



**Wellington Gas Pipeline
2008 Planning Act Process**

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Objectives for today

- Recap on IPC process
- Focus on role of LAs
- Update on project and programme for submission
- Discuss the IPC's outreach programme



Legislation, Guidance and Advice

Planning Act 2008

Statutory
Instruments

CLG guidance
documents

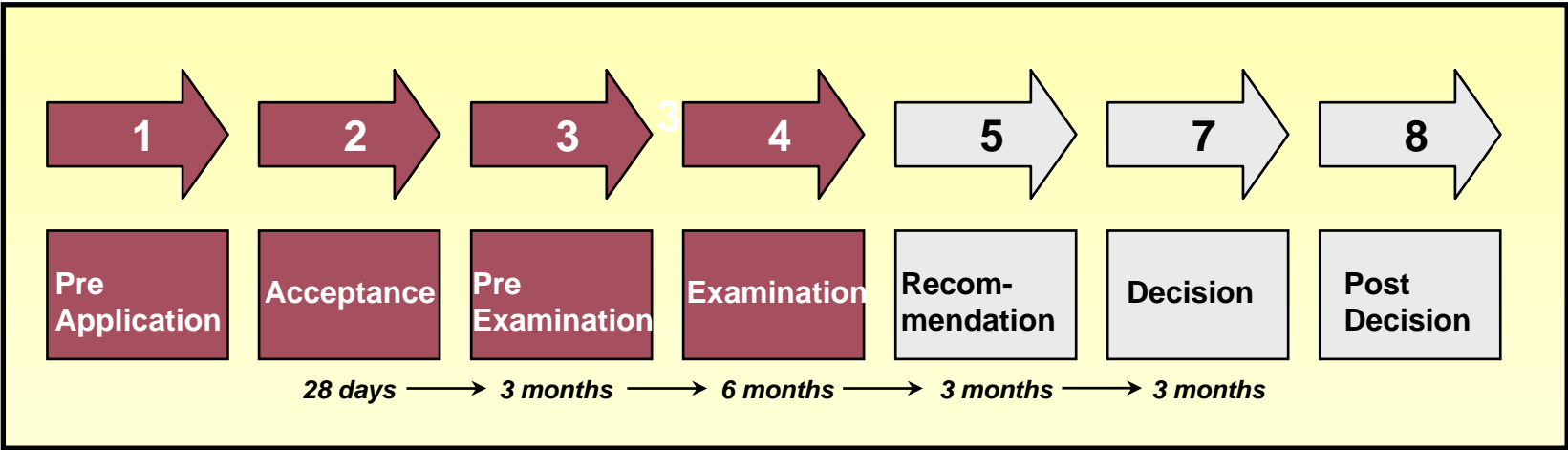
National Policy
Statements

IPC Guidance
Documents

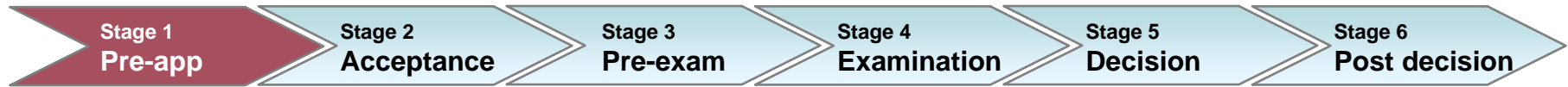
IPC Advice
Notes



The Process







Developer's Consultation

Developer must consult

- all prescribed consultees (s42)
- local community (s47)
- general public (s48)
- Developer must 'have regard to any relevant responses' (s49)

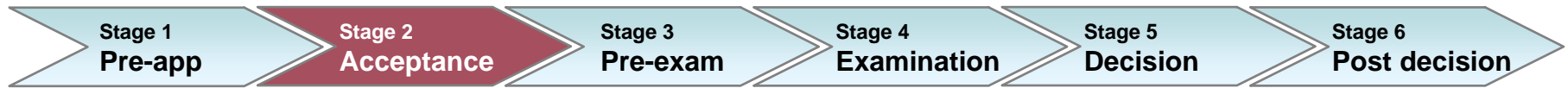




Total application preparation: No surprises

- Driven by developer
- Engagement with local communities and LAs
- Comprehensive EIA/ES
- SoCC
- Development of DCO
- Limited scope for amending applications post submission





