

# Submission

## ***Resource Management Amendment Bill***

PREPARED BY: Ashburton District Council    SUBMITTED TO: Environment Committee  
PO Box 94    Parliament Buildings  
ASHBURTON 7774    WELLINGTON 6140

Jane Donaldson; Group Manager Environmental  
Services

[jane.donaldson@adc.govt.nz](mailto:jane.donaldson@adc.govt.nz)

---

### **Introduction**

1. Ashburton District Council ('Council') welcomes the opportunity to submit on the Resource Management Amendment Bill.
2. Located between the Rakaia and Rangitata Rivers respectively, and an hour's drive south of Christchurch, more than 33,400<sup>1</sup> residents live in the district, with the main town of Ashburton accounting for over 55% of residents. The rest of our residents live rurally or in smaller towns or villages.
3. Ashburton district has experienced a moderate and sustained population increase since 1996, with a population growth of over 33%<sup>2</sup>. The expansion of irrigation and agricultural diversification on the Canterbury Plains have been major factors in this growth.
4. Ashburton District Council is a territorial authority under the Resource Management Act 1991 (the RMA) and its area of responsibility covers greater than 6000 square kilometre from the sea in the east to the Southern Alps in the West.

### **The Resource Management Act in Ashburton District**

5. The District Council employs two full time consent processing officers processing around 200 Resource Consents per year. A 0.4 full time equivalent staff member is responsible for Compliance Monitoring and Enforcement functions under the RMA as part of a role shared with other Regulatory Teams.
6. In part because of its small size, the Planning Team in the Council have close contact with developers and professional agents and attempt to engage in a collaborative process for consenting to secure good outcomes for all parties. In the most recent customer satisfaction survey, the Council's Planning function sat at 83% satisfied.

### **General Comments**

7. Council generally supports the provisions and intentions of the Bill, especially in that a number of provisions seek to address issues that have also been identified by Council staff during the course of their duties. These are commented on in more detail below.

---

<sup>1</sup> Source: Statistics New Zealand Census 2018

<sup>2</sup> Source: Statistics New Zealand Census 2013

8. Council supports the repealing of the regulation making power for additional fast track activities. Such additional regulations run the risk of unintended consequences by limiting participation or the ability of Councils to appropriately assess a proposal. Additionally, the “fast track process” carries with it the potential for significant stress on resources for smaller Councils like Ashburton as fast-track processes and timelines must be balanced against other duties.
9. Council supports the ability for applicants to suspend processing of non-notified applications. Aside from increased flexibility for applicants in dealing with matters which might emerge during an application process, Council staff have received applications made by lay people which are currently required to be rejected under Section 88 and Schedule 4 to meet statutory timeframes. Council is aware that the RMA process can be daunting for those not familiar with it and would prefer applicants have the chance to put their application on hold so that issues with it can be addressed, rather than receive a formal rejection letter with associated invoicing etc.
10. Council supports the provision to suspend processing where charges are outstanding. It is noted that provision 36AAB(2) already exists for Councils to take no action where charges are outstanding, however the proposed provision would clarify and provide assurance in respect of statutory timeframes.
11. Council supports the increase in infringement fees and considers that this would help to deter breaches of the RMA and reinforce the seriousness of such breaches.
12. Council supports the extension to statutory limitation periods for prosecution. As a small Council with limited resource, building a case for prosecution while meeting the current six month limit has been found to be challenging. The extended timeframe would assist Council in its duties.
13. Council generally supports the provision of the Environmental Protection Agency to take enforcement action under the RMA, as resourcing is a significant issue for compliance, monitoring and enforcement activities in smaller Councils like Ashburton District. Council would request that activities would be undertaken in collaboration with or in support of the Territorial Authority.

Council thanks the Select Committee for the opportunity to submit on the *Resource Management Amendment Bill*.



JANE DONALDSON  
**Group Manager – Environmental Services**