



Ministry for the
Environment
Manatū Mō Te Taiao

Resource Management Act

Two-yearly Survey of Local Authorities 2007/2008

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Foreword

The Resource Management Act (RMA) underpins environmental management in New Zealand. Making comprehensive information about the operation of the Act available to all New Zealanders is a key part of environmental monitoring and reporting at the national level. It is also the hallmark of open and transparent environmental governance.

Every two years the Ministry for the Environment carries out an RMA survey with the assistance of local authorities. The survey is our principal source of information about RMA processes and helps us to monitor the implementation of the Act. It allows comparisons to be made between local authorities, promotes performance benchmarks, and stimulates discussion and the sharing of good practice. The survey also indicates areas where RMA implementation is falling short and where the Ministry could usefully direct further assistance to improve local authority performance.

This ninth survey report provides a solid benchmark against which we can measure changes in performance over time. This is timely, with significant changes to the RMA expected from the Resource Management (Simplifying and Streamlining) Amendment Bill.

Although the RMA is a key part of environmental governance in New Zealand, the challenge that lies ahead is to monitor and report on wider environmental performance in a more holistic manner. I encourage local authorities and other readers to make use of this publication not only to consider how effectively the RMA is operating, but also to consider what additional information we need in order to better evaluate the quality of environmental management in this country.

A handwritten signature in black ink, appearing to read 'Paul Reynolds', followed by a long horizontal line extending to the right.

Dr Paul Reynolds
Secretary for the Environment

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Executive Summary

The purpose of the Resource Management Act (RMA) survey is to provide both information about local authority implementation of the Act and a measure of comparative performance. This is the ninth RMA survey report, covering activity from 1 July 2007 to 30 June 2008. The survey was run annually at first but is now run every two years. All 85 local authorities were asked to complete the survey, and all but one local authority did so.

Key findings of the 2007/2008 survey

Resource consent application processing

Close to 52,000 resource consent applications were processed through to a decision. The majority of these (61 per cent) related to land use. Over two-thirds of the applications were processed by territorial authorities. These results are consistent with earlier surveys.

As in past years, the large majority of consent applications were non-notified. However, the proportion of consent applications notified in some way (ie, notified or limited notified applications) was the highest in 10 years, at 6.7 per cent. Increasing notification by unitary authorities has largely caused this change.

Further information was requested for 43 per cent of all consent applications, an increase from 32 per cent in the last survey. This continues an overall increasing trend.

The use of pre-hearing meetings to resolve issues dropped compared to the last survey, but the success of these meetings increased, with a third of the meetings resolving issues so that a hearing was not needed.

As in earlier surveys, local authority officers made the majority (85 per cent) of consent decisions. However, there was a notable increase in the proportion of decisions made by independent commissioners.

Less than 1 per cent of all consent applications were declined, slightly up on the last survey but similar to past years. The proportion of consent decisions appealed (1.4 per cent) and objected to (2.0 per cent) both increased compared to the last survey.

Changes to consent conditions continued to increase, with 45 per cent more changes processed than in the last survey and three times more than in 1999/2000.

Timeliness

Fewer resource consent applications were processed on time in 2007/2008 than at any other time in the past 10 years, with 69 per cent of applications processed within statutory time limits. However, the proportion of subdivision consent applications processed on time increased, and unitary authorities also improved their performance from 2005/2006.

The proportion of applications that had processing timeframes extended has increased nine-fold in 10 years. In 2007/2008, 28 per cent of consent applications processed had their time limits extended by section 37, an increase from the last survey (17 per cent).

Charges

Some charges for processing resource consent applications increased from 2005/2006 to 2007/2008, while others decreased.

Higher charges were reported for non-notified consent applications processed by regional councils/unitary authorities, and for notified and limited notified consent applications processed by territorial authorities.

Lower charges were reported for limited notified consent applications processed by regional councils/unitary authorities, and for non-notified consent applications processed by territorial authorities.

Good practice

Overall, a similar proportion of local authorities employed good practice methodologies as in the last survey. This includes having mechanisms in place to ensure:

- environmental effects associated with consent applications were adequately identified and assessed
- affected parties were correctly identified.

Improvements were reported for the proportion of local authorities that:

- formally monitor and report their consent application processing performance
- conduct customer satisfaction surveys.

Monitoring, compliance, complaints and enforcement

Monitoring of consents has improved: 79 per cent of consents that required monitoring were monitored, compared to 59 per cent in 2005/2006. Of the monitored consents, 84 per cent were compliant with their conditions. These are the highest results over the past nine years.

Complaints about alleged breaches of the RMA continue to increase, with 47 per cent more complaints received in 2007/2008 than in the last survey. Complaints and breaches are increasingly resolved by formal methods, with an associated drop in resolution by informal methods.

Māori participation

Overall, the proportion of local authorities with processes and systems in place to facilitate iwi/hapū participation in RMA processes was similar to the last survey.

Improved performance was reported for funding of iwi/hapū participation, although the proportion of local authorities with formal agreements with iwi/hapū dropped from the last survey. There was a corresponding increase in informal agreements.

Plan changes and variations

Overall, the number of changes to operative district or regional plans increased. A total of 176 changes were initiated by local authorities, up from 127 in 2005/2006, while 41 changes were initiated by private individuals, more than double the last survey. The number of variations to proposed plans was similar to the last survey.

Next survey

The tenth Resource Management Act: Two-yearly Survey of Local Authorities will cover the 2010/2011 financial year, a year later than originally scheduled. By delaying the survey in this way, the Ministry intends the next survey to capture the effects of the Resource Management (Simplifying and Streamlining) Amendment Bill, which is due to come into effect later this year.

Introduction

This report is the ninth in the Resource Management Act Survey of Local Authorities (the RMA survey) series. The surveys were initially conducted annually, but have been run every two years since July 2000. This report covers activity from 1 July 2007 to 30 June 2008, referred to as the 2007/2008 year.

Eighty-four out of eighty-five local authorities responded to this survey. In the last survey in 2005/2006 all 85 local authorities responded to most of the questions. Results from former surveys, beginning with the 1996/1997 report, are available on the Ministry for the Environment's website: <http://www.mfe.govt.nz/publications/rma/annual-survey/>.

Purpose of the survey

The purpose of the RMA survey is to:

- help the Minister for the Environment monitor how the RMA is being put into practice
- highlight trends over time in implementation of the RMA, as well as areas where performance by local authorities may require greater attention
- promote good practice under the RMA and improve local authorities' performance
- enable each local authority to compare its performance with others
- provide local authorities with information so they can more accurately respond to enquiries about RMA processes.

The survey does not measure the performance of the RMA in delivering better environmental outcomes. Nor does it measure how well individual local authorities deliver these outcomes – this measurement occurs through state of the environment monitoring and reporting at both the national and local level.

However, the comparisons drawn from this survey do allow us to:

- identify local authorities that are complying with statutory requirements and recommended good practice
- stimulate discussion about differences between similar local authorities
- promote benchmarking and improvements in performance.

The 2007/2008 survey questionnaire

Under section 35 of the RMA, local authorities are required to record details on the resource consent applications they process (see information box on the following page). This survey draws on that information. A copy of the questions we asked in 2007/2008 is provided in appendix 6.

Core questions on resource consent processing statistics, time and cost are similar to those in earlier surveys. Changes in this survey include expanding the sections seeking information on Māori participation in RMA processes and good practice in resource consent processing.

The 2007/2008 questionnaire was again made available for completion online. All of the local authorities that responded to the survey submitted their responses using the electronic questionnaire. The only authority not to respond was Rangitikei District Council, due to staffing constraints.

Local authority reporting requirements

Section 35 of the RMA requires every local authority to gather sufficient information to fulfil its functions under the Act. This includes recording details of every resource consent applied for, notified and granted (section 35(5)(g)–(h)), and how those consents are actually applied (section 35(2)(d)). The collection of such information allows local authority performance to be monitored and provides local ratepayers with a transparent record of their council's performance. It can also be used to:

- identify areas where improvements can be made in local authority practice
- maintain consistency in procedures within a council, and between councils.

Presenting the data

Throughout the report, where you see (*n* = ##), this indicates the number of local authorities that answered the question(s). Please note that 84 out of 85 local authorities responded to the 2007/2008 survey, one fewer than in the previous survey in 2005/2006.

Changes to improve the survey questionnaire mean that some results cannot be compared over all nine surveys. In these instances, the most recent comparable data has been analysed and presented. Full reports on each survey since 1996/1997 are available on the Ministry for the Environment website: <http://www.mfe.govt.nz/publications/rma/annual-survey/>.

To highlight long-term trends and/or marked differences between this survey and others, this report flags results that have increased or decreased by 50 per cent or more.

In most cases, percentage results have been rounded in the report to the nearest whole number. However, unrounded data from the 2005/2006 and 2007/2008 surveys is used when calculating changes between surveys. This can result in some apparent discrepancies.

Information boxes dotted throughout the report are used to clarify terms and provide good practice guidance for local authorities.

Detailed data

Detailed data provided by local authorities is contained in the appendices. To enable useful comparisons to be drawn from the data, local authorities with similar characteristics have been grouped. Appendix 1 shows which group each local authority has been placed in, along with the number of consents each has processed. The local authority groups used in this report are:

- regional councils
- unitary authorities, including the Chatham Islands Council
- territorial authorities that process a similar volume of consents:

- Group 1: 0–110 consents
- Group 2: 111–300 consents
- Group 3: 301–650 consents
- Group 4: 651–7000 consents.

Limitations of the data

Some local authorities had difficulties answering questions where information was either not recorded or was held in a format that did not allow it to be readily extracted. In these cases, either no or partial data was provided. This means a full picture cannot be presented for all questions in this survey. There was also variation in the interpretation of some questions and some results were estimated. Where this occurs it is noted in the relevant sections of the report.

Some local authorities that had difficulties answering particular questions in this survey have advised that they will have improved systems in place to allow them to answer survey questions more fully in the future.

Next survey

The next RMA survey will cover the 2010/2011 financial year, a year later than originally scheduled. By delaying the survey in this way the Ministry intends to capture the effects of the Resource Management (Simplifying and Streamlining) Amendment Bill, which is due to come into effect later this year. The survey questionnaire will be released to local authorities before 30 June 2010 and responses will be collected after 30 June 2011. As is usual practice, prior to the next survey we will review and improve survey questions where possible.

Resource Consent Application Processing

This section provides information on resource consent applications processed by local authorities in 2007/2008, along with any emerging trends. The topics covered are:

- resource consent applications processed (defined in section 87 of the RMA)
- certificates of compliance
- changes to consent conditions
- resource consent applications notified
- resource consent applications, by activity type
- resource consent applications where further information was requested
- pre-hearing meetings
- resource consent decision-makers
- declined resource consent applications
- objections and appeals.

The survey questions asked of local authorities are provided in appendix 6.

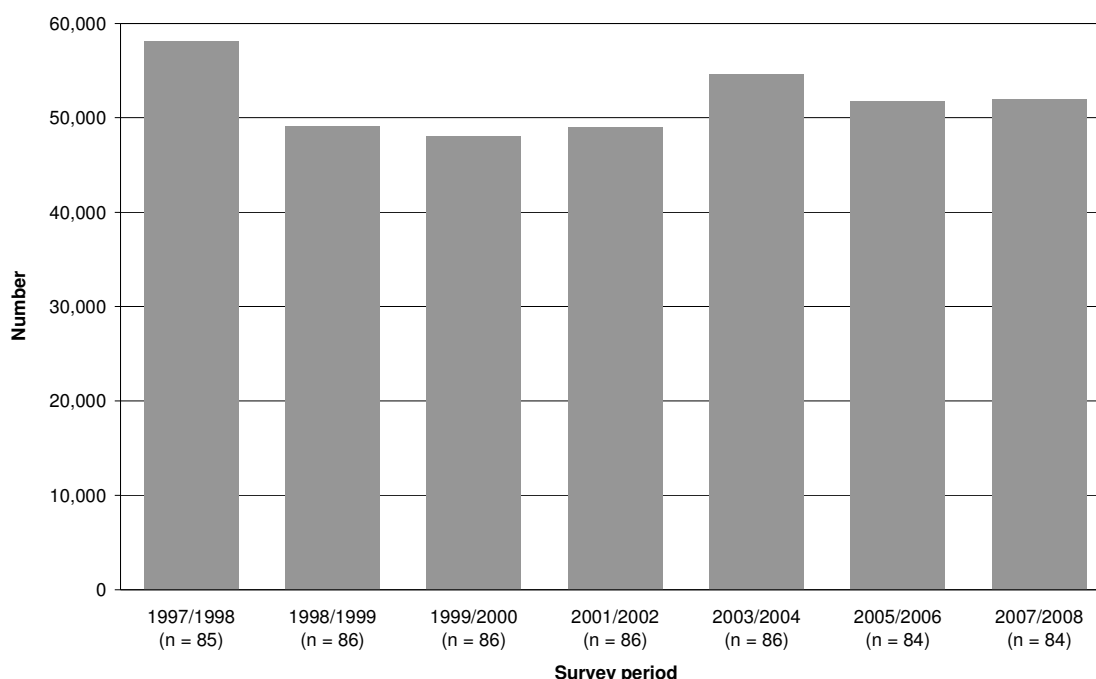
Resource consent applications processed

Local authorities were asked for the number and type of resource consent applications they processed through to a decision during 2007/2008 (appendix 6, questions 1.1, 1.6).

In 2007/2008 the number was 51,960, similar to the 51,768 consent applications processed through to a decision in 2005/2006. The 2007/2008 result is also close to the average number of consent applications processed for surveys since 1998/1999.

Figure 1 shows the number of consent applications processed in the seven surveys conducted since 1997/1998. While it shows some fluctuation in the number of consent applications processed over the past 10 years, the 2007/2008 result is within the usual range.

Figure 1: Number of consent applications processed to a decision, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Notes:

The survey question on which this figure was based was amended in 2005/2006 to clarify its intent. Nonetheless, the response from each survey period remains comparable.

The (n = ##) along the x axis refers to the number of local authorities that answered the question on which this analysis is based.

Resource consent applications processed, by local authority type

Territorial authorities again processed the greatest number of applications for resource consents lodged in 2007/2008 – 68.6 per cent. This compares with 23.5 per cent processed by regional councils and 7.8 per cent processed by unitary authorities. These percentages are almost identical to 2005/2006, when the results were 68.7 per cent, 23.6 per cent and 7.7 per cent respectively.

Table 1 shows the number and percentage of consent applications processed by each local authority type for the seven surveys since 1997/1998. An emerging trend is that over the past 10 years the proportion of consents processed by regional councils has increased (from 16 per cent to 24 per cent), while the proportion processed by territorial authorities has decreased (from 77 per cent to 69 per cent). There has been little change for unitary authorities. Appendix 1 provides the actual number of consent applications processed by each local authority.

Table 1: Number and percentage of consent applications processed, by local authority type, 1997/1998–2007/2008

Survey period	Regional councils		Unitary authorities		Territorial authorities		All
	Number of consent applications	Percentage of total consents	Number of consent applications	Percentage of total consents	Number of consent applications	Percentage of total consents	Number of consent applications
2007/2008 (n = 84)	12,228	24%	4,070	8%	35,662	69%	51,960
2005/2006 (n = 84)	12,235	24%	3,979	8%	35,554	69%	51,768
2003/2004 (n = 86)	10,794	20%	4,308	8%	39,556	72%	54,658
2001/2002 (n = 86)	11,643	24%	4,210	9%	33,159	68%	49,012
1999/2000 (n = 86)	8,037	17%	4,008	8%	36,000	75%	48,045
1998/1999 (n = 86)	8,752	18%	3,229	7%	37,171	76%	49,152
1997/1998 (n = 85)	9,510	16%	3,575	6%	44,975	77%	58,060

Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Notes:

The survey question on which this table was based was amended in 2005/2006 to clarify its intent. Nonetheless, the response from each survey period remains comparable.

Due to rounding not all survey percentages sum to 100%.

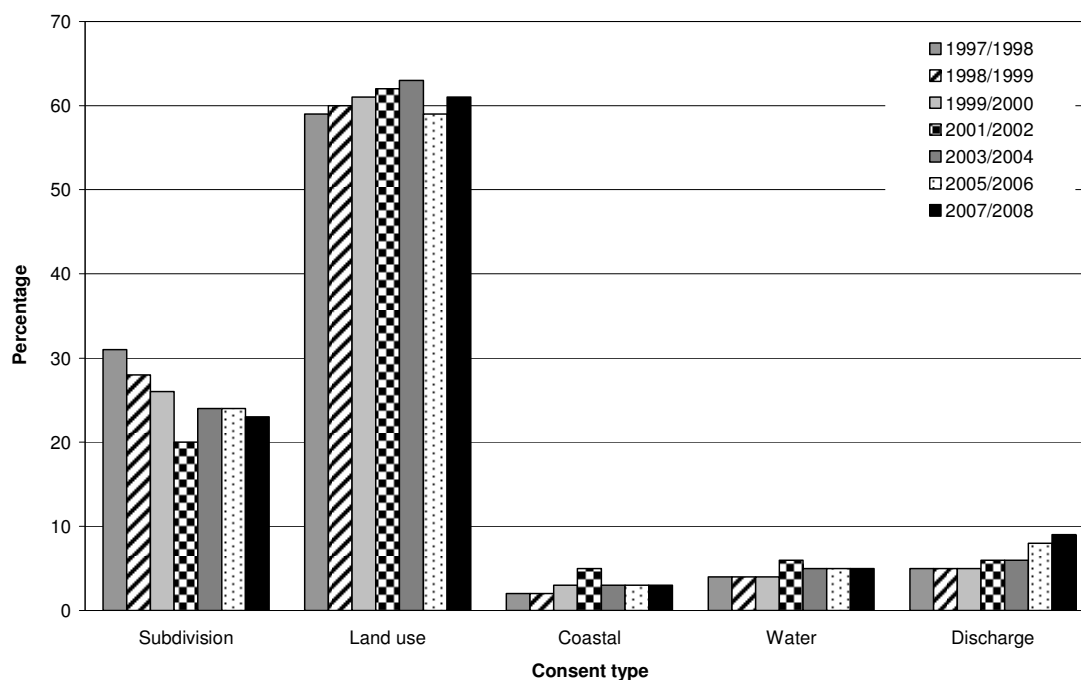
The (n = ##) in the left-hand column refers to the number of local authorities that answered the question on which this analysis is based.

Resource consent applications processed, by consent type

Most resource consent applications processed in 2007/2008 were land-use consent applications (61 per cent). This was followed by subdivision consent applications (23 per cent), discharge (9 per cent), water (5 per cent) and coastal consent applications (3 per cent).

Figure 2 shows trends in the type of consent applications processed since the 1997/1998 survey. Similar to the 2007/2008 result, land-use consent applications were the most common resource consent applications processed in each of the previous six surveys. There has been a gradual decrease in the proportion of subdivision consent applications processed, and a gradual increase in the proportion of discharge consent applications processed. The proportions of the other consent types have remained relatively stable.

Figure 2: Percentage of consent applications processed, by consent type, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Table 2 provides the same data in tabular form.

Table 2: Percentage of consent applications processed, by consent type, 1997/1998–2007/2008

Survey period	Subdivision	Land use	Coastal	Water	Discharge
2007/2008	23%	61%	3%	5%	9%
2005/2006	24%	59%	3%	5%	8%
2003/2004	24%	63%	3%	5%	6%
2001/2002	20%	62%	5%	6%	6%
1999/2000	26%	61%	3%	4%	5%
1998/1999	28%	60%	2%	4%	5%
1997/1998	31%	59%	2%	4%	5%

Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Certificates of compliance

Getting the tick of compliance

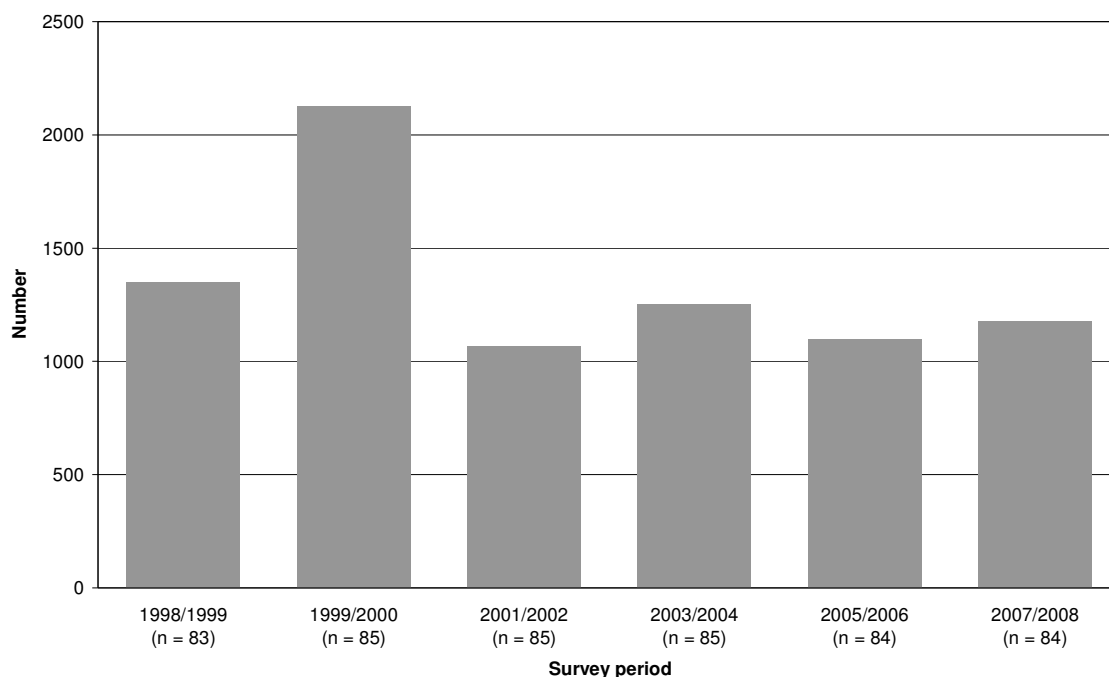
A certificate of compliance can be issued by a local authority when a proposed activity is either permitted under a district plan or doesn't need resource consent. The certificate confirms the activity is allowed and that no further consent is required.

Local authorities were asked for the number of certificates of compliance they issued under section 139 of the RMA (appendix 6, question 1.4).

In 2007/2008, 1177 certificates of compliance were issued. This is up from 2005/2006, when 1097 were issued.

Figure 3 shows the number of certificates of compliance issued over the past six survey periods. Although it shows that fluctuations have occurred over the past nine years, the number reported in 2007/2008 is within the usual range of certificates of compliance issued.

Figure 3: Number of certificates of compliance issued, 1998/1999–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Notes:

The survey question on which this figure was based was amended in 2005/2006 to clarify its intent. Nonetheless, the response from each survey period remains comparable.

The (n = ##) along the x axis refers to the number of local authorities that answered the question on which this analysis is based.

Changes to resource consent conditions

Local authorities were asked for the number of applications for changes to resource consent conditions (defined in sections 127 and 128 of the RMA) processed through to a decision (appendix 6, questions 1.2, 1.3).

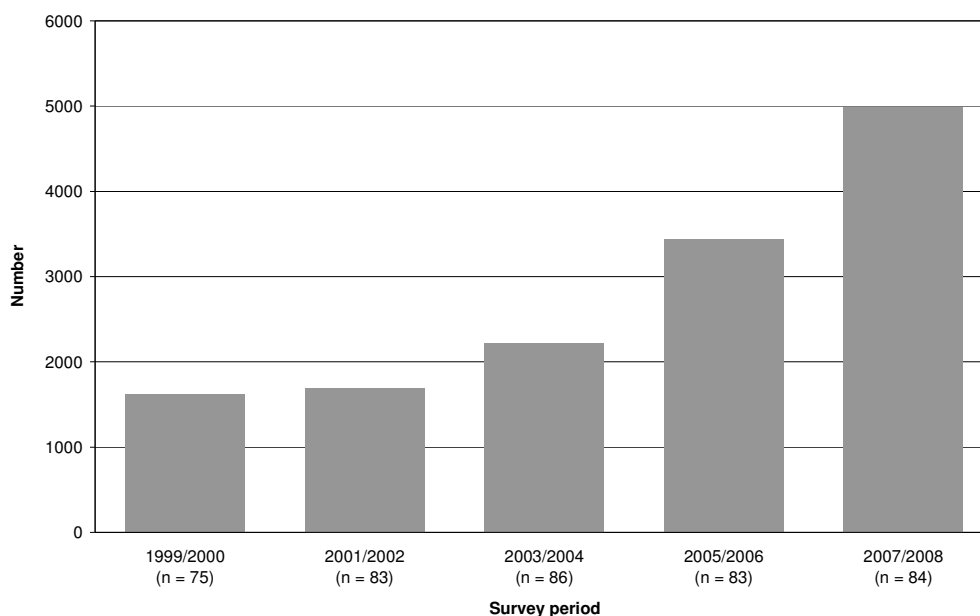
Consent conditions can be changed

Consent conditions can be changed by using either sections 127 or 128 of the RMA. Section 127 allows a consent holder to apply to change or cancel a condition, except where the condition relates to the duration of a consent. Under section 128 local authorities can notify a consent holder that it intends to review their consent conditions. The circumstances under which such a review can take place are set out in section 128.

In 2007/2008, 4991 applications for changes to resource consent conditions were processed through to a decision, up from 2005/2006, when 3438 applications were processed. Of the 2007/2008 applications processed, most (4151, 83 per cent) were initiated by consent holders under section 127, and 840 were reviewed by local authorities under section 128.

Figure 4 shows that the number of applications for changes to consent conditions has steadily increased over the past five surveys, with three times as many applications processed in 2007/2008 than in 1999/2000. However, the number of applications for changes to consent conditions as a proportion of the total number of active consents is unknown.

Figure 4: Number of applications processed for changes to consent conditions, 1999/2000–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Notes:

The survey question on which this figure was based was amended in 2005/2006 to differentiate between consent changes under section 127 and those under section 128. Nonetheless, the response from each survey period remains comparable.

The (n = ##) along the x axis refers to the number of local authorities that answered the question(s) on which this analysis is based.

Resource consent applications, by notification type

Local authorities were asked for the number of resource consent applications processed through to a decision that were 'notified', 'limited notified' or 'non-notified' for each consent type (appendix 6, question 1.6). Because one local authority recorded notified and limited notified consent applications together, its results have been included when collective analysis occurs but excluded from separate analysis of notified and limited notified consent applications.

