

Public Information Leaflet

Proposed Changes to the Resource Consent Procedures

1. Background

As a result of an internal review and the upcoming amendments to the Resource Management Act 1991 (RMA), Papakura District Council is undertaking a modernisation and enhancement programme that impacts upon the way it delivers its Resource Consents service. Initiatives are being progressed to improve the quality of the advice given and decisions made together with the effectiveness with which these are delivered.

The Council expects resource consents to be determined within the timescales set by the Government. To help us meet these targets we expect resource consents to be submitted in a way that meets and respects the Council's approved policies and standards. Meeting these standards should mean that you receive a quicker decision from us.

2. Encouraging Pre-lodgement Meetings

Council is keen to work with potential applicants early in the process of the formulation of development proposals. In this way Council hopes to be able to provide helpful and timely advice as to the appropriateness or otherwise of schemes.

What is the purpose of a pre-lodgement meeting?

A pre-lodgement meeting(s) should help identify the key issues and potential risks associated with any proposal. It should also help to avoid the submission of unrealistic proposals and is one of the main ways that Council is hoping to raise the standard in terms of application submissions and ultimately development built. It should also help to avoid unnecessary costs for potential developers as subsequent application costs can be minimised.

Who will be at the pre-lodgement meeting?

The service provided will be multi-disciplinary and proactive, with ready access to professional advice and guidance from internal officers involved in the development process at a level of seniority commensurate to the proposal. A lead planner will be allocated to the project who will attend all meetings.

What advice will be given?

The service will be comprehensive and include advice and guidance on related consent regimes, legislation, policy and available assistance. Based on the information you have provided planning officers will provide accurate and objective advice in good faith but without prejudice to the formal consideration of any resource consent by either Officers or Commissioners. Any advice given will be documented and confirmed in writing.

What happens if I ignore the advice given?

If pre-application has been taken and the advice from planning officers is not followed and the submitted application does not accord with the Council's approved policies and standards the worst case scenario is that the consent may be refused without discussion. At the very least it will inevitably lead to delays in the processing of the Consent. It is always preferable that further pre-lodgement meeting(s) take place if differences remain between the parties before formal lodgement of the application.

Will there be a charge?

Yes. A minimum fee will be charged for the pre-application service and all costs borne by Council will be recovered. This includes time for Council Officers and other experts. If a resource consent is lodged within 30 days of the date of the pre-lodgement meeting any additional fees will be invoiced as part of the resource consent process. If an application is not lodged within 30 days the pre-application fee will be invoiced and payable within 14 days.

How can I arrange a meeting?

Please complete a pre-lodgement application form which can be downloaded from the website or by contacting the Office (contact details are set out below).

3. Submitting the correct supporting information at the lodgement stage

If the correct level of information is not provided Council cannot legally process your application. This ultimately will lead to the rejection of the application under Section 88 of the RMA rather than using lengthy further information requests under Section 92.

To avoid this Council are producing clear guidelines on the information it will expect to be provided with any application for resource consent. The type of information expected will of course depend on the complexity of the application.

Council will rigorously check all lodgements and will hold an allocations meeting to be attended by senior staff of the relevant specialist teams. Inadequate applications will be rejected and the reasons set out clearly in writing within 5 working days of their receipt. By participating in a pre-lodgement meeting(s) such information will be identified thus avoiding the potential for formal rejection of the application and for subsequent further information requests.

4. Requests for further information

Ideally at the very most there will be only one further information request under Section 92 of the RMA. This will be from the Allocated Planner who will coordinate the relevant requests from the various experts. If it is not possible to undertake a coordinated request (for example due to time delays in utilising external consultants for peer review) then you will be advised that we are still awaiting comment from specific Council advisors and this may result in a further request. This may also result in seeking to extend the time limit under Section 37 of the RMA.

5. **Decisions**

Notification approvals (under Section 93/94 of the RMA) and approval decisions (under Section 104 of the RMA) will be made separately, with the notification decision made within 10 working days. Once the decision to notify or not has been made, the Allocated Planner will proceed to process the application under Section 104 and will pass the matter to the delegated authority for the final decision.

On more complex applications we will seek to circulate draft conditions. We will set out clearly the expected response date but in most circumstances we would require a response within one to two working days.

6. **Records Management**

We will record and file key information and milestones and ensure that these are updated and accurate.

7. **Engineering Plan Approval**

Engineering approval will not be processed until the resource consent is granted or at the very least nearing completion. This ensures that the fundamental principles and concepts of the development are fully addressed and the design standards are clearly established.

8. **Development Relationship Agreements**

Project Communications protocol

For large and complex cases we will expect the applicant and their agents to enter into an Agreement with Council on protocols to establish open, active and honest communications at all times. This will help to assist in the delivery of the project in a timely and efficient manner and to minimise disputes.

Developer and Council Relationships

To enable this to occur we will expect a Steering Group with senior representatives to be set up and oversee the working group and project groups as well as the appointment of an independent project co-ordinator or 'Case Manager'.

Using a Case Manager

For most consents the Allocated Planner will take the role of the Case Manager and will project manage the proposal by coordinating the various specialist inputs and meetings. However for large and complex cases Council will seek to appoint a specialist Case Manager to ensure applications are not unduly held up. The Case Manager's role will primarily be to monitor timelines, manage the relevant specialist input and ensure communications between the parties are clear and all actions followed up.

Dispute resolution

Disputes should be identified and parties should work cooperatively and be flexible in developing solutions to solve these. Where differences persist Council have developed a review panel process which can be initiated at the Developers cost.

9. **Review**

Council will invite feedback on the process and encourage a formal debrief at the end of a project.

10. **Professional Advice**

It is important that you use the right professional advisors for the appropriate tasks. For instance where there are complex planning issues it will save you considerable time and expense by employing a suitably qualified Town Planner to advise you. Good advice on such matters is given on the New Zealand Planning Institutes website (www.planning.org.nz)

11. **Contact details**

For further information or a copy of the relevant forms, please contact us:

Website: www.papakura.govt.nz

Email: customerservices@papakura.govt.nz

Telephone: 09 295 1300

Facsimile: 09 298 1906