

## Delegations from the Chief Executive Officer to Divisional Managers

### Jane Bradbury, Divisional Manager, Environment

The Chief Executive Officer, Barry Harris, delegates to Jane Bradbury, the Divisional Manager, Environment:

- a) the authority to implement the relevant portions of the Annual Plan that are contained in Environment's Divisional Business Plan. This includes the power make arrangements to enter into contracts that are in line with the requirements in the relevant portion of the Annual Plan and Environment's Divisional Business Plan that relate to operational and capital expenditure, fees and charges, service levels and specific projects.

Any financial expenditure that is required to carry out these functions is restricted as follows:

- Must be provided for in the Annual Plan and contained in Environment's Divisional Business Plan
- Expenditure can be approved by Jane Bradbury, the Divisional Manager, Environment, up to a maximum of \$200,000 with respect to any single item.
- When contracts or payments exceed \$200,000, but are not greater than \$500,000, the approval of the Chief Financial Officer must be obtained. If the Chief Financial Officer is not available then the approval of another member of the Executive Management Team must be obtained. For the avoidance of doubt, only the Chief Executive Officer can authorise expenditure that is provided for in the Annual Plan and exceeds \$500,000.
- Expenditure is linked to the total value of a contract or item of expenditure. Committing to a contract that anticipates payment over successive years, where the total value of the contract is greater than the limit of the financial delegation, is prohibited.

- b) the following specific powers, functions and duties provided for in legislation.

#### Resource Management Act 1991

Authority to act in relation to any reference to the Environment Court on regional policy statement and regional plans
Take appropriate action (in accordance with RMA and council policy) in response to any resource consent or proposed district plan or proposed change to district plan
Authority to act in relation to any recommendations made by territorial authorities on

designations sought by Greater Wellington for inclusion on district plans
Approve an agreement by way of consent before the Environment Court

Section of Act	Power, Function, Duty
27(1)	Local authority must supply such information as the Minister of the Environment reasonably requires, relating to the exercise or performance of any of the local authority's functions, powers, or duties under the Act
28A	Any Regional Council requested by the Minister of Conservation to supply information to the Minister relating to the monitoring by the Regional Council of coastal permits granted by the Minister or its regional coastal plan is under a duty to supply the information as soon as reasonably practicable
32	Local authority must carry out evaluations in certain circumstances (detailed in provision)
35	Local authority must gather information, monitor the environment in its region and keep records of that monitoring (particulars detailed in provision)
37(1)(a) and 37A(2)	Extend a time limit
31(1)(b) and 37(2)(a)	Waive compliance of time or method of service documents
37(2)(b)	Direct that an omission or inaccuracy be rectified on such terms as thinks fit
37A(3)	Local authority must ensure that every person who, in its opinion, is directly affected by the extension of a time limit or the waiver of compliance with a time limit, a method of service, or the service of a document is notified of the extension
38(1)(a), 38(1)(b)	Local authority may authorise Any of its officers or Any of the officers of any other local authority, or of the new Ministry, or the Department of Conservation, or the Maritime Safety Authority of New Zealand, subject to such terms and conditions as to payment of salary and expenses and as to appointment of his or her duties as may be agreed upon between the relevant authorities to carry out all or any of the

	functions and powers of an enforcement officer under the Act
38(2)	Local authority may authorise any person who is the holder of a security guard's licence issued under section 26 of the Private Investigators and Security Guards Act 1974, or a duly certified employee of such a person, to exercise or carry out all or any of the functions and powers of an enforcement officer under sections 327 and 328 (which relate to excessive noise)
38(5)	Local authority must supply every enforcement officer with a warrant, and that warrant shall clearly state the functions and powers that the person concerned has been authorised to exercise and carry out under the Act
42A(4)	Local authority may waive the requirement that an officer's report be sent to certain people (listed in s42A(3))
82(2)	Local authority responsible for a relevant policy statement, plan, or order may refer a dispute of the kind listed in the provision to the Environment Court for a decision resolving the matter
84(1)	Regional Council must enforce, to the extent of its authority, the observance of its policy statements and plans
88(3)	Determine whether assessment of environmental effects is adequate
91(1), 91(2)	<p>Consent authority may determine not to proceed with the notification or hearing of an application for a resource consent if it considers on reasonable grounds that:</p> <ul style="list-style-type: none"> <li>• Other resource consents under this Act will also be required in respect of the proposal to which the application relates; and</li> <li>• It is appropriate, for the purpose of better understanding the nature of the proposal, that applications for any one or more of those other resource consents be made before proceeding further</li> </ul> <p>The consent authority must notify the applicant of such a</p>

	determination
92(1)	Consent authority may, at any reasonable time before the hearing of an application for a resource consent or before the decision to grant or refuse the application (if there is no hearing), by written notice, require the applicant for the consent to provide further information relating to the application
92(2)	Consent authority may commission a report from any person on any matters raised in relation to the application, including a review of any information provided in an application under s88 or under this section, in certain circumstances (listed in provision)
93	Consent authority must notify application for resource consent in certain circumstances (detailed in provision)
94	Consent authority must give limited notification of applications for resource consent in certain circumstances (detailed in provision)
94A(a)	Consent authority may disregard an adverse effect of an activity on the environment if the plan permits an activity with that effect, when forming an opinion as to whether the adverse effects of an activity on the environment will be minor or more than minor
94B	Form an opinion on who may be adversely affected
94C	Consent authority may publicly notify an application for resource consent if it considers that special circumstances exist
99(1)	Consent authority may invite anyone who has made an application for a resource consent or a submission on an application to meet with each other or such other persons as the authority thinks fit
100(1)	Consent authority may determine that a hearing is required to assist in the determination of a resource consent application
101(1)-(4)	Consent authority may fix the date, time and location of a resource consent hearing, and must notify the applicant and any submitters of the same

102(1)(a)	Consent authorities may agree to jointly hear multiple consent applications that relate to the same proposal
103(1)(a)	Consent authority may determine that applications submitted in relation to the same proposal are sufficiently unrelated so that it is unnecessary to hear and decide the applications together
104, 104A, 104B, 104C, 104D  Where serve notice under 94(1) but no hearing is required  AND  Where non-notified under 94(2)	Consent authority may grant or refuse (except in the case of applications for controlled activities) resource consent applications
104F  Where serve notice under 94(1) but no hearing is required  AND  Where non-notified under 94(2)	Consent authority may grant the application, with or without conditions, or decline it, as necessary to implement any regulations made in accordance with s43 of the Act in relation to climate change
107(2), 107(3)  Where serve notice under 94(1) but no hearing is required  AND  Where non-notified under 94(2)	Consent authority may grant a consent to a discharge that would otherwise contravene s15 of the Act in certain circumstances (listed in provision). Any such consent may be subject to certain conditions requiring the applicant to undertake work in stages throughout the term of the permit
108, 108A  Where serve notice under 94(1) but no hearing is required	Consent authority may impose any condition it considers reasonable upon a resource consent, including the provision of a bond or financial contribution