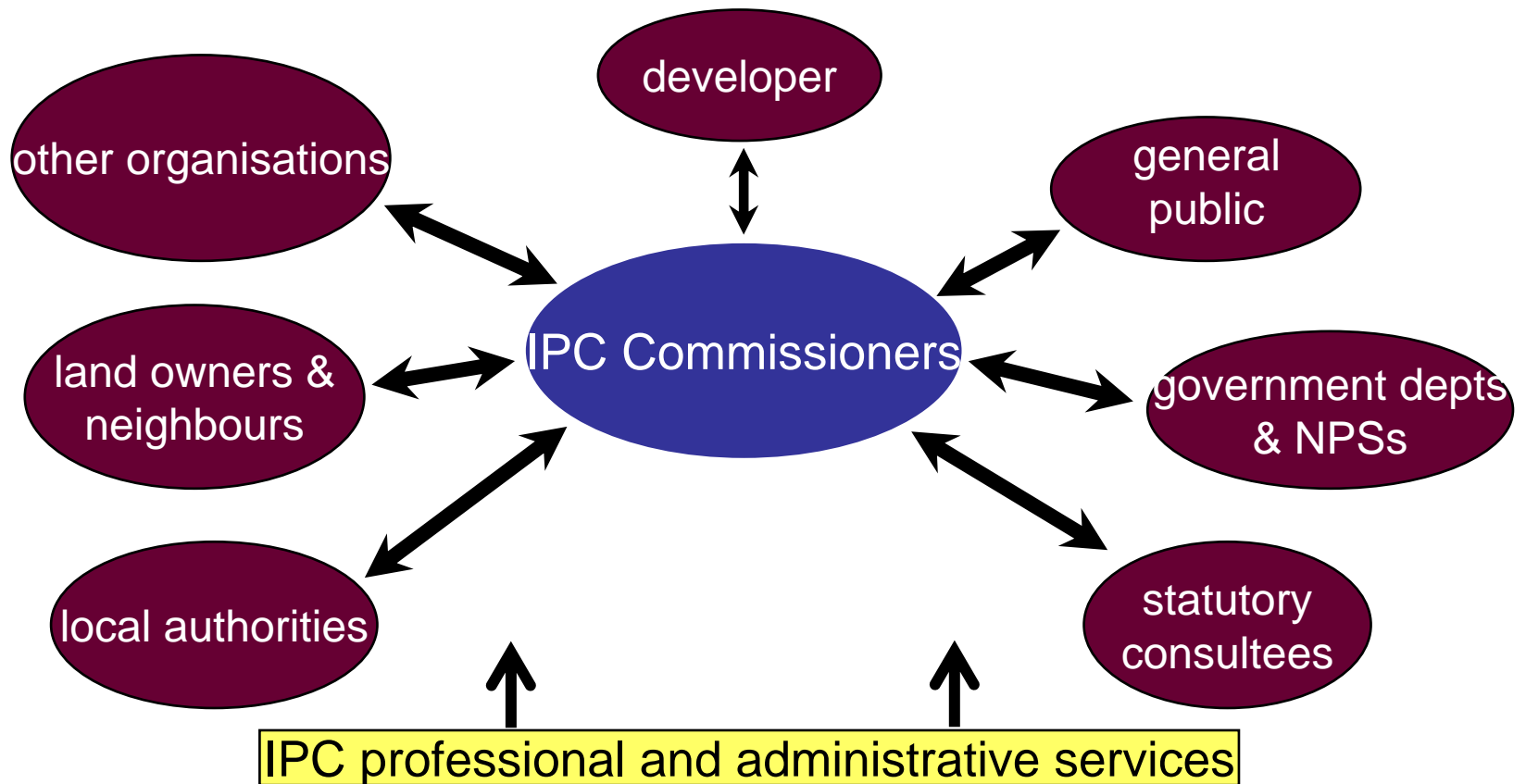
Has the developer met its pre-application obligations?

