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## **Report 02.505**

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Report to the Environment Committee and Rural Services and Wairarapa Committee  
From Annette McGovern, Resource Advisor

### **Resource Consents Annual Compliance Report 2001/2002**

#### **1. Purpose**

To report to the Committee on a summary of the compliance monitoring undertaken across the Region during the 2001/2002 financial year.

#### **2. Background**

*Compliance monitoring* refers to the monitoring of granted resource consents to determine whether the consent holder is undertaking the activity in accordance with their consent conditions. Compliance monitoring is a combination of compliance inspections undertaken at the site where the activity is occurring, audit sampling and the review of monitoring information provided by the consent holder during the year.

Over the past few years we have increased our focus and efforts on compliance monitoring. Compliance monitoring is crucial to ensuring the effects of consented activities are minimised.

A copy of the full report is enclosed as a separate document. The report summarises the compliance monitoring undertaken by Council staff in the 2001/2002 financial year and encompasses a region-wide overview of consent compliance.

#### **3. Classifying Compliance**

Wellington Regional Council rates compliance on the following scale:

<i>Fully Complying</i>	100% compliance with all consent conditions at all times.
<i>Mainly Complying</i>	Compliance with all conditions relating to environmental effects during the year. However, there may be minor non-compliance with administrative-type conditions e.g. late (but by no more than one month) submission of management reports. All administrative conditions are met at the end of the financial year.
<i>Partially Complying</i>	Compliance with all conditions relating to environmental effects during the year. However, there may be non-compliance with administrative-type conditions e.g. late submission of management reports. The Consent Holder needs to be prompted by Wellington Regional Council before such administrative conditions are met at the end of the financial year.
<i>Non-Complying</i>	Non-compliance with condition(s) relating to environmental effects during the financial year (this includes any confirmed complaints) and/or not all administrative-type conditions met at the end of the financial year.

#### 4. **The Compliance Monitoring Programme**

Depending on the scale and type of activity, the Council carries out the following compliance monitoring functions:

- Site visits and inspections;
- Review of monitoring information provided by the consent holder;
- Taking samples, measurements and analyses for audit sampling; and
- Reporting the outcome of the monitoring back to the consent holder.

Inspections are undertaken for all those activities which have a potential environmental impact. The frequency of inspections is recommended in the Resource Management Charging Policy 2001. The policy allows for changes to the frequency of monitoring, depending on the compliance history.

Different types of inspections are carried out:

- Routine inspections which have generally been pre-arranged with the consent holder;
- Random inspections, where the consent holder has not been notified that the Council will be inspecting;
- Proactive surveillance inspections which have resulted from a history of non-compliance at a site;
- Inspections as a result of someone raising concerns about the consented activity.

## 5. Compliance Summary 2001/2002

Over the year a total of 1067 consents were inspected. A summary of the compliance ratings given to those consents is provided in Table 1.

**Table 1: Compliance Grading**

<b>Fully Complying</b>	<b>Mainly Complying</b>	<b>Partially Complying</b>	<b>Non Complying</b>
821	81	23	142
77%	7.5%	2.2%	13.3%

Some prominent aspects of the year's compliance monitoring are:

- The percentage of overall fully complying consents has risen from 75% last year to 77% this year, which is very pleasing to note.
- The percentage of overall non-complying consents has increased from 9% last year to 13.3% this year.
- The single most inspected type of consent was coastal structures, which includes boatsheds, seawalls, moorings and jetties. The second most inspected type of consent was animal waste discharges.
- The group with the highest percentage of complying consents in Wellington was the Riverworks group (with all consents fully complying) and the Water Permit group in Wairarapa.
- The group with the highest percentage of non-complying consents in Wellington was the Landfills Group and the Landuse, Air Discharges and Landfills group (equal percentages of non-compliance) in the Wairarapa.
- The majority of the formal enforcement action taken in the Wairarapa was on dairy farms.
- Ninety one percent of infringement notices issued in Wellington (western region) were for offensive and/or objectionable odours beyond the boundary of the site.

## 6. Enforcement Action Related to Consented Activities

During the year we issued 11 abatement notices, 14 infringement notices and initiated five prosecutions. Four prosecutions were dealt with by the court and the fifth is still progressing. The Council was also granted an enforcement order in November 2001. This amount of enforcement activity has increased from the previous year. In the previous year we issued 12 abatement notices, 9 infringement notices and initiated two prosecutions. We believe that this increase is due to the Council becoming less tolerant of non-compliance with consent conditions in an aim to achieve better environmental outcomes.

## 7. Communication

We will be investigating potential ways in which we can publicise this report in the media.

## 8. Recommendation

*That the report be received and its contents noted.*

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