AND  Where non-notified under 94(2)	
108A(4)	Where a consent holder fails to complete any work in respect of which a bond is taken, to the satisfaction of the consent authority, the consent authority may enter on the land and complete the work and recover the cost thereof from the holder out of any money or securities deposited with the consent authority or money paid by a guarantor, so far as the money or securities will extend
110(2)	Where a resource consent lapses, or is cancelled or surrendered, the consent authority may retain any portion of a financial contribution imposed in accordance with s108(2)(a) of the Act, of a value equivalent to the costs incurred by the consent authority in relation to the activity and its discontinuance
119A	Where the Minister of Conservation has granted a coastal permit, the Regional Council that would otherwise have decided the application for that permit has the powers provided under ss127 to 132 of the Act with respect to that coastal permit, subject to certain conditions (detailed in provision)
125(1)(b)	Consent authority may extend the period after which a resource consent lapses
126(1)	Consent authority may cancel a resource consent by written notice served on the consent holder if the resource consent has been exercised in the past but has not been exercised during the preceding 5 years
126(2)(b)	Consent authority may cancel a notice of revocation under s126(1), upon application by the consent holder
127	In order to determine who is adversely affected by the change or cancellation of the conditions of a consent for the purposes of s127, a local authority must consider every person who made a submission on the original application and every person may be affected by the change or cancellation
128(1)	Consent authority may, in accordance with s129, serve notice on a consent holder of its intention to review the conditions of a resource consent, in certain circumstances (detailed in

	provision)
130(7)	Consent Authority may require that a review of the conditions of a resource consent be notified, if it consider that special circumstances exist
132(1)	Consent authority may change the conditions of a resource consent (other than any condition as to the duration of the consent) on a review under s128, in certain circumstances
136(2)(b)(ii)	Consent authority may consent to the transfer of a water permit from one person to another person on another site in the same catchment (either upstream or downstream), aquifer, or geothermal field
136(4)(b)	Consent authority may impose conditions on any transfer granted under s136(2)(b)(ii)
138(2)	Consent authority may refuse to accept the surrender of a resource consent, in whole or part
138A(3)	Consent authority may, at any time specified for that purpose in a coastal permit (to do something that would otherwise contravene s15A(1)), in accordance with section 129, serve notice on the holder of the permit of its intention to review the conditions of the permit for the purpose of requiring the holder to adopt the best practicable option to remove or reduce any adverse effect on the environment
139(1)	Consent authority may upon request and payment of the appropriate administrative charge, issue to any person who so requests a certificate of compliance
139(2)	Consent authority may require an applicant for a certificate of compliance to provide further information relating to the request if, in the opinion of the consent authority, the information is necessary to determine whether the particular proposal or activity complies with the plan
143(2)	Consent authority may recover from an applicant for a resource consent the actual and reasonable costs incurred by the consent authority in complying with this s143
150E(4)	Upon the expiry of an aquaculture moratorium, a Regional Council may review the conditions in a coastal permit and amend the conditions so that they comply with the rules that

	apply at the end of the moratorium
168(1)	To give notice of requirement for a designation to a territorial authority
172	To make a decision on accepting, rejecting or modifying a territorial authority's recommendation relating to a requirement
181	To give notice of alteration to a designation
182	To give notice of a removal of designation
245	Consent authority may approve to a plan of survey submitted in respect of a reclamation
299(1)	A party to proceeding before the Environment Court under this Act or any other enactment may appeal on a point of law to the High Court against any decision, report, or recommendation of the Environment Court made in the proceeding
311(2)	Consent authority may apply to the Environment Court for a declaration that a consent holder or any other person is contravening any condition of a resource consent or a rule in a plan or proposed plan that requires the holder to adopt the best practicable option to avoid or minimise any adverse effect of the discharge to which the consent or rule relates
311(3)	Local authority may apply to the Environment Court for a declaration as to the point at which the landward boundary of the coastal marine area crosses any river
316(2)	Local authority may at any time apply to the Environment Court in the prescribed form for an enforcement order of the kind specified in paragraph (da) or paragraph (e) of section 314(1)
316(3)	Local authority may apply for an enforcement order under section 314(1)(f) (relating to compliance of a plan with Schedule 1 of the Act) at any time
325A(2), (3)	Local authority may cancel an abatement notice issued by one of its officers that it considers is no longer required, and must give written notice of the cancellation to the person to whom the abatement notice applied



325B(2)	Local authority may apply to the Environment Court for an enforcement order to require any person to comply with or cease contravening s15B (which imposes restrictions on discharges of harmful substances, contaminants, and water from ships and offshore installations)
331(1)	Where a local authority takes action under s330(2) of the Act because of the default of any person, the authority may require reimbursement from that person of its actual and reasonable costs
332(1)	Local authority may specifically authorise, in writing, an enforcement officer to go on, into, under, or over any place or structure, except a dwellinghouse, at any reasonable time, for the purpose of inspection to determine whether or not various instruments (including the Act and any enforcement orders) are being complied with
333(1)	<p>Local authority may authorise, in writing, an enforcement officer to:</p> <ul style="list-style-type: none"> <li>a) Carry out surveys, investigations, tests, or measurements</li> <li>b) Take samples of any water, air, soil, or vegetation</li> <li>c) Enter or re-enter land (except a dwellinghouse)</li> </ul> <p>at any reasonable time, with or without such assistance, vehicles, appliances, machinery, and equipment as is reasonably necessary for that purpose</p>
336(5)	Local authority may dispose of any property seized under section 323 or section 328 if it is not claimed within 6 months of its seizure, in accordance with s336(6)
338(4)	Lay information, in respect of any offence against subsection (1) of section 338, on behalf of the Council any time within 6 months after the time when the contravention giving rise to the information first became known, or should have become known, to Greater Wellington
339C(2)	Where the master or owner of a ship is convicted of an offence under the Act and fails to pay any fine or penalty arising from that conviction, a local authority may recover that amount from the agent of the ship as a debt