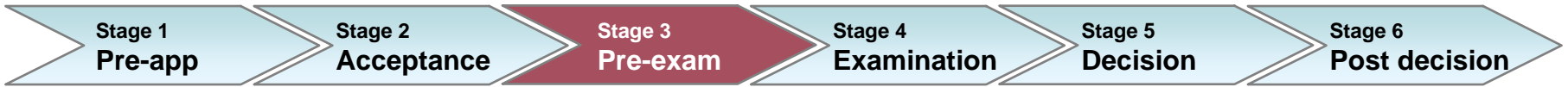
- Does the Consultation Report demonstrate that consultation fulfilled legal requirements?
- LAs comment on adequacy of consultation

Is the application in the correct form, including necessary documentation?

- Has guidance been followed, if not, why not?

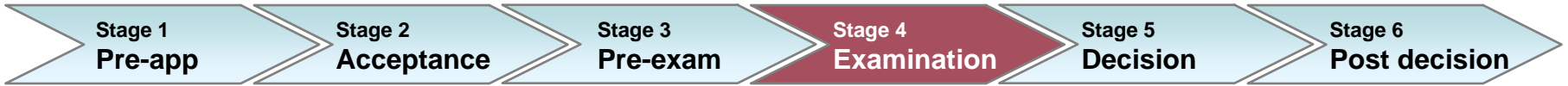






- Developer required to publicise an accepted application
- Registering to ‘have your say’
- Appointment of *Examining Authority*
- IPC makes its initial assessment of principal issues
- Preliminary meeting
- Procedural decision
- Timetable for examination





- Written representations
- Examination inquisitorial not adversarial
- Possible Hearings:
 - Open floor
 - Specific issue
 - Compulsory acquisition
- IPC may appoint an assessor
- Statements of common ground
- LA may produce Local Impact Report

