



Ministry for the
Environment
Manatū Mō Te Taiao

Resource Management Act : Annual Survey of Local Authorities 1997/98



ENCOURAGING
Excellence
in RMA practice

Foreword

The *Annual Survey of Local Authorities* is part of a wider programme to monitor the implementation of the Resource Management Act 1991 (RMA). The 1997/98 annual survey, builds on previous Ministry for the Environment surveys, and places more emphasis on the quality of RMA implementation. Good implementation is the key to enhancing the credibility of the whole RMA regime.

This year's survey refined the information collected on the length of time taken to process resource consents. More importantly, the survey included a new section identifying good practice in resource consent processing. Good practice in other areas of RMA implementation was also emphasised. The results reported here give an indication of the forms of local authorities are using good practice.

The cost of RMA implementation is another important area covered by the survey and this report provides a partial picture. For the first time, information was collected on the amount local authorities have spent on plan development to date. Information on

the level of cost recovery for resource consent processing was also collected, but clearly this is a complex task which will require further refinement.

I am pleased that Audit New Zealand's Specialist Services Group has assisted the Ministry for the Environment to design this year's questionnaire and present the results. The inclusion of self auditing questions means that the results are more robust than in previous years. The presentation of individual local authority results in bar graphs, according to "family groups" of like local authorities, should also make it easier for local authorities to compare their performance with their peers.

Individual local authorities' results were provided for the first time last year and this generated a lot of interest. I am delighted that some local authorities found last year's report useful in considering benchmarking their performance against other authorities. I hope that providing individual results this year will again stimulate discussion about any variations between local authorities and encourage performance improvements.

Finally, let me thank the majority of local authorities who were able to answer most questions in the questionnaire. The information provided in this report may not be the definitive word on RMA implementation, but it is a solid baseline on which to build.



Hon Simon Upton

MINISTER FOR THE ENVIRONMENT

Executive Summary

- 60,157 resource consents were applied for in 1997/98. This is 1,000 more than last year.
- 58,060 resource consents were processed during 1997/98.
- 5% of resource consents were notified – no change from last year.
- Pre-hearing meetings were held for 24% of all notified resource consent applications.
- 90% of resource consent decisions were made by local authority officers.
- 1% of all resource consent applications were declined. 1% of all resource consent decisions were appealed.
- Only 62% of local authorities formally received resource consent applications within one full working day of their arriving at the council office (ie the clock started within one day of consent applications being lodged).
- 78% of all resource consents were processed within statutory time limits.
- Section 37 was only used to extend statutory time limits for 3% of total resource consents processed.
- The average full cost of plan and policy statement production between 22 July 1991 and 30 June 1998 was approximately:
 - District Plans – \$1.5 million
 - Regional Policy Statements – \$0.5 million
 - Regional Plans – \$0.8 million
 - Unitary Plans – \$1.5 million.
- There is wide variability in the recovery of resource consent processing costs, ranging from 13% to 100%.
- 75% of local authorities itemise charges on invoices for resource consent applications.
- 65% of local authorities often hold pre-hearing meetings for complex applications and 33% sometimes hold them.
- 51% of local authorities often provide cost estimates to potential applicants while 33% sometimes provide them.
- 80% of local authorities do not reset the clock to zero once they have received further information.

- 53% of local authorities do not have a structured process to check environmental effects.
- 53% of local authorities do not provide check lists to their staff to help them determine when to notify applications and only 47% of local authorities provide checklists to help identify affected parties.
- 74% of local authorities formally monitor their resource consent processing performance in terms of time frames.
- 80% of local authorities often delegate decisions on notified resource consent applications to small council committees or hearing commissioners.
- 48% of local authorities use customer satisfaction surveys to find out what applicants think of their resource consent processes. Only 41% use customer satisfaction as an indicator of performance.
- All local authorities are involved in some type of section 35 monitoring.
- Only 8% of complaints were dealt with through formal enforcement processes and 22% were dealt with informally. 70% were not dealt with either formally or informally.
- 2% of breaches of consent conditions were dealt with through formal enforcement processes and 95% were dealt with informally. Only 3% were not dealt with formally or informally.
- Around half the local authorities make a financial commitment to Maori/iwi participation in resource management processes (average around \$50,000).
- Local authorities consider the most effective mechanisms for iwi consultation are:
 - holding meetings on marae;
 - employing tangata whenua staff and/or iwi liaison officers;
 - hui with iwi/hapu; and
 - written agreements/memoranda of understanding.
- Around half the local authorities provide training for staff on Treaty of Waitangi issues. Only 28% provide training for councillors.

Introduction

This is the third *Annual Survey of Local Authorities*. It covers the financial year beginning 1 July 1997 to 30 June 1998. This year, 85 of the 86 local authorities responded to the questionnaire¹.

Purpose of the Annual Survey

The purpose of the annual survey is to:

- Assist the Minister for the Environment to monitor the effect and implementation of the Resource Management Act (RMA) as required by section 24 of the RMA.
- Provide the Ministry for the Environment and local authorities with information:
 - to highlight areas that may need further research and assist with research projects;
 - to highlight trends over time for some processes under the RMA;
 - to provide a basis to consider comments on the RMA.
- Promote local authority good practice and improved performance in terms of benchmarks established in the RMA and/or guidance produced by the Ministry for the Environment.
- Assist local authorities in comparing their performance with their peers.

The annual survey does not measure the performance of the RMA or individual local authorities in delivering better environmental outcomes. The Ministry for the Environment's national state of the environment report² gives an overview of environmental quality, as a baseline for future comparison.

How the 1997/98 survey differs from previous annual surveys

This year Audit New Zealand's Specialist Services Group assisted the Ministry for the Environment to design the survey questionnaire, and analyse and present the results. A number of local authorities also had input into the questionnaire's design and peer reviewed the draft questionnaire.

The survey questionnaire was divided into the following sections: statistical information; research questions; time; cost; monitoring and enforcement; Maori participation in RMA processes; and good practice in resource consent processing.

There were new questions in both the time and cost sections, and a new section on the use of good practice in the processing of resource consents. Self auditing questions were also included in many sections of the survey. This enabled key results to be verified.

The statistical data on resource consent processing and compliance with statutory time frames were based on the number of resource consents processed during the financial year rather than on the number of consent applications received (as in previous surveys). This recognises that some consents received during a financial year are not processed through to a final decision within that year. This may occur if further information was not provided by applicants, or an application was received near the end of a financial year.

¹ *MacKenzie District Council was the only local authority unable to respond. This was due to a severe temporary shortage of staff.*

² *Ministry for the Environment (1997). The State of New Zealand's Environment. Ministry for the Environment/GP Publications.*

Some results are reported for “family groups” of local authorities, to enable comparisons to be made between local authorities with similar characteristics. Local authorities were divided into groups on the basis of resource consents processed. Several of the groupings are deliberately wide, to ensure each group contains a roughly similar number of local authorities. The exception is the Unitary Authority group, which of necessity has only 5 members – the 4 Unitary Authorities and the Chatham Islands County Council, which has both territorial and regional council responsibilities.

The family groups are divided as follows:

- Regional councils
- Unitary authorities
- Territorial authorities that process similar numbers of consents:
 - Group 1: 0–110 consents;
 - Group 2: 111–300 consents;
 - Group 3: 301 – 750 consents;
 - Group 4: 750 – 9,500 consents.

Appendix One shows the group each local authority has been placed in (along with the number of consents processed by each authority).

Throughout the survey we have advised how many local authorities answered the questions so that the reader can see how representative and reliable the results are.

The performance indicators are indicative and are not a quantitative ranking. They are intended to be used as a trigger to stimulate efforts toward performance improvement.

Many of this year’s results have been presented in bar graphs rather than tables. This should make it easier for local authorities to compare performance with their peers.

If a local authority did not answer a question, its name was omitted from the related graph.

Limitations

One of the limitations of the survey is that the results are self-reported. Although some key results have been verified, they have not been independently audited.

Another limitation is that comparisons between this year’s and previous years’ results cannot be relied upon fully, given changes in the way data has been collected. The number of local authorities responding to the survey increased over the three surveys since 1995/96. Therefore, in some cases numerical increases may not represent trends, but may simply be due to more local authority responses.

Resource consent processing statistics

Resource consents applied for and processed

The 85 local authorities that responded to the annual survey advised that they received 60,157 applications for resource consent in the 1997/98 financial year. This represents an increase of approximately 1000 consents over the number applied for in 1996/97, once adjusted for the increase in respondents to this year’s survey³.

58,060 consents were processed⁴ during 1997/98. This implies that around 2000 were still “in process”. This may include complex consents taking some time to be processed and consents that were applied for near the end of the financial year. As would be expected the majority of

resource consents were processed by Territorial Authorities (78%), followed by Regional Councils (16%) and Unitary Authorities (6%). Appendix One reports the number of consents processed by each local authority in family groups.

The majority of applications processed were for land use and subdivision consent. The spread of applications between different consent types was similar to last year’s results.

REFER TABLE 1

This year we were also interested in the proportion of resource consents processed under the various activity type categories. Of particular interest was the number of non-complying activities because of the proposed RMA amendment to delete this category of consent. Most consents were processed as discretionary activities. Non-complying activity consents accounted for only 10%.⁵

REFER TABLE 2

Requests for further information

There was no clear trend in the use of section 92, whereby further information may be sought in the processing of resource consents. While a similar proportion of local authorities requested further information in 1995/96 and 1997/98, 22 more local authorities were able to provide data on their use of the section in this year’s survey.

REFER TABLE 3

Figures 1–3 show that 23 local authorities made only one request for further information on each application requiring more information. This implies that they had a good pre-application system, thoroughly checked applications and liaised with different units in council before making further information requests.

This year we also sought information on how often local authorities made more than one request for further information when processing a resource consent. 49 local authorities advised that for some resource consent applications

³ In 1995/96, 77 local authorities reported that approximately 49,000 consents were applied for. In 1996/97, 83 local authorities reported that 57,461 consents were applied for.

⁴ A consent application was defined as processed once the local authority had approved or declined an application.

⁵ However, these results were based on limited data, as only 45 Local Authorities recorded the category of resource consents processed.

Table 1: Resource consent applications processed by type (number of local authorities = 85)

Type of resource consent	Subdivision consent	Land use consent	Coastal permit	Water permit	Discharge permit
% of total number of applications	31%	59%	2%	4%	5%

Source: RMA annual survey of local authorities 1997/98, Question 1.4

Table 2: Resource consent applications processed by category (number of local authorities = 45)

Activity category	Controlled activity	Limited discretionary activity	Discretionary activity	Non-complying activity	Innominate
% of total number of applications	25%	16%	46%	11%	3%

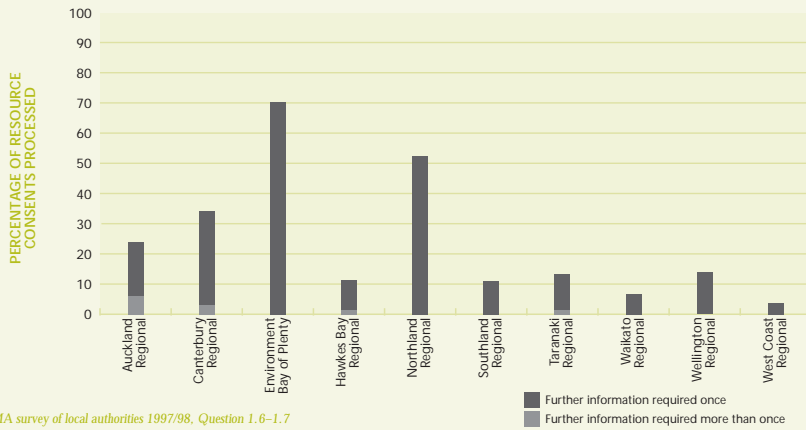
Source: RMA annual survey of local authorities 1997/98, Question 1.5

Table 3: Percentage of total resource consents processed where further information was requested

Year	1995/96 (n=54)	1996/97 (n=73)	1997/98 (n=76)
% of total consents where further information requested	22%	39%	22%

Source: RMA annual survey of local authorities 1997/98, Question 1.6

Figure 1: Regional Council requests for further information



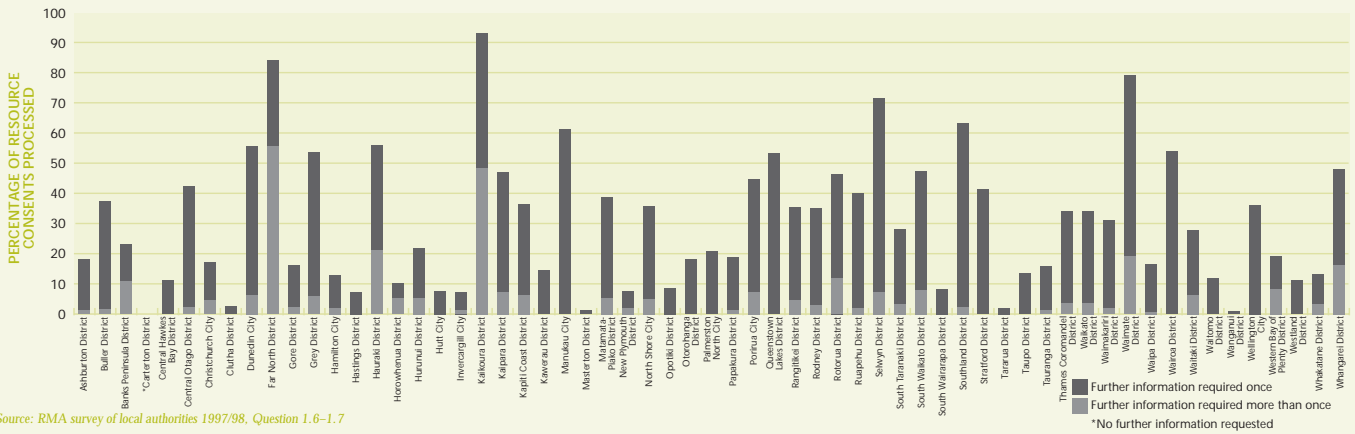
Source: RMA survey of local authorities 1997/98, Question 1.6-1.7

they needed to request further information more than once. 3% of the total resource consents processed by those local authorities able to answer the question, involved more than one request for further information⁶.

