



Ministry for the
Environment
Manatū Mō Te Taiao

A proposed
National Monitoring System
for the Resource Management Act 1991

Summary of feedback from consultation

This report may be cited as:

Ministry for the Environment. 2014. *Proposed National Monitoring System for the Resource Management Act 1991: Summary of feedback from consultation*. Wellington: Ministry for the Environment.

Published in June 2014 by the
Ministry for the Environment
Manatū Mō Te Taiao
PO Box 10362, Wellington 6143, New Zealand

ISBN: 978-0-478-41247-5
Publication number: ME 1153

© Crown copyright New Zealand 2014

This document is available on the Ministry for the Environment's website:
www.mfe.govt.nz



Ministry for the
Environment
Manatū Mō Te Taiao

Contents

Executive summary	vi
1 Introduction	1
Proposal	1
Purpose of this document	1
Structure of this document	1
2 Background	3
Project approach	3
Stages to project	3
3 Overview of the consultation process	4
Council workshops	4
Submissions	4
Approach to analysing the submissions	5
Identifying submitters	5
4 Summary of main themes and issues	6
Support for a more comprehensive, comparable and consistent RMA monitoring system	6
The need to be clear about the value, use and purpose of information sought	6
Limitations in the proposal's ability to 'tell a better story' about the RMA	7
Ensuring the system is fit-for-purpose and cost-effective	7
Minimising duplication, unnecessary effort, and compliance costs	8
5 Feedback on the five general questions	9
Question 1: Merit of a nationally consistent system	9
Question 2: The information	10
Question 3: Barriers and challenges	12
Question 4: Support required	13
Question 5: A user satisfaction survey	14
6 Feedback on specific questions for councils	16
Question 6: Systems and formats used to record RMA-related information	16
Question 7: Data management standards	17
Question 8: System strengths, weaknesses and interoperability	18
Question 9: Capturing cost and resource information	19
Question 10: Resource consent sub-categorisation	21
Question 11: Information to tell the story	22
Question 12: Reporting the priority information	22
Question 13: Additional costs or capacity to capture and report all information	24

Question 14: Benefits and opportunities of improved RMA monitoring	25
Question 15: User satisfaction surveys	28
7 Technical feedback	30
Regional policy statements and regional and district plans	30
Resource consents	34
Complaints, monitoring, compliance and enforcement	38
Environmental Protection Authority	40
Designations	40
Heritage protection authorities	41
Direct referral	41
Water conservation orders	42
National policy statement and national environmental standard development	42
Specific national tools	42
Appendix: List of submitters	43

Tables

Table 3.1:	Quantity and percentage of submissions received from councils	4
Table 3.2:	Quantity and percentage of submissions received from other submitters	5
Table 6.1:	Use of systems and software by councils for monitoring RMA functions and processes	17
Table 6.2:	Number of councils that provided an answer about each function	17
Table 6.3:	Areas where additional capacity would be required to capture and report data	25
Table 6.4:	Key benefits and opportunities arising from improved RMA monitoring	26

Executive summary

New Zealanders need confidence that the country's natural and physical resources are being managed effectively and efficiently to deliver both economic and environmental benefits for current and future generations. The Resource Management Act 1991 (RMA) is the key mechanism under which decisions about these resources are made. A sound understanding of how the RMA is being implemented is critical to understanding whether the Act is achieving its purpose of sustainable management of our natural and physical resources.

This document summarises feedback on a proposed National Monitoring System (NMS) for the RMA. The proposed NMS was developed by the Ministry for the Environment in collaboration with central and local government and is intended to provide a more robust and coordinated approach to monitoring the implementation of the RMA. It is also intended to improve the consistency, comparability and timeliness of RMA information and achieve efficiencies through streamlining the collection and reporting of this information.

To seek feedback on the proposed NMS, on 17 June 2013 the Ministry released the discussion document, *National Monitoring System for the Resource Management Act 1991 – A proposal for discussion*. Consultation on the proposal ran to 30 August 2013. Feedback and submissions were sought from implementers of the RMA. Consultation also involved 17 workshops with councils across the country to help explain the proposed NMS and encourage detailed feedback. Sixty-seven submissions were received from councils, central government agencies, requiring authorities, heritage protection authorities, and professional bodies. Submitters are listed in the appendix.

The main themes and issues raised through consultation were:

- **Support for a more comprehensive, comparable and consistent RMA monitoring system** – there was a high level of support for the concept of a comprehensive, comparable and consistent national monitoring system to provide a more robust understanding of the RMA. However, there was variable feedback on whether the NMS proposed in the discussion document would achieve these benefits. There were a number of suggestions for improving and refining the proposal.
- **The need for greater clarity about the value, use and purpose of the information sought** – a clear theme in feedback was the need to better understand the value, use and purpose of information sought through the proposed NMS. Submitters requested that requests for data be explicitly justified, including the relative benefits and costs of collecting and reporting the information, particularly for councils.
- **Concern about limitations in the proposal's ability to tell a better story about the RMA** – there was a common view that the information to be collected by the proposed NMS would have limited ability to provide a more comprehensive understanding of the implementation of the RMA and its effectiveness. A concern was that the proposal overly focused on inputs, efficiency and operational matters, and there were significant gaps in relation to outcomes, plan effectiveness, and the quality of decision-making.
- **Ensuring the system is fit-for-purpose and cost-effective** – there was a high level of uncertainty about how the proposed NMS would work and what changes to information technology (IT) systems would be required. It was suggested that further technical work was needed to better understand the IT solutions required.

- **Minimising duplication, unnecessary effort, and compliance costs** – a clear theme was concern about the additional costs associated with the proposed NMS. In particular, councils were concerned about the costs to modify their systems and to provide the additional administrative effort required. While some additional costs were seen as justified to deliver the benefits associated with a better understanding of the RMA and its implementation, it was considered that there needs to be more in-depth analysis of the proposed NMS – both the approach and the scope of data capture – to minimise duplication, unnecessary effort and compliance costs.

1 Introduction

Proposal

The Ministry aims to be able to tell a robust and evidence-based story about how effectively the RMA is being implemented, locally and nationally.

To achieve this, a proposed National Monitoring System (NMS) for the RMA was released for consultation in June. It seeks to provide a more transparent and coordinated system to establish and manage:

- what information on the RMA is needed
- why this information is needed – what it will tell us
- when and how to best capture, hold and share this information.

The discussion document, *A National Monitoring System for the Resource Management Act 1991 – A Proposal for Discussion*, was split into two parts. Part A outlined the background and provided an overview of the proposed NMS. Part B proposed a range of datasets to be captured and reported through the NMS. The proposed datasets were for RMA functions and processes, with each area broken down into a number of themes that identified relevant points of interest and data capture (eg, timeframes, costs, decision-making). The aim of this approach is to standardise the information collected to streamline the process and promote efficient, regular and consistent data capture and reporting. Where relevant, descriptive fields were suggested so qualitative information could be captured to help explain context. The proposed NMS also intends to integrate data capture and reporting with existing statutory processes and council processing systems.

Purpose of this document

This document summarises the feedback received on the proposed NMS, both from workshops and individual submissions. It presents the main issues and themes raised in response to questions set out in the discussion document. It also provides an overview of technical feedback received on the specific datasets proposed to be captured through the NMS, which were outlined in Part B of the discussion document.

Structure of this document

This document is structured as follows:

- **Section 2:** Provides a brief background to the proposed NMS and its development.
- **Section 3:** Provides an overview of the consultation process on the discussion document, *A National Monitoring System for the Resource Management Act 1991 – A Proposal for Discussion*.
- **Section 4:** Provides a summary of the main themes and issues raised.

- **Section 5:** Provides a summary of responses from all submitters to the five general questions in Part A of the discussion document.
- **Section 6:** Provides a summary of responses to the 10 specific questions targeted to councils.
- **Section 7:** Provides an overview of technical feedback received on the datasets described in Part B of the discussion document.
- **Appendix:** Provides a list of the submitters.

2 Background

Project approach

Development of the proposed NMS has been a collaborative effort with ongoing input from local and central government through the Monitoring and Review Project. The Ministry for the Environment has led the work, supported by a steering group of eight people from regional, unitary and district councils and Local Government New Zealand (LGNZ) who provided strategic advice on the project and its deliverables. Three other groups provided input and helped shape the proposal:

- **Council Technical Working Group:** eight officers from across regional, unitary and district councils with experience in developing plans, consenting, enforcement and compliance, monitoring, and environmental monitoring.
- **Government Department Group:** officials from central government agencies with RMA responsibilities and functions, and others with associated roles or interests.
- **Ministry Project Team:** representatives from relevant teams within the Ministry for the Environment.

Stages to project

The Ministry has taken a 3-stage approach to developing the NMS:

- **Stage one: scoping** – from late 2011 to July 2012 the Ministry undertook scoping studies to gain a better understanding of what happens now, what needs to happen and what should be considered when designing, developing and implementing the proposed NMS.
- **Stage two: design and development** – the project is currently at the final stages of stage two, which involves the design, development and consultation on the proposed NMS.
- **Stage three: implementation** – this stage will define how the NMS will be built and delivered and will be informed by Stage two processes.

3 Overview of the consultation process

Formal consultation on the proposed NMS took place from 17 June to 30 August 2013, based on the discussion document, *A National Monitoring System for the Resource Management Act 1991 – A Proposal for Discussion*.

Feedback was sought from implementers of the RMA – councils, the Environmental Protection Authority, heritage protection authorities, requiring authorities, and central government agencies with an interest or role in the implementation of the RMA.

Council workshops

Because councils are the primary implementers of the RMA, the Ministry sought to engage with them early in the consultation period to elicit initial feedback on the merits and scope of the proposals, and to encourage detailed feedback on the proposed data capture and implementation programme.

Seventeen workshops were held throughout the country from 1 to 17 July 2013 with all councils either attending the workshops or being directly contacted separately. A summary of the main themes and issues raised in these workshops has been captured alongside those from written submissions and are outlined in section 4.

Submissions

The discussion document included five general questions about the NMS for all parties engaged in implementing the RMA, as well as 10 specific questions for councils. The latter aimed to encourage detailed submissions and gain a better understanding of councils' monitoring systems and processes, and the impact of the proposals on these.

Sixty-seven submissions were received, predominately from councils but also from requiring authorities, a heritage protection authority, central government agencies, and professional bodies. Submitters are listed in the appendix. Table 3.1 shows the number and proportion of submissions received from the different types of councils. Table 3.2 shows the number and proportion of submissions received from other users and implementers of the RMA.

