



Ministry for the
Environment
Manatū Mō Te Taiao

A guide to the six-month process for notified resource consent applications

Incorporating changes as a result of the
Resource Management Amendment Act 2013

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1. Introduction

This implementation guide is designed to help practitioners understand and implement recent amendments to the Resource Management Act 1991 (RMA). The guide relates to new provisions that determine the timeframe for decision-making on fully and limited notified resource consent applications. These new provisions were introduced by the Resource Management Amendment Act 2013 (RMAA 2013) and commenced on 3 March 2015.

This guide addresses the two components to successful implementation. These are to:

- assist the individual practitioner with their work on resource consent applications, by helping them understand the intent, meaning and effect of the new provisions of the RMA
- support nationally-consistent implementation. This is necessary so that applicants working with a number of local authorities can have the same expectations about what is required when they lodge applications. This also ensures that government policy is successfully and consistently implemented across the country.

1.1 Sections that have been amended

In relation to the processes described in this guide, the following sections of the RMA were amended, replaced and inserted by the RMAA 2013:

Section 41B	Directions to provide evidence within time limits	Amended
Section 87E	Consent authority's subsequent processing	Amended
Section 87F	Environment Court determines application	Amended
Section 87G	Environment Court determines application	Amended
Section 87I	When consent authority must determine application	Amended
Section 88	Making an application	Amended
Section 88B	Time limits from which time periods are excluded	Replaced
Section 88C	Excluded time periods relating to provision of further information	Amended
Section 88D	Excluded time periods relating to direct referral (for resource consents and also for notices of requirement)	Replaced
Section 88E	Excluded time periods relating to other matters	Amended
Section 88F	Excluded time relating to pre-request aquaculture agreements	Amended
Section 91A	Applicant may have processing of application suspended	Inserted
Section 91B	When suspension of processing ceases	Inserted
Section 91C	Application may be returned if suspended after certain period	Inserted
Section 95	Time limit for public notification or limited notification	Amended
Section 97	Time limit for submissions	Replaced
Section 101	Hearing date and notice	Amended
Section 103A	Time limit for completion of adjourned hearing	Replaced

Section 107F	Applications to undertake aquaculture activities	Amended
Section 115	Time limits for notification of decision	Amended
Schedule 4	Information required in application for resource consent	Replaced

1.2 The need for certainty over timeframes

Although notified applications make up a relatively small proportion of applications processed by local authorities, these are often significant projects in their district or region, and collectively add up to millions of dollars of investment.

Where investments of this scale are being made, one of the key factors for financing and support for developments is certainty. Absolute confidence of the outcome is not always possible, but there is a need for as much certainty as possible over the timeframe for decisions to be made. For developers, their financiers and affected communities, knowing when local government will make decisions on consents is key – and the design of the legislation can help with this.

The amendments to the RMA have been made to support improved decision-making timeframes for notified and limited notified resource consent applications.

1.3 Moving away from counting working days, towards counting the total elapsed time

The amended provisions of the RMA provide a decision-making timeframe that is more certain than under the previous system. This is because the new timeframes focus on the elapsed time between an applicant lodging an application, and the council making the decision. Previously, timeframes were measured by the number of working days that had ticked by on the ‘processing clock’.¹ This did not include the time for a hearing to take place, and was subject to a number of time exclusions or ‘on hold’ periods.

Under the new system, councils must make decisions on fully notified and limited notified applications according to revised timeframes, which focus on the elapsed time between lodgement of applications and final decisions:

- Fully notified applications with a hearing:
 - 130 working days (approximately 26 weeks or six months)
- Limited notified applications with a hearing:
 - 100 working days (approximately 20 weeks or 4.5 months)
- Fully notified or limited notified applications with no hearing:
 - 60 working days (12 weeks or 2.7 months).

¹ The description of timeframes as a processing clock is widely held practice. In this guide, the stopping and starting of the processing clock refers to two different mechanisms, which are described in detail in sections 88B to 88F of the RMA. These are: i. an *excluded time period*, meaning a period of time that is not counted as part of the process – literally, a period of time that is omitted; ii. a *deferred time limit*, which means a single point in time or a deadline that is postponed.

Overall, the statutory processing time should more closely resemble the actual elapsed time from the applicant lodging an application to the consent authority making a decision – and therefore for all the parties involved to know with more certainty when various parts of the process will occur.

There are some time exclusions, and these are explained in detail in this guide; but there are fewer possible exclusions and they are largely within the applicant’s control.

1.4 Transferring more control and accountability to applicants

Along with increased certainty for applicants over timeframes, the amendments will give applicants more ‘ownership’ of the process. Increased certainty over timeframes includes an ability to control them, and the amendments introduce a formal mechanism for applicants to do this. Applicants can suspend fully notified and limited notified applications for a limited time if they need more time to prepare for hearings.

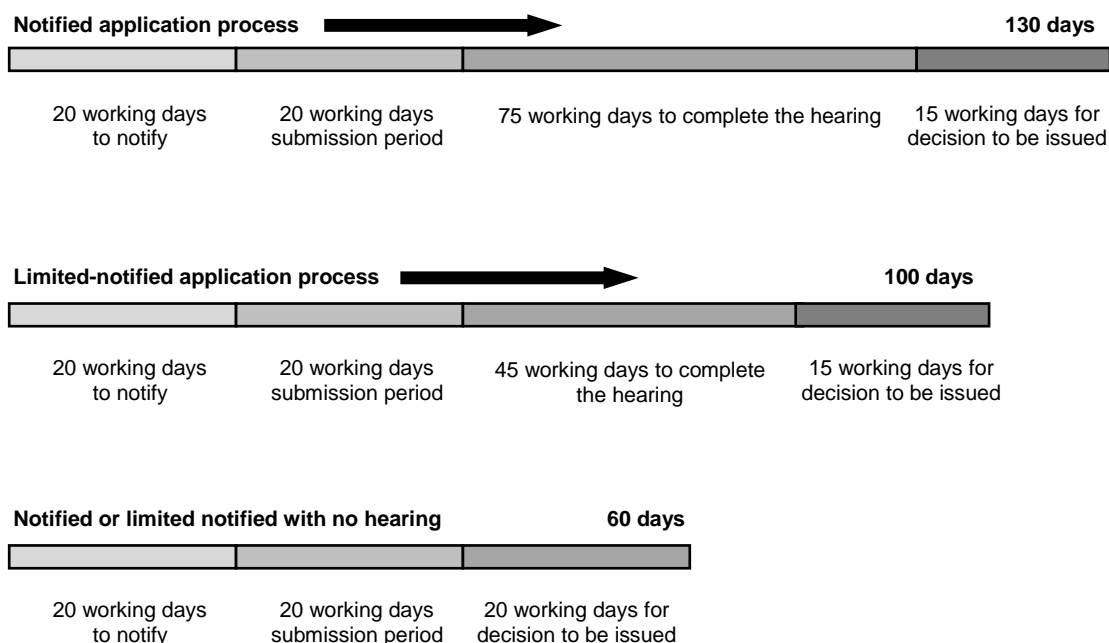
This recognises the responsibilities that applicants hold for the details of applications and readiness for hearings. In making the decision to put their application on hold, applicants will need to take into account the risks and benefits of the options available to them.

1.5 The basics: amended processes for fully notified and limited notified applications

Consent authorities must now process fully notified applications in no more than 130 working days, and limited notified applications in no more than 100 working days. These timeframes, illustrated in the diagrams below, are made up of:

- 20 working days to notify
- 20 working days for submissions (which may be shortened for limited notified applications)
- a fixed timeframe from the close of submissions to completion of the hearing:
 - 75 working days for notified applications
 - 45 working days for limited notified applications
- 15 working days for commissioners to prepare the written decision.

Figure 1: Basic components of the new process



The total elapsed time between the applicant lodging the application and the consent authority making their decision should be no more than 130 working days for fully notified applications and no more than 100 days for limited notified applications, unless:

- further information is requested under s92(1) before notification (see section 2.3 of this guide)
- a report is commissioned under section 92(2) (unchanged by the amendments)
- deferral occurs under section 91 (unchanged by the amendments)
- the consent authority decides to extend the timeframe under section 37 (unchanged by the amendments)
- the applicant nominates to suspend processing of the application for a period of time between notification and the close of the hearing (see section 2.6 of this guide).

The provisions at a glance

Which processes have changed?

The test for completeness of applications (section 88 and Schedule 4)

- Consent authorities now have more time to check and formally accept applications at the section 88 stage (10 working days, up from five working days)
- Schedule 4 provides a clearer and more comprehensive set of criteria for applicants preparing applications, and consent authorities accepting them. *For more details see section 2.1 of this guide and the document A guide to section 88 and Schedule 4 of the Resource Management Act: Incorporating changes as a result of the Resource Management Amendment Act 2013.*

Time limit for notification (section 95)

- Consent authorities have more time to decide whether to notify applications and to serve notice (20 working days, up from 10 working days). See section 2.2 of this guide for more details.

Exclusions to timeframes while further information is sought (section 88C and 92(1))

- Section 88C has been changed so that only one 'clock stop' is allowed for further information requests under section 92(1) (reduced from two), and this may only occur before notification. See section 2.3 of this guide for more details.

The submission period for limited notified applications (section 97)

- The consent authority can close submissions early and continue processing an application if submissions, written approvals, or other instructions have been received from all the parties notified. See section 2.4 of this guide for more details.

Timeframe between notification and the close of the hearing (section 103A)

- The time taken up by a hearing is now included in the statutory timeframes. The period between the close of submissions and the close of the hearing is fixed at 75 working days for fully notified applications, and 45 working days for limited notified applications. See section 2.5 of this guide for more details.
- There are no opportunities for the consent authority to stop the clock between notification and the decision. However, applicants can request that processing be suspended during this time, under the new section 91A, to give themselves more time between the close of submissions and the hearing. The application can still be placed on hold at any time if the consent authority decides to commission a report and the applicant does not refuse. See section 2.6 of this guide for more details.

Which processes are completely new?

Applicants can suspend processing (section 91A–C)

- A new provision has been introduced to allow applicants to put their application on hold for up to 130 working days (six months) between notification and the close of the hearing. See section 2.6 of this guide for more details.

Pre-provision of evidence is mandatory (section 103B)

- The consent authority must make section 42A reports available no less than 15 working days before a hearing.
- Applicants must make their evidence available no less than 10 working days before a hearing.
- Submitters must make their expert evidence available no less than five days before a hearing. See section 2.7 of this guide for more details.

1.6 What do the new timeframes mean?

These provisions do not necessarily mean that consent authorities will process all notified applications more quickly than they would have under the previous system. However, the changes do mean that:

- A project planning approach can be used to prepare for and manage each step of the consent process.
 - Key dates are more certain from the date the application is notified, and the process can be planned in advance accordingly.
 - Planning in advance offers a ‘no surprises’ system, where all the participants have an opportunity to understand their responsibilities and rights before events occur.
- Applicants are afforded more control and accountability with respect to timeframes.
 - Applicants who need more time to provide information, circulate evidence, or be ready for hearings can give themselves more time by placing their applications on hold for a limited time. Applicants will have the responsibility to make this decision.
 - Applicants will have a high level of certainty as to when decisions on their applications will be made.

