



Analysis of timeframes for the development of policy statements and plans under the Resource Management Act 1991

Prepared by:

Blair Devlin

Senior Resource Management Consultant

Reviewed by:

Amy Kirk

Senior Resource Management Consultant

Approved for Issue by:

Gemma Pemberton-Smith

Director

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1.0 INTRODUCTION

Brown & Pemberton Planning Group Ltd has been contracted by the Ministry for the Environment (“MfE”) to provide an up-to-date analysis of the timeframes involved in developing all plans and policy statements under the Resource Management Act 1991 (“RMA”). The purpose of the research is to gain a better understanding of the time taken to develop RMA plans, broken up into the various key stages of plan development. Key stages were identified as follows:

1. From public notification of an RMA plan through to the close of further submissions;
2. From the close of further submissions to the start of the hearing;
3. The duration of the hearing;
4. From the end of the hearing through to issuing of council decisions;
5. From the issuing of council decisions through to the plan becoming fully operative.

This report provides the results of the research, the methodology for which is described below.

1.1 Research methodology

The Ministry for the Environment (MfE) already maintains a database of dates with respect to RMA plan development milestones on the MfE and Quality Planning website. The data in the database was entered into a spreadsheet and provided to Brown & Pemberton Planning Group as a template. The database already had data available on the date RMA plans were notified, the date they became operative, and in some instances the date hearings started, but little or no information was recorded on the other various stages between those two milestones.

Brown & Pemberton Planning Group contacted all 85 councils in New Zealand and asked to be provided with the following information:

1. How many submissions were received on the proposed plan(s);
2. How many further submissions were received;
3. When public hearings commenced and ended;
4. Following the end of hearings, when decisions were issued by the council;
5. How many appeals were received; and
6. What date was the plan made partially operative (if applicable) or fully operative.

Where MfE did have ‘hearing start date’ information (number 3 above), Brown & Pemberton checked with the ‘hearing start date’ provided in the DSL Environmental handbook. In some instances, there was a discrepancy between the two dates. Where there was a discrepancy, Brown & Pemberton also checked with the local authority concerned as to which date was correct.

To ensure a valid analysis, returns from over 90% of councils (77 councils in total) were required before analysis commenced. Data was collected from 77 councils during the period of August – November 2008. The eight councils that did not provide information were:

Kaikoura DC
Clutha DC
Hurunui DC
Otorohanga DC

Papakura DC
Auckland RC
Northland RC
Tasman DC

The Department of Internal Affairs also prepares RMA plans for offshore islands. These were not counted for the purpose of this research.

1.2 Notes and limitations on methodology

While over 90% of councils responded with data in relation to their RMA plans, often the data was incomplete, with some dates or figures unknown or not easily traceable. With many RMA plans going through the notification process in the mid-1990s, it is now 10 to 15 years since the plans were being prepared. Given this length of time and corresponding staff turnover, some gaps in the information are evident. Councils could also provide some information that was not sought, for example the number of submission points, rather than the raw number of submissions and further submissions.

Some errors were apparent in the data provided by councils. For example, some data provided had council decisions on submissions being issued after the plan was made operative. These errors have been excluded for the purpose of calculating averages and means. Further follow up with the relevant councils is necessary to clarify these errors and ensure reliable data.

It is noted that the 'duration of hearing' measurement relates to the start and end date of hearings. This does not mean that a hearing was running continuously during this time, but rather all hearings on the RMA plans were conducted between the two dates specified. There may well have been periods of time between topics or chapters of the plan, depending on how the hearings were organised.

Some council RMA plans have been excluded from the analysis because they were not representative of the plan preparation process. Some councils adopted the approach of writing a separate district plan for relatively small geographic areas, e.g. Napier City Council. These plans often only received a low number of submissions and the hearing was held over a few days, which is not representative of a typical RMA plan preparation process. In such cases, the 'main' RMA plan was included, e.g. the City of Napier District Plan but the smaller geographically limited plans were excluded from the calculations.

2.0 CLASSIFICATION OF COUNCILS

The results are categorised into the following six categories, based upon the council categories used in the MfE RMA survey. These categories have been selected because they provide a good indication of the size of the council based upon the number of consents processed per year:

1. Category 1 councils 0-110 consents processed per year
2. Category 2 councils 111 – 300 consents processed per year
3. Category 3 councils 301 - 650 consents processed per year
4. Category 4 councils 651 - 7000 consents processed per year
5. Regional councils All
6. Unitary authorities All
7. RMA plan timeframes All councils
8. Councils – no response received.

3.0 CATEGORY 1 COUNCILS

There are 12 councils in this category. Tararua District Council has started on its second generation RMA plan, and this plan has been excluded from the analysis as it is only part way through the process. Results are as follows:

3.1 Original submission

- On average 94 original submissions were received per council.
- The median number of original submissions received was 64.
- The highest number of original submissions received was 373 by the Mackenzie District Council.
- The lowest number of original submissions received was 30 by the Kawerau District Council.

3.2 Further submissions

- On average 32 further submissions were received per council.
- The median number of further submissions received was 24.
- The highest number of further submissions received was 73 by the Kawerau District Council (who had the lowest number of original submissions).
- The lowest number of further submissions received was 12 by Rangitikei District Council.

3.3 Timeframe from notification to close of further submissions

- The average length of time from notification of the RMA plan to the close of further submissions (i.e. the end of the consultation period) was 149 working days. This equates to 30 weeks, or just over half a year.
- The median length of time was 158 working days. This equates to 32 weeks.
- The longest period of time was 203 working days, or 41 weeks, by Mackenzie District Council.
- The shortest period of time was 89 working days by Tararua District Council.

3.4 Timeframe from close of further submissions to hearing

- The average length of time from the closing of further submissions to the start of the hearing is 118.8 working days. This equates to 23.7 weeks or nearly half a year.
- The median length of time was 108 working days. This equates to 22 weeks or nearly half a year.
- The longest period of time was 326 working days or 65 weeks, by Kawerau District Council.
- The shortest period of time was 38 working days by Opotiki District Council.

3.5 Length of hearing

- The average length of time for a council hearing process considering submissions and further submissions on a proposed plan was 122 working days, or 24.5 weeks. This is nearly half a year.
- The median length of time was 69 working days, or 14 weeks.
- The longest period of time was 331 working days, or 66.2 weeks, by Mackenzie District Council.
- The shortest period of time was eight working days by Kawerau District Council.

3.6 Timeframe from hearing end to issuing of council decisions

- The average length of time from the finish of a council hearing process, through to issuing of council decisions was 147.3 working days. This equates to 29.4 weeks, or over half a year.
- The median length of time was 76 working days. This equates to 15 weeks.
- The longest period of time was 476 working days, which is 95.2 weeks or nearly two years, by Rangitikei District Council.
- The shortest period of time was 31 working days by MacKenzie District Council.

3.7 Length of time from council notification of plan to issuing of decisions

- The average length of time taken from the council notifying the plan to council issuing decisions was 537.5 working days. This equates to 107.5 weeks or just over two years.
- The median length of time was 489 working days. This equates to 98 weeks.
- The longest period of time was 885 working days (177 weeks or 3.4 years) by the Gore District Council.
- The shortest period of time was 240 working days, (48 weeks) by the Stratford District Council.

3.8 Number of Environment Court appeals

- On average 6.6 Environment Court appeals were received per council.
- The median number of Environment Court appeals received per council was seven.
- The highest number of appeals received was 12 by Opotiki District Council.
- The lowest number of appeals received was one by Kawerau District Council.

3.9 Length of time from council issuing of decisions to plan becoming fully operative (i.e. Environment Court mediation and hearings)

- The average length of time taken from the council issuing decisions to the plan becoming fully operative was 733 working days. This equates to 147 weeks or nearly 3 years.
- The median length of time was 658 working days. This equates to 132 weeks or nearly two and a half years.
- The fastest period of time for this stage was 216 working days (43 weeks) by Rangitikei District Council.
- The longest period of time for a category 1 council to complete this stage was 1386 working days (277 weeks or 5.3 years) by Opotiki District Council.

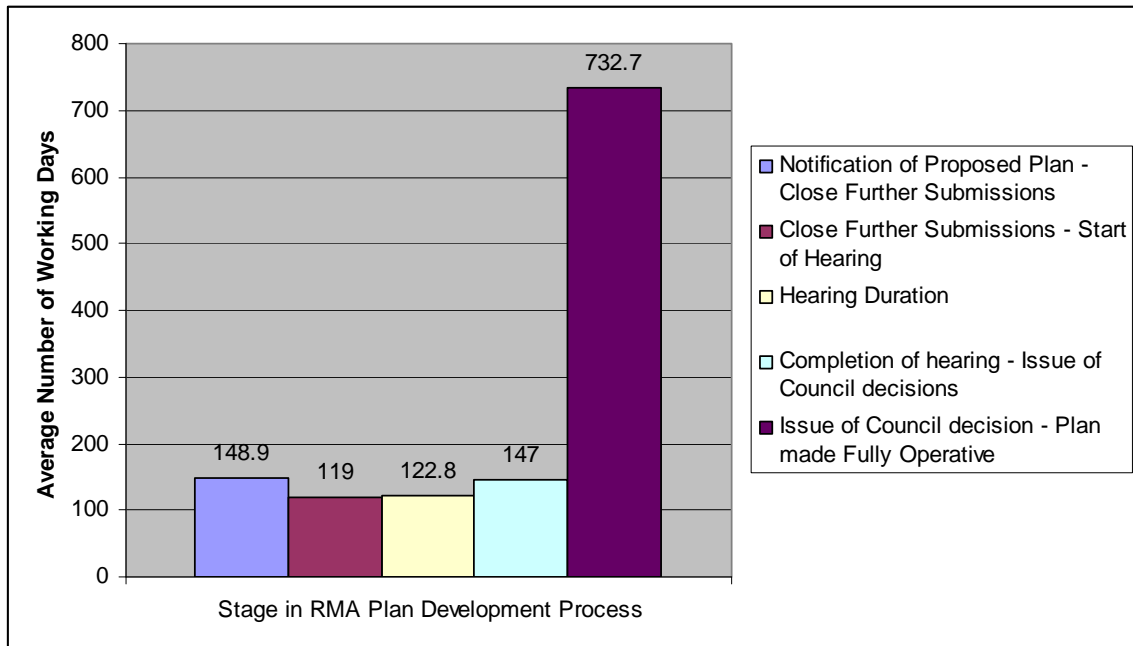
3.10 Total length of time from council notification of plan to plan becoming fully operative

- The average total length of time from the council first notifying the plan to it becoming fully operative was 1127 working days. This equates to 225 weeks or 4.3 years.
- The median length of time was 1056 working days. This equates to 211 weeks or four years.
- The fastest period of time for the complete process was 599 working days (119.8 weeks or 2.3 years) by Stratford District Council.
- The longest period of time for a category 1 council to fully complete this stage was 1889 working days (377.8 weeks or 7.2 years) by Mackenzie District Council.

