

Foreword

The *Annual Survey of Local Authorities* continues to be a useful tool in assisting me to fulfil one of my statutory functions as Minister for the Environment - to monitor the effect and implementation of the Resource Management Act (RMA).

I frequently receive comments from a variety of sources suggesting that the Ministry needs to focus on monitoring environmental outcomes as well as processes under the RMA. I agree. The monitoring of environmental outcomes is crucial for us to ensure that we are all working towards achieving our environmental goals – locally, nationally and internationally. I consider the Ministry's Environmental Performance Indicators Programme to be a valuable step in this direction. However, there is still an important role in monitoring resource management processes under the RMA. I constantly receive correspondence about aspects of the resource consent and plan development processes. There is little point in having a statute that seeks to promote sustainable management if those goals are not being achieved in an efficient and timely manner.

The annual survey provides useful data on the operation of the RMA. The survey also acts as a prompt for local authorities to examine their own processes, compare their performance with their peers, and share information about good practice. I am confident this report will stimulate useful discussion among local authorities and that such cooperation will lead to marked improvements in performance.

This year the Ministry provided all local authorities with the opportunity to have key parts of their survey response audited by Audit New Zealand. Feedback from the 28 audited local authorities was extremely positive and Audit New Zealand was able to make useful suggestions to each of the audited local authorities on how RMA processes and data recording can be improved. If offered again for the next annual survey, I would strongly urge local authorities to take up the opportunity to have their survey responses audited.

I am pleased to see that all local authorities were able to respond to the questionnaire this year. This is the first time a 100% return rate has been achieved and I would like to offer my thanks to all of the respondents. I understand that some local authorities had difficulty answering some of the questions in the survey. For next year's survey, we will work together in preparing the questions and collecting the data so that we can get all the questions answered by everyone. This will greatly increase the usefulness of the survey.



Hon Marian L Hobbs

MINISTER FOR THE ENVIRONMENT

Executive summary

- 53,688 resource consents were applied for in the 1998/99 financial year. This is approximately 6,500 fewer than last year.
- 49,152 resource consents were processed during 1998/99, approximately 8,900 fewer than last year.
- 5% of resource consents were notified – no change from 1997/98 or 1996/97.
- Pre-hearing meetings were held for 22% of all notified consent applications, compared with 24% in the previous year.
- Local authority officers made 84% of decisions on resource consent applications.
- Less than 1% of all resource consent applications were declined. 1% of all resource consent decisions were appealed – no change from 1997/98.
- 39% of appeals related to resource consent conditions only.
- Of the appeals heard by the Environment Court, 40% were upheld in their entirety.
- 65% of local authorities formally receive resource consent applications within one full working day of their arriving at the council office (i.e. the clock started within one day of consent applications being lodged). This is a 3% increase from last year.
- Further information was requested for 28% of resource consents processed in 1998/99. This is a 6% increase from last year. 42% of local authorities have mechanisms in place to minimise the number of requests for further information.
- 63% of local authorities do not reset the resource consent processing time-limit clock back to zero once they receive further information and/or hold a pre-hearing meeting - a 12% decrease from 1997/98.
- 82% of all resource consents were processed within statutory time limits in 1998/99 – an increase of 4% from last year.
- Only 55% of all notified consents were processed within statutory time limits.
- Section 37 was only used to extend statutory time limits for 3% of total resource consents processed – no change from last year.
- The majority of district plan production costs are incurred during the appeal stage. The most costly stage of regional plan and policy statement production appears to be the notification phase.
- 65% of all local authorities base their charges to resource consent applicants on the split between public and private benefit identified in their funding policies. The remainder, 35%, base their charges on the actual cost of processing the consent.

- 61% of local authorities often or always provide potential applicants with an estimate of the cost of applying for a resource consent if requested.
- 42% of local authorities will return a deficient application to the applicant before formally receiving it.
- 63% of local authorities follow a set process to check that environmental effects are adequately identified and addressed in the applicant's Assessment of Environmental Effects.
- 59% of local authorities use customer satisfaction surveys to find out what applicants think of their resource consent process – an increase of 11% from 1997/98. 50% of local authorities who undertook these surveys used this level of customer satisfaction as an indication of performance – an increase of 9% from last year.
- 58% of local authorities had undertaken work towards the development of a plan effectiveness monitoring strategy in 1998/99.
- 17% of complaints were dealt with through formal enforcement processes and 38% were dealt with informally. 45% of complaints had either not been responded to, or resolved before the end of the 1998/99 year.
- 92% of breaches of consent conditions were dealt with informally in 1998/99 and 4% were dealt with through formal enforcement processes. A further 4% were not dealt with either formally or informally.
- 63% of local authorities made a formal budgetary commitment to Maori/iwi participation in resource management processes – an increase of 5% from last year.
- 86% of all local authorities have included provisions in their plans that enable them to recognise and provide for the relationship of Maori and their culture and tradition with their ancestral lands, water, sites, waahi tapu and other taonga.
- 66% of local authorities provide guidance for their staff for determining when Maori/iwi are likely to be affected parties in a resource consent application and should therefore be notified.
- 98 resource consent applications that affected statutory acknowledgements under the Ngai Tahu Claims Settlement Act 1998 were received by 11 local authorities in 1998/99.
- As at 1 June 2000, 62 plans and policy statements were recorded as fully operative – an increase from the 43 recorded as being operative as at 1 January 1999.

Introduction

This is the fourth *Annual Survey of Local Authorities*. It covers the financial year beginning 1 July 1998 through to 30 June 1999. This year, for the first time, all 86 local authorities responded to the questionnaire.

Purpose of the annual survey

The purpose of the annual survey is to:

- Assist the Minister for the Environment to monitor the effect and implementation of the Resource Management Act (RMA) as required by section 24 of the RMA.
- Provide the Ministry for the Environment and local authorities with information:
 - to highlight areas that may need further research and assist with research projects;
 - to highlight trends over time for some processes under the RMA;
 - to provide a basis to consider comments on the RMA.
- Promote local authority good practice and improved performance in terms of benchmarks established in the RMA and/or guidance produced by the Ministry for the Environment.
- Assist local authorities in comparing their performance with their peers.

The annual survey does not measure the performance of the RMA or individual local authorities in delivering better environmental outcomes. The Ministry for the Environment's national state of the environment report¹ gives an overview of environmental quality, as a baseline for future comparison². Responses from local authorities are compared not to rank performance but to:

- Stimulate discussion about any variance in results between like local authorities.
- Identify local authorities complying with statutory requirements so that other local authorities can learn from their good practice.
- Promote benchmarking and performance improvement.

The 1998/99 questionnaire

This year we again used Audit New Zealand's Specialist Services Group to assist in designing the survey questionnaire, and to assist in analysing and presenting the results. The questionnaire was also peer reviewed by a group of local authority representatives from around the country. The survey questionnaire was divided into the following sections:

- General statistical information
- Research questions
- Time
- Cost
- Monitoring and enforcement
- Maori participation in RMA processes
- Good practice in resource consent processing.

¹ Ministry for the Environment (1997). *The State of New Zealand's Environment*. Ministry for the Environment/GP Publications.

² Territorial authority 'State of the Environment' reports also achieve this on a territorial basis.

The 1998/99 questionnaire was slightly longer than last year's, however we generally asked the core questions in the same way as last year. The main difference was a revised cost section, which asked questions about the costs of resource consents, and an extended monitoring and enforcement section. The monitoring section was expanded to account for the fact that many local authorities are now beginning to move from plan development into monitoring the state of the environment and the suitability and effectiveness of their plans. Other questions were included to follow up issues arising from last year's survey.

In the past, changes in the way data was collected meant that making comparisons between years was difficult. Because this year's survey questionnaire was similar to last year's, comparisons with previous years' results can be made with more certainty, augmenting trend analysis. The fact that most of the core questions were the same last year may have meant local authorities had the opportunity to set their systems up to collect previously unrecorded data. We found overall that more local authorities were able to answer particular questions than in previous years.

As with last year, some results are reported in "family groups" of local authorities to enable comparisons to be made between local authorities with similar characteristics. Territorial authorities are divided into groups on the basis of the number of resource consents they processed. The groups are the same as last year, although the thresholds for the four territorial authority groups changed slightly to ensure each group contains a similar number of local authorities.

The family groups are as follows:

- Regional councils³
- Unitary authorities, including the Chatham Islands Council
- Territorial authorities that process similar numbers of consents:
 - Group 1: 0 - 110 consents
 - Group 2: 111 - 300 consents
 - Group 3: 301 - 650 consents
 - Group 4: 651 - 7,000 consents.

Appendix 1 presents the group each local authority has been placed in, along with the number of consents processed by each authority. Two local authorities changed family groups between 1997/98 and 1998/99. Invercargill City Council moved from Group 2 to Group 3 due to an increase of 56 consents processed. Masterton District Council moved from Group 2 to Group 1 due to a decrease of 35 consents processed.

Throughout the survey we have advised how many local authorities answered each question ("n=") so that the reader can see how representative and reliable the results are.

Like last year, many of this year's results have been presented in bar graphs rather than tables. This should make it easier for local authorities to compare performance with their peers. If a local authority did not answer a question, its name was omitted from the relevant graph.

³ *Two regional councils have changed their name since the 1998/99 survey, the Canterbury Regional Council is now known as Environment Canterbury, and the Southland Regional Council is now known as Environment Southland.*

Auditing of survey responses

This year the Ministry provided all local authorities with the opportunity to have key parts of their survey response audited by Audit New Zealand. 28 local authorities took up this opportunity. Appendix 2 lists the local authorities that were audited.

The purpose of the independent audits was to:

- Give assurance to the Ministry and to local authorities that key results in the 1998/99 Annual Survey were robust and capable of comparison with other local authorities
- Validate critical data items within the survey with records held by local authorities
- Check that data definitions were appropriately and consistently applied
- Assess the adequacy of computerised and/or manual systems to record key RMA data items in the questionnaire
- Where appropriate, make suggestions as to how data recording could be improved.

The decision to provide an opportunity for audit arose from local authority feedback on previous annual surveys. Local authorities were concerned that responses were not always accurate and it was suggested that the Ministry provide some kind of audit on responses. The survey needs to capture robust and accurate data if it is to provide useful information and if the results are to stimulate performance improvements.

Overall, in the audited local authorities, Audit New Zealand was generally satisfied that critical data was robust and that adequate audit trails existed from data sources and records held by each local authority to the responses given in the survey. Data definitions were generally applied appropriately and consistently between individual local authorities.

There were, however, several data recording and practice concerns arising from the findings of these audits. These issues are highlighted and addressed in the report and are supplemented by recommendations and some suggestions for future surveys provided by Audit New Zealand.

They included:

- Difficulties in accurately recording the costs of producing RMA plans and of processing resource consents
- Delays in formally receipting consent applications
- A lack of mechanisms to reduce further information requests
- A lack of mechanisms to assist in processing applications within statutory timeframes
- Misconceptions of the use of sections 37 and 92.

Limitations of the 1998/99 Survey

A number of local authorities found some of the survey questions difficult to answer. In particular, the questions relating to costs of plan preparation, costs of resource consent processing and monitoring of resource consents created difficulties. This was typically a result of the information not being recorded or being held in a format that could not be readily extracted. Therefore the responses to these questions are not as robust or as representative as they could be.

The independent auditing of some local authorities gives a higher degree of validity to the results this year. This, of course, only relates to the 28 local authorities that took up the opportunity to be audited (refer to Appendix 2), and only to the limited set of questions that were audited.

Some local authorities still have not developed a data collection system to record basic data. For example, a number of local authorities advised that they could not supply answers for the time taken to process resource consents. This means that for many questions a 'full picture' of the local authorities throughout the country was not obtained. This is a major concern for the Ministry for the Environment as it limits the ability to gain a national overview of RMA implementation.

The difficulties experienced by so many local authorities in recording basic RMA data has highlighted a need for guidance if the annual survey is to provide accurate and substantiated data. Accordingly, the Ministry intends to promote consistent approaches in data recording over the next year and will be developing guidance for local authorities in this area.

Resource consent processing statistics

⁴ An “individual resource consent” was defined as being separate resource consent required for a proposal. This definition does not include certificates of compliance, rights of ways, or variations to conditions. An application form may include applications for more than one resource consent: single proposals which require both a land use and a subdivision consent were counted as two applications. Audit New Zealand found that applications which involved approving two resource consents were sometimes recorded as one consent, and also that a few councils were not able to identify these multiple resource consent applications.

⁵ In 1997/98, 85 local authorities advised that 60,157 consents were applied for. In 1996/97, 83 local authorities advised that 57,461 consents were applied for. In 1995/96, 77 local authorities advised that approximately 49,000 consents were applied for.

⁶ A consent application was defined as processed once the local authority had approved or declined an application.

⁷ The percentages presented for 1998/99 and 1997/98 do not sum to 100% respectively due to rounding of the figures.

Resource consents applied for and processed

Local authorities advised that they received 53,688 individual applications for resource consent⁴ in the 1998/99 financial year. This represents a decrease of approximately 6,500 consents from the number applied for in 1997/98⁵. Of the audited local authorities, Audit New Zealand found that a common inconsistency was in the definition of “resource consent” where other applications, such as certificates of compliance, variations to conditions or rights of way, were processed together with resource consent applications. The number of resource consents applied for may have been less this year as local authorities were more aware of the definition of “resource consent”. However, the current figure might still be an over-estimation, particularly for the non-audited local authorities that may have included a variety of other data with their resource consent information.

49,152 consents were processed⁶ during 1998/99. A number of these would have been carried

over from 1997/98. 85 local authorities advised that a total of 2,092 applications for consent were withdrawn. Territorial authorities processed the majority of resource consents (76%), followed by regional councils (18%) and unitary authorities (7%). These proportions are similar to those reported in the 1997/98 annual survey.

The drop in numbers of consents processed was particularly noticeable within the large territorial authorities, especially those in the Auckland area. 4,382 (13%) fewer land use consents and 4,083 (23%) fewer subdivision consents were processed compared to last year, which accounts for much of the decrease.

Appendix 1 reports the number of consents processed by each local authority in family groups. 83 local authorities also advised that they processed 1,350 certificates of compliance in the 1998/99 year.

The majority of applications processed were for land use and subdivision consent. The spread of applications between different consent types was similar to last year’s results.

REFER TABLE 1

Local authorities were asked to provide information on the proportion of resource consents processed under the various activity categories. The results were similar to last year and are compared in Table 2. A majority of consents were processed as discretionary activities. Interestingly, the percentage of non-complying activity consents increased from 11% to 17%. However this could be related to the fact that 23 more local authorities were able to answer the question this year.

Eighteen local authorities were unable to provide a response to this question. Several others were only able to provide a very rough estimate. Therefore, these results are not as reliable as they could be.

REFER TABLE 2

Table 1: Resource consent applications processed by type⁷

Type of resource consent	Subdivision consent	Land use consent	Coastal permit	Water permit	Discharge permit
% of total number of applications 1998/99 (n=86)	28%	60%	2%	4%	5%
% of total number of applications 1997/98 (n=85)	31%	59%	2%	4%	5%

Source: RMA annual survey of local authorities 1998/99, Question 1.7
RMA annual survey of local authorities 1997/98, Question 1.4

Table 2: Resource consent applications processed by category⁸

Activity category	Controlled activity	Limited discretionary activity	Discretionary activity	Non-complying activity	Innominate ⁹
% of total number of applications 1998/99 (n=68)	27%	10%	40%	17%	5%
% of total number of applications 1997/98 (n=45)	25%	16%	46%	11%	3%

Source: RMA annual survey of local authorities 1998/99, Question 1.8
RMA annual survey of local authorities 1997/98, Question 1.5

Requests for further information

Further information was requested for 28% of resource consents processed in the 1998/99 year. 82 local authorities reported results for 1998/99, compared to 76 in 1997/98. The increase in local authorities able to answer the question may explain the 6% increase in the proportion of resource consents processed where further information was requested.

REFER TO TABLE 3

78 local authorities were able to provide information about whether they sought further information more than once, although 31 of these responses were estimates. Of the 78 which could answer, 63 (81%) advised that for some resource consent applications they needed to request further information more than once. 8% of the total resource consents processed by the 78 local authorities able to answer the question involved more than one request for further information (an increase of 5% from 1997/98). 25% of the resource consents subjected to further information requests had further information requested on more than one occasion. Figures 1-3 provide graphical representation of these findings.

It is important for local authorities to be aware of the extent to which section 92 is being used. The Ministry will continue to monitor the frequency of use of section 92 requests by local authorities, including repeated requests, as inappropriate use of this section is considered poor practice and can contribute to increased holding costs for applicants. Of particular concern is widespread criticism from resource consent applicants that the section is being inappropriately used to stop or reset the time-clock to zero. However, on balance there has also been criticism from local authorities that some applicants do not take the time to enquire about what to put in their application. This often results in a poor quality application that may then lead to the local authority having to make a section 92 request for further information.

REFER FIGURES 1-3 (OVER PAGE)

Table 3: Percentage of total resource consents processed where further information was requested

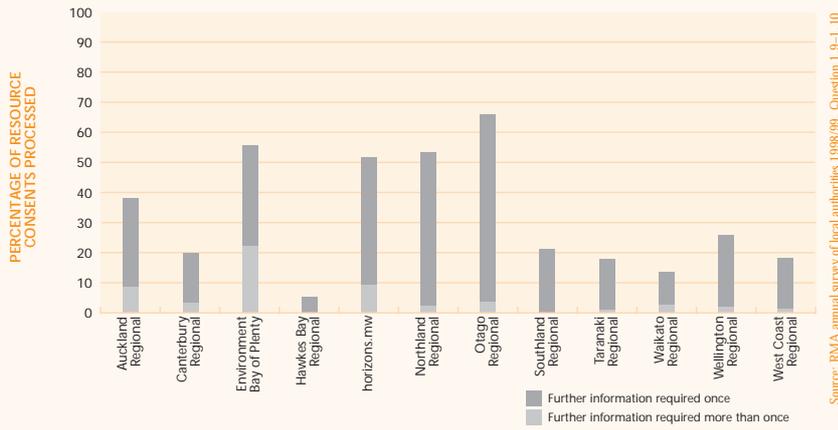
Year	1995/96 (n=54)	1996/97 (n=73)	1997/98 (n=76)	1998/99 (n=82)
% of total consents where further information requested	22%	39%	22%	28%

Source: RMA annual survey of local authorities 1998/99, Question 1.9
RMA annual survey of local authorities 1997/98, Question 1.6
Annual survey of local authorities (1996/97 survey)
Findings of the annual survey of local authorities (1995/96, survey)

⁸ The percentages presented for 1998/99 and 1997/98 do not sum to 100% respectively due to rounding of the figures.

⁹ This category applies when a consent may be required under section 11, 13, 14, 15, 15A or 15B of the RMA but a plan has not been prepared which categorises the activities.