10 local authorities advised that they did not keep records on the number of further information requests. The Ministry considers that it is important for local authorities to be aware of the extent to which section 92 is being used. Inappropriate use of this section is bad practice and often imposes holding costs on applicants.

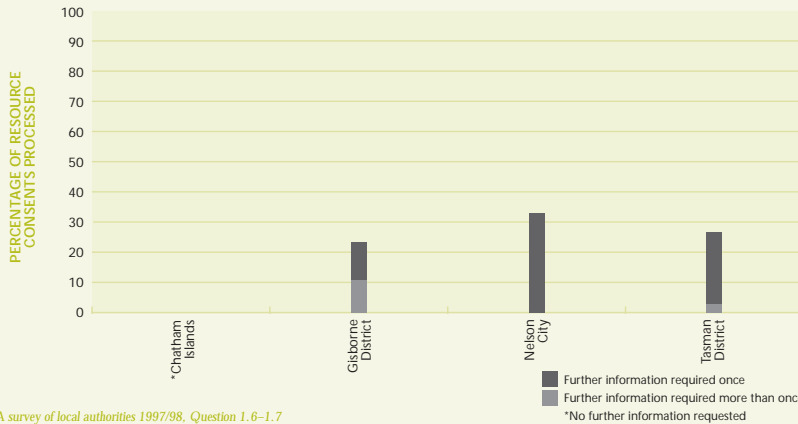
REFER FIGURES 1 - 3

Figure 2: Territorial Authority requests for further information



Source: RMA survey of local authorities 1997/98, Question 1.6-1.7

Figure 3: Unitary Authority requests for further information



Source: RMA survey of local authorities 1997/98, Question 1.6-1.7

⁶ 22 local authorities did not record the multiple use of further information requests.

⁷ A notified consent is publicly advertised, the community may make submissions and a hearing is generally held.

⁸ No breakdown by consent type is available for the 1995/96 data.

⁹ It was assumed that if Local Authorities did not provide a figure they had not held any pre-hearing meetings during the year.

Notification of resource consents

During 1997/98, 5% of resource consents (around 2,800 consent applications) were processed as publicly notified consents⁷. In comparison 5% of consents were notified in 1996/97 and 8% in 1995/96. The most frequently notified resource consents were coastal, water and discharge permits. This is probably because they are public resources and more people in diverse areas are affected. It is interesting to note that, while notification has decreased slightly overall since 1996/97,

the notification of water and discharge permits has increased (notification of water permits by approximately 120 consents, and discharge permits by approximately 45 consents)⁸.

REFER TABLE 4

There does not appear to be any particular trend in the rate of notification by regional and territorial authorities. The percentage of consents notified by unitary authorities has consistently decreased since 1995/96. However, the small sample size (5 local authorities) does not enable strong conclusions to be drawn. The lower level of notification by territorial authorities reflects the fact that they deal with a private resource (land), while regions and unitary authorities generally deal with public resources (water, air, coast).

REFER TABLE 5

Pre-hearing meetings

In the 1997/98 financial year 679 pre-hearing meetings were held. Pre-hearing meetings were held for 24% of all notified resource consent applications.

Regional councils used pre-hearing meetings more frequently than other local authorities. It is interesting to note that there was an increase in the use of pre-hearing meetings by all local authorities from 1995/96 to 1996/97 and a decrease in their use in 1997/98. This was particularly marked for territorial authorities. The reason for this trend is not clear. Some local authorities have suggested that this may be due to applicants being concerned about the additional costs associated with pre-hearing meetings. We intend to follow this up in the next annual survey.

REFER TABLE 6

Table 4: Percentage of consents notified by consent type

Resource Consent Type	Subdivision consent	Land use consent	Coastal permit	Water permit	Discharge permit	Total resource consents
% Notified 1997/98 (n =85)	3%	4%	15%	24%	21%	5%
% Notified 1996/97 (n=83)	2%	4%	13%	19%	18%	5%

Source: RMA annual survey of local authorities 1997/98, Question 2.2

Table 5: Percentage of consents notified by local authority type

Local authority type	% of Notified applications 1995/96	% of Notified applications 1996/97	% of Notified applications 1997/98
Regional Councils	16%	12%	14%
Territorial Authorities	5%	3%	3%
Unitary Authorities	18%	15%	10%

Source: RMA annual survey of local authorities 1997/98, Question 2.2

Table 6: Percentage of notified resource consents for which a pre-hearing meeting was held (by local authority type)

% pre-hearing meetings held in each year	1995/96 (n=61)	1996/97 (n=80)	1997/98 (n=85) ⁹
Regional councils	41%	58%	37%
Territorial authorities	3%	36%	12%
Unitary authorities	6%	9%	3%

Source: RMA annual survey of local authorities 1997/98, Question 1.8

Who made resource consent decisions?

This year we were interested in finding out who made resource consent decisions¹⁰.

The majority of decisions on resource consent applications were made by local authority officers (90%) within the policy constraints established by policy statements and plans. This is not surprising as 95% of consents are non-notified and the vast majority of these are processed and decided by officers with delegated authority from the local authority.

9% of all decisions were made by councillors, either as part of a hearings committee or acting as commissioners. It is interesting to note that very few decisions were made by independent commissioners.

REFER TABLE 7

¹⁰ Note that the question only referred to resource consents and not decisions on plans.

Resource consents declined and appealed

Very few resource consents were declined or appealed. 82 local authorities responded to this question and advised that 1% of consent applications processed during the 1997/98 year were declined. We did not ask respondents to differentiate data for controlled activities (i.e applications which cannot be turned down). This figure does not include applications turned away at the counter, or applications withdrawn. The highest rate of resource consent applications declined for an individual council was 7% (around 9 applications).

1% of resource consent decisions were appealed. The highest rate of consent decisions appealed for an individual council was 9% (around 122 decisions).

While the rate of appeals may appear to be an indicator of quality decision making we do not have enough information to know if this is the case. There may be reasons that decisions are not appealed other than satisfaction with the decision; for instance, the cost of appeals could be a deterrent. The Ministry considers there would be merit in further investigating this issue. Next year we will consider whether more notified or non-notified decisions are being appealed, and who is taking appeals (ie applicants or submitters). We will also consider the number of appeals upheld by the Environment Court and whether or not resource consent conditions were amended. Once this work has been done we may be able to consider using the rate of appeals as an indicator of quality decision making.

Table 7: Percentage of resource consent decisions made by range of decision makers

Decision maker	Local authority officers		Councillors acting as commissioner		Other
	Local authority officers	Independent commissioners	Councillors acting as commissioner	Councillors	
Regional Councils	89%	1%	1%	8%	1%
Territorial Authorities	93%	0%*	1%	6%	0%
Unitary Authorities	55%	1%	38%	5%	1%
Total	90%	1%	3%	6%	0%*

Source: RMA annual survey of local authorities 1997/98, Question 1.12a

* = less than 0.5%.

Time

Resource consent applications were considered to be “within time” if they were processed within:

- 70 working days for notified consent applications;
- 20 working days for non-notified consent applications where no hearing was held;
- 40 working days for non-notified consent applications where a hearing was held; or
- time limits extended by the use of section 37.

We recognise that these time limits do not provide a full picture of compliance with legal time frames (ie if one part of the process is outside the statutory time for that phase, but the consent is processed within the upper time limit, the consent should strictly be considered as processed “over time”, but would be recorded as within time in the survey). However, they do provide useful benchmarks for performance comparisons between local authorities.

¹¹ This involves checking that an application is complete (eg it is signed and includes an AEE), but does not include a checking whether the application is correct or assessing whether further information is required.

This year, results are presented in groups of like local authorities to enable more meaningful performance comparisons and to enable authorities to share good practice with one another. Local authorities have been divided into “family groups” on the basis that they process similar numbers of consents.

The survey identified local authorities that formally receive resource consent applications within one full working day of arrival at their offices. This enables local authorities to see where there may be discrepancies in “starting the clock”. We found that only 62% of local authorities formally receive resource consent applications one full working day of arrival at the council’s office¹¹. These local authorities are listed in Appendix Two.

Formal receipt of applications within one full working day of arrival is good practice and the RMA is likely to be amended to require this.

Resource consent applications processed within time limits

In the 1997/98 financial year 78% of all resource consents were processed within statutory time limits. This includes section 37 extensions. In 1996/97, 76% of resource consents were processed within statutory time limits.

Table 8 reports on the percentage of each consent type processed within statutory time limits. This shows a clear improvement in the percentage of coastal, water and discharge permits processed within statutory time limits.

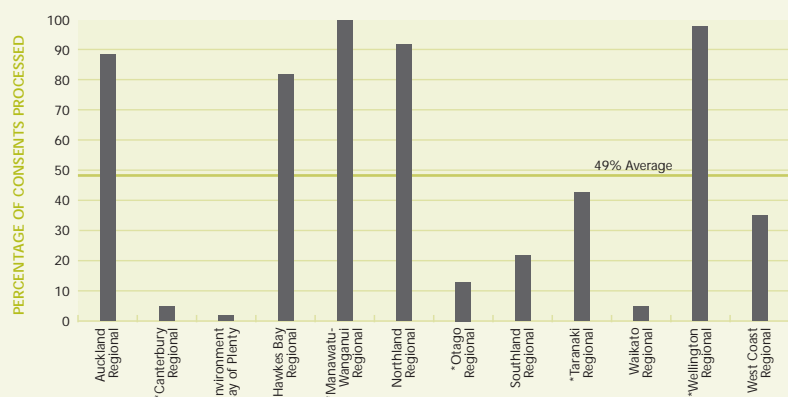
REFER TABLE 8

Table 8: Consents by type, processed within statutory time limits

Consent type	Subdivision	Land use	Coastal	Water	Discharge
% Processed within time 1997/98	77%	81%	84%	61%	66%
% Processed within time 1996/97	76%	83%	78%	25%	48%

Source: RMA annual survey of local authorities 1997/98, Questions 2.2 – 2.4

Figure 4: Notified consents processed within time – Regional councils



Source: RMA survey of local authorities 1997/98, Question 1.4

*formally receive applications within 1 full working day

Notified and non-notified resource consent applications processed within time limits

This year, 64% of notified consents and 79% of non-notified consents were processed within time limits. Last year's survey showed 66% of notified consents and 77% of non-notified consents were processed within statutory time limits. There has not been much change in the last year and there is still room for improvement.

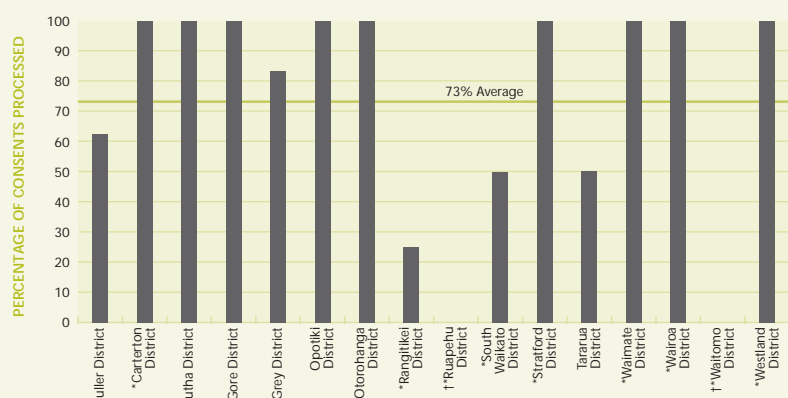
Those territorial authorities that process higher numbers of consents were less able to consistently process all on time¹².

A full summary of the percentage of notified and non-notified resource consent applications processed by individual local authorities within time can be found in Appendix Three.