Table 3.1: Quantity and percentage of submissions received from councils

Submitter type	Number of submissions (% of total submissions)	Total in New Zealand (% that submitted)
District councils	30 (45%)	54 (56%)
City councils	9 (13%)	12 (75%)
Regional councils	9 (13%)	11 (82%)
Unitary authorities	2 (3%)	6 (33%)
Total	50 (75%)	83 (60%)

Table 3.2: Quantity and percentage of submissions received from other submitters

Submitter type	Number of submissions (%of total submissions)	Total in New Zealand (% that submitted)
Combined council response ¹	1 (1.5%)	N/A
Requiring authorities	12 (18%)	153 (8%)
Heritage protection authorities	1 (1.5%)	5 (20%)
Professional bodies	2 (3%)	N/A
Central government agencies ²	1 (1.5%)	N/A
Total	17 (25%)	N/A

Approach to analysing the submissions

Submissions included covering letters and general comments, answers to the questions in Part A of the discussion document, and feedback on the datasets in Part B of the discussion document.

To analyse responses, all submissions were broken down by question. Conclusions were drawn from analysis of information provided on each question and information contained in covering letters and general comments. Key themes within each question were drawn out wherever possible. High-level summaries of the key themes are in section 4.

Analysis of the council-specific questions only assessed responses from councils, although it is noted that a number of requiring authorities and other agencies also provided responses to these questions. The latter's responses are discussed as part of the more specific technical feedback on Part B of the discussion document, presented in section 7 of this report.

A number of submitters provided feedback on Part B – for example, some councils provided marked-up versions with their comments and suggestions. This information was analysed and is also presented in section 7.

Identifying submitters

The Ministry requested that submitters state whether they agreed to be identified by name in any reports on the feedback. Of those submitters who responded, more than half did not want to be identified. For that reason, no submitters have been identified by name in this report. The exception is Local Government New Zealand (LGNZ), which agreed to be identified and, as eight other submitters specifically endorsed its submission, it is referenced in this document.

¹ Note that the combined response was from one regional council, one city council, and three district councils all within one region. All councils involved in the combined submission also provided an individual submission.

² Note that any requiring authorities that are also central government agencies have been counted as requiring authorities because that was the primary role that they made their submission in relation to.

4 Summary of main themes and issues

This section provides an overview of the main themes and issues raised during consultation workshops with councils and in written feedback on the discussion document. These are summarised here, and reported on in greater detail in sections 5 and 6.

Support for a more comprehensive, comparable and consistent RMA monitoring system

There was overwhelming support for a comprehensive, comparable, transparent and consistent national monitoring system to provide a more robust understanding of the how the RMA is being implemented. There was a general acknowledgement of the current RMA Survey's limitations and recognition of the need to capture more comprehensive, detailed information.

Potential benefits from an improved RMA monitoring system included:

- achieving the sustainable management of natural and physical resources
- more accurate and comparable information at the national level
- achieving efficiencies by reducing duplication of data capture, automating data collection and reporting, and introducing more sophisticated and streamlined monitoring systems and software
- providing a better evidence base to inform policy, measure performance, and develop supporting initiatives to help improve the RMA and its implementation.

However, feedback was variable on whether the NMS proposed in the discussion document would achieve these benefits. Concerns included the information it sought and the approach to collect and report it. A number of areas of improvement were identified. Many councils and other RMA implementers expressed a desire to provide further input into the proposal's design and implementation to help refine it and ensure a new national monitoring system minimised unnecessary effort and costs and achieved the objectives outlined in the discussion document.

The need to be clear about the value, use and purpose of information sought

A clear theme in feedback was the need to better understand the value, use and purpose of information sought through the proposed NMS. Submitters requested more explicit justification for the different data requirements, including the relative benefits of the information and the costs of collecting and reporting it, particularly for councils. This was seen as a gap in the proposed NMS. Submitters suggested further analysis and greater clarity was needed about why information was sought, its value and exactly how it would be used.

For example, one concern was that some information required for the proposed NMS appeared to be "*monitoring just for monitoring's sake*". Submitters requested a clear link between the information sought and its intended purpose.

Related to this, was a concern that the information sought would be used as a complete measure of council performance without sufficient consideration of context.

Limitations in the proposal's ability to 'tell a better story' about the RMA

A key theme was that the information proposed to be collected through the NMS, as outlined in Part B of the discussion document, would have limited ability to provide a more comprehensive understanding of how effectively the RMA is being implemented. A common concern was that the proposal overly focused on inputs, efficiency and operational matters, with significant gaps in relation to outcomes, plan effectiveness, and the quality of decision-making. The proposed NMS would therefore only be able to tell part of the story about the effectiveness of the RMA. Submitters requested a greater focus on measuring outcomes and whether the purpose of the RMA was being met through the quality of plans and decisions.

Feedback also questioned the ability of the proposed NMS to provide qualitative, contextual information, which many considered to be essential to tell the story about the RMA and its effectiveness. It was suggested that more qualitative questions and analysis throughout the NMS were needed to provide a better understanding of some of the more complex drivers and factors underpinning RMA processes. It was also suggested that a greater focus on the quality of decisions and plans was needed, rather than simply focusing on the time and costs to develop and administer them.

There was some acknowledgment of practical difficulties in measuring 'outcomes' and the 'quality' of processes and decision-making, and in linking this information at the national level to provide a comprehensive picture of the effectiveness of the RMA. Suggestions on how to address the gap were mixed. Some supported the intent to build the NMS over time and begin to link the operational monitoring framework to outcomes. Others suggested the limited information about outcomes and context was a significant gap that needed to be addressed before the NMS was rolled out nationally.

Ensuring the system is fit-for-purpose and cost effective

There was a high level of uncertainty about how the proposed NMS would deliver a more integrated, coordinated and efficient approach, how the information would be collected and reported, what data format would be required, and what system(s) would be required. While most submitters understood the principle of an automated national system, there was some concern about how this would interact with, and extract data from, existing council RMA monitoring systems, given these varied considerably both between and within councils.

Development of an efficient, flexible and effective IT solution was considered by many to be important to help implement a new NMS. It was also generally considered to be more cost-effective to develop this IT system at the national level rather than councils doing this individually. In designing this system, it was considered important to ensure it was:

- **Fit-for-purpose** – the system needed to capture information that had clear value and purpose and reflected the relative costs and benefits of collecting and reporting that information.

- **Cost-effective** – there was support for a more cost-effective system that reduced double handling of information and delivered greater efficiencies in data collection and reporting. Many also considered that the national system needed to integrate with, complement and build on existing council systems and processes, given the significant resources invested in these.
- **Adaptable** – it was considered particularly important that the system was adaptable, flexible and responsive in light of current and future changes to the RMA and changing information demands and needs. The system needed to be able to capture any new or additional data.

Some councils expressed concern about data security with the increased level of data sharing and reporting. Others were concerned that the Ministry would be able to extract data directly from their systems, with a general preference for councils to instead provide information to the Ministry.

A concern was also raised about the proposals creating increased costs for councils which could be passed on to end users and that the impact on other RMA implementers had not been adequately considered.

Minimising duplication, unnecessary effort, and compliance costs

A clear theme was concern about the additional costs associated with the proposed NMS, particularly for councils who would face costs to adjust their systems and provide the additional administrative effort required. While some additional costs were seen as justified to deliver the benefits associated with a better understanding of the RMA and its implementation, it was considered that there needed to be more in-depth analysis of the proposed NMS – both the approach and the intended scope of data capture – to minimise duplication, unnecessary effort, and compliance costs.

To help reduce costs and assist with the implementation, it was suggested that there could be:

- a robust analysis of costs and benefits, both at the national and local level, to understand where benefits and efficiencies could be gained through a nationally consistent approach, and maximise these benefits for councils
- a process developed to ensure the new NMS was designed to build on and complement existing council systems rather than require these to be completely redesigned
- a longer, staged implementation programme
- a pilot project with a group of willing councils before the NMS is rolled out nationally.

5 Feedback on the five general questions

This section summarises feedback to the five general questions in Part A of the discussion document. All parties involved in implementing the RMA were invited to respond to these questions.

Question 1: Merit of a nationally consistent system

Submitters were asked “Is there merit to develop a nationally consistent monitoring system for the RMA?”

Sixty-two submissions addressed this question. The remaining five submitters either did not provide a specific response or their response to this question was unclear.

Overview of feedback

There was a high level of support for a more nationally consistent monitoring system for the RMA from 61 submissions. One submission stated that they “did not oppose” the proposal.

Submitters identified several benefits a nationally consistent monitoring system for the RMA would deliver:

- Greater consistency and comparability in data capture and reporting (22 submissions).
- Increased knowledge about the implementation of the RMA to inform policy, future RMA amendments, and supporting initiatives (23 submissions).
- Efficiencies and greater certainty (three submissions).
- Increased levels of confidence and accuracy in data (two submissions).

A large number of submissions (21) noted their support was in principle or conditional on improvements to the proposed NMS. The main recommended improvements are identified below.

Key areas for further refinement and improvement

Most submitters indicated that the proposed NMS needed to be refined or improved in some way. These suggestions related to the scope of the proposed data capture and the approach to implementation. The main areas for improvement and refinement related to:

- **Broader focus** – the monitoring system should be more focused on monitoring outcomes and plan effectiveness, and less focused on timeframes, inputs and efficiency (23 submissions).

- **Cost-effectiveness** – the costs to councils need to be considered in more detail and more needs to be done to ensure the system’s cost-effectiveness (19 submissions).
- **Value of data** – the information captured should be useful and have clear value (16 submissions).
- **Understanding context** – the data captured should not be used to 'tell the story' or measure performance without better consideration of context (nine submissions).
- **Timeframes for implementation** – further consideration is needed of the proposed timeframe for implementation and initiatives need to be in place to support councils to implement the new requirements (eight submissions).
- **Acknowledging variability** – the monitoring system needs to consider and account for variability in the issues different councils deal with and their processes, and recognise that this will make some comparisons problematic (five submissions).

A number of submitters also considered that there may be more effective and efficient ways of collecting the information (11 submitters). Suggestions included:

- Direct audit of council performance and targeted assistance to improve practice.
- Further development of the objectives of the proposed NMS, design of data structure and evaluation methodologies, in collaboration with local government and resource user sectors.
- Further work to better establish links between reporting systems and larger reform processes under way.
- Supporting the new monitoring requirements with ongoing guidance and training opportunities, working with local government to refine the system and developing new technology to enable implementation.

