

Resource Management Act 1991

The Council delegates the following specific powers to the Restricted Coastal Activity Committee in line with report 07.823.

Section of Act	Power, Function, Duty
40(3)	Elect to proceed with a hearing in the absence of an applicant or submitter, if it is fair and reasonable to do so
41(4)	Request and receive, from any person who makes a report under s42A of the Act, or who is heard by the authority or who is represented at the hearing, any information or advice that is relevant and reasonably necessary to determine the application
42(1), 42(2)	By a motion made by the Committee or on the application of any party to any proceedings, make an order that the whole or part of any hearing shall be conducted with the public excluded, in certain circumstances (detailed in provision)
42A(2)	Consider any report of the type referred to in s42A(1) at a hearing
104, 104A, 104B, 104C, 104D	Grant or refuse (except in the case of applications for controlled activities) resource consent applications where the application is notified or notice is served
104F	Where an application is notified or notice is served, grant the application with or without conditions, or decline it, as necessary to implement any regulations made in accordance with s43 of the Act in relation to climate change
107(2), 107(3)	Where an application is notified or notice is served, grant a consent to a discharge that would otherwise contravene s15 of the Act in certain circumstances (listed in provision). Any such consent may be subject to certain conditions requiring the applicant to undertake work in stages throughout the term of the permit
108, 108A	Where an application is notified or notice is served, impose any condition considered reasonable upon a resource consent, including the provision of a bond or financial contribution
117(6)(b)	Make a recommendation on an application for a restricted coastal activity to the Minister of Conservation after exercising any of the powers, duties, rights, and discretions set out in ss91, 92, and 99 to 108 of the Act

131(2)	As the result of a review of consent conditions, include a condition requiring the holder of a discharge consent or coastal permit to adopt the best practicable option to remove or reduce any adverse effect on the environment. This only applies to applications that are notified or require notice to be served
138A(1)	At any reasonable time before the hearing (or, if there is no hearing, the determination) of an application for discharge that would otherwise contravene s15A(1), by written notice to the applicant, require the applicant to provide, by way of further information, an explanation of those matters. This only applies to applications that are notified or require notice to be served
357(7)	Uphold or reject an objection in respect of a relevant decision under section 357
369(4)	Grant a discharge permit, or a coastal permit to do something that would otherwise contravene s15, that does not meet the minimum standards of water quality as required by a regional rule, in certain circumstances (listed in the provision)