

LGOIMA Reference – 2021/778

28 September 2021

[REDACTED]

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Response - Official Information Request

I refer to your request for information received on 05/09/2021. Your request has been considered under the Local Government Official Information and Meetings Act 1987 (LGOIMA) and I provide the following information.

Has the Council delegated its duty under Section 35(2)(d) of the RMA [as provided for under Sections 34 and 34(A) of the RMA]? If the Council has done so, to which council committee, hearings commissioner, and/or council employer (as the case maybe) has that duty been delegated? *(Note: in the case of council employees, position titles only are required, not staff personal identifiers.)*

No, Council has not delegated its duty under Section 35(2)(d) of the RMA.

Has the Council transferred the duty under Section 35(2)(d) of the RMA [as provided for under Section 33 of the RMA]? If the Council has done so, to which public authority (or authorities) has that duty been transferred? Where the Council has delegated and/or transferred the duty under Section 35(2)(d) of the RMA, a copy of the relevant document that officially records the delegation/transfer as the case maybe. *(Note: this can be provided with a link to an appropriate council website if this is available.)*

No, Council has not delegated its duty under Section 35(2)(d) of the RMA. Council Compliance Staff are responsible for carrying out monitoring activities relating to resource consents issued by Council.

Where the Council has not delegated the duty under Section 35(2)(d) of the RMA, why has the Council not done so?

Council has not delegated the responsibility to monitor the exercise of resource consents that have effect in the district because Council has employed Compliance Staff that are responsible for carrying out monitoring activities relating to resource consents issued by Council.

Where the Council has not delegated the duty under Section 35(2)(d) of the RMA, by what process does the Council fulfil its duty under Section 35(2)(d) of the RMA?

Council employs compliance staff that are responsible for carrying out monitoring activities relating to resource consents issued by Council, primarily responding on a complaints basis regarding consented activity.

Does the Council have a RMA monitoring strategy that addresses the duty imposed under Section 35(2)(d) of the RMA. If the Council has such a strategy, a copy of that document (*Note: this can be provided with a link to an appropriate council website if this is available*), as well as relevant citations to sections/pages that reference to Section 35(2)(d) of the RMA?

No, Council does not have a RMA monitoring strategy at this time.

Horowhenua District Council publishes responses to Local Government Official Information and Meetings Act 1987 (LGOIMA) requests that we consider to be of wider public interest, or which relate to a subject that has been widely requested. To protect your privacy, we will not generally publish personal information about you, or information that identifies you. We will publish the LGOIMA response along with a summary of the request on our website. Requests and responses may be paraphrased.

If you have any queries regarding this information, please contact the LGOIMA Officer on 06 366 0999 or email - LGOIMAOfficer@horowhenua.govt.nz

Yours sincerely,



Lisa Slade
Executive Sponsor - LGOIMA