355B(2)	Regional Council may seek an enforcement order against a person who has unlawfully reclaimed the land, or the occupier of the reclaimed land, requiring that person to take such action as, in the opinion of the Environment Court, is necessary in order to avoid, remedy, or mitigate any actual or likely adverse effect on the environment caused by the carrying out of the reclamation
355B(3)	Regional Council may take any necessary action to remove the unlawfully reclaimed land from the coastal marine area
395(1A)	Local authority which receives an application for a land use consent for any entry on to, or passing across, the surface of water of any navigable lake or river, or for the use of a bed of a navigable lake or river under s13, shall forward a copy of the application to the Minister of Transport
Schedule 1, cl 1(2)	Local authority may extend any time limit set in the Schedule, in accordance with s37 of the Act
Schedule 1, cl 3(2)	Local authority may consult with anyone beyond the prescribed list of required 'consultees' during the preparation of a proposed policy statement or plan
Schedule 1, cl 6	Local authority may (even in its own area), in the prescribed form, make a submission to the relevant local authority on a proposed policy statement or plan that is publicly notified under cl 5
Schedule 1, cl 8	Local authority may (even in its own area), in the prescribed form, make a further submission to the relevant local authority, but only in support of or in opposition to those submissions made under cl 6 on a proposed policy statement or plan
Schedule 1, cl 16(2)	Local authority may make an amendment, without further formality, to its proposed policy statement or plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors
Schedule 1, cl 23(1)	Local authority may require further information from a person who requests a change to a regional plan
Schedule 1, cl 23(3)	Local authority may, in certain circumstances (detailed in provision), commission a report in relation to a request for a change to a regional plan and shall notify the person who

	made the request that such a report has been commissioned
Schedule 1, cl 24	Local authority may, with the agreement of the person who made a request for a change to a regional plan, modify the request
Schedule 1, cl 28(2)	Where any local authority has reasonable grounds to consider that a person who made a request under cl 21 of Schedule 1 no longer wishes to continue with the request, the local authority may send a notice to that person at their last known address

### **Colin Wright, Divisional Manager, Wairarapa**

The Chief Executive Officer, Barry Harris, delegates to Colin Wright, the Divisional Manager, Wairarapa:

- a) the authority to implement the relevant portions of the Annual Plan that are contained in Wairarapa’s Divisional Business Plan. This includes the power make arrangements to enter into contracts that are in line with the requirements in the relevant portion of the Annual Plan and Wairarapa’s Divisional Business Plan that relate to operational and capital expenditure, fees and charges, service levels and specific projects.

Any financial expenditure that is required to carry out these functions is restricted as follows:

- Must be provided for in the Annual Plan and contained in Wairarapa’s Divisional Business Plan
- Expenditure can be approved by Colin Wright, the Divisional Manager, Lancare, up to a maximum of \$200,000 with respect to any single item.
- When contracts or payments exceed \$200,000, but are not greater than \$500,000, the approval of the Chief Financial Officer must be obtained. If the Chief Financial Officer is not available then the approval of another member of the Executive Management Team must be obtained. For the avoidance of doubt, only the Chief Executive Officer can authorise expenditure that is provided for in the Annual Plan and exceeds \$500,000.
- Expenditure is linked to the total value of a contract or item of expenditure. Committing to a contract that anticipates payment over successive years, where the total value of the contract is greater than the limit of the financial delegation, is prohibited.

- b) the following specific powers, functions and duties that are provided for in legislation that the Wairarapa Division requires to carry out its responsibilities:

**Resource Management Act 1991**

Authority to act in relation to any reference to the Environment Court on regional policy statement and regional plans
Take appropriate action (in accordance with RMA and council policy) in response to any resource consent or proposed district plan or proposed change to district plan
Authority to act in relation to any recommendations made by territorial authorities on designations sought by Greater Wellington for inclusion on district plans
Approve an agreement by way of consent before the Environment Court

Section of Act	Power, Function, Duty
27(1)	Local authority must supply such information as the Minister of the Environment reasonably requires, relating to the exercise or performance of any of the local authority's functions, powers, or duties under the Act
28A	Any Regional Council requested by the Minister of Conservation to supply information to the Minister relating to the monitoring by the Regional Council of coastal permits granted by the Minister or its regional coastal plan is under a duty to supply the information as soon as reasonably practicable
32	Local authority must carry out evaluations in certain circumstances (detailed in provision)
35	Local authority must gather information, monitor the environment in its region and keep records of that monitoring (particulars detailed in provision)
37(1)(a) and 37A(2)	Extend a time limit
31(1)(b) and 37(2)(a)	Waive compliance of time or method of service documents
37(2)(b)	Direct that an omission or inaccuracy be rectified on such terms as thinks fit

37A(3)	Local authority must ensure that every person who, in its opinion, is directly affected by the extension of a time limit or the waiver of compliance with a time limit, a method of service, or the service of a document is notified of the extension
38(1)(a), 38(1)(b)	Local authority may authorise Any of its officers or Any of the officers of any other local authority, or of the new Ministry, or the Department of Conservation, or the Maritime Safety Authority of New Zealand, subject to such terms and conditions as to payment of salary and expenses and as to appointment of his or her duties as may be agreed upon between the relevant authorities to carry out all or any of the functions and powers of an enforcement officer under the Act
38(2)	Local authority may authorise any person who is the holder of a security guard's licence issued under section 26 of the Private Investigators and Security Guards Act 1974, or a duly certified employee of such a person, to exercise or carry out all or any of the functions and powers of an enforcement officer under sections 327 and 328 (which relate to excessive noise)
38(5)	Local authority must supply every enforcement officer with a warrant, and that warrant shall clearly state the functions and powers that the person concerned has been authorised to exercise and carry out under the Act
42A(4)	Local authority may waive the requirement that an officer's report be sent to certain people (listed in s42A(3))
82(2)	Local authority responsible for a relevant policy statement, plan, or order may refer a dispute of the kind listed in the provision to the Environment Court for a decision resolving the matter
84(1)	Regional Council must enforce, to the extent of its authority, the observance of its policy statements and plans
88(3)	Determine whether assessment of environmental effects is adequate
91(1), 91(2)	Consent authority may determine not to proceed with the notification or hearing of an application for a resource consent if it considers on reasonable grounds that:

	<ul style="list-style-type: none"> <li>• Other resource consents under this Act will also be required in respect of the proposal to which the application relates; and</li> <li>• It is appropriate, for the purpose of better understanding the nature of the proposal, that applications for any one or more of those other resource consents be made before proceeding further</li> </ul> <p>The consent authority must notify the applicant of such a determination</p>
92(1)	Consent authority may, at any reasonable time before the hearing of an application for a resource consent or before the decision to grant or refuse the application (if there is no hearing), by written notice, require the applicant for the consent to provide further information relating to the application
92(2)	Consent authority may commission a report from any person on any matters raised in relation to the application, including a review of any information provided in an application under s88 or under this section, in certain circumstances (listed in provision)
93	Consent authority must notify application for resource consent in certain circumstances (detailed in provision)
94	Consent authority must give limited notification of applications for resource consent in certain circumstances (detailed in provision)
94A(a)	Consent authority may disregard an adverse effect of an activity on the environment if the plan permits an activity with that effect, when forming an opinion as to whether the adverse effects of an activity on the environment will be minor or more than minor
94B	Form an opinion on who may be adversely affected
94C	Consent authority may publicly notify an application for resource consent if it considers that special circumstances

	exist
99(1)	Consent authority may invite anyone who has made an application for a resource consent or a submission on an application to meet with each other or such other persons as the authority thinks fit
100(1)	Consent authority may determine that a hearing is required to assist in the determination of a resource consent application
101(1)-(4)	Consent authority may fix the date, time and location of a resource consent hearing, and must notify the applicant and any submitters of the same
102(1)(a)	Consent authorities may agree to jointly hear multiple consent applications that relate to the same proposal
103(1)(a)	Consent authority may determine that applications submitted in relation to the same proposal are sufficiently unrelated so that it is unnecessary to hear and decide the applications together
104, 104A, 104B, 104C, 104D  Where serve notice under 94(1) but no hearing is required  AND  Where non-notified under 94(2)	Consent authority may grant or refuse (except in the case of applications for controlled activities) resource consent applications
104F  Where serve notice under 94(1) but no hearing is required  AND  Where non-notified under 94(2)	Consent authority may grant the application, with or without conditions, or decline it, as necessary to implement any regulations made in accordance with s43 of the Act in relation to climate change
107(2), 107(3)	Consent authority may grant a consent to a discharge that would otherwise contravene s15 of the Act in certain

