

1 October 2021

Brian Warburton
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Dear Brian

LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 2021-96

Thank you for your email of Sunday 5 September 2021 to the Carterton District Council requesting the following information:

- “... 1. 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].*
- 2. 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.)*
- 3. Has the Council transferred the duty under Section 35(2)(d) of the RMA [as provided for under Section 33 of the RMA].*
- 4. If the Council has done so, to which public authority (or authorities) has that duty been transferred.*
- 4. 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.)*
- 5. Where the Council has not delegated the duty under Section 35(2)(d) of the RMA, why has the Council not done so.*
- 6. 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.*
- 7. Does the Council have a RMA monitoring strategy that addresses the duty imposed under Section 35(2)(d) of the RMA.*
- 8. If the Council has such as 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 .”*

Your request has been considered under the Local Government Official Information and Meeting Act 1987 (the Act).

My response to your request is provided in questions 5 and 6 below.

Question 5: *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 this duty as we are able to do this in-house using Council staff.

Question 6: *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 fulfils this duty by responding to complaints or being made aware of potential resource consent issues. Council staff have warrants to be able to investigate to determine whether there are any issues.

Thank you again for your email. You have the right to ask an Ombudsman to review this decision. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Geoff Hamilton
Chief Executive
Carterton District Council

RELEASED UNDER LGOIMA