



Submission on proposed plan, plan change or variation

(Form 5)

To: Chief Executive
Hawke's Bay Regional Council
Private Bag 6006
NAPIER 4142
fax: 06 8353601
email: submissions@hbrc.govt.nz

<i>Office Use</i>	
Submission ID#:	_____
Date received:	_____
DBase entry date:	_____

SUBMITTER DETAILS

Name of submitter[full name]: _____

Contact person [if different to above, or if submitter is an organisation] : _____

Postal address: _____ Phone #(s): _____

_____ Post code: _____ Fax #: _____

Email: _____

PLEASE NOTE: your submission will become part of a public record of Council documents. This will mean your name, address and contact details will be searchable by other persons.

SUBMISSION DETAILS [a useful guide to writing a submission is attached to this form]

The proposed plan, plan change or variation my submission relates to [title and reference number if applicable]: _____

The specific provision(s) of the proposal that my submission relates to are: _____

My submission is [include whether you support or oppose the specific provisions or wish to have them amended along with your reasons for your views]:

I seek the following decision from the Council [give precise details to ensure your views are accurately represented in submission summary documents to be prepared by the council as part of the submission and hearing process]

Attach additional pages if necessary: _____

Do you wish to be heard in support of your submission?	Yes / No (circle one)
If others make a similar submission, would you consider presenting a joint case with them at a hearing?	Yes / No (circle one)

Signature of submitter: _____
[or person authorised to sign on behalf of submitter]

Date: _____

Guide to writing a submission on a proposed plan, Change or Variation

What is a Proposed Plan, Plan Change or Variation?

A proposed plan, a 'plan change' or a 'variation' is a document that has been issued by the Council and 'proposed' as the official position of the Council before submissions are received. To be legally proposed, a document must be 'publicly notified' so people can make submissions.

Obtaining copies of the proposed plan or plan change

Proposed planning documents are usually large and often contain several volumes and coloured maps. They can be purchased from the Council for a reasonable cost to cover reprinting expenses. Proposed plans and plan changes can be viewed and downloaded without charge from the Council's website (www.hbrc.govt.nz). Alternatively you can view copies at the Regional Council's main offices located at 159 Dalton Street, Napier, or at public libraries throughout the region.

Should you make a submission?

If you have concerns about a proposed plan or plan change, a submission is the most effective way for you to influence the Council's decision on the proposal. The Resource Management Act (RMA) allows any person to make a submission on a proposed plan or plan change.

In order to decide whether or not to lodge a submission, you will need to understand what the proposed plan or plan change involves and how it might affect you/your interests. This should determine whether it provides adequate management measures to address any relevant environmental issues of concern to you. Proposed plan and plan changes can cover broad geographic areas and a range of issues and so it could be easy for readers to feel a little 'swamped.' You should start out with a clear idea of the issues which are likely to be of concern to you. You might want to ask council staff to help you understand what is being proposed or seek independent professional advice. Ask yourself what the plan or change will mean to you in practice. What will be the actual effect on you and the things you want to do on your property, or on an operation you run or are planning to run? A proposed plan or plan change might also affect a wider part of your local community, district or region.

Discuss your concerns with council staff and others

Feel free to discuss your concerns with the Council's policy planning staff. They should be able to tell you why certain provisions were included into the proposed plan or plan change. They may also direct you to any other relevant reports or research which has been carried out by the Council.

Consider meeting with other parties which may have similar concerns to you. You are likely to benefit from the opportunity to exchange views. Explore the possibility of lodging a joint submission and pooling resources to obtain professional assistance. If possible, also raise your concerns informally or formally with relevant professionals who may provide useful insights.

What should a submission cover?

Once you've learned as much as you can about the proposed plan or plan change, and carefully thought about the effects it will have, you are ready to make a written submission.

Get a submission form from Council offices or Council website. Fill out all the required information including:

- your full name, address, telephone and fax numbers, and email address (or the name and address of your agent/if you employed someone to act for you).
- whether you want to speak at the public hearing. You don't have to, and while speaking at a hearing can help to highlight what you said in your submission, your submission is just as valid if you don't speak.
- whether you will consider presenting a joint case with others who have made similar submissions.

There are several other elements which you will need to address in the submission. These are discussed below:

⇒ *Proposed Plan/Plan Change Name:*

State the name of the proposed plan or proposed plan change.