Notified consents processed within statutory time (including section 37) by family group

REFER FIGURES 4-9

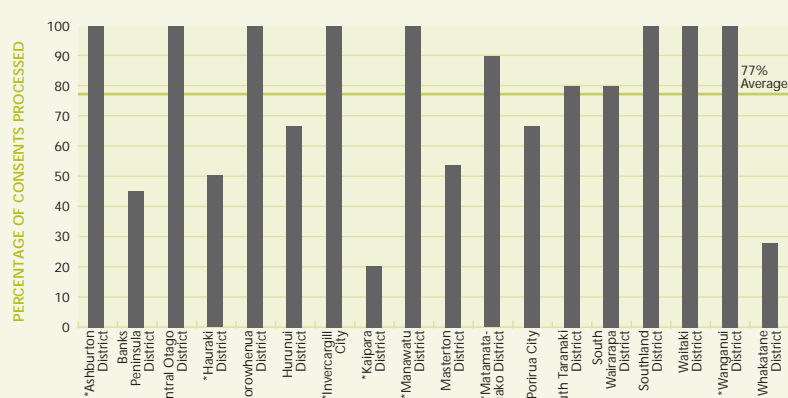
Figure 5: Notified consents processed within time – Territorial authorities (Group 1)



Source: RMA survey of local authorities 1997/98, Question 1.4

*formally receive applications within 1 full working day
†Local authority response was zero

Figure 6: Notified consents processed within time – Territorial authorities (Group 2)

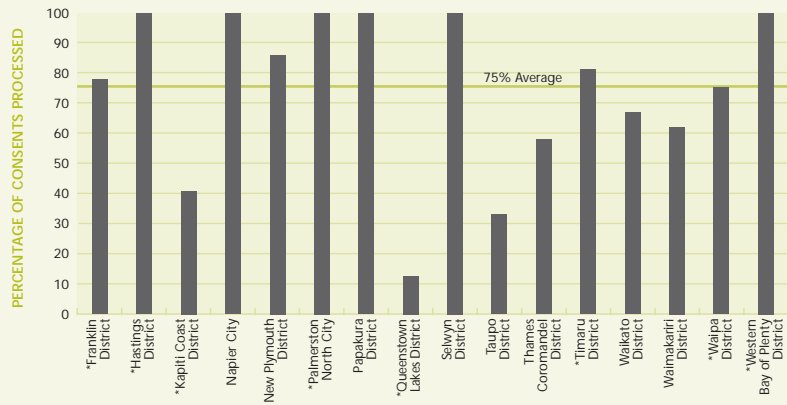


Source: RMA survey of local authorities 1997/98, Question 1.4

*formally receive applications within 1 full working day

¹² This trend is based on comparisons between local authorities that formally receive resource consent applications within one full working day.

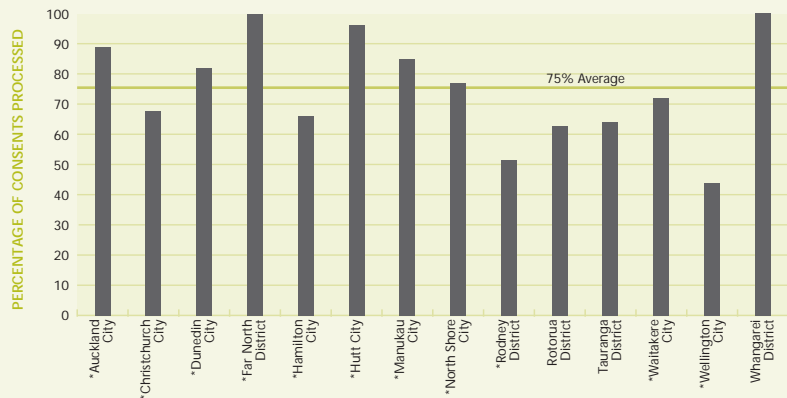
Figure 7: Notified consents processed within time – Territorial authorities (Group 3)



Source: RMA survey of local authorities 1997/98, Question 1.4

*formally receive applications within 1 full working day

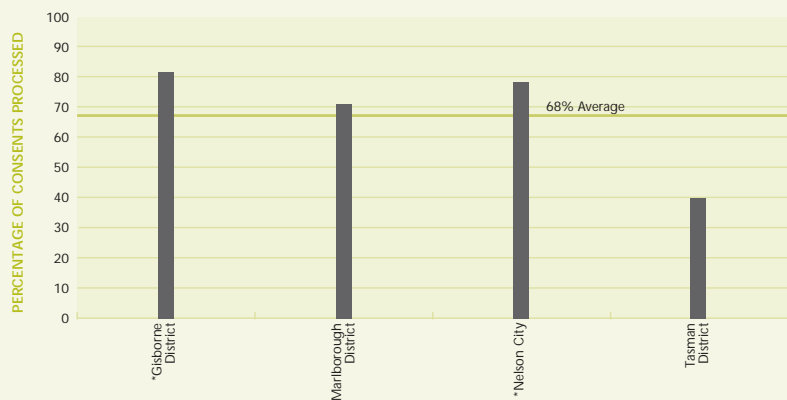
Figure 8: Notified consents processed within time – Territorial authorities (Group 4)



Source: RMA survey of local authorities 1997/98, Question 1.4

*formally receive applications within 1 full working day

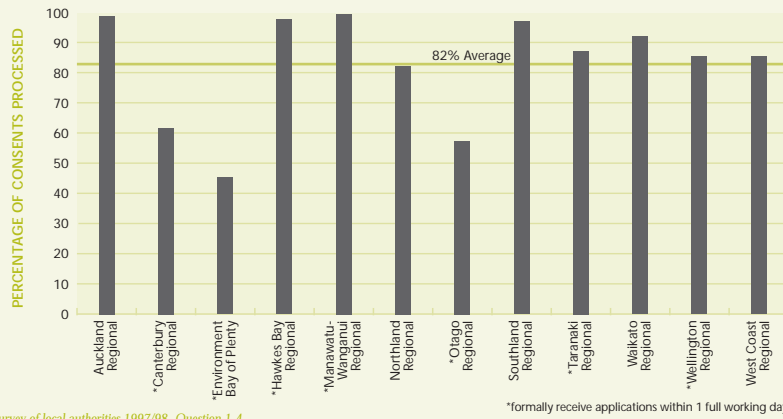
Figure 9: Notified consents processed within time – Unitary authorities



Source: RMA survey of local authorities 1997/98, Question 1.4

*formally receive applications within 1 full working day

Figure 10: Non-notified consents processed within time – Regional councils

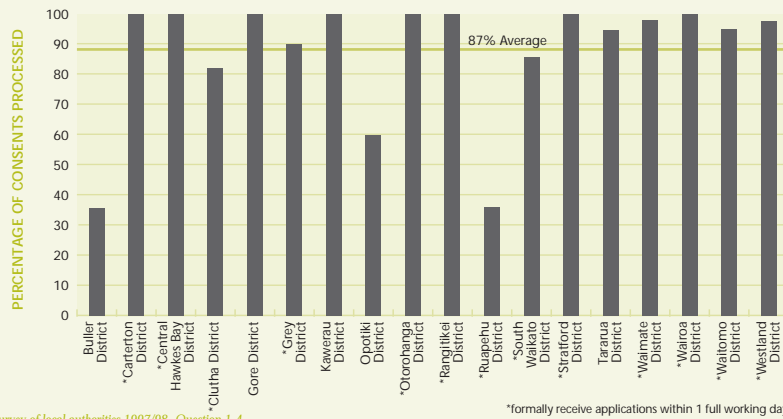


Source: RMA survey of local authorities 1997/98, Question 1.4

Non-notified consents processed within statutory time by family group

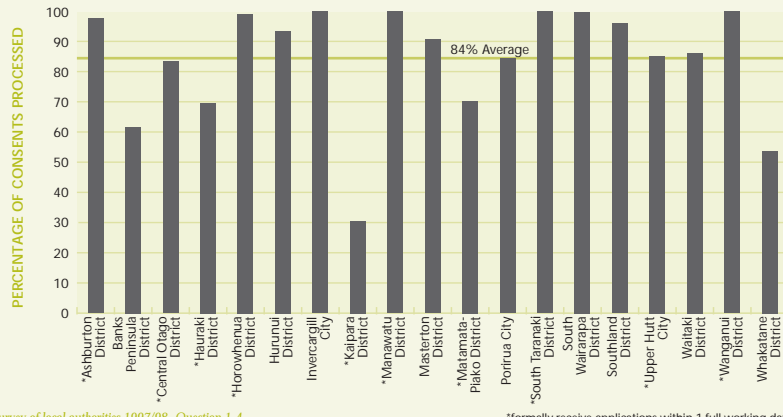
REFER FIGURES 10 – 15

Figure 11: Non-notified consents processed within time – Territorial authorities (Group 1)



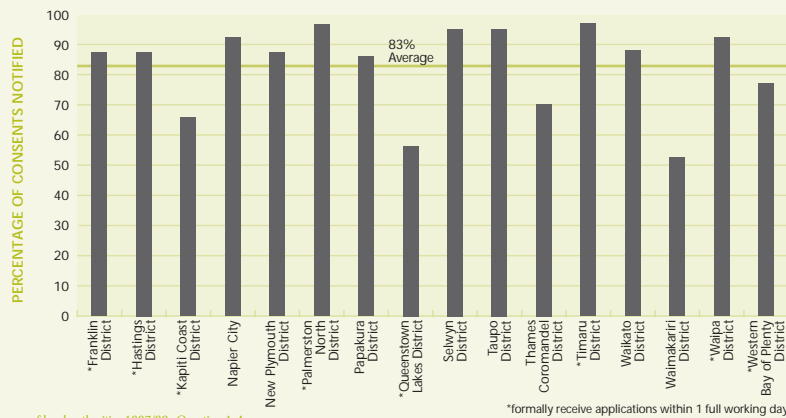
Source: RMA survey of local authorities 1997/98, Question 1.4

Figure 12: Non-notified consents processed within time – Territorial authorities (Group 2)



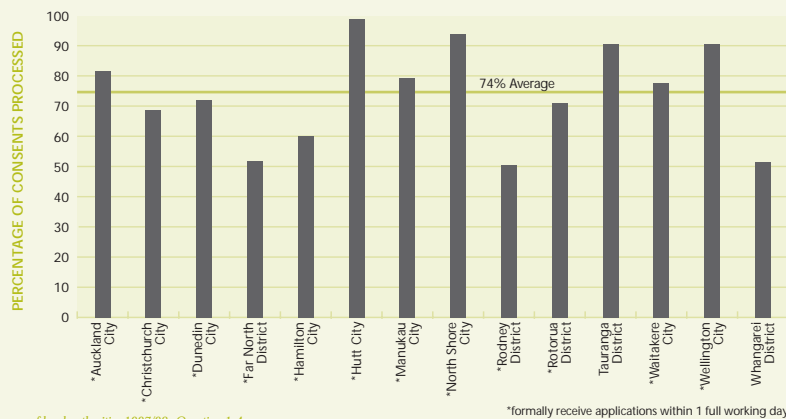
Source: RMA survey of local authorities 1997/98, Question 1.4

Figure 13: Non-notified consents processed within time – Territorial authorities (Group 3)



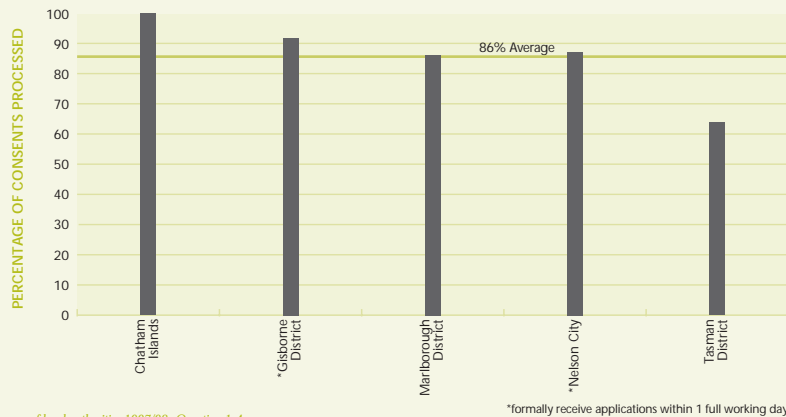
Source: RMA survey of local authorities 1997/98, Question 1.4

Figure 14: Non-notified consents processed within time – Territorial authorities (Group 4)



Source: RMA survey of local authorities 1997/98, Question 1.4

Figure 15: Non-notified consents processed within time – Unitary authorities



Source: RMA survey of local authorities 1997/98, Question 1.4

Use of section 37 to extend time limits

The Ministry for the Environment considers that it is good practice to use section 37 to extend statutory time limits for the processing of resource consents, rather than letting consent processing run over time limits without informing the applicant and affected parties.

Section 37 was used to extend statutory time limits for 3% of the total consents processed (around 1800 resource consent applications). In 92% of the cases where section 37 was used to extend time limits, consents were processed within the extended time limits established.

Around half of the local authorities responding to the survey could provide information on whether section 37 was invoked by the local authority, through section 37(1) or at the request of, or with the agreement of, the applicant through section 37(5A). From the information available we found that section 37(1) was invoked for 305 applications. Section 37(5A) was invoked for 98 applications.

We also asked local authorities to provide their reasons for using or not using section 37. Figures 16 and 17 outline the responses provided. Complexity of the application was the main reason given for using section 37.

Over 30% of local authorities reported that they did not use section 37 to formally extend statutory time limits as the process adds an additional step and time to the processing of resource consents. The Ministry does not consider that the additional work involved is justification for not informing the applicant and other parties of delays in consent processing.

REFER FIGURES 16-17

Individual local authority target time frames

This year the survey collected information on whether any local authorities had set their own target time frames. The Ministry for the Environment was particularly interested in finding out whether there were any “in-house” targets to process applications in shorter time frames than the RMA requires.