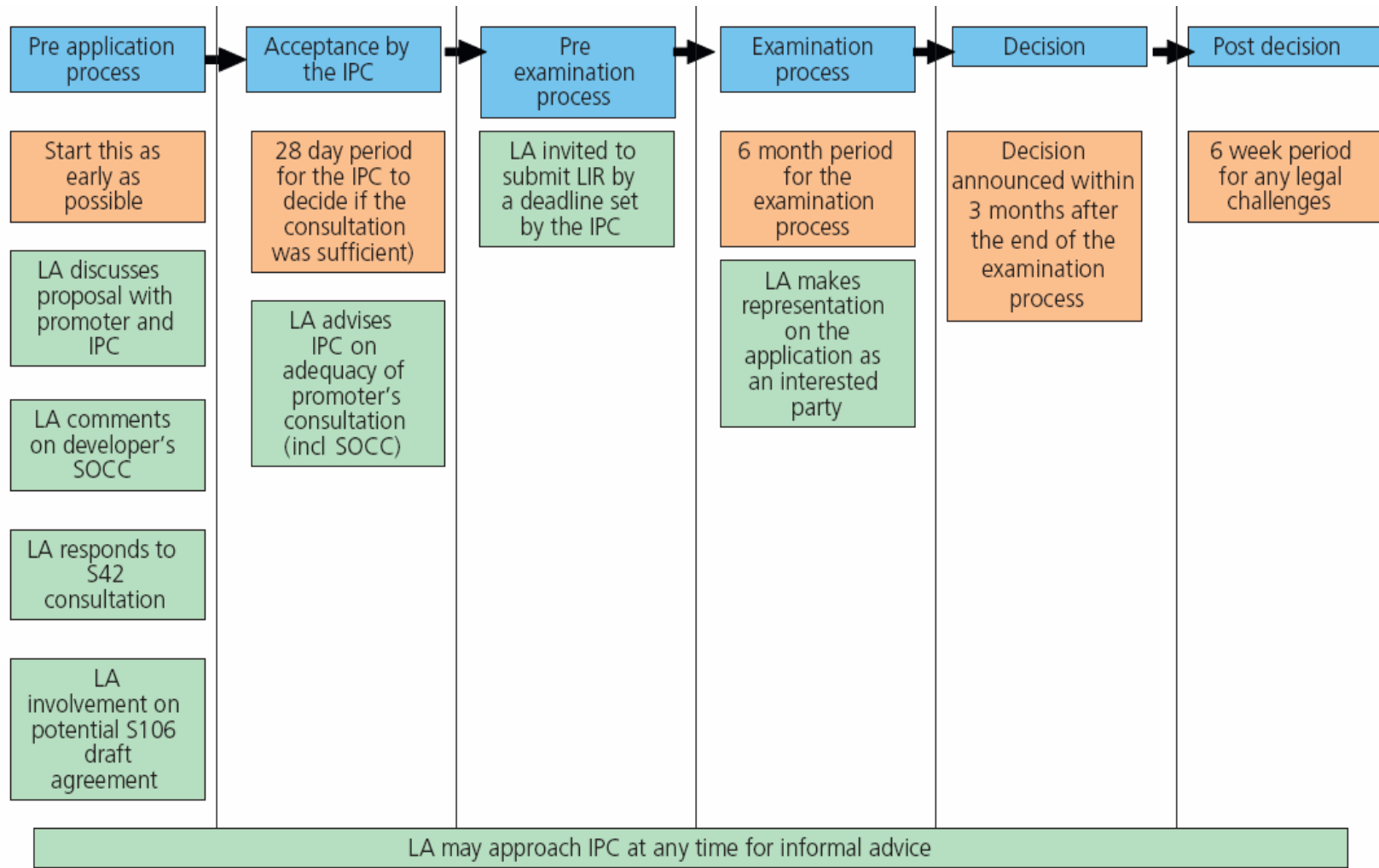


An influential role for local authorities

- Involved at all stages
- Statutory role
- Local knowledge
- Understanding of communities
- Scope to influence the consent:
 - 'Requirements'
 - 'Obligations'
- Statement of common ground
- Enforcement of consent



The role of local authorities



Source: CLG Guidance for local authorities, 2010

Key statutory deadlines for LAs

| | | |
|-----------------|--|-------------------------------|
| Pre-app | Comments on developer's draft SoCC | 28 days |
| | EIA Scoping Opinion consultation (IPC) | 28 days |
| | Pre-application consultation (s42) and publicity (s48) | Min 28 days |
| Acceptance | Adequacy of Consultation statement | Within 14 days of submission |
| Pre-examination | Submission of relevant representation following notification of application acceptance | Min 28 days |
| Examination | Production of Local Impact Report | ~ 6 weeks from start of exam. |
| | Submission of detailed written representations | Min 21 days |

Things to consider

Meeting tight statutory deadlines

- Schemes of delegation
- Committee cycles

Resources and capacity

- Shape development/secure mitigation (eg requirements, obligations)
- Resource planning, eg participation in hearings, negotiating s106
- Opportunities for joint working

Member engagement

- Understanding LA roles and responsibilities



Local Impact Report (LIR)

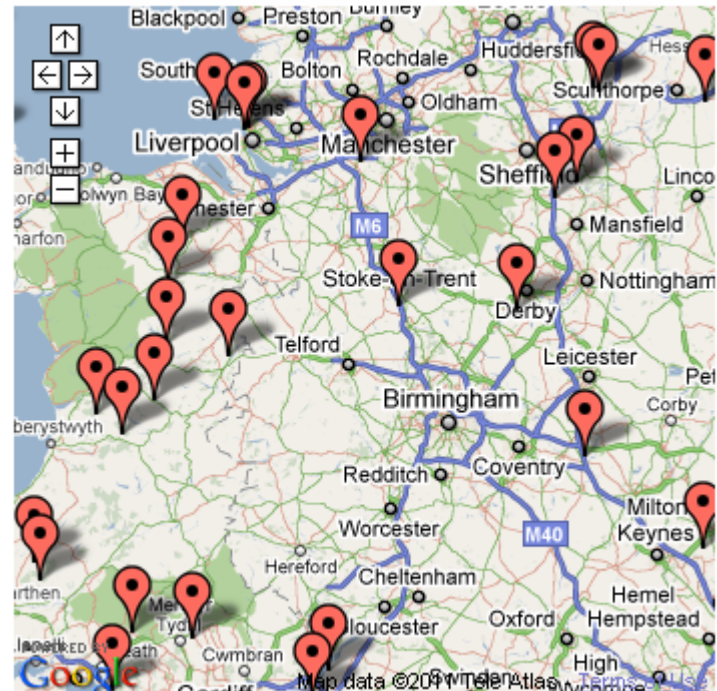
- Decision maker must have regard to LIR
- LA decides form and content
- Focus on the economic, environmental and social issues
- Opportunity for joint LIRs
- IPC advice note 1



Outreach

What is outreach?

- IPC-led event(s)
- Ensure understanding of process
- Process only
- Separate from applicant consultation event
- Tailored to the needs of potential interested parties
- Support for all



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