

6. Resource Consents Monitoring

Resource consents issued by territorial authorities comprise both land use consents and subdivision consents. The granting of resource consent places certain responsibilities on both the authority and the consent holder. By granting a consent, the territorial authority has given approval for a consent holder to carry out an activity that would otherwise contravene a plan formulated under the RMA. The territorial authority therefore has the responsibility to ensure that:

- conditions to control adverse environmental effects and to manage resources sustainably are attached to the consent;
- the consent holder complies fully with consent conditions; and,
- appropriate action is taken if consent conditions are not complied with.

The imposition of conditions upon resource consents under section 108 is designed to effectuate the purpose of the RMA which, according to Section 5, is the promotion of sustainable management of natural and physical resources. Sustainable management includes, but is not limited to, avoiding, remedying, or mitigating adverse effects of activities on the environment. Many consent conditions are thus aimed at managing environmental outcomes. Conditions may require a financial contribution be made, a bond be given, a covenant be entered into, or an esplanade reserve or strip be set aside.

Where a territorial authority imposes conditions, it assumes a public responsibility for ensuring that they are strictly adhered to, and the public is entitled to hold the authority responsible in that respect. Territorial authorities are required to observe and, to the extent of their authority, to enforce the observance of their plans (Section 84). This obligation extends to the observance of a consent. The RMA does not give authorities the power to waive compliance with a resource consent or plan and explicitly places an obligation on them to monitor the exercise of resource consents and take appropriate action if necessary to ensure compliance (Section 35(2)(d)).

The RMA specifically empowers a consent authority to require the holder of a consent to supply to the consent authority information relating to the exercise of the resource consent (Section 108(3)). The Act also enables the imposition of conditions requiring the holder to carry out monitoring and other investigations, to provide that information to the consent authority, and to require the holder to bear the costs of such requirements (Section 108(4)).

There are provisions in the RMA that enable consent conditions to be reviewed or consents cancelled. These are important for dealing with unforeseen effects or for addressing inaccuracies later found in the information supplied at the time of application. There are additional provisions for remedying effects not controlled by consent conditions. These include infringement notices, abatement notices and enforcement orders. In addition, provisions exist for plan changes or variations to correct deficiencies in consent conditions. Lastly, the ten year review of the district plan provides another opportunity to rectify defective consent conditions. A review clause in consents is a further mechanism to enable authorities to seek a review of conditions if monitoring reveals deficiencies in the conditions.

The monitoring of resource consents encompasses three aspects:

- 1. Compliance of the consent holder with conditions attached to the consent.**
- 2. The suitability and functionality of consent conditions.**
- 3. Monitoring the impact of activities on the environment.**

Compliance monitoring checks that the consent holder is meeting the stipulated conditions and regulations in regard to the consent granted and, in so doing, ensures that adverse effects on the environment are avoided, mitigated or remedied. Secondly, monitoring the suitability and functionality of consent conditions assesses whether the conditions attached to consents are workable, i.e. whether they are precise, achievable, measurable and enforceable.

Impact monitoring relates to both consented activities and permitted activities. Monitoring the impact of consented activities assesses whether the effects on the environment are being adequately addressed by the conditions attached to the consent, i.e. whether the conditions are effective. Monitoring permitted activities ensures that those activities not requiring a resource consent do in fact meet the standards in the plan for permitted activities and that permitted activities are not having adverse impacts on the environment.

It should be noted that monitoring the impact of consented activities on the environment to determine whether the exercise of the consent itself, or conditions attached to the consent, are achieving the objectives, policies and anticipated environmental outcomes of the district plan is separate to the monitoring of compliance to consent conditions. These considerations cannot be used when determining issues of non-compliance to resource consent conditions and/or possible enforcement measures. These must be determined solely on whether the consent conditions, as set, are being complied with.

