appeals to the Court of Appeal - Power to apply for leave to appeal a decision of the High Court to the Court of Appeal.	✓												
Council as resource consent applicant														
Section 87D	Request for application to go directly to the Environment Court	✓												

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Power to ask Council to allow application for resource consent to be determined by the Environment Court instead of Council.													
Section 88	Making an application - Power to make an application for resource consent.	✓									✓	✓		
Section 91A(2)	Applicant may have processing of notified application suspended - Power to request suspension of processing of notified application.	✓									✓	✓		
Section 91B(2)	When suspension of processing of notified application ceases - Power to request cessation of suspension of notified application.	✓									✓	✓		

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 91D(2)	Applicant may have processing of non-notified application suspended. - Power to request suspension of processing of non-notified application.	✓									✓	✓		
Section 91E(2)	When suspension of processing of non-notified application suspended. - Power to request cessation of suspension of non-notified application.	✓									✓	✓		
Section 92A	Responses to request - Power to respond to a request for further information.	✓									✓	✓		

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 92B	Responses to notification - Power to respond to a request for the commissioning of a report.	✓									✓	✓		
Section 95A(3)(a)	Public notification of consent application at consent authority's discretion - Power to request public notification of a consent application.	✓									✓	✓		
Section 99	Pre-hearing meetings - Power to request a pre-hearing meeting as the resource consent applicant.	✓									✓	✓		
Section 99A	Mediation - Power to request mediation as the resource consent applicant.	✓									✓	✓		
Section 100A	Hearing by commissioner if requested by applicant or submitter	✓									✓	✓		

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Power to request that a commissioner hear and determine a consent application.													
Section 120	Right to appeal - Power to appeal a decision on a consent application to the Environment Court.	✓									✓			
	- Powers (as appellant and/or applicant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 357	Right of objection against certain decisions - Power to make objection against Council decision to return application	✓									✓			
Section 357A	Right of objection to consent authority against certain decisions or requirements	✓									✓			

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Power to make objection against certain Council decisions.													
Section 357AB	Objection under section 357A(1)(f) or (g) may be considered by hearings commissioner - Power to request that objection be considered by a hearings commissioner	✓									✓			
Section 357B	Right of objection to imposition of additional charges or recovery of costs - Power to make an objection against certain requirements to pay costs.	✓									✓			
Section 124	Exercise of resource consent while applying for new consent - Power to apply to continue to exercise existing consent while applying for new consent.	✓									✓	✓		

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 358	Appeals against certain decisions on objections - Power to appeal to the Environment Court a decision on an objection.	✓												
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.-	✓									✓	✓		
Section 125	Lapsing of consent - Power to make an application for an extension for a lapse period.	✓									✓	✓		
Section 127	Change or cancellation of consent condition on application by consent holder - Power to apply to change or cancel consent conditions.	✓									✓	✓		
	- Powers (as appellant) set out in the Environment Court	✓									✓	✓		

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	Procedure section of this Council Policy.													
	- Power to appeal a decision on an application to change or cancel consent conditions.	✓									✓			
Section 132	Decisions on review of consent conditions - Power to appeal a decision on a review of consent conditions.	✓									✓			
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 134(3)	Land use and subdivision consents attach to land - Power to transfer the whole or part of Council's interest in a consent, to do something that would otherwise contravene section 13, to any other person.	✓									✓			

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 135	Transferability of coastal permits - Power to transfer a coastal permit to another person.	✓												
Section 136	Transferability of water permits - Power to transfer a water permit to another person.	✓									✓			
Section 137	Transferability of discharge permits - Power to transfer a discharge permit to another person.	✓									✓			
Section 138	Surrender of consent - Power to surrender a consent.	✓									✓	✓		
Section 234	Variation or cancellation of esplanade strips - Power to apply to vary or cancel an instrument creating an esplanade strip.	✓	✓								✓			

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 139(2)	Consent authorities and Environmental Protection Authority to issue certificates of compliance - Power to request a certificate of compliance.	✓									✓	✓		
Section 139A(1)	Consent authorities to issue existing use certificates - Power to request an existing use certificate.	✓									✓	✓		
Section 145(1)	Matter lodged with EPA - Power to lodge an application for resource consent with the EPA.	✓									✓			
Section 149	EPA may request further information or commission a report - Power to respond to a request from the EPA to provide further information or agree to the commissioning of a report.	✓									✓	✓		

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 299 Section 305	Appeal to the High Court on question of law - Power to appeal an Environment Court decision, report or recommendation to the High Court on a question of law.	✓												
Section 301	Right to appear and be heard on appeal - Power to give notice of intention to appear before the High Court	✓												
Section 308	Appeals to the Court of Appeal - Power to apply for leave to appeal a decision of the High Court to the Court of Appeal.	✓												
Council as submitter														
Section 95E(3)(a)	Consent authority decides if person is affected person - Power to give written approval to a proposal as an affected person	✓	✓								✓			

