



Ministry for the
Environment
Manatū Mo Te Taiao

National Monitoring System information requirements

REVISED GUIDANCE FOR THE 2018/19
FINANCIAL YEAR

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Background

The Government, regulators, businesses, iwi/Māori and the general public need confidence and assurance that the country's resources are being effectively and sustainably managed through the Resource Management Act 1991 (RMA). To ensure this, we monitor the implementation, efficiency and effectiveness of the RMA.

The National Monitoring System (NMS) is the method the Ministry for the Environment (the Ministry) uses to capture information on the implementation of the RMA. This information allows us to understand whether the functions, tools and processes included within the RMA are working as intended, and whether changes might be necessary.

More specifically, the information gathered by the NMS helps us to:

- develop policy and practice with improved evidence
- measure the success of RMA reforms and implementation
- determine if common concerns and perceptions of the RMA are accurate
- identify examples of good practice that can be shared and promoted.

Each year, under [section 27 of the RMA](#), the Minister for the Environment (and the Ministry by delegation) formally requests that your council supply the relevant data. More details about the NMS can be found on the Ministry's website: www.mfe.govt.nz/rma/rma-monitoring.

How to use this guide

This guide explains how to populate the Microsoft Excel Template (the template), which has been provided to your council. A copy of the template can also be found on the NMS webpage: www.mfe.govt.nz/rma/rma-monitoring-and-reporting/information-requirements.

The template sets out the information that is being collected for the 2018/19 financial year, as well as appropriate responses to each data field.

This document provides an overview of the different sections of the NMS, and guidance on some of the more complex information requirements. It is designed to be read in conjunction with the template.

If you have any questions or need assistance with filling in the template or submitting your data, do not hesitate to either email nms@mfe.govt.nz or phone the National Monitoring System team on 022 069 0579.

How do I provide the NMS data?

As with previous years, we have provided a [Microsoft Excel template](#) (which has also been sent to your local authority) to use when you submit your data.

Information can be provided as a data extract from your system provided it is in Microsoft Excel or CSV format. Where only partial information can be extracted from your system, the additional information will need to be entered manually before the data is submitted.

Alternatively, all information can be manually entered into the template provided.

So that we can provide you with timely feedback, please ensure that your entries matches one of the list of acceptable responses, supplied in the template. These acceptable responses reflect the wording of the RMA or common practice. Giving different responses causes problems for our data validation process and makes data analysis difficult. All dates should be provided in dd/mm/yyyy format.

If you wish to provide any other comments about your data, please email these comments to us when you send us the Microsoft Excel template. Please do not use the Microsoft Excel 'comments' tool embedded within the relevant cells as these are not picked up through our data validation process.

Where and when do I submit the data?

This year we've extended the deadline. The 2018/19 NMS data is due for submission to the Ministry by **31 August 2019**. The information should be emailed to nms@mfe.govt.nz.

Once your data has been submitted, you will receive an email acknowledging receipt of the data from the Ministry. We will then begin a process to validate the data. Once we complete this process, you may be asked to clarify or amend your data based on any issues the validation process has identified. Once these issues have been resolved or clarified, the data will be added to the national dataset.

Please note that by reporting the information required, your local authority is declaring the information is true and correct to the best of its knowledge and acknowledges that the information reported is official information subject to the *Official Information Act 1982*.

What's new with the NMS?

Each year, the Ministry reassesses the information requirements to ensure they are up-to-date with legislative changes and aligned to current priorities.

This year, largely due to the Resource Legislation Amendment Act 2017 coming into force, we've made some changes to the information we collect:

- We're now asking you to provide information about how your council consults with local iwi when developing, changing, and notifying policy statements and plans.
- We're keen to get a better sense of what compliance and enforcement activities are taking place and how your council is resourced to carry out such activities. So, this year, we're asking you to provide more detailed information about your council's approach to compliance and enforcement.
- We're also collecting new information about the fast-tracking of resource consent applications.
- With the new National Environmental Standards for Plantation Forestry (NESPF) now in operation, we're also collecting information on how your council is implementing the NESPF.
- Finally, we've made some minor changes to keep the spreadsheet up-to-date and make it easier to use.

