



25 March 2019

Official Information Request No. 8140004231
(Please quote this in any correspondence)

William Maxwell-Steel

fyi-request-9618-33732f3b@requests.fyi.org.nz

Dear William

Local Government Official Information and Meetings Act 1987

Re: Resource & Building Consents

I refer to your email, which we received on 18 February 2019, requesting information about Resource & Building Consents. Please see below your questions and the answers provided by our Regulatory Services Directorate, Panuku and Community Facilities.

Resource & Building Consents (General):

1. Total number of resource consents issued in 2018.

There were 14,170 resource consents issued in 2018.

2. Total number of building consents issued in 2018 – This information is available in Auckland Council’s Monthly Housing report, for which you can use the link here:

Pdf link

<http://www.knowledgeauckland.org.nz/assets/publications/Auckland-monthly-housing-update-02February-2020.pdf>

and other months’ reports are available at this link:

<http://www.knowledgeauckland.org.nz/search/?Keywords=%22Auckland+monthly+housing+update%22>

This part of your request has been refused under section 17(d) of the Local Government Official Information and Meetings Act (LGOIMA) 1987, as the information requested is publicly available.

3. Total number of resource consents issued in 2018 that had building consents issued for the proposal within 3 months of RC approval .

This information is not readily available. To provide it would require substantial collation or research. This section of the request is therefore refused in accordance with section 17(f) of the Local Government Official Information and Meetings Act 1987 (“the Act”).

We have considered whether fixing a charge for the request or extending the timeframe of the request would enable the request to be granted in accordance with section 17A(1) of the Act. However due to the amount of collation and research involved, we do not believe that charging for the information or extending the time limit would allow us to grant your request in this instance.

4. Average processing time for resource consents in 2018, including time where the "clock is stopped"

The average processing time for resource consents in 2018, including time where the "clock is stopped, is 65 days.

5. Number of resource consents issued in 2018 where the "clock was stopped" 3 or more times.

The application can be suspended (clock stopped) for a request under s92(1) & (2) only once. Auckland Council has not suspended a request under s92(1) & (2) three times or more in 2018.

There are other parts of the RMA where an application could also be suspended:

- where additional consents required under s91;
- when an applicant requests suspension under S91A after notification;
- when approval is sought from affected parties under s95E(3), 95F or 95G;
- when there is direct referral under s88;
- when there is referral to mediation under s99A.

Auckland Council has not suspended any request more than three times under reasons above including s92(1) & (2).

6. Number of resource consents that exceeded 90 days from the date the application was lodged to the date the consent was granted or declined.

2,326 resource consents exceeded 90 days from the date the application was lodged to the date the consent was granted or declined

Council initiated resource consents:

7. Number of resource consents applied for by departments within Council (excluding CCOs) in 2018, and the number which were approved

388 resource consents were applied for by departments within Council (excluding CCOs) in 2018, of which 301 were approved.

8. Number of resource consents applied for by CCOs in 2018, and the number which were approved

210 resource consents were applied for by CCOs in 2018, of which 168 were approved.

9. Number of times Council departments have filed any type of proceedings against each other in 2018, and costs involved.

There has been one occasion where Auckland Council departments have filed any type of proceedings against each other in 2018. Auckland Council Community Facilities have appealed the decision of Auckland Council to decline consent for the Orewa Seawall Project.

Community Facilities have confirmed that they do not hold the information regarding the costs incurred, in terms of salaries and payments to internal and external staff and consultants, in 2018 in relation to the attendance of Environment Court hearings or mediations, where council is both the applicant and the respondent (regulator).

To provide you with the information you have requested will require substantial research and collation and we are unable to grant your request in its current form. This request has been refused under section 17(f) of the Act.

We have considered whether fixing a charge for the request or extending the timeframe of the request would enable the request to be granted in accordance with section 17A(1) of the Act. However due to the amount of collation and research involved, we do not believe that charging for the information or extending the time limit would allow us to grant your request in this instance

10. Number of times Council and CCOs have filed proceedings against each other in 2018 and costs involved.

There has been one occasion where Auckland Council and a CCO have filed proceedings against each other in 2018. That is Panuku v Auckland Council re a development on Dominion Road.

In response to the costs where Council and CCOs have filed proceedings against each other, in 2018, Panuku has spent \$115,768 since an appeal was lodged with the Environment Court following a decision by planning commissioners to turn down consent for the development to go ahead. Legal expenses comprise interpretation of the commissioner's recommendation and advice, filing of an objection to the commissioner's recommendation and assistance and advice with mediation, representation at mediation and discussions with affected parties.

Auckland Council also has legal costs from defending its decision on appeal to the Environment Court. However, that work is being undertaken by legal firm DLA Piper under a fixed fee arrangement for the bulk of Council's regulatory work. Individual cases - covered by the fixed fee arrangement - are not invoiced. This case falls into that category therefore no specific costs are journaled

11. The average number of internal Council staff and external staff or consultants who, in 2018, attended Environment Court hearings or mediations, where Council is both the applicant and the respondent (regulator).

Auckland Council does not hold information on who attends Environment Court hearings, which are open to the general public.

Should you believe Auckland Council has not responded appropriately to your request, you have the right by way of complaint, under section 27(3) of the LGOIMA, to apply to the Ombudsman to seek an investigation and review of the decision.

If you have any further queries please contact me on 09 301 0101 quoting Official Information Request No. 8140004231

Yours sincerely



Samantha Sinclair
Privacy & LGOIMA Business Partner
Democracy Services