3.11 Summary of category 1 council results

Based on the averages set out above for each stage of the process, the following diagram illustrates the break down of the various stages in RMA plan development for category 1 councils:

Figure 1: Average number of working days for key stages in RMA plan development – category 1 councils



The table below summarises the average, median, minimum and maximum figures for each stage of the plan preparation process for Category 1 Councils:

	<i>Notification of proposed plan – close of further submissions</i>	<i>Close of further submissions – start of hearing</i>	<i>Hearing duration</i>	<i>Completion of hearing – issue of council decisions</i>	<i>Issue of council decisions - plan made fully operative</i>	<i>Total plan preparation timeframe</i>
<i>Average</i>	149	119	123	147	733	1127
<i>Median</i>	158	108	69	76	658	1056
<i>Minimum</i>	89	38	8	31	216	599
<i>Maximum</i>	203	326	331	476	1386	1889

* All figures are working days

As the diagram and table illustrate, based on the averages obtained for the category 1 councils, the first four stages all take a similar length of time (between 119 and 148 working days). The vast majority of time is taken up in the period following the issuing of council decisions through to making the RMA plan operative. Principally this involves the Environment Court mediation and hearing times.

Indeed the first four stages together, take on average 537.7 days, whereas the final stage, resolving appeals through the Environment Court, takes longer at 732 working days.

4.0 CATEGORY 2 COUNCILS

There are 19 councils in this category. Masterton District Council has started on its second generation RMA plan (as part of the combined Wairarapa plan), and this plan has been excluded from the analysis as it is only part way through the process. Results are as follows:

4.1 Original submissions

- On average 271 original submissions were received per council.
- The median number of original submissions received was 184.
- The highest number of original submissions received was 858 by the Wanganui District Council.
- The lowest number of original submissions received was 50 by the Horowhenua District Council.

4.2 Further submissions

- On average 170 further submissions were received per category 2 council.
- The median number of further submissions received was 84.
- The highest number of further submissions received was 711 by the Invercargill District Council.
- The lowest number of further submissions received was 20 by South Taranaki District Council.

4.3 Timeframe from notification to close of further submissions

- The average length of time from notification of the RMA plan to the close of further submissions (i.e. the end of the consultation period) was 172 working days. This equates to 34 weeks or a little over half a year.
- The median length of time was 158 working days. This equates to 37 weeks.
- The longest period of time was 307 working days (61 weeks) by Buller District Council.
- The shortest period of time was 91 working days (18 weeks) by Masterton District Council.

4.4 Timeframe from close of further submissions to hearing

- The average length of time from the closing of further submissions to the start of the hearing is 115 working days. This equates to 23 weeks or nearly half a year.
- The median length of time was 114 working days. This also equates to 23 weeks or nearly half a year.
- The longest period of time was 351 working days or 70 weeks, by Buller District Council.
- The shortest period of time was 29 working days by Southland District Council.

4.5 Length of hearing

- The average length of time for a council hearing process considering submissions and further submissions on a proposed plan was 179 working days or 39 weeks.
- The median length of time was 48 working days or 10 weeks.
- The longest period of time was 815 working days (163 weeks or over 3 years) by Invercargill City Council.
- The shortest period of time was five working days by Westland District Council.

4.6 Timeframe from hearing end to issuing of council decisions

- The average length of time from the finish of a council hearing process through to issuing of council decisions was 69 working days. This equates to nearly 14 weeks.
- The median length of time was 67 working days. This equates to over 13 weeks.
- The longest period of time was 159 working days (32 weeks) by Buller District Council.
- The shortest period of time was 13 working days by Wanganui District Council.

4.7 Length of time from council notification of plan to issuing of decisions

- The average length of time taken from the council notifying the plan, to council issuing decisions was 589 working days. This equates to 118 weeks or nearly two and a half years.
- The median length of time was 474 working days. This equates to 95 weeks or approximately one year and ten months.
- The longest period of time was 2151 working days (430 weeks or over eight years) by the South Taranaki District Council.
- The shortest period of time was 184 working days (37 weeks) by Masterton District Council.

4.8 Number of Environment Court appeals

- On average 12 Environment Court appeals were received per council.
- The median number of Environment Court appeals received per council was also 12.
- The highest number of appeals received was 29 by Upper Hutt District Council.
- The lowest number of appeals received was four by Masterton District Council.

4.9 Length of time from council issuing of decisions to plan becoming fully operative (i.e. Environment Court mediation and hearings)

- The average length of time taken from the council issuing decisions to the plan becoming fully operative was 1056 working days. This equates to 211 weeks or just over four years.
- The median length of time was 1110 working days. This equates to 222 weeks or just over four years.
- The fastest period of time for this stage was 495 working days (99 weeks) by Hauraki District Council.
- The longest period of time for a category 2 council to complete this stage was 1844 working days (369 weeks or just over 7 years) by Matamata-Piako District Council.

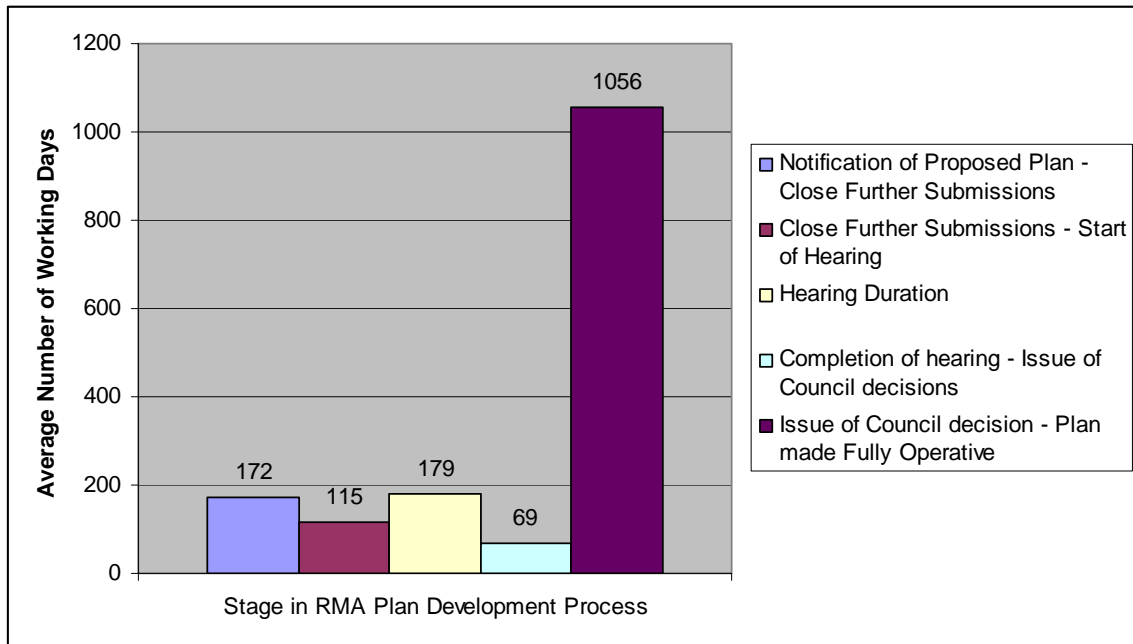
4.10 Total length of time from council notification of plan to plan becoming fully operative

- The average total length of time from the council first notifying the plan to it becoming fully operative was 1560 working days. This equates to 312 weeks or exactly six years.
- The average median length of time was 1571 working days. This equates to 314 weeks or just over six years.
- The fastest period of time for the complete process was 746 working days (149 weeks or nearly two and a half years) by Hauraki District Council.
- The longest period of time for a category 2 council to fully complete this stage was 2457 working days (491 weeks or nearly nine and a half years) by Timaru District Council.

4.11 Summary of category 2 council results

Based on the averages set out above for each stage of the process, the following diagram illustrates the break down of the various stages in RMA plan development for category 2 councils:

Figure 2: Average number of working days for key stages in RMA plan development – category 2 councils



The table below summarises the average, median, minimum and maximum figures for each stage of the plan preparation process for category 2 councils:

	<i>Notification of proposed plan – close of further submissions</i>	<i>Close of further submissions – start of hearing</i>	<i>Hearing duration</i>	<i>Completion of hearing – issue of council decisions</i>	<i>Issue of council decisions – plan made fully operative</i>	<i>Total plan preparation timeframe</i>
Average	172	115	179	69	1056	1560
Median	158	114	48	67	1110	1571
Minimum	91	29	5	13	495	746
Maximum	307	351	815	159	1844	2457

* All figures are working days

As the diagram and table illustrate, based on the averages obtained for the category 2 councils, the first four stages all take a similar length of time (between 69 and 179 working days). The vast majority of time for category 2 councils is taken up in the period following the issuing of council decisions through to making the RMA plan operative. Principally this involves the Environment Court mediation and hearing times.

