



Ministry for the
Environment
Manatū Mō Te Taiao

Resource Management Act: Annual Survey of Local Authorities 1999/2000



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Foreword

First, I wish to thank local authorities for responding to the questionnaires that form the basis of this survey. They take some work to complete so I am very pleased to see a 100% return rate for the second year running.

The RMA and local authorities' implementation of it are an easy target for criticism and we have all read reports of "RMA war stories". Hard data, such as that collected for this survey will help put these reports in perspective. This year the questionnaires were answered more fully than before, the responses are more comparable and the resultant statistics are more robust. I hope the data will be used to improve the general understanding of local authority performance and get beyond the anecdotal assessment of the Act that we read in the media.

Some of the criticism of how the Act has been implemented may be valid. So I encourage local authorities to use the process of completing the survey and the reported results to consider their RMA performance. We should be asking ourselves continually, "What can be done better?"

While reading this survey, I would like you to keep in mind that it considers only one important aspect of New Zealand environmental management. It does not consider environmental outcomes, nor does it address how submitters and applicants were engaged in the process.

Arguably the most important aspect is environmental outcomes. Local authority state of the environment reports and the Ministry for the Environment's Environmental Performance Indicators Programme are where most of this work is recorded. In looking at this work on process however, I would like to encourage all local authorities to recognise the importance of the people involved, both submitters and applicants. I want local authorities to think beyond the legislative requirements of the Act. I was particularly pleased to read that more local authorities are using customer satisfaction surveys as an indication of performance or to review their resource consent processes. I endorse local authorities collecting data on this key aspect of our resource management system. I would be very interested in the results of such surveys.

The RMA Annual Survey of Local Authorities is a useful tool for monitoring the effect and implementation of the Act and I hope that local authorities will make full use of the data within the survey.



Hon Marian L Hobbs

MINISTER FOR THE ENVIRONMENT

Executive summary

- 52,933 resource consents were applied for in the 1999/00 financial year. This is approximately 750 fewer than last year.
- 48,045 resource consents were processed during 1999/00, approximately 1,100 fewer than last year.
- 5% of resource consents were notified – no change from 1998/99, 1997/98 or 1996/97.
- Pre-hearing meetings were held for 18% of all notified consent applications, compared with 22% in 1998/99 and 24% in 1997/98.
- Local authority officers made 84% of decisions on resource consent applications – no change from 1998/99.
- Less than 1% of all resource consent applications were declined and 1% of all resource consent decisions were appealed – no change from 1998/99 or 1997/98.
- 23% of appeals on resource consent decisions related to resource consent conditions only, a 16% decline from last year.
- Of the appeals heard by the Environment Court, 31% were upheld in their entirety, compared with 40% last year.
- 80% 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 15% increase from last year.
- Further information was requested for 33% of resource consents processed in 1999/00. This is a 5% increase from last year and an 11% increase from 1997/98.
- 72% of local authorities do not reset the resource consent processing time-limit clock back to zero once they receive further information, compared with 63% in 1998/99.
- 82% of all resource consents were processed within statutory time limits in 1999/00 –no change from 1998/99.
- 63% of all notified consents were processed within statutory time limits, an 8% improvement from last year.
- Section 37 was used to extend statutory time limits for 6% of total resource consents processed – a 3% increase from last year.
- The majority of costs in both district and regional plan development are incurred during the pre-draft stage.

- 86% of local authorities provide potential applicants with an estimate of the cost of applying for a resource consent if so requested. Last year's survey found that 61% of local authorities often or always provided potential applicants with an estimate of the cost of applying for a resource consent if requested.
- 64% 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, compared with 63% last year.
- 59% of local authorities use customer satisfaction surveys to find out what applicants think of their resource consent process – no change from last year. 77% of local authorities that undertook these surveys used this level of customer satisfaction as an indication of performance – an increase of 27% from last year.
- 21% of complaints about alleged breaches of the RMA were dealt with through formal enforcement processes (compared with 17% last year) and 78% were dealt with informally or were minor matters not requiring further action.
- 85% of breaches of consent conditions were dealt with informally in 1999/00 (compared with 92% last year) and 3% were dealt with through formal enforcement processes (compared with 4% last year).
- 65% of local authorities made a formal budgetary commitment to Maori/iwi participation in resource management processes – an increase of 2% from last year.
- 61% 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. This is down slightly on the 64% recorded last year.
- 381 resource consent applications that affected statutory acknowledgements under the Ngai Tahu Claims Settlement Act 1998 were received by 17 local authorities in 1999/00. This is up from the 98 received by 11 local authorities in 1998/99.
- As at 1 May 2001, 76 plans and policy statements were recorded as fully operative – an increase from the 62 recorded as being operative as at 1 June 2000.

Introduction

This is the fifth RMA Annual Survey of Local Authorities. It covers the financial year beginning 1 July 1999 through to 30 June 2000. Like last year, 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 key processes under the RMA;
 - to provide a basis to consider comments on the RMA, including general enquiries and ministerial letters.
- 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 individual local authorities in comparing 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 comparison. Local authority state of the environment monitoring and reporting also achieves this on a regional and district basis.

In terms of reporting on environmental outcomes, the Environmental Performance Indicators² Programme is the national system for reporting on the state of the environment. The New Zealand report for the Rio+10³

meeting next year will take a broad look at sustainable development - including economic, social and environmental dimensions.

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 and recommended good practice.
- Promote benchmarking and performance improvement.

The 1999/00 Questionnaire

As with the previous two surveys, this year we again used Audit New Zealand's Specialist Assurance 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:

- Resource consent processing statistics
- Time
- Cost
- Monitoring and enforcement
- Maori participation in RMA processes
- Good practice in resource consent processing
- Research questions and other issues.

The 1999/00 questionnaire was smaller than last year's, however we generally asked the core questions in the same way as 1998/99.

The fact that most of the core questions asked in 1998/99 and 1997/98 were the same in the 1999/00 survey meant local authorities had the opportunity to improve their systems, and collect previously unrecorded data. We found overall that more local authorities were able to answer particular questions than in previous years.

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

² Environmental Performance Indicators are agreed measures that help to track changes in the environment. For more information refer to <www.environment.govt.nz>

³ In 1992, the Earth Summit held in Rio de Janeiro led to a number of important international agreements, including the Framework Convention on Climate Change, the Convention on Biological Diversity, the Rio Declaration and Agenda 21. In preparation for the World Summit on Sustainable Development (Rio+10) next year, countries have been asked to produce a report outlining what we have achieved since the Earth Summit, what we have not yet done, and what our priorities are now. The report will take a broad look at sustainable development - including economic, social and environmental dimensions.

As with the previous two years, some results are reported in “family groups” of local authorities to enable comparisons to be made between local authorities with similar characteristics. Territorial authorities have been divided into groups on the basis of the number of resource consents they processed. These groups are the same as last year.

The family groups are as follows:

- Regional councils
- 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. Several local authorities changed family groups between 1998/99 and 1999/00. Masterton District Council moved from Group 1 to Group 2, whilst Waitaki District Council moved from Group 2 to Group 1. Timaru District Council moved from Group 3 to Group 2, and Queenstown Lakes District Council moved from Group 3 to Group 4.

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.

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.

Auditing of Survey Responses

This year the Ministry again provided all local authorities with the opportunity to have key parts of their survey response audited by Audit New Zealand. Those who were audited last year were given the opportunity to have a ‘follow up’ audit if they wished. 39 local authorities in total were audited. These are identified in Appendix 2.

The purpose of the independent audits was to:

- Give assurance to the Ministry and to local authorities that key results in the 1999/00 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.

Questions audited included those covering resource consent processing statistics (including questions about charges, best practice procedures, and compliance with timeframes), plan preparation costs, and monitoring RMA complaints and compliance with consent conditions.

Based on the results of the review, 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 critical data items contained in the questionnaire. Audit New Zealand was not able to provide assurance over key information provided by one local authority. This related to a lack of audit trail to support key questions on the number, classification and timeliness of resource consents processed during the period, which showed an understatement of the number of applications processed.

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 have been supplemented by recommendations and some suggestions for future surveys provided by Audit New Zealand. They included:

- Considering the reliability of the estimates for the costs of preparing plans for comparative or analysis purposes, as Audit New Zealand found these were often not well supported and would most likely be understated.
- Considering the comparison of the average time to process applications or the average time to process the middle third of all applications.
- Ensuring that rights of ways, consent variations, certificates of compliance and designations are excluded from the results, as these do not fall under the definition of the term 'resource consents'.
- Ensuring that local authorities do not stop the clock for District Land Registry requests as these do not meet the requirements of section 92 of the Act.

The Ministry for the Environment will incorporate these suggestions when developing the 2000/01 survey questionnaire and accompanying explanations.

Limitations of the 1999/00 Survey

A number of local authorities found some of the survey questions difficult to answer. Like last year, the questions relating to costs of plan preparation, charges for 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 by local authorities 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, of course, only relates to the 39 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 RMA 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 could not be obtained.

It is important that local authorities have robust systems for the recording of basic RMA data. Section 35 of the RMA requires every local authority to gather sufficient information to fulfil their functions under the Act; this includes keeping records of each resource consent granted by it. This information is vital for supporting local authority decisions and performing an important audit function. It can also be used to:

- Identify areas where improvements can be made in local authority practice
- Monitor local authority performance
- Maintain consistency in procedures

Resource consent processing statistics

Resource consents applied for and processed

Local authorities advised that they received 52,933 applications for resource consents in the 1999/2000 financial year. This is a decrease of 755 applications from the number applied for in 1998/99. 79 local authorities advised that a total of 1,410 consent applications were withdrawn.

48,045 consents were processed⁴ during 1999/00, 1,107 less than the previous year. Territorial authorities processed the majority of resource consents (75%), followed by regional councils (17%) and unitary authorities (8%). These proportions are similar to those reported in both the 1997/98 and 1998/99 surveys.

Table 1 shows the change in consent numbers processed by each local authority type, over the last three years. There was an increase in the number of consents processed by unitary authorities from 1998/99 to 1999/00 but otherwise, local authorities have reported decreases in consents processed over the last

three years. This year, the decrease in consent numbers processed was particularly noticeable in the Auckland and Christchurch areas.

Appendix 1 reports the number of consents processed by each local authority in family groups.

REFER TABLE 1

The majority of applications processed were again for land use and subdivision consent. The spread of applications between different consent types was similar to the results recorded in the previous two years. Table 2 presents this information.

REFER TABLE 2

85 local authorities advised that 2,217 certificates of compliance⁵ were processed in 1999/2000. This is an increase of 867 from 1998/99.

Applications for changes to consent conditions

This year we were interested in the number of applications for changes to consent conditions.

Section 127 of the RMA provides for a consent holder to apply for changes (or cancellation) to their consent conditions. Applications for changes to consent conditions follow the same process as an application for a brand new consent and must comply with the same timeframes.

75 local authorities advised that 1,620 applications for changes to consent conditions were processed in 1999/2000. 8% of these were publicly notified. Table 3 provides details on the proportion of applications for changes to consent conditions processed by each local authority type, and the percentage notified by each local authority type.

REFER TABLE 3 (OVER PAGE)

⁴ A consent application was defined as processed once the local authority had approved or declined the application.

⁵ A certificate of compliance may be issued under section 139 of the RMA and is used to demonstrate that an activity described in a plan as permitted (or able to be carried out without a resource consent) complies with the plan in relation to that location.

Table 1: Resource consents processed in 1997/98, 1998/99 and 1999/00, by local authority type

Local authority type	Total consents processed		
	1997/98	1998/99	1999/00
Regional councils	9,510	8,752	8,037
Territorial authorities	44,975	37,171	36,000
Unitary authorities	3,575	3,229	4,008
Totals	58,060	49,152	48,045

Source: RMA annual survey of local authorities 1999/00, Question 1.8
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 type

Type of resource consent	Subdivision consent	Land use consent	Coastal permit	Water permit	Discharge permit
% of total number of applications 1999/00 (n=86)	26%	61%	3%	4%	5%
% of total number of applications 1998/99 (n=86)	31%	59%	2%	4%	5%

Source: RMA annual survey of local authorities 1999/00, Question 1.8
RMA annual survey of local authorities 1998/99, Question 1.7

Building consents and land use consents

This year the Ministry was interested in the correlation between building consent and resource consent applications received by territorial and unitary authorities. This data was previously reported in the *RMA Annual Survey of Local Authorities 1996/97*. The data may provide an indication of the degree of regulatory control in a district. It also allows some comparison between large and small local authorities, and local authorities with varying levels of economic activity.

It should be noted that not all work that requires a building consent, requires a resource consent and vice versa. There is also a time lag, as building consents will generally be granted after any resource consent application has been lodged. Note that the building consent data does not include applications for alterations to existing buildings; it only includes applications for new buildings.

Table 4 shows the total number of building consent and resource consent applications processed by local authorities in 1996/97 and 1999/00. Appendix 4 provides a breakdown of these figures, including the ratio of building consents to land use consents, by individual local authority.

From 1996/97 to 1999/00 there has been a 6% increase in the numbers of building consent applications, compared to a 9% decline in the number of land use consents processed. Note, that the land use consent figures for unitary authorities will also include regional land consents.

REFER TABLE 4 AND APPENDIX 4

Requests for further information

82 local authorities were able to provide information about requests for further information made under section 92. Further information was requested for 33% of consents processed by these local authorities, up from 28% recorded last year.

REFER TABLE 5

78 local authorities were able to provide information about whether they sought further information more than once, although 28 of these responses were estimates. 6% of the consent applications processed by the 78 local authorities able to answer this question involved more than one request for further information (a decrease of 2% from 1998/99).

Table 3: Applications for changes to consent conditions processed by each local authority type and the proportion notified

Local authority type	% processed by each local authority type	% notified
Regional councils	34.1%	4.3%
Territorial authorities	60.4%	9.4%
Unitary authorities	5.6%	6.7%

Source: *RMA annual survey of local authorities 1999/2000, Question 1.5*

Table 4: Total number of building consent and resource consent applications processed by territorial and unitary authorities, 1996/97 and 1999/00.

Local authority type	Building consents – totals and % change			Land use consents – totals and % change		
	96/97 (n=70)	99/00 (n=74)	% change	96/97 (n=70)	99/00 (n=74)	% change
Territorial family group 1	1,420	1,566	+10%	1,048	749	-29%
Territorial family group 2	2,976	3,412	+15%	1,875	1,884	+0.5%
Territorial family group 3	6,830	7,140	+6%	3,738	4,216	+13%
Territorial family group 4	19,243	20,285	+5%	20,248	17,153	-15%
Unitary authorities	1,595	1,555	-3%	1,458	1,826	+25%
Total	32,064	33,958	+6%	28,367	25,828	-9%

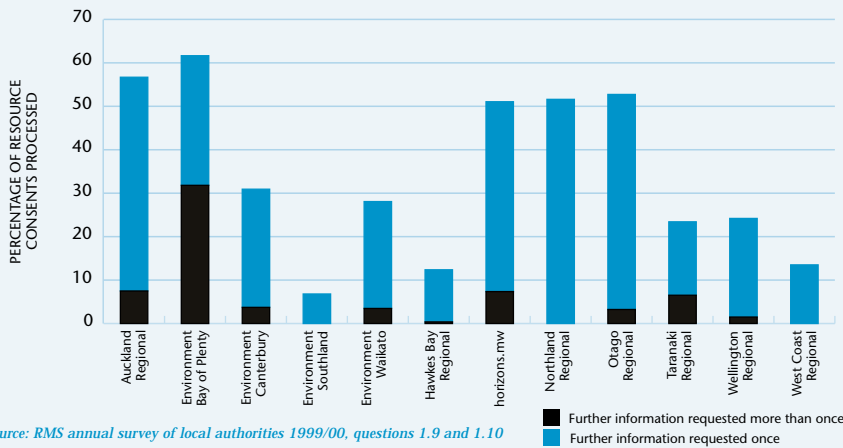
Source: *RMA annual survey of local authorities 1999/2000, Question 1.8*
Statistics New Zealand: Building consents information

Table 5: 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)	1999/00 (n=82)
% of total consents where further information requested	22%	39%	22%	28%	33%

Source: *RMA annual survey of local authorities 1999/2000, Question 1.9*

Figure 1: Regional councils requests for further information

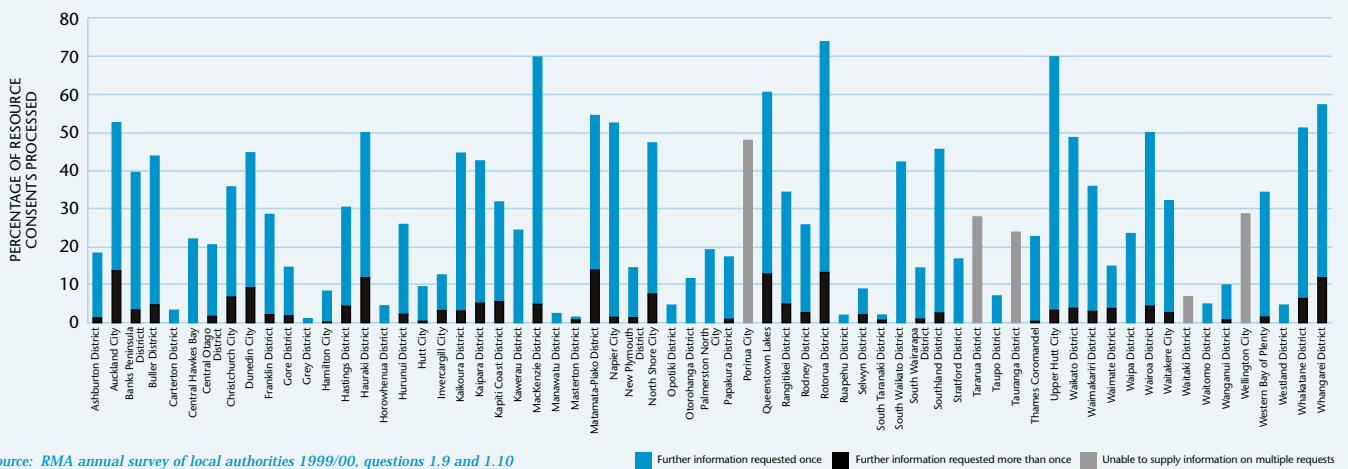


Source: RMS annual survey of local authorities 1999/00, questions 1.9 and 1.10

19% of all the resource consents subjected to further information requests had further information requested on more than one occasion, compared with 25% in the previous year. While the RMA does not specify a limit on the number of times a consent authority can ask for further information, it is good practice to make only one request per application (unless it is a repeated request for the same information). Figures 1-3 provide graphical representation of these findings.