<p>Where serve notice under 94(1) but no hearing is required</p> <p>AND</p> <p>Where non-notified under 94(2)</p>	<p>circumstances (listed in provision). Any such consent may be subject to certain conditions requiring the applicant to undertake work in stages throughout the term of the permit</p>
<p>108, 108A</p> <p>Where serve notice under 94(1) but no hearing is required</p> <p>AND</p> <p>Where non-notified under 94(2)</p>	<p>Consent authority may impose any condition it considers reasonable upon a resource consent, including the provision of a bond or financial contribution</p>
<p>108A(4)</p>	<p>Where a consent holder fails to complete any work in respect of which a bond is taken, to the satisfaction of the consent authority, the consent authority may enter on the land and complete the work and recover the cost thereof from the holder out of any money or securities deposited with the consent authority or money paid by a guarantor, so far as the money or securities will extend</p>
<p>110(2)</p>	<p>Where a resource consent lapses, or is cancelled or surrendered, the consent authority may retain any portion of a financial contribution imposed in accordance with s108(2)(a) of the Act, of a value equivalent to the costs incurred by the consent authority in relation to the activity and its discontinuance</p>
<p>119A</p>	<p>Where the Minister of Conservation has granted a coastal permit, the Regional Council that would otherwise have decided the application for that permit has the powers provided under ss127 to 132 of the Act with respect to that coastal permit, subject to certain conditions (detailed in provision)</p>
<p>125(1)(b)</p>	<p>Consent authority may extend the period after which a resource consent lapses</p>
<p>126(1)</p>	<p>Consent authority may cancel a resource consent by written notice served on the consent holder if the resource consent</p>



	has been exercised in the past but has not been exercised during the preceding 5 years
126(2)(b)	Consent authority may cancel a notice of revocation under s126(1), upon application by the consent holder
127	In order to determine who is adversely affected by the change or cancellation of the conditions of a consent for the purposes of s127, a local authority must consider every person who made a submission on the original application and every person may be affected by the change or cancellation
128(1)	Consent authority may, in accordance with s129, serve notice on a consent holder of its intention to review the conditions of a resource consent, in certain circumstances (detailed in provision)
130(7)	Consent Authority may require that a review of the conditions of a resource consent be notified, if it consider that special circumstances exist
132(1)	Consent authority may change the conditions of a resource consent (other than any condition as to the duration of the consent) on a review under s128, in certain circumstances
136(2)(b)(ii)	Consent authority may consent to the transfer of a water permit from one person to another person on another site in the same catchment (either upstream or downstream), aquifer, or geothermal field
136(4)(b)	Consent authority may impose conditions on any transfer granted under s136(2)(b)(ii)
138(2)	Consent authority may refuse to accept the surrender of a resource consent, in whole or part
138A(3)	Consent authority may, at any time specified for that purpose in a coastal permit (to do something that would otherwise contravene s15A(1)), in accordance with section 129, serve notice on the holder of the permit of its intention to review the conditions of the permit for the purpose of requiring the holder to adopt the best practicable option to remove or reduce any adverse effect on the environment
139(1)	Consent authority may upon request and payment of the appropriate administrative charge, issue to any person who so

	requests a certificate of compliance
139(2)	Consent authority may require an applicant for a certificate of compliance to provide further information relating to the request if, in the opinion of the consent authority, the information is necessary to determine whether the particular proposal or activity complies with the plan
143(2)	Consent authority may recover from an applicant for a resource consent the actual and reasonable costs incurred by the consent authority in complying with this s143
150E(4)	Upon the expiry of an aquaculture moratorium, a Regional Council may review the conditions in a coastal permit and amend the conditions so that they comply with the rules that apply at the end of the moratorium
168(1)	To give notice of requirement for a designation to a territorial authority
172	To make a decision on accepting, rejecting or modifying a territorial authority's recommendation relating to a requirement
181	To give notice of alteration to a designation
182	To give notice of a removal of designation
245	Consent authority may approve to a plan of survey submitted in respect of a reclamation
299(1)	A party to proceeding before the Environment Court under this Act or any other enactment may appeal on a point of law to the High Court against any decision, report, or recommendation of the Environment Court made in the proceeding
311(2)	Consent authority may apply to the Environment Court for a declaration that a consent holder or any other person is contravening any condition of a resource consent or a rule in a plan or proposed plan that requires the holder to adopt the best practicable option to avoid or minimise any adverse effect of the discharge to which the consent or rule relates
311(3)	Local authority may apply to the Environment Court for a declaration as to the point at which the landward boundary of

	the coastal marine area crosses any river
316(2)	Local authority may at any time apply to the Environment Court in the prescribed form for an enforcement order of the kind specified in paragraph (da) or paragraph (e) of section 314(1)
316(3)	Local authority may apply for an enforcement order under section 314(1)(f) (relating to compliance of a plan with Schedule 1 of the Act) at any time
325A(2), (3)	Local authority may cancel an abatement notice issued by one of its officers that it considers is no longer required, and must give written notice of the cancellation to the person to whom the abatement notice applied
325B(2)	Local authority may apply to the Environment Court for an enforcement order to require any person to comply with or cease contravening s15B (which imposes restrictions on discharges of harmful substances, contaminants, and water from ships and offshore installations)
331(1)	Where a local authority takes action under s330(2) of the Act because of the default of any person, the authority may require reimbursement from that person of its actual and reasonable costs
332(1)	Local authority may specifically authorise, in writing, an enforcement officer to go on, into, under, or over any place or structure, except a dwellinghouse, at any reasonable time, for the purpose of inspection to determine whether or not various instruments (including the Act and any enforcement orders) are being complied with
333(1)	<p>Local authority may authorise, in writing, an enforcement officer to:</p> <ul style="list-style-type: none"> <li>d) Carry out surveys, investigations, tests, or measurements</li> <li>e) Take samples of any water, air, soil, or vegetation</li> <li>f) Enter or re-enter land (except a dwellinghouse)</li> </ul> <p>at any reasonable time, with or without such assistance, vehicles, appliances, machinery, and equipment as is</p>