Figure 1: Regional council requests for further information

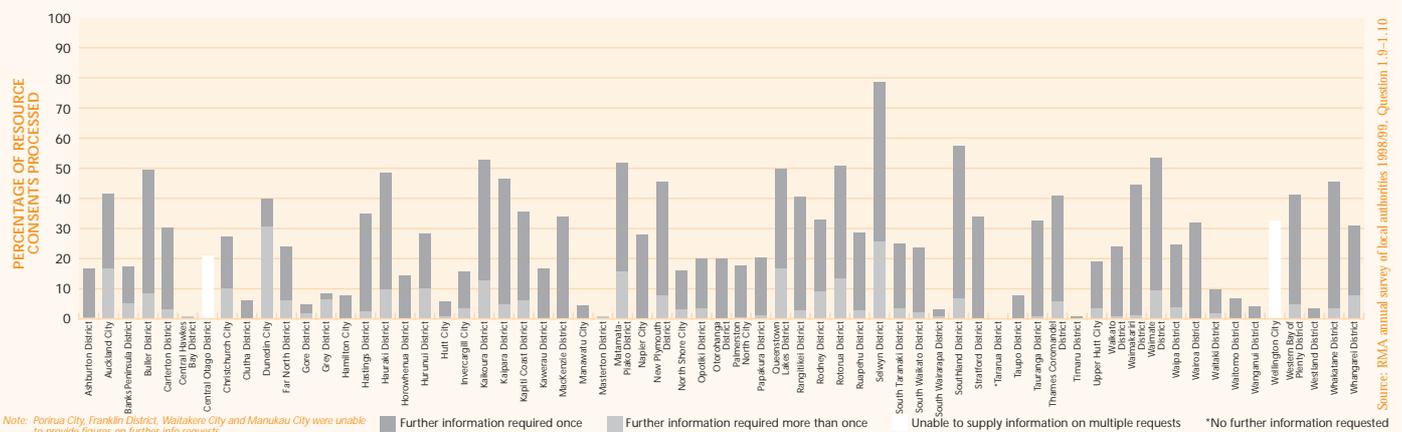


Source: RMA annual survey of local authorities 1998/99, Question 1.9-1.10

Notification of resource consents

During 1998/99, 5% of resource consents were processed as publicly notified consents (Appendix 3 identifies the percentage of resource consent applications notified by individual local authorities for the 1997/98 and 1998/99 years). Similarly, 5% of consents were notified in 1996/97 and 1997/98, and 8% in 1995/96. The most frequently notified resource consents were discharge, water and coastal permits in that order. These three consent types were also the most frequently notified in 1997/98 and 1996/97.

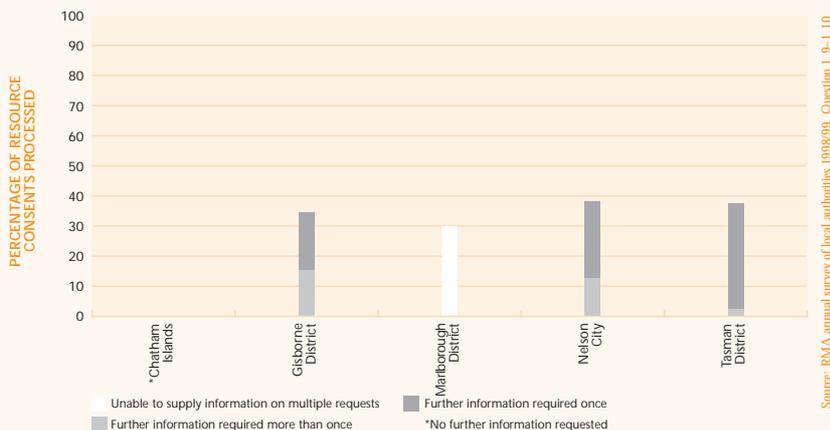
Figure 2: Territorial authority requests for further information



Note: Porirua City, Franklin District, Waikare City and Manukau City were unable to provide figures on further info requests

Source: RMA annual survey of local authorities 1998/99, Question 1.9-1.10

Figure 3: Unitary authority requests for further information



Source: RMA annual survey of local authorities 1998/99, Question 1.9-1.10

It is interesting to note that the percentage of resource consents being notified has not increased over the past year. It was widely expected that recent court cases (for example, *Aley v North Shore City Council* M251/98 (No. 2), *Bayley v Manukau City Council* CA115/98) would lead to a noticeable increase in the number of resource consents being notified, particularly for subdivision and land use consents. However, the figures presented in Table 4 suggest that this is not the case to date.

REFER TABLE 4

Table 5 shows the percentage of consents notified by local authority type. The rates of notification were similar to last year, with the lower level of notification by territorial authorities reflecting the fact that they deal with a private resource (land), whereas regional and unitary authorities generally deal with public resources (water, air, coast).

REFER TABLE 5

Pre-hearing meetings

508 pre-hearing meetings were held in the 1998/99 year by 81 local authorities. Pre-hearing meetings are considered a good practice tool to clarify issues and resolve disputes in what is often an adversarial process. They can also save both the local authority and the applicant time and costs in the resource consent process. It is pleasing to note that 40% of these meetings resolved the issue to the extent that no formal hearing was necessary.

Pre-hearing meetings were held for 22% of all notified resource consent applications, compared with 24% in the 1997/98 year.

REFER TABLE 6

The overall percentage of use of pre-hearing meetings changed very little compared with last year. Regional councils remained the most frequent users of pre-hearing meetings compared with the other local authorities. This is mainly because they deal with “public” interest matters. 35 local authorities advised that they used fewer pre-hearing meetings this year. Various reasons were given for this decrease, including:

- Fewer resource consents were received of a type and nature that required notification and pre-hearing meetings

Table 4: Percentage of consents notified by consent type

Resource consent type	Subdivision consent	Land use consent	Coastal permit	Water permit	Discharge permit	Total resource consents
% Notified						
1998/99 (n=86)	3%	3%	14%	15%	22%	5%
% Notified						
1997/98 (n=85)	3%	4%	15%	24%	21%	5%
% Notified						
1996/97 (n=83)	2%	4%	13%	19%	18%	5%

Source: RMA annual survey of local authorities 1998/99, Question 1.7
RMA annual survey of local authorities 1997/98, Question 2.2
Annual survey of local authorities (1996/97 survey)

Table 5: Percentage of consents notified by local authority type

Local authority type	% of notified applications 1995/96 (n=77)	% of notified applications 1996/97 (n=83)	% of notified applications 1997/98 (n=85)	% of notified applications 1998/99 (n=86)
Regional councils	16%	12%	14%	12%
Territorial authorities	5%	3%	3%	3%
Unitary authorities	18%	15%	10%	8%

Source: RMA annual survey of local authorities 1998/99, Question 1.7
RMA annual survey of local authorities 1997/98, Question 2.2
Annual survey of local authorities (1996/97 survey)
Findings of the annual survey of local authorities (1995/96, survey)

Table 6: Percentage of notified resource consents for which a pre-hearing meeting was held (by local authority type)

% pre-hearing meetings held in each year	1995/96 (n=61)	1996/97 (n=80)	1997/98 (n=80)	1998/99 (n=81)
Regional councils	41%	58%	37%	34%
Territorial authorities	3%	36%	12%	14%
Unitary authorities	6%	9%	3%	8%

Source: RMA annual survey of local authorities 1998/99, Question 2.4
RMA annual survey of local authorities 1997/98, Question 1.8
Annual survey of local authorities (1996/97 survey)
Findings of the annual survey of local authorities (1995/96, survey)

¹⁰ Not including councillors or community board members acting as commissioners

¹¹ This includes community board members acting as commissioners

¹² For example, a mixed officer/politician subcommittee, where the Chair signs off all consents

- Resistance from applicants, who are concerned about additional costs and delay, particularly where there are large numbers of submissions and high levels of opposition (i.e. only useful where the positions of the parties are reasonably close)
- Pre-application consultation was undertaken between the applicant, affected parties and council meaning either issues were resolved prior to lodgement or that a pre-hearing meeting would not resolve the participants' concerns
- Applicants deciding to talk directly with submitters.

Who made resource consent decisions?

This year we were again interested in who made resource consent decisions. The majority of decisions on resource consent applications were made by local authority officers (84%) acting under delegated authority, a decrease from last year. There was a corresponding increase in the proportion of decisions being made by councillors and/or community board members acting as commissioners. This increase can be directly attributed to North Shore City Council (NSCC) which supplied a

response to this questions this year, albeit an estimate. Virtually all of their applications (nearly 2,500) were heard and decided by councillors and community board members acting as commissioners. Removing NCSS' data results in similar figures to last year.

14% of all decisions were made by councillors, either as part of a hearings committee or acting as commissioners, a slight increase from last year. There was no change in the proportion of decisions made by independent commissioners; similar to last year this figure was very low. Not all local authorities were able to supply accurate figures for this question; one quarter of the 86 local authorities answering supplied estimates.

We also asked local authorities whether they had a register of commissioners (rather than selecting them on a case by case basis). 35 local authorities (41%) advised they did. A register of commissioners is a valuable source for local authorities as it can enable reasoned selection based on the commissioner's past experience, area of speciality, and proven competence. It also provides a degree of certainty for applicants and affected parties in the resource consent process that the commissioner's selection is based on an established track record. We encourage local authorities to adopt this approach.

REFER TABLE 7

Resource consents declined and appealed

While the majority of local authorities were able to provide information relating to appeals on resource consent decisions, we were unable to confirm that this data was accurate. Some local authorities may have misinterpreted the questions and included data on appeals lodged in previous years that were resolved during the 1998/99 year. The findings presented below should be taken only as an indication of the number of proceedings.

Table 7: Percentage of resource consent decisions made by range of decision makers (1998/99 n=86; 1997/98 n=83)

Decision maker	Local authority officers		Independent commissioners ¹⁰		Councillors acting as commissioners ¹¹		Councillors as part of hearings panel		Other ¹²	
	98/99	97/98	98/99	97/98	98/99	97/98	98/99	97/98	98/99	97/98
Regional councils	90%	89%	1%	1%	2%	1%	6%	8%	1%	1%
Territorial authorities	84%	93%	1%	0%*	7%	1%	6%	6%	1%	0%
Unitary authorities	65%	55%	1%	1%	30%	38%	4%	5%	0%*	1%
Total	84%	90%	1%	1%	8%	3%	6%	6%	1%	0%*

Source: RMA annual survey of local authorities 1998/99, Question 2.7
 RMA annual survey of local authorities 1997/98, Question 1.12a
 * = less than 0.5%.

¹³ This figure does not include applications turned away at the counter, or applications withdrawn.

Very few resource consents were declined or appealed in the 1998/99 year. 84 local authorities advised that less than 1% of all consent applications processed during the 1998/99 year were declined¹³. This is on a par with last year. As with last year, only 1% of resource consent decisions were appealed.

This year the Ministry was interested in who were lodging appeals on resource consent decisions. We found that applicants lodged 36% of appeals, while submitters lodged appeals in 41% of cases. In the remaining 23% of cases both applicants and submitters filed appeals.

63 local authorities advised that 39% of appeals related to resource consent conditions. This indicates that a reasonably high proportion of appeals are not concerned with the decision to grant or refuse consent, but rather with the particular details of the consent conditions imposed by the local authority to avoid, remedy or mitigate adverse effects on the environment.

REFER TABLE 8

Of the appeals that were heard by the Environment Court, we found that 40% were upheld in their entirety, 42% were upheld but with some conditions changed and 18% were overturned.

It was intended that this data be used as an indicator of quality decision-making. Notwithstanding some of the problems with the data we received, of the few consent decisions appealed only a minority were overturned in their entirety. Therefore, it appears that a significant proportion of local authority decisions on whether to grant or refuse resource consents are generally of a high standard and are able to withstand Environment Court scrutiny.

However, 42% of the appealed consent decisions heard by the Court had the conditions changed. Such changes could range from very minor to extensive so as to change the nature of the consent given by the local authority. It is therefore very difficult to use the outcome of appeals as a simple performance indicator for the quality of resource consent decisions.

Table 8: Status of appeals lodged against the resource consent decisions of local authorities in 1998/99 (n=61)

Status of appeal	% of total appeals
Resolved through Environment Court	7%
Resolved through consent order	26%
As yet unresolved	53%
Withdrawn	12%
Other	2%

Source: RMA annual survey of local authorities 1998/99, Questions 1.14

Time

In order to encourage greater efficiency in consent processing, the RMA introduced time limits for reaching resource consent decisions. Local authority performance against statutory time limits is an area that the Ministry in particular, and the public are interested in. Delays in obtaining a resource consent can impose considerable costs on applicants and on society as a whole. Continued monitoring of compliance within statutory time frames from year to year will enable trends to be identified.

As with last year, resource consent applications were considered to be “within time” if they were processed within:

- 70 working days for notified consent applications
- 50 working days for notified consent applications not involving a hearing
- 20 working days for non-notified consent applications where no hearing was held
- 40 working days for non-notified consent applications where a hearing was held
- The time limits extended by use of section 37.

We recognise that the time limits above do not give a true measure of whether a resource consent is processed within legal time frames (i.e. if one part of the process is outside the statutory time for that phase, but the consent is processed within the upper time limit, the consent should strictly be considered as processed “over time”). However these time limits are a useful benchmark for performance comparisons between local authorities.

The results are presented in family groups to enable more meaningful performance comparisons between local authorities and to stimulate the sharing of good practice examples (see the Introduction for details on how family groups are organised).

Formal receipt of resource consent applications

We consider it good practice that local authorities check for completeness¹⁴ and formally receive applications for resource consent within one working day of the application arriving at the local authority office. The 1998/99 annual survey found that 65% of local authorities had adopted this practice. These local authorities are listed in Box 1.

¹⁴ This involves checking that an application is complete (e.g. it is signed and includes an AEE), but does not include checking whether the application is correct or assessing whether further information is required.

Box 1: Best practice – local authorities that formally receive resource consent applications within one full working day

Ashburton District Council	Hastings District Council	North Shore City Council	Tararua District Council
Auckland Regional Council	Hauraki District Council	Otago Regional Council	Tasman District Council
Buller District Council	Hawkes Bay Regional Council	Otorohanga District Council	Upper Hutt City Council
Canterbury Regional Council	Horizons.mw	Papakura District Council	Waikato District Council
Central Hawkes Bay	Hurunui District Council	Porirua City Council	Waimakariri District Council
Central Otago District Council	Invercargill City Council	Queenstown Lakes District Council	Waimate District Council
Christchurch City Council	Kaipara District Council	Rangitikei District Council	Wairoa District Council
Clutha District Council	Kapiti Coast District Council	Rodney District Council	Waitakere City Council
Dunedin City Council	Kawerau District Council	Rotorua District Council	Waitomo District Council
Environment Bay of Plenty	Manawatu District Council	South Taranaki District Council	Wanganui District Council
Far North District Council	Manukau City Council	South Waikato District Council	Wellington City Council
Franklin District Council	Marlborough District Council	Southland District Council	Wellington Regional Council
Gisborne District Council	Napier City Council	Stratford District Council	Western Bay of Plenty District Council
Hamilton City Council	Nelson City Council	Taranaki Regional Council	Whangarei District Council

In past years it has been difficult to compare timeliness among local authorities as some have different policies for when a resource consent application is “received”. We acknowledge that some authorities use best practice in receiving consents, but others delay starting the time-limit clock.

Audit New Zealand found that of the audited local authorities, some only start the clock once the resource consent processing section of the authority receives the resource consent application. They also commented that this was common where a separate part of the local authority sets up a file for each application or where there is an inefficient process for allocating applications to planning staff. Starting the clock when an application is first lodged would encourage councils to improve administrative processes.

One of the proposed changes in the Resource Management Amendment Bill 1999 is to clarify that the processing ‘clock’ for resource consent applications starts on the date that the application is first lodged with the local authority. This is intended to signal that local authorities should establish systems to ensure that consents are received and checked in a timely fashion.

During the course of their audit, Audit New Zealand found that the process of formally receipting applications is often too long. The date the application was first lodged was often recorded, but it then took some time before the application was checked for completeness and recorded as received. This time lag was the result of a number of issues such as:

- Staff shortages/work overload
- Too many staff reviewing incoming mail
- Assigning a low priority to the date the application is received.

Resetting of the time-limit clock once further information is received or a pre-hearing meeting is held

The Ministry considers it is good practice not to reset the time-limit clock once further information is received and/or a pre-hearing meeting is held. This year we found that 63% of local authorities do not reset the clock in these circumstances, somewhat less than the 75% recorded last year. Box 2 contains a list of the local authorities that implemented this good practice measure in 1998/99.

The Resource Management Amendment Bill 1999 amends the RMA to reflect this good practice, changing the Act so that the time-limit clock does not restart from zero once further information has been received.

By not resetting the clock, local authorities are compelled to keep a close watch on processing times. This in turn provides some certainty for applicants. Section 37 can and should be used to extend time limits formally if the local authority believes a consent is likely to go over time.

We are aware that some resource consent database systems may automatically reset the clock once further information is received. We recommend that affected local authorities act to address this to ensure that they can apply good practice and comply with the proposed changes to the Act.

Box 2: Best practice – local authorities that do not reset the time limit clock to zero once further information is received and/or a prehearing meeting is held

Auckland City Council	Otorohanga District Council
Buller District Council	Papakura District Council
Carterton District Council	Porirua City Council
Christchurch City Council	Queenstown Lakes District Council
Clutha District Council	Rodney District Council
Dunedin City Council	Rotorua District Council
Far North District Council	Ruapehu District Council
Franklin District Council	South Waikato District Council
Gisborne District Council	South Wairarapa District Council
Gore District Council	Southland Regional Council
Grey District Council	Stratford District Council
Hamilton City Council	Tauranga District Council
Hastings District Council	Thames Coromandel District Council
Hawkes Bay Regional Council	Upper Hutt City Council
Hurunui District Council	Waikato District Council
Hutt City Council	Waikato Regional Council
Invercargill City Council	Waimakariri District Council
Kaikoura District Council	Waimate District Council
Kawerau District Council	Waipa District Council
MacKenzie District Council	Waitakere City Council
Manawatu District Council	Waitomo District Council
Manukau City Council	Wanganui District Council
Masterton District Council	Wellington Regional Council
Matamata-Piako District Council	Western Bay of Plenty District Council
Napier City Council	Westland District Council
New Plymouth District Council	Whakatane District Council
Otago Regional Council	Whangarei District Council

Resource consent applications processed within time limits

In the 1998/99 financial year 82% of all resource consents were processed within statutory time limits, an improvement from 78% last year and 76% in 1996/97. This includes resource consents where the time limits were extended using section 37. Table 9 presents the percentage of each consent type processed within statutory time limits. The results for subdivision and land use consents improved from last year, while coastal, water and discharge results declined. In particular, there was a noticeable decrease in the percentage of coastal permits being processed within time.