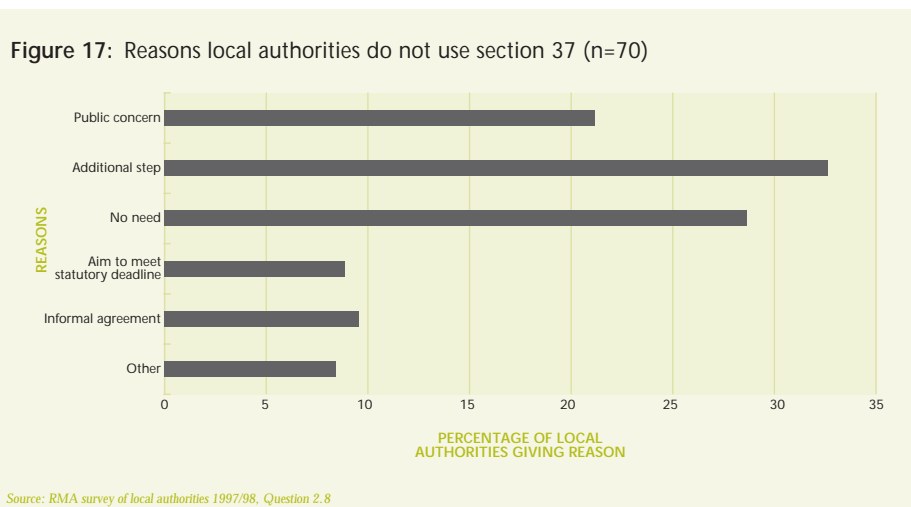
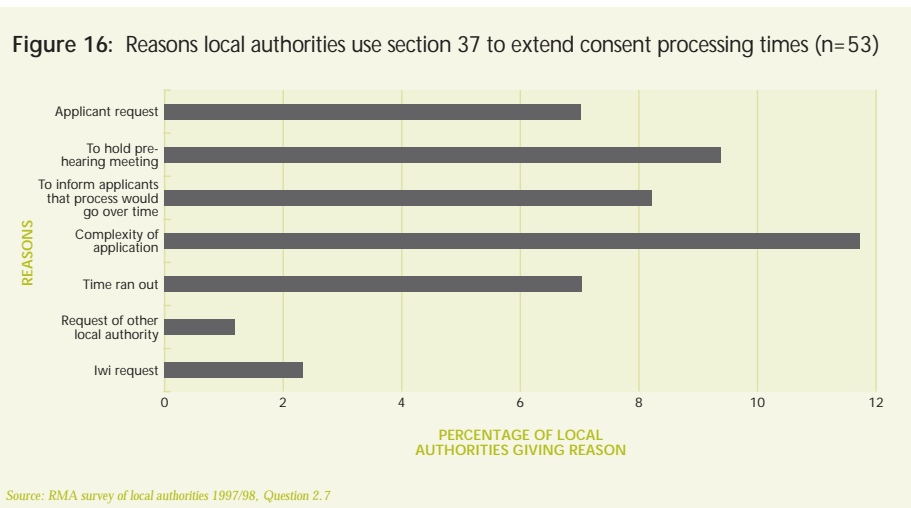
10 local authorities had set themselves targets which did not ensure compliance with statutory time frames (ie most were aiming to process between 90 – 95% of applications within statutory time limits). We do not think it is good practice to aim lower than the time limits required by the RMA .

Fifteen local authorities had set themselves time frame targets that were shorter than statutory limits for non-notified applications. The targets ranged from ten to eighteen working days. Several local authorities had specific targets for particular types of consents. For example, one local authority aimed to process all non-notified land use consents within five working days. Another’s objective was to process all non-notified consents within five working days where decision making power has been delegated to staff.

One local authority had a target of 50 working days for all notified consents.

Two local authorities had set time targets for making further information requests. One aimed to do this within four days while the other allowed itself ten days.

We think that this is good practice as long as it allows quality decisions to be made.



Cost

Cost to local authorities to produce RMA plans

Some sectors of the community have expressed concern about the costs to local authorities, and therefore communities, of developing policy statements and plans under the RMA. It is to be expected that planning under the RMA would be more costly than under previous legislation, given:

- the need for local authorities to investigate ways to implement the new concepts in the RMA;
- the more open and consultative approach to plan development under the RMA;
- many issues are not yet settled in law creating a backlog of plan references yet to be heard by the Environment Court.

To date very little, other than anecdotal evidence, has been available on the costs of RMA plan production. The annual survey sought to remedy this to some degree and requested that local authorities *estimate* the cost to date of developing RMA plans and policy statements, for the whole seven year period since the RMA came into law.

The figures provided by local authorities are “self-reported” and have not been verified.

Table 11 summarises the range and average estimated cost of plan production between 22 July 1991 and 30 June 1998. We are aware that local authorities may wish to keep information on costs confidential and made an undertaking in the annual survey that individual local authorities’ cost estimates would not be reported or released publicly.

Readers should bear in mind that it is difficult to compare these costs as local authorities often allocate costs differently. For instance, some councils may allocate the costs arising from factors such as overheads (eg accommodation and equipment costs and depreciation), costs of democracy (councillor time, democratic process costs – advertising, servicing the council etc) and staff costs, to the full cost of a plan, while others may not.

REFER TABLE 11

Stage of plan production

The figures in Table 11 do not distinguish between the stage that plans have reached in the development process¹³. Therefore a low cost may not necessarily indicate that a plan cost little to prepare; it may be that the costly parts of the process have not yet been reached.

Although the survey was not designed to calculate where in the process costs generally fall, we have attempted to identify the stage which more expensive plans have reached in the plan development process. We were able to identify estimated production costs for seven of the 15 district plans that were operative at 30 June 1998. Most of these seven plans were produced by small, rural local authorities. These plans have become operative for the relatively low average cost of around \$600,000. The least expensive operative district plan cost \$50,000; the most expensive \$1.5 million. The 10 operative regional plans (at 30 June 1998) for which we could identify costs, cost on average around \$300,000.

13 Note that all Regional Policy Statements are now partially or fully operative.

Table 11: Estimated cost of plan preparation to date (between 22 July 1991 – 30 June 1998) (number of local authorities = 80)

Cost \$	Lowest	Average	Highest
District plans	\$50,000	\$1,495,000	\$14,000,000
Regional policy statements	\$20,000	\$524,444	\$2,600,000
Regional plans	\$250,000	\$894,370	\$3,270,000
Unitary plans	\$205,000	\$1,476,730	\$2,851,921

Source: RMA annual survey of local authorities 1997/98, Question 3.4

In comparison, 13 of the district plans at the partially operative (or appeal) and notified stages (at 30 June 1998) have cost significantly more. The average cost was around \$4.8 million, with a range of \$1.7 to \$14 million. Most of these plans were produced by medium to large urban local authorities, or smaller authorities. It could be that these authorities may be facing a wide range of issues. While we do not have specific information on why these plans have been more expensive, this may be due to the range of issues covered by a plan or the level of public interest in it. It could also be due to a high level of consultation and debate between local authorities and communities in terms of resource management issues and solutions.

For next year's annual survey we intend to collect information on the costs involved with each stage of the plan preparation process. This should assist in providing a clearer picture of the points in the process where the main costs arise.

Key components of plan production costs

Local authorities were asked to outline the key components of the costs of plan production. There was wide variation in the way these costs were reported. Some local authorities itemised steps in the process (eg plan preparation, submissions analysis etc), while others noted key costs were staff and consultants' time. Local authorities frequently reported costs arising from:

- plan preparation – research, section 32 analysis, mapping, policy development;
- consultation with the public;
- notification, submissions analysis and hearing process;
- printing and presentation costs associated with plans and reports;
- references and legal costs.

For next year's annual survey we intend to collect information on which components of plan production involve the greatest costs.

Cost recovery

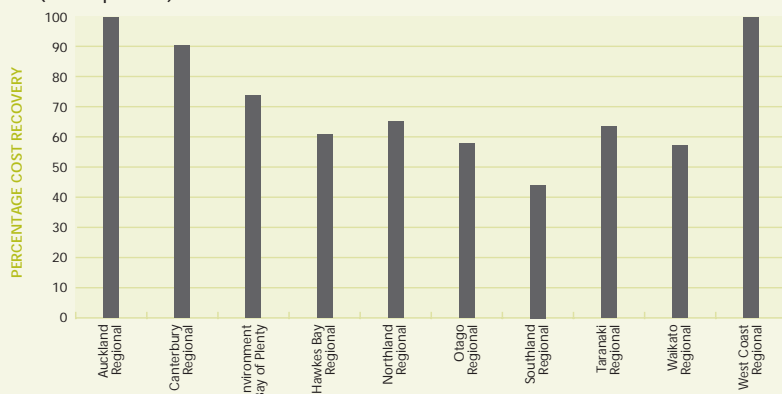
Cost recovery for resource consent processing

In the annual survey we sought information on the percentage of total costs for resource consent processing recovered through user charges (section 36 administrative charging) for the 1997/98 financial year. We also collected information on the income and full cost for resource consent processing, and intended to use this as a check on the percentage cost recovery figures provided. However, using the income and cost figures as a check is not robust as:

- the question did not distinguish between income from general rates and income from user charges. It is possible that some local authorities answered this question differently – some including funding from rates in income and others excluding it;
- a number of local authorities noted that their accounting systems did not enable them to distinguish costs and income for resource consent processing from other, wider authority functions.

Therefore, we have relied on the self-reported figures for cost recovery supplied by local authorities. This follows the approach in last year's annual survey report. The data is limited as local authorities may have over- or under-estimated their level of cost recovery. We intend to reconsider the area of cost recovery through user charges, and to develop a method to check results reported by local authorities in next year's annual survey.

Figure 18: Regional councils percentage cost recovery for resource consent processing (self reported)

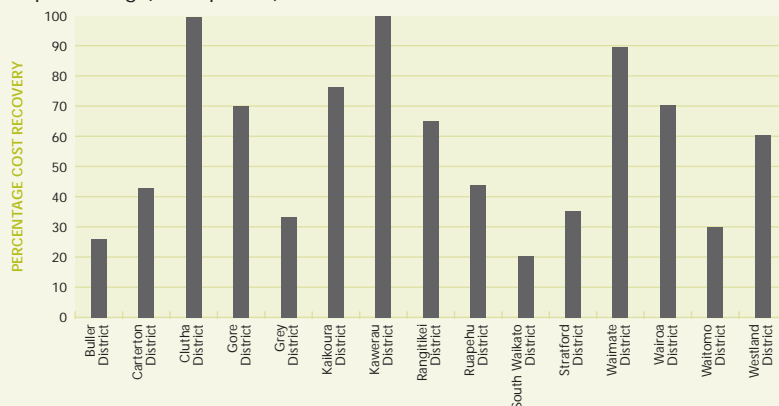


Source: RMA survey of local authorities 1997/98, Question 3.9/3.10a

The self-reported results for the percentage of cost recovery through user charges for resource consent processing are reported in figures 18 to 23. 13 local authorities were unable to provide information on cost recovery. There is wide variability in the recovery of resource consent processing costs, ranging from 13.7% to 100%. This variability may arise because local authorities have different policies about the appropriate level of cost recovery.

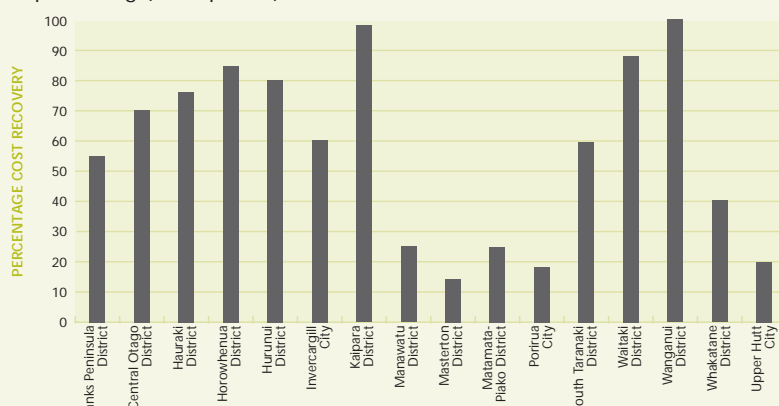
REFER FIGURES 18-23

Figure 19: Territorial authorities (Group 1) percentage cost recovery for resource consent processing (self reported)



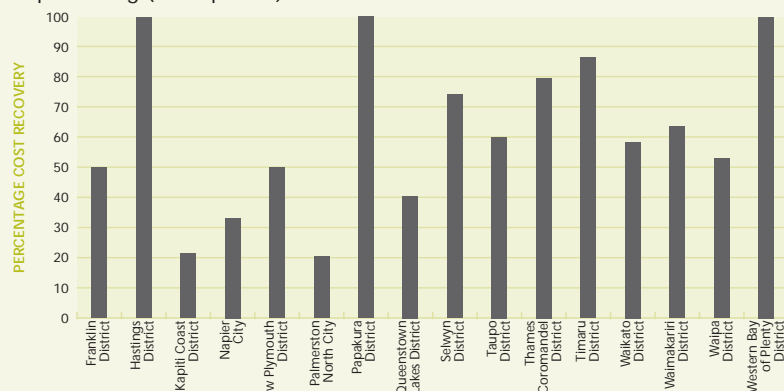
Source: RMA survey of local authorities 1997/98, Question 3.9/3.10a

Figure 20: Territorial authorities (Group 2) percentage cost recovery for resource consent processing (self reported)