When using the template...

Any fields that have been altered since the 2017/18 NMS template are shown in red text.
New fields have a grey background.

Section 1.0 – Planning and consenting processes

Section 1.1 – Full reviews of policy statements and plans

This section collects information on each full review of a policy statement or plan under section 79(4) of the Resource Management Act 1991 (RMA).

Please provide the details of each full review that was underway, started or completed by your council during the 2018/19 financial year (1 July 2018 to 30 June 2019).

Section 1.2 – Preparation of policy statements and plans, changes and variations

This section collects information on each process to prepare or change a policy statement or plan, or to make a variation to a proposed policy statement or plan.

Information is required for each process that was **underway, started or completed** during the 2018/19 financial year (1 July 2018 to 30 June 2019).

In the template, a new row of data should be added for each separate planning process.

For planning processes that have started but not yet completed, fill in the fields for all events that have happened and leave the rest blank. In this situation, commentary should be added in *Comment/summary of the process* (field 1.2.49) explaining the status of the planning process as at 30 June 2019.

If a planning process is separated part way through, (for example, decisions are released sequentially or sections of a plan become operative at different times), councils are asked to add additional columns to the template where necessary to accommodate the additional information.

Please note that you don't need to report on amendment processes under clause 16(2) or clause 20A of Schedule 1 (alteration for minor effects or to correct minor errors).

Helpful link: <http://www.mfe.govt.nz/rma/reforms-and-amendments/about-resource-legislation-amendment-act-2017>

Section 1.3 – Efficiency and effectiveness monitoring

This section collects information on any monitoring reported under section 35(2)(b) of the Act during the 2018/19 financial year.

Helpful link: <http://www.qualityplanning.org.nz/index.php/monitor/policy-and-plan-effectiveness>

Section 1.4 – Iwi/hapū planning documents

This section collects information on all iwi/hapū planning documents lodged, removed or updated with your local authority within the 2018/19 financial year.

You don't need to include planning documents lodged and reported on in previous financial years here, unless they have been updated or removed.

Section 1.5 – Resource consents

This section collects information about resource consent applications. Include all applications that were processed through to a decision in the 2018/19 financial year.

This includes resource consent applications lodged before and during the 2018/19 financial year if the decision to grant, decline, withdraw or return (under s 91(C) or s 88(3)) was made in the 2018/19 financial year.

Field 1.5.1 – Unit record identifier

At 1.5.1, we take a record of all individual resource consent applications. A unique reference, ideally a consent identifier should be used for each consent. In field 1.5.1, each row of data should represent an individual consent.

For supplying information on 'bundled' consents refer to the 'how to deal with bundled resource consents' section below.

Field 1.5.2 – Type of resource consent

At 1.5.2, we record information about the type of resource consent being applied for. We allow for the consent type to be listed as 'combined land use and subdivision' if an application for both follows the **exact same** application process. In this case, the class of activity in field 1.5.6 should be for the land use component, and an extra field should be added to list the class of activity for the subdivision component.

Field 1.5.2(a) – Consent subtype

At 1.5.2(a), we record information about the subtype of consent. The template supplies a list of possible consent subtypes. When recording the subtype of resource consent please select **only one** subtype option.

Unit record identifier	Type of resource consent	Consent subtype	Type of application
ATH-2014014650.00	Discharge permit	Water	Section 88
ATH-2014014651.00	Discharge permit	Air	Section 88
ATH-2014014654.00	Discharge permit	Land	Section 88

Field 1.5.6 – Class of activity

At 1.5.6, please note the class of activity relevant to the consent. If the consent type noted in 1.5.2 was combined land use and subdivision, please state the class of activity for land use in 1.5.6 and add an extra column for the subdivision class of activity.

Where an application was returned incomplete or an activity type is yet to be determined, please respond with not applicable.

Field 1.5.8 – Date lodged

At 1.5.8, we ask for the lodgement date of the application. Guidelines on providing correct dates for consents can be found in the [Resource Management \(Discount on Administrative Charges\) Regulation 2010 – Implementation Guidance](#).