What the categories mean

There are three different types of notification. The first, 'notified', involves advising the public of the application through media and direct communication. This is also known as 'publicly notified'. The second, 'limited notified', requires directly affected parties to be advised of the application. These two types of notification occur when a local authority considers an application could have more than minor effects on the environment, or may adversely affect someone who has not given their written approval. The local authority can require that directly affected parties be informed (limited notification), or that the application is notified more widely to allow anyone who has an interest to lodge a submission in support or opposition (public notification). The third notification type, 'non-notified', does not require any other parties to be advised of the consent application.

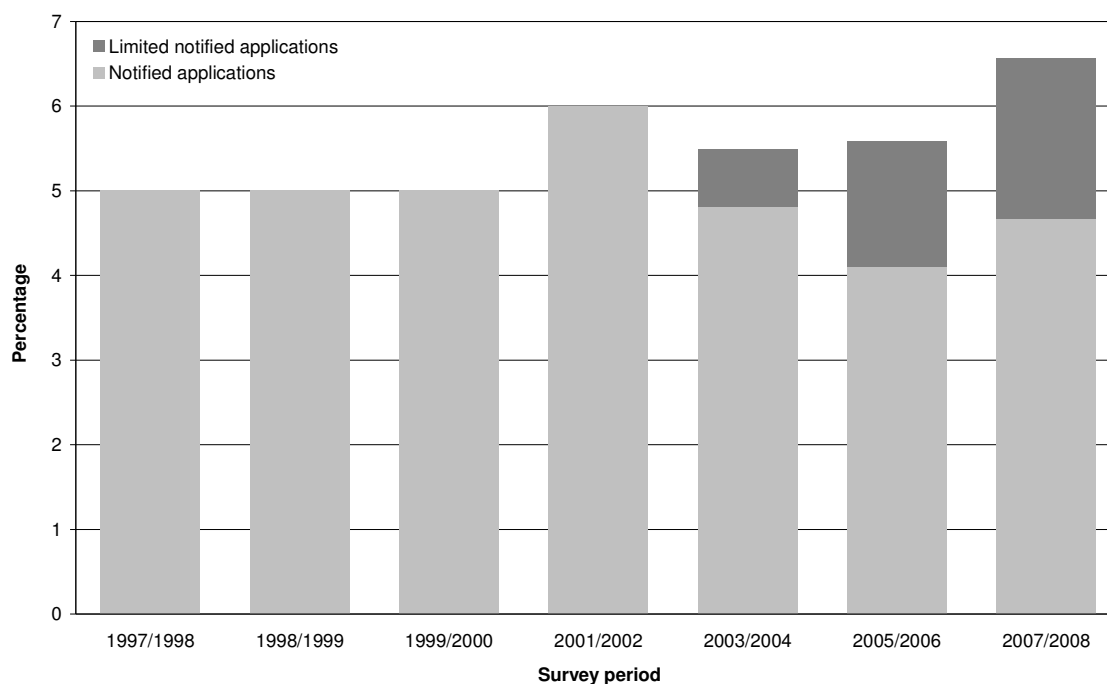
Notified, limited notified and non-notified consent applications as a share of total consent applications

In 2007/2008 the predominant type of consent applications were non-notified (93.3 per cent or 48,504). This is similar to the 94.4 per cent (48,871) reported in 2005/2006. In 2007/2008, 6.7 per cent (3456) of resource consent applications were notified in some way (ie, notified or limited notified), up from 5.6 per cent (2897) in 2005/2006. The figures break down as follows:

- 4.7 per cent (2409) of all consent applications were notified, compared with 4.1 per cent (2129) in 2005/2006
- 1.9 per cent (975) of all consent applications were limited notified, compared with 1.5 per cent (768) in 2005/2006.

Figure 5 shows the percentage of consent applications notified in some way over seven survey periods. The percentage in 2007/2008 is the highest in 10 years, which means that a greater proportion of consent applications required notification to the public or to affected parties than in previous years. Although notification generally increases the cost of obtaining a consent (see the section on 'Charges'), it also provides greater opportunity for public input into the decision-making process.

Figure 5: Percentage of consent applications notified in some way, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Notes:

The percentage of notified consent applications for the 1997/1998, 1998/1999 and 1999/2000 surveys has been rounded to a whole per cent. The remaining surveys have been rounded to two decimal places.

Before the 2003/2004 survey the limited notified notification type did not exist. Because the limited notification process came into effect after the 2003/2004 survey period began, the results from 2003/2004 shown here do not represent a full year's data.

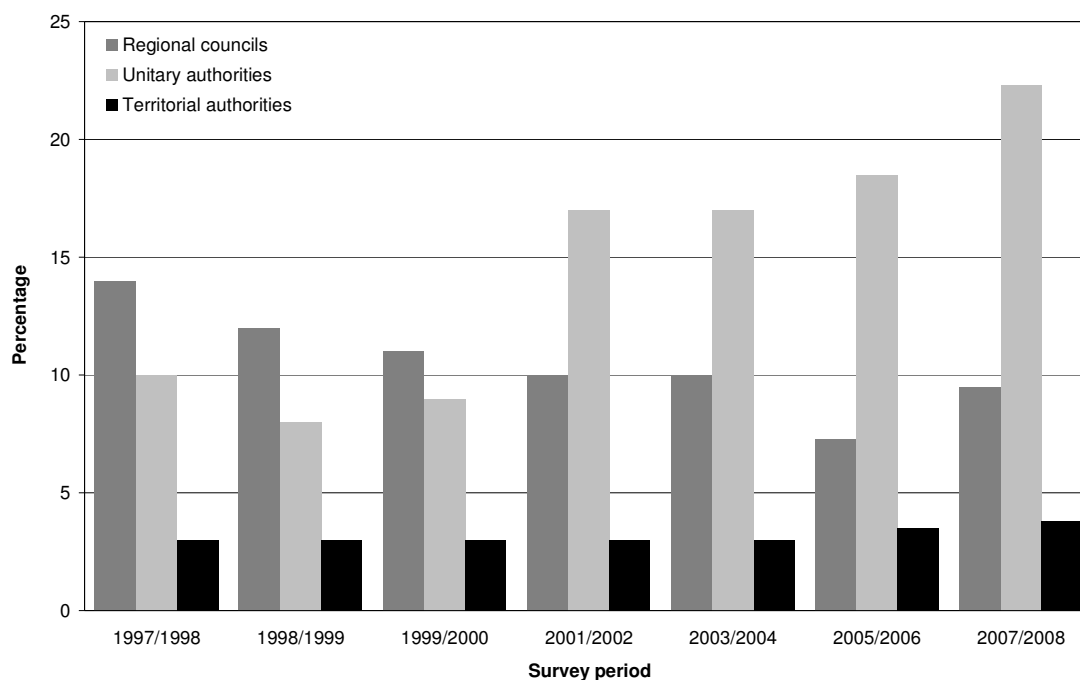
Notified and limited notified consent applications, by local authority type

Although the latest survey confirms a recent trend that local authorities are dealing with increasing proportions of consent applications that are notified in some way, figure 6 shows that increases are not evenly spread across the different local authority types.

- For regional councils, 9.5 per cent of all consent applications were notified in some way in 2007/2008, up from 7.3 per cent in 2005/2006. This increase reverses a steady downward trend over the previous six surveys.
- For unitary authorities, the percentage for 2007/2008 was 22.3 per cent, compared to 18.5 per cent in 2005/2006 and just 8 per cent in 1998/1999. The percentage of consent applications notified in some way has more than doubled since 1997/1998.
- For territorial authorities, 3.8 per cent of consent applications were notified in some way in 2007/2008, up from 3.6 per cent in 2005/2006. The percentage for territorial authorities has remained largely static since 1997/1998, with only slight increases in the 2005/2006 and 2007/2008 surveys.

Figure 6 also shows that unitary authorities had the highest proportion of consent applications notified in some way over the past four surveys. Regional councils had the next highest proportion, while territorial authorities had the lowest.

Figure 6: Percentage of consent applications notified in some way, by local authority type, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Note: The percentage of consent applications notified in some way for 2005/2006 and 2007/2008 has been rounded to two decimal places. The remaining surveys have been rounded to a whole per cent.

Notified and limited notified consent applications, by consent type

The 2007/2008 survey also revealed increases in the types of consent applications (subdivision, land use, coastal, water and discharge) that were notified in some way. These are shown in table 3. Variations between notified and limited notified consent applications have been teased out, as follows.

- In 2007/2008, notified coastal consent applications rose to 21 per cent, from 15 per cent in 2005/2006; notified water consent applications rose to 24 per cent, from 20 per cent; and notified discharge consent applications rose to 9 per cent, from 7 per cent.
- In 2007/2008, limited notified land-use consent applications rose to 2 per cent, from 1 per cent in 2005/2006; limited notified coastal consent applications rose to 5 per cent, from 3 per cent (an increase of 93 per cent); limited notified water consent applications rose to 3 per cent, from 2 per cent; and limited notified discharge consent applications rose to 3 per cent, from 2 per cent (an increase of 58 per cent).

Table 3 also shows that, proportionately, coastal, water and discharge consent applications were most commonly notified in some way up to 2001/2002. In subsequent years these three consent types were still the most commonly notified in some way, but the proportion of discharge consent applications has decreased since 2003/2004.

Appendix 2 provides the percentage of notified and limited notified consent applications processed by individual local authorities.

Table 3: Percentage of consent applications notified in some way, by consent type, as a proportion of consent applications processed, 1997/1998–2007/2008

Survey period	Subdivision		Land use		Coastal		Water		Discharge		Total	
	Notified	Limited notified	Notified	Limited notified	Notified	Limited notified	Notified	Limited notified	Notified	Limited notified	Notified	Limited notified
2007/2008	3%	1%	2%	2%	21%	5%	24%	3%	9%	3%	5%	2%
2005/2006	3%	1%	2%	1%	15%	3%	20%	2%	7%	2%	4%	1%
2003/2004	3%	1%	3%	1%	14%	< 0.5%	26%	1%	11%	1%	5%	1%
2001/2002	5%	–	3%	–	21%	–	15%	–	18%	–	6%	–
1999/2000	4%	–	3%	–	17%	–	15%	–	17%	–	5%	–
1998/1999	3%	–	3%	–	14%	–	15%	–	22%	–	5%	–
1997/1998	3%	–	4%	–	15%	–	24%	–	21%	–	5%	–

Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Notes:

Percentages are rounded to the nearest whole number.

Before the 2003/2004 survey, limited notified consent applications did not exist. Because the limited notification process came into effect after the 2003/2004 survey period began, the results from 2003/2004 shown here do not represent a full year's data.

Resource consent applications, by activity type

Explaining the four categories for activities

Local authorities assess every application for a resource consent against their district or regional plans to see if a resource consent is required. Four categories of activities require a consent, and each category has a different level of local authority involvement. The four categories are:

- controlled – consent must be granted for such activities, but a local authority can impose conditions for particular activities if it has indicated that it may do so in its district or regional plan
- restricted discretionary – a local authority can determine whether or not to grant a consent and impose any conditions, but only for matters it has specifically reserved control over in its district or regional plan
- discretionary – a local authority can exercise full discretion over whether or not to grant a consent and what, if any, conditions to impose
- non-complying – a local authority can grant consent with associated conditions as long as it is satisfied that the adverse effects on the environment will be minor, or that the activity will not be contrary to the objectives and policies of the relevant plan.

Local authorities were asked for the numbers of consent applications processed through to a decision for each type of activity described in the box above (appendix 6, question 1.7). Applications involving more than one type of activity have been processed according to the most restrictive. Where multiple consents have been sought for the same project, each consent type was treated as an individual consent.

In 2007/2008 half of all resource consent applications processed were for discretionary activities, and about one-quarter were for restricted discretionary activities. These proportions are very similar to those from the last survey (as shown in table 4).

Table 4 shows that regional councils and unitary authorities process a much higher proportion of consent applications for discretionary activities than territorial authorities do. However, territorial authorities process a much higher proportion of consent applications for restricted discretionary activities. This reflects the lower use of the restricted discretionary activity class in regional plans.

Table 4 also shows that the percentage of consent applications for discretionary activities processed by regional councils and by unitary authorities has decreased between the last two surveys, while it has increased for territorial authorities. The reverse is true of consent applications for restricted discretionary activities.

The proportion of consent applications for controlled and non-complying activities processed has remained about the same for most local authority types. Unitary authorities and territorial authorities processed a higher proportion of consent applications for non-complying activities than regional councils.

Table 4: Percentage of consent applications, by activity type and local authority type, 2005/2006 and 2007/2008

Local authority type	Controlled		Restricted discretionary		Discretionary		Non-complying	
	2007/2008	2005/2006	2007/2008	2005/2006	2007/2008	2005/2006	2007/2008	2005/2006
Regional	18%	18%	9%	7%	71%	74%	2%	1%
Unitary	15%	16%	15%	10%	60%	67%	10%	7%
Territorial	21%	20%	28%	32%	42%	39%	10%	9%
All	20%	19%	23%	25%	50%	49%	8%	7%

Source: 2007/2008 and 2005/2006 RMA survey data.

Notes:

Due to rounding not all survey percentages sum to 100%.

Resource consent applications where further information was requested

Seeking more information from applicants

Local authorities can ask for further information from an applicant using sections 92(1) or 92(2) of the RMA.

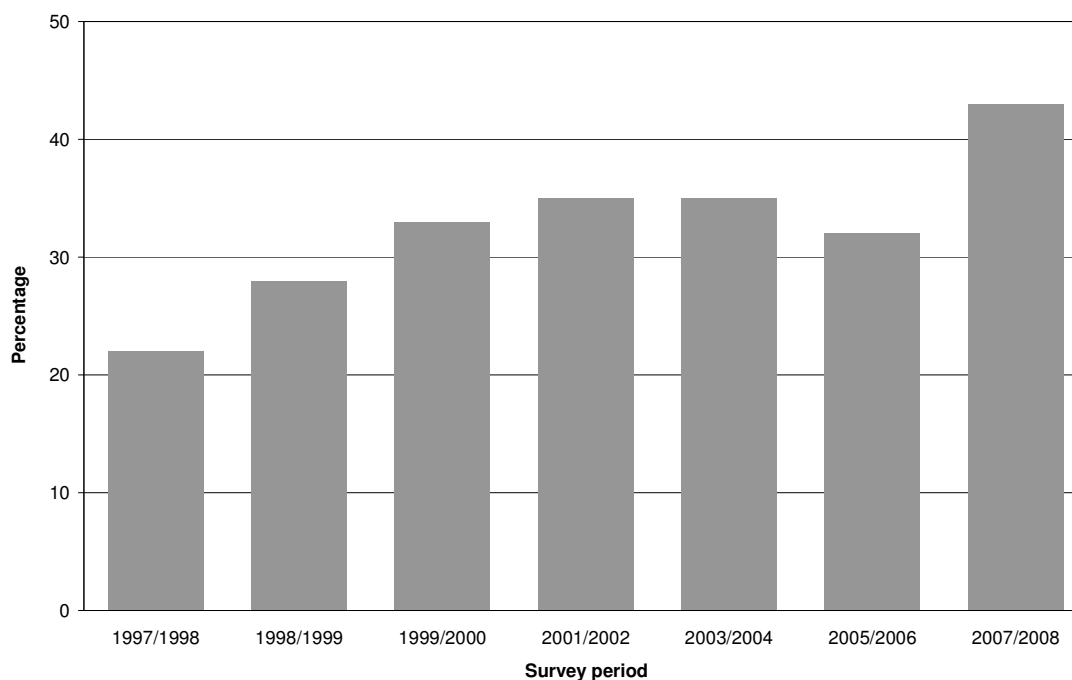
- Section 92(1) allows a local authority to request further information about the nature and effects of a proposed activity.
- Section 92(2) allows a local authority to ask an applicant to agree to a report being commissioned if the council considers the activity could have a significant adverse environmental effect.

Local authorities were asked for the number of resource consent applications they requested more information for under sections 92(1) and 92(2) of the RMA (appendix 6, questions 1.8, 1.9). The combined results for both sections are reported here, which allows comparisons to be made with previous surveys.

In 2007/2008, further information was sought for 43 per cent (22,271) of resource consent applications, up from 32 per cent (16,760) in 2005/2006. Figure 7 illustrates the trend for increasing information requests over the past 10 years, with only a slight dip in the proportion of requests in 2005/2006. The proportion of resource consent applications for which further information was requested has increased by 95 per cent over the past 10 years.

Appendix 3 provides the percentage of further information requests for each individual local authority.

Figure 7: Percentage of consent applications for which further information was requested, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Pre-hearing meetings

Local authorities were asked for the number of notified and limited notified consent applications that pre-hearing meetings were held for under section 99 of the RMA. The survey also asked for the number of pre-hearing meetings that resulted in issues being resolved so that no hearing was required (appendix 6, questions 1.10, 1.11).

Pre-hearing meetings are good practice

Pre-hearing meetings are a good practice tool for clarifying and/or resolving issues associated with an application for resource consent. Although a pre-hearing meeting may not always be appropriate, when it is appropriate it can save time and costs for the local authority, submitters and applicant, as well as improving the quality of the decisions made.

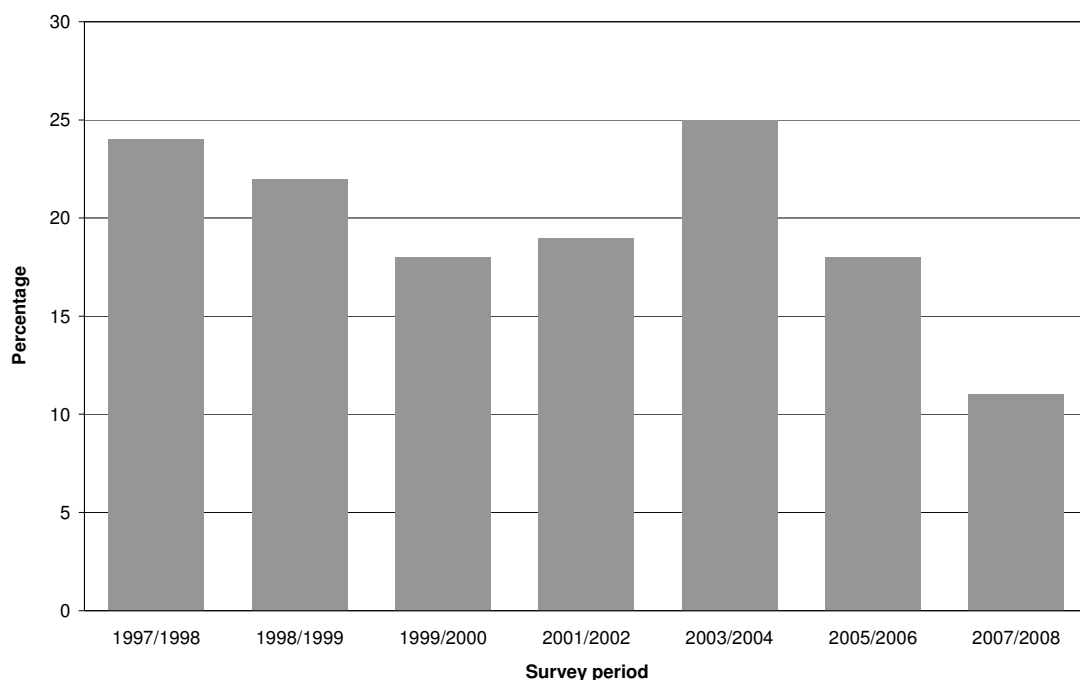
Another avenue available to local authorities to resolve issues associated with an application for a resource consent is to refer the matters to mediation under section 99A of the RMA.

Proportion of pre-hearing meetings

In 2007/2008, 83 local authorities answered this survey question. Eleven per cent of consent applications notified in some way (ie, notified or limited notified consent applications) had pre-hearing meetings. This is down from 2005/2006, when 18 per cent of consent applications notified in some way had pre-hearing meetings. Eighty-four local authorities responded to this question in that survey.

Figure 8 shows that the proportion of consent applications notified in some way that had pre-hearing meetings has fluctuated over the past 10 years, decreasing between 1997/1998 and 1999/2000, and increasing until 2003/2004, when the proportion decreased again. The 2007/2008 result is the lowest in 10 years.

Figure 8: Percentage of consent applications notified in some way for which pre-hearing meetings were held, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Notes:

Before 2005/2006 the survey question asked for the number of pre-hearing meetings held for notified consent applications. In 2005/2006 and subsequent surveys the question asked for the number of pre-hearing meetings for notified *and* limited notified consent applications.

These figures do not include informal meetings, which are frequently used by local authorities to assist the resource consent process.

Table 5 distils this information further by showing the number of pre-hearing meetings held, by survey period. The fluctuating numbers of pre-hearing meetings follow the same pattern as described above.

Table 5: Number of pre-hearing meetings held for consent applications notified in some way, 1997/1998–2007/2008

Survey period	Number of pre-hearing meetings held
2007/2008 (<i>n</i> = 83)	379
2005/2006 (<i>n</i> = 84)	518
2003/2004 (<i>n</i> = 83)	647
2001/2002 (<i>n</i> = 83)	546
1999/2000 (<i>n</i> = 70)	432
1998/1999 (<i>n</i> = 81)	508
1997/1998 (<i>n</i> = 78)	679

Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Notes:

Before 2005/2006 the survey question asked for the number of pre-hearing meetings held for notified consent applications. In 2005/2006 and subsequent surveys, the question asked for the number of pre-hearing meetings for notified *and* limited notified consent applications.

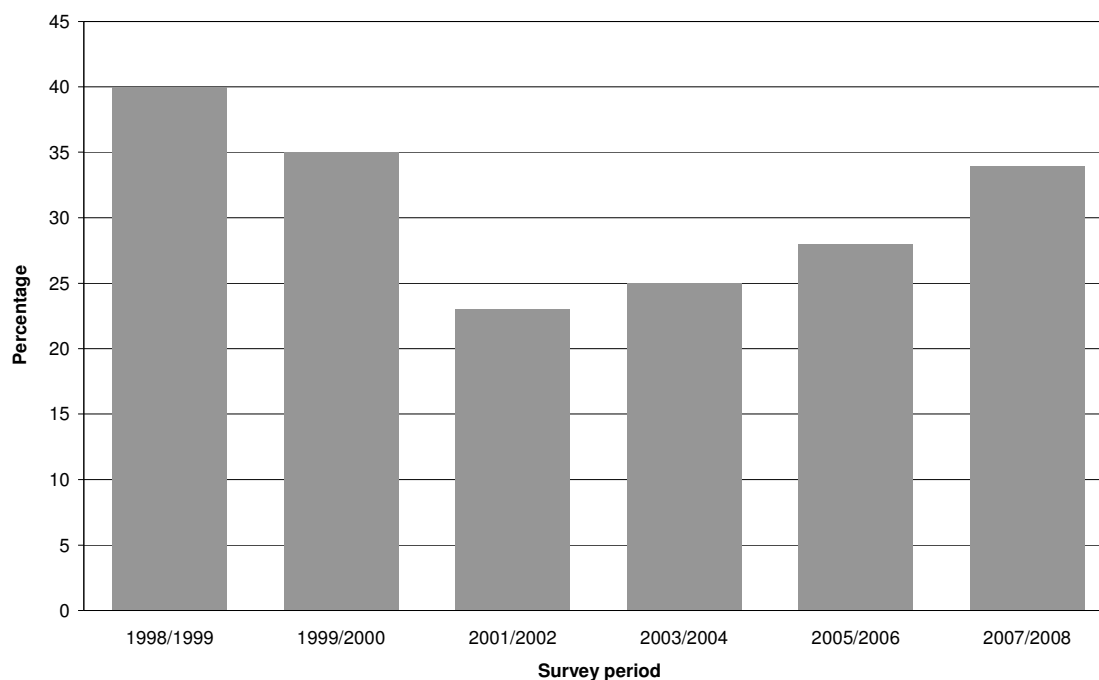
The (*n* = ##) in the left-hand column refers to the number of local authorities that answered the question on which this analysis is based.

Percentage of successful pre-hearing meetings

Although the proportion and number of pre-hearing meetings fell, there has been an increase in the percentage of pre-hearing meetings that resolved issues so that no hearing was required. In 2007/2008, more than one-third (34 per cent, 126) of pre-hearing meetings resolved issues, up from 28 per cent in the last survey.

Figure 9 shows a fluctuating trend in the success of pre-hearing meetings. Between 1998/1999 and 2001/2002 the percentage of successful pre-hearing meetings decreased. However, from 2003/2004 the percentage has increased steadily. This increase coincides with a decrease in the proportion of pre-hearing meetings (see figure 8), although the relationship is not exact.

Figure 9: Percentage of pre-hearing meetings that resolved issues so that hearings were not required, 1998/1999–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Note: Before 2005/2006 the survey questions asked for the number of pre-hearing meetings held for notified consent applications. In 2005/2006 and subsequent surveys the questions asked for the number of pre-hearing meetings for notified *and* limited notified consent applications.

Two local authorities provided information on the number of pre-hearing meetings held but did not advise how many of these meetings resolved issues so that a hearing was not required. Their figures have been excluded from the above analysis.

Pre-hearings, by local authority type

Table 6 shows the number of pre-hearing meetings held by each type of local authority and what percentage of these resolved issues. Unitary authorities clearly had the highest percentage success rate for their pre-hearing meetings.

Table 6: Number of pre-hearing meetings held on consent applications notified in some way and the percentage of pre-hearing meetings that resolved issues so that hearings were not required, by local authority type, 2007/2008

Local authority type	Number of pre-hearing meetings held	Percentage which resolved issues so that no hearing was needed*
Regional	249	33%
Unitary	13	85%
Territorial	117	29%
All	379	34%

Source: 2007/2008 RMA survey data.

* In 2007/2008 two local authorities provided information on the number of pre-hearing meetings held, but did not advise how many of these meetings resolved issues so that a hearing was not required. Their figures have been excluded from this column.