LGNZ also provided recommendations to refine and develop the proposed NMS and a number of councils identified their support for those recommendations. These included:

- Developing a framework, in collaboration with local government and others, to evaluate and test the design of data structures proposed in the NMS before it was confirmed.
- Reviewing the scope of datasets and data management systems across a good range of councils to provide a basis for designing data management systems.
- The Ministry first working with willing councils to pilot the NMS before it was rolled out nationally.

Question 2: The information

Submitters were asked “Has the right information been identified to help tell the story about the implementation of the functions, processes and tools of the RMA?”

Fifty-nine submissions addressed this question. The remaining eight submitters either did not provide a specific response or their response to this question was unclear.

Feedback was variable – 13 submissions said that the right information had been identified and 10 submissions disagreed with this statement. In general, submitters identified some gaps in the information identified in the discussion document (36 submitters).

Key information gaps

A number of information gaps were identified in the proposed NMS that would limit its ability to tell the story about how effectively the RMA is being implemented. Many of the gaps were closely related to the key themes:

- **Limited qualitative information on context** – 27 submitters identified a considerable gap in the proposed NMS’s ability to provide the qualitative, contextual information they considered essential for telling the story about how the RMA was being implemented. It was also considered that there was too much focus on quantitative information – while useful, it only tells part of the story.
- **Limited ability to monitor outcomes and plan effectiveness** – 21 submitters said the proposed NMS had limited ability to measure the outcomes of the RMA, plan effectiveness and the quality of decisions. A number acknowledged that this was a difficult area and that further work was intended. However, a number of submitters considered this issue to be a fundamental flaw that needed to be addressed sooner.
- **Lack of integration with state of the environment monitoring** – while the discussion document identified state of the environment monitoring as out of scope of the proposed NMS, 17 submissions still identified this as an important gap. A number considered more work to integrate these two areas of work was needed now rather than in the future.
- **Limited explanation of the need for, and value of, the data** – 22 submitters said there needed to be explicit reasoning for the different data requirements and these requirements needed to be justified in terms of the relative benefits and costs of collecting it.
- **Use of data** – related to the above point, 16 submissions asked for greater clarity about what data would be used for, such as whether it was to measure performance, tell a better story about the implementation of the RMA, or to support and inform policy development and related initiatives.
- **Limited links to other local government monitoring** – nine submissions considered there was the potential to better link the proposed NMS to other local government monitoring and reporting, particularly monitoring under the Local Government Act 2002.
- **Insufficient explanation and guidance on information requirements** – eight submissions said more information was required to ensure that data was recorded and reported in an accurate, consistent and efficient manner.

In addition to the general feedback, a number of councils identified specific gaps in the proposed datasets, including:

- the relationship between plans and consents
- the quality of plans and policy statements
- approaches to compliance
- the nature and scope of consent conditions
- the use of ‘exceptions reporting’ where timeframes had not been met.

One of the professional bodies’ submission identified additional information that could be captured through a national monitoring system to provide a better understanding of context, including: council size; councils’ income, and level of budget allocated to different RMA processes; council policies on user charges; how decisions are made on resource consents; and the appointment of hearing commissioners.

Question 3: Barriers and challenges

Submitters were asked “Are there additional barriers or challenges to the proposed National Monitoring System for the RMA that have not yet been identified?”

Fifty-one submissions addressed this question. The remaining 16 submitters either did not provide a specific response or their response to this question was unclear.

Fifty submitters agreed there were additional barriers or challenges to the proposed NMS. Of these, most elaborated on those already outlined in the discussion document. Only one submission said there were no additional barriers.

Key barriers and challenges

The key barriers and challenges to the proposed NMS were:

- **Costs** – 38 submissions identified the additional time and costs to capture data as a barrier, while the costs to modify systems were identified in 35 submissions. Councils reported limited resources to make changes to systems and software, and said costs would need to be factored into annual planning processes. A number of requiring authorities were concerned that the additional monitoring requirements would be difficult for them to fulfil and would increase the costs of certain processes for councils.
- **Consistency and comparability of data** – 28 submissions identified this as a challenge due to the variability among councils and the different systems and processes used to capture and report RMA data.
- **Limitations of council monitoring systems** – 15 submissions noted that many council RMA monitoring systems had limited capacity and interoperability, which would be a challenge to the design and implementation of a national monitoring system.
- **Timeframes for implementation** – 13 submitters considered the timeframes for implementing the proposed NMS were optimistic and/or unrealistic.
- **Value and usefulness of data** – 10 submitters said ensuring that the data had value to help tell the overall story on the effectiveness of the RMA was a challenge.
- **Ability to adapt** – six submissions highlighted the number of reform processes under way and the challenge of ensuring the new system was flexible and able to adapt to new information requirements and demands.
- **Data security** – three submissions highlighted data security as a particular issue for commercially sensitive information, and for data systems in general, due to risks with data sharing.

Barriers and challenges associated with specific data requirements outlined in Part B of the discussion document were raised in 11 submissions. Those considered to be particularly challenging to capture and report included:

- recording consent sub-types in a consistent manner (refer to question 10 in section 6 for a more detailed discussion)
- providing a consistent approach to recording ‘compliance’, which is interpreted and recorded in different ways (eg, does it mean compliance with specific consent conditions, or with the resource consent overall?)

- incorporating more information on Māori participation and values into RMA monitoring systems
- difficulties for requiring authorities to record certain information when it may be better and more efficient for councils to do this.

Question 4: Support required

Submitters were asked “What type of support or systems do you think will be required to implement the proposed National Monitoring System for the RMA?”

Fifty submissions addressed this question. Most identified areas of support or systems to help implement the proposed NMS, which ranged from general feedback to specific recommendations and initiatives. Many submitters also identified more than one type of support required to help implement the proposed NMS.

Key areas of support required

Submissions identified the following support and systems to implement the proposed NMS:

- **Guidance, training and quality assurance** – 25 submissions identified a need to provide guidance and training to support the design and implementation of the proposed NMS, and that quality assurance processes should also be incorporated into the system. This was particularly important to help ensure council staff involved in capturing and reporting data could do this accurately, efficiently and consistently.
- **Development of an IT solution** – 23 submissions considered that an effective and efficient national IT solution was essential to help implement the proposed NMS. It was generally seen to be much more cost-effective for central government to design and deliver a national solution rather than councils having to do this individually.
- **Additional resources to modify systems and implement the NMS** – 17 council submissions identified a need for additional resources to offset the additional costs of modifying systems and recording additional information to implement the proposed NMS. It was generally considered the additional resources should come from central government as the main beneficiary of the NMS. Some submitters also suggested that resourcing should be targeted to smaller councils with fewer resources.
- **Standard definitions and agreed data standards** – 17 submitters identified the need for standard definitions and agreed data standards to ensure data was recorded and reported accurately.
- **Timeframes for implementation and approach** – as reported under question 3, 13 submitters considered the proposed implementation timeframes challenging. To address this, it was suggested that this timeframe should be extended or staged, and/or there should be an initial pilot with a group of willing councils.

Five submissions said more consideration should be given to better utilising existing systems to avoid duplication, and to promote consistency with existing systems. It was also suggested that further consideration and work was needed to identify whether it was more cost-effective to develop new systems or upgrade existing systems.

Question 5: A user satisfaction survey

Submitters were asked “What might a national user satisfaction survey for the RMA look like, what would it cover, and what costs or benefits would it create for your organisation?”

Potential scope and design of a national satisfaction survey

Forty-six submissions commented on the scope and design of a national satisfaction survey. The remaining submitters either did not provide a specific response or their response was unclear.

The most common response to this question (34 submissions) was to query what was meant by a national user satisfaction survey and to express the view that considerable thought needed to go into the survey’s design to achieve benefits from it. For example, it was considered that there should be careful consideration of the target audience and question design to eliminate bias, and a need to obtain representation from a range of users (not just unhappy applicants or submitters).

Many submitters (30) said that collecting contextual and qualitative information was vital for interpreting satisfaction levels with the RMA. It was noted that some people had an aversion to regulation and may be unsatisfied with a particular outcome, even though it might be considered the right outcome from a community or environmental perspective.

Another reason it was considered important to collect qualitative information was to understand people’s expectations and knowledge of RMA processes when assessing their satisfaction levels. Six submitters noted that they considered the public generally does not have a good understanding of the RMA, particularly if they have had no experience with it. It was also noted that the public often confuses different councils’ functions and/or has unrealistic expectations.

It was considered by 26 submitters that any national survey should focus on the effectiveness of the RMA, including community and environmental outcomes, and not just focus on costs and the timeliness of processes. Consistent with this was a view expressed that the definition of ‘users’ needs to be broad (24 submissions), including not just consent applicants and submitters but other stakeholders (eg, members of the community who benefit from consenting decisions even if they are not directly involved). Some examples of other stakeholders that should fall within the scope of ‘users’ included neighbours, iwi, investors, professional organisations, local authorities, passive individuals, and community groups. On the other hand, 14 submitters also identified that it is very difficult to get the views of the “silent majority” for whom the RMA may be working well for.

There was also some concern from three respondents that a national survey may gloss over important local priorities, issues and context, and that it might be too generic to be useful. Four respondents said they thought a national template and guidance might be useful if it was possible to adapt the survey or supplement it with questions of local interest. Similarly, six councils stressed the importance of any national survey complementing existing satisfaction surveys.

A number of submitters also supported the use of a national satisfaction survey as a useful way of comparing the provision of planning processes across different councils.

Benefits and costs of a national satisfaction survey

Twelve submissions commented on the costs of a national satisfaction survey and 24 commented on the benefits. The remaining submitters either did not provide a specific response or their response was unclear.

Several respondents noted that it was not possible to determine the costs of the proposed survey without additional detail on its scope and design. Nine submitters expressed concerns around the potentially high cost of undertaking the survey. There was a request for the opportunity to give further feedback when more information and detail on the survey was available. Three submitters expressed the view that the survey should be administered and funded by central government and not result in additional costs to councils.

Similarly, many submitters noted that the benefits of a national satisfaction survey would depend on the survey's design and purpose. However, some submitters did identify some high-level benefits, with the most common relating to the results being used to improve the effectiveness of the RMA (nine submissions). Other benefits commonly noted were the ability of councils to benchmark their performance against others (three submissions), and that results might help towards achieving nationally consistent standards of service (four submissions). A further 13 submissions provided other benefits which did not fall into a common theme.