Audit New Zealand found there was inconsistency between the audited local authorities regarding the timing of stopping the clock when a decision is issued. Section 115(1) of the RMA states that it should be upon “notice” to the applicant, hence the date used to stop the clock should be the date that the applicant is notified rather than the date the decision is made. Audit New Zealand found that many of the audited local authorities use the date the decision was made, and although the letter to the applicant is often issued on the same day as the approval, they identified a number of occasions where a day or two had elapsed before the letter was sent out. Local authorities should make note of this and address their procedures to ensure that the time-limit clock is only stopped when the applicant is notified.

REFER TABLE 9

Notified and non-notified resource consent applications processed within time limits

Figures 4-15 present the proportions of resource consents, notified and non-notified, processed within time by local authorities in 1998/99. Included in these graphs are the proportions collected in the 1997/98 annual survey. This enables an indication of performance improvement or decline across the last two years. Appendix 4 provides a full summary of the percentage of notified and non-notified consent applications processed by individual local authorities within time in 1998/99.

This year, only 55% of all notified consents were processed within statutory time limits, compared with 64% in 1997/98 and 66% in 1996/97. This is of some concern, particularly when Audit New Zealand consistently found that there is a lack of effective internal mechanisms in place to improve performance in this area.

While it is pleasing to note that a number of local authorities were able to process at least 80% of their notified consents within time in 1998/99, it is disturbing to see that several processed less than 20% of these consents within time. In particular, we observe that the Canterbury Regional Council has consistently processed less than 5% of notified consents within time in 1996/97, 1997/98 and 1998/99 respectively. We would encourage local authorities that are performing poorly in meeting statutory timeframes to reconsider their use of section 37, and to look to those local authorities that are meeting timeframes for ideas for improvement.

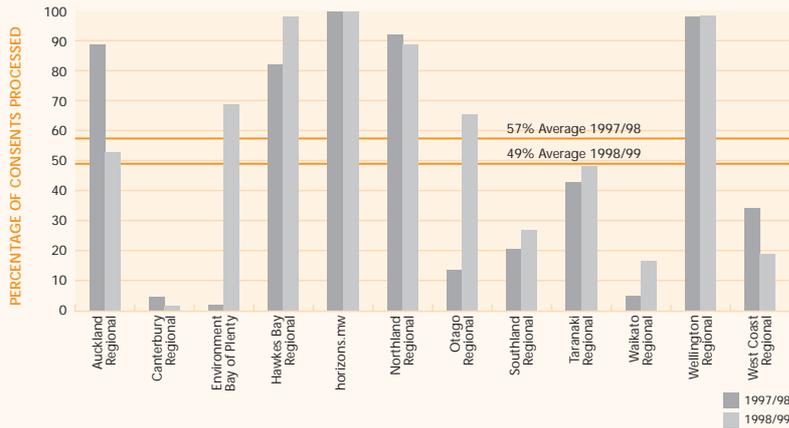
83% of non-notified consents were processed within time limits, a slight improvement from 79% in 1998/97 and 77% in 1996/97.

Table 9: Consents by type, processed within statutory time limits

Consent type	Subdivision	Land use	Coastal	Water	Discharge
% processed within time 1998/99	81%	86%	69%	58%	61%
% processed within time 1997/98	77%	81%	84%	61%	66%
% processed within time 1996/97	76%	83%	78%	25%	48%

Source: RMA annual survey of local authorities 1998/99, Question 3.5–3.6
 RMA annual survey of local authorities 1997/98, Question 2.2–2.4
 Annual survey of local authorities (1996/97 survey)

Figure 4: Notified consents processed within time – Regional councils



Source: RMA annual survey of local authorities 1998/99, Question 3.5; and 1997/98, Question 2.2

Notified consents processed within statutory time (including section 37) by family group

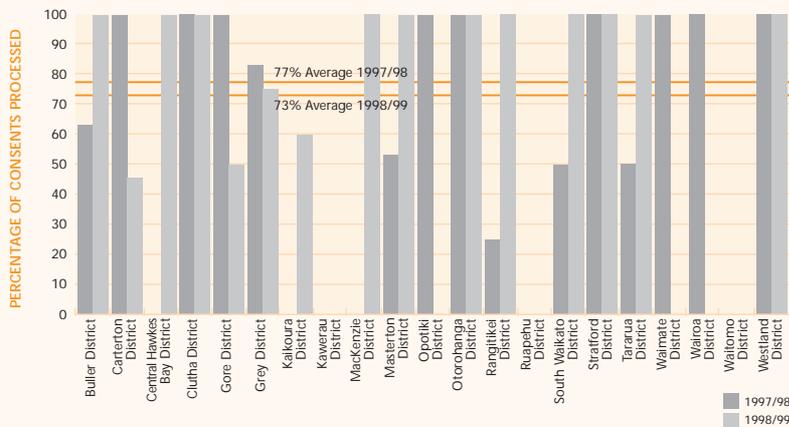
REFER FIGURES 4-9

Note: Kawerau District, Waimate District, Wairoa District, Waitomo District, Chatham Islands, and Ashburton District processed no notified consents in 1998/99.

Invercargill City, Selwyn District, Thames-Coromandel District, Nelson City, Whangarei District, and Far North District were unable to supply time limit information for notified consents in 1998/99.

Where data is missing for 1997/98, this is either due to the local authority processing no notified consents for that year, or due to an inability to provide this information.

Figure 5: Notified consents processed within time – Territorial authorities (Group 1)



Source: RMA annual survey of local authorities 1998/99, Question 3.5; and 1997/98, Question 2.2

Note: Opoitiki and Ruapehu District Councils processed 0% of notified consents within time in 1998/99.

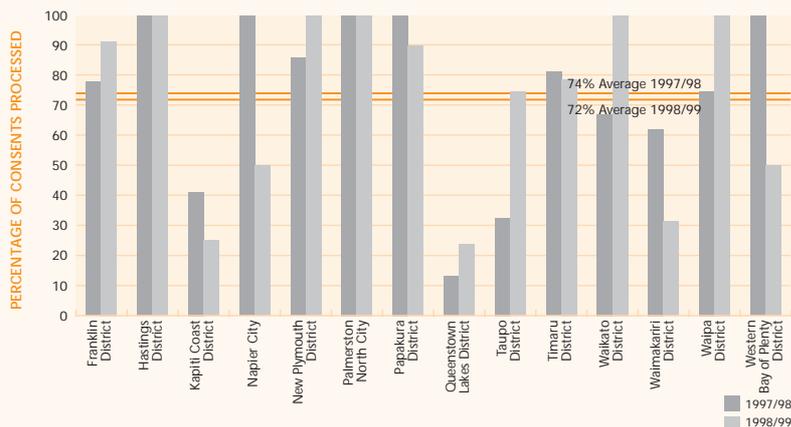
Figure 6: Notified consents processed within time – Territorial authorities (Group 2)



Source: RMA annual survey of local authorities 1998/99, Question 3.5; and 1997/98, Question 2.2

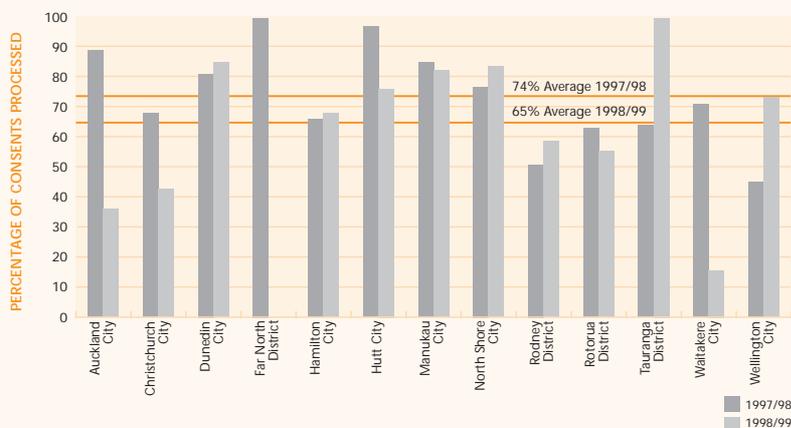
Note: Hume District Council processed 0% of notified consents within time in 1998/99; the remainder of local authorities who do not have information for 1997/98 and/or 1998/99 could not supply this data.

Figure 7: Notified consents processed within time – Territorial authorities (Group 3)



Source: RMA annual survey of local authorities 1998/99, Question 3.5, and 1997/98, Question 2.2

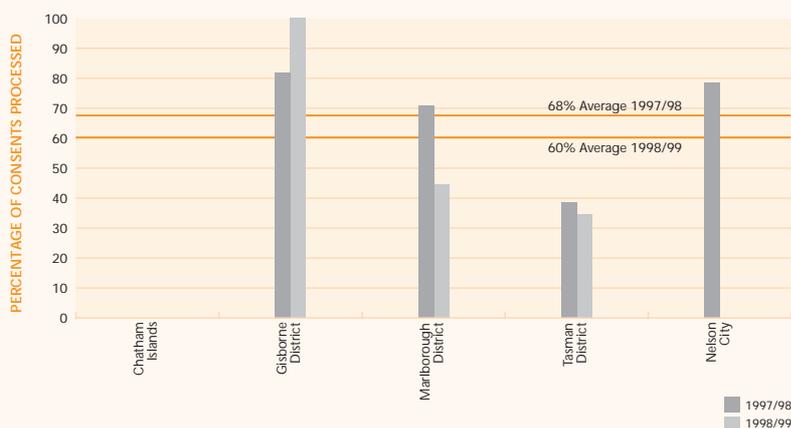
Figure 8: Notified consents processed within time – Territorial authorities (Group 4)



Source: RMA annual survey of local authorities 1998/99, Question 3.5, and 1997/98, Question 2.2

Note: Local authorities that do not have information for 1997/98 and/or 1998/99 could not supply this data.

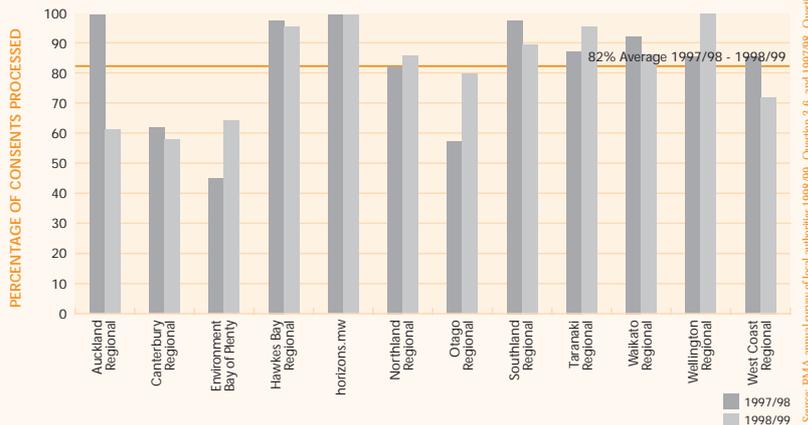
Figure 9: Notified consents processed within time – Unitary authorities



Source: RMA annual survey of local authorities 1998/99, Question 3.5, and 1997/98, Question 2.2

Note: Chatham Islands did not process any notified consents in 1997/98 or 1998/99, and Nelson City could not provide this information in 1998/99.

Figure 10: Non-notified consents processed within time – Regional councils



Non-notified consents processed within statutory time (including section 37) by family group

REFER FIGURES 10-15

Note: Invercargill City, Selwyn District, Thames-Coromandel District, Nelson City and Manukau City were unable to supply time limit information for non-notified consents processed in 1998/99.

Where data is missing for 1997/98, this is either due to the local authority processing no notified consents for that year, or due to an inability to provide this information.

Figure 11: Non-notified consents processed within time – Territorial authorities (Group 1)

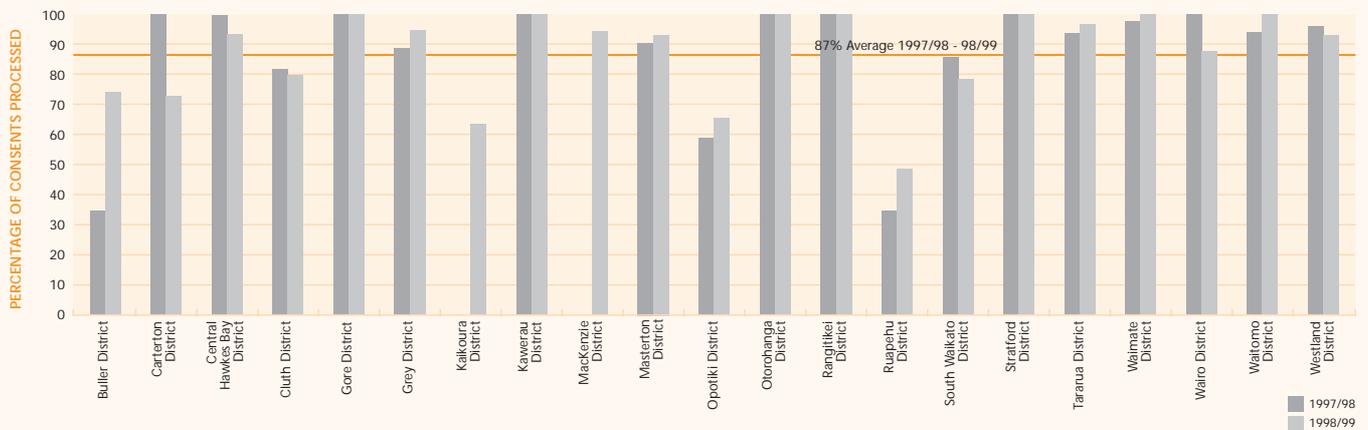


Figure 12: Non-notified consents processed within time – Territorial authorities (Group 2)

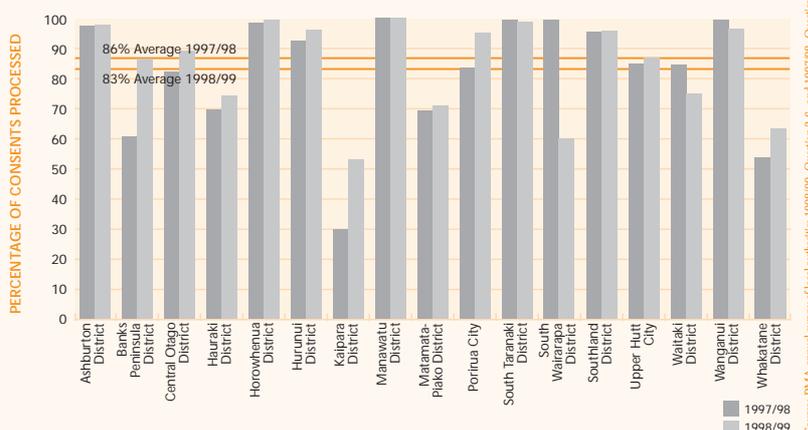
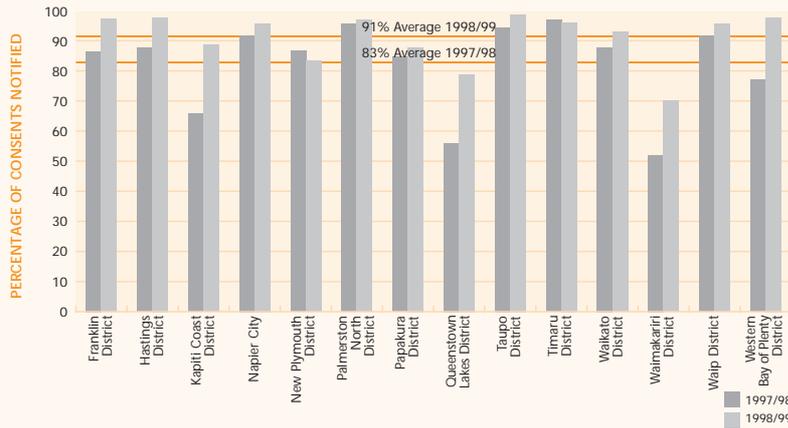
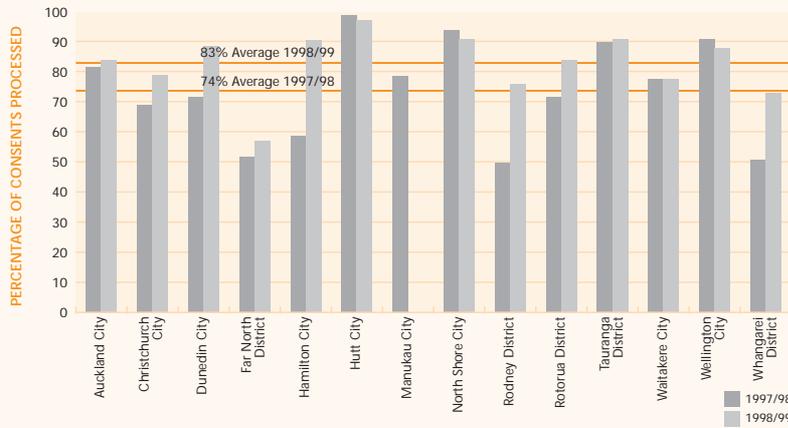


Figure 13: Non-notified consents processed within time – Territorial authorities (Group 3)



Source: RMA annual survey of local authorities 1998/99, Question 3.6, and 1997/98, Question 2.3, 2.4

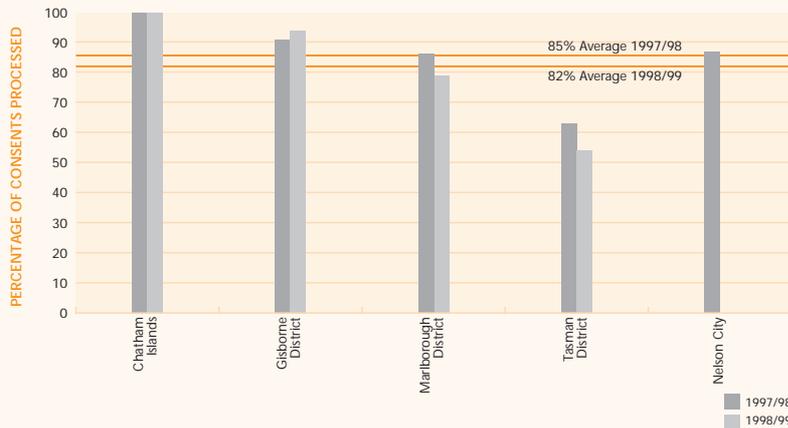
Figure 14: Non-notified consents processed within time – Territorial authorities (Group 4)



Source: RMA annual survey of local authorities 1998/99, Question 3.6, and 1997/98, Question 2.3, 2.4

Note: During 1998/99, the North Shore City Council used councillors and community board members sitting as commissioners to decide on ALL resource consent applications, in effect meaning a hearing was held for all non-notified resource consents. This doubles the statutory timeframes for a decision, meaning the results are slightly distorted when this local authority is compared with other like authorities.