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 96	Making Submissions - Power to make a submission on an application for resource consent.	✓	✓								✓			
Section 100A	Hearing by commissioner if requested by applicant or submitter - Power to request a commissioner to hear and determine a consent application.	✓	✓								✓			
Section 120	Right to appeal - Power to appeal decision on an application for resource consent to the Environment Court.	✓												
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 357 to s357C	Right of objection to consent authority against certain decisions or requirements - Power to make objection against certain Council decisions.	✓	✓								✓			
Section 358	Appeals against certain decisions on objections - Power to appeal to the Environment Court a decision on an objection.	✓												
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 274	Representation at proceedings - Power to give notice to the Environment Court of Council's intention to become a party to proceedings.	✓												

RESOURCE CONSENTS & SUBDIVISION		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Powers (as s274 party) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 299 Section 305	Appeal to High Court on question of law - Power to appeal an Environment Court decision, report or recommendation on a question of law to the High Court.	✓												
Section 301	Right to appear and be heard on appeal - Power to give notice of intention to appear before the High Court.	✓												
Section 308	Appeals to the Court of Appeal - Power to apply for leave to appeal a decision of the High Court to the Court of Appeal.	✓												

DESIGNATIONS

Section	DESIGNATIONS	Positions having authority												
	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Council as territorial authority														
Section 198C	Territorial authority's decision on request - Power to determine a requiring authority request that the Environment Court decide the requirement.	✓	✓											
Section 198D	Territorial authority's subsequent processing - Duty to continue processing the requirement.	✓								✓				
Section 198E	Environment Court decides - Duty to provide information to the Environment Court.	✓	✓							✓				
	- Powers (as territorial authority) set out in the	✓									✓	✓		

Section	DESIGNATIONS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	Environment Court Procedure section of this Council Policy.													
Section 168(5)	Notice of requirement to territorial authority - Duty to notify withdrawal of requirement.	✓	✓							✓				
Section 169	Further information, notification, submissions, and hearing for notice of requirement to territorial authority - Power to notify a notice of requirement, request further information, hold a pre-hearing meeting, conduct mediation and hold a hearing	✓	✓							✓				

Section	DESIGNATIONS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 170	Discretion to include requirement in a proposed plan <ul style="list-style-type: none"> - Power to include a requirement in a proposed District Plan. 	✓	✓							✓				
Section 171	Recommendation by territorial authority <ul style="list-style-type: none"> - Power to make a recommendation to the requiring authority. 	✓	✓							✓				
Section 173	Notification of decision on designation <ul style="list-style-type: none"> - Duty to notify decision of requiring authority. 	✓	✓							✓				
Section 174	Appeals <ul style="list-style-type: none"> - Power to appeal to the Environment Court against a decision of the requiring authority. 	✓												

Section	DESIGNATIONS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 175	Designation to be provided for in District Plan - Power to provide for a designation in the District Plan (Schedule 1 does not apply).	✓	✓							✓				
Section 176A	Outline plan - Power to waive requirement for an outline plan. - Power to request changes to an outline plan.	✓	✓	✓	✓	✓	✓			✓				
	- Power to appeal to the Environment Court a requiring authority	✓												

Section	DESIGNATIONS	Positions having authority												
	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	refusal to change an outline plan.													
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

Section	DESIGNATIONS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 179	Appeals relating to sections 176 to 178 - Power to appeal to the Environment Court against a refusal of written consent by the requiring authority or against conditions imposed on a written consent.	✓												
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 180	Transfer of rights and responsibilities for designations - Power to note transfer of designation in the district plan.	✓												

Section	DESIGNATIONS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 181	Alteration of designation - Power to alter a designation or requirement in the District Plan.	✓	✓							✓				
Section 182	Removal of designation - Power to amend the District Plan to remove a designation or part of a designation (Schedule 1 does not apply). Power to decline to remove part of a designation.	✓	✓							✓				
Section 184	Lapsing of designations which have not been given effect to - Power to extend the lapse period of a designation.	✓	✓							✓				

DESIGNATIONS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 358	Appeals against certain decisions or objections - Powers (as respondent) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Council as requiring authority														
Section 168	Notice of requirement to territorial authority - Power to issue a notice of requirement in another district; - Power to withdraw the requirement.	✓									✓			
Section 168A	Notice of requirement by territorial authority - Power to issue a notice of requirement in Hamilton City	✓									✓			

