

## NORTHLAND REGIONAL COUNCIL

# Agenda

For the extraordinary meeting to be held in the Council Chamber,  
36 Water Street, Whāngārei, on Tuesday 28 July 2015,  
commencing at 10.00 am

**Recommendations contained in the council agenda are NOT council decisions.  
Please refer to council minutes for resolutions.**

### OPEN MEETING

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1.0	<b>APOLOGIES</b>	-
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3.0	<b>DECISION MAKING MATTER</b>	
	3.1 Delegated Authority	1



**ISSUE: Delegated Authority****ID:** A766651**To:** Extraordinary Council Meeting, 28 July 2015**From:** Malcolm Nicolson, Chief Executive**Date:** 27 July 2015

<b>Report Type:</b>	<input type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
<b>Purpose:</b>	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input type="checkbox"/> Other
<b>Significance:</b>	<input type="checkbox"/> Triggered	<input checked="" type="checkbox"/> Not Triggered	

**Executive Summary:**

Judicial proceedings have been filed against NRC as First Defendant and KDC as Second Defendant by the Mangawhai Ratepayers' and Residents Association (MRRRA) and Mr and Mrs Rogan. The Statement of Claim was served on 16 July 2015.

The CEO has approached Simpson Grierson with a view to jointly representing KDC and NRC, subject to an appropriate delegation being in place. Upon establishing a delegation to authorise the CEO to act on the management of the MRRRA/Rogan proceedings, the CEO will instruct Simpson and Grierson to commence drafting a Statement of Defence.

**Legal compliance and significance assessment:**

The delegated authority, as outlined in this report, complies with Section 32, Schedule 7 of the Local Government Act 2002, which details the ability for a local authority, for the purposes of efficiency and effectiveness in the conduct of its business, to delegate specific duties or powers.

When assessed against council policy, the provision of delegated authority to the Chief Executive, as detailed in the report, is deemed to be of low significance.

**Recommendations:**

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1. That the report 'Delegated Authority' by Malcolm Nicolson, Chief Executive Officer, and dated 27 July 2015, be received.
  2. That the council confirm authorisation for the Chief Executive to act on the management of the MRRRA/Rogan judicial review proceedings from the date the proceedings were served on the council, including the appointment of legal counsel to represent the council and the giving of instructions regarding the preparation, filing and serving of a statement of defence.
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