Figure 15: Non-notified consents processed within time – Unitary authorities



Source: RMA annual survey of local authorities 1998/99, Question 3.6, and 1997/98, Question 2.3, 2.4

Use of section 37 to extend time limits

We consider it good practice to use section 37 to extend statutory time limits. This is instead of resorting to stopping the clock with a non-genuine further information request or allowing consent processing to run over time limits without informing the applicant and affected parties. Audit New Zealand found that some of the audited local authorities were unaware that they could apply both section 92 (placing an application on hold for further information requests) and section 37 (extension of timeframe) on the same application. There is a misconception among some local authorities that the use of section 37 as a tool to extend timeframes is “cheating”.

Overall, in 1998/99, section 37 was used to extend statutory time limits for 3% of the total consents processed, which is the same result as last year. Local authorities processed 83% of those consents within the extended time limits established. This is down from the 92% of consents processed within section 37 time limits last year.

We acknowledge that the use of section 37(1) can be used as an indicator of local authority performance, but that section 37(5A) cannot. This is because section 37(5A) is used with the agreement or at the request of the applicant and may not involve a set deadline. Respondents were also asked to provide information on whether section 37(1) or section 37(5A) was used to extend the time limits. Not all local authorities were able to answer this question and many indicated they did not record this information. Of those that did, some had difficulty providing accurate information. From the inexact information provided, it appears that section 37(1) was used approximately 1.5 times that of section 37(5A).

Cost

This year the Ministry sought information on the costs incurred by local authorities at each stage of the development of a policy statement or plan under the RMA.

We also endeavoured to gather comparative data on the administrative costs to local authorities and the corresponding charges to applicants for resource consent processing. We sought this information because of:

- A number of local authority requests for comparative cost data in the Annual Survey
- A growing amount of correspondence received by the Minister and the Ministry on costs associated with resource consents.

Cost incurred by local authorities in producing RMA plans

The 1997/98 annual survey collected general information on the costs of RMA plan production and asked local authorities to outline the key components of these costs. The 1998/99 survey expanded on this by seeking information on the costs involved with each stage of the plan preparation process. This was intended to provide a clearer picture of the points in the process where the major costs occur.

Unfortunately, drawing conclusive findings from analysis of this data has been hampered by several factors. We were unable to use a significant proportion of the plan cost data provided by local authorities. While we received data on the costs of producing 130 plans and policy statements, we were unable to use the data from 74 of these for the following reasons:

- 29 local authorities were unable to provide a breakdown of the costs of each stage in plan production and could only provide a total cost
- The question gave local authorities the opportunity to indicate they were partway through a particular stage but still required that they provide the costs for this stage. This resulted in data that does not provide an accurate picture of the cost of producing the stage as it had only been partially completed.

Many local authorities experienced difficulties in providing accurate estimates of the costs of producing plans and policy statements. Audit New Zealand found that a number of the audited local authorities could not substantiate their estimates. Comments received in response to this cost question from several of the non-audited local authorities indicated that a number of others also experienced similar problems.

Because of the above issues, we could only draw tentative conclusions about the costs of producing each stage of a plan or policy statement and as a result, the findings are of limited value. Meaningful comparison has been restricted by poor quality data and a severely reduced data set available for analysis.

Tables 10-14 provide an indication of the level of costs incurred at each stage of plan production (on the basis of the data we were able to use). Table 15 provides a comparison of the average costs of producing each stage of a plan or policy statement. It is important to remember that these results are based on the analysis of 56 plans and policy statements. It should also be noted that where local authorities did not include all cost factors, these figures are more than likely under-estimates.

REFER TABLES 10-15

Table 10: Pre-draft plan preparation costs (estimates)

Pre-draft costs	Lowest	Average	Highest	n=
District plans (which included all cost factors)	\$10,000	\$654,134	\$3,000,000	18
District plans (which did not include all cost factors)	\$60,000	\$364,095	\$840,375	9
Regional policy statements	\$206,500	\$218,250	\$230,000	2
Regional plans	\$3,737	\$113,606	\$458,000	12
Unitary plans			Insufficient data to analyse	

Source: RMA annual survey of local authorities 1998/99, Question 4.1

Table 11: Draft plan preparation costs (estimates)

Draft costs	Lowest	Average	Highest	n=
District plans (which included all cost factors)	\$8,000	\$371,022	\$1,650,000	18
District plans (which did not include all cost factors)	\$50,000	\$181,057	\$333,000	8
Regional policy statements			Insufficient data to analyse	
Regional plans	\$9,762	\$212,936	\$955,000	9
Unitary plans			Insufficient data to analyse	

Source: RMA annual survey of local authorities 1998/99, Question 4.1

Table 12: Notified plan preparation costs (estimates)

Notified costs	Lowest	Average	Highest	n=
District plans (which included all cost factors)	\$20,000	\$323,252	\$1,030,000	15
District plans (which did not include all cost factors)	\$105,000	\$271,059	\$562,425	10
Regional policy statements	\$176,000	\$538,000	\$900,000	2
Regional plans	\$28,153	\$269,646	\$1,119,000	16
Unitary plans			Insufficient data to analyse	

Source: RMA annual survey of local authorities 1998/99, Question 4.1

Table 13: Appeal plan preparation costs (estimates)

Appeal costs	Lowest	Average	Highest	n=
District plans (which included all cost factors)	\$2,000	\$857,333	\$4,000,000	6
District plans (which did not include all cost factors)	\$92,551	\$702,380	\$1,453,831	5
Regional policy statements			Insufficient data to analyse	
Regional plans	\$62,475	\$191,895	\$400,000	5
Unitary plans			Insufficient data to analyse	

Source: RMA annual survey of local authorities 1998/99, Question 4.1

Table 14: Operative plan preparation costs (estimates)

Operative costs	Lowest	Average	Highest	n=
District plans (which included all cost factors)	\$28,000	\$151,333	\$360,000	3
District plans (which did not include all cost factors)	\$2,532	\$34,177	\$50,000	3
Regional policy statements			Insufficient data to analyse	
Regional plans	\$200,000	\$262,500	\$350,000	4
Unitary plans			Insufficient data to analyse	

Source: RMA annual survey of local authorities 1998/99, Question 4.1

From the limited analysis we were able to carry out, it appears that a majority of costs in district plan development are incurred during the appeal stage. Territorial authorities averaged costs of \$700,000-800,000 during the appeals process. Regional councils appear to experience the most significant costs during the notification phase of regional plan and policy statement production, with an average of \$270,000-540,000 incurred during this stage. We were unable to determine the most costly stage in producing unitary plans, as we received insufficient usable data from these authorities.

With the exception of regional plans, the completion of the operative stage of production resulted in the least cost to local authorities. For regional plans, the least expensive stage was the pre-draft phase.

Costs of resource consent processing and charges to applicants

Public and private benefit

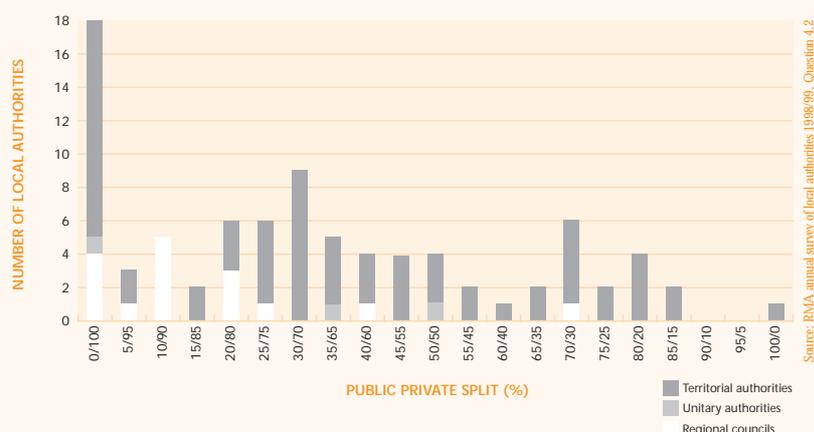
From 1 July 1998 all local authorities were required to adopt a funding policy under section 122N of the Local Government Act 1974. A funding policy begins by attempting to identify the level of public and private benefit for each function of the local authority. This allocation may then be modified by equity and fairness concerns, with the final split being incorporated into the relevant budget mechanism that provides the most appropriate method of funding activities. In simple terms, the amount of private benefit becomes a target for revenue to be obtained from various direct charges (such as charges to resource consent applicants) and the public benefit is recovered through rates.

Table 15: Comparison of average production costs of plans and policy statements

Plan type	Pre-draft	Draft	Notified	At appeal	Operative
District plans (which included all cost factors)	\$654,134	\$371,022	\$323,252	\$857,333	\$151,333
District plans (which did not include all cost factors)	\$364,095	\$181,057	\$271,059	\$702,380	\$34,177
Regional policy statements	\$218,250	\$110,000	\$538,000	\$71,000	\$25,000
Regional plans	\$113,606	\$212,936	\$269,646	\$191,895	\$262,500
Unitary plans	Insufficient data to analyse				

Source: RMA annual survey of local authorities 1998/99, Question 4.1

Figure 16: Public:Private split identified by local authorities for resource consent processing



Source: RMA annual survey of local authorities 1998/99, Question 4.2

Resource consent processing as a function of local authorities should be provided for in the funding policy. In many cases, particularly in smaller authorities, resource consent processing is often grouped as part of a single resource management category or may be grouped with other regulatory functions such as dog control or liquor licensing. The 1998/99 annual survey asked local authorities to provide information on the costs to council and the charges to the applicant in undertaking resource consent processing. The Ministry was particularly interested in the distribution between public and private benefit for consent processing and whether the charges payable by applicants were based on this split. It was intended that these figures would be used as a check on local authority cost recovery processes.

Most local authorities were able to provide their distribution between public and private benefit for resource consent processing. Figure 16 presents the range of this distribution. The majority of local authorities determined a split where the benefit was 100% private - to be recovered through charges to the applicant for consent processing.

REFER FIGURE 16

65% of local authorities indicated that their charges to resource consent applicants were based on the split identified in their funding policy. The 35% of local authorities that did not base their charges in this way all stated that their charges were based on the actual cost of processing the consent.

Recording processing costs

In previous years, we have had problems in collecting accurate information on the costs of processing resource consents. Generally, it has been difficult for local authorities to extract this data from council financial systems. We hoped that reviewing this aspect of the questionnaire would resolve these issues, however the same problems have occurred in the 1998/99 survey responses. The Ministry remains interested in the costs and charges of resource consent processing and despite these problems intends to continue to monitor this aspect of resource management practice.

73% of local authorities indicated they kept a record of the costs of processing resource consents. However, this was not reflected in the number of local authorities able to provide quality data on the actual costs of processing notified and non-notified resource consents. Only 30 local authorities could provide this information, whether in part or full. While cost recording is not a mandatory requirement under the RMA, maintaining a record of consent processing costs provides a means to consider the costs of the resource management regime, and to review the level of public and private benefit and associated charging policies.

The difficulties many local authorities experienced in providing this information suggests there may be a need to review the effectiveness of the recording systems adopted. Some local authorities noted that cost data was not stored on the consents database but was stored in a separate financial system, and was therefore difficult to separate from other costs.

Local authorities that did not keep a record of the costs of processing individual resource consents were asked to provide reasons for taking this approach. The most common responses were that:

- Set fees are charged for non-notified applications
- Records of costs are only kept for notified or otherwise complex applications.

Charges to applicants and costs to local authorities for processing resource consents

The 1998/99 survey asked local authorities to provide information on the following aspects of resource consent processing charges and costs:

- Minimum and maximum charges to resource consent applicants for notified/non-notified resource consents processed
- Minimum and maximum full costs to the council for notified/non-notified resource consents processed
- Average charge to resource consent applicants and average full costs to the council of the *middle third*¹⁵ of notified/non-notified resource consents processed.

Approximately 33% of local authorities were able to provide information on their charges and costs in resource consent processing, and many of these indicated that their data was an estimate only. Several local authorities could only provide partial information, for example only recording the charges to applicants. In other instances, they could provide information for some consent types but not others. Due to the limited responses received we have analysed territorial authority data together rather than in family groups.

A wide variation in responses was found between local authorities charges and costs. Analysis of this data, the findings of Audit New Zealand, and various comments made by local authorities on survey responses has shown this to be due to:

¹⁵ *The Ministry decided to collect information on the average of the middle third of notified/non-notified consents processed because the figures would be more comparable as the high and low cost extremes would have been disregarded.*

- Charges to applicants for processing resource consents being based either on the actual and true cost of the processing, or on the amount of private benefit identified for this activity by the local authority in their funding policy.

- Local authorities including different factors when calculating costs, or only providing a very rough estimate due to difficulties in extrapolating this information from other cost data.
- Local authorities receiving a one-off consent application that incurred significant costs in processing.

Table 16: Regional councils: average charges to the applicant and the average cost to the local authority (middle third)

Regional Councils	Land		Water		Coast		Discharge		n=
	Charge	Cost	Charge	Cost	Charge	Cost	Charge	Cost	
Notified	\$5,223	\$5,247	\$2,876	\$6,443	\$4,049	\$5,845	\$4,065	\$4,542	4
Non-notified	\$364	\$496	\$531	\$630	\$507	\$607	\$498	\$655	5

Source: RMA annual survey of local authorities 1998/99, Questions 4.5b and 4.6b

Table 17: Territorial/unitary authorities: average charges to the applicant and the average cost to the local authority (middle third)

Territorial/unitary authorities:	Subdivision		Land		n=
	Charge	Cost	Charge	Cost	
Notified	\$2,712	\$3,057	\$2,940	\$3,636	20
Non-notified	\$496	\$625	\$311	\$439	20

Source: RMA annual survey of local authorities 1998/99, Questions 4.5b and 4.6b

Table 18: Notified consents: average minimum and maximum charges and costs

Consent type	Average charge to applicant		Average costs to local authority		n =
	Minimum	Maximum	Minimum	Maximum	
Subdivision	\$2,161	\$25,974	\$2,248	\$38,054	28
Land	\$1,436	\$24,465	\$1,737	\$25,494	33
Water	\$1,527	\$32,257	\$1,547	\$58,544	4
Coast	\$2,794	\$10,047	\$3,039	\$7,956	4
Discharge	\$1,525	\$23,918	\$1,674	\$32,069	5

Source: RMA annual survey of local authorities 1998/99, Questions 4.6 and 4.6a

Table 19: Non-notified consents: average minimum and maximum charges and costs

Consent type	Average charge to applicant		Average costs to local authority		n =
	Minimum	Maximum	Minimum	Maximum	
Subdivision	\$271	\$10,859	\$295	\$17,829	20
Land	\$161	\$2,933	\$218	\$3,752	25
Water	\$180	\$2,057	\$224	\$2,739	4
Coast	\$212	\$3,043	\$275	\$3,822	4
Discharge	\$226	\$3,254	\$325	\$4,294	5

Source: RMA annual survey of local authorities 1998/99, Questions 4.5 and 4.5a

Tables 16-19 illustrate the average, minimum and maximum charges to applicants and costs to local authorities for processing notified and non-notified resource consents. Of the middle third of notified applications processed (tables 16 and 17), land use consents incur the highest charges to applicants however water permits incur the highest cost to local authorities. On average, it is less expensive both in terms of charges and costs, to process notified subdivision consents, compared to notified land use consents.

Table 18 shows that notified water permits produced the most expensive maximum average cost and charge (\$58,544 and \$32,257) although this data is somewhat skewed by a particularly costly water permit application received by one regional council. Notified subdivision consents produced the second most expensive maximum average costs and charges. Subdivision was also the most costly non-notified consent type in terms of maximum charges and costs. Notified coastal permits incurred the least expensive maximum costs and charges although only four regional councils were able to provide this data.

REFER TABLES 16-19

When considering this information, it is important to bear in mind that the averages are representative of a very low number of councils and include significant variation in data reliability.

Good practice in resource consent processing

One of the main purposes of the annual survey is to promote local authority good practice and improved performance in fulfilling their RMA and other resource management functions. The 1998/99 survey collected good practice information on the pre-application and application phases of the resource consent process, and information on the assessment of customer satisfaction with this process. This year we were also interested in local authority initiatives to improve practice in resource consent processing and the recognition of local authority good performance by other organisations.

Pre-application

73% of local authorities define the environmental effects that must be addressed in consent applications for controlled and restricted discretionary activities. The use of such guiding material helps applicants in these instances to ensure that their Assessment of Environmental Effects (AEE) is focused on the issues to which the local authority has reserved its control or restricted its discretion. This contributes to good quality applications that are easier to prepare and process.

The majority of local authorities, (61%), 'often' or 'always' provide potential applicants with an estimate of the cost of applying for a resource consent if so requested. 34% of local authorities 'sometimes' do this. 5% of local authorities responded that they 'never' supplied estimates. Increasing numbers of local authorities are moving towards the use of fixed fee structures for charging applicants the costs of processing non-notified resource consents. Informing people of what to expect in terms of processing costs is an important means of managing potential applicants' expectations about costs.

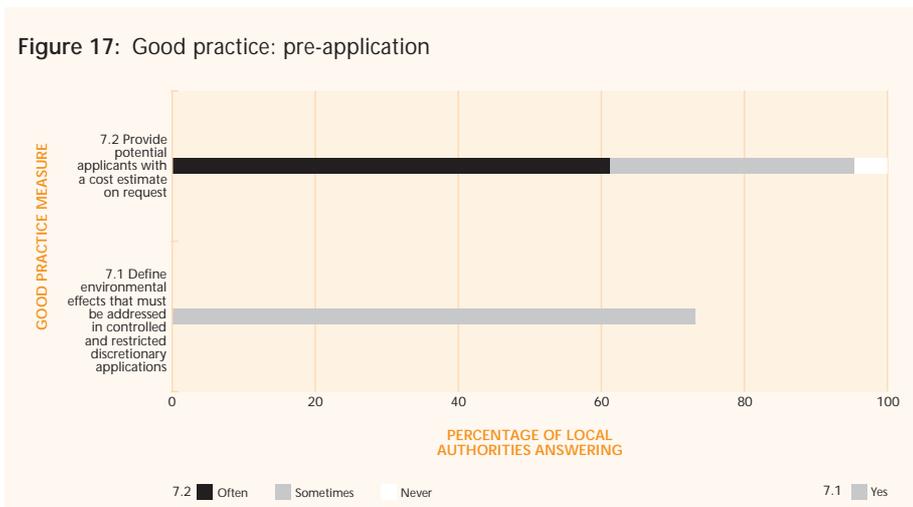
REFER FIGURE 17

Application process

Receiving applications and requests for further information

The Ministry considers it good practice to use pre-acceptance checks to make sure that an application provides all the appropriate information required. Currently the Act does not specifically state that local authorities can reject deficient applications. One of the proposed changes in the Resource Management Amendment Bill 1999 is to clarify that a local authority can reject a deficient application. The 1998/99 survey found that 42% of local authorities will return a deficient application to the applicant before formally receiving it.