Section	DESIGNATIONS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 172	Decision of requiring authority - Power to decide requirement; - Power to modify the requirement.	✓									✓			
Section 174	Appeals - Powers (as requiring authority) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 198A and 198B	Sections 198B to 198G apply to requirements under section 168 or 189 - Power to request to have requirement decided by Environment Court.	✓												

Section	DESIGNATIONS	Positions having authority												
	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 198C	Territorial authority's decision on request <ul style="list-style-type: none"> - Power to make an objection against decline of request to have requirement decided by Environment Court. 	✓												
Section 198E	Environment Court decides <ul style="list-style-type: none"> - Power to lodge a notice of motion with Environment Court requesting Court decides requirement. 	✓												
	<ul style="list-style-type: none"> - Powers (as requiring authority) set out in the Environment Court Procedure section of this Council Policy. 	✓									✓	✓		

Section	DESIGNATIONS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 198H and 198I	Sections 198I to 198M apply to requirements under section 168A or 189A - Power to decide to have Council's requirement in Hamilton City decided by Environment Court.	✓												
Section 198K	Environment Court decides - Power to lodge a notice of motion with Environment Court requesting Court decides Council's requirement in Hamilton City.	✓												
	- Powers (as requiring authority) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

Section	DESIGNATIONS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 176(1)(b)	Effect of designation - Power to give written consent as requiring authority.	✓									✓	✓		
Section 176A(1)	Outline plan - Power to submit outline plan on behalf of Council as requiring authority.	✓									✓	✓		
Section 177	Land subject to existing designation or heritage order - Power to apply to another requiring authority responsible for an earlier designation or heritage order for its written consent; - Power as the authority responsible for an earlier	✓									✓			

Section	DESIGNATIONS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	designation or heritage order to give or withhold consent.													
Section 180	Transfer of rights and responsibilities - Power to transfer responsibility of the designation.	✓												
Section 181	Alteration of designation - Power to give notice to alter Council's designation or requirement.	✓									✓			
Section 182	Removal of designation - Power to give notice to remove all or part of Council's designation; - Power to make objection, under section 357,	✓									✓			

Section	DESIGNATIONS	Positions having authority												
	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	against refusal to remove part of a designation.													
Section 184	Lapsing of designations which have not been given effect to <ul style="list-style-type: none"> - Power to apply to extend the lapse period of a Council designation; - Power to make objection, under section 357, against refusal to extend the lapse period of a Council designation. (Section 184A applies to the extension of a lapse period of a Council designation of land in Hamilton City. Council resolution required).	✓									✓			

Section	DESIGNATIONS	Positions having authority												
	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 357 to 357C	Right of objection to consent authority against certain decisions or requirements - Power to make objection against certain Council decisions.	✓									✓			
Section 358	Appeals against certain decisions on objections - Power to appeal to the Environment Court a decision on an objection against refusal to remove all or part of a designation or extend a lapse period of a Council designation.	✓												
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

Section	DESIGNATIONS	Positions having authority												
	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Council as submitter														
Section 169	Further information, notification, submissions, and hearing of notice of requirement to territorial authority <ul style="list-style-type: none">- Power to make a submission on a notice of requirement;- Power to request that a commissioner hear and make a recommendation on a notice of requirement.	✓												
Section 174	Appeals <ul style="list-style-type: none">- Power to appeal to the Environment Court a requiring authority’s decision.	✓												

Section	DESIGNATIONS	Positions having authority												
	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 274	Representation at proceedings - Power to give notice to the Environment Court of Council's intention to become a party to proceedings.	✓												
	- Powers (as s274 party) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 299 Section 305	Appeal to High Court on question of law - Power to appeal an Environment Court decision, report or	✓												

Section	DESIGNATIONS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	recommendation on a question of law to the High Court.													
Section 301	Right to appear and be heard on appeal - Power to give notice of intention to appear before the High Court	✓												
Section 308	Appeals to the Court of Appeal - Power to apply for leave to appeal a decision of the High Court to the Court of Appeal.	✓												

HERITAGE ORDERS

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Council as territorial authority														
Section 198C	Territorial authority’s decision on request - Power to determine a heritage protection authority request that the Environment Court decide the requirement.	✓	✓											
Section 189(5)	Notice of requirement to territorial authority - Duty to notify withdrawal of requirement.	✓	✓							✓				

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 190	Further information, notification, submissions and hearing for notice of requirement to territorial authority <ul style="list-style-type: none"> - Power to notify a notice of requirement, request further information, hold a pre-hearing meeting, conduct mediation and hold a hearing. 	✓	✓							✓				
Section 191	Recommendation by territorial authority <ul style="list-style-type: none"> - Power to make a recommendation to the heritage protection authority. 	✓								✓				