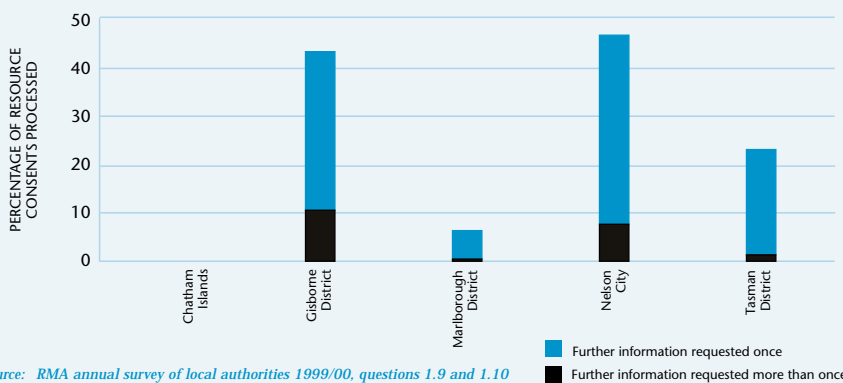
REFER FIGURES 1-3

Figure 2: Territorial authority requests for further information



Source: RMA annual survey of local authorities 1999/00, questions 1.9 and 1.10

Figure 3: Unitary authority requests for further information



Source: RMA annual survey of local authorities 1999/00, questions 1.9 and 1.10

Figure 2 note: Clutha District, Far North District, Manukau City and Timaru District were unable to provide figures on further information requests

Figure 3 note: Chatham Islands Council made no further information requests in 1999/00

Local authorities need to be aware of the extent to which section 92 is being used. We note that for several local authorities, further information was requested for over 60% of resource consents processed.

The Ministry will continue to monitor the frequency of use of section 92 requests by local authorities, as inappropriate use of this section is considered poor practice and can contribute to increased costs for applicants. However, on balance, there has been criticism from local authorities that some applicants do not take the time to enquire about what to put in their application. This can result in a poor quality application that can then lead to the local authority having to make a request for further information.

Any further information sought must fill a significant gap in the application, but should not broaden the scope of the application. Further information requests should not be used as a method to stall or buy time in the resource consent process.

Notification of resource consents

As with the previous three years, in 1999/2000 local authorities reported that 5% of resource consents were processed as publicly notified.

Appendix 3 identifies the percentage of resource consent applications notified by individual local authorities for 1997/98, 1998/99 and 1999/00.

The most frequently notified consents were discharge, coastal and water permits in that order. These three consent types have been the most frequently notified for the past three surveys.

REFER TABLE 6

Table 7 shows the percentage of resource consent applications notified by local authority type. The rates of notification were similar to previous years, 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 7

Table 6: 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
% notified 1999/00 (n=86)	4%	3%	17%	15%	17%	5%
% notified 1998/99 (n=86)	3%	3%	14%	15%	22%	5%
% notified 1997/98 (n=83)	3%	4%	15%	24%	21%	5%

Source: RMA annual survey of local authorities 1999/00, Question 1.8
 RMA annual survey of local authorities 1998/99, Question 1.7
 RMA annual survey of local authorities 1997/98, Question 2.2

Table 7: Percentage of consents notified, by local authority type

Local Authority type	% of notified applications 1997/98 (n=85)	% of notified applications 1998/99 (n=86)	% of notified applications 1999/00 (n=86)
Regional councils	14%	12%	11%
Territorial authorities	3%	3%	3%
Unitary authorities	10%	8%	9%

Source: RMA annual survey of local authorities 1999/00, Question 1.8
 RMA annual survey of local authorities 1998/99, Question 1.7
 RMA annual survey of local authorities 1997/98, Question 2.2

Pre-hearing meetings

432 pre-hearing meetings were held in 1999/00 by 58 local authorities. In the previous year, 508 pre-hearing meetings were held by 62 local authorities.

Pre-hearing meetings are a good practice tool for clarifying, mediating, or facilitating resolution of an issue associated with an application for resource consent. While it may not always be appropriate to hold a pre-hearing meeting, they can produce more sustainable results and greater satisfaction for all involved. They can also save both the local authority and the applicant time and costs in the resource consent process.

In 1999/00, 35% of pre-hearing meetings held resolved the issue to the extent that no formal hearing was necessary. This is a 5% decrease from the 40% recorded in 1998/99.

Pre-hearing meetings were held for 18% of all notified resource consent applications in 1999/

00, compared with 22% in 1998/99. Regional councils again remain the most frequent users of pre-hearing meetings compared with the other local authorities. This is mainly because they notify more resource consent applications so are therefore more likely to hold pre-hearing meetings.

REFER TABLE 8

Resource consent decisions

There was very little change in the proportions of resource consent decisions made by the different decision-makers. As with previous years, the majority of decisions on resource consent applications were made by local authority officers acting under delegated authority (83%). There has been a slight increase overall (2%) in the number of decisions made by councillors acting as commissioners. This was particularly noticeable for unitary authorities, where the percentage of decisions made by officers fell by 11% whilst the percentage made by councillors acting as commissioners rose by 9%.

Note that 18 of the 86 responses to this question were estimates.

REFER TABLE 9

During the course of their audit, Audit New Zealand reviewed the delegations local authorities had in place to decide on resource consent applications. In several local authorities Audit New Zealand found that some delegations could be further delegated to more appropriate staff (for example non-notified controlled, limited discretionary or discretionary activities, or for certain types of activities such as gravel extractions or erection of relocatable dwellings). The bulk of these applications, which are considered to be low risk to the local authority, can be decided by planning staff. This would streamline the approval process without compromising the quality of decisions.

Table 8: Percentage of notified resource consents for which a pre-hearing meeting was held (by local authority type)

Local Authority type	% of notified applications 1997/98 (n=80)	% of notified applications 1998/99 (n=81)	% of notified applications 1999/00 (n=85)
Regional councils	37%	34%	33%
Territorial authorities	12%	14%	12%
Unitary authorities	3%	8%	3%

Source: RMA annual survey of local authorities 1999/00, Questions 1.11 and 1.12

Table 9: Percentage of resource consent decisions made by a range of decision makers, by local authority type and overall

Decision maker	Local authority officers		Independent commissioners		Councillors acting as commissioners		Councillors part of a hearings panel		Other	
	98/99	99/00	98/99	99/00	98/99	99/00	98/99	99/00	98/99	99/00
Regional councils	90%	90%	1%	1%	2%	1%	6%	6%	1%	2%
Territorial authorities	84%	84%	1%	1%	7%	8%	6%	6%	1%	1%
Unitary authorities	65%	54%	1%	1%	30%	39%	4%	6%	<0.5%	1%
Overall total	84%	83%	1%	1%	8%	10%	6%	6%	1%	1%

Source: RMA annual survey of local authorities 1999/2000, Question 1.13

Resource consents declined and appealed

As with previous years, very few resource consents were declined or appealed. 80 local authorities advised that again, less than 1% of all applications processed in 1999/2000 were declined⁶. As with the previous two years, only 1% of resource consent decisions were appealed.

Statistics did not change markedly for the proportions of applicants and submitters lodging appeals on resource consent conditions. Similarly to 1998/99, we found that applicants lodged 36% of appeals, while submitters lodged 40% of appeals. In the remaining 24% of cases both applicants and submitters filed appeals.

⁶ Note, however, that many resource consents that are approved are often done so on the basis of extremely stringent consent conditions.

⁷ The percentages presented for 1999/00 do not sum to 100% respectively due to rounding of the figures.

There was a significant decrease in the proportion of appeals that related only to resource consent conditions. 61 local authorities advised that 23% of appeals related only to resource consent conditions, compared with 39% last year. This indicates that over three quarters of appeals are concerned with the decision to grant or refuse consent, as opposed to just the particular details of consent conditions imposed.

65 local authorities were able to provide information on appeals heard by the Environment Court in 1999/00. This year we found that fewer decisions were upheld in their entirety (31% compared to 40% in 1998/99), and fewer were upheld but with some conditions changed (37% compared to 42% in 1998/99). However, a significant increase in the numbers of decisions overturned was reported (30% compared to 18% in 1998/99). This increase could be due to an improvement in the quality of data reported. The Ministry for the Environment will continue to monitor information on appeals heard by the Environment Court.

Table 10: Status of appeals lodged against the resource consent decisions of local authorities

Decision	1998/99 (n=61)	1999/00 (n=65) ⁷
Decisions upheld in their entirety	40%	31%
Decisions upheld but with some conditions changed	42%	30%
Decisions overturned	18%	37%

Source: RMA annual survey of local authorities 1998/99, Question 1.15
RMA annual survey of local authorities 1999/00, Question 1.19

REFER TABLE 10

Time

Local authority performance against statutory time limits is an area that the Ministry, the public, and local authorities themselves, remain interested in. Smooth processing of resource consents is essential in ensuring that the goals of the Act are being achieved in an efficient and timely manner. Unnecessary delays can impose compliance costs on applicants and the community in general.

As with the previous two years, resource consent applications in 1999/00 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.

Please note 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, they are sound indicators against which performance improvements can be assessed.

In addition to collecting information about compliance with statutory timeframes, the Ministry intends to start collecting information about the median time taken to process resource consent applications. Reporting this information enables local authorities to compare their performance with their peers, and also gives potential applicants an approximate idea of how long it will take to process a consent. Local authorities will be asked for this information in the 2000/01 survey questionnaire.

The results are again presented in family groups to enable more meaningful performance comparisons between local authorities and to stimulate discussion on ways of improving efficiency in resource consent processing (see the Introduction for details on how family groups are organised).

Checking applications for completeness

We consider that it is good practice for local authorities to check resource consent applications for completeness within one working day of the application arriving at the local authority office. The 1999/00 annual survey found that 76% of all local authorities do this, an 11% improvement from 1998/99. The local authorities adopting this good practice technique are listed in Box 1.

We are aware that there is some variation in what local authorities consider checking an application for “completeness” involves. The Ministry for the Environment considers it is best practice to consider an application “complete” if the following is provided:

- a) Fee/deposit to cover preliminary fixed charge [application fee] – where applicable
- b) Name and address of applicant and owner/occupier of land to which the application relates
- c) Description of the activity and its location
- d) Assessment of Environmental Effects, recognising that a plan may specify matters to be addressed
- e) Information required by a plan
- f) Type of consent sought and other resource consents required
- g) Date and signature.

Checking for completeness should involve a skim of the application to determine if the above information is included. It does not involve checking the information provided for “correctness”, or assessing whether further information is required.

Box 1: Best Practice – local authorities that check resource consent applications for completeness within one full working day

Ashburton District Council	Gisborne District Council	Marlborough District Council	Stratford District Council
Auckland City Council	Gore District Council	Masterton District Council	Taranaki Regional Council
Auckland Regional Council	Grey District Council	Matamata-Piako District Council	Tararua District Council
Banks Peninsula District Council	Hamilton City Council	Napier City Council	Tasman District Council
Buller District Council	Hastings District Council	Nelson City Council	Timaru District Council
Carterton District Council	Hauraki District Council	North Shore City Council	Waikato District Council
Central Hawkes Bay District Council	Hawkes Bay Regional Council	Northland Regional Council	Waimakariri District Council
Central Otago District Council	Hurunui District Council	Otago Regional Council	Waimate District Council
Chatham Islands Council	Hutt City Council	Otorohanga District Council	Wairoa District Council
Christchurch City Council	Invercargill City Council	Papakura District Council	Waitakere District Council
Clutha District Council	Kaipara District Council	Porirua City Council	Waitomo District Council
Dunedin City Council	Kapiti Coast District Council	Queenstown Lakes District Council	Wanganui District Council
Environment Bay of Plenty	Kawerau District Council	Rotorua District Council	Wellington City Council
Environment Canterbury	MacKenzie District Council	South Taranaki District Council	Wellington Regional Council
Environment Southland	Manawatu District Council	South Waikato District Council	West Coast Regional Council
Franklin District Council	Manukau City Council	South Wairarapa District Council	Western Bay of Plenty District Council
			Westland District Council

Source: RMA annual survey of local authorities 1999/00, Question 2.1

If an application were not actually “complete” then technically it would not be an “application” for the purposes of section 88 of the Act. Local authorities should return these to the applicants, and if the application is lodged again it should be treated as a new application. There is an amendment proposed by the Resource Management Amendment Bill 1999 to clarify that deficient applications do not have to be accepted by the local authority.

Formal receipt of applications

This year we also asked local authorities whether they formally receive⁸ applications for resource consent within one working day. 80% of local authorities advised that they did, a 15% improvement from 1998/99. The local authorities adopting this good practice procedure are identified in Box 2.

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”.

The Ministry for the Environment considers it is best practice to start the clock on the day an application arrives at the local authority’s office. However, we acknowledge that some local authorities have collected their statistics based on the clock starting at a later time. If the application is not “complete” (i.e. it does not contain the information outlined in the previous section) then it should not be formally received, rather it should be returned to the applicant.

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. Rather, the clock should be stopped while further information is being prepared, and restarted once that information is supplied. By not resetting the clock, local authorities are compelled to keep a close watch on processing times. This in turn provides certainty for applicants.

⁸ *The time limit clock begins as soon as the application is “received”. The Resource Management Amendment Bill 1999 proposes to clarify that the processing clock starts on the date the application is first lodged with the local authority i.e. when it physically arrives at the counter.*

Box 2: Best Practice – local authorities that formally receive resource consent applications within one full working day

Ashburton District Council	Gisborne District Council	Masterton District Council	Stratford District Council
Auckland City Council	Gore District Council	Matamata-Piako District Council	Taranaki Regional Council
Auckland Regional Council	Hamilton City Council	Napier City Council	Tasman District Council
Banks Peninsula District Council	Hastings District Council	Nelson City Council	Timaru District Council
Buller District Council	Hauraki District Council	North Shore City Council	Waikato District Council
Carterton District Council	Hawkes Bay Regional Council	Northland Regional Council	Waimakariri District Council
Central Hawkes Bay District Council	horizons.mw	Otago Regional Council	Waimate District Council
Central Otago District Council	Hurunui District Council	Otorohanga District Council	Waipa District Council
Chatham Islands Council	Hutt City Council	Palmerston North City Council	Wairoa District Council
Christchurch City Council	Invercargill City Council	Papakura District Council	Waitakere City Council
Clutha District Council	Kaipara District Council	Queenstown Lakes District Council	Waitaki District Council
Dunedin City Council	Kapiti Coast District Council	Rangitikei District Council	Waitomo District Council
Environment Bay of Plenty	Kawerau District Council	Rodney District Council	Wanganui District Council
Environment Canterbury	MacKenzie District Council	Rotorua District Council	Wellington City Council
Environment Southland	Manawatu District Council	Selwyn District Council	Wellington Regional Council
Far North District Council	Manukau City Council	South Taranaki District Council	West Coast Regional Council
Franklin District Council	Marlborough District Council	South Waikato District Council	Western Bay of Plenty District Council
			Whangarei District Council

Source: RMA annual survey of local authorities 1999/00, Question 2.2

Box 3: Best Practice – local authorities that do not reset the time limit clock to zero once further information is received

Ashburton District Council	Hamilton City Council	Otago Regional Council	Thames Coromandel District Council
Auckland City Council	Hastings District Council	Otorohanga District Council	Timaru District Council
Banks Peninsula District Council	Hawkes Bay Regional Council	Papakura District Council	Upper Hutt City Council
Buller District Council	Horowhenua District Council	Porirua City Council	Waikato Regional Council
Carterton District Council	Hurunui District Council	Queenstown Lakes District Council	Waimakariri District Council
Central Hawkes Bay District Council	Hutt City Council	Rodney District Council	Waimate District Council
Central Otago District Council	Kaikoura District Council	Rotorua District Council	Waipa District Council
Christchurch City Council	Kawerau District Council	Ruapehu District Council	Waitomo District Council
Clutha District Council	MacKenzie District Council	Selwyn District Council	Wanganui District Council
Dunedin City Council	Manukau City Council	South Waikato District Council	Wellington Regional Council
Environment Southland	Marlborough District Council	South Wairarapa District Council	West Coast Regional Council
Far North District Council	Masterton District Council	Southland District Council	Western Bay of Plenty District Council
Franklin District Council	Matamata-Piako District Council	Stratford District Council	Westland District Council
Gisborne District Council	Napier City Council	Taranaki Regional Council	Whangarei District Council
Gore District Council	New Plymouth District Council	Tararua District Council	
Grey District Council	Opotiki District Council	Tauranga District Council	

Source: RMA annual survey of local authorities 1999/00, Question 2.3

This year we found that 72% of local authorities do not reset the clock, a performance improvement of 9% from 1998/99. Box 3 contains a list of the local authorities that implemented this good practice measure in 1999/00.

