

Resource Management Act (RMA) Hearings:

RMA hearings are held for applications that have had submissions made on them. A hearing panel is appointed to hear from the applicant and the submitters and then make a decision on the application. A hearing panel can be made up of independent commissioners, elected representatives and members of the Independent Maori Statutory Board. The panel try to make hearings as informal as possible but also need to adhere to specific rules to ensure that the decisions made are robust and legal.

Attending a hearing:

- If you are a submitter, you will be invited to attend the hearing
- You will be asked to let us know if you wish to speak at the hearing
- You can bring along witnesses who can support your submission
- Your submission will have already been read by the hearing panel so you do not need to read this out just expand on your key points and/or provide supporting evidence.

Hearings are open to the public so anyone, including media, can come along and observe local democracy in action. You can view all scheduled hearings here.

Roles at hearings:

- Chairperson: runs the hearing and you must follow the chair's directions
- Panel members: along with the chairperson, are the decision-makers
- **Hearing advisor:** advises on correct hearing processes, supports the hearing and is your point of contact
- Applicant: will generally have a team supporting them including expert witnesses and a lawyer
- Council planning staff: present their report and may also have technical experts supporting them
- Submitter/s: give their views on the application/proposal and may also bring along experts to support them
- Local Board: can give comments on the application as part of the Auckland Council co-governance model.

Generally, there is no cross-examination allowed (questioning of a witness or party by other parties). Any questions need to be directed to the chairperson who will either ask the question of other parties or decline the question.

Order of proceedings:

The inside cover of the hearing agenda, when available, will detail the order of proceedings on the day of the hearing, while the diagram below gives an overview of the RMA hearing process.

1 Pre-Hearing documents Independent **Hearings Advisor** Commissioners **Hearing notification letter** At earliest opportunity Council planning **Applicant** Submitter/s staff and experts **Council Report (section 42a)** Circulated in Hearing Report by Hearings Advisor no less than 15 clear working days from hearing **Applicant Evidence** Due for circulation by Hearings Advisor no less than 10 clear working days from hearing **Submitter/s Expert Evidence** Due for circulation by Hearings Advisor no less than 5 clear working days from hearing Hearing (indicative order of proceedings) **COUNCIL STAFF/ CHAIR** APPLICANT CHAIR **APPLICANT SUBMITTERS EXPERTS Timelines** Right of Introduction, overview of for close reply process, of at Hearing or points of hearing/ afterwards in Separate summary of evidence by each party, clarification decision writing and questioning by Commissioner/s etc. **Decision**

Additional information:

DECISION

Ministry for the Environment's Appearing at a hearing about a proposed plan or resource consent.
https://environment.govt.nz/publications/appearing-at-a-hearing-about-a-proposed-plan-or-resource-consent/

APPEALS

Any appeal to the outcome to be made to

the Environment Court within 15 working

days of receiving the decision

WORKS

COMMENCE

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Quality Planning: https://www.qualityplanning.org.nz/node/873

NOTIFICATION

Applicant and submitters

notified of outcome

15 working days after

hearing closed