Monitoring of each different type of consent will require different approaches, skills and technical knowledge. The monitoring requirements for subdivision consents, for example, are different to land use consents issued by territorial authorities. Monitoring of subdivision consents is generally limited to the land development stage and relates to the completion of works. While land use consents may have this component, many are subject to conditions that require long term limitation on the exercise of a consent in order to avoid or mitigate the adverse effects of an activity on the environment.

Monitoring of land use and subdivision consents will, in many cases, simply involve a one-off check to ensure conditions have been met, or a limited number of follow-up visits to ensure compliance is eventually achieved. Many of the checks will be by observation. Others may require technical analysis. Monitoring of the suitability and functionality of consent conditions and impact monitoring of consented activities may also require a single visit, and will likely take place at the same time as compliance monitoring. Some compliance monitoring and impact monitoring may, however, require repeated visits to ensure on-going compliance and impact assessment.

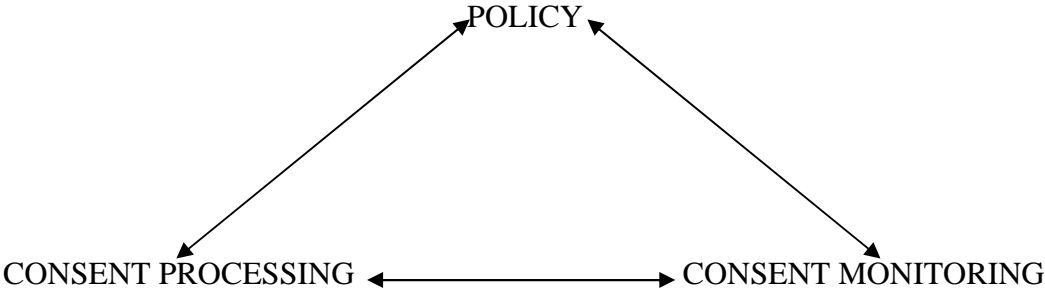
Assessing the suitability and functionality of consent conditions requires a cooperative approach by planning staff. There needs to be constant feedback between monitoring, consent processing and policy making staff to ensure the effective imposition and enforcement of consent conditions. If consent conditions are not clear, unambiguous, measurable, and enforceable, it is very difficult to determine whether they are being complied with or to enforce them. Conditions which are vague may be unenforceable and therefore invalid.

If consent conditions are unworkable, or ineffectual, or if new conditions need to be imposed or old conditions discarded, policy staff (in consultation with consents processing and monitoring staff) will be required to rewrite them, draft new conditions, or discard unnecessary ones. In addition, the policy group must be cognisant of, and review, the relationship between consent conditions and the objectives, policies and other methods contained within the district plan. Consent processing and consent monitoring staff can actively assist in this respect.

Monitoring officers will have valuable knowledge on the effectiveness of resource consent conditions, whether conditions are covering all adverse effects, whether a resource consent appears necessary in light of actual effects on the environment, and the enforceability and reasonableness of conditions. They may also have ideas on other means of addressing the issues which give rise to regulation through the resource consent process and, in this way, provide feedback for plan review processes.

The interactive relationship between the three planning groups is illustrated below:

RELATIONSHIP BETWEEN MONITORING, PROCESSING AND POLICY



Using this interactive process, information gained from the monitoring of resource consents should be gathered and analysed to provide input to Council’s duties to monitor both plan effectiveness and the state of the environment. In short, territorial authorities need to establish a consent monitoring strategy which incorporates procedures for the following:

- assessing compliance with conditions attached to consents;
- assessing the suitability and functionality of consent conditions;
- assessing the impact of consented and permitted activities on the environment;
- transferring information between processing, monitoring and policy planners;
- determining whether the district plan’s objectives, policies and methods need revising;
- contributing to state of the environment monitoring and reporting;
- reviewing and revising monitoring procedures.

6.1 Issues and Information Needs

This section identifies the issues concerning consents monitoring for which information is to be collected, stored and reported upon. Potential indicators are also identified. The section is divided into four subsections: Resource Consents; Land Use Consents; Subdivision Consents; and Building Consents.