Figure 17: Good practice: pre-application



Adequate information contained within a consent application is essential for smooth and efficient processing. Reducing the number of further information requests made under section 92 ensures that the total time taken from lodging an application to the issuing of a decision is kept to a minimum. The Ministry considers it is good practice for local authorities to have mechanisms in place to assist in minimising the number of requests for further information, for instance checklists for applicants detailing what to include in their application. 42% of local authorities have such mechanisms in place, including:

- Brochures, checklists, guidelines and application forms for the public to follow when preparing their consent applications
- Use of pre-application consultation with applicants including the review or assessment of draft applications
- Provision of good customer service and duty planners to help with enquiries, provide guidance and to vet applications
- Appointment of a case officer/project leader to manage the consent through the approval process

- Coordination between departments so that requests for information are made by one person.

Audit New Zealand found that one local authority had a unique means of reducing further information requests by having a policy that the District Planner or Environmental Services Manager must approve requests for further information after the first request had been made.

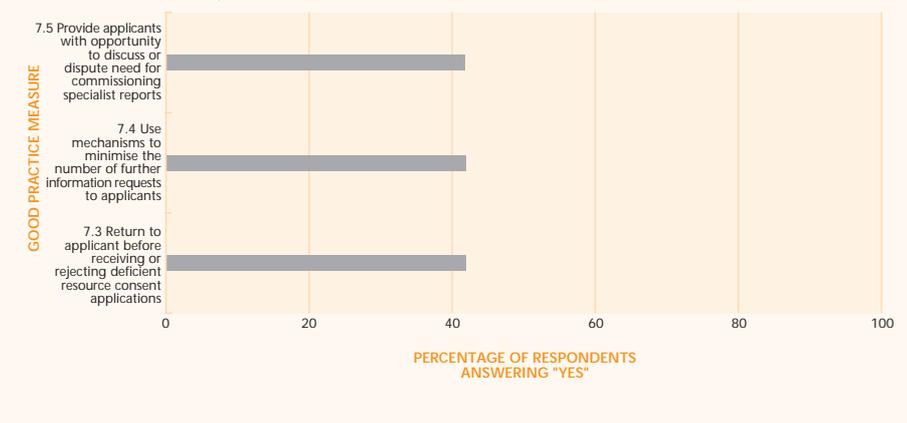
Audit New Zealand established that in the audited local authorities there was a general lack of mechanisms to reduce further information requests. Information provided to applicants to assist in completing the application was either not user friendly or did not cover all areas of the application. They also found that while the use of checklists for applicants was an effective means of reducing further information requests, such checklists were not often used.

The Ministry also considers it is good practice to monitor the use of section 92. If similar requests for further information are occurring with different applications, then checklists may need to be reviewed, or specific guidance material developed to assist applicants in providing adequate information.

Before commissioning specialist reports, 42% of local authorities indicated that they provide applicants with the opportunity to discuss or dispute the requirements to provide such information and/or obtain it themselves. This is good practice as it allows applicants to avoid having to pay for a specialist report if it turns out not to be necessary or if the information can be obtained from another source.

REFER FIGURE 18

Figure 18: Good practice: application process
(Receiving applications and requests for further information)



Assessments of Environmental Effects (AEEs) and notification

63% of local authorities indicated that they follow a set process to check that environmental effects are adequately identified and addressed in AEEs. This is an improvement on the 53% recorded last year. Following a set process ensures that all the necessary steps are followed and completed, and also helps to provide consistency (from application to application as well as from officer to officer). The nature of the set process varied between local authorities, including the following:

- Internal checklists for each type of category
- Internal procedures and protocols, for example a procedures manual
- Peer reviews of assessment
- Group discussions
- Site visits
- Use of Ministry guidelines, such as *Auditing Assessments of Environmental Effects*

Some advised that they did not have a set process *per se*, preferring to retain flexibility and allow the approach to depend on the particular application. Some relied on requirements stated in the District Plan or used the Fourth Schedule as a checklist.

58% of local authorities indicated that guidance notes or checklists are available to staff on when to notify an application (an improvement on the 53% last year). Only 44% advised they have guidance notes or checklists available to staff on how to identify affected parties (a slight decrease on the 47% who last year advised they did). Checklists and guidance notes assist staff to make consistent decisions on notification and the identification of affected parties.

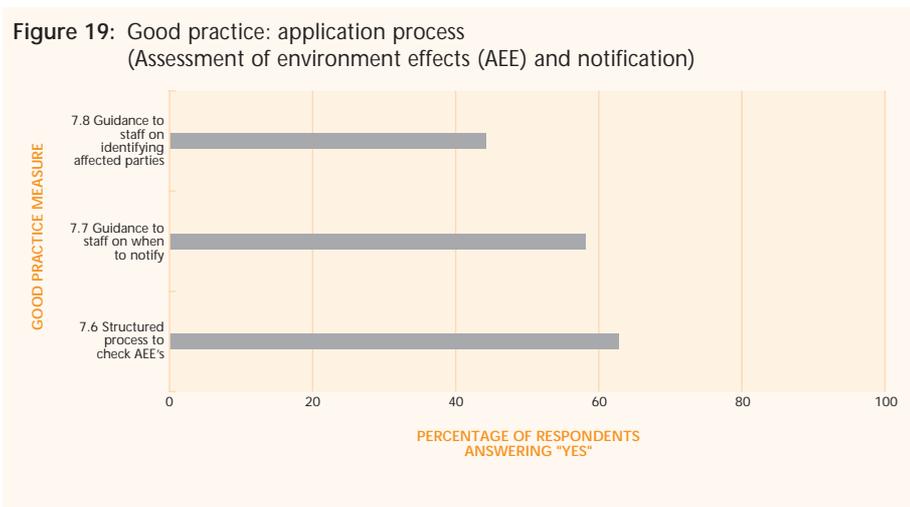
REFER FIGURE 19

Monitoring processing timeframes

79% of local authorities formally monitor and report consent processing performance, the results of which are made available to ratepayers. Various approaches are used, such as annual reports on consent processing performance.

Almost all local authorities monitor whether consents are processed within statutory time limits, with the majority of respondents indicating that they monitored timeframes on a weekly or monthly basis. 70% of local authorities use a variety of mechanisms to assist staff to process resource consents within time. These generally involved:

Figure 19: Good practice: application process (Assessment of environment effects (AEE) and notification)



- Use of diary, whiteboard or wall chart to monitor timeframes
- Computer generated reminders to the planner or manager as to when a decision is due
- Weekly print-out of when decisions on resource consents are due
- Team meetings to discuss progress reports on allocated applications.

However, Audit New Zealand found that of the audited local authorities, there was a general lack of effective mechanisms to assist in processing applications within statutory timeframes. Audit New Zealand considered that local authorities could be more effective in meeting their targets if they placed the responsibility to meet timeframes with individual planners.

REFER FIGURE 20

Decisions on notified resource consent applications

This year we were interested in the size of hearing panels for resource consent applications used by local authorities (council committees/ hearing commissioner panels/ mixed panels). The size of hearings panels should be no more than that required to make an informed and reasoned decision. Unnecessarily large panels can impose large costs on applicants for no added benefit.

We asked local authorities to estimate the number of people used to hear notified consents, and the frequency each size was used. While we acknowledge that the figures were only estimates, indicative results are presented in Table 20. It shows that groups of one to three people were used most commonly, closely followed by panels of four to five people. The local authorities responding to this question indicated they did not use panels of more than 10 people.

REFER TABLE 20

Customer satisfaction

The public's primary contact with the RMA is through the resource consent process. Therefore, many members of the public judge the success of the RMA based upon the level of service they receive from local authorities. The provision of high quality service and monitoring to try and improve this service is very important.

We found that 59% of local authorities use customer satisfaction surveys to establish what applicants think of their resource consent processes. This is an increase from last year when 48% of local authorities indicated they ran such surveys. The frequency with which these surveys are conducted varied. Most answering this question indicated that they surveyed customer satisfaction yearly, but several indicated they carried out surveys less frequently, for example triennially.

Figure 20: Good practice: monitoring timeframes

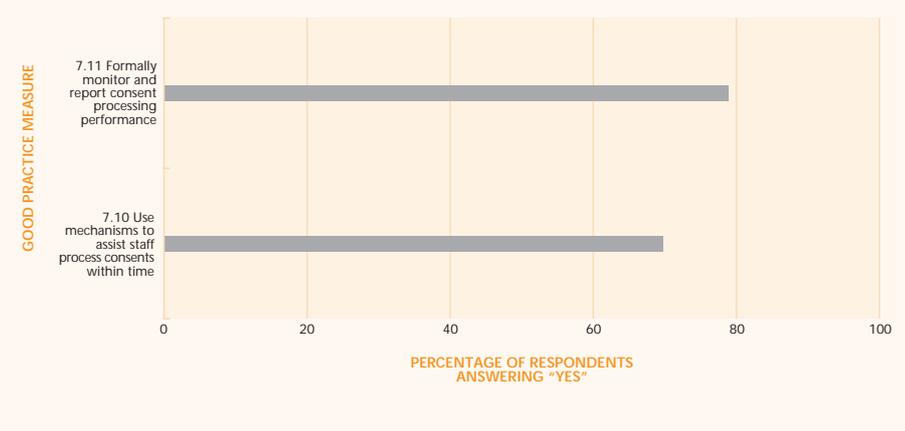


Table 20: Percentage usage of different sized panels for hearing notified resource consent applications

Size of panel	Average usage
1-3 people	48%
4-5 people	38%
6-10 people	14%
More than 10 people	0%

Source: RMA annual survey of local authorities 1998/99, Questions 7.12

Others survey more regularly, for example on a quarterly basis. Some respondents indicated that they included customer feedback forms with every decision issued.

50% of local authorities undertaking these surveys used the level of customer satisfaction as an indication of performance for their resource consent processes (compared with 41% last year). 56% use the feedback from customer satisfaction surveys to review resource consent processes, up from 47% in 1997/98.

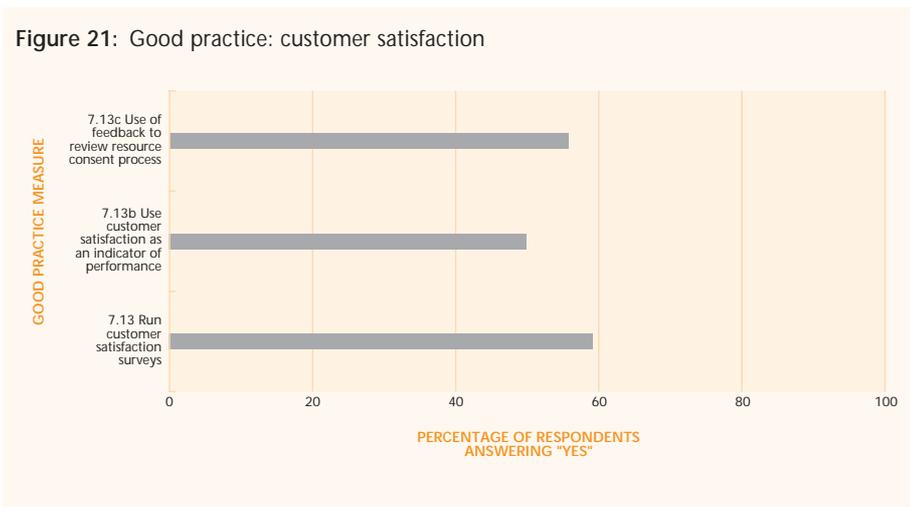
REFER FIGURE 21

Improving performance

In stimulating good practice and performance, the Ministry was interested in innovative or effective ideas and general actions local authorities had implemented during 1998/99 to improve practice in resource consent processing. Innovative and effective ideas included:

- Preparation of brochures, information packs and user-friendly application forms for the public, particularly for specific activities
- Development of in-house checklists and procedures manuals
- Improvements to the customer service area to establish a 'one-stop shop' for environmental consents
- Increased delegation to planning staff
- Development/refinement of resource consents database and use of standard computer templates for writing letters and preparing reports
- Use of Geographic Information Systems to identify affected persons and generate mailing lists
- Investigation of consent issuing in the field
- Allowing applicants to opt for processing by consultants at full cost for "urgent" applications.

Figure 21: Good practice: customer satisfaction



General actions to assist in improving resource consent processing practice included:

- Development of a procedures manual for staff to use
- Development/maintenance of an ISO compliant system¹⁶
- Analysis and redesign of consents processing system
- Use of computer system to monitor consents and track progress
- Performance audits
- Looking at best practice of other local authorities.

Finally, the following local authorities reported that they have been recognised by other organisations for good performance:

- Auckland City Council – City Planning (Policy) Group: 1999 New Zealand Business Development Quality Award (NZBDQA)
- Hutt City Council: ISO accreditation achieved for all environmental processes and functions
- Kapiti Coast District Council: resource consent publications acknowledged by the Legal Services Board of the Christchurch Community Law Centre
- Nelson City Council: New Zealand Planning Institute Nancy Northcroft Award for Proposed Resource Management Plan 1997
- Northland Regional Council: NZBDQA
- Otorohanga District Council: 1998 Resource Management Law Association (RMLA) Award for innovative process, content and production of the Otorohanga District Plan; 1999 Finalist in the KPMG Public Sector Innovation Awards – District Plan Project
- Waikato District Council: highly recommended by Society Of Local Government Managers for community consultation at Tamahere
- Waitakere City Council: RMLA award for proposed District Plan
- Wellington Regional Council: 1998 RMLA award; 1999 NZBDQA award.

¹⁶ *The ISO 9000 series is primarily concerned with “quality management”. “Quality management” means what the organisation does to ensure consistency of performance of its products. The ISO 14000 series is primarily concerned with “environmental management”. Essentially this means what the organisation does to minimise harmful effects on the environment caused by its activities.*

Both ISO 9000 and ISO 14000 concern the way an organisation goes about its work, and not directly the result of this work. In other words, they both concern processes, and not products – at least, not directly.

Monitoring and enforcement

Section 35 monitoring

Monitoring policies, processes and environmental outcomes is an important aspect of the RMA and is a required practice for local authorities under section 35 of the Act. Section 35 includes monitoring:

- The state of the environment
- The suitability and effectiveness of policy statements and plans
- The exercise of any functions, powers, or duties delegated or transferred by the local authority
- Compliance with resource consent conditions.

The 1997/98 annual survey reported that all local authorities are involved in some type of section 35 monitoring. This year's results are consistent with this finding. Table 21 compares this year's results with the findings from the 1997/98 survey. Regional councils remain the most involved in carrying out monitoring responsibilities. However, there have been significant increases in the number

of territorial authorities undertaking monitoring in the 1998/99 year. Territorial activity across different types of monitoring increased by an average of 9%.

REFER TABLE 21

This year we were interested in the amount spent by local authorities on their monitoring functions in the 1998/99 year. We found that 41 local authorities had a separate budget for section 35 monitoring in the 1998/99 year but only 31 were able to provide spending figures. Table 22 shows, in family groups, the average amount spent by those 31. As expected, regional and unitary authorities spent the most on monitoring. The larger territorial authorities had greater monitoring budgets than the smaller authorities. 29 local authorities that indicated they did not have a separate budget for monitoring were able to provide an estimate of how much they spent discharging their section 35 responsibilities during 1998/99. This average is included in Table 22.

REFER TABLE 22

¹⁷ Includes 27 territorial authorities, one regional council and one unitary authority.

Table 21: Percentages of local authorities monitoring under section 35 1998/99 (n=86) and 1997/98 (n=86)

LA Type	Monitor SOE		Produce SOE report		Monitor plans & policies		Delegated or transferred functions		Monitor consent conditions		Monitor complaints register	
	98/99	97/98	98/99	97/98	98/99	97/98	98/99	97/98	98/99	97/98	98/99	97/98
Regional	100%	100%	58%	50%	92%	75%	50%	67%	100%	100%	100%	100%
Territorial	42%	34%	11%	15%	52%	43%	49%	37%	96%	91%	86%	78%
Unitary	80%	80%	75%	60%	60%	60%	40%	20%	100%	100%	60%	60%

Source: RMA annual survey of local authorities 1998/99, Question 5.1
RMA annual survey of local authorities 1997/98, Question 4.1

Table 22: Average amount spent on section 35 monitoring responsibilities (in family groups) n=31

Family group	Average amount spent	Number of local authorities answering
Regional	\$1,977,843	9
T1	\$13,333	3
T2	\$19,567	6
T3	\$51,330	7
T4	\$205,000	5
Unitary	\$882,898	1
Authorities who did not have a separate budget ¹⁷	\$209,993	29

Source: RMA annual survey of local authorities 1998/99, Question 5.2c

State of the Environment monitoring and reporting

State of the Environment monitoring involves the monitoring of key indicators to determine¹⁸:

- The environmental baseline
- Sudden changes or gradual trends away from that baseline
- The cause-effect relationship between human activity, actions and environmental outcomes
- The success and effectiveness of resource management policy.

State of the Environment (SOE) reports may be produced as an output of this monitoring. They:

- Provide a picture of the state of the whole, or parts of the environment of a district or region
- Can enable a local authority to determine how best to balance sustainability objectives with the outcomes desired by the particular community.

Ideally, SOE reports should be used in reviewing district and regional plans as these documents provide a means to implement the sustainable management of the environment.

The annual survey found that fewer local authorities produced SOE reports in 1998/99 than in the previous year. However, there was a small increase in the number of regional councils and unitary authorities producing SOE reports. It is important to note that many local authorities are still in the early stages of state of the environment monitoring and may have chosen to focus on monitoring one aspect of the environment rather than producing a report on the whole. Also, some local authorities may choose not to produce SOE reports annually.

Joint monitoring

Approximately 37% of local authorities were involved in joint monitoring with other statutory bodies. Joint monitoring was predominantly carried out between regional councils and territorial/unitary authorities, and in some instances was also undertaken with health authorities and the Department of Conservation. Typically, this monitoring was of the following issues:

- Fresh and coastal water quality
- Resource consent conditions
- Pest eradication.

Plan effectiveness monitoring

Section 35(2)(b) states that local authorities shall monitor the suitability and effectiveness of their plans and policy statements. “Plan effectiveness” monitoring enables councils to determine whether objectives, policies and methods are achieving the environmental results anticipated as a result of their implementation. If not, plan effectiveness monitoring provides a mechanism to determine whether the plan or policy statement needs to be changed and a system for continuous plan improvement.