6 Feedback on specific questions for councils

This section provides an overview of council responses to the 10 specific questions in the discussion document. The council-targeted questions reflect their role as the primary implementers of the RMA and were specifically designed to capture additional information about existing computer software, monitoring systems, and data management standards, and the strengths and weaknesses of these. It was also intended to identify whether there was general support for the datasets proposed in Part B of the discussion document, and to identify any additional barriers or costs in providing this information.

The analysis of answers provided for the council-targeted questions was undertaken only for the 50 individual council submissions, although not all responded to all questions or all parts of any one question. The combined council response was not analysed here as each of those councils provided an individual submission. While a number of requiring authorities and other agencies also submitted on these questions, their feedback is not included here. It is discussed as part of the specific technical feedback on Part B, presented in section 7.

Question 6: Systems and formats used to record RMA-related information

Councils were asked: “For each function in the table below, please outline what system or format your council currently uses to record RMA-related information.”

Table 6.1 presents the findings for the key software systems currently used by councils. It is important to note, however, that not all councils responded to this question and many responded in different ways. The number of councils which responded to each function is shown in table 6.2. The use of systems is not exclusive, with many councils noting they used a range of systems and software to record and present RMA information (eg, Tech1 may be used to record basic data, but Microsoft Office software may be used to generate reports). While the results in table 6.1 should therefore be interpreted with caution, they do provide an indication of the main systems and software used by councils to record RMA information. ‘Other’ systems identified include Ozone, SQL, Accela, IRIS, Worksmart and a number of custom built systems.

Table 6.1: Use of systems and software by councils for monitoring RMA functions and processes

System	Plan making	Resource consents	Complaints	Enforcement	Monitoring	Finance
Microsoft Word	21	15	15	14	16	10
Microsoft Excel	26	15	14	18	15	7
Microsoft Access	14	7	7	7	11	7
Tech1	3	9	9	4	9	8
CivicA	6	6	6	3	4	5
NCS	4	9	8	6	9	9
Pathway	4	6	5	3	4	4
Other	15	22	19	17	21	20

Table 6.2: Number of councils that provided an answer about each function

	Plan making	Resource consents	Complaints	Enforcement	Monitoring	Finance
Number of submissions	42	43	43	40	41	40

Question 7: Data management standards

Councils were asked: “Does your council have data management standards for collecting information across any of the above functions? Are the standards shared with any other council?”

Use of data standards

Thirty-nine council submissions addressed the first question about having standards. The remaining 11 councils either did not provide a specific response or their response was unclear.

Thirty councils said they used data management standards for collecting information on RMA functions, although the actual use of standards was variable – half (15) indicated the use of standards was limited in some way. Nine councils indicated they did not use any data standards at all.

Some comments from individual submissions included:

- Data management standards were largely determined by the processes and data fields in the system the council operated (eg, minimum requirements for filling in dates, text fields, descriptions).
- Councils have developed internal standard operating procedures which ensure internal consistency in data collection and reporting.
- The NCS system used standardised datasets where practical, but councils also had the ability to add specific data to suit their practices, operational procedures and requirements.

- One council said it had developed a unique in-house system, although the data collected is in line with New Zealand standards for archiving and many fields are mandatory to ensure consistent data entry.
- One council said they have no specific standards for collecting and recording consents, policy and compliance data but its databases record information in a consistent manner and are peer reviewed as necessary.

Shared data standards with other councils

Thirty-two councils answered the second question about sharing standards. The remaining 18 councils either did not provide a specific response or their response was unclear.

The sharing of data standards with other councils was less common. Ten councils said this currently occurred; 22 said they did not share data standards with other councils.

A number of councils identified initiatives that were likely to increase the use of shared data standards with other councils over time. For example, it was identified by one council that standards were currently not shared with other councils but regional collaboration initiatives would see this change. Of particular relevance was the IRIS project which involved six regional councils working together to develop a set of data management standards around regulatory information on the RMA. It was noted how IRIS had the potential to form the basis of a national approach for regulatory data.

Councils also identified how the use of common software systems resulted in the use of data standards across councils. For example, it was identified how the NCS consent management system was used by a number of councils, leading to similarities in the data standards among councils that used this system.

Question 8: System strengths, weaknesses and interoperability

Councils were asked: “What are the strengths and weaknesses of your systems to collect RMA information? How interoperable is your data with other systems you use? For example, finance, resource consent processing, plan making, monitoring, compliance and enforcement.”

Forty-one council submissions addressed this question. The remaining nine councils either did not provide a specific response or their response was unclear.

Strengths and weakness of systems

Councils identified a number of general strengths and weakness with their systems to monitor the RMA, in both their overall monitoring systems and in specific systems and software. Some of the common strengths of RMA monitoring systems included that the system:

- was integrated
- captured comprehensive information, or had the ability to do so
- had the ability to extract and generate data

- had consistency in data capture and reporting
- assisted with legislative compliance, public reporting, and other internal and external requirements
- was efficient to administer.

Some common weaknesses were that the system:

- had a lack of integration and/or limited interoperability
- did not capture full information and/or had accuracy issues
- was time-consuming, labour intensive, and complex
- was limited in its ability to record qualitative information and explain results
- was expensive and difficult to modify (inflexible)
- had limited reporting functionality and ability.

Interoperability of data with other systems

There was a high level of variability in the responses to the question about interoperability, with some councils stating their systems and data had very limited interoperability, and other councils stating that they had, or were moving towards, fully integrated systems with interoperable data. Most councils noted that data captured by their systems was able to be transferred and reported using Microsoft software, such as Word and Excel. A number of councils also identified how their plan monitoring system was separate and not well integrated with other RMA processes.

Question 9: Capturing cost and resource information

Councils were asked “How easily can annual cost and resource information for plan changes, resource consents and monitoring and compliance activities be captured from existing finance systems? Does the format included in Part B align with how you report this information? If not, is there a better way?”

Plan making

Thirty-three council submissions addressed the first part of this question about plan making. The remaining 17 councils either did not provide a specific response or their response was unclear. Thirty councils addressed the question about the format of Part B of the discussion document for plan making.

Ten councils said it would be easy to capture annual cost and resource information from existing finance systems and seven indicated it would be moderately easy. Twenty councils said their data does not line up with Part B, with the remaining 10 stating that theirs does (five) or somewhat does (five).

It was clear from responses to this question that recording the time and costs associated with various aspects of plan making would be an issue for many councils. It was noted by a large number of councils that they don't have a time recording system for staff involved in plan making and changes to systems and time recording processes would be required.

A number of councils also identified how they had different divisions with different budgets and recording systems, which would make capturing the entire costs associated with plan making challenging. For example, it was noted that it would be challenging to account for technical advice and input from the range of departments that might be involved. Clarification was also sought about whether overheads would need to be captured, as this would be difficult, and also about the use of external consultants and how this would be captured as an FTE component.

Some councils also noted that it would be difficult to differentiate costs if there were multiple plan changes occurring at once. Cost information for private plan changes appeared to be better recorded (as these were generally user pays) and could generally be reported more easily.

Resource consents

Thirty-three councils addressed the first part of this question about resource consents. Thirty-six councils addressed the question about the format of Part B of the discussion document for resource consents.

Nineteen councils indicated it would be easy to capture data from existing finance systems and 11 indicated it would be moderately easy to do so. Three councils said it would be difficult to capture this information.

Twenty-seven councils reported that their data aligned or somewhat aligned with the priority information in Part B. Nine councils said theirs did not. Most councils did not make specific comment about the non-priority information in Part B, such as tangata whenua advice on resource consents. It is therefore difficult to conclude whether or not the non-priority information was already recorded or how difficult this would be to do.

Generally the capture of information on resource consents, especially information on the different stages of the process and for individual consents, appears to be much more widely recorded by councils and much easier to collate than the information for compliance and plan-making activities. There was some comment that although the information was recorded, collating the information would be manual and time consuming for some councils.

Comment was made that overheads were difficult to attribute, as were costs for common services, such as general advice or providing a duty planner. Providing information about the deposit charged for resource consents would be straight forward but potentially not directly comparable between councils.

Some councils advised that the processing charge passed on to applicants was invariably not the full cost. Confirmation would therefore be needed about whether it was what the applicant was charged or the costs the council incurred. Also, charges outside the consenting team (eg, technical input) were not charged and therefore not easily captured by some councils.

There was uncertainty around whether the charges reported would be inclusive or exclusive of GST and which costs to include. For example, in addition to staff costs, hearing costs

can include councillor and/or commissioner costs, venue hire, catering, airfares and accommodation.

Complaints, monitoring, compliance and enforcement

Thirty-two councils addressed the first part of this question about complaints, monitoring, compliance and enforcement. Thirty-three councils addressed the question about the format of Part B of the discussion document.

Twelve councils indicated it would be easy to capture data from existing finance systems and 16 indicated it would be moderately easy to do so. Four councils said it would be difficult to capture this information.

Thirty-two councils said they could capture the information required by Part B, either easily (24) or moderately easily (eight).

Some of the challenges identified in reporting this information in the format in Part B of the discussion document included:

- Often councils have combined budgets for one or more aspects of complaints, monitoring, compliance and enforcement, so their current reporting would not align.
- Councils often have staff undertaking work in different areas (eg, consents and monitoring) and some have staff undertaking compliance across different legislation (RMA, health, bylaws etc). This would make it difficult to separate out costs and provide consistent reporting.
- Finance information about complaints, monitoring, compliance and enforcement was often held over several databases and in a variety of formats and may be required to be collated manually.

Finally, the submissions suggested a number of councils misunderstood the level of detail required by Part B – further clarification may be required in this area.

Question 10: Resource consent sub-categorisation

Councils were asked “A ‘sub’ categorisation of resource consents is proposed. Is there a standard list of categories that can achieve this without being too complex and onerous to monitor and report against? If so, what would it include?”

Thirty-three council submissions addressed this question. The remaining 17 councils either did not provide a specific response or their response to this question was unclear.

It was clear that no councils considered the creation of a ‘sub’ categorisation for resource consents would be an easy exercise. Most considered it would be difficult to develop a standard list of categories that was not complex and onerous to monitor and report against. Only nine councils provided a sub-category list based on their current practice and there were vast differences between them. This suggests a ‘sub’ categorisation of resource consents would be difficult to develop.

