

## A guide to Monitoring

### What is monitoring?

Waipa District Council is required to monitor the resource consents it has issued to ensure compliance with any conditions of consent. A Monitoring/Enforcement Officer is employed to undertake this role.

### Why monitor resource consents?

Under the Resource Management Act 1991 (RMA) the Council is responsible for checking that consent holders/landowners comply with the conditions set out in their resource consent. The conditions are designed to protect the environment and the community from any adverse effects resulting from activities that require approval under the District Plan.

### How does the process work?

The Waipa District Plan together with the RMA, determines whether or not a person is required to obtain resource consent for a proposed activity.

If an activity is required to obtain resource consent, and that consent is granted, the consent will be granted subject to conditions. The conditions apply to anyone implementing or operating the resource consent. This may include the property owners, tenants, developers and/or their contractors and/or sub-contractors.

Essentially the consent conditions will reflect the District Plan rules, policies and objectives (e.g. the number of car-parking spaces required or noise limits in a residential area) and are usually tailored to ensure that the effects of an activity are adequately mitigated or remedied.

### What monitoring measures are undertaken?

Monitoring is focused according to the seriousness of the risk. While all resource consents are monitored, activities that pose the greatest potential risk to the environment and community are given the highest priority and are monitored more closely.



## How can I assist the monitoring process?

It is important that every person giving effect to their approved resource consent understands the practical requirements of the resource consent conditions. Many breaches of resource consents are avoidable, as are the costs to the Council and the costs to the consent holder, owners and contractors involved in enforcement action. Monitoring Officers will liaise with owners and developers from the start of the monitoring process, encouraging them to educate their contractors and employees about the conditions of the consent.

## What happens if I do not comply?

If a resource consent condition has been breached the Monitoring Officer will liaise with the landowner, developer or contractor to remedy or avoid the effects of the breach. If co-operation can not be gained, then enforcement action may be undertaken. This may include:

- Requiring an application for retrospective resource consent; or
- Issuing of an abatement notice requiring certain actions to cease within a specified timeframe; or
- Serving an infringement notice for non-compliance with an abatement notice.

Where disputes can not be resolved by the Council they may proceed to the Environment Court.

The Council can also prosecute under the Resource Management Act for more serious matters or repeat offenders.

Works on site should be planned in accordance with the resource consent conditions from the outset, as both the contractors and the clients can be liable if the conditions are breached. If contractors consider the works may be in breach of the consent, they should refuse to undertake the works until they can be sure it complies.

## What do I pay for monitoring?

A monitoring fee is payable for every resource consent. Generally, inspections are carried out on a standard basis at the commencement of works, during works and at completion. Further inspections will occur where it is reported that breaches are believed to have occurred, where the project is of a large scale or where the effects of the development require intervention by the Council. The Council can charge for additional inspections on a case-by-case basis.

## What can I do if I think someone is not complying with the District Plan or with the conditions of their resource consent?

Phone the Council and ask to speak to the duty planner if you want to check the resource consent and/or the relevant District Plan rules that apply to the site. You can also ask for a copy of the approved resource consent and plans to be sent to you.

If after this enquiry you still believe activity on site is not proceeding in accordance with the approved consent, or that no resource consent has been issued, advise Waipa District Council. This can be done either by writing a letter or telephoning the Council outlining your concerns. Please provide as much information as you can about the alleged infringement to assist the Council staff.

Once the Monitoring Officer has received your complaint, investigation of the alleged infringement can begin and you will be advised of the outcome in due course.

Please contact Customer Services in the first instance. If appropriate, you will be referred to a Monitoring Officer.

### CONTACT US:

0800 WAIPADC  
Private Bag 2402  
Te Awamutu 3840

#### Te Awamutu Office:

101 Bank Street  
p. 07 872 0030  
f. 07 872 0033

#### Cambridge Office:

23 Wilson St  
p. 07 823 3800  
f. 07 823 3820