



Ministry for the
Environment
Manatū Mō Te Taiao



RESOURCE MANAGEMENT ACT

SURVEY OF LOCAL AUTHORITIES 2010/2011

New Zealand Government

Disclaimer

Results presented in the 2010/11 survey were derived from data provided by local authorities. Data was collected through the Resource Management Act online survey. All reasonable measures have been taken to ensure the quality and accuracy of the information contained herein.

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Foreword

The 2011 Biennial Survey results show that councils have improved their performance during a time of challenge and change – both unforeseen and planned.

The Canterbury earthquakes have caused immense disruption for the councils and communities involved. These councils are under considerable pressure dealing with the community impacts of the earthquakes. They will be under this pressure for several years.

Formation of the Auckland Council has been a challenge of an entirely different nature. It is great to see that service to the community has not been compromised during the transition from eight councils to one.

The success of New Zealand's economy demands timely, as well as considered, decision making on resource consents. Councils have lifted their performance following changes introduced in July 2010, such as streamlined consenting for nationally significant projects and discounts for late consent processing. This lift in performance has provided more certainty for communities with an interest in infrastructure and property development.

This survey increases the Ministry's awareness and understanding of the challenges councils face and shows us where we can enhance further our relationship with them. For example, we are keen to work with councils on ensuring performance measurement is as streamlined and transparent as possible.

Councils have a central role to play in the environmental management system, which – like every other major system in New Zealand if not the world – is under pressure to deliver more for less.

That will require smart thinking and greater collaboration throughout the system – a challenge that I am confident councils can and will meet.

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

Dr Paul Reynolds
Secretary for the Environment

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Executive summary

The Resource Management Act (RMA) survey provides both information about local authority implementation of the Act and a measure of comparative performance. This is the tenth RMA survey report, covering activity from 1 July 2010 to 30 June 2011. The survey was run annually at first but is now run every two years. The 2010/11 survey was moved a year later than originally scheduled. This delay intends to capture the effects of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 (RMAA). All 78 local authorities were asked to complete the survey, and all local authorities did so.

Key findings of the 2010/11 survey

Resource consent application processing

Over 36,000 resource consent applications were processed through to a decision. As in past years, the large majority of consent applications were non-notified. The proportion of consent applications publicly notified decreased while the proportion of limited notified consent applications has steadily increased.

Further information was requested for 35 per cent of all consent applications, a decrease from 43 per cent in the last survey.

The use of pre-hearing meetings to resolve issues has remained the same compared to the last survey. The success of these meetings slightly decreased, with almost a third of the meetings resolving issues so that a hearing was not needed.

As in earlier surveys, local authority officers made the majority (91 per cent) of consent decisions.

The proportion of consent applications were declined slightly decreased from the last survey but similar to past years. The proportion of consent decisions appealed (0.9 per cent) and objected to (1.3 per cent) both decreased compared to the last survey.

Timeliness

The proportion of consent applications processed on time in 2010/11 is the highest than at any other survey year, with 95 per cent of applications processed within statutory time limits. Processing for all consent types have increased with the proportion of discharge consents applications processed on time increasing the most at 97 per cent.

The proportion of applications that had processing timeframes extended has almost halved from 28 per cent in 2007/08 to 15 per cent in 2010/11.

Charges

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

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

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

Good practice

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

- a structured process is followed to identify and address environmental effects
- had internal notes or checklists to guide staff on when to notify a resource consent application.

The proportion of local authorities that conducted a customer satisfaction survey increased in 2010/11.

Monitoring, compliance, complaints and enforcement

Monitoring of consents has decreased: 68 per cent of consents that required monitoring were monitored, compared to 79 per cent in 2007/08. Of the monitored consents, 72 per cent were compliant with their conditions. This is a decrease from 84 per cent in 2007/08.

Complaints about alleged breaches of the RMA decreased from 161,257 in 2007/08 to 124,172 complaints in 2010/11. Next to excessive noise directions, infringement and abatement notices were the most common methods used to formally resolve complaints and breaches.

Māori participation

Overall, a similar proportion of local authorities made a budgetary commitment to iwi/hapū. All local authorities now provide advice to applicants that their resource consent application may be of interest or concern to iwi/hapū. Improved performance was reported for local authorities:

- having standard resource consent conditions covering the discovery of sites or items significant to iwi/hapū
- having formal memoranda of understanding, protocols, joint management agreements or service-level agreements with iwi/hapū.

All councils provided advice to applicants that their resource consent application may be of interest or concern to iwi/hapū.

Plan changes and variations

Overall, the number of changes to operative district or regional plans decreased. A total of 108 changes were initiated by local authorities, down from 176 in 2007/08, while 35 changes

were initiated by private individuals, down from 41 in the last survey. The number of variations to proposed plans remained the same.

Future surveys

The Ministry is working collaboratively with councils to develop an integrated framework to monitor the implementation and effectiveness of the RMA. This will build on existing monitoring knowledge, processes and systems to improve reporting of RMA data. The project will help clarify what RMA data will be collected, from where and when, and will reduce the handling of data. Over the long term, the project will build on the existing RMA survey process.

1.0 Introduction

1.1 Purpose of the survey

The purpose of the RMA survey is to help the Minister for the Environment monitor how the Resource Management Act (RMA) is being put into practice. This includes reviewing local authority implementation of the RMA and recommended good practices. The survey also aims to:

- highlight trends over time in the RMA's implementation, including areas where performance by local authorities may require greater attention
- provide information to promote benchmarking, good practice and ways to improve local authorities' performance
- enable each local authority to compare its performance with others, and stimulate discussion about variations between similar local authorities
- provide local authorities with information so they can more accurately respond to enquiries about RMA processes.

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

Previous surveys

Results from previous surveys, beginning with the full 1996/97 report, are available on the Ministry's website: <http://www.mfe.govt.nz/publications/rma/annual-survey>.

1.2 The 2010/11 survey

Under section 35 of the RMA, local authorities are required to record details of the resource consent applications they process (see the information box below). The Minister requires councils to supply information under section 27 of the RMA. The survey questionnaire analysed for this report was released to local authorities on 24 June 2010, and the responses were collected and collated from 30 June 2011 to 30 July 2011. A copy of the questions asked in 2010/11 is provided in appendix 7.

The core questions are similar to those in earlier surveys. However, some changes were introduced to capture the effects of the 2009 RMA amendments, to incorporate audit findings, and to include council feedback on the previous survey. The latter includes comments from a focus group set up to assess proposed new questions, targeted consultation on what kinds of guidance councils seek, and feedback from individual councils on both the survey and the summary documents they received. More than 40 councils provided information on what they wanted and did not want in the survey.

Who responded

The 2010 amalgamation of eight district, city and regional authorities into the Auckland Council reduced the total number of councils covered by this survey from 85 to 78. Every one of New Zealand's 78 local authorities responded to the 2010/11 survey.

Local authority reporting requirements

Section 35 of the RMA requires every local authority to gather sufficient information to fulfil its functions under the Act. This includes recording the details of every resource consent applied for, notified and granted (section 35[5][g]–[h]), and how those consents are actually applied (section 35[2][d]).

Collecting such information allows local authority performance to be monitored and provides local ratepayers with a transparent record of their council's performance. It can also be used to:

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

1.3 New developments since the last survey

Changes to New Zealand's wider resource management context since the last survey (2007/08) have the potential to influence this year's results. These changes are summarised below.

Resource Management (Simplifying and Streamlining) Amendment Act 2009 (RMAA)

In October 2009 changes to improve the RMA were enacted. These aimed to remove costs, uncertainties and delays. Key changes that may influence the results of this survey include:

- improving mechanisms to manage frivolous and vexatious objections and appeals, and trade competition
- streamlining processes for projects of national significance, including creating an Environmental Protection Authority
- improving plan development and plan change processes
- improving resource consent processes
- streamlined decision-making
- improving national instruments, such as national environmental standards and national policy statements.

The RMAA 2009 is available on the New Zealand Legislation website. Further information is also available from the Ministry's website at:

- <http://www.mfe.govt.nz/rma/central/amendments/rma-simplifying-streamlining-2009.html>
- <http://www.mfe.govt.nz/publications/rma/rma-amendment-act-factsheets-2009/factsheet-1.html>.

Environmental Protection Authority

The Environmental Protection Authority (EPA) is a stand-alone Crown agent responsible for regulatory functions relating to New Zealand's environmental management. As a Crown agent it works under an independent board rather than to a Minister.

The EPA was established through the RMAA 2009 and came into being in October of that year with limited functions. In May 2011 the Environmental Protection Authority Act 2011 was passed, and the EPA formally began operating on 1 July 2011. It has taken over environmental regulatory functions from the Ministry for the Environment, the Ministry of Economic Development, the Environmental Risk Management Authority and the Ministry of Foreign Affairs and Trade.

A core function of the EPA is processing proposals of "national significance" under the RMA (see information box below), such as major infrastructure or public works projects, including hydroelectricity projects and large-scale wind farms. This is expected to improve the overall timeliness and effective implementation of the RMA.

The EPA will work with the relevant council to ensure its expertise and views are represented. In addition, councils will have the opportunity to suggest people for appointment to any board of inquiry established. They will also be commissioned to provide a summary report of their planning framework to any board or to the Environment Court, and will be responsible for administering and monitoring compliance with any approvals given by boards of inquiry or the Environment Court.

More information on the EPA and its work is available at: www.epa.govt.nz.

Factors of national significance

The Minister for the Environment may direct a matter to a board of inquiry or the Environment Court if it is, or is part of, a proposal of national significance. When making the decision, the Minister can take into account any relevant factor as set out in section 142 of the RMA. The Minister may consider whether the matter:

- has aroused widespread public concern or interest regarding its actual or likely effect on the environment, including the global environment
- involves or is likely to involve significant use of natural and physical resources
- affects or is likely to affect a structure, feature, place or area of national significance
- affects, or is likely to affect or is relevant to New Zealand's international obligations to the global environment
- results or is likely to result in or contribute to significant or irreversible changes to the environment, including the global environment
- involves or is likely to involve technology, processes or methods that are new to New Zealand and that may affect its environment
- is or is likely to be significant in terms of the Treaty of Waitangi
- will assist the Government in fulfilling its public health, welfare, security or safety obligations or functions
- affects or is likely to affect more than one region or district
- relates to a network utility operation that extends or is proposed to extend to more than one district or region.

Unification of councils in the Auckland region

In November 2010 seven district and city councils and the Auckland Regional Council were amalgamated into one unitary authority, the Auckland Council. These were the:

- Auckland City Council
- Auckland Regional Council
- Franklin District Council
- Manukau City Council
- North Shore District Council
- Papakura District Council
- Rodney District Council
- Waitakere District Council.

Three pieces of legislation established the Auckland Council: the Local Government (Tamaki Makaurau Reorganisation) Act 2009, the Local Government (Auckland Council) Act 2009 and the Local Government (Auckland Transitional Provisions) Act 2010.

The Auckland Council is the largest local government council in Australasia, with around 6000 staff, an annual budget of NZ\$3 billion and NZ\$29 billion of assets. Its size and the volume of resource consent applications processed have influenced this report's results. For example, Auckland Council, with close to 10,000 consents processed, sits in the same group of unitary authorities as the Chatham Islands District Council, which processed 9 consents in 2010/11. Where relevant, the influence of Auckland Council on the data for unitary councils will be noted in this report's tables and figures.

Change in Environment Canterbury's governance

During 2007/08 Environment Canterbury Regional Council processed 29 per cent of resource consents within the statutory timeframes. This led to the Minister for the Environment's 2009 decision to investigate the Council under section 24A of the Resource Management Act – the first time this section had been used to address non-compliance with resource management functions. Also of concern to the Minister was the Council's framework for managing Canterbury's natural resources (particularly fresh water) and its relationships with territorial local authorities.

Alongside this investigation, the Minister of Local Government initiated a non-statutory assessment under the Local Government Act to assess Environment Canterbury's governance and policy functions.

In March 2010, following the release of the independent review, the Ministers announced that commissioners would be appointed to replace the Environment Canterbury Council. It is expected that Environment Canterbury will return to an elected council status at least by the 2013 local government elections.

The independent report on the investigation of Environment Canterbury is available on the Ministry's website: <http://www.mfe.govt.nz/publications/rma/investigation-performance-environment-canterbury/>

Canterbury earthquakes

Three large earthquakes struck the area around Christchurch on 4 September 2010, 22 February 2011 and 13 June 2011. The earthquakes and their aftershocks have caused widespread damage across the Christchurch, Selwyn and Waimakariri districts, and in Lyttelton.

The result has been many months of unexpected and difficult challenges for people in the Canterbury region. February's earthquake killed 181 people, making it the second deadliest natural disaster in New Zealand. The Government declared a national state of emergency, which stayed in force until 30 April 2011. The cost to insurers of rebuilding has been estimated at around NZ\$15–16 billion, and as of June 2011 the Earthquake Commission (EQC) paid out more than NZ\$1 billion in claims for earthquake damage to residential property, making this New Zealand's most expensive natural disaster.

The Government response to the first earthquake was to prepare and pass the Canterbury Earthquake Response and Recovery Act 2010 on 14 September 2010. Following the February 2011 earthquake, that Order was repealed and replaced by the Canterbury Earthquake Recovery Act 2011 (enacted on 18 April 2011).

The April 2011 Act created a new government department, the Canterbury Earthquake Recovery Authority (CERA), to lead the earthquake recovery, in cooperation with central government, local councils and residents. CERA is working closely with councils and communities in Christchurch, Selwyn and Waimakariri. Anticipated to last five years, the authority's operations will be reviewed annually.

The 2010 and 2011 Acts provided for the making of Orders in Council that are able to grant exemptions from, or modify, or extend any provision of any enactment, including the RMA. The 2011 Act provided for any Order made under the 2010 Act to continue as though it had been prepared under the 2011 Act.

The Order in Council that relates to the RMA was the Canterbury Earthquake (Resource Management) Order 2010. It applied to the activities of the Christchurch City Council, Selwyn District Council, Waimakariri District Council and Environment Canterbury, and allowed for:

- resource consents that were otherwise due to expire between 4 September 2010 and 4 December 2010 to be automatically renewed for a period of 60 working days from the date they would otherwise have expired
- local authorities to grant extensions of time of up to six months for applicant requests made under section 37
- local authorities to extend or waive any timeframes associated with plan changes
- local authorities to carry out monitoring and enforcement of their plans prepared under the RMA only to the extent that was reasonably practicable
- timeframes for resource consents required in accordance with emergency works provisions of the RMA to be extended from 20 working days to 60 working days
- resource consents to be waived where work was required under section 129 of the Building Act 2004 (measures to avoid immediate danger).

Following the February 2011 earthquake, on 8 March the Order's provisions were amended by the Canterbury Earthquake (Resource Management Act) Amendment Order 2011. This extended the application of all provisions that referred to dates so that they covered the period between 22 February 2011 and 31 March 2012.

The effect of the provisions of the Order in Council and the Amendment Order is likely to have been to reduce the need for resource consents for a range of activities, along with extended timeframes for work where resource consents were needed. However, local authorities in the Canterbury region reported a drop off in the number of resource consent applications received, as projects were put on hold while damage assessments were undertaken, while waiting for insurance payouts or other finance, or while infrastructure repairs were made a priority. It was originally expected that resource consent numbers would increase six months after the 4 September 2010 earthquake, but the earthquakes of 22 February 2011 and 13 June 2011 appear to have extended that recovery timeframe beyond the close of the survey period.

In addition to the Order in Council made on 16 September 2010 and the Amendment Order of 8 March 2011, four other Orders in Council were made in relation to RMA functions and processes.

- The Canterbury Earthquake (Resource Management Act) Order 2011 changed the resource consent status and processes to be followed for resource consents for land remediation works, including removing the need for formal public notification and removing the need for a discount to be paid on resource consents processed outside statutory timeframes under regulations made under section 360(1)(hj) of the RMA.
- The Canterbury Earthquake (Resource Management Act Permitted Activities) Order 2011 allowed for temporary accommodation for residents and business, and temporary depots and storage facilities to be declared permitted activities under the RMA and therefore exempt from any requirement for resource consents.
- The Canterbury Earthquake (Resource Management Act Port of Lyttelton Recovery) Order 2011 provided for an alternative resource consent process and timeframes for the reclamation of land at the Port of Lyttelton and activities on that land. Changes included the changing of activity status to a controlled activity status, and the removal of requirements for formal public notification. The requirement to pay a discount for late processing of resource consents under regulations made under section 360(1)(hj) of the RMA was also removed.
- The Canterbury Earthquake (Resource Management Act – Burwood Resource Recovery Park) Order 2011 changed the resource consent activity status to use land at Bottle Lake Forest Park and the former Burwood Landfill for receiving and processing earthquake waste to controlled and provided an alternative process for seeking the views of affected parties.

The overall effect of these four orders has been to reduce the number of resource consents that might otherwise be required, change the activity status under which a number of resource consents are classified, and reduce the number of resource consents that might otherwise have required public notification. A fifth order is being prepared.

Local government staff in Canterbury

Staff of Canterbury's territorial and regional authorities had to deal with earthquake damage to council buildings and computer databases. Despite this, Christchurch City Council, Waimakariri District Council and Environment Canterbury have participated in the 2010/11 RMA survey and continue their roles in resource management and planning for the region.

The earthquakes will have long-lasting impacts on councils' work. For example, under the Canterbury Earthquake Recovery Act 2011, an earthquake recovery strategy and a recovery plan for the Christchurch central business district must be developed by mid-January 2012, and other recovery plans may be developed at any time if the Minister for Earthquake Recovery so directs. These will be incorporated into Environment Canterbury's regional policy statement and the regional and district plans and strategies prepared by other local authorities, and will override the provisions they make.

1.4 How the data is presented

Throughout the report, (n = ##) indicates how many local authorities answered each question in 2010/11 and during previous surveys. This helps to identify when some local authorities did not answer a survey question. This can happen if a council does not process a particular type of consent, if activities are done outside the survey period, or if the data sought by the survey is not currently recorded.

Changes to improve the survey questionnaire in 2010/11, discussed earlier, mean that some results cannot be compared over all 10 surveys. Where this is the case, the most recent comparable data has been analysed and presented.

Analysis aims to highlight long-term trends and/or marked differences between this survey and others. In most cases, percentage results have been rounded to the nearest whole number. However, unrounded data from the 2005/06 and 2007/08 surveys is used when calculating changes between surveys. This can result in some apparent discrepancies.

Information boxes throughout the report clarify terms and/or provide good practice guidance for local authorities.

Source data

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

- regional councils
- unitary authorities, including the Chatham Islands Council and the Auckland Council
- territorial authorities – these have been grouped according to the volume of consents processed:

Group 1: 0–110 consents

Group 2: 111–300 consents

Group 3: 301–650 consents

Group 4: 651–7000 consents.

Limitations of the data

Occasionally, local authorities had difficulties answering questions where information was either not recorded or was held in a format that did not allow it to be readily extracted. In these cases, either no or partial data was provided. The information presented is as complete as the data received allows, and any data limitations are identified (where relevant) in this report. There was also variation in the interpretation of some questions, and some results were estimated. Where this occurs it is noted in the relevant sections of the report.

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

1.5 Future surveys

The Ministry is working collaboratively with councils to develop an integrated framework to monitor the implementation and effectiveness of the RMA. This will build on existing monitoring knowledge, processes and systems to improve reporting of RMA data. The project will help clarify what RMA data will be collected, from where and when, and will reduce the handling of data. Over the long term, the project will build on the existing RMA survey process.

2.0 Resource consent application processing

This section of the report provides information on resource consent applications processed by local authorities in 2010/11, along with emerging trends. The topics covered are:

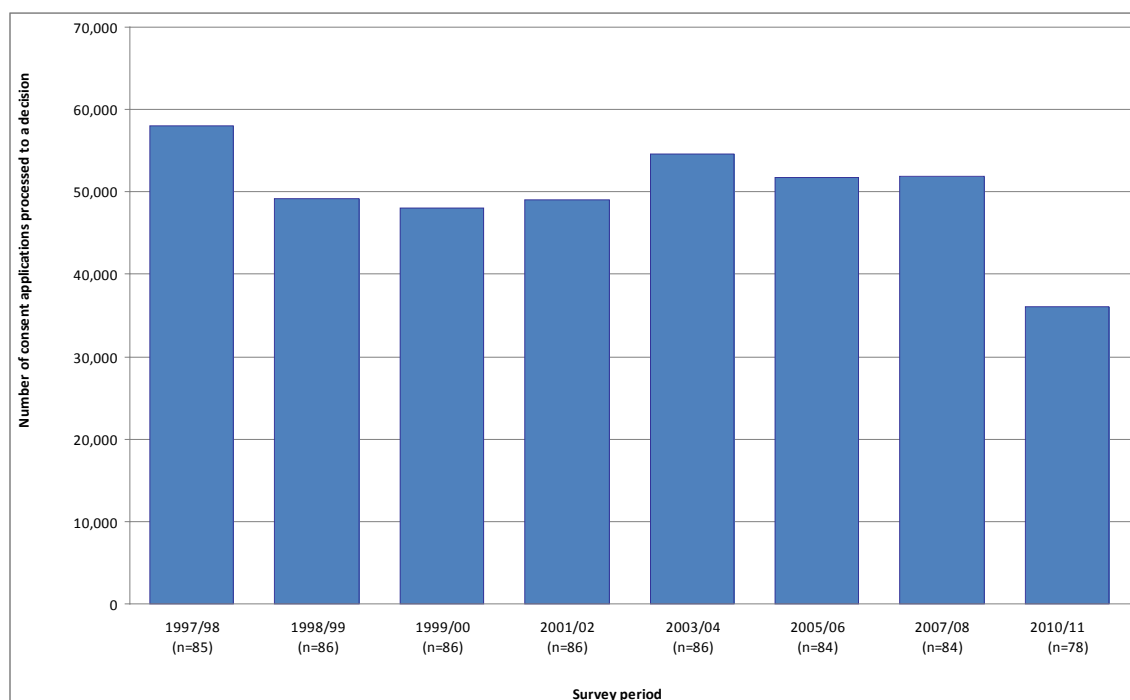
- resource consent applications processed to a decision
- resource consents declined
- types of resource consent
- changes in resource consent conditions
- certificates of compliance
- resource consent applications, by activity status
- further information requests
- pre-hearing meetings
- types of resource consent decisions
- objections and appeals.

The survey questions addressed in this section are provided in full in appendix 7.

2.1 Resource consent applications processed to a decision

Local authorities were asked how many resource consent applications (defined in section 87 of the RMA) were processed through to a decision in the 2010/11 financial year (appendix 7, question 1.1). In 2010/11 the total number of resource consent applications processed was 36,154. This is the lowest number of any previous survey period (figure 2.1), and 69 per cent of the 2007/08 total, which was 51,960. The next lowest number of consents was recorded in 1999/00 (48,045). The 2010/11 results are 75 per cent of that previous low.

Figure 2.1: Number of resource consent applications processed to a decision, 1997/98–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Resource consent applications processed, by local authority type

In previous surveys territorial authorities processed between two-thirds and three-quarters (69 per cent to 77 per cent) of all consents (table 2.1). The proportion for 2010/11 (39 per cent) has nearly halved from its highest point in 1997/98 (77 per cent), and is down from 69 per cent less in the last survey (2007/08).

The proportion of consents processed by unitary authorities rose from 8 per cent in 2007/08 to 35 per cent in 2010/11. This is largely due to the establishment of the Auckland Council.

The proportion of consents processed by regional councils has remained relatively stable, increasing to 26 per cent on 2010/11.

Table 2.1: Number and percentage of resource consent applications processed, by local authority type, 1997/98–2010/11

Survey period	Regional councils		Unitary authorities		Territorial authorities		All
	Number of consent applications	Percentage of total consents	Number of consent applications	Percentage of total consents	Number of consent applications	Percentage of total consents	Number of consent applications
2010/11 (n = 78)	9,389	26%	12,591	35%	14,174	39%	36,154
2007/08 (n = 84)	12,228	24%	4,070	8%	35,662	69%	51,960
2005/06 (n = 84)	12,235	24%	3,979	8%	35,554	69%	51,768

Survey period	Regional councils		Unitary authorities		Territorial authorities		All
	Number of consent applications	Percentage of total consents	Number of consent applications	Percentage of total consents	Number of consent applications	Percentage of total consents	Number of consent applications
2003/04 (n = 86)	10,794	20%	4,308	8%	39,556	72%	54,658
2001/02 (n = 86)	11,643	24%	4,210	9%	33,159	68%	49,012
1999/00 (n = 86)	8,037	17%	4,008	8%	36,00	75%	48,045
1998/99 (n = 86)	8,752	18%	3,229	7%	37,171	76%	49,152
1997/98 (n = 85)	9,510	16%	3,575	6%	44,975	77%	58,060

Notes:

Data from seven former territorial authorities and one regional council in the Auckland region are now included under unitary authorities after the establishment of the Auckland Council.

The survey question on which this table is based was amended in 2005/06 to clarify its intent. However, the response from each survey period remains comparable.

Due to rounding, not all survey percentages sum to 100 per cent.

The (n = ##) is the number of local authorities that answered the question in each survey period.

Applications processed, by consent type

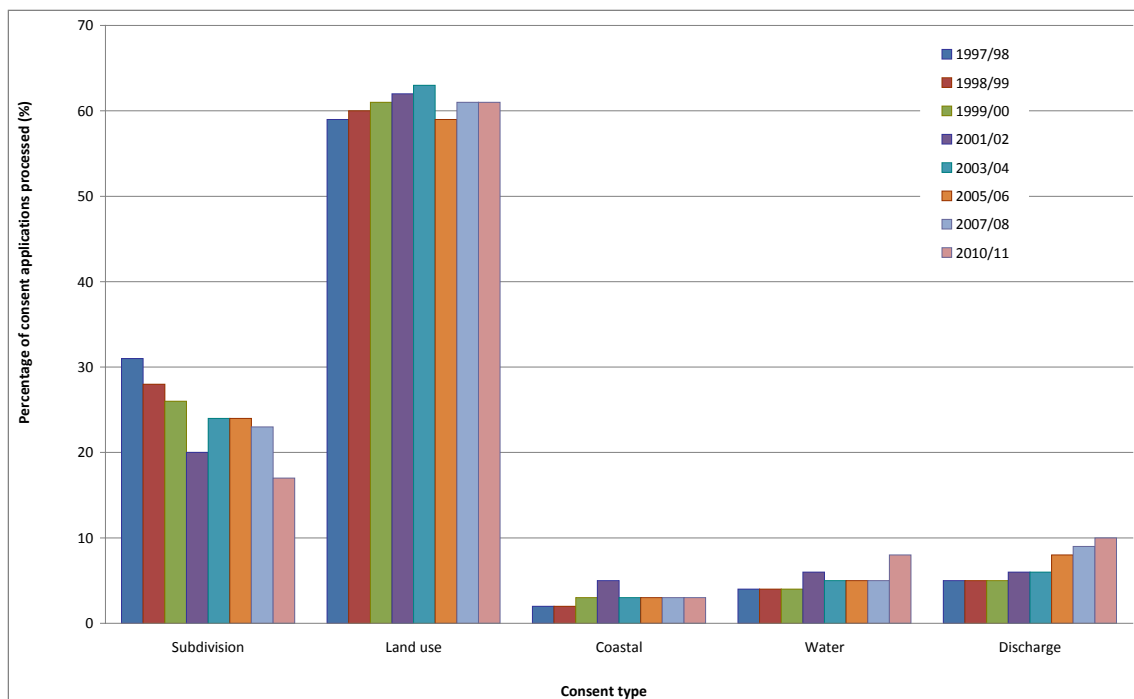
Figure 2.2 shows that, as in previous surveys, the greatest proportion of resource consent decisions were for land use (61 per cent). This is the same result as in 2007/08, and is consistent with previous surveys, which range from 59 per cent to 63 per cent.

Again, as in previous years, the next most common resource consent application was for subdivision consents (17 per cent), although this is fewer than in any previous year (6292) and continues the general downward trend from the high of 31 per cent in 1997/98.

Figure 2.2 shows a continued upward trend for both discharge and water consents, with the proportion of both doubling over the eight surveys represented. Discharge consents have risen from 5 per cent in 1997/98 to 10 per cent in 2010/11, and the proportion of water consents increased from 4 per cent in 1997/98 to 8 per cent in 2010/11. The largest increase in the proportion of water consents occurred between 2007/08 and 2010/11 (3 per cent).

The proportion of coastal permits as a resource consent type has remained constant over the eight survey periods. Table 2.2 provides the same information as figure 2.2 in tabular form.

Figure 2.2: Percentage of resource consent applications processed, by consent type, 1997/98–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Table 2.2: Percentage of resource consent applications processed, by consent type, 1997/98–2010/11

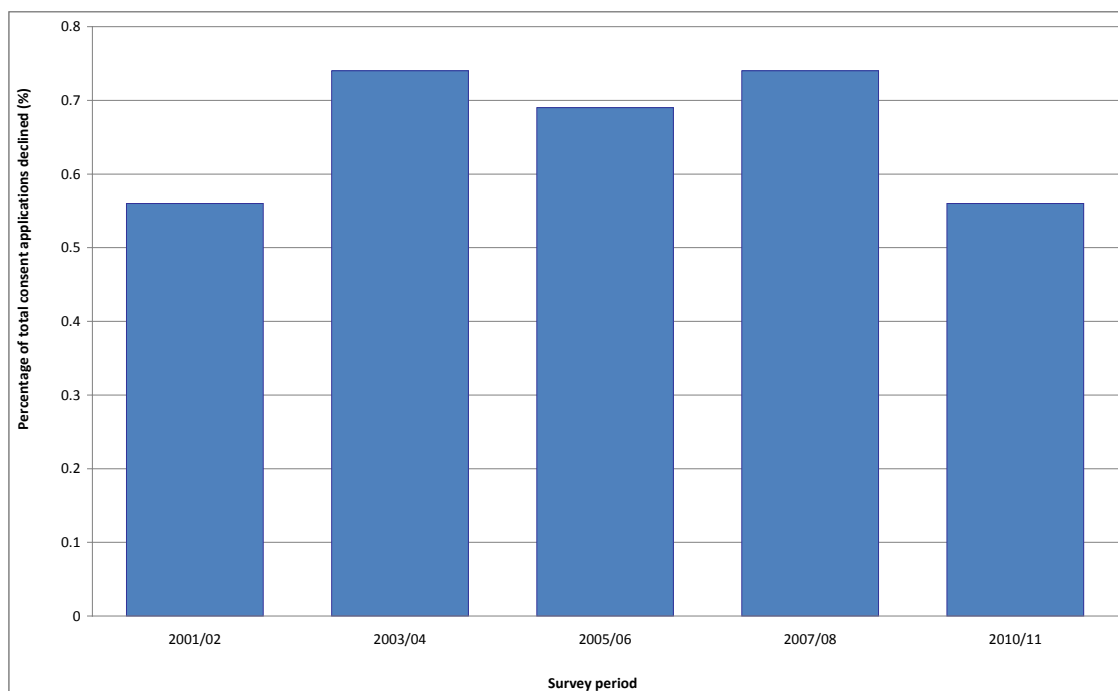
Survey period	Subdivision	Discharge	Land use	Coastal	Water
2010/11 (n = 78)	17%	10%	61%	3%	8%
2007/08 (n = 84)	23%	9%	61%	3%	5%
2005/06 (n = 84)	24%	8%	59%	3%	5%
2003/04 (n = 86)	24%	6%	63%	3%	5%
2001/02 (n = 86)	20%	6%	62%	5%	6%
1999/00 (n = 86)	26%	5%	61%	3%	4%
1998/99 (n = 85)	28%	5%	60%	2%	4%
1997/98 (n = 86)	31%	5%	59%	2%	4%

Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

2.2 Resource consents declined

Local authorities were asked how many resource consent applications were declined in the 2010/11 financial year (question 1.6). Figure 2.3 shows that the number of resource consents declined has always been fewer than 1 per cent since 2001/02. In 2010/11, 0.56 per cent (203) of resource consent applications were declined. This result is the lowest of the previous three surveys and matches the total in 2001/02.

Figure 2.3: Percentage of resource consent applications declined, 2001/02–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Insufficient information: section 88(3) of the RMA

Sending an application back for further information

Section 88(3) allows an authority to return an application if it does not include an adequate assessment of environmental effects, or the information required by regulations.

Declined resource consents are different from returned consents using section 88(3).

- Returned applications are sent back within five days and have not been formally accepted by a council.
- Declined consents have officially been accepted and processed, and the decision has been made to decline the application.

This year, for the first time, local authorities were also asked how many applications were returned to applicants under section 88(3) of the RMA, either once or more often (question 1.7). Baseline figures from the 2010/11 responses are provided in table 2.3 and will allow comparisons to be drawn in future years.

Table 2.3: Resource consent applications returned under section 88(3) of the RMA – baseline data

Local authority type (n = 78)	Returned once under s88(3)	Returned more than once under s88(3)
Regional council	472	18
Territorial authority	937	60
Unitary authority	1810	91

Source: 2010/11 RMA survey data.

Notes: Of the 1810 applications returned by unitary authorities, 1660 were from the Auckland Council. Also, 90 of the 91 consents returned more than once were from the Auckland Council.

2.3 Types of resource consent

Local authorities were asked how many of each type of resource consent application (land use, subdivision, etc) they processed to a decision were notified, limited notified or non-notified (appendix 7, question 1.8).

What the categories mean

There are three different types of notification. Notified consents happen when a local authority considers an application could have more than minor effects on the environment, or may adversely affect someone who has not given their written approval. There are two types of notified consent.

- Publicly notified involves advising the public of the application through a public notice and direct communication. This allows anyone who has an interest in the application to lodge a submission.
- Limited notified requires only directly affected parties to be advised of an application.

The third type of consent, non-notified, does not require any other parties to be advised of the application.

Applications that are publicly notified or limited notified generally take longer to process than non-notified applications because they provide the opportunity for the public or directly affected parties to have input into the decision-making process by making a submission and participating in a hearing. They may also involve pre-hearing meetings. Notified consents generally cost applicants more than non-notified consents.

Categories of resource consent applications approved

In 2010/11, as in previous surveys, most resource consent applications processed were non-notified (94 per cent). This is similar to the 93.4 per cent reported in 2007/08.

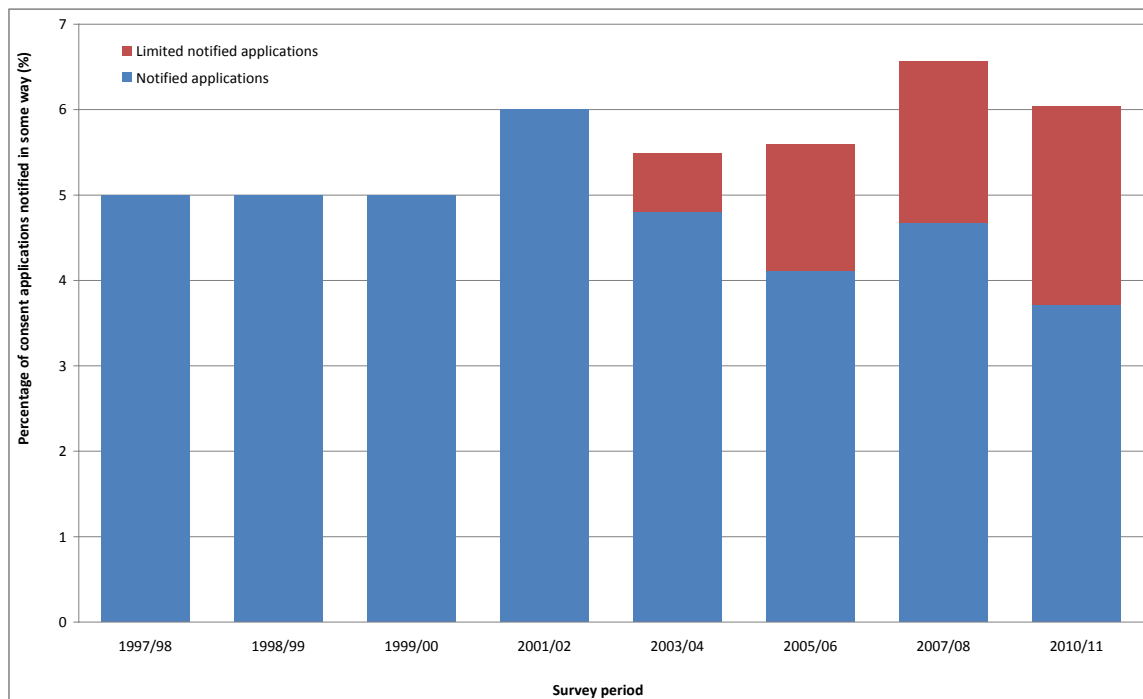
Figure 2.4 shows the percentage of resource consent applications that were either notified or limited notified over nine survey periods. Up to 2001/02 the proportion was 5 per cent in each survey.