1.7 When the provisions took effect

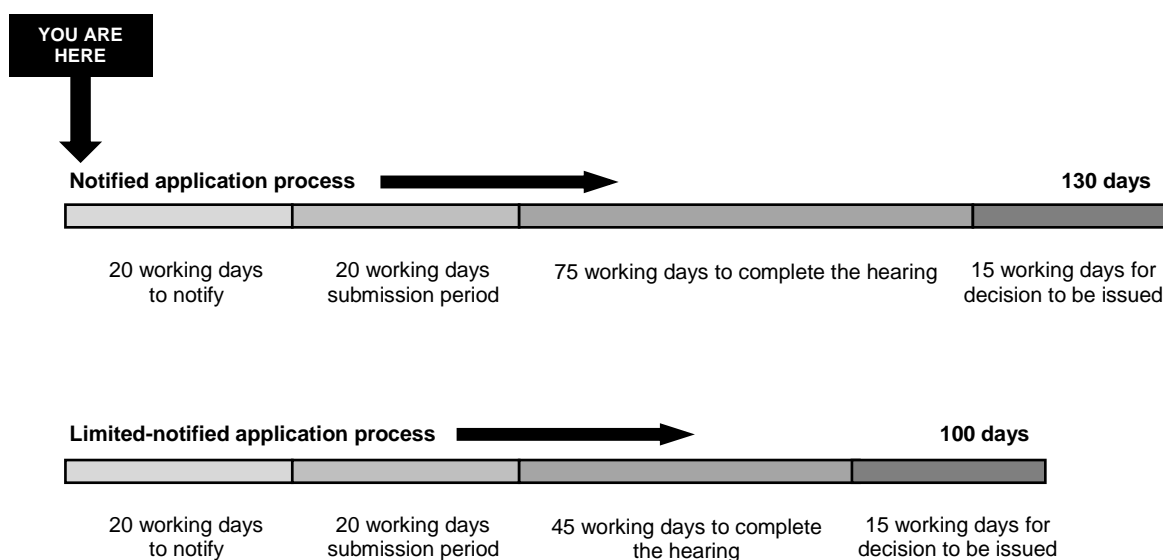
The consenting provisions of the RMAA 2013 commenced on 3 March 2015. These changes do not have retrospective effect. This means that applications lodged:

- before 3 March 2015 are subject to the un-amended provisions of the RMA
- on or after 3 March 2015 are subject to the amended requirements of the RMA, as covered in this guide.

2. What's changed, why and what this means for the consent process

2.1 Time limit to receive applications (section 88)

Section 88 is amended to allow 10 days to accept applications (increased from five days).



2.1.1 How the Act has changed

Below is section 88 as amended by the RMAA 2013. Repealed text is shown in ~~strikethrough~~ and new text is shown in **bold**.

88 Making an application

- (1) A person may apply to the relevant consent authority for a resource consent.
- ~~(2) An application must—~~
 - ~~(a) be made in the prescribed form and manner; and~~
 - ~~(b) include, in accordance with Schedule 4, an assessment of environmental effects in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.~~
- (2) An application must—**
 - (a) be made in the prescribed form and manner; and**
 - (b) include the information relating to the activity, including an assessment of the activity's effects on the environment, as required by Schedule 4.**
- (2A) An application for a coastal permit to undertake an aquaculture activity must include a copy for the Ministry of Fisheries.
- ~~(3) If an application does not include an adequate assessment of environmental effects or the information required by regulations, a consent authority may, within 5 working days after the application was first lodged, determine that the application is incomplete~~

and return the application, with written reasons for the determination, to the applicant.

- (3) A consent authority may, within 10 working days after an application was first lodged, determine that the application is incomplete if the application does not—
 - (a) include the information prescribed by regulations; or
 - (b) include the information required by Schedule 4.
- (3A) The consent authority must immediately return an incomplete application to the applicant, with written reasons for the determination.
- (4) If, after an application has been returned as incomplete, that application is lodged again with the consent authority, that application is to be treated as a new application.
- (5) Sections 357 to 358 apply to a determination that an application is incomplete.

2.1.2 What's changed and what does this mean for the consent process?

Previously, section 88(3) allowed consent authorities five working days from lodgement to undertake a completeness check and accept or reject an application. Section 88 now allows consent authorities 10 working days to carry out this check and make this decision.

The wording of section 88(3A) has also been changed so that if a consent authority determines that an application is incomplete, it **must** return the application. The previous version of the Act stated that the consent authority **may** return an application that is determined to be incomplete.

Section 88(3) remains unchanged, and states that a consent authority **may** determine an application is incomplete if certain information is missing. This means consent authorities still have the discretion to decide that an application is complete, even if some information hasn't been provided.

This is covered in detail in *A guide to section 88 and Schedule 4 of the Resource Management Act: Incorporating changes as a result of the Resource Management Amendment Act 2013*.

If the consent authority determines that the application includes the information as prescribed in regulations as well as the information required by Schedule 4, the consent authority must accept the application and the statutory clock will start from the date that the application was lodged at the consent authority's office. A returned application must be accompanied by written reasons for the determination.

2.1.3 Policy intent of the amendment

The main policy intent of this amendment is to provide consent authorities with sufficient time to undertake a robust completeness check before accepting an application for processing. The previous five-working-day deadline was not always sufficient to accommodate this. The additional time will also better enable consent authorities to assess applications against the more comprehensive completeness requirements set out in the new Schedule 4. Overall, this amendment allows greater emphasis on making sure applications are complete at lodgement, to avoid the delays and costs of requesting significant additional information later on in the process.

This extended timeframe ties in with the changes to the timeframe for consent authorities to make the notification decision, which has been increased from 10 to 20 working days.

2.1.4 Questions

Can a consent authority choose to accept an application that they have determined is incomplete?

No, if the consent authority determines that an application is incomplete, section 88(3A) specifies that the application must be returned immediately with written reasons for the determination.

Does a consent authority have to determine that an application is incomplete if some information is missing?

Section 88(3) states that a consent authority ‘may’ determine an application is incomplete if certain information is missing. This means that consent authorities still have the discretion to decide that an application is complete and accept it, even if some information hasn’t been provided by the applicant.

When making this decision, the officer needs to weigh up whether the proposal can be fully understood without the information and whether the missing information would add value to the process. For a minor application, some of the information required by Schedule 4 may not be necessary, but for more complex applications it will be important to get as much information as possible up front to avoid delays later in the process.

2.1.5 Further reading and template letters

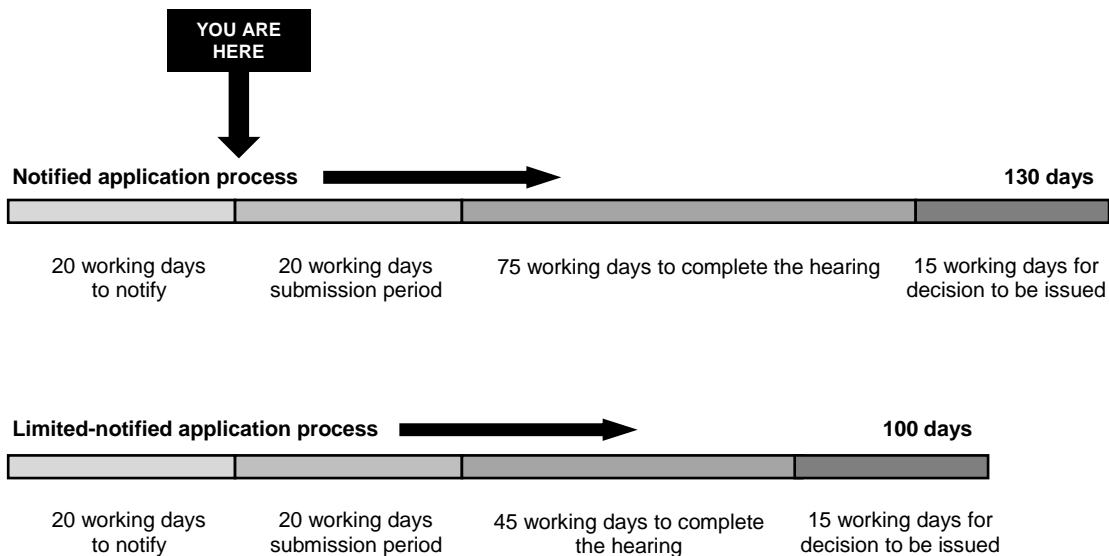
For more information about the expanded Schedule 4 requirements and what constitutes a complete application, see *A guide to section 88 and Schedule 4 of the Resource Management Act: Incorporating changes as a result of the Resource Management Amendment Act 2013*.

The following template letters are available in Appendix 1:

- Letter A (Acknowledgement)
- Letter B (Acceptance)
- Letter C (Return).

2.2 Time limit for notification (section 95)

Section 95 is amended to allow **20 working days** (increased from 10) for the notification decision to be made, and to serve notice.



2.2.1 How the Act has changed

Below is section 95 as amended by the RMAA 2013. Repealed text is shown in ~~strikethrough~~ and new text is shown in **bold**.

95 Time limit for public notification or limited notification

A consent authority must, within ~~10~~ **20** working days after the day an application for a resource consent is first lodged—

- (a) decide whether to give public or limited notification of the application; and
- (b) notify the application if it decides to do so.

2.2.2 What's changed and what does this mean for the consent process?

The time allowed for consent authorities to make the notification decision and to serve notice has been increased. Section 95 now provides 20 working days (increased from 10 working days) for consent authorities to make the notification decision and, depending on the decision, for them to notify the application.

This extended timeframe ties in with the increase from five working days to 10 working days that consent authorities will have to carry out a completeness check and accept or reject an application under section 88. Collectively, these revisions to timeframes give more time for these important initial parts of the process.

For non-notified applications, consent authorities must issue the final decision within 20 working days of lodgement.

Section 37 hasn't changed and consent authorities can still apply this to extend the timeframe for making notification decisions, where the criteria in section 37A are met.

2.2.3 Policy intent of the amendment

The main policy intent of this amendment is to make sure there is enough time for consent authorities to make notification decisions and serve notice to the public and affected parties. With the previous 10 working day deadline there was not always enough time for local authorities to do this.

The second policy intent is to ensure consent authorities have complete information to make notification decisions. The extra time before notification allows consent authorities to make thorough assessments of applications, and to be sure they have all the information relevant to make a decision on whether to notify an application. If further information is needed before a decision can be made, consent authorities will have more time to determine that is the case. If applicants provide the further information, it will give submitters immediate access to all the relevant information at the time the application is notified.

2.2.4 Template letters

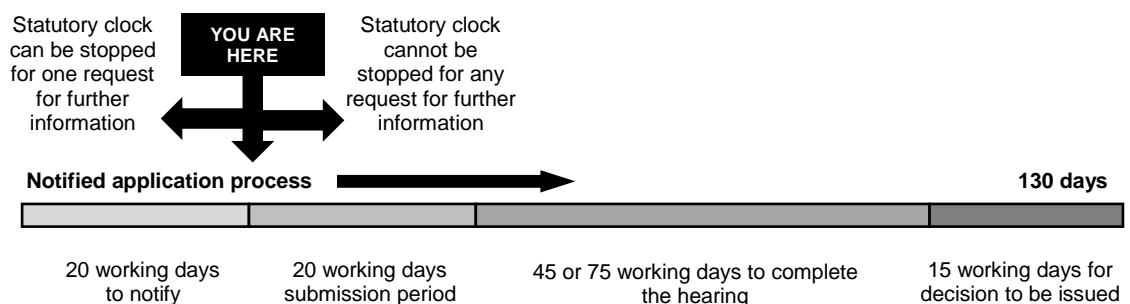
The following template letters are available in Appendix 1:

- Letter D (Further information request: before notification)
- Letter E (Further information request: after notification)
- Letter F (Notice to affected parties).

2.3 Excluding time while awaiting additional information (section 92(1) and 88C)

Amendments to Section 88C mean the time period for further information requests under section 92(1):

- **is excluded only once; and**
- **only if the request is made before the decision to notify, limited notify, or non-notify the application is made.**



Any number of requests for further information can be made

2.3.1 How the Act has changed

Below is section 88C as amended by the RMAA 2013. Repealed text is shown in ~~strikethrough~~ and new text is shown in **bold**.

88C Excluded time periods relating to provision of further information

Request for further information

- (1) Subsection (2) applies when—
 - (a) an authority has requested an applicant, under section 92(1), to provide further information on the applicant’s application; and
 - ~~(b) the request is the first request made by the authority to the applicant under that provision—
 - ~~(i) at all; or~~
 - ~~(ii) after the closing date for submissions~~~~
 - (b) the request is the first request made by the authority to the applicant under that provision; and**
 - (c) the request is made before the authority decides whether to notify the application.**
- (2) The period that must be excluded from every applicable provision listed in ~~section 88B(2)~~ **time limit under section 88B** is the period—
 - (a) starting with the date of the request under section 92(1); and
 - (b) ending as follows:
 - (i) if the applicant provides the information within 15 working days, the date on which the applicant provides the information:
 - (ii) if the applicant agrees within 15 working days to provide the information and provides the information, the date on which the applicant provides the information:
 - (iii) if the applicant agrees within 15 working days to provide the information and does not provide the information, the date set under section 92A(2)(a):
 - (iv) if the applicant does not respond to the request within 15 working days, the date on which the period of 15 working days ends:
 - (v) if the applicant refuses within 15 working days to provide the information, the date on which the applicant refuses to provide the information.

