

DTI:Planning Review

From: Scott Vasey [REDACTED]
Sent: Friday, 16 December 2022 4:13 PM
To: DTI:Planning Review
Cc: Rangai, Geoff (DTI); David Weston; Ashley North
Subject: FW: An Urgent Call To Arms - Planning Review

[REDACTED] [REDACTED]
[REDACTED] [REDACTED]

Please find below an email I sent to the Surveyors' Board regarding some items of concern regarding the new system.

Further to this, I am experiencing more frequent Requests for Information that seem to be beyond the intention of the Planning Regulations. For example, the council asking us to provide details of works outside of our subject land while providing links to the council standards for such works. If they know what their standards are, then why do they need information from us. It seems a way around including such items as conditions and therefore avoiding the opportunity for the applicant to appeal. I am unsure of the legality of such requests, therefore unable to correctly advise the applicant. In the below email I have suggested the likes of a Planning Ombudsman, but simply having a department contact who could advise on such matters would be very helpful.

Regards,

Scott Vasey
Director and Division Consultant
Mob: [REDACTED]

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Please note our office will be closed for the Christmas and New Year's break from **Thursday 22th December and re-opening on Monday 9th of January 2023**. However, each director can be contacted for any matters requiring urgent attention. We would like to take this opportunity to thank you for supporting us over the year and wish you all the best for the festive season and new year.



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From: Scott Vasey

Sent: Thursday, 17 November 2022 8:42 AM

Hi Michael,

My apologies for the late email on this issue.

I do intend to lodge an individual response by 16/12/22 and I will surely have many issues; but I will share my main gripe:

I note in the discussion the issue of delayed decisions. I frequently have RFI's sent out for applications, some being prior to verification and some following lodgement as part of the assessment process. Applications are put on hold pending RFI's being provided and continue to be placed on hold pending acknowledgement of the assessing authority that the information provided sufficiently addresses the request. We also occasionally receive RFI's that place the application on hold without requesting information, for example – the assessing planner's comments/concerns about the application without specifying what information is required. On other occasions we have experienced RFI's requiring information which requires action from the council (eg application to remove a street tree or preparation of an LMA which is requested by the assessing planner). In these circumstances the council can hold up the information indefinitely while the assessment is on hold, thereby avoiding time restrictions. Furthermore, we are experiencing multiple RFI's being sent out on the one application, despite that the *Planning, Development and Infrastructure Act 2016* Section 119 (5)(c) states that "the relevant authority may, in making an assessment as to planning consent, only request the applicant to provide additional documents or information in relation to the application on 1 occasion." I have further experienced applications where the assessment goes beyond "assessment deadline" by weeks before receiving an RFI, putting the application on hold.

The intention of having limited days for assessment and only allowing 1 RFI being sent seems to be ignored by planning authorities, yet we don't seem to have an authority to oversee such issues and it seems to be left to the councils to self-regulate.

It may be a big ask and I am not familiar enough with the system to understand the ability, but I would like to see the likes of a Planning Ombudsman who can step in and hold councils to account. I would imagine this would initially be a very busy office, but having such could encourage the councils to be more likely to adhere to the planning regulations.

Regards,

Scott Vasey

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