

Resource Management consent data report

Assessing status quo and potential effect of changes to the effects management system on consenting

9 December 2025

Executive Summary

From an analysis of a sample of 1,000 of the consents considered most likely to be unnecessary, we estimate that up to 46% ($\pm 6\%$) of consent applications currently required under the Resource Management Act 1991 (RMA), might become unnecessary under proposed legislative reform. In the 2023/24 year this would represent about between 15,000 and 22,000 consents no longer required.

The results show a significant use of 'less than minor' when assessing overall effects. This is indicative of the strong relationship between existing legislative thresholds for notification and affected parties and the assessment of effects.

Analysis of how each proposed Bill would be affected by the reforms was conducted, independent of the overall reduction across all consents. Each of the 1,000 consents in the sample were identified as being more relevant to one of the two bills: the Planning Bill or the Natural Environment Bill. The analysis identified 78.5% ($\pm 2.5\%$) as more relevant to the Planning Bill in the new system, and 21.5% ($\pm 2.5\%$) more relevant to the Natural Environment Bill (NEB).

Taking the number of 'less than minor' consents from the sample, the likely split across the two Bills (including an even split across the Bills for consents excluded from the sample), and extrapolating to provide a full annual data set we found that:

- 45% ($\pm 2\%$) of consents expected to be in the Planning Bill may become unnecessary in the new system
- 29% ($\pm 4\%$) of consents expected to be covered by the Natural Environment Bill may become unnecessary in the new system.

This indicates that more severe effects are attributed to NEB consents and there is likely to be a greater reduction in consents in the Planning Bill.

Background

The RMA currently allows councils to manage all effects and only effects that are de minimis are discounted when assessing consents. The Expert Advisory Group recommended changes to the way effects are managed to ensure the system focusses on effects that are material.

In March 2025, Cabinet agreed (CAB-25-MIN-0080.01 refers) that the new legislation will raise the threshold for the level of adverse effects on people and the environment that can be considered in setting rules and determining who may be affected by a resource consent. Ministers have since taken delegated decisions (BRF-6115 - effects management in the new system) as follows:

- effects that are objectively acceptable or reasonable in the receiving environment will not be managed or regulated i.e. less than minor effects (except where required to manage cumulative effects)
- permitted activity conditions (in standards and plans) can be used to manage noticeable adverse effects (i.e. minor effects)
- the threshold for determining who is an affected party is when the activity may have a discernible or perceivable adverse effect on a person (i.e. more than minor adverse effect)
- the threshold for determining whether an application should be publicly notified is when all affected persons cannot be identified and
 - for the Planning Bill, the activity has a discernible or perceivable change in the receiving environment resulting in an adverse effect (i.e. more than minor adverse effect) or,
 - for the Natural Environment Bill, the activity has effects that are noticeable and will have a serious adverse impact on the receiving environment (i.e. significant effects)
- under the Planning Bill the permitted baseline is a mandatory consideration
- under the Planning Bill, the following effects are out of scope:
 - the internal and external layout of buildings on a site
 - negative effects of development on trade competitors
 - retail distribution effects
 - the demand for or financial viability of a project
 - visual amenity of a use, development, or building in relation to its character, appearance, aesthetic qualities, or other physical feature
 - the type of residential use and the social and economic status of future residents
 - views from private property
 - the effect on landscape
 - the effect of setting a precedent.

The National Monitoring System provides overall statistics on the numbers of consents granted, declined, notified but does not provide quantitative information about the types of provisions set out in plans or the way effects are managed through consent decisions. This means the Ministry for the Environment (MfE) needed to conduct further research to effectively assess of the impact of reforms on consent volumes.

Purpose

The objective of this research was to collect and analyse data from the existing resource management system to quantify consent decisions, including the types of effects addressed and effects thresholds

under the RMA. The data was then used to consider the potential impact of the proposed changes to effects thresholds (including notification) and the narrowing the type of effects managed in the reformed resource management system.

Method

1. Determining the data set and data collection

- a. 2023/24 was chosen for review on the basis that consents processed in that year will be subject to the most up to date national direction and plan rules. 37,408 consents were processed by councils in 2023/24.
- b. In order to make the review sample size manageable whilst providing a representative sample, we applied a set of assumptions to exclude certain types of consents that are likely to be necessary under the reformed legislation due to their complexity or application type.