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 192	Application of other sections <ul style="list-style-type: none"> - Power to include a requirement in a proposed plan; - Duty to notify decision of heritage protection authority; - Power to appeal to the Environment Court against a decision of the heritage protection authority; 	✓												
	<ul style="list-style-type: none"> - Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy. 	✓									✓	✓		

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	<ul style="list-style-type: none"> - Power to provide for a heritage order in the District Plan. - Power to note transfer of heritage order in the District Plan. 	✓												
Section 195	Appeals relating to sections 193 and 194 <ul style="list-style-type: none"> - Power to appeal to the Environment Court against a refusal of written consent by the heritage protection authority or against conditions imposed on a written consent. 	✓												
	<ul style="list-style-type: none"> - Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy. 	✓									✓	✓		

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 195A(3)	Alteration of heritage order - Power to alter a heritage order in the District Plan.	✓	✓							✓				
Section 195C	Notice of determination - Duty to note transfer of heritage order in the District Plan.	✓												

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 196	Removal of heritage order <ul style="list-style-type: none"> - Power to amend the District Plan to remove a heritage order or part of a heritage order (Schedule 1 does not apply); - Power to decline to remove part of a heritage order. 	✓	✓											
Section 198C	Territorial authority's decision on request <ul style="list-style-type: none"> - Power to determine a heritage protection authority request that the Environment Court decide the requirement. 	✓	✓											

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 198D	Territorial authority's subsequent processing <ul style="list-style-type: none"> - Duty to continue processing the requirement. 	✓								✓				
Section 198E	Environment Court decides <ul style="list-style-type: none"> - Duty to provide the Environment Court with the information required. 	✓								✓				
	<ul style="list-style-type: none"> - Powers (as territorial authority) set out in the Environment Court Procedure section of this Council Policy. 	✓									✓	✓		

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Council as heritage protection authority														
Section 189	Notice of requirement to territorial authority <ul style="list-style-type: none"> - Power to give notice of a requirement for a heritage order in another district; - Power to withdraw the requirement. 	✓									✓			
Section 189A	Notice of requirement for heritage order by territorial authority <ul style="list-style-type: none"> - Power to give notice of requirement for a heritage order in Hamilton City. 	✓									✓			
Section 192	Application of other sections <ul style="list-style-type: none"> - Power to decide requirement; 	✓									✓			

Section	HERITAGE ORDERS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Power to modify the requirement;													
	- Powers (as heritage protection authority) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
	- Power to give written consent as heritage protection authority; - Power to transfer responsibility of heritage order.	✓												
Section 193	Effect of heritage order - Power to give written consent as heritage protection authority.	✓									✓			

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 193A	Land subject to existing heritage order or designation <ul style="list-style-type: none"> - Power to give or withhold consent as the authority responsible for an earlier heritage order. 	✓									✓			
Section 195A	Alteration of heritage order <ul style="list-style-type: none"> - Power to give notice to alter the heritage order. 	✓									✓			
Section 196	Removal of heritage order <ul style="list-style-type: none"> - Power to give notice to remove all or part of a heritage order; - Power to make objection, under section 357, against refusal to 	✓									✓			

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	remove part of a heritage order.													
Section 357	Right of objection to consent authority against certain decisions or requirements <ul style="list-style-type: none"> - Power to make objection against certain Council decisions. 	✓									✓			
Section 358	Appeals against certain decisions on objections <ul style="list-style-type: none"> - Power to appeal to the Environment Court a decision on an objection against a refusal to remove all or part of a heritage order. 	✓												
	<ul style="list-style-type: none"> - Powers (as appellant) set out in the 	✓									✓	✓		

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	Environment Court Procedure section of this Council Policy.													
Section 198A	Sections 198B to 198G apply to requirements under section 168 or 189 <ul style="list-style-type: none"> - Power to request to have requirement decided by Environment Court. 	✓												

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 198C	Territorial authority's decision on request <ul style="list-style-type: none"> - Power to make an objection against decline of request to have requirement decided by the Environment Court. 	✓												
Section 198E	Environment Court decides <ul style="list-style-type: none"> - Power to lodge a notice of motion with Environment Court requesting Court decides requirement. 	✓												
	<ul style="list-style-type: none"> - Powers (as heritage protection authority) set out in the Environment Court Procedure section of this Council Policy. 	✓									✓	✓		

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 198H	Sections 198I to 198M apply to requirements under section 168A or 189A <ul style="list-style-type: none"> - Power to request to have Council's requirement in Hamilton City decided by Environment Court. 	✓												
Section 198K	Environment Court decides <ul style="list-style-type: none"> - Power to lodge a notice of motion with Environment Court requesting Court decides Council's requirement in Hamilton City. 	✓												