2.3.2 What’s changed and what does this mean for the consent process?

Before the amendments, consent authorities were able to place applications on hold once to make a request for further information before notification, and once after notification.

The amendments change section 88C so the clock can stop only once for a request for further information under section 92(1), for both non-notified and notified applications. There can be only one excluded time period, and it can only occur between lodgement and the consent authority’s notification decision (which must be made by the 20th working day after lodgement).

Section 92(1) has not changed, so consent authorities can still request further information any number of times, both before and after the notification decision. However, the clock can be stopped for only the first request, and only before they make the notification decision.

Section 92(2) has not changed, so consent authorities can still commission any number of reports before the hearing, provided the applicant does not “refuse to agree” to the commissioning. Consent authorities can still stop the clock any number times for this reason.

Once an application is notified, all parties will have a high degree of certainty as to when key stages of the process will occur (such as close of submissions, close of the hearing, and delivery of the final decision), and how to plan for this. The only circumstances under which this non-stop process can be deviated from are if:

- a) under section 92(2), the consent authority commissions a report and the applicant does not “refuse to agree”
- b) under new sections 91A–C, the applicant chooses to place the application on hold for up to 130 working days between the close of submissions and the close of the hearing
- c) under new section 97, the consent authority closes the submission period early.

The fact that the clock doesn’t stop for an information request made after notification will, to a large extent, transfer responsibility and risk to the applicant. If the applicant chooses not to provide the information, they will need to weigh up the risk that the decision-maker may decline their application due to insufficient information (see sections 104(6) and 104(7)). Applicants who decide they need more time to provide requested information have the option of placing the application on hold for up to 130 working days under new section 91A.

2.3.3 Policy intent of the amendment

Removing the consent authority’s ability to stop the clock following notification is an important part of establishing a fixed timeframe for decision-making, and provides greater certainty for all parties. This change is also intended to avoid delays and enable parties to plan better following notification. These changes will both contribute to cost savings.

Figure 2: Previous notified consent process showing time exclusions (clock stops)

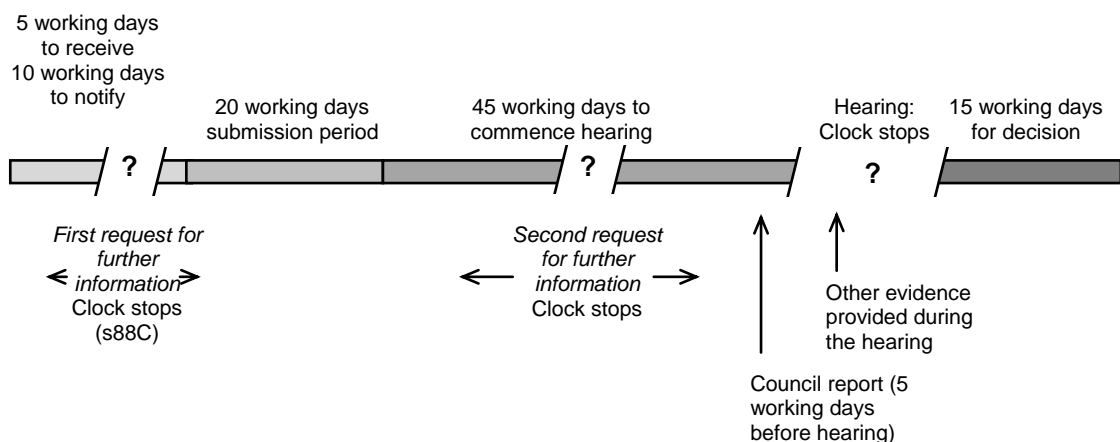
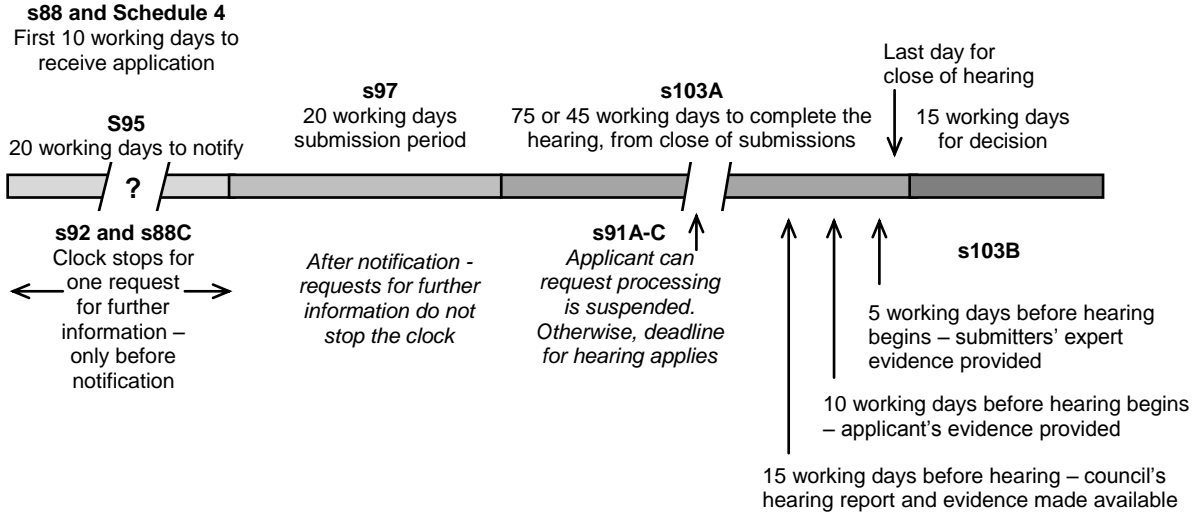


Figure 3: Amended notified consent process showing fixed time periods and opportunities applicants to extent time limits



2.3.4 Questions and important factors to consider

Further information requests and processing timeframes – using sections 91A–C and section 37

When further information is requested, applicants have limited time to respond. This is because the application’s processing clock is still ticking and the date for the hearing and provision of evidence will be approaching.

If applicants feel they need more time, section 91A–C allows them to control the timeframe and have more time, if this is needed. Section 91A suspends the consent authority’s processing of the application at the applicant’s request and excludes the duration of the suspension from the statutory timeframe for processing.

Sections 91A–C are distinct from section 37. Section 37 is the consent authority’s tool for extending the processing timeframe, and can only be used if the need to extend timeframes meets the un-amended tests in section 37A.

Can the consent authority still commission a report and place the application on hold for this purpose?

Section 88C still allows for consent authorities to stop the clock any number of times when they commission reports under section 92(2) and the applicant does not “refuse to agree”. Consent authorities can still commission these reports:

- only before the hearing for a notified consent
- at any time up to making a decision for a non-notified consent.

What if additional information is required after notification?

In some cases, consent authorities may identify information deficiencies after notification – most often due to matters raised in submissions. The intent of the new provisions around section 88C and 91A is to recognise that the accountability and risk lie with the applicant when their application provides insufficient information. One of the goals of the amendments is to give more ownership of applications to applicants, and to give them the tools they need to

control timeframes while they provide the extra information needed. If applicants choose to proceed without providing sufficient information, they may risk the application being declined by the consent authority (see section 104(6)).

The information expectations in Schedule 4 mean that most of the information consent authorities need should be provided by applicants at lodgement. This will mean a reduction in requests for information from consent authorities after the application is in train.

Does this mean that once the consent authority releases a notification decision for a non-notified application, the clock can't be stopped for an additional information request?

Yes. Once the consent authority has made the notification decision, they cannot place the application on hold for an additional information request, even if the decision was that the application should not be notified.

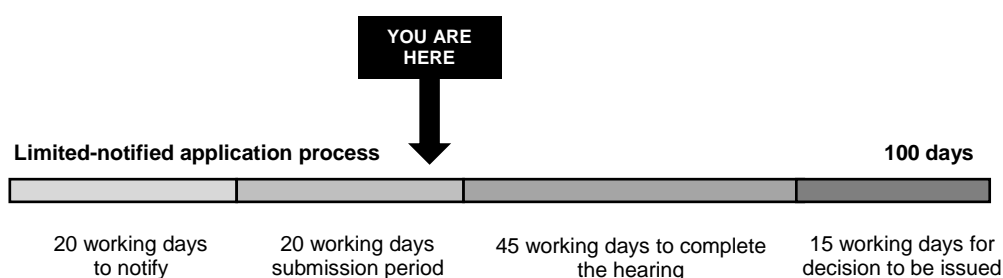
2.3.5 Template letters

The following template letters are available in Appendix 1:

- Letter D (Further information request: before notification)
- Letter E (Further information request: after notification)

2.4 Submissions on limited notified applications may close early (section 97)

The amendments replace section 97 to allow consent authorities to close the submission period for limited notified applications early if all affected persons have provided the consent authority with a submission, written approval, or notice that they will not be making a submission.



2.4.1 How the Act has changed

Below is section 97 as amended by the RMAA 2013. Repealed text is shown in ~~strikethrough~~ and new text is shown in **bold**.

97 Time limit for submissions

~~The closing date for serving submissions on a consent authority shall be the 20th working day after public notification or limited notification of the relevant application.~~

- (1) This section specifies the closing date for serving submissions on a consent authority that has notified an application.
- (2) If public notification was given, the closing date is the 20th working day after the date of public notification.
- (3) If limited notification was given, the closing date is the 20th working day after the date of limited notification.
- (4) However, if limited notification was given, the consent authority may adopt as an earlier closing date the day on which the consent authority has received from all affected persons a submission, written approval for the application, or written notice that the person will not make a submission.

2.4.2 What's changed and what does this mean for the consent process?

Before the amendments, the submission period for limited notified applications was always 20 working days.

Section 97 has been replaced so that, for limited notified applications, the consent authority may close the submission period early if it has received from all affected persons one of:

- a submission
- written approval
- written notice that the person will not make a submission.

If the consent authority decides to close the submission period early, it must do so on the day it has received a submission, written approval, or notice that they will not be making a submission from all of the affected persons.

2.4.3 Policy intent of the amendment

This amendment is intended to deliver time savings. By enabling the consent authority to close the submission period earlier, the hearing can begin sooner than it otherwise would have. As a result, the consent authority is like to deliver the final decision sooner. This time saving will benefit all parties, and may translate into cost savings, particularly for the applicant.

If the consent authority chooses to close the submission period early, the time period after which a discount is payable remains 100 working days from lodgement. This means that by closing the submission period early and beginning the hearing sooner, the consent authority reduces the likelihood that it will be required to pay a discount if the hearing or the preparation of the decision take longer than anticipated.

2.4.3 Questions and factors to consider

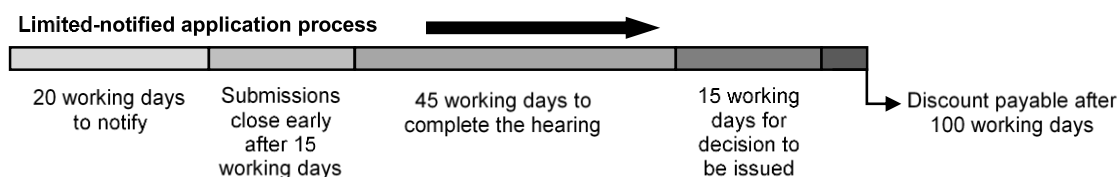
What is the deadline for completion of the hearing and delivery of the final decision if the consent authority closes the submission period early?

If the consent authority chooses to close the submission period early, the hearing must still be completed within 45 working days of the date that submissions closed, and they must issue the final decision within 15 working days of completion of the hearing. However, the time

period after which a discount is payable by the consent authority remains 100 working days. This deadline is not brought forward by the number of days that the submission period was shortened.

