

A Guide to Making Submissions

On Changes to the District Plan (Schedule 1 of the Resource Management Act)

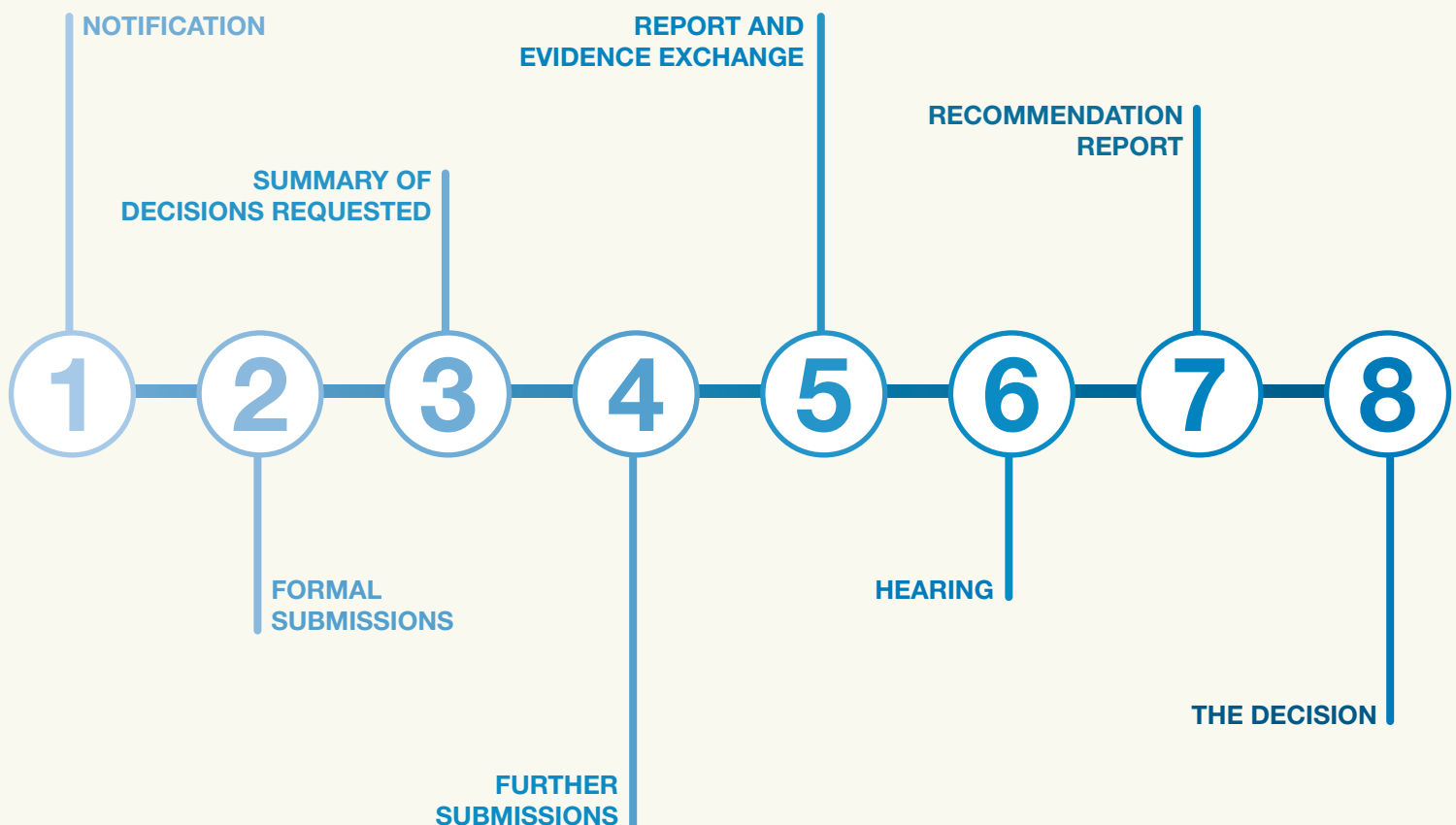
The District Plan guides land use and development across the Queenstown Lakes District and sets out what activities you can do as of right, what you need resource consent for, and how certain activities can be carried out.