Section	HERITAGE ORDERS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Powers (as heritage protection authority) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Council as submitter														
Section 169	Further information, notification, submissions, and hearing of notice of requirement to territorial authority <ul style="list-style-type: none">- Power to make a submission on a notice of requirement;- Power to request that a commissioner hear and make a recommendation on a notice of requirement.	✓												
Section 174	Appeals <ul style="list-style-type: none">- Power to appeal to the Environment Court a requiring authority’s decision.	✓												

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

Section	HERITAGE ORDERS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 274	Representation at proceedings <ul style="list-style-type: none"> - Power to give notice to the Environment Court of Council's intention to become a party to proceedings. 	✓												

HERITAGE ORDERS		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Powers (as s274 party) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 299 Section 305	Appeal to High Court on question of law - Power to appeal an Environment Court decision, report or recommendation on a question of law to the High Court.	✓												
Section 301	Right to appear and be heard on appeal - Power to give notice of intention to appear before the High Court	✓												

Section	HERITAGE ORDERS Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director or Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 308	Appeals to the Court of Appeal <ul style="list-style-type: none"> - Power to apply for leave to appeal a decision of the High Court to the Court of Appeal. 	✓												

ENFORCEMENT

Section	ENFORCEMENT Function, power or duty	Positions having authority											
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager
Council as local authority or consent authority													
Section 38	Authorisation and responsibilities of enforcement officers ² - Power to authorise officers to carry out all or any of the functions and powers as an	✓											✓

² The functions and powers of enforcement officers are set out in the RMA and in the officer's warrant, and may include:

- Section 22 Duty to give certain information
- Section 322 Service of abatement notice
- Section 323 Compliance with abatement notice
- Section 327 Issue of excessive noise direction
- Section 328 Compliance with an excessive noise direction
- Section 332 Power of entry for inspection
- Section 333 Power of entry for survey
- Section 334 Application for warrant for entry for search
- Section 343C Infringement notices

Section	ENFORCEMENT Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	enforcement officer under the Act. - Power to supply enforcement officers with a warrant stating the functions and powers that the person has been authorised to exercise and carry out under this Act.													

Section	ENFORCEMENT Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 311	Application for declaration - Power to apply to the Environment Court for a declaration.	✓	✓								✓			
	- Powers (as applicant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 316	Application for enforcement order - Power to apply to the Environment Court for an enforcement order.	✓	✓								✓			
	- Powers (as applicant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

Section	ENFORCEMENT Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 320	Interim enforcement order - Power to apply to the Environment Court for an interim enforcement order.	✓	✓									✓		
	- Powers (as applicant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 321	Change or cancellation of enforcement order - Power to apply to the Environment Court to change or cancel an enforcement order.	✓	✓									✓		
	- Powers (as applicant or respondent)_ set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

Section	ENFORCEMENT Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 325A	Cancellation of abatement notice - Power to change or cancel an abatement notice.	✓	✓	✓	✓						✓	✓	✓	
Section 325	Appeals - Powers (as respondent) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 330	Emergency works and power to take preventative or remedial action - Power to enter any place and take action in the event of emergency.	✓	✓								✓			

Section	ENFORCEMENT Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 331	Reimbursement or compensation for emergency works - Power to seek reimbursement or make compensation for emergency works.	✓												
Section 336	Return of property seized under sections 323 and 328 - Power to determine an application for return of seized property. - Power to determine to dispose of seized property.	✓	✓								✓	✓	✓	
Section 338	Offences against this Act - Power to lay information regarding an offence.	✓	✓								✓			

Section	ENFORCEMENT Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Council as landowner, local authority or requiring authority														
Section 311	Application for declaration - Power to apply to the Environment Court for a declaration.	✓	✓								✓			
	- Powers (as applicant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 318	Right to be heard - Powers (as respondent to an application for an enforcement order) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 321	Change or cancellation of enforcement order - Power to apply to the Environment Court to	✓	✓								✓			

Section	ENFORCEMENT Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	change or cancel an enforcement order.													
Section 325	Appeals - Power to appeal to the Environment Court against an abatement notice. - Power to apply for a stay of an abatement notice	✓	✓								✓			
Section 325A	Cancellation of abatement notice - Power to apply to change or cancel an abatement notice.	✓	✓								✓	✓		
Section 330	Emergency works and power to take preventative or remedial action - Power to enter any place and take action in the event of emergency.	✓	✓								✓			

Section	ENFORCEMENT Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 330A	Resource consents for emergency works - Power to apply for resource consent for emergency works or activities.	✓									✓	✓		
Section 330B	Emergency works under Civil Defence Emergency Management Act 2002 - Power to apply for resource consent for civil defence emergency works or activities.	✓									✓			

PLAN REVIEW OR CHANGE

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Council as administrator of its District Plan														
Schedule 1, Clause 1	Time limits - Power to extend a time limit set in Schedule 1.	✓	✓							✓				
Schedule 1, Clauses 2-3; 3B and 3C	Preparation of proposed policy statement or plan - Power to prepare a proposed policy statement or plan and determine matters of consultation. ³	✓	✓											
Schedule 1, Clause 4	Requirements to be inserted prior to notification of proposed district plan - Power to invite requiring authorities to insert	✓	✓							✓				

³ For clarity, consultation relates only to the preparatory stages of a proposed policy statement or plan and must be undertaken in compliance with the requirements of the stated clauses.