These assumptions carry some risk but should yield more useful outputs from the study by focussing on the consents most likely to be affected by the reforms.

- i. Only new resource consent applications (referred to as section 88 applications i.e. excludes consent reviews, time extension requests, change to conditions) are in scope. This equates to an initial pool of 32,298 consents.
- ii. Returned, incomplete and withdrawn applications are out of scope – we are only looking at decisions so we will not be able to assess these. This removes 1,555 consents.
- iii. Publicly notified consents – changes to the effects threshold, activity classes and scope of effects managed highly unlikely to affect the need for these consents. This removes a further 275 consents.
- iv. Non-complying activity consents– changes to the effects threshold, activity classes and scope of effects managed highly unlikely to affect the need for these consents, removing a further 3,081 consents.
- v. Controlled activity consents do not need reviewing as controlled activities will not exist in the new system. It is assumed that controlled activities under the RMA will either become permitted, be permitted with standards or become a restricted discretionary activity. The effects from granted controlled activity consents will have been deemed acceptable by existing plans. This assumption removes a further 3,769 consents from the sample.
- vi. Consents in the top 25% of processing costs – using the logic that these consents cost more because they take longer to process which is because they are large scale or high complexity and thus are likely to still require consent in the new system. This leaves a refined subset of 18,927 consents.
- c. Of this refined subset of 18,927 we decided to review 1,000 consents from the 2023/24 year to ensure the sample was representative of the full data set whilst still being achievable for manual review in the timeframes.
- d. We selected a range of councils, including district, regional and unitary to get a spread of data across the country. We selected Auckland Council, Bay of Plenty Regional Council, Christchurch City Council, Environment Canterbury, Queenstown Lakes District Council, Tauranga City Council, Thames-Coromandel District Council, and Wellington City Council. The consents gathered from each council was proportional to the amount of consents the council processed across the selected councils in 2023/24.

Auckland Council	Bay of Plenty Regional Council	Christchurch City Council	Environment Canterbury	Queenstown Lakes District Council	Tauranga City Council	Thames-Coromandel District Council	Wellington City Council
515	68	223	89	25	18	18	44

Table 1. Number of consents analysed per selected council

- e. Of this refined subset of consents for each council, the sample list of consents for review were randomly selected and either requested from councils or accessed from online portals.
2. Manual review of decision documents, coding and data input
 - a. A team of advisors and senior advisors reviewed notification decision and substantive decision documents to input data about effects, conditions, permitted baseline and statutory acknowledgements into a spreadsheet.
 - b. The following criteria were reviewed:

Criteria	Input type
Effect threshold	Selection from the following list: nil/de minimis, less than minor, (no more than minor), minor, more than minor, significant, Unacceptable
Effect category	Selection from the following list: Air Quality, Water Quality and Quantity, Soil and Land, Coastal and Marine Environments, Biodiversity and Ecosystems, Natural Hazards, Noise and Vibration, Visual and Landscape Effects, Cultural and Heritage Values, Traffic and Access, Urban Development and Infrastructure, Cumulative and Indirect Effects, Amenity
Effect description	Free text entry
Mitigations as part of design	Free text entry
Conditions imposed by council	Free text entry
Permitted baseline	Y/N entry for if this was applied
Statutory acknowledgement	Number entry for how many were triggered
Cultural impact assessment	Free text entry for how many were used
New Act	Planning Bill (PB) or Natural Environment Bill (NEB) to indicate which act in the new system this consent would fall under

Table 2. Input criteria

The list of effect thresholds identified in this Table 2 are considered standard practice by planners. These terms are not defined in the RMA, however case law has interpreted the different effects thresholds.

- c. The review team also took notes for qualitative analysis discussed later.

- d. The use of artificial intelligence (AI) was considered, however based on past experience and the variation within the consents it was decided that training the AI to conduct the exercise to the same level as MfE analysts was not possible in timeframes of the project.

Some analysts did however utilise CoPilot to create summaries of the consent notification decision documents. Summaries were checked for accuracy against the original documents.