For example, if the consent authority closes the submission period after 15 working days (five working days early), the deadline after which a discount is payable remains 100 working days. The hearing must still be completed within 45 working days of the close of submissions and the consent authority must still issue the decision within 15 working days of the hearing closing. Essentially, the deadlines for completion of the hearing and delivery of the final decision will be five working days earlier than would otherwise have been the case, but the date after which a discount is payable remains unchanged. The diagram below illustrates this.

Figure 4: Early closure of submissions as they relate to discounts on administrative charges



Factors to consider

- The applicant and submitters have up to five days after the close of submissions to request an independent commissioner, so it is important that the applicant and submitters are advised promptly if the consent authority decides to close the submission period early. Template letters that consent authorities can use to advise parties that submissions have closed early are available in Appendix 1, Letters G and H.
- The letter that consent authorities send to affected parties when they are served notice should include a request that they advise the consent authority if they will not be making a submission. If this is not done, those that do not intend to submit will be unlikely to inform the consent authority of this, which will prevent the consent authority being able to close the submission period early. A template letter that consent authorities can use to serve notice on affected parties is available in Appendix 1, Letter F (Notice to affected parties).

2.4.5 Template letters

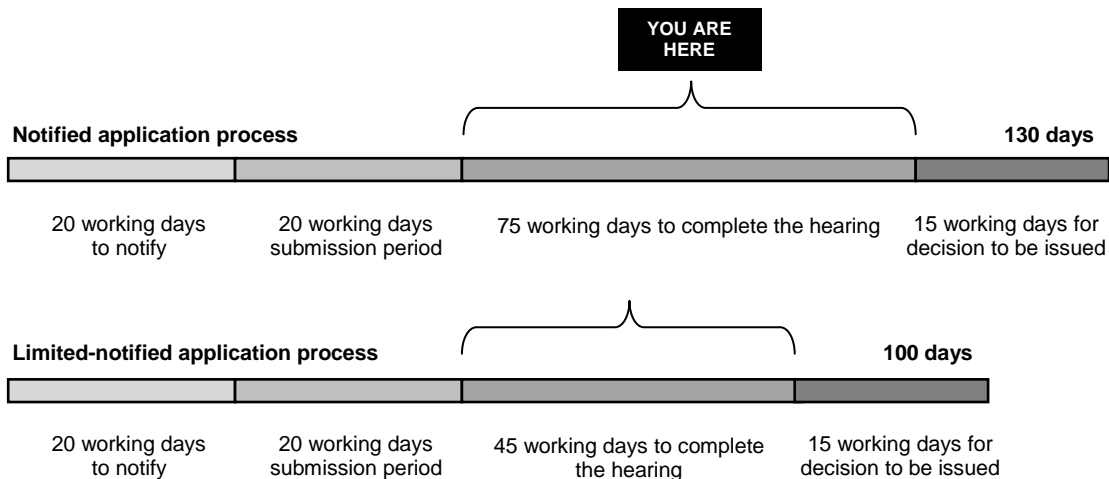
The following template letters are available in Appendix 1:

- Letter F (Notice to affected parties)
- Letter G (Submissions closing early: letter to applicant)
- Letter H (Submissions closing early: letter to submitters).

2.5 Fixed time limit between the close of submissions and close of hearing (section 103A)

The amendments replace section 103A, which now sets out the time limit for the completion of hearings for fully notified and limited notified applications:

- 45 working days from the close of submissions on a limited notified application
- 75 working days from the close of submissions on a notified application.



2.5.1 How the Act has changed

Below is section 103A as amended by the RMAA 2013. Repealed text is shown in ~~strikethrough~~ and new text is shown in **bold**.

~~103A Time limit for completion of adjourned hearing~~

- ~~(1) Subsection (2) applies to a hearing of an application for a resource consent if—~~
- ~~(a) the hearing is adjourned; and~~
 - ~~(b) the adjournment takes effect after the applicant's right of reply has been exercised.~~
- ~~(2) The hearing must be concluded no later than 10 working days after the right of reply has been exercised (whether exercised orally or in writing).~~

103A Time limit for completion of hearing of notified application

- (1) This section applies to a hearing of an application for a resource consent that was notified.**
- (2) If public notification was given, the hearing must be completed no later than 75 working days after the closing date for submissions on the application.**
- (3) If limited notification was given, the hearing must be completed no later than 45 working days after the closing date for submissions on the application.**

2.5.2 What's changed and what does this mean for the consent process?

The new section 103A establishes a fixed time period between the close of submissions and the close of the hearing for notified applications. The time limits are 45 working days for limited notified applications and 75 working days for publicly notified applications. There is now no statutory deadline for when the hearing must start, although the start must give enough time for the timeframes in section 103B to be met (provision of evidence before a hearing). This framework gives all parties more certainty regarding the closing date of the hearing, and when the final decision will be issued. However, it is possible for the application to be placed on hold after the close of submissions if the:

- applicant decides to suspend the application, which they may do for up to 130 working days (see section 3.6 of this guide)
- consent authority decides to commission a report
- consent authority decides to extend the statutory timeframe under section 37.

Following the close of submissions, the tasks and procedures that must be undertaken by all parties in preparation for the hearing are largely unchanged. However, some key timeframes are different:

- There is now no statutory deadline for the start of the hearing. Consent authorities will need to use their discretion to set a date that will afford enough hearing time to meet the 100- or 130-working day deadline. Factors that need to take into account include the new requirements for pre-circulation of evidence (see section 2.7 of this guide) and the need to advise parties of the hearing date and location at least 10 working days in advance.
- The consent authority will not be able to put the application on hold after notification (see section 2.3 of this guide), which would create uncertainty about when the hearing will be concluded. In the event that the consent authority requires additional information following submissions, it will be the applicant's decision to either voluntarily place the application on hold while they gather the information, or to proceed without providing the information (see section 2.6 of this guide). Alternatively, the applicant could choose to provide the information, but not place the application on hold while it is sought.

Council officers may need to give more direction or assistance to the hearings panel to ensure the new fixed timeframes are adhered to. Consent authorities delegating powers to hearings commissioners may also want to include clauses about the statutory timeframes in contracts for the work.

2.5.3 Policy intent of the amendment

This amendment is central to the idea of facilitating, as much as possible, a non-stop process that delivers certainty for applicants, consent authorities, and communities affected by developments. Previously, uncertainty about the length of time taken for the hearing translated into uncertainty about the overall timeframe for a decision. Setting a fixed deadline for completion of the hearing is essential to achieve the fixed overall timeframe of 100- and 130-working days.

2.5.4 Questions

What timeframes apply to notified applications for which no hearing is held?

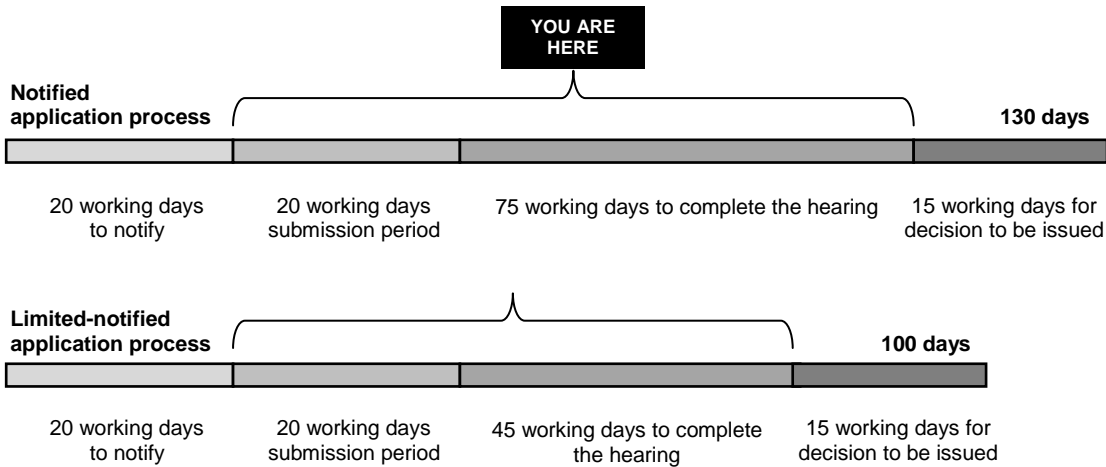
If an application is notified but the consent authority does not hold a hearing, the final decision must be released 20 working days after the closing date of submissions. This requirement is set out in section 115 and has not changed. This equates to a 60-working day process (20 working days for the notification decision, 20 working days for submissions and 20 working days for the decision to be issued).

What timeframes apply to non-notified applications for which a hearing is held?

If an application is not notified but the consent authority holds a hearing, the consent authority must release the final decision 15 working days after the hearing closes. There is no specified time by which a hearing for a non-notified application must be completed, and it follows that there is no restriction on adjournment. Similarly, new section 103B in relation to pre-circulation of evidence does not apply to hearings for non-notified applications.

2.6 Applicant can place the application on hold (new sections 91A–C)

Fully notified and limited notified applications can be placed on hold by the applicant any time between notification and the close of the hearing. After 130 working days on hold, the consent authority must return the application or continue processing.



2.6.1 How the Act has changed

Below are the new sections 91A–C.

91A Applicant may have processing of application suspended

- (1) A consent authority must suspend the processing of a notified application when a request is received in accordance with this section.
- (2) The applicant may request the consent authority to suspend the processing of an application at any time in the period—
 - (a) starting when the application is notified; and

- (b) ending when—
 - (i) the hearing is completed, if a hearing is held for the application; or
 - (ii) the consent authority gives notice to the applicant of its decision on the application, if a hearing is not held for the application.
- (3) However, a request must not be made if—
 - (a) the applicant has lodged a notice of motion with the Environment Court under section 87G(2)(a); or
 - (b) the Minister has made a direction under section 142(2) in relation to the application; or
 - (c) a total of 130 or more working days have been excluded from time limits under section 88B in relation to the application (which, under section 88E(8), includes time during which the application has been suspended).
- (4) The request must be made by written or electronic notice.
- (5) If processing is suspended under this section, the consent authority must give written or electronic notice to the applicant specifying the date on which the suspension started.

91B When suspension of processing ceases

- (1) A consent authority must cease to suspend the processing of an application when—
 - (a) a request is received in accordance with this section; or
 - (b) the applicant lodges a notice of motion with the Environment Court under section 87G(2)(a); or
 - (c) the Minister makes a direction under section 142(2) in relation to the application; or
 - (d) the consent authority decides under section 91C to continue to process the application.
- (2) The applicant may request the consent authority to cease to suspend the processing of an application if it is currently suspended.
- (3) The request must be made by written or electronic notice.
- (4) If a suspension is ceased under this section, the consent authority must give written or electronic notice to the applicant specifying the date on which the suspension ceased.

91C Application may be returned if suspended after certain period

- (1) Subsection (2) applies if—
 - (a) a total of 130 or more working days have been excluded from time limits under section 88B in relation to an application (which, under section 88E(8), includes time during which the application has been suspended); and
 - (b) the application is suspended at the time.
- (2) The consent authority must decide to—
 - (a) return the application to the applicant; or
 - (b) continue to process the application.
- (3) If the consent authority decides to return the application,—
 - (a) it must be returned together with a written explanation as to why it is being returned; but

- (b) the applicant may object to the consent authority under section 357(3A).
- (4) If, after an application has been returned, the application is lodged again with the consent authority, the application is to be treated as a new application.

2.6.2 What's changed and what does this mean for the consent process?

In some instances, applicants may wish to suspend the processing of their application. Before the amendments, there was no formal mechanism for this to occur. New sections 91A to 91C introduce a tool for applicants to suspend the processing of fully notified and limited notified applications.

Applicants are now able to request that their application be suspended. The consent authority must suspend the application when the request is received. If a hearing is held, such requests can be made between the date of the decision to notify and the close of the hearing. If a hearing is not held, such requests can be made between the date of the decision to notify and the final decision being issued.