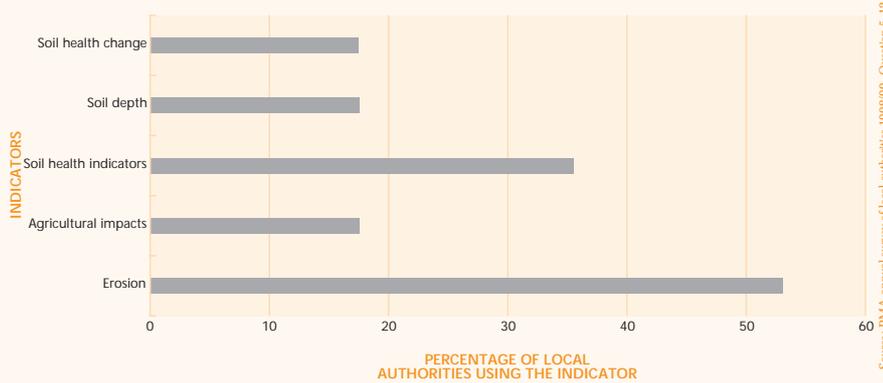
The Ministry for the Environment has recognised the demand for information on plan effectiveness monitoring and is currently working on practice guidelines¹⁹. The 1998/99 annual survey sought an indication of local authority involvement in plan monitoring to assist with guideline development. We found that fifty local authorities have undertaken work towards the development of a plan effectiveness monitoring strategy, however much of this work is in initial development.

Plan effectiveness monitoring is also a useful mechanism for determining whether a local authority is using appropriate consent categories for key issues, e.g. permitted, controlled, discretionary activity status.

¹⁸ Beanland, R.A. and Huser, B.A. (1999). *Integrated Monitoring. A Manual for Practitioners. Environment Waikato, Hamilton.*

¹⁹ For further information on plan effectiveness guidelines, contact Erica Sefton, Ministry for the Environment (04) 917 7433, or erica.sefton@mfe.govt.nz

Figure 22: Regional and unitary authorities using MfE Land EPIs (n=17)



Source: RMA annual survey of local authorities 1998/99, Question 5.12

65% of all local authorities indicated they would use the results of plan effectiveness monitoring to assist with establishing consent categories.

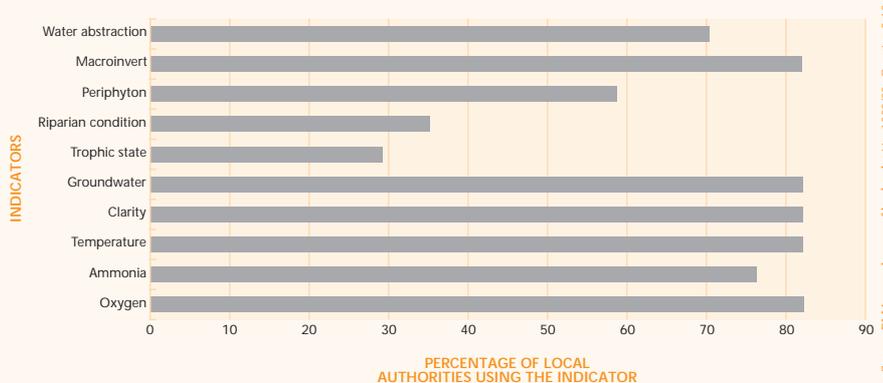
The monitoring requirements of section 35 do not have to be implemented in isolation of one another. We found that 33% of local authorities used, or intended to use the monitoring information collected by resource consent holders to assist it to assess the effectiveness of plan policies and rules. A further 29% intended to use their state of the environment monitoring to assess this. It is pleasing to see that some local authorities are undertaking to integrate their different monitoring responsibilities in this way.

Use of national environmental indicators

The Ministry for the Environment's Environmental Performance Indicators (EPI) Programme²⁰ has added to the core set of indicators developed since last year's annual survey. Indicators for waste and contaminated sites, indigenous biodiversity, and the marine environment are not limited to regional council and unitary authority monitoring, and may be utilised by any local authority. The percentage of local authorities using the core set of indicators is shown in Figures 22-27.

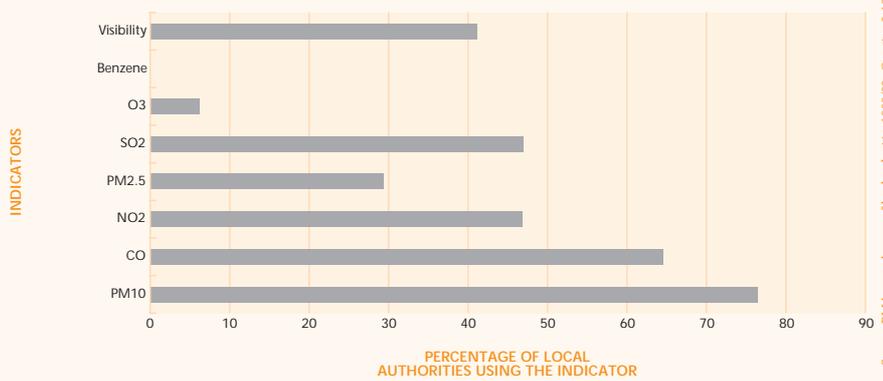
REFER FIGURES 22-27

Figure 23: Regional and unitary authorities using MfE Water EPIs (n=17)



Source: RMA annual survey of local authorities 1998/99, Question 5.12

Figure 24: Regional and unitary authorities using MfE Air EPIs (n=17)



Source: RMA annual survey of local authorities 1998/99, Question 5.12

²⁰ For further information on the Ministry's Environmental Performance Indicators Programme, refer to our website, www.mfe.govt.nz, or alternatively contact Kirsty Johnston, Project Leader (04) 917 7471, or kirsty.johnston@mfe.govt.nz

Figure 25: Local authorities using MfE Waste EPIs

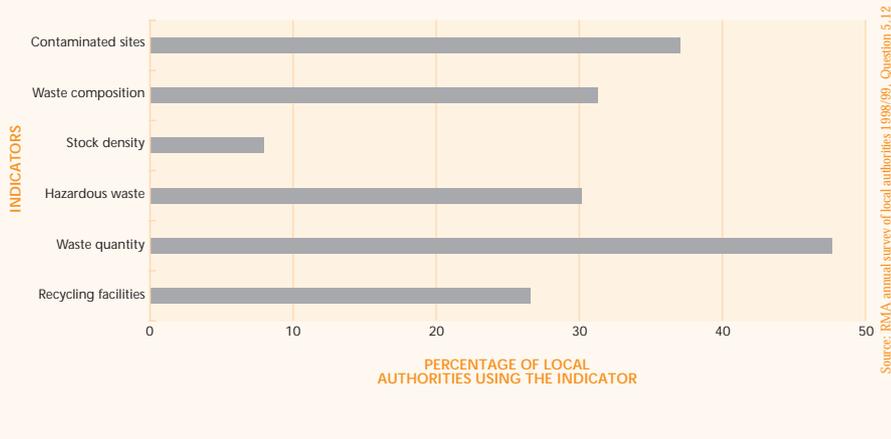


Figure 26: Local authorities using MfE Indigenous Biodiversity EPIs (n=86)

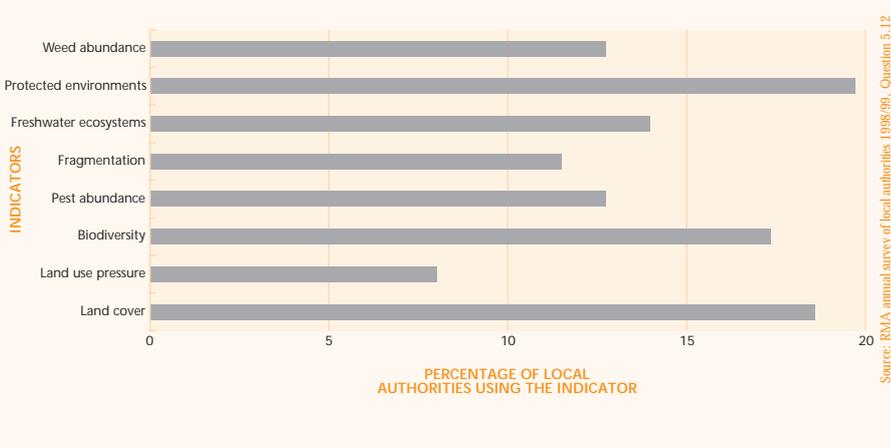
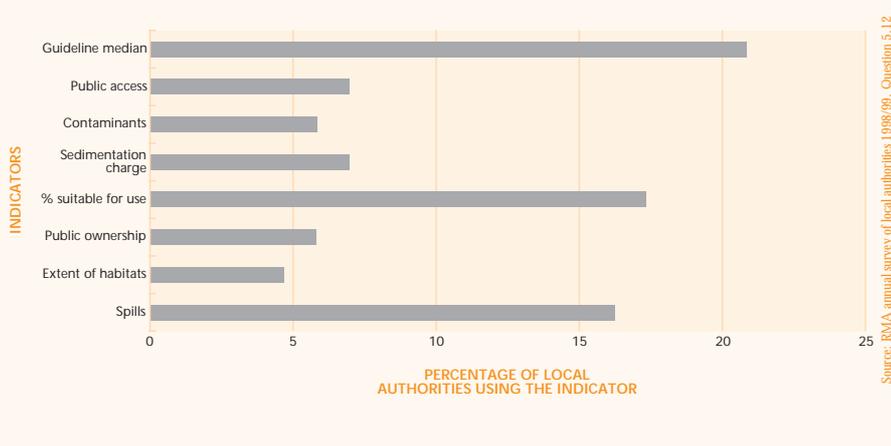


Figure 27: Local authorities using MfE Marine Environment EPIs (n=86)



Enforcement and compliance

The 1998/99 survey asked local authorities to provide information on the resolution of complaints alleging breaches of the RMA or other resource management incidents, and the resolution of recorded breaches of consent conditions. It followed up on information from last year on the number of complaints and breaches responded to through formal and informal means.

Complaints about breaches of the RMA

In the 1997/98 year, a significant proportion of complaints concerning alleged breaches of the RMA were not dealt with either formally or informally. We were unable to draw conclusions as to why this occurred. In the 1998/99 survey, we sought more detailed information regarding the numbers of complaints that were not resolved to the local authorities satisfaction or were not responded to.

77,354 complaints concerning alleged breaches of the RMA or other resource management incidents were recorded by the 77 local authorities able to provide this information. This is a substantial increase from the 45,950 complaints recorded by local authorities in the 1997/98 survey, but is likely to be system based rather than incident based. There was no corresponding increase in the number of local authorities able to provide this information from 1997/98 to 1998/99.

Audit New Zealand found that of the local authorities audited, a number included noise complaints in their response to the 1998/99 survey, whereas in the previous survey they had omitted this data. This may also be a contributing factor in the considerable increase in complaints recorded in the 1998/99 year.

17% of the 77,354 complaints were resolved through formal enforcement processes, the majority of which were excessive noise directions. Very few complaints were resolved with abatement notices and even fewer with enforcement orders. 38% were resolved informally through other means. This implies that 45% of recorded complaints had either not been responded to or had not been resolved by the end of the 1998/99 year.

Of the 45% of complaints not responded to or not resolved, many local authorities made the comment that a large proportion of these had been responded to, but were still in the process of being resolved by the end of the 1998/99 year. Others commented that while they could report the number of complaints recorded, they were unable to provide a breakdown of how each was resolved. It is important to note that section 35(5)(i) of the Act requires all local authorities to maintain a summary of written complaints received concerning alleged breaches of the Act and how these breaches were dealt with. The difficulties expressed by these particular authorities suggests a need for recording systems to be revised to ensure that local authorities are able to fulfil their responsibilities under the legislation.

Other reasons for not responding to, or alternatively for not resolving complaints included:

- No problem found on investigation therefore no action warranted
- Limited time and staff resources
- Complex nature of complaints
- Unjustifiable complaints.

We consider that finding no problem on investigation, or recording an unjustifiable complaint are both forms of complaint resolution.

Setting internal targets for complaint response and/or resolution is considered a best practice method of ensuring that local authorities have a formal process for dealing with complaints. While this is not a statutory requirement, the Ministry was interested in the use of this practice. We found that 69% of local authorities set targets for responding to and/or resolving complaints. Typically the setting of targets rested on the type of complaint received and its relative urgency. The most common targets set by local authorities were:

- Excessive noise complaints: a response time of thirty minutes
- An initial response within 24 hours of receipt of a complaint
- Decisive action on the complaint within three, five or ten working days depending on the urgency of the complaint.

Compliance with consent conditions

61 local authorities recorded 6,880 breaches of resource consent conditions in the 1998/99 year. 92% of these breaches were dealt with through informal means or were minor administrative matters that did not require further action. Only 4% were dealt with through formal enforcement processes and a further 4% were not dealt with either formally or informally. This information is similar to last year's findings, although significantly fewer local authorities responded to the question. There were slightly fewer breaches responded to informally, and slightly more responded to formally in 1998/99 than the preceding year.

Many local authorities reported problems in providing information regarding breaches of consent conditions. This was commonly due to a lack of in-house formal measures for recording this information. Several local authorities stated that this in itself was due to a lack of council resources.

66 local authorities were able to provide information on resource consent compliance monitoring. Of the resource consents administered by these local authorities, 57% were monitored for compliance with consent conditions in 1998/99. 68% of these consent holders actually complied with their consent conditions in 1998/99. Again, a lack of local authority resources appeared to be the most common reason why more local authorities were not monitoring consents for compliance with conditions.

Maori participation

The 1998/99 survey expanded on information sought last year. We were interested in how local authorities have carried out their various functions under the RMA relating to Maori participation in resource management. This year's questionnaire also followed up on previous surveys to identify trends and improvements in this area of local authority practice.

Funding for Maori participation in RMA processes

We found that there was an increase in the proportion of local authorities making a budgetary commitment to Maori/iwi participation in RMA processes. In the 1998/99 year, 63% of local authorities made a commitment, in comparison with 58% last year. However the average amount budgeted for Maori participation decreased slightly from \$50,000 in the 1997/98 year to \$48,292 in 1998/99.

We sought an indication of the types of activities that were funded. Of the 54 local authorities making this commitment, funding was relatively evenly spread between the following:

- Contracts with external iwi committees
- Payment for advice received on assessment of effects
- Internal staff training costs.

Some funding was also directed towards iwi attendance on standing committees.

A variety of other activities were also funded including:

- Identifying sites of significance to iwi and undertaking waahi tapu inventory studies
- Carrying out consultative activities on plan and policy development e.g. hui
- Facilitating iwi input into specific projects
- Financial contributions to Te Runanga o Ngai Tahu to update Te Whakatau Kaupapa (an iwi resource management document)
- Contracts with iwi to comment on non-notified consents
- Funding assistance for iwi management plans and planning documents
- Joint monitoring projects
- Maori participation in major consent working parties
- Developing memoranda of understanding
- Employing Maori policy advisors, iwi liaison officers, and Maori Consultative Committees (advisory).

Consultation with iwi

Local authorities were again asked which mechanisms they used to consult with iwi and to rank their effectiveness on the following scale:

- 1 = most effective
- 2 = average
- 3 = least effective.

Figure 28 shows the range of mechanisms used by local authorities to consult with iwi and their effectiveness. The three used most frequently in the 1998/99 year were:

- Sending draft plans to iwi for comment
- Holding hui on marae
- Maintaining a database or silent file of waahi tapu sites.

The first two mechanisms were also the most used in 1997/98 and 1996/97.

REFER TO FIGURE 28

This year's survey found that the use of most iwi consultation mechanisms had increased from the 1997/98 year. Effectiveness ratings also improved slightly from 1997/98 for most mechanisms, with the exception of using Maori standing committees and Maori working groups. The most effective consultation mechanisms were:

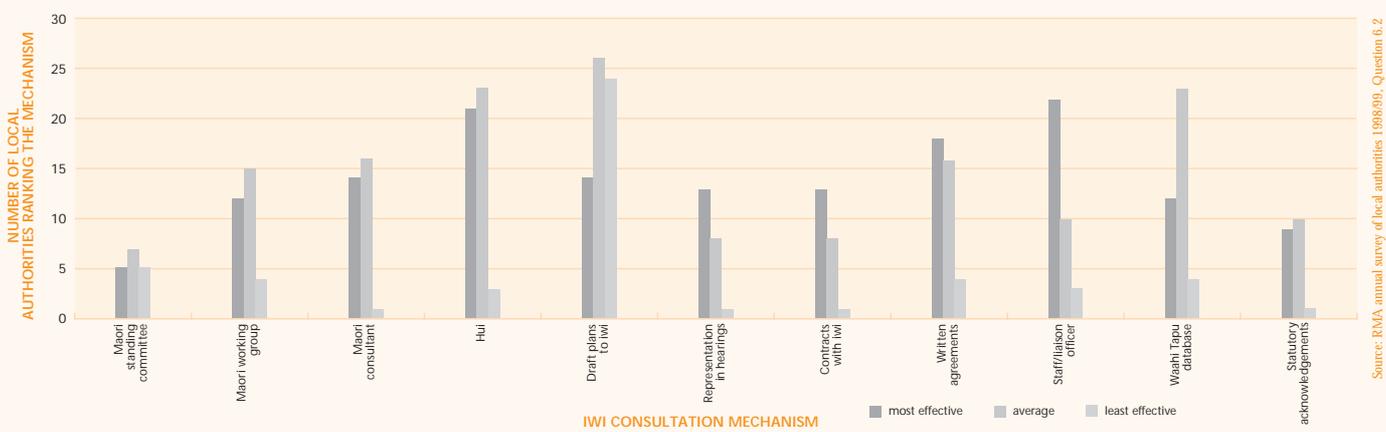
- Employing a Maori liaison officer
- Holding hui with local iwi

Local authorities also ranked these mechanisms as being the most effective in 1997/98.

Other iwi consultation mechanisms listed by local authorities, but not ranked for effectiveness included:

- Specific consultation on notified activities
- Personal contact and consultation with affected iwi regarding specific proposals
- Field trips/site visits with iwi representatives
- Sending all consent applications, notified and non-notified to iwi
- Iwi involvement in compliance monitoring.

Figure 28: Local authority use and effectiveness ranking of iwi consultation mechanisms (n=86)



Source: RMA annual survey of local authorities 1998/99, Question 6.2

Implementing section 6(e) of the RMA

Section 6(e) of the RMA requires all persons exercising functions and powers under the Act to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. 86% of all local authorities have included provisions in their plans to enable them to recognise and provide for these relationships. A further 80% have identified sites of importance to Maori in their plans.

64% of local authorities provide guidance for their staff for determining when iwi are likely to be affected parties in a resource consent application and should therefore be notified of the proposal. 37% have a silent file of sites with which local iwi have special relationships.