	reasonably necessary for that purpose
336(5)	Local authority may dispose of any property seized under section 323 or section 328 if it is not claimed within 6 months of its seizure, in accordance with s336(6)
338(4)	Lay information, in respect of any offence against subsection (1) of section 338, on behalf of the Council any time within 6 months after the time when the contravention giving rise to the information first became known, or should have become known, to Greater Wellington
339C(2)	Where the master or owner of a ship is convicted of an offence under the Act and fails to pay any fine or penalty arising from that conviction, a local authority may recover that amount from the agent of the ship as a debt
355B(2)	Regional Council may seek an enforcement order against a person who has unlawfully reclaimed the land, or the occupier of the reclaimed land, requiring that person to take such action as, in the opinion of the Environment Court, is necessary in order to avoid, remedy, or mitigate any actual or likely adverse effect on the environment caused by the carrying out of the reclamation
355B(3)	Regional Council may take any necessary action to remove the unlawfully reclaimed land from the coastal marine area
395(1A)	Local authority which receives an application for a land use consent for any entry on to, or passing across, the surface of water of any navigable lake or river, or for the use of a bed of a navigable lake or river under s13, shall forward a copy of the application to the Minister of Transport
Schedule 1, cl 1(2)	Local authority may extend any time limit set in the Schedule, in accordance with s37 of the Act
Schedule 1, cl 3(2)	Local authority may consult with anyone beyond the prescribed list of required 'consultees' during the preparation of a proposed policy statement or plan
Schedule 1, cl 6	Local authority may (even in its own area), in the prescribed form, make a submission to the relevant local authority on a proposed policy statement or plan that is publicly notified under cl 5

Schedule 1, cl 8	Local authority may (even in its own area), in the prescribed form, make a further submission to the relevant local authority, but only in support of or in opposition to those submissions made under cl 6 on a proposed policy statement or plan
Schedule 1, cl 16(2)	Local authority may make an amendment, without further formality, to its proposed policy statement or plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors
Schedule 1, cl 23(1)	Local authority may require further information from a person who requests a change to a regional plan
Schedule 1, cl 23(3)	Local authority may, in certain circumstances (detailed in provision), commission a report in relation to a request for a change to a regional plan and shall notify the person who made the request that such a report has been commissioned
Schedule 1, cl 24	Local authority may, with the agreement of the person who made a request for a change to a regional plan, modify the request
Schedule 1, cl 28(2)	Where any local authority has reasonable grounds to consider that a person who made a request under cl 21 of Schedule 1 no longer wishes to continue with the request, the local authority may send a notice to that person at their last known address

### Biosecurity Act 1993

Section of Act	Power, Function, Duty
73(1), (2)	Consult with selected persons during the preparation of a proposed regional pest management strategy
78	Take certain steps to notify a proposed regional pest management strategy
79C	Serve notice of decision regarding a proposed pest management strategy

## **Dave Watson, Divisional Manager, Transport**

The Chief Executive Officer, Barry Harris, delegates to Dave Watson, the Divisional Manager, Transport:

- a) the authority to implement the relevant portions of the Annual Plan that are contained in Transport's Divisional Business Plan. This includes the power to make arrangements to enter into contracts that are in line with the requirements in the relevant portion of the Annual Plan and Transport's Divisional Business Plan that relate to operational and capital expenditure, fees and charges, service levels and specific projects.

Any financial expenditure that is required to carry out these functions is restricted as follows:

- Must be provided for in the Annual Plan and contained in Transport's Divisional Business Plan
- Expenditure can be approved by Dave Watson, the Divisional Manager, Transport, up to a maximum of \$200,000 with respect to any single item.
- Every new bus operator contract that is less than or equal to \$500,000 must be approved by Dave Watson, the Divisional Manager, Transport, and the Chief Financial Officer. If the value of a new bus operator contract is greater than \$500,000 the contract must be approved by the Chief Executive Officer. Monthly payments made in relation to a bus operator contract are to be signed off by Dave Watson, the Divisional Manager, Transport, and the Chief Financial Officer. If the Chief Financial Officer is not available then the approval of another member of the Executive Management Team must be obtained.
- All fortnightly/monthly payments made in relation to the Tranz Metro Wellington contract must be approved by Dave Watson, the Divisional Manager, Transport, and the Chief Financial Officer. If the Chief Financial Officer is not available then the approval of another member of the Executive Management Team must be obtained.
- For all other contracts and payments - When contracts or payments exceed \$200,000, but are not greater than \$500,000, the approval of the Chief Financial Officer must be obtained. If the Chief Financial Officer is not available then the approval of another member of the Executive Management Team must be obtained. For the avoidance of doubt, only the Chief Executive Officer can authorise expenditure that is provided for in the Annual Plan and exceeds \$500,000.
- Expenditure is linked to the total value of a contract or item of expenditure. Committing to a contract that anticipates payment over successive years, where

the total value of the contract is greater than the limit of the financial delegation, is prohibited.

- b) the following specific powers, functions and duties provided for in legislation:

**Regional Land Transport Act 1998**

Section of Act	Power, Function, Duty
179	Prepare a consultation programme to be followed when preparing the Regional Land Transport Strategy for consideration by the Regional Land Transport Committee and the Council.

**Land Transport Management Act 2003**

Section of Act	Power, Function, Duty
15(3), (4)	Respond on behalf of the Council to consultation on a land transport programme where consultation is initiated by a territorial authority or any other approved organisation

**Rob Forlong, Divisional Manager, Landcare**

The Chief Executive Officer, Barry Harris, delegates to Rob Forlong, the Divisional Manager, Landcare:

- a) the authority to implement the relevant portions of the Annual Plan that are contained in Landcare's Divisional Business Plan. This includes the power make arrangements to enter into contracts that are in line with the requirements in the relevant portion of the Annual Plan and Landcare's Divisional Business Plan that relate to operational and capital expenditure, fees and charges, service levels and specific projects.

Any financial expenditure that is required to carry out these functions is restricted as follows:

- Must be provided for in the Annual Plan and contained in Landcare's Divisional Business Plan
- Expenditure can be approved by the Divisional Manager, Landcare, up to a maximum of \$200,000 with respect to any single item.

- When contracts or payments exceed \$200,000, but are not greater than \$500,000, the approval of the Chief Financial Officer must be obtained. If the Chief Financial Officer is not available then the approval of another member of the Executive Management Team must be obtained. For the avoidance of doubt, only the Chief Executive Officer can authorise expenditure that is provided for in the Annual Plan and exceeds \$500,000.
  - Expenditure is linked to the total value of a contract or item of expenditure. Committing to a contract that anticipates payment over successive years, where the total value of the contract is greater than the limit of the financial delegation, is prohibited.
- b) the following specific powers, functions and duties provided for in legislation that the Landcare Division requires to carry out its responsibilities. (These delegations are yet to be identified but will include the specific powers, functions and duties either expressed or implied in legislation that the Landcare Division requires to carry out its responsibilities and that are not solely reserved for the Council or its committees e.g. provisions in the Reserves Act 1977.)