In 2010/11 notified and limited notified consent applications made up 6 per cent (2263) of the total resource consents processed. This is a decrease from the 2007/08 survey.

Since 2003/04, when limited notified consents were introduced, the two types of notified consents have been recorded separately. Figure 2.4 shows that the proportion of limited notified consents has increased over each of the four surveys since then, rising four-fold from 0.68 per cent in 2003/04 to 2.32 per cent in 2010/11. However, it should be noted that the 2003/04 data does not record a full year, because the limited notified category came in after that survey period began.

Over the same four-survey period, the proportion of notified consents has generally trended downwards: from 4.8 per cent in 2003/04 to 3.7 per cent in the latest survey.

Figure 2.4: Percentage of resource consent applications notified, 1996/97–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Notes:

The percentages of notified consent applications for the period 1997/98–1999/00 have been rounded to a whole per cent.

Before the 2003/04 survey the limited notified category did not exist. Because the limited notified process came into effect after the 2003/04 survey period began, the results from that year do not represent a full year's data.

Resource consent applications, by consent type

Up until the 2007/08 survey, coastal, water and discharge resource consent applications were consistently the most common type to be either publicly notified or limited notified. This changed in 2010/11. While applications for coastal permits remain the most commonly notified applications, table 2.4 shows an increase in the proportion of land-use consent applications that were limited notified: from 2 per cent in 2007/08 to 16 per cent in 2010/11.

The result is that notified applications for land-use consent have moved from being the smallest proportion of notified consents to being the second-equal largest type of resource consent to be notified. Note that the proportion of publicly notified consents for land use maintained its downward trend.

The proportions of notified applications for coastal, water and discharge consents have decreased since the last survey by 3 per cent, 7 per cent and 4 per cent, respectively. The largest single change was the proportion of publicly notified water consent applications, which decreased from 24 per cent in 2007/08 to 15 per cent in 2010/11. The proportion of publicly notified coastal applications decreased from 21 per cent to 16 per cent, while notified discharge applications decreased from 9 per cent to 5 per cent.

Here are some other findings from table 2.4.

- Most consent types, the proportion of limited notified consent applications is trending upwards.
- The combined proportion of publicly notified and limited notified consent applications for subdivisions has remained relatively stable over eight survey periods, fluctuating between 3 per cent and 5 per cent.
- The downward trend in publicly notified discharge consent applications has remained consistent, dropping from the high of 22 per cent in 1998/99 to 5 per cent in 2010/11.

Appendix 2 and 3 provides the percentage of publicly notified and limited notified consent applications processed by individual local authorities.

Table 2.4: Percentage of notified resource consent applications, by consent type, as a proportion of applications processed, 1997/98–2010/11

Survey period	Subdivision		Land use		Coastal		Water		Discharge		Total	
	Publicly notified	Limited notified	Publicly notified	Limited notified	Publicly notified	Limited notified	Publicly notified	Limited notified	Publicly notified	Limited notified	Publicly notified	Limited notified
2010/11	2%	2%	2%	2%	16%	7%	15%	3%	5%	3%	4%	2%
2007/08	3%	1%	2%	2%	21%	5%	24%	3%	9%	3%	5%	2%
2005/06	3%	1%	2%	1%	15%	3%	20%	2%	7%	2%	4%	1%
2003/04	3%	1%	3%	1%	14%	< 0.5%	26%	1%	11%	1%	5%	1%
2001/02	5%	–	3%	–	21%	–	15%	–	18%	–	6%	–
1999/00	4%	–	3%	–	17%	–	15%	–	17%	–	5%	–
1998/99	3%	–	3%	–	14%	–	15%	–	22%	–	5%	–
1997/98	3%	–	4%	–	15%	–	24%	–	21%	–	5%	–

Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Notes:

The percentage of publicly notified consent applications for the period 1997/98–1999/00 has been rounded to a whole per cent.

Before the 2003/04 survey the limited notified category did not exist. Because the limited notified process came into effect after the 2003/04 survey period began, the results from that year do not represent a full year's data.

Types of resource consent applications, by local authority type

The 2010/11 survey shows a decrease in the proportion of notified consent applications dealt with by unitary authorities: from 22.3 per cent in 2007/08 to 5 per cent in 2010/11 (figure 2.5). This reverses the upward trend that began in 2003/04, when the proportion of notified consent applications processed by unitary authorities was 17 per cent of the total applications processed.

The decrease can be explained by the establishment of Auckland Council as a unitary authority in 2010. The Council deals with a large number of consents (9715 in 2010/11), of which only 2.3 per cent are notified.

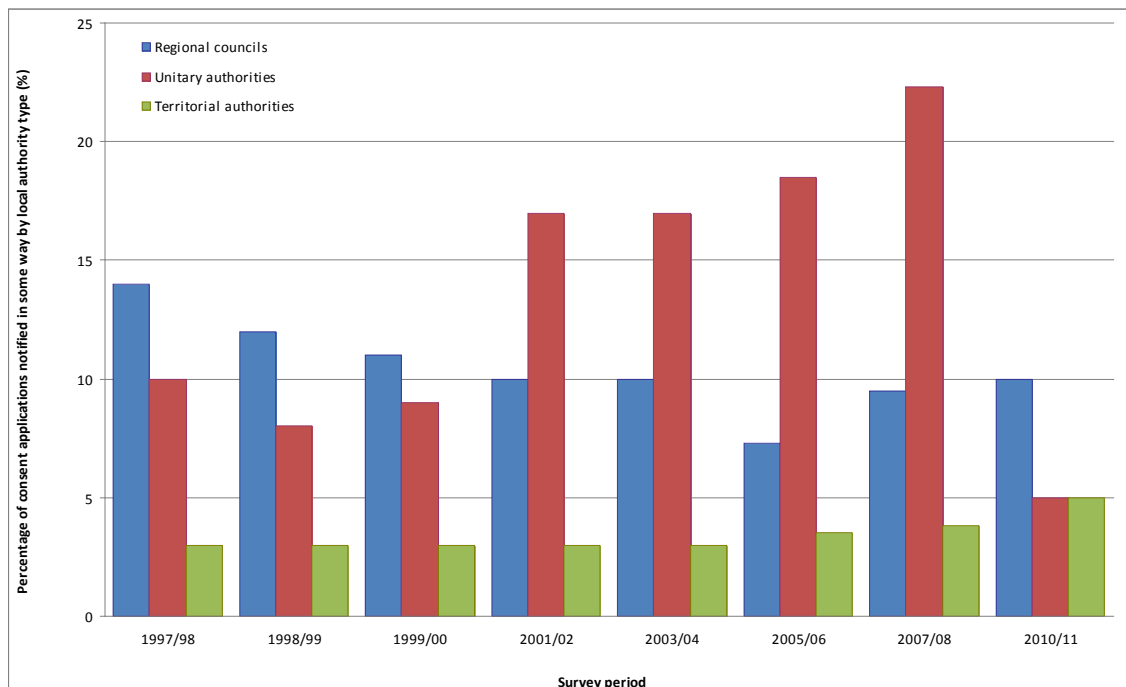
The 2010/11 survey is the first time since the 1999/00 survey that regional councils have processed the greatest proportion of notified resource consent applications.

Two trends that are sustained in 2010/11 are:

- a long-term downward trend in the proportion of notified consent applications processed by regional councils
- a continued upward trend in the proportion dealt with by territorial authorities (this trend began in 2005/06).

The uneven spread across the different local authority types has levelled out in this survey, particularly the proportions of resource consent applications processed by unitary and territorial authorities.

Figure 2.5: Percentage of resource consent applications notified, by local authority type, 1997/98–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

2.4 Changes in resource consent conditions

Local authorities were asked how many applications they processed to a decision that dealt with changes to resource consent conditions under sections 127 or 128 of the RMA (questions 1.2 and 1.3).

Changing consent conditions

Consent conditions can be changed using sections 127 or 128 of the RMA.

Section 127 allows a consent holder to apply to change or cancel a condition of the consent, except where the condition relates to how long the consent is for.

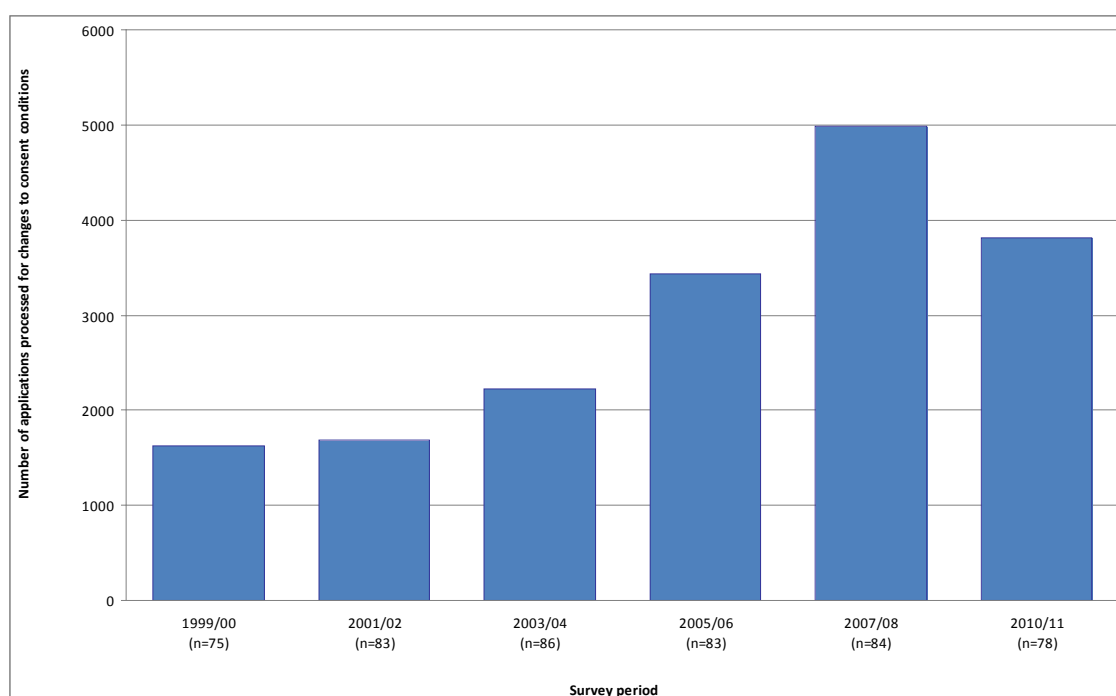
Section 128 allows a local authority to notify a consent holder if it intends to review the consent conditions. The circumstances under which such a review can take place are set out in section 128.

In 2010/11, 3810 applications for changes to resource consent conditions were processed through to a decision, down from 4991 in 2007/08. This is a decrease of 23.7 per cent and goes against the trend of the previous five surveys, where the number of changes to consent conditions increased, with three times as many applications processed in 2007/08 as in 1999/00 (figure 2.6).

Of the resource consent applications processed, 95.4 per cent (3634) were initiated by consent holders under section 127. This is consistent with the previous survey in 2007/08: 83 per cent (4151). The remaining applications in 2010/11 (4.6 per cent, 176) were reviewed by local authorities under section 128.

The number of applications for changes to consent conditions as a proportion of the total number of active consents is unknown.

Figure 2.6: Number of applications processed for changes to consent conditions (s127 and s128), 1999/00–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Notes:

The survey question on which this figure was based was amended in 2005/06 to differentiate between consent changes under section 127 and those under section 128. Nonetheless, the response from each survey period remains comparable.

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

2.5 Certificates of compliance

Local authorities were asked for the number of certificates of compliance they issued under section 139 of the RMA (question 1.4). In addition, a question included for the first time in the 2010/11 survey asked how many certificates of compliance were issued in compliance with a national environmental standard (NES) (question 1.5).

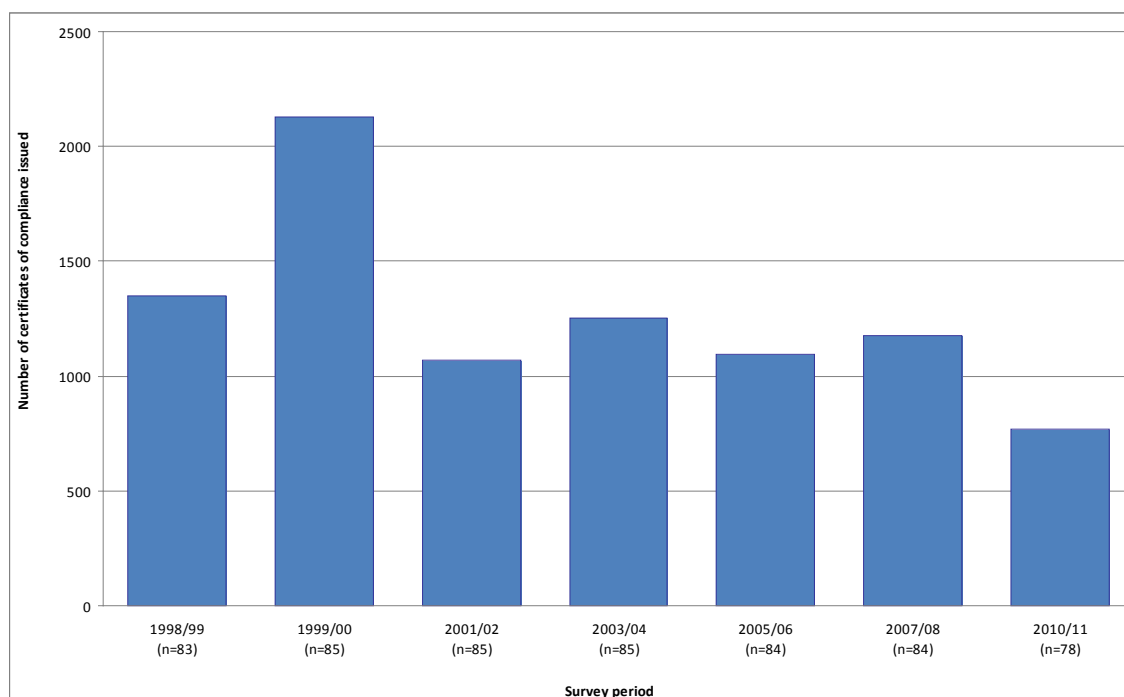
Getting the tick of compliance

A certificate of compliance can be issued by a local authority when a proposed activity is permitted under either a district plan or a national environmental standard, or when it does not need resource consent.

The certificate confirms the activity is allowed and no further consent is required.

In 2010/11, 771 certificates of compliance were issued by local authorities, a decrease of 34.5 per cent from 2007/08, when 1177 were issued. Figure 2.7 shows the number of certificates of compliance issued over the past seven survey periods. Fluctuations have occurred since 1998/99, with a spike in 1999/00. No discernible trend is apparent.

Figure 2.7: Number of certificates of compliance issued, 1998/99–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Table 2.5 provides baseline data for question 1.5, which was asked for the first time in the 2010/11 survey. It shows that territorial authorities issued the greatest number of certificates of compliance for both NESs and under section 139, and that regional councils issued the fewest. Auckland Council was the only unitary authority to issue certificates of compliance with an NES.

Table 2.5: Certificates of compliance issued in compliance with an NES, as a proportion of the total number of certificates of compliance, 2010/11

Local authority type	Number of certificates of compliance issued		Percentage of certificates of compliance issued	
	Compliance with an NES	Total certificates of compliance	Compliance with an NES	Total certificates of compliance
Unitary	5	220	8%	29%
Territorial	54	467	90%	61%
Regional	1	84	2%	11%
Total	60	771		

Source: 2010/11 RMA survey data.

Note:

The unitary authority data for compliance with an NES is solely from Auckland Council, because no other unitary authorities issued this type of certificate of compliance in the 2010/11 survey period.

2.6 Resource consent applications, by activity status

Local authorities were asked how many resource consent applications they processed through to a decision for each type of activity status described in the information box below (question 1.9).

Explaining the activity status of resource consents

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

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

In 2010/11 the greatest proportion of resource consent applications processed were for discretionary and restricted discretionary activities: 45 per cent and 25 per cent, respectively (table 2.6). Non-complying activities was the smallest group, with 9 per cent. This is similar to the results from 2007/08, where the percentages were 50 per cent, 23 per cent and 8 per cent, respectively.

However, there is variation in the results for unitary authorities between the two surveys, which may be explained by the establishment of the Auckland Council.

- The proportion of restricted discretionary consent applications processed by unitary authorities more than doubled between the two survey periods, from 15 per cent in 2007/08 to 33 per cent in 2010/11.
- Conversely, the proportion of discretionary activities processed by unitary authorities dropped by more than one-third, from 60 per cent in 2007/08 to 38 per cent in 2010/11.

These changes mean that unitary authorities now process a comparable proportion of consents for restricted discretionary and discretionary activities as territorial authorities. However, regional council consent applications continue to be dominated by discretionary activities (62 per cent) and these councils continue to process the smallest proportion of restricted discretionary consents (13 per cent).

The proportion of consent applications for controlled activities increased for regional councils (from 18 per cent in 2007/08 to 22 per cent in 2010/11), and decreased for both unitary and territorial authorities:

- from 15 per cent in 2007/08 to 10 per cent in 2010/11 for unitary authorities
- from 21 per cent in 2007/08 to 17 per cent in 2010/11 for territorial authorities.

The proportion of non-complying activities processed by regional councils remained the same, decreased by one-third for unitary authorities, and increased by nearly 50 per cent for territorial authorities. Unitary authorities and territorial authorities again processed a higher proportion of resource consent applications for non-complying activities than regional councils.

Table 2.6: Percentage of resource consent applications, by activity status and local authority type, comparing the two most recent surveys, 2010/11 and 2007/08

Local authority type	Controlled		Restricted discretionary		Discretionary		Non-complying		Other
	2010/11	2007/08	2010/11	2007/08	2010/11	2007/08	2010/11	2007/08	2010/11
Regional	22%	18%	13%	9%	62%	71%	2%	2%	1%
Unitary	10%	15%	33%	15%	38%	60%	7%	10%	11%
Territorial	17%	21%	26%	28%	39%	42%	14%	10%	3%
All	16%	20%	25%	23%	45%	50%	9%	8%	6%

Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Note:

Due to rounding, not all survey percentages for the 2007/08 year sum to 100 per cent.

The 'other' column captures data where activities need a resource consent but some district and regional plans do not have a classification for them. This 'other' data was not collected in 2007/08.

2.7 Further information requests

Local authorities were asked how many times they had to request more information for a resource consent application under sections 92(1) and 92(2) of the RMA (questions 1.10 and 1.11). The combined results for both questions are reported here, allowing comparisons to be made with previous surveys.

A related question, asked for the first time in the 2010/11 survey, was how many times they had to request this further information more than once (question 1.12). Another new question asked in 2010/11 (question 1.13) was how many resource consent applications processed were notified under section 95C(2) of the RMA because further information was not provided. This applied to just four consents across all 78 local authorities.

Seeking more information from applicants

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

Section 92(1) allows a local authority to request further information from the applicant about the proposal.

Section 92(2) allows a local authority to ask an applicant to agree to a report being commissioned if the council considers the activity could have a significant adverse environmental effect.

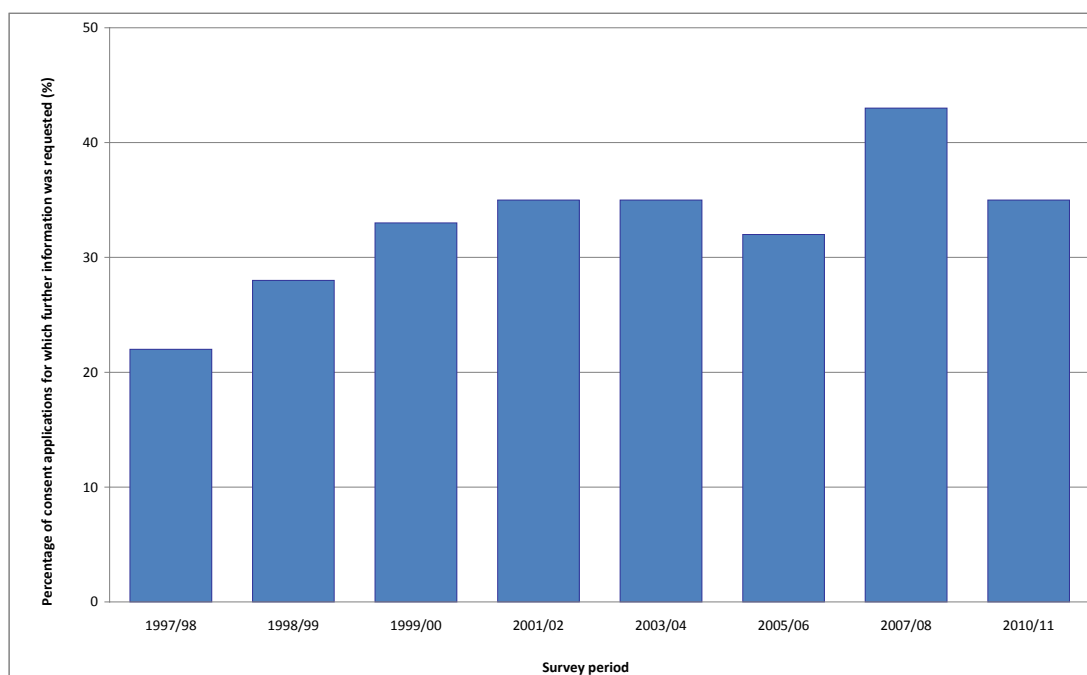
If the authority's request for further information is not met – either because the deadline is missed or the request is refused – section 95C(2) of the RMA says it must publicly notify the application.

In 2010/11 further information was sought for 35 per cent (12,564) of resource consent applications (figure 2.8). This is a decrease from the high of 43 per cent in 2007/08, but consistent with results up to that point (1997/98–2005/06). Notwithstanding the decrease between the latest two surveys, the proportion of resource consent applications for which further information was requested has increased 13 per cent since 1997/98, when it was 22 per cent.

The largest number of further information requests (4826) were made by territorial authorities (table 2.7), followed by unitary authorities (5292). The unitary authority result reflects the establishment of the Auckland Council in 2010, when seven district and city councils and the Auckland Regional Council were amalgamated.

Regional councils requested further information on the fewest number of consents: 2446, or 26 per cent of those received.

Figure 2.8: Percentage of resource consent applications for which further information was requested under section 92 of the RMA, 1997/98–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Table 2.7: Further information requests, by local authority type, 2010/11

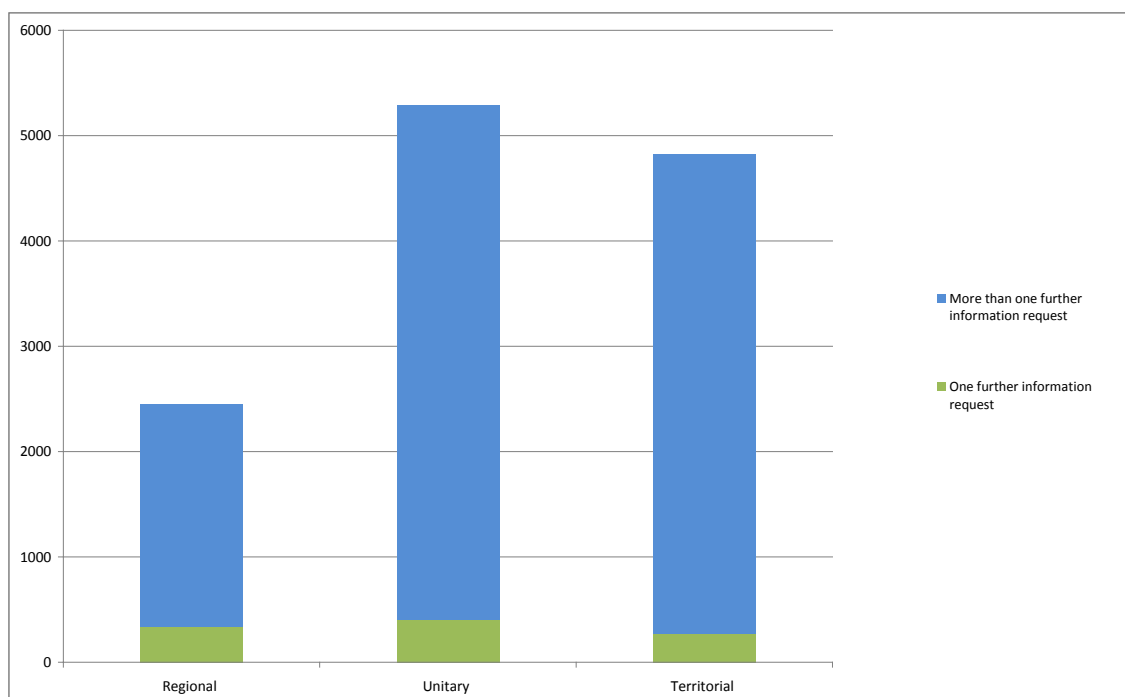
Local authority type	Number of consents for which further information was requested	Percentage of consents processed
Regional	2,446	26%
Unitary	4,826	38%
Territorial	5,292	37%
All	12,564	35%

Source: 2010/11 RMA survey data.

Figure 2.9 shows the number of consents for which authorities requested further information from an applicant more than once, as a proportion of the total number of section 92 requests made. While the greatest actual number of additional requests was made by territorial authorities (402), these made up only 8 per cent of the total 5292 requests made by territorial authorities. The greatest proportion of repeated requests sits with regional councils, at 14 per cent. Of the 2446 total requests regional councils made, 334 were made more than once.

Appendix 4 provides the percentage of further information requests for each individual local authority.

Figure 2.9: Number of resource consent applications for which further information was requested more than once under section 92 of the RMA, 2010/11



Source: 2010/11 RMA survey data.

Note: This figure presents data from question 1.12, which was requested for the first time in the 2010/11 survey.

2.8 Pre-hearing meetings

Local authorities were asked how many publicly notified and limited notified resource consent applications had a pre-hearing meeting under section 99 of the RMA (question 1.14). The

survey also asked how many pre-hearing meetings resulted in issues being resolved so that no hearing was subsequently required (question 1.15).

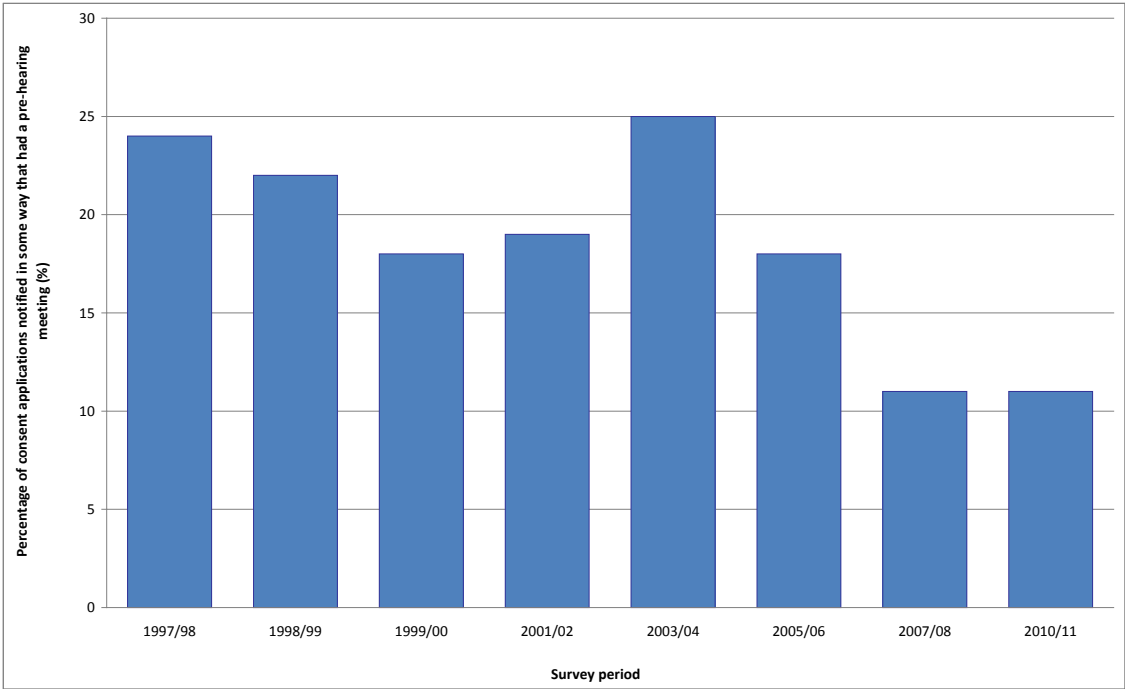
Pre-hearing meetings are good practice

Pre-hearing meetings are a good practice tool for clarifying and/or resolving issues associated with an application for resource consent. Pre-hearing meetings may not always be appropriate, but when they are, they can save time and costs for the local authority, the submitters and the applicants. They can also improve the decisions made.

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

In 2010/11, 11 per cent of notified resource consent applications (that is, publicly notified and limited notified applications) had pre-hearing meetings. This is down from a high of 25 per cent in 2003/04. Figure 2.10 shows that the proportion of pre-hearing meetings has fluctuated over the past seven surveys, although a downward trend is emerging. Table 2.8 presents the actual number of pre-hearing meetings reported in surveys from 1997/98 to 2010/11. The fluctuation in numbers matches the proportional pattern shown in figure 2.10.

Figure 2.10: Percentage of resource consent applications notified in some way for which pre-hearing meetings were held, 1997/98–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Notes:

Before 2005/06 the survey question asked for the number of pre-hearing meetings held for publicly notified consent applications. In 2005/06 and subsequent surveys the question asked for the number of pre-hearing meetings for both publicly notified and limited notified applications.

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

Table 2.8: Number of pre-hearing meetings held for resource consent applications notified in some way, 1997/98–2010/11

Survey period	Number of pre-hearing meetings held
2010/11 (n = 78)	239
2007/08 (n = 83)	379
2005/06 (n = 84)	518
2003/04 (n = 83)	647
2001/02 (n = 83)	546
1999/00 (n = 70)	432
1998/99 (n = 81)	508
1997/98 (n = 78)	679

Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Notes:

Before 2005/06 the survey question asked for the number of pre-hearing meetings held for notified consent applications. In 2005/06 and subsequent surveys the question asked for the number of pre-hearing meetings for both publicly notified and limited notified applications.

The (n = ##) refers to the number of local authorities that answered the question in each survey period.

Percentage of successful pre-hearing meetings

Both the number of pre-hearing meetings and the proportion that resolved issues so that no subsequent hearing was needed fell in 2010/11 compared with the 2007/08 survey results (table 2.9, figure 2.11).

- The number of pre-hearing meetings decreased by 37 per cent between 2007/08 and 2010/11.
- The overall proportion that successfully resolved issues was down from 34 per cent to 28 per cent.

Unitary authorities have the greatest proportion of successful pre-hearing meetings, with 73 per cent out of 22 resolving issues (table 2.9). However, these authorities also recorded the largest decrease in the proportion that were successful, decreasing from 85 per cent in 2007/08.

The largest decrease in the actual number of pre-hearing meetings was for territorial local authorities, from 117 to 52, a decrease of 55 per cent.

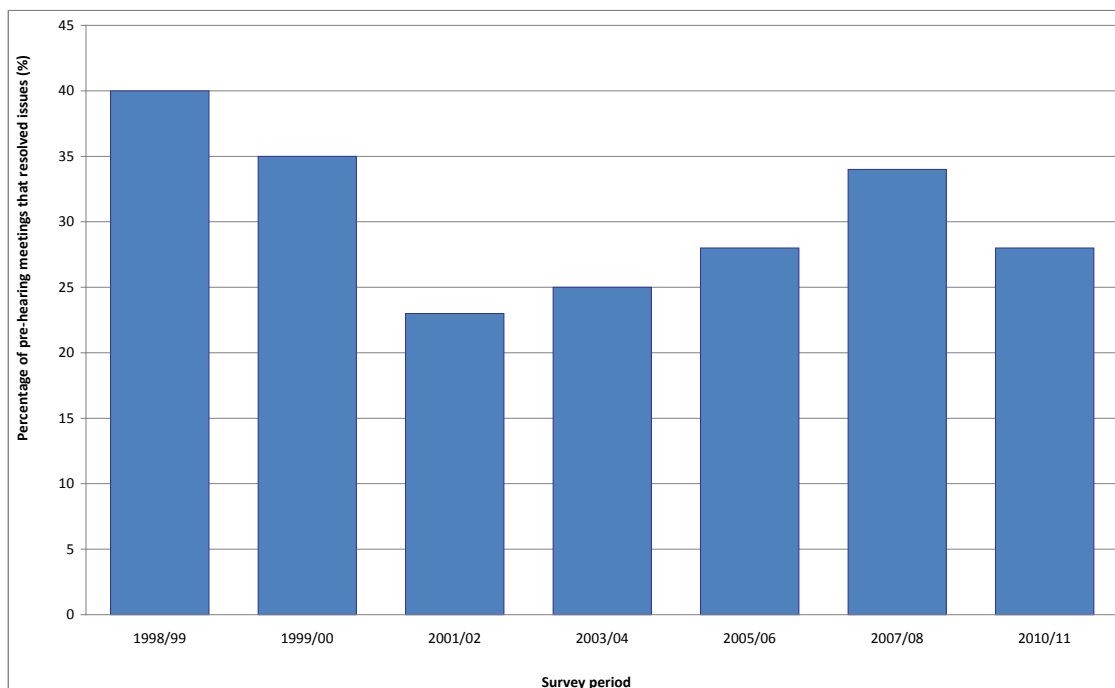
Figure 2.11 shows the fluctuating pattern in the proportion of successful pre-hearing meetings reported in surveys from 1998/99 to 2010/11. The 2010/11 result runs counter to the steady rise that began in 2001/02.

Table 2.9: Number of pre-hearing meetings for notified resource consent applications, and the percentage of pre-hearing meetings that resolved issues so that hearings were not required, by local authority type, 2010/11

Local authority type	Number of pre-hearing meetings held		Percentage that resolved issues so that no hearing was needed
	Number	% of total	% of total
Regional	165	69%	23%
Unitary	22	9%	73%
Territorial	52	22%	25%
All	239	100%	28%

Source: 2010/11 RMA survey data.

Figure 2.11: Percentage of pre-hearing meetings that resolved issues so that hearings were not required, 1998/99–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Notes:

Before 2005/06 the survey question asked for the number of pre-hearing meetings held for publicly notified consent applications. In 2005/06 and subsequent surveys the question asked for the number of pre-hearing meetings for both notified and limited notified applications.

2.9 Types of resource consent decisions

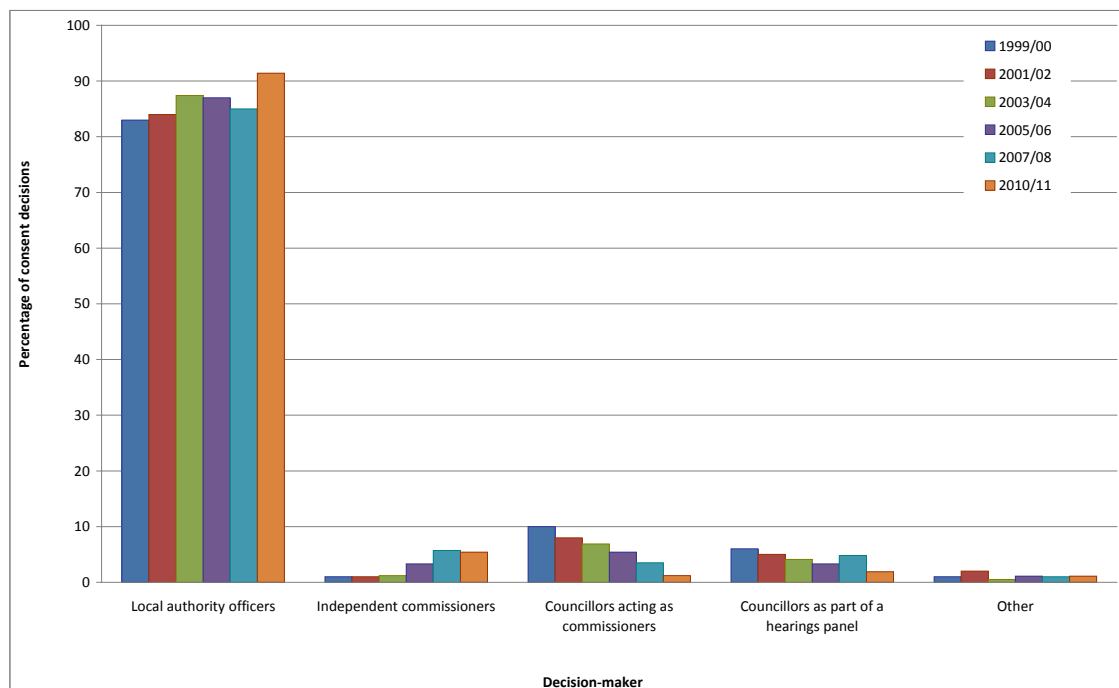
Local authorities were asked to quantify how many of their resource consent decisions were made by different types of decision-makers: local authority officers, independent commissioners, councillors acting as commissioners, councillors as part of a hearings panel, or other options (question 1.17).

