

3. INFRINGEMENT NOTICES



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Corporate Plan Output: Environmental Effects & Monitoring Sections	

The purpose of this report is to inform members that the Resource Management (Infringement Offences) Regulations 1999 have been promulgated, and came into force from 1 February 2000.

The regulations allow the local authority (territorial and regional) the ability to impose infringement fees on people breaching the provisions of the Resource Management Act 1991.

They are intended to assist local authorities in dealing with minor infringements of the Act without resorting to Court Action, complementing the other powers available such as abatement notices and enforcement orders.

The penalties range from \$300 (failure to provide certain information) to \$1,000 (contaminant discharge from industrial or trade premises) depending upon the seriousness of the offence. In the case of “noise control”, - \$500 for contravention of an excessive noise direction.

Offenders are provided 28 days to pay the infringement fee. They will also have the right to raise any matter relating to the circumstances with the authority or deny liability and request that the matter be heard in the District Court.

The staff have concluded a recent training seminar on the implementation of these regulations. This seminar highlighted the need for protocols and processes to be determined and clarified. This is presently being carried out.

Chairman’s

Recommendation: That the information be received.