

**Resource Consents Testing Questionnaire – round one
September 2012**

PART A

Planner: (Your Name)

Operative Plan: (List Here)

Address:

Consent No:

Description of proposal:

Operative Plan Zoning: List

Operative Plan Overlays: List

Unitary Plan Zoning: List

Is zoning reasonable? - Yes?
- No? – Why not?

Unitary Plan Overlays: List

Are number and type of overlays reasonable?

- Yes?
- No? – Why? – please explain?

Are there any missing Overlays or any obvious issues / concerns?

- Yes? – What? – Please explain?
- No?

Do overlays raise any immediately obvious issues / concerns?

- Yes? – What? – Please explain?
- No?

Infringements (Operative Plan) with activity status:

Infringement	Activity Status
Section + Rule Number – Description of infringement	List

Infringements (Unitary Plan) with activity status:

Infringement	Activity Status
Section + Page + Rule Number – Description of Infringement	

Any Infringements that are too hard to define?	Activity Status
Section + Page + Rule Number – Description of Infringement	

What is the Overall activity status under the Unitary Plan for this application?:

Is this the appropriate status for this particular application?

- Yes?
- No? – Why? – Please explain?

Are there any significant differences in the activity status between the Operative and Unitary Plans? (i.e. where an activity is permitted under the operative plan and Non-Complying/Prohibited under the Unitary Plan and vice versa)?

- Yes?
- No? – Why? – Please explain?

Are there any anomalies in the way the rules capture certain activities (i.e. a non-event CA/RDA consent which becomes an NCA consent due to a technicality not due to the activity being against the objectives and policies)?

- Yes?
- No? – Why? – Please explain?

Do the definitions accurately and appropriately capture and define the proposed activity?

- Yes?
- No? – Why? – List definitions referred to and Please explain?

Are there any definitions missing?

- Yes – What?
- No?

Are there any changes required to the rules wording?

- Yes?
- No? – Why? - List rule number and suggested re-wording

Are there any activities / development controls which have not been included but should be?

- Yes? – Why? – List and explain
- No?

Do the rules manage what we would expect them to manage?

- Yes?
- No? – Why?

Do the rules manage more or less than the previous rules – do we want this?

- Yes? – Why?
- No? – Why?

How easy is the rule to assess? i.e. whether it complies or not – is this a desk top exercise or is more (external i.e. surveyor) information required?

Is the rule clearly worded / detailed to understand compliance - is it enforceable?

- Yes?
- No? – Why?

Will the rule create more or less issues / work than previously?

- Yes? – Why?
- No?

What specialist inputs are needed – are these more or less than under operative plan?

List

More?

Less?

PART B

Permitted Baseline

Is there a clear permitted baseline argument? Does the plan make it clear what is permitted?

- Yes?

- No? – Why?

Is the permitted baseline / activities permitted by the plan considered to be acceptable (both in terms of meeting the objectives and policies and the effects it establishes (from an outcome point of view and a compliance/complaints point of view)?

- Yes?

- No? – Why

Is the permitted activity threshold too high or too low?

Too High? – Why?

To Low? – Why?

PART C

s95 Notification

What was the notification status under the Operative Plan?

What is the notification status under the Unitary Plan?

Do the notification provisions give clear guidance on what should be notified?

- Yes?

- No? – Why not?

Do the notification provisions distinguish between full notification and limited notification?

- Yes?

- No? – What is missing?

Are the notification provisions appropriate (i.e. do they call for notification of otherwise non-event consents or the non-notification of significant consents?)

- Yes?

- No? – Why

Are there any particular consent application types / adverse effects which you think should be notified?

- Yes? – why?

- No?

PART D

s104 Assessment

Section Name (List all Sections your application refers to i.e. Residential, Business, Coastal etc) Will need to list all sections relevant to particular consent application so that comments on each section can be feedback to different UP workstreams)

Controlled Activity

List Assessment Criteria Number(s)

Are the matters for control appropriate?