Results for 2010/11 are consistent with previous surveys, with local authority officers again making by far the most decisions (91 per cent). The increase in the proportion of consent decisions made by local authority officers fits with the upwards trend evident since 1999/00 (figure 2.12).

Decreases between 2007/08 and 2010/11 were recorded in all other categories except ‘other’, which stayed constant at 1 per cent.

- The proportion of decisions made by independent commissioners fell from 6 per cent to 5 per cent. This is a reverse to the upward trend evident in the previous four surveys.
- Less than 0.5 per cent of decisions were made by councillors who acted as commissioners in 2010/11, down from 3.5 per cent in 2007/08. This matches the downward trend of the past five surveys.
- The proportion of decisions made by councillors as part of a hearing panel more than halved, to 2 per cent. This matches the general downward trend of the past five surveys.

Figure 2.12: Percentage of resource consent decisions made, by decision-maker, 1999/00–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Table 2.9 shows decision-makers for each local authority type. The most significant points to note are as follows.

- The unitary authority use of council officers as decision-makers increased from 48 per cent in 2007/08 to 95 per cent in 2010/11.
- The unitary authority use of councillors as commissioners decreased from 42 per cent in 2007/08 to fewer than 0.5 per cent in 2010/11.
- The territorial authority and unitary authority use of councillors as part of a hearings panel decreased from 5 per cent to 2 per cent, and from 8 per cent to 1 per cent, respectively.

Table 2.10: Percentage of resource consent decisions made, by decision-maker and local authority type, 1997/98–2010/11

Local authority type		Regional	Territorial	Unitary	All
Local authority officers	1997/98 (n = 83)	89%	93%	55%	90%
	1998/99 (n = 86)	90%	84%	65%	84%
	1999/00 (n = 86)	90%	84%	54%	83%
	2001/02 (n = 86)	91%	85%	53%	84%
	2003/04 (n = 85)	90%	90%	54%	87%
	2005/06 (n = 84)	93%	89%	50%	87%
	2007/08 (n = 84)	92%	87%	48%	85%
	2010/11 (n = 78)	91%	88%	95%	91%
Independent commissioners	1997/98 (n = 83)	1%	< 0.5%	1%	1%
	1998/99 (n = 86)	1%	1%	1%	1%
	1999/00 (n = 86)	1%	1%	1%	1%

Local authority type		Regional	Territorial	Unitary	All
	2001/02 (n = 86)	2%	1%	1%	1%
	2003/04 (n = 85)	1%	1%	1%	1%
	2005/06 (n = 84)	1%	4%	1%	3%
	2007/08 (n = 84)	3%	7%	2%	6%
	2010/11 (n = 78)	3%	9%	3%	5%
Councillors acting as commissioners	1997/98 (n = 83)	1%	1%	38%	3%
	1998/99 (n = 86)	2%	7%	30%	8%
	1999/00 (n = 86)	1%	8%	39%	10%
	2001/02 (n = 86)	1%	8%	29%	8%
	2003/04 (n = 85)	1%	5%	41%	7%
	2005/06 (n = 84)	< 0.5%	3%	45%	5%
	2007/08 (n = 84)	0%	0%	42%	4%
	2010/11 (n = 78)	< 0.5%	< 0.5%	< 0.5%	< 0.5%
Councillors as part of a hearings panel	1997/98 (n = 83)	8%	6%	5%	6%
	1998/99 (n = 86)	6%	6%	4%	6%
	1999/00 (n = 86)	6%	6%	6%	6%
	2001/02 (n = 86)	4%	5%	5%	5%
	2003/04 (n = 85)	6%	4%	4%	4%
	2005/06 (n = 84)	4%	3%	5%	3%
	2007/08 (n = 84)	3%	5%	8%	5%
	2010/11 (n = 78)	3%	2%	1%	2%
Other (eg, mixed panel of councillors/commissioners)	1997/98 (n = 83)	1%	0%	1%	< 0.5%
	1998/99 (n = 86)	1%	1%	< 0.5%	1%
	1999/00 (n = 86)	2%	1%	1%	1%
	2001/02 (n = 86)	2%	< 0.5%	12%	2%
	2003/04 (n = 85)	2%	< 0.5%	0%	< 1%
	2005/06 (n = 84)	2%	1%	0%	1%
	2007/08 (n = 84)	2%	1%	0%	1%
	2010/11 (n = 78)	3%	< 0.5%	< 0.5%	1%

Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Notes:

Data from seven former territorial authorities and one regional council in the Auckland region are now included under unitary authorities after the establishment of the Auckland Council.

The survey question on which this table was based was amended in 2005/06 to clarify its intent. Nonetheless, the response from each survey period remains comparable. Because of rounding, the percentages do not always sum to 100 per cent.

Requests for independent commissioners

In 2010/11 for the first time local authorities were asked how many requests for independent commissioners were made under section 100A of the RMA (question 1.16). The data in table 2.10 provides a baseline for 2010/11, for future comparisons.

For all authority types, requests for independent commissioners to act as decision-makers form only a small proportion of the total consents processed: fewer than 0.5 per cent in all cases.

In total, 66 requests for independent commissioners were made. Of these, 44 were made by the applicants and 22 by submitters.

Among councils, almost two-thirds of requests (42) were received by unitary authorities. Regional councils received only 3 per cent of requests (2).

Table 2.11: Number and percentage of requests for independent commissioners, by local authority type, 2010/11

Local authority type	Requested by applicant		Requested by submitters		Total, by authority type	
Regional	2	0.02%	0	0.00%	2	0.02%
Territorial	21	0.15%	1	0.01%	22	0.16%
Unitary	21	0.17%	21	0.17%	42	0.33%
Total by requestor	44		22		66	

Source: 2010/11 RMA survey data.

Note: The 2010/11 survey is the first time data has been collected on requests for independent commissioners.

2.10 Objections and appeals

Objecting and appealing council decisions

Under sections 357(1), 357A(1) and 357B(1) of the RMA, an applicant can object to a local authority decision on matters such as the completeness of a resource consent application or any change, cancellation or review of an application that was not notified.

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

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

As in previous surveys, local authorities were asked how many objections and appeals applicants made on resource consent decisions (questions 1.18 to 1.20).

Objections made under section 357 of the RMA

In 2010/11 the total number of objections to consent decisions made under section 357 of the RMA was 480, representing 1.33 per cent of all consent decisions (table 2.11). This is a decrease from the 2007/08 survey, which revealed that 2 per cent had been objected to. The 2010/11 result continues the upward trend evident over the last three surveys.

Table 2.12: Number and percentage of objections under section 357, by local authority type, 2010/11

Local authority type	Objections	
	Number	Percentage
Regional	18	0.19%
Territorial	257	1.81%
Unitary*	205	1.63%
Total	480	1.33%

Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

* Auckland Council received 192 objections of the 205 total for unitary authorities.

Appeals to the Environment Court

For regional councils and territorial authorities, the actual number of resource consent decisions appealed to the Environment Court dropped between 2007/08 and 2010/11 (table 2.12):

- The proportion of the decisions appealed to the Environment Court by regional councils also decreased, from 2.7 per cent in 2007/08 to 1.7 per cent in 2010/11.
- The proportion of territorial authority decisions appealed to the Environment Court was similar, 0.8 per cent and 0.73 per cent in the two surveys respectively.

There has been a drop in the number of appeals as a proportion of the total consents processed by unitary authorities, from 2.2 per cent in 2007/08 to 0.75 per cent in 2010/11.

No discernible pattern in the figures is apparent for any one of the local authority types.

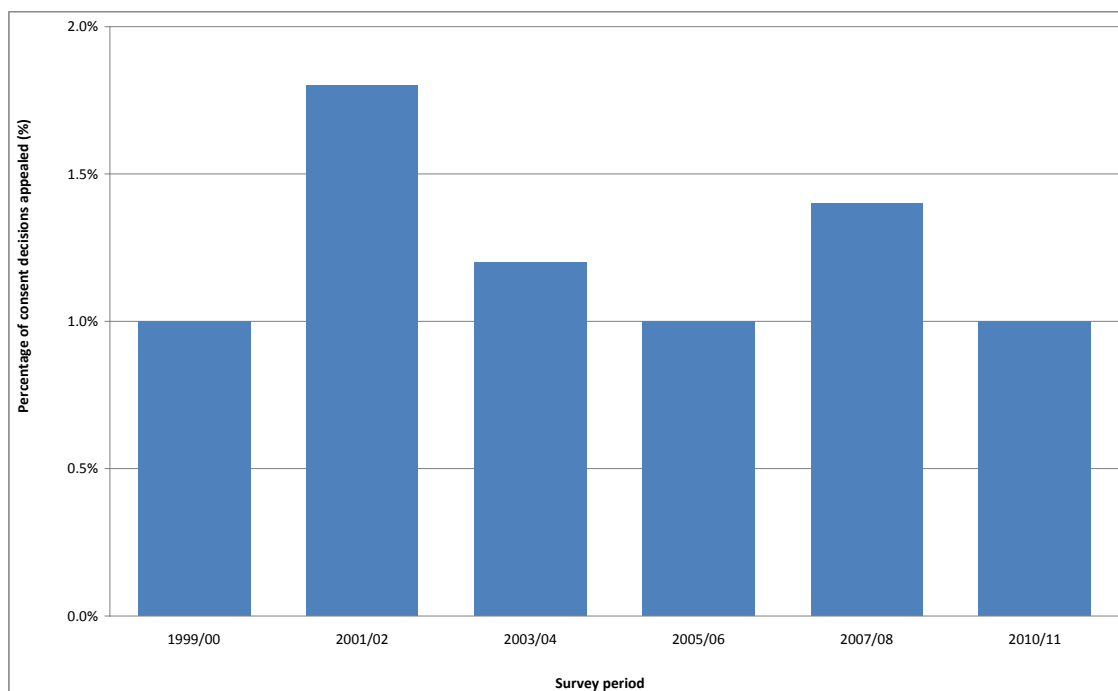
More appeals to the Environment Court were made under section 120 and section 358 of the RMA. In 2010/11 the total was 357, in 2007/08 the number was 722, and in 2005/06 it was 543.

Table 2.13: Number and percentage of resource consent decisions appealed to the Environment Court, by different authority types, 1999/00–2010/11

Survey period	Regional councils		Unitary authorities		Territorial authorities		All	
	Number of consents	Percentage of consents	Number of consents	Percentage of consents	Number of consents	Percentage of consents	Number of consents	Percentage of consents
2010/11 (n = 78)	158	1.71%	95	0.75%	104	0.73%	357	1.0%
2007/08 (n = 84)	331	2.70%	90	2.20%	301	0.80%	722	1.40%
2005/06 (n = 84)	190	1.60%	82	2.10%	271	0.80%	543	1.00%
2003/04 (n = 85)	308	2.90%	35	0.80%	308	0.80%	651	1.20%
2001/02 (n = 86)	437	3.80%	85	2.00%	371	1.10%	893	1.80%
1999/00 (n = 79)	96	1.20%	61	1.50%	329	0.90%	486	1.00%

Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Figure 2.13: Percentage of resource consent decisions appealed, 1999/00–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Table 2.13 provides 2010/11 data on how many local authority decisions that were objected to under section 357 of the RMA were then appealed to the Environment Court under sections 358 and 120 of the RMA:

- 6 of the 480 decisions objected to were appealed to the Court
- 351 appeals were made under section 120.

Table 2.14: Number of objections under section 357, and appeals to the Environment Court under sections 358 and 120 of the RMA, 2010/11

Local authority type	Objections under section 357 of the RMA	Objections under section 357 of the RMA that were then appealed to the Environment Court under section 358	Appeals under section 120
Regional	18	0	158
Territorial	257	6	98
Unitary	205	0	95
Total	480	6	351

Source: 2010/11 RMA survey data.

3.0 Timeliness

This section of the report provides information on timeframes for processing resource consent applications, along with any emerging trends. All data was sourced from questions 2.1–2.3 in the survey. The topics covered are:

- resource consent applications processed on time
- use of section 37 to extend time limits.

The survey questions addressed in this section are provided in full in appendix 7.

3.1 Resource consent applications processed on time

Local authorities were asked how many resource consent applications of each type were processed on time in the 2010/11 financial year. This includes resource consent applications where the time limits were formally extended by local authorities under section 37 of the RMA.

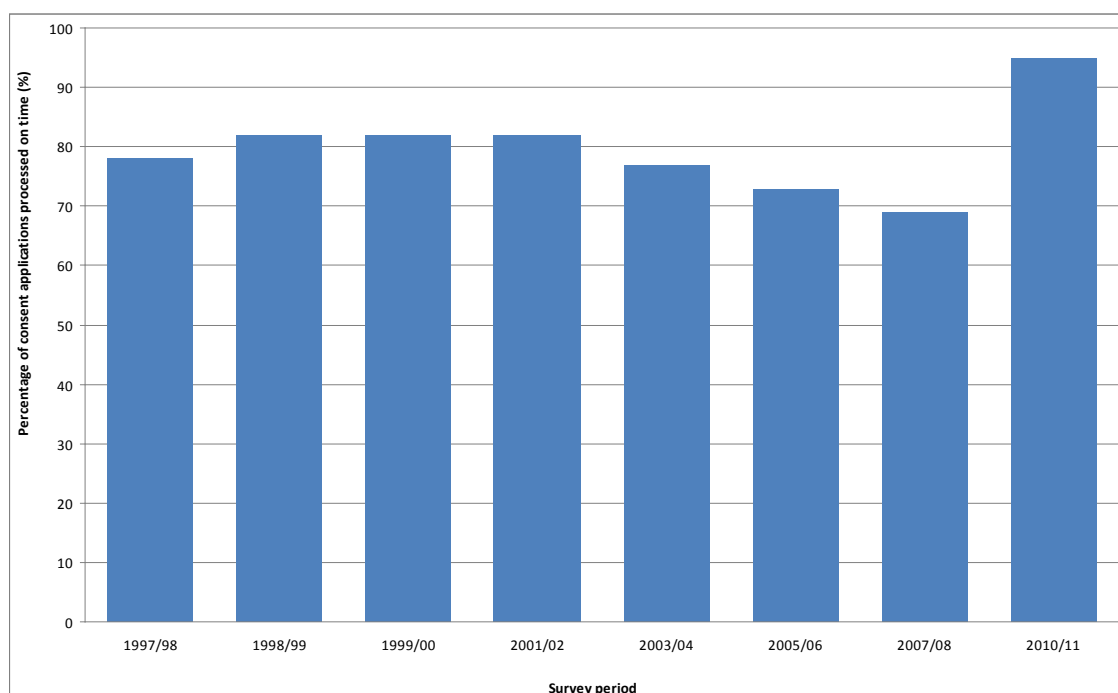
Extending the time limits of consent applications

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

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

In 2010/11 the overall percentage of consent applications processed on time was 95 per cent, an increase from the 69 per cent processed on time in 2007/08. The 2007/08 result was the lowest recorded in any survey since 1997/98 (inclusive). The 2010/11 result reverses the downward trend begun in 2001/02. Figure 3.1 shows the percentage of resource consent applications processed on time over eight surveys.

Figure 3.1: Percentage of resource consent applications processed on time, 1997/98–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Note:

The data includes applications where the time limits were formally extended by local authorities under section 37 of the RMA.

Resource consent applications processed on time, by consent type

In 2010/11 the proportion of resource consent applications processed on time increased for all consent types, ranging between 93 and 97 per cent processed within time limits. Table 3.1 and figure 3.2 show the proportion of resource consent applications processed on time, by consent type, for eight survey periods. They show that:

- the results for 2010/11 are the highest proportion of resource consent applications processed on time for the eight surveys conducted since 1997/98
- processing times for all consent types improved
- there was a reverse in the long-term downward trend in processing times for subdivision, land-use, coastal and discharge resource consent applications
- there was a long-term upward trend in the proportion of water consents processed on time
- discharge consents had the highest proportion processed on time, at 97 per cent.

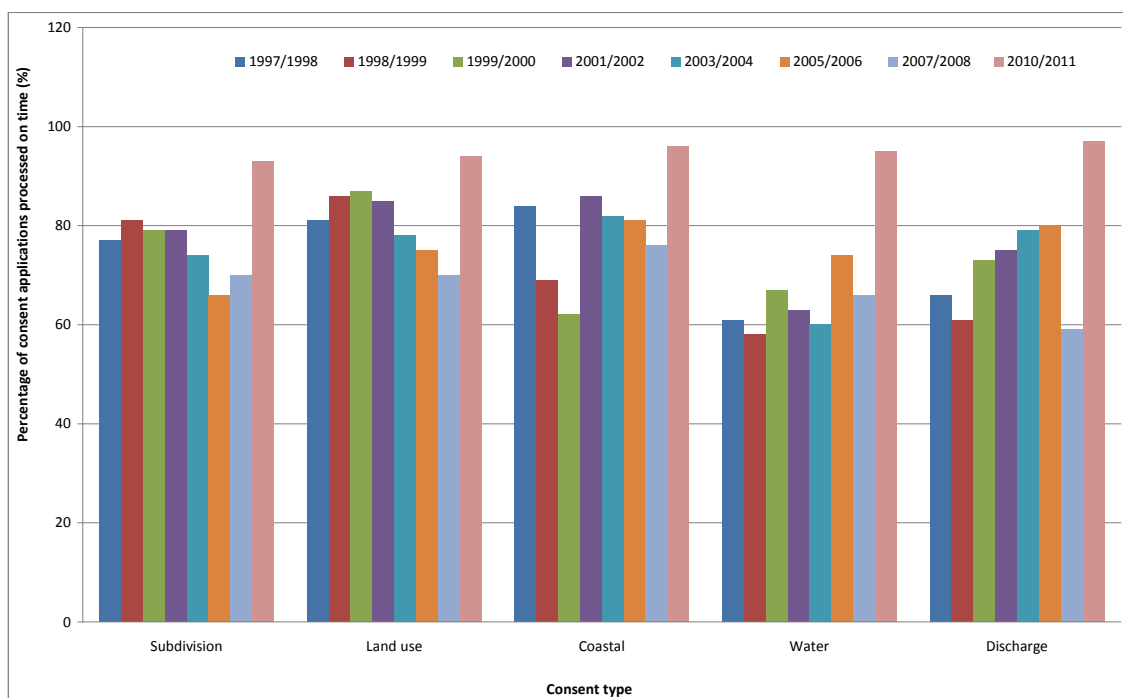
Table 3.1: Percentage of resource consent applications processed on time, by consent type, 1997/98–2010/11

Survey period	Subdivision	Land use	Coastal	Water	Discharge	Total
2010/11	93%	95%	96%	95%	97%	95%
2007/08	70%	70%	76%	66%	59%	69%
2005/06	66%	75%	81%	74%	80%	73%

Survey period	Subdivision	Land use	Coastal	Water	Discharge	Total
2003/04	74%	78%	82%	60%	79%	77%
2001/02	79%	85%	86%	63%	75%	82%
1999/00	79%	87%	62%	67%	73%	82%
1998/99	81%	86%	69%	58%	61%	82%
1997/98	77%	81%	84%	61%	66%	78%

Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Figure 3.2: Percentage of resource consent applications processed on time, by consent type, 1997/98–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Note: The data includes applications where the time limits were formally extended by local authorities under section 37 of the RMA.

Resource consent applications processed on time, by notification type

Local authorities were asked for the number of notified, limited notified or non-notified resource consent applications processed on time. (The notification types are explained in the previous section.) This includes resource consent applications where the time limits were formally extended by local authorities under section 37 of the RMA.

Table 3.2 and figure 3.3 show the percentage of resource consent applications processed on time, by notification type, for the four most recent survey periods. The 2010/11 results reverse the downward trend of the previous three surveys and show an increase in timeliness across all notification types.

Following are the key findings.

- Eighty-seven per cent of publicly notified resource consent applications were processed on time, an increase on the 2007/08 result and the largest percentage increase among all three notification types.
- Eighty-six per cent of limited notified resource consent applications were processed on time up from 57 per cent in 2007/08.
- Ninety-five per cent of non-notified resource consent applications were processed on time. The percentage of non-notified consent applications processed on time remains the highest of the three notification types.

Table 3.2: Percentage of applications processed on time, by notification type, 2003/04–2010/11

	2003/04	2005/06	2007/08	2010/11
Publicly notified	56%	56%	52%	87%
Limited notified	74%	60%	57%	86%
Non-notified	78%	74%	70%	95%

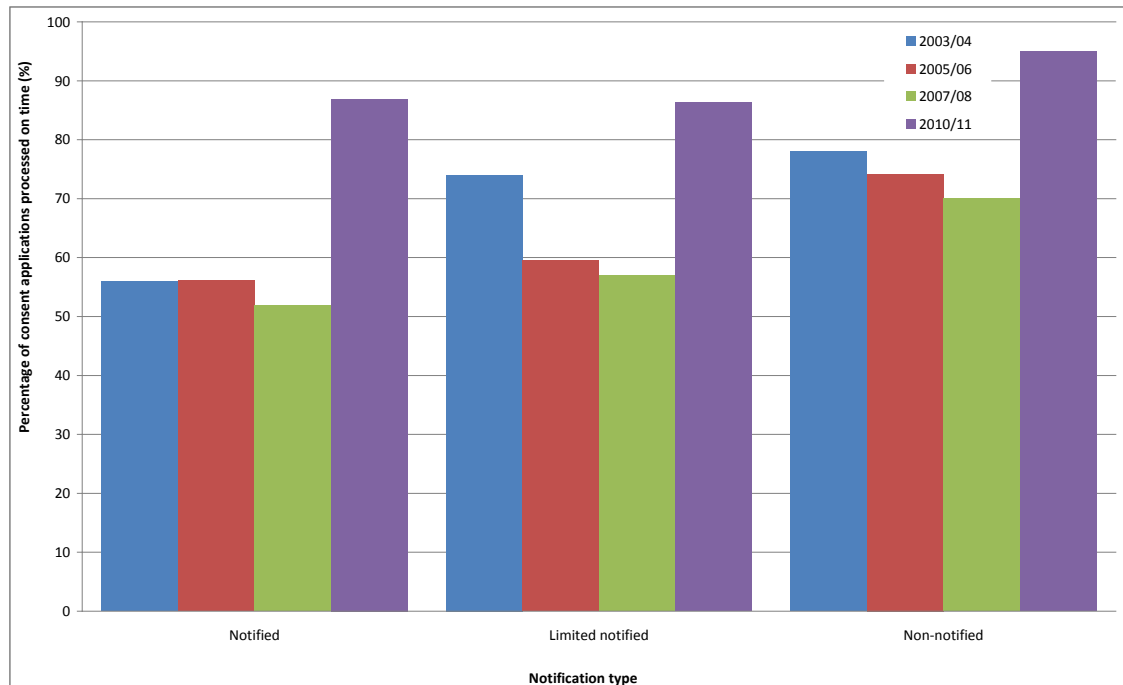
Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Notes:

The data includes applications where the time limits were formally extended by local authorities under section 37 of the RMA.

This table excludes some results from a previous survey, when one local authority provided notified and non-notified consent application numbers as a combined figure.

Figure 3.3: Percentage of resource consent applications processed on time, by notification type, 2003/04–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Notes:

The data includes applications where the time limits were formally extended by local authorities under section 37 of the RMA.

Data for this figure excludes some results from a previous survey, when one local authority provided notified and non-notified consent application numbers as a combined figure.

Resource consent applications processed on time, by notification type and local authority type

Table 3.3 shows the percentage of each type of resource consent application processed on time for each type of local authority.

The key findings are as follows.

- The largest proportional increase between the two surveys was in regional councils' processing of publicly notified consents. This increased from 52 per cent processed on time in 2007/08 to 93 per cent in 2010/11.
- Regional councils processed the highest proportion of timely consents across all notification types (97 per cent).
- Although unitary authorities processed the lowest proportion of all types of consent applications on time (92 per cent), this was still an increase from 52 per cent in 2007/08 .
- Territorial authorities increased the proportion of resource consent applications processed on time across all notification types from 70 per cent in 2007/08 to 95 per cent in 2010/11.

Table 3.3: Percentage of resource consent applications processed on time, by notification type and local authority type, 2005/06 and 2007/08

Local authority type	Publicly notified		Limited notified		Non-notified		Total	
	2010/11	2007/08	2010/11	2007/08	2010/11	2007/08	2010/11	2007/08
Regional	93%	52%	94%	61%	98%	71%	97%	69%
Unitary	83%	52%	82%	55%	93%	67%	92%	63%
Territorial	81%	51%	84%	55%	95%	70%	95%	70%
All	87%	52%	86%	57%	95%	70%	95%	69%

Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Note: The data includes applications where the time limits were formally extended by local authorities under section 37 of the RMA.

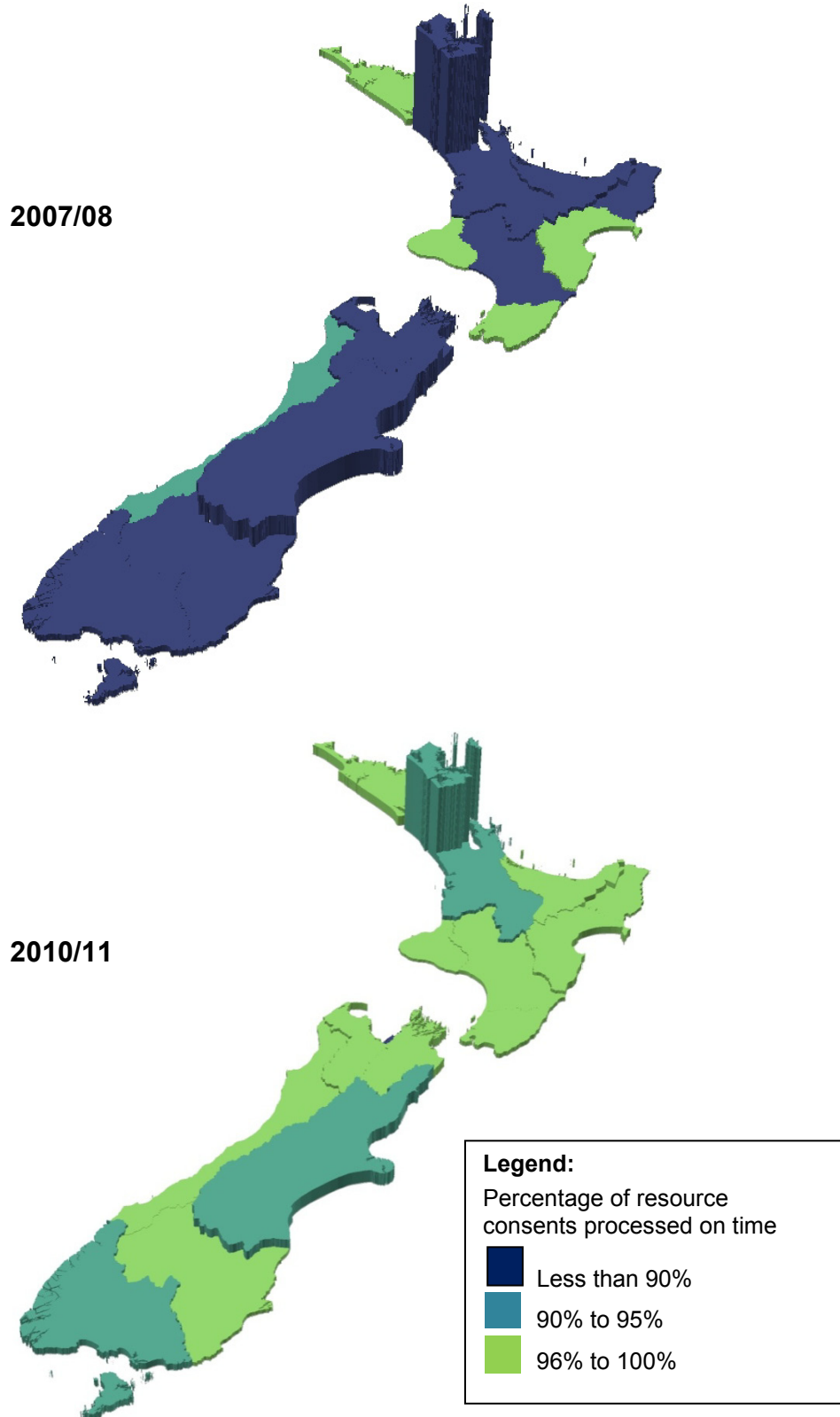
The increase in timeliness between these two survey periods is also represented in figures 3.4a and 3.4b. The maps compare the percentage of resource consent applications processed on time, and the number of resource consents processed, for local authorities in 2007/08 and 2010/11. Figure 3.4a represents regional councils and unitary authorities; figure 3.4b represents territorial authorities.

The key findings are as follows.

- In 2010/11, most regional councils and unitary authorities processed applications on time at least 95 per cent of the time.
- In 2007/08 most of these types of authority processed fewer than 90 per cent of resource consent applications on time.
- In 2010/11 most territorial authorities processed at least 90 per cent of resource consent applications on time compared with 2007/08 results when most territorial authorities processed fewer than 90 per cent of resource consent applications on time.

Appendix 5 provides the percentage of consent applications processed on time by each local authority in 2010/11.

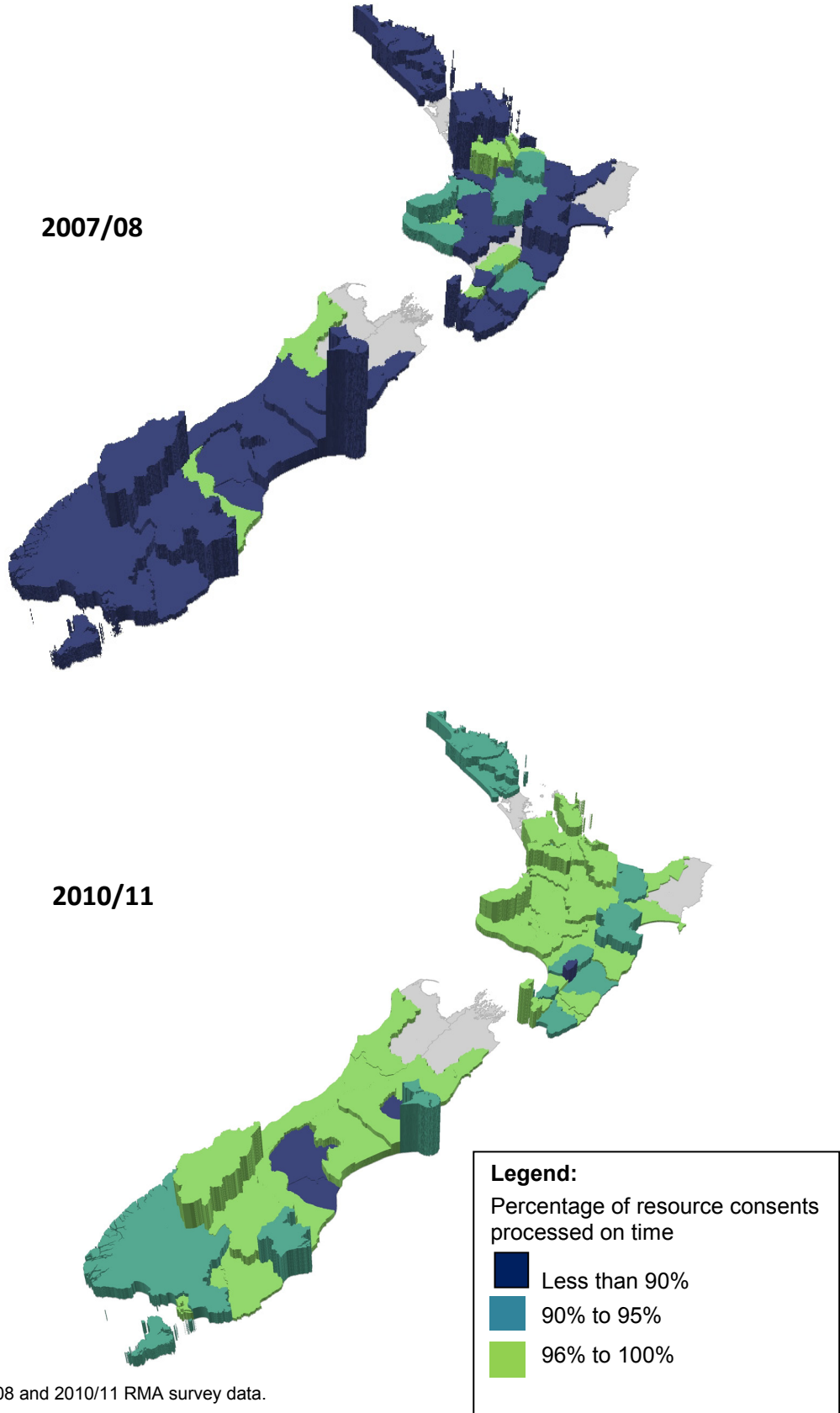
Figure 3.4a: Percentage of resource consents processed on time, and number of resource consents processed, for regional councils and unitary authorities, 2007/08 and 2010/11



Source: 2007/08 and 2010/11 RMA survey data.

Note: The Chatham Island District Council, a unitary authority, is not shown.

Figure 3.4b: Percentage of resource consents processed on time, and number of resource consents processed, for territorial authorities, 2007/08 and 2010/11



Source: 2007/08 and 2010/11 RMA survey data.

Note: Unitary authorities are shown in grey.

3.2 Use of section 37 to extend time limits

Local authorities were asked whether they used section 37 of the RMA to extend the time limits set in the RMA for each type of resource consent application processed: notified, limited notified and non-notified. Extending the time limits can be done using the following clauses.

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

Changes to the use of section 37

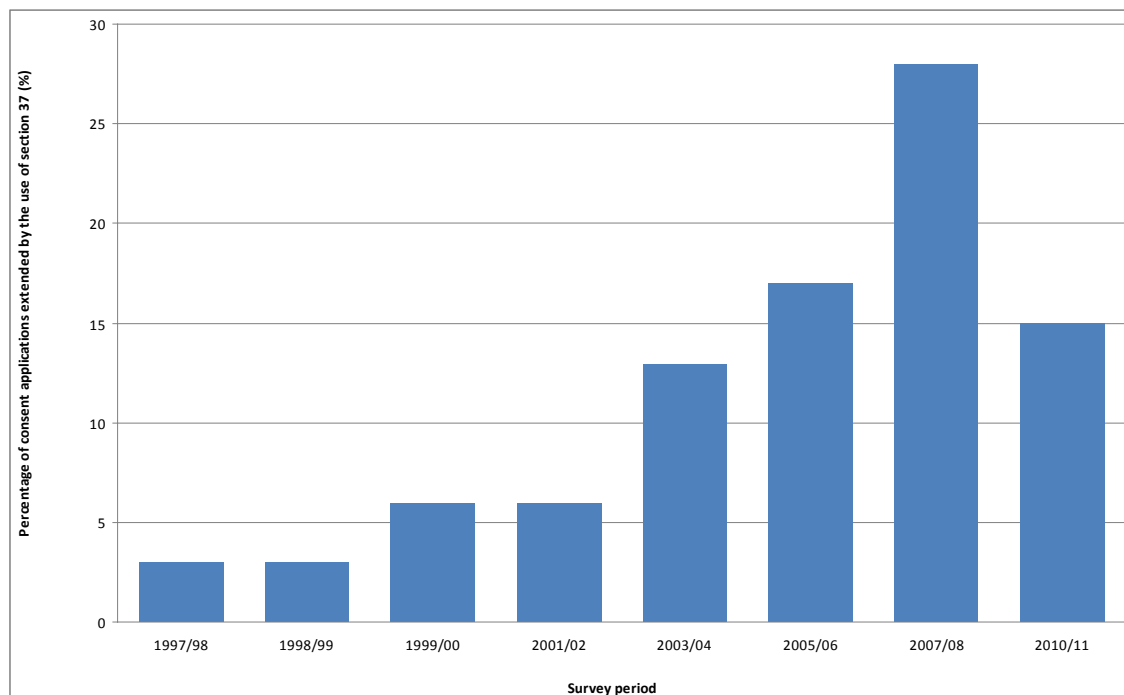
Amendments were introduced to the provisions of section 37 by the Resource Management (Simplifying and Streamlining) Amendment Act 2009.