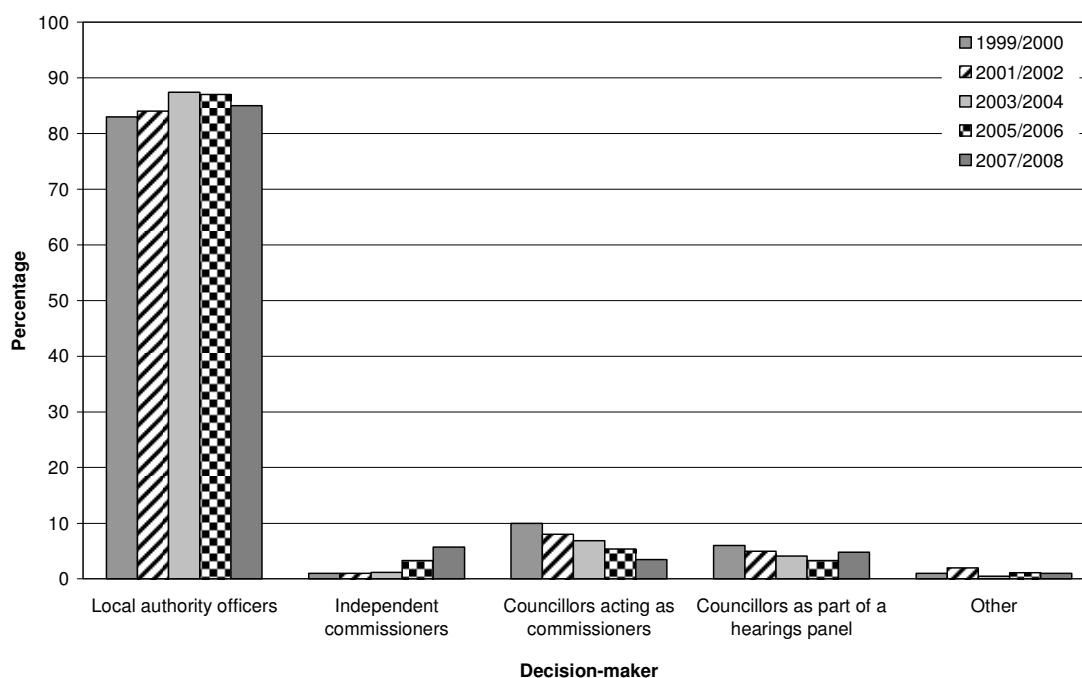
Resource consent decision-makers

Local authorities were asked how many resource consent decisions were made by different types of decision-makers – either local authority officers, independent commissioners, councillors acting as commissioners, councillors as part of a hearings panel, or other options (appendix 6, question 1.12).

In 2007/2008, across all local authority types, most decisions were made by local authority officers acting under delegated authority (85 per cent). Independent commissioners made 6 per cent of decisions, councillors as part of a hearing panel made 5 per cent, councillors acting as commissioners made 4 per cent, and the remaining decisions were made by ‘other’ decision-makers.

Figure 10 shows that over the past five surveys the majority of decisions have been made by local authority officers. The percentage of decisions made by independent commissioners has increased over the past three surveys from 1.2 per cent to 5.7 per cent, an increase of 72 per cent from the 2005/2006 figures (3.3 per cent), and a nearly five-fold increase from 2003/2004. The percentage of decisions made by councillors acting as commissioners has decreased over the past five surveys from 10 per cent to 3.5 per cent, a decrease of 65 per cent.

Figure 10: Percentage of consent decisions made, by decision-maker, 1999/2000–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Table 7 distils the information further by showing who made the decisions for each local authority type. A high proportion of decisions by regional councils and territorial authorities were made by local authority officers (92 per cent and 87 per cent respectively), while unitary authorities had a more even split of decision-making between local authority officers (48 per cent) and councillors acting as commissioners (42 per cent).

Table 7: Percentage of consent decisions made, by decision-maker and local authority type, 1999/2000–2007/2008

Decision-maker	Survey period	All	Regional	Unitary	Territorial
Local authority officers	2007/2008	85%	92%	48%	87%
	2005/2006	87%	93%	50%	89%
	2003/2004	87%	90%	54%	90%
	2001/2002	84%	91%	53%	85%
	1999/2000	83%	90%	54%	84%
Independent commissioners	2007/2008	6%	3%	2%	7%
	2005/2006	3%	1%	1%	4%
	2003/2004	1%	1%	1%	1%
	2001/2002	1%	2%	1%	1%
	1999/2000	1%	1%	1%	1%
Councillors acting as commissioners	2007/2008	4%	< 0.5%	42%	< 0.5%
	2005/2006	5%	< 0.5%	45%	3%
	2003/2004	7%	1%	41%	5%
	2001/2002	8%	1%	29%	8%
	1999/2000	10%	1%	39%	8%
Councillors as part of a hearings panel	2007/2008	5%	3%	8%	5%
	2005/2006	3%	4%	5%	3%
	2003/2004	4%	6%	4%	4%
	2001/2002	5%	4%	5%	5%
	1999/2000	6%	6%	6%	6%
Other (eg, mixed panel of councillors/commissioners)	2007/2008	1%	2%	< 0.5%	1%
	2005/2006	1%	2%	0%	1%
	2003/2004	0.5%	2%	0%	< 0.5%
	2001/2002	2%	2%	12%	< 0.5%
	1999/2000	1%	2%	1%	1%

Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Notes:

The survey question on which this table was based was amended in 2005/2006 to clarify its intent. Nonetheless, the response from each survey period remains comparable.

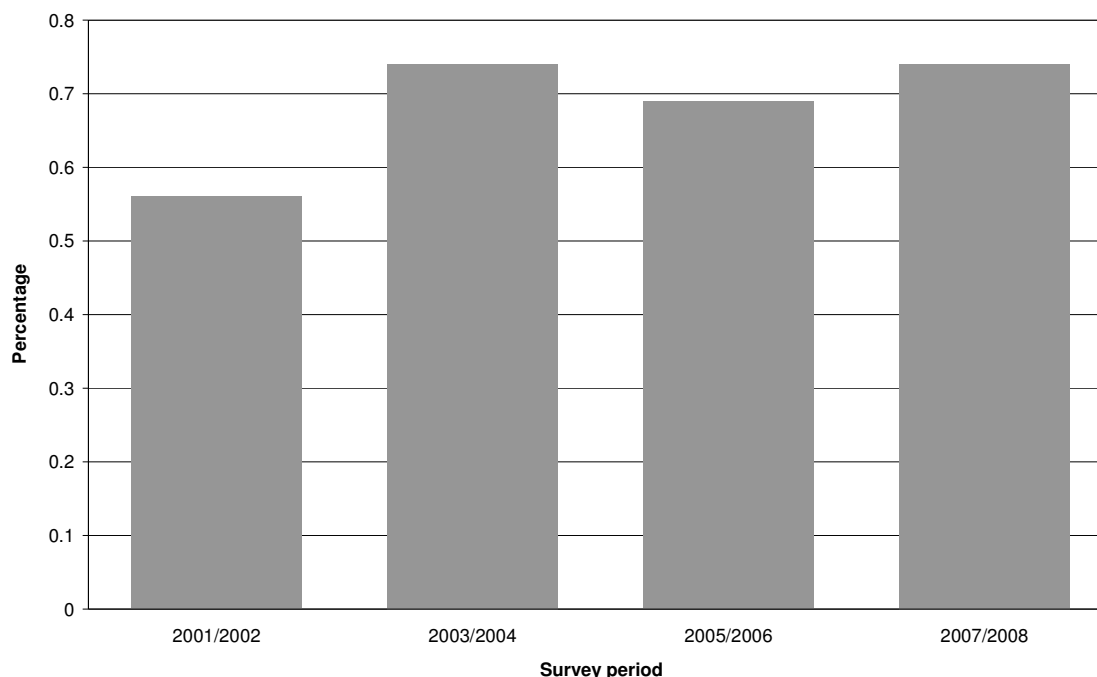
Because of rounding, the percentages do not always sum to 100%.

Declined resource consent applications

Local authorities were asked how many resource consent applications were declined (appendix 6, question 1.5).

In 2007/2008, 0.74 per cent (385) of resource consent applications were declined, a slight increase from 0.69 per cent (357) in 2005/2006. Figure 11 shows there have been minor fluctuations in the percentage of declined consent applications over the past four survey periods.

Figure 11: Percentage of consent applications declined, 2001/2002–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Objections and appeals

Objecting and appealing council decisions

Under sections 357(1), 357A(1) and 357B(1) of the RMA an applicant can object to a local authority decision on such matters as the completeness of a resource consent application or any change, cancellation or review of an application that was not notified. Applicants can also object if the application was notified and no submissions were received.

The local authority may choose either to hear and determine the objection or, where officers have delegation to do so, they may deal with it. If an applicant is dissatisfied with the decision, he or she can lodge an appeal under section 358 to the Environment Court.

Where an application is notified by a local authority, an applicant or submitter can appeal the decision on a resource consent application or any change, cancellation or review of a condition to the Environment Court under section 120.

Local authorities were asked how many objections and appeals applicants made on resource consent decisions (appendix 6, questions 1.13–1.15).

Objections under section 357 of the RMA

In 2007/2008, 2.0 per cent (1029) of consent decisions were objected to under section 357 of the RMA, up from 1.3 per cent (696) in 2005/2006.

Appeals under section 358 of the RMA

In 2007/2008, 1.2 per cent (12) of the decisions objected to were then appealed to the Environment Court under section 358 of the RMA. This is fewer than the 2.0 per cent (14) of objected decisions appealed in the previous survey.

Appeals under section 120 of the RMA

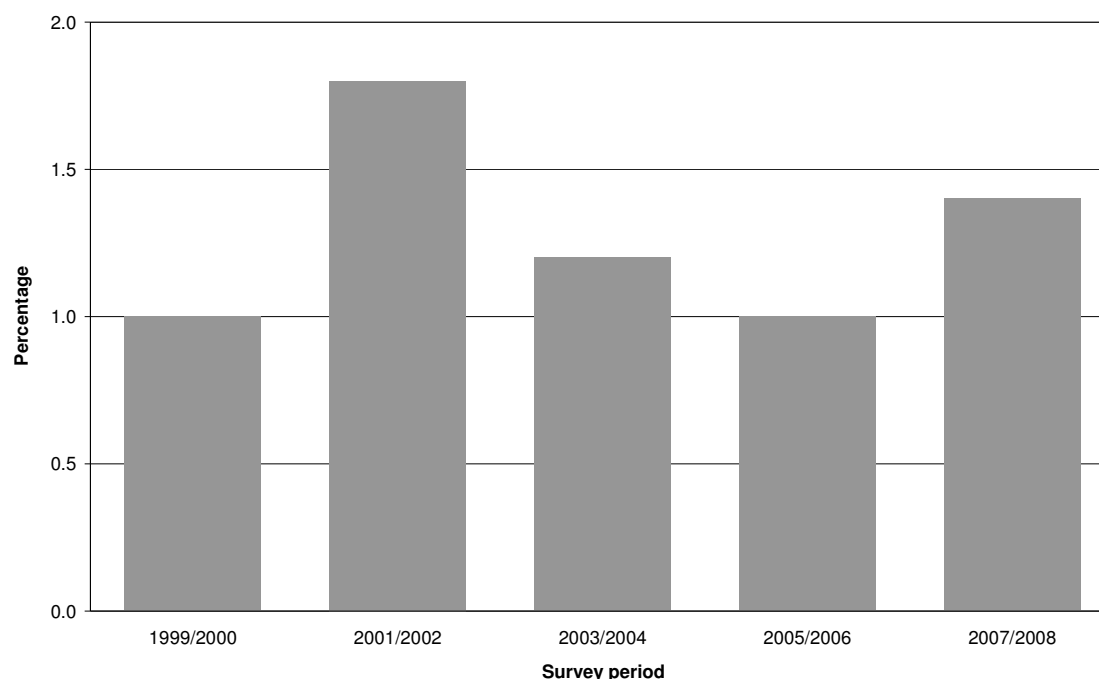
In 2007/2008, 1.4 per cent (710) of decisions were appealed to the Environment Court under section 120, up from 1.0 per cent (529) in 2005/2006.

Total appeals under section 358 and section 120

Figure 12 shows the percentage of resource consent decisions appealed, under either section 120 or section 358. It shows the fluctuations over the past five surveys, and that the 2007/2008 result is within the usual range. A relatively large proportion of consent decisions were appealed in 2001/2002.

Table 8 distils the information further by showing the number and percentage of consent decisions appealed over time for each type of local authority. It shows that the percentage of consent decisions appealed has fluctuated for each local authority type, with greater fluctuations for regional councils and unitary authorities than for territorial authorities. Table 8 also shows that, in most survey years, regional councils have faced the highest percentage of appeals, while territorial authorities have always had the lowest.

Figure 12: Percentage of consent decisions appealed, 1999/2000–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Note:

The survey question on which this figure was based was amended in 2005/2006 to acquire more information about the different types of appeals. Nonetheless, the response from each survey period remains comparable.

Table 8: Number and percentage of consent decisions appealed, 1999/2000–2007/2008

Survey period	Regional councils		Unitary authorities		Territorial authorities		All	
	Number of consents	Percentage of consents	Number of consents	Percentage of consents	Number of consents	Percentage of consents	Number of consents	Percentage of consents
2007/2008 (n = 84)	331	2.7%	90	2.2%	301	0.8%	722	1.4%
2005/2006 (n = 84)	190	1.6%	82	2.1%	271	0.8%	543	1.0%
2003/2004 (n = 85)	308	2.9%	35	0.8%	308	0.8%	651	1.2%
2001/2002 (n = 86)	437	3.8%	85	2.0%	371	1.1%	893	1.8%
1999/2000 (n = 79)	96	1.2%	61	1.5%	329	0.9%	486	1.0%

Source: 2007/2008 RMA survey data and published reports for the periods indicated.

Notes:

The survey question on which this table was based was amended in 2005/2006 to acquire more information about the different types of appeals. Nonetheless, the response from each survey period remains comparable.

The (n = ##) in the left-hand column refers to the number of local authorities that answered the question on which this analysis is based.

Timeliness

This section provides information on timeframes for processing resource consent applications, along with any emerging trends. Specifically, it reports on:

- resource consent applications processed within statutory time limits (ie, processed on time)
- notified, limited notified and non-notified resource consent applications processed on time
- the use of section 37 to extend time limits.

The timeframes for processing applications are described in sections 88B, 95, 97, 101 and 115 of the RMA. If one part of the consent application process falls outside the statutory time limit for that phase, but the entire consent application is processed within the overall upper time limit, it is considered as having been processed on time.

Resource consent applications processed on time

Local authorities were asked how many consent applications of each type were processed on time (appendix 6, questions 2.1–2.3). This includes resource consent applications where the time limits were formally extended by local authorities under section 37 of the RMA.

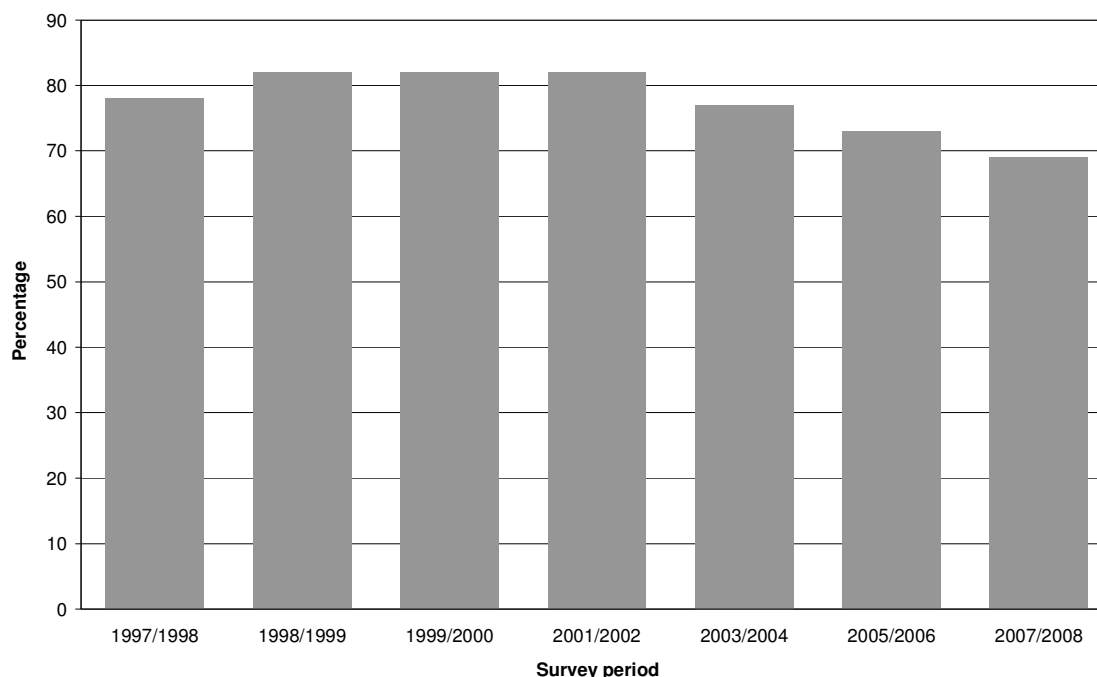
Extending the time limits of consent applications

Section 37 allows a local authority to extend the time limits specified in the RMA or Regulations. Under section 37A(2), it can extend a time limit for:

- up to double the maximum period specified in the RMA, or
- a time exceeding twice the maximum time period specified in the RMA if the applicant or requiring authority requests or agrees to the extension.

In 2007/2008, the overall percentage of consent applications processed on time was 69 per cent, down from 73 per cent in 2005/2006. The 2007/2008 survey result is the lowest for the past 10 years and continues a downward trend from 2001/2002 – that year, 82 per cent of consent applications were processed on time. Figure 13 shows the percentage of resource consent applications processed on time over seven surveys.

Figure 13: Percentage of consent applications processed on time, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Consent applications processed on time, by consent type

Table 9 shows the proportion of consent applications processed on time, by consent type (appendix 6, questions 2.1–2.3). This includes resource consent applications where the time limits were formally extended by local authorities under section 37 of the RMA.

In 2007/2008, 70 per cent of subdivision, 70 per cent of land-use, 76 per cent of coastal, 66 per cent of water and 59 per cent of discharge consent applications were processed on time.

In 2007/2008, the percentage of land-use, coastal, water and discharge applications processed on time decreased compared to the last survey. The only improvement was an increase in the percentage of subdivision applications processed on time. (Subdivision applications made up about one-quarter of consent applications processed in 2007/2008, while land-use applications made up 61 per cent of consent applications processed.)

Figure 14 presents the same information in table 9 as a graph. It clearly shows:

- the percentages for land-use and discharge consent applications processed on time in 2007/2008 are the lowest for any survey period over the past 10 years
- the 2007/2008 results for subdivision, coastal and water consent applications are within the range of results over the past 10 years
- a steady decrease in the percentage of land-use consent applications processed on time from 1999/2000, and in coastal consent applications processed on time from 2001/2002
- the percentage of subdivision consent applications processed on time improved in 2007/2008, reversing a downward trend from 1998/1999

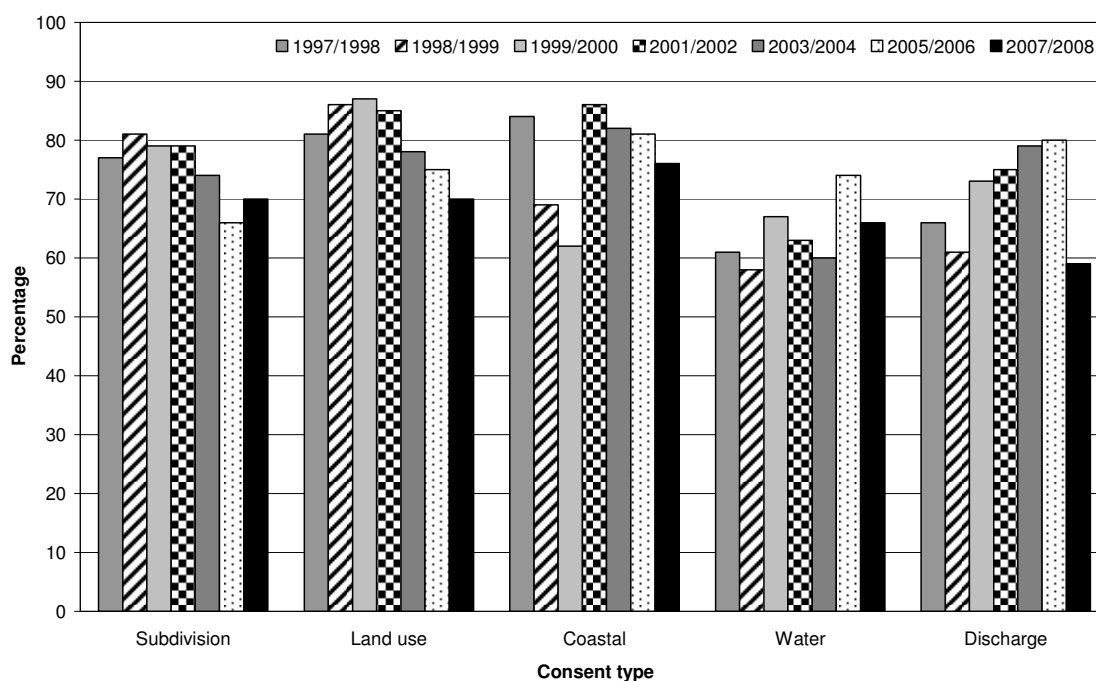
- a large drop in the percentage of discharge consent applications processed on time in 2007/2008, following an improving trend evident in the previous five surveys (discharge consent applications made up 9 per cent of all consent applications processed in 2007/2008).

Table 9: Percentage of consent applications processed on time, by consent type, 1997/1998–2007/2008

Survey period	Subdivision	Land use	Coastal	Water	Discharge	Total
2007/2008	70%	70%	76%	66%	59%	69%
2005/2006	66%	75%	81%	74%	80%	73%
2003/2004	74%	78%	82%	60%	79%	77%
2001/2002	79%	85%	86%	63%	75%	82%
1999/2000	79%	87%	62%	67%	73%	82%
1998/1999	81%	86%	69%	58%	61%	82%
1997/1998	77%	81%	84%	61%	66%	78%

Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Figure 14: Percentage of consent applications processed on time, by consent type, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

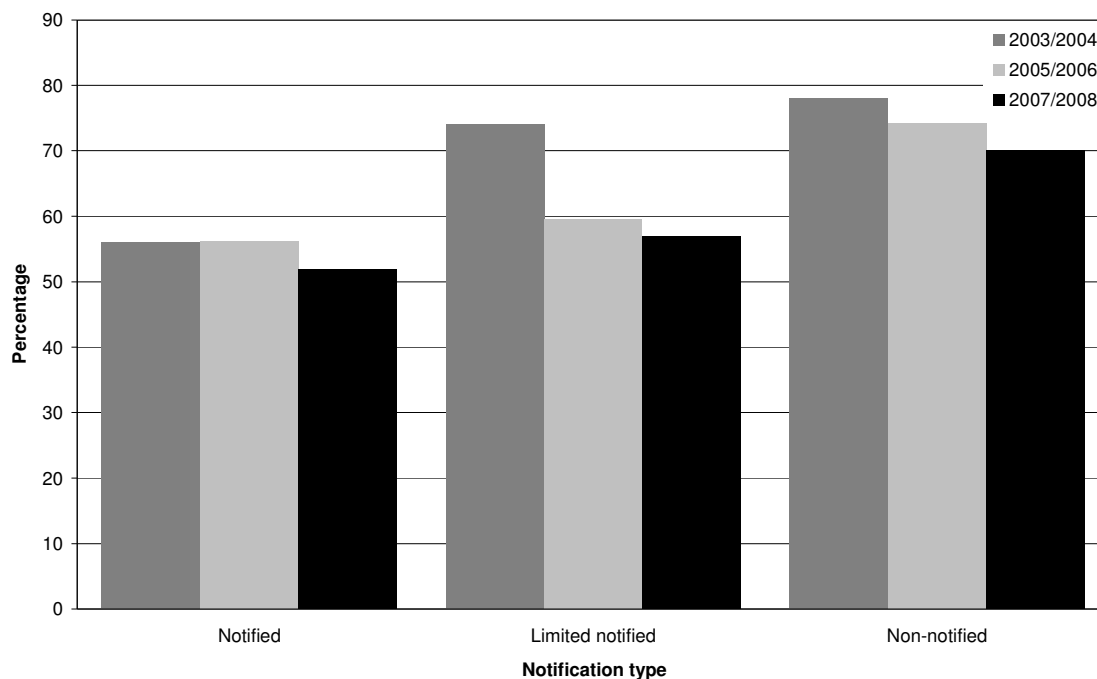
Consent applications processed on time, by notification type

Local authorities were asked for the number of notified, limited notified or non-notified consent applications processed on time (appendix 6, questions 2.1–2.3). This includes consent applications where the time limits were formally extended by local authorities under section 37 of the RMA.

In 2007/2008, 52 per cent of notified consent applications, 57 per cent of limited notified consent applications and 70 per cent of non-notified consent applications were processed on time.

Figure 15 shows the percentage of consent applications processed on time, by notification type, for the three most recent survey periods. The results for 2007/2008 are the lowest across all three notification types and continue a downward trend that is broken only by a slight increase for notified consent applications in 2005/2006. Figure 15 also shows that the percentage of notified consent applications processed on time is consistently the lowest across all three surveys, while the percentage of non-notified consent applications processed on time is consistently the highest.

Figure 15: Percentage of consent applications processed on time, by notification type, 2003/2004–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Note:

This figure excludes some results from one local authority that provided notified and limited notified consent application numbers as a combined figure.

Consent applications processed on time, by notification type and local authority type

Table 10 further distils the above information by showing the percentage of each type of consent processed on time for each type of local authority. The key findings are as follows.

- In 2007/2008, regional councils processed 69 per cent of consent applications on time. This is a drop from 86 per cent in 2005/2006.
- Unitary authorities improved their performance across the board. In 2007/2008, they processed 63 per cent of consent applications on time, up from 58 per cent in 2005/2006.
- In 2007/2008, territorial authorities processed 70 per cent of consent applications on time. This is similar to the 71 per cent processed on time in 2005/2006.

Appendix 4 provides the percentage of consent applications processed on time by each local authority in 2007/2008 and ranks them accordingly. This ranking is compared to the 2005/2006 ranking. Appendix 5 provides a full summary of the percentage of notified, limited notified and non-notified consent applications processed on time by each local authority in 2007/2008.

Table 10: Percentage of consent applications processed on time, by local authority type and notification type, 2005/2006 and 2007/2008

Local authority type	Notified		Limited notified		Non-notified		Total	
	2007/2008	2005/2006	2007/2008	2005/2006	2007/2008	2005/2006	2007/2008	2005/2006
Regional	52%	70%	61%	70%	71%	87%	69%	86%
Unitary	52%	49%	55%	34%	67%	60%	63%	58%
Territorial	51%	48%	55%	63%	70%	71%	70%	71%
All	52%	56%	57%	60%	70%	74%	69%	73%

Source: 2007/2008 and 2005/2006 RMA survey data.

Note:

This table excludes some results from one local authority that provided notified and limited notified consent application numbers as a combined figure.

Use of section 37 to extend time limits

Local authorities were asked whether they used section 37 to extend the time limits set in the RMA (appendix 6, questions 6.7–6.9). This can be done using the following clauses.