Resource Consents

There are a number of issues related to resource consents generally that it would be useful to have information on.

(i) Broad development trends for the Whangarei district. This could be indicated by:

- The total number of resource consents issued annually. Over time, this information will provide a broad measure of development trends within the district, i.e. an increase/decrease in overall development.
- The spatial distribution of resource consents issued annually (mapped). This information will provide a broad picture of where development is occurring in the district. Over time, changes in spatial development patterns should become apparent.

(ii) Public participation/compliance costs for development. This could be indicated by:

- The number, and percentage, of resource consents notified annually. This could be broken down into land use and subdivision consents. This will provide information on the extent of public participation taking place in development issues. Over time, a trend towards increased/decreased public participation should become apparent. This will also provide information on the compliance costs of development proposals, i.e. increased notification generally implies increased costs for the developer.

(iii) Consents processing efficiency. This could be indicated by:

- The number, and percentage, of resource consents issued within the statutory timeframe. This could be broken down into land use consents and subdivision consents. It could also be subdivided into notified applications and non-notified applications. This will provide a measurement of consent processing efficiency and enable a comparison to be made over time, and with other local authorities. Trends over time should indicate improvement or otherwise in consent processing efficiency. This, however, should not be the sole criterion for judging efficiency. Nor should it compromise the quality of decision making.

(iv) Decision making effectiveness. This could be indicated by:

- The number, and percentage, of resource consent applications declined annually. This will provide information on the public understanding, and acceptance, of district plan provisions.
- The number, and percentage, of council decisions appealed annually. This will provide information on how applicants perceive the effectiveness of decision making on development proposals.

- The number, and percentage, of appeals that are successful. This will provide information on how the courts judge the effectiveness of council decision making on development proposals.

Land Use Consents

There are a number of issues relating specifically to land use consents that it would be useful to have information on.

(i) Broad development trends for the Whangarei district. This could be indicated by:

- The total number of land use consents issued annually. Over time, this information will provide a broad measure of land use trends within the district.
- The different types of land use consents issued annually. For example, information on residential, commercial, industrial, rural, or social activities will provide an indication of the different types of land uses occurring in the district.
- The spatial distribution of different land use consents issued annually (mapped). This information will provide a broad picture of where land use development is occurring in the district, and spatial trends over time.

(ii) Compliance with land use consents. This could be indicated by:

- The total number, and percentage, of land use consents monitored annually. Over time, this information will provide a broad measure of the efficiency of the consent monitoring process.
- The number, and percentage, of land use consents complied with (not complied with).
- The number of site visits required to achieve compliance. These two measures will provide a broad indication of the effectiveness of consent procedures, including the frequency of non-compliance by developers.
- The number of consents requiring on-going monitoring.

(iii) Suitability and functionality of consent conditions. This could be indicated by:

- The number, and percentage, of conditions found to be necessary (and unnecessary). This information will provide a broad measure of the suitability of consent conditions.
- Comments and recommendations arising from site visits. These observations will provide detailed information on the suitability of specific consent conditions.
- The number, and percentage, of conditions found to be clear, unambiguous, measurable and enforceable (or, alternatively, unworkable). This information will provide a measure of the functionality of consent conditions, i.e. whether they are workable and effective.
- Comments and recommendations arising from site visits. This will provide detailed information concerning the functionality of specific consent conditions, and recommendations for improvement.
- The number of applications for changes to consent conditions annually. Included here are both applications by the consent holder (Section 127) and reviews of consent conditions by the Council (Section 128). This will provide further information on the suitability and functionality of consent conditions.

(iv) Impact monitoring. This could be indicated by:

- The number, and percentage, of times that impacts on the environment are adequately addressed (not adequately addressed) by the consent conditions. This will provide a broad measure of whether the consent conditions are adequately addressing adverse effects on the environment.
- Comments and recommendations arising from site visits. These observations will provide detailed information on the effectiveness or otherwise of specific consent conditions in regard to environmental effects. They will also enable recommendations to be made for improving conditions.