The Resource Management Amendment Bill 1999 proposes to amend the RMA to reflect this good practice.

As we have stated before, 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.

This year we asked a separate question, regarding the resetting of time limits once a pre-hearing meeting is held. 94% of local authorities do not reset the clock in these circumstances. The five local authorities that indicated they did were:

- Central Hawkes Bay District Council
- horizons.mw
- Nelson City Council
- North Shore City Council and
- Wairoa District Council

It is interesting to note that Central Hawkes Bay District Council does not reset the clock when further information is received, but it does when a pre-hearing meeting is held.

Resource consent applications processed within time limits

In the 1999/00 financial year 82% of all resource consents were processed within statutory time limits, representing no change from the 1998/99 year. This includes resource consents where the time limits were extended using section 37.

Table 11 presents the percentage of each consent type processed within statutory time limits. The results for subdivision and land use consents were essentially the same as last year, but there was a noticeable increase in the percentage of water permits and discharge permits being processed within time. Following the trend of last year, the percentage of coastal permits being processed within time declined.

Audit New Zealand found that more than half of the councils audited were recording the incorrect dates for the date applications were received or the decisions were notified. This was mainly due to:

- Incorrect interpretation of the RMA for starting and stopping the clock
- Errors in transcribing the dates from the resource consent files to the consents database
- The lodgement date being entered without a formal receipting date. This created errors when printing reports on some systems, particularly in relation to calculating timeframes. Systems that do not allow the completion date to be entered without a formal receipt date would avoid this problem.

While it is debatable that these discrepancies would have an overall effect on whether applications were processed within the statutory timeframe or not, it is important that local authorities ensure that the correct information is being recorded.

REFER TABLE 11

Table 11: Percentage of consents processed within statutory time limits (by consent type)

Consent type	Subdivision	Land use	Coastal	Water	Discharge
% processed within time 1999/00	79	87	62	67	73
% 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 1999/00, Questions 2.8 — 2.9
 RMA annual survey of local authorities 1998/99, Questions 3.5 — 3.6
 RMA annual survey of local authorities 1997/98, Questions 2.2 — 2.4
 Annual survey of local authorities (1996/97 Survey)

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 1999/00. Included in these graphs are the proportions collected in the 1997/98 and 1998/99 annual surveys. This enables an indication of performance improvement or decline across the last three years. The graphs also illustrate whether or not the local authority reset the time-limit clock once further information was received. Local authorities that have high rates of further information requests and reset the clock will have misleading results as they will appear to process more consents on time.

It is encouraging to see a number of individual performance improvements from local authorities this year; particularly from those who have chosen not to reset the time-limit clock. The Ministry would like to commend these local authorities for their efforts. We would also like to commend those who have consistently achieved an excellent processing record over the past three years (without resetting the time-limit clock).

Appendix 5 provides a full summary of the percentage of notified and non-notified consent applications processed by individual local authorities within time.

This year, 63% of all notified consents were processed within statutory time limits, compared with 55% in 1998/99, 64% in 1997/98 and 66% in 1996/97. It is good to see an improvement from last year.

Local authorities reported that 83% of non-notified consents were processed within time limits, compared with 83% in 1998/99, 79% in 1997/98 and 77% in 1996/97.

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

REFER FIGURES 4-9

*Note: A ^ by the name on the graph indicates the local authority reset the clock with further information in 1997/98, a * indicates this for 1998/99, and a ° indicates this for 1999/00.*

Carterton District, Central Hawkes Bay District, Chatham Islands, Kaikoura District, Kawerau District, Mackenzie District, Otago District, Otorohanga District, Rangitikei District, Tararua District, Waimate District and Waitomo District processed no notified consents in 1999/00.

Invercargill City, Manukau City and Selwyn District were unable to supply time limit information for notified consents in 1999/00.

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

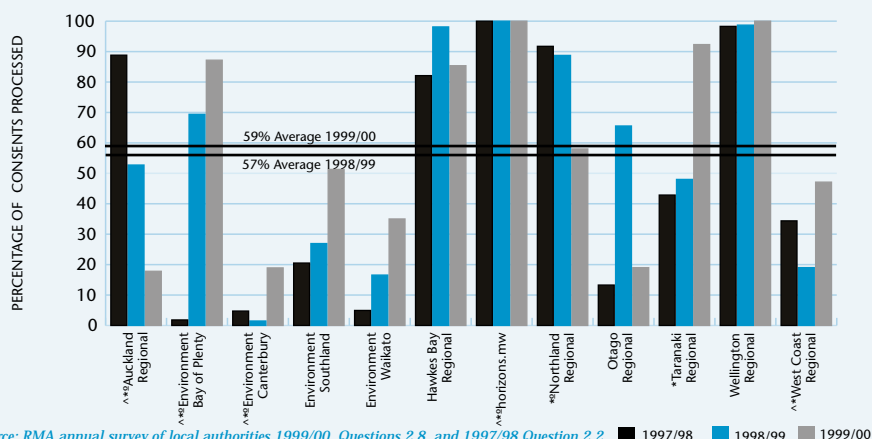
Invercargill City, Selwyn District, Thames-Coromandel District, Nelson City, Whangarei District and Far North District were unable to supply time limit information for notified consents in 1998/99.

Central Hawkes Bay District, Chatham Islands, Kawerau District and Upper Hutt City processed no notified consents in 1997/98.

Kaikoura District was unable to supply time limit information for notified consents in 1997/98.

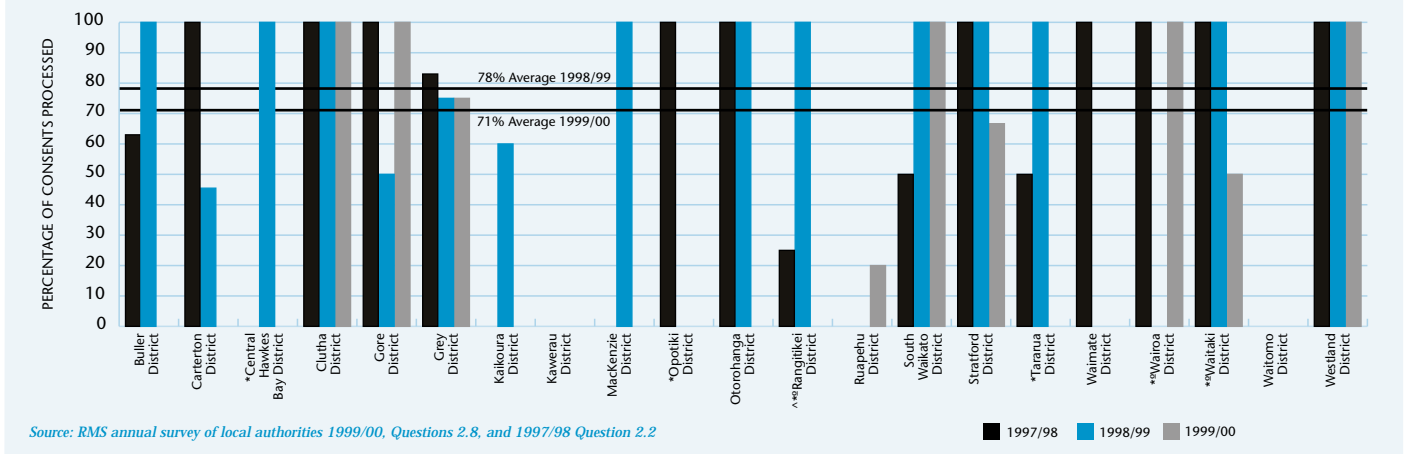
MacKenzie District did not provide a response in 1997/98.

Figure 4: Notified consents processed within time - Regional councils



Source: RMA annual survey of local authorities 1999/00, Questions 2.8, and 1997/98 Question 2.2

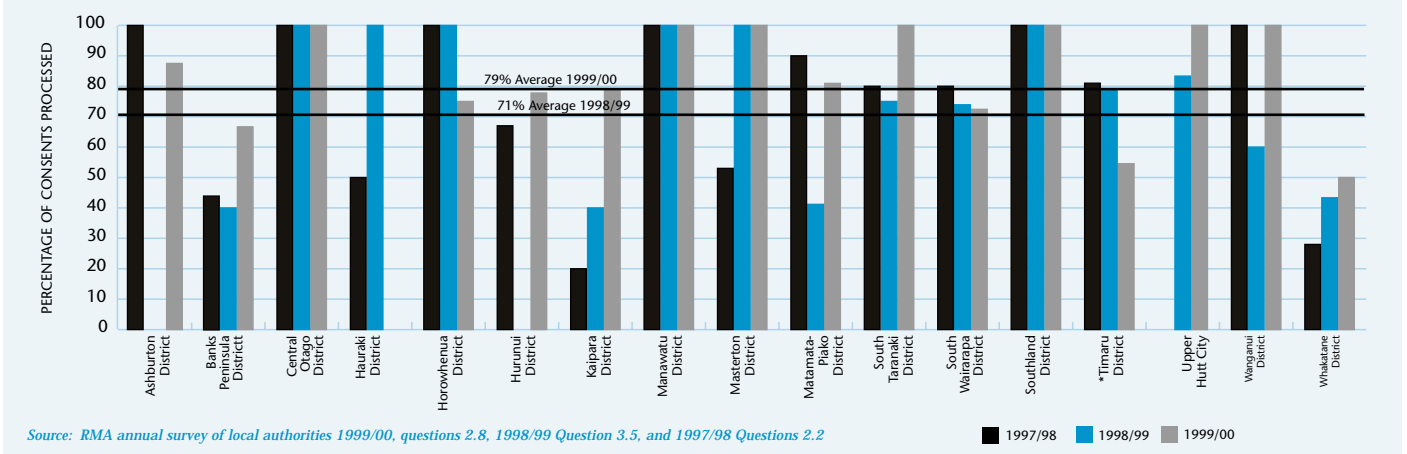
Figure 5: Comparison of notified consents processed within time - territorial authorities (Group 1)



Source: RMS annual survey of local authorities 1999/00, Questions 2.8, and 1997/98 Question 2.2

*Note: Buller District processed 0% of notified consents within time in 1999/00.
 Opotiki District and Ruapehu District processed 0% of notified consents within time in 1998/99.
 Ruapehu District and Waitomo District processed 0% of notified consents within time in 1997/98.*

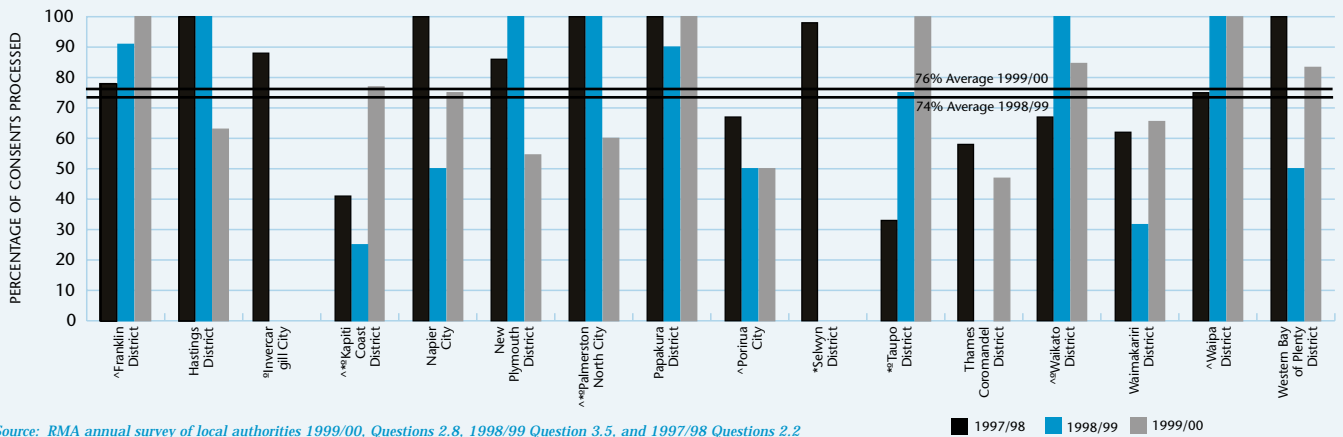
Figure 6: Comparison of notified consents processed within time - territorial authorities (Group 2)



Source: RMA annual survey of local authorities 1999/00, questions 2.8, 1998/99 Question 3.5, and 1997/98 Questions 2.2

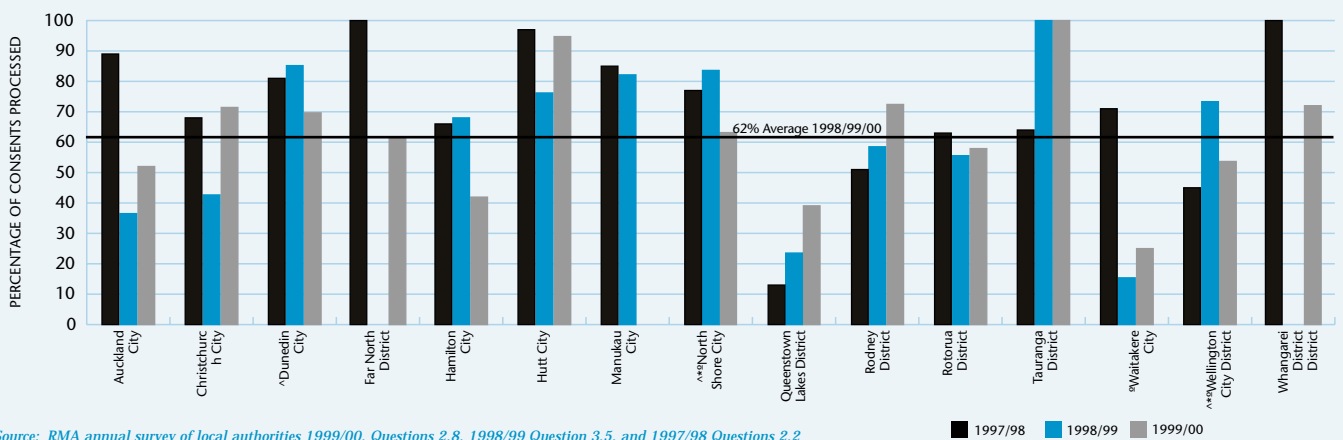
Note: Hauraki District processed 0% of notified consents within time in 1999/00; Hurunui District Council processed 0% of notified consents within time in 1998/99.

Figure 7: Comparison of notified consents processed within time - territorial authorities (Group 3)



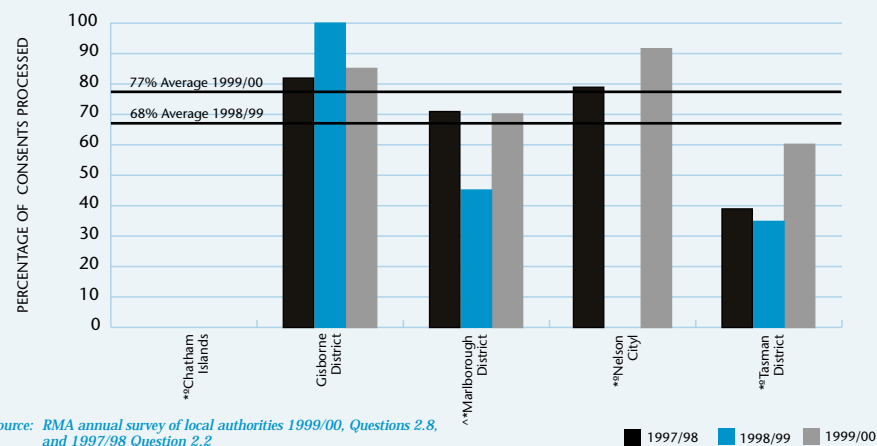
Source: RMA annual survey of local authorities 1999/00, Questions 2.8, 1998/99 Question 3.5, and 1997/98 Questions 2.2

Figure 8: Comparison of notified consents processed within time - territorial authorities (Group 4)



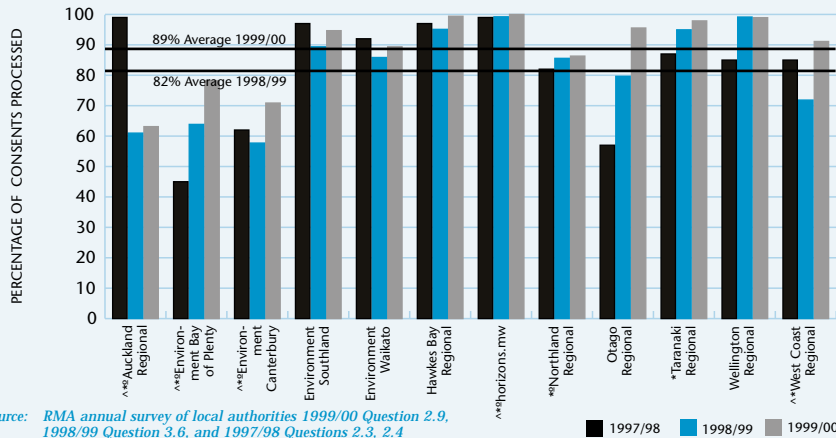
Source: RMA annual survey of local authorities 1999/00, Questions 2.8, 1998/99 Question 3.5, and 1997/98 Questions 2.2

Figure 9: Comparison of notified consents processed within time - unitary authorities



Source: RMA annual survey of local authorities 1999/00, Questions 2.8, and 1997/98 Question 2.2

Figure 10: Comparison of non-notified consents within time - regional councils



Source: RMA annual survey of local authorities 1999/00 Question 2.9, 1998/99 Question 3.6, and 1997/98 Questions 2.3, 2.4

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

REFER FIGURES 10-15

Note: A ^ by the name on the graph indicates the local authority reset the clock with further information in 1997/98, a * indicates this for 1998/99, and a ° indicates this for 1999/00.

