

<b>Title</b>	<b>Demonstrate knowledge of the preparation required for hearings under the Resource Management Act (RMA)</b>		
<b>Level</b>	<b>4</b>	<b>Credits</b>	<b>2</b>

<b>Purpose</b>	<p>This unit standard is for people working in, or who intend to work in, local authorities as administrators processing RMA applications through the hearings process. It is also relevant to people working in the resource management sector who would benefit from understanding the legislation, and the processes used for hearings held under the RMA.</p> <p>People credited with this unit standard are able to: describe the legislative components for the appointment of planning commissioners and committees and the requirements for delegations to commissioners, committees, and officers in relation to RMA hearings; describe the pre-hearing processes relating to applications under the RMA; and describe the roles of the hearings administrator in preparing for hearings of resource consent applications in accordance with the RMA.</p>
----------------	--

<b>Classification</b>	Compliance and Law Enforcement > Compliance and Regulatory Control
-----------------------	--

<b>Available grade</b>	Achieved
------------------------	----------

## Guidance Information

- References  
 Commissions of Inquiry Act 1908;  
 District and Regional Plans;  
 Health and Safety at Work Act 2015;  
 Human Rights Act 1993;  
 Local Government Acts 1974 and 2002;  
 Local Government Official Information and Meetings Act 1987;  
 Resource Management Act 1991;  
 NZS 9202:2003 *Model Standing Orders for Meetings of Local Authorities and Community Boards*, available at <http://www.standards.co.nz>;  
 and all subsequent amendments and replacements.
- The primary reference for this unit standard is *An Everyday Guide to the Resource Management Act Series* (Wellington: Ministry for the Environment, 2008). This is available at <http://www.mfe.govt.nz/>. This is a series of guides about everyday matters under the RMA. The following guides are relevant to this unit standard: 1.1 *Getting in on the Act*; 2.1 *Applying for a Resource Consent*; 3.3 *Appearing at a*

*Resource Consent Hearing; and 5.2 Appearing at a Council Plan or Plan Change Hearing.*

---

## **Outcomes and performance criteria**

### **Outcome 1**

Describe the legislative components for the appointment of planning commissioners and committees and the requirements for delegations to commissioners, committees, and officers in relation to RMA hearings.

#### **Performance criteria**

- 1.1 The description explains the statutory authority for councils to delegate hearings functions to commissioners, committees and officers in accordance with Sections 34 and 34A of the RMA and the primary reference.
- 1.2 The description explains the delegations that a regional or territorial authority requires to give effect to the statutory authority to delegate the authority to conduct hearings to commissioners, committees and officers under the RMA and Clauses 24-28 of Schedule 7 of the Local Government Act 2002.

### **Outcome 2**

Describe the pre-hearing processes relating to applications under the RMA.

#### **Performance criteria**

- 2.1 The description explains the lodgement process for an application for consent in accordance with Section 88 of the RMA and the primary reference.
- 2.2 The description explains the requirements for decisions and actions as to whether an application should be notified or not, including limited and full notification in accordance with Sections 93 and 94 of the RMA, and the primary reference.
- 2.3 The description explains the submission processes including timeframes, late submissions, submission form, and withdrawal of submissions in accordance with Sections 93-98 of the RMA, and the primary reference.
- 2.4 The description explains the pre-hearing meeting process, the pre-provision of evidence process, and the mediation provisions in accordance with Sections 99 and 99A of the RMA, and the primary reference.
- 2.5 The description explains the provisions for waiver of time limits, extension of time limits, and the application of those waiver provisions, for processing applications in accordance with Section 37 of the RMA, and the primary reference.

### Outcome 3

Describe the roles of the hearings administrator in preparing for hearings of resource consent applications in accordance with the RMA.

#### Performance criteria

3.1 The description explains the range of roles that the hearings administrator is responsible for in accordance with Section 101 of the RMA, Part 7 of the Local Government Official Information and Meetings Act, and Model Standing Orders, and the primary reference.

Range preparing for a hearing includes – setting the hearing date, notification of the hearing, logistics for the hearing, preparation and delivery of the hearing agenda, order of business, submitters' speaking times, equipment and room layout.

3.2 The description explains the role of the hearings administrator for arranging a site visit and the protocols that apply to site visits in accordance with the RMA, and the primary reference.

**This unit standard is expiring. Assessment against the standard must take place by the last date for assessment set out below.**

<b>Replacement information</b>	This unit standard, unit standard 25196, unit standard 25197, and unit standard 25199 replaced unit standard 19421.
--------------------------------	---

#### Status information and last date for assessment for superseded versions

Process	Version	Date	Last Date for Assessment
Registration	1	18 September 2009	31 December 2023
Review	2	23 May 2019	31 December 2023

<b>Consent and Moderation Requirements (CMR) reference</b>	0046
--	------

This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.