Most councils identified merit in developing a ‘sub’ categorisation of resource consents but noted that the more detailed the list, the more differences there would be across councils. A

number of councils record consent types based on the plan rule infringed (for example, parking, bulk or location) but the variation in planning provisions would make it difficult to be consistent and comparable across councils. It was also noted that any ‘sub’ categorisation of resource consents would need to be clearly defined, and the number of consents that fit into multiple sub-categories would need to be factored in.

It was noted that recording a ‘sub’ categorisation of resource consents in a consistent way would require most councils to change their current practice. Councils had concerns about the costs and practicalities of this. Some of these challenges were identified by councils involved in the IRIS project, which attempted to develop a standard list of sub-type categories. That process has highlighted the vastly different practices councils have for consent sub-categorisation. While some councils followed the consent categories in the RMA, others’ systems were unique to the particular council.

Question 11: Information to tell the story

Councils were asked “Has the right information been identified to help tell the story around the implementation of the functions, processes and tools of the RMA? If not, what is missing or should be removed?”

Responses to this question reflect the general comments and key themes already reported under Question 2 (section 5) and are therefore not repeated. Please refer to that section for an overview of the feedback.

Question 12: Reporting the priority information

Councils were asked “Are you able to report the ‘priority’ information identified in Part B at the end of the 2013/14 monitoring year? What additional cost or capacity would this require to report?”

Forty-two council submissions addressed this question. The remaining eight councils either did not provide a specific response or their response to this question was unclear.

Ability of councils to report priority information

Most councils identified they could report some or most of the priority information in Part B of the discussion document (30 submissions) at the end of the 2013/14 monitoring year. Fewer than half (12) said they could not report the information.

Councils that could provide the priority information identified a number of factors that would affect the extent of information provided. For example, it was noted that information collected under the RMA Survey would generally be able to be reported. In particular, information relating to the times, costs and resources associated with resource consent processes. However, information not currently collected in the RMA Survey tended to be either recorded but not readily available, or not currently captured. Plan making was a common area where some information was available in reports and records, but not in a format that was easily extracted and reported. It was also noted that whether plans and consents gave effect to a national policy

statement or national environmental standard was not generally recorded and this would require some additional effort and resources.

The ability of councils to capture priority information about monitoring and compliance was also variable. Some had most of the information available, while some would have to make substantial changes to their systems and processes to capture it for reporting in the prescribed format.

A number of councils also highlighted the importance of knowing the extent and form of information to be captured and reported well in advance of it being required. This is seen as necessary to allow systems and processes to be reviewed or put in place in time to enable information to be captured and reported.

Additional cost or capacity required to report priority information

Responses to this part of the question varied, with a number of councils noting that they were generally not able to quantify the potential cost to report the priority information, or could not do so without more detailed analysis. Where an indication of the additional costs and capacity was identified, the range of responses included:

- It would require significant or considerable effort (with no quantification of the scale or degree).
- Information could be reasonably provided under current systems without any additional costs or resources (although in some cases this only related to information currently captured for RMA Survey reporting).
- Estimates of the additional resources required to capture and report the additional information – ranging from 2–6 or more weeks of FTE time.
- Estimates of additional costs to make the required changes to systems – ranging from references to budget constraints, through to potential costs of \$20,000–\$200,000 per council.

A number of councils provided additional information about the effort or resource required. For example, additional costs would be associated with the requirement to manually capture, extract and provide information on plan making or on areas of information not currently captured by the RMA Survey.

Another cost related to the need to change systems to enable information to be captured through business as usual processes. Some councils considered that capturing information before systems were modified to do so was impractical or would require additional resourcing.

An overarching point in a number of submissions was that the costs and effort to collect and report additional information was not currently budgeted for. As such, this would require resources to be taken away from other areas and could potentially affect councils' wider ability to meet statutory responsibilities.

Question 13: Additional costs or capacity to capture and report all information

Councils were asked “What additional costs or capacity would be required to capture and report all the information proposed by 2014/15?”

Additional costs to capture and report information

Forty-one council submissions addressed this question. The remaining nine councils either did not provide a specific response or their response to this question was unclear.

Twenty-eight councils specifically commented about costs, with the main theme that the actual costs were not known and would be difficult to accurately quantify based on the information provided in the discussion document. Ten of these councils commented that the costs were too difficult to estimate at this stage because the design and final requirements were not yet known. An accurate estimate of costs was therefore not possible.

However, 10 councils did provide specific estimates of the additional costs required to capture and report all the information proposed by 2014/15. These cost estimates were:

- A few thousand (one district council).
- Tens of thousands (three district councils).
- \$44,000 (one district council).
- \$50,000–\$100 000 (one city council).
- \$230,000–\$280,000 (two district councils and one city council).
- A multi-million dollar project (one city council).

In addition, eight councils emphasised the significance of the costs, but did not indicate a figure or range.

Additional capacity to capture and report data

Twenty-six councils provided specific comment about the additional capacity and work required to capture and report all the information proposed by 2014/15, and these are summarised in table 6.5. Modifications to IT systems was the primary area. Two councils commented that the additional capacity required was not easily assessed, and nine councils emphasised that the additional capacity required was likely to be significant.

Table 6.3: Areas where additional capacity would be required to capture and report data

Additional capacity required	Number of submissions
Modifying IT system	17
Report (staff resource)	7
Assess IT requirements	6
Integrate finance systems	3
Implement timesheet system	2
Record upfront (staff resource)	2
Train and up-skill staff	2

Responses about the additional capacity required varied, and seemed to be strongly related to how automated councils' current systems were and the methods currently used to capture and report information (eg, for the RMA Survey).

Other areas of additional capacity identified by councils included the need for:

- business analysts or technical advice to assess what changes were required to their existing IT systems before making any changes
- support to reorganise finance and budget systems to better link with RMA monitoring systems
- a new and comprehensive time recording system
- additional staff time and resources to record additional information upfront and ensure quality assurance procedures were followed
- training and up-skilling staff about the new system and new data requirements.

Timeframe to capture and report data

Thirteen councils made specific comments about the proposed timeframe of having all data captured and reported by 2014/15.

Nine councils commented that the 2014/15 timeframe was too short, with some considering it to be "extremely optimistic". These comments were generally based on the extent and level of information and integration required by the proposed NMS. The proposal to begin implementation during the current financial year and completing it during 2014/15 did not adequately take into account the constraints of local government planning processes, nor align with the Local Government Act's annual planning and long-term planning cycles. Some councils submitted they needed at least six months' lead-in time to undertake changes to IT systems.

Question 14: Benefits and opportunities of improved RMA monitoring

Councils were asked "What benefits or opportunities could improved RMA monitoring (standards and tools) provide you?"

Thirty-nine council submissions addressed this question. The remaining 11 councils either did not provide a specific response or their response to this question was unclear.

Ten councils considered there were limited benefits or opportunities provided by improved RMA monitoring standards and tools. Other councils made further comments about the proposal that were not specifically related to benefits or opportunities. For example, it was identified that the proposal would increase the amount of resources required for reporting, taking council staff away from their core roles. Others were concerned that the results would be used to compare plan changes between councils. One council submitted that it would like to see the information used to identify councils that are having difficulties achieving the desired standards and environmental outcomes so that their organisations and staff could be supported to improve.

Benefits and opportunities that were identified by councils are in table 6.6. Each theme is expanded on below.

Table 6.4: Key benefits and opportunities arising from improved RMA monitoring

Theme	Number of councils that identified benefits/opportunities in theme
National comparison	14
Support processes and practices	12
Improved plans and links to implementation	10
Monitoring and improving performance	7
Collaboration with other councils	6
Improved national policy	5
Interoperable standards	5
Greater efficiencies	2
Improved accountability	2

National comparison

The ability to make national comparisons was identified as a key benefit in 14 submissions, particularly how it would allow benchmarking between the performance and type of RMA work being processed by different councils. Submissions identified an opportunity for improved RMA monitoring to allow the timeliness, cost and resourcing of councils' performance and processes to be measured and compared. Councils submitted this would provide greater empirical evidence about whether RMA implementation issues of concern in one council were systemic or atypical in the national context.

It was suggested that more accurate comparisons across councils could also highlight:

- where process improvements needed to take place and where they should be focused
- where better guidance and support from central government could be provided
- whether central government intervention was required.

There was an opportunity identified by councils to build a “regional RMA picture” – that is, a picture of how local authorities perform together within each region. It was also highlighted that the proposed NMS would allow a better understanding of the distribution of work, and an ability to monitor fluctuations, both regionally and nationally.

Support processes and practices

Twelve councils submitted that improved RMA monitoring would enable councils to better understand processes, practices and outcomes, and to identify what needed improving (ie, where timeframes had not been met or costs had been disproportionate). This would allow opportunities to be identified to support, improve and streamline processes. It was also suggested that this may allow for better decision-making and provide greater value in councils' own RMA monitoring and reporting. Overall, it was considered that better RMA information would help better demonstrate where processes were working well and what needed improving.

A number of submitters also identified the NMS as a potential repository for other information such as declarationas and case law or a central point to collate research, audits, and case studies by councils, universities and the Ministry.

Improved plans and links to implementation

Ten councils identified how improved RMA monitoring offered benefits and opportunities to improve RMA plans and provide a better feedback link between the plan and its implementation through resource consent processes and compliance monitoring. Councils said better RMA information would:

- better identify implications of plans on processes, as well as any risks and issues with a plan
- provide more information to assess the efficiency and effectiveness, costs and benefits of a plan
- build better baseline data for a plan
- better inform the review of planning instruments and provisions
- provide a basis for forward planning on future plan change work
- provide more information to assess the efficiency and effectiveness, costs and benefits of the plan-making processes
- assist with state of the environment reporting.

Monitoring and improving performance

Seven councils identified how improved monitoring should allow councils to better measure and compare their performance and to assess their delivery and effectiveness overall (specifically, in the areas of plan making, consenting and compliance). The information could help highlight what was working well and what needed to improve. It was suggested that it may help create meaningful annual plan key performance indicators (KPIs).

Collaboration with other councils

Six councils identified the ability to promote collaboration with other councils as a benefit and opportunity brought about by improved RMA monitoring. For example, this may enable councils to tap into work and/or thinking already under way in other parts of the country, reducing duplication and encouraging collaboration and the sharing of information. It was identified how this may also provide a forum for sharing good practices, successes and lessons

amongst councils. It was also identified how improved RMA monitoring through the proposed NMS could provide an opportunity to share knowledge of repeat RMA offenders.