Under the Resource Management Act (RMA), we at QLDC are required to review our District Plans every ten years and may also suggest changes to a chapter(s) or part of the plan if our experts identify areas that need updating.

Proposed changes (also known as variations) to the District Plan go through a formal submission process set by the RMA.

Making a submission allows you to have your say on a proposed change before a decision is made. It's how you can influence the future of the district.

The submission and hearing process



- 1 Notification:** We notify the public of changes being proposed as part of a plan change (variation).
- 2 Formal submissions:** The public is invited to share their thoughts on the proposed changes by making a formal submission, either on QLDC's website www.qldc.govt.nz/district-plan, via post to the address in the public notice, or via email to: pdpsubmissions@qldc.govt.nz
- 3 Summary of decisions requested:** All submissions are summarised and then publicly notified, so you can read what others have said about a proposed plan change.
- 4 Further submissions:** Anyone who has made a submission, has an interest greater than the public generally, or is representing a relevant aspect of the public interest is then invited to make further submissions. When the summary of decisions requested is publicly notified, further submissions can be made in support or opposition to an original submission.
- 5 Report and evidence exchange:** A report called a s42A Report is created, and recommendations are created by the Council Planner, and made to the Hearing Panel.
- 6 Hearing:** Submissions and further submissions on proposed changes to the District Plan are then heard by a Hearing Panel.
- 7 Recommendation report:** The Hearing Panel will then write a Recommendation Report which considers the submissions received and makes independent recommendations on whether to accept or reject the views of submitters.
- 8 The decision:** The Council then make a decision on the proposed changes based on advice from the Hearing Panel and the requirements of the RMA.

What is the role of the Hearing Panel?

The Hearing Panel's role is to consider the submissions and make recommendations on any decisions that need to be made by the Council.

How is the Hearing Panel chosen?

The Hearing Panel is formally appointed by the Council and is made up of commissioners certified by the Ministry of the Environment, who have areas of expertise relevant to the issues raised by submitters.



Making a Submission

What is a submission?

A submission is a formal process where people can express their views, suggestions, or concerns on a proposed change to the District Plan. Making a submission allows you to influence the decision(s) being made.

Please note: submissions can be made regardless of whether you support, oppose or are neutral to the proposed plan change. You may have expertise or information that should be considered, or support parts of the proposed change while being opposed to others.

Who can make a submission

Anyone can make a submission, either as an individual or as part of a group.

If you're making a submission as a group, you'll need to let us know who the appointed spokesperson will be. A group can be an organisation, a community group or a collection of people with similar concerns.

Submissions from trade competitors will not be considered under the RMA.



When can you make a submission?

A submission can be made when a proposed change to the District Plan is “notified”. This is when the Council notifies the public by publishing a public notice in the Mountain Scene and Wānaka Sun, and on QLDC’s website. The public notice will include a link to a webpage that contains a submission form and all the information on the proposed plan change, including a s32 Report containing information about the issues the plan change is seeking to address, the options that were considered, and what is being proposed. The s32 Report may have additional reports as appendices that are written by specialist experts (e.g., urban designers, landscape architects, traffic engineers etc.).

How do you make a submission?

A submission on a proposed plan change can be made using the online platform Consult24 or by using a specific submission form known as a Form 5 and uploading it to Consult24.

A Form 5 can be found on the QLDC website www.qldc.govt.nz/PDP-forms. It can be completed digitally and emailed to pdpsubmission@qldc.govt.nz or downloaded, printed and completed by hand before being posted to the address in the public notice. Late submissions may not be accepted so please allow plenty of time if you are posting or couriering your submission.

Making a submission online using Consult24 is the best option when you want to make a submission on a particular provision (part of the change). This method allows you to be more specific with your submission.