A consent authority may now only extend a time period under the Act if either:

- special circumstances apply, or
- the applicant agrees to the extension.

In 2010/11 section 37 was used for 15 per cent of all consent applications processed down from 2007/08, when section 37 was used for 28 per cent of all applications processed. This reverses the upward trend over the previous seven surveys (figure 3.5).

Figure 3.5: Percentage of total resource consent applications extended by the use of section 37, 1997/98–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Notes:

The data includes applications where the time limits were formally extended by local authorities under section 37 of the RMA.

As a result of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 section 37A now states that a consent authority may only extend the time period under section 37 up to twice the maximum specified in the RMA if special circumstances apply or the applicant agrees. Time periods may be extended more than twice only if the applicant agrees. This may influence comparisons with other surveys, as the restriction was not in place for the 2007/08 and earlier surveys.

In 2010/11, 22 per cent of local authorities (17 out of 78) did not use section 37 for any type of resource consent application. This is an increase from 2007/08 and 2005/06 results, when 13 per cent (12 out of 84) and 18 per cent (15 out of 85) did not use section 37.

Table 3.4 shows the total number and proportion of local authorities that did not use section 37 in the 2010/11 survey, for each type of resource consent application.

Table 3.4: Number and percentage of local authorities that did not use section 37, for each type of resource consent application, 2010/11

	Publicly notified	Limited notified	Non-notified	All types of consent
Total number of local authorities that did not use section 37	40	39	20	17
Percentage of local authorities that did not use section 37	51%	50%	26%	22%

Source: 2010/11 RMA survey data.

4.0 Charges

This section provides information on resource consent application charges, including:

- resource consent processing charges to applicants
- RMA administrative charges and objections
- Resource Management (Discount on Administrative Charges) Regulations 2010.

Under the Local Government Act 2002 (the LGA), local authorities must adopt funding and financial policies to provide predictability and certainty about the sources and levels of their funding. Although most local authority funding of resource consent application processing is derived from fees and charges to the applicant, some local authorities subsidise their fees and costs using other income streams (eg, rates).

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

Data limitations

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

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

The 2010/11 survey was the first time that local authorities were asked for the total amounts they charged applicants for each consent and notification type, administrative charges and discount regulations. Therefore, trends in the responses to these questions cannot be provided.

4.1 Local authority charges to applicants

Local authorities were asked what their minimum, median, maximum and total charges were for resource consent applications for each notification and consent type (appendix 7, questions 3.1–3.3).

Regional council charges

Table 4.1 shows the average minimum, median, maximum and total charges levied by regional councils for each consent and notification type in 2010/11. The ranges of average median charges were, in descending order:

- notified consent applications: \$4723–\$17,396
- limited notified consent applications: \$1144–\$3737
- non-notified consent applications: \$673–\$1012.

In other words, notified consent applications had higher average median charges than limited notified consent applications, and limited notified consent applications had higher average median charges than non-notified consent applications. The highest average charge was \$45,192, which was the average maximum charge for notified discharge consent applications. The lowest average charge was \$187, which was the average minimum charge for non-notified land-use consent applications.

Table 4.1 does not include information on subdivision consent application charges because regional councils do not process subdivision consent applications.

Table 4.1: Regional council average charges to applicants for resource consent application processing, by consent type and notification type, 2010/11

Consent type	Notification type	Average minimum charge	Average median charge	Average maximum charge	Total charges	Number of local authorities providing data
Land use	Notified	\$1,920	\$4,723	\$15,961	\$556,222	7
	Limited notified	\$1,358	\$3,479	\$10,390	\$232,842	10
	Non-notified	\$187	\$673	\$11,566	\$2,233,095	11
Water	Notified	\$5,731	\$17,396	\$43,389	\$1,704,947	10
	Limited notified	\$1,581	\$3,737	\$8,169	\$248,269	10
	Non-notified	\$201	\$1,012	\$7,115	\$2,218,851	11
Coastal	Notified	\$3,046	\$8,744	\$33,326	\$825,727	8
	Limited notified	\$690	\$1,144	\$4,052	\$38,651	4
	Non-notified	\$480	\$834	\$5,883	\$679,655	10
Discharge	Notified	\$4,509	\$10,726	\$45,192	\$1,713,119	10
	Limited notified	\$1,534	\$2,720	\$12,100	\$334,204	10
	Non-notified	\$246	\$826	\$11,566	\$3,282,778	11

Source: 2010/11 RMA survey data.

Unitary authority charges

Table 4.2 shows the average minimum, median, maximum and total charges levied by unitary authorities for each consent and notification type in 2010/11. The ranges of average median charges were, in descending order:

- notified consent applications: \$7934–\$19,433
- limited notified consent applications: \$4868–\$11,296
- non-notified consent applications: \$1182–\$1861.

In other words, notified consent applications generally had higher average median charges than limited notified consent applications, and limited notified consent applications had higher average median charges than non-notified consent applications. The highest average charge was

\$65,027, which was the average maximum charge for notified subdivision consent applications. The lowest average charge was \$187, which was the average minimum charge for non-notified land-use consent applications.

Table 4.2: Unitary authority average charges to applicants for resource consent application processing, by consent type and notification type, 2010/11

Consent type	Notification type	Average minimum charge	Average median charge	Average maximum charge	Total charges	Number of local authorities providing data
Land use	Notified	\$3,096	\$12,937	\$51,811	\$2,277,368	6
	Limited notified	\$2,042	\$7,378	\$64,747	\$1,543,171	5
	Non-notified	\$187	\$1,182	\$45,985	\$14,540,652	5
Water	Notified	\$2,800	\$19,433	\$42,709	\$489,926	3
	Limited notified	\$5,219	\$5,246	\$8,076	\$40,952	4
	Non-notified	\$703	\$1,861	\$40,087	\$541,160	5
Coastal	Notified	\$5,833	\$11,550	\$58,688	\$1,316,085	6
	Limited notified	\$4,407	\$4,868	\$5,921	\$719,063	2
	Non-notified	\$463	\$1,242	\$9,509	\$451,569	5
Discharge	Notified	\$4,921	\$7,934	\$34,451	\$534,494	4
	Limited notified	\$4,646	\$11,296	\$28,966	\$184,779	3
	Non-notified	\$193	\$1,764	\$12,239	\$1,300,236	5
Subdivision	Notified	\$2,809	\$11,521	\$65,027	\$659,636	5
	Limited notified	\$3,801	\$6,537	\$12,278	\$204,676	5
	Non-notified	\$340	\$1,581	\$25,253	\$5,403,269	6

Source: 2010/2011 RMA survey data.

Comparisons of median charges by regional councils and unitary authorities, by notification type

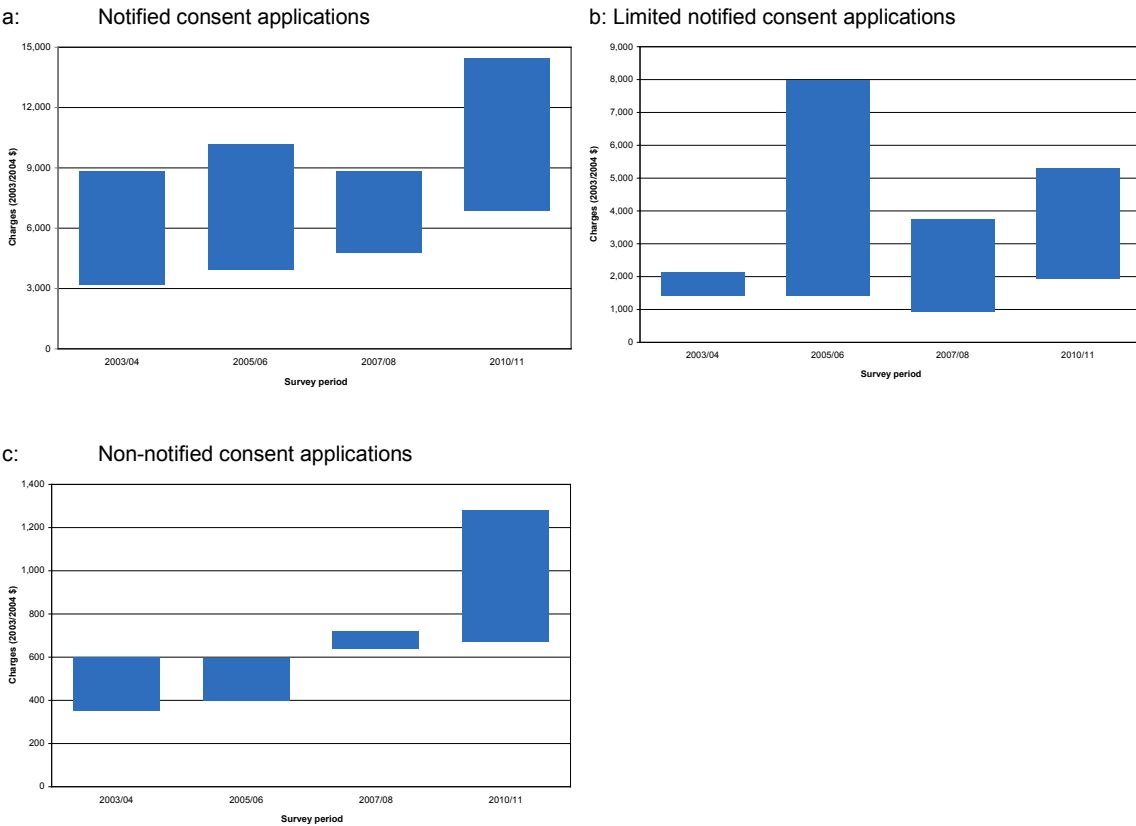
Figures 4.1a–c compare the ranges of the average median charges levied by regional councils and unitary authorities in 2010/11 with the previous two survey results, according to the different notification types. The ranges are derived from the highest and lowest average median charge for each notification type. For example, the 2010/11 range for notified consent applications uses the average median charge for a notified water consent application for the upper range and the notified land use charge for the lower range. This is because, for notified consent applications, charges for water consent applications are the highest, on average, of the four consent types and charges for land-use consent applications are the lowest, on average, of the four consent types. The charges are provided in 2003/04 dollars to remove any inflationary effect and to allow a direct comparison to be made across years.

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

Figures 4.1a, 4.1b and 4.1c show that the ceiling for average median charges for consent applications of all notification types increased in 2010/11 compared to the last survey. In 2010/11 the ceilings for average median charges for notified and non-notified consent applications were the highest they have been over the past four survey periods. The lower average median charges for notified and limited notified consent applications were also the highest they have been over the past four survey periods.

In some years the range of average median charges is clearly larger than in other years, such as the 2005/06 range in figure 4.1b and the 2010/11 range in figure 4.1c. These larger ranges indicate greater variation in the average median charges for the different consent types in that year.

Figure 4.1: Range of average median charges for regional councils and unitary authorities, by notification type, 2003/04–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.
 Note: Charges are provided in 2003/04 dollars to remove any inflationary effect and to allow a direct comparison to be made across years.

Territorial authority charges

Table 4.3 shows the average minimum, median, maximum and total charges levied by territorial authorities in 2010/11. The ranges of average median charges were, in descending order:

- notified consent applications: \$10,562–\$19,499
- limited notified consent applications: \$5435–\$5651
- non-notified consent applications: \$934–\$1312.

As with regional councils, notified consent applications had higher average median charges than limited notified consent applications, and limited notified consent applications had higher average median charges than non-notified consent applications. The highest average charge was \$35,985, which was the average maximum charge for notified land-use consent applications. The lowest average charge was \$208, which was the average minimum charge for non-notified land-use consent applications.

Table 4.3 does not include information on water, coastal or discharge consent application charges because territorial authorities do not process these types of consents.

Table 4.3: Territorial authority average charges to applicants for consent application processing, by consent type and notification type, 2010/11

Consent type	Notification type	Average minimum charge	Average median charge	Average maximum charge	Total charges	Number of local authorities providing data
Subdivision	Notified	\$7,607	\$10,562	\$14,609	\$976,040	25
	Limited notified	\$3,174	\$5,435	\$8,342	\$665,581	31
	Non-notified	\$433	\$1,312	\$11,779	\$7,665,834	60
Land use	Notified	\$14,471	\$19,499	\$35,985	\$3,068,656	41
	Limited notified	\$2,700	\$5,651	\$8,342	\$1,566,988	47
	Non-notified	\$208	\$934	\$9,814	\$10,488,172	60

Source: 2010/11 RMA survey data.

Comparisons of median charges, by notification type

Figures 4.2a–c compare the ranges of the average median charges levied by territorial authorities in 2010/11 with the previous two survey results according to the different notification types. The ranges are derived in a similar way to those in figures 4.1a–c. The charges are provided in 2003/04 dollars to remove any inflationary effect and to allow a direct comparison to be made across years.

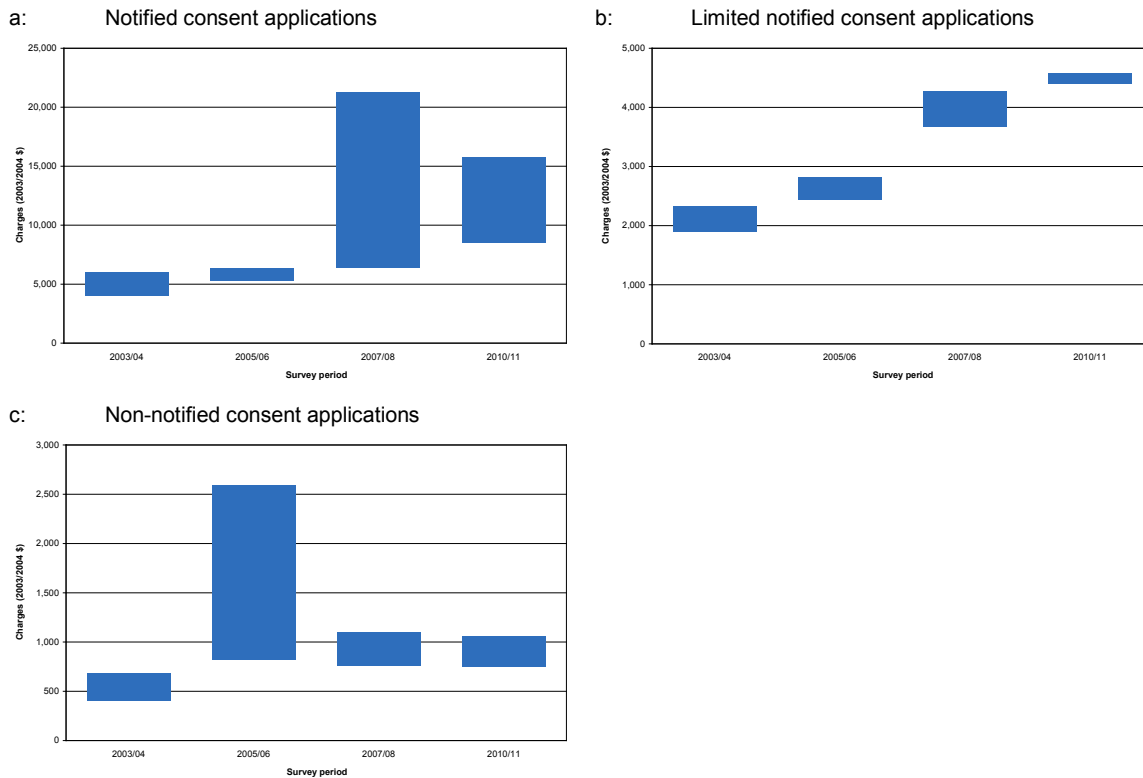
It is important to note that more complex consent applications need more processing work and are therefore likely to have higher charges than less complex consent applications. However, the survey questions don't take consent application complexity into account. This makes it difficult to determine the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

In 2010/11 there was some reduction in territorial authority charges for notified consent applications (figure 4.2a). The uppermost average median charge for notified consent applications was lower in 2010/11 than in the previous survey. However, the lower average median charge for notified consent applications increased and was the highest it has been over the past four survey periods.

In 2010/11 territorial authority charges for limited notified consent applications increased (figure 4.2b). Figure 4.2b shows that the entire range of average median charges for limited notified consent applications was higher in 2010/11 than in the previous three surveys; that is, there is no overlap between the 2010/11 range of costs and those in previous surveys.

The range of average median charges for non-notified consent applications in 2010/11 remained similar to the average median charges in the previous survey (figure 4.2c). In some years the range of average median charges is clearly larger than in other years – such as the 2007/08 range in figure 4.2a. These larger ranges indicate greater variation in the average median charges for the different consent types in that year.

Figure 4.2: Range of average median charges for territorial authorities, by notification type, 2003/04–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Note: Charges are provided in 2003/04 dollars to remove any inflationary effect and to allow a direct comparison to be made across years.

4.2 RMA administrative charges and objections

Local authorities were asked how many resource consent applications were charged a processing fee under section 36 and how many cost recovery invoices were reduced due to objections under section 357B (appendix 7, questions 3.5, 3.6 and 3.7). The 2010/11 survey was the first time local authorities were asked these questions, which means that trends in the responses to these questions cannot be provided.

Administrative charges

Section 36 of the RMA sets out the provisions under which local authorities can fix administrative charges relating to the council's functions and responsibilities under the Act. Local authorities can recover reasonable costs under section 36 of the RMA by either:

- fixed charges that are payable in advance for the entire consent processing activity (also known as processing fee charges), or
- a fixed initial deposit or interim charges payable in advance, with the balance of actual and reasonable costs (also known as additional charges) being charged in arrears at the completion of the consent process.

Additional charges are subject to rights of objection and appeal. Local authorities are not limited to section 36 for setting charges. Information on other provisions for recovering costs are not recorded in the 2010/11 RMA survey.

Processing fee charges

In 2010/11, 92 per cent (33,015) of resource consent applications were charged a processing fee. Regional councils and territorial authorities charged a similar proportion of resource consent applications a processing fee: 98 per cent and 97 per cent, respectively. Unitary authorities charged 81 per cent of resource consent applications a processing fee.

Cost recovery invoices reduced due to objections

Cost recovery invoices are for the additional charges (or the charges beyond those covered by interim or preliminary deposit charges) associated with completing the consent application process or compliance monitoring activity. In 2010/11, 198 cost recovery invoices were reduced due to complaints under section 357B. Regional councils reduced 86 of their cost recovery invoices due to complaints. Unitary authorities reduced 46 cost recovery invoices and territorial authorities reduced 66 cost recovery invoices due to complaints.

Objections to additional charges under section 357B

Objections to additional charges are often initially dealt with as informal inquiries or complaints at the council officer level. However, formal objections can be made through section 357B. Section 357B provides a right of objection by the applicant to the payment of additional charges to processing the resource consent application.

4.3 Resource Management (Discount on Administrative Charges) Regulations 2010

Local authorities were asked if they apply discounts through the Resource Management (Discount or Administration Charges) Regulations or through a council-specific discount policy (appendix 7, question 3.8). They were also asked how many resource consent applications were subject to a discount, and the total value of the discounts they provided (appendix 7, questions 3.9 and 3.11). The 2010/11 survey was the first time local authorities were asked these questions, which means that trends in the responses to these questions cannot be provided.

Providing discounts

Local authorities are required to adopt a policy to discount the administrative charges they impose under section 36 if they do not process resource consent applications, or applications to change or cancel conditions, within RMA timeframes. The aim of providing discounts is to encourage local authorities to process resource consent applications within statutory timeframes. Local authorities can apply discounts through:

- the provisions of the Resource Management (Discount on Administrative Charges) Regulations
- a council-specific discount policy.

Provision of discounts

In 2010/11, 95 per cent (74 out of 78) of local authorities applied the provisions of the Resource Management (Discount or Administrative Charges) Regulations, and approximately 1 per cent (1 out of 78) of local authorities applied a council-specific policy. Three local authorities advised that they do not use either approach.

Resource consents subject to discounts

In 2010/11, 19 per cent of resource consent applications that were processed outside of statutory timeframes were provided a discount. This equates to approximately 1 per cent (368) of all resource consent applications. There was little variation between local authority types. Regional councils provided discounts to 11 per cent (39) of resource consent applications they processed outside of statutory timeframes. Unitary and territorial authorities provided discounts to 20 per cent (189 and 140) of resource consent applications they processed outside of statutory timeframes.

In 2010/11 these discounts totalled \$204,109. Table 4.4 shows the value of discounts provided by local authority type.

There was little variation between local authority types. Regional council discounts equated to 0.5 per cent of the revenue they collected on resource consent applications, unitary authority discounts to 0.4 per cent and territorial authority discounts to 0.2 per cent.

Table 4.4: Value of discounts provided by local authorities, 2010/11

	Regional	Unitary	Territorial	Total
Number of consent applications a discount was applied to	39	189	140	368
Total value of all discounts	\$59,226	\$91,020	\$53,862	\$204,109

Source: 2010/11 RMA survey data.

Note: Majority of unitary authority figures is comprised of discounts from Auckland Council.

5.0 Monitoring, compliance, complaints and enforcement

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

- section 35(2) monitoring and reporting
- complaints about alleged breaches of the RMA
- compliance with resource consent conditions
- the compliance and enforcement regime.

5.1 Section 35(2) monitoring and reporting

Local authorities were asked for information on whether or not they monitored and reported on policies, processes and environmental outcomes as required under section 35(2) of the RMA (appendix 7, question 4.1). Under this section of the Act, local authorities are responsible for monitoring:

- the state of the environment
- the efficiency and effectiveness of policy statements and plans
- the exercise of any functions, powers or duties delegated or transferred by the local authority
- the exercise of resource consents that have effect in their region or district.

Local authorities have a responsibility to monitor the matters set out above but are only required to provide a public report on the efficiency and effectiveness of policy statements and plans once every five years.

Each local authority is required to keep reasonably available information relevant to the administration of policy statements, plans, monitoring of resource consents and current issues related to the state of the environment to enable the public to be better informed of their duties (as well as those of the local authority) and to participate effectively under the Act.

This year local authorities were also asked if they monitored compliance with permitted activity requirements. Monitoring permitted activities is not required by the Act, but because the cumulative effects of permitted activities may be large it is considered good practice to carry out a formal monitoring programme.

Section 35(5) of the RMA requires local authorities to collect and keep records of all applications for resource consents, decisions, transfers of consents and complaints. Table 5.1 shows the percentage of local authorities (by type of authority) that monitor and/or report on their section 35(2) responsibilities and that monitor compliance with permitted activity requirements.

Table 5.1: Percentage of local authorities monitoring and reporting, 2007/08 and 2010/11

Responsibility		Regional councils		Unitary authorities		Territorial authorities		All	
		2010/11	2007/08	2010/11	2007/08	2010/11	2007/08	2010/11	2007/08
State of the environment	Monitor	100%	100%	83%	80%	43%	42%	54%	53%
	Report	91%	100%	83%	80%	23%	30%	37%	43%
Suitability and effectiveness of policies and plans	Monitor	91%	100%	33%	60%	64%	64%	65%	69%
	Report	45%	75%	17%	20%	38%	35%	37%	40%
Delegated/ transferred functions	Monitor	55%	73%	50%	20%	34%	44%	38%	46%
	Report	27%	55%	33%	0%	25%	29%	26%	30%
Compliance with resource consent conditions	Monitor	100%	100%	83%	80%	89%	97%	90%	96%
	Report	91%	100%	67%	80%	48%	47%	55%	57%
Compliance with permitted activities	Monitor	91%	n/a	67%	n/a	46%	n/a	54%	n/a
	Report	82%	n/a	67%	n/a	15%	n/a	28%	n/a

State of the environment monitoring and reporting

Local authorities were asked to report on whether they had monitored and reported on the state of the environment in their district or region. In 2010/11, 100 per cent of regional councils, 83 per cent of unitary authorities and 43 per cent of territorial authorities monitored the state of the environment. Ninety-one per cent of regional councils, 83 per cent of unitary authorities and 23 per cent of territorial authorities reported on the state of the environment. Overall, 37 per cent of local authorities reported on the state of the environment.

Efficiency and effectiveness of policies and plans

Local authorities were asked to report on whether they had monitored the efficiency and effectiveness of policies, rules or other methods in their policy statements or plans. In 2010/11 the survey found that:

- 33 per cent of unitary and 64 per cent of territorial authorities carried out this type of monitoring
- 17 per cent of unitary authorities and 38 per cent of territorial authorities provided a report
- 91 per cent of regional councils carried out this type of monitoring and 45 per cent provided a report.

Exercise of delegated or transferred functions and powers

Local authorities were also asked to report on whether they had monitored and reported on the functions that may have been delegated or transferred. Fifty-five per cent of regional councils, 50 per cent of unitary authorities and 34 per cent of territorial authorities monitored functions they had delegated or transferred. This year there was a decrease from the last survey period in the number of local authorities that prepared a report on the exercise of powers delegated or transferred by them.

Permitted activities

Activities can be allowed (permitted) if prescribed in the Act, regulations (including national environmental standards) or a plan. Resource consent is not required for the activity if it complies with the requirements, conditions and permissions (if any) specified in the Act, regulations or plans.

This year local authorities were asked if they monitored, and subsequently reported on, the exercise of permitted activities. Ninety-one per cent of regional councils, 67 per cent of unitary authorities and 46 per cent of territorial authorities monitored the exercise of permitted activities. Overall, 82 per cent of regional councils, 67 per cent of unitary authorities and 15 per cent of territorial authorities provided reports describing their monitoring of permitted activities.

Reports on efficiency and effectiveness of policies, rules and methods

Section 35(2A) of the RMA requires local authorities to report at least once every five years on the results from monitoring the efficiency and effectiveness of their policy statement or plans. Table 5.2 shows that 55 per cent of regional councils, 33 per cent of unitary authorities and 10 per cent of territorial authorities provided a full report over the survey period, as required by section 35(2A).

Table 5.2: Prepared a full report under section 35(2A)

Responsibility	Regional councils		Unitary authorities		Territorial authorities		All	
	2010/11	2007/08	2010/11	2007/08	2010/11	2007/08	2010/11	2007/08
Full report s35(2A)	55%	n/a	33%	n/a	10%	n/a	18%	n/a

Source: 2010/11 and 2007/08 RMA survey data.

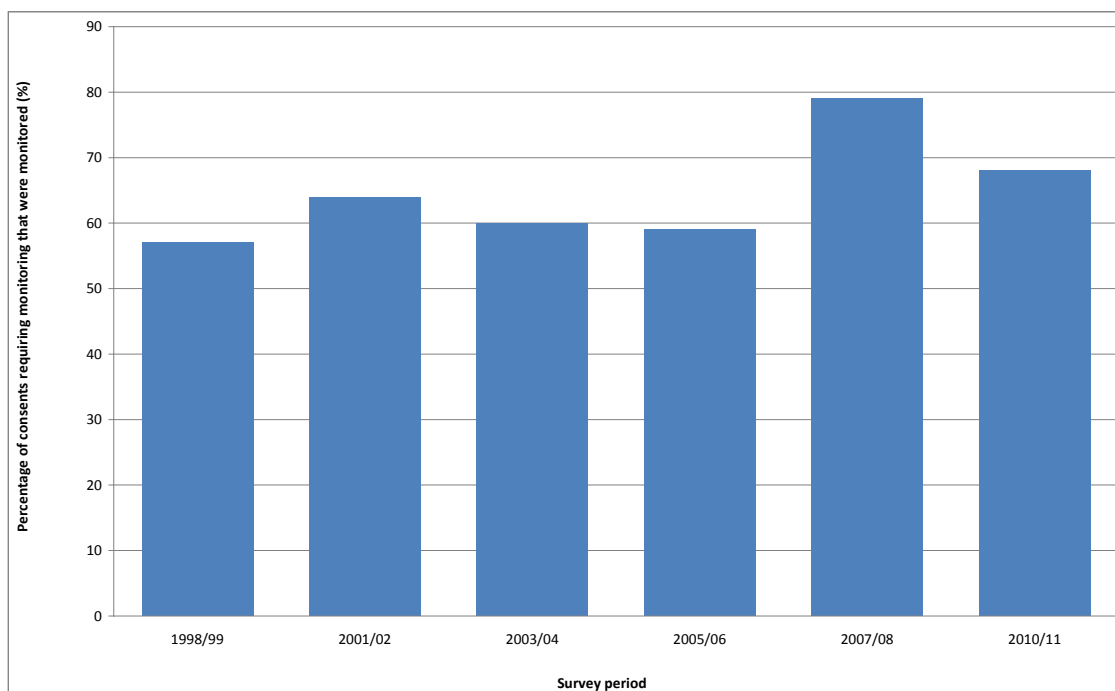
5.2 Resource consents: monitoring and compliance

Local authorities were asked for information on the number of new resource consents that required monitoring, the number of these consents that were monitored, and the number for which monitoring showed consent holders did not comply with their consent conditions (appendix 7, questions 4.4–4.7).

Consents requiring monitoring

In 2010/11, 68 per cent of new resource consents that were reported as requiring monitoring were actually monitored, down from 79 per cent in 2007/08. Figure 5.1 shows trends in the percentage of consents that were monitored for the past six surveys.

Figure 5.1: Consents requiring monitoring that were monitored, 1998/99–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Note: The result from the 1999/00 survey period is not provided because it was presented in a manner that did not allow direct comparison.

Compliance with resource consent conditions

Of the consents that required monitoring, regional councils monitored 55 per cent of these, unitary authorities 76 per cent and territorial authorities 71 per cent. Regional councils found that of the consents monitored, 77 per cent of consent holders complied with conditions, unitary authorities found that 74 per cent of consent holders complied with consent conditions, and territorial authorities found that 67 per cent of consent holders complied with consent conditions. All the results are shown in Table 5.3.

Table 5.3: Number and percentage of consents requiring monitoring, those monitored and their compliance with consent conditions, 2010/11

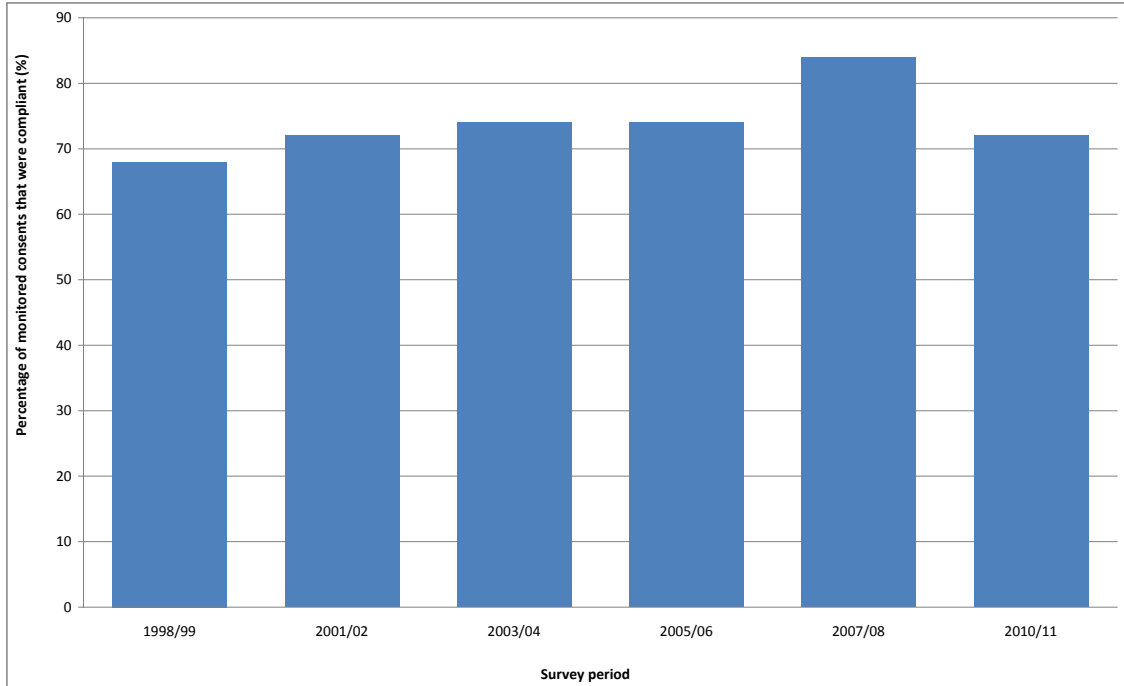
Consents processed in 2010/11	Consents requiring monitoring	Consents monitored	Percentage monitored	Percentage compliant
Regional councils (n = 11)	6,411	3,538	55%	77%
Unitary authorities (n = 6)	7,659	5,854	76%	74%
Territorial authorities (n = 61)	6,981	4,989	71%	67%
All	21,051	14,381	68%	72%

Source: 2010/11 RMA survey data.

Trends in consent holder compliance with consent conditions

Local authorities were asked how many new consents processed, that were monitored, showed that consent holders failed to comply with consent conditions (appendix 7, question 4.6). In 2010/11, 72 per cent of resource consents monitored by local authorities showed that consent holders complied with their consent conditions, a decrease from 84 per cent in 2007/08. Figure 5.2 shows that for the last six survey periods, on average, 70 per cent of consent holders complied with consent conditions.

Figure 5.2: Compliance with consent conditions, 1998/99–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

5.3 Enforcement

The RMA has a graduated compliance and enforcement regime, and local authorities have a range of options available to them to manage breaches of the Act and plans. The following formal enforcement options are available under the RMA:

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

Local authorities often also use a variety of informal measures to encourage compliance, including verbal warnings, letters and monitoring visits. Local authorities were asked for information on the number of complaints, rules in plans or consent compliance breaches they managed through different compliance and enforcement methods (appendix 7, question 4.8).

Formal and informal enforcement methods

Compliance can be achieved by either formal methods (infringement notices, abatement notices, directions or prosecution), as shown in table 5.4, or by informal methods (verbal warnings, letters, visits), as shown in table 5.5.

In 2010/11, 47 per cent of compliance was achieved through formal means and 53 per cent through informal and other means. If excessive noise directions are excluded, 14 per cent of compliance was achieved through formal means, 86 per cent through informal means.

Table 5.4: Number and percentage of formal enforcement options used to resolve complaints, plan and consent compliance breaches, 2010/11

Enforcement option	2010/11		
	Number	Percentage	Number of local authorities who used this option
Infringement notices	1,851	8%	46
Abatement notices	2,574	11%	56
Enforcement orders	32	<0.5%	13
Prosecutions	135	1%	17
Excessive noise directions	19,567	81%	50
Total	24,159	100%	69

Source: 2010/11 RMA survey data.

Table 5.5: Number and percentage of informal options used to resolve complaints, plan and consent compliance breaches, 2010/11

Informal compliance option	2010/11		
	Number	Percentage	Number of local authorities used this option
Verbal warnings	10,499	39%	42
Letters	6,305	23%	53
Monitoring visit	10,357	38%	42
Total	27,161	100%	58

Source: 2010/11 RMA survey data.

Enforcement trends

The use of formal enforcement procedures has decreased since the last survey: 24,159 complaints, rules in plans or consent compliance breaches were resolved through formal enforcement methods in 2010/11, down from 30,459 in 2007/08.

Infringement notices are increasingly being used as a primary compliance tool. In 2010/11, 8 per cent of all compliance breaches were resolved by using infringement notices. The proportion of complaints, rules in plans or consent compliance breaches resolved by using abatement notices increased from 7.0 per cent (2144) in 2007/08 to 11 per cent (2574) in 2010/11.

As in previous surveys, enforcement orders were the least commonly used method of enforcement. Less than 0.5 per cent (32) of formally resolved complaints, rules in plans or consent compliance breaches were resolved using enforcement orders. Similar to results in previous surveys, the number of prosecutions remained the same, at just under 1 per cent of all actions taken.

In 2010/11, excessive noise directions were the most commonly used of all the enforcement methods, with nearly 81 per cent (19,567) of all formally resolved compliance breaches resolved by this method. Requirements to manage noise problems clearly dominate compliance and enforcement activity in the RMA.

5.4 Complaints

Section 35(5)(i) requires local authorities to keep a summary of all written complaints received concerning alleged breaches of the Act and information on how they dealt with each such complaint. Table 5.6 shows that 100 per cent of regional councils, 83 per cent of unitary authorities and 74 per cent of territorial authorities compiled a complaints register.

