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Report to Environment Committee
from Rob Forlong, Manager, Consents Management

Ministry for the Environment's Annual Resource Management Survey of Local Authorities

1. Purpose

To advise the Committee of the results of the Ministry for the Environment's Annual Survey of Local Authority administration of the Resource Management Act 1991.

2. Background

The Ministry for the Environment undertakes an annual survey of local and regional authorities to determine how the Resource Management Act 1991 (the Act) is being implemented.

The survey covers a wide range of areas ranging from consent processing timeframes through to costs, monitoring and enforcement, and Maori participation in the process.

While the survey has its limitations, it provides basic comparative information that can be used to benchmark our performance, particularly in the easily measured areas such as consent timeframes, consent notification rates, plan and consent appeals, and enforcement.

The Survey is for the 1998/1999 financial year and our results are the combined figures for both the Masterton and Wellington offices. For the first time a number of consent authorities were audited by Audit New Zealand to ensure the results were robust. The Wellington Regional Council was one of the consent authorities audited.

Attached is a copy of the Executive summary of the Survey. A full copy is available in the Councillors Lounge.

3. Consent Timeframes

We have continued our strong performance in meeting consent processing timeframes. Ninety nine percent of our resource consent application were processed within the timeframes set down by the Act. Using Regional Councils as a basis for comparison only Hawkes Bay, Taranaki (for non notified consents) and Horizons (Manawatu/Wanganui) had comparable figures.¹ When all consent applications from all consent authorities are taken into account 82% of resource consents were processed within the statutory timeframes.

What was most pleasing was our increase in performance from the previous year for non notified consents. In 1997/1998 we processed 85% of all consents within statutory timeframes; in 1998/1999 it rose to over 99%. Congratulations are due to Steve Blakemore, Paula Pickford and the Masterton Consents and Compliance team as they were wholly responsible for the improvement.

4. Other Interesting Consent Facts

- On average Regional Councils notified 12% of all applications and territorial authorities 3%. The Wellington Regional Council was close to the average with 11.6% of resource consent applications notified.
- Nation-wide, less than 1% of all consent applications were declined. The WRC declined 2.25%.
- One percent of all resource consent decisions and 5% of Wellington Regional Council decisions were appealed.
- Of the appeals that went through to a Court hearing, in 40% of the cases the consent authority's decision was upheld in its entirety and in a further 42% the decision was upheld but some conditions changed. In only 18% of the appeals that went to Court was the consent authority's decision overturned.
- The public sector was not outperformed by the "private sector". Papakura and Queenstown Lakes Districts use private firms to process their resource consent applications. Papakura's results were around the average and Queenstown Lakes District was well below average.
- The Wellington Regional Council cancelled more consents than any other authority (30 of the 46 cancelled nationwide). The great majority of the cancelled consents related to the Pukeatua power scheme.

¹ Our results are not directly comparable with Horizons.mv and Taranaki Regional Council. Hawkes Bay, Otago, Southland, Waikato and Wellington Regional Councils do not "reset the clock to zero" after further information requests and pre-hearing meetings. Not resetting the clock is considered best practice by MfE but does increase reported timeframes.

5. **Costs**

While the data is not robust it would seem that the costs of preparing Regional and District Plans can be substantial. For example, the average cost of preparing a regional plan appears to be in the range of \$900,000 to \$1,000,000. District Plans appear to be more expensive (between \$1,000,000 and \$2,000,000 on average). Much of this cost is due to the public consultation and appeal processes.

The data from the survey suggests that our consent charges are at the lower end of the spectrum. However, only five regional councils were able to provide detailed data on costs.

6. **Monitoring and Enforcement**

All regional councils monitor the State of the Environment, resource consent conditions and have a pollution complaints register. Most regional councils monitor plans and about half produce a State of the Environment Report.

Regional Councils spent on average around \$1,978,000 on monitoring in the 1998/1999 year. The Wellington Regional Council was slightly lower than the average spending \$1,723,000 in 1998/1999.

Nationally, 68% of consent holders complied with the conditions of their resource consents. In the Wellington Region the figure was around 60%. While it is of concern that 30% to 40% of consent holders do not comply with their conditions, the survey also notes that 92% of the breaches were dealt with through informal means or were of a minor nature.

7. **Maori Participation**

The survey shows that the number of consent authorities who are funding Iwi participation in resource management is increasing. The Wellington Regional Council has been funding Iwi participation for some years. Our budget for this work is larger than the national average.

8. **Communications**

Corporate Communications will be making a press release highlighting the Council's good performance in the annual survey. In addition, we will use the figures in any publicity material that we may release e.g. annual consents newsletter.

9. Recommendation

That the Committee accept the report and notes its contents.

Report prepared by:

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Attachments: 1