

## Central Hawke's Bay District Council – Report

**TO:** Council Meeting  
**FROM:** Senior Planner Policy  
**DATE:** 3<sup>rd</sup> December 2007  
**FILE REF:** PLN1-300  
**SUBJECT:** RESOURCE MANAGEMENT (SIMPLIFYING AND STREAMLINING)  
AMENDMENT ACT 2009

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### 1.0 SUMMARY

When the current Government was elected in 2008 it promised to introduce to Parliament within 100 days amendments to the Resource Management Act. On 5 October 2009 these changes to the Act became law.

### 2.0 RECOMMENDATION

#### ***THAT***

The report be received.

#### **REASON**

**The objective of the decision will contribute to the following Community Outcomes:**

- *An environment that is appreciated, protected and sustained for future generations*
- *A strong' prosperous and thriving economy*

### 3.0 BACKGROUND

Broadly the reforms set out to:

- Reduce cost and delays associated with:
  - The actions of frivolous or vexatious participants
  - Trade competition motivated proceedings
  - Plans and Plan changes
  - Resource Consents
- Faster decisions on significant projects
- Improve the effectiveness of National Environmental Standards & National Policy Statements
- Improved consistency

Some of these changes will have little or no effect on the day to day business of Central Hawke's Bay District Council but others do have the potential to change the way things are done.

The following are changes that will affect the District Plan review process.

### **Changes to Plan Preparation and Review**

The amendments set out to reduce the time and cost of the plan making process, improve Council's ability to respond quickly to issues and codify case law on submissions and appeals.

- Cross submissions – there was a proposal to drop this requirement from the Act. This did not happen, however further submissions are restricted by time, now 10 working days (formerly 20) and limited to affected parties.
- Decisions can now be made by topic or provision rather than on every submission.
- No ability to appeal whole plans.
- Mandatory 10 year full plan review is no longer required. Changes allow “rolling reviews” but all provisions must be publically notified at least once every 10 years whether change is proposed or not.
- Rules now (generally) do not have effect until final decisions made on submissions by Council. Therefore effective at the end of process rather than weighting system currently in force,
- Council can prepare combined Plans with other local authorities (or share parts eg parking requirements or engineering standards).
- Government can prepare and give effect to National Environmental Standards (NES) and National Policy Statements (NPS).
- Council cannot have provisions in the District Plan that conflict with an NES and must include provisions in District Plan.
- Council is to monitor and enforce provisions of NES.
- Council must include policy statements in District Plan if directed by the NPS.
- Strictly limits the ability of trade competitors to submit on Plan Changes.
- Extends the period that consultation used for the requirements of other legislation can be used for the preparation of District Plan/Changes from 12 to 36 months.

It appears that the changes set out are the first stage of a three phase stage process and that further changes are expected in the foreseeable future.

## **4.0 OPTIONS**

### **Option 1**

That the report be received.

## **5.0 STATUTORY IMPLICATIONS**

Council can make changes to the District Plan at any time in accordance with the procedures under the Resource Management Act, 1991 and amendments.

## **6.0 CONSULTATION**

### **6.1 External**

### **6.2 Internal**

## **7.0 FINANCIAL**

## **8.0 STRATEGIC LINKS**

- LTCCP
- Council Policy Manual

John Turnbull  
**Senior Planner Policy**