Subdivision Consents

There are a number of issues relating specifically to subdivision consents that it would be useful to have information on.

(i) Broad development trends for the Whangarei district. This could be indicated by:

- The total number of subdivision consents issued annually. Over time, this information will provide a broad measure of subdivision trends within the district.
- The total number of lots created annually. This would give further information on the quantum of subdivision occurring in the district.
- The spatial distribution of subdivision consents issued annually (mapped). This information will provide a broad picture of where subdivision is occurring in the district, and spatial trends over time.

(ii) Compliance with the district plan. This could be indicated by:

- The average lot size, and the range of lot sizes, in the different Environments annually. This information will provide a broad measure of how actual lot sizes being created comply with those prescribed in the district plan.

(iii) Conservation values. This could be indicated by:

- The number, and percentage, of lots with a conservation covenant attached annually. This information will provide a measure of conservation initiatives (in this instance, conservation covenants) undertaken by Council, and the trend over time.
- The spatial distribution of conservation covenants (mapped). Over time, this will provide information on the location of covenants, and their relationship to other areas of conservation value. Conservation covenants associated with land use consents should also be included here. This should assist in planning future locations of conservation areas, including ecological corridors, etc.

(iv) Protection of riparian areas/public access to water bodies. This could be indicated by:

- The number, and percentage, of lots with esplanade reserves or strips attached annually. This information will provide a measure of the protection of riparian areas, and a surrogate measure of public accessibility to water bodies.

- The spatial distribution of esplanade reserves and strips (mapped). Over time, this will provide information on the location of esplanade reserves and strips, together with their relationship to other reserves and conservation areas. This will assist in planning for future esplanade areas and future reserve areas, including the planning of public walkways, etc.

Note: It is a requirement under Section 35(5)(ja) of the RMA for territorial authorities to record (and make this information available) the location and area of all esplanade reserves, esplanade strips, and access strips in the district.

Building Consents

There are a number of issues relating specifically to building consents that it would be useful to have information on.

(i) Broad development trends for the Whangarei district. This could be indicated by:

- The total number of building consents issued annually. Over time, this will provide a broad measure of building activity within the district.
- The spatial distribution of building consents issued annually (mapped). This information will provide a broad picture of where building activity is occurring in the district.
- The different types of building that occurred annually. For example, information on residential, industrial, commercial, social, and ancillary building will provide a measure, and comparison over time, of the different building activities in the district.
- The total number of new dwelling units constructed annually. This will provide information on domestic housing within the district.
- The spatial distribution of new dwelling units constructed annually (mapped). This information will provide a broad picture of where new housing is occurring within the district.
- The total value of all building consents issued annually. Over time, this will provide information on building trends in the district, and will enable comparisons over time, and with other districts.

(ii) Consent processing efficiency. This could be indicated by:

- The number, and percentage, of building consents issued within the statutory timeframe. This could be broken down into residential building consents and commercial building consents. This will provide a measure of consent processing efficiency and enable a comparison to be made over time, and with other local authorities. Trends over time should indicate an improvement or otherwise in consent processing efficiency.

6.2 Monitoring Indicators

From the issues and information requirements examined in the previous section, a number of indicators have been identified. These are outlined in the following tables. The Division within Council responsible for collecting and storing the required data is also identified, along with reporting frequencies.

Resource Consents

MONITORING INDICATORS	DIVISION	FREQUENCY
Total number of resource consents issued	Resource Consents	Annually
Spatial distribution of resource consents issued	Information Services	Annually
Number (and %) of resource consents notified (non-notified)	Resource Consents	Annually
Number (and %) of consents processed (not processed) within statutory timeframe (a) Publicly notified applications (b) Non-notified applications	Resource Consents	Annually
Number (and %) of resource consent applications declined	Resource Consents	Annually
Number (and %) of Council decisions appealed	Resource Consents	Annually
Number (and %) of appeals that are successful	Resource Consents	Annually