Please refer to the Consult24 user guide for help (downloadable at www.qldc.govt.nz/plan-change-guide) or contact our Planning Policy team on pdpenquiries@qldc.govt.nz or 034410499 (Queenstown) 034430024 (Wānaka).

Your submission may be written in English or te reo Māori. If you need any additional assistance making your submission, please contact our Planning Policy team for support.

What you need to know before making a submission

The submission process is not a vote. Submissions are considered on their content with the most effective being those that are clear and concise with relevant supporting material.

- > Before you write your submission, please find out as much as you can about what is being proposed.
 - We provide a range of supporting information to detail proposed changes to the District Plan. If you're unsure of anything or have any questions about a plan change, please get in touch with our Planning Policy team who will be happy to help on pdpenquiries@qldc.govt.nz or 03 441 0499 (Queenstown) 03 443 0024 (Wānaka).
- > Collect any supporting documentation, maps, images, and statements from independent experts if relevant to the point you'd like to make.

How to write a submission

Here's how to structure a great submission:

“My submission relates to ...”

State the name of the plan change and the part(s) that is/are the subject of your submission.

“I support/oppose/have information relevant to this part of the plan change.”

State whether you support, oppose (in full or part) or have information pertaining to the plan change.

“My reasons for supporting (or opposing) this part of the plan change are ...”

Tell us what your concerns are and the reasons why you support or oppose the provisions in the plan change.

“The decision I seek from Council is...”

Clearly state the decision you'd like us to make. Start by indicating if you want the provision to be retained, deleted or amended. If you want an amendment (including additional provisions) then specify what wording changes you would like to see.

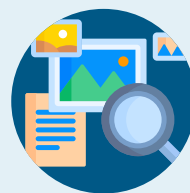
Top Tips for Writing a Submission



Stick to the facts



Be clear and concise



Be specific and provide examples if possible



Clearly tell us what you want – be direct



Include maps, diagrams and professional opinions where appropriate



Write in clear, simple, everyday language, avoid legal or technical jargon



If handwriting a submission, please write clearly

What to avoid including in a submission



Personal feelings you have towards the Council or its employees.



Anything unrelated to the proposed plan change.



Anything that results in an advantage gained by trade competition¹

¹This is not valid under the Resource Management Act 1991 and your submission may not be accepted.

What personal information will be shared?

Your submission will be made public, which means the personal details you include in your submission will be made publicly available.

What are further submissions?

Once we have compiled and summarised submissions, we'll publish a summary of submissions which is required to be publicly notified via a public notice in the Mountain Scene, Wānaka Sun, and on QLDC's website www.qldc.govt.nz/district-plan as well as making physical documents available at Council offices.

This is your opportunity to read what other people have said about the proposed plan change and decide whether you agree or disagree with their suggestions.

If you would like to communicate your support or opposition of any of the submissions, you need to do this using specific paperwork known as a **Form 6**, which can be completed during the further submissions period (10 working days).

You can make a further submission if:

- > You have previously submitted on the plan change.
- > Represent a relevant part of the public interest.
- > Have an interest greater than the public generally.

Please only submit a further submission if you can explain reasoning for opposition or support of another submission.

What to include in a further submission

- > Your name and contact details.
- > The details of the original submission you are making a further submission on, including the submission number shown in the summary of submissions.
- > Whether you support or oppose the original submission.
- > The specific parts of the original submission that you support or oppose.
- > The reasons for your support of, or opposition to the original submission.
- > What decision you seek from Council.

If you intend to make a further submission, it's your obligation under the Resource Management Act 1991 to send a copy of your further submission to the original submitter. The contact details of all submitters will be available on the QLDC website along with the summary of the decisions requested.

Other Important Information

Do you have to speak at a hearing?

No, you don't have to speak at a hearing, but make sure you state in your submission if you do want to speak at a hearing. While speaking at a hearing can help to highlight what you outlined in your written submission, your submission is just as valid if you don't speak.