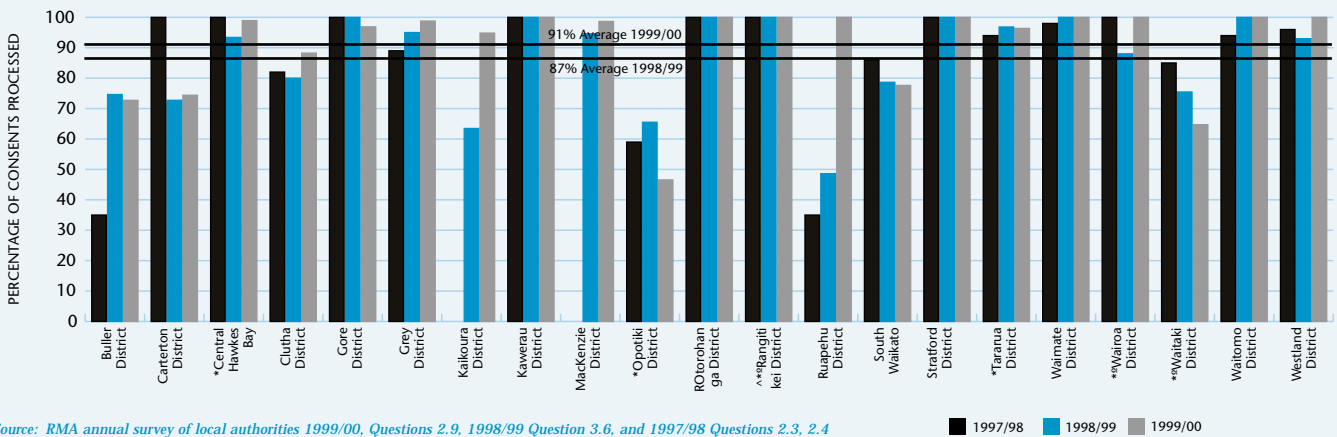
Invercargill City, Manukau City and Selwyn District were unable to supply time limit information for non-notified consents in 1999/00.

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.

Kaikoura District was unable to supply time limit information for non-notified consents processed in 1997/98.

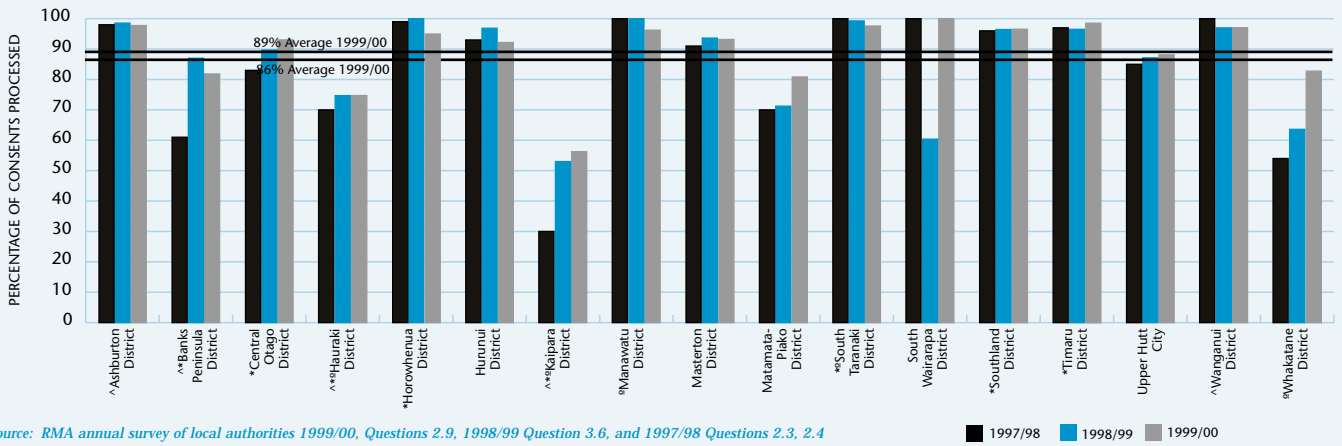
MacKenzie District did not provide a response in 1997/98.

Figure 11: Comparison of non-notified consents processed within time - territorial authorities (Group 1)



Source: RMA annual survey of local authorities 1999/00, Questions 2.9, 1998/99 Question 3.6, and 1997/98 Questions 2.3, 2.4

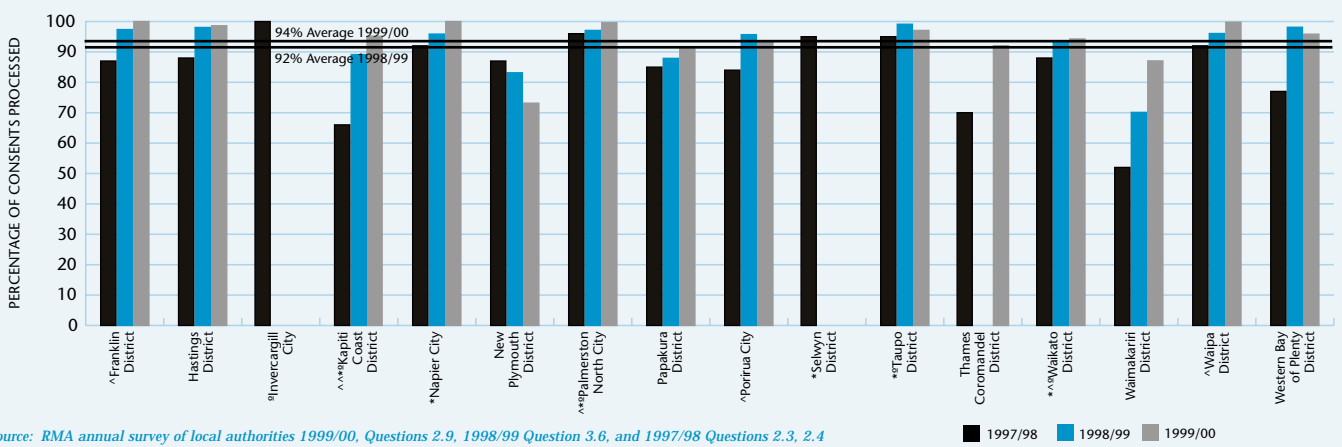
Figure 12: Comparison of non-notified consents processed within time - territorial authorities (Group 2)



Source: RMA annual survey of local authorities 1999/00, Questions 2.9, 1998/99 Question 3.6, and 1997/98 Questions 2.3, 2.4

1997/98 1998/99 1999/00

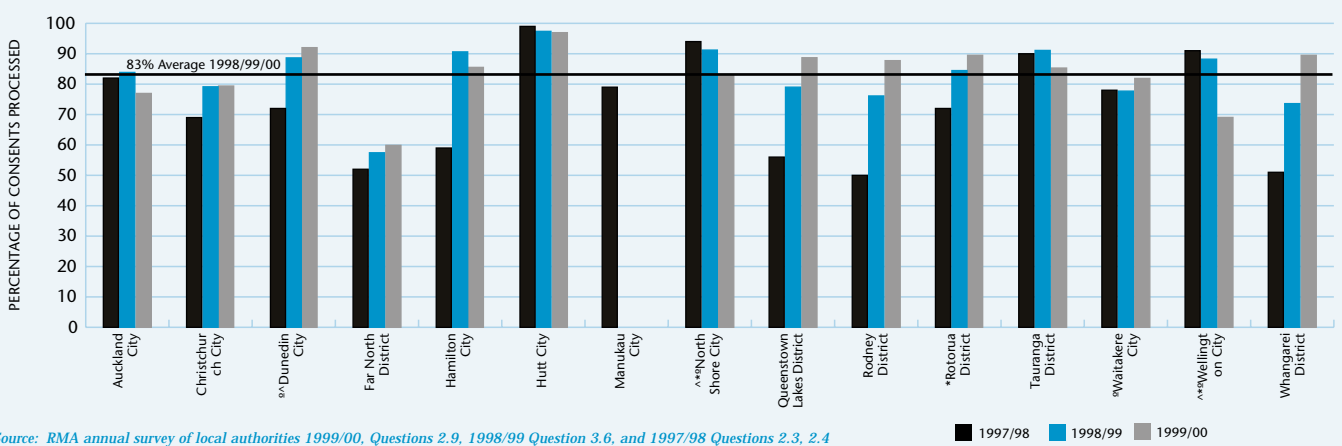
Figure 13: Comparison of non-notified consents processed within time - territorial authorities (Group 3)



Source: RMA annual survey of local authorities 1999/00, Questions 2.9, 1998/99 Question 3.6, and 1997/98 Questions 2.3, 2.4

1997/98 1998/99 1999/00

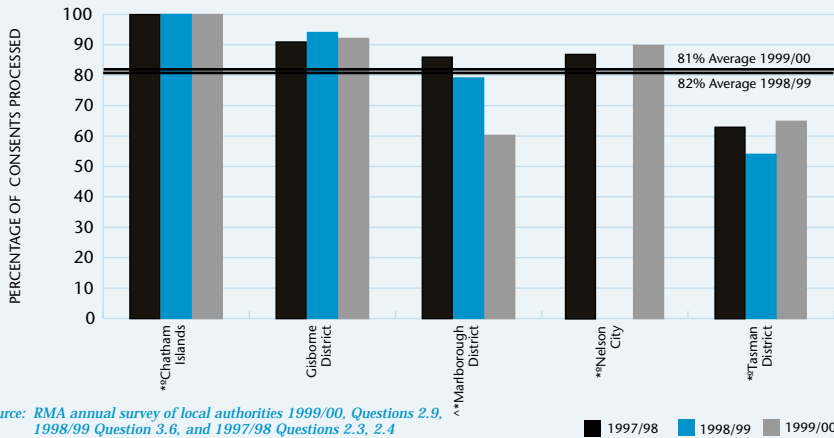
Figure 14: Comparison of non-notified consents processed within time - territorial authorities (Group 4)



Source: RMA annual survey of local authorities 1999/00, Questions 2.9, 1998/99 Question 3.6, and 1997/98 Questions 2.3, 2.4

1997/98 1998/99 1999/00

Figure 15: Comparison of non-notified consents processed within time - unitary authorities



Source: RMA annual survey of local authorities 1999/00, Questions 2.9, 1998/99 Question 3.6, and 1997/98 Questions 2.3, 2.4

Use of section 37 to extend time limits

Section 37 should be used to extend statutory time limits 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 there still seems to be a misconception among some local authorities that the use of section 37 as a tool to extend timeframes is “cheating”.

Overall, in 1999/00, section 37 was used to extend statutory time limits for 6% of the total consents processed, up from 3% last year. Local authorities processed 87% of those consents within the extended time limits established, compared with 83% last year and 92% in 1998/99.

We acknowledge that the use of section 37(1) can act 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. Like last year, respondents were also asked to provide information on whether section 37(1) or section 37(5A) was used to extend the time limits. Only 39 local authorities were able to provide this information. Of those resource consents where section 37 was used, we found that section 37(1) is used approximately 67% of the time, section 37(5A) is used 29% of the time, and both are used 4% of the time.

Cost

Costs incurred by local authorities in producing RMA plans

This year the Ministry again sought information on the costs incurred by local authorities at each stage of the development of a policy statement or plan under the RMA. It was hoped this year that by further clarifying the question we could capture better quality data than 1998/99 and therefore draw more robust conclusions.

This year we were able to use the plan costs data for 70 district and regional plans (153 district and regional plans have been produced to date)⁹. 48 local authorities provided this information.

⁹ In 1998/99 we were only able to use the costs data for 56 plans and policy statements.

Table 12: Plan preparation costs: pre-draft stage (estimates)

Plan type	Lowest	Average	Highest	No. plans	No. of councils
District plans	\$100,000	\$733,869	\$3,000,000	29	29
Regional plans	\$3,737	\$188,406	\$549,274	24	8
Unitary plans	Insufficient data to analyse				

Source: RMA annual survey of local authorities 1999/2000, Question 3.1

Table 13: Plan preparation costs: draft stage (estimates)

Plan type	Lowest	Average	Highest	No. plans	No. of councils
District plans	\$50,000	\$382,837	\$1,650,000	30	30
Regional plans	\$9,762	\$154,865	\$390,895	22	7
Unitary plans	Insufficient data to analyse				

Source: RMA annual survey of local authorities 1999/2000, Question 3.1

Table 14: Plan preparation costs: notification stage (estimates)

Plan type	Lowest	Average	Highest	No. plans	No. of councils
District plans	\$50,000	\$282,573	\$1,500,000	26	26
Regional plans	\$4,500	\$115,964	\$627,000	17	5
Unitary plans	Insufficient data to analyse				

Source: RMA annual survey of local authorities 1999/2000, Question 3.1

Table 15: Plan preparation costs: hearings stage (estimates)

Plan type	Lowest	Average	Highest	No. plans	No. of councils
District plans	\$60,000	\$584,816	\$3,951,959	14	14
Regional plans	\$20,000	\$100,067	\$294,000	15	4
Unitary plans	Insufficient data to analyse				

Source: RMA annual survey of local authorities 1999/2000, Question 3.1

Data analysis for 1999/00 does not cover the costs of producing regional policy statements as all but two are operative and a majority have been operative for more than two years. Data analysis also does not cover the costs incurred by unitary authorities in preparing plans as insufficient data was received to enable comparison.

Despite the increase in plan costs data provided by local authorities, we have only been able to draw tentative conclusions about the costs of producing each stage of a regional or district plan. Again, Audit New Zealand found that a number of the audited local authorities could not substantiate their estimates and almost all were likely to be underestimated. Comments received from some of the non-audited local authorities indicated that a number of others experienced similar problems.

Tables 12-17 provide an indication of the level of costs incurred at each stage of plan production. Table 18 provides a comparison of the average costs of producing each stage of a district or regional plan.

Note that the costs incurred during the operative stage of plan production are highly variable. Not all councils will have included the same factors in calculating these costs, for example some may have only included publication and printing costs, others may have included the cost of a plan change.

REFER TABLES 12-18

From the limited analysis we were able to carry out, it appears that the majority of costs in both district and regional plan development are incurred during the pre-draft stage. Territorial authorities averaged costs of \$734,000 during the pre-draft phase and regional councils averaged costs of \$188,000. This differs from data analysis in 1998/99 that found that a majority of costs for district plans occurred during the appeals phase. This difference is likely to have occurred for two reasons:

- Increased data set in 1999/00

- In 1998/99 the costs of hearings and Environment Court references were combined under one stage 'At appeal'. The 1999/00 questionnaire asked local authorities to split these because combining this data does not provide an accurate reflection of the costs. This is because not all plans go through a references phase and also because some plans have yet to enter this phase.

For both district and regional plans, the operative stage resulted in the least costs to local authorities.

Resource consent processing charges

Public and private benefit

The Local Government Act 1974 requires local authorities to establish funding policies for each of their functions, including resource consent processing. A funding policy begins by attempting to identify the level of public and

private benefit for each function of the local authority. The amount of public benefit is recovered through rates and the private benefit becomes a target for revenue to be obtained from various direct charges (such as charges to resource consent applicants).

Most local authorities were able to provide their distribution between public and private benefit for resource consent processing. Figures have not changed significantly from those reported in 1998/99. The majority of local authorities determined a split where the benefit of resource consent processing was 100% private – to be recovered through charges to the applicant.

66% of local authorities indicated that their charges to resource consent applicants were based on the split identified in their funding policy. A majority of the remaining 34% of local authorities stated that their charges were based on the actual and reasonable costs of processing the consent application. This represents little change from 1998/99.

Of the 66% whose charges were based on the public/private split identified in their funding policy, the majority determined a split where the benefit was 100% private (to be recovered through charges to the applicant for consent processing).

Set fee structures

This year the Ministry was interested in the number of local authorities using a set fee structure for charging applicants for resource consent processing. With set fee structures the charge is established and paid before an application is processed, and no further charges are levied (e.g. the same fee applies irrespective of the time or cost involved in processing the type of resource consent).

17 local authorities use a set fee structure for charging applicants for notified resource consents and 24 local authorities use a set fee structure for charging for non-notified resource consents.