Land Use Consents

MONITORING INDICATORS	DIVISION	FREQUENCY
Total number of land use consents issued	Resource Consents	Annually
Different types land use consents issued	Resource Consents	Annually

Spatial distribution of different types of land use consents issued	Information Services	Annually
Total number (and %) of land use consents monitored (not monitored)	Policy/Monitoring	Annually
Number (and %) of consents complied with (not complied with)	Policy/Monitoring	Annually
Number of site visits required to achieve compliance	Policy/Monitoring	Annually
Number of consents requiring on-going monitoring	Policy/Monitoring	Annually
Number (and %) of conditions necessary (unnecessary)	Policy/Monitoring	Annually
Recommendations on suitability of consent conditions	Policy/Monitoring	Annually
Number (and %) of conditions workable (unworkable)	Policy/Monitoring	Annually
Recommendations on functionality of consent conditions	Policy/Monitoring	Annually
Number (and %) of consents environmental impacts adequately addressed (not addressed)	Policy/Monitoring	Annually
Recommendations on environmental impacts	Policy/Monitoring	Annually
Number of applications for change of consent conditions	Resource Consents	Annually

Subdivision Consents

Total number of subdivision consents issued	Resource Consents	Annually
Total number of lots created	Resource Consents	Annually

Spatial distribution of subdivision consents issued	Information Services	Annually
Average, and range of lot sizes created in the different Environments	Resource Consents	Annually
Number (and %) of lots with conservation covenants	Resource Consents	Annually
Spatial distribution of conservation covenants	Information Services	Annually
Number (and %) of lots with esplanade reserves or strips	Resource Consents	Annually
Spatial distribution of esplanade reserves and strips	Information Services	Annually

Building Consents

Total number of building consents issued	Compliance	Annually
Spatial distribution of building consents issued	Information Services	Annually
Different types of building consents issued	Compliance	Annually
Total number of new dwellings constructed	Compliance	Annually
Spatial distribution of new dwellings	Information Services	Annually
Total value of all building consents issued	Compliance	Annually
Number (and %) of building consents processed (not processed) within statutory timeframe	Compliance	Annually

6.3 Data Collection and Management

Land Use Consents

This section outlines the procedures used for monitoring land use consents. It is also concerned with the storage and retrieval of data obtained from monitoring. The procedures are outlined in a flow diagram setting out the various steps in the process from the receipt of a monthly list of approved consents to signing off monitored consents or initiating prosecution for non-compliance.

Accompanying the flow diagram is a text section (see below) providing further detail on some of the actions in the flow chart. This section should be read in conjunction with the Resource Management Enforcement Manual and the Council's Infringement Policy.

Example copies of the Land Use Monitoring Compliance Checklist and the Suitability, Functionality and Impact Assessment Sheets are included for reference purposes. Information from these forms is inputted into a resource consents processing computer module, and the forms themselves are stored in folders in the monitoring office. This information will be used to compile the annual Resource Consents and Complaints Monitoring Report and for district plan and state of the environment monitoring.

Land Use Consents Monitoring Procedures (Refer to Flow Chart)

Action 1: The monthly list of approved resource consents is provided by the consents support staff. The list is placed in the appropriate folder in the monitoring office. When the number of consents is small, the Monitoring Officer can simply collect the relevant files from records and carry out the monitoring procedures. Otherwise, particularly if some of the properties are in outlying areas, a number of files in a particular area should be allowed to accumulate before a site visit is undertaken.

When a developer informs the monitoring unit of when they intend to start and finish their development, the relevant file is retrieved from records, and the normal forms completed and information inputted to the computer system. The file is then diarised for the week the applicant has indicated the work will finish, and a site inspection carried out at that time.