### **David Benham, Divisional Manager, Utility Services**

The Chief Executive Officer, Barry Harris, delegates to David Benham, the Divisional Manager, Utility Services, the authority to implement the relevant portions of the Annual Plan that are contained in Utility Services' Divisional Business Plan. This includes the power make arrangements to enter into contracts that are in line with the requirements in the relevant portion of the Annual Plan and Utility Services' Divisional Business Plan that relate to operational and capital expenditure, fees and charges, service levels and specific projects.

Any financial expenditure that is required to carry out these functions is restricted as follows:

- Must be provided for in the Annual Plan and contained in Utility Services' Divisional Business Plan
- Expenditure can be approved by Dave Benham, the Divisional Manager, Utility Services, up to a maximum of \$200,000 with respect to any single item.
- When contracts or payments exceed \$200,000, but are not greater than \$500,000, the approval of the Chief Financial Officer must be obtained. If the Chief Financial Officer is not available then the approval of another member of the Executive Management Team must be obtained. For the avoidance of doubt, only the Chief Executive Officer can authorise expenditure that is provided for in the Annual Plan and exceeds \$500,000.
- Expenditure is linked to the total value of a contract or item of expenditure. Committing to a contract that anticipates payment over successive years, where the total value of the contract is greater than the limit of the financial delegation, is prohibited.



### **John Allard, Corporate Policy Manager**

The Chief Executive Officer, Barry Harris, delegates to John Allard, Corporate Policy Manager, the authority to implement the relevant portions of the Annual Plan that are contained in Corporate Advisory Services' Divisional Business Plan. This includes the power make arrangements to enter into contracts that are in line with the requirements in the relevant portion of the Annual Plan and Corporate Advisory Services' Divisional Business Plan that relate to operational and capital expenditure, fees and charges, service levels and specific projects.

Any financial expenditure that is required to carry out these functions is restricted as follows:

- Must be provided for in the Annual Plan and contained in Corporate Advisory Services' Divisional Business Plan
- Expenditure can be approved by John Allard, the Divisional Manager, Corporate Advisory Services, up to a maximum of \$200,000 with respect to any single item.
- When contracts or payments exceed \$200,000, but are not greater than \$500,000, the approval of the Chief Financial Officer must be obtained. If the Chief Financial Officer is not available then the approval of another member of the Executive Management Team must be obtained. For the avoidance of doubt, only the Chief Executive Officer can authorise expenditure that is provided for in the Annual Plan and exceeds \$500,000.
- Expenditure is linked to the total value of a contract or item of expenditure. Committing to a contract that anticipates payment over successive years, where the total value of the contract is greater than the limit of the financial delegation, is prohibited.

### **Barry Turfrey, Chief Financial Officer**

The Chief Executive Officer, Barry Harris, delegates to Barry Turfrey, the Chief Financial Officer:

- a) the authority to implement the relevant portions of the Annual Plan that are contained in the Finance and Administration's Divisional Business Plan. This includes the power make arrangements to enter into contracts that are in line with the requirements in the relevant portion of the Annual Plan and Finance and Administration's Divisional Business Plan that relate to operational and capital expenditure, fees and charges, service levels and specific projects.

Any financial expenditure that is required to carry out these functions is restricted as follows:

- Must be provided for in the Annual Plan and contained in Finance and Administration's Divisional Business Plan

- Expenditure can be approved by Barry Turfrey, the Divisional Manager, Finance and Administration, up to a maximum of \$200,000 with respect to any single item, except where otherwise specified in the Council's Treasury Management Policy.
- Except where otherwise specified in the Council's Treasury Management Policy, when contracts or payments exceed \$200,000 but are not greater than \$500,000 the approval of the Chief Executive Officer must be obtained. If the Chief Executive Officer is not available then the approval of another member of the Executive Management Team must be obtained. For the avoidance of doubt, only the Chief Executive Officer can authorise expenditure that is provided for in the Annual Plan and exceeds \$500,000.
- Expenditure is linked to the total value of a contract or item of expenditure. Committing to a contract that anticipates payment over successive years, unless the total value of the contract is less than or equal to the limit of their financial delegation, is prohibited.

b) the following specific powers, functions and duties provided for in legislation:

**Local Government (Rating) Act 2002**

Section of Act	Power, Function, Duty
28C(3)	Local authority must, as soon as practicable after receiving a request of the sort described in s28B(a) above, remove the relevant particulars from the database and notify the owner who made the request of the removal of his or her particulars
29(3)	Local authority must notify a ratepayer, who objects to any of their information that is collected in the database, in writing of its decision on their objection and, if the objection is upheld, correct the entry in the rating information database and advise the ratepayer that the correction has been made
39(3)	Local authority must notify a ratepayer, who objects to the information contained in the rates records that relate to them, in writing of its decision on their objection and, if the objection is upheld, correct the entry in the rates record accordingly
40	Local authority may correct an error in the rating information database or rates records even though an objection has not been made

<p>41(1), 41(2)</p> <p>Refund an overpayment of rates up to the \$200,000</p>	<p>Local authority must issue an amended rates assessment if an error in the rating information database or rates record in respect of the rating unit concerned is corrected with five years after an amended rates assessment is issued. If this results in an overpayment by the ratepayer, the local authority must refund the ratepayer to the extent of the overpayment.</p>
<p>42(1)</p>	<p>Local authority may recover additional rates from a ratepayer if:</p> <ul style="list-style-type: none"> <li>(a) there has been a change in any matter affecting the liability of the ratepayer to pay rates; and</li> <li>(b) the ratepayer has failed to notify the local authority of a change in circumstances in accordance with ss31 to 33 of the Act or any other enactment, or did not do so within the required time; and</li> <li>(c) as a result, the local authority has not collected the full amount of rates to which it was entitled for the rating unit</li> </ul>
<p>54(1)</p> <p>Decline to collect rates less than \$100</p>	<p>Local authority may decline to collect rates in a financial year that are, in its opinion, uneconomic to collect</p>
<p>54(3)</p>	<p>Local authority:</p> <ul style="list-style-type: none"> <li>(a) must notify the ratepayer that the local authority has decided not to collect the rates; and</li> <li>(b) may, if a rates assessment for that rating unit has not been delivered, include the notice under paragraph (a) above with the rates assessment or omit to deliver the rates assessment</li> </ul>
<p>63(1)</p>	<p>Local authority may commence proceedings in a court of competent jurisdiction to recover as a debt rates unpaid for 4 months after the due date for payment</p>