The applicant must make the request by written or electronic notice. In response, the consent authority must give written or electronic notice to the applicant specifying the date on which the suspension started. The consent authority must resume processing of a suspended application at the applicant's request.

Once the application has been on hold for 130 working days in total (including all other periods when the application was on hold), the consent authority must either return the application to the applicant, or continue to process it. The other on-hold periods include (as per sections 88C–F) deferrals of timeframes because sections 91, 92(1) or 92(2) apply.

2.6.3 Policy intent of the amendment

After submissions, or after receiving requests for further information from local authorities (which, after notification, do not suspend the process), applicants might decide they need more time before they will be ready for the application to proceed. It is up to the applicant to decide whether they will be ready to proceed – to circulate all their evidence in advance and present their case to a hearing on the date agreed with the consent authority earlier in the process. This new provision gives applicants a formal means by which to suspend processing should they consider they need this extra time to prepare.

This extra time cannot, however, be extended indefinitely. The maximum time period for an application to be on hold under s91A–C is 130 working days (approximately six months). This applies so applications cannot be lodged and remain in train for long periods without progressing. Where applicants seek to obtain access to allocable resources, this can be in competition with other resource users. In these circumstances, it is important that resources are not tied up for long periods by applications that are not proceeding.

This provision gives applicants an added level of control over the time it takes their application to progress, by giving them a way to delay the process and have more time to be ready for a hearing.

Sections 91A–C provide a tool that is distinct from section 37. Section 37 is the consent authority's tool to allow itself more time to undertake certain parts of the consent process.

Sections 91A–C are the applicant’s tool to give themselves more time to have their application in order and ready to proceed to a hearing.

2.6.4 Questions, examples and scenarios

Can the consent authority work on the consent while processing is suspended?

Section 91A is the applicant’s power to *suspend processing*, so consent authorities need to be careful when undertaking any work on the application while it is suspended. This is especially the case if that work will incur costs the consent authority might aspire to recover from the applicant (under section 36(1)(b)).

Simple example:

- a notified application has not been subject to any requests for further information
- the applicant has not sought written approvals
- there has been no request made under section 91
- a report under section 92(2) has not been commissioned.

On 1 May, the applicant asks for processing to be suspended. The deadline for the end of the suspension period is 130 working days from the request.²

Therefore, the application will ‘come off hold’ 130 days from 1 May, on 29 October. On this date, the consent authority must decide to continue processing the application, or return it to the applicant.

If they continue processing, the application clock resumes where it left off.

If the application is returned, the local authority does not need to make a decision to approve or decline it, and if the applicant still wishes to undertake the proposal they must lodge a new application, which is treated afresh.

The application may come off hold before 29 October if the applicant requests this, and any part of the 130 day period that was not used can be spent subsequently, if the applicant requests another suspension.

Medium-complexity example:

- An application has been subject to a s92(1) request before being notified.
- The applicant advises 10 working days after the s92(1) request that further work is needed but they do intend to provide the information.
- The information is provided 60 working days after the information was initially requested.

When the information is provided, the consent authority decides to notify the application. They do this on day 20, 10 days after the information is provided.

² These calculations assume the year is 2014. During the period described in the example a working day would mean every day except a Saturday or Sunday, Queen’s Birthday (2 June) and Labour Day (27 October). This means that a period of 130 working days beginning on the 1 May 2014 ends on 29 October 2014. A working day is defined in section 2 of the RMA.

In submissions, further matters arise and the applicant decides it is in their interests to suspend the processing of the application to deal with these, rather than risk proceeding to a hearing.

They decide to suspend the application on day 50 (10 days after the close of submissions).

To calculate the maximum duration of the applicant's suspension, the period the application has already been on hold is subtracted from the total available – the deadline for the end of the suspension period is 130 working days (total available) minus 60 working days (period already used up).

This means the applicant can suspend the application for a maximum of 70 working days.

The applicant may request the application come off hold before the 70th working day of the suspension, but if they have not done so by the 70th working day, the suspension ceases automatically and the consent authority must either return the application or carry on processing it.

Complex example:

- An application (Application A) has been subject to a s92(1) request on day six, and it is on hold for 18 working days before the information is provided.
- In light of the further information provided, the consent authority advises, two days later, that a further application is required under section 91.
- Application A goes on hold again until the second application is lodged (Application B) and received on its second working day.

At this point:

Application A has been processed for 6 + 2 + 2 working days (10 days). It has been on hold for 18 + 11 working days (29 working days).

Application B has been processed for two days.

Both applications are notified the following day (on working days 11 (for Application A) and three (for Application B)).

Submissions close 20 working days later on working days 31 and 23, respectively.

After submissions close, the consent authority makes s92 requests to the applicants regarding the applications. The applicant doesn't respond, as they don't believe that the information is necessary for the consent authority to make a decision.

A hearing date is set for 41 days after submissions close. This is working day 72 (A) and 64 (B).

The consent authority circulates its s42A report 15 working days before the hearing is due to start, as per section 103B. This is on working day 57 for Application A, and working day 49 for Application B.

The s42A report recommends that, under s104(6), both the applications not be approved because there is insufficient information to grant them.

Considering this, the applicant decides to revisit the earlier s92 requests, and the s42A report, and decides to suspend the processing of the application. This is because they will not have time to assemble the relevant information within the five working days before they need to circulate their evidence to the other parties (under section 103B).

The total periods available for the applications to be suspended by the applicant is:

- Application A: 130 working days minus 29 working days (101 working days)
- Application B: 130 working days minus 0 working days (130 working days)

There are two options available to the consent authority when the deadline of the suspension period is reached. These are that the consent authority must either:

- return the application to the applicant, with written reasons
- continue processing the application.

The policy intent of the deadline is to avoid situations where applications are suspended for long periods without progress being made. Applications like this can create a lot of uncertainty for affected communities, and prevent other applicants from bidding for access to resources.

A decision to return the application

Consent authorities now have the power to return an application if it has been placed on hold by the applicant, and the total duration of the application being on hold is 130 working days. A template letter that consent authorities can use to advise the applicant of this decision is available in Appendix 1 (Letter J, s91A On-hold period has expired: letter to applicant). Also see Letter I (s91A Application placed on hold: letter to applicant) and Letter K (s91A Reminder to applicant: on-hold period to expire). The date on which the 130th working day will fall can be pre-determined once the application goes on hold. The consent authority should confirm this date with the applicant at the outset.

There are no criteria in the RMA that the consent authority must take into account when deciding whether to return the application. However, some possible considerations include:

- whether there has been any communication from the applicant during the period the application was suspended
- what is known about the reasons the application has been on hold
- whether the applicant has made progress in further developing their application
- whether the applicant is likely to provide adequate information
- whether the applicant appears interested in proceeding with the application or resolving any issues
- whether the costs of processing the application to date have been recovered
- if there are other parties involved in the process, whether negotiations with them are known to be occurring and progressing
- whether the applicant can be contacted
- the level of investment that has been made in the process to date by the applicant, submitters, the consent authority and any other parties
- whether the application is being made to replace a resource consent that will expire. In these circumstances, consider whether sections 124 to 124C apply to the application.

A decision to return the application means that, if the applicant still wants to obtain resource consent, they will need to re-apply and their application will be treated as new.

An alternative option is for the consent authority to extend the timeframe of the ‘on hold’ period using section 37.

Under 357(3A), applicants may object to an application being returned. They may not object to the consent authority’s decision to continue processing the application.

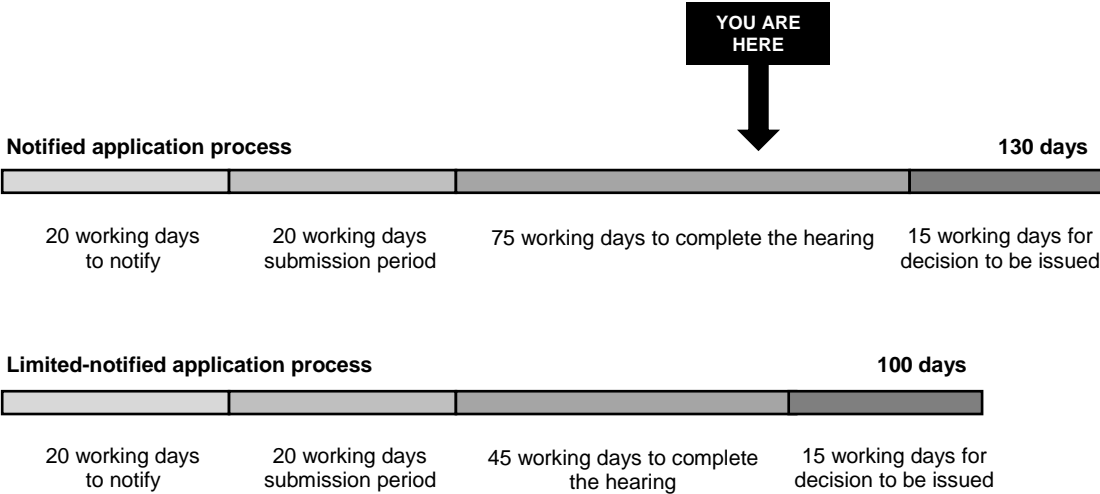
2.6.5 Template letters

The following template letters are available in Appendix 1:

- Letter I (s91A Application placed on hold: letter to applicant)
- Letter J (s91A On-hold period has expired: letter to applicant)
- Letter K (s91A Reminder to applicant: on-hold period to expire).

2.7 Pre-circulation of evidence (new section 103B)

The consent authority is required to make written briefs of evidence from all the parties available before the hearing.



2.7.1 How the Act has changed

Below is new section 103B.

103B Requirement to provide report and other evidence before hearing

- (1) This section applies to a hearing of an application for a resource consent that was notified.
- (2) The consent authority must provide the following (the authority’s evidence) to the applicant, and to every person who made a submission and stated a wish to be heard at the hearing, at least 15 working days before the hearing:
 - (a) a copy of any written report prepared under section 42A(1); and
 - (b) briefs of any other evidence to be called by the authority.

- (3) The applicant must provide briefs of evidence (the applicant’s evidence) to the consent authority at least 10 working days before the hearing.
- (4) A person who has made a submission and who is intending to call expert evidence must provide briefs of the evidence (the submitter’s evidence) to the consent authority and the applicant at least 5 working days before the hearing.
- (5) The consent authority must make the following available at its office to the persons specified:
 - (a) the authority’s evidence, to any person who made a submission and did not state a wish to be heard:
 - (b) the applicant’s evidence, to any person who made a submission:
 - (c) any submitter’s evidence, to any other person who made a submission.
- (6) The consent authority must give written or electronic notice that evidence is available at its office to each person to whom the evidence is made available.
- (7) This section overrides sections 41B and 42A(3) to (5).

2.7.2 What’s changed and what does this mean for the consent process?

Circulation of briefs of written evidence to all the parties in a hearing is standard practice in many areas of law, but has not been required by the RMA for resource consent hearings until now. Previously it was only the officer’s section 42A report (and any accompanying expert evidence) that the consent authority was required to supply to the applicant and submitters before the hearing. Applicants and submitters were allowed to present their evidence afresh at the hearing itself.

Section 41B, however, allowed commissioners to direct that evidence be provided before the hearing and set deadlines for the provision of that evidence:

- 15 working days before the hearing for the section 42A report
- 10 working days before the hearing for the applicant’s evidence
- five working days before the hearing for submitters’ evidence.

The new section 103B makes it mandatory for evidence to be exchanged before the hearing for fully and limited notified applications. The mandatory deadlines are as follows:

Information to be circulated	Due date for circulation
The council officer’s s42A report and any briefs of evidence from expert witnesses	15 working days before hearing
The applicant’s evidence, including expert evidence	10 working days before hearing
Submitters who intend to call expert witnesses must make the written evidence of those experts available	Five working days before hearing

New subsections 103B(5) and (6) require the consent authority to make the documents available at its office, and to give written or electronic notice to all the parties that this is the case.

Provision of evidence in this way is sometimes called ‘pre-circulation’ of evidence. The consent authority’s role is to make this evidence available, and notify all the parties that the evidence is available for viewing.

