

**IN THE MATTER OF**      the Resource Management Act 1991  
**AND**  
**IN THE MATTER OF**      Various applications by Te Tūāpapa  
Kura Kāinga – the Ministry of Housing  
and Urban Development (MHUD) to  
the Rotorua Lakes Council (Council).

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**RESOURCE MANAGEMENT ACT 1991**  
**MINUTE #8 – SUBMISSION FORMS**  
**INDEPENDENT HEARING PANEL**

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1. By Memorandum of 16 June 2022, Ms Vanessa Hamm of Holland Beckett Law advised that she has now been instructed by Restore Rotorua Incorporated (RRI) to represent the group in relation to the MHUD applications
2. Furthermore, Ms Hamm sought an amendment to the Council’s website submission notice that would enable submitters not to have to file separate submissions for each of the applications (if so minded) as is currently required.
3. Ms Hamm submits that to require that places an undue burden on lay submitters, particularly in respect of submissions that raise the issue of cumulative effect. She accepts the need for clarity in identifying to which of the applications the submission relates but submits that this can be achieved more simply. Ms Hamm submits that this would simply require submitters to identify the address or addresses of the application site or sites.
4. We note that Regulation 4 (Use of prescribed forms) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003 states:  
*Use of a form is not invalid only because it contains minor differences from a form prescribed by these regulations as long as the form that is used has the same effect as the prescribed form and is not misleading*
5. Furthermore, Regulation 9 (Prescribed forms for resource consents) states:  
*In the following table, the forms listed in column 1 must generally be followed for the matters set out in column 3: [our emphasis].*
6. That Table identifies Form 13 for the purpose of submissions on applications for resource consents. There is, as far as we can determine, nothing in Form 13 that precludes the use of that form for multiple, seemingly related, applications.
7. We acknowledge that, from an administrative point of view, separate submissions on each application would be preferred. Indeed we are mindful that, in turn, we must make individual decisions on all applications and, therefore, must be able to distinguish and determine submissions accordingly.
8. However, as it is already clear that RRI (and submitters) will be arguing cumulative effect issues that cut across the individual applications, we see no harm in accepting Ms Hamm’s submission on that point.
9. We do, however, caution that if submitters then wish to make submissions on and about particular applications, those would best be made by way of a separate submission form.
10. Therefore we direct Council to modify its website page accordingly.

11. Any queries or correspondence related to this Minute should be sent through to the Panel Secretary, Susan Taylor at [susan.taylor@tompkinswake.co.nz](mailto:susan.taylor@tompkinswake.co.nz) .

A handwritten signature in black ink that reads "David Hill". The signature is written in a cursive style with a large, sweeping initial 'D'.

David Hill (Chairperson)  
Independent Hearing Panel

20 June 2022