If an application for the same activity was previously returned under section 88, the lodgement date should be the date that the new application was lodged with your council.

Field 1.5.9 – Date determined as incomplete under section 88(3)

At 1.5.9, we collect information on incomplete consent applications. If the resource consent at issue is complete please respond with not applicable.

If your council decided a resource consent was incomplete, please provide the date that this decision was made. Please also ensure that all incomplete consents have their own unit record identifier. If your council does not record this information for incomplete applications, please use a 'dummy' unit record identifier for incomplete applications, so that we can distinguish between different incomplete applications.

If, after an incomplete application was returned, a subsequent application was lodged, this should be treated as a new application with a distinct unit record identifier and lodgement date. You do not need to link this subsequent application to the original incomplete application.

Field 1.5.46 – Processed within statutory timeframe

At 1.5.46, we ask you to record whether or not the consent was processed within the statutory timeframe. Please write 'not applicable' only if the consent was withdrawn or if the application was for an extension of the lapse period (section 125).

Field 1.5.47 – Statutory days lapsed

At 1.5.47, we collect information on the number of statutory working days it took to process the consent. The number you provide should exclude the number of days extended under s 37.

If you are unsure about how to correctly calculate the time lapsed please refer to [Resource Management \(Discount on Administrative Charges\) Regulations 2010 – Implementation Guidance](#). Alternatively, the NMS team is always happy to help with such matters and can be reached at NMS@mfe.govt.nz or on 022 069 0579.

Field 1.5.50 – Total charge to the applicant

At 1.5.50, we record the total charge payable (GST inclusive) by the applicant for processing the application.

This amount should include:

- any deposit recorded in the deposit charged data field
- any supplementary charges as a result of hearings, information gathered etc.

This amount should NOT include:

- financial or development contributions
- compliance monitoring charges
- any discount applied under the Discount Regulations (this information should be provided separately in 1.5.52).

Field 1.5.51 – Fixed fee application

At 1.5.51, we record whether or not the applicant was charged a fixed fee. Here, answering ‘yes’ means that the total amount charged to the applicant was **not** supplemented by additional charges or reasonable costs once the consent process is complete. Answering ‘no’ to this field means that the total amount charged to the applicant included actual and reasonable costs.

How to deal with ‘bundled’ resource consents

In the template, a row of data is required for each resource consent that is processed to a decision, withdrawn or determined as incomplete and returned by each council within the financial year.

We know that many local authorities to process an application for a particular project which pertains to multiple resource consents as one (aka ‘bundled’ resource consent).

In such cases, we ask that each consent that forms a part of a bundled application be reported individually, **but identified in some way as a bundled consent**.

To do this, one option is the use of an ‘application identifier’, and related ‘authorisation number’ (alternatively known as a ‘unit record identifier’). An example is provided in the table below.

Council inserted column application identifier	Unit record identifier	Type of resource consent	Total charge
APP-2012015716.00	ATH-2014014650.00	Discharge permit	\$2000
APP-2012015716.00	ATH-2014014651.00	Land use	Bundled
APP-2012015716.00	ATH-2014014654.00	Subdivision	Bundled

An alternative is to give each individual resource consent a common identifier plus an additional unique component to distinguish between each of the bundled consents; for example, RM201589.1 (land use); RM201589.2 (subdivision) and RM201589.3 (water permit).

In this case, three rows of data would be populated, so we could identify the description and class of each activity; the remaining data can be recorded against just one of the numbers if they follow the same decision process.

Avoid duplicating fees when dealing with bundled resource consents

If a single fee is charged for a bundle of consents, the relevant fee information (data fields 1.5.49 to 1.5.52) should be listed against **one of the consents only**. For the other consents in the bundle, the fee information should be listed as ‘Bundled’. This will prevent us from double-counting application fees. If you do, however, charge for each consent in a bundle separately, please record the relevant amounts against each consent.