Best practice is to make evidence available electronically on the consent authority's website on the day of the deadline (or before), and to ensure paper copies are available at the consent authority's offices. Where consent authorities are aware that submitters or applicants do not have electronic access, they should ensure those parties receive paper copies, or notice that copies are available at its office.

2.7.3 Policy intent of the amendment

The requirement for mandatory pre-provision of evidence is intended to:

- improve the focus of hearings and reduce the time they take to complete
- avoid the effects of late and surprise changes to applicant's proposals or to the content of submissions being introduced at hearings
- give all parties time to go through information before the hearing.

Previously, applicants and submitters were allowed to present evidence for the first time at the hearing, providing them with an opportunity to surprise other parties with new proposals or evidence as the hearing progressed. Applicants sometimes present significantly altered proposals at hearings in response to the planner's report or to issues raised by submitters. This approach is colloquially called 'trial by ambush' and requires the parties to assess new information at the hearing, which can pose challenges in terms of both logistics and fairness. This is particularly true for submitters, who may only be able to attend part of the hearing. Mandatory pre-circulation of evidence promotes a 'cards face up' approach and prevents trial by ambush.

Because all evidence will now be pre-circulated, commissioners will be able to read this in advance of the hearing and establish where there is still contention between the positions of the consent authority, applicant and submitters. This allows commissioners to focus the hearing on those matters remaining in contention.

Tools available to commissioners in section 41C include powers to:

- take parts of evidence as read
- direct that evidence be presented within certain time limits
- limit presentations to matters in dispute.

This allows the time spent in the hearing to be reduced and focussed on the important issues, without compromising natural justice. The provision of written evidence before the hearing helps commissioners use these tools to best effect.

In a related area, local authorities that use independent commissioners to hear and decide on applications will need to ensure their delegations allow commissioners to be appointed early in the process. Delegation should usually be given to the lowest ranked officer in the organisation who can make the decision. In the case of appointing commissioners, this needs to be done soon after the decision to notify the application, and delegations should allow this to happen efficiently.

3. What remains unchanged

3.1 The power to extend time limits (section 37)

Consent authority powers to extend statutory timeframes due to special circumstances or with the agreement of the applicant have not changed.

Consent authorities should carefully consider the reasons for extending timeframes. Who needs additional time? For notified applications, applicants can give themselves more time between the close of submissions and hearings by using section 91A–C – for example, if submissions raise new issues and further information has been requested by the consent authority.

3.2 Placing an application on hold for additional applications (section 91)

Consent authorities can still determine not to proceed with the notification or hearing of an application if other consent applications are required.

3.3 Requesting additional information before the notification decision (section 92(1))

Consent authorities still have the ability to place an application on hold for one request for additional information prior to the notification decision. The consent authority can also still request additional information any number of times. They can't, however, place an application on hold for additional information after they have made the notification decision. See section 2.3 of this guide for more details.

3.4 Commissioning a report (section 92(2))

Consent authority powers to commission reports have not changed. Section 88C still allows the clock to be stopped any number of times when reports are commissioned under section 92(2) and the applicant does not 'refuse to agree'. Such reports can still only be commissioned before a hearing for notified consents, or any time up to a decision being made for non-notified consents.

3.5 Requesting an affected party's approval (section 95)

The consent authority can still request affected party's approval under section 95, and stop the clock for this purpose using section 88E(3) and (4).

3.6 Notice of decision (section 115)

As detailed in the table below, there have been no substantive changes to the timeframes specified in section 115, which relate to when consent authorities must issue final decisions.

Notification status	Hearing status	Deadline for final decision
Non-notified	Hearing held	15 working days from close of hearing
Non-notified	Hearing not held	20 working days from lodgement
Notified	Hearing held	15 working days from close of hearing
Notified	Hearing not held	20 working days from close of submissions

3.7 Appeal period (section 121(1)(c))

The appeal period is still 15 working days after the consent authority issues the decision.

Appendix 1: Template letters

Letter A	Acknowledgement
Letter B	Acceptance
Letter C	Return
Letter D	Further information request: before notification
Letter E	Further information request: after notification
Letter F	Notice to affected parties
Letter G	Submissions closing early: letter to applicant
Letter H	Submissions closing early: letter to submitters
Letter I	s91A Application placed on hold: letter to applicant
Letter J	s91A On-hold period has expired: letter to applicant
Letter K	s91A Reminder to applicant: on-hold period to expire

[Letter A – Acknowledgement]

Date

Name

Address

Dear Name

Resource consent application – Acknowledgement

Application number(s):

Applicant:

Address:

Proposed activity(s):

Thank you for your resource consent application, which we received on **date**.

We are now checking the documents you provided to make sure everything is included according to with the requirements of the law (as per section 88 and Schedule 4 of the Resource Management Act 1991).

Within the next 10 working days we will be in touch again. You will **either** receive a letter confirming that your application has been accepted for processing and explaining what will happen next, or your application will be returned to you with reasons outlining why it is not complete.

In the interim you can find further information about the steps that make up the resource consent process on our website at [include link](#).

I will be the planner working on your application. If you have any queries, please contact me on **phone number** and quote the application number above.

OR if the planner has not yet been allocated

If you have any queries, please contact **me/Admin Support/the Duty Planner** on **phone number** and quote the application number above.

Yours sincerely

Name

Position

[Letter B – Acceptance]

Date

Name

Address

Dear Name

Resource consent application – Acceptance

Application number(s):

Applicant:

Address:

Proposed activity(s):

Thank you for your resource consent application which we received on date. We have made an initial check of the documents you provided and decided the application is complete.

Next steps

My next step will be to make a more detailed assessment of your application. Sometimes we will need additional information or details to be clarified, even where applications are broadly complete when they are lodged. I will call or write to you as soon as possible if this is the case.

I will also be visiting the site in the next few days. If it has any locked gates or other obstacles that I should be aware of, please contact me to arrange access or to discuss a suitable time for me to visit.

The RMA requires us to decide whether or not applications should be notified. Notification is usually mandatory when specific people and the wider environment are affected by your proposal. If this is the case I will call you to discuss what this means, how notification works and how to proceed with your application.

If your application is not notified, you should receive our decision within 20 working days of the date we received it (insert forecast last date for decision), although this can take longer if further information is needed.

You can find further information about the steps that make up the resource consent process on our website at include link.

Fees

Please note that the fee you have paid is a deposit towards the cost of our work on your application. We recover insert % of cost recovery of costs from applicants, with the remainder being subsidised from rates. If your deposit does not cover the total cost, minus this subsidy, we will advise you of this and provide a separate invoice.

OR if the application has a fixed fee

The fee that you have paid is a fixed fee and covers all of our work on your application.

Include information about any additional charges that may apply, for example 223 and 224 certification or development contributions.

If you have any queries, please contact me on **phone number** and quote the application number above.

Yours sincerely

Name
Position

[Letter C – Return]

Date

Name

Address

Dear Name

Resource consent application – Returned

Application number(s):

Applicant:

Address:

Proposed activity(s):

Thank you for your resource consent application, which we received on **date**. The law requires us to assess all new resource consent applications against criteria in the RMA and determine whether or not they are complete. Unfortunately your application is not complete so we are returning it to you.

The application is not complete because:

- Detail the required information in reference to legal requirements of section 88 and Schedule 4
- Xxx
- Xxx

We need the information listed above before we can progress with your application and make a decision. This means we will not do any more work on it at this stage, although you may re-lodge it with us in a modified form.

To progress from here, you can find further details on our website at **include link** about the information requirements for resource consent applications. You can also make an appointment with our duty planner any week day between 9.00am and 5.00pm. They provide half an hour of free information which you may find useful.

If you decide to re-lodge this application or make a new application including the above information, it will be treated as if it were a new application.

To date we have spent **enter total time** checking your application, and a total of **\$ amount** of your initial fee has been used. If you re-lodge the application, please include an additional **\$ amount** to make up the balance of the initial fee, which is **\$ amount**. If you decide not to resubmit your application, please contact us on **phone** or **email**, to receive a refund of the portion of the initial fee not used.

If you disagree with our decision that your application is incomplete you can lodge an official objection. Further information about this process on our website at **include link**.

If you have any queries, please contact me on **phone number** and quote the application number above.

Yours sincerely

Name

Position

[Letter D – Further information request: before notification]

Date

Name

Address

Dear Name

Resource consent application – Further information request

Application number(s):

Applicant:

Address:

Proposed activity(s):

Further to my letter of date, I have now reviewed your application and inspected the site.

This letter is a request for further information that will help me better understand your proposal, including its effect on the environment and the ways any adverse effects might be mitigated.

Requested information

1. Outline the exact further information requested and the reason for requesting it.
- 2.

Providing the information

Please provide this information in writing within 15 working days³ date. If you will not be able to provide the information by that date, please contact me before then to arrange an alternative time. We will not work on your application any further until either you provide this information, or you state that you refuse to provide it.

Refusing to provide the information

If you refuse to provide the information, or if you do not submit the information to us within 15 days (or by another other agreed time), the RMA requires that we publicly notify your application.⁴

If this happens, you will be required to pay the notification fee of \$ amount in full before we proceed with the notification of your application.⁵

Next steps

Once you have provided the requested information, I will review what you have provided to make sure it adequately addresses all of the points of this request.

In my previous letter I described the statutory timeframe for our decision on your application, which counts (and sets limits) on the number of days we can work on consent applications. The time for you to respond to this letter will be excluded from the timeframe⁶, and the originally forecast date for our decision may now be later than I previously advised. I will be able to give you an updated forecast on a

³ Section 92A(1) of the RMA

⁴ Section 95C of the RMA

⁵ Section 36(7) of the RMA

⁶ Section 88C(2) of the RMA

date for this once you have provided the information requested above, or we have discussed the application again.

If you are not sure how to respond, please call me and we can discuss your options.

Yours sincerely

Name
Position

[Letter E – Further information request: after notification]

Date

Name

Address

Dear Name

Resource consent application – Further information request

Application number(s):

Applicant:

Address:

Proposed activity(s):

You will be aware that submission on your application closed on date. I understand we have both received copies of all the submissions. Please call me on phone number if you think this is not the case.

Submitters raised a number of issues about the proposal which are of particular interest to us. Following my review of the submissions I am requesting the following further information from you. This is to help me better understand your proposed activity, its effect on the environment, and the ways any adverse effects on the environment might be mitigated.

Requested information

1. Outline the exact further information required and the reason for needing it.
- 2.

Providing the information

Three upcoming points in the consent process are important in relation to this information request.

Planner's report to the council / commissioners (section 42A report)

First, I will need to make a full assessment of your proposal in my report to the council / commissioners.⁷ The purpose of the report is to help them make a decision on your application. Without complete information about your proposal, I may not be able to support it. The question of whether requested information has been made available is also a matter that the council / commissioners are required to have regard to when they make their decision, and they can refuse consent in cases where there is inadequate information.⁸

My report must be completed and made available to you, to all submitters who wish to be heard, and the council / commissioners on or before date (which is 15 working days before the scheduled date for the hearing). If you intend to provide the requested information, I will need to receive it in sufficient time to act on it in my report.

Deadline for the provision of information before the hearing

Second, the RMA requires that any information requested of applicants be made available to us no later than 10 days before the hearing.⁹

⁷ Section 42A of the RMA

⁸ Section 104(6) and (7) of the RMA

⁹ Section 92(3A) of the RMA

Deadline for circulation of evidence before the hearing

Third, you will be required to make all your evidence available to us, so we can make it available to submitters and the hearings panel / commissioners, 10 days before the hearing.¹⁰

Requesting more time

We will not be suspending your application or waiving or extending our processing timeframes while you prepare and supply this information. This means that the above dates for the hearing and provision of information and evidence still hold.

However, if you decide that you will require more time, you can suspend the processing for up to xx working days.¹¹ As a consequence of suspending processing, the dates for the hearing and prior exchange of evidence will most likely be delayed. If you consider it will be helpful to suspend the process, please make a request to me in writing.

Next steps

Once you have provided the further information, I will review what you have provided to make sure it adequately addresses all of the points of my request.

