

RESOURCE CONSENT PROCESS FOR NON-NOTIFIED APPLICATIONS

1. APPLICATION LODGEMENT AND COMPLETENESS ASSESSMENT

Section 88 allows the local authority to check the application for completeness, before accepting it for processing.

2. FURTHER INFORMATION

3. NON-NOTIFIED APPLICATIONS

Notification determination

Made within 20 working days after application is first lodged (s95)

Application non-notified

Hearing required?

NO

Notice of decision required

within 20 working days after

the date the application was

first lodged (s115(3)).

Total working days = 20

Non-notified resource consents involve two decision paths – those that require hearings and those that do not. The timeframe for processing a non-notified application without a hearing is 20 working days and with a hearing is 50 working days

Pre-hearing meeting (s99)

or mediation (s99A)

YES

Hearing to be held within

35 working days after the

date the application was

first lodged (s101(2)(b)).

Notice of hearing to be

provided at least 10 working

days before hearing (s101(3))

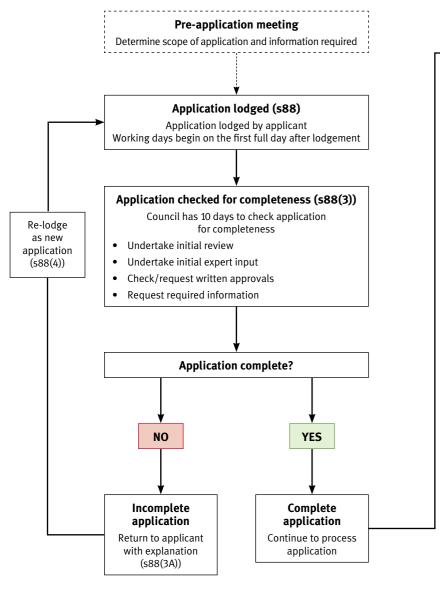
Notice of decision to be issued

no more than 15 working

days after the date the

hearing closed (s115(2)).

Total working days = 50



Notes:

The Act only allows the 'clock' to be stopped for the following reasons for non-notified applications:

- s88C(1) First request for further information (s92)
- s88C(3)+(5) The commissioning of a report (s92(2)(b))
- s88E(1) Waiting for other applications to be lodged (s91(2))
- s88E(3) Waiting for written approval where parties are considered affected
- s88G The applicant requests to suspend processing of consent
 s88H Waiting for payment of relevant administrative charges.
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The consent authority may only extend the time periods of the Act as follows:

- s37A(4) When the extension sought is no more than twice the maximum time period and special circumstances exist or the applicant agrees to the extension; or
- s37A(5) When the extension sought is more than twice the maximum period and the applicant agrees to the extension.