Indeed the first four stages together take on average 535 days, whereas the final stage, resolving appeals through the Environment Court, takes nearly double that, at 1056 working days.

We also note that category 2 councils are significantly faster at issuing decisions following the hearing (69 days) than category 1 councils who averaged 147 days.

5.0 CATEGORY 3 COUNCILS

There are 20 councils in this category and 25 RMA plans, as Napier (4), Selwyn (2) and Whakatane (2) have more than one RMA plan that has been through the plan preparation process. For the

purpose of this analysis, three of the Napier City Council RMA plans have been excluded from the calculations. These RMA plans were excluded as they were for a small area of Napier, produced relatively quickly with few submissions and appeals and tended to skew the statistics. The analysis is therefore limited to RMA plans that cover a whole district, the only exception being Whakatane District Council which has two RMA plans, one for rural areas and one for urban areas. These two plans were considered to be substantial enough to warrant inclusion. Results are as follows:

5.1 Original submissions

- On average 517 original submissions were received per council.
- The median number of original submissions received was 455.
- The highest number of original submissions received was 1307 by the Whangarei District Council.
- The lowest number of submissions received on an entire district RMA plan was 73 on the Manawatu District Council RMA plan.

5.2 Further submissions

- On average 304 further submissions were received per council.
- The median number of further submissions received was 218.
- The highest number of further submission received was 1106 by the Hutt City Council.
- The lowest number of further submissions on an entire district RMA plan was 37 on the rural section of the Whakatane District Council RMA plan.

5.3 Timeframe from notification to close of further submissions

- The average length of time from notification of the RMA plan to the close of further submissions (i.e. the end of the consultation period) was 148 working days. This equates to 30 weeks or over half a year.
- The median length of time was 140 working days. This equates to 27 weeks, also just over half a year.
- The longest period of time was 260 working days (52 weeks or exactly one year) by Whangarei District Council.
- The shortest period of time for an entire district RMA plan was 92 working days by the Franklin District Council.

5.4 Timeframe from close of further submissions to hearing

- The average length of time from the closing of further submissions to the start of the hearing was 103 working days. This equates to 21 weeks.
- The median length of time was 86 working days. This equates to 17 weeks.
- The longest period of time was 205 working days or 41 weeks by Kapiti Coast District Council.
- The shortest period of time was 40 working days by the Thames-Coromandel District Council.

5.5 Length of hearing

- The average length of time for a council hearing process considering submissions and further submissions on a proposed plan was 253 working days or 51 weeks. This is nearly a full year.
- The median length of time was 166 working days or 33 weeks.
- The longest period of time was 1044 working days (209 weeks or over four years) by Hutt City Council.
- The shortest period of time for an entire district RMA plan hearing was 70 working days (14 weeks) by Porirua City Council.

5.6 Timeframe from hearing end to issuing of council decisions

- The average length of time from the finish of a council hearing process through to issuing of council decisions was 87 working days. This equates to 17 weeks.
- The median length of time was 82 working days. This equates to 16 weeks.
- The longest period of time was 248 working days (50 weeks or nearly one year) by New Plymouth District Council.
- The shortest period of time was 13 working days for the main portion of the Napier City Council district plan.

5.7 Length of time from council notification of plan to issuing of decisions

- The average length of time taken from the council notifying the plan to council issuing decisions was 657 working days. This equates to 131 weeks or two and a half years.
- The median length of time taken was 556 working days. This equates to 111 weeks or over two years.
- The longest period of time was 1564 working days (312 weeks or six years) by the Hutt City Council.
- The shortest period of time for an entire district RMA plan was 267 working days (53 weeks or just over a year) by the Porirua City Council.

5.8 Number of Environment Court appeals

- On average 35 Environment Court appeals were received per council.
- The median number of Environment Court appeals received per council was 31.
- The highest number of appeals received was 90 by Whangarei District Council.
- The lowest number of appeals received on an entire RMA plan was 10 on the New Plymouth District Council RMA plan.

5.9 Length of time from council issuing of decisions to plan becoming fully operative (i.e. Environment Court mediation and hearings)

- The average length of time taken from the council issuing decisions to the plan becoming fully operative was 1169 working days. This equates to 234 weeks or four and a half years.
- The median length was 1094 working days. This equates to 219 weeks or just over four years.
- The fastest period of time for this stage was 407 working days (81 weeks or one and a half years) by both the Hutt City Council and Waipa District Council.
- The longest period of time for a category 3 council to complete this stage was 2323 working days (465 weeks or nearly nine years) by Thames-Coromandel District Council.

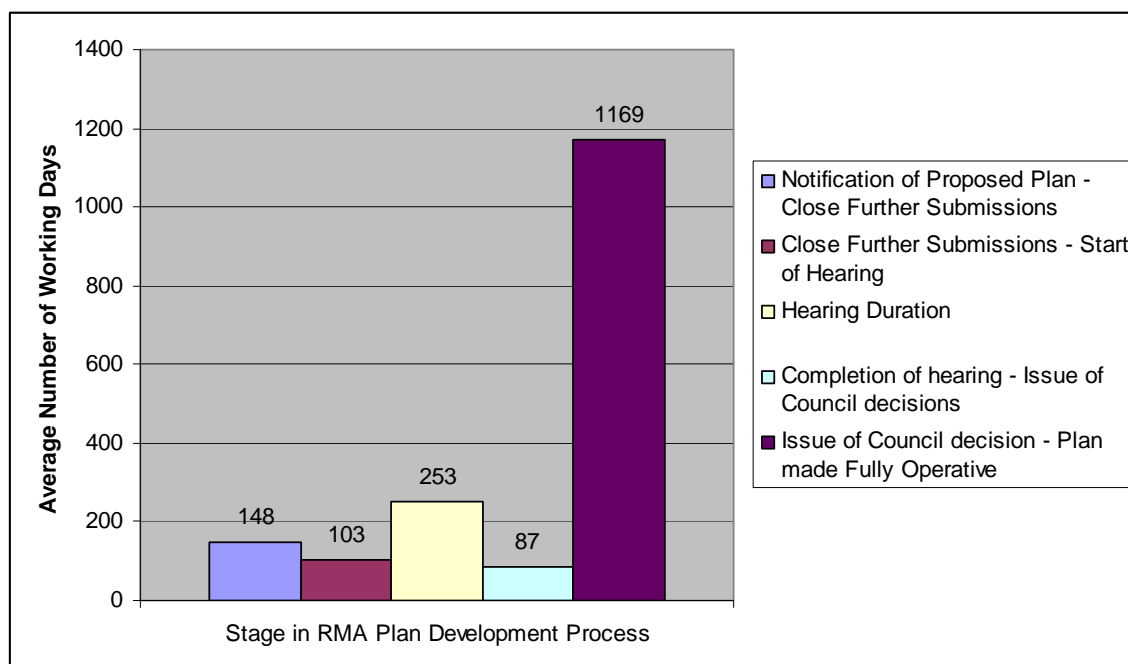
5.10 Total length of time from council notification of plan to plan becoming fully operative

- The average total length of time from the council first notifying the plan to it becoming fully operative was 1800 working days. This equates to 360 weeks or nearly seven years.
- The median length of time was 1820 working days. This equates to 364 weeks or seven years.
- The fastest period of time for the complete process was 958 working days (192 weeks or 3.7 years) by Waipa District Council.
- The longest period of time for a category 3 council to complete this stage was 2721 working days (544 weeks or 10.5 years) by Thames-Coromandel District Council.

5.11 Summary of category 3 council results

Based on the averages set out above for each stage of the process, the following diagram illustrates the break down of the various stages in RMA plan development for category 3 councils:

Figure 3: Average number of working days for key stages in RMA plan development – category 3 councils



The table below summarises the average, median, minimum and maximum figures for each stage of the plan preparation process for category 3 councils:

	<i>Notification of proposed plan –close of further submissions</i>	<i>Close of further submissions – start of hearing</i>	<i>Hearing duration</i>	<i>Completion of hearing – issue of council decisions</i>	<i>Issue of council decisions - plan made fully operative</i>	<i>Total plan preparation timeframe</i>
Average	148	103	253	87	1169	1800
Median	140	86	166	82	1094	1820
Minimum	92	40	70	13	407	958
Maximum	260	205	1044	248	2323	2721

* All figures are working days

As the diagram and table illustrate, based on the averages obtained for the category 3 councils, the first four stages all take a similar length of time (between 87 and 253 working days). As with the category 1 and 2 councils, the vast majority of time is taken up in the period following the issuing of council decisions through to making the RMA plan operative. Principally this involves the Environment Court mediation and hearing times.

Indeed the first four stages together take on average 591 days, whereas the final stage, resolving appeals through the Environment Court, takes longer at 1169 working days.

We also note that category 3 average 'duration of hearing' times (253 working days) are significantly longer than for Category 1 and 2 councils, which are 123 and 179 respectively.

6.0 CATEGORY 4 COUNCILS

There are 16 councils in this category. Even though Auckland City Council has split its district plan into several volumes for different geographic areas, these were all counted as, unlike Napier, they were considered substantial enough not to distort the statistics. Of the 16 councils in this category, eight have plans that are not yet fully operative, therefore results for these councils are not included in sections 6.9 or 6.10 below. Results are as follows:

6.1 Original submissions

- On average 3207 original submissions were received per council.
- The median number of original submissions received was 1782.
- The highest number of original submissions received was 11,512 by the North Shore City Council.
- The lowest number of original submissions received was 523 by the Rotorua District Council.

