

Section 12 **Monitoring**

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12.1. Legislative Considerations**12.1.1 Resource Management Act**

The Resource Management Act places considerable emphasis on monitoring. It requires those authorities who have functional responsibilities under the Act to carry out certain monitoring activities, as part of their operations.

Section 35 of the Act requires each District Council along with each Regional Council to monitor four particular matters, these being:-

- (a) *The state of the whole or any part of the environment of its region or district to the extent that is appropriate to enable the local authority to effectively carry out its functions under this Act; and*
- (b) *The suitability and effectiveness of any policy statement or plan for its region or district; and*
- (c) *The exercise of any functions, powers, or duties delegated or transferred by it; and*
- (d) *The exercise of the resource consents that have effect in its region or district as the case may be,- and take appropriate action (having regard to the methods available to it under this Act) where this is shown to be necessary*

The Kaipara District Council has not delegated or transferred any functions, powers or duties to any other body and therefore clause (c) referred to above has no application. This means the District Council's monitoring responsibilities are confined to three matters - the state of the environment, the district plan and the various land use and subdivision consents which it issues.

The Council's monitoring responsibilities in terms of the district plan are more particularly prescribed in Section 75 of the Act which prescribes the contents of district plans. It requires they state:-

- (i) *The procedures to be used to review the matters set out in paragraphs (a) to (h) [(a) being the resource management issues, (b) the objectives, (c) the policies, (d) the methods of implementation, (e) the reasons, (f) the information requirements for resource consent applications, (g) the environmental results anticipated, and (h) processes to deal with cross*

boundary issues] and to monitor the effectiveness of the plan as a means of achieving its objectives and policies.

12.2. Management Issues**12.2.1. State of the Environment Monitoring**

The concept of state of the environment is a relatively new one, particularly in so far as local authority planning functions are concerned. Few local authorities have established monitoring systems because of the difficulties in determining what particular environmental elements or features are to be monitored. The term "environment" in the Act is a very broad one and deemed to include:-

- (a) Ecosystems including people and communities; and
- (b) All natural and physical resources; and
- (c) Amenity values; and
- (d) The social economic aesthetic and cultural conditions

Any state of the environment monitoring needs to be focused on certain key indicators and appropriate time intervals or terms established. It is only in this way that the requirements relating to the effectiveness of such monitoring in the Act will be met.

The Council has made some preliminary investigations into possible state of the environment monitoring programmes. These are to be continued and once the key indicators have been identified appropriate consultation will be carried out with interested parties on the likely scope and format of the monitoring. Amongst the key indicators which are being considered for inclusion in a state of the environment monitoring programme are land use types, particularly forms of primary production, number and size of new lots, area and diversity of natural features, population changes, building consents issued, noise levels, traffic volumes and access to utility services. Every effort will be made to integrate any monitoring programme with those of other authorities, particularly the Northland Regional Council.

12.2.2. District Plan Monitoring

Monitoring of the district plan is, like state of environment monitoring, a reasonably difficult exercise. This is because of the problems in determining what particular elements of it are indicative of its "suitability and effectiveness". Clearly some monitoring needs to be carried out to ensure that the plan is kept up to date with community expectations of resource management, the methods, including technologies, for dealing with the adverse effects of particular subdivision or land use activities, and the legislative - planning framework surrounding the plan.

The Council intends carrying out monitoring of the plan in a relatively simple and straightforward manner. It proposes preparing each year a brief report which focuses on three key areas:-

- progress on policy initiatives and associated investigations outlined in the plan
- the nature of resource consents sought and any difficulties with interpretation and application of policies and rules
- the plan's consistency with the legislation as well as other policy statements and plans

The report is expected to highlight any possible changes which could be made to the plan. It is to be made available to interested parties and where appropriate associated consultation carried out.

12.2.3. Consent Monitoring

Consent monitoring is the most straightforward of the three monitoring responsibilities imposed on the Council. Like the others it needs to be appropriately targeted to be cost effective. Investigations to date indicate that land use as opposed to subdivision consents should be the principal focus as they invariably include conditions of an ongoing nature. Further investigations are to be carried out including the nature of the consents which are to be monitored and the extent to which charges are to be set to recover costs from consent holders.

12.3 Objections, Policies and Methods of Implementation

12.3.1. Objectives

Objective 1: To monitor the state of the environment, the effectiveness of the district plan and the exercise of resource consents in accordance with the Council's functions under the Act.

Explanation: This objective reflects the requirements for monitoring in Sections 35 and 75 of the Act.

12.3.2. Policies and Methods of Implementation

(1) State of the Environment Monitoring

Policy 1: To develop and maintain appropriate state of the environment monitoring programmes related to the Council's resource management functions.

Method of Implementation

- 1 Investigate key indicators of environmental quality in association with the Northland Regional Council and other interested parties, and formulate an associated monitoring programme.

(2) District Plan Monitoring

Policy 1: To monitor the effectiveness of the district plan and develop associated reporting procedures.

Method of Implementation

- 1 Prepare each year a report on the effectiveness of the district plan focusing on:
 - progress on policy initiatives and associated investigations outlined in the plan
 - the nature of resource consents sought and any difficulties with interpretation and application of policies and rules

- the plan's consistency with the legislation as well as other policy statements and plans

2 Initiate changes to the plan in accordance with any recommendations in the annual plan monitoring report

3 Advise people of the provisions in the Act for privately initiated plan changes .

(3) Consents Monitoring

Policy 1: To monitor the terms and conditions of consents and associated compliance by consent holders.

Policy 2: To recover the costs of consent monitoring from consent holders where they are significant.

Methods of Implementation

1 Develop and maintain a programme for monitoring land use and subdivision consents.

2 Use the provisions in Section 36 of the Act to set charges for recovering the costs of monitoring from consent holders.

Explanation: The Council recognises the need for effective monitoring of the district plan, resource consents and the state of the environment. Further investigations are required into several aspects of the proposed monitoring programmes, before they can be adopted.