



Making a Submission on a Resource Consent Application

■ Introduction

The Resource Management Act 1991 (RMA 1991) provides many opportunities for you to participate in council decisions that affect the environment.

Making a submission is an effective way of exercising your right to have a say and ensuring your views are heard. It is also a good way to get involved with council decisions under the RMA.

This fact sheet is a guide for people who want to make a submission on a resource consent application, containing information about when you can submit, what you need to provide and how long the process will take.

■ What is a submission?

A submission is a written statement conveying your views or concerns about a notified resource consent application. It may support or oppose the proposal, or it may be a neutral expression of your views.

■ When can you make a submission?

A submission on a resource consent application can only be made when:

- The application is advertised in the public notices section of a newspaper and/or the Auckland Regional Council (ARC) contacts you in writing because: the effects of the proposed activity may be more than minor; special circumstances apply or the applicant has requested it does so. This is a publicly notified application.
- The ARC contacts you in writing because you may be affected by the proposed activity, even though the effects are minor. This is a limited notified application.

■ Before lodging your submission

You should make a submission if you feel your concerns will not be adequately taken into account any other way or if you wish to support an application. Before lodging the submission it is recommended that you:

- Check you have all the information and have read the application and the assessment of environmental effects
- You should understand the proposal, its effects and how it could potentially affect you. You are able to view the application and supporting information at the ARC offices
- Discuss your concerns with an ARC consents officer and ask them to clarify anything that is unclear
- Discuss your concerns with the applicant and ask how any effects can be minimised or avoided. You may be able to negotiate changes to their application without going through the formal submission process
- Refer to the relevant regional plan(s) as this may help you understand some of the environmental effects of the proposal.

■ How to make a submission

Preparing your submission

Your submission will be more effective if it is specific, well-organised and supports your views with adequate information. It must be relevant to issues that can be addressed under the RMA and the resource consents being sought.

Clearly explain your reasons for making the submission to help the consents officer take your views into account in the decision-making process. You may wish to employ a technical specialist or a resource management advisor to help you write a submission.

■ Consider the following when preparing a submission:

- How the proposal will affect you and/or the environment
- What are the most important points you want the council to consider?
- Identify which part(s) of the proposal you support or oppose and the reasons why
- Ensure your concerns relate to the activity applied for and, its environmental effects, rather than activities that can't be addressed under the RMA or to matters under the control of other authorities, e.g. local councils
- Consider ways your concerns can be addressed, e.g. through changes to the proposal or through conditions on the consent application
- Think carefully about what decision you want the ARC to make on the application

■ Consider making a joint submission

Consider making a joint submission with others in your community who have similar views to you on an application. Equal consideration will be given to a joint submission or to individual submissions from the same people. If you make a joint submission, you need to make sure you identify a contact person. It is a good idea to appoint a spokesperson.

■ How do you obtain a submission form?

Submission forms are available at the ARC or at www.arc.govt.nz or upon request. There is no charge for making a submission.

■ What information do you need to provide in your submission?

You need to provide all the information asked for in the submission form. It must state your full name and contact details (address, telephone number, fax number and email address (if you have one)).

Your submission must be in writing and state:

- Whether you support or oppose the application, or whether you wish to express your views neither in support or opposition
- The particular part(s) of the application you support or oppose (refer to a specific section or page)
- Your reasons for making the submission
- How you will be affected by the proposed activity if it is allowed
- Which environmental effects you consider the application doesn't adequately identify
- What could be done to minimise or avoid negative effects
- Specific, local information you think the ARC should consider in making its decision
- The decision you want the ARC to make
- Conditions you think should be placed on the consent to make the activity acceptable if it is granted
- Whether you want to speak at a hearing in support of your submission. This is important because if you do not wish to be heard, no other submitters wish to be heard and/or there were no other submissions, a hearing may not be necessary
- Include any other information you think will help the ARC make its decision on the resource consent application.

■ How much time do you have to lodge a submission?

You have 20 working days after public notification of the application or service of the application to make your submission unless the council specified more time. A working day does not include weekends or public holidays and excludes the period between 20 December and 10 January inclusive. The closing date for submissions will be included in the newspaper notice and notification letter from the ARC.

■ Lodging your submission

You can lodge your submission with the ARC in person, by post, fax or email. Make sure you date and sign your submission (not required if you send your submission electronically). Please send us the original version as well if you fax your submission.

You can complete an electronic submission online and email it directly to consentsubmission@arc.govt.nz.

Late submissions may not be accepted. You must also send a copy of your submission to the applicant at the address given in the public notice.

■ After you lodge your submission

What will happen to your submission?

At the end of the submission period, the ARC will confirm in writing that it has received your submission. The applicant will receive a list of all submissions

The ARC consents officer considers all submissions.

You may be asked to provide further information if an issue in your submission needs clarification.

The consents officer prepares a report with recommendations whether the application should be approved or declined. It assesses the proposal according to the RMA, the provisions of any relevant plan and the submissions to the application.

If the report recommends approving the application, it will also propose conditions of consent. If you wish to be heard, you will receive a copy of the report a minimum of five days before the hearing. You will be able to comment on the report as it relates to your submission at the hearing.

The Commissioners hearing the application will take your submission into account, regardless of whether you speak.

If the application does not proceed to a hearing, the council makes its decision based on the application, the written submissions and the consents officer's report.

You may be involved in any pre-hearing meeting or mediation if you lodge a submission. You also have the right to appeal the decision.

The fact sheet on "Pre-hearing meetings and hearings" provides information about what happens at pre-hearing meetings, mediation and hearings.

■ For more information

Phone 09 366 2000.

The ARC has a range of fact sheets designed to help applicants and submitters through the resource consent process. Copies are available at www.arc.govt.nz or upon request.

Topics include:

- Applying for a resource consent
- Pre-hearing meetings and hearings
- Resource consent processing timeframes and charges
- Now you have a resource consent.

How do I contact the ARC?

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