Table 16: Plan preparation costs: references stage (estimates)

Plan type	Lowest	Average	Highest	No. plans	No. of councils
District plans	\$18,000	\$300,415	\$1,453,831	13	13
Regional plans	\$10,000	\$91,803	\$281,047	12	4
Unitary plans	Insufficient data to analyse				

Source: RMA annual survey of local authorities 1999/2000, Question 3.1

Table 17: Plan preparation costs: operative stage (estimates)

Plan type	Lowest	Average	Highest	No. plans	No. of councils
District plans	\$2,500	\$114,168	\$501,000	12	12
Regional plans	\$1,102	\$38,752	\$57,033	6	2
Unitary plans	Insufficient data to analyse				

Source: RMA annual survey of local authorities 1999/2000, Question 3.1

Table 18: Comparison of average preparation costs of district and regional plans

Plan type	Pre-draft	Draft	Notification	Hearings	Operative
District plans	\$733,869	\$382,837	\$282,573	\$584,816	\$114,168
Regional plans	\$188,406	\$154,865	\$115,964	\$100,067	\$38,752
Unitary plans	Insufficient data to analyse				

Source: RMA annual survey of local authorities 1999/2000, Question 3.1

Charges to applicants for resource consent processing

As with the previous year, the 1999/00 annual survey asked local authorities to provide information on the following aspects of resource consent processing charges:

- Minimum and maximum charges to resource consent applicants for notified/non-notified resource consents processed
- Average charge and average charge of the *middle third*¹⁰ to resource consent applicants for notified/non-notified resource consents processed.

¹⁰ 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.

Table 19: Regional councils: average charges to applicants for resource consent processing

Consent type		Minimum charge	Maximum charge	Average charge	Average charge of middle 3rd	Number of councils responding
Land use	Notified	\$1,415	\$11,718	\$5,022	\$4,944	7
	Non-notified	\$115	\$3,158	\$389	\$289	10
Water	Notified	\$733	\$14,709	\$3,410	\$2,536	8
	Non-notified	\$179	\$3,933	\$573	\$434	10
Coastal	Notified	\$1,481	\$19,192	\$5,644	\$2,915	7
	Non-notified	\$197	\$2,290	\$524	\$407	9
Discharge	Notified	\$1,081	\$13,113	\$4,365	\$3,580	10
	Non-notified	\$173	\$7,230	\$586	\$412	10

Source: RMA annual survey of local authorities 1999/2000, Question 3.5 and 3.6

Table 20: Unitary authorities: average charges to applicants for resource consent processing

Consent type		Minimum charge	Maximum charge	Average charge	Average charge of middle 3rd	Number of councils responding
Subdivision	Notified	\$945	\$3,423	\$1,875	\$1,484	3
	Non-notified	\$50	\$3,915	\$508	\$432	3
Land use	Notified	\$479	\$4,328	\$1,769	\$1,554	3
	Non-notified	\$34	\$2,354	\$308	\$189	3
Water	Notified	\$835	\$975	\$821	\$631	3
	Non-notified	\$160	\$954	\$281	\$240	3
Coastal	Notified	\$1,419	\$15,183	\$5,386	\$2,107	3
	Non-notified	\$84	\$1,691	\$262	\$198	3
Discharge	Notified	\$151	\$2,964	\$1,264	\$1,328	2
	Non-notified	\$205	\$1,336	\$465	\$411	3

Source: RMA annual survey of local authorities 1999/2000, Question 3.5 and 3.6

Table 21: Territorial authorities in family group 1 (0-110 consents): average charges to applicants for resource consent processing

Consent type		Minimum charge	Maximum charge	Average charge	Average charge of middle 3rd	Number of councils responding
Subdivision	Notified					Insufficient data to analyse
	Non-notified	\$236	\$833	\$325	\$315	15
Land use	Notified					Insufficient data to analyse
	Non-notified	\$124	\$698	\$234	\$214	15

Source: RMA annual survey of local authorities 1999/2000, Question 3.5 and 3.6

Last year we also asked local authorities to provide us with information on the administrative costs of processing resource consents to enable comparison with the information on charges for consent processing. A majority of local authorities could not provide this information. The quality and comparability of data from those that could was limited. We therefore did not ask local authorities to provide information on the costs of processing resource consents in 1999/00.

78 local authorities were able to provide information on their charges to applicants for resource consent processing in 1999/00. However, several of these could only provide partial information, for example providing information for some consent types but not others, or providing average charges but not minimum and maximum charges.

Tables 19-24 illustrate the averages of the minimum, maximum, average and average middle third charges to applicants for each type of resource consent processed, by local authority type.

REFER TABLES 19-24

Table 22: Territorial authorities in family group 2 (111-300 consents): average charges to applicants for resource consent processing

Consent type		Minimum charge	Maximum charge	Average charge	Average charge of middle 3rd	Number of councils responding
Subdivision	Notified	\$941	\$5,299	\$1,783	\$1,478	9
	Non-notified	\$270	\$1,683	\$442	\$408	16
Land use	Notified	\$860	\$5,155	\$1,782	\$1,491	13
	Non-notified	\$94	\$1,383	\$296	\$279	16

Source: RMA annual survey of local authorities 1999/2000, Question 3.5 and 3.6

Table 23: Territorial authorities in family group 3 (301-650 consents): average charges to applicants for resource consent processing

Consent type		Minimum charge	Maximum charge	Average charge	Average charge of middle 3rd	Number of councils responding
Subdivision	Notified	\$1,385	\$6,557	\$3,241	\$3,024	11
	Non-notified	\$162	\$2,014	\$552	\$466	13
Land use	Notified	\$1,289	\$9,453	\$3,512	\$2,514	14
	Non-notified	\$103	\$2,876	\$363	\$306	13

Source: RMA annual survey of local authorities 1999/2000, Question 3.5 and 3.6

Table 24: Territorial authorities in family group 4 (651+ consents): average charges to applicants for resource consent processing

Consent type		Minimum charge	Maximum charge	Average charge	Average charge of middle 3rd	Number of councils responding
Subdivision	Notified	\$2,571	\$6,845	\$3,882	\$3,891	11
	Non-notified	\$237	\$9,697	\$796	\$644	12
Land use	Notified	\$1,014	\$20,447 ¹¹	\$4,190	\$3,622	12
	Non-notified	\$153	\$7,739	\$573	\$485	12

Source: RMA annual survey of local authorities 1999/2000, Question 3.5 and 3.6

Of the middle third of notified applications processed by regional councils, and territorial authorities in family group 2, land use consents incur the highest charges to applicants. However, for unitary authorities, notified applications for coastal permits incur the highest charges to applicants. For the remaining territorial authorities, notified subdivision applications incur the highest charges.

Of the middle third of non-notified applications processed by regional councils, water permits incur the highest charges for applicants. Of those processed by unitary authorities and all family groups of territorial authorities, non-notified subdivision applicants incur the highest charges for applicants.

¹¹ The average maximum charge for notified land use consents processed by territorial authorities in family group 4 (\$20,447) is skewed by a particularly costly application. Without this application, the average maximum charge is \$13,404.

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 1999/00 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.

Pre-application

81% of local authorities define the environmental effects that must be addressed in consent applications for controlled and restricted discretionary activities. This compares with 73% last year. The use of such guiding material helps applicants applying for these consents 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.

The vast majority of local authorities (86%), provide potential applicants with an 'estimate'¹² of the cost of applying for a resource consent if so requested. Informing people of what to expect in terms of processing costs is an important means of managing potential applicants' expectations about costs. The Resource Management Amendment Bill 1999 proposes to amend the RMA so that a local authority must provide an estimate of any additional cost likely to be incurred. It aims to

introduce more of a business ethic to the services offered by providing fair warning to people who otherwise may not be expecting to pay any extra changes.

This year we asked local authorities if they hold pre-application meetings for complex applications. 96% advised they did. Pre-application meetings are important in ensuring the applicant gathers and presents the right information, that the necessary documents are included and to ensure the application addresses the key issues.

REFER FIGURE 16

Application process

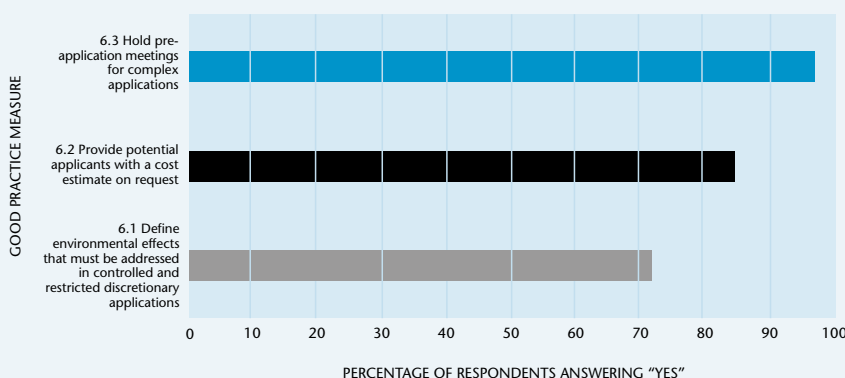
Requests for further information

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 that are user-friendly and cover all areas of the application.

This year we asked local authorities to indicate from a list, the mechanisms they used to minimise further information requests. The most common were the use of application forms, brochures and guidelines, and the provision of duty planners. Few seemed to require senior approval if multiple requests were being made. Few made use of the RMA Education Video that is available from the Ministry through the Sustainable Management Fund.

¹² An estimate is a price the 'seller' thinks the work will cost, based on their past experience in that kind of work. It is not a firm offer to do the job for that price. A quote is an offer to do a job for a certain price.

Figure 16: Good practice: Pre-application



Other mechanisms employed by local authorities included:

- Providing information on a website
- Having on-site meetings before the application is lodged
- Holding seminars and workshops with consultants, and regularly sending them information on matters regarding the processing of applications
- Undertaking audits of further information requests to come up with best practice measures for planners and consultants.

REFER FIGURE 17

Before commissioning specialist reports, 85% 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, a marked increase from the 42% recorded last year. 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.

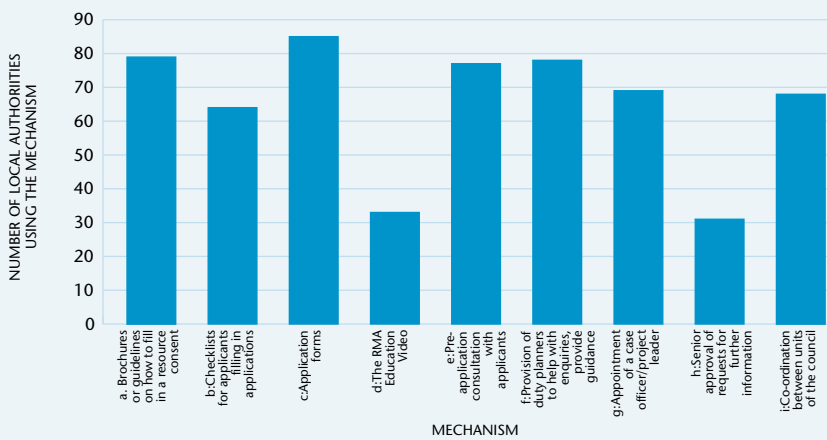
Assessments of Environmental Effects (AEEs) and notification

64% of local authorities indicated that they follow a set process to check that environmental effects are adequately identified and addressed in AEEs (compared with 63% last year and 53% in 1997/98). Adhering to 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).

56% of local authorities indicated that guidance notes or checklists are available to staff on when to notify an application (compared with 58% last year and 53% in 1997/98). Only 43% advised they have internal guidance notes or checklists available to staff on how to identify affected parties (a slight decrease on the 44% who last year advised they did and the 47% in 1997/98). Internal checklists and guidance notes assist staff to make consistent decisions on notification and the identification of affected parties.

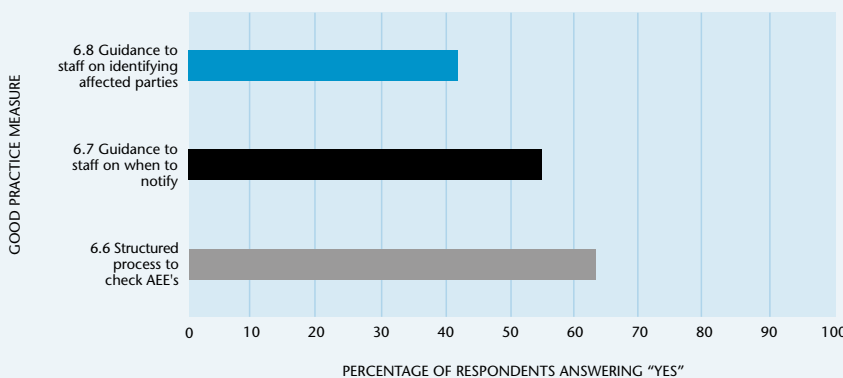
REFER FIGURE 18

Figure 17: Local authority use of mechanisms to reduce further information requests



Source: RMA annual survey of local authorities 1999/00, Question 6.4

Figure 18: Good Practice: Application process (Assessment of environmental effects (AEE) and notification)



Monitoring processing timeframes

84% of local authorities formally monitor and report consent processing performance, the results of which are made available to ratepayers. This is a slight improvement on the 79% recorded last year.

Almost all local authorities monitor whether consents are processed within statutory time limits (although some don't need to due to the very low number of resource consents they receive). The majority of respondents indicated they monitored timeframes on a weekly or monthly basis.

72% of local authorities use a variety of mechanisms to assist staff to process resource

consents within time, up slightly from 70% last year. As with last year, these generally involved:

- Having a timeline recorded on the front of the relevant file
- Use of a 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.

REFER FIGURE 19

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.

This year we found that 59% of local authorities use customer satisfaction surveys to establish what applicants think of their resource consent processes, compared with 59% last year and 48% in 1997/98. The frequency with which these surveys are conducted varied. Most answering this question indicated that they surveyed customer satisfaction yearly. Others survey more regularly, for example on a half-yearly basis, whilst others include customer feedback forms with every consent granted (or ask every submitter who is heard to comment on the process).

77% of local authorities undertaking these surveys used the level of customer satisfaction as an indication of performance for their resource consent processes (up significantly from 50% last year and 41% in 1997/98). 82% use the feedback from customer satisfaction surveys to review resource consent processes, up from 56% last year and 47% in 1997/98.

REFER FIGURE 20

Figure 19: Good practice: monitoring time frames

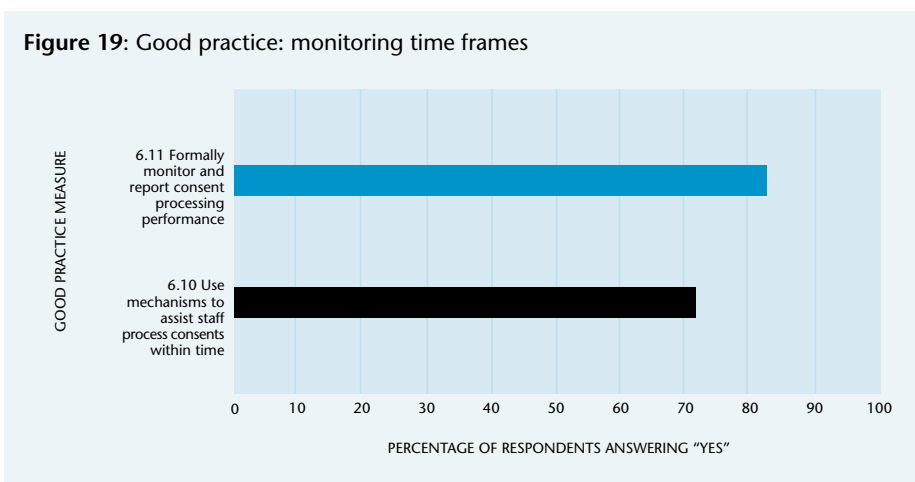
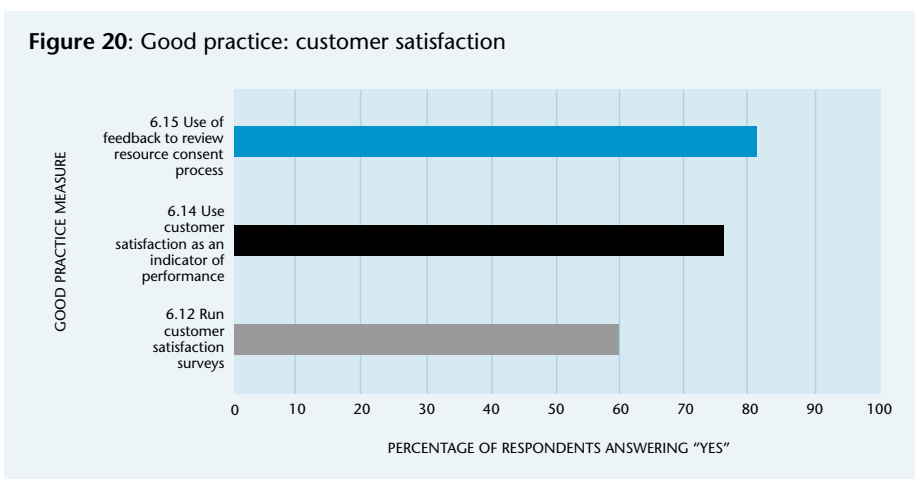


Figure 20: Good practice: customer satisfaction



Monitoring and enforcement

Section 35 monitoring

Monitoring policies, processes and environmental outcomes is an important aspect of the RMA and is a required function 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.

As with the previous year, all local authorities are involved in some type of monitoring. Table 25 compares this year's results with the findings from the 1998/99 survey.

REFER TABLE 25

Section 35 monitoring costs

68 local authorities were able to provide us with information on the total amount they spent on section 35 monitoring in 1999/00. Table 26 shows, in family groups, the average amount spent on section 35 monitoring in 1999/00.

REFER TABLE 26

60% of these local authorities had a separate budget for section 35 monitoring. However, this did not appear to have any bearing on whether they spent less or more on monitoring than if they did not have a separate budget.

We also asked local authorities how much they spent on monitoring three particular aspects of section 35:

- State of the environment (section 35(2)(a))
- Suitability and effectiveness of plans and policy statements (section 35(2)(b))
- Compliance with resource consent conditions (section 35(2)(d)).