Table 5.6: Compiled a complaints register under section 35(5)(i)

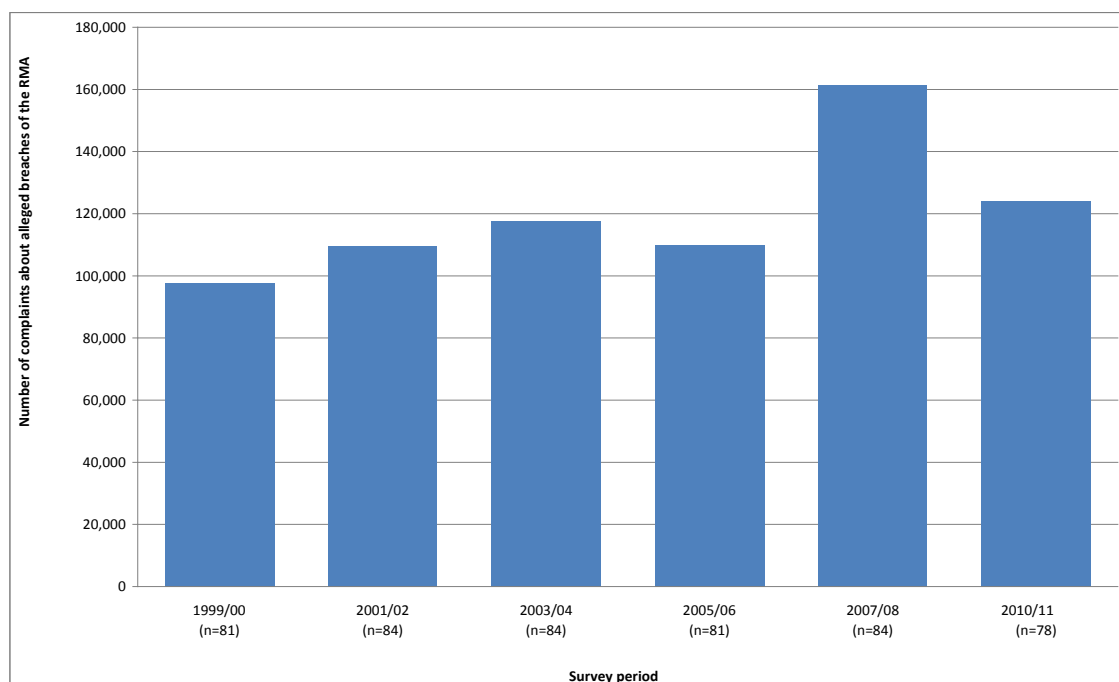
Responsibility	Regional councils n = 11		Unitary authorities n = 6		Territorial authorities n = 61		All n = 78	
	2010/11	2007/08	2010/11	2007/08	2010/11	2007/08	2010/11	2007/08
Complaints register	100%	100%	83%	80%	74%	53%	78%	61%

Source: 2010/11 and 2007/08 RMA survey data.

Complaint trends

Local authorities were asked to report on the number of complaints they received concerning alleged breaches of the RMA, including excessive noise complaints (appendix 7, question 4.3). Figure 5.3 shows the number of complaints relating to breaches of the RMA for the past six surveys. In 2010/11, 124,172 complaints were recorded, down from 161,257 in 2007/08, which is a significant reduction of over 37,000 complaints.

Figure 5.3: Number of complaints about alleged breaches of the RMA, 1999/00–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

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

Noise complaints

Table 5.7 shows that the majority of complaints over the years are primarily about excessive noise. In 2010/11 territorial authorities received 72,455 excessive noise complaints, down from 121,407 complaints received in 2007/08. In 2010/11 unitary authorities received 27,443 excessive noise complaints. The increase in excessive noise complaints in the unitary authority category is due to Auckland councils now combining to become a single unitary authority.

Other complaints

The other complaints category in table 5.7 refers to effects on the environment other than noise. In 2010/11 regional councils received 11,301 complaints, unitary authorities 9154 and territorial authorities 3814. Eighty-one per cent (99,903) of all complaints were for excessive noise and 20 per cent (24,269) were for other RMA breaches.

Table 5.7: Number and percentage of complaints about breaches of the RMA, by local authority type, 2007/08 and 2010/11

Local authority type	Excessive noise complaints		Other complaints		Total	
	Number of complaints	Percentage of complaints recorded by each local authority type	Number of complaints	Percentage of complaints recorded by each local authority type	Number of complaints	Percentage of total complaints
2010/11 results						
Regional councils (n = 11)	5	<0.05%	11,301	>99%	11,306	9%
Unitary authorities (n = 6)	27,443	75%	9,154	25%	36,597	29%
Territorial authorities (n = 61)	72,455	97%	3,814	5%	76,269	61%
All (n = 78)	99,903	80%	24,269	20%	124,172	100%
2007/08 results						
Regional councils (n = 10)	10	<0.5%	12,434	>99%	12,444	8%
Unitary authorities (n = 5)	11,586	83%	2,315	17%	13,901	9%
Territorial authorities (n = 66)	121,407	90%	13,505	10%	134,912	84%
All (n = 81)	133,003	83%	28,254	18%	161,257	100%

Source: 2010/11 and 2007/08 RMA survey data.

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

Resolving complaints through enforcement methods

Local authorities were asked for information on how many complaints they resolved through different enforcement methods (appendix 7, question 4.8). Local authorities record and enforce complaints in different ways. Some record written, telephone and complainant visits to council offices in their complaints register, while others only record written complaints.

The data in the tables below reflects the total number of complaints recorded by each authority in the survey. The total number of actual complaints received by local authorities may not therefore be reflected in the summary data below.

Tables 5.8 and 5.9 show a breakdown of the methods used to resolve complaints during 2010/11. Excessive noise directions make up the bulk of formal enforcement. Monitoring visits and verbal warnings are the primary methods of informally ensuring compliance.

Table 5.8: Number and percentage of formal enforcement options used to resolve complaints, 2010/11

Enforcement option	2010/11		
	Number	Percentage	Number of local authorities who used this option
Infringement notices	769	4%	30
Abatement notices	1,097	5%	30
Enforcement orders	9	<0.5%	5
Prosecutions	37	<0.5%	11
Excessive noise directions	18,962	91%	48
Total	20,874	100%	64

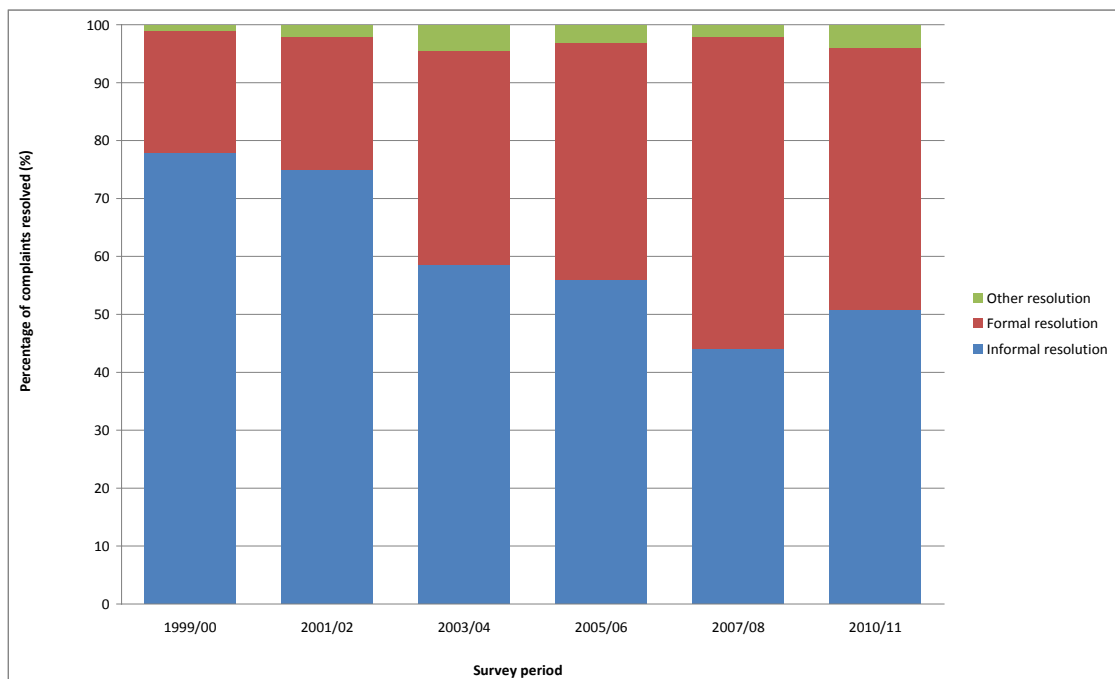
Source: 2010/11 RMA survey data.

Table 5.9: Number and percentage of informal options used to resolve complaints, 2010/11

Informal enforcement option	2010/11		
	Number	Percentage	Number of local authorities who used this option
Verbal warnings	9,203	44%	33
Letters	2,766	13%	40
Monitoring visit	9,054	43%	32
Total	21,023	100%	48

Source: 2010/11 RMA survey data.

Figure 5.4: Percentage of complaints resolved by formal, informal or other methods, 1997/98–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

5.5 Resolving RMA breaches

Resolving breaches of consent compliance through enforcement methods

Local authorities were asked for information on how many breaches of consent conditions they resolved through different enforcement methods (appendix 7, question 4.8). This data should be viewed with caution, however. A number of local authorities either do not record the information or did not have to take action during the period of the survey. In some instances a variety of enforcement methods will be used in resolving a single compliance breach. A number of individual actions recorded may therefore relate to a single case. As a result, the tables and analysis are only an indication of the ways in which breaches of consent conditions are dealt with.

Table 5.10 shows the number of breaches of consent conditions resolved by formal enforcement methods. Table 5.11 shows the number of breaches of consent conditions resolved by informal means. In 2010/11, 29 per cent of breaches of consent conditions were resolved by formal enforcement methods and 71 per cent were resolved informally.

Infringement notices and abatement notices were the most common methods (97 per cent) for formally resolving breaches of consent conditions. Enforcement orders were only used for 1 per cent of cases, and prosecutions were taken for 2 per cent of cases. Letters were the most common method (76 per cent) of informally resolving a breach of consent conditions.

Table 5.10: Number and percentage of formal enforcement options used to resolve breaches of consent conditions, 2010/11

Enforcement option	2010/11		
	Number	Percentage	Number of local authorities who used this option
Infringement notices	569	40%	24
Abatement notices	801	57%	36
Enforcement orders	12	1%	5
Prosecutions	26	2%	7
Excessive noise directions	1	<0.5%	1
Total	1,409	100%	42

Source: 2010/11 RMA survey data.

Table 5.11: Number and percentage of informal options used to resolve breaches of consent conditions, 2010/11

Informal enforcement option	2010/11		
	Number	Percentage	Number of local authorities who used this option
Verbal warnings	361	10%	19
Letters	2,647	76%	27
Monitoring visits	464	13%	22
Total	3,472	100%	33

Source: 2010/11 RMA survey data.

Resolving breaches of rules in plans through enforcement methods

Local authorities were asked for information on how many breaches of rules in plans they resolved through different enforcement methods (appendix 7, question 4.8). This data should be viewed with caution, however. A number of local authorities either do not record the information or did not have to take action during the period of the survey. In some instances a variety of enforcement methods will be used in resolving a single compliance breach. A number of individual actions recorded may therefore relate to a single case. As a result the tables and analysis are only an indication of the ways in which breaches of rules in plans are dealt with.

Table 5.12 shows the number of breaches of rules in plans resolved by formal enforcement methods. Table 5.13 shows the number of breaches of rules in plans resolved by informal means. Of the enforcement actions recorded by local authorities to resolve breaches, 41 per cent were resolved using formal enforcement methods and 59 per cent using informal enforcement methods.

In 2010/11 abatement notices were the most commonly used of all the formal enforcement methods, with 36 per cent (676) of all formally resolved breaches resolved by this method. Enforcement orders were the least commonly used, with only 1 per cent (11) of formally resolved breaches resolved by this method.

Table 5.12: Number and percentage of enforcement options used to formally resolve breaches of rules in plans, 2010/11

Enforcement option	Rules in plans		
	Number	Percentage	Number of local authorities who used this option
Enforcement orders	11	1%	7
Abatement notices	676	36%	38
Infringement notices	513	27%	30
Prosecutions	72	4%	8
Excessive noise directions	604	32%	6
Total	1,876	100%	46

Source: 2010/11 RMA survey data.

Table 5.13: Number and percentage of options used to informally resolve breaches of rules in plans, 2010/11

Informal enforcement option	Rules in plans		
	Number	Percentage	Number of local authorities who used this option
Verbal warnings	935	35%	15
Letters	892	33%	28
Monitoring visits	839	31%	22
Total	2,666	100%	32

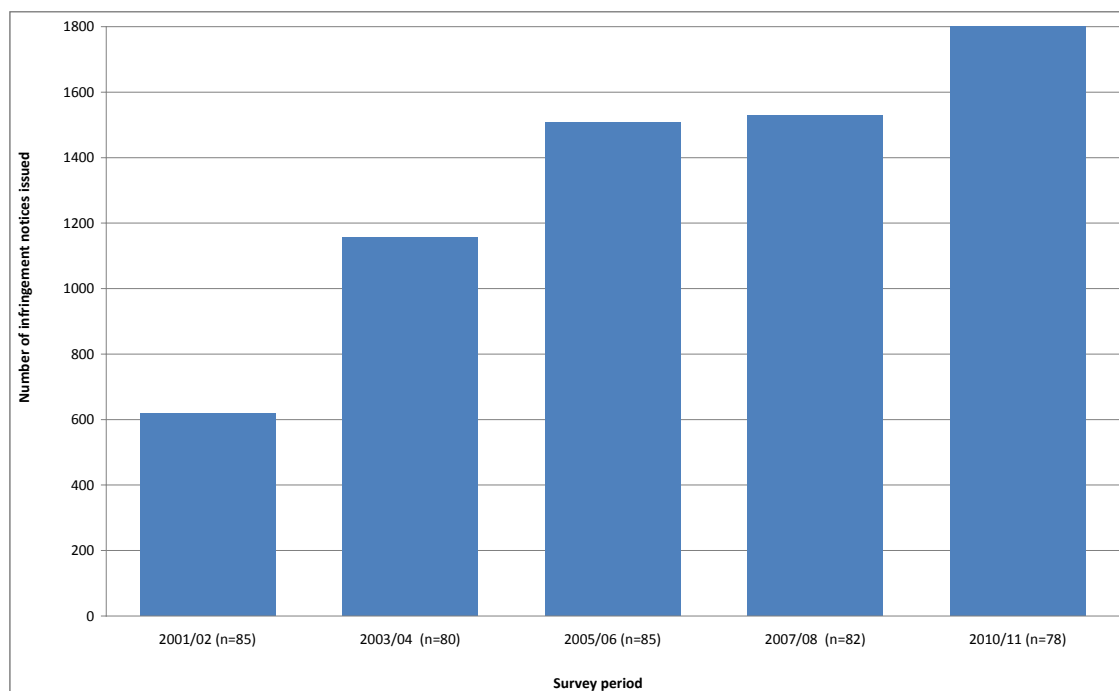
Source: 2010/11 RMA survey data.

5.6 Enforcement tools

Infringement notices

In 2010/11, 1800 infringement notices were issued. This result is a small increase from the last survey period, when 1530 notices were issued. This means that the upward trend in notices being used as a moderate enforcement tool from 2001/02 to 2005/06 (as shown in figure 5.5) continues. Local authorities were also asked for information on the status of infringement notices (appendix 7, question 4.9).

Figure 5.5: Number of infringement notices issued, 2001/02–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

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

Table 5.14 shows the number of infringement notices issued by the different local authority types. The increase in the number of infringement notices issued by unitary authorities is largely due to the Auckland councils now combining to form a unitary authority.

Table 5.14: Number and percentage of infringement notices issued, by local authority type, 2003/04–2010/11

Local authority type	2010/11		2007/08 (n = 82)		2005/06 (n = 85)		2003/04 (n = 80)	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Regional	660	37%	680	44%	785	52%	503	43%
Unitary	732	41%	88	6%	86	6%	93	8%
Territorial	408	23%	762	50%	636	42%	561	48%
All	1,800	100%	1,530	100%	1,507	100%	1,157	100%

Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Table 5.15 shows that in 2010/11, of the 1800 infringements notices issued, 10 per cent (191) were withdrawn, 64 per cent (1151) were paid and 1 per cent (23) were appealed to the Environment Court. The results are similar to those in 2007/08, when 15 per cent (231) were withdrawn and 1 per cent (13) were appealed. The remainder of notices for each survey period were either paid or were still in progress at the end of the respective survey period.

Table 5.15: Progress of infringement notices, by local authority type, 2010/11

Local authority type	Withdrawn		Paid		Appealed		Still in progress	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Regional	16	8%	548	48%	4	17%	92	21%
Unitary	104	54%	343	30%	15	65%	270	62%
Territorial	71	37%	260	23%	4	17%	73	17%
All	191	100%	1,151	100%	23	100%	435	100%

Source: 2010/11 RMA survey data.

Abatement notices

Local authorities were asked for information on the status of abatement notices (appendix 7, question 5.9). Table 5.16 shows the number of abatement notices issued by the different local authority types during 2010/11. The number of abatement notices issued by unitary authorities for this survey period is due to the Auckland councils combining to form a unitary authority.

Table 5.16: Number and percentage of abatement notices issued, by local authority type, 2010/11

Local authority type	2010/11 (n = 78)	
	Number	Percentage
Regional	354	27%
Unitary	601	47%
Territorial	335	26%
All	1,290	100%

Source: 2010/11 RMA survey data

Table 5.17 shows that in 2010/11, of the 1290 abatement notices issued, 26 per cent (338) were withdrawn, 2 per cent (25) were appealed to the Environment Court and 72 per cent (927) were still in force.

Table 5.17: Progress of abatement notices, by local authority type, 2010/11

Local authority type	Withdrawn		Appealed		Still in progress		Total	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
Regional	41	12%	3	12%	310	33%	354	27%
Unitary	239	71%	9	36%	353	38%	601	47%
Territorial	58	17%	13	52%	264	28%	335	26%
All	338	100%	25	100%	927	100%	1,290	100%

Source: 2010/11 RMA survey data.

Enforcement orders

Thirty-two enforcement orders were issued by 13 local authorities during the survey period. Enforcement orders continue to be the least-used enforcement tool.

Prosecutions

This year local authorities were asked to provide more information on the processes supporting decision-making concerning prosecutions (appendix 7, questions 4.8.4.1–4.8.4.3). The data below should be viewed with caution, however. A number of local authorities either do not record the information or did not have to take action during the period of the survey. The tables and analysis are therefore only an indication of the ways in which prosecutions are dealt with.

Table 5.18: Prosecutions, by local authority type, 2010/11

Local authority type	Prosecutions								
	Recommendation to prosecute			Information laid			Court decision reached		
	Complaints	Rule in plan	Consent compliance	Complaints	Rule in plan	Consent compliance	Complaints	Rule in plan	Consent compliance
Regional councils (n = 11)	17	29	56	34	40	46	28	63	24
Unitary authorities (n = 6)	7	4	0	6	8	2	7	2	1
Territorial authorities (n = 61)	1	2	0	1	2	0	2	7	1
All (n = 78)	25	35	56	41	50	48	37	72	26

Source: 2010/11 RMA survey data.

A total of 116 recommendations were made to prosecute offenders, 139 prosecutions were taken after consideration by decision-makers and 135 offences were resolved by the courts.

6.0 Māori participation

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

- maintaining records of iwi or hapū in an area
- advice to resource consent applicants on iwi or hapū interests
- iwi or hapū input into resource consents and plans
- funding for iwi or hapū participation in RMA processes.

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

6.1 Maintaining records and documents of iwi and hapū groups

Local authorities were asked whether they keep and maintain records of each iwi and hapū group in their region or district. The local authorities were also asked whether they keep a record of documents lodged with them by iwi or hapū, such as iwi management plans (under section 35A of the RMA) (appendix 7, question 5.1).

Iwi management plans

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

Ninety-two per cent of local authorities (72 out of 78) reported that they keep and maintain records of each iwi and hapū group in their region/district, as required under section 35A. This is a 2 per cent increase from the last survey. In addition, 72 per cent of local authorities (56 out of 78) reported that they keep and maintain records of the documents that iwi or hapū groups lodge with them, as required under section 35A. This is a 2 per cent decrease from the last survey.

6.2 Resource consent process

Advice to resource consent applicants on Māori interests

Local authorities were asked whether they provide advice or an indication to applicants that their resource consent application may be of interest or concern to iwi or hapū, and whether

advice is provided before or after an application is formally lodged (appendix 7, questions 5.2, 5.3). In 2010/11, 100 per cent (78 out of 78) of local authorities provided advice to applicants. The result is similar to that in 2007/08, when 99 per cent (83 out of 84) local authorities provided advice to applicants.

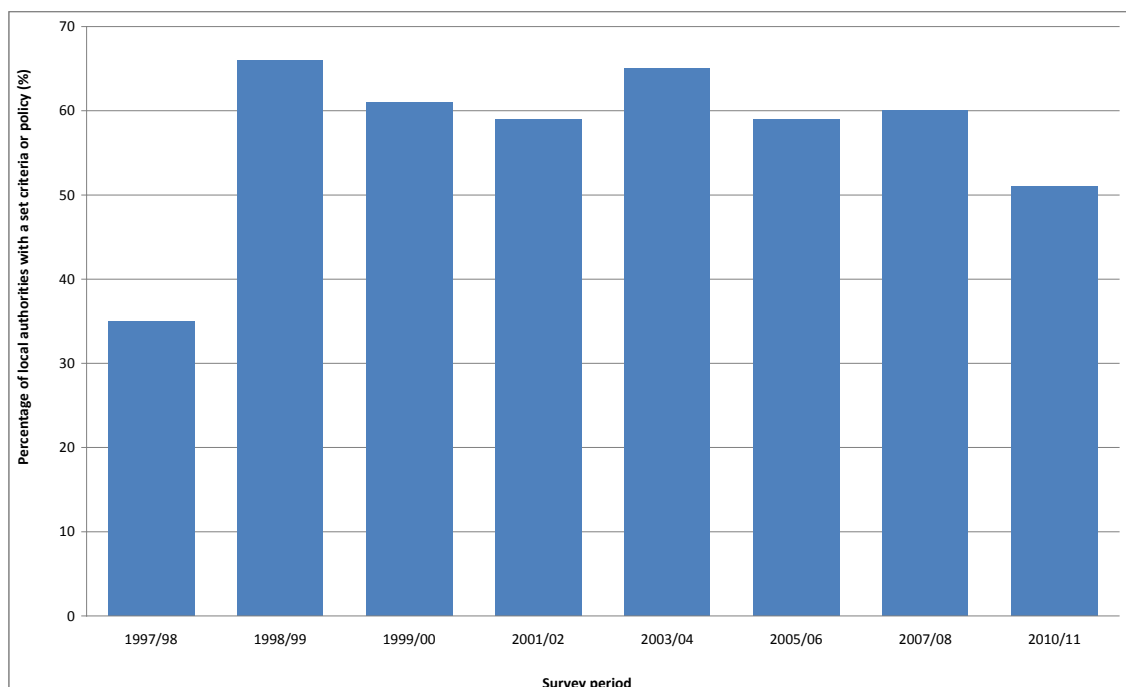
Of the 78 local authorities that indicated iwi or hapū interest or concern to applicants, 68 per cent (53) said information was provided before an application was lodged, while 32 per cent (25) said information was provided after the application was lodged. In comparison, in 2007/08, 60 per cent (50) provided information prior to applications being lodged and 40 per cent (33) provided information after applications were lodged. Although local authorities were asked to specify what generally occurred, it is worth noting that some provide this information both before and after applications are formally lodged.

Māori input into resource consents

Local authorities were asked whether they have written criteria or a set policy for staff to determine when iwi or hapū are considered to be an affected party to resource consent applications and should be made aware of an application (appendix 7, question 5.4).

In 2010/11, 51 per cent (40 out of 78) of local authorities reported that they had written criteria or a set policy for staff to follow, a decrease from the 2007/08 survey of local authorities. Figure 6.1 shows the results for eight survey periods.

Figure 6.1: Percentage of local authorities with written criteria or a set policy to determine when iwi or hapū are considered an affected party, 1997/98–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Cultural impact assessment as part of consent application

Local authorities were asked whether they have a policy requiring a cultural impact assessment as part of an application when a site, species or resource is of concern to iwi or hapū (appendix 7, question 5.5). In 2010/11, 24 per cent (19 out of 78) of local authorities had such a policy. The figure is a decrease from the 2007/08 result of 30 per cent (25 out of 84) of local authorities having a policy to require a cultural impact assessment.

Cultural impact assessments

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

- identify methods to avoid, remedy or mitigate any potential effects of a proposal on cultural values and associations
- inform relevant conditions of consent that could be applied if a resource consent is granted
- provide iwi or hapū with comprehensive information about, and improved understanding of, a proposal
- Preparing a cultural impact assessment report to accompany, or form part of, an assessment of environmental effects is good practice for any proposal that may have a significant effect on iwi or hapū.

Standard consent conditions

Local authorities were asked whether they have standard resource consent conditions to cover the discovery of sites or items that are significant to iwi or hapū (appendix 7, question 5.6). In 2010/11, 97 per cent of local authorities (76 out of 78) had these standard resource consent conditions. This was an increase from 88 per cent in 2007/08.

Consent monitoring and memoranda of understanding

Table 6.1 records the number and percentage of local authorities that seek iwi or hapū input into various aspects of resource consent processes. Local authorities were asked whether they involve iwi or hapū in resource consent monitoring (appendix 7, question 5.10). In 2010/11, 15 per cent of local authorities (12 out of 78) involved iwi and hapū in consent monitoring.

Local authorities were also asked whether they have formal and/or informal agreements with iwi or hapū, such as memoranda of understanding, protocols, joint management agreements or service-level agreements (appendix 7, question 5.12). In 2010/11, 72 per cent of local authorities (56 out of 78) had formal agreements, an increase from 57 per cent in 2007/08. Fifty-three per cent of local authorities (41 out of 78) had informal agreements with iwi or hapū to provide input in 2010/11.

Table 6.1: Number and percentage of local authorities with iwi or hapū input into consent processes, 2005/06, 2007/08 and 2010/11

Type of input into consents and plans	2010/11 (n = 78)		2007/08 (n = 84)		2005/06 (n = 85)	
	Number of local authorities	Percentage of local authorities	Number of local authorities	Percentage of local authorities	Number of local authorities	Percentage of local authorities
Standard conditions that cover the discovery of significant sites	76	97%	74	88%	76	89%
Iwi/hapū involvement in monitoring	12	15%	20	24%	18	21%
Formal agreements with iwi/hapū	56	72%	48	57%	52	61%
Informal agreements with iwi/hapū	41	53%	52	63%	46	54%

Source: 2010/11, 2007/08 and 2005/06 RMA survey data.

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

6.3 Funding for Māori participation in RMA processes

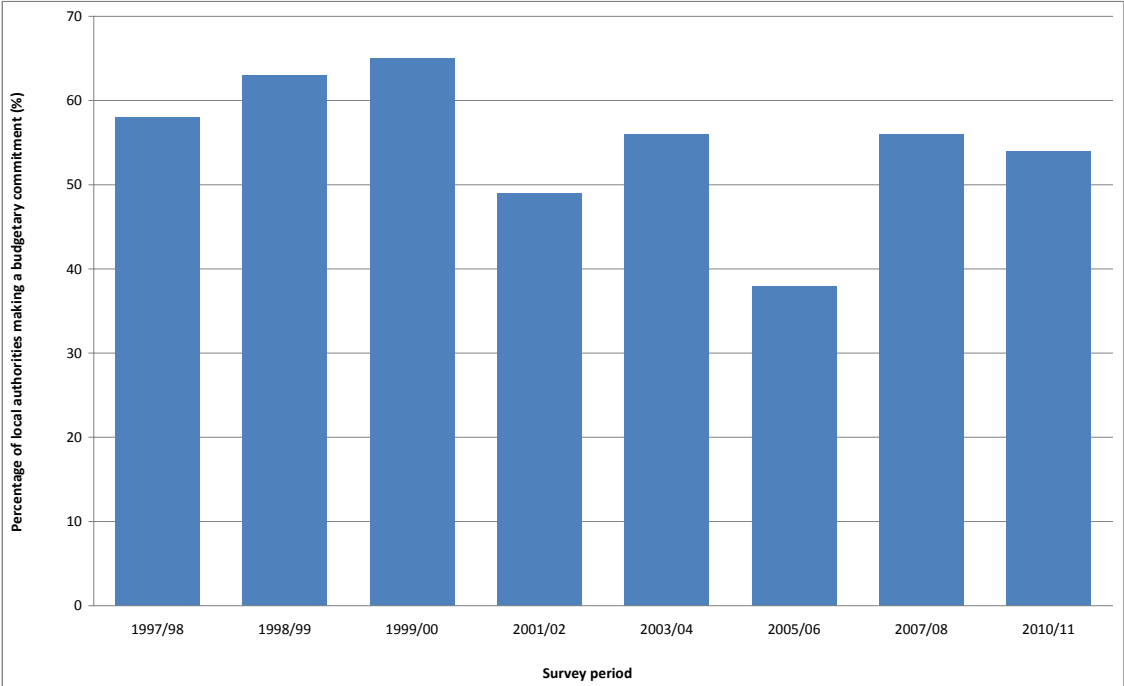
Local authorities were asked whether they make a budgetary commitment to iwi or hapū participation in RMA processes. The first question (appendix 7, question 5.7) asked local authorities if they committed funds for iwi or hapū participation in resource management plan preparation and plan change processes during 2010/11. Forty-five per cent of local authorities (35 out of 78) reported that they did.

The second question (appendix 7, question 5.8) asked local authorities if they committed funds for iwi or hapū participation in resource consent processes during 2010/11. Forty-five per cent of local authorities (35 out of 78) reported that they did. Thirty-six per cent of local authorities (28 out of 78) answered 'yes' to both budget questions.

By combining the responses to questions 5.7 and 5.8, the 2010/11 results can be compared to previous surveys. In 2010/11, 54 per cent of local authorities (42 out of 78) made some sort of budgetary commitment for iwi/hapū participation in either plan preparation and plan change processes or in resource consent processes. This is a small decrease from 2007/08, when 56 per cent (47) of all local authorities made a budgetary commitment.

Figure 6.2 shows fluctuations in the proportion of local authorities making a financial commitment to iwi/hapū participation in RMA processes over the years. The 2010/11 figure is similar to the result of the last survey.

Figure 6.2: Percentage of local authorities making a budgetary commitment to iwi or hapū participation in RMA processes, 1997/98–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

7.0 Good practice

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

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

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

Promoting good practice

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

7.1 The resource consent pre-application phase

Local authorities were asked about the checklists they provide to help people in the pre-application phase of the consent process. In particular, they were asked whether any checklists specifically define the environmental effects that need to be addressed in consent applications for controlled and restricted discretionary activities (appendix 7, question 6.1).

Council clarity helps applicants

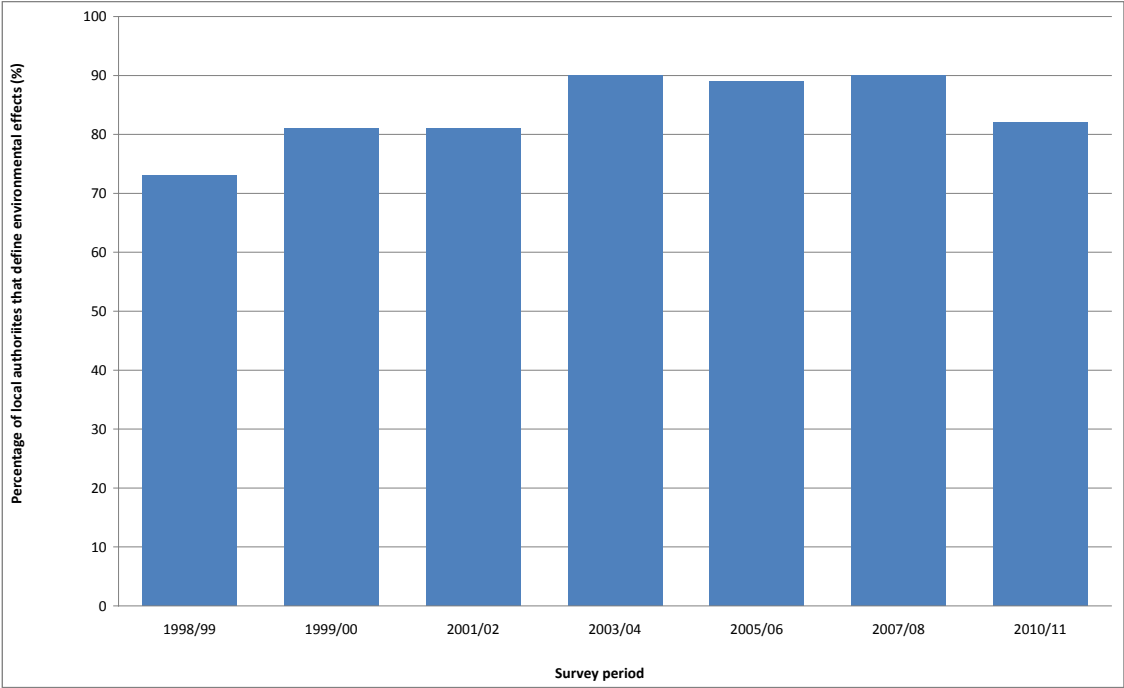
Knowing exactly which effects a local authority considers need to be addressed can help applicants understand and write an assessment of environmental effects. This can save time for all parties (the applicant, the local authority and the submitters) and may lead to the proposed activity having better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

In 2010/11 the percentage of local authorities using checklists that specifically define environmental effects was less than in the previous survey. Eighty-two per cent (64 out of 78)

used them, compared to 90 per cent (76 out of 84) in 2007/08. Figure 7.1 shows that this fall follows a plateau of consistent results between 2003/04 and 2007/08.

Information was also sought (appendix 7, question 6.2) regarding pre-application meetings held between local authority officers and applicants. Pre-application meetings were held in 4224 cases.

Figure 7.1: Percentage of local authorities that define the environmental effects to be addressed by applicants, 1998/99–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Table 7.1: Number of pre-application meetings held, 2010/11

Type	Meetings	Percentage
Regional authorities	1,590	14%
Territorial authorities	2,212	52%
Unitary authorities	1,422	34%
Total	4,224	

7.2 Information needed at the application phase

Local authorities were asked whether an opportunity is provided to applicants to discuss or dispute the need for specialist reports, and, if so, whether the applicant (rather than the local authority) could provide the report to save costs (appendix 7, question 6.3).

Commissioning specialist reports

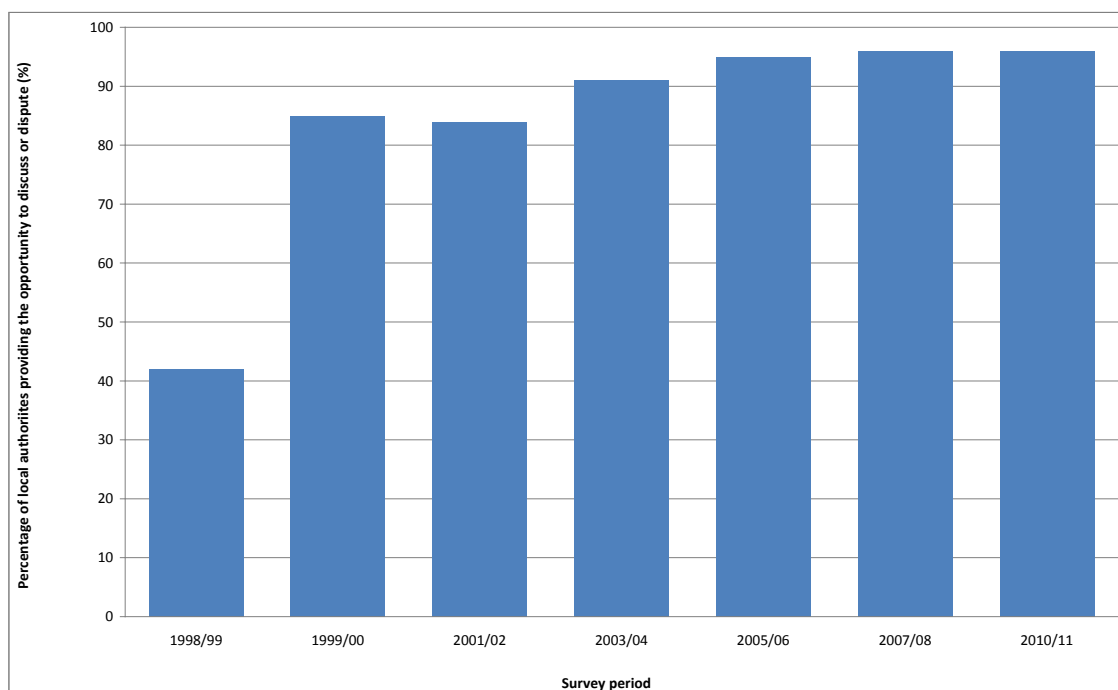
Section 92(2) of the RMA allows local authorities to commission reports on matters relating to an application if:

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

In 2010/11, 96 per cent (75 out of 78) of local authorities provided applicants with an opportunity to discuss or dispute the requirements for specialist reports. This was the same result as in 2007/08: 96 per cent (81 out of 84 local authorities).

