

# Monitoring and Compliance Consent Grades

## Information Guide

May 2015

Environment Canterbury has adopted a new way to grade resource consent conditions focusing on the environmental effect of non-compliance and highlighting when specific actions are required by the consent holder.

This approach is consistent with the way other regional councils grade resource consents.

The new process will affect the way your consent will be graded in future, as well as how non-compliance will be followed up.

### New grades

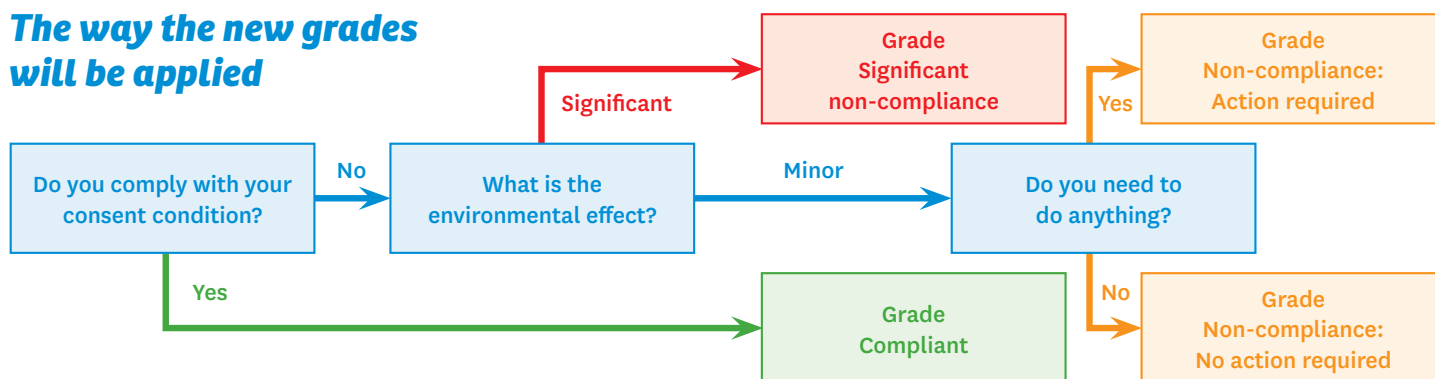
The new grades are **Non-compliant: No action required**, and **Non-compliant: Action required**.

- **Non-compliant: No action required** – you are not complying with a condition of your consent, but there is no actual or potential environmental effect. For example, a construction certificate has been submitted after its due date. This is the lowest level of non-compliance. The expectation is that no action is required by you, and there would be no enforcement action.
- **Non-compliant: Action required** – you are not complying with a condition of your consent and there is a minor actual or potential environmental effect. The expectation is that some action is required by you before the next monitoring cycle to prevent the non-compliance recurring. Repeated minor non-compliance under this grading does not result in a “Significant non-compliance” grading; however, past and present conduct will help determine an appropriate level of enforcement action taken.

Old Grades (before December 2014)	New Grades (from December 2014)
Major/persistent	Not applicable
Significant/Repeated minor	Significant non-compliance
Minor	Non-compliant: Action required (actual or potential environmental effect) Non-compliant: No action required (no environmental effect)
Fully compliant	Compliant

Significant non-compliance is where you are not complying with a condition of your consent and this has a significant actual or potential environmental effect. This is the highest level of non-compliance before enforcement action is taken. The expectation is that you will take the required action within a specific time. Non-compliance will be followed up with further monitoring to make sure the action has been implemented. Repeated significant non-compliance will result in enforcement action, which could be in the form of an abatement notice, an infringement notice or prosecution.

### The way the new grades will be applied



### Summary of key changes

- Grades will only reflect the actual or potential environmental effect of non-compliance
- Major/persistent non-compliance is no longer used

**Remember:** Focus on what you need to do as a consent holder to comply. Repeated non-compliance may result in enforcement action.

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