Table 25: Percentages of local authorities monitoring under section 35 1999/00 and 1998/99

Local authority type	Monitor SOE		Monitor plans/policies		Delegated/transferred functions		Monitor consent conditions		Monitor complaints register	
	98/99	99/00	98/99	98/00	98/99	99/00	98/99	99/00	98/99	99/00
Regional	100%	100%	92%	83%	50%	67%	100%	100%	100%	100%
Territorial	34%	36%	52%	54%	49%	45%	96%	96%	86%	87%
Unitary	80%	80%	60%	80%	40%	40%	100%	100%	60%	60%

Source: RMA annual survey of local authorities 1999/00, Question 4.1
RMA annual survey of local authorities 1998/99, Question 5.1

Table 26: Average amount spent on section 35 monitoring responsibilities (in family groups), n=68

Family group	Average amount spent	Number of local authorities answering
Regional councils	\$2,771,714	8
Territorial – group 1	\$9,802	15
Territorial – group 2	\$19,184	13
Territorial – group 3	\$55,646	13
Territorial – group 4	\$155,570	12

Source: RMA annual survey of local authorities 1999/2000, Question 4.3

Table 27 outlines the average amounts spent by local authorities in 1999/00 and 1998/99 on monitoring these aspects¹³. Regional councils are spending the most on monitoring the state of the environment in their regions, whereas territorial authorities are spending the most on monitoring compliance with consent conditions. Note however, that relatively few territorial authorities were able to provide information on the amounts spent monitoring these aspects of section 35. In addition, a number of territorial authorities that did provide this information indicated that they spent \$0 on monitoring these aspects in 1999/00.

¹³ Note that Table 27 is not based on the average middle third of amounts spent on monitoring. Any high or low extremes have therefore not been disregarded.

REFER TABLE 27

Table 27: Average amount spent on monitoring section 35(2)(a), (b) and (d) in 1999/00 and 1998/99

Local authority family group	Average spent monitoring State of the Environment		Average spent monitoring plans/policies		Average monitoring compliance with consent conditions	
	99/00	98/99	99/00	98/99	99/00	98/99
Regional councils	\$1,593,083	\$1,222,036	\$346,777	\$62,880	\$672,036	\$530,129
Number responding	10	8	4	4	12	9
Territorial – family group 1	\$3,273	\$377	\$1,125	\$3,400	\$6,087	\$6,208
Number responding	7	5	8	5	15	6
Territorial – family group 2	\$2,200	\$3,250	\$4,234	\$1,000	\$15,228	\$4,000
Number responding	5	4	10	2	9	3
Territorial – family group 3	\$16,163	\$18,900	\$7,344	\$5,000	\$45,910	\$24,543
Number responding	10	5	7	1	11	6
Territorial – family group 4	\$30,127	\$75,072	\$43,557	\$37,029	\$173,245	\$99,500
Number responding	5	5	8	5	11	4
Unitary authorities	\$198,695	\$38,000	\$13,333		\$124,424	
Number responding	5	1	3	0	5	0

Source: RMA annual survey of local authorities 1999/00, Question 4.4
RMA annual survey of local authorities 1998/99, Question 5.2b

Table 28: Local authority production of SOE reports in 1999/00 and 1998/00

Local authority type	Number who produced an SOE report	
	1999/00	1998/99
Regional councils	8	7
Territorial authorities	13	8
Unitary authorities	4	3

Source: RMA annual survey of local authorities 1999/00, Question 4.6
RMA annual survey of local authorities 1998/99, Question 5.4

State of the Environment monitoring and reporting

State of the Environment (SOE) monitoring requires gathering information on the condition or state of the environment to detect any changes in environment quality as a result of human or natural causes. SOE monitoring also aims at determining the reasons for changes in environmental quality. This allows informed decisions to be made regarding the management of environmental resources.

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.

25 local authorities produced SOE reports in 1999/00 compared to 18 in 1998/99. Table 28 provides a breakdown of these figures by local authority type.

REFER TABLE 28

While the numbers of SOE reports being produced are increasing, it is worth noting 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, most local authorities choose not to produce SOE reports annually.

Refer to Table 27 for information on the average amounts local authorities spent monitoring the state of the environment in their region/district in 1998/99 and 1999/00.

Joint monitoring

44% of local authorities were involved in joint monitoring with other statutory bodies in 1999/00, in comparison to 37% in 1998/99. Again, joint monitoring was predominantly carried out between regional councils and territorial/unitary authorities. In some instances, monitoring was also undertaken with health boards and the Department of Conservation. Typically, joint monitoring was of the following issues:

- Fresh and coastal water quality, including bathing beach quality
- Compliance with resource consent conditions, usually for activities such as landfills, quarries, mining, and for discharge and odour effects

Plan effectiveness monitoring

Section 35(2)(b) requires all local authorities to monitor the suitability and effectiveness of their plans and policy statements. This type of monitoring involves gathering information to assess the effects that policies and methods have on the environment, and to determine the suitability and effectiveness of the methods used to achieve the plan's anticipated environmental results¹⁴. Plan effectiveness monitoring should highlight what is working well and not so well within the plan. This information will lead to an improved plan and decision-making through changes used to address the findings of monitoring.

There has been no change in the number of local authorities starting development of a strategy for plan effectiveness monitoring from 1998/99 (50 local authorities). However, there have been changes in the numbers of local authorities integrating their monitoring responsibilities in different ways:

- 47% of local authorities use the monitoring information collected by resource consent holders to assist it to assess the effectiveness of plan policies and rules (an increase of 14% from 1998/99).

- 38% use their state of the environment monitoring to assess plan effectiveness (an increase of 9% from 1998/99).
- 42% of local authorities use the results of plan effectiveness monitoring to assist with establishing consent categories (a 23% decrease from 1998/99).

For the third point, the significant decrease is likely due to the altered wording of the question asked in the 1999/00 survey. In 1998/99 we asked whether local authorities intended to use these results to assist with establishing consent categories. In 1999/00 we asked whether local authorities used these results to assist with establishing consent categories.

Note that the Resource Management Amendment Bill 1999 as introduced, would require local authorities to monitor the efficiency and effectiveness of policies, rules or other methods and prepare a five-yearly report of the results of this monitoring.

Refer to Table 27 for information on the average amounts local authorities spent monitoring the effectiveness of their plans/policy statements in 1998/99 and 1999/00.

Enforcement and compliance

Complaints about breaches of the RMA

The 81 local authorities able to provide this information recorded 97,722 complaints concerning alleged breaches of the RMA or other resource management incidents. This is an increase of 20,368 complaints from 1998/99. This significant increase is mostly due to the fact that the 1999/00 survey questionnaire stated that complaints about excessive noise were to be included, whereas the 1998/99 questionnaire did not make this explicit. Some councils had therefore not included this data in their response to the 1998/99 survey.

Table 29 compares the numbers of complaints recorded in 1999/00 with those recorded in 1998/99. In addition to the significant increase overall in complaints reported by local

¹⁴ For more information on plan effectiveness monitoring refer to "District Plan Monitoring: A Guide to Getting Started" (June 2000) available through the Ministry's Sustainable Management Fund.

authorities, there were several instances where decreases were noted. Local authorities reported these as being due to:

- Problems with collecting complaints data. Generally this was due to it being maintained by several different staff members in several different systems.
- Changes to systems for recording complaints:
 - Some local authorities installed new systems partway through 1999/00. This meant their data was collected from two sources (the old system and the new system). In some instances this meant problems with data accuracy.
 - Some systems record both complaints and enquiries. In 1998/99 a number of local authorities did not separate out enquiries from the total recorded. However, in 1999/00 they endeavoured to do this, thereby resulting in a more accurate total.

REFER TABLE 29

Table 29: Total and average number of complaints about alleged breaches of the RMA recorded in 1999/00 and 1998/99, by local authority family group

Local authority type	Total number of complaints recorded		
	99/00	98/99	% change
Regional councils	9,986	10,522	-5.09%
Territorial authorities - family 1	1,639	2,071	-20.86%
Territorial authorities - family 2	4,541	3,443	+31.89%
Territorial authorities - family 3	7,896	10,417	-24.2%
Territorial authorities - family 4	70,265	49,268	+42%
Unitary authorities	3,395	1,633	+107.9%

Source: *RMA annual survey of local authorities 1999/00, Question 4.12*
RMA annual survey of local authorities 1998/99, Question 5.13

21% of the 97,722 complaints were resolved through formal enforcement processes, in comparison with 17% in 1998/99. 96% of complaints resolved formally were resolved with an excessive noise direction. There was very little change in the number of complaints resolved with an abatement notice or enforcement order – these still represent less than 1% of those resolved through formal enforcement processes. Note that to date, the annual survey has not required local authorities to report on the number of prosecutions made. This data will be collected in future surveys.

78% of complaints were resolved informally through other means or were minor administrative matters not requiring further action. This is a significant increase from 1998/99 where 38% of complaints recorded were resolved informally.

Local authorities reported that the remaining complaints that had not been resolved either formally or informally (less than 1%) were still in the process of being resolved. This is in comparison to 1998/99 when it appeared that 45% of complaints had not been resolved. These significant changes in statistics are a result of a number of local authorities improving the way they record data on complaint resolution. In 1998/99 many local authorities reported problems with providing a breakdown of how they resolved the complaints recorded. In 1999/00 a number reported changes in the way they record this data and it is pleasing to see this reflected in the results.

Compliance with resource consent conditions

54 local authorities recorded 9,051 breaches of resource consent conditions in 1999/00, an increase of 2,171 from those recorded in 1998/99 (by 61 local authorities). 85% of these breaches were dealt with through informal means or were minor administrative matters that did not require further action. 3% were dealt with through formal enforcement processes and a further 12% were unaccounted for (e.g. no information was available on the resolution of these particular breaches, or alternatively they had not been resolved formally or informally by the end of 1999/00). There were slightly fewer breaches responded to formally, and 7% fewer breaches responded to informally. The proportion of breach resolutions unaccounted for has risen by 8%.

Again, many local authorities reported problems in providing information regarding breaches of consent conditions and their resolution. This was commonly due either to a lack of in-house formal measures for recording this information, or systems that did not record this data in a way that enabled the local authority to provide accurate information for the annual survey. For example, breaches of consent conditions are often picked up as a result of someone making a complaint. This may mean the complaint is recorded, but may not mean that it is also recorded as a breach. If a number of people make a complaint about the same breach, this may not mean it is recorded as one breach, but rather as multiple complaints. The same applies to recording how complaints and breaches have been resolved.

Refer to Table 27 for information on the average amounts local authorities spent monitoring compliance with consent conditions in 1998/99 and 1999/00.

Infringement notices

Infringement notices came into force on 1 February 2000 under the Resource Management (Infringement Offences) Regulations 1999. Offences for which an infringement notice can be issued relate to contraventions of particular sections of the RMA. These are defined in section 338 (1)(a), (c) and (d), and 338 (2)(a), (c) and (d) of the Act.

58 local authorities issued 103 infringement notices in 1999/00. 56% of these were issued by regional councils, 41% by territorial authorities and 3% by unitary authorities. Six infringement notices were appealed in 1999/00 and 12 were withdrawn.

81% of infringement notices were issued under section 338(1)(a) for contravention of sections relating to restrictions on the use of land (s9), the coastal marine area (s12), certain uses of beds of lakes and rivers (s13), water (s14), and discharge of contaminants (ss 15(1)-(2)). 14% were issued under section 338(1)(c) for contravention of an abatement notice (other than an abatement notice for unreasonable noise). None were issued under section 338(1)(d) for contravention of a water shortage direction. Less than 1% were issued under either sections 338(2)(a) or (d) and 4% were issued under section 338(2)(c) for contravention of an excessive noise direction.

Maori participation

The 1999/00 survey collected similar information to last year on how local authorities have carried out their various functions under the RMA relating to Maori participation in resource management.

Funding for Maori participation in RMA processes

We found that there was a slight increase in the proportion of local authorities making a budgetary commitment to Maori/iwi participation in RMA processes. In the 1999/00 year, 65% of local authorities made a commitment, in comparison with 63% last year. The average amount budgeted for Maori participation was \$49,981 compared to \$48,292 in 1998/99.

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 = very effective
- 2 = effective
- 3 = least effective.

Figure 21 shows the range of mechanisms used by local authorities to consult with iwi and their effectiveness. The four used most frequently in the 1999/00 year were:

- Sending draft plans to iwi for comment (note that although this was the most used mechanism, it was ranked as being the least effective in 1999/00)
- Holding hui on marae
- Having written agreements or memoranda of understanding
- Having a tangata whenua staff/iwi liaison officer.

The first two mechanisms were also the most used in 1998/99, 1997/98 and 1996/97.

REFER TO FIGURE 21

The most effective consultation mechanisms were:

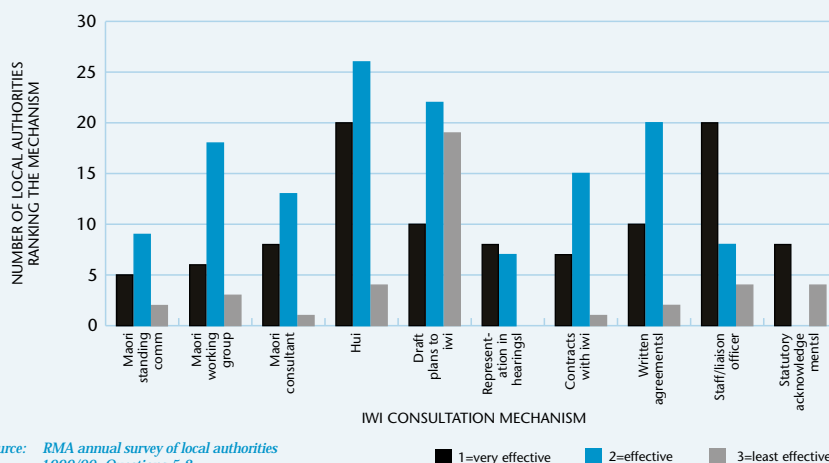
- Employing a Maori liaison officer
- Holding hui with local iwi.

Local authorities also ranked these mechanisms as being the most effective in 1998/99 and 1997/98.

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

- Having iwi representatives on committees
- Sending details or copies of resource consent applications to iwi for comment
- Establishing and maintaining personal contacts with runanga and iwi
- Having protocols for consultation.

Figure 21: Local authority use and effectiveness ranking of iwi consultation mechanisms (n=85)



Source: RMA annual survey of local authorities 1999/00, Questions 5.2

Maori input into consents and plans

61% of local authorities have criteria or provide guidance for their staff for determining when iwi or hapu are likely to be affected parties in a resource consent application and should therefore be notified of the proposal. This is down slightly on the 64% recorded last year.

We also asked local authorities to list any planning documents recognised by iwi in the district or region, along with how they were made aware of these documents. We were interested in this because the RMA requires local authorities to 'have regard to' relevant planning documents recognised by iwi authorities when preparing or changing their regional policy statements, regional plans and district plans¹⁵.

26% of the local authorities replied that they did have regard to these documents. 58% of the respondents advised that there was no relevant iwi planning documents that they were aware of, so this question was not applicable to them.

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. 17 of these councils received resource consent applications in 1999/00 that affected statutory acknowledgements. 381 consent applications were received in total, with Environment Southland receiving 167 of them. This compares with the 1998/99 survey, which found that 11 of the local authorities in the Ngai Tahu rohe received a total of 98 resource consent applications that affected statutory acknowledgements.

¹⁵ *The Resource Management Amendment Bill 1999 proposes to raise the status of these documents, by changing the test from 'have regard to' to 'take into account'.*

Other issues

¹⁶ Includes policy statements produced by unitary authorities

¹⁷ Includes regional coastal plans

¹⁸ Includes resource management documents produced by the Chatham Islands Council

¹⁹ This column records 74 district plans, more than one each of the 69 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.

²⁰ Note that five of the 34 local authorities could only provide estimates

²¹ Figures for regional plans include regional coastal plans and plans prepared by unitary authorities

The Ministry also collects information through the annual survey (and other means) on a number of issues that it 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 development status of plans/policy statements).

Plan status

The Ministry maintains a register of plan and policy statement development. This provides a measure of local authority progress into full implementation of the RMA. Appendix 6 outlines plan and policy statement status as at 1 May 2001. Please let us know of any changes in plan/policy statement progress.

Table 30 summarises the number of plans and policy statements at each stage in the development process. 13 plans and policy statements have become fully operative since the 1 June 2000. The remainder are progressing well through the system.

REFER TABLE 30

Private plan changes

Territorial authorities received 23 applications for private changes to operative district plans in 1999/00. Regional councils and unitary authorities did not receive any applications for private changes to their plans. In 1998/99, territorial authorities received 39 applications for private changes, unitary authorities received 2 applications and regional councils did not receive any.

Plan references

34 local authorities²⁰ were able to provide us with information on the number of references lodged on their fully operative RMA plans and the number of references that proceeded to a full Environment Court hearing.

579 references were lodged on 52 operative plans and policy statements. 67 of these references proceeded to a full Environment Court hearing.

REFER TABLE 31

Transfer of functions

As with 1998/99, no local authority indicated that it had transferred functions, powers or duties to any other public authorities under section 33 of the RMA during 1999/00.