Figure 7.2 shows that initially (between the 1998/99 and 1999/2000 surveys) a steep increase occurred in the proportion of local authorities providing applicants with the opportunity to discuss or dispute the need for specialist reports – from 42 per cent to 85 per cent. This was followed by another, smaller, increase between 2001/02 and 2003/04. Since then the proportion of local authorities providing applicants with this opportunity has remained relatively stable.

Figure 7.2: Percentage of local authorities that provide applicants with the opportunity to discuss or dispute requirements before commissioning specialist reports, 1998/99–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

7.3 Assessments of environmental effects and notification

Local authorities were asked (appendix 7, questions 6.4–6.6) to identify the internal mechanisms they use to ensure that:

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

The following results were found for 2010/11.

- Seventy-seven per cent (60 out of 78) of local authorities followed a structured process to check that **environmental effects** are adequately identified and addressed. This is a similar result to the 76 per cent of local authorities (64 out of 84) recorded in 2007/08.
- Sixty-eight per cent (53 out of 78) of local authorities had internal notes or checklists to guide staff on **when to notify an application**, compared with 65 per cent (55 out of 84) in 2007/08. Figure 7.3 shows a minor increase on 2007/08, but this is still below the peak in 2001/02.
- Fifty-three per cent (41 out of 78) of local authorities had internal notes or checklists to guide staff on how to **identify potentially affected parties**. This is a decrease on the 62 per cent (52 out of 84) in 2007/08. This marks the end of the upward trend evident since 1999/00, shown in figure 7.3.

7.4 Monitoring processing timeframes

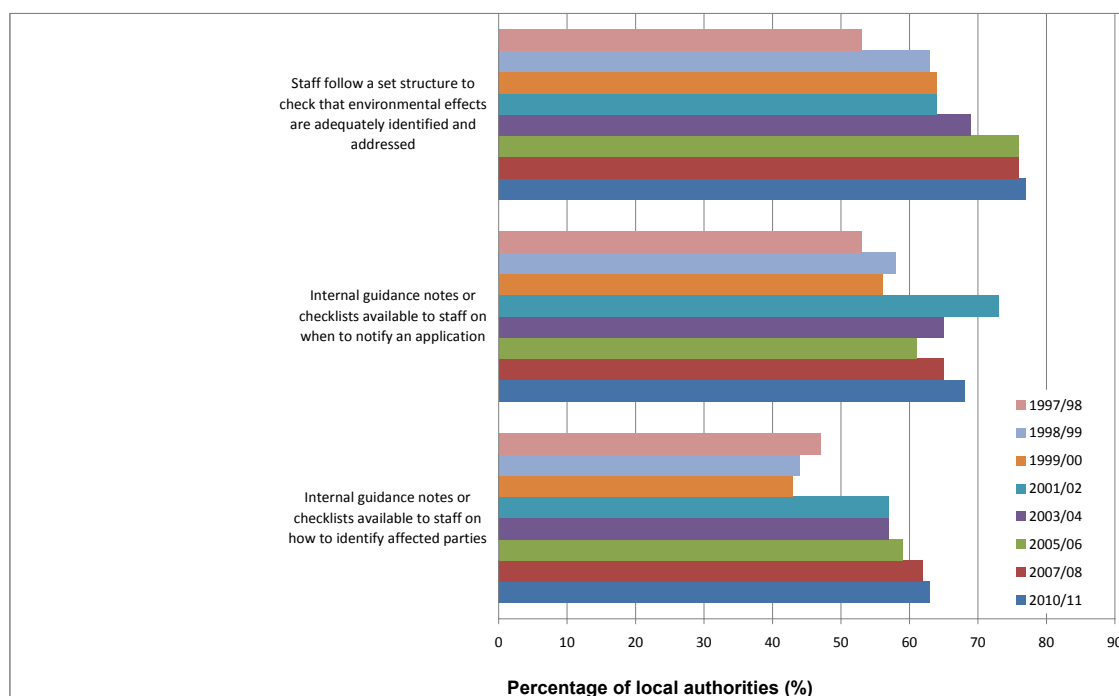
A series of new questions relating to this subject has been incorporated into the RMA survey for 2010/11 (appendix 7, questions 6.7–6.10). The first of these (question 6.7) revealed that all 78 local authorities check a resource consent application for completeness (not correctness) within five working days of its arrival.

Question 6.8 relates to the use by local authorities of timeframe extensions under section 37(1) or section 37(A) of the RMA. A total of 4920 resource consent applications received during the 2010/11 financial year were subject to a timeframe extension under these sections.

Question 6.9 asks how many of those resource consent applications subject to a timeframe extension and processed in the 2010/11 financial year received extensions **up to twice the maximum time permitted by the Act** using section **37A(2)(a)** of the RMA. Extensions were given in 7 per cent of cases (2695 out of 36,024).

Question 6.10 is the last of the new questions in this section and asks local authorities how many applications subject to a timeframe extension processed in the 2010/11 financial year received extensions **exceeding twice the maximum time permitted by the Act**, with the approval of the applicant, using section **37A(2)(b)** of the RMA. Section 37A(2)(b) was used in 6 per cent of cases (2225 out of 36,024).

Figure 7.3: Percentage of local authorities that employ good practice in assessment of environmental effects and notification, 1997/98–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

Table 7.2 shows the use of extensions, by regional territorial and unitary authorities. Territorial authorities use section 37A(2)(a) in 70 per cent of cases where an extension is required. Regional and unitary authorities use sections 37A(2)(a) and (b) more or less equally.

It should be noted that some consents may use both section 37A(2)(a) and section 37A(2)(b), but these cases are not included in the figures.

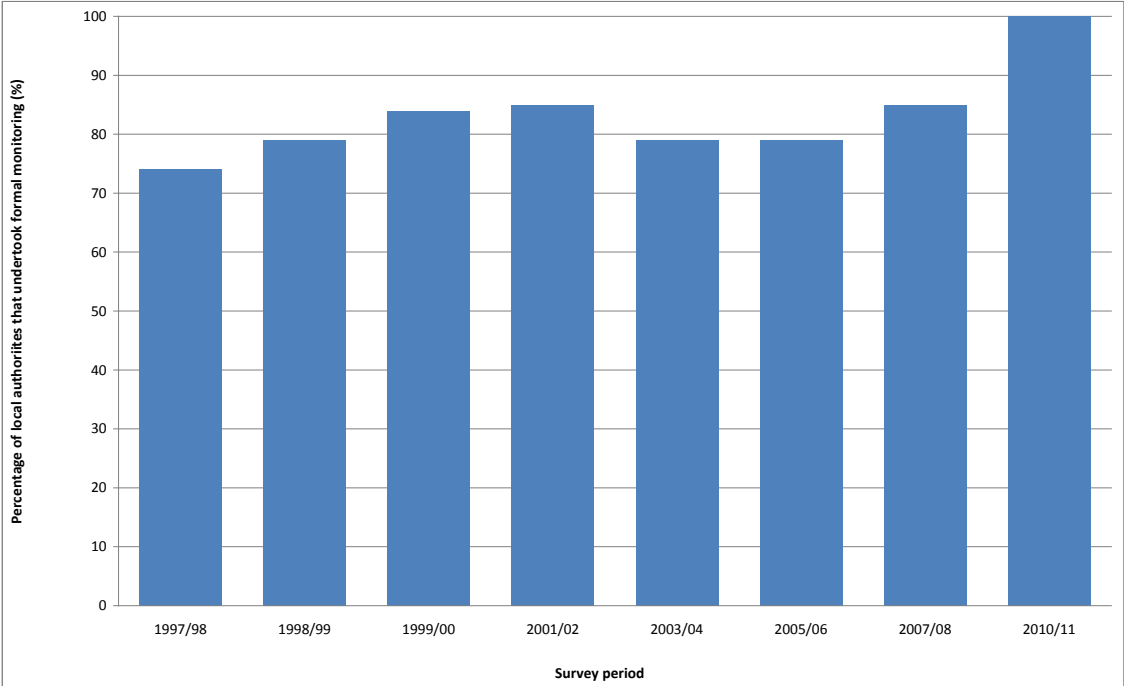
Table 7.2: Preference for the use of sections 37A(2)(a) and (b) of the RMA, by type of authority

Local authority type	Section 37A(2)(a)		S37(A)(2)(b)	
	Count	Percentage	Count	Percentage
Regional	998	47%	1,139	51%
Territorial	1,029	70%	441	30%
Unitary	668	51%	645	49%
Total	2,695		2,225	

As in previous surveys, local authorities were asked if they actively monitor and report to ratepayers whether resource consent applications are processed within statutory timeframes (appendix 7, question, 6.12). In 2010/11, 100 per cent of local authorities (all 78) did so. This is an increase on 2007/08, when 85 per cent (71 out of 84) local authorities monitored and reported.

Question 6.11 asks how often local authorities undertook monitoring. This varied: 25 local authorities reported they monitored daily, 27 monitored weekly and 14 monitored monthly. The remainder used other methods (such as quarterly or annual checks, or a combination of various timeframes).

Figure 7.4: Percentage of local authorities that undertook formal monitoring and reporting of consent application processing performance, 1997/98–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

7.5 Monitoring customer satisfaction

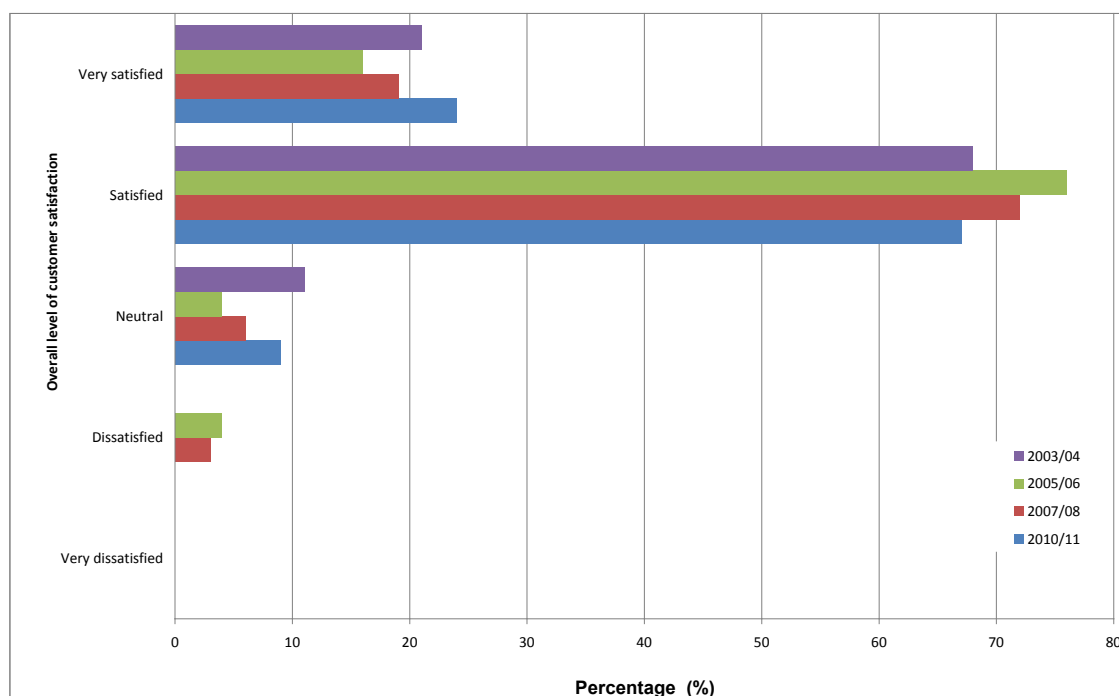
Local authorities were asked whether they use satisfaction surveys to monitor their resource consent processes (appendix 7, question 6.13). There is no statutory requirement to do so, but it is considered good practice to get feedback on customer perceptions.

In 2010/11, 82 per cent (64 out of 78) of local authorities ran customer satisfaction surveys for applicants, up from 38 per cent (32 out of 84) in 2007/08. Of the 64 local authorities that surveyed customer satisfaction in 2010/11, 22 reported (appendix 7, question 6.14) that customers were predominantly “satisfied”, while eight reported predominantly “very satisfied” customers. Thirty-one local authorities did not indicate which result was predominant.

Of the local authorities providing full information, 91 per cent reported that most customers were either “satisfied” or “very satisfied”. None reported that most of their customers were “dissatisfied” or “very dissatisfied”; three (9 per cent) reported that most customers were “neutral”. Figure 7.5 shows the predominant levels of customer satisfaction for the local authorities that ran surveys. The percentage of “satisfied” or “very satisfied” customers remains at 91 per cent.

Since 2003/04, no satisfaction survey has found that most customers were “very dissatisfied” and, as an improvement on previous years, no local authority reported a predominance of “dissatisfied” customers in 2010/11.

Figure 7.5: Overall level of customer satisfaction with resource consent processing, 2003/04–2010/11



Source: 2010/11 RMA survey data and published survey reports for the periods indicated.

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

7.6 Staff levels

New for 2010/11 is question 6.15 (appendix 7), which asks local authorities how many staff were employed to process resource consents. The results are set out in table 7.3 and are split into average number of staff employed, by qualification, and the total number of staff employed, by qualification.

Table 7.3: Local authority staff levels for resource consent processing, 2010/11

	Senior planners	Planners	Scientists	Planning technicians	Other	Total
Average number of staff over the year	204	401	13	53	272	943
Regional	40	64	12	12	32	160
	25%	40%	8%	8%	20%	
Territorial	93	190	0	36	60	379
	25%	50%	0%	9%	16%	
Unitary	71	147	1	5	180	404
	18%	36%	0%	1%	45%	
Total number of staff over the year	212	414	13	54	278	971

	Senior planners	Planners	Scientists	Planning technicians	Other	Total
Regional	43	65	12	12	37	169
	25%	38%	7%	7%	22%	
Territorial	98	201	0	37	61	397
	25%	51%	0%	9%	15%	
Unitary	71	148	1	5	180	405
	18%	37%	0%	1%	44%	

Monitoring of permitted activities

A further new question for the 2010/11 survey (appendix 7, question 6.16) asked whether local authorities have standard monitoring practices **that may not be set in consent conditions**. This is intended to establish whether local authorities actively monitor activities permitted by the RMA; for example, checking that new fences constructed between sections do not exceed 2 metres in height.

Twenty-seven per cent (21 out of 78) local authorities responded positively to this question.

8.0 Policy statements, plans and designations

This section provides information on:

- plan changes and plan variations to regional and district plans
- full review of regional policy statements and plans. It also includes information relating to the designation process, including notices of requirements and outline plans.

Three consecutive surveys have captured information on:

- completed local authority and privately initiated changes to operative regional or district plans
- completed variations to proposed regional or district plans.

This year, local authorities have also been asked to provide information on policy statements, plans and designations, which has been captured and reported for the first time:

- plan changes and variations to district and regional plans in progress
- the timeframes for plan changes and variations to regional and district plans made operative
- whether there were any changes to when rules in proposed regional and district plans were given effect to under section 86 of the RMA
- whether a full review of any regional policy statements or regional and district plans was undertaken under section 79(1) of the RMA
- the processing of notices of requirement and outline plans.

8.1 Plan changes and variations

Table 8.1 shows the number of completed plan changes and variations, by local authority type, across the last three surveys, and the number of plan changes and variations in progress.

Table 8.1: Number of plan changes and variations, by local authority type, 2005/06–2010/11

Local authority type	Number of completed plan changes to operative plans									Number of completed variations to proposed plans					Number of plan changes and variations in progress		
	Council initiated			Privately initiated			Declined/withdrawn			Council initiated			Declined/withdrawn		Plan changes 10/11 (n = 78)	Plan variations 10/11 (n = 78)	
	05/06 (n = 84)	07/08 (n = 83)	10/11 (n = 78)	05/06 (n = 84)	07/08 (n = 82)	10/11 (n = 78)	05/06 (n = 84)	07/08 (n = 81)	10/11 (n = 78)	05/06 (n = 84)	07/08 (n = 80)	10/11 (n = 78)	05/06 (n = 84)	07/08 (n = 80)			10/11 (n = 78)
Regional councils	3	4	6	0	0	1	2	1	0	2	4	15	1	0	1	25	9
Unitary authorities	12	59	31	2	3	4	0	2	5	9	9	14	0	2	0	183	89
Territorial authorities	112	113	64	18	38	29	9	15	49	26	22	6	1	2	1	283	21
All	127	176	101	20	41	34	11	18	54	37	35	35	2	4	2	491	119

Source: 2005/06, 2007/08 and 2010/11 RMA survey data.

Note: The (n = ##) in Table 8.1 refers to the number of local authorities that answered the question on which this analysis is based.

Council and privately initiated plan changes

The latest survey shows a decrease in the number of council initiated plan changes completed and an increase in the declined or withdrawn plan changes by territorial authorities. The number of privately initiated plan changes completed by local authorities has dropped slightly from the 2007/08 level but still remains higher than that reported in the 2005/06 survey.

What is a plan change?

A plan change is a change to an operative plan, and this can be initiated by a local authority or by a private person. Plan changes follow the process set out in Schedule One of the RMA.

What is an operative plan?

An operative plan is a plan that has been approved by the local authority (through a seal of approval on the proposed plan clause under 17[3] of Schedule 1 of the RMA).

Following are some key statistics.

- Forty-six per cent (36 out of 78) of local authorities advised that they had completed a council initiated plan change, which is close to the same proportion as the last two surveys (both 43 per cent).
- The proportion of local authorities reporting a privately initiated plan change was 29 per cent (23 out of 78), which is more than double the 2005/06 result of 13 per cent (11 out of 84) but comparable with the 2007/08 result of 30 per cent.
- There were 101 council initiated plan changes completed, down from 176 in 2007/08 and 127 in 2005/06.
- There were 34 privately initiated plan changes completed, a drop from the 41 reported in 2007/08 but higher than the 20 reported in 2005/06.
- Twelve per cent (9 out of 78) of local authorities reported they had declined or withdrawn a council or privately initiated plan change, which is slightly more than half of the 21 per cent in 2007/08 but the same as the 12 per cent in 2005/06.
- Fifty-four council and privately initiated plan changes were declined or withdrawn, tripling the 18 in 2007/08 (11 in 2005/06).
- Of the 491 plan changes in progress, territorial authorities have 58 per cent, unitary authorities 37 per cent and regional councils 5 per cent.
- The average timeframe for a council initiated plan change completed in 2010/11 was 17 months, compared with 16 months for a privately initiated plan change.

Variations to proposed plans

The latest survey shows that the number of variations to proposed plans completed by local authorities has remained steady across the three surveys, as has the number of declined or withdrawn variations.

What is a plan variation?

A plan variation is a change to a proposed plan. A plan variation can only be initiated by a local authority.

What is a proposed plan?

A proposed plan is a plan that is being developed by the local authority but which has not yet been approved (made operative).

Following are some key statistics.

- In 2010/11, 9 per cent (7 out of 78) of local authorities completed a variation to a proposed plan. This is down from the 19 per cent (15 out of 80) and 18 per cent (15 out of 84) reported in the last two surveys, respectively.
- In 2010/11 two local authorities reported they had declined or withdrawn a variation to a proposed plan, which is comparable with the two reported in 2005/06 but a fall from the four reported in 2007/08.
- Thirty-five variations to proposed plans were completed, compared to 35 in 2007/08 and 37 in 2005/06.
- Of the 119 plan variations in progress, unitary authorities have 75 per cent, territorial authorities 18 per cent and regional councils 8 per cent. This is a drop in territorial authority initiated variations completed from 2007/08 and an increase in completed variations by regional councils and unitary authorities.
- The average timeframe for the completion of a plan variation in 2010/11 was 45 months.

8.2 Legal effect of rules in proposed plans

The survey asked whether there was any changes to when rules in proposed plans were given effect to under section 86 of the RMA (appendix 7, question 7.14).

Legal effect of rules

Section 86B of the RMA specifies when a rule in a proposed plan has legal effect. This is when a local authority notifies its decision on submissions relating to the rule (unless the rule is covered by section 86B[3], in which case it has immediate legal effect when the proposed plan is first notified). However, there is provision for either the Environment Court to order a rule to have legal effect from a different date (sections 86B[1][b] and 86D), or where a local authority resolves that a rule would not have legal effect until the proposed plan becomes operative (section 86B[1][c]).

Following are some key statistics.

- Four per cent of local authorities (3 out of 78) have used section 86D of the RMA, where the Environment Court orders a rule to have legal effect from a different date.
- Six per cent of local authorities (5 out of 78) have used section 86B of the RMA to resolve that a rule would not have legal effect until the proposed plan is operative.

8.3 Full policy statement and plan reviews

Local authorities were asked whether they have undertaken a full review of any regional policy statements or regional or district plans under section 79(1) of the RMA over the survey period.

Review of a plan

Under section 79(1) of the RMA, local authorities must commence a review of a provision of a policy statement or plan if the provision has not been the subject of a proposed policy statement or plan, a review, or a change by a local authority during the previous 10 years. Notwithstanding this requirement, section 79(4) allows a local authority to undertake a full review of a policy statement or plan at any time.

Table 8.2 highlights those local authorities who have started or undertaken a full review (yes), those who have not undertaken a full review yet but have time within the 10-year period remaining (no), and N/A refers to those who may have a full review recently completed.

Table 8.2: Number of full reviews of policy statements or plans, by local authority type, 2010/11

Local authority type	Yes	No	N/A	Total
Regional councils	6	3	2	12
Unitary authorities	2	3	1	6
Territorial authorities	20	33	8	60
All	28	39	11	78

Source: 2010/11 RMA survey data.

Following are some key statistics.

- Fifty per cent of all local authorities are not undertaking a full review of any of their policy statements or plans.
- Fifty per cent of regional councils and one-third of unitary councils and territorial authorities are currently undertaking a full review of one or more of their policy statements or plans.

Fourteen per cent of all local authorities have or intend to undertake a review outside the survey period.

8.4 Designations and notices of requirement

Territorial and unitary authorities were asked how many notices of requirement and outline plans they processed during the 2010/11 financial year. (Regional councils are not subject to designations.)

Designations

A **requiring authority** is defined under section 166 of the RMA but includes a Minister of the Crown, a local authority, or a network utility operator approved under section 167 of the RMA.

Designations only apply to district plans and proposed district plans, and they restrict the use of land for specific purposes. A **notice of requirement**, served on a local authority by a requiring authority, is a proposal for a designation and provides interim protection on the identified land for the designated purpose, until the designation is confirmed and included in an operative plan. The territorial authority can only make a recommendation to the requiring authority because the requiring authority has the final decision on the matter.

A designation can be established for long-term purposes without specific work being identified for a site. When work emerges, an **outline plan** is submitted to the local authority to provide more detail about the proposed work or to identify subsequent changes and updates to proposed work. An outline plan is not always required where sufficient information is provided at the designation stage. As for the notice of requirement, the local authority only has a recommendation role for outline plans.

The local authority or any submitter can appeal the requiring authority's decision to the Environment Court.

Table 8.3 shows the number of notices of requirement and outline plans, by type of authority. This shows that territorial authorities deal with the greatest number of notices of requirement, while territorial authorities and unitary authorities have a similar number of outline plans.

Table 8.3: Number of notices of requirement and outline plans, by local authority type, 2010/11

Local authority type	Number of notices of requirement			Number of outline plans	
	Received from requiring authorities	Recommended to be confirmed	Appealed	Submitted from requiring authorities	Recommended for approval
Unitary authorities	72	47	3	316	312
Territorial authorities	116	100	6	391	382
All	188	147	9	707	694

Source: 2010/11 RMA survey data.

Following are some key statistics.

- Fifty-three per cent (41 out of 78) of unitary and territorial authorities received a total of 188 notices of requirement from requiring authorities during the 2010/11 survey period.
- One-hundred and forty-seven notices of requirement were confirmed during the survey period by 38 unitary and territorial authorities (49 per cent).
- Ten per cent of unitary and territorial authorities (8 out of 78) had a total of nine notices of requirement appealed over the survey period.
- Seven-hundred and seven outline plans were submitted and 694 outline plans were recommended for approval during the 2010/11 period by 57 unitary and territorial authorities (73 per cent).

9.0 Environmental Protection Authority

The Environmental Protection Authority (EPA) was established in October 2009 as part of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 as a statutory office within the Ministry for the Environment under the Secretary for the Environment. Further to the 2009 amendments, on 1 July 2011 the Environmental Protection Authority Act 2011 established the EPA as a Crown entity. The EPA's responsibilities include receiving and processing proposals of national significance under the RMA.

Applications for building roads, large-scale wind farms, power transmission lines and geothermal power stations are examples of major infrastructure or public works projects that are managed by the EPA. People seeking resource consents, notices of requirement or private plan changes for such projects can lodge an application for resource consent, a notice of requirement or a request for a private plan change.

The EPA's role is to assess the national significance of applications and recommend to the Minister for the Environment whether the Minister should refer the matter to a board of inquiry or the Environment Court, or back to the local authority, for consideration and a decision. The EPA also provides differing secretarial and support services to board of inquiry and Environment Court processes.

This is the first survey to capture information relating to the EPA's national consenting function and covers the 18-month period from 1 October 2009 to 30 June 2011 (ie, from the day the EPA came into effect).

When the EPA came into effect in October 2009 there were a number of national consent processes already underway that were transferred from the Ministry for the Environment to the EPA. The focus of the data in this survey is on those matters and applications that have been processed by the EPA through to a decision between 1 October 2009 and 30 June 2011. However, where matters and processes were transitioned to the EPA (ie, the EPA was not responsible for their full processing), they will be covered, but only as contextual information and they do not form part of the future reporting baseline.

Further information on the role of the EPA is available at www.epa.govt.nz.

EPA terminology

The EPA uses some different language and terminology to that used by councils for resource consent applications, which could be confusing. To avoid possible confusion, key differences are highlighted below.

- A *matter* is a proposal of national significance and encompasses everything that an applicant lodges with the EPA or is called in by the Minister.
- An *application* is a resource consent, change or cancellation of a resource consent condition, or notice of requirement as part of a matter. A matter typically has a number of applications as part of it.
- A *decision* is the final decision made by either a board of inquiry or the Environment Court.

9.1 Matters processed by the EPA

- This section looks at how many matters the EPA has processed between 1 October 2009 and 30 June 2011. The EPA can receive matters in the following ways.
- The Minister for the Environment calls in an application under section 142 of the RMA- the Minister has discretion to call in a matter that is considered to be part of a proposal of national significance.
- An applicant directly lodges a matter with the EPA under section 145 of the RMA.

Once a matter is with the EPA, it provides a recommendation to the Minister, who then refers it to either a board of inquiry or the Environment Court for decision. In the case of matters lodged with the EPA, the Minister can also direct a matter back to a local authority to decide. This process is shown in figure 9.1.

Figure 9.1: Processing of matters lodged with the EPA



Matters called in by the Minister

The EPA was asked how many applications it received as a result of the Minister's decision to call in a matter under section 142 of the RMA; and, of those matters, how many were referred to either a board of inquiry or the Environment Court for decision (appendix 8, questions 1.7–1.8).

Since 1 October 2009, only one matter was called in by the Minister for the Environment. This was the *Under-cover Dairying Proposal* based in the McKenzie Basin. This matter was referred to a board of inquiry for decision, however, the proposal was withdrawn on 18 March 2010. Two matters were received by the Ministry for the Environment prior to 1 October 2009, and these were transitioned to the EPA on 1 October 2009. Both the *Turitea Wind Farm* and *Hauāuru mā Raki Wind Farm* proposals were referred to a board of inquiry for decision.

Minister's direction on matters lodged with the EPA

The EPA was asked how many applications were lodged with it and directed by the Minister to a board of inquiry, the Environment Court or a local authority for decision (appendix 8, question 1.9). A total of five matters were lodged with the EPA after 1 October 2009. Of these, the Minister directed four to a board of inquiry for decision and the other one to the Environment Court. No matters were referred to a local authority for decision.

Table 9.1: Matters processed by the EPA

Directed to a board of inquiry	Directed to the Environment Court	Directed to a local authority	Total
<ul style="list-style-type: none"> • <i>Tauhara II Geothermal Power Plan</i> • <i>Waterview Connection Proposal</i> • <i>Transmission Gully Plan Change Request</i> • <i>Wiri Men's Prison Proposal</i> 	<ul style="list-style-type: none"> • <i>Queenstown Airport Corporation's Notice of Requirement</i> 		
4	1	0	5

9.2 Applications processed to a decision, by type

This section looks at the various types of applications the EPA processed to a decision within the 1 October 2009 to 30 June 2011 period. The types of applications that can be made to the EPA include:

- applications for resource consent
- a request for the preparation of a regional plan (other than a regional coastal plan)
- a request for a change to a plan
- an application for a change to or cancellation of conditions of a resource consent
- a notice of a requirement for a designation or to alter a designation
- a notice of requirement for a heritage order or to alter a heritage order.

Resource consent applications

The EPA was asked how many resource consent applications were lodged with it under section 145 of the RMA and processed to a decision between 1 October 2009 and 30 June 2011 (question 1.1). During the survey period, 80 resource consents were processed to a decision. Of those 80 resource consents, 54 related to the *NZTA Waterview Connection Proposal* and 20 to the *Tauhara II Geothermal Power Plant*.

Change or cancellation of resource consent condition

The EPA was asked how many applications for the cancellation of resource consent conditions or change of resource consent conditions were lodged under section 145(2) of the RMA (questions 1.2 and 1.3). No applications for the cancellation of resource consent conditions or change of resource consent conditions were received by the EPA.

Notice of requirement

The EPA was asked how many notices of requirement were processed to a decision for designations or changes to designations (section 145[3]) or heritage orders, or changes to heritage orders (section 145[4]) (appendix 8, question 1.4). Six notices of requirement were processed to a decision during the survey period. Three were for designations and three were for changes to designations. All six related to the *NZTA Waterview Connection Proposal*. There were no applications for heritage orders or changes to a heritage order received within the survey period.

Regional/district plans

The EPA was asked how many requests for the preparation of a regional plan (section 145[1][b]) or a change to a regional or district plan (section 145[1][c]) were processed to a decision during the survey period (questions 1.5 and 1.6). No requests for a change to a regional or district plan or preparation of a regional plan were processed to a decision during the survey period.

Table 9.2: Applications processed to a decision, by type

Resource consents	Consent conditions		Notice of requirement				Regional/district plans		Total applications
	Cancellation of resource consents conditions	Change of resource consent conditions	Designation	Change to designation	Heritage order	Change to heritage order	Change to a regional or district plan	Preparation of a regional plan	
74	0		3	3			0	0	80

9.3 Decisions on applications

This section outlines the number of applications that were processed through to a decision within the survey period by either a board of inquiry or the Environment Court.

Called-in applications decided by a board of inquiry or the Environment Court

The EPA was asked how many applications were called in by the Minister and processed to a decision within the survey period by a board of inquiry or the Environment Court (appendix 8, question 1.11). Twenty-seven applications (19 resource consents and 8 notices of requirement) were called in by the Minister and processed by the EPA to a decision on behalf of the Ministry for the Environment. These applications related to the *Hauāuru mā Raki Wind Farm* proposal, which was called in prior to 1 October 2011 and transitioned to the EPA when it came into effect. No matters were called in by the Minister and decided upon by the Environment Court within the survey period.

Lodged applications decided by a board of inquiry or the Environment Court

The EPA was asked how many applications lodged directly with it were processed to a decision within the survey period by a board of inquiry or the Environment Court (appendix 8, question 1.10). Over the survey period, 80 applications were processed to a decision and all 80 were decided by a board of inquiry. This involved 20 resource consents relating to the *Tauhara II Geothermal Power Plant* and 54 resource consents and 6 notices of requirement for the *NZTA Waterview Connection Proposal*.

No applications lodged directly with the EPA were processed to a decision within the survey period by the Environment Court. However, the *Queenstown Airport Corporation's Notice of Requirement* matter is currently being considered by the Environment Court.

Appeals made on decisions

One appeal (from the Department of Conservation) was made to the High Court, on 20 June 2011, on questions of law relating to the *Hauāuru mā Raki Wind Farm* proposal.

9.4 Requesting further information or commissioning reports

Section 149 of the RMA allows the EPA to request an applicant to provide further information relating to a matter. Section 149 also enables the EPA to direct an employee or to commission any person to prepare a report relating to a matter (including in relation to information contained in the matter or provided through a request for further information).

Applications requiring further information requests

The EPA was asked how many applications received during the survey period required further information under section 149(2)(a) of the RMA (appendix 8, question 1.12). One matter, the *Wiri Men's Prison Proposal*, required further information under s149(2)(a). The matter is still being heard by a board of inquiry and therefore the number of applications (resource consents and notices of requirement) is unknown.

Applications requiring the preparation of a report

The EPA was asked how many applications received during the survey period required the preparation of a report under section 149(2)(b) of the RMA (appendix 8, question 1.13). A total of 80 reports were prepared for the 20 resource consents for the *Tauhara II Geothermal Power Plant* and the 54 resource consents and six notices of requirement for the *NZTA Waterview Connection Proposal*.

9.5 Resource consents declined or returned as incomplete

Section 88(3) of the RMA provides for the EPA to return an application if it does not include an adequate assessment of environmental effects or information required by regulations. If the EPA determines an application is incomplete, it must return it to the applicant within five working days after the application was originally lodged. Section 104 of the RMA also allows a board of inquiry or the Environment Court to decline a resource consent application.

The EPA was asked how many resource consent applications were declined by a board of inquiry or the Environment Court (appendix 8, question 1.14), and how many resource consent applications were returned to an applicant by the EPA one or more times (appendix 8, question 1.14.1/2) under section 88(3) of the RMA, within the survey period. No resource consents were declined or returned as incomplete by the EPA, board of inquiry or the Environment Court within the survey period.

9.6 Timeliness

This subsection provides information on the EPA's timeframes for processing applications. The EPA and the national consenting process are bound by a number of statutory timeframes, including:

- under section 146(1) the EPA must make a recommendation to the Minister within 20 working days to make a direction on a matter lodged under section 145
- under section 149R a board of inquiry has a nine-month timeframe after public notice of the Minister's direction is made to produce its final report
- under section 149S the Minister can at any time extend the time by which a board must produce its final report.

Applications processed on time

The EPA was asked how many applications received within the survey period were assessed within the 20-working-day timeframe for them to make a recommendation to the Minister under section 146(1) of the RMA (appendix 8, question 2.1). Eighty applications were assessed within the 20 working days. This included the applications for the *Tauhara II Geothermal Power Plant* (20 resource consents) and the *NZTA Waterview Connection Proposal* (54 resource consents and 6 notices of requirement).

The EPA was also asked how many applications were processed to a decision within the nine-month timeframe set out in section 149R(2)(a), or within any extension under section

149S(1) (appendix 8, question 2.2). Eighty applications were processed to a decision within the nine-month or agreed extension period. This included applications for the *Tauhara II Geothermal Power Plant* (20 resource consents) and the *NZTA Waterview Connection Proposal* (54 resource consents and 6 notices of requirement).

In addition, 27 applications for 19 resource consents and 8 notices of requirement relating to the *Hauāuru mā Raki Wind Farm* proposal were also processed to a decision within the nine-month period. Although this was completed within the nine-month period, it was transitioned to the EPA on 1 October 2009 and so has not been directly counted for this survey because the matter was lodged before the EPA was established.

In total, all matters (107 applications) processed to a decision during the survey period were processed on time.

Use of section 149S(1) to extend time limits

The EPA was asked how many applications were processed within the timeframe using an extension under section 149S(1) (appendix 8, question 2.3). One matter (60 applications) were processed within an extended timeframe. These applications related to the *NZTA Waterview Connection Proposal*.

Timeframes for Environment Court decisions

The EPA was asked what the average duration was for processing applications referred to the Environment Court during the survey period (appendix 8, question 2.4). No applications were referred to the Environment Court and completed a decision within the survey period. The *Queenstown Airport Corporation's Notice of Requirement* has been referred to the Environment Court but is awaiting a decision, and so it will be captured in the next survey.