- Section 37A(2)(a) provides for the specified time limit to be exceeded, but not by more than twice the maximum specified in the RMA.
- Section 37A(2)(b) allows the time limit to be extended by more than twice the allowed maximum time if the applicant agrees or requests this.

Effective time management

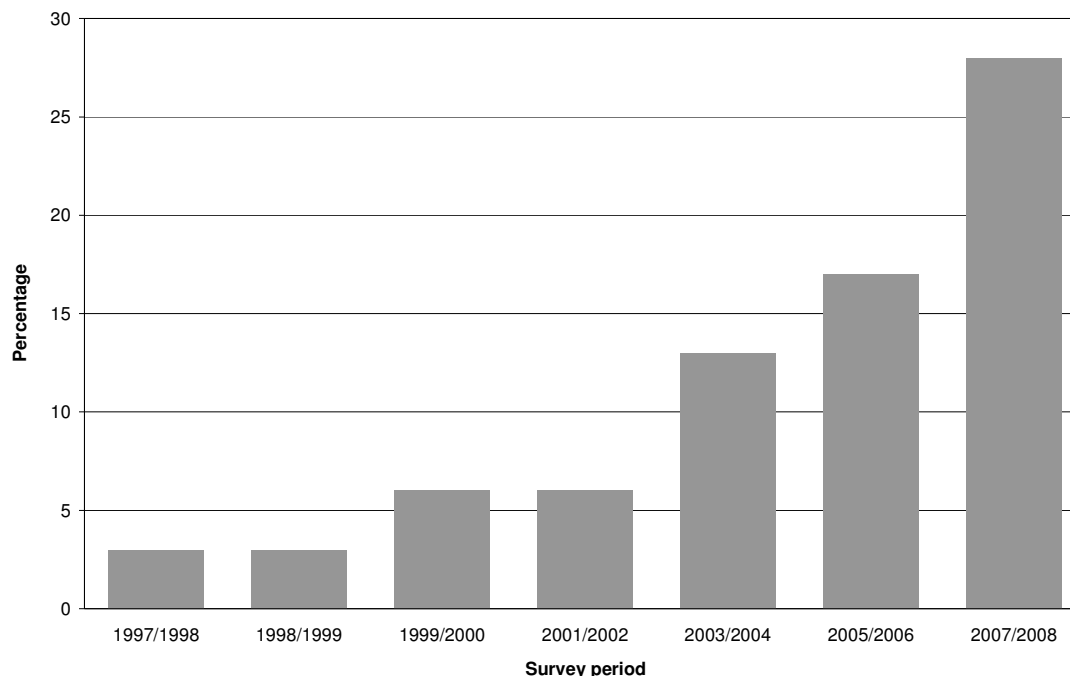
It is considered good practice to use the relevant clauses of section 37 to formally extend timeframes rather than allowing consent application processes to run over time limits without clearly informing the applicant and/or other interested parties.

However, extensions should only be used where there are good reasons and the delay is beyond the control of the consent authority. It is good practice to restrict the extensions of timeframes to occasions when further consultation, negotiation, analysis or consideration of very complex applications is required.

In 2007/2008, section 37 was used for 28 per cent (14,512) of all consent applications processed, compared with 17 per cent (9065) in 2005/2006. This is an increase of 60 per cent and continues the general upward trend over the previous six surveys, as shown in figure 16. The proportion of resource consent applications for which timeframes have been extended using section 37 has increased nine-fold over the past 10 years.

In 2007/2008, 87 per cent (72 out of 84) of local authorities used section 37, up from 82 per cent (70 out of 85) in 2005/2006. In 2007/2008, most consent applications that had extended time limits used section 37A(2)(a) (80 per cent), with the remainder using section 37A(2)(b). These percentages are based on responses from the 71 local authorities that provided this information.

Figure 16: Percentage of consent applications extended by the use of section 37, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Charges

This section provides information on the minimum, median and maximum charges that resource consent applicants face (appendix 6, questions 3.1–3.3). Under the Local Government Act 2002 (LGA), local authorities must adopt funding and financial policies to provide predictability and certainty about the sources and levels of their funding. Although most local authority funding of resource consent application processing is derived from fees and charges to the applicant, some subsidise their fees and costs using other income streams (eg, rates).

Section 36 of the RMA allows a local authority to charge for resource consent application processing (including receiving and granting resource consents). Such charges must be fixed in accordance with the LGA.

Data limitations

The data reported in this section has a number of limitations due to the fact that:

- a small number of local authorities provided estimated charges
- a small number of local authorities provided standard charges rather than the actual amounts paid by applicants
- some local authorities only processed one or two consent applications for some consent types, and so the charging information they provided may not be representative (this is particularly relevant for notification types processed less often; ie, notified and limited notified)
- two local authorities could not provide information on charges due to limitations in their recording systems.

One local authority recorded notified and limited notified consent applications together, and so only its results for non-notified consents have been included in the following analysis.

Regional council and unitary authority charges

Due to the small number of unitary authorities, information on unitary authority charges has been combined with that of regional councils. However, it is acknowledged that because unitary authorities have functions of both territorial authorities and regional councils, their minimum, median and maximum charges will differ from those of other local authorities.

Table 11 shows the average minimum, median and maximum charges levied by regional councils and unitary authorities for each consent and notification type in 2007/2008. The ranges of average median charges were, in descending order:

- notified consent applications: \$5365–\$9924
- limited notified consent applications: \$1067–\$4223
- non-notified consent applications: \$717–\$811.

In short, notified consent applications had higher average median charges than limited notified consent applications, and limited notified consent applications had higher average median charges than non-notified consent applications.

The highest average charge was \$38,779 – the average maximum charge for notified discharge consent applications. The lowest average charge was \$128 – the average minimum charge for non-notified land-use consent applications.

Table 11 does not include information on subdivision consent application charges because regional councils do not process subdivision consent applications, and only limited information was provided by unitary authorities.

Table 11: Regional council and unitary authority average charges to applicants for consent application processing, by consent type and notification type, 2007/2008

Consent type	Notification type	Average minimum charge	Average median charge	Average maximum charge	Number of local authorities providing data
Land use	Notified	\$1,615	\$6,421	\$31,765	12
	Limited notified	\$1,021	\$2,653	\$8,858	15
	Non-notified	\$128	\$811	\$4,975	16
Water	Notified	\$2,130	\$5,365	\$31,739	13
	Limited notified	\$1,780	\$4,223	\$9,041	13
	Non-notified	\$153	\$717	\$7,068	15
Coastal	Notified	\$3,905	\$7,165	\$12,974	12
	Limited notified	\$973	\$1,067	\$2,077	7
	Non-notified	\$404	\$731	\$3,947	15
Discharge	Notified	\$3,386	\$9,924	\$38,779	13
	Limited notified	\$1,578	\$3,598	\$11,511	14
	Non-notified	\$143	\$778	\$9,559	15

Source: 2007/2008 RMA survey data.

Comparisons of median charges, by notification type

Figures 17a–17c compare the ranges of the average median charges levied by regional councils and unitary authorities in 2007/2008 with the previous two survey results according to the different notification types. The ranges are formed from the highest and lowest average median charge for each notification type. For example, the 2007/2008 range for notified consent applications (figure 17a) uses the average median charge for a notified discharge consent application for the upper range and the notified water charge for the lower range. This is because for notified consent applications, charges for discharge consent applications are the highest, on average, of the four consent types and charges for water consent applications are the lowest, on average, of the four consent types. The charges are provided in 2003/2004 dollars to remove any inflationary effect and to allow a direct comparison to be made across years.

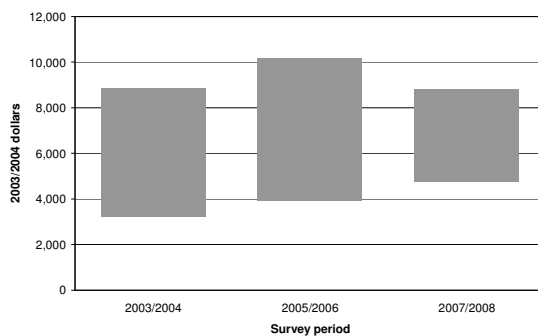
It is important to note that more complex consent applications need more processing work and are therefore likely to have higher charges than less complex consent applications. However, the survey questions do not take consent application complexity into account. This makes it difficult to determine whether the consent application charges have changed over time, whether the complexity of consent applications have changed over time, or if it is a combination of the two.

Figures 17a and 17b show that the ceiling for average median charges for notified and limited notified consent applications dropped in 2007/2008. The highest ceiling charges were in 2005/2006. Conversely, the entire range of average median charges for non-notified consent applications rose in 2007/2008 (figure 17c); that is, there is no overlap between the 2007/2008 range of charges and those in previous survey years.

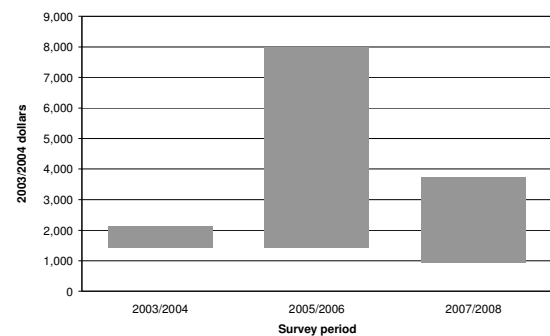
In some years, the range of average median charges is clearly larger than in other years – such as the 2005/2006 range in figure 17b. These larger ranges indicate greater variation in the average median charges for the different consent types.

Figures 17a–c: Ranges of the average median charges for regional councils and unitary authorities, by notification type, in 2003/2004 prices, 2003/2004–2007/2008

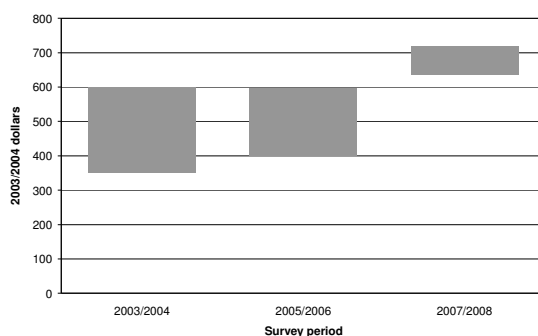
a: Notified consent applications



b: Limited notified consent applications



c: Non-notified consent applications



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Territorial authority charges

Table 12 shows the average minimum, median and maximum charges for subdivision and land-use consent applications made by territorial authorities in 2007/2008. The ranges of average median charges were, in descending order:

- notified consent applications: \$7148–\$23,934
- limited notified consent applications: \$4139–\$4816
- non-notified consent applications: \$861–\$1243.

As with regional councils and unitary authorities, notified consent applications had higher average median charges than limited notified consent applications, and limited notified consent applications had higher average median charges than non-notified consent applications. The highest average charge was \$62,025 – the average maximum charge for notified land-use consent applications. The lowest average charge was \$213 – the average minimum charge for non-notified land-use consent applications.

Table 12 does not include information on water, coastal or discharge consent application charges because territorial authorities do not process these types of consents.

Table 12: Territorial authority average charges to applicants for consent application processing, by consent type and notification type, 2007/2008

Consent type	Notification type	Average minimum charge	Average median charge	Average maximum charge	Number of local authorities providing data
Subdivision	Notified	\$4,961	\$7,148	\$14,836	53
	Limited notified	\$3,386	\$4,816	\$6,722	43
	Non-notified	\$386	\$1,243	\$11,182	66
Land use	Notified	\$16,629	\$23,934	\$62,025	52
	Limited notified	\$1,953	\$4,139	\$11,601	55
	Non-notified	\$213	\$861	\$18,711	66

Source: 2007/2008 RMA survey data.

Comparisons of median charges, by notification type

Figures 18a–18c compare the ranges of the average median charges levied by territorial authorities in 2007/2008 with the previous two survey results according to the different notification types. The ranges are formed in a similar way to those in figures 17a–17c. The charges are provided in 2003/2004 dollars to remove any inflationary effect and to allow a direct comparison to be made across years.

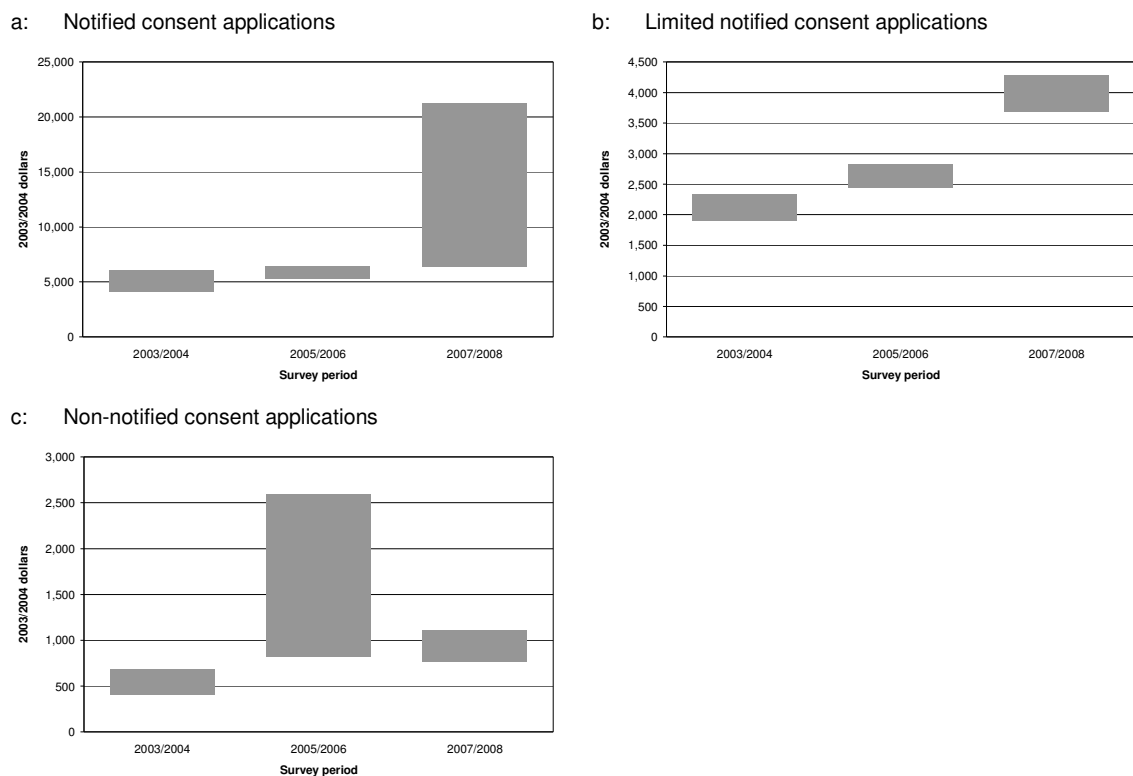
It is important to note that more complex consent applications need more processing work and are therefore likely to have higher charges than less complex consent applications. However, the survey questions do not take consent application complexity into account. This makes it difficult to determine the degree to which changing charges over time are caused by changes in the complexity of consent applications.

In 2007/2008 territorial authority charges for notified and limited notified consent applications increased (figures 18a and 18b). Figure 18a shows that the entire range of average median charges for notified consent applications was higher in 2007/2008 than in the previous two surveys; that is, there is no overlap between the 2007/2008 range of costs and those in previous surveys. The range was also considerably larger than in the previous two surveys.

The lack of overlap between the ranges in figure 18b highlights the increase in the average median charges for limited notified consent applications between each survey year. Conversely, in 2007/2008 there was some reduction in territorial authority charges for non-notified consent applications (figure 18c). The uppermost average median charge for non-notified consent applications was much lower in 2007/2008 than in the previous survey.

In some years the range of average median charges is clearly larger than in other years – such as the 2007/2008 range in figure 18a. These larger ranges indicate greater variation in the average median charges for the different consent types.

Figures 18a–c: Ranges of the average median charges for territorial authorities, by notification type, in 2003/2004 prices, 2003/2004–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Good Practice

This section reports on good practices that local authorities use to improve performance in their resource management functions. Specifically, it reports on how local authorities deal with:

- the resource consent pre-application phase
- information needed at the application phase
- assessments of environmental effects and notification
- monitoring processing timeframes
- monitoring customer satisfaction.

Both the number and percentage of local authorities that follow good practice are provided in this section to allow for a more accurate comparison between survey periods. This is because the number of local authorities responding to each question can vary between surveys, which influences the results when they are presented as percentages.

Promoting good practice

In 2001, the Ministry for the Environment, along with partner organisations Local Government New Zealand, the New Zealand Planning Institute, the New Zealand Institute of Surveyors and the Resource Management Law Association, established the Quality Planning website to promote good practice in resource management planning in New Zealand. The website has a substantial section dedicated to promoting good practice in processing resource consents. The site can be accessed at www.qualityplanning.org.nz/.

Assistance at the pre-application phase

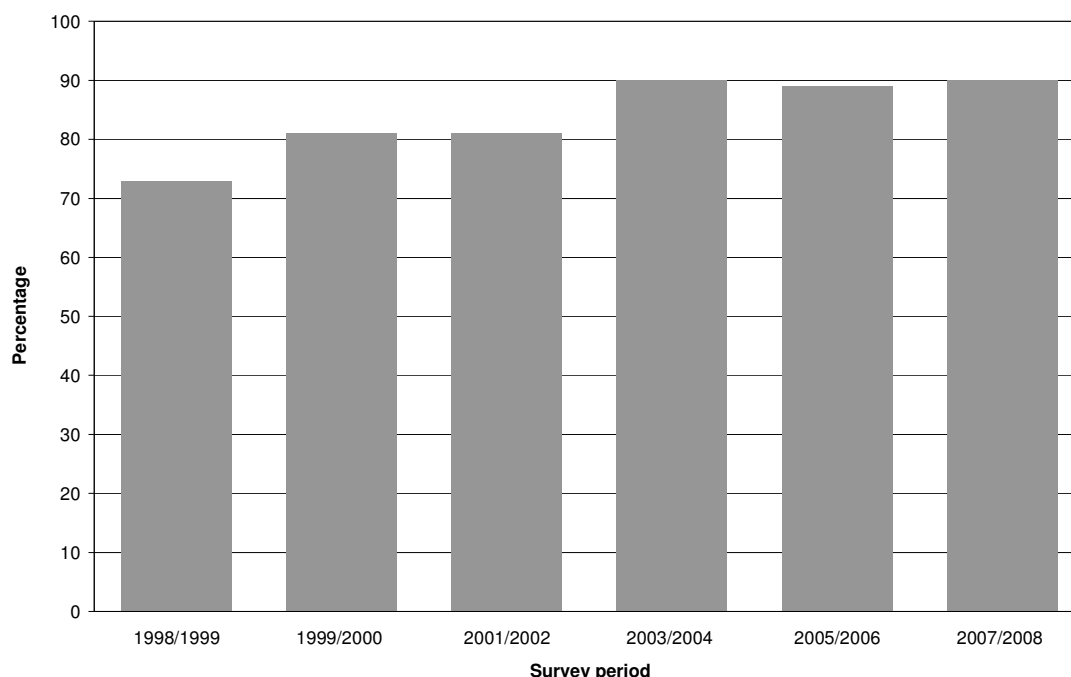
Local authorities were asked about what checklists they provide to help people in the pre-application phase of the consent process. In particular, they were asked whether any checklists specifically define the environmental effects that need to be addressed in consent applications for controlled and restricted discretionary activities (appendix 6, question 6.1).

Council clarity helps applicants

Knowing exactly which effects a local authority considers need to be addressed can help applicants understand and write an assessment of environmental effects. This can save time for all parties (the applicant, the local authority and submitters) and may lead to the proposed activity having better environmental outcomes.

In 2007/2008, the percentage of local authorities using checklists that specifically define environmental effects was similar to the previous survey: 90 per cent (76 out of 84) used them, compared to 89 per cent (76 out of 85) in 2005/2006. Figure 19 shows that this plateau follows a period of increase between 1998/1999 and 2003/2004.

Figure 19: Percentage of local authorities that define environmental effects to be addressed by applicants, 1998/1999–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Information needed at the consent application phase

Local authorities were asked whether, before commissioning specialist reports, they provided applicants with the opportunity to discuss or dispute the need for such further information and/or whether the applicant could provide it. This could save the applicant the costs of a specialist report (appendix 6, question 6.2).

Commissioning specialist reports

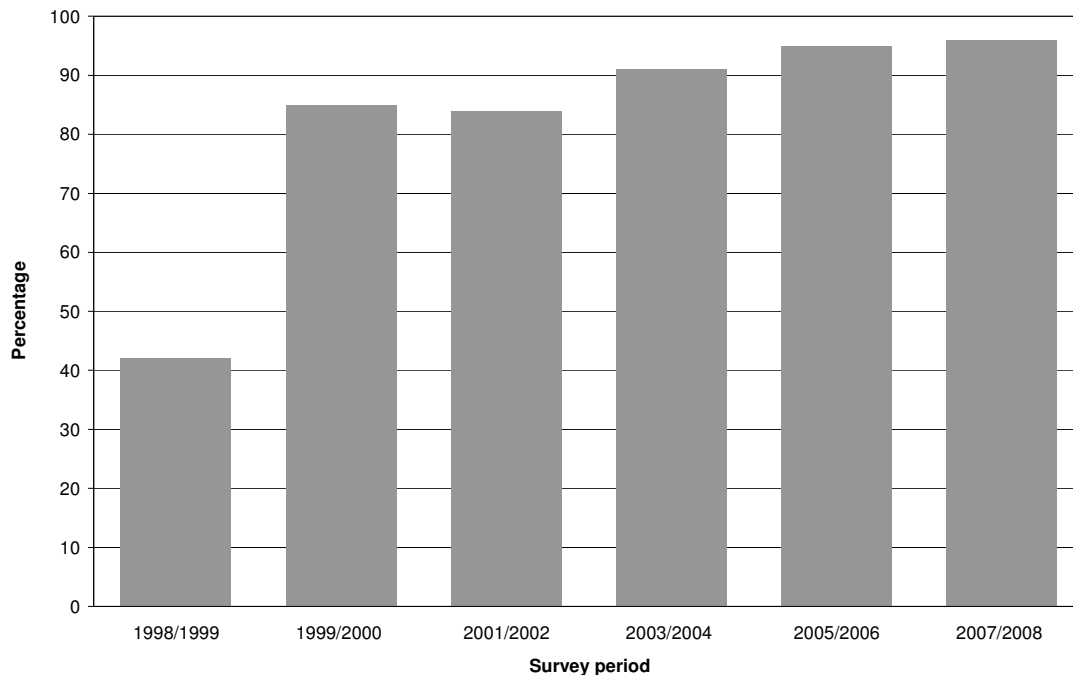
Section 92(2) of the RMA allows local authorities to commission reports on matters relating to an application if:

- the consent authority considers the activity may have a significant adverse environmental effect
- the applicant is notified before the report is commissioned (section 92[3])
- the applicant agrees to the commissioning of the report (section 92B[1]).

In 2007/2008, 96 per cent (81 out of 84) of local authorities provided applicants with an opportunity to discuss or dispute the requirements for such information. This was very similar to the 95 per cent (81 out of 85 local authorities) in 2005/2006.

Figure 20 shows that initially (between the 1998/1999 and 1999/2000 surveys) a steep increase occurred in the proportion of local authorities providing applicants with the opportunity to discuss or dispute the need for specialist reports – from 42 per cent to 85 per cent. This was followed by another, smaller, increase between 2001/2002 and 2003/2004, but since then the proportion of local authorities providing applicants with this opportunity has remained relatively stable.

Figure 20: Percentage of local authorities that provide applicants with the opportunity to discuss or dispute requirements before commissioning specialist reports, 1998/1999–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Assessments of environmental effects and notification

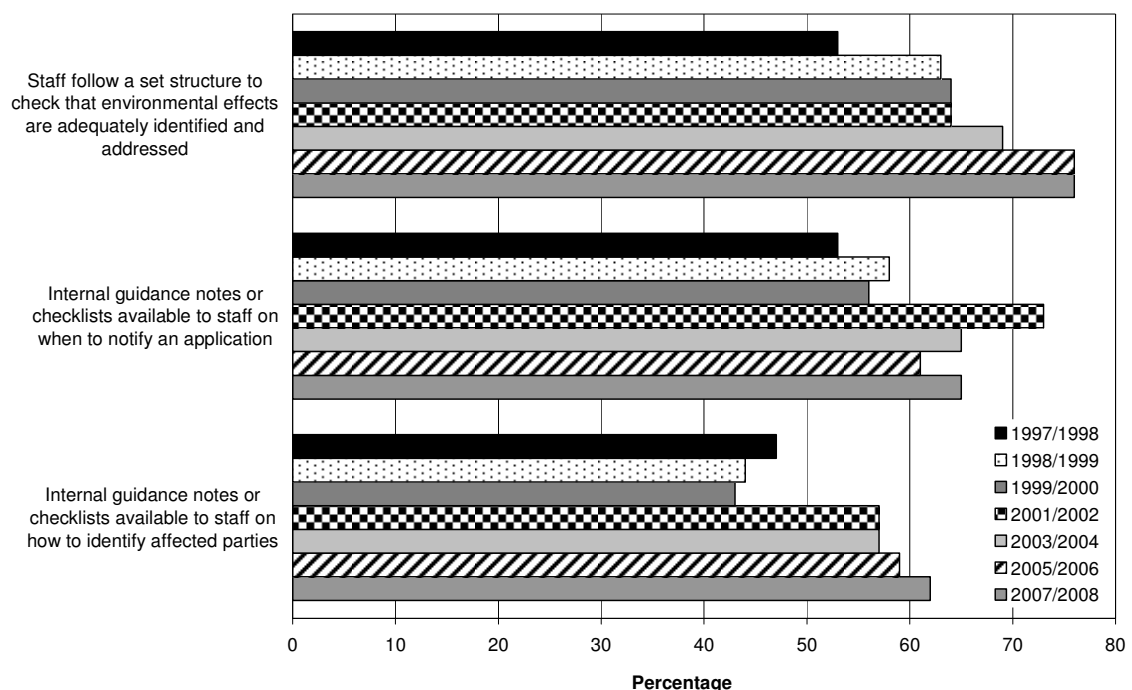
Local authorities were asked (appendix 6, questions 6.3–6.5) to identify internal mechanisms they use to ensure that:

- any environmental effects associated with applications for resource consent are adequately identified and assessed
- applications are notified appropriately
- affected parties are correctly identified.

The following results were found for 2007/2008.