Table 30: Summary of plan/policy statement status as at 1 May 2001

Stage of development	Regional policy statements ¹⁶	Regional plans ¹⁷	Unitary plans ¹⁸	District plans ¹⁹	Total
Fully operative	14	27	5	30	76
Before the Environment Court	2	11	4	23	40
In hearings	-	9	4	11	24
Notified	-	3	1	9	13
Pre-notification	-	information not available	information not available	1	1

Source: Ministry for the Environment internal database of plan and policy status

Table 31: References lodged on operative RMA plans and policy statements

Plan type	Number of plans with info provided	Number of references lodged on plans			No. of plans	Number of references that proceeded to a full Env Court Hearing		
		Total refs	Median	Range		Total refs	Median	Range
District plans	25	429	10	0-140	6	43	4	1-23
Regional policy statements	7	77	7	4-37	2	15	8	2-13
Regional plans ²¹	20	73	3	0-18	6	9	1	1-3

Source: RMA annual survey of local authorities 1999/00, Question 7.5

Conclusion

This year's findings

The annual survey is a useful indicator of current local authority RMA practice. It 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 good 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.

Similarly to 1998/99, results from the 1999/00 survey are a mixture of performance improvements in some areas, but decline or little change in others. A 100% response rate was achieved again this year and overall, more local authorities were able to answer particular questions than previous years (for example, questions about charges for resource consent processing and monitoring complaints and compliance). There was an increase in the number of local authorities keen to participate in this year's audit and to have their good practices shared with others (45% of local authorities this year, compared to 33% in 1998/99). This reflects a willingness to have their systems checked and verified by an external auditor and Audit New Zealand were able to report favourably on a majority of local authorities audited.

Slightly fewer resource consents were received and processed in 1999/00 compared with the previous year. The drop in consent numbers processed was particularly noticeable in the Auckland and Christchurch areas. There has been no change in the proportion of consents notified (5%), declined (<1%) or appealed (1%). These statistics have not changed for the past three years.

There has also been no improvement or decline in the overall percentage of consents processed within statutory time limits (82%). However, there was an 8% improvement in the percentage of notified consents processed within statutory time limits, although this remains at 63%.

Further information was requested by local authorities for 33% of resource consents processed in 1999/00. This is a 5% increase from last year and an 11% increase from 1997/98. It is interesting to note that the proportion of consents processed where further information is requested continues to rise despite the fact that increasing numbers of local authorities report that they are using mechanisms supposedly to reduce these requests. There is a real need to ensure that these mechanisms are working effectively.

It was pleasing to note some steady increases in the number of local authorities adopting good practice procedures for resource consent processing. The adoption of these procedures increases consistency in the quality of resource consent processing between local authorities, improves data comparability, and provides greater certainty for applicants. We found that greater numbers of local authorities will provide potential applicants with an estimate of applying for a resource consent if so requested. While the number of local authorities undertaking customer satisfaction surveys did not change from 1998/99 to 1999/00, we did find that the percentage of local authorities that use this level of customer satisfaction as an indication of performance increased dramatically.

Local authorities reported that the majority of costs in both district and regional plan development are incurred during the pre-draft stage. This reflects the high level of resource input required during this stage of development. Analysis of the data on charges for resource consent applications found that applications for subdivision consents (notified and non-notified) incur the highest charges to applicants at the territorial authority level. At the regional council level, notified land use consents and non-notified water permits incur the highest charges to applicants.

Improvements in recording monitoring information meant more local authorities were able to provide data about complaints and compliance with resource consent conditions in 1999/00. This data showed that a majority of complaints about alleged breaches of the RMA are resolved informally, as are a majority of breaches of consent conditions.

As a final point it is worth noting the progression of plans and policy statements through the development process. 76 plans and policy statements had reached the operative stage by 1 May 2001, and increasing numbers are now before the Environment Court or have progressed into council hearings.

Future steps

This year's annual survey has captured useful information on the implementation of RMA processes and practices by local authorities and highlighted some sound performance improvements. In the past year a number of local authorities have worked to improve their systems for recording core RMA data and this is reflected in the greater number of responses to particular questions.

Local authorities can expect to see some changes to the annual survey process over the next few years. The 2000/01 survey questionnaire will be reviewed and further reduced in length, although the core RMA questions will not differ widely from previous years. Maintaining consistency in survey format gives local authorities certainty of the information they need to be recording. To further increase certainty, all local authorities will be sent a copy of the 2001/02 questionnaire at the start of that financial year. This will enable data collection to start as soon as the financial year commences.

In response to feedback from local authorities, the Ministry for the Environment is developing an electronic version of the survey questionnaire. This will make it easier for local authorities to complete, and will simplify the data collection process. We expect to trial the electronic questionnaire during collection of the 2000/01 survey data.

Beyond 2001/02, we expect that the survey will become biennial. In the alternate years, the Ministry will undertake case-study investigations into particular aspects of RMA practice or performance.

Appendix 1:

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

Family group	Local authority	Resource consent processed		
		97/98	98/99	99/00
Regional councils	Auckland Regional Council	961	749	721
	Environment Bay of Plenty	495	345	393
	Environment Canterbury	2032	2096	1801
	Environment Southland	511	494	414
	Environment Waikato	1377	1137	1036
	Hawkes Bay Regional Council	541	665	540
	horizons.mw	369	473	490
	Northland Regional Council	732	564	632
	Otago Regional Council	898	675	620
	Taranaki Regional Council	322	282	261
	Wellington Regional Council	829	665	603
	West Coast Regional Council	443	607	526
	Territorial authorities: Group 1	Buller District Council	56	70
Carterton District Council		52	66	82
Central Hawkes Bay District Council		103	107	93
Clutha District Council		85	66	72
Gore District Council		100	108	98
Grey District Council		90	108	86
Kaikoura District Council		73	109	58
Kawerau District Council		7	6	11
MacKenzie District Council		N/A	38	74
Opotiki District Council		59	59	58
Otorohanga District Council		71	69	69
Rangitikei District Council		74	69	91
Ruapehu District Council		100	73	92
South Waikato District Council		93	92	78
Stratford District Council		63	59	32
Tararua District Council		57	63	55
Waimate District Council		52	52	48
Wairoa District Council		41	50	41
Waitaki District Council		160	121	91
Waitomo District Council		52	44	55
Westland District Council	85	59	58	
Territorial authorities: Group 2	Ashburton District Council	170	137	141
	Banks Peninsula District Council	187	174	160
	Central Otago District Council	134	138	161
	Hauraki District Council	158	162	173
	Horowhenua District Council	253	205	222
	Hurunui District Council	200	194	200
	Kaipara District Council	207	227	174
	Manawatu District Council	204	225	187
	Masterton District Council	142	107	120
	Matamata-Piako District Council	216	215	193
	South Taranaki District Council	185	139	131
	South Wairarapa District Council	127	134	192
	Southland District Council	187	176	176
	Timaru District Council	364	328	293
	Upper Hutt City Council	139	171	246
	Wanganui District Council	290	269	242
	Whakatane District Council	290	269	294

NB Some authorities have been moved into different groups this year

N/A = did not provide a response in 1997/98

Family group	Local authority	Resource consent processed		
		97/98	98/99	99/00
Territorial authorities: Group 3	Franklin District Council	475	515	422
	Hastings District Council	483	413	514
	Invercargill City Council	297	353	306
	Kapiti Coast District Council	413	425	385
	Napier City Council	326	341	375
	New Plymouth District Council	382	438	402
	Palmerston North City Council	511	446	506
	Papakura District Council	523	365	402
	Porirua City Council	285	271	318
	Selwyn District Council	491	468	515
	Taupo District Council	502	455	457
	Thames Coromandel District Council	528	389	472
	Waikato District Council	522	485	448
	Waimakariri District Council	385	562	604
	Waipa District Council	566	537	453
	Western Bay of Plenty District Council	737	434	421
Territorial authorities: Group 4	Auckland City Council	9324	6746	6183
	Christchurch City Council	4165	3466	2604
	Dunedin City Council	942	784	832
	Far North District Council	1003	952	795
	Hamilton City Council	1806	963	963
	Hutt City Council	856	743	738
	Manukau City Council	2620	1839	1910
	North Shore City Council	2980	2508	2374
	Queenstown Lakes District Council	613	603	745
	Rodney District Council	1427	1330	1319
	Rotorua District Council	812	756	675
	Tauranga District Council	1061	690	696
	Waitakere City Council	2473	1923	2092
	Wellington City Council	1451	1133	1550
Whangarei District Council	1090	1080	820	
Unitary authorities	Chatham Islands Council	12	9	3
	Gisborne District Council	658	610	566
	Marlborough District Council	1525	1327	1897
	Nelson City Council	513	467	396
	Tasman District Council	867	816	1146

Appendix 2:

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

Ashburton District Council
Auckland Regional Council
Central Otago District Council
Dunedin City Council*
Environment Bay of Plenty*
Environment Canterbury
Environment Waikato*
Far North District Council
Franklin District Council
Gisborne District Council
Gore District Council
Grey District Council
Hamilton City Council*
Horowhenua District Council
Hurunui District Council*
Hutt City Council*
Kaipara District Council
Marlborough District Council
Masterton District Council
Otago Regional Council*
Rodney District Council
Rotorua District Council*
Selwyn District Council
Stratford District Council
Taranaki Regional Council
Tasman District Council
Tauranga District Council
Thames Coromandel District Council*
Timaru District Council
Upper Hutt City Council
Waikato District Council*
Waitakere City Council*
Wanganui District Council*
Wellington City Council
Wellington Regional Council*
Western Bay of Plenty District Council*
Westland District Council*
Whakatane District Council*
Whangarei District Council

(* = local authorities who were also audited in 1998/99)

Appendix 3:

Percentage of resource consent applications notified by individual local authorities

Local authority	Percentage notified		
	98/98	98/99	99/00
Ashburton District Council	3.5%	0.0%	5.7%
Auckland City Council	1.0%	0.9%	0.8%
Auckland Regional Council	17.7%	6.9%	10.1%
Banks Peninsula District Council	4.8%	2.9%	3.8%
Buller District Council	14.3%	4.3%	3.5%
Carterton District Council	34.6%	16.7%	0.0%
Central Hawkes Bay District Council	0.0%	0.9%	0.0%
Central Otago District Council	21.6%	8.7%	11.2%
Chatham Islands Council	0.0%	0.0%	0.0%
Christchurch City Council	3.6%	2.6%	2.4%
Clutha District Council	3.5%	1.5%	5.6%
Dunedin City Council	2.9%	3.4%	6.7%
Environment Bay of Plenty	11.1%	14.2%	9.9%
Environment Canterbury	9.4%	6.6%	6.2%
Environment Southland	15.3%	10.5%	9.4%
Environment Waikato	15.3%	14.3%	16.5%
Far North District Council	19.6%	3.8%	7.5%
Franklin District Council	3.8%	4.3%	4.3%
Gisborne District Council	9.9%	14.8%	14.3%
Gore District Council	3.0%	1.9%	2.0%
Grey District Council	6.7%	7.4%	4.7%
Hamilton City Council	2.6%	2.5%	3.2%
Hastings District Council	1.0%	0.5%	1.6%
Hauraki District Council	1.9%	3.1%	1.7%
Hawkes Bay Regional Council	17.6%	8.0%	7.6%
horizons.mw	26.8%	18.4%	23.5%
Horowhenua District Council	1.2%	2.9%	1.8%
Hurunui District Council	3.0%	1.5%	4.5%
Hutt City Council	3.4%	2.8%	2.6%
Invercargill City Council	3.4%	0.3%	0.7%
Kaikoura District Council	2.7%	4.6%	0.0%
Kaipara District Council	4.8%	4.4%	8.0%
Kapiti Coast District Council	4.1%	4.7%	3.4%
Kawerau District Council	0.0%	0.0%	0.0%
MacKenzie District Council	N/A	2.6%	0.0%
Manawatu District Council	1.5%	2.7%	1.1%
Manukau City Council	0.8%	1.5%	1.5%
Marlborough District Council	8.5%	7.0%	10.4%
Masterton District Council	10.6%	14.0%	2.5%
Matamata-Piako District Council	13.9%	7.9%	10.9%
Napier City Council	1.5%	0.6%	1.1%
Nelson City Council	5.3%	2.8%	3.0%
New Plymouth District Council	1.8%	1.1%	2.7%
North Shore City Council	1.2%	2.5%	1.6%
Northland Regional Council	16.7%	14.0%	7.6%
Opotiki District Council	6.8%	1.7%	0.0%
Otago Regional Council	14.3%	13.3%	6.0%
Otorohanga District Council	1.4%	1.4%	0.0%
Palmerston North City Council	0.2%	0.2%	1.0%
Papakura District Council	0.2%	2.7%	0.5%
Porirua City Council	4.2%	0.7%	3.1%
Queenstown Lakes District Council	7.7%	2.8%	8.6%

N/A = did not provide a response in 1997/98

Local authority	Percentage notified		
	98/98	98/99	99/00
Rangitikei District Council	5.4%	1.4%	0.0%
Rodney District Council	5.7%	4.0%	6.6%
Rotorua District Council	1.0%	1.2%	2.8%
Ruapehu District Council	1.0%	1.4%	5.4%
Selwyn District Council	10.4%	11.5%	20.0%
South Taranaki District Council	5.4%	2.9%	5.3%
South Waikato District Council	2.2%	3.3%	2.6%
South Wairarapa District Council	11.8%	17.2%	15.1%
Southland District Council	3.2%	4.5%	1.1%
Stratford District Council	4.8%	11.9%	9.4%
Taranaki Regional Council	10.9%	8.9%	10.0%
Tararua District Council	7.0%	1.6%	0.0%
Tasman District Council	15.2%	8.1%	7.2%
Taupo District Council	0.6%	0.9%	2.6%
Tauranga District Council	1.0%	0.7%	1.3%
Thames Coromandel District Council	3.6%	7.5%	6.8%
Timaru District Council	4.4%	4.3%	3.8%
Upper Hutt City Council	0.0%	7.0%	7.7%
Waikato District Council	1.7%	1.9%	2.9%
Waimakariri District Council	25.2%	20.8%	14.4%
Waimate District Council	3.8%	0.0%	0.0%
Waipa District Council	2.8%	0.7%	3.8%
Wairoa District Council	2.4%	0.0%	4.9%
Waitakere City Council	1.1%	0.7%	0.8%
Waitaki District Council	4.4%	5.1%	6.6%
Waitomo District Council	3.8%	0.0%	0.0%
Wanganui District Council	2.1%	1.9%	2.5%
Wellington City Council	2.6%	2.6%	2.6%
Wellington Regional Council	14.1%	11.6%	6.0%
West Coast Regional Council	7.2%	26.9%	23.0%
Western Bay of Plenty District Council	1.8%	1.8%	2.9%
Westland District Council	4.7%	3.4%	3.4%
Whakatane District Council	6.2%	11.2%	3.4%
Whangarei District Council	3.9%	4.2%	6.1%

Appendix 4:

Building consent and land use consent statistics 1996/97 and 1999/00

Territorial authorities - family group 1 (0 - 011 consents)

Local authority	96/97 total building consents	96/97 total land use consents	Ratio	99/00 total building consents	99/00 total land use consents	Ratio
Buller District	102	63	1.6	87	36	2.4
Carterton District	43	3	14.3	73	16	4.6
Central Hawke's Bay District	67	63	1.1	91	46	2.0
Clutha District	104	70	1.5	104	50	2.1
Gore District	54	133	0.4	42	72	0.6
Grey District	103	80	1.3	89	55	1.6
Kaikoura District	34	52	0.7	60	37	1.6
Kawerau District	16	9	1.8	11	8	1.4
MacKenzie District	49	30	1.6	56	54	1.0
Opotiki District	66	11	6.0	88	27	3.3
Otorohanga District	81	28	2.9	87	22	4.0
Rangitikei District	64	48	1.3	86	49	1.8
Ruapehu District	83	83	1.0	78	57	1.4
South Waikato District	80	50	1.6	122	52	2.3
Stratford District	62	23	2.7	63	14	4.5
Taranua District	76	16	4.8	103	8	12.9
Waimate District	48	62	0.8	54	26	2.1
Wairoa District	48	37	1.3	49	26	1.9
Waitaki District	96	112	0.9	76	36	2.1
Waitomo District	48	13	3.7	76	17	4.5
Westland District	96	62	1.5	71	41	1.7
Total	1420	1048	1.4	1566	749	2.1

Territorial authorities - family group 2 (111-300 consents)

Local authority	96/97 total building consents	96/97 total land use consents	Ratio	99/00 total building consents	99/00 total land use consents	Ratio
Ashburton	316	101	3.1	280	84	3.3
Banks Peninsula District	107	100	1.1	109	121	0.9
Central Otago District	166	82	2.0	127	87	1.5
Hauraki District	182	82	2.2	170	68	2.5
Horowhenua District	117	146	0.8	255	119	2.1
Kaipara District	175	no data		248	66	3.8
Manawatu District	143	46	3.1	202	59	3.4
Masterton District	83	60	1.4	144	54	2.7
Matamata-Piako District	220	139	1.6	239	105	2.3
South Taranaki District	180	139	1.3	166	82	2.0
South Wairarapa District	82	90	0.9	131	113	1.2
Southland District	284	99	2.9	293	85	3.4
Timaru District	251	245	1.0	270	177	1.5
Upper Hutt City	117	83	1.4	179	192	0.9
Wanganui District	147	185	0.8	193	171	1.1
Whakatane District	279	167	1.7	208	178	1.2
Total	2976	1875	1.6	3412	1884	1.8

Territorial authorities - family group 3 (301 - 650 consents)