- Yes?
- No? – List and Why

Do the matters for control provide enough guidance and weight to influence an outcome?

- Yes?
- No? – List and Why

Are the matters for control too broad / too narrow in scope?

- Too broad – List and Why?
- Too Narrow – List and Why?
- Satisfactory

Are there any other matters for control which should be included?

- List and Explain Why?

Are there any matters for control which should be removed?

- Yes?
- No? – List and Why

Are objectives reasonable? Is the wording appropriate?

- Yes?
- No? – List and Why

Are issues reasonable? Is the wording appropriate?

- Yes?
- No? – List and Why?

Are objectives clearly linked to issues?

- Yes?
- No? – List and Why?

Are policies clearly linked to their particular objectives?

- Yes?
- No? – List and Why?

Are indicators of outcomes linked to anticipated results?

- Yes?
- No? – List and Why?

Is the final outcome overall acceptable e.g. Planning terms? Built environment terms? Environmental terms? Sustainability terms?

- Yes?
- No? – Why?

PART D

s104 Assessment

Section Name (List all Sections your application refers to i.e. Residential, Business, Coastal etc) Will need to list all sections relevant to particular consent application so that comments on each section can be feedback to different UP workstreams)

Restricted Discretionary Activity - List Matters for Discretion Number(s)

Are the matters for restricted discretion appropriate?

- Yes?
- No? – List and Why?

Do the matters for restricted discretion provide enough guidance and weight to influence an outcome?

- Yes?
- No? – List and Why?

Are the matters for restricted discretion too broad / too narrow in scope?

- Too broad – List and Why?
- Too Narrow – List and Why?
- Satisfactory?

Are there any other matters for restricted discretion which should be included?

- Yes? What and Why?
- No?

Are there any matters for discretion which should be removed?

- Yes? What and Why?
- No?

Are objectives reasonable? Is the wording appropriate?

- Yes?
- No? – List and Why?

Are issues reasonable? Is the wording appropriate?

- Yes?
- No? – List and Why?

Are objectives clearly linked to issues?

- Yes?
- No? – List and Why?

Are policies clearly linked to their particular objectives?

- Yes?
- No? – List and Why?

Are indicators of outcomes linked to anticipated results?

- Yes?
- No? – List and Why?

Is the final outcome overall acceptable e.g. Planning terms? Built environment terms? Environmental terms? Sustainability terms?

- Yes?
- No? – Why?

PART D

s104 Assessment

Section Name (List all Sections your application refers to i.e. Residential, Business, Coastal etc) Will need to list all sections relevant to particular consent application so that comments on each section can be feedback to different UP workstreams)

Discretionary Activity

List Assessment Criteria / Matters for Discretion Number(s)

Do the matters for discretion/assessment criteria (e.g. objectives, policies, matters of discretion and assessment criteria) provide enough guidance and weight to influence an outcome?

- Yes?
- No? – List and Why?

Are the matters for discretion / assessment criteria too broad / too narrow in scope?

- Too broad – List and Why?
- Too Narrow – List and Why?
- Satisfactory?

Are there any other matters for discretion / assessment criteria which should be included?

- Yes? – What and Why?
- No?

Are there matters for discretion / assessment criteria which should be removed?

- Yes? What and Why?
- No?

Are objectives reasonable? Is the wording appropriate?

- Yes?
- No? – List and Why?

Are issues reasonable? Is the wording appropriate?

- Yes?
- No? – List and Why?

Are objectives clearly linked to issues?

- Yes?
- No? – List and Why?

Are policies clearly linked to their particular objectives?

- Yes?
- No? – List and Why?

Are indicators of outcomes linked to anticipated results?

- Yes?
- No? – List and Why?

Is the final outcome overall acceptable e.g. Planning terms? Built environment terms? Environmental terms? Sustainability terms?