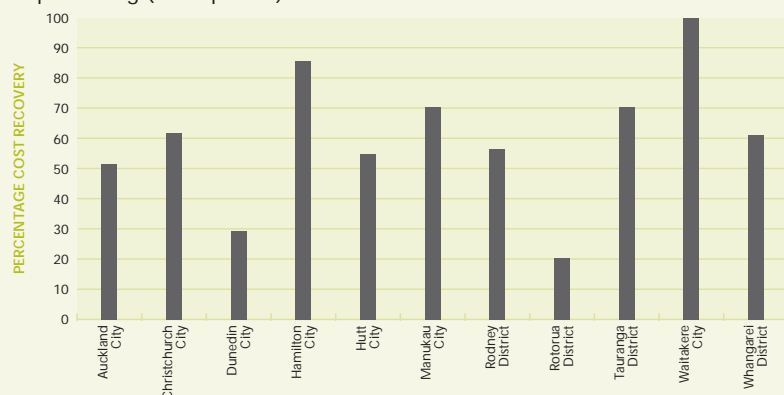
Source: RMA survey of local authorities 1997/98, Question 3.9/3.10a

Figure 21: Territorial authorities (Group 3) percentage cost recovery for resource consent processing (self reported)



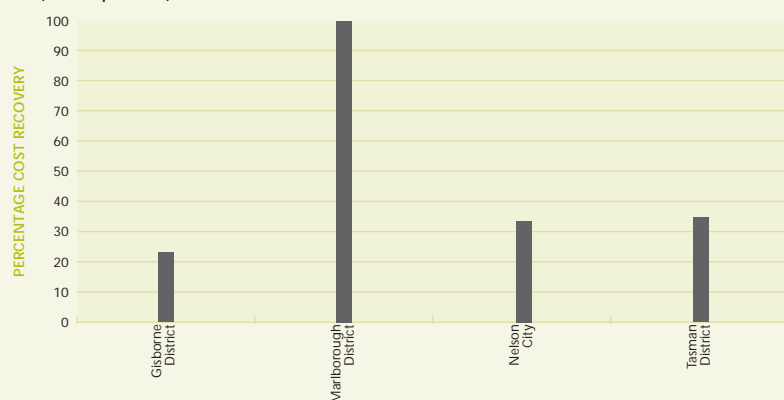
Source: RMA survey of local authorities 1997/98, Question 3.9/3.10a

Figure 22: Territorial authorities (Group 4) percentage cost recovery for resource consent processing (self reported)



Source: RMA survey of local authorities 1997/98, Question 3.9/3.10a

Figure 23: Unitary authorities percentage cost recovery for resource consent processing (self reported)



Source: RMA survey of local authorities 1997/98, Question 3.9/3.10a

Public and private benefit

The Local Government Act 1974 (Local Government Amendment Act (No 3) 1996) (section 122N) required that from 1 July 1998 local authorities adopt a funding policy not less than once every 3 years¹⁴. The funding policy should identify the level of public and private benefit for each function of the local authority. The resource consent processing function may be grouped with other functions, such as building consent processing, depending on the amount of work facing the authority in carrying out that function. The public/private benefit level is then incorporated into the relevant budget mechanism that provides the most appropriate method of funding activities. The amount of private benefit becomes a target for revenue to be obtained from user charges and the public benefit is recovered through rates.

The annual survey investigated how many of the local authorities that had prepared funding policies had identified resource consent processing as a significant activity, and what level of public and private benefit they had determined. 54% of local authorities answered that they had prepared a funding policy in 1997/98 and defined resource consent processing as a stand-alone function (ie not incorporated with compliance monitoring or planning activities). However, we surmised that many of the authorities who answered this way may have either developed an informal funding policy (ie not in terms of the LGA Amendment (No 3) Act), or developed a funding policy for the 1998/99 year. Because of this uncertainty we have provided results only on the nine authorities required to develop a funding policy for 1997/98.

We found that five of the nine local authorities had determined a public/private benefit split for resource consent processing as a stand-alone function. Three authorities considered the private benefit was 100%, while the other two set the private benefit at 50% and 85%.

We also intended to gain an idea of the progress being made by these five local authorities toward collecting the private benefit portion of resource consent processing costs through section 36 user charges. This proved problematic as we found some differences between the self-reported information and local authorities' funding policies and/or annual reports. Further, our question may not have been clear enough. We are not confident that responses included income from user charges only, rather than from rates.

We intend to do further work in next year's annual survey to ensure our reporting on cost recovery is more robust.

¹⁴ Most local authorities were not required to have a funding policy for the 1997/98 survey period, but for the following Local Authorities a funding policy was required to be adopted by 1 July 1997: Dunedin City Council, Masterton District Council, Opotiki District Council, Porirua City Council, Rodney District Council, Waipa District Council, Wellington Regional Council, West Coast Regional Council, Western Bay of Plenty District Council.

Resource consent invoices

The Ministry for the Environment considers it is good practice for local authorities to itemise the charges on invoices for the processing of resource consent applications. This gives the applicant an idea of the steps and costs involved in the processing of a consent application.

We found that 75.3% of local authorities do itemise the charges on invoices for resource consent applicants. The items which are commonly identified on invoices included:

- staff time, including planning, engineering and other in house staff hours. In some cases particular tasks are listed/itemised, such as site inspections, meetings, report writing and research;
- administration charge or actual administration time;
- consultant's costs, where consultants are used to process consents;
- legal costs;
- the cost of reports commissioned to provide extra information;
- disbursements, including photocopying, postage, mileage and advertising costs;
- hearing costs, including councillor/commissioner costs.

Local authorities that do not itemise charges commonly charge a set fee or deposit. Some local authorities reported that they itemise costs not covered by the set fee, which are recovered from the applicant. In some cases, where costs are less than the deposit, the difference is refunded to the applicant.

Other local authorities reported that it is simpler and faster not to itemise charges, but that they are able to do this at the applicant's request.

Good practice in resource consent processing

The 1997/98 annual survey collected good practice information on pre-application and application phases of the resource consent process. The questions in this section were based on recent Ministry for the Environment guidelines and the Local Government Forum's *Best Practice Guide for Subdivision Consent Processing*.

A full set of individual responses to the questions in this section has been forwarded to all local authorities. This “signposts” who is using good systems and practices.

Pre-application

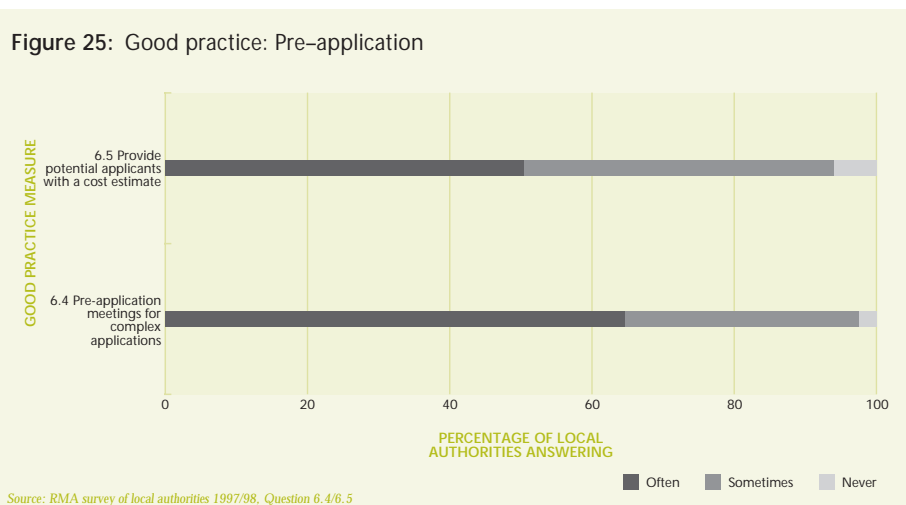
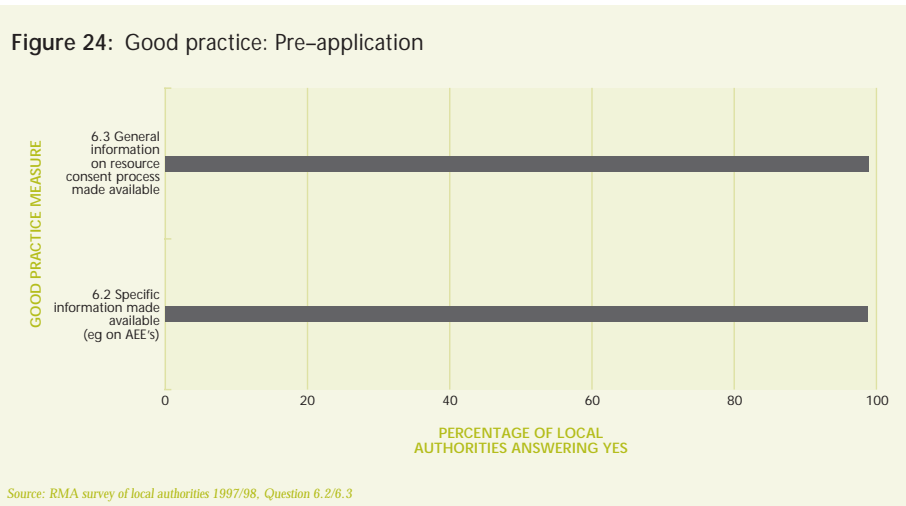
Almost all local authorities advised that they make general and specific information (eg checklists on what to cover in an assessment of environmental effects) available to potential applicants. We assume that ensuring applicants understand what is expected of them before they make an application would reduce the number of requests for further information within the consent process.

REFER FIGURE 24

65% of local authorities often hold pre-application meetings for complex applications. 33% hold them sometimes and 2% never use them. Pre-application meetings are another way of ensuring that applicants are aware of what is expected of them. We recognise that pre-application meetings are customer driven and that local authorities may not be able to influence the level of uptake.

51% of local authorities often provide cost estimates to potential applicants. 33% sometimes provide them and 6% never do. We are unsure of whether cost estimates are provided on request or as a matter of course. Informing people of what to expect in terms of processing costs (eg charging policies that clearly state what costs are able to be charged) is an important means of managing potential applicants' expectations about costs.

REFER FIGURE 25



Application process
Receiving applications and requests for further information

Only 62% of local authorities check applications for completeness (not correctness) and formally receive applications (ie start the clock) within one full working day of an application arriving at the local authority. This practice ensures that the applicant is informed as early as possible of any obvious omissions of information. It is also good practice because from an applicant's perspective the clock starts ticking the day the application is lodged with the council.

Presently section 92 of the RMA, concerning further information requests, is confusing. It is unclear whether the clock should be reset to zero or re-started from the point it was stopped once further information has been received. The forthcoming amendment proposes to clarify this section of the Act. This year's annual survey found that presently just under 75% of local authorities do not reset the clock to zero once further information is received.

REFER FIGURE 26

Assessments of environmental effects and notification

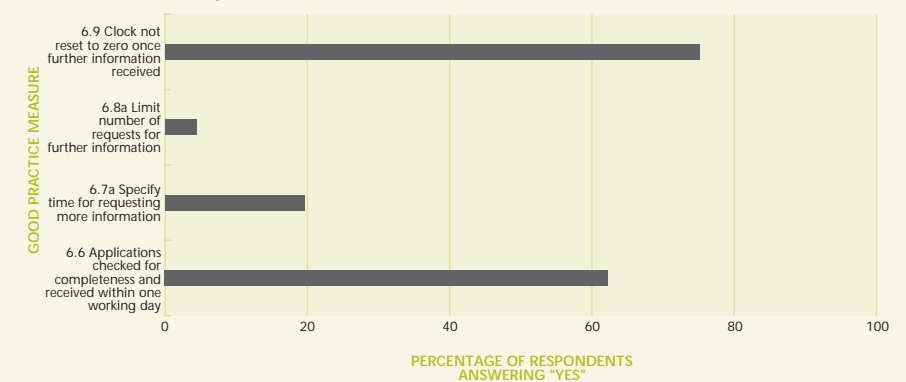
Only 53% of local authorities have a structured process to check environmental effects. The Ministry for the Environment has recently produced a good practice guide on auditing assessments of environmental effects. This should assist the other 47% of local authorities to develop a more structured process.

53% of local authorities provide checklists to their staff on when to notify applications and 47% provide checklists on how to identify affected parties. Checklists assist staff to make consistent decisions on notification and affected parties.

The table of individual results, provided separately to local authorities, outlines which councils use these checklists. It may be beneficial for other councils to approach them and learn from their good practice.

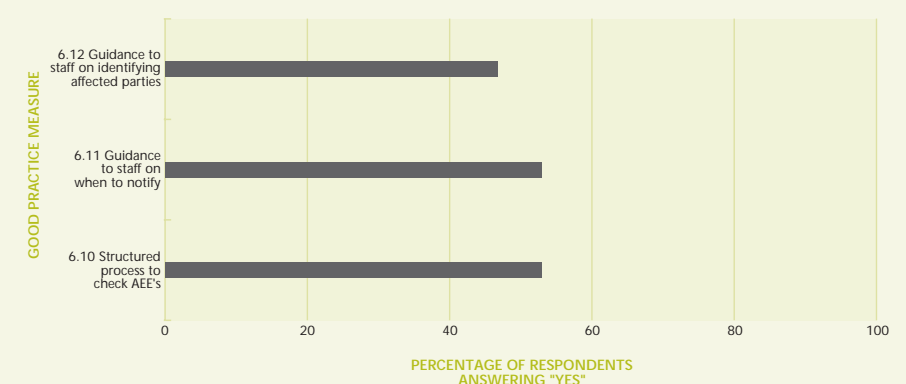
REFER FIGURE 27

Figure 26: Good practice: Application process
 (Receiving Applications and requests for further information)



Source: RMA survey of local authorities 1997/98, Question 6.6-6.9

Figure 27: Good practice: Application Process
 (Assessment of environmental effects (AEE) and notification)



Source: RMA survey of local authorities 1997/98, Question 6.10-6.12

Monitoring processing timeframes

Accurate and timely information on the monitoring of resource consent processing time frames is necessary if consent processing managers are to identify and remove blockages to efficient practices and re-prioritise work loads if necessary. The survey found that three local authorities monitor time frames on a daily basis. 32 monitor timeframes weekly and 34 monitor them monthly. A further 10 local authorities monitor in other ways (eg quarterly).