9.7 Charges

This subsection outlines the costs and charges made by the EPA. Under section 149ZD of the RMA, the EPA may recover its costs incurred in providing assistance to a person before a matter is lodged with the EPA. The EPA may also recover from an applicant the actual and reasonable costs incurred in exercising its functions and powers under the RMA. This would include the costs of:

- assessing a matter when it is first lodged
- costs of commissioning reports
- costs of secretarial and support services to a board or inquiry.

The EPA was asked to provide the total amount charged to applicants for matters processed to a decision during the survey period (appendix 8, question 3.1). This is contained in table 9.3. The costs range from just over \$1 million to \$1,700,000. Note that there may be some smaller subsequent increases in the total costs for both the *NZTA Waterview Connection Proposal* and *Hauāuru mā Raki Wind Farm* because the final decisions on the matters occurred towards the end of the survey period and some costs still remained to be invoiced.

The EPA was also asked for their average hourly staff charge-out rate for cost recovery for processing resource consents/matters during the survey period (appendix 8, question 3.2). The average hourly charge-out rate across the survey period and across the different role descriptions (ie, team leader through to project administrator) was \$100.22.

Table 9.3: Total charges, by matter processed to a decision

Matter (applications)	Total charged (\$)
<i>Tauhara II Geothermal Power Plant (20 resource consents)</i>	\$1,039,696.00
<i>NZTA Waterview Connection Proposal (54 resource consents and 6 notices of requirement)</i>	\$1,700,000.00
<i>Hauāuru mā Raki Wind Farm (19 resource consents and 8 notices of requirement)</i>	\$ 1,269,507.00

9.8 Best practice

This section reports on best practices relating to the EPA’s consenting responsibilities. The components below reflect the questions posed to local authorities about their consenting responsibilities. Specifically, the following section reports on:

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

Pre-application process

The EPA was asked how many applications involved pre-application meetings during the survey period (appendix 8, question 4.1) and whether it assisted applicants to identify the environmental effects that must be addressed in their application (appendix 8, question 4.2). This subsection therefore outlines the engagement the EPA has with an applicant before a potential matter is lodged with them.

All 80 applications as part of the *Tauhara II Geothermal Power Plant* (20 resource consents) and the *NZTA Waterview Connection Proposal* (54 resource consents and 6 notices of requirement) involved pre-application discussions with the applicant. This excludes any pre-application engagement on the *Hauāuru mā Raki Wind Farm*, which occurred prior to 1 October 2009.

The EPA also responded that it did help applicants to identify environmental effects in their applications.

Application process: commissioning specialist reports

The EPA was asked if, before it commissions specialist reports under section 149(2)(b), it provides applicants with the opportunity to discuss or dispute the requirements to provide such information or allows applicants to obtain information or reports themselves (appendix 8, questions 4.3.1 and 4.3.2). Most respondents were not required to commission a special report.

The one respondent who had commissioned a special report answered that ‘the applicant [was given] the opportunity to discuss the information requirements with the EPA’ for question 4.3.1(appendix 8), and ‘[t]he applicant [was] not specifically given the opportunity to provide the report themselves’ for question 4.3.2 (appendix 8).

Assessments of national significance

The EPA was asked if staff follow a set structure to assess whether an application is of national significance (appendix 8, question 4.4). The EPA responded that they do have a structure for staff to follow.

Engagement with Māori

The EPA was asked if it provides advice or indicates to applicants that their resource consent application may be of interest/concern to iwi/hapū (appendix 8, question 4.5). The EPA responded that it does not usually provide advice regarding any interest/concern to Māori relating to the matter. However, it will usually have a pre-lodgement conversation with the applicant to determine the extent of liaison with iwi the applicant has undertaken. Upon lodgement, the application documents will also be checked to determine whether consultation with iwi has been included.

The EPA was asked, “If the answer to 4.5 above was ‘Yes’, does this generally occur before or after formal lodgement?” (appendix 8, question 4.6). The EPA responded that “although it does not provide specific advice on any Māori interests/concerns”, it still “has a conversation with the applicant about what the applicant has initiated with Māori, and usually this occurs prior to the lodgement of the application.”

Monitoring timeframes

The EPA was asked:

- whether it checks an application for completeness (not correctness) within five working days of its arrival (appendix 8, question 4.7)
- how often it monitors whether applications are processed with statutory applications (appendix 8, question 4.8)
- if it formally monitors and reports on processing performance (eg, whether it prepares an annual report on application processing performance that is made available to the public) (appendix 8, question 4.9).

The EPA responded that it did check applications for completeness within five working days of its arrival and that each matter and its applications are monitored throughout the statutory timeframe to ensure all deadlines are met. In regard to question 4.9 (appendix 8), the performance of the EPA has been reported in the Ministry for the Environment’s annual reports from its inception on 1 October 2009, which are available to the public.

Customer satisfaction

The EPA was asked whether it had undertaken a formal documented consent-processing customer satisfaction survey during the survey period, and if so, the overall level of satisfaction reported by applicants (appendix 8, questions 4.10 and 4.11). No customer surveys of applicants were undertaken within the survey period.

9.9 Staff levels

This section identifies how many staff the EPA employed, by role, to process applications over the survey period.

Table 9.4: Number of staff employed, by role and matter processed by the EPA

Number of staff per matter	Project leaders	Senior EPA adviser	EPA adviser	Project administrators	Other	Totals
<i>Tauhara II Geothermal Power Project</i>	1	1	2	1	0	5
<i>NZTA Waterview Connection Proposal</i>	1	2	1	1	0	5
<i>Hauāuru mā Raki Wind Farm</i>	1	0	1	1	0	3
Total number of staff over the survey period	3	3	4	3	0	13

9.10 Plan changes and variations

This section is designed to highlight the timing and number of plan reviews or changes. However, no plan preparation or review processes were processed to the final decision within the survey period.

Appendix 1: Number of resource consent applications processed

Group	Local authority	2001/2002	2003/2004	2005/2006	2007/2008	2010/2011
Territorial authorities group 1	Carterton District Council	49	66	74	106	47
	Central Hawke's Bay District Council	124	150	177	150	80
	Clutha District Council	75	108	121	133	71
	Gore District Council	83	79	48	75	51
	Grey District Council	61	105	144	161	95
	Hurunui District Council	143	256	220	258	109
	Kaikoura District Council	104	103	97	87	69
	Kawerau District Council	8	11	17	18	5
	Mackenzie District Council	43	113	98	97	58
	Masterton District Council	140	196	176	234	77
	Opotiki District Council	40	49	62	75	35
	Otorohanga District Council	54	87	115	92	85
	Rangitikei District Council	96	66	89	Not provided	45
	Ruapehu District Council	69	121	133	171	103
	South Waikato District Council	97	90	107	112	56
	Stratford District Council	36	52	92	93	50
	Taranua District Council	59	64	92	107	34
	Waimate District Council	47	56	51	70	46
	Wairoa District Council	38	44	41	62	38
Waitomo District Council	51	66	87	62	28	
Territorial authorities group 2	Ashburton District Council	177	216	231	310	183
	Buller District Council	86	88	150	130	117
	Central Otago District Council	206	424	454	519	300
	Hauraki District Council	126	134	212	185	121
	Horowhenua District Council	186	239	298	332	123
	Invercargill City Council	232	244	233	345	192
	Kaipara District Council	190	251	226	271	126
	Kapiti Coast District Council	298	323	379	317	225
	Manawatu District Council	147	270	315	294	189
	Matamata–Piako District Council	214	184	225	281	193
	Napier City Council	310	354	351	339	222
	Porirua City Council	358	305	372	331	258
	Selwyn District Council	529	591	496	494	295
	South Taranaki District Council	164	195	268	272	151
	South Wairarapa District Council	170	191	136	238	114
Southland District Council	246	253	233	395	280	

Group	Local authority	2001/2002	2003/2004	2005/2006	2007/2008	2010/2011
	Taupo District Council	511	659	419	399	191
	Timaru District Council	286	276	Not provided	368	242
	Upper Hutt City Council	200	241	248	291	176
	Waimakariri District Council	402	790	608	596	201
	Waitaki District Council	116	169	144	157	121
	Wanganui District Council	215	195	280	249	155
	Western Bay of Plenty District Council	414	655	541	431	271
	Westland District Council	93	148	155	183	123
	Whakatane District Council	229	313	311	287	122
	Whangarei District Council	747	570	471	487	287
Territorial authorities group 3	Far North District Council	763	827	815	609	350
	Hamilton City Council	588	782	795	669	354
	Hastings District Council	466	569	523	632	331
	Hutt City Council	622	641	551	597	411
	New Plymouth District Council	414	600	624	532	564
	Palmerston North City Council	447	641	489	344	371
	Rotorua District Council	536	530	664	564	334
	Tauranga City Council	526	607	450	677	417
	Thames-Coromandel District Council	565	602	565	562	349
	Waikato District Council	472	577	517	721	460
Waipa District Council	484	645	554	603	421	
Territorial authorities group 4	Dunedin City Council	780	1,073	879	1,010	674
	Christchurch City Council	2,489	2,721	2,520	2,535	1,201
	Queenstown-Lakes District Council	964	1,029	1,095	1,246	910
	Wellington City Council	1,323	1,423	1,200	1,051	867
Regional councils	Bay of Plenty Regional Council	732	1,022	1,115	1,200	1,088
	Environment Canterbury Regional Council	2,390	2,420	3,381	3,373	1,726
	Environment Southland	731	621	749	868	841
	Greater Wellington Regional Council	691	748	697	703	591
	Hawke's Bay Regional Council	811	629	825	671	945
	Horizons Regional Council	450	284	300	334	519
	Northland Regional Council	931	1,076	867	904	1,284
	Otago Regional Council	675	784	819	734	492
	Taranaki Regional Council	478	568	433	401	376
	Waikato Regional Council	1,192	1,091	1,384	1,216	987
West Coast Regional Council	1,520	554	493	662	540	

Group	Local authority	2001/2002	2003/2004	2005/2006	2007/2008	2010/2011
Unitary authorities	Auckland Council	14,356	16,920	14,688	13,808	9,715
	Chatham Islands Council	2	5	2	4	9
	Gisborne District Council	576	676	554	525	409
	Marlborough District Council	2,037	1,955	1,939	1,934	1,100
	Nelson City Council	408	507	572	472	445
	Tasman District Council	1,187	1,165	912	1,135	913

Note: Auckland Council data for the past four surveys are the total number of consents processed by the eight former councils in the Auckland region.

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

Group	Local authority	% of consents that are notified			
		2003/04	2005/06	2007/08	2010/11
Territorial authorities group 1	Carterton District Council	1.52%	4.05%	15.09%	2.13%
	Central Hawke's Bay District Council	0.00%	0.56%	0.00%	0.00%
	Clutha District Council	2.78%	1.65%	0.75%	1.41%
	Gore District Council	5.06%	0.00%	1.33%	0.00%
	Grey District Council	2.86%	6.94%	5.59%	0.00%
	Hurunui District Council	1.95%	0.00%	2.71%	0.92%
	Kaikoura District Council	6.80%	9.28%	19.54%	8.70%
	Kawerau District Council	0.00%	5.88%	0.00%	0.00%
	Mackenzie District Council	0.88%	2.04%	5.15%	8.62%
	Masterton District Council	3.06%	2.27%	3.42%	3.90%
	Opotiki District Council	4.08%	0.00%	1.33%	2.86%
	Otorohanga District Council	2.30%	0.00%	0.00%	0.00%
	Rangitikei District Council	1.52%	1.12%	Not provided	0.00%
	Ruapehu District Council	2.48%	3.76%	1.75%	0.97%
	South Waikato District Council	1.11%	0.00%	0.89%	1.79%
	Stratford District Council	0.00%	0.00%	0.00%	0.00%
	Tararua District Council	1.56%	2.17%	0.93%	0.00%
	Waimate District Council	0.00%	1.96%	2.86%	2.17%
	Wairoa District Council	11.36%	2.44%	3.23%	0.00%
Waitomo District Council	0.00%	1.15%	0.00%	0.00%	
Territorial authorities group 2	Ashburton District Council	2.31%	1.30%	1.61%	4.92%
	Buller District Council	5.68%	2.67%	4.62%	6.84%
	Central Otago District Council	10.61%	9.47%	14.07%	7.33%
	Hauraki District Council	2.24%	0.00%	1.62%	1.65%
	Horowhenua District Council	0.00%	0.67%	1.51%	0.81%
	Invercargill City Council	1.64%	2.58%	3.77%	0.00%
	Kaipara District Council	3.59%	8.85%	5.54%	0.79%
	Kapiti Coast District Council	0.62%	0.53%	1.89%	0.00%
	Manawatu District Council	0.37%	0.00%	1.70%	1.06%
	Matamata-Piako District Council	0.54%	0.00%	1.42%	0.52%
	Napier City Council	2.54%	1.99%	1.77%	2.70%
	Porirua City Council	2.30%	1.61%	0.00%	0.00%
	Selwyn District Council	19.63%	5.04%	6.88%	1.69%
South Taranaki District Council	0.51%	0.37%	0.37%	0.66%	

Group	Local authority	% of consents that are notified			
		2003/04	2005/06	2007/08	2010/11
	South Wairarapa District Council	8.38%	16.91%	5.88%	2.63%
	Southland District Council	2.37%	2.09%	3.04%	8.21%
	Taupo District Council	5.01%	6.21%	5.26%	3.66%
	Timaru District Council	1.81%	Not provided	0.27%	6.20%
	Upper Hutt City Council	1.24%	0.00%	4.47%	1.70%
	Waimakariri District Council	2.41%	5.26%	2.01%	4.98%
	Waitaki District Council	1.78%	3.47%	5.10%	0.00%
	Wanganui District Council	1.54%	0.36%	0.00%	2.58%
	Western Bay of Plenty District Council	1.53%	2.22%	1.16%	0.74%
	Westland District Council	1.35%	2.58%	2.19%	1.63%
	Whakatane District Council	2.88%	2.57%	3.14%	1.64%
	Whangarei District Council	9.30%	11.68%	14.78%	4.88%
Territorial authorities group 3	Far North District Council	2.18%	4.91%	4.11%	1.71%
	Hamilton City Council	1.28%	1.01%	0.60%	8.47%
	Hastings District Council	2.28%	2.87%	1.58%	0.30%
	Hutt City Council	4.84%	1.81%	2.85%	0.97%
	New Plymouth District Council	0.83%	0.64%	0.19%	0.53%
	Palmerston North City Council	0.47%	1.43%	0.87%	0.00%
	Rotorua District Council	1.70%	1.05%	0.89%	1.80%
	Tauranga City Council	1.98%	5.33%	2.51%	1.44%
	Thames-Coromandel District Council	2.66%	1.42%	1.25%	1.15%
	Waikato District Council	3.12%	0.19%	0.42%	1.52%
	Waipa District Council	1.24%	0.36%	1.00%	0.95%
Territorial authorities group 4	Christchurch City Council	1.65%	0.95%	0.59%	1.33%
	Dunedin City Council	3.26%	4.89%	4.65%	2.97%
	Queenstown-Lakes District Council	5.73%	4.02%	4.65%	4.95%
	Wellington City Council	1.76%	1.17%	0.57%	0.35%
Regional councils	Bay of Plenty Regional Council	10.96%	8.07%	3.33%	2.48%
	Environment Canterbury Regional Council	4.79%	4.08%	5.81%	2.94%
	Environment Southland	12.72%	8.81%	3.80%	7.85%
	Greater Wellington Regional Council	9.09%	6.89%	3.56%	4.23%
	Hawke's Bay Regional Council	1.59%	1.33%	12.67%	23.39%
	Horizons Regional Council	33.10%	15.33%	9.61%	1.35%
	Northland Regional Council	13.85%	7.61%	9.18%	5.92%
	Otago Regional Council	13.52%	12.09%	16.35%	5.89%
	Taranaki Regional Council	1.06%	1.15%	1.50%	1.33%
	Waikato Regional Council	7.79%	3.83%	5.26%	9.42%
West Coast Regional Council	15.88%	5.68%	0.00%	3.89%	

Group	Local authority	% of consents that are notified			
		2003/04	2005/06	2007/08	2010/11
Unitary authorities	Auckland Council				1.26%
	Chatham Islands Council	0.00%	0.00%	25.00%	22.22%
	Gisborne District Council	12.57%	5.60%	9.90%	6.60%
	Marlborough District Council	23.94%	25.53%	27.35%	18.55%
	Nelson City Council	2.37%	2.62%	1.69%	4.94%
	Tasman District Council	9.44%	7.89%	16.74%	2.96%

Appendix 3: Percentage of limited-notified resource consent applications, by individual authorities

Group	Local authority	% of consents that are limited notified			
		2003/04	2005/06	2007/08	2010/11
Territorial authorities group 1	Carterton District Council	1.52%	14.86%	3.77%	4.26%
	Central Hawke's Bay District Council	0.67%	0.00%	0.67%	0.00%
	Clutha District Council	0.00%	2.48%	3.76%	1.41%
	Gore District Council	2.53%	4.17%	1.33%	0.00%
	Grey District Council	2.86%	2.08%	2.48%	2.11%
	Hurunui District Council	0.00%	1.36%	3.49%	0.92%
	Kaikoura District Council	1.94%	2.06%	0.00%	4.35%
	Kawerau District Council	0.00%	0.00%	0.00%	0.00%
	Mackenzie District Council	0.88%	0.00%	0.00%	3.45%
	Masterton District Council	0.00%	1.14%	2.56%	0.00%
	Opotiki District Council	2.04%	0.00%	4.00%	14.29%
	Otorohanga District Council	0.00%	0.87%	0.00%	4.71%
	Rangitikei District Council	0.00%	2.25%	Not provided	0.00%
	Ruapehu District Council	0.83%	2.26%	4.68%	6.80%
	South Waikato District Council	1.11%	1.87%	0.00%	0.00%
	Stratford District Council	0.00%	2.17%	4.30%	0.00%
	Tararua District Council	1.56%	0.00%	2.80%	0.00%
	Waimate District Council	36.36%	3.92%	1.43%	2.17%
	Wairoa District Council	0.00%	0.00%	3.23%	0.00%
Waitomo District Council	0.00%	2.30%	3.23%	0.00%	
Territorial authorities group 2	Ashburton District Council	2.78%	1.30%	0.97%	2.19%
	Buller District Council	5.68%	12.67%	10.00%	11.97%
	Central Otago District Council	1.89%	1.54%	1.73%	2.33%
	Hauraki District Council	0.00%	0.47%	0.54%	8.26%
	Horowhenua District Council	1.26%	0.67%	1.20%	1.63%
	Invercargill City Council	3.28%	4.29%	1.45%	1.56%
	Kaipara District Council	2.39%	2.65%	1.85%	0.79%
	Kapiti Coast District Council	1.24%	0.79%	1.89%	0.89%
	Manawatu District Council	3.33%	1.90%	5.78%	4.76%
	Matamata–Piako District Council	0.54%	4.44%	2.14%	7.77%
	Napier City Council	0.00%	0.28%	0.59%	0.00%
	Porirua City Council	1.64%	2.69%	2.11%	2.71%
	Selwyn District Council	2.37%	4.03%	4.05%	4.75%

Group	Local authority	% of consents that are limited notified			
		2003/04	2005/06	2007/08	2010/11
	South Taranaki District Council	1.54%	2.99%	5.15%	3.97%
	South Wairarapa District Council	4.71%	2.94%	3.78%	0.00%
	Southland District Council	0.79%	0.84%	3.04%	5.36%
	Taupo District Council	0.00%	1.19%	1.75%	0.52%
	Timaru District Council	2.17%	Not provided	1.90%	2.48%
Territorial authorities group 2	Upper Hutt City Council	1.24%	1.61%	1.72%	2.27%
	Waimakariri District Council	0.13%	0.82%	1.51%	1.49%
	Waitaki District Council	1.18%	0.69%	0.64%	0.83%
	Wanganui District Council	1.54%	0.71%	0.40%	2.58%
	Western Bay of Plenty District Council	0.92%	0.92%	2.55%	1.48%
	Westland District Council	1.35%	1.94%	3.83%	11.38%
	Whakatane District Council	2.24%	3.22%	3.83%	3.28%
	Whangarei District Council	1.58%	2.12%	0.00%	2.09%
Territorial authorities group 3	Far North District Council	0.24%	2.58%	2.13%	1.71%
	Hamilton City Council	0.77%	2.89%	1.20%	2.54%
	Hastings District Council	0.00%	0.96%	0.16%	2.11%
	Hutt City Council	1.09%	1.81%	2.68%	2.68%
	New Plymouth District Council	0.50%	1.12%	2.07%	1.42%
	Palmerston North City Council	0.47%	1.23%	2.03%	0.81%
	Rotorua District Council	0.00%	2.11%	2.30%	1.80%
	Tauranga City Council	0.82%	0.89%	1.18%	1.44%
	Thames-Coromandel District Council	2.33%	2.48%	2.85%	3.15%
	Waikato District Council	0.17%	0.77%	1.25%	0.65%
	Waipa District Council	0.78%	2.71%	1.66%	1.43%
Territorial authorities group 4	Christchurch City Council	0.55%	1.63%	0.95%	1.92%
	Dunedin City Council	0.75%	1.25%	0.79%	1.48%
	Queenstown-Lakes District Council	0.19%	0.64%	0.48%	1.54%
	Wellington City Council	0.91%	1.33%	0.95%	2.54%
Regional councils	Bay of Plenty Regional Council	0.88%	1.35%	1.42%	0.55%
	Environment Canterbury Regional Council	0.21%	1.27%	1.01%	1.32%
	Environment Southland	1.45%	1.20%	1.73%	4.40%
	Greater Wellington Regional Council	0.53%	1.00%	1.28%	1.69%
	Hawke's Bay Regional Council	0.79%	0.48%	1.49%	0.85%
	Horizons Regional Council	0.70%	2.00%	4.50%	2.70%
	Northland Regional Council	0.37%	1.85%	3.21%	3.27%
	Otago Regional Council	0.83%	1.47%	7.77%	12.20%
	Taranaki Regional Council	0.00%	2.08%	2.00%	1.33%
	Waikato Regional Council	1.10%	1.37%	5.67%	2.53%

Group	Local authority	% of consents that are limited notified			
		2003/04	2005/06	2007/08	2010/11
	West Coast Regional Council	2.33%	2.64%	6.19%	4.26%
Unitary authorities	Auckland Council				1.04%
	Chatham Islands Council	0.00%	50.00%	0.00%	0.00%
	Gisborne District Council	0.74%	3.07%	0.57%	1.47%
	Marlborough District Council	0.61%	4.85%	4.91%	8.45%
	Nelson City Council	0.20%	1.92%	1.06%	0.67%
	Tasman District Council	0.34%	0.11%	2.03%	5.91%

Appendix 4: Percentage of resource consent applications for which further information was requested

Group	Local authority	2001/2002	2003/2004	2005/2006	2007/2008	2010/11
Territorial authorities group 1	Carterton District Council	16.33%	25.76%	39.19%	28.30%	17.02%
	Central Hawke's Bay District Council	4.84%	18.00%	23.16%	32.00%	12.50%
	Clutha District Council	2.67%	0.93%	Not provided	22.56%	12.68%
	Gore District Council	3.61%	11.39%	2.08%	34.67%	5.88%
	Grey District Council	57.38%	63.81%	55.56%	32.30%	35.79%
	Hurunui District Council	37.76%	55.47%	52.27%	46.12%	33.03%
	Kaikoura District Council	49.04%	47.57%	36.08%	40.23%	34.78%
	Kawerau District Council	0.00%	45.45%	0.00%	5.56%	0.00%
	Mackenzie District Council	30.23%	44.25%	39.80%	46.39%	27.59%
	Masterton District Council	1.43%	20.92%	22.16%	24.79%	12.99%
	Opotiki District Council	15.00%	36.73%	32.26%	69.33%	37.14%
	Otorohanga District Council	51.85%	44.83%	44.35%	44.57%	23.53%
	Rangitikei District Council	27.08%	40.91%	74.16%	Not provided	17.78%
	Ruapehu District Council	28.99%	50.41%	36.09%	95.32%	42.72%
	South Waikato District Council	15.46%	43.33%	34.58%	16.96%	44.64%
	Stratford District Council	30.56%	26.92%	26.09%	73.12%	34.00%
	Tararua District Council	6.78%	7.81%	5.43%	10.28%	23.53%
	Waimate District Council	46.81%	53.57%	17.65%	12.86%	30.43%
	Wairoa District Council	57.89%	43.18%	24.39%	77.42%	23.68%
	Waitomo District Council	9.80%	9.09%	10.34%	16.13%	3.57%
Territorial authorities group 2	Ashburton District Council	14.69%	20.83%	15.15%	12.26%	25%
	Buller District Council	54.65%	50.00%	42.00%	39.23%	52.99%
	Central Otago District Council	30.10%	36.79%	40.09%	37.19%	17.00%
	Hauraki District Council	34.92%	47.01%	55.66%	69.19%	38.84%
	Horowhenua District Council	6.99%	18.83%	Not provided	55.72%	46.34%
	Invercargill City Council	14.22%	65.57%	65.67%	76.81%	28.65%
	Kaipara District Council	44.21%	35.46%	45.13%	66.79%	38.89%
	Kapiti Coast District Council	31.88%	30.34%	32.19%	42.59%	27.56%
	Manawatu District Council	6.80%	7.41%	25.71%	22.45%	22.22%
	Matamata–Piako District Council	36.92%	60.87%	48.00%	9.96%	20.21%
	Napier City Council	25.81%	25.99%	18.80%	25.66%	21.62%
	Porirua City Council	40.78%	54.43%	47.85%	65.26%	53.49%
	Selwyn District Council	43.48%	54.48%	45.56%	49.60%	45.42%
	South Taranaki District Council	40.85%	31.28%	39.93%	51.47%	57.62%

Group	Local authority	2001/2002	2003/2004	2005/2006	2007/2008	2010/11
	South Wairarapa District Council	4.71%	0.00%	55.15%	38.66%	0.00%
	Southland District Council	52.85%	41.11%	36.48%	49.11%	62.86%
Territorial authorities group 2	Taupo District Council	34.25%	43.55%	62.53%	70.18%	41.36%
	Timaru District Council	10.49%	63.41%	Not provided	44.57%	8.68%
	Upper Hutt City Council	30.00%	27.39%	42.34%	42.96%	48.30%
	Waimakariri District Council	55.47%	42.41%	74.84%	60.07%	43.28%
	Waitaki District Council	23.28%	25.44%	20.14%	22.93%	25.62%
	Wanganui District Council	17.21%	18.46%	42.14%	26.10%	19.35%
	Western Bay of Plenty District Council	50.24%	48.85%	43.25%	73.09%	61.99%
	Westland District Council	2.15%	9.46%	14.19%	19.13%	45.53%
	Whakatane District Council	37.55%	39.62%	67.85%	31.71%	18.03%
	Whangarei District Council	46.18%	50.70%	51.38%	64.68%	28.92%
	Territorial authorities group 3	Far North District Council	82.04%	32.77%	43.44%	48.44%
Hamilton City Council		4.59%	17.65%	6.42%	30.19%	29.66%
Hastings District Council		34.33%	30.40%	43.21%	51.90%	53.47%
Hutt City Council		30.71%	13.88%	55.90%	39.36%	31.14%
New Plymouth District Council		14.73%	25.17%	23.88%	21.05%	25.71%
Palmerston North City Council		17.45%	23.24%	33.13%	52.03%	25.88%
Rotorua District Council		54.48%	40.19%	Not provided	39.54%	30.84%
Tauranga City Council		29.09%	48.93%	60.89%	29.99%	29.98%
Thames-Coromandel District Council		49.91%	0.00%	49.56%	48.22%	49.57%
Waikato District Council		60.17%	63.43%	33.27%	57.14%	63.48%
Waipa District Council		33.26%	24.19%	22.38%	51.74%	21.38%
Territorial authorities group 4	Christchurch City Council	48.49%	51.64%	50.00%	66.35%	48.13%
	Dunedin City Council	31.92%	32.34%	34.93%	26.14%	14.54%
	Queenstown-Lakes District Council	67.22%	64.92%	65.02%	69.58%	57.25%
	Wellington City Council	38.25%	42.73%	56.92%	62.51%	41.98%
Regional councils	Bay of Plenty Regional Council	53.14%	49.51%	52.56%	39.25%	23.99%
	Environment Canterbury Regional Council	18.87%	13.22%	9.85%	20.13%	11.53%
	Environment Southland	25.72%	33.49%	43.66%	54.38%	66.35%
	Greater Wellington Regional Council	21.27%	31.55%	27.26%	26.32%	27.92%
	Hawke's Bay Regional Council	3.58%	9.86%	12.36%	35.77%	29.95%
	Horizons Regional Council	52.44%	56.34%	38.00%	56.16%	23.12%
	Northland Regional Council	36.63%	16.82%	15.22%	26.33%	31.07%
	Otago Regional Council	32.89%	22.83%	25.64%	16.89%	13.82%
	Taranaki Regional Council	9.83%	9.68%	11.55%	9.73%	5.05%
	Waikato Regional Council	33.72%	29.33%	30.78%	31.25%	26.65%
	West Coast Regional Council	4.67%	31.77%	17.85%	8.31%	5.19%

Group	Local authority	2001/2002	2003/2004	2005/2006	2007/2008	2010/11
Unitary authorities	Auckland Council					38.23%
	Chatham Islands Council	100.00%	0.00%	0.00%	0.00%	22.22%
	Gisborne District Council	27.60%	38.31%	23.47%	25.90%	21.76%
	Marlborough District Council	2.11%	5.22%	6.70%	24.41%	37.91%
	Nelson City Council	75.49%	38.86%	38.99%	40.04%	45.62%
	Tasman District Council	23.93%	28.58%	35.96%	49.78%	41.07%

Appendix 5: Percentage of resource consent applications processed on time and use of Section 37

Group	Local authority	2005/06	2007/08	2010/11	Use of s37 (2010/11)
		% on time	% on time	% on time	% of total consents processed
Territorial authorities group 1	Carterton District Council	88	42	100	4%
	Central Hawke's Bay District Council	83	79	100	6%
	Clutha District Council	69	75	100	0%
	Gore District Council	69	81	98	4%
	Grey District Council	53	69	97	7%
	Hurunui District Council	94	83	98	3%
	Kaikoura District Council	49	75	96	7%
	Kawerau District Council	88	72	100	0%
	Mackenzie District Council	97	76	88	14%
	Masterton District Council	91	71	99	3%
	Opotiki District Council	77	89	97	6%
	Otorohanga District Council	99	78	99	5%
	Rangitikei District Council	93	Not provided	100	0%
	Ruapehu District Council	44	80	98	3%
	South Waikato District Council	53	56	98	0%
	Stratford District Council	100	100	100	0%
	Tararua District Council	90	93	91	0%
	Waimate District Council	80	41	78	2%
	Wairoa District Council	73	77	100	3%
Waitomo District Council	97	95	100	0%	
Territorial authorities group 2	Ashburton District Council	90	70	98	3%
	Buller District Council	69	100	100	12%
	Central Otago District Council	90	72	98	5%
	Hauraki District Council	79	68	99	15%
	Horowhenua District Council	61	60	98	5%
	Invercargill City Council	91	81	99	15%
	Kaipara District Council	23	79	93	72%
	Kapiti Coast District Council	75	99	93	4%
	Manawatu District Council	100	97	94	1%
	Matamata-Piako District Council	96	99	96	8%
	Napier City Council	81	88	93	0%
	Porirua City Council	100	82	99	3%

Group	Local authority	2005/06	2007/08	2010/11	Use of s37 (2010/11)
		% on time	% on time	% on time	% of total consents processed
	Selwyn District Council	48	62	99	2%
	South Taranaki District Council	81	94	100	1%
	South Wairarapa District Council	56	90	92	0%
	Southland District Council	65	53	95	12%
	Taupo District Council	85	92	100	5%
	Timaru District Council	Not provided	54	100	2%
Territorial authorities group 2	Upper Hutt City Council	91	76	97	6%
	Waimakariri District Council	63	82	74	4%
	Waitaki District Council	72	99	98	5%
	Wanganui District Council	84	69	99	17%
	Western Bay of Plenty District Council	91	99	100	5%
	Westland District Council	55	30	99	12%
	Whakatane District Council	89	45	90	7%
	Whangarei District Council	56	66	91	17%
Territorial authorities group 3	Far North District Council	51	37	95	3%
	Hamilton City Council	97	99	94	6%
	Hastings District Council	71	81	95	2%
	Hutt City Council	88	83	99	2%
	New Plymouth District Council	89	94	98	9%
	Palmerston North City Council	93	93	77	1%
	Rotorua District Council	80	95	98	3%
	Tauranga City Council	56	82	98	9%
	Thames–Coromandel District Council	76	78	98	13%
	Waikato District Council	83	65	96	16%
	Waipa District Council	97	98	96	7%
Territorial authorities group 4	Christchurch City Council	88	67	90	10%
	Dunedin City Council	97	57	99	5%
	Queenstown–Lakes District Council	62	76	96	0%
	Wellington City Council	81	73	99	9%
Regional councils	Bay of Plenty Regional Council	95	74	100	27%
	Environment Canterbury Regional Council	72	29	92	27%
	Environment Southland	68	74	92	8%
	Greater Wellington Regional Council	97	99	99	18%
	Hawke's Bay Regional Council	100	96	98	15%
	Horizons Regional Council	100	74	98	42%
	Northland Regional Council	98	99	99	46%

Group	Local authority	2005/06	2007/08	2010/11	Use of s37 (2010/11)
		% on time	% on time	% on time	% of total consents processed
	Otago Regional Council	81	67	99	23%
	Taranaki Regional Council	100	100	100	28%
	Waikato Regional Council	84	81	90	40%
	West Coast Regional Council	87	93	98	14%
Unitary authorities	Auckland Council			92	9%
	Chatham Islands Council	100	100	100	0%
	Gisborne District Council	68	50	96	13%
	Marlborough District Council	56	53	95	6%
	Nelson City Council	41	57	89	19%
	Tasman District Council	67	90	99	32%

Appendix 6: Legacy council data for the Auckland region (1 July to 31 October 2010)

Period: 1 July to 31 October 2010		Rodney District Council	North Shore City Council	Auckland City Council	Waitakere City Council	Manukau City Council	Papakura District Council	Franklin District Council	Auckland Regional Council	Total for period
1. RESOURCE CONSENT PROCESSING STATISTICS										
Resource consents processed to a decision in 2010/2011		335	656	1410	407	354	108	162	275	3707
Type of resource consent as a percentage of total consents										
Notified consents processed	Subdivision	1%	<0.5%	0%	<0.5%	0%	0%	1%	0%	<0.5%
	Land Use	1%	1%	<0.5%	1%	1%	1%	1%	1%	1%
	Coastal	0%	0%	0%	0%	0%	0%	0%	10%	1%
	Water	0%	0%	0%	0%	0%	0%	0%	<0.5%	<0.5%
	Discharge	0%	0%	0%	0%	0%	0%	0%	1%	<0.5%
	Total	2%	1%	<0.5%	1%	1%	1%	1%	2%	13%
Limited notification consents processed	Subdivision	0%	0%	<0.5%	0%	0%	1%	1%	0%	<0.5%
	Land Use	1%	2%	1%	<0.5%	1%	0%	0%	<0.5%	1%
	Coastal	0%	0%	0%	0%	0%	0%	0%	0%	0%
	Water	0%	0%	0%	0%	0%	0%	0%	0%	0%
	Discharge	0%	0%	0%	0%	0%	0%	0%	1%	<0.5%
	Total	1%	2%	1%	<0.5%	1%	1%	1%	1%	2%
Total		96%	97%	99%	98%	98%	98%	97%	85%	97%
Total consents processed	Subdivision	20%	11%	11%	15%	20%	19%	66%	0%	15%
	Land Use	79%	89%	89%	85%	80%	81%	34%	32%	80%
	Coastal	1%	0%	0%	0%	0%	0%	0%	22%	2%
	Water	0%	0%	0%	0%	0%	0%	0%	11%	1%
	Discharge	0%	0%	0%	0%	0%	0%	0%	35%	3%
	Total	100%	100%	100%	100%	100%	100%	100%	100%	100%

Period: 1 July to 31 October 2010		Rodney District Council	North Shore City Council	Auckland City Council	Waitakere City Council	Manukau City Council	Papakura District Council	Franklin District Council	Auckland Regional Council	Total for period
Resource consents by activity status as a percentage of total consents										
Consents processed	Controlled	3%	2%	7%	12%	11%	6%	10%	19%	8%
	Discretionary	47%	11%	41%	27%	30%	68%	30%	52%	35%
	Restricted Discretionary	30%	13%	48%	47%	55%	15%	36%	22%	37%
	Non-complying	19%	1%	4%	7%	5%	11%	24%	5%	6%
	Other	0%	73%	0%	8%	0%	0%	0%	2%	14%
Total		100%	100%	100%	100%	100%	100%	100%	100%	100%
Percentage of requests where further information was requested		30%	54%	34%	36%	27%	44%	65%	64%	40%
2. TIME										
Notified consents processed within statutory timeframes		88%	63%	0%	100%	50%	100%	0%	100%	83%
Limited notification consents processed within statutory timeframes		100%	25%	27%	100%	100%	0%	0%	100%	50%
Non-notified consents processed within statutory timeframes		99%	90%	85%	87%	99%	100%	90%	98%	90%
3. COSTS										
Notified resource consents	Lowest charged (\$)	\$15,682.45	\$2,722.00	\$27,910.63	\$15,108.00	\$30,375.00	\$24,200.00	\$10,367.00	\$6,709.00	\$2,722.00
	Highest charged (\$)	\$50,748.12	\$100,396.00	\$69,269.41	\$98,891.00	\$59,732.00	\$24,200.00	\$34,347.00	\$211,145.00	\$211,145.00
Limited-notification resource consents	Lowest charged (\$)	\$10,210.94	\$4,000.00	\$3,530.96	\$33,133.00	\$3,356.00	\$31,620.00	\$7,047.00	\$17,653.00	\$3,356.00
	Highest charged (\$)	\$15,827.87	\$149,910.00	\$36,593.75	\$269,979.00	\$15,632.00	\$31,620.00	\$7,595.00	\$73,442.00	\$269,979.00
Non-notified resource consents	Lowest charged (\$)	\$680.00	\$694.00	\$77.77	\$361.00	\$600.00	\$671.00	\$210.00	\$266.00	\$177.77
	Highest charged (\$)	\$26,460.87	\$34,621.00	\$39,191.44	\$202,667.00	\$25,019.00	\$12,911.00	\$7,595.00	\$170,298.00	\$202,667.00
4. MONITORING AND ENFORCEMENT										
Percentage of total consents that required monitoring		100%	86%	*	77%	54%	71%	11%	92%	47%
Percentage of total consents requiring monitoring that were monitored		0%	*	*	48%	13%	90%	17%	9%	65%
Percentage of total consents monitored that complied with conditions		*	*	*	*	96%	100%	100%	100%	65%
Infringement notices		6	12	50	42	37	7	5	11	170
Abatement notices		10	12	0	10	142	1	10	42	227

Period: 1 July to 31 October 2010	Rodney District Council	North Shore City Council	Auckland City Council	Waitakere City Council	Manukau City Council	Papakura District Council	Franklin District Council	Auckland Regional Council	Total for period
5. GOOD PRACTICE IN RESOURCE CONSENT PROCESSING									
Monitoring time frames									
Extension under sections 37(1) or 37A	9%	1%	1%	10%	5%	7%	1%	62%	8%
Extensions up to twice the maximum time permitted by section 37A(2)(a)	9%	1%	1%	10%	3%	4%	0%	13%	4%
Extensions exceeding twice the maximum time permitted using section 37A(2)(b)	0%	0%	0%	0%	1%	4%	1%	49%	4%

* Unvalidated data

Appendix 7: RMA Survey of Local Authorities

Instructions

When completing the survey please use the following approach:

- Unless otherwise stated, please only consider resource consents as defined by **section 87** of the RMA.
- Include resource consent applications that have been processed through to a decision during the 2010/2011 financial year.
- Include resource consent applications lodged before the 2010/2011 financial year if the decisions to grant or decline them were made within the 2010/2011 financial year.
- If there are multiple resource consents in the one application form, then count the number of resource consents included in that form.