- Yes?
- No? – Why?

PART D

s104 Assessment

Section Name (List all Sections your application refers to i.e. Residential, Business, Coastal etc) Will need to list all sections relevant to particular consent application so that comments on each section can be feedback to different UP workstreams)

Non-Complying Activity

List Assessment Criteria / Matters for Discretion Number(s)

Do the matters for discretion, objectives, policies and assessment criteria provide enough guidance and weight to influence an outcome?

- Yes?

- No? – List and Why?

Are the matters for discretion, objectives, policies and assessment criteria too broad / too narrow in scope?

- Too broad – List and Why?

- Too Narrow – List and Why?

- Satisfactory?

Are there any other matters for discretion, objectives, policies and assessment criteria which should be included?

- Yes? – What and Why?

- No?

Are there matters for discretion / assessment criteria which should be removed?

- Yes? What and Why?

- No?

Are objectives reasonable? Is the wording appropriate?

- Yes?

- No? – List and Why

Are issues reasonable? Is the wording appropriate?

- Yes?

- No? – List and Why?

Are objectives clearly linked to issues?

- Yes?

- No? – List and Why?

Are policies clearly linked to their particular objectives?

- Yes?

- No? – List and Why?

Are indicators of outcomes linked to anticipated results?

- Yes?

- No? – List and Why?

Is the final outcome overall acceptable e.g. Planning terms? Built environment terms? Environmental terms? Sustainability terms?

- Yes?

- No? - Why?

PART E

Conditions

Do the matters for discretion / assessment criteria etc provide adequate scope to set appropriate and relevant conditions?

- Yes?

- No? – List and Why?

Are there any new conditions that you might want to put on the consent as a result of the rules? Are these acceptable?

- Yes?

- No? – What and Why?

Are relevant statutory lapsing / consent life timeframes reflected in the plan (i.e. coastal permit 35 years)?

- Yes?

- No? – What and Why?

PART F

General

How easy the plan is to interpret for the lay person?

How easy were the rules to interpret and follow?

Are there any missing plan linkages?

Are there places in the plan where things can be simplified (without taking away from the intent of the provision)?

Doing the planning burden vs. planning gain test (i.e. is the planning assessment required relative to the character, intensity or scale of the effect we are trying to avoid, remedy or mitigate?)

- Yes? –What and Why

- No?

Are there any issues of disconnect between the supporting sections of the Plan (ie definitions, external guidance material etc)?

- Yes? – List and Why

- No?

What gaps are there in how the objectives, policies and rules relate to each other as well as notification and matters for discretion?

Are there any examples of substantial disconnect (to the extent that it causes structural problems with processing consents) with Operative Plan provisions?

- Yes? – List and Why

- No?

How robust are the rules in addressing the under-utilisation of a site relative to the outcomes anticipated by the zoning. This is more applicable to areas where greater intensification is anticipated (i.e. a two-lot subdivision in a 'Terraced Housing and Apartment' zone)?

Do the rules adequately protect more sensitive areas from inappropriate development (e.g. heritage areas, coastal areas, outstanding landscapes etc.)?

- Yes?

- No? – What and Why?

Are there any special information requirements which should be included?

- Yes? –What and Why?

- No?

Are there any other legal effects of objectives, policies or rules (i.e. taking into account the matters in s86 or any Environment Court ruling)?

- Yes? –What and Why?

- No?

PART G

Time and Cost

How much time has it taken you to review / process / assess this application?

Is then time taken for your review / process / assessment reasonable?

**Resource Consents Testing Questionnaire – round two
February 2013**

PART A – Zones, Overlays & Infringements

Planner: (Your Name)

Operative Plan: (List Here)

Address:

Consent No:

Description of proposal:

Operative Plan Zoning: List

Operative Plan Overlays: List

Unitary Plan Zoning: List

Is zoning reasonable? - Yes?
- No? – Why not?

