



RESOURCE CONSENT PROCESSING:

SHOWCASING BEST PRACTICE

↳ Taranaki Regional Council: Success through leadership

The Issue

The public's main interaction with regional councils is through the resource consent process – either because they lodge a consent application, or through the Council's monitoring and enforcement processes. Nowhere is this appreciated more than at Taranaki Regional Council (TRC), where relationships with consent holders count for a great deal.

“For us it starts and ends with an ethic of service,” says Fred McLay, Director of Resource Management at TRC. There is no mistaking that the Council's commitment to service extends from councillors, through leadership by management, to all staff. “Our people are justly proud of their own and the Council's overall performance,” says Fred. “The keen interest in service and performance takes on a life on its own.”

The Journey

Re-consenting discharges from dairy sheds, energy exploration and production activities, and poultry farms form a large part of the TRC workload. The Council also emphasises consent monitoring and, where necessary, enforcement.

This means the Council's relationships with consent holders in Taranaki tend to have a life beyond a one-off application experience.



» *The Regional Council is a service provider and consents are a key service.*

The number of applications processed each year has remained relatively constant, with the occasional peak due to economic cycles and common expiry dates in particular catchments. TRC's compliance with statutory timelines hovered around the 90 per cent mark during the 1990s, but for each of the last nine years it has achieved 100 per cent compliance.

This success isn't the result of the adoption of particular software, a set of report templates, or internal guidance. By its own admission, the Council's support systems are relatively ordinary and are being upgraded. Rather, it reflects the unwavering focus of all staff on relationships, service and performance.

The Solution

At the heart of the Council's success is leadership by its managers, who set and enforce clear performance expectations.

Leadership

While staff turnover in the consents team can be an issue, as it is in other authorities, the Council has enjoyed strong and consistent leadership at senior management levels since its creation. Basil Chamberlain has been its Chief Executive Officer since 1989, and Fred McLay has had senior roles in the TRC and its predecessors for 25 years.



» “Ever since the Council was created it has been committed to serving its stakeholders.” (Fred McLay)

Both have always made quality of service a top priority. For this reason, “I had high expectations of the Council’s performance prior to my arrival three years ago,” says Colin McLellan, Consents Manager.

Setting, tracking and reporting on performance

Expectations about performance couldn’t have a higher profile at TRC. For years, the Council’s Annual Plans have included an overall objective, to:

“Process all applications for resource consents and administer resource consents in an efficient and effective manner that places the Council at the forefront of national best practice.”

Achievement of this objective is measured by:

- » providing appropriate and timely information in response to 100 per cent of requests for assistance in undertaking or complying with the consent process
- » processing, issuing and reporting on 100 per cent of accepted applications in compliance with the RMA’s procedures and the Council’s own Resource Consents Procedures document
- » processing and administering not less than 99 per cent of accepted

applications in compliance with the statutory timelines prescribed by the RMA and the Council

- » resolving, through the pre-hearing process, at least 50 per cent of all submissions received on applications.

Darlene Ladbrook, the Council’s Senior Administration Officer, tracks application activity across the Council. She reports weekly to managers on the workload, and reminds officers of impending deadlines.

Every year the Council makes publicly available a detailed assessment of performance against its objectives and measures: the *Consent Processing, Administration and Enforcement Annual Report*. In October 2009, it also released the results of a survey on its consents service, which the policy team aims to repeat in six years: *Resource Consent Processing: A Customer Satisfaction Survey of Resource Consent Applicants, 2008–09*.

As part of its annual performance report, the Council tabulates the numbers of parties, including iwi who are consulted on applications and the number of written approvals that are obtained. However, TRC is conscious that its primary focus has been on the applicant experience, and it aims

to explore the feasibility of surveying the satisfaction of third parties in the future through the customer satisfaction survey.

A ‘disaggregated’ team structure

Colin has four direct reports – two consents and two administration officers. “There is no fat in this organisation,” confirms Fred.

It works because the processing effort is borne by a larger group of staff. Complex, high-profile and/or one-off applications tend to be dealt with by the dedicated consents officers who are experienced at assessing applications, identifying affected parties, holding pre-hearing meetings, and presenting evidence at hearings.

Applications for the re-consenting of existing activities tend to be handled by members of the monitoring team who have direct and on-going experience with the activity concerned, such as dairying and oil and gas exploration and production.

“These are experienced people who are close to the action,” says Colin. This means that, in their dealings with the Council, consent holders build rapport with staff who understand their operations. It also helps ensure consent conditions are crafted with practicality and enforceability in mind.

Such a level of disaggregation could present a problem in other authorities where teams involved in application processing have competing demands on their time. However, at TRC, processing takes precedence over all other work, and clear objectives and oversight make sure this remains the case. Workload issues are reported by staff and resolved between managers.