6.2 Further submissions

- On average 4262 further submissions were received per council. There was a very large figure of 29,809 from Christchurch City Council which increased the average.
- The median number of further submissions received was 889.
- The highest number of further submissions received was 29,809 by the Christchurch City Council.
- The lowest number of further submissions received was 93 on the former Banks Peninsula District Council RMA plan.

6.3 Timeframe from notification to close of further submissions

- The average length of time from notification of the RMA plan to the close of further submissions (i.e. the end of the consultation period) was 195 working days. This equates to 39 weeks.
- The median length of time was 199 working days. This equates to 39 weeks.
- The longest period of time was 265 working days or 53 weeks by Christchurch City Council.
- The shortest period of time was 115 working days for the North Shore City Council.

6.4 Timeframe from close of further submissions to hearing

- The average length of time from the closing of further submissions to the start of the hearing was 100 working days. This equates to 20 weeks.
- The median length of time was 83 working days. This equates to 17 weeks.
- The longest period of time was 244 working days or 49 weeks for the Auckland City Council isthmus section of their district plan.
- The shortest period of time was 17 working days by Queenstown Lakes District Council.

6.5 Length of hearing

- The average length of time for a council hearing process considering submissions and further submissions on a proposed plan was 502 working days or 100 weeks. This is nearly two years.
- The median length of time was 476 working days or 95 weeks.
- The longest period of time was 1657 working days (331 weeks or 6.3 years) by North Shore City Council.
- The shortest period of time for council hearings on a plan was 81 working days by Auckland City Council on the Gulf Islands section of their district plan.

6.6 Timeframe from hearing end to issuing of council decisions

- The average length of time from the finish of a council hearing process through to issuing of council decisions was 110 working days. This equates to 22 weeks.
- The median length of time was 55 working days. This equates to 11 weeks.
- The longest period of time was 615 working days (123 weeks or 2.3 years) by the former Banks Peninsula District Council.
- The shortest period of time was 18 working days by Rodney District Council.

6.7 Length of time from council notification of plan to issuing of decisions

- The average length of time taken from the council notifying the plan to council issuing decisions was 900 working days. This equates to 180 weeks or just over 3.4 years.
- The median length of time was 773 working days. This equates to 155 weeks or nearly three years.
- The longest period of time was 1816 working days (363 weeks or nearly seven years) by the North Shore City Council.
- The shortest period of time was 403 working days (81 weeks) by the Auckland City Council for the Gulf Islands section of their district plan.

6.8 Number of Environment Court appeals

- On average 146 Environment Court appeals were received per council.
- The median number of Environment Court appeals received per council was 136.
- The highest number of appeals received was 435 by Christchurch City Council.
- The lowest number of appeals received was 31 by Rotorua District Council.

6.9 Length of time from council issuing of decisions to plan becoming fully operative (i.e. Environment Court mediation and hearings)

- The average length of time taken from the council issuing decisions to the plan becoming fully operative was 1226 working days. This equates to 245 weeks or 4.7 years. We note that only eight RMA plans are fully operative out of 16 in this category.
- The median length of time was 1218 working days. This equates to 244 weeks or 4.7 years. We note that only eight RMA plans are fully operative out of 16 in this category.
- The fastest period of time for this stage was 195 working days (39 weeks) by North Shore City Council.
- The longest period of time for a category 4 council to complete this stage was 2530 working days (506 weeks or 9.7 years) by Rotorua District Council.

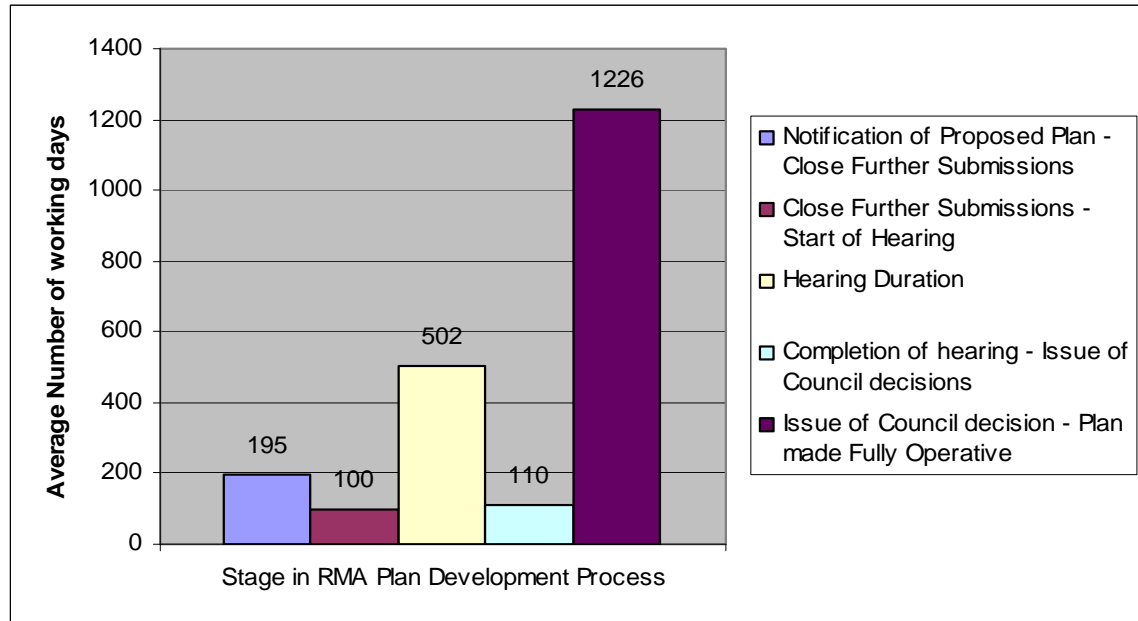
6.10 Total length of time from council notification of plan to plan becoming fully operative

- The average total length of time from the council first notifying the plan to it becoming fully operative was 2039 working days. This equates to 408 weeks or 7.8 years. We note that only eight RMA plans are fully operative out of 16 in this category.
- The median length of time was 1936 working days. This equates to 387 weeks or 7.4 years. We also note that only eight RMA plans are fully operative out of 16 in this category.
- The fastest period of time for the complete process was 995 working days (199 weeks or 3.8 years) by Auckland City Council for its Gulf Islands section.
- Of the eight councils that have finished their plans, the longest period of time taken was 2856 working days (571 weeks or nearly 11 years) by Dunedin City Council.
- In the case of the eight councils with plans that are still only operative in part or proposed, a number were notified in the mid to late 1990s. As a result the total length of time from council notification to the plan becoming fully operative will be over 10 years,

6.11 Summary of category 4 council results

Based on the averages set out above for each stage of the process, the following diagram illustrates the break down of the various stages in RMA plan development for category 4 councils:

Figure 4: Average number of working days for key stages in RMA plan development – category 4 councils



The table below summarises the average, median, minimum and maximum figures for each stage of the plan preparation process for category 4 councils:

	<i>Notification of proposed plan – close of further submissions</i>	<i>Close of further submissions – start of hearing</i>	<i>Hearing duration</i>	<i>Completion of hearing – issue of council decisions</i>	<i>Issue of council decisions – plan made fully operative</i>	<i>Total plan preparation timeframe</i>
Average	195	100	502	110	1226	2039
Median	199	83	476	55	1218	1936
Minimum	115	17	81	18	195	995
Maximum	265	244	1657	615	2530	2856

* All figures are working days

Based on the averages obtained for the category 4 councils, two stages take much longer than the other stages. The average hearing duration has reached 502 working days, and the time spent getting the plan operative following the release of decisions has grown to an average of 1226 working days.

The first four stages combine to a total of 907 working days. The final stage takes longer than all these put together, averaging 1226 working days. As with category 1, 2, and 3 councils, the vast majority of time is taken up in the period following the issuing of council decisions through to making the RMA plan operative. Principally this involves the Environment Court mediation and hearing times.

7.0 CATEGORY – REGIONAL COUNCILS

There are nine councils in this category, but 69 different RMA plans are recorded. This equates to 7.6 RMA plans prepared per regional council. One of the Otago Regional Council's RMA plans has just been started and this has been excluded from the analysis as it is only in the early stages of the process. Results are as follows:

7.1 Original submissions

- On average 131 original submissions were received per council.
- The median number of original submissions received was 54.
- The highest number of original submissions received was 1933 by Environment Canterbury on its Proposed Canterbury Natural Resources Regional Plan (Chapters 1-3).
- The lowest number of original submissions received was 11 on the Environment Canterbury Land and Vegetation Management Plan Part I.

7.2 Further submissions

- On average 29 further submissions were received per council.
- The median number of further submissions received was 20.
- The highest number of further submissions received was 122 by Environment Southland on the Regional Coastal Plan for Southland.
- The lowest number of further submissions received was zero by Environment Canterbury on its Land and Vegetation Management Plan Part I.

7.3 Timeframe from notification to close of further submissions

- The average length of time from notification of the RMA plan to the close of further submissions (i.e. the end of the consultation period) was 167 working days. This equates to 33 weeks or over half a year.
- The median length of time was 146 working days. This equates to 29 weeks or just over half a year.
- The longest period of time was 456 working days or 91 weeks, by Environment Southland for its Regional Policy Statement.
- The shortest period of time was 89 working days by the Bay of Plenty Regional Council for its Regional Plan for the Tarawera River Catchment.

7.4 Timeframe from close of further submissions to hearing

- The average length of time from the closing of further submissions to the start of the hearing was 237 working days. This equates to 47 weeks or nearly one year.
- The median length of time was 160 working days. This equates to 32 weeks or over half a year.
- The longest period of time was 1543 working days (309 weeks or nearly six years) by Environment Canterbury for its Land and Vegetation Plan Part 4.
- The shortest period of time was 22 working days by Environment Canterbury for its Opihi River Plan.