Action 2: When a site inspection is carried out, the Monitoring Officer should produce his/her warrant on the first visit. If occupants/developers are not present the Monitoring Officer should leave a notice of inspection. The Compliance Checklist must be completed to determine whether the applicant has complied with all conditions attached to the consent. The Suitability, Functionality and Impact Assessment Sheet must also be completed. The Monitoring Officer should examine the file to identify the effects consent conditions are seeking to address. It is useful to make short notes during a site visit, so that an accurate and informative report can be made. Photographs may be required, and these should be dated, the Officer's name recorded, and a brief description provided. If work has not yet started the Monitoring Officer will have to rediarise the file to inspect it again in the future.

When an inspection is required by the Environmental Engineering Officer or Building Inspector it is the Monitoring Officer's responsibility to keep track of the file, and ensure the required inspections are carried out. Using the computer system, the Monitoring Officer will

be able to remind other staff of their roles, and make enquiries as to when the tasks will be completed.

Action 3: After the Engineering Officer and/or Building Inspector have signed off the completed conditions a timesheet recording the time they spent dealing with the file must be obtained, and their costs must be incorporated into the final invoice which is prepared by the Monitoring Officer. Once the invoice has been printed and entered into the computer system a letter is sent out with the invoice outlining what the costs were for. Unless the condition “all fees are to be paid” is included in the notice of decision, the file does not need to be dealt with further. If payment of fees were part of the conditions attached to the consent the file will need to be diarised, and payment of fees must be checked on the Land Use Monitoring Payments Spreadsheet.

Once the letter and invoice are sent out, the Compliance Checklist must be signed off and a copy placed in the relevant folder. The consent then has to be signed off as completed on the computer system.

Action 4: If a developer has not complied with one or more of the conditions of their resource consent an initial letter should be sent that enquires as to when progress is to be made towards compliance. The developer may have a legitimate reason for why some conditions have not been met. The timeframe given for compliance will depend on the situation prevailing.

Action 5: When the due date comes up another site inspection is required. If the conditions are still not being complied with a firmer letter needs to be sent out. This should state specific dates for compliance, and raise the possibility of enforcement action in the event of non-compliance.

Action 6: At the specified date another inspection is required, and if compliance is still not achieved appropriate enforcement action needs to be decided upon. A final letter should be sent stating the specific type of enforcement action that will be undertaken, and a specified date for it to be initiated.

Taking enforcement action is a serious step to make and it is important that is discussed thoroughly with the Senior Environmental Planner (Monitoring). Before any such action is taken other parties who had a part in imposing conditions, such as Transit New Zealand, need to be consulted. Obtaining their input on the situation may help to determine your decision on enforcement action.

Determining precisely what sort of enforcement action is to be carried out is another decision that needs to be made in consultation with the Senior Environmental Planner (Monitoring). The Enforcement Manual and the Infringement Policy can provide guidance in deciding what action is to be taken.

Enforcement action should be seen as a last resort after all other avenues have been explored. There are those cases however where people will not abide by the rules and enforcement action is the only effective method to get them to comply.

Action 7: The enforcement action is initiated. An Abatement Notice is issued or an Enforcement Order applied for. Possibly, for some transgressions, an Infringement Notice is more appropriate (refer to Enforcement Manual and Infringement Policy).

When the Monitoring Officer is drawing up an Abatement Notice or Enforcement Order great care needs to be taken when describing the offence, the remedy that is sought by Council, and the timeframes required to be met. Once the Monitoring Officer has drawn up the Notice or Order it has to be sent to Council's legal advisors who check it for legal correctness. Once it has been approved by legal counsel the Abatement Notice or Enforcement Order can be served.

The Abatement Notice or Enforcement Order can be served by registered post or personally in the presence of two warranted officers. It is preferable to serve a Notice or Order in person whenever possible, either by Council staff or by a document delivery service. If there is any possibility of trouble when serving the Notice or Order it is advisable to have a community constable accompany the Monitoring Officer. Two warranted officers (or one with a community constable) should be present at all personal meetings with the offender once the enforcement action has been initiated.