Front-footing and front-loading

Both Fred and Colin believe that front-footing is a vital aspect of building and maintaining relationships and ensuring that the process runs smoothly. They foster a culture where officers make themselves available and queries are followed up promptly throughout the process.

The Council prides itself in its commitment to pre-hearing meetings as a way of identifying and clarifying and/or resolving differences, reducing the time and costs associated with hearings. The Council requires that meetings be held for all limited notified and notified applications that attract submissions. It finds that many applicants are amenable to extending timelines (via s37) because they value what pre-hearing meetings can achieve.

In practice there is a degree of give and take in any relationship, and the consenting process is no different. "As a general rule, applicants are happy with our judicious use of s37, because they know that at other times when they need an application processed in a hurry, we will oblige," says Fred.

One tool that helps the Council stay on the front foot is its regular surveys of customer satisfaction. Its analysis of the latest survey results suggests that the 2009 changes to the RMA will impact on both customer expectations of consent processing, and the relationship between the Council and consent applicants. This reinforces the importance of beginning the customer relationship well and establishing a common understanding of how the processing will work.

Sharing experiences with others

Colin is an active member of the Consent Managers' Group (CMG), a national forum for regional councils and unitary authorities which meets regularly on common practice matters. In addition, Colin is in contact with members of CMG at least once a week as practice issues arise.

CMG carries out a regular audit of its members' consenting processes and, while they support and assist each other with constructive feedback, there is a degree of healthy competition among the group.

TRC has received visits from other authorities interested in the Council's performance and willingly shares any learning. Colin says he would welcome any further approaches.

The Challenges In Practice

Sometimes the process may not go as smoothly as the parties may like, such as when applications prove to be inadequate. This could lead to timelines falling over, inefficiencies and angst.

As in other regions, Council officers noticed a spike in the number of applications rejected in 2009 when the RMA amendments relating to requests for further information became law.

In one particular case, where an applicant did not appreciate that the bar for applications had been raised, Fred took time out to support staff, get alongside the applicant, and work through the issues.

In another situation where consultants were lodging inconsistent applications for a similar type of activity, Council officers arranged a meeting to establish common understandings of their expectations in terms of quality.

The Council's survey of customer satisfaction has identified specific activities where information about application obligations is unclear. This is being addressed as part of TRC's commitment to continuous improvement.

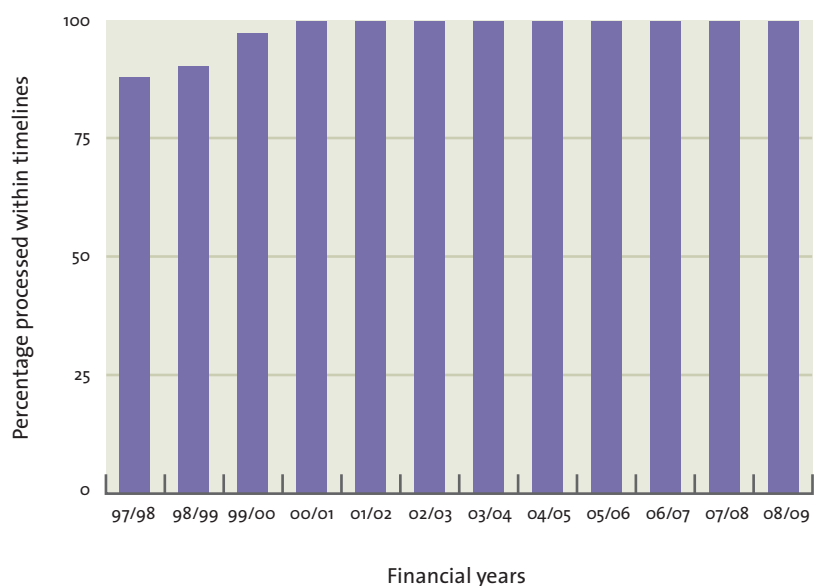
The Results

TRC's focus on setting objectives, and monitoring and reporting against these, means evidence of success is not difficult to find.

The Council's sustained 100 per cent compliance with statutory timelines (see figure 1) recently earned it a written commendation from the Minister for the Environment.

TRC holds very few hearings. In the last decade, between 13 per cent and 92 per cent of applications receiving submissions in any one year have been resolved as an outcome of pre-hearing meetings. In the 2008/09 year, three out of four

FIGURE 1
CONSENT PROCESSING WITHIN STATUTORY TIMELINES



possible hearings were avoided as a result of successful pre-hearing meetings, considerably reducing the costs to all parties.

In the Council's 2008/09 survey of resource consent applicants, people were asked about the overall level of service they had received. The impressive results of the 2008/09 and 2000/01 surveys are reported in figure 2.

The Council's investment in pre-application engagement seems justified – most respondents were satisfied with the Council's service during the preparation of their applications. Respondents referred to individual council officers by name in making positive comments. The survey reinforces the "Council's long held belief of the importance of face-to-face dealings with people ... and ... of open communication" Resource Consent Processing: A Customer Satisfaction Survey of Resource Consent Applicants 2009.

