

# Discounts for the late processing of resource consent applications

The Resource Management (Discount on Administrative Charges) Regulations 2010 were introduced to specifically address concerns over consent applications being processed late. They require local authorities to discount the administrative charges they impose under section 36 of the Act if resource consent applications, or applications to change or cancel conditions, are not processed within the timeframes set out in the Act.

The Discount Regulations provide some compensation for applicants inconvenienced by delays and focuses local authorities on processing applications within statutory timeframes.

The Regulations apply automatically to all completed consent applications and applications to change or cancel conditions which are not processed within timeframes set in the Act. The discount applies to both notified (including limited notified) and non-notified consent applications. An applicant does not have to apply to the local authority to receive a discount.

The discount only applies to administrative charges imposed under section 36. It includes:

- the total charges an applicant would pay the local authority to receive, process and grant (or refuse) a consent application; and
- the total charges due from a consent holder for an application to change or cancel a consent condition(s).

The discount regulations do not apply to administrative charges for development contributions, monitoring fees and charges, subdivision certifications, or any other charges set by the Council under any other Act, such as building consent fees or dog registrations. If no administrative charges are associated with the processing of a consent application, no discount will apply.

The Regulations apply to consent applications lodged on or after 31 July 2010, however following the earthquakes an exemption was given to Councils in the Canterbury region, and no discounting was required between 4 September 2010 and 31 March 2012.

Applications received since 1 April 2012 are now eligible for a discount if the statutory timeframe is not met.

The Regulations set out a discount of 1% for each day an application is processed over the statutory timeframe, up to a limit of 50 working days. Therefore, for consent applications that take longer than 50 working days over the statutory timeframe, the maximum discount that will apply is 50%. By way of example, if the total administrative charges for an application were \$1,000 and the statutory timeframe was exceeded by 10 working days, a discount of 10% or \$100 would apply meaning the total administrative charges would be reduced to \$900.

Applicants should contact the writer of the invoice letter in the first instance if they have any questions about the discount applied.