Before deciding whether or not to issue an Infringement Notice the Monitoring Officer needs to consider the desired end result, as once an Infringement Notice is served an Abatement Notice or an Enforcement Order cannot be used. However, an Infringement Notice could be a useful method to ensure compliance with an Abatement Notice already issued. To get a better understanding of the options the Enforcement Manual and Infringement Policy should be consulted. Infringement Notices can be served by registered or unregistered post.

Action 8: If an offender does not comply with an Abatement Notice or an Enforcement Order, or refuses to pay an Infringement Notice, a decision to prosecute must be made. Once an issue reaches the prosecution stage, the Manager of Environmental Services should be informed, and Council's legal advisors need to be involved in all subsequent actions.



SUITABILITY & FUNCTIONALITY ASSESSMENT

ARE THE CONDITIONS NECESSARY?

YES

NO

IF NOT, WHY NOT?

ARE THE CONDITIONS CLEAR, MEASUREABLE & ENFORCEABLE?

YES

NO

IF NOT, WHY NOT?

IMPACT ASSESSMENT

ARE ENVIRONMENTAL IMPACTS BEING ADEQUATELY ADDRESSED?

YES

NO

IF NOT, WHY NOT?

ARE NEW CONDITONS REQUIRED?

YES

NO

IF SO, WHY?

Subdivision Consents

This section describes the procedures used for monitoring subdivision consents. The procedures are outlined in two flow diagrams setting out the various steps in the process. The first diagram relates to Section 223 approval, while the second refers to Section 224 monitoring. Accompanying the flow diagrams is a text section (see below) providing further detail on some of the activities in the flow charts.

The monitoring of subdivision consents is undertaken by staff in the Consents Division. Most conditions are monitored prior to Section 224 Certificates being issued. Conditions that require implementation after the Section 224 Certificate is issued are either bonded or subject to a consent notice registered on the property's Certificate of Title.

For example, landscape conditions are bonded, and are monitored by the Parks Division upon completion. If the required work is not completed, Council can carry out the work using the bond money. The establishment and fencing of conservation covenants are monitored before release of the Section 224 Certificate. However, long term monitoring of conservation covenants may be necessary, and this task would fall to the Policy and Monitoring Division. Conditions relating to the maintenance of stone walls, or the colour schemes of buildings are registered as consent notices against the Certificate of Title. The observance of these conditions are required by law, and long term monitoring will rely upon complaints from the public. Complaints will be dealt with by the Policy and Monitoring Division.

Subdivision Consents Monitoring Procedures (Refer to Flow Charts)

Action 1: The subdivision consent, once approved, is registered on the database. The survey plan is then submitted to the Subdivision Office for approval. The Subdivision Officer should check conditions for Section 223 compliance and pass the file to other relevant staff for their approval if necessary. If there are easements involved these need to be checked by the appropriate authority. In essence, monitoring at this stage is concerned with checking that the survey plan submitted to Council by the applicant complies with the conditions attached to the subdivision consent. The following actions are involved:

- Checking all allotment areas, boundary dimensions and configurations against the subdivision plan (including accessway and right of way widths);
- Checking all easements, which are conditions of the subdivision consent, are shown on the survey plan, and accurately detailed in the schedule of easements.
- Ensuring all esplanade reserves/strips are indicated in accordance with the subdivision consent;
- Ensuring all lots that 'are to vest' (as either road, recreation, local purpose reserves, etc.) are indicated and annotated as required;
- Ensuring all amalgamation conditions are accurate; and
- Ensuring all bush covenant areas on the survey plan are in accordance with the approved subdivision plan, and any amendments to that plan written in the subdivision consent decision.

If the submitted survey plan is not sufficient in any of the above matters, the applicant, or applicant's agent, must be notified and the information provided. This is not a Section 92 request.

Action 2: Once all conditions are met and approvals gained, the Subdivision Officer must sign the green post approval sheet and gain the signature of the Peer Review Officer as a check. Once the green sheet is completed, the survey plan is hand delivered to the Council Secretary for sealing. The Council Secretary must sign and seal the survey plan and return it to the Subdivision Officer for copying and sending to the applicant or applicant's agent. The copied survey plan must be placed on file, and the details entered into the Division's record book and the database.