Unitary Plan Overlays: List

Are number and type of overlays reasonable?

- Yes?
- No? – Why? – please explain?

Are there any missing Overlays or any obvious issues / concerns?

- Yes? – What? – Please explain?
- No?

Do overlays raise any immediately obvious issues / concerns?

- Yes? – What? – Please explain?
- No?

Infringements (Operative Plan) with activity status:

Infringement	Activity Status
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Infringements (Unitary Plan) with activity status:

Infringement	Activity Status
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Any Infringements that are too hard to define?	Activity Status
Section + Rule Number – Description of Infringement	

What is the Overall activity status under the Unitary Plan for this application?:

Is this the appropriate status for this particular application?

- Yes?
- No? – Why? – Please explain?

Are there any significant differences in the activity status between the Operative and Unitary Plans? (i.e. where an activity is permitted under the operative plan and Non-Complying/Prohibited under the Unitary Plan and vice versa)?

- Yes?
- No? – Why? – Please explain?

Are there any anomalies in the way the rules capture certain activities (i.e. a non-event CA/RDA consent which becomes an NCA consent due to a technicality not due to the activity being against the objectives and policies)?

- Yes?
- No? – Why? – Please explain?

Do the definitions accurately and appropriately capture and define the proposed activity?

- Yes?
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Are there any changes required to the rules wording?

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Are there any activities / development controls which have not been included but should be?

- Yes? – Why? – List and explain
- No?

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- Yes?
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Do the rules manage more or less than the previous rules – do we want this?

- Yes? – Why?
- No? – Why?

How easy is the rule to assess? i.e. whether it complies or not – is this a desk top exercise or is more (external i.e. surveyor) information required?

Is the rule clearly worded / detailed to understand compliance - is it enforceable?

- Yes?

- No? – Why?

Will the rule create more or less issues / work than previously?

- Yes? – Why?

- No?

PART B - Permitted Baseline

Is there a clear permitted baseline argument? Does the plan make it clear what is permitted?

- Yes?

- No? – Why?

Is the permitted baseline / activities permitted by the plan considered to be acceptable (both in terms of meeting the objectives and policies and the effects it establishes (from an outcome point of view and a compliance/complaints point of view)?

- Yes?

- No? – Why?

Is the permitted activity threshold too high or too low?

Too High? – Why?

To Low? – Why?

PART C - Notification

What was the notification status under the Operative Plan?

What is the notification status under the Unitary Plan?

Do the notification provisions give clear guidance on what should be notified?

- Yes?

- No? – Why not?

Do the notification provisions distinguish between full notification and limited notification?

- Yes?

- No? – What is missing?

Are the notification provisions appropriate (i.e. do they call for notification of otherwise non-event consents or the non-notification of significant consents?)

- Yes?

- No? – Why?

PART D - General

How easy were the rules to interpret and follow?

Are there rules in the plan that can be simplified (without taking away from the intent of the provision)?

- Yes? – What and Explain
- No?

Is the planning assessment required relative to the character, intensity or scale of the effect we are trying to avoid, remedy or mitigate?

- Yes? – What and Why
- No? - What and Why

Are there any issues of disconnect between the supporting sections of the Plan (ie definitions, external guidance material etc)?

- Yes? – List and Why
- No?

How robust are the rules in addressing the under-utilisation of a site relative to the outcomes anticipated by the zoning. This is more applicable to areas where greater intensification is anticipated (i.e. a two-lot subdivision in a Mixed Housing or 'Terraced Housing and Apartment' zone)?

Do the rules adequately protect more sensitive areas from inappropriate development (e.g. heritage areas, coastal areas, outstanding landscapes etc.)?

- Yes?
- No? – What and Why?

Are there any special information requirements which should be included?

- Yes? –What and Why?
- No?

PART E - Time and Cost

How much time has it taken you to review / assess this application?

Is the time taken for your review / assessment reasonable?