7.5 Length of hearing

- The average length of time for a council hearing process considering submissions and further submissions on a proposed plan was 85 working days or 17 weeks.
- The median length of time was five working days or one week.
- The longest period of time was 1260 working days (252 weeks or 4.8 years) by Environment Southland on its Regional Water Plan for Southland.

- The shortest period of time for council hearings on a plan was one working day on 13 different regional plans.

7.6 Timeframe from hearing end to issuing of council decisions

- The average length of time from the finish of a council hearing process through to issuing of council decisions was 143 working days. This equates to 29 weeks or a little over half a year.
- The median length of time was 113 working days. This equates to 27 weeks or just over half a year.
- The longest period of time was 455 working days (91 weeks or over a year and a half) by Environment Canterbury on its Proposed Canterbury Natural Resources Regional Plan (Chapters 1-3).
- The shortest period of time was 21 working days by Environment Canterbury on its Regional Policy Statement.

7.7 Length of time from council notification of plan to issuing of decisions

- The average length of time taken from the council notifying the plan to issuing decisions was 650 working days. This equates to 130 weeks or over two and a half years.
- The median length of time was 556 working days. This equates to 111 weeks or just over two years.
- The longest period of time was 1912 working days (382 weeks or 7.3 years) by Environment Canterbury on its Proposed Canterbury Natural Resources Regional Plan (Chapters 1-3).
- The shortest period of time was 199 working days (40 weeks) by the Taranaki Regional Council on its Regional Policy Statement.

7.8 Number of Environment Court appeals

- On average eight Environment Court appeals were received per council.
- The median number of Environment Court appeals received per regional council was six.
- The highest number of appeals received was 48 by Environment Waikato on their Waikato Regional Plan.
- The lowest number of appeals received was one by Greater Wellington Regional Council on their Regional Freshwater Plan.

7.9 Length of time from council issuing of decisions to plan becoming fully operative (i.e. Environment Court mediation and hearings)

- The average length of time taken from the council issuing decisions to the plan becoming fully operative was 664 working days. This equates to 133 weeks or two and a half years.
- The median length of time was 548 working days. This equates to 116 weeks or over two years.
- The fastest period of time for this stage was 42 working days (eight weeks) by the Taranaki Regional Council for its Regional Policy Statement.
- The longest period of time for a regional council to complete this stage was 2155 working days (431 weeks or 8.2 years) by Environment Canterbury for its Regional Coastal Plan.

7.10 Total length of time from council notification of plan to plan becoming fully operative

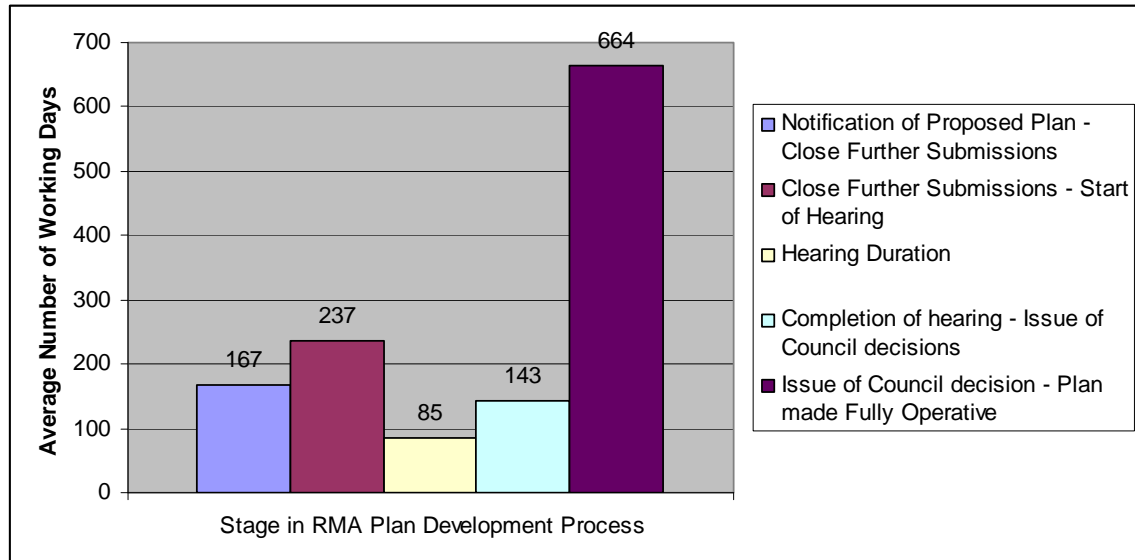
- The average total length of time from the council first notifying the plan to it becoming fully operative, was 1310 working days. This equates to 262 weeks or over five years.
- The median length of time was 1224 working days. This equates to 249 weeks or 4.8 years.
- The fastest period of time for the complete process was 240 working days or 48 weeks by Taranaki Regional Council for its Regional Policy Statement.

- The longest period of time was 2979 working days (596 weeks or 11.4 years) by Environment Canterbury for its Regional Coastal Plan.

7.11 Summary of regional council results

Based on the averages set out above for each stage of the process, the following diagram illustrates the break down of the various stages in RMA plan development for regional councils:

Figure 5: Average number of working days for key stages in RMA plan development – regional councils



The table below summarises the average, median, minimum and maximum figures for each stage of the plan preparation process for regional councils:

	<i>Notification of proposed plan – close of further submissions</i>	<i>Close of further submissions – start of hearing</i>	<i>Hearing duration</i>	<i>Completion of hearing – issue of council decisions</i>	<i>Issue of council decisions – plan made fully operative</i>	<i>Total plan preparation timeframe</i>
Average	167	237	85	143	664	1310
Median	146	160	5	113	548	1224
Minimum	89	22	1	21	42	240
Maximum	456	1543	1260	455	2155	2979

* All figures are working days

As the diagram and table illustrate, based on the averages obtained for the regional council category, the first four stages all take a similar length of time (between 85 and 237 working days). The vast majority of time is once again taken up in the period following the issuing of council decisions through to making the RMA plan operative. Principally this involves the Environment Court mediation and hearing times.

Indeed the first four stages together take on average 632 days, whereas the final stage, resolving appeals through the Environment Court, takes longer at an average of 664 working days.

Of note with the regional council results is that the hearing duration is relatively short, at 85 working days, compared to 502 working days for category 4 councils, 253 working days for category 3 councils, 179 working days for category 2 councils and 122 working days for category 1 councils.

Regional councils also spent more time following the close of submissions getting ready for the hearing, averaging 237 working days, compared to the very consistent figures for categories 1-4 of 100, 103, 115 and 119 working days respectively.

8.0 UNITARY AUTHORITIES

There are five unitary authorities in total, although only four councils appear in this category as Tasman District Council did not respond to the survey. As with regional councils, there is a wide range of ways in which unitary authorities have approached the preparation of RMA plans. All unitary authorities except for the Chatham Islands have produced several plans, for example a regional policy statement, as well as resource based plans, e.g. land, air and water. Several plans identified by MfE have also been excluded from the analysis as the plans are now defunct. Results are as follows:

8.1 Original submissions

- On average 246 original submissions were received per council.
- The median number of original submissions received was 87.
- The highest number of original submissions received was 764 by the Nelson City Council on its Resource Management Plan.
- The lowest number of original submissions received was seven by the Chatham Islands Council on the Chatham Islands Plan.

8.2 Further submissions

- On average 282 further submissions were received per council.
- The median number of further submissions received was 31.
- The highest number of further submissions received was 1542 by the Marlborough District Council on its Marlborough Sounds Resource Management Plan.
- The lowest number of further submissions received was three on the Gisborne District Council Discharges to Land and Water Plan.

8.3 Timeframe from notification to close of further submissions

- The average length of time from notification of the RMA plan to the close of further submissions (i.e. the end of the consultation period) was 142 working days. This equates to 28 weeks or just over half a year.
- The median length of time was 147 working days. This equates to 29 weeks or just over half a year.
- The longest period of time was 191 working days or 38.2 weeks by Nelson City Council on their Resource Management Plan.
- The shortest period of time was 101 working days for the Nelson City Council Regional Policy Statement.

8.4 Timeframe from close of further submissions to hearing

- The average length of time from the closing of further submissions to the start of the hearing is 185 working days. This equates to 37 weeks. We note that a single large figure of 1057 days for the Gisborne Air Quality Management Plan distorts the figures somewhat, as only eight values are present.
- The median length of time was 74 working days. This equates to 15 weeks.

- The longest period of time was 1057 working days or 211 weeks for the Gisborne Air Quality Management Plan.
- The shortest period of time was four working days for the Marlborough Regional Policy Statement.

8.5 Length of hearing

- The average length of time for a council hearing process considering submissions and further submissions on a proposed plan was 127 working days or 25 weeks. This is nearly half a year.
- The median length of time was 23 working days or just over four weeks.
- The longest period of time was 436 working days or 87 weeks for the Gisborne Combined Regional Land and District Plan.
- The shortest period of time for council hearings on a plan was two working days for the Chatham Islands Plan.

8.6 Timeframe from hearing end to issuing of council decisions

- The average length of time from the finish of a council hearing process through to issuing of council decisions was 296 working days. This equates to 59 weeks or just over a year.
- The median length of time was 107 working days. This equates to 21 weeks.
- The longest period of time was 1913 working days (383 weeks or 7.3 years) by the Gisborne District Council for its Regional Air Quality Plan.
- The shortest period of time was 29 working days by the Chatham Islands Council.

8.7 Length of time from council notification of plan to issuing of decisions

- The average length of time taken from the council notifying the plan to council issuing decisions was 769 working days. This equates to 154 weeks or just over nearly three years.
- The median length of time was 544 working days. This equates to 109 weeks or just over two years.
- The longest period of time was 3094 working days (619 weeks or nearly 12 years) by Gisborne District Council for its Regional Air Quality Plan.
- The shortest period of time was 242 working days (48 weeks) by the Chatham Islands Council.

