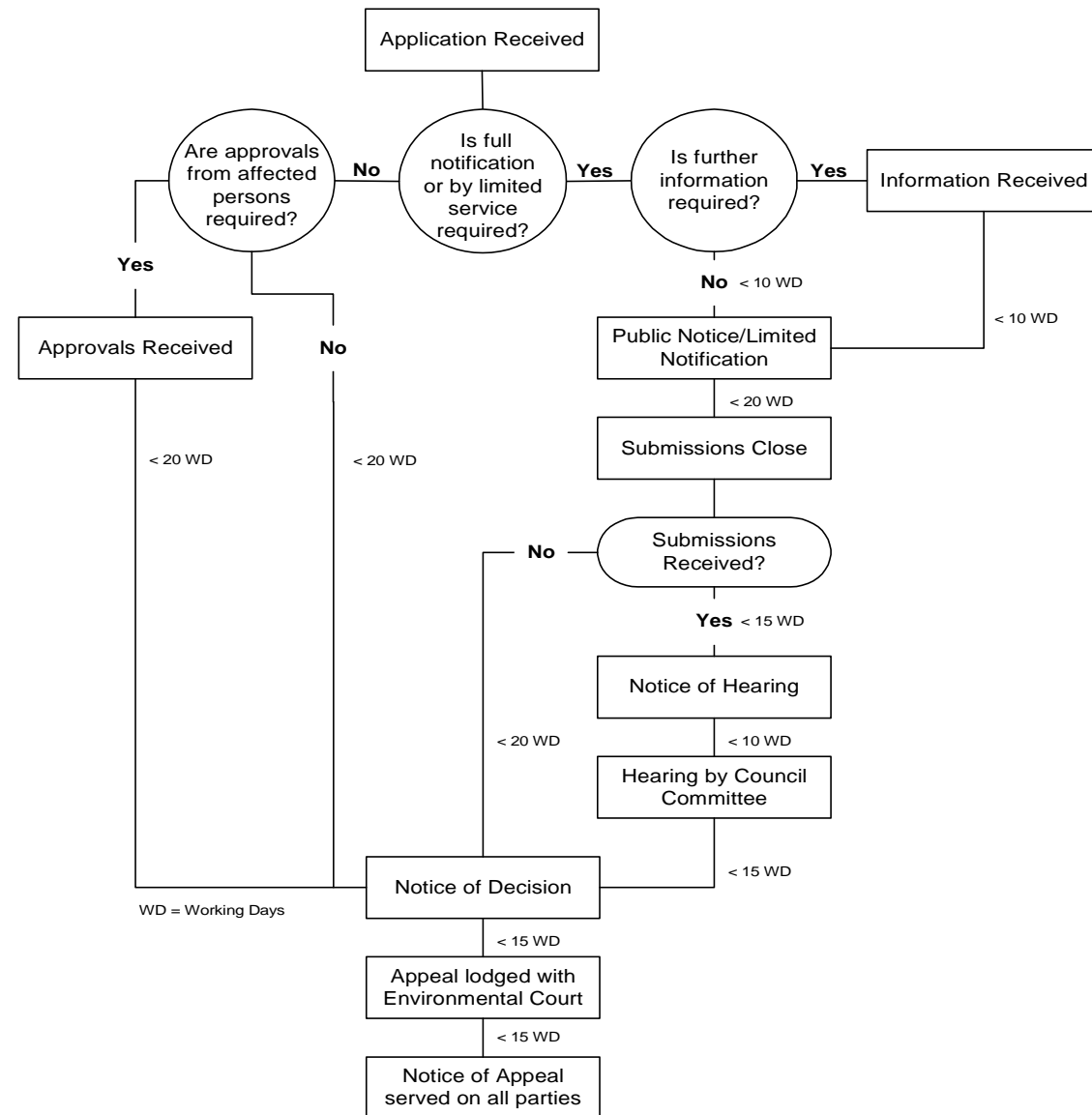




The consent process



WD = Working Days

A Working Day (WD) is any day except:

- Saturday
- Waitangi Day
- Easter Monday
- Queen's Birthday
- or a day in the Christmas/New Year holiday period, from 20 December to 10 January.
- Sunday
- Good Friday
- ANZAC Day
- Labour Day



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## Resource Consents: Submissions, Pre-Hearings and Hearings

This brochure explains how to make a submission on a resource consent application, and what is involved in pre-hearing meetings and a hearing. If at any time you require further assistance, please do not hesitate to contact any member of our Consents Team on freephone 0508 800 800 or have a look at our website [www.horizons.govt.nz](http://www.horizons.govt.nz).

### What is a submission?

Making a submission involves you in the resource consent process.

A submission highlights environmental issues related to a resource consent. It is a formal way Horizons Regional Council (HRC) can take into account your opinions and interests.

Any person or organisation can make a submission on a notified resource consent application. In the case of a Limited Notification resource consent only those people or organisations directly service notice can make a submission.

### Preparing your submission

First, you should find out as much as you can about the proposal and its environmental effects. We suggest you:

- Talk with the Applicant.
- Talk with organisations or individuals who can provide technical information on the effects of the resource consent sought and possible ways of reducing or avoiding undesirable effects.
- Talk to HRC staff who can provide information about the proposal, and explain the legal context and the resource consent process.