Checking In With Customers

The Council's perceptions of its own performance are generally shared by its customers.

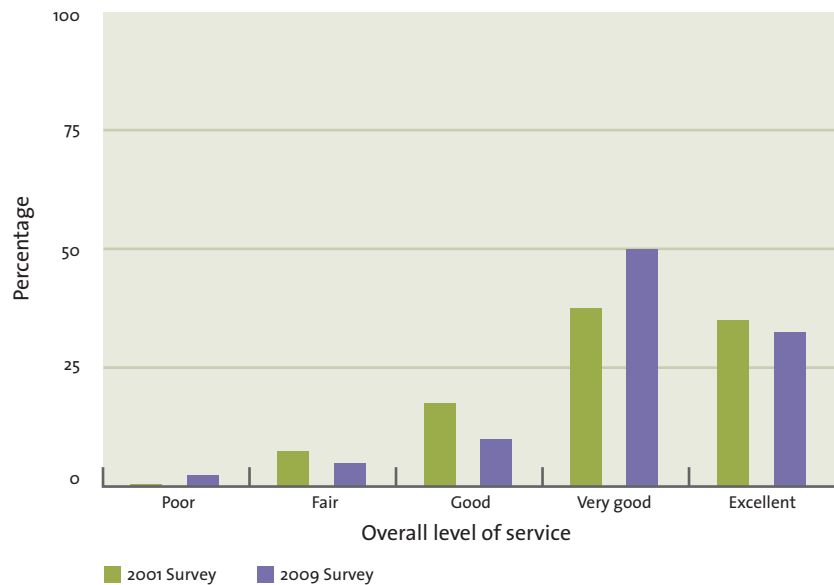
John McBride regularly prepares applications on behalf of a major poultry producer, and also represents the interests of the Poultry Industry Association in Taranaki and elsewhere. He has high regard for TRC's performance, particularly around the quality of its communication. John thinks that pre-hearing meetings "are worth their weight in gold". He is impressed with the Council's honest reporting of its processing performance against objectives. John notes that like other councils, TRC has a degree of staff turnover, but maintains professionalism and consistency.

Kathryn Hooper, of BTW Company, prepares applications on behalf of the oil and gas industry. She is impressed



» The Regional Council has achieved 100 per cent compliance with statutory timelines every year for nine consecutive years.

FIGURE 2
OVERALL CUSTOMER SATISFACTION WITH CONSENT SERVICE



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with the Council’s proactive approach and its investment in pre-application engagement. She notes that TRC is a small authority where performance comes down to a few key individuals fostering a positive culture.

Both John and Kathryn observe that Council officers are much more likely to pick up the phone than write a letter. All parts of the Council appear to be well-integrated and know what is going on in other teams. “As the Council undertakes most consent monitoring itself, this reinforces the image of integration and follow-up,” observes Kathryn.

The consultants suggest that if there is any criticism to be levelled at the Council, it is that sometimes the Council’s drive for efficiency can impinge on other considerations. The desire to avoid the expense (to all parties) of hearings is worthy, but can mean that the emphasis on obtaining written approvals may sometimes exceed the practicality of doing so.

The Key Success Factors

Taranaki Regional Council has posted a consistently high level of performance in consent processing over more than a decade. It seems well positioned to deal with the implications of recent amendments to the RMA, including the discount regulations.

TRC’s success is due to the following factors:

- » a positive work culture, itself down to:
 - » managerial leadership and hands-on oversight
 - » political interest in performance
 - » staff commitment to the service ethic
- » a focus on service at all levels, demonstrated by:
 - » relationship management
 - » open communication
 - » front-footing
 - » continuous improvement
 - » compliance with timelines
- » setting and publicising performance objectives and measures
- » monitoring and public reporting of performance against those objectives and measures
- » a genuine interest in the level of customer satisfaction

- » a team structure that:
 - » provides regular customers with a single, experienced point of contact
 - » recognises the links between policy, consenting, monitoring and enforcement
 - » reinforces the full nature of the relationship with consent holders
- » investment in pre-application and pre-hearing effort as a means of controlling timelines and the quality of the consenting experience and outcome
- » active participation in a national forum for sharing resources and addressing common practice issues.

MORE INFORMATION

For copies of the Council’s Consent Processing, Administration and Enforcement Annual Reports go to www.trc.govt.nz/Significant-activity-annual-reports/

For a copy of the report, *Resource Consent Processing: A Customer Satisfaction Survey of Resource Consent Applicants, 2008-09* go to <http://www.trc.govt.nz/assets/Publications/guidelines-procedures-and-publications/resource-management-act/rc-survey09.pdf>

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- » www.rma.govt.nz
- » **0800 RMA INFO [0800 762 4636]**
- » www.qualityplanning.org.nz/consents/