8.8 Number of Environment Court appeals

- On average 18 Environment Court appeals were received per council.
- The median number of Environment Court appeals received per council was seven.
- The highest number of appeals received was 47 by Marlborough District Council for its Wairau Awatere Resource Management Plan.
- The lowest number of appeals received was two by Chatham Islands Council.

8.9 Length of time from council issuing of decisions to plan becoming fully operative (i.e. Environment Court mediation and hearings)

- The average length of time taken from the council issuing decisions to the plan becoming fully operative was 1082 working days. This equates to 216 weeks or over four years. Note only four values were available for this calculation.
- The median length of time was 889 working days. This equates to 178 weeks or 3.4 years. Note only four values were available for this calculation.
- The fastest period of time for this stage was 367 working days (73 weeks) by Nelson City Council for their Regional Policy Statement.
- The longest period of time was 2094 working days (419 weeks or eight years) by Gisborne District Council for its Regional Policy Statement.

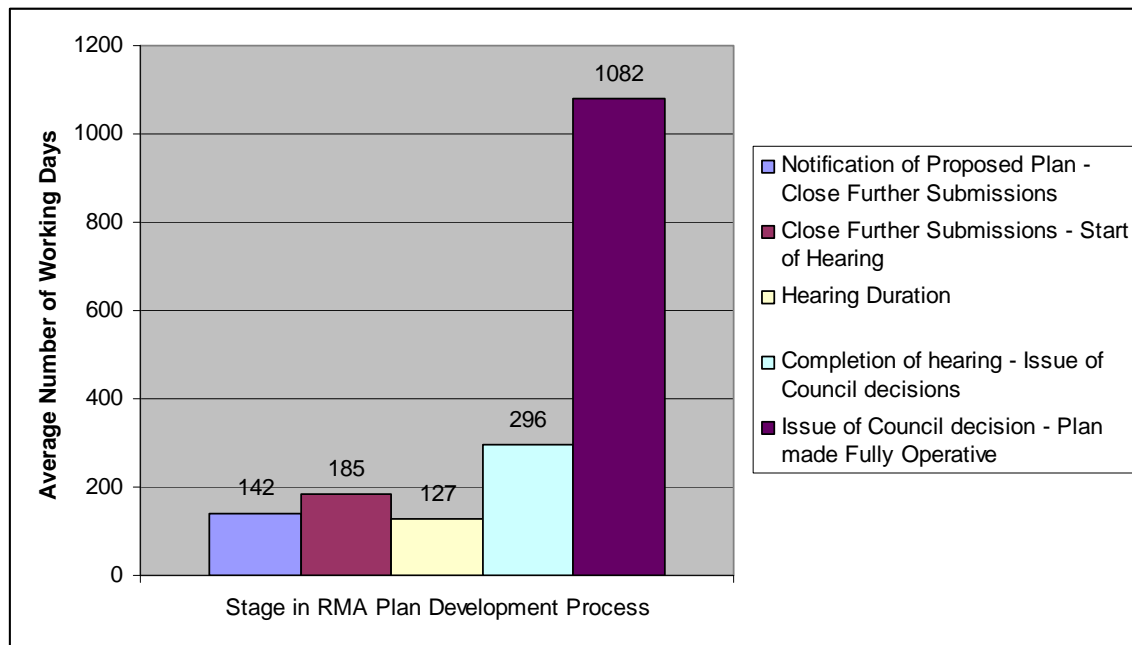
8.10 Total length of time from council notification of plan to plan becoming fully operative

- The average total length of time from the council first notifying the plan to it becoming fully operative was 1626 working days. This equates to 325 weeks or just over six years.
- The median length of time was 2000 working days. This equates to 400 weeks or 7.7 years.
- The fastest period of time was 478 working days or 96 weeks by Marlborough District Council for its Regional Policy Statement.
- The longest period of time was 2945 working days (589 weeks or 11.3 years) by Gisborne District Council.

8.11 Summary of unitary authority results

Based on the averages set out above for each stage of the process, the following diagram illustrates the break down of the various stages in RMA plan development for unitary authorities:

Figure 6: Average number of working days for key stages in RMA plan development – unitary authorities



The table below summarises the average, median, minimum and maximum figures for each stage of the plan preparation process for unitary authorities:

	<i>Notification of proposed plan – close of further submissions</i>	<i>Close of further submissions – start of hearing</i>	<i>Hearing duration</i>	<i>Completion of hearing – issue of council decisions</i>	<i>Issue of council decisions – plan made fully operative</i>	<i>Total plan preparation timeframe</i>
Average	142	185	127	296	1082	1626
Median	147	74	23	107	889	2000
Minimum	101	4	2	29	367	478
Maximum	191	1057	436	1913	2094	2945

* All figures are working days

As the diagram and table illustrate, based on the averages obtained for the unitary authorities, the first four stages all take a similar length of time (between 127 and 296 working days).

Once again the vast majority of time is taken up in the period following the issuing of council decisions through to making the RMA plan operative. Principally this involves the Environment Court mediation and hearing times.

Indeed the first four stages together take on average 750 days, whereas the final stage, resolving appeals through the Environment Court, takes longer at 1082 working days.

9.0 TRENDS BETWEEN CATEGORIES OF COUNCILS

The following series of graphs illustrate the differences between the various council categories, and the overall averages, for the RMA plan preparation process.

Figure 7: Average number of submissions by council category

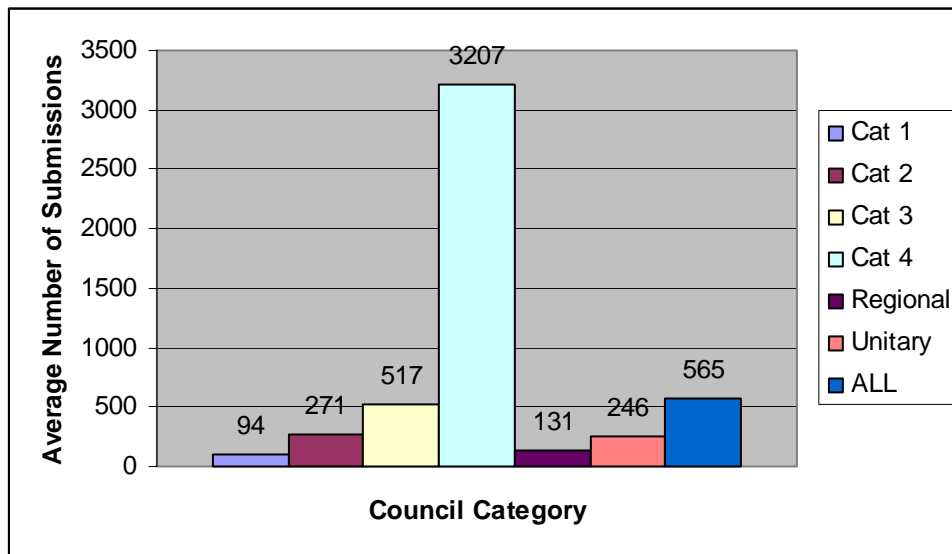


Figure 7 illustrates that the larger councils in category 4 received an exceedingly large average number of submissions (3207) in comparison to other council categories. This is reflected in the fact that of the 16 councils in category 4, only half have their plan fully operative even though the RMA has been in place for 17 years.

Figure 8: Average number of further submissions by council category

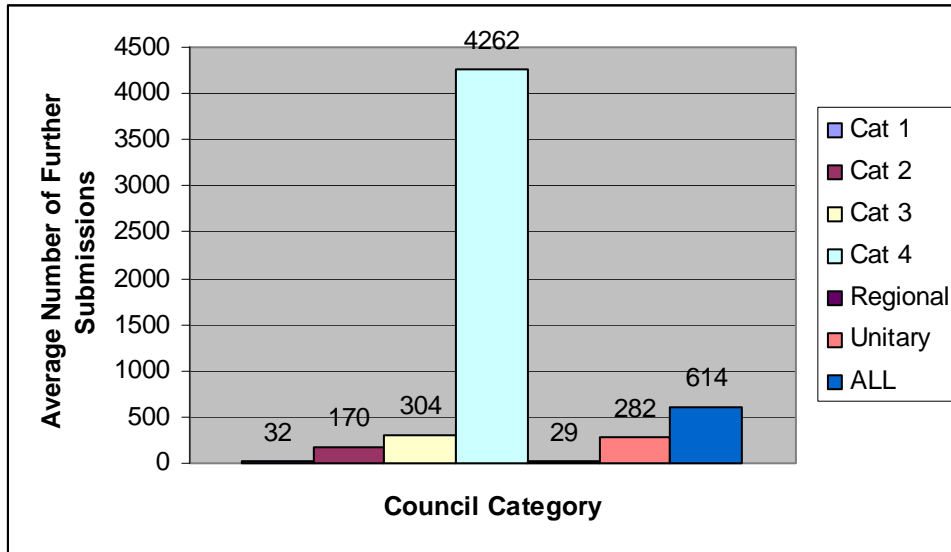


Figure 8 illustrates the disproportionate average number of further submissions (4262) received by category 4 councils in comparison to other council categories.