63(2)	In any proceedings under s63(1), the local authority may recover any other unpaid rates in respect of the same rating unit if the rates became due not earlier than 1 month before the proceedings were commenced
85(1)	Local authority may remit all or part of the rates on a rating unit (including penalties for unpaid rates), in certain circumstances (listed in provision)
87(1)  Postpone rates in accordance with the Council's adopted Rates postponement policy	Local authority must postpone the requirement to pay all or part of the rates on a rating unit (including penalties for unpaid rates), in certain circumstances (listed in provision)
88(1)  Postpone rates in accordance with the Council's adopted Rates postponement policy	Local authority may, in accordance with its postponement policy, add a postponement fee to the postponed rates for the period between the due date and the date that they are paid
90(1)  Postpone rates in accordance with the Council's adopted Rates postponement policy	Local authority may register a notice of charge on a rating unit if it has postponed the requirement to pay rates for the rating unit under s87(1)
114(1)  Remit rates in accordance with the Council's adopted Remission and postponement policy in Maori freehold land policy, where rates do not exceed \$5,000	Local authority may remit all or part of the rates (including penalties for unpaid rates) on Maori freehold land, in certain circumstances (listed in provision)
115(1)  Remit rates in	Local authority must postpone the requirement to pay all or part of the rates on Maori freehold land (including penalties for unpaid rates), in certain circumstances (listed in

accordance with the Council's adopted Remission and postponement policy in Maori freehold land policy, where rates do not exceed \$5,000	provision)
126(2) Refund excess rates up to \$200,000	Local authority must refund the whole amount of any excess rates paid that are entered as a credit against future rates, upon written application from the ratepayer

### Wayne Hastie, Council Secretary

The Chief Executive Officer, Barry Harris, delegates to Wayne Hastie, the Council Secretary:

- a) the authority to implement the relevant portions of the Annual Plan that are contained in the Council Secretariat's Divisional Business Plan. This includes the power make arrangements to enter into contracts that are in line with the requirements in the relevant portion of the Annual Plan and Council Secretariat's Divisional Business Plan that relate to operational and capital expenditure, fees and charges, service levels and specific projects.

Any financial expenditure that is required to carry out these functions is restricted as follows:

- Must be provided for in the Annual Plan and contained in Council Secretariat's Divisional Business Plan
- Expenditure can be approved by Wayne Hastie, the Council Secretary, up to a maximum of \$200,000 with respect to any single item.
- When contracts or payments exceed \$200,000, but are not greater than \$500,000, the approval of the Chief Financial Officer must be obtained. If the Chief Financial Officer is not available then the approval of another member of the Executive Management Team must be obtained. For the avoidance of doubt, only the Chief Executive Officer can authorise expenditure that is provided for in the Annual Plan and exceeds \$500,000.
- Expenditure is linked to the total value of a contract or item of expenditure. Committing to a contract that anticipates payment over successive years, where the total value of the contract is greater than the limit of the financial delegation, is prohibited.

b) the following specific powers, functions and duties provided for in legislation:

- Authority to affix the common seal of the Council when it is required to be fixed by law, including:
  - When issuing a warrant under seal to any officer authorised to enter private land on behalf of the Council pursuant to the Local Government Act 2002, or any other enactment (other than those enactments referred to in 174(5)).
  - When issuing a permit pursuant to 417(1)(b) of the Resource Management Act 1991 (RMA)
  - When effecting any policy statement or plan (other than a regional coastal plan) under section 17(3)(a) of the first schedule to the RMA
  - When effecting the adoption of any regional coastal plan under section 18(2) of the first schedule to the RMA
  - When executing any deed contemplated by the Property Law Act 1952 (PLA)
  - When executing any Memorandum of Transfer pursuant to section 80 of the Local Government (Rating) Act 2002
  - When it is prudent and in the interests of the good governance to affix the seal to a document.
- Authority to sign routine documents on behalf of the Council.
- **Local Government (Rating) Act 2002**

Section of Act	Power, Function, Duty
23(5)	Local authority must send a copy of any resolution to make a rate to the Secretary of Local Government, no later than 20 working days after the resolution is made
27(1)	Local authority must keep and maintain a rating information database.
28(4)	Local authority must, during the month of May, give public notice that the rating information database is available for

	inspection and of the place and times it may be inspected
28(5)	Local authority may notify ratepayers at any other time it considers appropriate and by any means it thinks fit
28A(4)	Local authority may make the database or any part of it available at any office of the local authority, other than its principal public office, but only in the same manner as it is accessible by people at the principal public office
28B	Local authority: <ul style="list-style-type: none"> <li>(a) must, by written notice, inform every owner included in its rating information database, annually, that he or she has the right under s28C of the Act to request that his or her name or postal address (or both) are withheld from the database; and</li> <li>(b) may give the written notice in conjunction with any other rates information the local authority is required to provide</li> </ul>
28C(3)	Local authority must, as soon as practicable after receiving a request of the sort described in s28B(a) above, remove the relevant particulars from the database and notify the owner who made the request of the removal of his or her particulars
28C(4)	If the owner revokes a request of the sort described in s28B(a) above, the local authority must, as soon as practicable, restore those particulars to the database
28D(1)	Local authority must make its first database available before 31 December 2005
28D(2)	Local authority must inform every owner included in its rating information database of the right of the owner to request the withholding of his or her name or postal address (or both) from the database, before 31 October 2005
29(3)	Local authority must notify a ratepayer, who objects to any of their information that is collected in the database, in writing of its decision on their objection and, if the objection is upheld, correct the entry in the rating information database

	and advise the ratepayer that the correction has been made
37(1)	Local authority must keep and maintain a rates record for each rating unit in its district that clearly shows the amount of the ratepayer's liability for rates in respect of that unit
38(3)	Local authority may request confirmation from a person that he or she is a party to (or acts as an agent for a party to) a transaction relating to the rating unit and that he or she reasonably requires the information in the rates record for the purposes of the transaction
39(3)	Local authority must notify a ratepayer, who objects to the information contained in the rates records that relate to them, in writing of its decision on their objection and, if the objection is upheld, correct the entry in the rates record accordingly
40	Local authority may correct an error in the rating information database or rates records even though an objection has not been made
41(1), 41(2) Refund an overpayment of rates up to the \$200,000	Local authority must issue an amended rates assessment if an error in the rating information database or rates record in respect of the rating unit concerned is corrected with five years after an amended rates assessment is issued. If this results in an overpayment by the ratepayer, the local authority must refund the ratepayer to the extent of the overpayment.
42(1)	Local authority may recover additional rates from a ratepayer if: <ul style="list-style-type: none"> <li>(d) there has been a change in any matter affecting the liability of the ratepayer to pay rates; and</li> <li>(e) the ratepayer has failed to notify the local authority of a change in circumstances in accordance with ss31 to 33 of the Act or any other enactment, or did not do so within the required time; and</li> <li>(f) as a result, the local authority has not collected the full amount of rates to which it was entitled for the</li> </ul>