Action 3: When a request for a Section 224 Certificate is received, the Subdivision Officer should check that the conditions are complied with and approvals are obtained from relevant staff where necessary. Further information may be required and this should be obtained from the applicant or applicant's agent. The following checks are included:

- Confirmation of engineering works completion;
- Acceptance of 'as-built plans';
- Acceptance of engineers certificate or engineering report;
- Site inspections to confirm completion of conditions such as fencing of covenants, etc.

Action 4: If consent notices, covenants, or bonds are required, Council's solicitor needs to prepare the appropriate documentation. A draft document will be prepared and returned to Council for checking. When the final document is completed it must be signed and sealed by the Council Secretary. Once the covenant has been sealed in duplicate both copies must be returned to Council's solicitor. He will later return one of the documents for filing on Council's database. This document should be photocopied and the copy placed on file. The original should then be sent to Records with the appropriate form attached. If it is a consent notice the document must be photocopied, the copy placed on file, and the original sent back to the solicitor. The condition of consent should now be signed off.

Action 5: If reserve contributions are required these need to be calculated using the appropriate formula and included in the final invoice.

Action 6: Subdivision consents require the completion of all conditions prior to the release of the Section 224 Certificate. As mentioned earlier, some works will take place after the Section 224 Certificate is issued. These works, however, are bonded or subject to a consent notice before the Section 224 Certificate is released.

It is also standard to have a condition relating to the payment of fees. When compiling the invoice, be sure to include all relevant staff time together with any consultant's costs. Once fees are paid, the Section 224 Certificate can be prepared. If conservation covenants, consent notices or bonds have been involved, the Section 224 Certificate should be released to Council's solicitor. Otherwise, it can be released to the surveyor/applicant.

Action 7: The database should be updated and copies of the Section 224 Certificate placed on file and in the separate Section 224 folder.

6.4 Reporting and Review Procedures

At present a monthly report is produced for the Policy and Monitoring Division Manager who forwards the information to the monthly meeting of the Environmental Services Committee. This report contains information on the number of land use consents monitored and signed off for that month, and the number of land use consents not yet signed off, i.e. still requiring monitoring. This monthly report should be placed in the appropriate folder in the monitoring office.

It is envisaged that a combined Resource Consents and Complaints Monitoring Report will be produced annually. This report will present the information collected over the previous twelve months in regard to consents and complaints monitoring in a concise and meaningful manner. Over time trends should become apparent that enable spatial and temporal comparisons to be made. The first annual report should be published in October 2002, reporting on the 2001/2002 financial year.

This information will be aimed primarily at an internal Council audience, and should facilitate the transfer of information between monitoring, consents processing, and policy staff. This, in turn, should enable ongoing improvements to be made to the resource consents process. The intent being, over time, to improve consent processing efficiency and effectiveness, and the environmental outcomes resulting from the consent process.

In addition, much of the information gathered and presented in the Resource Consents and Complaints Monitoring Report, particularly in regard to development trends within the Whangarei district, will be collated over a longer time period and will be inputted to both district plan and state of the environment monitoring and reporting. Such information will assist in the evaluation of planning provisions in the district plan and will enable improvements to be made over time. State of the environment monitoring and reporting will likewise benefit from information obtained from resource consents and complaints monitoring.

To enable the transfer of information between monitoring, consents processing, and policy staff, a quarterly (three monthly) meeting should take place between the Senior Environmental Planner (Monitoring), the Senior Environmental Planner (Policy), and the two Senior Environmental Planners (Consents). On occasions, it may be necessary to have staff attend from other divisions in Council, such as Compliance, Parks and Reserves, or Information Services. These meetings should begin in the 2001/2002 financial year.

It is also envisaged that the monitoring procedures themselves will be subject to ongoing review, and revision where necessary. This will be a continuous process as new information comes to light and deficiencies in the programme are identified.