- Seventy-six per cent (64 out of 84) of local authorities followed a structured process to check that environmental effects are adequately identified and addressed. This is the same proportion as in 2005/2006 (65 out of 85).
- Sixty-five per cent (55 out of 84) of local authorities have internal notes or checklists to guide staff on when to notify an application, compared with 61 per cent (52 out of 85) in 2005/2006. Figure 21 reveals some fluctuation in the application of this good practice over the past seven surveys.
- Sixty-two per cent (52 out of 84) of local authorities had internal notes or checklists to guide staff on how to identify potentially affected parties. This is a slight increase on the 59 per cent (50 out of 85) in 2005/2006. This continues an upward trend evident since 1999/2000, as shown in figure 21.

Figure 21: Percentage of local authorities that employ good practice in assessment of environmental effects and notification, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Monitoring processing timeframes

Local authorities were asked if they actively monitored and reported on whether resource consent applications are processed within statutory timeframes (appendix 6, questions 6.10, 6.11).

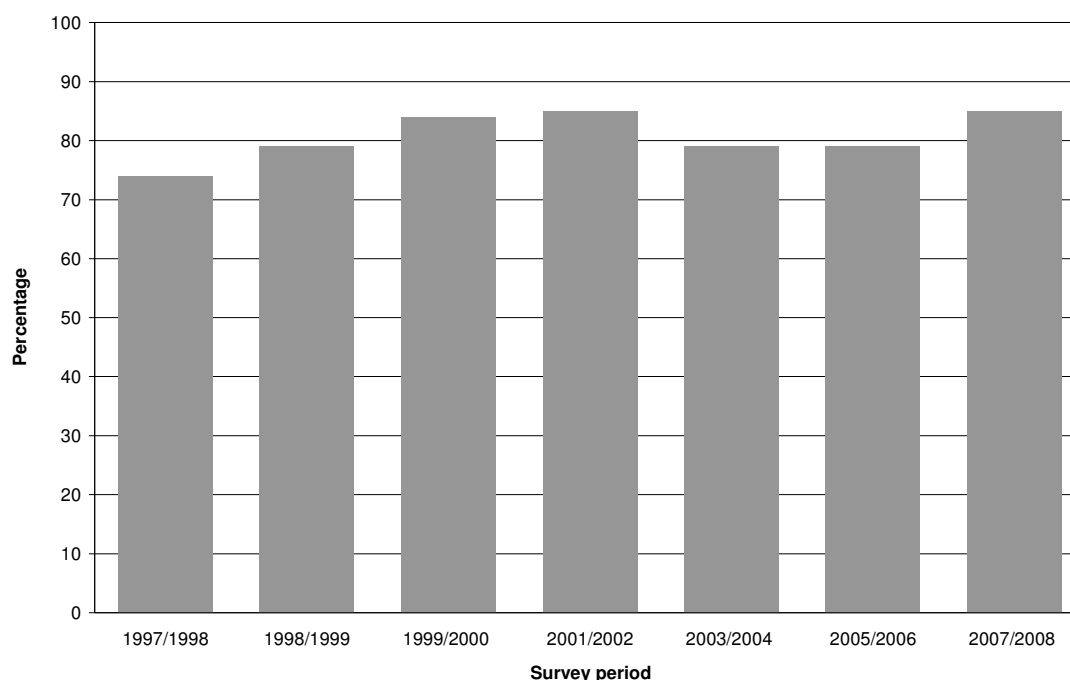
In 2007/2008 a very high proportion of local authorities – 99 per cent (83 out of 84 local authorities) – actively monitored whether consent applications are processed on time. This is similar to results in 2005/2006, when 100 per cent (all 85 local authorities) did so.

How often they did so varied: 16 local authorities reported they monitored daily, 28 monitored weekly and 30 monitored monthly. The remainder used other methods (such as quarterly or annual checks, or a combination of various timeframes).

In 2007/2008, the proportion of local authorities that undertook formal monitoring and reporting of consent application processing performance, and made the results available to ratepayers, was 85 per cent (71 out of 84). This is an increase from the 2005/2006 result, when the proportion was 79 per cent (67 out of 85).

Figure 22 shows there have been fluctuations in the proportion of local authorities that have adopted good monitoring and reporting practices over the past 10 years – from less than 75 per cent in 1997/1998, to a peak of 85 per cent in both 2001/2002 and 2007/2008.

Figure 22: Percentage of local authorities that undertook formal monitoring and reporting of consent application processing performance, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Customer satisfaction

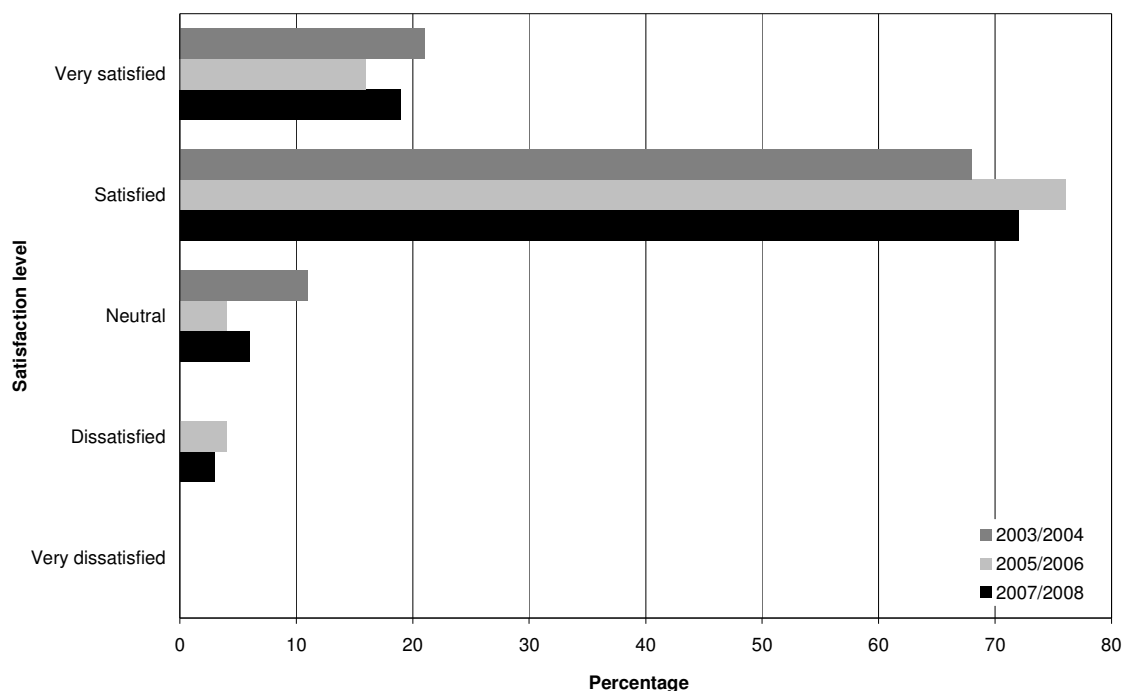
Local authorities were asked whether they used satisfaction surveys to monitor their resource consent processes (appendix 6, questions 6.12, 6.13). There is no statutory duty to do so, but it is considered good practice to obtain feedback on customer perceptions.

In 2007/2008, 38 per cent (32 out of 84) of local authorities ran customer satisfaction surveys, up from 29 per cent (25 out of 85) in 2005/2006.

Of the 32 local authorities that surveyed customer satisfaction in 2007/2008, 23 reported that customers were 'satisfied' while six reported 'very satisfied' customers. This equates to 91 per cent of these local authorities reporting that most customers were either 'satisfied' or 'very satisfied'. None reported that most of their customers were 'very dissatisfied', one reported most customers were 'dissatisfied' and two reported most customers were 'neutral'.

Figure 23 shows the overall level of customer satisfaction for the local authorities that ran customer satisfaction surveys. Although there have been fluctuations in customer satisfaction ratings over the past three surveys, there are consistently more 'satisfied' and 'very satisfied' customers than any other grouping. No satisfaction surveys have found that the overall level of customer satisfaction was 'very dissatisfied'.

Figure 23: Overall level of customer satisfaction with resource consent processing, 2003/2004–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Note: This figure provides the overall level of customer satisfaction for the local authorities that ran customer satisfaction surveys.

Monitoring, Compliance, Complaints and Enforcement

This section provides information on local authority monitoring and enforcement activities. Specifically, it reports on:

- section 35 monitoring
- complaints about alleged breaches of the RMA
- resolution of complaints
- compliance with resource consent conditions
- resolution of breaches of consent conditions.

Section 35 monitoring

Local authorities were asked whether or not they monitored and reported on policies, processes and environmental outcomes as required under section 35 of the RMA (appendix 6, question 4.1). Under this section, local authorities are responsible for monitoring:

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

Sections 35(2A) and 35(2)(b) of the RMA require local authorities to report at least once every five years on the results from monitoring the suitability and effectiveness of their policy statement or plan. There is also an expectation under section 35(5) of the RMA that information is collected and kept for all applications for resource consents, decisions, transfers of consents and complaints. However, there is no timeframe stipulated for compiling a report on this.

Table 13 provides the percentages of the types of local authority that monitor and/or report on their section 35 responsibilities. The main findings for 2007/2008 are that:

- regional councils either increased or maintained 2005/2006 levels of monitoring and reporting for their various responsibilities
- unitary authorities' performance equalled or fell below their 2005/2006 results, with the exception of an increase in reporting compliance with resource consent conditions
- territorial authorities either increased or maintained 2005/2006 levels of monitoring and reporting, with the exception of a slight decrease in monitoring the state of the environment.

Table 13: Percentage of local authorities monitoring and reporting on their responsibilities, 2005/2006 and 2007/2008

Responsibility		Regional councils		Unitary authorities		Territorial authorities		All	
		2007/2008	2005/2006	2007/2008	2005/2006	2007/2008	2005/2006	2007/2008	2005/2006
State of the environment	Monitor	100%	100%	80%	100%	42%	46%	53%	57%
	Report	100%	92%	80%	80%	30%	22%	43%	36%
Suitability and effectiveness of policies and plans	Monitor	100%	75%	60%	60%	64%	52%	69%	56%
	Report	75%	58%	20%	40%	35%	27%	40%	32%
Delegated/ transferred functions	Monitor	73%	67%	20%	40%	44%	44%	46%	47%
	Report	55%	50%	0%	40%	29%	29%	30%	33%
Compliance with resource consent conditions	Monitor	100%	100%	80%	80%	97%	93%	96%	93%
	Report	100%	100%	80%	60%	47%	47%	57%	55%
Complaints register	Monitor	100%	100%	80%	80%	91%	81%	92%	84%
	Report	100%	100%	80%	80%	53%	46%	61%	55%

Source: 2007/2008 and 2005/2006 RMA survey data.

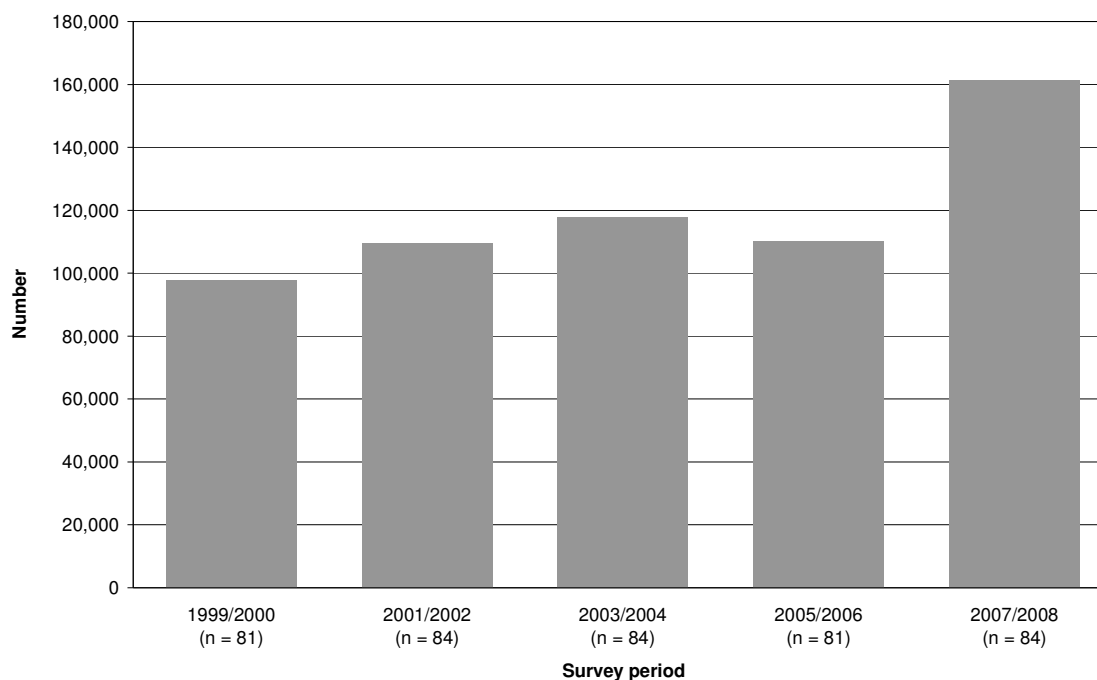
Complaints about alleged breaches of the RMA

Local authorities were asked to indicate the number of complaints they received concerning alleged breaches of the RMA, including excessive noise complaints (appendix 6, question 4.2). The data collected has some limitations due to:

- the small number of local authorities that did not distinguish between excessive noise complaints and other complaints in their systems
- the small number of local authorities that did not record a complaint if it was resolved through informal means.

Figure 24 shows the number of complaints relating to breaches of the RMA for the past five surveys, with an overall upward trend apparent. In 2007/2008, 161,257 complaints were recorded, up from 109,964 in 2005/2006. The 2007/2008 figure is an increase of nearly two-thirds from the 1999/2000 figure (97,722).

Figure 24: Number of complaints about alleged breaches of the RMA, 1999/2000–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Notes:

The survey question on which this figure was based was amended in 2003/2004 to differentiate between 'excessive noise complaints' and 'other complaints'. Nonetheless, the response from each survey period remains comparable.

The (n = ##) along the x axis refers to the number of local authorities that answered the question on which this analysis is based.

Complaints recorded, by local authority type

In 2007/2008, territorial authorities received the most complaints (83.7 per cent), followed by unitary authorities (8.6 per cent), then regional councils (7.7 per cent). This is a change from 2005/2006, when regional councils received more complaints than unitary authorities. Territorial authorities received the most complaints in both surveys.

Table 14 shows that the increase in complaints between 2005/2006 and 2007/2008 is primarily because of more complaints about excessive noise. In 2007/2008 territorial authorities received more than 121,000 excessive noise complaints, an increase of 51 per cent from the 80,256 complaints received in 2005/2006. In 2007/2008 unitary authorities received more than 11,500 excessive noise complaints. This is nearly triple the 4114 excessive noise complaints unitary authorities received in 2005/2006.

Table 14: Number and percentage of complaints about breaches of the RMA recorded, by local authority type, 2005/2006 and 2007/2008

Local authority type	Excessive noise complaints		Other complaints		Total	
	Number of complaints	Percentage of complaints recorded by each local authority type	Number of complaints	Percentage of complaints recorded by each local authority type	Number of complaints	Percentage of total complaints
2007/2008 results						
Regional councils (n = 12)	10	0.1%	12,434	99.9%	12,444	7.7%
Unitary authorities (n = 5)	11,586	83.3%	2,315	16.7%	13,901	8.6%
Territorial authorities (n = 67)	121,407	90.0%	13,505	10.0%	134,912	83.7%
All (n = 84)	133,003	82.5%	28,254	17.5%	161,257	100.0%
2005/2006 results						
Regional councils (n = 10)	0	0.0%	12,519	100.0%	12,519	11.4%
Unitary authorities (n = 5)	4,114	66.8%	2,041	33.2%	6,155	5.6%
Territorial authorities (n = 66)	80,256	87.9%	11,034	12.1%	91,290	83.0%
All (n = 81)	84,370	76.7%	25,594	23.3%	109,964	100.0%

Source: 2007/2008 and 2005/2006 RMA survey data.

Note: The (n = ##) in the left-hand column refers to the number of local authorities that answered the question on which this analysis is based.

Resolving complaints

Local authorities were asked for the number of complaints they resolved through different enforcement methods (appendix 6, question 4.6). The following enforcement options are available under the RMA:

- enforcement orders
- abatement notices
- excessive noise directions
- prosecutions
- infringement notices
- informal means.

Note that the results presented in this section have some limitations due to:

- the small number of local authorities that provided estimates for each complaint resolution method – these estimates have been included in the analysis
- the small number of local authorities that did not record a complaint if it was resolved through informal means – the data provided on formal resolution by these local authorities has been included in the analysis.

Table 15 shows the number of complaints resolved by formal enforcement methods. It also shows the proportion of these complaints that were resolved by each enforcement method. It highlights that the use of formal enforcement has increased since the last survey: 30,459 complaints were resolved through formal enforcement methods in 2007/2008, up from 26,118 in 2005/2006. The number of complaints resolved by each of the five formal enforcement methods also increased.

In 2007/2008, excessive noise directions were the most commonly used of all the formal enforcement methods, with nearly 90 per cent (27,229) of all formally resolved complaints resolved by this method. Enforcement orders were the least commonly used, with only 0.1 per cent (30) of formally resolved complaints resolved by this enforcement method. This was also the case in 2005/2006.

The proportion of formally resolved complaints resolved by abatement notices and prosecutions increased in 2007/2008. Use of abatement notices increased by 83 per cent, up from 3.8 per cent (1004) in 2005/2006 to 7.0 per cent (2144) in 2007/2008, while prosecutions increased by 70 per cent, up from 0.2 per cent (60) to 0.4 per cent (119). The percentages of the other enforcement options were similar between surveys.

Table 15: Number and percentage of enforcement options used to formally resolve complaints, 2005/2006 and 2007/2008

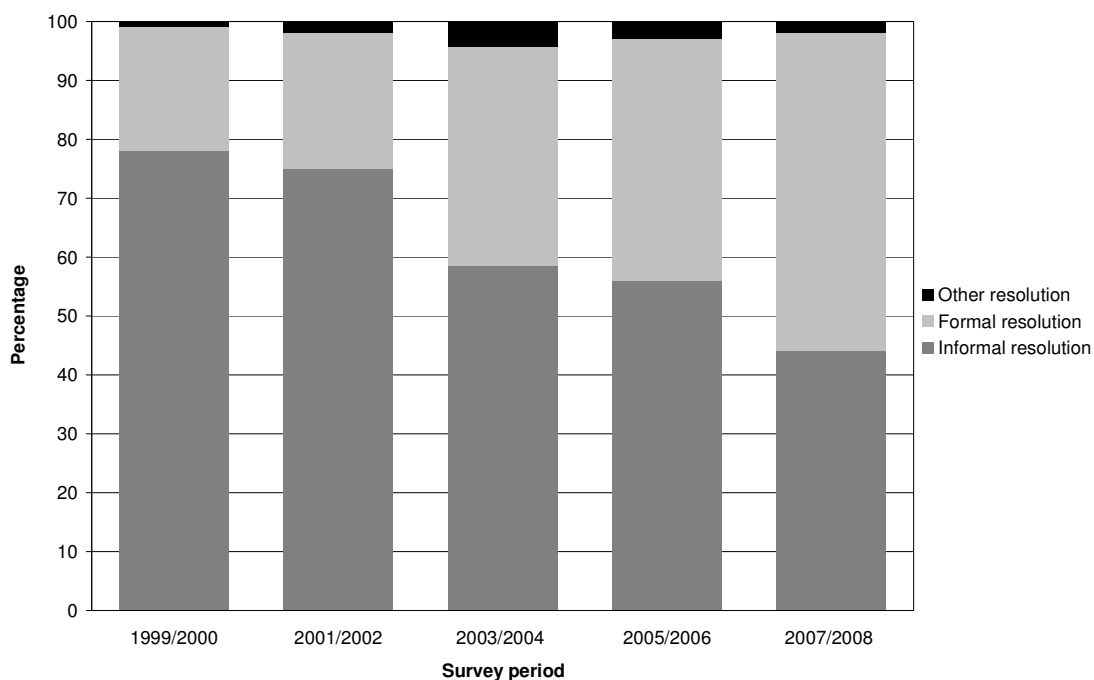
Enforcement option	2007/2008			2005/2006		
	Number	Percentage	Number of local authorities providing data	Number	Percentage	Number of local authorities providing data
Enforcement orders	30	0.1%	80	21	0.1%	79
Abatement notices	2,144	7.0%	82	1,004	3.8%	82
Excessive noise directions	27,229	89.4%	78	24,173	92.6%	78
Prosecutions	119	0.4%	80	60	0.2%	79
Infringement notices	937	3.1%	80	860	3.3%	81
Total	30,459	100%	82	26,118	100%	84

Source: 2007/2008 and 2005/2006 RMA survey data.

Formal and informal enforcement means

In 2007/2008, 54 per cent of all complaints were resolved by formal enforcement methods, up from 41 per cent in 2005/2006. Figure 25 shows a steady increase in the proportion of complaints resolved using formal methods over the past five surveys, and a corresponding decrease in the use of informal methods. This trend should be interpreted with some caution, however, as the analysis for the past four surveys is based on incomplete data.

Figure 25: Percentage of complaints resolved by formal, informal or other methods, 1999/2000–2007/2008



Source: 2007/2008 and 2005/2006 RMA survey data and published survey reports for the periods indicated.

Notes:

The percentages of formal resolution in 2001/2002 and 2003/2004 have been estimated from results in the published reports and raw data.

'Other resolution' refers to complaints that are either unresolved, in the process of resolution, or are yet to have a decision made on the resolution method.

Compliance with resource consent conditions

Local authorities were asked for the number of resource consents that required monitoring, the number of these consents that were monitored, and the number of these consents that were fully compliant with their consent conditions (appendix 6, questions 4.3–4.5).

The data reported in this section has a number of limitations due to the following reasons.

- A small number of local authorities do not formally record the number of consents monitored and/or the number of monitored consents that comply with their consent conditions. These local authorities provided estimates of these numbers, which have been included in the analysis.
- A small number of local authorities have included data from monitoring consents that were not covered by questions 4.3–4.5. These responses have been included in the analysis.
- A small number of local authorities have counted each inspection of an individual consent that required multiple monitoring among the number of consents that required monitoring. These responses have been included in the analysis.

In addition, the 72 local authorities that answered this question did so in one of two ways:

- 24 reported only on consents processed in 2007/2008 that required monitoring
- 48 reported on the number of ‘active’ consents that required monitoring, regardless of which year the consent was processed (‘active’ refers to consents that are still current or have not ceased).

Table 16 shows both the number and percentage of consents monitored in 2007/2008, and the number and percentage that complied with consent conditions.

Table 16: Number and percentage of consents requiring monitoring, those monitored and their compliance with consent conditions, 2007/2008

Consent type	Consents requiring monitoring	Consents monitored	Percentage monitored	Compliance with consent conditions*	Percentage compliant*
Active consents (<i>n</i> = 48)	49,608	39,423	79%	32,195	83%
Consents processed in 2007/2008 (<i>n</i> = 24)	8,594	6,834	80%	5,838	85%
Total (<i>n</i> = 72)	58,202	46,257	79%	38,033	84%

Source: 2007/2008 RMA survey data.

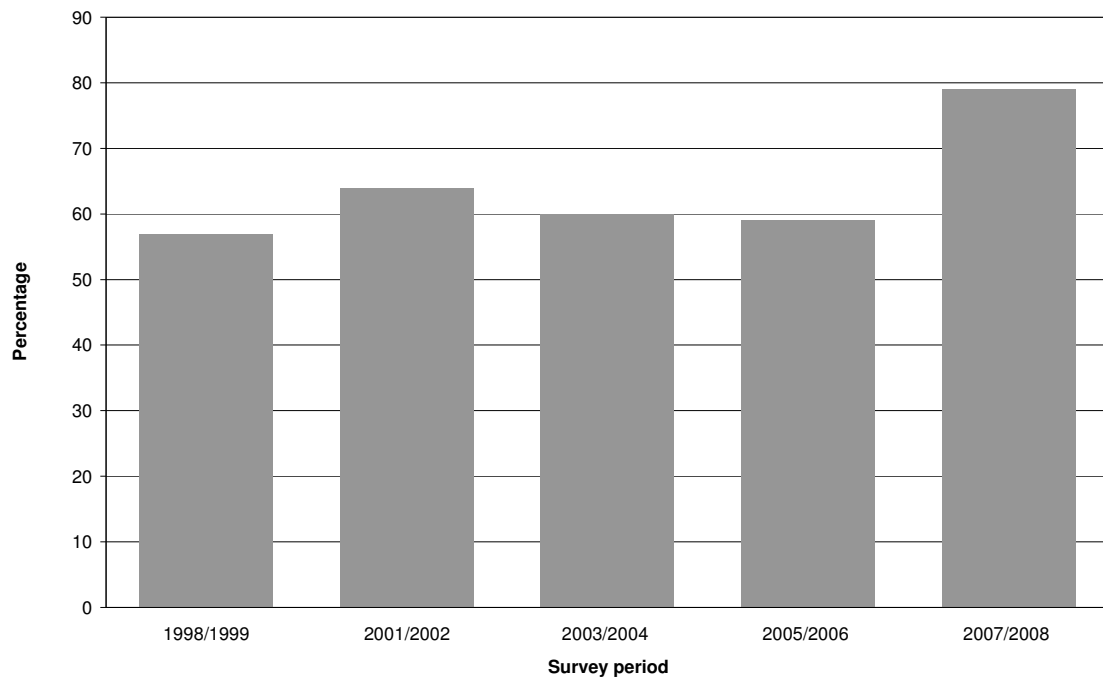
* One local authority could not provide the number of monitored consents that complied with consent conditions and has been excluded when calculating these columns.

Note: The (*n* = ##) in the left-hand column refers to the number of local authorities that answered the question on which this analysis is based.

Consents requiring monitoring

In 2007/2008, 79 per cent of resource consents that were reported as requiring monitoring were actually monitored, up from 59 per cent in 2005/2006. This result is shown in figure 26. Figure 26 also shows that before the 2007/2008 survey there were only minor fluctuations.