	rating unit
42(3)	Local authority may add interest to additional rates recovered, in accordance with this subsection
44(1)	Local authority must deliver a rates assessment to a ratepayer to give notice of the ratepayer's liability for rates on a rating unit
46(1)	If a rates payment is due for a particular period, the local authority must deliver to the ratepayer a rates invoice for the rating unit for that period
46(3)	Local authority may include in a rates invoice any information it sees fit
46(4)	Local authority may deliver a separate rates invoice for any targeted rate
48(2)	Local authority may deliver the rates invoice with the rates assessment, and is not required to deliver a separate rates invoice, if the rates assessment includes all the information required by s46 of the Act
50(1)	Local authority may deliver a rates invoice for not more than 25% of the rates that are payable in the previous year if it is not able to deliver a rates assessment at least 14 days before: <ul style="list-style-type: none"> <li>(a) the date on which the first payment of rates for the current year is payable in a case where the rates have been set by resolution of the local authority under s23; or</li> <li>(b) the date 1 calendar year after the date when the first payment of rates for the previous year was payable in a case where no resolution has been made under s23</li> </ul>
51(1)	Local authority may deliver a combined rates assessment and a combined rates invoice to any ratepayer who is liable for the payment of rates on 2 or more rating units within the same district or region
52(2)	Local authority may agree to payment of rates by any

	method
53(1)	One or more local authorities may appoint a person or a local authority to collect the rates they assess
53(4)	Local authority and a collector may agree to any arrangement for the delivery of rates assessments and rates invoices, and for the collection of rates, but only if the rates assessments and rates invoices meet the requirements of ss53(2) and (3)
54(1) Decline to collect rates less than \$100	Local authority may decline to collect rates in a financial year that are, in its opinion, uneconomic to collect
54(3)	Local authority: <ul style="list-style-type: none"> <li>(c) must notify the ratepayer that the local authority has decided not to collect the rates; and</li> <li>(d) may, if a rates assessment for that rating unit has not been delivered, include the notice under paragraph (a) above with the rates assessment or omit to deliver the rates assessment</li> </ul>
61(1)	Local authority may recover rates from the owner of a rating unit, if a ratepayer other than the owner defaults in paying any rates for which they are liable in respect of that rating unit
62(1)	Where the owner of a rating unit defaults in paying rates, local authority may: <ul style="list-style-type: none"> <li>(a) notify persons with an interest in the rating unit for which the rates are payable (including an interest as first mortgagee) of the fact of the default and the provisions of s62 of the Act; and</li> <li>(b) accept payment of the rates from the persons referred to in paragraph (a); or</li> <li>(c) recover, as a debt from the first mortgagee of a</li> </ul>

	rating unit, the rates payable in respect of the rating unit that remain unpaid on a date that is not less than 3 months after notice has been given to that person under paragraph (a) and not earlier than 1 November in the financial year following the year in which the rates were first assessed
63(1)	Local authority may commence proceedings in a court of competent jurisdiction to recover as a debt rates unpaid for 4 months after the due date for payment
63(2)	In any proceedings under s63(1), the local authority may recover any other unpaid rates in respect of the same rating unit if the rates became due not earlier than 1 month before the proceedings were commenced
80	Local authority must execute documents for the sale or lease of abandoned land
85(1)	Local authority may remit all or part of the rates on a rating unit (including penalties for unpaid rates), in certain circumstances (listed in provision)
86	Local authority must record any remitted rates on the rates record for the rating unit as paid on the due date and in accounting documents as paid by the local authority on behalf of the ratepayer in accordance with the relevant objective in the remission policy
87(1) Postpone rates in accordance with the Council's adopted Rates postponement policy	Local authority must postpone the requirement to pay all or part of the rates on a rating unit (including penalties for unpaid rates), in certain circumstances (listed in provision)
88(1) Postpone rates in accordance with the Council's adopted Rates postponement policy	Local authority may, in accordance with its postponement policy, add a postponement fee to the postponed rates for the period between the due date and the date that they are paid

89(2)	Local authority must record the net cost of postponed rates
90(1) Postpone rates in accordance with the Council's adopted Rates postponement policy	Local authority may register a notice of charge on a rating unit if it has postponed the requirement to pay rates for the rating unit under s87(1)
90(2)(b)	Local authority may consent to the registration of any dealing by the owner of the rating unit with the land comprising the rating unit
90(4)	Local authority must register a notice of release of charge if all postponed rates for a rating unit are paid
94(2)	Local authority may apply to the Maori Land Court to have 1 of the owners of Maori freehold land in multiple ownership, or an agent of the owners, appointed to receive rates assessments and rates invoices for that land
99(1)	Local authority may apply to the Maori Land Court for an order charging the unpaid rates against rateable Maori freehold land, if the rates payable on the land are unpaid 6 months after the due date
104(a)	Local authority may consent to the owner of a rateable unit dealing with their land, notwithstanding the existence of a charging order over that land
108(1)	Local authority may apply to the Maori Land Court for the enforcement of a charging order if it remains unsatisfied for 6 months
111(1)	Local authority may, if the Maori Land Court has made a charging order in accordance with s101, apply to the Court for an order for the payment of unpaid rates by the Maori Trustee or any other person who holds, or is entitled to receive, on trust for the owners of the land, any money derived from the land
114(1) Remit rates in accordance with the Council's adopted	Local authority may remit all or part of the rates (including penalties for unpaid rates) on Maori freehold land, in certain circumstances (listed in provision)

Remission and postponement policy in Maori freehold land policy, where rates do not exceed \$5,000	
115(1) Remit rates in accordance with the Council's adopted Remission and postponement policy in Maori freehold land policy, where rates do not exceed \$5,000	Local authority must postpone the requirement to pay all or part of the rates on Maori freehold land (including penalties for unpaid rates), in certain circumstances (listed in provision)
120(3)	Local authority must notify the Secretary of Local Government of a decision under s120(2)(b) within 14 days after the decision is made
121(1)	Local authority must, as soon as practicable after the court order or its decision to set replacement rates is made, give public notice that the rates will be replaced
121(3)	Local authority must, as soon as practicable, note on the rates records to which the replacement rates apply that the local authority will set replacement rates and the rates that will be replaced
123(3)	In giving notice of the rates replacement proposal under the special consultative procedure, the local authority must give specific notice of the proposal to every ratepayer of the district
125(1)	As soon as practicable after replacement rates are set, the local authority must assess the total liability for replacement rates in respect of each rating unit
125(5)	Local authority must notify the ratepayer of various aspects of a replacement rate (listed in provision)
126(2) Refund excess rates up to \$200,000	Local authority must refund the whole amount of any excess rates paid that are entered as a credit against future rates, upon written application from the ratepayer

128(2)	Local authority may, where part of a rating unit for the relevant year is sold or otherwise transferred, credit each of the several parts with the amount of the excess that is calculated in respect of the total rating unit or cancel the deficit that is calculated in respect of the total rating unit
130	Local authority may cancel the requirement to pay a deficit assessed under Part 5 of the Act
131(2)	Regional Council may arrange for a registered valuer to make an estimate of the projected valuation of all the rateable land in the districts of the constituent territorial authorities
139(2A)	Local authority that has adopted an LTCCP for a period beginning on 1 July 2003 may remit rates, as if the Rating Powers Act 1988 were in force, until the close of 30 June 2005

Draft