

# SOUTH WAIRARAPA DISTRICT COUNCIL

31 JULY 2013

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## AGENDA ITEM C1

### RESOURCE MANAGEMENT POLICY AMENDMENT

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#### **Purpose of Report**

To seek approval to amend the Policy on Resource Management Policy.

#### **Recommendations**

Officers recommend that the Council:

1. *Receives the information.*
2. *Resolve that the Policy on Resource Management be updated to reflect resolution DC2013/68.*

#### **1. Executive Summary**

On the 15 May 2013, Council resolved to amend Council's delegation policy to include the District Licensing Agency and associated appointments.

Council Resolved (DC2013/68):

1. To receive the information.
2. To amend the Council's delegations for the District Licensing Agency to include Cr Vivien Napier and Cr Julie Riddell.

*(Moved Cr Craig/Seconded Cr Davies)*

Carried

To include these delegations the Policy on Resource Management must be updated (see Appendix 1). As the delegation has already been approved, officers believe it is unnecessary to first present the policy change to the Policy and Finance Committee.

The Council appointments document has also been updated (see Appendix 2).

#### **2. Appendices**

Appendix 1 – Amended Policy on Resource Management

Appendix 2 – Council Appointments

Contact Officer: Suzanne Clark, Committee Secretary

Reviewed By: Paul Crimp, Chief Executive Officer

# **Appendix 1 – Policy on Resource Management**

# **Appendix 2 – Council Appointments**

# Policy On Resource Management

## 1. RATIONALE:

The Council, for the efficient management of services provided in terms of the Resource Management Act 1991 and amendment Act 2009, the Local Government Act 1974 and 2002 and any other relevant Acts, delegates various powers, functions and duties to certain Council committees and Council Officers.

## 2. PURPOSE:

To clearly set out the delegated authorities from the Council to those to whom the function, power or duty is delegated.

## 3. DELEGATED AUTHORITIES:

### 3.1 Resource Management Act

Power/function	Delegated to:
<p>To make the following decisions on resource consent applications:</p> <ul style="list-style-type: none"> <li>• Notification</li> <li>• Deferral pending application for additional consents</li> <li>• Request for further information from applicant or submitters, and commissioning of reports to gain further information</li> <li>• Holding of pre-hearing meetings, including compulsory attendance</li> <li>• The need for a hearing</li> <li>• Requiring pre-circulation of evidence of the applicant and/or submitters</li> <li>• Issue of amended consent to correct minor mistake or defects</li> </ul> <p>To provide reports</p>	<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: auto;"> <p>Resource Management Planner</p> </div>
<p>Return of incomplete applications; deferral of application pending request for a complete application and/or fees.</p>	<p>Resource Management Administrator</p>

<p>To determine non-notified resource consent applications</p> <p>To determine notified resource consent applications where no hearing is required</p> <p>To decline applications where it considered there is insufficient information to determine the application</p> <p>To refuse to accept the surrender of a resource consent</p> <p>To alter designations</p>	Applications Sub-Committee
<p>To hear and make decisions on notified resource consent applications where a hearing is required (including declining to process a persons application or submission where it is considered that they did not provide a reasonable excuse for not attending a prehearing meeting).</p> <p>To decide whether to agree to mediation on decisions that are appealed.</p> <p>To cancel a resource consent</p>	Planning Hearings Committee
<p>To determine NC Resource Consent applications under Combined_Wairarapa -District Plan where a hearing is required.</p>	PHC including a commissioner from either Masterton District Council or Carterton District Council.
<p>To issue certificates of compliance and Existing Use Certificates</p>	Applications Sub-Committee
<p>To cancel or vary Consent Notices and other Instruments on Certificates of Title</p> <p>To extend a time period specified in the Act or waive a failure to comply with a time or method of service requirement.</p>	<p>Applications Sub-Committee</p> <p>Resource Management Planner</p>
<p>To allow/disallow the exercise of a resource consent while a new resource consent is being processed</p> <p>To issue notices and make decisions on the review of any resource consent conditions or any lapsing applications</p>	<p>Applications Sub-Committee</p> <p>Applications Sub-Committee</p>
<p>To approve, request amendments to or waive outline plans</p>	Resource Management Planner

To make recommendations to a requiring authority regarding a requirement or regarding requirements for heritage orders where no submissions in opposition have been received	Applications Sub-Committee
To make recommendations to a requiring authority regarding a requirement or regarding requirements for heritage orders where submissions in opposition have been received.  To decline to remove part of a designation.	Planning Hearings Committee
To require payment of additional charges	Resource Management Planner
To remit charges	Chief Executive Officer
To issue consent notices, completion certificates, s226 Certificates, approve survey plans and exercise other statutory powers in respect of subdivisions	Chief Executive Officer
To hear and decide on objections to decisions of the Applications Sub-Committee	Planning Hearings Committee
To hear and decide on all other objections  To undertake any Enforcement Action under the Resource Management Act 1991, including applying for Enforcement Orders, issuing Abatement Notices and Infringement Notices and initiating Prosecutions	Applications Sub-Committee  Resource Management Administrator <b>or</b> Environmental Health Officer
To appoint enforcement officers and issue any necessary warrants and delegate the relevant powers to undertake enforcement action under the Resource Management Act 1991.  * The existing delegations to persons outside of Council to exercise Enforcement Powers in relation to Noise shall remain in force.	Chief Executive Officer
To handle appeals	Resource Management Planner (nb: the decision on whether to agree to mediation is to be by the Planning Hearings Committee)
To appoint Hearings Commissioners, mediators and prehearing meeting coordinators and to delegate powers and functions to employees and other persons (including pursuant to s34A)	Chief Executive Officer