A range of other mechanisms were used by local authorities in fulfilling their section 6(e) requirements, including:

- Funding research into the identification of historic sites
- Facilitating iwi input into non-statutory documents and plans
- Developing maps showing “areas of interest” for each marae within a district
- Joint funding to produce iwi planning documents
- Preparation of memoranda of understanding
- Direct contact with iwi who advise on specific issues
- Sending a copy of the resource consents register to iwi.

Taking into account the principle of active protection of Maori interests

This year we asked local authorities to outline how they have taken into account the Treaty of Waitangi principle of active protection of Maori interests. This stems from section 8 of the RMA, which requires all persons exercising functions and powers under the Act to take into account the principles of the Treaty.

A wide range of responses was received. Some local authorities focused on one or two approaches, others have incorporated the protection of Maori interests into many facets of their resource management processes. Several local authorities indicated that in providing for section 6(e) matters, they were taking into account the principle of active protection.

The following is a summary of some of the ways local authorities are fulfilling these responsibilities:

- Involvement of iwi in developing RMA plans and strategies and annual plans
- Sending copies of resource consent applications to runanga for consideration and comment
- Sponsoring a planner to act on behalf of a hapu or iwi
- Establishment of protocol and memoranda of understanding on various iwi resource management issues and the development of contractual partnerships
- Specific sections and provisions in plans for local iwi resource management matters
- Employment of iwi liaison officers
- Establishment of various iwi committees and Maori advisory groups
- Local authority attendance at iwi meetings and marae committees
- Financial support for production of iwi management plans

- Joint funding of an iwi resource management agency
- Considering Treaty implications in officers reports
- Maori representatives on resource management committees with full voting rights, and Maori commissioners on consent hearings.

Training on Treaty/Maori/iwi issues

As with last year, 27% of local authorities provided training for councillors on Treaty, Maori or iwi issues in the 1998/99 year. More local authorities are now providing training for staff members. 50% of local authorities undertook to provide this in the 1998/99 year, compared to 46% in the 1997/98 year.

This year the Ministry was interested in the types of training being provided for councillors and staff members. Most local authorities that provided training did so on a variety of Treaty of Waitangi matters including Treaty awareness, history, Maori perspectives, Treaty obligations, and how to apply the Treaty in the workforce. Other training was provided on cultural awareness, tikanga Maori, local Maori history, and marae protocol. A number of local authorities within the Ngai Tahu rohe provided training on Treaty settlements and statutory acknowledgements under the Ngai Tahu Claims Settlement Act 1998.

Accessing advice on iwi matters

Local authorities provided information on the mechanisms they used for enabling councillors and/or staff to access advice on iwi and related matters. The most commonly used mechanisms were:

- Experienced internal planner
- Iwi liaison officer
- Contract with an iwi advisor.

Other mechanisms used included:

- Having iwi representatives on various committees to provide advice
- Using an external consultant planner
- Nominating a contact person within local iwi authorities
- Council staff regularly attending iwi liaison group meetings
- Consulting directly with iwi
- Using a Maori advisory group.

Determining whether iwi are an affected party

66% of all local authorities have criteria or policy to determine whether iwi/hapu are considered an affected party for consent applications. This is almost double the proportion of local authorities adopting this practice in 1997/98.

Iwi planning documents

73% of local authorities have regard to relevant planning documents recognised by iwi authorities when preparing or changing a district or regional plan, although this is a statutory requirement under sections 66 and 74. This figure may be disproportionate as not all iwi groups have prepared planning documents.

Delegation of functions

Seven of the 86 local authorities used section 34 to delegate functions, powers or duties to a committee of their local authority that includes a Maori or iwi representative appointed under section 114R(4) of the Local Government Act. This is an increase of one local authority from 1997/98.

Statutory acknowledgements

Statutory acknowledgements were introduced in the Ngai Tahu Claims Settlement Act 1998 as a means of recognising and providing for the particular cultural, spiritual, historic, and traditional association of Ngai Tahu with seventy 'statutory areas'. These areas are listed in the Claims Settlement Act and represent an innovative approach to improving existing RMA processes to incorporate Ngai Tahu interests into resource management decision-making. The Claims Settlement Act:

- Requires consent authorities to forward summaries of all relevant resource consent applications to Te Runanga o Ngai Tahu;
- Requires consent authorities to have regard to these areas in determining whether Te Runanga o Ngai Tahu is an affected party in a resource consent application concerning a statutory area;
- Enables Statutory Acknowledgements to be used in submissions to consent authorities, the Environment Court and the Historic Places Trust; and
- Requires local authorities within the Ngai Tahu claims area to record all relevant Statutory Acknowledgements on plans and policy statements.

There are 25 local authorities whose boundaries fall within the Ngai Tahu rohe. The 1998/99 survey found that 11 of these authorities received resource consent applications that affected statutory acknowledgements. 98 applications were received in total, with the Southland Regional Council receiving just under half.

Other issues

²¹ Includes policy statements produced by unitary authorities

²² Includes regional coastal plans

²³ Includes resource management documents produced by the Chatham Islands Council

²⁴ This column records 78 district plans, more than one for each of the 70 territorial authorities. This is because some territorial authorities have chosen to produce their plans in sections which are at different stages in the process. These have been recorded as separate plans for the purposes of these results.

The annual survey collected information on a number of issues which the Ministry for the Environment either has a statutory responsibility to monitor (e.g. transfers of functions under section 33) or wishes to evaluate at a national level (e.g. the current status of plan/policy statement development).

Plan status

The Ministry for the Environment considers it useful to collect information on the stage at which plans and policy statements are at in the development process. This information is collected regularly to ensure there is an up to date register of plan status. It also provides a measure of progress through the transition period into full implementation of the RMA. Appendix 5 outlines plan and policy statement status as at 1 June 2000.

Table 23 summarises the number of plans and policy statements at each stage in the development process. 19 plans and policy statements have become fully operative since the previous annual survey. The remainder are progressing well through the process.

REFER TABLE 23

Table 23: Summary of plan status as at 1 June 2000

Number of plans at each stage	Regional policy statements ²¹	Regional plans ²²	Unitary plans ²³	District plans ²⁴	Total
Fully operative	12	20	4	26	62
At appeal or partially operative	4	11	4	26	45
Notified	-	20	6	20	46
Pre-notification	-	Information not available	Information not available	6	6

Source: RMA annual survey of local authorities 1998/99, Question 4.1, and Ministry for the Environment internal database of plan and policy status

Private plan changes

Local authorities received 41 applications for private changes to operative regional and district plans in the 1998/99 year. This represents little change from the previous year.

Plan references

Since the Act's inception in 1991, 3,305 references on notified and operative RMA plans and plan changes (including transitional plans) have been lodged. A majority of local authorities were unable provide information on the percentage of these plan references that have been resolved, either through negotiation, consent order or withdrawal, without proceeding to a full Environment Court hearing.

Transfer of functions

No local authority indicated that it had transferred functions, powers or duties to other public authorities under section 33 of the RMA during the 1998/99 financial year.

Resource consents

24 local authorities reported that 268 consents lapsed because they had not been given effect to within two years of their granting (section 125).

6 local authorities reported that 42 consents were cancelled because although they had been exercised since they were granted, they had not been exercised for a continuous period of two years (section 126). The Wellington Regional Council reported a majority of these.

58 local authorities received 1,444 applications by the consent holder for changes in consent conditions (section 127).

Conclusion

This year's findings

The annual survey provides a useful indicator of current local authority RMA practice. The survey also provides a benchmark to encourage good practice and to achieve improved performance in RMA implementation.

Information from this and previous surveys can be seen as a baseline for tracking local authority practice improvements against benchmarks in the RMA and/or best practice guidance produced by the Ministry for the Environment. Results from the annual survey also provide a stimulus for local authorities to compare their performance with their peers and to share information about good practice.

Results from the 1998/99 annual survey are a mixture of sound performance improvements in some areas, but also a decline or little change in others. However, this is the first year that all 86 local authorities responded to the survey – an encouraging statistic. Particular areas of improvement include monitoring and enforcement, Maori participation in RMA processes, good practice in resource consent processing and plan status.

Fewer resource consents were received and processed in 1998/99 compared with the previous year and there has been no change in the proportion of consents declined or appealed. The drop in consent numbers processed by the larger territorial authorities was particularly noticeable. 82% of all resource consents were processed within statutory time limits in 1998/99, a 4% increase from 1997/98. However only 55% of notified consents were processed within time limits and on an individual basis, a number of local authorities processed significantly fewer notified resource consents within statutory time limits in 1998/99 than they reported in 1997/98. This is of some concern and remains an area that the Ministry will continue to monitor.

Despite this, we recorded a number of positive aspects of local authority resource consent practice. The majority of local authorities formally monitor and report consent processing performance, the results of which are made available to ratepayers. Increasing numbers of local authorities are also using customer satisfaction surveys to establish what applicants think of their resource consent processes, and use the level of customer satisfaction as an indication of their performance in this area. These actions demonstrate local authority transparency and accountability in resource consent processing.

Local authorities reported that 40% of pre-hearing meetings held in 1998/99 resolved the issue to the extent that no formal hearing was held. Of the appeals on resource consent decisions that were heard by the Environment Court, we found that a reasonable proportion (40%) were upheld in their entirety. This indicates that local authority decisions on resource consents are generally of a high standard, with the initial decisions being confirmed by the Environment Court.

Local authorities are making steady progress towards implementing their RMA monitoring responsibilities. There was a 9% increase in the numbers of territorial authorities undertaking their various section 35 responsibilities in 1998/99. As we move towards the development of second generation plans, it is pleasing to note that over half of local authorities had undertaken work towards developing plan effectiveness monitoring strategies by the end of the 1998/99 financial year.

In addition to these performance improvements, there have also been increases in the number of local authorities making a budgetary commitment to Maori/iwi participation in RMA processes. Twice as many local authorities (66%) had adopted criteria or policy to determine whether iwi/hapu are an affected party for consent applications in 1998/99 than in the previous year. Local authorities were also able to identify a wide range of mechanisms and tools currently being employed to facilitate Maori/iwi participation in resource management.

Finally, a growing number of plans and policy statements are now fully operative, with 62 having reached this point by 1 June 2000, a significant increase from the 43 listed as operative at 1 January 1999. Increasing numbers of plans are also moving into the appeal or partially operative stage of plan development.

A new element of this year's annual survey was the opportunity for local authorities to have key aspects of their survey response audited by Audit New Zealand. 28 local authorities took up this opportunity. Of those local authorities audited, Audit New Zealand was generally satisfied that critical data was robust and that adequate audit trails existed from data sources and records to the responses given in the survey. The audit gives a higher degree of validity to the results of this year's survey and is an opportunity that the Ministry hopes more local authorities will take up with the 1999/2000 annual survey.

Many core questions in the 1998/99 survey did not differ widely from those asked in the preceding year, with the exception of the section on costs. We had hoped that revising this section would enable us to collect more robust information than in previous years. However we were disappointed to observe that a number of local authorities experienced difficulties in providing information on the

costs of producing plans and policy statements, and on the charges to applicants and costs to local authorities for resource consent processing. Cost recovery and the cost of the RMA to resource users is an area of practice the Ministry intends to continue monitoring and we hope that local authorities will be better placed to provide data in the 1999/2000 survey.

Future steps

This year's annual survey has produced useful information on the implementation of RMA processes and practices by local authorities, highlighting a number of performance improvements and positive practices adopted by local authorities. However, it has also drawn attention to some basic difficulties experienced by local authorities in the accurate recording of core RMA and resource management data. To address this issue, the Ministry intends to promote consistent approaches in data recording over the next year and will be working to produce guidance for local authorities in this area of practice.

Future annual surveys will centre on key resource management practice and process questions asked in the 1998/99 questionnaire. The 1999/2000 survey will not differ widely from the previous two, with the exception that it will be reduced in length, in particular by containing fewer research questions. Consistency in survey format will enable local authorities to maintain their recording systems to capture this core information. It will also enable the Ministry to consistently monitor key aspects of RMA practice, and to identify further improvements in performance and implementation of innovative practices over time.

Appendix 1:

Number of resource consent applications processed by each local authority
(in family groups)

Family group	Local authority	Resource consents processed	
		1997/98	1998/99
Regional councils	Auckland Regional Council	961	749
	Canterbury Regional Council	2032	2096
	Environment Bay of Plenty	495	345
	Hawkes Bay Regional Council	541	665
	horizons.mw	369	473
	Northland Regional Council	732	564
	Otago Regional Council	898	675
	Southland Regional Council	511	494
	Taranaki Regional Council	322	282
	Waikato Regional Council	1377	1137
	Wellington Regional Council	829	665
	West Coast Regional Council	443	607
	Territorial authorities: Group 1	Buller District Council	56
Carterton District Council		52	66
Central Hawkes Bay District Council		103	107
Clutha District Council		85	66
Gore District Council		100	108
Grey District Council		90	108
Kaikoura District Council		73	109
Kawerau District Council		7	6
MacKenzie District Council		N/A	38
Masterton District Council		142	107
Opotiki District Council		59	59
Otorohanga District Council		71	69
Rangitikei District Council		74	69
Ruapehu District Council		100	73
South Waikato District Council		93	92
Stratford District Council		63	59
Tararua District Council		57	63
Waimate District Council		52	52
Wairoa District Council		41	50
Waitomo District Council		52	44
Westland District Council	85	59	
Territorial authorities: Group 2	Ashburton District Council	170	137
	Banks Peninsula District Council	187	174
	Central Otago District Council	134	138
	Hauraki District Council	158	162
	Horowhenua District Council	253	205
	Hurunui District Council	200	194
	Kaipara District Council	207	227
	Manawatu District Council	204	225
	Matamata-Piako District Council	216	215
	Porirua City Council	271	285
	South Taranaki District Council	139	185

NB some authorities have been moved into different groups this year

N/A = did not supply a response last year

Family group	Local authority	Resource consents processed	
		1997/98	1998/99
Territorial authorities: Group 2 (cont)	South Wairarapa District Council	134	127
	Southland District Council	176	187
	Upper Hutt City Council	171	139
	Waitaki District Council	121	160
	Wanganui District Council	269	290
	Whakatane District Council	269	290
Territorial authorities: Group 3	Franklin District Council	475	515
	Hastings District Council	483	413
	Invercargill City Council	297	353
	Kapiti Coast District Council	413	425
	Napier City Council	326	341
	New Plymouth District Council	382	438
	Palmerston North City Council	511	446
	Papakura District Council	523	365
	Queenstown Lakes District Council	613	603
	Selwyn District Council	491	468
	Taupo District Council	502	455
	Thames Coromandel District Council	528	389
	Timaru District Council	364	328
	Waikato District Council	522	485
	Waimakariri District Council	385	562
	Waipa District Council	566	537
Western Bay of Plenty District Council	737	434	
Territorial authorities: Group 4	Auckland City Council	9324	6746
	Christchurch City Council	4165	3466
	Dunedin City Council	942	784
	Far North District Council	1003	952
	Hamilton City Council	1806	963
	Hutt City Council	856	743
	Manukau City Council	2620	1839
	North Shore City Council	2980	2508
	Rodney District Council	1427	1330
	Rotorua District Council	812	756
	Tauranga District Council	1061	690
	Waitakere City Council	2473	1923
	Wellington City Council	1451	1133
	Whangarei District Council	1090	1080
Unitary authorities	Chatham Islands Council	12	9
	Gisborne District Council	658	610
	Marlborough District Council	1525	1327
	Nelson City Council	513	467
	Tasman District Council	867	816

Appendix 2:

List of local authorities whose survey response was audited by Audit New Zealand

Auckland City Council
Banks Peninsula District Council
Dunedin City Council
Environment Bay of Plenty
Hamilton City Council
Hawkes Bay Regional Council
horizons.mw
Hurunui District Council
Hutt City Council
Matamata-Piako District Council
New Plymouth District Council
North Shore City Council
Otago Regional Council
Palmerston North City Council
Queenstown Lakes District Council
Rotorua District Council
Ruapehu District Council
South Waikato District Council
Taupo District Council
Thames Coromandel District Council
Waikato District Council
Waikato Regional Council
Waitakere City Council
Wanganui District Council
Wellington Regional Council
Western Bay of Plenty District Council
Westland District Council
Whakatane District Council

Appendix 3:

Percentage of resource consent applications notified by individual local authorities

Authority	Percentage Notified	
	1997/98	1998/99
Ashburton District Council	3.5%	0.0%
Auckland City Council	1.0%	0.9%
Auckland Regional Council	17.7%	6.9%
Banks Peninsula District Council	4.8%	2.9%
Buller District Council	14.3%	4.3%
Canterbury Regional Council	9.4%	6.6%
Carterton District Council	34.6%	16.7%
Central Hawkes Bay District Council	0.0%	0.9%
Central Otago District Council	21.6%	8.7%
Chatham Islands Council	0.0%	0.0%
Christchurch City Council	3.6%	2.6%
Clutha District Council	3.5%	1.5%
Dunedin City Council	2.9%	3.4%
Environment Bay of Plenty	11.1%	14.2%
Far North District Council	19.6%	3.8%
Franklin District Council	3.8%	4.3%
Gisborne District Council	9.9%	14.8%
Gore District Council	3.0%	1.9%
Grey District Council	6.7%	7.4%
Hamilton City Council	2.6%	2.5%
Hastings District Council	1.0%	0.5%
Hauraki District Council	1.9%	3.1%
Hawkes Bay Regional Council	17.6%	8.0%
horizons.mw	26.8%	18.4%
Horowhenua District Council	1.2%	2.9%
Hurunui District Council	3.0%	1.5%
Hutt City Council	3.4%	2.8%
Invercargill City Council	3.4%	0.3%
Kaikoura District Council	2.7%	4.6%
Kaipara District Council	4.8%	4.4%
Kapiti Coast District Council	4.1%	4.7%
Kawerau District Council	0.0%	0.0%
MacKenzie District Council	N/A	2.6%
Manawatu District Council	1.5%	2.7%
Manukau City Council	0.8%	1.5%
Marlborough District Council	8.5%	7.0%
Masterton District Council	10.6%	14.0%
Matamata-Piako District Council	13.9%	7.9%
Napier City Council	1.5%	0.6%
Nelson City Council	5.3%	2.8%
New Plymouth District Council	1.8%	1.1%
North Shore City Council	1.2%	2.5%
Northland Regional Council	16.7%	14.0%

