

Concerned about a proposed development near you?

A Guide to Action

First steps

GET SOME DETAILS

- Confirm the address affected by the development.
- Check the zoning in the [Auckland Unitary Plan](#).

Second

CONFIRM THE RUMOUR

- Ask your source for more details.
- Email what you have gathered to us: hello@GreyLynnResidents.org.nz

We will check with the Waitemata Local Board representative responsible for resource consent applications to find out what is known and the status of the proposal's application.

Third

WHEN TO GET SERIOUS

- The effects of a resource consent can be very permanent and your opportunity to object is very limited.
- The faster you can get key information about the proposal, the more effective your work against it will be.
- The more local communities are galvanised to support your objections, the more impact your objection will have. Get in touch with your neighbours and

see if you can work together. Set a date for a neighbourhood meeting and leaflet-drop to let people know. Experience tells us that people will come to such a meeting. It's a great way to meet your neighbours, and many of them will have useful skills.

- Grey Lynn Residents Association (GLRA) can help you get in touch with others who may support your objection, and connect you to specialists who may be able to advise you further. Be realistic about the cost of those specialists before you get in too deep.

Other Comments to Consider

If the development you have heard about is appropriate for the location - that is it fits within the zoning and rules for that zoning - it will automatically qualify for a non-notified resource consent. It is virtually impossible to object to a complying proposal.

If it does not comply with the rules for that zoning, the Waitemata Local Board should be informed of the development through Council's systems. This means the Local Board can comment on the proposed development. Some applications that are large in scale or locally significant may also be commented on by the Urban Design Panel.

If the development seriously contravenes the Plan rules and affects neighbours then it may be notified. This means the public gets the opportunity to submit objections to the proposed development.

The Submission Process

Publicly notified Resource Consent applications:

Anyone can make submissions to these, if you are considered directly affected you may be made aware by the consent authority - Auckland Council for instance.

Limited notification:

Council may elect to 'limit' notification to parties it considers affected - in these cases only those served notice may submit - usually this is limited to adjoining land owners.

You can get detailed information about the proposal from the council or the applicant.

Submission must be lodged within 20 working days of public notification and there is no other chance to do so.

It is free to submit.

You must state in your submission if you wish to be 'heard' it is always a good idea to say that you do - as you can always decline later but you cannot say yes later.

You must supply the applicant and the Council with a copy of your submission.

Your Submission

- You should plan your submission carefully - GLRA may have some advice for you here.
- Start talking to council reps and the Local Board straight away so you can learn as much as you can.
- Email us at hello@GreyLynnResidents.org.nz to discuss things with us. We know the process and may have contacts for specialists.
- You may have to get input from experts such as engineers, traffic and noise consultants and surveyors - start this early. Be aware that it will be costly.
- Once the submission period closes the Council will issue a summary of all the submissions.
- Public submissions usually have a very short time window to be prepared.
- Your objection must pertain to the Auckland Unitary Plan.
- We can assist with directing you to local sources for informed help with your submission.
- If GLRA is in support of your objection, we may make a submission as well.

The Pre-hearing Process

- It is free to be heard.
- Council may invite you to a pre-hearing meeting. If you decline the Council can ignore your submission.
- The pre hearing meeting is to see if issues can be negotiated through simply.
- Council will prepare a pre hearing report which will summarise these meeting conclusions.

The Mediation Process

- This happens if Council thinks the two sides still have issues that could be resolved.
- This can happen if either of the parties thinks that issues might still be resolved.
- It is good to have some support at the mediation from your experts.

The Hearing Process

- It is free to be heard.
- Not all applications have hearings - the Council decides if this is appropriate.
- Council must fix a date 25 working days after the submissions closed.
- Council can also ask you for more information about your submission.
- Council can ask you not to talk about certain elements in your submission if they consider them irrelevant to the case or it will take too long.
- You will be invited to speak to your submission on a particular date - before this it is important to take advice and settle on what you wish to say. You must keep to the matters in your submission but you can take images, specialists and other props along with you.
- You can listen to all other submissions.

The Decision

- Once the hearing process is completed the Council will make a decision.
- The decision must be in writing.
- Sometimes the consent will be granted with conditions.
- The conditions are usually controls on the proposal to reduce or eliminate effects the Council has decided are valid or important.
- If you submitted on a proposal the Council must send you the decision.
- If you do not agree with the decision you can seek re-dress in the Environment Court.

The Environment Court Process

- You will need a lawyer for this process.
- Only incorporated societies can bring issues to the court.
- The process is very expensive.

Written Approval

- Sometimes an applicant for resource consent may ask you to give written approval to a proposal - this is legal.
- Usually this will be because you are identified as an affected party.
- The applicant should provide you with a lot of information and should not rush your decision.
- It would be unusual to give approval at the first meeting.
- Do not feel pressured to sign.
- If you sign you waive your ability to object later.
- We advise you to approach the Council and tell them what has happened and ask them for more information.
- We are happy to look over the proposal and discuss it with you. Please email us with the details: hello@GreyLynnResidents.org.nz.
- You cannot object for any reason other than environmental effects - such as noise, overshadowing, etc.

Judicial Review

- Another way to object is to apply for a judicial review.
- Judicial reviews do not re-litigate the decision made. Instead, it scrutinises the processes by which the decision was made.
- Again you will require a lawyer to enter into this process.