- e. A quality assurance exercise was carried out, whereby 31 consents (representative across the chosen councils) were re-reviewed to check for accuracy of data entry. The 31 QA consents were distributed among the review team, reviewed blind and then checked against the original entry. The overall accuracy of entry was 76%. For effect threshold specifically, the accuracy was 87%. Summarising the effects, mitigations and conditions was dependent on the material set out in the consent decision, so this is a good level of accuracy.

3. Analysis

- a. Refinement and quantitative analysis of the recorded data was undertaken to understand the status quo for consent decisions and the potential impact of the RM reforms, data analysis and text/phrase mining.
- b. Results from the sample were extrapolated to generate insight into the whole of 2023/24 using the following method:
 - i. The reduced pool of 18,927 consents (51% of the year's consents) represents those consents that are more likely to have effect threshold assessed as being less than minor.
 - ii. We applied the assumption that consents excluded from the sample (49%) would still be required in the new system (with the exception of controlled activity consents where we assumed 75% of the controlled activity consents (7.5% of the whole sample) would become permitted in the new system and 25% would likely require a restricted discretionary consent).

Results

Quantitative

Effect threshold

As discussed in the background, Ministers have made delegated decisions to focus on managing material adverse effects through raising the effects threshold and narrowing the scope of effects managed. The new system is intended to focus on material adverse effects, rather than seeking to manage all effects no matter how small. Raising the effects threshold is intended to support this approach, and buildings, uses and activities with 'less than minor' effects will not be considered unless there is a cumulative effect.

A key output of this study was to identify the frequency of each effect threshold. Where more than one effect threshold was mentioned, we used the highest effect threshold set out in the consent decision.

Frequency of effect threshold:

Effect threshold	nil/de minimis	less than minor	no more than minor	minor	more than minor	Blank or unable to categorise
Frequency in reviewed consents	7	742	130	39	1	81

Table 3. Frequency of effect threshold

Of the 1000 consents selected, 887 categorised effects using the terms set out above in the method. Of the 113 that did not use the effect threshold scale described in the method section there were 32 consents with range of inputs such as “acceptable”, “appropriate” and “avoided, remedied or mitigated”, these were refined and grouped into the “no more than minor” category for quantitative analysis. Due to how the effect threshold was recorded for these consents they have not been included with the “less than minor” consents when extrapolating the data.

The remaining 81 consents include those we were unable to identify where on the effect threshold scale they should sit, and there were also a small number of consents where we could not access the appropriate documentation, or there was no overall effect assessment to input. These were treated as still being required, under new legislation.

While this data does not give a definite answer for how many consents will become permitted activities in the new system, it does give an indication of how many consents are processed for low-level activities under the RMA. This is **indicative of how frequently the term “less than minor” is used in the system** and could be viewed as a behavioural default when assessing effects.

Due to the RMA threshold of effects for notification¹, it is assumed that mitigating effects to fit in the “less than minor” category is common practice. Raising the threshold of effects will not necessarily remove immaterial effects being considered on its own. It will be important that the legislation and effects management changes are accompanied by an implementation programme to create the desired system shift.

Although we can see that almost ¾ of the consents assessed in this study’s sample were found to have adverse effects that were less than minor or below we cannot simply state that these consents would not be required in the new system. This is because the effects were less than minor above where the plan rule was set and it is difficult to ascertain the level of effect a plan rule has been set at. This is not recorded under the RMA or National Monitoring System.

Permitted activities in plans under the RMA do not have “no effect”, they have an effect that has been deemed to be “acceptable” by the council and their community when they have enacted their plan. The resource consent process allows for development and activities beyond what is ‘permitted’ in a plan to be considered on a case-by-case basis.

It would be misleading to assume that these consents would all be below the threshold of effects required for a consent in the new system as we do not know exactly what plan rules will be in the new system. Some rules that are set at an acceptable level now will remain at that level in the new system and a consent for those activities above that level will still be required (e.g. height in a medium density residential area may stay at 11 m as under the medium density residential standards). However, some rules that are set at an acceptable level under the RMA may be able to be set at a higher level in the

¹ The RMA requires applications to be ‘limited notified’ if the effects are minor, or ‘publicly notified’ if the effects are more than minor.

new system or may simply no longer be controlled (e.g. outdoor space requirements for residential units).