Any person or body in the following list may exercise not only the powers/functions delegated to them in the above Schedule, but also the powers/functions delegated to any person/body “below” them. The ranking of persons/bodies is:

- Planning Hearings Committee
- ⇓
- Applications Sub-Committee
- ⇓
- Chief Executive Officer **OR** Chair of Planning Hearings Committee
- ⇓
- Resource Management Planner
- ⇓
- Resource Management Administrator

### 3.2 Local Government Act

To make decisions and resolutions under the provisions of the Local Government Act 1974 and 2002 that relate to resource consents, subdivision, easement and road closure/stopping procedures	Chief Executive Officer
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### 3.3 Other Acts

To exercise powers of and functions on behalf of Council under the Unit Titles Act 1972 and Land Transfer Act 1952 with respect to subdivisions and easements	Chief Executive Officer
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### 3.4 Dog Control Act

To exercise powers and functions on behalf of Council under the Dog Control Act 1996	Planning Hearings Committee
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### 3.5 District Licensing Agency

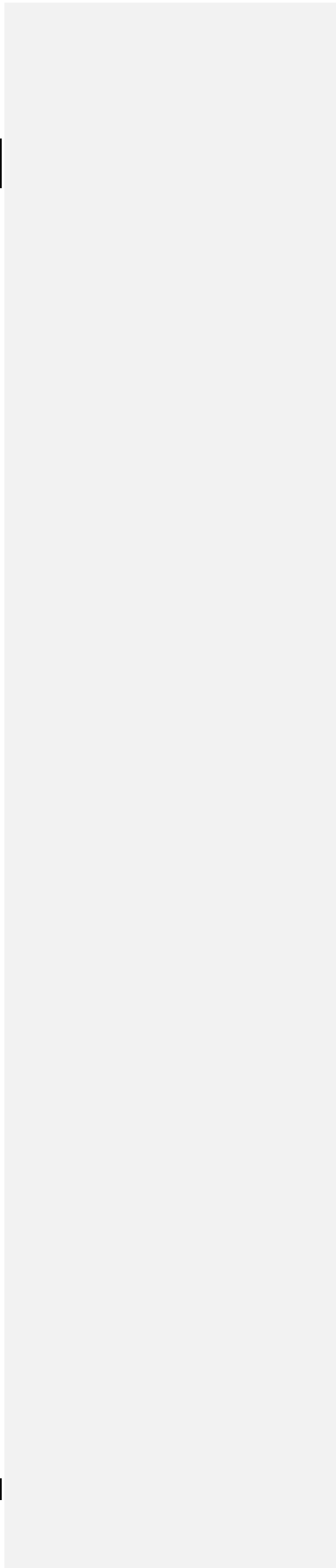
<u>To consider and determine applications for temporary authorities and to consider and determine applications for special licenses where objections have been received under the Sale of Liquor Act 1989.</u>	<u>Planning Hearings Committee and two appointed councillors</u>
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<u>To consider and determine new and renewals of all On, Off and Club licences where no objections have been received under the Sale of Liquor Act 1989.</u>	<u>Secretary of the District Licensing Agency (the Chief Executive is appointed as the Secretary of the District Licensing Agency)</u>
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## COUNCIL COMMITTEES/WORKING PARTIES APPOINTMENTS

Council Committee/Working Party		Appointment
1	Deputy Mayor	Cr Napier
2	Maori Standing Committee	Crs Jephson and Robertson
3	Planning Hearings Committee	Mayor and Crs Davies, Gray and Jephson
4	Wairarapa Library Service Committee (joint with Carterton)	Cr Riddell
5	Risk and Audit Working Party	Deputy Mayor and Crs Davies, Gray and Stevens
6	Greytown Oxidation Pond Advisory Group	Cr Gray (chair)
7	Awards, Refurbishment and Gifts Working Party	Mayor, Crs Craig, Robertson and Stevens
8	SPARC Rural Travel Fund Assessment Committee	Deputy Mayor and Crs Davies, Gray and Riddell
9	Infrastructure and Services Focus Groups	
	a. Waste Water, Water Supply and Water Races	Crs Sexton (chair), Stevens, Gray, Jephson, Riddell, Robertson and Napier
	b. Waste Management (including Waste Minimisation)	Crs Craig (chair), Gray, Robertson and Jephson
	c. Emergency Services	Crs Riddell (chair), Craig, Davies and Sexton
	d. Reserves and Amenities	Crs Robertson (chair), Craig, Davies and Stevens
	e. Transport	Crs Gray(chair) and Napier
14	Combined Plan (joint committee with Carterton and Masterton)	Mayor, Deputy Mayor and Cr Davies
15	District Licensing Agency	Crs Napier and Riddell

## OTHER COUNCIL APPOINTMENTS

<b>Committee/Group/Outside Organisation</b>		<b>Appointment</b>
1	Community Boards Martinborough Featherston Greytown	Crs Riddell and Stevens Crs Sexton and Robertson Crs Napier and Craig
2	Healthy Homes	Cr Riddell
3	District Rural Fire Board	Cr Stevens
4	South Wairarapa Arts Council	Cr Robertson
5	Cobblestones Museum	Cr Craig
6	Southern Wairarapa Safer Community Council	Cr Davies
7	Regional Waste Forum	Cr Craig
8	Waiohine Floodplain Management Planning Advisory Committee	Crs Napier and Gray
9	Awhea Opouawe Scheme Committee	Cr Jephson
10	Lower Valley Development Scheme Advisory Committee	Cr Sexton
11	Wairarapa Irrigation Governance Group	
12	Wairarapa Moana Governance Group	The Mayor to represent Council. Deputy Mayor or Councillor may attend as alternative.
13	Destination Wairarapa	Dr John Bell
14	Wairarapa Road Safety Council	Cr Craig