

Monitoring and enforcement

Introduction

The importance of monitoring is paramount to a successful planning process under the Resource Management Act. Monitoring of development mitigation measures for the state highway will help ensure safety and efficiency standards are maintained and improved. The NZTA can assist local authorities by self-monitoring our own work and also by undertaking independent monitoring of other developments around the network.

The NZTA's approach

The monitoring of resource consents and associated conditions for NZTA's projects ensures that we comply with legislative requirements. When undertaking improvement projects to the state highway network, the NZTA will ensure that:

- the activity is permitted under planning documents or else the relevant consents are in place for the activity prior to work commencing
 - we are satisfied with and can meet the conditions placed on it as part of resource consent or a requirement for a designation
 - conditions of any consent or designation are complied with
 - that any monitoring or review of conditions within a consent is addressed and undertaken at the appropriate time
 - any lack of compliance identified through monitoring is corrected by modifying the activity or through obtaining an agreed change to the condition
 - activities around the state highway network are monitored to ensure that they comply with relevant mitigation measures.
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Monitoring

The NZTA plays a key role in the monitoring of environmental effects through:

- ensuring our own development is in accordance with the provisions of district plans, regional plans, national environmental standards or consent conditions
 - resource consent monitoring of all development conditions that affect the state highway network
 - ensuring compliance of requirements under other legislation, eg the standard of construction of a new crossing place for a Limited Access Road under the Government Rounding Powers Act 1989.
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Enforcement

Under the Government Rounding Powers Act 1989, the NZTA has the ability to control the use of the State highway. Any road side activities and structures must therefore have the written permission of the NZTA or the Minister of Transport. If written permission is not obtained or else conditions of the permission are breached, the NZTA will make initial contact with those persons involved.

Depending on the seriousness of the situation, action will be taken as follows:

- Request removal of a structure, change in operation, design or practice.
 - pursue a fine or impounding action.
 - court action resulting in a legal decision.
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Working together

The NZTA will establish a good relationship with local authorities to encourage ongoing monitoring of matters relevant to the NZTA and to assist local authorities in carrying out their monitoring and enforcement role by:

- advising authorities on any issues that need to be addressed in future plan development
- making submissions on plans and consent applications to address relevant issues
- advising authorities of any emergency actions being undertaken
- advising authorities of breaches of consent conditions or unlawful activities and seek action to mitigate the situation
- self-monitoring our own activities and reporting back to consent authorities.