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	requirements in proposed district plan.													
Schedule 1, Clause 7	Public notice of submissions - Duty to give public notice of submissions.	✓	✓							✓				
Schedule 1, Clause 8AA(1) & (4)	Resolution of disputes - Power to hold pre-hearing meetings; - Power to refer issues to mediation.	✓	✓							✓				

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Schedule 1, Clause 11	Notification of decision - Duty to publicly notify decisions on submissions.	✓	✓							✓				
Schedule 1, Clause 13	Decision of requiring authority or heritage protection authority - Duty to modify or delete requirement from the district plan.	✓	✓							✓				
Schedule 1, Clause 14	Appeals to Environment Court - Powers (as respondent) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Power to appeal to the Environment Court a decision of a requiring authority or heritage protection authority on a requirement in the proposed district plan.													
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Schedule 1, Clause 16	Amendment of proposed policy statement or plan <ul style="list-style-type: none">- Power to amend a proposed district plan without using the First Schedule process;- Power to make minor amendments to and correct minor errors in a proposed district plan.	✓								✓				
Schedule 1, Clause 16A	Variation of proposed policy statement or plan <ul style="list-style-type: none">- Power to initiate a variation to a proposed district plan or to a plan change.	✓												
Schedule 1, Clause 20A	Correction of operative policy statement or plan <ul style="list-style-type: none">- Power to amend an operative district plan to	✓								✓				

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	correct minor errors without using the First Schedule process.													
Section 299 Section 305	Appeal to High Court on question of law - Power to appeal an Environment Court decision, report, or recommendation on a question of law to the High Court.	✓												
Section 301	Right to appear and be heard on appeal - Power to give notice of intention to appear before the High Court	✓												
Section 308	Appeals to the Court of Appeal	✓												

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Power to apply for leave to appeal a decision of the High Court to the Court of Appeal.													
Section 149I(1)	Limitation on withdrawal of change or variation - Power to withdraw a plan change or variation called in by Minister.	✓												
Section 149K	How members appointed. - Power to suggest to the Minister members for a board of inquiry.	✓												
Section 149V(1)	Appeal from decisions only on question of law. - Power to Appeal to the High Court against a decision of a board of inquiry.	✓												

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 149W(2)(a)	Local authority to implement a decision of board or Court about proposed regional plan or change or variation. - Power to amend a proposed plan, change or variation in accordance with a decision of a board of inquiry.	✓	✓							✓				
Section 149ZD	Recovery of costs - Power to recover costs from the applicant and provide an estimate of costs when required to do so.	✓	✓							✓				

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Council as requiring authority or heritage protection authority														
Schedule 1, Clause 4	Requirements to be inserted prior to notification of proposed district plans - Power, as a requiring authority, to require inclusion of existing designations or notices of requirement in a proposed district plan; - Power, as a heritage protection authority, to require inclusion of existing heritage protection orders or notices of requirement in a proposed district plan.	✓									✓			

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Schedule 1, Clauses 6 & 6A	Making of submissions - Power to make a submission.	✓	✓								✓			
Schedule 1 Clause 8	Certain persons may make further submissions - Power to make a further submission	✓	✓								✓			

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Schedule 1, Clause 13	Decision of requiring authority or heritage protection authority - Power to make a decision on a recommendation on a Council requirement.	✓									✓			
Schedule 1, Clause 14	Appeals to Environment Court - Powers (as requiring authority) as set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 299 Section 305	Appeal to High Court on question of law - Power to appeal an Environment Court decision, report, or recommendation on a question of law to the High Court.	✓												

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 301	Right to appear and be heard on appeal - Power to give notice of intention to appear before High Court	✓												
Section 308	Appeals to the Court of Appeal - Power to apply for leave to appeal a decision of the High Court to the Court of Appeal.	✓												
Council as a submitter														
Schedule 1, Clauses 6 & 6A	Making of submissions - Power to make a submission	✓												
Schedule 1, Clause 8	Certain persons may make further submissions - Power to make a further submission.	✓												

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Schedule 1, Clause 14	Appeals to Environment Court - Power to appeal to the Environment Court as a submitter.	✓												
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 274	Representation at proceedings - Power to give notice to the Environment Court of Council’s intention to become a party to proceedings.	✓												