Figure 26: Percentage of consents requiring monitoring that were monitored, 1998/1999–2007/2008



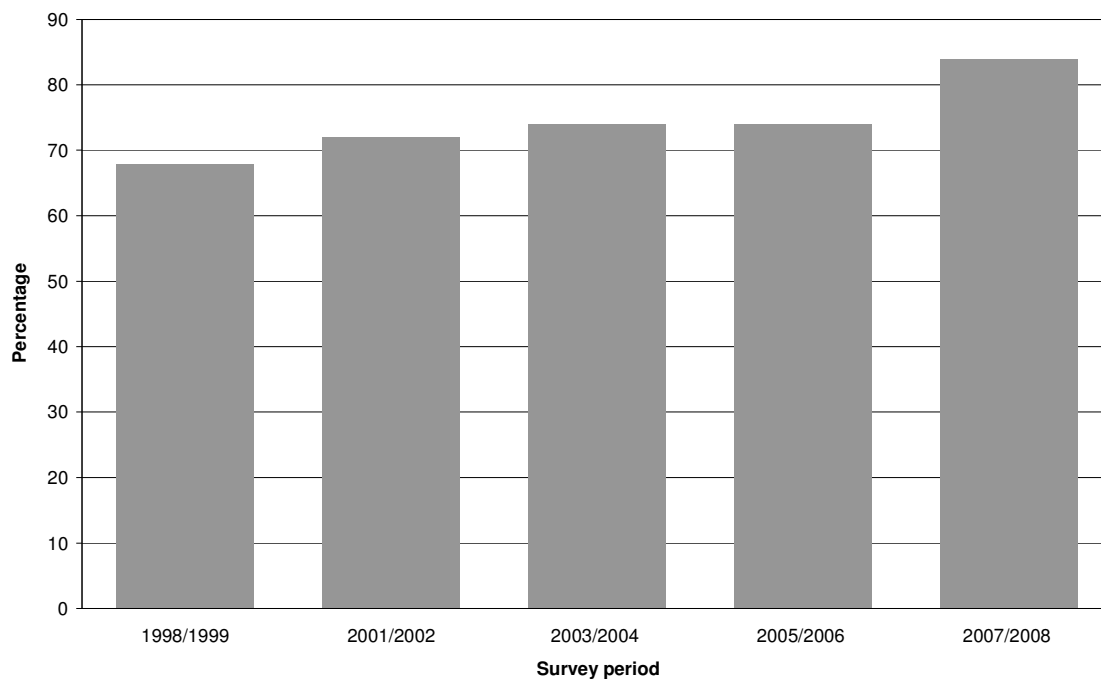
Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Note: The result from the 1999/2000 survey period is not provided because it was presented in a manner that did not allow direct comparison.

Compliance with consent conditions

In 2007/2008, 84 per cent of monitored resource consents complied with their consent conditions, an increase from 74 per cent in 2005/2006. This continues a gradual increase in the percentage of monitored consents that complied with their conditions, as shown in figure 27.

Figure 27: Percentage of monitored consents that complied with consent conditions, 1998/1999–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Note: The result from the 1999/2000 survey period is not provided because it was presented in a manner that did not allow direct comparison.

Resolving breaches of resource consent conditions

Local authorities were asked how many breaches of resource consent conditions they resolved through different enforcement methods (appendix 6, question 4.6). The data collected has some limitations due to:

- the small number of local authorities that provided estimates for each complaint resolution method (these estimates have been included in the analysis)
- the small number of local authorities that did not record a complaint if it was resolved through informal means (the data provided on formal resolution by these local authorities has been included in the analysis).

Table 17 shows the number of breaches of resource consents conditions resolved by formal enforcement methods. It also shows the proportion of these breaches that were resolved by each enforcement method. Table 17 highlights that the use of formal enforcement has increased since the last survey: 1863 breaches were resolved through formal enforcement methods in 2007/2008, up from 1348 in 2005/2006. The number of breaches resolved by each of the formal enforcement methods also increased, with the exception of infringement notices, which dropped.

In 2007/2008 abatement notices were the most commonly used of all the formal enforcement methods, with 47.3 per cent (881) of all formally resolved breaches resolved by this method. Enforcement orders were the least commonly used, with only 0.4 per cent (7) of formally resolved breaches resolved by this method. This was also the case in 2005/2006.

The proportions of formally resolved breaches resolved by excessive noise directions and prosecutions both increased in 2007/2008. Use of excessive noise directions more than tripled, from 5.9 per cent (80) in 2005/2006 to 18.8 per cent (351) in 2007/2008, while prosecutions increased from 1.9 per cent (26) in 2005/2006 to 2.6 per cent (48) in 2007/2008. The proportion of formally resolved breaches resolved by infringement notices decreased in 2007/2008, from 46.1 per cent (621) in 2005/2006 to 30.9 per cent (576) in 2007/2008.

Table 17: Number and percentage of enforcement options used to formally resolve breaches of consent conditions, 2005/2006 and 2007/2008

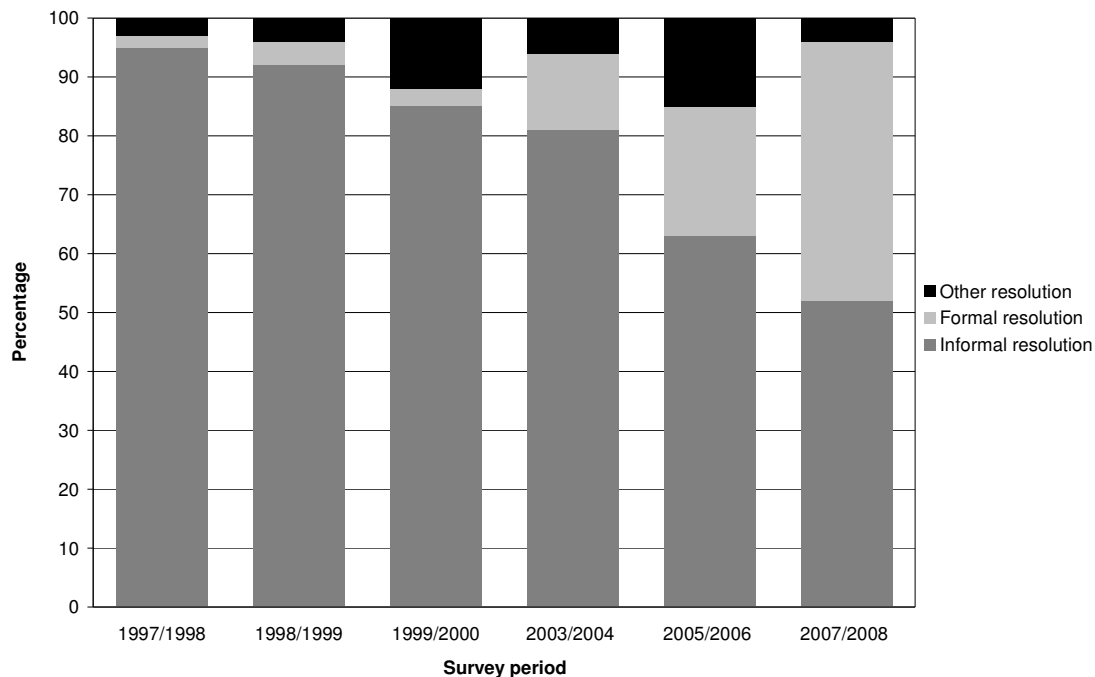
Enforcement option	2007/2008			2005/2006		
	Number	Percentage	Number of local authorities providing data	Number	Percentage	Number of local authorities providing data
Enforcement orders	7	0.4%	76	6	0.4%	74
Abatement notices	881	47.3%	79	615	45.6%	79
Excessive noise directions	351	18.8%	73	80	5.9%	68
Prosecutions	48	2.6%	77	26	1.9%	76
Infringement notices	576	30.9%	78	621	46.1%	78
Total	1,863	100%	80	1,348	100%	79

Source: 2007/2008 and 2005/2006 RMA survey data.

Formal and informal enforcement means

In 2007/2008, 44 per cent of breaches of consent conditions were resolved by formal enforcement methods, up from 22 per cent in 2005/2006. This represents an increase of 100 per cent. Figure 28 shows a steady increase in the proportion of breaches resolved using formal methods over the past four surveys, and a corresponding decrease in the use of informal methods.

Figure 28: Percentage of consent breaches resolved by formal, informal or other methods, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Notes:

The result from the 2001/2002 survey period is not provided because it was presented in a manner that did not allow direct comparison.

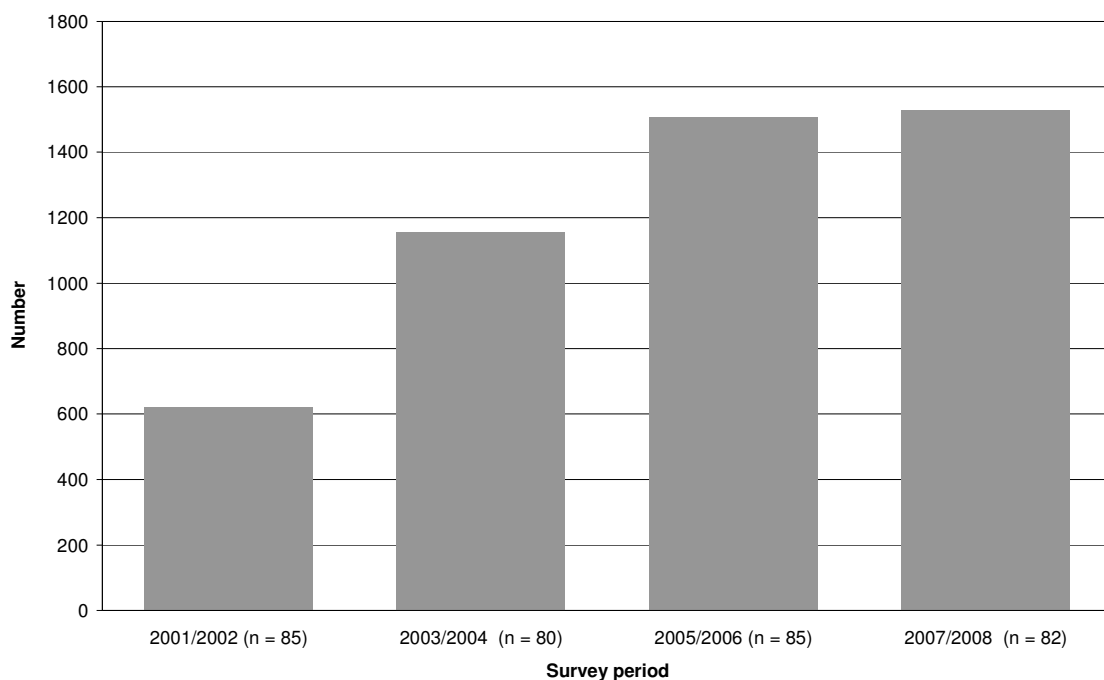
'Other resolution' refers to complaints that are either unresolved, in the process of resolution, or are yet to have a decision made on the resolution method.

Infringement notices

Local authorities were asked for information on the status of infringement notices (appendix 6, questions 4.6.5, 4.7).

In 2007/2008, 1530 infringement notices were issued. This is similar to the last survey, when 1507 were issued. This levelled off the upward trend from 2001/2002 to 2005/2006, as shown in figure 29. The number of infringement notices issued in 2007/2008 was more than double the 2001/2002 figure. The number of infringement notices issued as a proportion of the total number of active consents is unknown.

Figure 29: Number of infringement notices issued, 2001/2002–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Note: The (n = ##) along the x axis refers to the number of local authorities that answered the question on which this analysis is based.

Infringement notices recorded by each local authority type

Table 18 distils the information further, showing infringement notices issued by the different local authority types over time. The increase in the total number of infringement notices over the past four surveys is due to increased activity by regional councils and territorial authorities. The number of infringement notices issued by regional councils decreased from 2005/2006 to 2007/2008.

In 2007/2008, of the 1530 infringements notices issued, 15 per cent (231) were withdrawn and 1 per cent (13) were appealed to the Environment Court. This is similar to the results in 2005/2006, when 16 per cent (238) were withdrawn and 1 per cent (19) were appealed. The remainder for each survey period were either paid or still in progress at the end of the respective survey period.

Table 18: Number and percentage of infringement notices issued, by local authority type, 2001/2002–2007/2008

Local authority type	2007/2008 (n = 82)		2005/2006 (n = 85)		2003/2004 (n = 80)		2001/2002 (n = 85)	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Regional	680	44%	785	52%	503	43%	335	54%
Unitary	88	6%	86	6%	93	8%	35	6%
Territorial	762	50%	636	42%	561	48%	250	40%
All	1,530	100%	1,507	100%	1,157	100%	620	100%

Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Notes:

The total number of infringement notices for 2007/2008 in this table is different from the sum of infringement notices in table 15 (resolving complaints) and table 17 (resolving breaches of consent conditions). This is because one local authority provided information on total infringement notices, which has been used here but which could not be separated out to use in the earlier tables.

The (n = ##) in table 18 refers to the number of local authorities that answered the question on which this analysis is based.

Due to rounding, not all survey percentages sum to 100%.

Māori Participation

This section provides information on how local authorities provide opportunities for iwi/hapū participation in RMA processes. Specifically, it reports on:

- funding for iwi/hapū participation in RMA processes
- iwi/hapū input into resource consents and plans
- advice to resource consent applicants on iwi/hapū interests.

Both the number and percentage of local authorities that provide opportunities for iwi/hapū participation in RMA processes are provided in this section to allow for a more accurate comparison between survey periods. This is because the number of local authorities responding to each question can vary between surveys, which influences the results when they are presented as percentages.

Funding for Māori participation in RMA processes

Local authorities were asked whether they made a budgetary commitment to iwi/hapū participation in RMA processes. The 2007/2008 survey included two new questions about this kind of funding.

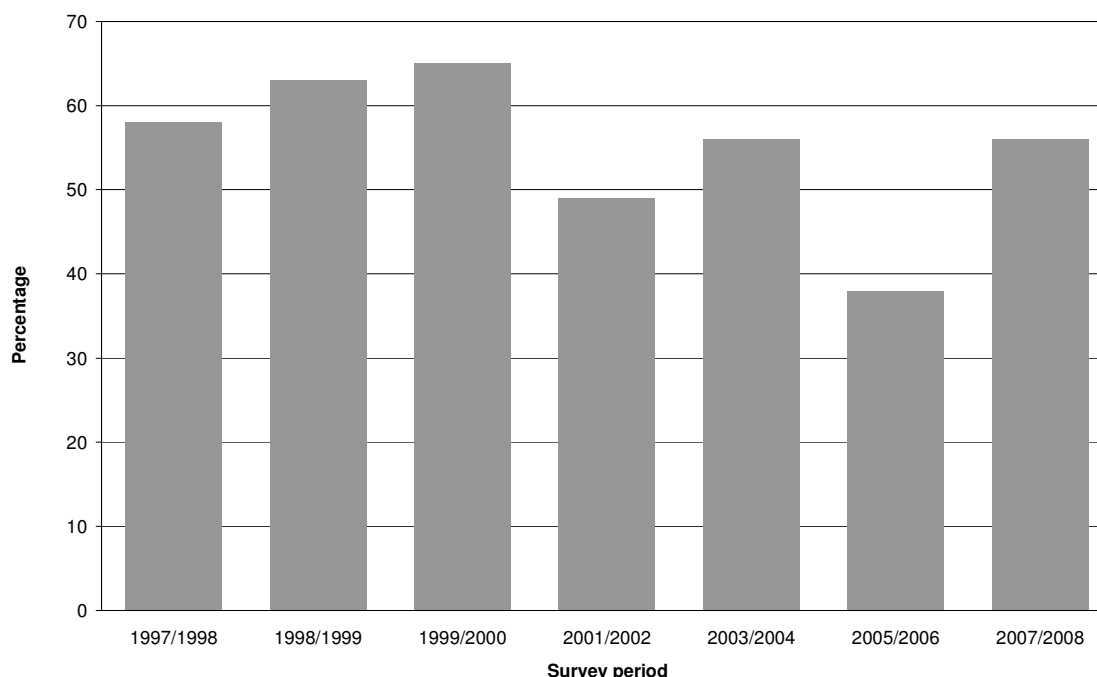
The first question (appendix 6, question 5.7) asked local authorities if they committed funds for iwi/hapū participation in resource management plan preparation and plan change processes during 2007/2008. Forty-five per cent of local authorities (38 out of 84) advised that they did.

The second question (appendix 6, question 5.8) asked local authorities if they committed funds for iwi/hapū participation in resource consent processes during 2007/2008. Forty per cent of local authorities (34 out of 84) advised that they did. Twenty-five local authorities (30 per cent) answered 'yes' to both budget questions.

By combining the responses to questions 5.7 and 5.8, the 2007/2008 results can be compared to previous surveys. In 2007/2008, 56 per cent of local authorities (47 out of 84) made some sort of budgetary commitment for iwi/hapū participation in either plan preparation and plan change processes or resource consent processes. This is an increase from 2005/2006, when 38 per cent (32) of all local authorities made a budgetary commitment.

Figure 30 shows fluctuations in the proportion of local authorities making a financial commitment to iwi/hapū participation in RMA processes over the past 10 years. The 2007/2008 figure is within the range of commitment from local authorities over the past six surveys.

Figure 30: Percentage of local authorities making a budgetary commitment to iwi/hapū participation in RMA processes, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Note: The question on budgetary commitment was split into two for the first time in 2007/2008. By determining the total number of local authorities that answered 'yes' to at least one of the questions, the 2007/2008 results can be compared to previous survey results.

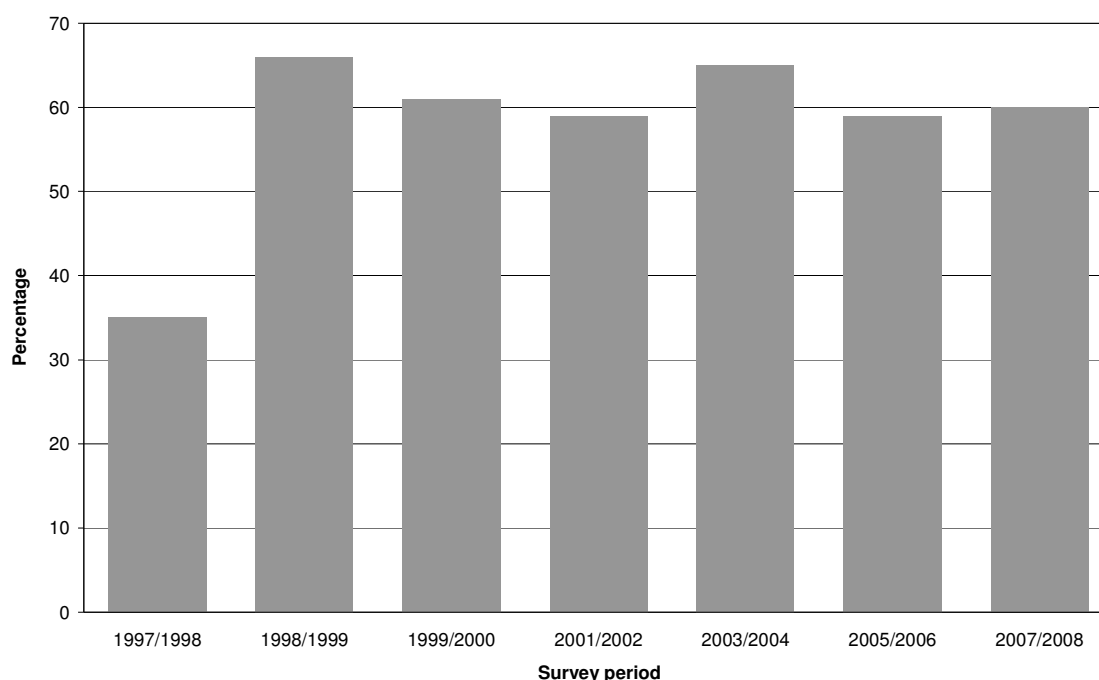
Māori input into resource consents and plans

Local authorities were asked whether they have written criteria or a set policy for staff to determine when iwi/hapū are considered an affected party to resource consent applications and should be made aware of an application (appendix 6, question 5.4).

In 2007/2008, 60 per cent (50 out of 84) of local authorities reported they had written criteria or a set policy. This is very similar to the last survey, when 59 per cent (50 out of 85) reported on this.

Figure 31 shows the results for seven survey periods. Minor fluctuations have occurred since 1998/1999 following a low result in 1997/1998.

Figure 31: Percentage of local authorities with written criteria or a set policy to determine when iwi/hapū are considered an affected party, 1997/1998–2007/2008



Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Note: The survey question on which this figure was based was amended in 2005/2006 to clarify its intent. Nonetheless, the response from each survey period remains comparable.

Consent conditions, monitoring and memoranda of understanding

Table 19 records the number and percentage of local authorities that seek iwi/hapū input into various aspects of the resource consent and plan-making processes. Local authorities were asked whether they have standard resource consent conditions to cover the discovery of significant sites or items to iwi/hapū (appendix 6, question 5.6).

In 2007/2008, 88 per cent of local authorities had these standard resource consent conditions. There was little change between this result and the 2005/2006 result of 89 per cent.

Local authorities were asked whether they involved iwi/hapū in resource consent monitoring (appendix 6, question 5.10). In 2007/2008, the proportion was 24 per cent, similar to the 2005/2006 result of 21 per cent.

Local authorities were also asked whether they have formal and/or informal agreements with iwi/hapū such as memoranda of understanding, protocols, joint management agreements or service-level agreements (appendix 6, question 5.12). In 2007/2008, 57 per cent of local authorities had formal agreements, down from 61 per cent in 2005/2006. Sixty-three per cent of local authorities had informal agreements in 2007/2008, up from 54 per cent in 2005/2006.

Table 19: Number and percentage of local authorities with iwi/hapū input into consents and plans, 2005/2006 and 2007/2008

Type of input into consents and plans	2007/2008 (<i>n</i> = 84)		2005/2006 (<i>n</i> = 85)	
	Number of local authorities	Percentage of local authorities	Number of local authorities	Percentage of local authorities
Standard conditions that cover the discovery of significant sites	74	88%	76	89%
Iwi/hapū involvement in monitoring	20	24%	18	21%
Formal agreements with iwi/hapū	48	57%	52	61%
Informal agreements with iwi/hapū*	52	63%	46	54%

Source: 2007/2008 and 2005/2006 RMA survey data.

* In 2007/2008, 83 local authorities responded to the question regarding informal agreements.

Note:

The (*n* = ##) in table 19 refers to the number of local authorities that answered the question on which this analysis is based.

Maintaining records and documents of iwi and hapū groups

The 2007/2008 survey was the first time that local authorities were asked whether they keep and maintain records of each iwi and hapū group in their region/district, and records of documents lodged with them by iwi/hapū, such as iwi management plans (under section 35A of the RMA) (appendix 6, question 5.1).

Iwi management plans

Iwi management plans can be used when writing consents and plans, and local authorities are required to take them into account when preparing plans or policy statements. Guidance on iwi management plans is provided in *Whakamaui ki ngā Kaupapa: Making the Best of Iwi Management Plans under the Resource Management Act 1991*, available on the Ministry for the Environment website: www.mfe.govt.nz.

Ninety per cent of local authorities (76 out of 84) said they keep and maintain records of each iwi and hapū group in their region/district, as required under section 35A. As well, 77 per cent of local authorities (64 out of 83) said they keep and maintain records of the documents that iwi/hapū groups lodge with them, as required under section 35A.

Advice to resource consent applicants on Māori interests

Local authorities were asked whether they provided advice or an indication to applicants that their resource consent application may be of interest or concern to iwi/hapū, and whether this generally occurs before or after an application is formally lodged (appendix 6, questions 5.2, 5.3).

In 2007/2008, 99 per cent (83 out of 84) of local authorities provided advice in this way, similar to the result in 2005/2006, when 96 per cent (82 out of 85) did so.

Of the 83 local authorities that indicated iwi/hapū interest or concern to applicants, 60 per cent (50) said this generally occurred before an application was lodged, while 40 per cent (33) said it generally occurred after. This compares to 68 per cent (56) and 32 per cent (26), respectively, in 2005/2006. Although local authorities were asked to choose the option that generally occurred, it is worth noting that some provide this information both before and after applications are formally lodged.

Local authorities were asked whether they had a policy requiring a cultural impact assessment as part of an application when a site, species or resource is of concern to iwi/hapū (appendix 6, question 5.5).

In 2007/2008, 30 per cent (25 out of 84) of local authorities had such a policy. The proportion is similar to the 2005/2006 result of 32 per cent (27 out of 85).

Cultural impact assessments

A cultural impact assessment can be used to identify any likely effects a proposal may have on iwi/hapū values and interests. It can also help to:

- identify methods to avoid, remedy or mitigate any potential effects of a proposal on cultural values and associations
- inform relevant conditions of consent that could be applied if a resource consent is granted
- provide iwi/hapū with comprehensive information about, and improved understanding of, a proposal.

Preparing a cultural impact assessment report to accompany, or form part of, an assessment of environmental effects is good practice for any proposal that may have a significant effect on iwi/hapū.

Plan Changes and Variations

This section first appeared in the 2005/2006 survey and was repeated in 2007/2008. It reports on:

- council and privately initiated changes to operative district or regional plans (appendix 6, questions 7.1–7.3)
- variations to proposed plans (appendix 6, questions 7.4, 7.5).

Table 20 shows the number of completed plan changes and variations, by local authority type, for both surveys. The increase in the total number of council initiated plan changes in 2007/2008 was largely driven by unitary authorities, while territorial authorities were largely responsible for the increase in privately initiated plan changes in 2007/2008. More analysis is provided in the sections below on plan changes and variations for the two surveys.

Table 20: Number of plan changes and variations, by local authority type, 2005/2006 and 2007/2008

Local authority type	Number of completed plan changes to operative plans						Number of completed variations to proposed plans			
	Council initiated		Privately initiated		Declined/withdrawn		Council initiated		Declined/withdrawn	
	2007/2008 (n = 83)	2005/2006 (n = 84)	2007/2008 (n = 82)	2005/2006 (n = 84)	2007/2008 (n = 81)	2005/2006 (n = 84)	2007/2008 (n = 80)	2005/2006 (n = 84)	2007/2008 (n = 80)	2005/2006 (n = 84)
Regional councils	4	3	0	0	1	2	4	2	0	1
Unitary authorities	59	12	3	2	2	0	9	9	2	0
Territorial authorities	113	112	38	18	15	9	22	26	2	1
All	176	127	41	20	18	11	35	37	4	2

Source: 2007/2008 and 2005/2006 RMA survey data.

Note: The (n = ##) in table 20 refers to the number of local authorities that answered the question on which this analysis is based.

Council and privately initiated changes to operative plans

Changes to operative district or regional plans can be initiated by a council or by any private person. In 2007/2008:

- 43 per cent (36 out of 83) of local authorities advised that they had completed a council initiated plan change, which is the same proportion as the last survey
- the proportion of local authorities reporting a privately initiated plan change was 30 per cent (25 out of 82), which is more than double the 2005/2006 result of 13 per cent (11 out of 84)

- there were 176 council initiated plan changes, up from 127 in 2005/2006, and there were 41 privately initiated plan changes in 2007/2008, more than double the 20 privately initiated plan changes in 2005/2006
- 21 per cent (17 out of 81) of local authorities reported they had declined or withdrawn a council or privately initiated plan change, which is an increase of over 75 per cent from 2005/2006, when the result was 12 per cent (10 out of 84)
- 18 council and privately initiated plan changes were declined or withdrawn, compared to 11 in 2005/2006, an increase of nearly two-thirds.