As you will be aware, the hearing for your application is scheduled to be held on date.

Timeframes that will need to be met by both you and Council leading up to the hearing are:

- At least 15 working days before the hearing we will send you a copy of the planning officer's recommendation report, as well as any other expert evidence.
- At least 10 working days before the hearing you must provide us with all the briefs of evidence, including legal submissions, that you intend to present to support your application at the hearing.
- At least five working days before the hearing submitters must provide to us briefs of any expert evidence they are calling.

Please contact me if you have any questions about your application or the information I have requested.

Yours sincerely

Name
Position

¹⁰ Section 103B of the RMA

¹¹ Section 91A of the RMA

[Letter F – Notice to affected parties]

Date

Name

Address

Dear Name

Resource consent application – Limited notification

Application number(s):

Applicant:

Address:

Proposed activity(s):

You may already be aware of the application for resource consent by Applicant to proposal or activity. The proposal requires resource consent for activities A, B and C. Applications seeking consent for these activities were lodged with us on date.

We are notifying the applications on a limited basis. Limited notification is required by the RMA in this case because, having assessed the applications, we decided that you and other parties will be adversely affected by what the applicant proposes. Limited notification means that you and any other notified person can make a submission on the applications.

Making a submission

The enclosed notice provides details about making a submission. I have also enclosed a copy of the applicant's assessment of environmental effects and relevant plans OR A full copy of the application is available to view at web address.

Submissions close by default at time on date and you can lodge a submission with us any time before that deadline. However, if we receive submissions from all the notified parties before that date, we may decide to close the submission period earlier. You are not compelled to make a submission, but it would be helpful if you let me know if you are not intending to submit on the application.

Appearing at a hearing

Any submitter can request to speak to their submission at a hearing. Please indicate in your submission if you would like to appear at the hearing and be heard. Please also be reassured that your submission will have legal status whether you request to be heard or not.

Hearings are usually held at location on week days. Unfortunately a provisional date for the hearing is not yet known, but if one is held the latest date for it to be completed will be date [45 working days after the close of submissions]. If you decide to make a submission I will write to you after date [date of close of submissions] to keep you informed on possible dates and locations for the hearing.

If you have any questions about the application or the submission process, please contact me.

Yours sincerely

Name

Position

[Appendix to Letter F – Example notice to affected parties – in manner of Form 12 from Resource Management (Forms, Fees, and Procedure) Regulations 2003]

Notice of application

Application for resource consent or for a change or cancellation of a condition of a resource consent or for a transfer of a water permit or for a transfer of a discharge permit or for a variation or cancellation of an instrument creating an esplanade strip.

Section 95B or 127 or 136 or 137 or 234 of the Resource Management Act 1991

Name of council has received the following application for a resource consent or for a change or cancellation of a condition of a resource consent or for a transfer of a water permit or for a transfer of a discharge permit or for a variation or cancellation of an instrument creating an esplanade strip.

Applicant: Name

Address for service: Agent's or applicant's details

Application number(s): Number

Location: Address or plain English description of the location

Details of proposed activity and types of consents:

- *if an application for a resource consent, the type, proposed activity, and location of the resource consent:*
- *if an application for a change or cancellation of a condition of a resource consent, the type and location of the resource consent, the relevant condition, and any proposed change:*
- *if an application for a transfer of a water permit or a discharge permit, the site for which the permit has been granted and, if relevant, the part of the resource consent to be transferred:*
- *if an application for a variation or cancellation of an instrument creating an esplanade strip, a description of the strip and its location and any proposed variation.*

Overall the proposal is a Restricted Discretionary/Discretionary/Non-complying activity.

The application includes an assessment of environmental effects.

The application may be viewed at address. Please contact name if you have any questions about the application.

A person who is a trade competitor of the applicant may only make a submission if that person is directly affected by an effect of the activity to which the application relates that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

You may make a submission by sending a written or electronic submission to council at address/link to electronic submission form/email address. The submission must be on Form 13, attached.

Name of council must receive your submission no later than time on date.

Please note that you **must** send a copy of your submission to name of applicant (the applicant), whose address for service is address for service of applicant, as soon as reasonably practicable after serving your submission on name of council.

.....
Signature on behalf of
Name of council

.....
Date

[Letter G – Submissions closing early: letter to applicant]

Date

Name

Address

Dear Name

Resource consent application – Submission period closed

Application number(s):

Applicant:

Address:

Proposed activity(s):

This letter is to inform you that we received a submission or written notice from every person who was notified of your application, so today we have closed the notification period early.

We expect that a hearing will be held for the application and will write to you with details of the hearing once confirmed.

Please be aware that you will need to provide us with all the briefs of evidence that you intend to present to support your application at the hearing at least 10 working days before the hearing date.

Although a date has not yet been set for the hearing, a decision should be issued by **date**, which is 60 working days after the close of submissions. We are able to extend this timeframe if special circumstances arise that require more time for consideration. I will be in touch with you immediately if this becomes the case.

OR

A hearing will not be held for the application. A decision should be issued by **date**, which is 20 working days after the close of submissions. This timeframe may be extended by us if special circumstances arise that require more time for consideration.

If you require more time to consider how to progress your application, you are able to place your application on hold for up to **xx working days** at any time until **the close of the hearing / we issue a decision**. If you wish to do this, please fill out the attached form and provide it to me.

If you have any questions about your application please do not hesitate to contact me.

Yours sincerely

Name

Position

[Letter H – Submissions closing early: letter to submitters]

Date

Name

Address

Dear Name

Resource consent application – Notification period to close

Application number(s):

Applicant:

Address:

Proposed activity(s):

This letter is to inform you that because we received a submission or written notice from every person that was notified of the above application, we have closed the submission period early, on date.

EITHER

We expect that a hearing will be held for the application and will write to you with further details once those details are confirmed.

Please be aware that if you intend to call expert evidence to support your submission at the hearing, you will need to provide this at least five working days before the hearing begins.

Although a date has not yet been set for the hearing, a decision should be issued by date, which is 60 working days after the close of submissions.

OR

A hearing will not be held for the application. A decision should be issued by date, which is 20 working days after the close of submissions. We may extend this timeframe if special circumstances arise that require more time for consideration, or if the applicant decides to suspend the application process.

If you have any questions about the application please do not hesitate to contact me.

Yours sincerely

Name

Position

[Letter I – s91A Application placed on hold: letter to applicant]

Date

Name

Address

Dear Name

Resource consent application – Application suspended by applicant

Application number(s):

Applicant:

Address:

Proposed activity(s):

Thank you for your request to suspend processing of your applications, which I received on date.¹² This means we will not work on your application any further until the suspension period ends.

The RMA allows applicants to suspend consent processing for up to 130 working days, less any time applications have already been on hold.¹³ According to our records, your application has already been on hold for the following reasons and periods:

- Xx working days for a request for further information
- Xx working days for the commissioning of a report
- Xx working days while waiting for another application to be lodged
- Xx working days while waiting for written approvals
- Xx working days for mediation.

As your application has already been on hold for a total of xx working days, the remaining available time for the suspension you requested is xx working days. This means the application will be suspended until date.

You can request that the suspension ceases at any time, at which point we will re-commence our work on the application. This request must be made in writing. However, if you have not requested that the suspension ceases by date, the RMA requires that we either:

- return the application to you, or
- continue to process the application.¹⁴

Returning the application means a decision will not be made to either grant or refuse consent. It also means that to advance your proposal you will need to lodge a new application with us, which we must consider as new.

I will be in touch again before that time to discuss your intentions. In the meantime, please do contact me if you have any questions.

Yours sincerely

Name

Position

¹² Section 91A, 91B and 91C of the RMA

¹³ Section 91A(3)(c) and sections 88B–88E of the RMA

¹⁴ Section 91C(2) of the RMA

[Letter J – s91A On-hold period has expired: letter to applicant]

Date

Name

Address

Dear Name

Resource consent application – On-hold period has expired

Application number(s):

Applicant:

Address:

Proposed activity(s):

I am writing about your resource consent application that was suspended at your request on date. As described in my letter of date, suspension periods have a limited duration. In the case of your application, this period ended on date.

We are now required to either return the application to you or continue to process it and make a decision.¹⁵

EITHER

We have decided to return the application to you. We are doing so because outline reasons why this decision was made.

You have the right to object to the decision to return the application.¹⁶ If you wish to object, we must receive your objection in writing by date, which is 15 working days from the date of this decision.¹⁷ You can find further information about how to make an objection on our website at include link.

OR

We have decided to continue to process your application.

When you placed your application on hold, the application was in the notification period / submissions had closed / the hearing was being held. The process will restart from this point, meaning that outline the process that needs to be completed next and the relevant timeframes.

Please do not hesitate to contact me if you have any questions.

Yours sincerely

Name

Position

¹⁵ Section 91C(2) of the RMA

¹⁶ Section 357(3A) of the RMA

¹⁷ Section 357C of the RMA

[Letter K – s91A Reminder to applicant: on-hold period to expire]

Date

Name

Address

Dear Name

Resource consent application – On-hold period to expire

Application number(s):

Applicant:

Address:

Proposed activity(s):

I am writing to remind you that you asked we suspend processing of your resource consent application on date. As described in my letter of date, these suspension periods have a limited duration. For your application, this period will end on date.

You can request at any time that the suspension ceases, at which point we will re-commence our work processing the application. Your request must be made in writing.

If you have not requested that the suspension ceases by date, the suspension period will end. At this point the RMA requires that we either:

- return the application to you, or
- continue to process the application.¹⁸

Returning the application means a decision will not be made to either grant or refuse consent. It also means that to advance your proposal you will need to lodge a new application with us, which we must consider as new.

Please let me know how you intend to proceed with your application or if you have any questions.

Yours sincerely

Name

Position

¹⁸ Section 91C(2) of the RMA

Appendix 2: Process checklist

To-do checklist		Timeframe	Notes/things to consider
Decision to notify.	<input checked="" type="checkbox"/>	20 working days NEW TIMEFRAME	The Amendment Act increases the time allowed for consent authorities to make the notification decision. Section 95 now provides 20 working days (increased from 10 working days) for the notification decision to be made and for the application to be notified.
Send the applicant and/or their agent a letter and email advising them of the decision to notify.	<input checked="" type="checkbox"/>	20 working days NEW TIMEFRAME	<p>This letter should outline the reasons for the decision to notify and clarify the notification process.</p> <p>Generally, the 'decision to notify' letter will request that the applicant pays a notification fee or deposit. Section 36(7) specifies that the council may stop the notification process until the applicant pays the relevant fee, provided the fee is specified in a fee schedule or equivalent. The period that the application is on hold for this reason is excluded for the purpose of the Resource Management (Discount on Administrative Charges) Regulations 2010. For details, refer to the definition of 'excluded days' in section 3 of the regulations.</p> <p>It is good practice to include an interim invoice with the notification decision letter.</p> <p>For fully notified applications, it is good practice to post a public notice on the council's website and make key application documents available online. To facilitate this, ask the applicant to provide electronic versions of the application documentation. This can be done in the notification decision letter.</p>
Inform council specialists (eg, engineer, arborist) of the decision to notify.	<input checked="" type="checkbox"/>	As soon as possible after decision to notify	
Applicant confirms they wish to proceed and deposits fees.	<input checked="" type="checkbox"/>	N/A	It is important that council's finance or administrative support team inform the processing staff when the fee is paid. This will prevent undue delay to notification.
Acknowledge receipt of payment and confirm the council will notify.	<input checked="" type="checkbox"/>	As soon as possible after payment received	
For publicly notified applications:		20 working days NEW TIMEFRAME	CHANGE: Submitters calling expert evidence are now required to provide that evidence to the applicant and council at least 10 working days before the hearing. The submission form, public notice and letter sent to affected persons can all be used to advise submitters of this requirement early on.
<ul style="list-style-type: none"> public notice prepared and posted in newspaper <input checked="" type="checkbox"/> it is good practice to post the public notice on council's website and make relevant <input checked="" type="checkbox"/> 			