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

Definitions of terms and an explanation of the survey questions are provided on pages 20-23 of this document.

What's changed in 2010/2011?

The **wording** and structure of some questions has been simplified to clarify meaning.

Changes in the survey are shown by the indicators below. When these appear in the survey, please adjust your local authority's RMA survey reports accordingly.

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

Survey questionnaire

1. Resource Consent Processing Statistics


Resource consents processed to a decision in 2010/2011

- 1.1 How many resource consent applications (as defined in **section 87** of the RMA) were processed through to a decision by your local authority in the 2010/2011 financial year?

Changes in resource consent conditions


- 1.2 How many resource consent applications processed to a decision by your local authority were initiated by changes in resource consent conditions (as defined under **section 127** of the RMA) in the 2010/2011 financial year?
- 1.3 How many resource consent applications processed to a decision by your local authority were changes in resource consent conditions (as defined under **section 128** of the RMA) in the 2010/2011 financial year?

Certificates of compliance

- 1.4 How many certificates of compliance were issued by your local authority under **section 139** of the RMA in the 2010/2011 financial year?
-  1.5 How many certificates of compliance were issued by your local authority in compliance with a National Environmental Standard in the 2010/2011 financial year?

Resource consents declined

- 1.6 How many resource consent applications processed to a decision were declined by your local authority in the 2010/2011 financial year?

-  1.7 How many resource consent applications were:

- 1.7.1 returned to the applicant by your local authority under **section 88(3)** of the RMA in the 2010/2011 financial year?

- 1.7.2 returned more than once to the applicant by your local authority under **section 88(3)** of the RMA in the 2010/2011 financial year?

Type of resource consent

- 1.8 Complete the following table with information about how many of each type of resource consent were processed to a decision by your local authority in the 2010/2011 financial year.

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



Resource consents by activity status



- 1.9 Complete the following table with information about the activity status of resource consents that were processed to a decision by your local authority in the 2010/2011 financial year.

Activity Status	Controlled	Discretionary	Restricted Discretionary	Non-complying	Other	Total
Number of consents processed						Automatic calculation

Further information requests

- 1.10 How many resource consents processed in the 2010/2011 financial year required written requests for further information under **section 92(1)** of the RMA?
- 1.11 How many resource consents processed in the 2010/2011 financial year required your local authority to commission a report for further information under **section 92(2)** of the RMA?
-  1.12 How many resource consents processed in the 2010/2011 financial year required your local authority to make more than one request for further information under **section 92** of the RMA?
-  1.13 How many resource consents processed in the 2010/2011 financial year were notified under **section 95C(2)** of the RMA because further information was not provided?

Pre-hearing meetings

- 1.14 For how many notified and limited notified resource consents processed in the 2010/2011 financial year was there a pre-hearing meeting held under **section 99** of the RMA?
- 1.15 How many pre-hearing meetings resulted in issues being resolved so that a hearing was unnecessary?

Type of resource consent decisions



- 1.16 How many requests under **section 100A** of the RMA for independent commissioners were made by:
- 1.16.1 Applicants
- 1.16.2 Submitters
- Total
- 1.17 How many resource consents processed during the 2010/2011 financial year were decisions made by:
- 1.17.1 Local authority officers (under delegated authority)
- 1.17.2 Independent commissioners (not including councillors or community board members acting as commissioners)
- 1.17.3 Current councillors and/or community boards acting as commissioners
- 1.17.4 Councillor hearings panel or committee
- 1.17.5 Other (e.g. mixed panel of councillors/commissioners)
- Total

Objections and appeals made by the applicant on resource consent decisions



- 1.18 How many objections under **section 357** of the RMA were received by your local authority in relation to a resource consent decision during the 2010/2011 financial year?
- 1.19 For those objections under **section 357** of the RMA in 1.18 above, how many were appealed to the Environment Court under **section 358** of the RMA?

Appeals to the Environment Court on resource consent decisions

- 1.20 How many resource consent decisions made by your local authority in the 2010/2011 financial year were appealed under **section 120** of the RMA?

2. Time

Statutory timeframes for notified consents



- 2.1 Complete the following table with the number of **notified resource consents** (by type) processed to a decision within/outside statutory time limits in the 2010/2011 financial year.

Consent Type	Notified Resource Consents						Total Notified Processed
	Without hearing			With hearing			
	Processed within 50 days	Processed within timeframe extended under s 37	Processed outside statutory timeframe	Processed within 70 days	Processed within timeframe extended under s 37	Processed outside statutory timeframe	
Coastal							Automatic calculation
Discharge							Automatic calculation
Land use							Automatic calculation
Subdivision							Automatic calculation
Water							Automatic calculation

Statutory timeframes for limited notification consents



- 2.2 Complete the following table with the numbers of limited notification resource consents (by type) processed to a decision within/outside statutory time limits in the 2010/2011 financial year.

Consent Type	Limited Notification Resource Consents						Total Limited Notification Processed
	Without hearing			With hearing			
	Processed within 50 days	Processed within timeframe extended under s 37	Processed outside statutory timeframe	Processed within 70 days	Processed within timeframe extended under s 37	Processed outside statutory timeframe	
Coastal							Automatic calculation
Discharge							Automatic calculation
Land use							Automatic calculation
Subdivision							Automatic calculation
Water							Automatic calculation

Statutory timeframes for non-notified consents



2.3 Complete the following table with the numbers of non-notified resource consents (by type) processed to a decision within/outside statutory time limits in the 2010/2011 financial year.

Consent Type	Non-notified Resource Consents						Total Non-Notified Processed
	<i>Without hearing</i>			<i>With hearing</i>			
	Processed within 20 days	Processed within timeframe extended under s 37	Processed outside statutory timeframe	Processed within 40 days	Processed within timeframe extended under s 37	Processed outside statutory timeframe	
Coastal							Automatic calculation
Discharge							Automatic calculation
Land use							Automatic calculation
Subdivision							Automatic calculation
Water							Automatic calculation

3. Cost

Notified resource consents



- 3.1 In the 2010/2011 financial year, what were the lowest, median, highest and total amounts your local authority charged resource consent applicants for notified resource consents processed in the following resource consent categories?

Consent Type	Lowest charged (\$)	Median charged (\$)	Highest charged (\$)	Total charged (all consents in category) (\$)
Coastal				
Discharge				
Land use				
Subdivision				
Water				

Limited-notification resource consents



- 3.2 In the 2010/2011 financial year, what were the lowest, median, highest and total amounts your local authority charged resource consent applicants for limited-notification resource consents processed in the following resource consent categories?

Consent Type	Lowest charged (\$)	Median charged (\$)	Highest charged (\$)	Total charged (all consents in category) (\$)
Coastal				
Discharge				
Land use				
Subdivision				
Water				





Non-notified resource consents







- 3.3 In the 2010/2011 financial year, what were the lowest, median, highest and total amounts your local authority charged resource consent applicants for non-notified resource consents processed in the following resource consent categories?

Consent Type	Lowest charged (\$)	Median charged (\$)	Highest charged (\$)	Total charged (all consents in category) (\$)
Coastal				
Discharge				
Land use				
Subdivision				
Water				

Charges

-  3.4 What was the average hourly charge out rate your local authority used for cost recovery for the processing of resource consents during the 2010/2011 financial year?
-  3.5 How many resource consent applications were charged a processing fee under **section 36** of the RMA in the 2010/2011 financial year?
-  3.6 How many resource consent applications were not charged a processing fee under **section 36** of the RMA in the 2010/2011 financial year?
-  3.7 How many cost recovery invoices were reduced due to objections under **section 357B** of the RMA during the 2010/2011 financial year?


Discount Regulations


-  3.8 Does your local authority apply:
- | Yes | No |
|--|--|
| <input data-bbox="1193 1435 1302 1509" type="text"/> | <input data-bbox="1302 1435 1406 1509" type="text"/> |
- 3.8.1 the provisions of the Resource Management (Discount or Administrative Charges) Regulations?
- 3.8.2 a council-specific discount policy?
-  3.9 How many resource consent applications were subject to a discount during the 2010/2011 financial year?
-  3.10 What was the total revenue collected on resource consent applications under **section 36** of the RMA during the 2010/2011 financial year?
-  3.11 What was the total value of all discounts provided during the 2010/2011 financial year?

4. Monitoring and Enforcement

Monitoring and reporting

4.1 Did your local authority **monitor or report** results of any of the following during the 2010/2011 financial year?

	Monitor		Report	
	Yes	No	Yes	No
4.1.1 State of the environment (section 35(2)(a) RMA)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4.1.2 Suitability and effectiveness of policies and plans (section 35(2)(b) RMA)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4.1.3 Exercise of delegated or transferred functions and powers (section 35(2)(c) RMA)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4.1.4 Compliance with resource consent conditions (section 35(2)(d) RMA)	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
 4.1.5 Compliance with your plan in regard to permitted activities	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

 4.2 Did your local authority undertake any of the following during the 2010/2011 financial year?


	Yes	No
4.2.1 Prepare a full report under section 35(2A) of the RMA	<input type="text"/>	<input type="text"/>
4.2.2 Compile a complaints register (section 35(5)(i) RMA)	<input type="text"/>	<input type="text"/>

Complaints

4.3 How many complaints recorded under section 35(5)(i) concerning alleged breaches of the RMA were received by your local authority during the 2010/2011 financial year for the following:

4.3.1 Excessive noise complaints	<input type="text"/>
4.3.2 Other complaints	<input type="text"/>

Compliance with consent conditions

 4.4 How many new resource consents received and processed during the 2010/2011 financial year required monitoring for compliance with consent conditions?	<input type="text"/>
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4.5 How many of the resource consents described in 4.4 were monitored for consent compliance during the 2010/2011 financial year?

4.6 For those resource consents that were monitored for consent condition compliance in the 2010/2011 financial year, how many did not comply with their conditions?



4.7 Of all resource consents, how many required monitoring for compliance with consent conditions?

4.8 How many times were complaints or consent compliance breaches resolved to your local authority's satisfaction through the following formal enforcement and informal actions?

	Enforcement Action	Complaints	Rule In Plan Breaches	Consent Compliance Breaches	Total
4.8.1	Enforcement orders				Automatic calculation
4.8.2	Abatement notices				Automatic calculation
4.8.3	Excessive noise directions				Automatic calculation
4.8.4	Prosecutions				
4.8.4.1	Prosecutions – enforcement officer's recommendation to prosecute				Automatic calculation
4.8.4.2	Prosecutions – information laid				Automatic calculation
4.8.4.3	Prosecutions – court decision reached				Automatic calculation
4.8.5	Infringement notices				Automatic calculation
4.8.6	Informal action				
4.8.6.1	Informal action – verbal warning				Automatic calculation
4.8.6.2	Informal warning – letter				Automatic calculation
4.8.6.3	Informal warning – monitoring visit				Automatic calculation
4.8.7	Pending action				Automatic calculation
	TOTAL	Automatic calculation	Automatic calculation	Automatic calculation	Grand Total - automatic calculation



4.9 How many of the total number of infringement and abatement notices were:

	Infringement notices	Abatement notices
Withdrawn		
Paid		N/A
Appealed		
Still in progress		



4.10 During the 2010/2011 financial year, how many times has your local authority reviewed resource consents following a direction from the Environment Court under **section 339(5)(b)** of the RMA?



4.11 Of the resource consents reviewed during the 2010/2011 financial year following a direction from the Environment Court under **section 339(5)(b)** of the RMA, how many were cancelled?

5. Maori Participation in Resource Management Act Processes



5.1 Did your local authority keep and maintain records (under **section 35A** of the RMA) of each iwi and hapū group in the region/district and the documents they lodged during the 2010/2011 financial year?

Kept and maintained records of:

Each iwi and hapū group		Documents they lodged	
Yes	No	Yes	No
5.1.1	<input type="checkbox"/>	5.1.2	<input type="checkbox"/>

5.2 Does your local authority provide advice or indicate to applicants that their resource consent application may be of interest/concern to iwi/hapū?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

5.3 If the answer to 5.2 above was “Yes”, does this generally occur prior or after formal lodgement?

Prior	After
<input type="checkbox"/>	<input type="checkbox"/>

5.4 Does your local authority have written criteria or a set policy to determine whether tangata whenua are considered an affected party to resource consent applications?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

5.5 When a site, species or resource use is of concern to tangata whenua, does your local authority have a policy that requires a cultural impact assessment as part of the resource consent application?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

5.6 Does your local authority have standard resource consent conditions that cover discovery of significant sites or items to tangata whenua?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

5.7 Did your local authority make a budgetary commitment to tangata whenua participation in **resource management plan preparation and plan change processes** during the 2010/2011 financial year?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

5.8 Did your local authority make a budgetary commitment to tangata whenua participation in **resource consent processes** during the 2010/2011 financial year?

<input type="checkbox"/>	<input type="checkbox"/>
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5.9 If the answer to 5.7 or 5.8 above was “Yes”, please indicate what general type of activities this budgetary commitment was spent on.

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5.10 Does your local authority involve tangata whenua in resource consent monitoring?

Yes	No

5.11 If the answer to 5.10 above was “Yes”, please describe tangata whenua involvement in resource consent monitoring.

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5.12 Does your local authority have formal or informal memoranda of understanding, protocols, joint management agreement or service level agreements with tangata whenua?

	Formal	
	Yes	No
5.12.1		

	Informal	
	Yes	No
5.12.2		

6. Good Practice in Resource Consent Processing

Pre-application process

		Yes	No
6.1	For controlled and restricted discretionary activities, does your local authority define for applicants the environmental effects that must be addressed in the resource consent application?	<input type="checkbox"/>	<input type="checkbox"/>
 6.2	How many resource consent applications involved pre-application meetings during the 2010/2011 financial year?	<input type="text"/>	


Application process

		Yes	No
6.3	Before commissioning specialist reports, does your local authority:		
6.3.1	Provide applicants with the opportunity to discuss or dispute the requirements to provide such information?	<input type="checkbox"/>	<input type="checkbox"/>
6.3.2	Allow applicants to obtain information or reports themselves?	<input type="checkbox"/>	<input type="checkbox"/>

Assessments of Environmental Effects (AEEs) and notification

		Yes	No
6.4	Do staff follow a set structure to check that environmental effects are adequately identified and addressed in AEEs?	<input type="checkbox"/>	<input type="checkbox"/>
6.5	Are internal guidance notes or checklists available to advise staff when to notify a resource consent application?	<input type="checkbox"/>	<input type="checkbox"/>
6.6	Are internal guidance notes or checklists available to advise staff how to identify affected parties?	<input type="checkbox"/>	<input type="checkbox"/>

Monitoring time frames

		Yes	No
6.7	Does your local authority check a resource consent application for completeness (not correctness) within five working days of its arrival?	<input type="checkbox"/>	<input type="checkbox"/>
 6.8	How many resource consent applications received during the 2010/2011 financial year were subject to a timeframe extension under section 37(1) and/or section 37A of the RMA?	<input type="text"/>	



6.9 If there were resource consent applications subject to a timeframe extension, how many resource consents processed in the 2010/2011 financial year received extensions **up to twice the maximum time permitted by the Act** using section **37A(2)(a)** of the RMA.

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6.10 If there were resource consent applications subject to a timeframe extension, how many resource consents processed in the 2010/2011 financial year received extensions **exceeding twice the maximum time permitted by the Act**, with the approval of the applicant, using section **37A(2)(b)** of the RMA.

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6.11 How often does your local authority monitor whether resource consents are processed within statutory time limits?

- Not at all
- Daily
- Weekly
- Monthly

Other, please specify _____

6.12 Does your local authority formally monitor and report consent processing performance (e.g. prepare an annual report on consent processing performance that is made available to ratepayers)?

Yes	No

Customer satisfaction

6.13 Did your local authority run a formal, documented consent processing customer satisfaction survey between 1 July 2010 and 30 June 2011?

Yes	No

6.14 If the answer to 6.13 above was “Yes”, indicate the overall level of satisfaction reported by applicants:

- Very Satisfied
- Satisfied
- Neutral
- Dissatisfied
- Very Dissatisfied

Staff levels



6.15 How many staff did your local authority employ to process resource consents during the 2010 /2011 financial year?

	Senior planners	Planners	Scientists	Planning technicians	Other	Totals
Average number of staff over the year						Automatic calculation
Total number of staff over the year						Automatic calculation

Standard monitoring practices





6.16 Does your local authority have standard monitoring practices that may not be set in consent conditions?

7. Plan Changes and Variations


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

Plan changes

 7.1 How many **council-initiated changes** to operative plans were made operative by your local authority in the 2010/2011 financial year?

 7.2 How many **privately-initiated changes** to operative plans were made operative by your local authority in the 2010/2011 financial year?


7.3 How many **council-initiated** and **privately-initiated** changes to operative plans were declined or withdrawn in the 2010/2011 financial year?

 7.4 How many plan changes were in progress in the 2010 / 2011 financial year?


Variations


7.5 How many **variations** to a proposed plan were **completed** by your local authority in the 2010/2011 financial year?


7.6 How many **variations** to a proposed plan were **declined or withdrawn** in the 2010/2011 financial year?


 7.7 How many variations to a proposed plan were **in progress** in the 2010/2011 financial year?


Designations and notices of requirement

 7.8 How many notices of requirement were received from requiring authorities during the 2010/2011 financial year?

 7.9 How many notices of requirement were recommended to be confirmed during the 2010/2011 financial year?

 7.10 How many notices of requirement were appealed during the 2010/2011 financial year?

 7.11 How many outline plans were submitted from requiring authorities during the 2010/2011 financial year?

 7.12 How many outline plans were recommended for approval by your local authority during the 2010/2011 financial year?



Plan and Policy Reviews



7.13 Did your local authority undertake a full review of policy statements or plans as required under **section 79(1)** of the RMA?

Yes No Not applicable

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Plan reviews, changes and variations




7.14 Complete the following table for each request received, or process carried out, by your local authority in the 2010/2011 financial year.

Name (Description of plan review, change or variation requested)	Type (Full review, plan change or variation)	Origin (Council or privately initiated)	Notification Date	Decision date	Operative date	Change to operative date			
						Early Council application to Environment Court under s86D for rule(s) to apply earlier		Delayed Council resolution under s86B to delay rule(s) coming into effect	
						Yes	No	Yes	No

8. Comments

Please take the opportunity to comment on any issues that may be relevant when considering the responses of your local authority to this questionnaire:



For enquires regarding this survey please contact;

Monitoring Compliance and Review
Ministry for the Environment

Definitions and Explanations

Section 1: Resource Consent Processing Statistics

- 1.1 A resource consent application is defined as **processed** to a decision once the local authority has approved or declined an application. It **does not** include resource consent applications withdrawn before a decision was made (even if that application involved staff time before it was withdrawn). It **does** include resource consent applications lodged before the 2010/2011 financial year if the decisions to grant or decline them were made within the 2010/2011 financial year.
- 1.2 This question refers to applications made **under section 127** (Change or cancellation of consent condition by the consent holder). Note that applications under section 127 must be treated as if they were resource consents for a discretionary activity.
- 1.3 This question refers to consent conditions made **under section 128** (Circumstances when consent conditions can be reviewed).
- 1.5 Certificates of compliance for National Environmental Standards (NES) should be the same as certificates of compliance for plans. These should be tracked in council's consents databases. The two NES that may have certificates of compliance issued are the Electricity Transmission and Telecommunications Facilities standards.
- 1.7.2 An example of tracking the number of times an application is returned is by checking the site file when an application is received. This will show whether other application have been lodged for the same or similar activities on the site. Councils can also track this by asking the applicant to record any previous consent numbers on council application forms.
- 1.9 For the purpose of this survey, please include any Restricted Coastal Activities under Discretionary activities.
- 1.18 When completing this question exclude any objections made to further information requests **under section 92** and applications for certificates of compliance **under section 139**.
- 1.19 Use the number of objections from question 1.18 to work out the number appealed to the environment court for question 1.19.

Since there is a 15 working day period for filing an appeal, a decision made during the 2010/2011 financial year may have been appealed as late as 21 July 2010. Please include all decisions made in the 2010/2011 financial year that were appealed, where the appeal was filed up to 21 July 2011.

Section 2: Time

- 2.1 to 2.3 Resource consent applications are considered to be 'within time' if they are processed within:
- 70 working days for notified and limited-notification consent applications involving a hearing;
 - 50 working days for notified and limited-notification consent applications not involving a hearing;
 - 40 working days for non-notified consent applications where a hearing was held;
 - 20 working days for non-notified consent applications where no hearing was held; or
 - time limits using section 37.

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

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

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

Section 3: Cost

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

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

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

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

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

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

1. Open the Excel spreadsheet where your charges data is stored, or export the data from the programme where it is stored into a single column in an Excel spreadsheet.
2. Click on the first empty cell at the bottom of the column containing the charges data.
3. Click on the = button on the Formula bar. From the drop-down menu, select 'MEDIAN'.

4. Make sure the array (cells containing the data) includes **all** the cells with the data (e.g. A1:A100).
 5. Click 'OK' to complete the calculation.
- 3.4 The results of this question will not be in the main report and will remain confidential.
 - 3.7 For this question, please include the number of invoices for both additional charges and recovery of costs that were reduced due to complaints under section 357B.
 - 3.10 This can be calculated by subtracting any deductions as a result of section 357B objections from the answers provided in questions 3.1 to 3.3.
 - 3.11 Please include all applications in which a discount was applied regardless of whether the payment of fees in advance cancelled out the discount received or not.

Section 4: Monitoring and Enforcement

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

Reporting is defined as making the results of monitoring available in an understandable format for a defined audience. Reporting can range from informal internal council documents through to publicly available published reports.
- 4.3 Minor issues are often resolved on the spot and not recorded. Complete the questions for recorded issues only. This section refers to complaints about alleged breaches of the RMA (section 35(5)(i)). Do not include information about complaints related to other local authority functions.
- 4.4 A resource consent is defined as requiring monitoring if it is written in the resource consent conditions that it shall be monitored during the period 1 July 2010 to 30 June 2011.
- 4.7 This question refers to all resource consents on record (since 1991) that have conditions that require monitoring.
- 4.8 Consent compliance breaches are those that were monitored or noted in the first instance through compliance monitoring or by council officers. Enforcement or informal action taken as a result of public complaints that led to unscheduled consent compliance monitoring should be recorded in the complaints column. Complaints refer to externally driven and registered concerns.
- 4.8.6 Informal action is defined as any action that rectifies the situation without recourse to legal procedures. Examples could include written or verbal warnings, or obtaining the offender's cooperation in ceasing what they were doing or changing their behaviour to the extent that it does no longer is cause for concern.

Section 5: Maori Participation

- 5.1 Section 35A of the RMA requires councils to keep records of iwi in their region or district. While the information may be drawn from Te Puni Kokiri, the duty to keep and maintain records lies with the local authority.
- 5.2 & 5.3 Providing advice to applicants can be over the counter or telephone advice or via an email, letter, or pamphlet.
- 5.3 Please indicate your local authority's standard practice when discussing resource consent applications. If your local authority provides advice both prior to and after formal lodgement then please tick both boxes.
- 5.4 Written criteria and policies should be more than a policy that just sees all consents automatically circulated to Maori groups for comment. Criteria and policies should relate to the circumstances when Maori or their interests will be deemed to be affected and which iwi or hapū should receive copies of applications.
- 5.7 This includes internal council budgetary provision for staff costs and consultation with iwi, and any direct payments to iwi to assist them in participating in consultation, in regard to:
- Plan and policy development.
 - Incorporating Maori/iwi/hapū advice into plans and policy statements.
- It may also include any contribution paid towards assisting iwi in the development of planning documents recognised by the iwi authority (such as iwi management plans).
- 5.8 This includes the budget for internal staff costs, direct payment to iwi, and costs of consulting with iwi to facilitate Maori/iwi participation in resource consent processes.

Section 6: Good Practice

The Ministry for the Environment is collecting information on the use of what it considers to be key elements of good practice in resource consent processing. Good practice should not be considered prescriptive - rather local authorities should consider the applicability of different elements of good practice to their own unique circumstances. These questions relate to **current** practice. Unless requested to do so, please **do not** restrict your answers to the 2010/2011 financial year. Where your answer to a question is "Most of the time", tick the 'yes' box.

- 6.1 This question refers to more than a photocopy of the Fourth Schedule, for example having checklists.
- 6.2 Pre-application meetings are defined to be any planned meeting between consents/planning staff where a written record is kept by either party. This includes emails and file notes. Pre-application meetings do not include advice from customer services or duty planners unless written records were added to an application at the time of lodgement.

- 6.4 A set structure refers to the use of any standardised guidance material such as templates, checklists and protocols (for example, those seen on the quality planning website.)
- 6.14 The overall level of satisfaction is defined as the overall result of the survey. Surveys will have multiple questions that will be answered by a number of people. An average of the result of the responses to all surveys should be used to determine the overall level of satisfaction.
- 6.15 The number of staff pertains to full time equivalent numbers.

Good Practice Note – Use of Section 37

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

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

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

Section 7: Plan Changes and Variations

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

Section 8: Comments

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

Appendix 8: Resource Management Act Survey: Environmental Protection Authority 2009/2011

Instructions

When completing the survey please use the following approach:

- Unless otherwise stated, please consider matters and applications as those referred to in **section 145** of the RMA.
- Include applications for matters processed through to a decision through the EPA from 1 October 2009 to 30 June 2011 (the survey period).
- If there are multiple resource consents in the one application, then count the number of resource consents included in that application.

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

Survey questionnaire

1. Statistics on matters processed by the EPA

Matters processed by the EPA

Resource consents

- 1.1 How many resource consent applications lodged with the EPA under section 145 of the RMA were processed to a decision from **1 October 2009 to 30 June 2011**?

Change or cancellation of resource consent conditions

- 1.2 How many applications for the cancellation of resource consent condition/s (lodged with the EPA under **section 145(2)** of the RMA) were processed to a decision within the survey period?
- 1.3 How many applications for a change of resource consent condition/s (lodged with the EPA under **section 145(2)** of the RMA) were processed to a decision within the survey period?

Notice of requirement (NOR)

- 1.4 How many NORs were processed to a decision through the EPA within the survey period for:
- 1.4.1 Designations (**section 145(3)**)
- 1.4.2 Changes to a designation (**section 145(3)**)
- 1.4.3 Heritage orders (section **145(4)**)
- 1.4.4 Changes to a heritage order (section **145(4)**)

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

Regional/District plans

- 1.5 How many requests for a change to a regional or district plan (**section 145(1)(c)**) were processed to a decision through the EPA during the survey period?
- 1.6 How many requests for the preparation of a regional plan (**section 145(1)(b)**) were processed to a decision through the EPA during the survey period?

Matters called in by the Minister

- 1.7 How many applications lodged during the survey period were processed by EPA on behalf of the Ministry for the Environment as a result of the Minister's decision to call in the matter under **section 142** of the RMA?

1.8	Of the matters called in by the Minister, how many were referred to:	<input style="width: 80px; height: 30px;" type="text"/>
1.8.1	a Board of inquiry	<input style="width: 80px; height: 20px;" type="text"/>
1.8.2	the Environment Court	<input style="width: 80px; height: 20px;" type="text"/>
	Total	<input style="width: 80px; height: 20px;" type="text"/> Automatic calculation

Minister's direction

1.9	Upon receiving the EPA's recommendation on a matter (section 146) lodged with the EPA during the survey period, how many matters were directed by the Minister to be referred to:	<input style="width: 80px; height: 60px;" type="text"/>
1.9.1	a Board of inquiry	<input style="width: 80px; height: 20px;" type="text"/>
1.9.2	the Environment Court	<input style="width: 80px; height: 20px;" type="text"/>
1.9.3	a local authority	<input style="width: 80px; height: 20px;" type="text"/>
	Total	<input style="width: 80px; height: 20px;" type="text"/> Automatic calculation

Decisions on applications

1.10	How many applications lodged directly with the EPA were processed to a decision within the survey period by:	
1.10.1	a Board of inquiry	<input style="width: 80px; height: 20px;" type="text"/>
1.10.2	the Environment Court	<input style="width: 80px; height: 20px;" type="text"/>
	Total	<input style="width: 80px; height: 20px;" type="text"/> Automatic calculation
1.11	How many of the applications that were called in by the Minister and processed by the EPA, on behalf of the Ministry for the Environment, were decided on by:	
1.11.1	a Board of inquiry	<input style="width: 80px; height: 20px;" type="text"/>
1.11.2	the Environment Court	<input style="width: 80px; height: 20px;" type="text"/>
	Total	<input style="width: 80px; height: 20px;" type="text"/> Automatic calculation

Further information requests

1.12	How many applications received during the survey period required further information under section 149(2)(a) of the RMA?	<input style="width: 80px; height: 40px;" type="text"/>
1.13	How many applications received during the survey period required the preparation of a report under section 149(2)(b) of the RMA?	<input style="width: 80px; height: 40px;" type="text"/>

Resource consents declined/returned as incomplete

- 1.14 How many resource consent applications lodged with the EPA were declined by either a Board of Inquiry or the Environment Court within the survey period?
- 1.14 How many resource consent applications were:
- 1.14.1 returned to the applicant by the EPA under **section 88(3)** of the RMA within the survey period?
- 1.14.2 returned more than once to the applicant by the EPA under **section 88(3)** of the RMA in within the survey period?

Appeals made by the applicant on decisions



- 1.15 How many appeals to the High Court (under **section 149V** of the RMA) were made in relation to a matters processed by the EPA within the survey period?

2. Time

- 2.1 How many applications received from 1 October 2009 to 30 June 2011 were assessed within the 20 working days timeframe for the EPA to make a recommendation to the Minister under **section 146(1)** of the RMA?
- 2.2 How many applications during the survey period were processed to a decision within the 9 month requirements set out in **section 149R(2)(a)-(c)** or within any extension under **section 149 S(1)**?
- 2.3 How many applications were processed within the timeframe using an extension under **section 149 S(1)**?
- 2.3 What was the average duration for the processing of applications referred to the Environment Court during the survey period?

3. Cost



3.1 What was the total amount charged to applicants by the EPA for matters processed to a decision during the survey period?

Application (Name of Proposal)	Total charged (\$)

Charges

3.2 What was the average hourly staff charge out rate the EPA used for cost recovery for the processing of resource consents/matters during the survey period?

4. Good Practice in Resource Consent Processing

Pre-application process

4.1 How many applications involved pre-application meetings during the survey period?

4.2 Does the EPA assist applicants to identify the environmental effects that must be addressed in their application?

Yes	No
<input type="text"/>	<input type="text"/>

Application process

4.3 Before commissioning specialist reports under **section 149 (2)(b)**, does the EPA:

Yes	No
<input type="text"/>	<input type="text"/>

4.3.1 Provide applicants with the opportunity to discuss or dispute the requirements to provide such information?

<input type="text"/>	<input type="text"/>
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4.3.2 Allow applicants to obtain information or reports themselves?

<input type="text"/>	<input type="text"/>
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Assessments of national significance

4.4 Do staff follow a set structure to assess whether an application is of national significance?

Yes	No
<input type="text"/>	<input type="text"/>

Engagement with Maori

4.5 Does the EPA provide advice or indicate to applicants that their resource consent application may be of interest/concern to iwi/hapū?

4.6 If the answer to 4.5 above was "Yes", does this generally occur before or after formal lodgement?

Before	After
<input type="text"/>	<input type="text"/>

Monitoring timeframes

4.7 Does the EPA check an application for **completeness** (not correctness) within five working days of its arrival?

Yes	No
<input type="text"/>	<input type="text"/>

4.8 How often does the EPA monitor whether applications are processed within statutory time limits?

Not at all

Weekly

Monthly

Other, please specify _____

4.9 Does the EPA formally monitor and report processing performance (e.g. prepare an annual report on application processing performance that is made available to the public)?

Yes	No
<input type="text"/>	<input type="text"/>

Customer satisfaction

4.10 Did the EPA run a formal, documented consent processing customer satisfaction survey during the survey period?

Yes	No
<input type="text"/>	<input type="text"/>

4.11 If the answer to 6.13 above was "Yes", indicate the overall level of satisfaction reported by applicants:

Very Satisfied

Satisfied

Neutral

Dissatisfied

Very Dissatisfied

Staff levels

4.12 How many staff did the EPA employ to process resource consents from 1 October 2009 to 30 June 2011?

	Senior EPA Adviser	EPA Adviser	Project Leaders	Project Administrators	Other	Totals
Number of staff per matter	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Automatic calculation
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Automatic calculation
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Automatic calculation
Total number of staff over the survey period	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Automatic calculation

5. Plan Changes and Variations

Plan preparation, changes and variations

5.1 Complete the following table for each request received, or matter processed by the EPA within the survey period.

Name (Description of plan prepared or changed)	Type (Regional/district; plan preparation/change)	Origin (Council (C) or privately initiated (PI))	Notification Date	Decision date	Operative date	Change to operative date			
						Early Council application to Environment Court under s86D for rule(s) to apply earlier		Delayed Council resolution under s86B to delay rule(s) coming into effect	
						Yes	No	Yes	No

6. Comments

Please take the opportunity to comment on any issues that may be relevant when considering the responses of the EPA to this questionnaire:



For enquires regarding this survey please contact;

Monitoring Compliance and Review
Ministry for the Environment