When taking into account the consents that were excluded from the sample on the assumption they would still be required in the new system i.e. extrapolating the results to the full consent data set, the results from the review suggest that **up to 46% ($\pm 6\%$) of consents may become unnecessary in the new system** (this includes consents with effect threshold nil, less than minor, and 75% of those with the “controlled” activity class).

Conclusion – Overall effects threshold

Making more activities permitted raising threshold for what is notified, along with other matters shows an indicative reduction in consents by up to 40% to 55%. It is important to consider the limitations to this figure; the subjective nature of consent decisions, use of plan rules and the permitted baseline, the implementation of national standards (including permitted activity standards) and the significant assumptions applied to the data set. Simply stating that the new system will reduce consents by 46% ($\pm 6\%$) does not capture the full picture.

The data clearly demonstrates the frequency of the use of “less than minor” in determination of effects in consent decisions. In practice, how the system provides for activities with “less than minor” adverse effects above the accepted thresholds determined in plans is complex. **Whilst a large proportion of the “less than minor” consents should no longer be needed in the new system; it will be important that practice does not ‘re-adjust’ and now consider those effects “minor”.**

This will not be an overnight change, as well as national standards and plans under the new system needing to be fully operational, this requires a significant behavioural shift that must be supported by an effective implementation programme for the new system.

New Bills

Additional analysis (independent of the overall reduction in consent number), was undertaken to understand the relative impact of each bill, each consent reviewed was identified as falling under the NEB or Planning Bill in the future system. This was a judgement call as currently there is no clear differentiation between land use and natural environment activities in the RMA and under plans. Consents attributed to each act from the sample were: **78.5% ($\pm 2.5\%$) Planning Bill, 21.5% ($\pm 2.5\%$) Natural Environment Bill**. This is in contrast with the proportion of consents reviewed from regional (41%) and district (59%) councils (with the unitary council split 50:50 for regional and district).

Not all consents were able to be categorised into a new Bill, meaning a discrepancy between frequency of effect threshold in each Bill and for the analysis as a whole. Effect threshold for each indicated bill has been analysed:

Effect threshold identified by council	nil/de minimis	less than minor	no more than minor	minor	more than minor	Blank or unable to categorise
Planning Bill	6	630	74	2	0	54
Natural Environment Bill	1	105	56	37	1	10

Table 4. Effect threshold for each indicated Bill

Of consents reviewed, there is trend towards more severe effects being likely to be managed under the NEB. This indicates that the scale of change in consenting number for the NEB is likely to be significantly lower than for the PB. 83% ($\pm 3\%$) of PB consents in the sample had no more than minor effects, and 50% ($\pm 7\%$) of NEB consents in the sample had no more than minor effects. The sampled consents are representative of the candidate 50%, while the bulk of the non-candidate 50% are assumed to remain necessary.

When scaling the data to all consents for 2023/24, we assume that of the consents excluded from the sample 50% will be managed under each new Act. We assume that half of the 7.5% of controlled activity consents that may no longer be needed, will come under each act. **For the Planning Bill we estimate that 45% ($\pm 2\%$) of consents may become unnecessary in the new system** (this includes consents with effect threshold nil and less than minor and half of the 75% of those with the “controlled” activity class). **For the NEB we estimate 29% ($\pm 4\%$) of consents may become unnecessary.** As with previous projections, these figures are subject to significant assumptions and the figure upon implementation is likely to be lower.

Effect category and description

Analysts recorded where an effect category was assessed within a consent decision, some consents assessed only one effect (see Table), whereas most consents assessed multiple effect categories. Of the effect categories, each was assessed the following number of times:

Air Quality	Water Quality and Quantity	Soil and Land	Coastal and Marine Environments	Biodiversity and Ecosystems	Natural Hazards	Noise and Vibration
26	239	322	14	121	158	31
Visual and Landscape Effects	Cultural and Heritage Values	Traffic and Access	Urban Development and Infrastructure	Cumulative and Indirect Effects	Amenity	
72	158	243	298	49	579	

Table 5. Frequency of effect category

73% of consents listed more than one effect category as an assessment for the activity.