Helpful links:

- <http://www.mfe.govt.nz/rma/reforms-and-amendments/about-resource-legislation-amendment-act-2017>
- www.mfe.govt.nz/publications/rma/discount-on-administrative-charges-regulations
- www.mfe.govt.nz/publications/rma/guide-six-month-process-notified-resource-consent-applications
- www.mfe.govt.nz/publications/rma/guide-section-88-and-schedule-4-resource-management-act-1991

Section 1.6 – Certificates of compliance, existing use certificates and deemed permitted activities

This section requires the reporting of information about certificate of compliance, existing use certificate and deemed permitted activity applications/requests. Include all applications or requests that were processed to a decision in the 2018/19 financial year.

This includes applications/requests lodged before and during the 2018/19 financial year if the decision to issue, decline, withdraw or was made in the 2018/19 financial year.

Field 1.6.6 – Date lodged or initial date council first decides to apply the section 87BB process

At 1.6.6, we collect the date at which the request was made to your council. This should be recorded as the first statutory ‘working day’ after the application was received.

When this information relates to a s 87BB process, the initial date that the council first decided to apply the s 87BB process should be provided.

Field 1.6.10 – Processed within statutory timeframe

At 1.6.10, we collect information about whether the request was processed within the appropriate timeframe. A request made under s 139(6) or s 139A(6)(c) should be processed within 20 working days (or more if further information is received or application fees are paid late).

If a request is made under s 87BA(3), the local authority must take action within ten working days, from when they received all required information. When dealing with deemed permitted marginal or temporary activities under s 87BB, there is no specified statutory timeframe.

Field 1.6.13 – Fixed fee application

At 1.6.13, we record whether or not the applicant was charged a fixed fee. Here, answering ‘yes’ means that the total amount charged to the applicant was **not** supplemented by additional charges or reasonable costs once the consent process is complete. Answering ‘no’ to this field means that the total amount charged to the applicant included actual and reasonable costs.

Helpful link: <http://www.mfe.govt.nz/rma/reforms-and-amendments/about-resource-legislation-amendment-act-2017>

Section 2.0 – Annual summary information

Section 2.1 – Iwi/hapū involvement

This section collects information on all iwi involvement in the resource management process with your local authority within the 2018/19 financial year.

Field 2.1.1 – Budget to assist iwi participation in resource consent processing

At 2.1.1, we collect information on whether your council made any budgetary commitments to assist iwi participation in resource consent processing. This commitment includes internal council budgetary provision for staff costs and consultation and any direct payments to iwi given to help them participate in consultation (that is relevant to resource consent processing).

Field 2.1.3 – Budget to assist iwi participation in policy statement and plan making

At 2.1.3., we collect information on whether your council made any budgetary commitments to assist iwi participation in policy statement or plan development. As above, these commitments include internal budgetary provision for staff costs and consultation with iwi and any direct payments given to iwi to help with this participation. Contributions paid towards helping iwi develop planning documents recognised by the iwi authority (such as iwi management plans) may also be included.

Section 2.2 – Staff working on preparation of policy statements and plans, changes and variations

This section records information on the number of full time employees (FTE) dedicated to plan preparation processes at your council for the 2018/19 financial year. Resourcing figures should be as accurate as possible and capture the annual average full time equivalents for the financial year.

An FTE is a staff member who works between 37 and 40 hours per week during that financial year. A part time staff member works less than this. They could be a 0.8 FTE – where they work 4 days per week, or a 0.2 FTE - where they work 1 day per week. For example, if your council had one full time employee and one employee who worked one day per week dedicated to plan preparation, your council would have 1.2 FTE dedicated to plan preparation.

If you have employed a contractor for a 3 month period (full time), this number should be included in 'other' (converted to FTE), where the response would be 0.25 (3 months divided by 12 months = 0.25 annual average FTE).

The sum of all figures provided will indicate your total staff resource for plan preparation and implementation. It is important that figures are not double counted. If you have staff that do not neatly fit into one of the categories, some practical interpretation may be required.

Section 2.3 – Staff processing resource consents

This section records the number of staff dedicated to processing resource consents at your local authority for the 2018/19 financial year.

Resourcing figures should include all staff employed to assess, determine, change and review resource consents, including staff such as council engineers, administrators, and dedicated duty planners. The sum of all figures provided will indicate your total staff resource for processing resource consents. See the above section (section 2.2) for guidance on how to calculate your staff numbers.