Taking part in a hearing

- > If you indicated in your submission you would like to speak at a hearing, we'll send you a "notice of hearing" letter. This will tell you where and when the hearing will take place and how the process works. After that we'll be in touch to confirm a time for your speaking slot.
- > The hearing will be run by the Hearing Panel which will be comprised of qualified commissioners who will have expertise related to the plan change. The Hearing Panel may include one or more Councillor Commissioners. Commissioners may question you on your submission for clarification and to understand your perspective (they do not cross-examine). You do not need to be represented by a lawyer or planner unless you wish.
- > An audio recording will be made of the hearing and will be made publicly available on the hearing webpage. Some hearings may also be video livestreamed and recorded.
- > The Hearing Panel Chairperson will indicate when it's your turn to speak and will ask you to sit a table near the front of the room near where the Panel will be sitting.

When speaking:

- > Try to be concise and to the point and speak clearly into the microphone.
- > It's helpful to the panel if submitters read a summary of the key points in their original submission and provide the Panel with a physical copy of the written summary and any diagrams or photos to illustrate key points. These documents then become part of the submission.
- > You can use experts in fields relevant to your submission to speak to your submission if you wish, and you can nominate another person to speak to your submission for you.
- > Be aware that your original submission sets the scope of the matters that you are able to speak to. If you have changed your mind about anything in your original submission, then tell the Panel what has changed and why.
- > Be aware of the length of your speaking slot to ensure there's time for questions from the Panel.



The decision

After the hearing has finished, the Hearing Panel will write a recommendation report. This can usually take several weeks to complete. The recommendation report will then be formally considered at a Council meeting when Councillors will be asked to make a decision on a plan change. The decision can only alter the plan change if the amendment has been sought by a submitter in a submission.

The Council's decision will be sent to all submitters and a public notice will be placed in Mountain Scene and Wānaka Sun, and on QLDC's website and will be available at Council's offices and public libraries to inform of the decision.

Can the decision be appealed?

Yes. Submitters may appeal the decision to the Environment Court. This must be done within 30 working days of the date of Council's decision. Any appeal must be made to the Environment Court (not the Council) and a copy must be served on all people who made submissions on that topic and Council. Talk to a planner or legal advisor for details on this process and visit the Ministry for the Environment (environment.govt.nz/publications/upi-and-the-environment-court/how-do-i-appeal) for advice on how to lodge an appeal.

How can I stay informed?

Any plan change to the District Plan must be publicly notified. This means that a public notice is put in the newspapers (Mountain Scene and Wānaka Sun) giving details on the changes are being made to the District Plan. A copy of the public notice, the Section 32 analysis, the proposed provisions, notices of meetings and calls for comments are all published on QLDC's website at www.qldc.govt.nz/district-plan

QLDC also has an email database of all people who wish to receive emails when significant steps in the plan change process are undertaken. Call Customer Services on 03 441 0499 and ask to be transferred to the District Plan Administrator if you would like to be added to the list.

Glossary of terms

- > **Gain advantage in trade competition:** to gain a competitive advantage in business through the outcome of the submission.
- > **Hearing:** an opportunity for submitters to speak to a hearings panel about their submission on a change to the Proposed District Plan.
- > **Planning Provision:** Includes any text, diagram or map in a district plan.
- > **Variation:** A change to the Proposed District Plan.
- > **Specific provision:** a specific part of a planning provision

Need more information?

If you have any general enquiries relating to plan changes, please contact the QLDC Planning Policy team:

Queenstown

Phone **03 441 0499** or email pdpenquiries@qldc.govt.nz

Wānaka

Phone **03 443 0024** or email pdpenquiries@qldc.govt.nz

Need further guidance?

QLDC is unable to act in an advisory capacity on plan changes so if you feel you need further guidance on the matters contained within a plan change you should seek independent advice.

Disclaimer:

The information available in this guidance is for the purpose of providing general information on the submission process and is provided for the convenience of the public only. Queenstown Lakes District Council accepts no liability for use or misuse of this information.

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