Figure 9: Average time for stage 1 – notification of proposed plan – close of further submissions by council category

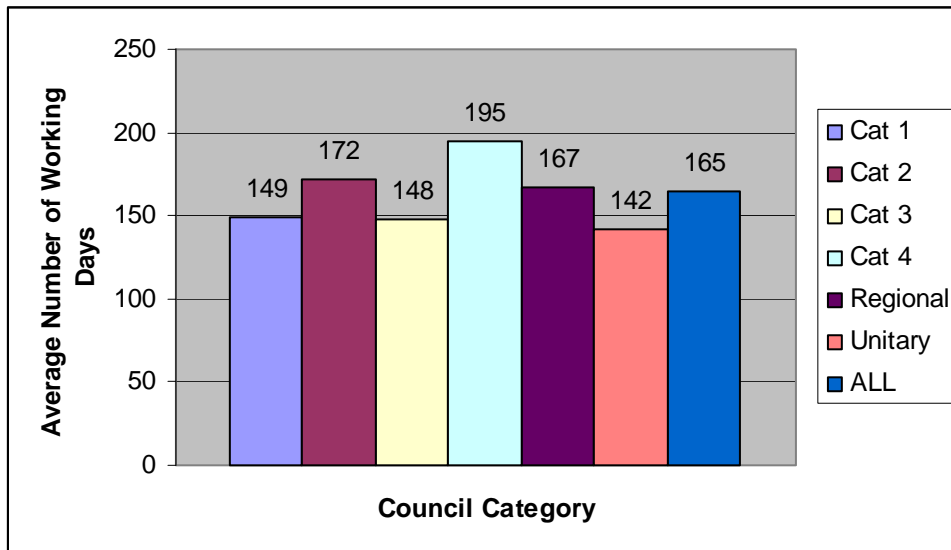


Figure 9 illustrates that the various council categories were all remarkably consistent in how long this stage took them. The range between the averages is just 53 working days.

Figure 10: Average time for stage 2 – close of further submissions – start of hearing by council category

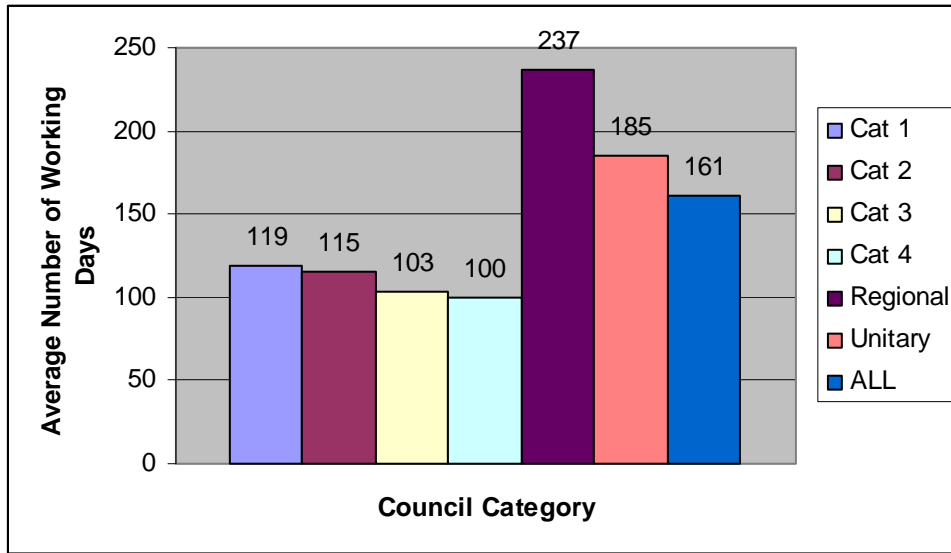


Figure 10 indicates that regional and unitary authorities took longer to get to the hearing stage following the close of submissions than did the district councils in categories 1-4.

Figure 11: Average time for stage 3 – hearing duration – by council category

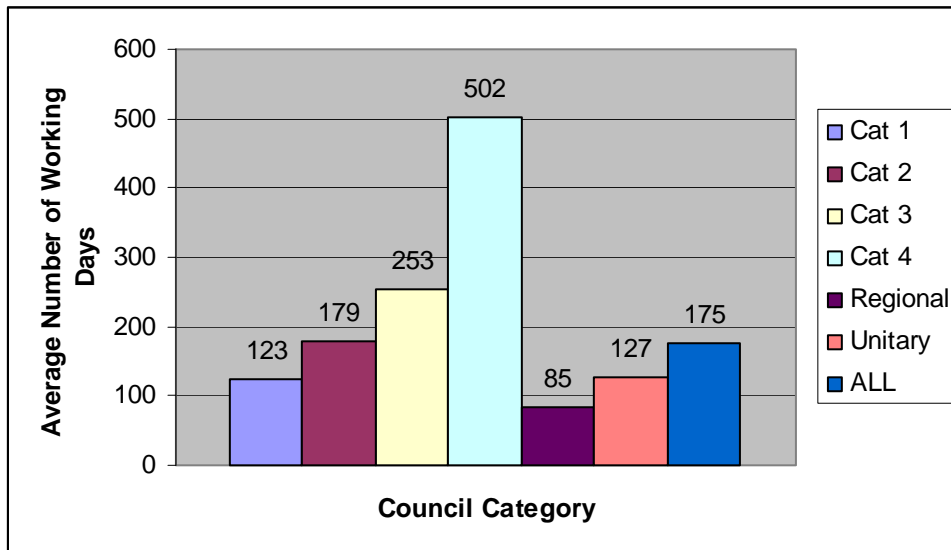


Figure 11 illustrates the results of what was shown in Figures 8 and 9 earlier, in that the category of councils with the most submissions (category 4) also had by far the longest hearings (502 average number of working days).

Figure 12: Average time for stage 4 – completion of hearing – issuing of council decisions, by council category

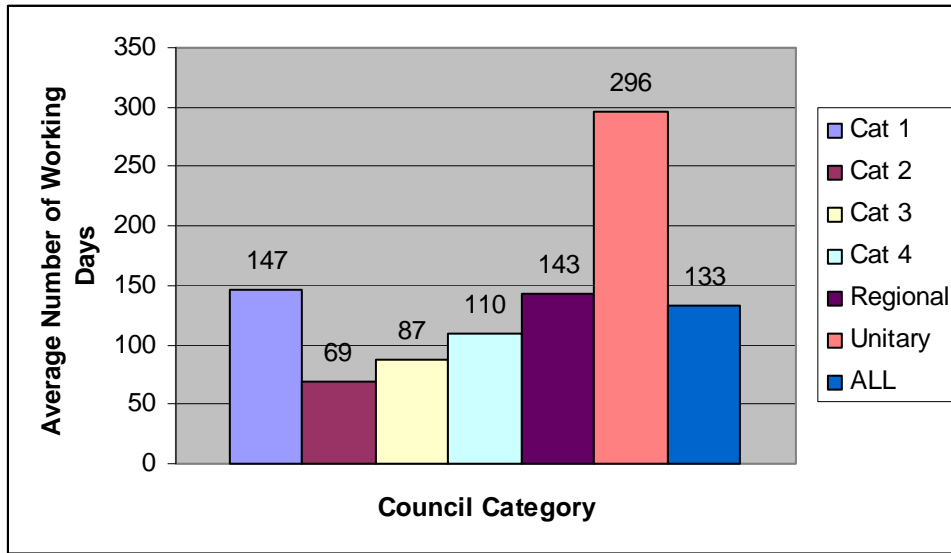


Figure 12 illustrates that unitary authorities were the slowest to issue their decisions following the completion of council hearings (296 average number of working days). All other council categories were relatively similar with regard to the time taken to write up and issue decision.

Figure 13: Average number of Environment Court appeals, by council category

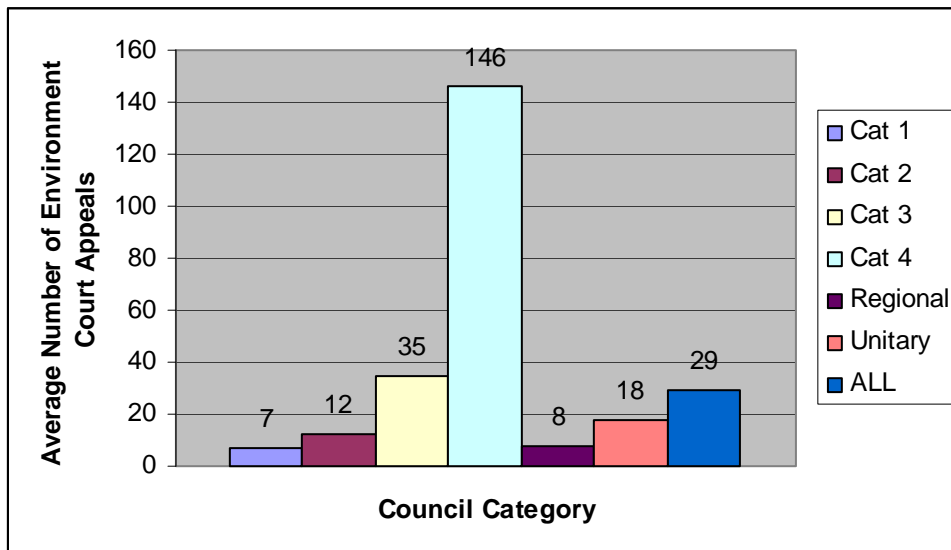


Figure 13 illustrates the relationship between the number of submissions, as shown in Figure 8, and the number of Environment Court appeals. Category 4 councils are disproportionately subject to Environment Court appeals (146 appeals on average) compared to other council categories.