Improved national policy

Five councils identified how improved RMA monitoring through the NMS could lead to more informed and improved policy. For example, better information on the RMA could enable better focus on the issues and need for legislative change, provide a more robust evidential basis in support of legislative and other policy changes, and allow better estimates of required resources in nationally driven documents.

Interoperable standards

Five councils identified that improved RMA monitoring through the NMS would, in effect, force implementers of the RMA to standardise their data collection and reporting, and therefore modernise monitoring capabilities. It was noted that the proposed NMS would provide greater direction on why, how and what would be monitored and ensure a standardised process across councils. This could also promote improved accuracy of data (including reducing the varied interpretation of RMA Survey questions).

It was also noted that greater standardisation offered potential to require local government software providers to meet a common standard of providing applications and software that met third party data and functionality requirements.

Greater efficiencies

Two councils highlighted the potential benefit and opportunities for efficiencies through improved RMA monitoring. They submitted that, in the long term, time could be saved on the RMA Survey, with the potential for further time to be saved by integrating RMA and Local Government Act monitoring and reporting under one system.

Improved accountability

Two councils submitted the proposed NMS would ensure councils were more accountable to the community.

Question 15: User satisfaction surveys

Councils were asked “Does your council conduct user satisfaction surveys specific to RMA processes? If yes, please describe the drivers for the survey/s, their frequency and format, and how you use the results to improve the RMA user experience in your area.”

Current satisfaction surveys

Forty-two council submissions addressed this question. The remaining eight councils did not provide a specific response to this question.

Thirty-six councils identified that they undertook some form of user satisfaction survey. Six councils identified that they did not.

While the nature of surveys undertaken varied, they were generally within one of the following three categories:

- Survey of consenting processes only (12 councils).
- Survey of residents, community and ratepayers to determine general levels of satisfaction with council processes (11 councils).
- A combination of a general survey of residents, as well as a specific survey of consenting processes (seven councils).

Six councils did not provide specific details on the type of user satisfaction survey they undertook. Five councils said they ran other types of surveys that measured satisfaction levels with other council functions and processes (eg, plan making). However, these were generally rare compared to surveys of consenting processes and those of residents, community members, and ratepayers. Some topics covered by current surveys included:

- Awareness and understanding of council services and processes, including communications.
- Perceptions of key environmental issues.
- Customer satisfaction among users of services, including duty planner, building and resource consent processing, strategic planning, monitoring and complaints, and rubbish and recycling collection.
- Satisfaction with council infrastructure and facilities (eg, water supply, wastewater, roads).
- Customer satisfaction with responsiveness, advice and/or integrity.
- Perception of value for money from rates.
- Areas for improvement in council processes.

Of the 36 councils that undertook surveys, 27 provided information on the frequency. Thirteen councils undertook surveying annually, five did it 2-yearly and the remainder did it at other frequencies. A number of councils said they surveyed every consent holder, but this information may be collected once a year, continuously or at regular points throughout the year (eg, quarterly). Twenty councils provided information on the format of their survey. The most common method of collecting data was online (seven) or by phone (six).

In terms of the drivers for the survey and how the results were used, 25 councils said they used them to understand the levels of service and improve their performance (with some explicitly referring to KPIs in long-term plans). Seven councils noted that they used the survey results in their annual reporting. However, councils also identified issues with the effectiveness of the user-satisfaction surveys, including limitations around respondent bias and low response rates.

7 Technical feedback

As well as providing feedback to questions in the discussion document (reported in sections 5 and 6), a number of submitters (both councils and others) took the opportunity to provide specific feedback on Part B of the discussion document. Feedback on the technical aspects of the proposed NMS was also captured during the council workshops. The feedback covered both the information sought and the proposed approach to collect and report it. This section provides an overview of that feedback.

Many of the technical comments iterated some of the general themes already discussed in sections 5 and 6. In particular, technical feedback emphasised the need for:

- further clarification, definition and standardisation of the data being requested, both to ensure accurate data collection and reporting, and to provide consistency and comparability of information at the national level
- more information and analysis on the value and purpose of the data being requested so councils and other RMA implementers could understand why it was required before making any changes to current monitoring systems and priorities.

These key themes have not been repeated for each dataset below but will be considered in further technical review and refinement of the proposed NMS.

Regional policy statements and regional and district plans

General comments

- Workshops identified that aspects of the information are of use to councils to inform and compare how they manage and approach plan-change processes.
- It was suggested that there could be merit in setting up a national register or online portal to record all plan-making information requested through the NMS. Each council could then log priority information and add additional data over time if they did not currently have the systems or capacity to do this. An online tool such as this was also considered to be potentially better and more efficient than councils developing and/or modifying their current plan-making systems just for reporting purposes.
- It was noted that quite detailed information was being requested on plan changes and it was suggested the Ministry should consider whether it was better and more efficient to do a detailed, periodic review of a set of plan changes rather than require all councils to provide this information on an ongoing basis.
- To provide consistency and greater efficiency in reporting, it was suggested that drop-down menus or standard data fields should be developed. This was seen as particularly important given the range of plan-making data required to be captured and reported.
- Clarification was sought on whether the proposed NMS was also intended to capture information on new plans and variations to plans, as the information requirements appeared to be focused on plan changes.

Plan efficiency and effectiveness

- It was suggested that there needed to be more clarity on exactly what findings were being requested. In particular, whether this area of monitoring was limited to whether RMA section 35 reporting was being done, or whether it extended to the progress being made with the review and the quality of this review and analysis. Concern was also expressed about the lack of criteria and focus on the quality of the plan efficiency and effectiveness review and reporting.
- Submitters also raised the need for clarity on how this section links to monitoring plan outcomes.
- It was suggested that this section should provide opportunity to identify the context of the plan. This was considered important to enable councils to identify whether the plan had been developed as a whole plan or as part of a rolling review, and it was noted that the proposed NMS did not currently appear to allow for this information to be captured.
- Clarification was also sought on a number of the terms in this section including ‘review’ and ‘started’, and standard definitions were suggested.

Context

- Submitters emphasised how two plan changes were not the same. Therefore to capture context the proposed NMS would require a record and an account of a number of factors, such as size, number of sections and/or provisions changed, the complexity of issues, strength of public interest, and if these were minor or major plan changes.
- Submitters submitted that most of the information in this section could be obtained and monitored, but this would require new monitoring and reporting systems as the information is not currently captured in the manner proposed.
- To provide consistency, it was considered there should be standard fields and drop-down boxes, which was seen as particularly important for some of the more subjective areas (eg, ‘drivers’).
- Submitters considered that ‘drivers’ should be expanded to include those outside the RMA, such as Treaty settlements, the Local Government Act, and community concerns and aspirations. It was also recommended that the proposed NMS allow for several different drivers to be identified as this was often the case, rather than there being a single driver for the plan change.
- It was suggested there could also be work on a ‘complexity’ hierarchy (eg, 1–4) that could be introduced with an explanation for each class, which would allow for context to be compared in a more consistent way.

Timeframes

- It was identified that recording the timeframes for background research and scoping for plans would be a problematic area to monitor as it was difficult to define where this begins – projects change and not all research leads to a plan change. A number of workshops discussed the fact that research driving changes can be undertaken under the Local Government Act 2002 as part of the long-term plan process and would be difficult to capture as part of the whole plan change effort.

- Further clarification was sought on exactly what dates would need to be recorded, such as when was a “plan change initiated and/or committed”. It was also noted that the proposed timeframe measures appeared to assume there would always be a formal approval of a plan change before it was notified, which was not always the case.
- Submitters identified the discussion document did not cover the release of a draft plan. This is now common practice so there should be the ability to record this.
- It was noted that the proposed information on timeframes seemed to assume all processes happened sequentially, which is generally not the case. It was therefore considered important to ensure the proposed NMS captured where processes were happening concurrently.
- It was noted that simply collecting additional data on timeframes did not tell the full story as there could be a number of reasons for delays (eg, postponement, withdrawals, costs, political decisions). For this reason, it was suggested there needed to be an ability to provide reasons for timeframes to provide context.
- In addition to mediation and pre-hearing meetings, it was suggested that there should also be the ability to identify where “negotiation” has occurred separately.

Consultation and decision-making

- It was noted that a lot of the information proposed to be collected in this section would be useful, but there needed to be clear definitions and guidance to make sure it was interpreted and recorded correctly.
- Submitters considered that it was important to note that the number of submitters and/or appellants of decisions were not good measures of good or bad consultation, or of the quality of planning decisions. Greater clarity was sought on the purpose and value of the data being requested on submitters and appellants.
- It was noted how councils often placed a large emphasis on pre-draft consultation. The information proposed to be collected in this area would therefore take a while to compile and new systems would be required to record it. Some also considered that the information proposed to be captured on pre-draft consultation was too generic and would provide insufficient information and understanding of the complexity and extent of issues involved.
- In terms of monitoring submissions and further submissions, feedback was that further analysis, clarity and guidance was required. It was noted that information capture proposed for submissions would be problematic as it was generally not captured in the suggested format.
- Submitters identified that submissions and further submissions were generally not simply split into ‘for’ and ‘against’. Most submissions were a mix of both, seeking different changes and decisions on different aspects. It was therefore suggested that submissions be categorised in some other way (eg, support, support with amendment, oppose). It was also considered that submission points may also be a better indicator of the extent of issues, interest and work involved, rather than just the number of submitters. However, it was also identified how submitters’ points could cut across a range of issues, which may make national analysis and comparison problematic.
- It was noted that submissions were also often not split into the proposed submitter type, and different categories were used. It was therefore suggested that there needed to be further work to define the categories of submitter type to provide clarity and consistency in reporting. It was also noted that categorising submitters into a category type generally

required some assumptions to be made, and this could be problematic as submitters could and often did fall into multiple categories.

- A gap was identified in the proposed analysis of submissions. It was considered that the focus should be more on how to promote best practice in submission analysis.
- It was suggested that terms relating to mediation and pre-hearing meetings required further clarification to be recorded in a consistent and comparable way. For example, identifying how many ‘issues resolved’ through pre-hearing meetings was considered to be a problematic area to monitor and there were a number of suggestions that this should be removed from the proposed NMS. It was also suggested that this information should be linked to specific appeals to provide more valuable information.
- For appeals, it was considered important to note and capture the fact that there may be multiple appeals on different issues, which were resolved in different timeframes and ways. The appeals column therefore needed to capture more information on the types of appeals and the nature of these.