To-do checklist	Timeframe	Notes/things to consider
<p>application documents available online</p> <ul style="list-style-type: none"> • it is good practice to post notice at subject site <input checked="" type="checkbox"/> • make all relevant documentation available at the council's office or other public locations such as libraries <input checked="" type="checkbox"/> • post the notification pack to affected parties. It is good practice to send a pack to the applicant too. <input checked="" type="checkbox"/> <p>For limited notified applications:</p> <ul style="list-style-type: none"> • post notification pack to affected parties. It is good practice to send a pack to the applicant too. <input checked="" type="checkbox"/> 		<p>The public notice must be in accordance with Form 12 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003. The notice must be in a newspaper circulating in the entire area likely to be affected by the proposal to which the notice relates (see RMA's definition of 'public notice').</p> <p>Posting a public notice at the subject site is at the council's discretion. See section 10A of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.</p> <p>For details of who must be served notice individually for fully notified applications, see section 10 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003. A template letter that can be used to serve notice to affected parties is available in Appendix 1 (Letter F, Notice to affected parties).</p> <p>The notification pack sent to affected parties should include the notification letter, a submission form, and relevant application documents. If the number of affected parties is large, it may be appropriate for the notification letter to refer the affected parties to online versions of the submission form and application documents.</p> <p>It is good practice to advise submitters that if a hearing is to be held, they can request that an independent commissioner(s) hears and decides the application instead of the council (section 100A). Submitter should also be informed that they may be liable for all or part of the costs associated with this.</p> <p>CHANGE: For limited notified applications, there is a new provision enabling the council to close the submission period early, once it has received from all affected persons a submission, written approval, or written notice that the person will not make a submission. The letter sent to affected persons should ask them to advise the council if they will not be making a submission.</p>
<p>Submission period opens on the day that notice is served. <input checked="" type="checkbox"/></p>	<p>20 working days NEW TIMEFRAME</p>	<p>The processing officer should be advised as soon as a submission is received indicating that the submitter wants to be heard at the hearing. This is a cue to plan a tentative hearing date and begin preliminary steps to appoint commissioners.</p>
<p>Submissions period closes. <input checked="" type="checkbox"/></p>	<p>20 working days after notification</p> <p>OR</p> <p>For limited notified applications, the day the consent authority has</p>	<p>CHANGE: Once the submission period closes, the hearing must be completed within 45 working days for a limited notified application, or 75 working days for a fully notified application. There are no opportunities for the council to stop the clock after notification, unless a report is</p>

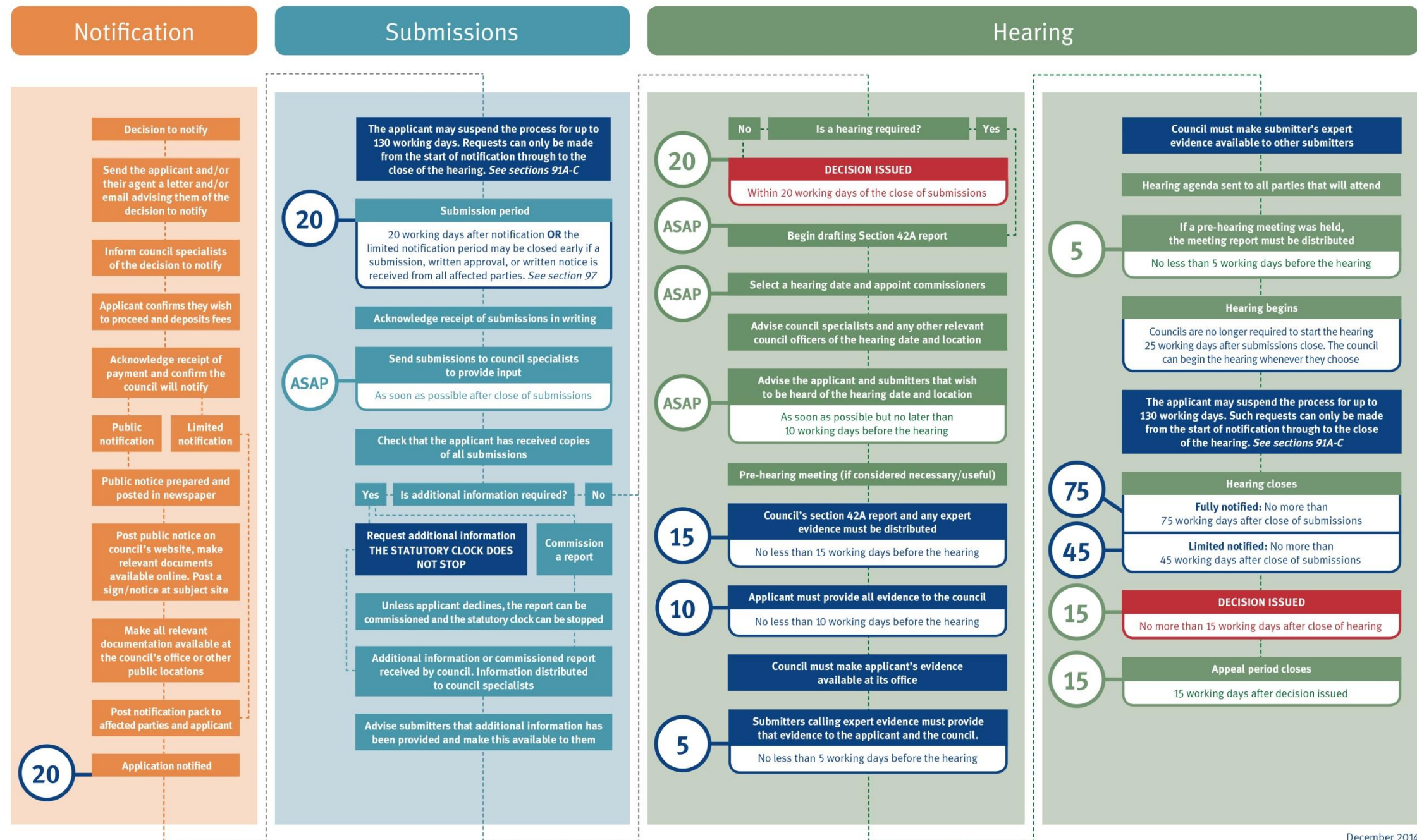
To-do checklist	Timeframe	Notes/things to consider
	<p>received from all affected persons:</p> <ul style="list-style-type: none"> • a submission • written approval • written notice that the person will not make a submission. <p>NEW TIMEFRAME</p>	<p>commissioned. However, the applicant can require processing to be suspended for up to 130 working days under the new section 91A. The council is still able to extend statutory timeframes under section 37 due to special circumstances, or with the agreement of the applicant.</p> <p>All submissions should be acknowledged in writing.</p> <p>Sections 37 and 37A(1) and (2) of the RMA allow a council to accept late submissions. If a council does so, it must be careful to adopt a consistent approach to ensure applicants and submitters are not disadvantaged or advantaged in any way. If late submissions are not accepted, it is good practice to explain why.</p> <p>If submissions are closed early, advise all parties of this as soon as possible. This is particularly important for submitters because if they wish to request an independent commissioner, they must do so no later than five working days after the close of submissions (section 100A(3)).</p>
Send copies of submissions to council specialists that provided input. <input checked="" type="checkbox"/>	As soon as possible after submissions are received	
<p>Is further information required? If yes, do one of the following:</p> <ul style="list-style-type: none"> • request additional information • commission a report. <input checked="" type="checkbox"/>	Any reasonable time before the hearing	<p>CHANGE: Section 88C has been amended so that the ‘statutory clock’ can only be stopped by the council for an additional information request once, before the notification decision. Following the decision to notify, further information requests will not stop the clock. Section 92(1) has not changed, so consent authorities can still request further information any number of times.</p> <p>CHANGE: If additional information is requested and the applicant decides they need more time to gather this, they have the option of voluntarily placing the application on hold. Once the application has been on hold for a total of 130 working days, the council must either return the application or continue to process it.</p> <p>The council can still commission a report and place the application on hold for this reason, provided the applicant does not ‘refuse to agree’.</p>
Applicant agrees or declines commissioning of report. <input checked="" type="checkbox"/>	15 working days after the request for additional information or for a report to be commissioned	
Additional information or commissioned report received by council. <input checked="" type="checkbox"/>		

To-do checklist	Timeframe	Notes/things to consider
Additional information or commissioned report provided to council specialists. <input checked="" type="checkbox"/>		
Advise submitters that additional information has been provided. <input checked="" type="checkbox"/>		Section 92(3A) requires that information or report be made available by the authority at their office no later than 10 working days before the hearing.
Section 42A hearing report prepared.		
Is a hearing necessary? Yes <ul style="list-style-type: none"> select a hearing date and appoint commissioners <input checked="" type="checkbox"/> No <ul style="list-style-type: none"> the final decision is due 20 working days after the close of submissions. <input checked="" type="checkbox"/> 		Even if there are no submissions, or none that wish to be heard, there may still need to be a hearing if the applicant requests one or the council considers it necessary.
Advise council specialists and any other council officers of the hearing time, date and location.	As soon as possible after the hearing is set	
Council must advise the applicant and submitters that wish to be heard of the hearing date, time and location. <input checked="" type="checkbox"/>	10 working days before commencement of the hearing	In some cases, it is possible to combine the notice of hearing with the acknowledgement of submissions.
Pre-hearing meeting necessary? <input checked="" type="checkbox"/>	Pre-hearing meetings should be held as soon as possible, but no later than five working days before commencement of hearing	It is good practice to discuss the potential for a pre-hearing meeting and its process with the applicant, and obtain approval in principle to proceed if appropriate, before the submission period closes. Pre-hearing meetings can assist in clarifying issues, drafting conditions, personalising the parties involved, and enhancing communication after the meeting. Involving the applicant and submitters in the decision-making process also ensures they 'own' the result, more so than if the decision was made by someone else.
Council's s42A report and any expert evidence. <input checked="" type="checkbox"/>	15 working days before the hearing	
Applicant must provide all their evidence to the council. <input checked="" type="checkbox"/>	10 working days before the hearing	A council may provide for an applicant and submitters to provide rebuttal evidence at the hearing, but this is not required or prescribed in the RMA.
Council must make applicant's evidence available at its office. <input checked="" type="checkbox"/>	As soon as practicable after the applicant provides the briefs of evidence to the council	

To-do checklist		Timeframe	Notes/things to consider
Submitters calling expert evidence must provide that evidence to the applicant and the council.	<input checked="" type="checkbox"/>	Five working days before the hearing	
Hearing agenda sent to all parties that will attend.	<input checked="" type="checkbox"/>	It is good practice for this to be done at least five working days before the hearing	
Council must make submitter's evidence available to other submitters.	<input checked="" type="checkbox"/>	As soon as practicable after the submitter provides the evidence to the council	
Pre-hearing meeting report distributed.	<input checked="" type="checkbox"/>	Five working days before hearing	
Hearing commencement.	<input checked="" type="checkbox"/>	Any point after close of submissions	<p>CHANGE: Councils are no longer required to start the hearing 25 working days after submissions close.</p> <p>The normal order of the procedure of a hearing is as follows:</p> <ol style="list-style-type: none"> 1. introduction by the chairperson 2. applicant presents the application and supporting evidence 3. submitters in support speak to their submissions 4. submitters in opposition speak to their submissions 5. council officer summarises the council report and makes any comments regarding information provided at the hearing 6. applicant responds 7. hearing is closed or adjourned for a decision to be made.
Hearing closes.	<input checked="" type="checkbox"/>	<p>Fully notified applications: 75 working days after close of submissions</p> <p>Limited notified applications: 45 working days after close of submissions</p>	<p>CHANGE: Councils are no longer required to close hearings within 10 working days of right of reply.</p>
Decision issued.	<input checked="" type="checkbox"/>	15 working days after close of hearing	<p>The decision must also be sent to submitters. See Section 1143(c).</p> <p>A final invoice can be included at this stage.</p> <p>Include stamped and approved plans for applicant.</p>
Appeal period closes.	<input checked="" type="checkbox"/>	15 working days after decision issued	

Appendix 3: Process diagram

Six-month process for notified resource consent applications



December 2014