The frequency of an effect where only a single effect category was assessed for a consent:

Air Quality (only)	Water Quality and Quantity (only)	Soil and Land (only)	Coastal and Marine Environments (only)	Biodiversity and Ecosystems (only)	Natural Hazards (only)	Noise and Vibration (only)
1	26	33	2	6	10	0
Visual and Landscape Effects (only)	Cultural and Heritage Values (only)	Traffic and Access (only)	Urban Development and Infrastructure (only)	Cumulative and Indirect Effects (only)	Amenity (only)	
4	11	7	14	0	161	

Table 6. Frequency of single effect category

Amenity was assessed as the only effect a significant amount more than for any of the other combined.

The correlation between effect threshold and effect category were analysed:

	nil	less than minor	no more than minor	minor	more than minor
Air Quality	0	20	5	0	1
Amenity	5	493	57	24	0
Biodiversity and Ecosystems	0	71	25	25	0
Coastal and Marine Environments	0	11	3	0	0
Cultural and Heritage Values	0	95	37	25	1
Cumulative and Indirect Effects	0	15	11	23	0
Natural Hazards	0	135	22	1	0
Noise and Vibration	0	27	4	0	0
Soil and Land	0	244	42	35	1

Table 7. Frequency of effect threshold for effect category

For cumulative and indirect effects, and cultural and heritage values, 23 of the minor effects relate to the jetty consents processed by Bay of Plenty Regional Council, these are all processed as a single consent decision and thus may be skewing the results for these effect categories.

Amenity is a significant contributor to the less than minor effect threshold, whereby it is considered in the majority of land use and subdivision consents. This indicates a high impact through removal of amenity effects in the Planning Bill. Examples of amenity effects were neighbourhood or site amenity, boundary and window setback, visual amenity, shading, building coverage, privacy, boundary exceedance and character. While visual amenity will be out of scope in the new system, some other effects under the wider umbrella of amenity will still be considered when assessing adverse effects (i.e. shading).

Biodiversity and ecosystems, and soil and land effects also have high frequency in the minor effect threshold, this could relate to more severe effects that will be managed by the NEB rather than the Planning Bill.

The sample of commonly used phrases for effect description in consents with no more than minor consents below illustrates the further work that can be carried out through text-mining of the free-text effect descriptions input by analysts. Conducting further investigations into the specific effects that are assessed will provide further understanding of the impact of excluding effects from the scope of effects managed by the system.

"overland flow path"	"access width"	"dwelling encroach"
"earthwork exceeds threshold"	"groundwater diversion"	"boundary set"
"building coverage exceeds"	"water wastewater"	"stormwater run"
"stormwater runoff"	"impervious surface"	"recession plane"
"visual effect"	"water servicing"	"water management"

Table 8. Sample of commonly used phrases

Other metrics

Consents were reviewed to understand how often the permitted baseline is applied. **17.1% of reviewed consents decisions explicitly stated that a permitted baseline had been applied.** This does not include occurrences where the permitted baseline was considered but dismissed.

Consents were reviewed to understand how often statutory acknowledgements are triggered. **Statutory acknowledgements were only triggered in 3.8% of reviewed consents.** Of the reviewed consents that triggered statutory acknowledgements, 33 were located in Auckland, 2 in Bay of Plenty, 2 in Wellington City and 1 in Canterbury. In Auckland, 3 of the 33 consents triggered 2 statutory acknowledgements.

How often **cultural impact assessments** are considered with the consent application was also reviewed, this occurred in **6.4% of consents** reviewed. Of the reviewed consents that applied cultural impact assessments 13 were in Auckland, 40 in Bay of Plenty, 2 in Christchurch, 7 in Canterbury and 1 in Queenstown.

Permitted baseline application, statutory acknowledgement triggering and use of cultural impact assessments cannot be accurately scaled up to all consents processed in 2023/24. The consents that were eliminated from the sample may have a higher frequency of these metric due to their expected complexity; however, the low percentages for the sample set are indicative of how infrequently these are used.

Qualitative

The following observations were recorded by analysts during consent reviewing.

A template for notification and decision reports would be helpful for conducting future exercises similar to this or for general monitoring purposes. If there is consistency across different councils, it would be easier to train AI models/agents to conduct the analysis step. It would also be easier for developers working across different councils to understand consent decisions.