Variations to proposed plans

Variations to proposed district or regional plans can only be initiated by a council. In 2007/2008, 19 per cent (15 out of 80) of local authorities completed a variation to a proposed plan. This is similar to the 18 per cent (15 out of 84) reported in the last survey.

In 2007/2008, four local authorities reported they had declined or withdrawn a variation to a proposed plan. Two local authorities reported this in 2005/2006.

In 2007/2008, 35 variations to proposed plans were reported, compared to 37 in 2005/2006. Four of these variations to proposed plans were declined or withdrawn in 2007/2008, compared to two in 2005/2006.

Appendix 1: Number of resource consent applications processed

Group	Local authority	2001/2002	2003/2004	2005/2006	2007/2008
Territorial authorities group 1	Carterton District Council	49	66	74	106
	Gore District Council	83	79	48	75
	Kaikoura District Council	104	103	97	87
	Kawerau District Council	8	11	17	18
	Mackenzie District Council	43	113	98	97
	Opotiki District Council	40	49	62	75
	Otorohanga District Council	54	87	115	92
	Rangitikei District Council	96	66	89	Not provided
	Stratford District Council	36	52	92	93
	Tararua District Council	59	64	92	107
	Waimate District Council	47	56	51	70
	Wairoa District Council	38	44	41	62
	Waitomo District Council	51	66	87	62
Territorial authorities group 2	Buller District Council	86	88	150	130
	Central Hawke's Bay District Council	124	150	177	150
	Clutha District Council	75	108	121	133
	Grey District Council	61	105	144	161
	Hauraki District Council	126	134	212	185
	Hurunui District Council	143	256	220	258
	Kaipara District Council	190	251	226	271
	Manawatu District Council	147	270	315	294
	Masterton District Council	140	196	176	234
	Matamata–Piako District Council	214	184	225	281
	Ruapehu District Council	69	121	133	171
	South Taranaki District Council	164	195	268	272
	South Waikato District Council	97	90	107	112
	South Wairarapa District Council	170	191	136	238
	Upper Hutt City Council	200	241	248	291
	Waitaki District Council	116	169	144	157
	Wanganui District Council	215	195	280	249
	Westland District Council	93	148	155	183
	Whakatane District Council	229	313	311	287

Group	Local authority	2001/2002	2003/2004	2005/2006	2007/2008
Territorial authorities group 3	Ashburton District Council	177	216	231	310
	Central Otago District Council	206	424	454	519
	Far North District Council	763	827	815	609
	Franklin District Council	314	536	465	395
	Hastings District Council	466	569	523	632
	Horowhenua District Council	186	239	298	332
	Hutt City Council	622	641	551	597
	Invercargill City Council	232	244	233	345
	Kapiti Coast District Council	298	323	379	317
	Napier City Council	310	354	351	339
	New Plymouth District Council	414	600	624	532
	Palmerston North City Council	447	641	489	344
	Papakura District Council	249	290	359	306
	Porirua City Council	358	305	372	331
	Rotorua District Council	536	530	664	564
	Selwyn District Council	529	591	496	494
	Southland District Council	246	253	233	395
	Taupo District Council	511	659	419	399
	Thames–Coromandel District Council	565	602	565	562
	Timaru District Council	286	276	Not provided	368
	Waimakariri District Council	402	790	608	596
	Waipa District Council	484	645	554	603
	Western Bay of Plenty District Council	414	655	541	431
	Whangarei District Council	747	570	471	487
Territorial authorities group 4	Auckland City Council	5,649	7,215	6,057	5,434
	Christchurch City Council	2,489	2,721	2,520	2,535
	Dunedin City Council	780	1,073	879	1,010
	Hamilton City Council	588	782	795	669
	Manukau City Council	1,808	1,901	1,490	1,397
	North Shore City Council	2,385	2,563	2,082	2,120
	Queenstown–Lakes District Council	964	1,029	1,095	1,246
	Rodney District Council	1,403	1,603	1,484	1,503
	Tauranga City Council	526	607	450	677
	Waikato District Council	472	577	517	721
	Waitakere City Council	1,506	1,815	1,579	1,491
	Wellington City Council	1,323	1,423	1,200	1,051

Group	Local authority	2001/2002	2003/2004	2005/2006	2007/2008
Regional councils	Auckland Regional Council	1,042	997	1,172	1,162
	Environment Bay of Plenty	732	1,022	1,115	1,200
	Environment Canterbury	2,390	2,420	3,381	3,373
	Environment Southland	731	621	749	868
	Environment Waikato	1,192	1,091	1,384	1,216
	Hawke's Bay Regional Council	811	629	825	671
	Horizons Regional Council	450	284	300	334
	Northland Regional Council	931	1,076	867	904
	Otago Regional Council	675	784	819	734
	Taranaki Regional Council	478	568	433	401
	Wellington Regional Council	691	748	697	703
	West Coast Regional Council	1,520	554	493	662
Unitary authorities	Chatham Islands Council	2	5	2	4
	Gisborne District Council	576	676	554	525
	Marlborough District Council	2,037	1,955	1,939	1,934
	Nelson City Council	408	507	572	472
	Tasman District Council	1,187	1,165	912	1,135
Total consent applications processed		49,012	54,658	51,768	51,960

Source: 2007/2008 RMA survey data and published survey reports for the periods indicated.

Appendix 2: Percentage of resource consent applications notified and limited notified, by individual local authorities

Group	Local authority	2003/2004		2005/2006		2007/2008	
		% notified	% limited notified	% notified	% limited notified	% notified	% limited notified
Territorial authorities group 1	Carterton District Council	1.52%	1.52%	4.05%	14.86%	15.09%	3.77%
	Gore District Council	5.06%	2.53%	0.00%	4.17%	1.33%	1.33%
	Kaikoura District Council	6.80%	1.94%	9.28%	2.06%	19.54%	0.00%
	Kawerau District Council	0.00%	0.00%	5.88%	0.00%	0.00%	0.00%
	Mackenzie District Council	0.88%	0.88%	2.04%	0.00%	5.15%	0.00%
	Opotiki District Council	4.08%	2.04%	0.00%	0.00%	1.33%	4.00%
	Otorohanga District Council	2.30%	0.00%	0.00%	0.87%	0.00%	0.00%
	Rangitikei District Council	1.52%	0.00%	1.12%	2.25%	Not provided	Not provided
	Stratford District Council	0.00%	0.00%	0.00%	2.17%	0.00%	4.30%
	Tararua District Council	1.56%	1.56%	2.17%	0.00%	0.93%	2.80%
	Waimate District Council	0.00%	36.36%	1.96%	3.92%	2.86%	1.43%
	Wairoa District Council	11.36%	0.00%	2.44%	0.00%	3.23%	3.23%
	Waitomo District Council	0.00%	0.00%	1.15%	2.30%	0.00%	3.23%
Territorial authorities group 2	Buller District Council	5.68%	5.68%	2.67%	12.67%	4.62%	10.00%
	Central Hawke's Bay District Council	0.00%	0.67%	0.56%	0.00%	0.00%	0.67%
	Clutha District Council	2.78%	0.00%	1.65%	2.48%	0.75%	3.76%
	Grey District Council	2.86%	2.86%	6.94%	2.08%	5.59%	2.48%
	Hauraki District Council	2.24%	0.00%	0.00%	0.47%	1.62%	0.54%
	Hurunui District Council	1.95%	0.00%	0.00%	1.36%	2.71%	3.49%
	Kaipara District Council	3.59%	2.39%	8.85%	2.65%	5.54%	1.85%
	Manawatu District Council	0.37%	3.33%	0.00%	1.90%	1.70%	5.78%
	Masterton District Council	3.06%	0.00%	2.27%	1.14%	3.42%	2.56%
	Matamata–Piako District Council	0.54%	0.54%	0.00%	4.44%	1.42%	2.14%
	Ruapehu District Council	2.48%	0.83%	3.76%	2.26%	1.75%	4.68%
	South Taranaki District Council	0.51%	1.54%	0.37%	2.99%	0.37%	5.15%
	South Waikato District Council	1.11%	1.11%	0.00%	1.87%	0.89%	0.00%
	South Wairarapa District Council	8.38%	4.71%	16.91%	2.94%	5.88%	3.78%
	Upper Hutt City Council	1.24%	1.24%	0.00%	1.61%	4.47%	1.72%

Group	Local authority	2003/2004		2005/2006		2007/2008	
		% notified	% limited notified	% notified	% limited notified	% notified	% limited notified
Territorial authorities group 2 (continued)	Waitaki District Council	1.78%	1.18%	3.47%	0.69%	5.10%	0.64%
	Wanganui District Council	1.54%	1.54%	0.36%	0.71%	0.00%	0.40%
	Westland District Council	1.35%	1.35%	2.58%	1.94%	2.19%	3.83%
	Whakatane District Council	2.88%	2.24%	2.57%	3.22%	3.14%	3.83%
Territorial authorities group 3	Ashburton District Council	2.31%	2.78%	1.30%	1.30%	1.61%	0.97%
	Central Otago District Council	10.61%	1.89%	9.47%	1.54%	14.07%	1.73%
	Far North District Council	2.18%	0.24%	4.91%	2.58%	4.11%	2.13%
	Franklin District Council	2.80%	0.00%	2.15%	1.08%	5.32%	2.03%
	Hastings District Council	2.28%	0.00%	2.87%	0.96%	1.58%	0.16%
	Horowhenua District Council	0.00%	1.26%	0.67%	0.67%	1.51%	1.20%
	Hutt City Council	4.84%	1.09%	1.81%	1.81%	2.85%	2.68%
	Invercargill City Council	1.64%	3.28%	2.58%	4.29%	3.77%	1.45%
	Kapiti Coast District Council	0.62%	1.24%	0.53%	0.79%	1.89%	1.89%
	Napier City Council	2.54%	0.00%	1.99%	0.28%	1.77%	0.59%
	New Plymouth District Council	0.83%	0.50%	0.64%	1.12%	0.19%	2.07%
	Palmerston North City Council	0.47%	0.47%	1.43%	1.23%	0.87%	2.03%
	Papakura District Council	1.38%	1.03%	0.56%	0.84%	1.31%	0.98%
	Porirua City Council	2.30%	1.64%	1.61%	2.69%	0.00%	2.11%
	Rotorua District Council	1.70%	0.00%	1.05%	2.11%	0.89%	2.30%
	Selwyn District Council	19.63%	2.37%	5.04%	4.03%	6.88%	4.05%
	Southland District Council	2.37%	0.79%	2.09%	0.84%	3.04%	3.04%
	Taupo District Council	5.01%	0.00%	6.21%	1.19%	5.26%	1.75%
	Thames-Coromandel District Council	2.66%	2.33%	1.42%	2.48%	1.25%	2.85%
	Timaru District Council	1.81%	2.17%	Not provided	Not provided	0.27%	1.90%
	Waimakariri District Council	2.41%	0.13%	5.26%	0.82%	2.01%	1.51%
	Waipa District Council	1.24%	0.78%	0.36%	2.71%	1.00%	1.66%
	Western Bay of Plenty District Council	1.53%	0.92%	2.22%	0.92%	1.16%	2.55%
	Whangarei District Council	9.30%	1.58%	11.68%	2.12%	14.78%	0.00%
Territorial authorities group 4	Auckland City Council	0.93%	0.10%	0.97%	0.48%	1.03%	0.79%
	Christchurch City Council	1.65%	0.55%	0.95%	1.63%	0.59%	0.95%
	Dunedin City Council	3.26%	0.75%	4.89%	1.25%	4.65%	0.79%
	Hamilton City Council	1.28%	0.77%	1.01%	2.89%	0.60%	1.20%
	Manukau City Council	0.89%	0.21%	0.67%	1.01%	1.00%	0.72%
	North Shore City Council	1.68%	0.04%	2.02%	0.43%	2.45%	1.46%
	Queenstown-Lakes District Council	5.73%	0.19%	4.02%	0.64%	4.65%	0.48%
	Rodney District Council	5.36%	0.81%	4.45%	1.89%	3.46%	1.40%

Group	Local authority	2003/2004		2005/2006		2007/2008	
		% notified	% limited notified	% notified	% limited notified	% notified	% limited notified
Territorial authorities group 4 (continued)	Tauranga City Council	1.98%	0.82%	5.33%	0.89%	2.51%	1.18%
	Waikato District Council	3.12%	0.17%	0.19%	0.77%	0.42%	1.25%
	Waitakere City Council	0.28%	0.33%	0.32%	0.00%	1.27%	0.60%
	Wellington City Council	1.76%	0.91%	1.17%	1.33%	0.57%	0.95%
Regional councils	Auckland Regional Council	7.12%	0.40%	7.51%	0.60%	13.25%	1.29%
	Environment Bay of Plenty	10.96%	0.88%	8.07%	1.35%	3.33%	1.42%
	Environment Canterbury	4.79%	0.21%	4.08%	1.27%	5.81%	1.01%
	Environment Southland	12.72%	1.45%	8.81%	1.20%	3.80%	1.73%
	Environment Waikato	7.79%	1.10%	3.83%	1.37%	5.26%	5.67%
	Hawke's Bay Regional Council	1.59%	0.79%	1.33%	0.48%	12.67%	1.49%
	Horizons Regional Council	33.10%	0.70%	15.33%	2.00%	9.61%	4.50%
	Northland Regional Council	13.85%	0.37%	7.61%	1.85%	9.18%	3.21%
	Otago Regional Council	13.52%	0.83%	12.09%	1.47%	16.35%	7.77%
	Taranaki Regional Council	1.06%	0.00%	1.15%	2.08%	1.50%	2.00%
	Wellington Regional Council	9.09%	0.53%	6.89%	1.00%	3.56%	1.28%
	West Coast Regional Council	15.88%	2.33%	5.68%	2.64%	0.00%	6.19%
Unitary authorities	Chatham Islands Council	0.00%	0.00%	0.00%	50.00%	25.00%	0.00%
	Gisborne District Council	12.57%	0.74%	5.60%	3.07%	9.90%	0.57%
	Marlborough District Council	23.94%	0.61%	25.53%	4.85%	27.35%	4.91%
	Nelson City Council	2.37%	0.20%	2.62%	1.92%	1.69%	1.06%
	Tasman District Council	9.44%	0.34%	7.89%	0.11%	16.74%	2.03%

Source: 2007/2008 RMA survey data and the published 2005/2006 survey report.

Note: In 2007/2008 Whangarei District Council did not differentiate between notified and limited notified consents. The figure it provided for notified consent applications includes both notified and limited notified consent applications.

Appendix 3: Percentage of resource consent applications for which further information was requested

Group	Local authority	2001/2002	2003/2004	2005/2006	2007/2008
Territorial authorities group 1	Carterton District Council	16.33%	25.76%	39.19%	28.30%
	Gore District Council	3.61%	11.39%	2.08%	34.67%
	Kaikoura District Council	49.04%	47.57%	36.08%	40.23%
	Kawerau District Council	0.00%	45.45%	0.00%	5.56%
	Mackenzie District Council	30.23%	44.25%	39.80%	46.39%
	Opotiki District Council	15.00%	36.73%	32.26%	69.33%
	Otorohanga District Council	51.85%	44.83%	44.35%	44.57%
	Rangitikei District Council	27.08%	40.91%	74.16%	Not provided
	Stratford District Council	30.56%	26.92%	26.09%	73.12%
	Tararua District Council	6.78%	7.81%	5.43%	10.28%
	Waimate District Council	46.81%	53.57%	17.65%	12.86%
	Wairoa District Council	57.89%	43.18%	24.39%	77.42%
	Waitomo District Council	9.80%	9.09%	10.34%	16.13%
Territorial authorities group 2	Buller District Council	54.65%	50.00%	42.00%	39.23%
	Central Hawke's Bay District Council	4.84%	18.00%	23.16%	32.00%
	Clutha District Council	2.67%	0.93%	Not provided	22.56%
	Grey District Council	57.38%	63.81%	55.56%	32.30%
	Hauraki District Council	34.92%	47.01%	55.66%	69.19%
	Hurunui District Council	37.76%	55.47%	52.27%	46.12%
	Kaipara District Council	44.21%	35.46%	45.13%	66.79%
	Manawatu District Council	6.80%	7.41%	25.71%	22.45%
	Masterton District Council	1.43%	20.92%	22.16%	24.79%
	Matamata–Piako District Council	36.92%	60.87%	48.00%	9.96%
	Ruapehu District Council	28.99%	50.41%	36.09%	95.32%
	South Taranaki District Council	40.85%	31.28%	39.93%	51.47%
	South Waikato District Council	15.46%	43.33%	34.58%	16.96%
	South Wairarapa District Council	4.71%	0.00%	55.15%	38.66%
	Upper Hutt City Council	30.00%	27.39%	42.34%	42.96%
	Waitaki District Council	23.28%	25.44%	20.14%	22.93%
	Wanganui District Council	17.21%	18.46%	42.14%	26.10%
	Westland District Council	2.15%	9.46%	14.19%	19.13%
	Whakatane District Council	37.55%	39.62%	67.85%	31.71%

Group	Local authority	2001/2002	2003/2004	2005/2006	2007/2008
Territorial authorities group 3	Ashburton District Council	14.69%	20.83%	15.15%	12.26%
	Central Otago District Council	30.10%	36.79%	40.09%	37.19%
	Far North District Council	82.04%	32.77%	43.44%	48.44%
	Franklin District Council	43.95%	41.42%	60.65%	33.16%
	Hastings District Council	34.33%	30.40%	43.21%	51.90%
	Horowhenua District Council	6.99%	18.83%	Not provided	55.72%
	Hutt City Council	30.71%	13.88%	55.90%	39.36%
	Invercargill City Council	14.22%	65.57%	65.67%	76.81%
	Kapiti Coast District Council	31.88%	30.34%	32.19%	42.59%
	Napier City Council	25.81%	25.99%	18.80%	25.66%
	New Plymouth District Council	14.73%	25.17%	23.88%	21.05%
	Palmerston North City Council	17.45%	23.24%	33.13%	52.03%
	Papakura District Council	49.80%	31.38%	30.08%	79.74%
	Porirua City Council	40.78%	54.43%	47.85%	65.26%
	Rotorua District Council	54.48%	40.19%	Not provided	39.54%
	Selwyn District Council	43.48%	54.48%	45.56%	49.60%
	Southland District Council	52.85%	41.11%	36.48%	49.11%
	Taupo District Council	34.25%	43.55%	62.53%	70.18%
	Thames–Coromandel District Council	49.91%	0.00%	49.56%	48.22%
	Timaru District Council	10.49%	63.41%	Not provided	44.57%
	Waimakariri District Council	55.47%	42.41%	74.84%	60.07%
	Waipa District Council	33.26%	24.19%	22.38%	51.74%
	Western Bay of Plenty District Council	50.24%	48.85%	43.25%	73.09%
	Whangarei District Council	46.18%	50.70%	51.38%	64.68%
Territorial authorities group 4	Auckland City Council	44.11%	28.83%	29.50%	42.58%
	Christchurch City Council	48.49%	51.64%	50.00%	66.35%
	Dunedin City Council	31.92%	32.34%	34.93%	26.14%
	Hamilton City Council	4.59%	17.65%	6.42%	30.19%
	Manukau City Council	33.24%	74.96%	0.00%	53.04%
	North Shore City Council	37.74%	31.25%	43.37%	49.72%
	Queenstown–Lakes District Council	67.22%	64.92%	65.02%	69.58%
	Rodney District Council	51.75%	47.72%	44.88%	62.28%
	Tauranga City Council	29.09%	48.93%	60.89%	29.99%
	Waikato District Council	60.17%	63.43%	33.27%	57.14%
	Waitakere City Council	41.43%	53.28%	Not provided	45.54%
	Wellington City Council	38.25%	42.73%	56.92%	62.51%

Group	Local authority	2001/2002	2003/2004	2005/2006	2007/2008
Regional councils	Auckland Regional Council	45.20%	49.55%	46.59%	52.07%
	Environment Bay of Plenty	53.14%	49.51%	52.56%	39.25%
	Environment Canterbury	18.87%	13.22%	9.85%	20.13%
	Environment Southland	25.72%	33.49%	43.66%	54.38%
	Environment Waikato	33.72%	29.33%	30.78%	31.25%
	Hawke's Bay Regional Council	3.58%	9.86%	12.36%	35.77%
	Horizons Regional Council	52.44%	56.34%	38.00%	56.16%
	Northland Regional Council	36.63%	16.82%	15.22%	26.33%
	Otago Regional Council	32.89%	22.83%	25.64%	16.89%
	Taranaki Regional Council	9.83%	9.68%	11.55%	9.73%
	Wellington Regional Council	21.27%	31.55%	27.26%	26.32%
	West Coast Regional Council	4.67%	31.77%	17.85%	8.31%
Unitary authorities	Chatham Islands Council	100.00%	0.00%	0.00%	0.00%
	Gisborne District Council	27.60%	38.31%	23.47%	25.90%
	Marlborough District Council	2.11%	5.22%	6.70%	24.41%
	Nelson City Council	75.49%	38.86%	38.99%	40.04%
	Tasman District Council	23.93%	28.58%	35.96%	49.78%

Source: 2007/2008 RMA survey data and the published 2005/2006 survey report.

Appendix 4: Percentage and ranking of resource consent applications processed on time

Note that the percentages for resource consent applications processed within statutory time limits should be interpreted with caution. A consent application may be processed outside of the time limit at the request of the applicant, and in this situation does not reflect any inefficiency on the part of the local authority.

Local authority	2007/2008		2005/2006		Change in rank
	% on time	Rank	% on time	Rank	
Buller District Council	100	1	69	57	56
Chatham Islands Council	100	1	100	1	0
Stratford District Council	100	1	100	1	0
Taranaki Regional Council	100	1	100	1	0
Waitaki District Council	99	5	72	54	49
Western Bay of Plenty District Council	99	6	91	23	17
Northland Regional Council	99	7	98	9	2
Wellington Regional Council	99	8	97	11	3
Matamata–Piako District Council	99	9	96	17	8
Hamilton City Council	99	10	97	14	4
Kapiti Coast District Council	99	11	75	51	40
Waipa District Council	98	12	97	15	3
Manawatu District Council	97	13	100	1	-12
Hawke's Bay Regional Council	96	14	100	7	-7
Waitomo District Council	95	15	97	16	1
Rotorua District Council	95	16	80	47	31
New Plymouth District Council	94	17	89	29	12
South Taranaki District Council	94	18	81	43	25
Palmerston North City Council	93	19	93	20	1
West Coast Regional Council	93	20	87	35	15
Tararua District Council	93	21	90	27	6
Taupo District Council	92	22	85	36	14
Tasman District Council	90	23	67	62	39
South Wairarapa District Council	90	24	56	71	47
Franklin District Council	90	25	61	67	42
Opotiki District Council	89	26	77	49	23
Napier City Council	88	27	81	41	14
Auckland Regional Council	87	28	98	10	-18
Rodney District Council	84	29	59	68	39
Hurunui District Council	83	30	94	19	-11
Hutt City Council	83	31	88	32	1

Local authority	2007/2008		2005/2006		Change in rank
	% on time	Rank	% on time	Rank	
Porirua City Council	82	32	100	1	-31
Waimakariri District Council	82	33	63	64	31
Tauranga City Council	82	34	56	69	35
Hastings District Council	81	35	71	55	20
Gore District Council	81	36	69	56	20
Environment Waikato	81	37	84	37	0
Invercargill City Council	81	38	91	22	-16
Ruapehu District Council	80	39	44	80	41
Kaipara District Council	79	40	23	84	44
Central Hawke's Bay District Council	79	41	83	39	-2
Thames-Coromandel District Council	78	42	76	50	8
Otorohanga District Council	78	43	99	8	-35
Wairoa District Council	77	44	73	52	8
Waitakere City Council	77	45	80	46	1
Mackenzie District Council	76	46	97	13	-33
Upper Hutt City Council	76	46	91	24	-22
Queenstown-Lakes District Council	76	48	62	65	17
Clutha District Council	75	49	69	58	9
Kaikoura District Council	75	50	49	78	28
Environment Southland	74	51	68	61	10
Horizons Regional Council	74	52	100	1	-51
Papakura District Council	74	53	33	82	29
Environment Bay of Plenty	74	54	95	18	-36
Wellington City Council	73	55	81	44	-11
Kawerau District Council	72	56	88	31	-25
Central Otago District Council	72	57	90	28	-29
Masterton District Council	71	58	91	25	-33
Ashburton District Council	70	59	90	26	-33
Grey District Council	69	60	53	75	15
Wanganui District Council	69	61	84	38	-23
Hauraki District Council	68	62	79	48	-14
North Shore City Council	67	63	68	59	-4
Otago Regional Council	67	64	81	42	-22
Christchurch City Council	67	65	88	34	-31
Whangarei District Council	66	66	56	70	4
Waikato District Council	65	67	83	40	-27
Selwyn District Council	62	68	48	79	11
Horowhenua District Council	60	69	61	66	-3
Nelson City Council	57	70	41	81	11
Dunedin City Council	57	71	97	12	-59
South Waikato District Council	56	72	53	74	2
Timaru District Council	54	73	Not provided	N/a	N/a

Local authority	2007/2008		2005/2006		Change in rank
	% on time	Rank	% on time	Rank	
Southland District Council	53	74	65	63	-11
Marlborough District Council	53	75	56	72	-3
Gisborne District Council	50	76	68	60	-16
Whakatane District Council	45	77	89	30	-47
Auckland City Council	45	78	52	76	-2
Carterton District Council	42	79	88	33	-46
Waimate District Council	41	80	80	45	-35
Far North District Council	37	81	51	77	-4
Manukau City Council	35	82	33	83	1
Westland District Council	30	83	55	73	-10
Environment Canterbury	29	84	72	53	-31
Rangitikei District Council	Not provided	N/a	93	21	N/a

Source: 2007/2008 and 2005/2006 RMA survey data.

Note: The 'percentage on time' figures are rounded to whole numbers. However, the rankings are based on the unrounded percentage.

Appendix 5: Percentage of resource consent applications processed on time

Note that the percentages for resource consents processed within statutory time limits should be interpreted with caution, as in some cases a local authority may process a small number of consents of a given type. A consent application may also be processed outside of the time limit at the request of the applicant, and in this situation does not reflect any inefficiency on the part of the local authority.