Section 2.4 – Customer satisfaction

This section collects information on your customer's satisfaction with resource consent processing during the 2018/19 financial year. If your council ran a formal consent processing customer satisfaction survey, please provide the percentage of survey responses that indicated overall satisfaction. Do not include survey responses that indicated dissatisfaction or were neutral. This field can be left blank if your council did not run a survey in the financial year.

Section 2.5 – Notices of requirement (territorial authorities only)

This section captures summary information on notices of requirement relevant to the 2018/19 financial year.

Section 2.6 – Staff working on RMA compliance and enforcement

This section captures information on resourcing for compliance and enforcement at your council during the 2018/19 financial year. Resourcing figures should be as accurate as possible and capture the annual average full time equivalents (FTE) for the financial year. Guidance on how to calculate your staff resources is provided in Section 2.2.

The sum of all figures provided will indicate your total staff resource for RMA compliance, enforcement and investigations. You don't need to include staff at external companies contracted to respond to excessive noise complaints.

Section 2.7 – Other monitoring

This section captures information on other monitoring undertaken by your local authority during the 2018/19 financial year.

We know that councils approach monitoring differently from one another. These fields need to be interpreted in a way that makes sense in light of your councils approach to monitoring.

Field 2.7.2 – Plan rule monitoring

At 2.7.2, we collect information on the total number of individual activities monitored for compliance with your district plan rules. We ask that you include proactive monitoring of permitted activities and unconsented rule breaches (under the district plan).

Please **exclude** any proactive assessment of **building consent applications** against RMA plans.

If your council has not undertaken any such monitoring this year, please write 'not applicable' when responding to this field.

Helpful links:

- www.qualityplanning.org.nz/index.php/monitor/best-practice-monitoring
- www.qualityplanning.org.nz/index.php/monitor/delegations-and-transfers

Section 2.8 – Transfer of consents

This section has been discontinued.

Section 2.9 – Resource consent monitoring and compliance

This section collects information on resource consent monitoring undertaken by your local authority during the 2018/19 financial year.

Field 2.9.1 – Resource consents requiring monitoring

At 2.9.1, we ask you to record the number of consents granted in the current or a previous financial year that contained a **condition requiring monitoring** during the 2018/19 financial year.

This includes both consents with ongoing conditions throughout the life of the consent and consents with conditions that require one-off monitoring.

Please exclude lapsed conditions from your response.

Field 2.9.2 – Resource consents monitored

At 2.9.2, we collect the total number of individual resource consents that **were monitored** by your council during the 2018/19 financial year.

Monitoring can involve physical site inspections or 'desk-top' audits, where monitoring information is externally provided.

Please exclude any reactive or complaint prompted monitoring activities that your council undertook from this count.

Fields 2.9.3 to 2.9.6 - Resource consent compliance or non-compliance

At 2.9.3 through to 2.9.6, we ask you to grade the degree to which the resource consents you monitored in 2018/19 complied with all relevant consent conditions, plans rules, regulations and national environmental standards. Guidance on how to grade compliance can be found in the table below, taken from the [Ministry for the Environment Best Practice Guidelines for Compliance, Monitoring and Enforcement under the Resource Management Act 1991](#).

Recommended compliance rating system
<p>FULL COMPLIANCE</p> <p>With all relevant consent conditions, plan rules, regulations and national environmental standards.</p>
<p>LOW RISK NON-COMPLIANCE</p> <p>Compliance with most of the relevant consent conditions, plan rules, regulations and national environmental standards. Non-compliance carries a low risk of adverse environmental effects or is technical in nature (for example, failure to submit a monitoring report).</p>
<p>MODERATE NON-COMPLIANCE</p> <p>Non-compliance with some of the relevant consent conditions, plan rules, regulations and national environmental standards, where there are some environmental consequences and/or there is a moderate risk of adverse environmental effects.</p>
<p>SIGNIFICANT NON-COMPLIANCE</p> <p>Non-compliance with many of the relevant consent conditions, plan rules, regulations and national environmental standards, where there are significant environmental consequences and/or a high risk of adverse environmental effects.</p>

Section 2.10 – Complaints

This section collects summary information on complaints received by your council during the 2018/19 financial year.