This template would also be useful for mitigating the repetition of the standard set of conditions often seen for all consents of the same type.

There is **inconsistency across the assessment of effects**, not every council uses the less than minor, minor, more than minor effects severity classification, sometimes effects are described as “acceptable”. A common description of effects is in relation to non-compliances rather than overall effects: “the effects of the non-compliances are less than minor”.

This analysis only recorded where permitted baselines were applied to consents, however there were frequent instances where the permitted baseline was considered but disregarded.

Bay of Plenty Regional Council addresses all the jetty consents for a lake in one overarching notification and decision report. These all are considered to have cumulative effects “Cumulative adverse effects arise from increasing numbers of structures along the lakeshore. Given that the structures have existed for some time and are located adjacent to built-up areas, they are not considered to have any adverse effect on the natural character and landscape values of Lake Rotoiti through the accumulation of structures along the shoreline. The jetties included in this report are all available for public use and therefore increase amenity values by providing use and access.”

Consent RMA/2023/3274 for Christchurch City Council provides a good example of a consent which would no longer be required. The only effects assessed were from the 0.1% site coverage exceedance and an incorrect location of an outdoor living space. Requirements for outdoor living spaces will be allowed under the new system.

Quality assurance

To assess the reliability of this evaluation, a quality assurance sub-sample of 31 consents was independently re-assessed by a second Ministry analyst. For the effect threshold judgement only, 27 of 31 were in agreement, yielding a reliability score of 87%, or an estimated error rate of 13% in the primary sample. This is taken into account in the figures for effect threshold in this report.

This error rate estimate of 13% is used in the construction of the confidence interval of the population proportion, which takes into account the sample proportion (as an estimate of population proportion), the sample size, and the error rate. A 95% confidence interval was constructed.

Each re-evaluated consent was identified as being more relevant to one or other of the new Bills. 24 consents were not identified with either Bill. Only one consent was in disagreement in this regard, an error rate of about 3%.

Limitations and assumptions on the results

Consent decisions are varied and subjective, which leads to limitations or considerations required when interpreting the results. These include:

- An assessment of what is less than minor differs from local authority to local authority, both in relation to differing plan rules and local authority circumstance
- Assessment differs site by site; no two sites are identical even when effects may be the same

- Assessment of effects is subjective, this depends on the applicant and resource consent manager
- Controlled activity consents were excluded from the sample as this type of consent won't be available in the new system. We applied an assumption based on practitioner opinion that 75% of these activities would become permitted in the new system. Fully understanding the impact of removing the controlled activity class, and how many of these consents would become restricted discretionary activities requires further research
- While a range of councils were selected to get a spread across the country, there is no guarantee that the 8 councils sampled are representative of all councils.

The following limitations and assumptions in our calculation methods need to be considered when interpreting the results of this report:

The sample of 1,000 consents stands as a representative of the wider set of nationwide consents yet comprised only 8 of the 78 councils in the full dataset. If there were no differences between the statistics of the councils in the sample this would support using the sample to represent all councils nationwide, but testing shows considerable difference in consent severity proportions between councils. This compromises the degree to which proportions estimated by this sample can be used to infer about the proportion of all consents nationwide. It is possible that the range of the confidence interval is insufficiently wide to take this source of error into account. The eight councils represented in the sample are responsible for 45% of the entire year's consents (the remaining 70 councils make up the other 55% of consents).

The approximately 50% of consents that were excluded from potential consideration (see method, 1.b) include 10% that relate to controlled activities, and we have assumed for the purpose of this study 75% of that 10% will not be required under the new legislation. This leaves 42.5% which are assumed to all be required ongoing, although this may not be the case. The 42.5% may include consents that would also no longer be required, despite meeting the filter criteria for non-consideration. This is a source of underestimation of the proportion of consents no longer needed, but its magnitude has not been estimated.

It may be possible to provide a more precise estimate (a narrower confidence interval) by developing a more sophisticated model for scaling up from the sample of 1,000 consents from eight councils to the full national consent set, using a multi-factor model, for instance.