Group	Local authority	Notified					Limited notified					Non-notified				
		Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)	Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)	Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)
Territorial authorities group 1	Carterton District Council	38					100	100				24	75			
	Gore District Council		0				100					81	85			
	Kaikoura District Council	57	50									71	87			
	Kawerau District Council											50	90			
	Mackenzie District Council	100	100									85	68			
	Opotiki District Council		0				0					100	90			
	Otorohanga District Council											75	84			
	Rangitikei District Council	Not provided					Not provided					Not provided				
	Stratford District Council							100				100	100			
	Tararua District Council	0						100				94	89			
	Waimate District Council	0						0				28	61			
	Wairoa District Council	0	0				100	0				50	93			
	Waitomo District Council							50				98	95			

Group	Local authority	Notified					Limited notified					Non-notified				
		Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)	Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)	Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)
Territorial authorities group 2	Buller District Council	100	100				100	100				100	100			
	Central Hawke's Bay District Council							100				71	90			
	Clutha District Council		0				50	67				74	80			
	Grey District Council	0	17					0				69	79			
	Hauraki District Council	100						0				68	67			
	Hurunui District Council	0	33					0				84	93			
	Kaipara District Council	67	67				40					81	77			
	Manawatu District Council	67	100				67	82				98	99			
	Masterton District Council	75	50				20	0				69	75			
	Matamata–Piako District Council	100	50				50	67				100	100			
	Ruapehu District Council	100					100	100				72	84			
	South Taranaki District Council		100					57				94	98			
	South Waikato District Council	0										41	85			
	South Wairarapa District Council	8	0				25	100				95	98			
	Upper Hutt City Council	67	86					20				71	81			
	Waitaki District Council	100	83					100				100	100			
	Wanganui District Council							0				63	88			
	Westland District Council	100	100				33	25				21	32			
	Whakatane District Council	0	20				20	17				33	59			

Group	Local authority	Notified					Limited notified					Non-notified				
		Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)	Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)	Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)
Territorial authorities group 3	Ashburton District Council	0	0					33				71	71			
	Central Otago District Council	73	64				67	67				60	80			
	Far North District Council	47	67				63	60				29	41			0
	Franklin District Council	77	50				67	80				89	95			
	Hastings District Council	83	100				80	100				84	77			
	Horowhenua District Council	25	100				0	33				51	71			
	Hutt City Council	0	8				67	23				76	89			
	Invercargill City Council	100	100				100	75				68	92			
	Kapiti Coast District Council	100	100				75	100				99	99			
	Napier City Council	0	0					50				90	89			
	New Plymouth District Council	50	100				100	100				91	97			
	Palmerston North City Council	0	0				0	67				90	97			
	Papakura District Council	0	50				100	100				63	80			
	Porirua City Council						100	100				59	87			
	Rotorua District Council	0	75					54				91	97			
	Selwyn District Council	29	45				14	38				57	72			
	Southland District Council	20	14				40	80				47	59			
	Taupo District Council	89	58				100	67				90	95			
	Thames–Coromandel District Council	60	100				50	58				63	85			
	Timaru District Council	100					50	60				54	54			
	Waimakariri District Council	17	17				0	33				60	92			
	Waipa District Council	100	100				100	80				99	98			
	Western Bay of Plenty District Council	80					100	75				99	100			
	Whangarei District Council	49	24									62	78			

Group	Local authority	Notified					Limited notified					Non-notified				
		Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)	Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)	Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)
Territorial authorities group 4	Auckland City Council	0	20					51				40	46			
	Christchurch City Council	0	29				100	45				85	59			
	Dunedin City Council	50	41					25				41	63			
	Hamilton City Council	0	33				100	29				100	100			
	Manukau City Council	33	18				0	33				36	35			
	North Shore City Council	50	48				75	26				76	67			
	Queenstown–Lakes District Council	53	67					50				83	75			
	Rodney District Council	91	86				83	67				71	89	75		
	Tauranga City Council	0	46				33	60				81	86			
	Waikato District Council		0				100	38				61	70			
	Waitakere City Council	33	38				100	38				75	78			
	Wellington City Council	0	60					60				78	72			
Regional councils	Auckland Regional Council		83	83	95	74		50		67	38		86	96	93	85
	Environment Bay of Plenty		33	31	40	86		0	100	0	60		80	62	76	72
	Environment Canterbury		12	27	6	3		0		0	5		43	37	32	19
	Environment Southland		50	43	0	27		67		33	67		93	83	54	50
	Environment Waikato		57	100	67	79		29		44	30		90	97	79	73
	Hawke's Bay Regional Council				99	100		100	100	100	100		99	77	94	96
	Horizons Regional Council		100	100	60	67		89		67	100		74	100	74	74
	Northland Regional Council		87	100	92	95		100	100	100	100		99	100	99	100
	Otago Regional Council		0	0	0	8		94	100	60	58		92	86	55	83
	Taranaki Regional Council			100	100	100		100		100	100		100	100	100	100
	Wellington Regional Council		100	100	100	100		100	100	100	100		99	100	98	100
	West Coast Regional Council							100	100	100	90		94	89	92	94

Group	Local authority	Notified					Limited notified					Non-notified				
		Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)	Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)	Subdivision (%)	Land use (%)	Coastal (%)	Water (%)	Discharge (%)
Unitary authorities	Chatham Islands Council			100								100	100			
	Gisborne District Council	0	50		95	0		33				27	37	92	38	95
	Marlborough District Council	18	17	32	53	4	50	35	55	88	0	44	63	37	64	53
	Nelson City Council	75	50					40				38	61	0	0	36
	Tasman District Council	27	48	0	46	93	50	100	100	100	100	81	96	83	96	94

Source: 2007/2008 RMA survey data.

Note: In 2007/2008, Whangarei District Council did not differentiate between notified and limited notified consents. The figure it provided for notified consent applications includes both notified and limited notified consent applications.

Appendix 6: 2007/2008 survey questionnaire

What's changed in 2007/2008

The **wording** and structure of some questions have been simplified to clarify meaning. There is also one **new question**. Changes in the survey are shown by the three indicators below. When you see these in the survey please adjust your RMA survey reports accordingly.

Type of change	Indicator
Wording changes	
New question	
Previous survey question now split	

General survey approach

When completing the survey please use the following approach.

- Unless otherwise stated, please only consider resource consents as defined by **section 87** of the RMA. However, please also include deemed permits if they were issued during the 2007/2008 financial year.
- Include resource consents that have been processed through to a decision during the 2007/2008 financial year.
- Include resource consent applications lodged before the 2007/2008 financial year if the decisions to grant or decline them were made within the 2007/2008 financial year.
- If there are multiple resource consents in the one application form, then count the number of resource consents included in that form.

The survey excludes resource consent applications withdrawn before a decision was made (even if that application involved staff time before it was withdrawn).

Definitions of terms and explanation of the survey questions are provided at the back of this document to help you complete the questionnaire.

1. Resource consent processing statistics

Resource consents processed to a decision in 2007/2008

- 1.1 How many resource consent applications (as defined in **section 87** of the RMA) were processed through to a decision by your local authority in the 2007/2008 financial year?

Changes in resource consent conditions



- 1.2 How many resource consent applications processed to a decision by your local authority were initiated changes in resource consent conditions (as defined under **section 127** of the RMA) in the 2007/2008 financial year?



- 1.3 How many resource consent applications processed to a decision by your local authority were changes in resource consent conditions (as defined under **section 128** of the RMA) in the 2007/2008 financial year?

Certificates of compliance

- 1.4 How many certificates of compliance were issued by your local authority under **section 139** of the RMA in the 2007/2008 financial year?

Resource consents declined

- 1.5 How many resource consent applications processed to a decision were declined by your local authority in the 2007/2008 financial year?

Type of resource consent

- 1.6 Complete the following table with information about how many of each type of resource consent were processed to a decision by your local authority in the 2007/2008 financial year.

Type of resource consent	Subdivision	Land use	Coastal	Water	Discharge	Total
Number of <u>notified</u> consents processed						Automatic calculation
Number of <u>limited notification</u> consents processed						Automatic calculation
Number of <u>non-notified</u> consents processed						Automatic calculation
Total consents processed	Automatic calculation	Automatic calculation	Automatic calculation	Automatic calculation	Automatic calculation	Automatic calculation

Resource consents by activity status

- 1.7 Complete the following table with information about the activity status of resource consents that were processed to a decision by your local authority in the 2007/2008 financial year.

Activity status	Controlled	Discretionary	Restricted discretionary	Non-complying	Total
Number of consents processed					Calculated automatically

Further information requests

- 1.8 How many resource consents processed in the 2007/2008 financial year required written requests for further information under **section 92(1)** of the RMA?
-  1.9 How many resource consents processed in the 2007/2008 financial year required your local authority to commission a report for further information under **section 92(2)** of the RMA?

Pre-hearing meetings

- 1.10 For how many notified and limited notified resource consents processed in the 2007/2008 financial year was there a pre-hearing meeting held under **section 99** of the RMA?
- 1.11 How many pre-hearing meetings resulted in issues being resolved so that a hearing was unnecessary?

Type of resource consent decisions

- 1.12 How many resource consents processed during the 2007/2008 financial year were decisions made by:
- 1.12.1 Local authority officers (under delegated authority)
 - 1.12.2 Independent commissioners (not including councillors or community board members acting as commissioners)
 - 1.12.3 Current councillors and/or community boards acting as commissioners
 - 1.12.4 Councillor hearings panel/committee
 - 1.12.5 Other (eg, mixed panel of councillors/commissioners)?
- Total (automatically calculated)

Objections and appeals made by the applicant on resource consent decisions

- 1.13 How many objections under **section 357** of the RMA were received by your local authority in relation to a resource consent decision during the 2007/2008 financial year?
- 1.14 For those objections under section 357 of the RMA in 1.13 above, how many were appealed to the Environment Court **under section 358** of the RMA?

Appeals to the Environment Court on resource consent decisions

- 1.15 How many resource consent decisions made by your local authority in the 2007/2008 financial year were **appealed under section 120**?

2. Time

Statutory timeframes for notified consents

- 2.1 Complete the following table with the number of **notified resource consents** (by type) processed to a decision within/outside statutory time limits in the 2007/2008 financial year.

Type	Notified resource consents				Total notified processed
	With hearing		Without hearing		
	Within 70 days	Outside 70 days	Within 50 days	Outside 50 days	
Coastal					Automatically calculated
Discharge					Automatically calculated
Land use					Automatically calculated
Subdivision					Automatically calculated
Water					Automatically calculated

Statutory timeframes for limited notification consents

- 2.2 Complete the following table with the numbers of **limited notification resource consents** (by type) processed to a decision within/outside statutory time limits in the 2007/2008 financial year.

Type	Limited notification resource consents				Total limited notification processed
	With hearing		Without hearing		
	Within 70 days	Outside 70 days	Within 50 days	Outside 50 days	
Coastal					Automatically calculated
Discharge					Automatically calculated
Land use					Automatically calculated
Subdivision					Automatically calculated
Water					Automatically calculated

Statutory timeframes for non-notified consents

- 2.3 Complete the following table with the numbers of **non-notified resource consents** (by type) processed to a decision within/outside statutory time limits in the 2007/2008 financial year.

Type	Non-notified resource consents				Total non-notified processed
	With hearing		Without hearing		
	Within 40 days	Outside 40 days	Within 20 days	Outside 20 days	
Coastal					Automatically calculated
Discharge					Automatically calculated
Land use					Automatically calculated
Subdivision					Automatically calculated
Water					Automatically calculated

3. Cost

Notified resource consents



- 3.1 In the 2007/2008 financial year, what were the lowest, median and highest amounts you charged resource consent applicants for notified resource consents processed in the following resource consent categories?

Consent type	Lowest charged (\$)	Median charged (\$)	Highest charged (\$)
Coastal			
Discharge			
Land use			
Subdivision			
Water			

Limited notification resource consents



- 3.2 In the 2007/2008 financial year, what were the lowest, median and highest amounts you charged resource consent applicants for limited notification resource consents processed in the following resource consent categories?

Consent type	Lowest charged (\$)	Median charged (\$)	Highest charged (\$)
Coastal			
Discharge			
Land use			
Subdivision			
Water			

Non-notified resource consents



- 3.3 In the 2007/2008 financial year, what were the lowest, median and highest amounts you charged resource consent applicants for non-notified resource consents processed in the following resource consent categories?

Consent type	Lowest charged (\$)	Median charged (\$)	Highest charged (\$)
Coastal			
Discharge			
Land use			
Subdivision			
Water			

4. Monitoring and enforcement

Monitoring and reporting

- 4.1 Did your local authority *monitor or report* results of any of the following during the 2007/2008 financial year?
 - 4.1.1 State of the environment (s 35[2][a]) – Monitor: Yes/No; Report Yes/No
 - 4.1.2 Suitability and effectiveness of policies and plans (s 35[2][b]) – Monitor: Yes/No; Report Yes/No
 - 4.1.3 Exercise of delegated or transferred functions and powers (s 35[2][c]) – Monitor: Yes/No; Report Yes/No
 - 4.1.4 Compliance with resource consent conditions (s 35[2][d]) – Monitor: Yes/No; Report Yes/No
 - 4.1.5 Complaints register (s 35[5][i]) – Monitor: Yes/No; Report Yes/No

Complaints

- 4.2 How many recorded complaints concerning alleged breaches of the RMA (**section 35[5][i]**) were received by your local authority during the 2007/2008 financial year for the following:
 - 4.2.1 Excessive noise complaints
 - 4.2.2 Other complaints?

Compliance with consent conditions

- 4.3 How many resource consents required monitoring for compliance with consent conditions during the 2007/2008 financial year?
- 4.4 How many of the resource consents described in your answer to 4.3 were monitored for consent compliance during the 2007/2008 financial year?
- 4.5 For those resource consents that were monitored for consent condition compliance in the 2007/2008 financial year, how many did not comply with their conditions?
- 4.6 How many times were complaints or consent compliance breaches resolved to your local authority's satisfaction through the following formal enforcement and informal actions?

Enforcement action	Complaints	Consent compliance breaches	Total
4.6.1 Enforcement orders			Automatically calculated
4.6.2 Abatement notices			Automatically calculated
4.6.3 Excessive noise directions			Automatically calculated
4.6.4 Prosecutions			Automatically calculated
4.6.5 Infringement notices			Automatically calculated
4.6.6 Informal action			Automatically calculated
4.6.7 Yet to be determined 			Automatically calculated
Total	Automatically calculated	Automatically calculated	Grand total automatically calculated

4.7 How many of the total number of infringement notices were:

4.7.1 Withdrawn

4.7.2 Paid

4.7.3 Appealed

4.7.4 Still in progress

5. Māori participation in Resource Management Act processes



5.1 Did your local authority keep and maintain records of each iwi and hapū group in your region/district and the documents they lodged with you (**under section 35A**) during the 2007/08 financial year?

Kept and maintain records of – **each iwi and hapū group: Yes/No**

Documents they lodged with you: Yes/No

5.2 Does your local authority provide advice or indicate to applicants that their resource consent application may be of interest/concern to iwi/hapū? **Yes/No**

5.3 If you answered ‘Yes’ to 5.2 above, does this generally occur prior to or after formal lodgement. **Prior/After**

5.4 Does your local authority have written criteria or a set policy to determine whether tangata whenua are considered an affected party to resource consent applications? **Yes/No**

5.5 When a site, species or resource use is of concern to tangata whenua, does your local authority have a policy which requires a cultural impact assessment as part of the resource consent application? **Yes/No**

5.6 Does your local authority have standard resource consent conditions which cover discovery of significant sites or items to tangata whenua? **Yes/No**



5.7 Did your local authority make a budgetary commitment to tangata whenua participation in **resource management plan preparation and plan change processes** during the 2007/2008 financial year? **Yes/No**

- 5.8 Did your local authority make a budgetary commitment to tangata whenua participation in **resource consent processes** during the 2007/2008 financial year? **Yes/No**
- 5.9 If you answered 'Yes' to 5.7 or 5.8 above, please indicate what general type of activities this budgetary commitment was spent on.
- 5.10 Does your local authority involve tangata whenua in resource consent monitoring?
- 5.11 If you answered 'Yes' to 5.10 above, please describe tangata whenua involvement in resource consent monitoring.
- 5.12 Does your local authority have formal or informal memoranda of understanding, protocols, joint management agreement or service-level agreements with tangata whenua?
- 5.12.1 Formal: **Yes/No**
- 5.12.2 Informal: **Yes/No**

6. Good practice in resource consent processing

Pre-application

- 6.1 For controlled and restricted discretionary activities, do you define for applicants the environmental effects that must be addressed in the resource consent application? **Yes/No**

Application process

- 6.2 Before commissioning specialist reports, do you provide applicants with the opportunity to discuss or dispute the requirements to provide such information / obtain it themselves? **Yes/No**

Assessments of environmental effects (AEEs) and notification

- 6.3 Do staff follow a set structure to check that environmental effects are adequately identified and addressed in AEEs? **Yes/No**
- 6.4 Are internal guidance notes or checklists available to advise staff when to notify a resource consent application? **Yes/No**
- 6.5 Are internal guidance notes or checklists available to advise staff how to identify affected parties? **Yes/No**

Monitoring timeframes

- 6.6 Does your local authority check a resource consent application for **completeness** (not correctness) within five working days of it arriving at your office? **Yes/No**
- 6.7 Does your local authority use s 37(1) and/or s 37A to extend statutory time limits? **Yes/No**
-  6.8 If you answered yes to 6.7, how many resource consents processed in the 2007/2008 financial year received extensions up to twice the maximum time **permitted by the Act** using section 37(2)(a)?
-  6.9 If you answered yes to 6.7, how many resource consents processed in the 2007/2008 financial year received extensions **exceeding twice the maximum time permitted by the Act**, with the approval of the applicant, using section 37(2)(b)?
- 6.10 How often do you monitor whether resource consents are processed within statutory time limits?
- Not at all
 - Daily
 - Weekly
 - Monthly
- Other, please specify:
- 6.11 Do you formally monitor and report consent processing performance (eg, prepare an annual report on consent processing performance that is made available to ratepayers)? **Yes/No**

Customer satisfaction

- 6.12 Did your local authority run a formal, documented consent processing customer satisfaction survey between 1 July 2007 and 30 June 2008? **Yes/No**
- 6.13 If you answered Yes to question 6.12, indicate the overall level of satisfaction reported by applicants:
- Very satisfied
 - Satisfied
 - Neutral
 - Dissatisfied
 - Very dissatisfied.

7. Plan changes and variations

In relation to the First Schedule of the RMA, please answer the following questions.

Plan changes

- 7.1 How many **council-initiated changes** to operative plans were completed by your local authority in the 2007/2008 financial year?
- 7.2 How many **privately initiated changes** to operative plans were completed by your local authority in the 2007/2008 financial year?
- 7.3 How many **council-initiated** and **privately initiated** changes to operative plans were declined or withdrawn in the 2007/2008 financial year?

Variations

- 7.4 How many **variations** to a proposed plan were **completed** by your local authority in the 2007/2008 financial year?
- 7.5 How many **variations** to a proposed plan **were declined or withdrawn** in the 2007/2008 financial year?

Definitions and explanations for selected questions

Section 1: Resource consent processing statistics

- 1.1 A resource consent application is defined as *processed* to a decision once the local authority has approved or declined an application. It **does not** include resource consent applications withdrawn before a decision was made (even if that application involved staff time before it was withdrawn). It **does** include resource consent applications lodged before the 2007/2008 financial year if the decisions to grant or decline them were made within the 2007/2008 financial year.
- 1.2 This question refers to applications made **under section 127** (Change or cancellation of consent condition by the consent holder). Note that applications under section 127 must be treated as if they were resource consents for a discretionary activity.
- 1.3 This question refers to consent conditions made **under section 128** (Circumstances when consent conditions can be reviewed).
- 1.7 For the purpose of this survey, please include any restricted coastal activities under discretionary activities.
- 1.13 When completing this question exclude any objections made to further information requests **under section 92** and applications for certificates of compliance **under section 139**.

- 1.14 Use the number of objections from question 1.13 to then work out the number appealed to the environment court for question 1.14.

Since there is a 15-working-day period for filing an appeal, a decision made during the 2007/2008 financial year may have been appealed as late as 21 July 2007. Please include in your answer all decisions made in the 2007/2008 financial year that were appealed, where the appeal was filed up to 21 July 2008.

Section 2: Time

- 2.1–2.3 Resource consent applications are considered to be ‘within time’ if they are processed within:

- 70 working days for notified and limited-notification consent applications involving a hearing
- 50 working days for notified and limited-notification consent applications not involving a hearing
- 40 working days for non-notified consent applications where a hearing was held
- 20 working days for non-notified consent applications where no hearing was held
- or within time limits using section 37.

When completing this section exclude resource consent applications withdrawn before a decision was made (even if that application involved staff time before it was withdrawn).

When completing this section include the length of time taken to get to the initial decision; that is, disregard section 357 decisions.

The processing time clock should be stopped on the date the notice of decision is sent to the applicant and every person that made a submission, NOT the date the decision was made.

Section 3: Cost

- 3.1–3.3 When calculating the charges to the applicant please count the total cost to the applicant as billed by your local authority, **including** any initial charges and any supplementary charges as a result of hearings, information gathered etc.

Where more than one resource consent has been processed at the same time for the same project, and billed together in one invoice, average the total cost over the number of consents issued.

Please ensure your answers are **GST exclusive**.

We collect information on the **median** charge to applicants for resource consent processing. The median is the number in the middle of a set of numbers when they are in ascending order. That is, half the numbers have values that are greater than the median, and half have values that are less. If there is an even number of numbers in a set, then the median is the average of the two numbers in the middle.

Note: the median is NOT the same thing as the mean/average.

The easiest way to calculate a median is to use Excel.

1. Open the Excel spreadsheet where your charges data is stored, or export from the programme where it is stored into a single column in an Excel spreadsheet.
Click on the first empty cell at the bottom of the column containing the charges data.
Click on the = button on the Formula bar. From the drop-down menu, select 'MEDIAN'.
2. Make sure the array (cells containing the data) includes **all** the cells with the data (eg, A1:A100).
3. Click 'OK' to complete the calculation.

Section 4: Monitoring and enforcement

- 4.1 **Monitoring** involves capturing a record of what was monitored. A record of the results of monitoring does not by itself constitute a report.

Reporting is defined as making the results of monitoring available in an understandable format for a defined audience. Reporting can range from informal internal council documents through to publicly available published reports.

- 4.2 Minor issues are often resolved on the spot and not recorded. Complete the questions for recorded issues only. This section refers to complaints about alleged breaches of the RMA (section 35[5][i]). Do not include information about complaints related to other local authority functions.
- 4.3 A resource consent is defined as requiring monitoring if it is written in the resource consent conditions that it shall be monitored during the period 1 July 2007 to 30 June 2008.
- 4.6 Consent compliance breaches are those that were monitored or noted in the first instance through compliance monitoring or by council officers. Enforcement or informal action taken as a result of public complaints that led to unscheduled consent compliance monitoring should be recorded in the complaints column.
- 4.6.6 Informal action is defined as any action that rectifies the situation without recourse to legal procedures. Examples could include written or verbal warnings, or obtaining the offender's cooperation in ceasing what they were doing or changing their behaviour to the extent that it is no longer cause for concern.

Section 5: Māori participation

- 5.1 Section 35A of the RMA requires councils to keep records of iwi in their region or district. While the information may be drawn from Te Puni Kōkiri, the duty to keep and maintain records lies with the local authority.
- 5.2 and 5.3 Providing advice to applicants can be over-the-counter or telephone advice, or via an email, letter, or pamphlet.
- 5.3 Please indicate your local authority's standard practice when discussing resource consent applications. If your local authority provides advice both prior to and after formal lodgement then please tick both boxes.

- 5.4 Written criteria and policies should be more than a policy that just sees all consents automatically circulated to Māori groups for comment. Criteria and policies should relate to the circumstances when Māori or their interests will be deemed to be affected and which iwi or hapū should receive copies of applications.
- 5.7 This includes internal council budgetary provision for staff costs and consultation with iwi, and any direct payments to iwi to assist them in participating in consultation, in regard to:
- plan and policy development
 - incorporating Māori/iwi/hapū advice into plans and policy statements.
- It may also include any contribution paid towards assisting iwi in the development of planning documents recognised by the iwi authority (such as iwi management plans).
- 5.8 This includes the budget for internal staff costs, direct payment to iwi, and costs of consulting with iwi to facilitate Māori/iwi participation in resource consent processes.

Section 6: Good practice

We are collecting information on the use of what the Ministry for the Environment considers to be key elements of good practice in resource consent processing. Good practice should not be considered prescriptive – rather, local authorities should consider the applicability of different elements of good practice to their own unique circumstances. These questions relate to **current** practice. Please do not restrict your answers to the 2007/2008 financial year. Where your answer to a question is ‘most of the time’, tick the ‘Yes’ box.

- 6.1 This question refers to more than a photocopy of the Fourth Schedule; for example, having checklists.
- 6.3 A set structure refers to the use of any standardised guidance material such as templates, checklists and protocols (for example, those seen on the Quality Planning website.).
- 6.13 The overall level of satisfaction is defined as the overall result of the survey. Surveys will have multiple questions that will be answered by a number of people. An average of the result of the responses to all surveys should be used to determine the overall level of satisfaction.

Good practice note – use of section 37

The Ministry for the Environment considers it is **good practice** to use section 37 to extend time limits allowed under the RMA, rather than running over time limits without informing the applicant and affected parties. Time limits can be extended for up to twice the time limit stated in the RMA (section 37[5]), or for such period as the Consent Authority thinks fit on the request of, or with the agreement of, the applicant (section 37[5A]). Where section 37 has been used to extend time periods, resource consents should be recorded as having been processed within time, provided the limits set for processing through the use of section 37 have not been exceeded.

The Quality Planning website says that it is appropriate to use section 37:

- to undertake further consultation
- to gain agreement on consent conditions resulting from a pre-hearing meeting process or to have discussions with the applicant
- if an applicant and/or submitter wishes to have a particular expert/lawyer at a hearing
- for a hearings committee or commissioner to make and compile a decision on a complex application
- to review complex assessment of environmental effects
- to accept a late submission.

Section 7: Plan changes and variations

7.1–7.5 ‘Completed’ means that the plan change or variation was successfully incorporated into the operative or proposed plan, potentially with some modifications. Do not include plan changes or variations under appeal to the Environment Court as these have not been completed yet.

Section 8: Comments

This is your opportunity to include any information which could be relevant in considering the responses of your local authority to this survey questionnaire. This might include the reason you have been unable to answer a question, assumptions you made when answering a question, or information on difficulties your local authority has faced in meeting statutory requirements or implementing best practice guidance.