Field 2.10.1 – Number of excessive noise complaints

At 2.10.1, we ask you to provide the total number of excessive noise complaints your council received during 2018/19.

Field 2.10.6 – Total number of other RMA complaints

At 2.10.6, please provide the total number of RMA complaints recorded by your council, excluding noise complaints.

Field 2.10.7 – Total number of other RMA complaints where non-compliance was confirmed

At 2.10.7, we collect information on the total number of complaints under s 35(5)(i) where your council confirmed non-compliance with the RMA.

The distinction between this field and 2.10.6 is that, here, we are asking you to provide the number of recorded complaints where a breach of the RMA was confirmed by your council.

Non-compliance is defined in the [Ministry for the Environment Best Practice Guidelines for Compliance, Monitoring and Enforcement under the Resource Management Act 1991](#).

Section 2.11 – Other activities

This section collects information on other activities undertaken by your local authority within the 2018/19 financial year. These include emergency works resource consents and water shortage directions.

Section 2.12 – Procedures

This section collects information on whether your council has procedure documents relating to compliance and enforcement (including complaints).

Field 2.12.1 – Compliance monitoring strategy

At 2.12.1, we ask you to record whether your council has a written and up-to-date strategy for monitoring compliance with plan rules and consent conditions.

Guidance on developing a compliance strategy can be found in part 2 of the [Ministry for the Environment Best Practice Guidelines for Compliance, Monitoring and Enforcement under the Resource Management Act 1991](#).

Field 2.12.2 – Approach of local authority to monitor resource consents

At 2.12.2, we ask you provide a brief description of how your council's general approach to monitoring resource consents. If you answered 'no' to 2.12.1 or just wish to add additional context, this is an opportunity to explain how your council has approached monitoring in 2018/19.

Section 2.13 – Enforcement

This section collects information on the enforcement activities undertaken by your local authority during the 2018/19 financial year.

It is important that we avoid double-counting enforcement activities. Where a single enforcement action relates to breaches of multiple sections of the Act, record it against **only one section**, whichever is deemed the primary issue. Where this occurs, an explanation can be provided in the commentary/context field.

Please exclude infringement and abatement notices for noise (these are accounted for in section 2.10) and infringement notices for contravention of a water shortage direction (these are accounted for under 2.13.3).

Where a notice or order was sought due to a contravention of an existing abatement notice, enforcement order or due to a breach of s 17 (or some other offence noted in section 338) please account for these activities in the optional 'other' column provided in section 2.13.

Section 2.14 – National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

This section reports on the implementation of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS). We ask you to note any changes made to your council's HAIL (Hazardous Activities and Industries List)

Register, and the regulatory processes undertaken by your council in relation to the development of contaminated land during 2018/2019.

Helpful link: <http://www.mfe.govt.nz/land/nes-assessing-and-managing-contaminants-soil-protect-human-health/about-nes>

Section 2.15 – National Environmental Standards for Plantation Forestry

This section collects information on the implementation of the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (NESPF), which came into force on 1 May 2018.

This section must be filled out by regional councils and unitary authorities. This section is optional for territorial authorities.

The NESPF requires forestry operators to provide written notice to councils of intended activities under Regulation 10 (Afforestation), Regulation 25 (Earthworks), Regulation 38 (River Crossings), Regulation 52 (Forestry Quarrying) and Regulation 64 (Harvesting).

The NESPF requires forestry operators to prepare management plans for Earthworks (Regulation 27), Forestry Quarrying (Regulation 59) and Harvesting (Regulation 66) (note regional councils are able to request these management plans after receiving written notice of the activity).

Each plantation forest activity regulated under the NESPF and 'plantation forest' is defined in Regulation 3 of the NESPF. All data recorded in this section should relate to each plantation forestry activity within a single plantation forest.

We ask you to provide the number of notices, management plans you received for activities controlled by the NESPF. We also collect information regarding compliance and enforcement activities your council has undertaken in response to conditions imposed by the NESPF.

Helpful link: <http://www.mfe.govt.nz/land/national-environmental-standards-plantation-forestry/about-standards>