Although almost $\frac{3}{4}$ consents in the study had effects assessed as less than minor, this does not mean they would be unnecessary under a new system because the effects were less than minor above the plan rule and where this is set is difficult to ascertain. Permitted activities under the RMA still have effects deemed acceptable by councils, while resource consents allow activities beyond these to be considered individually. Therefore, it cannot be assumed that all these consents would fall below future thresholds, as we do not know the threshold the rules are set at now.

The proportion of low-effect (nil/de minimis and less than minor) consents ($\hat{p} = 7 + 742 / 1,000 = 0.749$ with an estimated error rate $\hat{e} = 0.13$) was representative of the 51% of consents considered for re-evaluation in the sample. There were additional consents (controlled activity class consents at approximately 7.5% amongst the 49% of unconsidered consents) that for the purposes of this study we have assumed as being unrequired due to changes to activity classes in the new system. Construction of the 95% confidence interval for the proportion of consents potentially no longer required was based on the $\hat{p} = 0.749$ sample proportion estimate, the $\hat{e} = 0.13$ error rate estimate and $n = 1000$ sample size, with $\alpha=0.05$, then supplemented by 7.5% from controlled activity consents.

Conclusion & next steps

From analysis of a sample of 1,000 consents and extrapolation to a yearly data set, we estimate that 46% ($\pm 6\%$) of consent applications currently required under the RMA might become unnecessary under proposed legislative reform. In the 2023/24 year this would represent between about 15,000 and 22,000 consents no longer required.

Using a slightly different methodology the consents from the sample analysis attributed to each bill were estimated as 78.5% ($\pm 2.5\%$) Planning Bill, 21.5% ($\pm 2.5\%$) Natural Environment Bill. When the data is extrapolated to provide a full data set, 45% ($\pm 2\%$) of consents expected to be in the PB and 29% ($\pm 4\%$) of consents expected to be covered by the NEB may become unnecessary in the new system. This indicates that more severe effects are attributed to NEB consents and there is likely to be a greater reduction in consents in the PB.

It is important to recognise that this change will not happen immediately on enactment; national standards and plans under the new system will need to be fully operational and supported by an effective implementation programme in order to see the intended changes in the new system.

The significant use of 'less than minor' is indicative of how frequently the term is used by decision-makers in the system and reflects the relationship with the existing legislative thresholds for determining who is an affected party. It is proposed that the affected party threshold is raised in the new system to from 'minor' to 'more than minor'. It will be important that system implementation supports decision-makers in applying the new higher threshold.

Amenity was overwhelmingly the most assessed category of effect, where it was assessed in over 50% of the consents reviewed. The proposed Planning Bill will have a narrowed scope, with a number of effects proposed to be out of scope including visual amenity, matters internal to a unit or site and streetscape. The removal of amenity from the scope of the system will have a large impact on the numbers of consents. Further research may be useful to support development of the national standards.

17.1% of reviewed consents decisions explicitly stated that a permitted baseline had been applied. The permitted baseline will become a mandatory consideration in the proposed system (with an exemption for the taking or use of natural resources in the NEB). Requiring the permitted baseline to be assessed seeks to better enable growth and change, as anticipated by standards and combined plans.

The combination of the impacts as set out above is also likely to result in a reduction in the number of activities that require consent in an application, making consents simpler to apply for and assess. Consent application costs are also likely to reduce, as a result of less overall consents, the reduction in complexity and the change to the affected party threshold meaning less consents require limited notification.

There are a number of proposed changes to the consenting system that this project has not been able to assess, such as impacts on bundled consents. In the RMA individual consents for a large and/or complex projects are often bundled together, the system changes proposed by the reforms are likely to make these bundled consents simpler to process. Applicants may still require some consents, but they may not require as many consents as in the new system, making the consenting process quicker and cheaper.

In addition to this, work is needed to ensure that removing the controlled activity class from the system is done properly, whereby consents that do not need to be managed under the new system are not merely transitioned into restricted discretionary activities. While this will be addressed at the national

level with nationally standardised zones and national standards, further investigation into the activities and effects included in the controlled activity class should be done to understand this fully.

This report has provided an insight into current practice in consent decision-making. It has not been possible to assess the impact of national standards or limits, as this work remains underway. The findings from this report will be a useful input to that work.