N/A = did not supply a response last year

Authority	Percentage Notified	
	1997/98	1998/99
Opotiki District Council	6.8%	1.7%
Otago Regional Council	14.3%	13.3%
Otorohanga District Council	1.4%	1.4%
Palmerston North City Council	0.2%	0.2%
Papakura District Council	0.2%	2.7%
Porirua City Council	4.2%	0.7%
Queenstown Lakes District Council	7.7%	2.8%
Rangitikei District Council	5.4%	1.4%
Rodney District Council	5.7%	4.0%
Rotorua District Council	1.0%	1.2%
Ruapehu District Council	1.0%	1.4%
Selwyn District Council	10.4%	11.5%
South Taranaki District Council	5.4%	2.9%
South Waikato District Council	2.2%	3.3%
South Wairarapa District Council	11.8%	17.2%
Southland District Council	3.2%	4.5%
Southland Regional Council	15.3%	10.5%
Stratford District Council	4.8%	11.9%
Taranaki Regional Council	10.9%	8.9%
Tararua District Council	7.0%	1.6%
Tasman District Council	15.2%	8.1%
Taupo District Council	0.6%	0.9%
Tauranga District Council	1.0%	0.7%
Thames Coromandel District Council	3.6%	7.5%
Timaru District Council	4.4%	4.3%
Upper Hutt City Council	0.0%	7.0%
Waikato District Council	1.7%	1.9%
Waikato Regional Council	15.3%	14.3%
Waimakariri District Council	25.2%	20.8%
Waimate District Council	3.8%	0.0%
Waipa District Council	2.8%	0.7%
Wairoa District Council	2.4%	0.0%
Waitakere City Council	1.1%	0.7%
Waitaki District Council	4.4%	5.1%
Waitomo District Council	3.8%	0.0%
Wanganui District Council	2.1%	1.9%
Wellington City Council	2.6%	2.6%
Wellington Regional Council	14.1%	11.6%
West Coast Regional Council	7.2%	26.9%
Western Bay of Plenty District Council	1.8%	1.8%
Westland District Council	4.7%	3.4%
Whakatane District Council	6.2%	11.2%
Whangarei District Council	3.9%	4.2%

Appendix 4:

Percentage of resource consents processed within time by individual local authorities

NB a blank space indicates N/A, 0 indicates 0% processed in time,

- indicates no consents of that type were processed, * indicates time figures not supplied

Authority	Notified					Non-Notified				
	Subdivision	Land use	Coastal	Water	Discharge	Subdivision	Land use	Coastal	Water	Discharge
Ashburton District Council	-	-				99	98			
Auckland City Council	-	37			-	86	83			25
Auckland Regional Council		58	53	46	53		68	74	48	36
Banks Peninsula District Council	-	40				77	93			
Buller District Council	-	100				60	87			
Canterbury Regional Council		0	0	3	1		85	52	26	29
Carterton District Council	50	0				73	-			
Central Hawkes Bay District Council	100	-				92	95			
Central Otago District Council	100	100				87	92			
Chatham Islands Council	-	-				100	100			
Christchurch City Council	*	43				*	79			
Clutha District Council	-	100				52	95			
Dunedin City Council	100	84				78	91			
Environment Bay of Plenty		90	80	100	43		65	85	64	60
Far North District Council	*	*				55	60			
Franklin District Council	89	92				96	100			
Gisborne District Council	100	100	100	100	100	93	96	93	67	69
Gore District Council	-	50				100	100			
Grey District Council	-	75				93	96			
Hamilton City Council	50	71				86	93			
Hastings District Council	100	100				97	99			
Hauraki District Council	100	100				73	78			
Hawkes Bay Regional Council		-	-	100	97		99	87	94	88
horizons.mw		100	100	100	100		98	-	100	100
Horowhenua District Council	-	100				100	100			
Hurunui District Council	0	0				94	99			
Hutt City Council	50	82				90	100			
Invercargill City Council	*	*				*	*			
Kaikoura District Council	100	50				56	68			
Kaipara District Council	60	20				43	72			
Kapiti Coast District Council	25	25				83	93			
Kawerau District Council	-	-				100	100			
MacKenzie District Council	-	100				92	96			
Manawatu District Council	100	100				100	100			
Manukau City Council	33	88			-	*	*			*
Marlborough District Council	86	54	21	67	40	81	88	65	81	59
Masterton District Council	100	100				90	98			
Matamata-Piako District Council	25	80				64	78			
Napier City Council	-	50				88	100			
Nelson City Council	*	*	*	*	*	*	*	*	*	*
New Plymouth District Council	-	100				67	97			
North Shore City Council	100	82				90	92			
Northland Regional Council		75	78	87	98		88	88	86	83
Opotiki District Council	0	-				55	94			
Otago Regional Council		100	83	82	46		88	93	62	78
Otorohanga District Council	100	-				100	100			
Palmerston North City Council	-	100				90	99			
Papakura District Council	100	88				76	94			
Porirua City Council	100	0				92	97			

Authority	Notified					Non-notified				
	Subdivision	Land use	Coastal	Water	Discharge	Subdivision	Land use	Coastal	Water	Discharge
Queenstown Lakes District Council	0	29				67	83			
Rangitikei District Council	-	100				100	100			
Rodney District Council	59	58	*			77	79	29		
Rotorua District Council	50	57				68	89			
Ruapehu District Council	-	0				41	54			
Selwyn District Council	*	*				*	*			
South Taranaki District Council	-	75				97	100			
South Waikato District Council	-	100				72	85			
South Wairarapa District Council	71	83				37	75			
Southland District Council	100	100				96	97			
Southland Regional Council		100	15	60	24		96	94	87	68
Stratford District Council	-	100				100	100			
Taranaki Regional Council		100	0	100	37		99	93	100	92
Tararua District Council	-	100				100	83			
Tasman District Council	57	33	14	25	29	43	77	51	10	30
Taupo District Council	-	75				99	99			
Tauranga District Council	100	100				91	93			
Thames Coromandel District Council	*	*				*	*			
Timaru District Council	100	77				93	99			
Upper Hutt City Council	88	75				78	95			
Waikato District Council	100	100				89	98			
Waikato Regional Council		14	8	29	14		96	67	75	69
Waimakariri District Council	33	31				50	81			
Waimate District Council	-	-				100	100			
Waipa District Council	100	100				95	97			
Wairoa District Council	-	-				92	87			
Waitakere City Council	0	18				65	81			
Waitaki District Council	-	100				73	77			
Waitomo District Council	-	-				100	100			
Wanganui District Council	-	60				100	96			
Wellington City Council	86	70				84	90			
Wellington Regional Council		100	100	100	98		99	100	98	100
West Coast Regional Council		8	25	5	32		74	38	76	69
Western Bay of Plenty District Council	0	57				98	98			
Westland District Council	-	100				92	93			
Whakatane District Council	38	50				50	77			
Whangarei District Council	*	*				66	86			

Appendix 5:

Plan Status as at 1 June 2000

Table A: Fully operative Policy Statements and Plans as at 1 June 2000
19 plans and policy statements have been made operative since the 1997/98 annual survey (italicised)

Authority	Name of Policy Statement/Plan	Date operative	
Auckland City Council	Hauraki Gulf Islands Section	22 July 1996	
	<i>Isthmus Section</i>	<i>15 November 1999</i>	
<i>Auckland Regional Council</i>	<i>Regional Policy Statement</i>	<i>31 August 1999</i>	
	<i>Farm Dairy Discharges</i>	<i>17 May 1999</i>	
<i>Buller District Council</i>	<i>Buller District Plan</i>	<i>28 January 2000</i>	
Canterbury Regional Council	Land and Vegetation Management Plan (Parts 1&2)	27 September 1997	
	Regional Policy Statement	26 June 1998	
<i>Carterton District Council</i>	<i>District Plan</i>	<i>17 March 2000</i>	
Clutha District Council	District Plan	30 June 1998	
	On-Site Effluent Regional Plan	1 December 1997	
	<i>Regional Policy Statement</i>	<i>1 December 1999</i>	
Environment Bay of Plenty	<i>Rotorua Geothermal</i>	<i>1 July 1999</i>	
	<i>District Plan</i>	<i>29 February 2000</i>	
Franklin District Council	District Plan	29 February 2000	
	Hauraki District Council District Plan	1 September 1997	
Hauraki District Council	Hauraki District Council District Plan	1 September 1997	
	Hawkes Bay Regional Council	Regional Air Plan	26 January 1998
		Regional River Bed and Gravel Extraction Plan	8 August 1994
		Regional Policy Statement	7 October 1995
		Regional Waste and Hazardous Substance Plan	10 April 1995
<i>Regional Coastal Plan</i>	<i>28 June 1999</i>		
<i>Horowhenua District Council</i>	<i>District Plan</i>	<i>13 September 1999</i>	
Kaipara District Council	District Plan	10 February 1997	
<i>Kapiti Coast District Council</i>	<i>District Plan</i>	<i>30 July 1999</i>	
<i>Kawerau District Council</i>	<i>District Plan</i>	<i>8 June 1999</i>	
Manawatu-Wanganui Regional Council	Oroua Catchment Water Allocation Regional Plan	20 January 1995	
	Manawatu Catchment Water Quality Regional Plan	6 October 1998	
	Regional Air Plan	31 January 1999	
	Regional Coastal Plan	20 September 1997	
	Regional Policy Statement	18 August 1998	
Marlborough District Council	Marlborough Regional Policy Statement	28 August 1995	
	Land Disturbance	20 April 1995	
	Wairau River Floodways	25 August 1994	
Masterton District Council	Masterton District Plan	14 July 1997	
Napier City Council	Bay View Subdistrict Plan	9 December 1996	
	Western Hills Subdivision Plan	14 September 1998	
Nelson City Council	Regional Policy Statement	10 March 1997	
<i>Northland Regional Council</i>	<i>Regional Policy Statement</i>	<i>31 March 1999</i>	
Otago Regional Council	Regional Plan: Waste	11 April 1997	
	Regional Policy Statement	1 October 1998	
<i>Papakura District Council</i>	<i>Papakura District Plan</i>	<i>1 January 1999</i>	
<i>Porirua City Council</i>	<i>District Plan</i>	<i>1 November 1999</i>	
<i>Rangitikei District Council</i>	<i>District Plan</i>	<i>9 July 1999</i>	
<i>Ruapehu District Council</i>	<i>District Plan</i>	<i>8 May 2000</i>	
South Waikato District Council	South Waikato District Plan	30 June 1998	
South Wairarapa District Council	District Plan	1 November 1998	

Table A: Fully operative Policy Statements and Plans as at 1 June 2000 continued*19 plans and policy statements have been made operative since the 1997/98 annual survey (italicised)*

Authority	Name of Policy Statement/Plan	Date operative
<i>Southland District Council</i>	<i>District Plan</i>	<i>16 June 1999</i>
Southland Regional Council	Regional Effluent Land Application Plan	30 May 1998
	Regional Policy Statement	15 December 1997
	Regional Solid Waste Management Plan	1 April 1996
	Regional Air Quality Plan	1 March 1997
Stratford District Council	Stratford District Plan	8 December 1997
Taranaki Regional Council	Regional Air Quality Plan	7 April 1997
	Regional Coastal Plan	10 October 1997
	Regional Policy Statement	1 September 1994
Taranaki District Council	Taranaki District Plan	1 March 1998
Tasman District Council	Motueka/Riwaka Water Management Regional Plan	16 January 1995
	Regional Land Plan	30 June 1998
Waikato District Council	District Plan	6 December 1997
Waipa District Council	Waipa District Plan	1 December 1997
Wellington Regional Council	Regional Policy Statement	15 May 1995
	<i>Regional Air Quality Plan</i>	<i>17 December 1999</i>
	<i>Regional Discharges to Land Plan</i>	<i>17 December 1999</i>
Whangarei District Council	Whangarei Plan - Hikurangi	15 July 1994

Table B: At appeal or partially operative Policy Statements and Plans as at 1 June 2000*Eight plans and policy statements have progressed to this stage since the 1997/98 annual survey (italicised)*

Authority	Name of Policy Statement/Plan
Ashburton District Council	Ashburton District Plan
Auckland Regional Council	Regional Plan: Coastal
	Regional Plan: Sediment Control
Canterbury Regional Council	Opihi River Regional Plan
	Regional Coastal Environment Plan
<i>Central Hawkes Bay District Council</i>	<i>District Plan</i>
<i>Christchurch City Council</i>	<i>District Plan</i>
<i>Dunedin City Council</i>	<i>Dunedin City Proposed District Plan</i>
Environment Bay of Plenty	Regional Land Management Plan
	Regional Plan for the Tarawera Catchment
Gisborne District Council	Regional Policy Statement
Hawkes Bay Regional Council	Regional Water Resources Plan
Hurunui District Council	Proposed Hurunui District Plan

Table B: At appeal or partially operative Policy Statements and Plans as at 1 June 2000
continued

Authority	Name of Policy Statement/Plan
<i>Hutt City Council</i>	<i>District Plan</i>
<i>MacKenzie District Council</i>	<i>District Plan</i>
Manukau City Council	Manukau City Proposed District Plan
Marlborough District Council	Proposed Marlborough Sounds Resource Management Plan <i>Wairau/Awatere Resource Management Plan</i>
Matamata-Piako District Council	Proposed Matamata-Piako District Plan
Napier City Council	Proposed Ahuriri Subdistrict Plan
<i>Nelson City Council</i>	<i>Resource Management Plan</i>
North Shore City Council	District Plan
Northland Regional Council	Regional Air Quality Plan Regional Coastal Plan
Otago Regional Council	Regional Plan: Coast
Otorohanga District Council	Otorohanga Proposed District Plan
Palmerston North City Council	Palmerston North City Proposed District Plan
Queenstown Lakes District Council	District Plan
Rotorua District Council	Proposed Rotorua District Plan
South Taranaki District Council	South Taranaki District Plan
Tasman District Council	Moutere Water Management Plan Regional Policy Statement
Tauranga District Council	Proposed Tauranga District Plan
Thames Coromandel District Council	District Plan
Timaru District Council	Proposed District Plan
Waikato Regional Council	Waikato Regional Coastal Plan Regional Policy Statement
Waimate District Council	Waimate Proposed District Plan
Waitakere City Council	Proposed Waitakere City District Plan
<i>Waitaki District Council</i>	<i>Waitaki District Council Proposed Plan</i>
Wanganui District Council	District Plan
Wellington City Council	Wellington City Council Proposed District Plan
Wellington Regional Council	Proposed Regional Coastal Plan
West Coast Regional Council	Regional Policy Statement
Western Bay of Plenty	Proposed District Plan
Westland District Council	Westland District Proposed Plan

Table C: Notified Plans as at 1 June 2000

Nine plans and policy statements have progressed to this stage since the 1997/98 annual survey (italicised)

Authority	Name of Policy Statement/Plan
Auckland City Council	Central Area
Banks Peninsula District Council	Proposed District Plan
Canterbury Regional Council	Land and Vegetation Management Plan (Part 3) - South Canterbury Beds of Rivers
	Land and Vegetation Management Plan (Part 4) - Hill and High Country Burning
	Waimakariri River Regional Plan
Central Otago District Council	Proposed Central Otago District Plan
Chatham Islands Council	Combined Resource Management Document
Environment Bay of Plenty	Regional Air Plan
	Regional Coastal Environment Plan
	Regional River Gravel Plan
<i>Far North District Council</i>	<i>District Plan</i>
Gisborne District Council	Combined Regional Land and District Plan
	Regional Coastal Environment Plan
	Regional Discharges to Air Plan
	Regional Discharges to Land and Water Plan
Gore District Council	Proposed Gore District Plan
<i>Grey District Council</i>	<i>District Plan</i>
<i>Hamilton City Council</i>	<i>District Plan</i>
Hastings District Council	Hastings District Plan
Invercargill City Council	District Plan
<i>Kaikoura District Council</i>	<i>Proposed Kaikoura District Plan</i>
Manawatu District Council	District Plan
Manawatu-Wanganui Regional Council	Regional Plan Beds, Rivers and Lakes
	<i>Regional Plan Land and Water</i>
New Plymouth District Council	District Plan
Northland Regional Council	Regional Water and Soil Plan
Opotiki District Council	Proposed Opotiki District Plan
Otago Regional Council	Regional Plan: Air
	Regional Plan: Water
Southland Regional Council	Regional Coastal Plan
Taranaki Regional Council	Proposed Regional Freshwater Plan
	<i>Proposed Regional Soil Plan</i>
Tasman District Council	Tasman Resource Management Plan
Upper Hutt City Council	Upper Hutt City Council District Plan
Waimakariri District Council	Proposed Waimakariri District Plan

Table C: Notified Plans as at 1 June 2000 - continued

Nine plans and policy statements have progressed to this stage since the 1997/98 annual survey (italicised)

Authority	Name of Plan
<i>Wairoa District Council</i>	<i>District Plan</i>
<i>Waitomo District Council</i>	<i>District Plan</i>
Wellington Regional Council	Proposed Regional Soil Plan
	Freshwater Regional Plan
West Coast Regional Council	Discharge of Contaminants to Land Plan
	Regional Coastal Plan
	Soil Conservation and Erosion Plan (Part 1)
	Air Quality Regional Plan
Whakatane District Council	Proposed Whakatane District Plan (Rural)
	<i>Proposed Whakatane District Plan (Business)</i>
Whangarei District Council	Whangarei District Plan

Table D: Pre-notification Plans as at 1 June 2000

We do not have full information on this stage of plan production as the annual survey questionnaire only covers to June 1999 and the Ministry's internal database does not include pre-notification regional plans

Authority	Name of Plan
Canterbury Regional Council	Natural Resources Regional Plan: Air
	Natural Resources Regional Plan: Land, Water, Natural Hazards
Environment Bay of Plenty	Regional Water Plan
Manawatu-Wanganui Regional Council	General Regional Plan
Napier City Council	Combined District Plan
Rodney District Council	District Plan
Selwyn District Council	Selwyn District Plan
Southland Regional Council	Regional Water Plan
Taupo District Council	District Plan
West Coast Regional Council	Land and River Management Plan
Whakatane District Council	District Plan (Comm/Ind)
	District Plan (Residential)

About the Ministry for the Environment

Making a difference through environmental leadership.

The Ministry for the Environment advises the Government on policies, laws, regulations, and other means of improving environmental management in New Zealand. The significant areas of policy for which the Ministry is responsible are: management of natural resources; sustainable land management; air and water quality; management of hazardous substances, waste and contaminated sites; protection of the ozone layer; and responding to the threat of climate change. Advice is also provided on the environmental implications of other Government policies.

The Ministry monitors the state of the New Zealand environment and the operation of environmental legislation so that it can advise the Government on action necessary to protect the environment or improve environmental management.

The Ministry carries out many of the statutory functions of the Minister for the Environment under the Resource Management Act 1991. It also monitors the work of the Environmental Risk Management Authority on behalf of the Minister.

Besides the Environment Act 1986 under which it was set up, the Ministry is responsible for administering the Soil Conservation and Rivers Control Act 1941, the Resource Management Act 1991, the Ozone Layer Protection Act 1996 and the Hazardous Substances and New Organisms Act 1996.

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