

Greater Wellington - The Regional Council

Notice Reference:

Advisory Notice

RECIPIENT DETAILS	
First Name:	Family Name:
Title/Position:	
Address (or Company Name and Address)	
Telephone Number:	Facsimile Number:

ACTIVITY DETAILS	
Type of Activity:	
Location of Activity:	
Start Date:	Date Noted:

APPROPRIATE ACTION	The following summarises action required to avoid, remedy or mitigate non-compliance with the Resource Management Act 1991
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Alleged Offence	Action	Implement By

In addition, please provide a written response to any of the following checked items:

Explain why the alleged offence occurred, who was responsible, what has/can be done to remedy or mitigate impacts and prevent a recurrence (by .../.../...).

Prepare a programme to implement 'Required Action' (by/..../....).

Description of all 'Required Action' implemented (provide on completion).

Evidence of appropriate disposal. Eg. landfill receipt, transport dockets, consultant's report etc. (by..../.../...).

SIGNATURES		
Issuing Officer:	Warrant:	Recipient:
	(Date)	(Date)

Note: Greater Wellington reserves the right to recover its costs for responding to confirmed non-compliance.

Please see overleaf for important information

IMPORTANT INFORMATION

1. Responses

All communication or correspondence regarding this notice should be directed to the following address, specifying the notice reference number. It should be noted that any response may be used as evidence in formal proceedings regarding this matter.

The Manager – Resource Investigations Department
Greater Wellington
PO Box 11646
142 Wakefield Street, Wellington

Telephone: 04 384 5708
Facsimile: 04 385 6960

2. Status of this Notice

This notice is a non-statutory instruction to undertake works necessary to address confirmed non-compliance with one or more rules in the Regional Plans. Greater Wellington reserves the right to take further enforcement action deemed necessary, such as the issue of an Infringement Notice, Abatement Notice, Enforcement Order or prosecution.

3. Cost Recovery

Greater Wellington reserves the right to recover all costs incurred in responding to instances of confirmed non-compliance with its Regional Plans, via section 690a of the Local Government Act 1974.

4. Summary of the Resource Management Act 1991

The following is a synopsis only, and the Act itself should be consulted for a more detailed understanding.

Section 7 states that every person has a duty to avoid, remedy or mitigate the adverse environmental effects of their activities.

No person may undertake the following activities unless they are expressly authorised by resource consent, a rule in a Regional Plan or regulations:

Coastal Marine Area (Section 12)

- Occupy, erect, reconstruct, alter, extend, remove or demolish any structure.
- Reclaim, drain, excavate, drill, tunnel, disturb, damage or destroy any foreshore or seabed.
- Deposit any substance that may have an adverse effect on the foreshore or seabed.
- Remove sand, shingle, shell or other natural material, or place exotic or introduced plants.

Rivers and Lakes (Section 13)

- Use, erect, reconstruct, alter, place, extend, remove or demolish any structure.
- Reclaim, drain, excavate, drill, tunnel or otherwise disturb the bed.
- Deposit any substance on or under the bed.
- Enter or pass across the bed.
- Introduce any plant or disturb, remove, damage or destroy any plant or habitat in, on or under the bed.

Water Resources (Section 14)

- Take, use, dam or divert water, heat or energy unless for reasonable domestic needs or fire fighting purposes.

Discharge of Contaminants (Section 15)

- Discharge contaminants to water, land or air.

Noise Emissions in the Coastal Marine Area (Section 16)

- Best practicable option must be adopted to avoid unreasonable noise emissions

Section 330 provides defences against contravention of sections 9, 12, 13, 14 and 15 in the following cases:

- Emergency works by a public authority or network utility.
- Action necessary to save life, protect health, or prevent serious property damage.
- Action necessary to avoid adverse environmental effects.

Section 339 specifies that penalties following conviction for an offence under the Act include imprisonment for a maximum term of two years, or a fine of up to \$200,000, with a further \$10,000 for each day the breach occurs.

Any reference to Greater Wellington in this document is deemed to be a reference to the Wellington Regional Council