74% of local authorities formally monitor consent processing performance (eg through an annual report on consent processing performance).

Delegations, pre-hearing meetings and use of facilitators

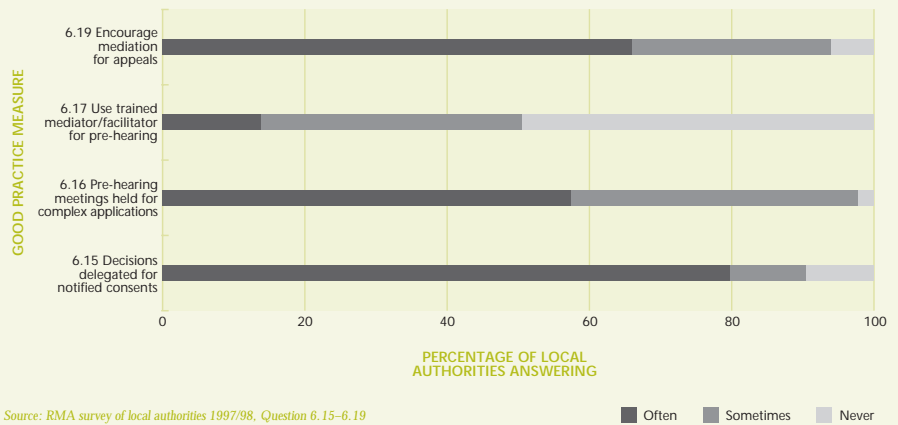
96% of local authorities have a delegations policy or manual. 80% of local authorities advised that they often delegate decisions on notified resource consent applications to small council committees or hearing commissioners. A further 11% of local authorities sometimes delegate decision making powers in this way. This often reduces the time and cost involved with resource consent processing.

The pre-hearing meeting is a good practice tool to clarify issues and resolve disputes. The informality of a pre-hearing meeting often allows parties to be more creative in finding mutually acceptable solutions. 58% of local authorities often hold pre-hearing meetings, and another 40% sometimes use them. Only 14% of local authorities often use a trained facilitator, with another 36% using them sometimes. A trained facilitator is often useful because of the demanding nature of some meetings, the skills needed to deal with potentially difficult people and tense situations and the need for the facilitator to be seen to be independent.

65% often encourage facilitation or mediation for appeals and 27% of local authorities sometimes encourage this.

REFER FIGURE 28

Figure 28: Good practice: Application Process (Hearings, decisions, appeals and completion)



Source: RMA survey of local authorities 1997/98, Question 6.15-6.19

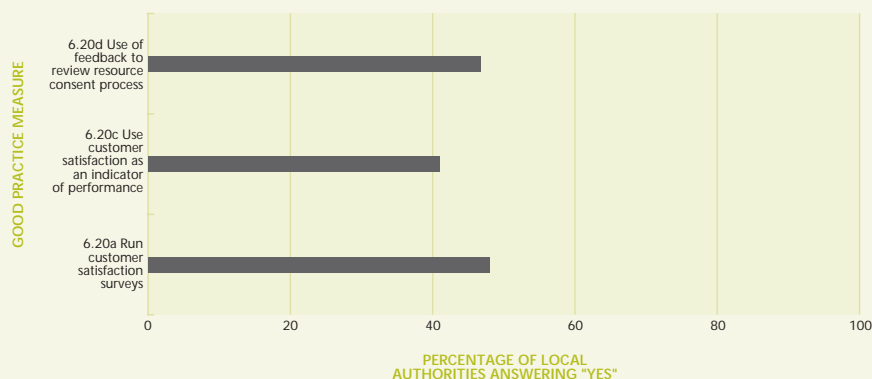
Customer satisfaction

Customer satisfaction assessment involves tracking what your customers think of the service offered by your organisation (ie what different types of applicants think of your resource consent processing). This can assist local authorities to improve their systems to meet different customer needs. 48% of local authorities use customer satisfaction surveys to find out what applicants think of their resource consent processes. Just over 41% use customer satisfaction as an indicator of performance and to review their resource consent processes.

The table of individual results, provided separately to local authorities, illustrates which local authorities are making use of customer satisfaction surveys. Other local authorities may want to follow this up with them. We think that they are useful tool for continuous improvement.

REFER FIGURE 29

Figure 29: Good practice: Customer satisfaction



Source: RMA survey of local authorities 1997/98, Question 6.20a-6.20d

Monitoring and enforcement

Section 35 monitoring

Section 35 of the RMA outlines a range of matters which local authorities are required to monitor. This includes: the state of the environment; plan effectiveness and suitability; compliance with resource consent conditions; and the use of transfers of functions/delegated powers. As local authorities finalise their resource management plans, monitoring the suitability and effectiveness of those plans and the environmental outcomes which are being achieved will become increasingly important. Monitoring environmental outcomes of plans is integral to effective environmental management.

This year the annual survey asked how many local authorities are already involved in section 35 monitoring and how many regional/unitary authorities were making use of the national environmental performance indicators developed by the Ministry for the Environment. The indicators relate to regional and unitary council functions at this stage.

All local authorities are involved in some type of section 35 monitoring. As Table 12 shows, regional councils have done the most monitoring to date.

REFER TABLE 12

Use of national environmental indicators

The Ministry for the Environment's Environmental Performance Indicators (EPI) Programme has developed a set of core environmental performance indicators for land, air and water and the annual survey sought information on how many of these indicators are being picked up by local authorities. We recognise that it is early to monitor use of these indicators now and we expect the number of local authorities using them to grow over time.

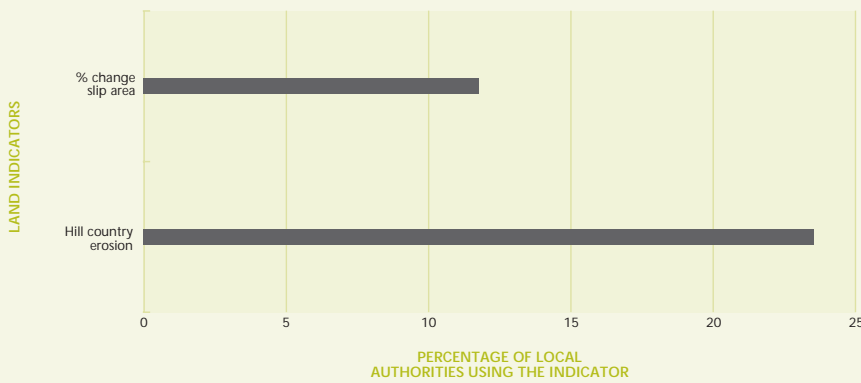
Figures 30 to 32 outline the percentages of regional and unitary authorities using these indicators in 1997/98. Regional councils made more use of these core indicators than unitary authorities. One unitary authority had implemented all indicators confirmed by MfE (except the air indicator of ground level ozone). Almost all regional councils used the water indicators for dissolved oxygen, temperature, ammonia and clarity. Over fifty percent of regional councils used the air indicators, except for the O3 indicator. Very few of either type of authority used the land indicators.

REFER FIGURES 30-32

Table 12: Percentage of local authorities monitoring under section 35

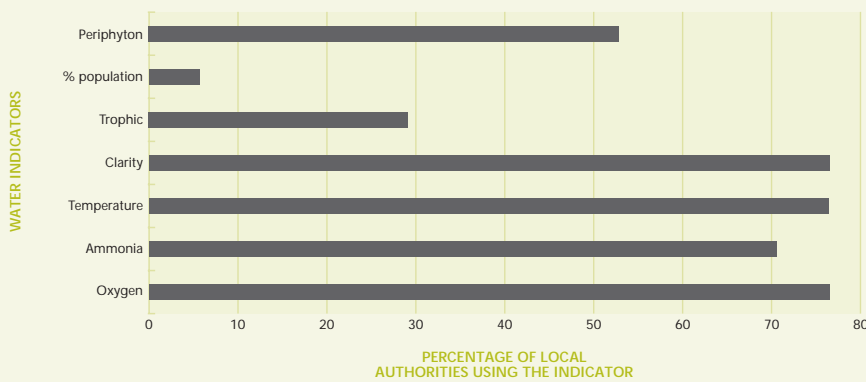
Type	Monitor state of the environment	Produce state of environment report	Monitor Policies and Plans	Delegated or transferred functions	Monitor resource consent conditions	Monitor complaints register
Regional	100%	50%	75%	67%	100%	100%
Territorial	34%	15%	43%	37%	91%	78%
Unitary	80%	60%	60%	20%	100%	60%

Figure 30: Regional and unitary authorities using MfE land environmental performance indicators



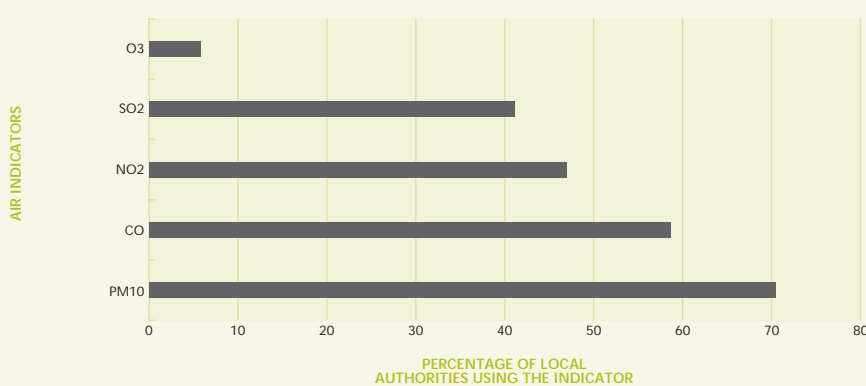
Source: RMA survey of local authorities 1997/98, Question 4.46

Figure 31: Regional and unitary authorities using MfE water environmental performance indicators



Source: RMA survey of local authorities 1997/98, Question 4.46

Figure 32: Regional and unitary authorities using MfE air environmental performance indicators



Source: RMA survey of local authorities 1997/98, Question 4.46

Plan monitoring

We sought information on how local authorities monitor the suitability and effectiveness of policies and plans. We received a range of answers. Many advised that they assessed the results from various combinations of the following:

- state of the environment monitoring (ie indicators developed to measure anticipated environmental outcomes);
- resource consents compliance monitoring;
- complaints monitoring;
- requests for private plan changes;
- ratepayers/residents surveys;
- an assessment of the appropriateness/enforceability of consent conditions;
- appeals; and/or
- an assessment of the appropriateness of existing consent categories.

The results illustrate that there are a variety of existing sources of information that councils can use to monitor the suitability and effectiveness of plans. Significant overlaps in the information requirements for plan monitoring and state of the environment monitoring mean that there are efficiencies to be gained in coordinating all forms of monitoring.

The Ministry recognises that to date there has been little information to assist councils in monitoring district plans. A number of initiatives are under way that should assist councils in developing the tools and processes to do this. For example, there are two Sustainable Management Fund projects, "District Plan Monitoring" (due in late 1999) and "Integrated Environmental Monitoring" (due in mid 1999). Contact Murray Bell, Manager of the Sustainable Management Fund, phone (04) 917-7400, for further information. The Ministry will do more work in this area in the future.

Coordination of monitoring

Local authorities were asked how they coordinated all their section 35 monitoring. Most advised that they had a monitoring strategy. Others used common databases for the various types of monitoring, involved the same staff in all types of monitoring, or outlined the links between the different types of monitoring in their Annual Plan.

Where local authorities had a monitoring strategy the following methods were used for ensuring integration between the strategy and district/regional plan provisions:

- development of indicators from the anticipated environmental results in the plan;
- listing anticipated environmental outcomes and indicators in both documents;
- alignment of monitoring programmes and strategic objectives;
- inclusion of a general monitoring statement in the plan.

Enforcement and compliance

Previous annual surveys considered the number of abatement notices issued and the rate of compliance with these. However, this information did not enable us to measure whether all cases of non-compliance with the RMA or resource consent conditions resulted in some type of enforcement action, and how often problems are dealt with through less formal means.

The 1997/98 survey asked for information on complaints about alleged breaches of the RMA and breaches of consent conditions. It also considered how many of these breaches were dealt with either formally or informally.

Complaints about breaches of the RMA

45950 complaints alleging breaches of the RMA or other resource management incidents were recorded by the 76 local authorities that were able to provide information. Of these, 8% were dealt with through formal enforcement processes. Formal mechanisms include enforcement orders, abatement notices and excessive noise directions. 22% were dealt with informally, for example by requesting a person committing infringement to apply for a resource consent.