⇒ *Specific provision(s) of the proposed plan that my submission relates to are:*

You will need to list clearly the provisions on which you are making submissions. State these in as much detail as possible including the paragraph number (and title if relevant), and page number. If possible, you should identify whether the paragraph number refers to a section of the plan or a policy, objective or rule. Where you are uncertain of the precise paragraph number which is relevant you should refer to the broader section of the proposed plan.

⇒ *My submission is:*

In this section you need to clearly set out the nature of your submission, stating whether or not you support or oppose the specific provision, or wish to have amendments made. You must also provide some reasons. In supporting your concerns with the proposed plan or plan change you may wish to consider the following:

- Is the provision consistent with Part II of the RMA including the overarching purpose of sustainable management (section 5), the matters of national importance (section 6) and other matters (section 7)?
- Is the provision consistent with any relevant national policy statements and/or national environmental standards currently in force?
- Will the provision help to achieve the environmental outcomes sought by regional plans as a whole?

⇒ *I seek the following decision from the Regional Council:*

Be as precise as possible about what amendments you would like to the provisions of the proposed plan or plan change:

- If you would like amendments to the wording of a provision, clearly show the changes you are seeking, striking out those words you wish to delete and emphasising the words you wish to insert e.g. *Amend Policy 1.2.3.4 to read 'existing discharges should be ~~restricted~~—permitted in the Timbuktu Management Area.'*
- If you would like to delete a provision, state that e.g. Delete Policy 1.2.3.4.
- If you would like something new added, say a new policy, provide the wording you would like adopted by the Council e.g. Insert new Policy 1.2.3.4 to read *'new discharges will not be permitted within the Timbuktu Management Area.'*

Sign and date your paper submission (electronic submissions will not require a signature).

Send your submission by post, hand delivery, fax, email to Council's details below before the submission deadline.

To write a clear and effective submission:

- » stick to the facts
- » focus on the environmental effects
- » be specific and provide examples
- » tell the Council what you want – don't leave the Council to guess
- » write in clear, simple, everyday language
- » if handwriting a submission, please print clearly.

Send written submissions to:

Hawke's Bay Regional Council
Private Bag 6006
159 Dalton Street
Napier 4142

fax (06) 835-3601
email: submissions@hbrc.govt.nz

Costs involved

There is no charge for lodging a submission. However, be aware that costs are likely to be incurred by submitters if they seek advice from professional advisors (eg: lawyers, planning consultants etc) in preparing their submission.

What happens to my submission next?

After the closing date for submissions, the Council will prepare and release a summary of the submissions lodged. There will be an opportunity to make a further submission in support of, or opposition to, the submissions already made. If a submitter asks to be heard in support of their submission, a hearing will be held. After the hearing, the Council will give its decision on the proposed plan, Change or Variation (including its reasons for accepting or rejecting submissions). Submitters have the right to appeal these decisions to the Environment Court.

Checklist

- Use Form 5 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003. Submission forms are available from the Council.
- Identify the proposed plan, change or variation on which you are making a submission and not unrelated matters.
- Clearly identify the provisions on which you wish to make a submission (eg: use page and paragraph refs).
- Clearly set out the reasons for supporting or opposing each provision.
- Identify the wording changes you are seeking to the provisions.
- Indicate whether or not you wish to speak at a Council hearing on your submission.
- Indicate whether or not you would be prepared to present a joint case with other submitters.
- Set out your submission clearly. Use of clear headings is encouraged.
- Sign and date the submission and provide your full name, address and phone / fax / email contact details.
- NOTE: your submission will become part of a public record of Council documents. This will mean your name, address and contact details will be searchable by other persons.
- Lodge your submission with the Council by in person, post, fax or email before the closing date.

Further information

- *Making a Submission on a Proposed Plan, Plan Change or Variation*, Ministry for the Environment, 2004. Updated March 2006 version available at: <http://www.mfe.govt.nz/publications/rma/everyday-submission-plan-mar06/index.html>
- *Your Guide to the Resource Management Act*, Ministry for the Environment, 2004 (pp 46-49).
- *Resource Management Act 1991: Plans and Policy Statements*, Christchurch Community Law Centre, 1998 (pp 21-22).
- *Breaking Down the Barriers: the Resource Management Act made easy*, Royal Forest and Bird Protection Society of New Zealand Inc., (pp 27-29).
- *Handbook of Environmental Law*, Royal Forest and Bird Protection Society of New Zealand Inc., 2004 (Ch 4A)
- *Resource Management Act for the Community*, an online resource provided by Environmental Defence Society at: <http://www.rmaguide.org.nz/rma/submissionsplans.cfm>