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Powers (as s274 party) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 299 Section 305	Appeal to High Court on question of law - Power to appeal an Environment Court decision, report, or recommendation on a question of law to the High Court.	✓												

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 301	Right to appear and be heard on appeal - Power to give notice of intention to appear before High Court	✓												
Section 308	Appeals to the Court of Appeal - Power to apply for leave to appeal a decision of the High Court to the Court of Appeal.	✓												
Private plan changes – Council as administrator of its District Plan														
Schedule 1, Clause 23	Further information may be required - Power to request further information or commission a report.	✓								✓				

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Schedule 1, Clause 24	Modification of request - Power to modify a request.	✓												
Schedule 1, Clause 25	Local authority to consider request - Power to adopt or accept the request.	✓												
Schedule 1, Clause 26	Notification timeframes - Power to prepare a change to the district plan with the person who made the plan change request and to notify the change.	✓	✓							✓				
Schedule 1, Clause 27 and Clause 29	Appeals - Powers (as respondent) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Schedule 1, Clause 28	Withdrawal of requests - Powers on withdrawal of plan change request.	✓	✓							✓				

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 299 Section 305	Appeal to High Court on question of law - Power to appeal an Environment Court decision, report, or recommendation on a question of law to the High Court.	✓												
Section 301	Right to appear and be heard on appeal - Power to give notice of intention to appear before High Court	✓												
Section 308	Appeals to the Court of Appeal - Power to apply for leave to appeal a decision of the High Court to the Court of Appeal.	✓												

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Private plan changes – Council requesting change														
Schedule 1, Clause 21	Requests - Power to request a change to a policy statement, regional plan or another Council's district plan.	✓												

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Schedule 1, Clause 27	Appeals - Power to appeal to the Environment Court another Council's decision to adopt or accept in part, or reject a plan change request.	✓												
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Schedule 1, Clause 28	Withdrawal of requests - Power to withdraw a plan change request made by Council.	✓												
Schedule 1, Clause 29	Procedure under this Part - Power to appeal to the Environment Court a decision on the plan change.	✓									✓			

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 299 Section 305	Appeal to High Court on question of law - Power to appeal an Environment Court decision, report, or recommendation on a question of law to the High Court.	✓												
Section 301	Right to appear and be heard on appeal - Power to give notice of intention to appear before the High Court	✓												

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 308	Appeals to the Court of Appeal - Power to apply for leave to appeal a decision of the High Court to the Court of Appeal.	✓												

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Private plan changes – Council as submitter														
Schedule 1, Clause 29	Procedure under this Part - Power to make a submission; - Power to appeal to the Environment Court a decision on the plan change.	✓												
	- Powers (as appellant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 274	Representation at proceedings - Power to give notice to the Environment Court of Council's intention to become a party to proceedings.	✓												
	- Powers (as s274 party) set out in the Environment	✓									✓	✓		

PLAN REVIEW OR CHANGE		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	Court Procedure section of this Council Policy.													
Section 299 Section 305	Appeal to High Court on question of law - Power to appeal an Environment Court decision, report, or recommendation on a question of law to the High Court.	✓												
Section 301	Right to appear and be heard on appeal - Power to give notice of intention to appear before the High Court	✓												
Section 308	Appeals to the Court of Appeal - Power to apply for leave to appeal a decision of the High Court to the Court of Appeal.	✓												

ENVIRONMENT COURT

ENVIRONMENT COURT		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 308G	Declaration that Part contravened - Power to apply to the Environment Court declaring contravention of trade competition provisions.	✓												
	- Powers (as applicant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 308I	Proceedings for damages in High Court - Power to apply for damages	✓												
Section 311	Application for declaration - Power to apply to the Environment Court for a declaration.	✓												

Section	ENVIRONMENT COURT Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Powers (as applicant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 294	Review of decision by Environment Court - Power to apply to the Environment Court for a rehearing.	✓												
	- Powers (as applicant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

ENVIRONMENT COURT		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 356	Matters may be determined by arbitration - Power to apply to Environment Court for order authorising arbitration	✓												
	- Powers (as applicant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 185	Environment Court may order taking of land - Power to apply to the Environment Court, as owner of designated land, for an order requiring the requiring authority to acquire or lease land under Public Works Act 1981.	✓												

Section	ENVIRONMENT COURT Function, power or duty	Positions having authority												
		Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	- Powers (as applicant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

ENVIRONMENT COURT		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 198	Environment Court may order land taken, etc - Power to apply to the Environment Court, as owner of land subject to heritage order, for an order requiring a heritage protection authority to withdraw or remove a heritage order or take the land under Public Works Act 1981.	✓												
	 - Powers (as applicant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 299 Section 305	Appeal to the High Court on a question of law - Power to appeal an Environment Court	✓												

