SPP Flowchart

Preparation and lodgement

(From page 9 of technical guidance)

Step 1: Pre-request considerations

Local authority considers whether it is appropriate to use the SPP for its proposed planning instrument.

SPP entry criteria (section 80C)

- » Implements a national direction.
- » Public policy reasons for urgent preparation.
- » Meets a significant community need.
- » Addresses unintended consequences of a plan or policy statement.
- » Combines several plans or policy statements into a Combined Plan.
- » Expeditious preparation required in circumstances comparable to above.

Step 2: Pre-request discussions with responsible Ministry

Local authority should discuss proposal with relevant Ministry and provide a draft application for potential issue identification and feedback on proposed process steps, timeframes and expectations.

Step 3: Local authority applies in writing to the Minister requesting a direction to use the SPP

Information requirements (Clause 75, Schedule 1)

The application must include:

- » description of the planning issue and how it meets any entry criteria
- » an explanation of why the SPP is appropriate
- » desired process and timeframes
- » identification of affected parties
- » summary of consultation undertaken or proposed to be undertaken, including iwi
- » implications of using process for iwi participation legislation or Mana Whakahono ā Rohe.

Minister considers request

(From page 17 of technical guidance)

Step 4: Minister considers request Minister must consider the local authority's written request, whether sufficient information has been provided; any obligations set out in iwi participation arrangements or legislation; the purpose of the SPP and any other relevant matters. If Minister declines request Minister must notify the local authority and give reasons Step 5: Ministerial consult on proposed SPP If the Minister decides to propose to implement the SPP by way of a direction, s/he must consult on the content of proposed SPP that s/he is proposing, with the relevant local authority, and with other relevant Ministers of the Crown. The Minister must also consult with requiring authorities, or person who requested private plan change if relevant and may consult with any other person. Minimum requirements of SPP (Clause 78, Schedule 1) The SPP must, at a minimum, provide for:

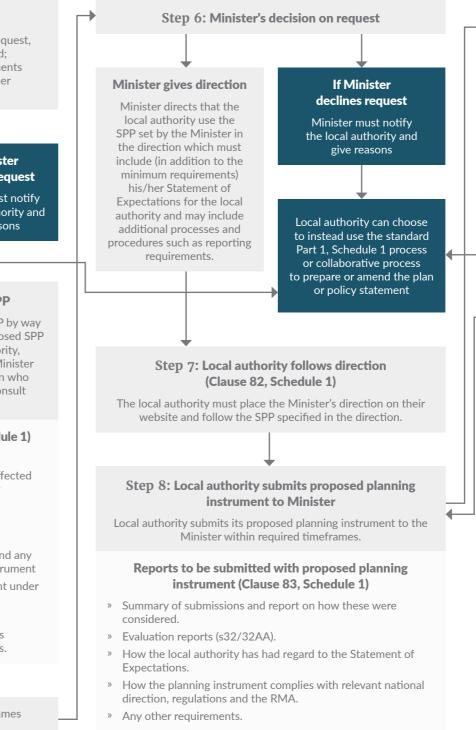
- » consultation on proposed planning instrument with affected parties (including with Minister) and iwi (if not already undertaken)
- » public or limited notification
- » opportunity for written submissions
- a report showing how submissions were considered and any resulting changes made to the proposed planning instrument
- » evaluation report on the proposed planning instrument under s32/32AA
- » timeframe for completion of SPP.

Minister can add additional process steps and timeframes including reporting requirements or other RMA processes.

The Minister may change proposed process/timeframes as a result of this consultation.

Minister's decision on request, direction given and followed

(From page 17 of technical guidance)







Minister's decision on planning instrument (From page 19 of technical guidance)

Step 9: Minister's decision on proposed planning instrument Minister issues a decision on proposed planning instrument. Decision-making criteria for Minister (Clause 84, Schedule 1) The Minister's decision considers whether: » the local authority has followed the direction and had regard to expectations » the proposed planning instrument complies with any National Direction » the proposed planning instrument meets the requirements of the RMA and Regulations. Approves planning instrument **Declines to approve**

Step 10: Planning instrument becomes operative

Final decision notified by local authority and becomes operative as per clause 90 and clause 20 of Schedule 1.

Notes

- This flowchart should be read in conjunction with the SPP technical guidance.
- There are additional requirements in relation to proposed planning instruments that include designations, heritage orders or Notices of Requirement, and in relation to private plan changes which have been adopted/accepted by council. Refer to SPP technical guidance for more information.
- 'Responsible Minister' (or Responsible Ministry) refers to the Minister for the Environment (Ministry for the Environment) unless the proposed planning instrument is a regional coastal plan, whereby the 'Responsible Minister' is the Minister of Conservation (Department of Conservation). It may be both Ministers if relevant.
- 'Planning Instrument' includes a policy statement or plan or a change or variation to these (s80B).
- The local authority can withdraw the proposed planning instrument at any stage, up until the Minister has made his/her decision on whether to approve it (Step 9).
- There are no appeals except on Notices of Requirement, designations/heritage protection orders).