



9 September 2021

██████████

Sent via email to ██████████

Dear ██████,

### **REQUEST FOR OFFICIAL INFORMATION – RELEASE OF INFORMATION**

We refer to your official information request dated 5 September 2021. You requested the following information from the Queenstown Lakes District Council (QLDC):

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

## QLDC response

The responses to your questions are as follows:

- 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].
  - No
- 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.)*
  - N/A
- Has the Council transferred the duty under Section 35(2)(d) of the RMA [as provided for under Section 33 of the RMA].
  - No
- If the Council has done so, to which public authority (or authorities) has that duty been transferred.
  - N/A
- 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.)*
  - N/A
- Where the Council has not delegated the duty under Section 35(2)(d) of the RMA, why has the Council not done so.

- There has been no consideration of delegating of this duty in recent times (at least over the past 5 years).

In the past this duty along with many other RMA and Council functions sat a private company called CIVIC CORP, this then become Lakes Environmental (a CCO) and about 5 years ago Lakes Environmental become part of the Queenstown Lakes District 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.

- QLDC has a proficient and experienced team of Monitoring, Enforcement and Environmental Officers. A key function of this team is the Monitoring of Land Use Resource Consents and the monitoring of the Environmental Conditions associated with Subdivision Consents.

QLDC has a monitoring Strategy to enable prioritisation of Monitoring to ensure Consents with the potential for the largest effects or visibility are monitored.

It is expected as part of this strategy that resources will be allocated appropriately to ensure that the Strategy's first Seven Priority areas are monitored and have additional resources available to respond to any complaints received where there are associated consents and respective monitoring undertaken.

The Strategy ensures there is deterrence to non-compliance by consent holders and protects the environment while using resources effectively.

- Does the Council have a RMA monitoring strategy that addresses the duty imposed under Section 35(2)(d) of the RMA.

- Yes

- 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.

- [Monitoring Prioritisation Strategy](#)

- Additionally here is a Link to the QLDC Enforcement Strategy and Prosecution Policy:
- [QLDC Enforcement Strategy & Prosecution Policy](#)

As noted above, it is expected as part of this strategy to resource appropriately to ensure that the Monitoring Prioritisation Strategy's first Seven Priority areas are monitored and have additional resource available to respond to any complaints received where there are associated consents and respective monitoring undertaken.

It is worth noting that the strategy is reviewed annually to ensure it remains fit for purpose, it is a live document and can be updated subject to any pressing issues in the District.

This strategy is scheduled for full review this year (2021/2022) including a review of consent numbers for each category.

We trust this response satisfactorily answers your request.

Kind regards,

A handwritten signature in black ink, appearing to read 'Phil Jones', enclosed within a large, loopy circular flourish.

Phil Jones  
Senior Governance and Official Information Advisor