ENVIRONMENT COURT		Positions having authority												
Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
	decision, report, or recommendation on a question of law to the High Court.													
Section 301	Right to appear and be heard on appeal - Power to give notice of intention to appear before High Court	✓												
Section 308	Appeals to the Court of Appeal - Power to appeal a decision of the High Court to the Court of Appeal.	✓												

MISCELLANEOUS

MISCELLANEOUS	Positions having authority
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Section	Function, power or duty	Chief Executive Officer	General Manager Growth	Planning Guidance Unit Manager	Planning Guidance Team Leaders	Planning Guidance Principal Planner	Planning Guidance Principal Project Planner	Planning Guidance Senior Planner	Planning Guidance Senior Planner Survey Certificate	City Planning Unit Manager	Relevant General Manager, Executive Director Strategic Infrastructure	Relevant Unit Manager	Environmental Health Manager	City Safe Unit Manager
Section 34A(1)	Delegation of powers and functions to employees and other persons <ul style="list-style-type: none"> - Power to appoint Hearings Commissioners from the Independent Hearings Commissioners Panel.⁴ - Duty to consult with iwi authorities prior to appointment of Hearings Commissioners to conduct hearings under Part 1 or 5 of Schedule 1. 	✓	✓	✓						✓				

⁴ These officers have power to appoint Hearings Commissioners from the Independent Hearings Commissioners' Panel, but the powers and functions of Hearings Commissioners are delegated by Council to the Independent Hearings Commissioners Panel as recorded in the Governance Structure.

Section 36 and 36AAA	Administrative Charges <ul style="list-style-type: none"> - Power to provide an estimate of the additional charge likely to be imposed.⁵ - Power to require payment of additional charge. 	✓	✓	✓						✓				
Section 36AAB	Other matters relating to administrative charges <ul style="list-style-type: none"> - Power to remit the whole or part of a charge. 	✓	✓	✓						✓				
Section 36AA	Local Authority policy on discounting administrative charges <ul style="list-style-type: none"> - Power to provide a discount on administrative charges. 	✓	✓	✓						✓				
Section 37	Power of waiver and extension of time limits <ul style="list-style-type: none"> - Power to waive or extend time periods. 	✓	✓	✓	✓	✓				✓				
Section 41B	Directions to provide evidence within time limits <ul style="list-style-type: none"> - Power to direct applicant to provide briefs of evidence 	✓												
Section 42	Protection of sensitive information	✓												

⁵ For clarity, the power to fix a charge or an additional fee must comply with the requirements under the stated sections.

	- Power to apply to the Environment Court for an order cancelling or varying an order made by another local authority to protect sensitive information.													
	- Powers (as applicant) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		
Section 355	Vesting of reclaimed land - Power to apply to the Minister of Lands for a right, title or interest in reclaimed riverbed or lakebed to be vested in Council.	✓												
Section 358	Appeals against certain decisions or objections - Powers (as respondent) set out in the Environment Court Procedure section of this Council Policy.	✓									✓	✓		

General	Approval as land owner or occupier <ul style="list-style-type: none"> - Power to provide written approval to a proposal under the Act in the Council's capacity as an owner or occupier of land (except where otherwise expressly provided for in this Schedule of Delegations). 	✓									✓	✓			
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ENVIRONMENT COURT PROCEDURE

Where officers are delegated the “powers set out in the Environment Court Procedure section of this Council Policy” in the previous sections of this Council Policy, the officers shall have all of the powers listed in the table below.

ENVIRONMENT COURT PROCEDURE	
Section	Function, power or duty
Section 267(1A)	Conferences <ul style="list-style-type: none">- Authority to make decisions on behalf of Council on any matters that may reasonably be expected to arise at the conference- Power to request an Environment Court conference.
Section 267(2)	
Section 268A	Mandatory participation in alternative dispute resolution processes <ul style="list-style-type: none">- Power to make decisions on behalf of the Council when in attendance in an alternative dispute resolution process.- Power to apply to the Environment Court for leave not to participate in the ADR process.

Section 272	Hearing of proceedings <ul style="list-style-type: none"> - Power to appear and call evidence at the hearing.
Section 276A	Evidence of documents <ul style="list-style-type: none"> - Power to certify a copy of, or extract from, the district plan as a true copy of the original.
Section 279	Powers of an Environment Judge sitting alone <ul style="list-style-type: none"> - Power to agree to settle and file a draft consent order with the Environment Court to determine an appeal in full or in part.
Section 281	Waivers and directions <ul style="list-style-type: none"> - Power to apply to the Environment Court for waiver or direction.

End