

Attachment B

Delegations pursuant to section 34A of the Resource Management Act 1991

To add the following positions to the responsibilities, duties and powers listed

Section/ Regulation/ Rule	Description	Position
35(2)(d)	Monitor the exercise of the resource consents that have effect in the Coromandel District	WWS
38	Authorise and supply a warrant to carry out the following functions and powers as an enforcement officer:	SP
	1. Direct a person to give his or her name and address; and to give the name and address and whereabouts of any other person on whose behalf the person is breaching or has breached the obligations under Part 3 of the Act – section 22.	
	2. Issue and serve an abatement notice – section 322.	
	3. If a person against whom an abatement notice is given under section 322(1)(c) fails to comply with the notice, exercise the powers of entry and enforcement conferred by section 323.	
	4. Issue an excessive noise direction pursuant to section 327.	
	5. Request a constable, pursuant to section 327, to issue an excessive noise direction.	
	6. If a person against whom an excessive noise direction is made fails to comply immediately with that notice, to enter (accompanied by a constable) the place without further notice and, with such assistance as is reasonably necessary, enforce compliance with the notice by any of the means specified in section 328(3), (4), (5), and (6).	
	7. Apply for a warrant pursuant to section 334, and execute any warrant issued pursuant to section 332.	
	8. Exercise the power of entry for inspection, and to take samples pursuant to section 332.	
	9. Exercise the power of entry for inspection, and to take samples pursuant to section 333.	
	10. Issue an infringement notice.	

To add the following responsibilities, duties and powers, and to the positions listed

Section/ Regulation/ Rule	Description	Position
42A(3)	Provide a copy of the report (if in writing) within stated timeframes to the applicant, and submitters wishing to be heard at the hearing.	DPM
58I	Duty to give recognition of national planning standards as prescribed.	DPM; PPM
86E	Duty to identify rules having early or delayed legal effect.	PPM
87I	Duty as consent authority to determine an application in certain circumstances.	DPM; PRP

To revoke the delegation made under s330(2), approved by Council 19 September 2017 and replace with the following delegation to the positions listed

Section/ Regulation/ Rule	Description	Position
330(1)	Determine that:	IM; IDGM
	(a) any public work for which the Council has financial responsibility;	
	(b) any natural and physical resource or area for which the Council has jurisdiction under the Act;	
	(c) any project or work or network utility operation for which any network utility operator is approved as a requiring authority under section 167; or	
	(ca) any service or system that any lifeline utility operates or provides - is in the opinion of the person, authority, network utility operator, or lifeline utility, affected by or likely to be affected by -	
	(d) an adverse effect on the environment which requires immediate preventive measures; or	
	(e) an adverse effect on the environment which requires immediate remedial measures; or	
	(f) any sudden event causing or likely to cause loss of life, injury, or serious damage to property	
	and in such case, without prior notice, enter any place (including a dwelling house when accompanied by a constable) and take such action, or direct the occupier to take such action, as is immediately necessary and sufficient to remove the cause of, or mitigate any actual or likely adverse effect of, the emergency;	

Legend

SP: Senior Planner
WWS: Water & Waste Manager; Water Services Asset Engineer; Water Services Operations Team Leader; Water Services Field Rep
DPM: Development Planning Manager
PRP: Principal Planner
PPM: Policy and Planning Manager
IDGM: Infrastructure Delivery Group Manager
IM: Infrastructure Manager