

Why does compliance matter?

There is an obligation in the Resource Management Act, as well as an expectation from our communities, that Environment Canterbury checks resource users are acting sustainably and within the limits set.

It is critical that all resource users comply with the Resource Management Act 1991, national regulations, regional rules, and individual resource consents. Everyone needs to play their part to achieve sustainable management of natural and physical resources.

What to expect

Resource Management Officers work with their local communities to monitor compliance and take enforcement action when required. Compliance monitoring can be done by arranging a site inspection or through a desktop inspection. On completion of an inspection you will be provided with a compliance monitoring report which will summarise the findings of your compliance inspection. Any consent conditions monitored will be graded using categories, which relate to the environmental effect.

Serious environmental effects

In cases where serious environmental effects are occurring, Environment Canterbury may take enforcement action. There are a number of options including written warning, abatement notice, infringement notice, enforcement order and prosecution. Environmental offences can be serious criminal offences under the Resource Management Act 1991. Individuals can be imprisoned for up to two years and fined up to \$300,000. Companies can be fined up to \$600,000.

Charges for compliance monitoring

The current Fees and Charges Policy [↗](#) sets out applicable charges which will be incurred as a result of monitoring your consent. The basis for the compliance monitoring charge is the actual and reasonable cost of carrying out your compliance monitoring programme. It is important to note that your compliance monitoring programme is tailored to your individual circumstances. You pay the cost of monitoring of your consent. Continued compliance with your consent conditions can reduce the level of compliance monitoring required, and subsequently reduce charges incurred.

A guide to resource consent compliance monitoring

Compliance grading

Complies

The conditions graded on this inspection of the consent are fully compliant and no action is required. Note, not all conditions may have been monitored.

Non-compliance-no action required

A technical or administrative non-compliance has been identified, however there are no actual or potential environmental effects as a result.

Non-compliance-action required

There is a moderate or minor actual or potential environmental effect resulting from the non-compliance. This could relate to repeated non-compliance of the same condition. The consent holder must take action to rectify the problem.

Significant non-compliance

There is a serious actual or potential environmental effect resulting from the non-compliance. The consent holder must take immediate action to rectify the problem and mitigate environmental harm. Further action will be considered by Environment Canterbury.

Unable to determine compliance

It has not been possible to determine compliance at the time of this inspection. The consent holder may be required to confirm compliance, or compliance will be determined at a future time.

Not monitored

The condition was not monitored as part of this inspection.

Not operational

The condition is not relevant at the time of this inspection.

Summary

- It is critical that all resource users comply with their obligations, to ensure sustainable management of our natural and physical resources.
- Compliance monitoring is carried out through site inspections and desktop monitoring and a compliance monitoring report grades each condition monitored.
- Enforcement action may be taken where serious environmental effects are occurring or likely to occur.
- The cost of monitoring your consent is charged to the consent holder and may be reduced where continued compliance reduces the need for monitoring.