If you decide to go ahead and write a submission, keep these tips in mind when you're thinking it through:

- Ensure that your submission relates to the activity applied for.
- Decide on the most important points that you want HRC to consider and concentrate on these points.
- Be specific, explain your points, give examples (where appropriate), and deal with the facts. Do not rely on emotions or hearsay.
- Clearly explain how the proposal affects you and suggest how the effects could be minimised or avoided.
- If you wish to suggest alternatives to the proposed approach, provide reasons why they should be considered.

Please note that only effects on the environment will be considered by HRC.

The submission should be in writing and clearly state:

- Whether you support or oppose the application.
- Your reason for making the submission.

Continued Overleaf



- The decision you wish HRC to make.
- Whether you wish to speak at the Hearing.
- Any conditions you feel should be imposed if the consent is granted.

To help you, we can provide easy-to-follow submission forms. Our submission form is available from the Palmerston North office reception, requested via email or post from any member of the Consents Team or downloaded from our website ([www.horizons.govt.nz](http://www.horizons.govt.nz)).

### Timeframe

You must get your submission to HRC within 20 working days of public notification or notification by way of limited service of the resource consent application.

The public notice will state:

- The addresses you must send your submission to.
- The date and time by which it must arrive. Submissions can either be sent to the by mail, facsimile or be delivered by hand to the Regional Council. HRC do accept electronic mail submissions as long as the submission is signed and/or followed by a hard signed copy.

The Resource Management Act 1991 (RMA) specifies timeframes for the processing of applications. You may be required to respond quickly to any information sent to you. A flowchart showing these timeframes can be found at the end of this brochure.

### Pre-Hearing

A pre-hearing meeting may be organised by HRC or the Applicant if submissions are received on a resource consent application that has been notified either publicly or by limited service.

The purpose of a pre-hearing meeting is to clarify issues arising from the resource consent application. The meeting provides an opportunity for parties to discuss and work through points of disagreement or misunderstanding - generally to understand each other's point of view and if

possible to reach agreement. The basis of such an agreement is usually a set of draft consent conditions.

Pre-hearing meetings are generally informal and they rely on all parties being courteous, and willing to work constructively through the issues. If an agreement is reached, then a formal hearing may not be required as a result of the pre-hearing.

### Who can attend a pre-hearing meeting?

The Applicant and some or all submitters will be invited to attend. Usually if you have stated that you do not wish to be heard in respect of your submission you will not receive notice of any pre-hearing. If the pre-hearing is called by HRC, one of our consents team will chair the meeting.

Applicants or submitters may choose to have legal or other representation at the meeting.

### Who can attend a pre-hearing meeting?

The meeting will be held as soon as possible after the submission period has closed. It will be held as close as practicable to the site for which the application is made.

Often a visit to the site is useful in helping everyone to understand the issues. Other times it is most appropriate to hold pre-hearing's on neutral ground e.g at HRC.

### Hearing

A hearing is a much more formal process used to consider and decide resource consent applications. It gives the Applicant and submitters the opportunity to formally present their cases to a HRC appointed committee or commissioner.

### When is a hearing required?

A hearing is required only if:

- The Consent Authority (HRC) considers it is necessary.

- The Applicant or a submitter requests a hearing.
- A pre-hearing was held with no resolution reached and submitters maintain their wish to be heard.

A hearing must be held within 25 working days of the submission period closing. This time limit may be extended by HRC, either on its own initiative or after a request from the Applicant.

### Before the Hearing

Technical and Planning Reports are prepared by HRC staff and sent to all parties. The RMA requires staff reports to be circulated at least five working days before the hearing. This allows everyone to read and assess the issues thoroughly before the hearing.

### At the Hearing

The Hearing Committee may comprise accredited Councillors, Commissioners and / or Independent Commissioners. The Hearing Committee has authority from HRC to hear and decide consent applications.

The Applicant and every submitter who has stated a wish to be heard may speak and call evidence at the hearing, either personally or through a representative.

Submitters may not raise any issues that were not covered in their written submission. Points may be elaborated on or clarified, but no new issues may be raised.

Only Commissioners may question any party. There will be no cross-examination.

The hearing will be held in public unless it is deemed necessary to protect sensitive information.

### Procedure

- Introduction by Commissioners where the process is outlined.

- Applicant presents information in support of the application(s).
- Submitter(s) speak to their submission(s).
- HRC staff present reports.
- The Hearing Commissioners may ask questions of parties at the hearing.
- Applicant's right of reply.
- Hearing is closed or adjourned.
- Decision is normally circulated within 15 working days.

The decision is not normally made known to the parties at the hearing itself. It takes several days to prepare and release the decision.

### After the Hearing

If you are dissatisfied with all or part of a decision on a resource consent application and you are either:

- the Applicant; or
- a submitter.

You may appeal to the Environment Court within 15 working days of the decisions release against all or any part of HRC's decision.

### Costs Decisions

A separate decision on the recovery of actual and reasonable costs incurred (not fixed charges) by HRC in processing an application is generally issued 20 working days after a hearing decision is released. Applicants have 15 working days to appeal that decision by lodging an objection with the Council.

Applicants will receive estimates of processing costs on lodging their application and on notification of hearing dates.