

# Fast Track Approvals Act 2024 (FTAA)

Planning and Strategy Committee

4 February 2025

# What are we covering?

- Application Types
- Councils Role
- Cost Recovery
- Consultation
- Providing Commentary / Reporting
- Reviewing Conditions
- Panel Membership
- Delegations
- Other Matters

# Council's Role under FTAA

- Pre-Lodgement Consultation - s.11 & s. 29
- Affected Party Status for Council - s.13
- Party Invited for Comment - s.17 & s. 53
- Party invited for comment on conditions - s.70
- Act as an advisory Body & Reporting - s.67
- Recommending Panel Member - Schedule 3

# Application Types and Requirements

- Referral Application – An application requesting permission to use the FTAA Substantive Application process
- Substantive Application – An application for development
- Substantial information requirements for applications akin to complex RMA resource consent Application

# Cost Recovery

- Under s. 27 Council as an agency have a right to recover all reasonable costs of responding to consultation queries directly from the applicant seeking consultation
- If the EPA request Councils input through commentary, advice or reporting QLDC can recover any reasonable costs involved in that directly from the EPA
- Currently working with EPA on time-sheeting system

# Consultation

- FTAA Requires Pre-Lodgement Consultation with potential applicants for Referral or Substantive Application
- FTAA also requires applicants to outline how their proposal has changed as a result of consultation

# Consultation Process

- Applicant requests Consultation with QLDC
- QLDC to request confirmation of:
  - a) Agreement to cover reasonable costs and
  - b) what specific matters the Applicant wants to Consult on with QLDC
- Following receipt of Consultation matters we run a detailed internal process to fully understand, disseminate, track and respond to Queries using SMEs in relevant Council Departments

# Provision of Commentary/Reporting

## Officer Commentary

- Akin to Covid Fast Track Commentary with All Departments involved

## Officer Commentary Focus - Technical & Operational matters

- Alignment with Strategic Framework and Documents
- Planning Documents
- Landscape Classifications
- Infrastructure Matters
- Community Services matters including Parks and Reserves
- Other environmental matters as appropriate e.g. Climate change, Night Sky



# Commentary Continued

## What we will not be doing in Commentary

- We will not be assessing the actual or potential effects of proposed development on the Environment and People
- The reason for this is that the Panel assessing applications for the EPA will be experts convened with the purpose of assessing all actual and potential effects of a proposal on the Environment and People – that is not Councils role in this FTAA Process

# Commentary Continued

## Elected Member Commentary Potential

Elected Member Commentary Focus – Non technical Governance focus potentially allowing for advocacy for the community's views

- May allow for input aligned to Elected Member Governance Role
- May allow for Advocacy
- Attach to Officers Commentary
- Obtaining legal advice currently on this

# Reviewing Conditions of Consent

- To Ensure Enforceability
- Ensure proposed conditions are appropriate
- Reduce any undue burden on the Community and Council

# Panel Membership

- QLDC may put forward one or more Panel Members with one of those proposed chosen by Panel Convener – Panel may increase in size based on complexity
- Iwi Representation included
- May be, but need not be, an Elected Member

## Key Challenges:

- Need to be impartial, unbiased & independent
- High level of expertise and experience
- Local Body Election timeframe
- Availability & Rates
- Seeking Legal Advice Currently

# Delegations

- Delegated Authority required for:
- Consultation
- Cost Recovery
- Providing Commentary
- Nominations to Panel
- Review Conditions
- Appeals – Power to lodge an appeal or leave to appeal to High or Supreme Courts
- Currently getting legal advice re where delegations should sit

# Other Matters

- Judicial Reviews
- Land Exchange
- Mineral Extraction

# What we covered

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