Local authority	96/97 total building consents	96/97 total land use consents	Ratio	99/00 total building consents	99/00 total land use consents	Ratio
Franklin District	810	218	3.7	712	165	4.3
Hastings District	449	363	1.2	479	265	1.8
Invercargill City	163	221	0.7	109	283	0.4
Kapiti Coast District	406	287	1.4	677	236	2.9
Napier City	322	278	1.2	243	252	1.0
New Plymouth District	310	198	1.6	318	187	1.7
Palmerston North City	294	328	0.9	380	341	1.1
Papakura District	339	311	1.1	391	246	1.6
Porirua City	168	252	0.7	271	256	1.1
Selwyn District	571	267	2.1	563	319	1.8
Taupo District	382	294	1.3	427	327	1.3
Thames-Coromandel District	590	no data		505	308	1.6
Waikato District	390	244	1.6	462	248	1.9
Waimakariri District	624	202	3.1	624	394	1.6
Waipa District	429	275	1.6	494	229	2.2
Western Bay of Plenty District	583	no data		485	160	3.0
Total	6830	3738	1.8	7140	4216	1.7

Territorial authorities - family group 4 (651+ consents)

Local authority	96/97 total building consents	96/97 total land use consents	Ratio	99/00 total building consents	99/00 total land use consents	Ratio
Auckland City	2,987	5,893	0.5	3,581	4716	0.8
Christchurch City	2,480	3,012	0.8	2,129	1926	1.1
Dunedin City	405	757	0.5	339	695	0.5
Far North District	640	no data		592	338	1.8
Hamilton City	1,176	652	1.8	1,111	635	1.7
Hutt City	164	669	0.2	234	609	0.4
Manukau City	2,514	1,647	1.5	2,895	1282	2.3
North Shore City	1,577	2,661	0.6	1,639	1789	0.9
Queenstown-Lakes District	441	no data		542	553	1.0
Rodney District	1,382	890	1.6	1,211	815	1.5
Rotorua District	464	656	0.7	396	525	0.8
Tauranga District	1,894	565	3.4	1,459	223	6.5
Waitakere City	1,448	1,501	1.0	2,008	1616	1.2
Wellington City	960	992	1.0	1,389	1118	1.2
Whangarei District	711	353	2.0	760	313	2.4
Total	19,243	20,248	1.0	20,285	17153	1.2

Unitary authorities

Local authority	96/97 total building consents	96/97 total land use consents	Ratio	99/00 total building consents	99/00 total land use consents	Ratio
Chatham Islands District	7			6	0	
Gisborne District	205	426	1.4	200	407	0.5
Marlborough District	450			482	572	0.8
Nelson City	423	520	1.5	283	268	1.1
Tasman District	510	512	2	584	579	1.0
Total	1595	1458	1.1	1555	1826	0.9

Note that for the unitary authorities, the land use consent figures include regional land use consents

Appendix 5:

Percentage of resource consents processed within time by individual local authorities

Authority	Notified					Non-Notified				
	Subdivision	Land Use	Coastal	Water	Discharge	Subdivision	Land Use	Coastal	Water	Discharge
Ashburton District Council	100	83				96	99			
Auckland City Council	-	52				72	78			25
Auckland Regional Council		25	15	24	11		75	62	47	45
Banks Peninsula District Council	-	67				51	92			
Buller District Council	-	0				57	82			
Carterton District Council	-	-				76	69			
Central Hawkes Bay District Council	-	-				100	98			
Central Otago District Council	100	100				90	96			
Chatham Islands Council	-	-	-	-	-	100	-	-	100	-
Christchurch City Council	75	71				75	81			
Clutha District Council	-	100				68	98			
Dunedin City Council	60	71				85	93			
Environment Bay of Plenty		100	93	100	71		75	74	80	82
Environment Canterbury		56	0	16	15		91	76	52	54
Environment Southland		75	44	50	50		96	98	84	91
Environment Waikato		39	0	36	40		95	67	88	67
Far North District Council	60	64				59	61			
Franklin District Council	100	100				100	100			
Gisborne District Council	67	92	33	92	88	88	95	83	60	50
Gore District Council	100	100				92	99			
Grey District Council	100	67				97	100			
Hamilton City Council	25	48				77	90			
Hastings District Council	100	0				99	98			
Hauraki District Council	0	0				68	85			
Hawkes Bay Regional Council		100	100	82	81		100	85	98	100
horizons.mw		100	100	100	100		100	100	100	100
Horowhenua District Council	67	100				89	100			
Hurunui District Council	67	83				86	96			
Hutt City Council	-	95				84	100			
Invercargill City Council	*	*				*	*			
Kaikoura District Council	-	-				86	100			
Kaipara District Council	91	33				49	67			
Kapiti Coast District Council	71	83				94	96			
Kawerau District Council	-	-				100	100			
MacKenzie District Council	-	-				95	100			
Manawatu District Council	100	100				94	100			
Manukau City Council	*	*			*	*	*			*
Marlborough District Council	35	43	93	55	36	58	79	46	66	42
Masterton District Council	100	100				88	100			
Matamata-Piako District Council	94	25				73	86			
Napier City Council	100	67				100	100			
Nelson City Council	100	100	50	100	100	72	97	86	75	86
New Plymouth District Council	50	100				50	98			
North Shore City Council	100	62				98	78			
Northland Regional Council		83	38	71	71		83	73	88	90
Opotiki District Council	-	-				29	67			
Otago Regional Council		0	-	0	29		99	94	89	97
Otorohanga District Council	-	-				100	100			

NB a blank space indicates N/A, 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
Palmerston North City Council	-	60				99	100			
Papakura District Council	100	100				87	93			
Porirua City Council	33	57				85	95			
Queenstown Lakes District Council	36	47				83	90			
Rangitikei District Council	-	-				100	100			
Rodney District Council	78	68	75			88	89	33		
Rotorua District Council	20	71				76	93			
Ruapehu District Council	0	25				100	100			
Selwyn District Council	*	*				*	*			
South Taranaki District Council	-	100				96	99			
South Waikato District Council	-	100				58	88			
South Wairarapa District Council	77	33				100	100			
Southland District Council	100	100				98	95			
Stratford District Council	-	67				100	100			
Taranaki Regional Council		100	33	100	100		100	100	100	97
Tararua District Council	-	-				96	100			
Tasman District Council	32	64	90	55	90	68	80	55	34	61
Taupo District Council	100	100				94	98			
Tauranga District Council	100	100				93	89			
Thames Coromandel District Council	50	45				90	93			
Timaru District Council	33	63				98	99			
Upper Hutt City Council	100	100				77	91			
Waikato District Council	100	82				90	98			
Waimakariri District Council	66	65				80	91			
Waimate District Council	-	-				100	100			
Waipa District Council	100	100				100	100			
Wairoa District Council	100	100				100	100			
Waitakere City Council	14	33				38	93			
Waitaki District Council	-	50				76	43			
Waitomo District Council	-	-				100	100			
Wanganui District Council	-	100				90	100			
Wellington City Council	60	53				57	74			
Wellington Regional Council		100	100	100	100		100	100	94	100
West Coast Regional Council		89	80	64	34		95	82	89	87
Western Bay of Plenty District Council	100	82				94	99			
Westland District Council	100	100				100	100			
Whakatane District Council	50	50				73	89			
Whangarei District Council	68	85				86	96			

Appendix 6:

Plan Status as at 1 May 2001

Table A: Fully operative policy statements and plans, as at 1 May 2001

13 policy statements and plans have been made operative since the 1998/99 annual survey (italicised)

Local authority	Name of plan/policy statement	Date Operative
Auckland City Council	Hauraki Gulf Islands Section	22 July 1996
	Isthmus Section	15 November 1999
Auckland Regional Council	Auckland Regional Policy Statement	31 August 1999
	Farm Dairy Discharges Plan	17 May 1999
Buller District Council	Buller District Plan	28 January 2000
Carterton District Council	Carterton District Plan	17 March 2000
<i>Chatham Islands Council</i>	<i>Chatham Islands Plan</i>	<i>24 January 2000</i>
Clutha District Council	Clutha District Plan	30 June 1998
Environment Bay of Plenty	Bay of Plenty Regional Policy Statement	01 December 1999
	On-Site Effluent Regional Plan	01 December 1997
	Rotorua Geothermal Plan	01 July 1999
Environment Canterbury	Canterbury Regional Policy Statement	26 June 1998
	Land and Vegetation Management Plan (Parts 1 & 2)	10 September 1997
Environment Southland	Southland Regional Policy Statement	15 December 1997
	Southland Regional Solid Waste Management Plan	01 April 1996
	Regional air quality plan	01 March 1999
	Regional effluent land application plan	30 May 1998
<i>Environment Waikato</i>	<i>Waikato Regional Policy Statement</i>	<i>16 October 2000</i>
Franklin District Council	Franklin District Plan	29 February 2000
Hauraki District Council	Hauraki District Plan	01 September 1997
Hawkes Bay Regional Council	Hawkes Bay Regional Policy Statement	07 October 1999
	Regional Air Plan	26 January 1998
	Regional River Bed and Gravel Extraction Plan	08 August 1994
	Regional Waste and Hazardous Substance Plan	10 April 1995
	Regional Coastal Plan	28 June 1999
	<i>Water Resources Plan</i>	<i>04 December 2000</i>
horizons.mw	Manawatu/Wanganui Regional Policy Statement	18 August 1998
	Oroua Catchment Water Allocation Regional Plan	20 January 1995
	Manawatu Catchment Water Quality Regional Plan	06 October 1898
	Regional Air Plan	31 January 1999
	Regional Coastal Plan	20 September 1997
	<i>Beds of Rivers and Lakes and Associated Activities Plan</i>	<i>14 March 2001</i>
Horowhenua District Council	Horowhenua District Plan	13 September 1999
Kaipara District Council	Kaipara District Plan	10 February 1997
Kapiti Coast District Council	Kapiti Coast District Plan	30 July 1999
Kawerau District Council	Kawerau District Plan	08 June 1999
Marlborough District Council	Marlborough Regional Policy Statement	28 August 1995
	Wairau River Floodways Management Plan	25 August 1994
	Land Disturbance Plan	20 April 1995
Masterton District Council	Masterton District Plan	14 July 1997
Napier City Council	Bay View Subdistrict Plan	09 December 1996
	Western Hills Subdistrict Plan	14 September 1998
	<i>Ahuriri Subdistrict Plan</i>	<i>24 April 2001</i>
Nelson City Council	Nelson Regional Policy Statement	10 March 1997
Northland Regional Council	Northland Regional Policy Statement	31 March 1999
Otago Regional Council	Otago Regional Policy Statement	01 October 1998
	Regional Plan: Waste	11 April 1997
Otorohanga District Council	Otorohanga District Plan	17 July 1999
Palmerston North City Council	Palmerston North City Plan	18 December 2000
Papakura District Council	Papakura District Plan	01 January 1999
Porirua District Council	Porirua City District Plan	01 November 1999
Rangitikei District Council	Rangitikei District Plan	09 July 1999
Rotorua District Council	Rotorua District Plan	21 September 2000
Ruapehu District Council	Ruapehu District Plan	08 May 2000

Table A: Fully operative policy statements and plans, as at 1 May 2001*13 policy statements and plans have been made operative since the 1998/99 annual survey (italicised)*

Local authority	Name of plan/policy statement	Date Operative
South Waikato District Council	South Waikato District Plan	30 June 1998
South Wairarapa District Council	South Wairarapa District Plan	01 November 1998
Southland District Council	Southland District Plan	22 April 1999
Stratford District Council	Stratford District Plan	08 December 1997
Taranaki Regional Council	Taranaki Regional Policy Statement	01 September 1995
	Regional Air Quality Plan	07 April 1997
	Regional Coastal Plan	10 October 1997
Taranaki District Council	Taranaki District Plan	01 March 1998
Tasman District Council	Regional Land Plan	30 June 1998
	Motueka/Riwaka Water Management Regional Plan	16 January 1995
Waikato District Council	Waikato District Plan	06 December 1997
Waipa District Council	Waipa District Plan	01 December 1997
<i>Wellington City Council</i>	<i>Wellington City District Plan</i>	<i>27 July 2000</i>
Wellington Regional Council	Wellington Regional Policy Statement	15 May 1995
	Regional Air Quality Plan	08 May 2000
	Regional Discharges to Land Plan	17 December 1999
	Regional Freshwater Plan	17 December 1999
	<i>Regional Soil Plan</i>	<i>09 October 2000</i>
	<i>Regional Coastal Plan</i>	<i>19 June 2000</i>
<i>West Coast Regional Council</i>	<i>Regional Coastal Plan</i>	<i>07 February 2001</i>
	<i>Regional Discharges to Land Plan</i>	<i>07 March 2001</i>
	<i>West Coast Regional Policy Statement</i>	<i>10 March 2000</i>

Table B: Policy statements and plans before the Environment Court, as at 1 May 2001
7 policy statements and plans have progressed to this stage since the 1998/99 annual survey (italicised)

Local authority	Name of plan/policy statement
Ashburton District Council	Ashburton District Plan
<i>Auckland City Council</i>	<i>Auckland City Council Central Area Plan</i>
Auckland Regional Council	Regional Plan: Coastal Regional Erosion and Sediment Plan
<i>Central Otago District Council</i>	<i>Central Otago District Plan</i>
Christchurch City Council	Christchurch City Plan
Dunedin City Council	Dunedin City Plan
Environment Bay of Plenty	Tarawera River Catchment Plan Regional Land Management Plan
Environment Canterbury	Regional Coastal Plan Opihi River Plan
Environment Waikato	Regional Coastal Plan
Gisborne District Council	Gisborne Regional Policy Statement
<i>Hastings District Council</i>	<i>Hastings District Plan</i>
Hurunui District Council	Hurunui District Plan
<i>Manawatu District Council</i>	<i>Manawatu District Plan</i>
Manukau City Council	Manukau City Plan
Marlborough Sounds District Council	Marlborough Sounds Resource Management Plan
Matamata-Piako District Council	Matamata-Piako District Plan
Nelson City Council	Resource Management Plan
Northland Regional Council	Regional Coastal Plan Regional Air Quality Plan Regional Soil and Water Plan
Otago Regional Council	Regional Coastal Plan
Queenstown Lakes District Council	Queenstown Lakes District Plan
South Taranaki District Council	South Taranaki District Plan
Tasman District Council	Tasman Regional Policy Statement <i>Tasman Resource Management Plan</i> Upper Moutere Water Management Plan
Tauranga District Council	Tauranga District Plan
Thames-Coromandel District Council	Thames-Coromandel District Plan
Timaru District Council	Timaru District Plan
<i>Waimakariri District Council</i>	<i>Waimakariri District Plan</i>
Waimate District Council	Waimate District Plan
<i>Wairoa District Council</i>	<i>Wairoa District Plan</i>
Waitakere City Council	Waitakere City Plan
Waitaki District Council	Waitaki District Plan
Wanganui District Council	Wanganui District Plan
Western Bay of Plenty District Council	Western Bay of Plenty District Plan
Westland District Council	Westland District Plan

Table C: Plans in hearings as at 1 May 2001*One plan has progressed to this stage since the 1998/99 annual survey (italicised)*

Local authority	Name of plan/policy statement
Banks Peninsula District Council	Banks Peninsula District Plan
Central Hawkes Bay District Council	Central Hawkes Bay District Plan
Environment Bay of Plenty	Regional Air Plan
	River Gravel Plan
	Regional Coastal Plan
Environment Canterbury	Land and Vegetation Plan (Parts 3 & 4)
	Waimakariri River Regional Plan
Environment Waikato	General Regional Plan
Gisborne District Council	Gisborne Combined Regional Land and District Plan
	Air Quality Plan
	Regional Coastal Plan
horizons.mw	Regional Land and Water Plan
Hutt City Council	Hutt City Plan
Invercargill District Council	Invercargill District Plan
MacKenzie District Council	MacKenzie District Plan
Marlborough District Council	Wairau/Awaterere Resource Management Plan
New Plymouth District Council	New Plymouth District Plan
North Shore City Council	North Shore City Plan
Otago Regional Council	Regional water plan
Taranaki Regional Council	Regional freshwater plan
Upper Hutt City Council	Upper Hutt City Plan
<i>Waitomo District Council</i>	<i>Waitomo District Plan</i>
Whakatane District Council	Whakatane District Plan - Rural
Whangarei District Council	Whangarei District Plan

Table D: Notified plans as at 1 May 2001*4 plans have progressed to this stage since the 1998/99 annual survey (italicised)*

Local authority	Name of plan/policy statement	Date notified
Far North District Council	Far North District Plan	28/04/00
Gisborne District Council	Discharges to Land and Water Plan	31/01/97
Grey District Council	Grey District Plan	06/12/99
Hamilton City Council	Hamilton City District Plan	30/10/99
Kaikoura District Council	Kaikoura District Plan	10/05/00
<i>Napier City Council</i>	<i>Napier City Council- City of Napier District Plan</i>	<i>11/11/00</i>
Opotiki District Council	Opotiki District Plan	18/09/98
Otago Regional Council	Regional air plan	28/02/98
<i>Rodney District Council</i>	<i>Rodney District Plan</i>	<i>28/11/00</i>
<i>Selwyn District Council</i>	<i>Selwyn District Plan</i>	<i>02/12/00</i>
Taranaki Regional Council	Regional Soil Plan	
<i>Taupo District Council</i>	<i>Taupo District Plan</i>	<i>18/07/00</i>
West Coast Regional Council	Regional Air Quality Plan	08/08/98

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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