Costs and resources (effort)

- Submitters identified that, at present, costs and time associated with plan making were often not captured in the manner outlined in the discussion document. Recording this information would therefore present a major challenge for many councils and would require substantial changes to systems and processes. It was also noted that it may take significant time to separate out the different time and effort that went into plan changes and report this data in a meaningful way.
- Submitters noted that cost information would be difficult to record because not all plan changes had allocated budget. It was also noted that plan change costs may be within a wider resource management budget (eg, water management) or involve a range of different departments with different ways of recording time and costs. To make this information easier to collect, it was suggested that it could be reported as a range, based on estimates, rather than councils having to spend the time and effort to record accurate costs.
- There was some uncertainty about exactly what costs and time needed to be recorded and reported, given the range of internal departments and external specialists generally involved. For example, it was unclear whether ‘total FTE’ implied that only labour costs were required. Further definition and clarity on the scope of the costs and inputs to be collected at each stage was considered to be particularly important to ensure a consistent method of data collection and reporting of plan change costs.
- Submitters identified the need to identify a broader range of costs than those identified in the discussion document. Councils often used in-house experts, consultants and/or commissioned specialist reports in addition to RMA-focused council staff.
- A gap was identified in relation to ‘collaborative’ processes with private developers and it was considered that there should be an ability to capture this information.

Iwi planning documents

- It was noted that this section should also capture planning documents prepared by hapū groups, as this was now quite common.

- Clarification was sought on whether regional councils and territorial authorities were both required to provide this information, given the potential for duplication.
- Merit was seen in setting up a national register or web-based system to record iwi planning documents. It was suggested that this could be on the Te Puni Kōkiri website, with the information on iwi authorities, so all this information was accessible in one place and with a spatial component.
- A concern was raised that the proposed information would not capture the capability of Māori to prepare such documents, or their capacity to actively participate in RMA activities.

Resource consents

General comments

- A number of councils noted that most of the information proposed in this section was generally useful and available. It was identified that a lot of the data proposed to be captured through the NMS was already being recorded for internal processes, statutory requirements and the RMA Survey. However, there were some additional areas that could be challenging (eg, consent sub-type) where further definition and analysis was recommended.
- Overall, it was considered that there needed to be more qualitative information captured on resource consents. This would enable greater focus on the quality of resource consent decisions to assess and manage the effects of activities. It was suggested application quality could be recorded to provide better contextual information and help explain some of the subsequent processes/timeframes.
- Submitters identified how the quality of applications when lodged had a big influence on the subsequent time and costs of the process. However, it was noted that the proposed NMS did not currently enable this information to be captured and this gap needed to be addressed.
- There was also an identified gap in this section on the NMS relating to permitted activities which are often assessed through the building information modelling (BIM) or project information memorandum (PIM) process. Some councils noted how permitted activities are still essentially regulated through the number and types of conditions attached to them and this was a current gap in the NMS. A similar gap was identified for the time and costs associated with assessing compliance with national environmental standards as often this will not trigger a requirement for resource consent.

Context

- There was a high level of feedback that developing a standardised list of consent sub-types would be challenging and complex, and it was considered that this data required further definition, clarification and standardisation. Some councils questioned the value in capturing this information given the challenges it presents whereas some saw it as a valuable area that would enable them to monitor and determine how effective their plan is.
- It was clear from council feedback that councils had different practices in how or if they categorised consent sub-types, and many resource consents would fall into a range of categories. It was also noted how consent sub-type will vary considerably between

territorial authorities and regional councils and presents a particular challenge for territorial authorities given the range of land-use activities. Potential alternatives to the approach outlined in the discussion document included identifying the types of rules breached and categorising consents according to this.

- Consent complexity was identified as another difficult and problematic area in the proposed NMS. It was considered that the criteria proposed in the discussion document were too simplistic as consent complexity was determined by a range of factors other than ‘direct referral’ and ‘number of rules breached’ – such as the nature of the application, affected parties etc. As such, submitters considered that a single definition or category of consent complexity through a national system would be problematic to develop and record in a meaningful way. Instead of the proposed measures, it was suggested there could be a range of categories for complexity (eg, 1–4) with associated narrative definitions.
- Submitters considered that there needed to be more clarification on the number of rules breached as the way in which this is recorded will vary between councils. Further definition and guidance on this area of monitoring was considered to be necessary as there may be multiple breaches of one rule and it was not clear how this should be recorded. There was a common view that the number of rules breached would not always provide a good measure of complexity because an application that triggers one rule may in fact be very complex, whereas a relatively simple application may trigger multiple rules. As a consequence, some suggested this measure be removed, given the limited value it provided and the costs to obtain the information.
- A number of councils also noted how the information proposed to be captured on national policy statement and national environmental standard implementation/triggers was unclear and that they were not currently capturing information on this in the manner proposed or at all. It was noted that recording this information will take extra time, require changes to systems and be challenging to report on which raised a number of questions about whether the value of this information warrants these additional costs.
- Further clarification was sought for ‘bundling’ which was considered to be confusing/problematic. For example, was this related to joint applications and joint district and regional consent requirements? Others saw ‘bundling’ as an inappropriate measure, given that the proposed NMS was focused at individual applications and consents.

Timeframes

- It was noted that this section was very detailed and extensive in the scope of data sought. More explanation was sought on the purpose of collecting this data and what it would be used for. For example, questions were raised about whether the data would be aggregated across councils to assess performance, or analysed at a consent level.
- Submitters identified that some information proposed in this section would be easy to capture and was already captured, both for internal purposes and for external reporting, such as the RMA Survey. However, it was identified that some of the additional data requirements would require changes to monitoring systems and additional data collection (eg, pre-hearing and mediation) and this would have cost and time implications.
- Submitters identified gaps in the information sought, which would prevent the Ministry from completely understanding compliance with statutory timeframes. For example, there were gaps identified in the proposed data on some ‘clock-stopping’ and timeframe extension provisions.

- The identified triggers for notification were considered to be limited and it was noted that the data requirements proposed would not provide information on the range of relevant tests that determined whether an application was notified. It was therefore suggested that this needed to be expanded or removed.
- It was considered that greater ability to capture more information on the actual reasons for timeframes and any delays in the process was needed, including where the use of any provisions was due to the applicant (eg, putting an application on hold to enable an applicant to seek written approvals, further information requests due to poor quality applications). It was also noted that use of RMA section 37 was often due to applicants, so the proposed NMS needed to capture the reasons for the use of this provision. Questions were also raised about the value 'actual days' would provide, as delays may be caused by the applicant, which needed to be captured somewhere.

Costs and resources (effort)

- Further clarification was sought on the purpose of the information in this section. In particular, a number of questions were raised about whether the purpose of this section was to understand the total costs to councils or just the costs invoiced to applicants. It was noted that some costs (eg, pre-application meetings) were not invoiced to applicants in the interests of good customer service, councils' 'public good' functions, and/or to help applicants provide complete applications. It was noted that these costs were generally not captured and to do so would require changes to systems and processes.
- It was considered that there could be more information captured on cost recovery policies to provide a better understanding about what amount was rate-funded versus cost-recovered. Clarification was also sought about 'revenue' and a definition was recommended to provide certainty about exactly what this should include.
- Submitters submitted that they had a range of departments providing input into consents, which often operated under different budgets. Therefore, it may be difficult to identify the input of other departments outside the resource consents department to provide an overall measure of costs.
- Further clarification was sought about what needed to be captured and reported about processing charges and full time equivalents (FTEs) (eg, whether it included the input of all technical and administrative staff, overheads). It was also noted that some of the costs (eg, RMA section 92 reports commissioned, specialist reports, hearing costs, appeals) were not currently captured and/or separated in the manner proposed, which would require changes to processes. Others considered that it is not actually practical to try to capture all costs, such as for hearings as there are multiple components and staff involved.
- It was noted that appeal costs were not readily captured by some councils and would require changes to systems. It was identified that councils often have little control of the appeal process, which then raises questions about the value or suitability of councils to capture this information.
- A potential gap was identified in terms of council costs to participate in EPA and direct referral process. This should be captured.
- Iwi participation – it was noted that costs to support iwi capacity to engage were often not specific to resource consents and councils may not be able to provide any more information than total annual contribution.

Consultation and decision-making

- Pre-application/consultation received a lot of feedback from submitters. It was noted that this information and the time/costs spent on pre-application processes with applicants is not always recorded for many councils and would require changes to systems to capture. Clarification was also sought on what constituted a pre-application meeting and some councils do not record this in a formal way (eg, would a telephone conversation be included?). Clarification was also sought on the purpose of recording whether consultation was undertaken in the application phase. As pre-application meetings were not mandatory, questions were raised about whether this should be reported and the value this would add, while others suggested that it is not a practical measure.
- There were suggestions that this area of monitoring could be improved by introducing categories to identify higher forms of pre-consultation (eg, formal pre-application meetings, public meetings, and/or information sessions). This would also provide greater clarity about what was to be recorded.
- There was also an identified gap in this section about consultation and written approvals. It was noted that whether an application is lodged with written approvals also has a large impact in terms of the overall process (eg, whether further information is sought, whether it is notified) therefore NMS should ensure this information is captured.
- Gaps were also identified in terms of the reasons for notification and it was considered that this needed to be expanded to provide for the range of reasons an application may be notified. There were also doubts over the ability of the NMS to account for the complex tests associated with notification.
- Similar to plan making, there was a large amount of feedback on the data sought about submissions and further submissions, with many comments consistent across both areas of monitoring. It was noted that submissions were generally not recorded in the ways presented (eg, type, for and against) and it would be difficult to capture this information in a consistent, standardised way. It was also identified that categories for submitter type may be problematic as a submitter may not always just fit into one type.
- There was a gap identified in this section about the success of pre-hearing meetings and mediation. This was seen as a particularly important component of consultation and decision-making where used and, as such, it was considered important that the NMS capture it. It was recommended that specific information be captured on the time, cost and outcomes of pre-hearings meetings and mediation as distinct processes from the actual hearing and appeal process.
- A number of questions were raised about the purpose and value of collecting information about the people on decision-making panels (eg, whether they were accredited) and there were some suggestions that this be removed.
- There was also feedback that more qualitative information could be collected throughout this area of monitoring, such as whether notified consent hearings went against staff recommendations.
- Some councils supported the proposal for Courts to capture and report more comprehensive information on appeals which was considered to a useful addition to current monitoring.