Figure 14: Average time for stage 5 – issuing of council decisions – plan made fully operative, by council category

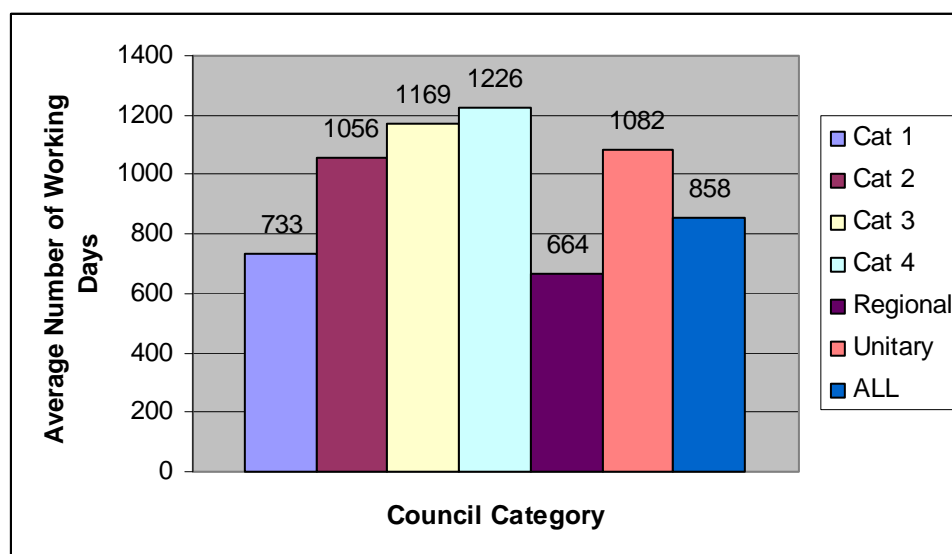


Figure 14 further illustrates the effect of a large number of submissions, with category 4 councils taking the longest to get their plan to the fully operative stage (1226 average number of working days).

10.0 RESULTS – ALL COUNCILS

There are 85 councils in this category and 145 RMA plans. The same plans that were excluded in each of the preceding worksheets have been excluded from the ‘all councils’ analysis. Results are as follows:

10.1 Original submissions

- On average 565 original submissions were received per RMA plan.
- The median number of original submissions received was 127.
- The highest number of original submissions received was 11,512 by the North Shore City Council.
- The lowest number of original submissions received was seven by the Chatham Islands Council.

10.2 Further submissions

- On average 614 further submissions were received per council.
- The median number of further submissions received was 41.
- The highest number of further submissions received was 29,809 by the Christchurch City Council on its City Plan.
- The lowest number of further submissions received was zero by Environment Canterbury on its Land and Vegetation Management Plan Part I.

10.3 Timeframe from notification to close of further submissions

- The average length of time from notification of the RMA plan to the close of further submissions (i.e. the end of the consultation period) was 165 working days. This equates to 33 weeks or over half a year.
- The median length of time was 151 working days. This equates to 30 weeks.

- The longest period of time was 456 working days (91 weeks or 1.7 years) by Environment South for its Regional Policy Statement.
- The shortest period of time was 89 working days by Tararua District Council and for an Environment Bay of Plenty regional plan.

10.4 Timeframe from close of further submissions to hearing

- The average length of time from the closing of further submissions to the start of the hearing was 161 working days. This equates to 32 weeks or over half a year.
- The median length of time was 114 working days. This equates to 23 weeks or nearly half a year.
- The longest period of time was 1057 working days (211 weeks or four years) by Gisborne District Council for the Regional Air Quality Management Plan.
- The shortest period of time was four working days by Marlborough District Council on its Regional Policy Statement.

10.5 Length of hearing

- The average length of time for a council hearing process considering submissions and further submissions on a proposed plan was 175 working days or 35 weeks.
- The median length of time was 70 working days or 14 weeks.
- The longest period of time was 1260 working days (252 weeks or 63 months) by Environment Southland for its Regional Water Plan.
- The shortest period of time was one working day which was the case for a number of RMA plans.

10.6 Timeframe from hearing end to issuing of council decisions

- The average length of time from the finish of a council hearing process through to issuing of council decisions was 133 working days. This equates to 27 weeks or just over half a year.
- The median length of time was 91 working days. This equates to 18 weeks.
- The longest period of time was 615 working days (123 weeks or 2.3 years) by Christchurch City Council.
- The shortest period of time was 13 working days by both Wanganui District Council and Napier City Council.

10.7 Length of time from council notification of plan to issuing of decisions

- The average length of time taken from the council notifying the plan to council issuing decisions was 671 working days. This equates to 134 weeks or just over 2.5 years.
- The median length of time was 556 working days. This equates to 111 weeks or over two years.
- The longest period of time was 2151 working days (430 weeks or 8.2 years) by the South Taranaki District Council.
- The shortest period of time was 184 working days (37 weeks) by the Masterton District Council.

10.8 Number of Environment Court appeals

- On average 29 Environment Court appeals were received per RMA plan.
- The median number of Environment Court appeals received per RMA plan was 10.
- The highest number of appeals received was 435 by Christchurch City Council on its City Plan.
- The lowest number of appeals received was one, where only one appeal was received on several RMA plans.

10.9 Length of time from council issuing of decisions to plan becoming fully operative (i.e. Environment Court mediation and hearings)

- The average length of time taken from the council issuing decisions to the plan becoming fully operative was 858 working days. This equates to 172 weeks or 3.3 years.
- The median length of time was 806 working days. This equates to 161 weeks or just over three years.
- The fastest period of time was 42 working days (8 weeks) by the Taranaki Regional Council for its Regional Policy Statement.
- The longest period of time was 2530 working days (506 weeks or 9.7 years) by Rotorua District Council (note that some council plans are not yet fully operative so this period may be longer in those cases).

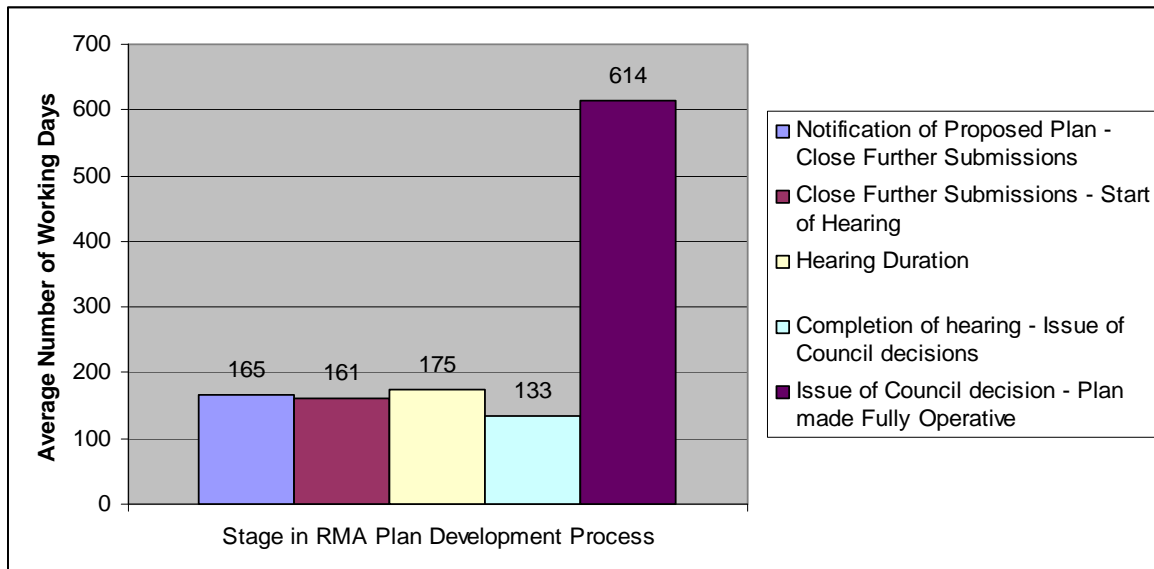
10.10 Total length of time from council notification of plan to plan becoming fully operative

- The average total length of time from the council first notifying the plan to it becoming fully operative (i.e. full plan preparation) was 1479 working days. This equates to 296 weeks or 5.6 years.
- The median length of time was 1407 working days. This equates to 281 weeks or 5.4 years.
- The fastest period of time was 240 working days or 48 weeks by Taranaki Regional Council for its Regional Policy Statement.
- The longest period of time was 2979 working days (596 weeks or 11.5 years) by Environment Canterbury for its Regional Coastal Plan (note that some council plans are not yet fully operative so this period may be longer in those cases).

10.11 Summary of all council results

Based on the averages set out above for each stage of the process, the following diagram illustrates the break down of the various stages in RMA plan development for all councils:

Figure 15: Average number of working days for key stages in RMA plan development – all councils



The table below summarises the average, median, minimum and maximum figures for each stage of the plan preparation process for all councils:

	<i>Notification of proposed plan – close of further submissions</i>	<i>Close of further submissions – start of hearing</i>	<i>Hearing duration</i>	<i>Completion of hearing – issue of council decisions</i>	<i>Issue of council decisions - plan made fully operative</i>	<i>Total plan preparation timeframe</i>
Average	165	161	175	133	614	1479
Median	151	114	70	91	806	1407
Minimum	89	4	1	13	42	240
Maximum	456	1057	1260	615	2530	2979

* All figures are working days

The results for all councils reflect the results for each category. As the diagram and table illustrate, based on the averages obtained for all councils, the first four stages all take a similar length of time (between 133 and 175 working days). The vast majority of time is taken up in the period following the issuing of council decisions through to making the RMA plan operative. Principally this involves the Environment Court mediation and hearing times.

Indeed the first four stages together take on average 634 working days, whereas the final stage, resolving appeals through the Environment Court, takes 614 working days.

10.0 CONCLUSION

Results for each council category and trends between the different council categories have been set out in the body of this report. Key overall findings include:

- The overwhelming trend observed is the disproportionate length of time it takes to complete the final stage of plan preparation following the release of council decisions. This time is taken up with Environment Court appeals and mediation, and on average for all councils in New Zealand takes approximately the same length of time as the preceding four stages put together. Efficiencies in the plan preparation could be gained in this part of the process through a speedier appeals system.
- All councils were relatively similar in the length of time it took them to get their plan through the first four stages, refer Figure 15.
- Category 4 councils (i.e. those typically large city-based councils) have struggled to get their plans operative due to the sheer volume of submissions, further submissions and Environment Court appeals.