This data implies that 70% of complaints are not dealt with either formally or informally. This may be because information on how complaints were dealt with was not recorded¹⁵ or complaints were not found to be RMA issues. We will endeavour to confirm why it appears so few complaints were dealt with, in the next annual survey.

Compliance with consent conditions

Local authorities recorded 12, 627 breaches of consent conditions in the 1997/98 financial year. Only 2% of these were dealt with through formal enforcement processes, including enforcement orders and abatement notices. The majority of breaches, 95%, were dealt with through informal means, such as personal contact with consent holders, or were minor administrative matters not requiring further action. Only 3% of breaches of consent conditions were not dealt with either formally or informally.

¹⁵ This is not required by the RMA.

Maori participation

Last year's annual survey requested information on the range of mechanisms used by local authorities to consult with iwi. The 1997/98 survey followed up on the effectiveness of iwi consultation mechanisms and sought information on other aspects of iwi participation in resource management.

We found that 58% of local authorities made a financial commitment to Maori/iwi participation in resource management processes. The average amount budgeted for Maori participation was approximately \$50,000.

Consultation with iwi

Figure 33 shows the range of mechanisms used by local authorities to consult with iwi and their effectiveness. Effectiveness was rated on the following scale:

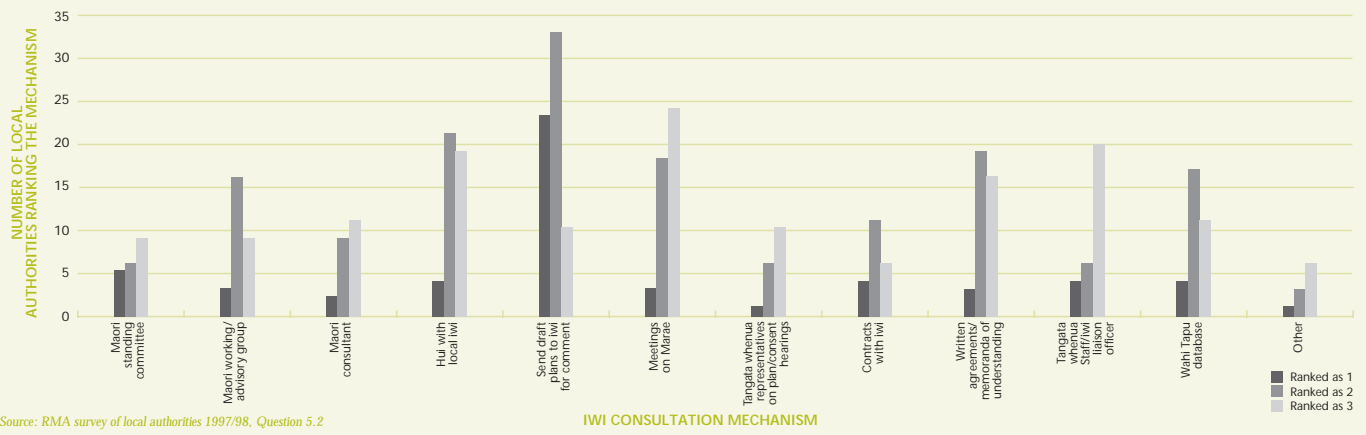
- 1 = most effective;
- 2 = average;
- 3 = least effective.

The two most frequently used mechanisms in the 1997/98 year (sending draft plans to iwi for comment and holding meetings on marae) were also the most frequently used in 1996/97. However, it is interesting to note that the first mechanism was thought to be “least effective” by a number of local authorities. The most effective mechanisms were:

- holding meetings on marae;
- employing tangata whenua staff and/or iwi liaison officers;
- hui with iwi/hapu;
- written agreements/memoranda of understanding.

REFER FIGURE 33

Figure 33: Local authority use and effectiveness ranking of iwi consultation mechanisms



Source: RMA survey of local authorities 1997/98, Question 5.2

IWI CONSULTATION MECHANISM

Determining whether iwi are affected parties

35% of local authorities have developed criteria or a policy to determine whether iwi/hapu are affected parties for consent applications. Where local authorities do not have criteria or a policy, a number leave the decision of whether iwi are an affected party up to iwi. The following methods are used to determine whether iwi are affected:

- iwi are advised of all notified applications;
- proposals involving particular activities/resources/sites are sent to iwi;
- all applications are sent to iwi;
- a summary of consents or a consent register is sent to iwi;
- iwi are considered affected parties for all applications.

In other cases local authorities make the decision as to whether iwi are an affected party based on:

- consultation with iwi over particular applications;
- knowledge of council staff (often iwi liaison officers) about iwi interests;
- prior agreement between the iwi and the local authority about iwi interests.

Local authorities received 365 submissions from iwi/hapu on notified resource consents in 1997/98. As over 2,000 consents were notified during the year this implies that very few raised issues for iwi. However, iwi may be limited in terms of making submissions due to a lack of resources and expertise. Also, these figures don't indicate iwi involvement in non-notified consents.

Iwi management plans and delegation of functions

Six local authorities have used section 34 of the RMA to delegate functions, powers or duties to a committee of the local authority that contains a Maori or iwi representative, appointed under section 114R(4) of the Local Government Act.

Training on iwi issues

28% of local authorities have provided training for councillors on Treaty, Maori or iwi issues. 46% have provided training on these issues for local authority staff members. Training in this area is likely to be beneficial to ensure councillors and staff can understand iwi issues.

Other issues

The annual survey collected information on a number of issues which the Ministry for the Environment either has a statutory responsibility to monitor (eg transfers of functions under section 33) or wishes to disseminate on a national level (eg the current status of plan/policy statement development).

Plan status

The Ministry for the Environment considers it is useful to collect information on the stage at which plans and policy statements are in the plan development process. This information will be collected annually to ensure there is an up to date national register of plan status.

Appendix Four outlines plan and policy statement status as at 1 January 1999.

Table 13 summarises the number of plans and policy statements at each stage in the development process. This shows that most policy statements and plans were progressing well through the system. Regional policy statements, and the majority of district plans, are at least

partially operative. As regional plans are optional and may be produced at any time, their stage in the process is not relevant in terms of progress in the implementation of the RMA.

REFER TABLE 13

Private plan changes

40 applications for private changes to plans which related to operative regional or district plans were received by local authorities during 1997/98. This information will be used for further research being carried out by the Ministry in 1999/2000.

Esplanade Reserves

Responses to the questions concerning esplanade reserves will be incorporated into further research the Ministry intends to do on this issue.

Transfer of functions

One local authority indicated that it had transferred functions, powers or duties to other public authorities under section 33 of the RMA during the 1997/98 financial year. Environment Bay of Plenty transferred to Rotorua District Council responsibility over lakes bylaws, under section 424 of the RMA. This transfer began in 1997 and was for an indefinite period.

Information systems

The Ministry for the Environment thought it would be useful to find out whether or not local authorities generally use similar computerised information systems. We found that 85% of local authorities use computerised systems to record information about resource consent processing. Some computer packages are used by a number of local authorities (see Table 14). Other local authorities use applications designed in-house, or generic packages which have been adapted for resource consent processing purposes (eg Microsoft Access, Excel).

REFER TABLE 14

16 This column records 79 district plans, more than one for each of the 69 Territorial Authorities. This is because some district councils have chosen to produce their plans in sections which are at different stages in the process. These have been recorded as separate plans for the purposes of these results.

17 If your council is considering moving to a new computer package we have information on the individual councils using these systems, and are happy to supply it to your local authority.

Table 13: Summary of plan status as at 1 January 1999

Number of plans at each stage	Regional policy statements	Regional/unitary plans	District plans ¹⁶	Total
Fully operative	9	20	14	43
At appeal or partially operative	7	23	28	58
Notified	–	27	19	46
Draft	–	4	3	7
Pre-draft	–	4	8	12

Source: Ministry for the Environment (March 1999), "The way things are". *Planning Quarterly*, No 132.

Table 14: Local authorities using particular computer systems in resource consent processing

Computer package or system	% of local authorities using ¹⁷
NCS – Napier Computer System	24.4%
GEMS – Government Enterprise Management System/ Local Government System	7%
Total Corporate System by Stowe	4.6%
Accent Computer Systems	3.5%

Source: RMA annual survey of local authorities 1997/98, Questions 1.13 – 1.14

Conclusion

This year's findings

The 1997/98 annual survey is a useful step forward in promoting good practice and improved performance in RMA implementation. The survey results provide a good indication of local authority practice in resource consent processing and their other roles under the RMA.

Information from this and previous surveys can be seen as a baseline for tracking practice improvements against benchmarks in the RMA and/or from guidance produced by the Ministry for the Environment. Local authorities can use the good practice section to “signpost” other authorities’ using good systems and practices.

This year for the first time, the survey included a section on good practice in resource consent processing. This showed that a high percentage of local authorities are using many good practices. However, only about fifty percent use a structured process for assessing environmental effects or provide checklists for their staff to assist them with notification/affected party decisions.

Overall, there has been little change in local authority adherence to statutory time limits. More resource consents were processed than in the previous two years and very few consent decisions were appealed. Cost recovery for resource consent processing remains variable.

Local authorities are making progress toward implementing their RMA monitoring responsibilities. Most breaches of consent conditions are dealt with either formally or informally. It appears that few complaints about breaches of the RMA are dealt with. Local authorities are also becoming more experienced at consulting with iwi and generally find face-to-face consultation mechanisms the most effective.

Future steps

While this year’s survey has produced useful information there are a number of areas which require further work. These include:

- ensuring responses to the survey are of the best quality;
- determining whether the rate of appeals on resource consent decisions is an indicator of good decision making;
- determining which stages of plan production generate the highest costs and whether these costs can be justified;
- developing a methodology to collect more robust information on cost recovery and the cost of the RMA to resource users.

Appendix 1:

Number of resource consent applications processed by each local authority
(in family groups)

Family Group	Local authority	Resource consents processed
Regional councils	Auckland Regional	961
	Canterbury Regional	2032
	Environment Bay of Plenty	495
	Hawkes Bay Regional	541
	Manawatu–Wanganui Regional	369
	Northland Regional	732
	Otago Regional	898
	Southland Regional	511
	Taranaki Regional	322
	Waikato Regional	1377
	Wellington Regional	829
	West Coast Regional	443
Territorial authorities: Group 1	Buller District	56
	Carterton District	52
	Central Hawkes Bay District	103
	Clutha District	85
	Gore District	100
	Grey District	90
	Kaikoura District	73
	Kawerau District	7
	Opotiki District	59
	Otorohanga District	71
	Rangitikei District	74
	Ruapehu District	100
	South Waikato District	93
	Stratford District	63
	Tararua District	57
	Waimate District	52
	Wairoa District	41
	Waitomo District	52
Westland District	85	
Territorial authorities: Group 2	Ashburton District	170
	Banks Peninsula District	187
	Central Otago District	134
	Hauraki District	158
	Horowhenua District	253
	Hurunui District	200
	Invercargill City	297
	Kaipara District	207
	Manawatu District	204
	Masterton District	142
	Matamata–Piako District	216

Territorial authorities: Group 2 (cont)	Porirua City	285
	South Taranaki District	185
	South Wairarapa District	127
	Southland District	187
	Upper Hutt City	139
	Waitaki District	160
	Wanganui District	290
	Whakatane District	290
Territorial authorities: Group 3	Franklin District	475
	Hastings District	483
	Kapiti Coast District	413
	Napier City	326
	New Plymouth District	382
	Palmerston North City	511
	Papakura District	523
	Queenstown Lakes District	613
	Selwyn District	491
	Taupo District	502
	Thames Coromandel District	528
	Timaru District	364
	Waikato District	522
	Waimakariri District	385
	Waipa District	566
Western Bay of Plenty District	737	
Territorial authorities: Group 4	Auckland City	9324
	Christchurch City	4165
	Dunedin City	942
	Far North District	1003
	Hamilton City	1806
	Hutt City	856
	Manukau City	2620
	North Shore City	2980
	Rodney District	1427
	Rotorua District	812
	Tauranga District	1061
	Waitakere City	2473
	Wellington City	1451
Whangarei District	1090	
Unitary authorities	Chatham Islands	12
	Gisborne District	658
	Marlborough District	1525
	Nelson City	513
	Tasman District	867

Appendix 2:

Local authorities that receive resource consent applications
within one full working day

Ashburton District Council

Auckland City Council

Canterbury Regional Council

Carterton District Council

Central Hawkes Bay District Council

Central Otago District Council

Chatham Islands Council

Christchurch City Council

Clutha District Council

Dunedin City Council

Environment Bay of Plenty

Far North District Council

Franklin District Council

Gisborne District Council

Grey District Council

Hamilton City Council

Hastings District Council

Hauraki District Council

Hawkes Bay Regional Council

Horowhenua District Council

Hutt City Council

Kaipara District Council

Kapiti Coast District Council

Manawatu District Council

Manawatu–Wanganui Regional Council

Manukau City Council

Matamata–Piako District Council

Nelson City Council

North Shore City Council

Otago Regional Council

Otorohanga District Council

Palmerston North City Council

Queenstown Lakes District Council

Rangitikei District Council

Rodney District Council

Rotorua District Council

Ruapehu District Council

South Taranaki District Council

South Waikato District Council

Stratford District Council

Taranaki Regional Council

Timaru District Council

Upper Hutt City Council

Waimakariri District Council

Waimate District Council

Waipa District Council

Wairoa District Council

Waitakere City Council

Waitomo District Council

Wanganui District Council

Wellington City Council

Wellington Regional Council

Western Bay of Plenty District Council

Westland District Council

Appendix 3:

Percentage of resource consents processed within time
by individual local authorities

Authority	Notified					Non-Notified				
	Subdivision	Land use	Coastal	Water	Discharge	Subdivision	Land use	Coastal	Water	Discharge
Ashburton District	100	100				98	98			
Auckland City	100	88			100	87	78			
Auckland Regional		85	69	92	88		99	98	99	98
Banks Peninsula District		44				53	65			
Buller District		63				5	59			
Canterbury Regional		8	0	8	2		80	54	41	47
Carterton District	100	100				100	100			
Central Hawkes Bay District						100	100			
Central Otago District	100	100				78	89			
Chatham Islands						100	100			
Christchurch City	100	66				75	66			
Clutha District		100				62	96			
Dunedin City	40	91				34	79			
Environment Bay of Plenty		0	0	0	3		55	77	34	38
Far North District	100	100				39	60			
Franklin District	75	100				84	95			
Gisborne District	50	41		100	100	84	95	88		53
Gore District		100				100	100			
Grey District	100	75				93	87			
Hamilton City	58	71				65	56			
Hastings District	100	100				83	92			
Hauraki District		50				66	77			
Hawkes Bay Regional		100	50	95	60		100	100	100	86
Horowhenua District		100				97	100			
Hurunui District	67	67				90	96			
Hutt City		97				96	100			
Invercargill City	100	100				100	100			
Kaikoura District										
Kaipara District	14	33				26	43			
Kapiti Coast District	50	33				46	81			
Kawerau District						100	100			
Manawatu District		100				100	100			
Manawatu–Wanganui Regional		100	100	100	100		98		100	100
Manukau City	100	84				74	83			39
Marlborough District	77	58	100	100	0	81	91	84	95	62
Masterton District	40	60				91	90			
Matamata–Piako District	100	63				69	72			
Napier City	100	100				83	100			
Nelson City	83	82		33	100	81	88	67	67	100
New Plymouth District		86				79	98			
North Shore City	0	79				89	96			
Northland Regional		97	93	100	82		87	82	88	71
Opotiki District		100				84	14			
Otago Regional		6	0	11	18		88	35	19	41
Otorohanga District	100					100	100			
Palmerston North City		100				91	98			
Papakura District		100				74	95			100
Porirua City	50	75				66	88			
Queenstown Lakes District	8	15				41	62			

* A blank space indicates N/A, a 0 indicates 0% processed in time

Authority	Notified					Non-Notified				
	Subdivision	Land use	Coastal	Water	Discharge	Subdivision	Land use	Coastal	Water	Discharge
Rangitikei District		25				100	100			
Rodney District	44	56				52	47	100		
Rotorua District	50	67				52	81			
Ruapehu District	0					39	32			
Selwyn District	100	100				96	95			
South Taranaki District		80				100	100			
South Waikato District		50				80	91			
South Wairarapa District	75	100				100	100			
Southland District	100	100				97	94			
Southland Regional		18	50	14	15		97	98	100	94
Stratford District	100	100				100	100			
Taranaki Regional		0	67	50	38		95	100	94	84
Tararua District	100	33				93	100			
Tasman District	46	54	67	5	24	56	73	27	39	37
Taupo District		33				93	97			
Tauranga District		64				90	90			
Thames Coromandel District	50	62				48	77			
Timaru District		81				94	98			
Upper Hutt City							85			
Waikato District	67	67				79	95			
Waikato Regional		38	0	0	2		96	86	79	89
Waimakariri District	61	63				22	92			
Waimate District		100				100	97			
Waipa District	67	86				88	97			
Wairoa District		100				100	100			
Waitakere City	0	83				83	76			
Waitaki District	100	100				88	84			
Waitomo District		0				91	100			
Wanganui District		100				100	100			
Wellington City	50	43				89	92			
Wellington Regional		100	100	95	97		83	98	95	79
West Coast Regional		22	0	0	64		85	60	90	86
Western Bay of Plenty District	100	100				76	78			
Westland District		100				93	98			
Whakatane District	50	25				47	61			
Whangarei District	100	100				48	57			

* A blank space indicates N/A, a 0 indicates 0% processed in time

Appendix 4: Plan status as at 1 January 1999

Table A: Fully operative Policy Statements and Plans at 1 January 1999

Authority	Name of Policy Statement/Plan	Date operative
Auckland City Council	Hauraki Gulf Islands Section	22 July 1996
Canterbury Regional Council	Land and Vegetation Management Plan (Parts 1&2)	27 September 1997
	Regional Policy Statement	26 June 1998
Clutha District Council	District Plan	30 June 1998
Environment Bay of Plenty	On-Site Effluent Regional Plan	1 December 1997
Hauraki District Council	Hauraki District Council District Plan	1 September 1997
Hawkes Bay Regional Council	Regional Air Plan	26 January 1998
	Regional River Bed and Gravel Extraction Plan	8 August 1994
	Regional Policy Statement	7 October 1995
	Regional Waste and Hazardous Substances Plan	10 April 1995
Kaipara District Council	District Plan	10 February 1997
Manawatu–Wanganui Regional Council	Oroua Catchment Water Allocation Regional Plan	20 January 1995
	Manawatu Catchment Water Quality Regional Plan	6 October 1998
	Regional Air Plan	now operative (31 January 1999)
	Regional Coastal Plan	20 September 1997
	Regional Policy Statement	18 August 1998
Marlborough District Council	Marlborough Regional Policy Statement	28 August 1995
	Marlborough Regional Management Land Disturbance Control Strategy	20 April 1995
	Wairau River Floodways	25 August 1994
Masterton District Council	Masterton District Plan	14 July 1997
Napier City Council	Bay View Subdistrict Plan	9 December 1996
	Western Hills Subdistrict Plan	14 September 1998
Nelson City Council	Regional Policy Statement	10 March 1997
Otago Regional Council	Regional Plan: Waste	11 April 1997
	Regional Policy Statement	1 October 1998
Papakura District Council	Papakura District Plan	1 January 1999
South Waikato District Council	South Waikato District Plan	30 June 1998
South Wairarapa District Council	District Plan	1 November 1998
Southland Regional Council	Regional Effluent Land Application Plan	30 May 1998
	Regional Policy Statement	15 December 1997
	Regional Solid Waste Management Plan	1 April 1996
Stratford District Council	Stratford District Plan	8 December 1997
Taranaki Regional Council	Regional Air Quality Plan	7 April 1997
	Regional Coastal Plan	10 October 1997
	Regional Policy Statement	1 September 1994
Tararua District Council	Tararua District Plan	1 March 1998
Tasman District Council	Motueka/Riwaka Water Management Regional Plan	16 January 1995
	Regional Land Plan	30 June 1998
Waikato District Council	District Plan	6 December 1997
Waipa District Council	Waipa District Plan	1 December 1997
Wellington Regional Council	Regional Policy Statement	15 May 1995

Table B: At appeal or partially operative Policy Statements and Plans as at 1 January 1999

Authority	Name of Policy Statement/Plan
Ashburton District Council	Ashburton District Plan
Auckland City Council	Isthmus Section
Auckland Regional Council	Regional Plan: Coastal Regional Plan: Dairy Shed Discharges Regional Plan: Sediment Control Regional Policy Statement
Buller District Council	Proposed Buller District Plan
Canterbury Regional Council	Opihi River Regional Plan Regional Coastal Environment Plan
Carterton District Council	Proposed Carterton District Plan
Environment Bay of Plenty	Regional Land Management Plan Regional Plan for the Tarawera Catchment Regional Policy Statement Rotorua Geothermal Regional Plan
Franklin District Council	Proposed Franklin District Plan
Gisborne District Council	Regional Policy Statement
Hawkes Bay Regional Council	Regional Coastal Plan Regional Water Resources Plan
Horowhenua District Council	Proposed Horowhenua District Plan
Hurunui District Council	Proposed Hurunui District Plan
Kapiti Coast District Council	Proposed District Plan
Kawerau District	District Plan
Manukau City Council	Manukau City Proposed District Plan
Marlborough District Council	Proposed Marlborough Sounds Resource Management Plan
Matamata–Piako District Council	Proposed Matamata–Piako District Plan
Napier City Council	Proposed Ahuriri Subdistrict Plan
North Shore City Council	Partially operative District Plan
Northland Regional Council	Regional Air Quality Plan Regional Coastal Plan Regional Policy Statement

Authority	Name of Policy Statement/Plan
Otago Regional Council	Regional Plan: Coast
Otorohanga District Council	Otorohanga Proposed District Plan
Palmerston North City Council	Palmerston North City Proposed District Plan
Porirua City Council	Proposed Porirua City District Plan
Queenstown Lakes District Council	District Plan
Rangitikei District Council	Proposed Rangitikei District Plan
Rotorua District Council	Proposed Rotorua District Plan
Ruapehu District Council	Ruapehu District Plan
South Taranaki District Council	South Taranaki District Plan
Southland District Council	Southland District Plan
Southland Regional Council	Regional Air Quality Plan
Tasman District Council	Moutere Water Management Plan Regional Policy Statement
Tauranga District Council	Proposed Tauranga District Plan
Thames Coromandel District Council	District Plan
Timaru District Council	Proposed District Plan
Waikato Regional Council	Waikato Regional Coastal Plan Regional Policy Statement
Waimate District Council	Waimate Proposed District Plan
Waitakere City Council	Proposed Waitakere City District Plan
Wanganui District Council	District Plan
Wellington City Council	Wellington City Council Proposed District Plan
Wellington Regional Council	Proposed Regional Air Quality Management Plan Proposed Regional Coastal Plan Proposed Regional Plan for Discharges to Land
West Coast Regional Council	Regional Policy Statement
Western Bay of Plenty	Proposed District Plan
Westland District Council	Westland District Proposed Plan

Table C: Notified Plans as at 1 January 1999

Authority	Name of Plan
Auckland City Council	Central Area
Banks Peninsula District Council	Proposed District Plan
Canterbury Regional Council	Land and Vegetation Management Plan (Part 3) – South Canterbury Beds of Rivers Land and Vegetation Management Plan (Part 4) – Hill and High Country Burning Waimakariri River Regional Plan
Central Hawkes Bay District Council	Proposed District Plan
Central Otago District Council	Proposed Central Otago District Plan
Chatham Islands Council	Combined Resource Management Document
Christchurch City Council	City of Christchurch City Plan
Dunedin City Council	Dunedin City Proposed District Plan
Environment Bay of Plenty	Regional Air Plan Regional Coastal Environment Plan Regional River Gravel Plan
Gisborne District Council	Combined Regional Land and District Plan Regional Coastal Environment Plan Regional Discharges to Air Plan Regional Discharges to Land and Water Plan
Gore District Council	Proposed Gore District Plan
Hastings District Council	District Plan
Hutt City Council	Proposed Hutt City District Plan
Invercargill City Council	District Plan
MacKenzie District Council	District Plan
Manawatu District Council	District Plan
Manawatu–Wanganui Regional Council	Regional Plan Beds, Rivers and Lakes
Marlborough District Council	Proposed Wairau/Awatere Resource Management Plan
Nelson City Council	Nelson Resource Management Plan
New Plymouth District Council	District Plan
Northland Regional Council	Regional Water and Soil Plan
Opotiki District Council	Proposed Opotiki District Plan
Otago Regional Council	Regional Plan: Air Regional Plan: Water
Southland Regional Council	Regional Coastal Plan
Taranaki Regional Council	Proposed Regional Fresh Water Plan
Tasman District Council	Tasman Resource Management Plan
Upper Hutt City Council	Upper Hutt City Council District Plan
Waikato Regional Council	General Regional Plan

Authority	Name of Plan
Waimakariri District Council	Proposed Waimakariri District Plan
Waitaki District Council	Waitaki District Council Proposed Plan
Wellington Regional Council	Proposed Regional Soil Plan Freshwater Regional Plan
West Coast Regional Council	Discharge of Contaminants to Land Plan Regional Coastal Plan Soil Conservation and Erosion Plan (Part 1) Air Quality Regional Plan
Whakatane District Council	Proposed Whakatane District Plan (Rural)
Whangarei District Council	Whangarei District Plan

Table C: Draft Plans as at 1 January 1999

Authority	Name of Plan
Canterbury Regional Council	Natural Resources Regional Plan:Air
Grey District Council	Draft District Plan
Manawatu–Wanganui Regional Council	General Regional Plan
Rodney District Council	District Plan
Southland Regional Council	Regional Water Plan
Waitomo District Council	Waitomo District Plan
West Coast Regional Council	Air Quality Plan

Table D: Pre-draft Plans as at 1 January 1999

Authority	Name of Plan
Canterbury Regional Council	Natural Resources Regional Plan – Land, Water, Natural Hazards
Environment Bay of Plenty	Regional Water Plan
Far North District Council	District Plan
Hamilton City Council	District Plan
Kaikoura District Council	Kaikoura Draft District Plan
Napier City Council	Napier City Residential Review
Selwyn District Council	Selwyn District Plan
Taranaki Regional Council	Regional Soil Plan
Taupo District Council	Taupo District Plan
West Coast Regional Council	Land and River Management Plan
Whakatane District Council	District Plan (Comm/Ind) District Plan (Residential)