Other related resource consent activities

- It was identified how there was potential to also monitor the use of blanket or global consents, although this concept would require some clarification and definition.

- Submitters noted that the information in this section was not currently captured and would require changes to systems. It was recommended that the purpose and value of collecting this information was clearly established before councils were required to make any changes.
- It was noted that lapsed consents may be a difficult area to report on annually as this relied on councils monitoring every resource consent to see if it was given effect to, and not all councils actively monitored this.

Quality of process

- It was noted by some councils that they could provide basic information to fulfil these requirements but that this may be of little benefit due to the generic nature of the information being requested. It was considered that there needed to be more information captured on the quality and effectiveness of procedures and processes, not just whether they were used, as this would only provide a partial picture.
- Forming a working group to capture and assess this information was suggested, rather than all councils having to report different information.
- Submitters sought clarification on the role of the Ministry in this area of reporting and whether it was going to develop best practice procedures and policies.

Complaints, monitoring, compliance and enforcement

General comments

- It was noted that some councils produced their own, separate compliance monitoring reports, which were published on the internet. It was important that the proposed NMS did not duplicate reporting, but rather integrated with existing reporting.
- It was noted that much of the information in this section was kept in different systems within some councils, including spreadsheets, which would require manual extraction and reporting. This would take significant time and cost to collate and report, or, alternatively, new systems would be needed, which would also involve costs.

Resourcing and processes

- It was noted that there was a large range of relevant education material produced in this area, but it would be difficult to record this in a standard, meaningful and comparable way. Further clarification was sought on what information needed to be captured under each heading and the value of the data being requested.
- The total amount spent on the education of resource users was identified as a difficult area to collect and aggregate, given the range of initiatives involved. Some suggested this information requirement should be removed due to the resources required to compile it. Questions were also raised about whether this information had any meaningful relationship to complaints, enforcement etc.

- It was noted that “the use of procedures” section was based on a very generic open-ended question and, as a consequence, was likely to generate information that was difficult to compare. Further work and definition was suggested in this area.
- It was identified that staff time on compliance-specific work was often not captured – for example, when staff and resourcing for consent compliance monitoring was part of wider resource consent team. It was noted that monitoring consent conditions was a significant area of work, often spread across a number of council departments, and it would be difficult to adjust systems to identify all the time and effort allocated to this work.

Complaints and non-compliance

- Further clarity and definition was sought about what constitutes a ‘complaint’ and what is ‘compliant’, as these terms could be interpreted in many ways. It was suggested that there could potentially be categories of complaints developed to provide more consistent and comparable information.
- Submitters identified that they did not record informal enforcement actions and responses, and recording this would require changes to their systems and processes.
- Consent condition monitoring was also identified as an area that needed further work and clarity as it was generally recorded in different ways. There should also be more information captured on the degree of non-compliance rather than simply recording the percentage that were compliant with consent conditions, as this could range significantly, from minor/technical breaches of conditions to serious and deliberate non-compliance.

Enforcement activity and decision-making

- As above, ‘consent compliance’ was an area where councils sought further clarification and a clear definition to ensure it was consistently recorded and reported. For example, ‘consent compliance’ seemed to indicate enforcement action had arisen due to a breach of consent conditions but this was not clear.
- It was considered important to identify that some enforcement action (eg, prosecutions) could relate to breaches of multiple RMA sections and this needed to be captured and reported.

Outcomes from prosecutions

- There was feedback that this information could be more easily obtained centrally from the Courts rather than from individual councils.
- Data on the nature of convictions was also identified as a problematic area for councils to record and/or determine, and there were questions raised whether this should be part of the proposed NMS. It was noted that there were a range of sentencing factors to consider from case law and other legislation and it may be difficult for councils to consistently record this.

Other compliance activity

- It was suggested that information on declarations could be better captured centrally.

- Clarification was also sought on whether ‘excessive noise’ fits into to section C (Enforcement) as there seemed to be some repetition (eg, ‘fine imposed’). Clarification was also sought on whether noise directions included both written and verbal directions. For excessive noise, it was also suggested that there be a standard field to identify the different types of equipment seized.

Environmental Protection Authority

- No significant changes to the information proposed were identified. However, a number of comments were made on this section of the discussion document. The comments and suggestions were generally minor, or raised issues with the interpretation of different terms.

Designations

- It was noted that councils record information on designations, notices of requirements and outline plans in different ways. If required to collect and report this information, councils submitted that there needed to be a way to ensure this was recorded consistently.
- There appeared to be some misunderstanding about what information was being requested from which parties (ie, councils, requiring authorities, Land Information New Zealand).
- Submissions reinforced the need to avoid duplication when it comes to gathering information on designations and gathering information from requiring authorities. Some requiring authorities suggested that they are currently required to report to other government departments on similiar regulatory matters and systems should be aligned.
- Additional information was suggested to be included as follows:
 - the geographical extent of a requiring authority (eg, this could be as simple as nationally, regionally or locally)
 - the use of standing agreements between two requiring authorities as a solution to ongoing s176 RMA approvals when there are overlapping designation (ie, designation by more than one requiring authority covering the same area of land)
 - conditions included in council recommendations and matters of cross boundary consistency in the conditions of designations affecting more than one council area
 - whether and what additional resource consents are required for the operation or construction of the work.

Notice of requirements

- It was considered that there was some duplication in the context section, as the types of requirement and work should be self-explanatory if a description of the designation was required. It was also considered that the name of the requiring authority should make the type clear, rather than having to categorise this separately. Others suggested that the type was important and, to optimise the value of this information, it was submitted that the description should include information on:
 - whether the designation relates to existing or proposed work
 - whether it is an overlapping designation (ie, designation by more than one requiring authority covering the same area of land)

- whether it relates to a linear asset (eg, pipe, cable, road) or a site specific location (eg, a substation)
- In terms of timeframes, it was noted that the proposed data did not tell the full story as there could be a number of reasons for delays (eg, postponement, withdrawals, costs, political decisions). It was suggested that there needed to be the ability to provide this context and identify reasons for timeframes.
- A number of consistent comments were raised about the information proposed to be captured about pre-application meetings and submissions. That is, further clarification was sought on terms, and councils noted that the information sought was not collected in the manner proposed. It was also noted that the term ‘pre-application meetings’ should be replaced with ‘consultation’ – as a notice of requirement is issued, not applied for.

Outline plan of works

- Some identified a gap in the data sought from this area of monitoring, including the number lodged, approved, type and waivers. An additional area of data that was not identified was the completeness of outline plans submitted to councils, as this could be an issue and there was no ability for councils to request further information.

Use of land subject to designation

- Questions were raised about who would be required to report this information. Further clarification was sought as to what information was required.
- It was noted that much of this information was not readily available from councils.

Other designation related activities

- Councils reported that it would require a lot of work to get all designations and expiry dates etc, in one place. There was a need to clearly establish the benefits of collecting this information, given the likely time and costs involved to collate it.

Heritage protection authorities

- It was noted that councils recorded this information in different ways, so there needed to be a way to ensure consistency.
- Concern was also raised that the information proposed to be captured did not extend to information on the more fundamental concern around heritage protection under RMA.

Direct referral

- Because councils recorded this information in different ways, there needed to be a way to ensure consistency. It was also considered that this information should be sourced from the Environment Court rather than from councils individually.

Water conservation orders

- Councils recorded this information in different ways, so there needed to be a way to ensure it was recorded consistently.

National policy statement and national environmental standard development

- A gap identified was that local government had not been identified as a key stakeholder in the development of these national tools, even though it played a key role in pre-draft consultation and engagement. Feedback suggested adding local government as a key stakeholder in the relevant boxes.

Specific national tools

- It was identified that for many councils it would be difficult to provide specific time, cost, consultation and decision-making information for each national policy statement (NPS) and national environmental standard (NES) as this information was not currently captured. This would generally require changes to systems and databases, and additional time would be required to capture the information.
- Time to capture additional information would vary depending on the nature of the tool and the issues for each council. Some of the activities (eg, renewable energy) may be rare within a district or region, while some may be common.
- It was considered to be important that all NES's were monitored for time and costs, just like other processes within the proposed NMS. This would help identify some of the implementation issues with these instruments.
- For the water meter regulations, it was noted that, for some councils, a significant amount of work would be required to provide the information requested.
- Some suggested that studies, working groups etc, may be a more effective way of getting more specific information and feedback on national tools (eg, the contaminated land NES), especially those that required councils to modify their systems to collect the range of information identified.

Appendix: List of submitters

Submitters (alphabetical, by type)
District councils
Ashburton District Council
Buller District Council
Central Otago District Council
Clutha District Council
Far North District Council
Grey District Council
Hastings District Council
Hauraki District Council
Kaikoura District Council
Kaipara District Council
Kapiti District Council
Mackenzie District Council
Manawatu District Council
Masterton District Council
Matamata-Piako District Council
New Plymouth District Council (planners' feedback)
Rangitikei District Council
Rotorua District Council
Ruapehu District Council
Selwyn District Council
South Taranaki District Council
South Waikato District Council
Southland District Council
Taupo District Council
Waimakariri District Council
Waipa District Council
Waitaki District Council (planners' feedback)
Waitomo District Council
Western Bay of Plenty District Council
Whangarei District Council
City councils
Christchurch City Council
Dunedin City
Hamilton City Council
Hutt City Council
Palmerston North City Council
Porirua City Council

Submitters (alphabetical, by type)
Tauranga City Council
Upper Hutt City Council
Wellington City Council
Regional councils
Bay of Plenty Regional Council
Environment Southland
Environment Canterbury
Hawke's Bay Regional Council
Horizons Regional Council
Otago Regional Council
Taranaki Regional Council
Waikato Regional Council
West Coast Regional Council
Unitary authorities
Auckland Council
Tasman District Council
Combined council response
Otago councils' combined response ³
Requiring authorities
Counties Power
Department of Corrections
Mainpower Ltd
Ministry of Education
Ministry of Health
New Zealand Police
Orion Energy Ltd
Queenstown Airport
Top Energy
Transpower
Vector
Wellington Airport
Heritage protection authorities
Save Erskine College Trust Incorporated
Professional bodies
New Zealand Planning Institute
Local Government New Zealand
Central government agencies
Environmental Protection Authority

³ Joint submission from Central Otago District Council, Clutha District Council, Dunedin City Council, Otago Regional Council, and Waitaki District Council.