

---

**Subject:** RLC Submissions Policy - Legal advice  
**Attachments:** Submissions policy 2023 - TW edits (Clean).docx; Submissions policy 2023 - TW edits (Tracked Changes).docx

**From:** Greg Kieck <[Greg.Kieck@rotorualc.nz](mailto:Greg.Kieck@rotorualc.nz)>  
**Sent:** Wednesday, 25 January 2023 10:29 AM  
**To:** Oonagh Hopkins <[Oonagh.Hopkins@rotorualc.nz](mailto:Oonagh.Hopkins@rotorualc.nz)>  
**Subject:** FW: RLC Submissions Policy - Legal advice

Hi Oonagh

Attached is the legal opinion/advice given over the submissions policy. There are some minor changes as well as piece added in about the hearing/verbal submissions process.

Thanks

**GREG KIECK** *Kaiwhakatere Whakapakari Mahere – Manager  
Corporate Planning and Strategy*  
P: 07 351 8187  
E: [Greg.Kieck@rotorualc.nz](mailto:Greg.Kieck@rotorualc.nz) | W: [rotorualakescouncil.nz](http://rotorualakescouncil.nz)  
A: 1061 Haupapa St, Private Bag 3029, Rotorua Mail Centre, Rotorua 3046, New Zealand



**From:** Linda O'Reilly s7(2)(a)  
**Sent:** Wednesday, 25 January 2023 10:20 am  
**To:** Greg Kieck <[Greg.Kieck@rotorualc.nz](mailto:Greg.Kieck@rotorualc.nz)>  
**Cc:** Theresa Le Bas s7(2)(a); Kahlia Goss s7(2)(a)  
**Subject:** RLC Submissions Policy

Kia ora Greg,

Happy New Year.

We have now reviewed the draft submissions policy sent through and made some edits and comments. **Attached** is a clean copy of the draft policy as well as a tracked change version showing our edits.

Please do not hesitate to contact us should you have any questions.

Ngā mihi.

TOMPKINS  
WAKE

Linda O'Reilly Special Counsel

P: s7(2)(a)

M:

Regionally Pre  
Nationally Focu  
Globally Conne

Auckland | Hamilton | Rotorua | Tauranga | New Zealand

[tompkinswake.com](http://tompkinswake.com)



This e-mail is a confidential communication between Tompkins Wake and the intended recipient. If it has been received by you in error, please notify us by return e-mail in and delete the original message. Email communications are not secure and Tompkins Wake does not guarantee them to be free of unauthorised interference, error or virus. Communicating with us by email it is taken that you accept this risk. Please refer to [www.tompkinswake.com](http://www.tompkinswake.com) for more information or to view our standard terms of engage

# Submissions Policy

Date Created	Next Review	Officer Responsible
8 February 2023	8 February 2025	Corporate Planning and Strategy Manager



## Introduction

Submissions are an important part of Rotorua Lakes Council decision-making process. A submission is formal feedback from an individual or an organisation/group in response to a Council proposal [or matter upon which a decision is required](#). It is one of the main ways Council can better understand the views on an issue and factor them into their decision-making.

This policy relates to handling submissions under the Local Government Act 2002 (including Annual and Long-term Plans). The principles in this policy may also be used for other areas of legislation. It does not cover submissions under the Resource Management Act 1991, where a separate process is [applied/required by legislation](#).

## Who can make a submission?

Anyone can make a submission regardless of his or her age or place of residence. You don't need to be a ratepayer to make a submission. Submissions can be made by individuals or representatives of an organisation, group, or agency.

## Submissions are public documents

Submissions are public documents. While personal contact details may be removed [from any publicly available copy](#), the submitter's name will be published unless they specify otherwise.

Only Council and relevant staff members will have access to un-redacted versions of submissions.

## Submission minimum criteria

To be considered, all submissions must include:

- First and last name
- Organisation, if appropriate.
- One of the following:
  - Postal address
  - Email address
- Telephone number – while not mandatory this may be helpful if you wish to arrange attendance at a Council Hearing.

## Accepted submission methods

Rotorua Lakes Council will receive submissions:

1. Online – through our Let's Talk engagement website:  
<https://letstalk.rotorualakescouncil.nz/>
2. By post – to: Rotorua Lakes Council, Private Bag 3029, Rotorua Mail Centre, Rotorua 3046



3. In person – Drop a form off at our Customer Centre in the Civic Centre, 1061 Haupapa Street, Rotorua, New Zealand.

## Accepted submission formats and languages

Rotorua Lakes Council will accept submissions that are:

- Written or spoken in English or Te Reo Māori;
- New Zealand Sign Language (NZSL) [\(subject to prior arrangement if submission to be presented in person\); and](#)
- Recorded as video or audio files.

Rotorua Lakes Council can provide assistance for people who need help to make a submission.

Note: [Guidance on the content of the submission](#) cannot be provided.

## Option to be heard

When required or requested Council will provide an opportunity to be heard at the end of the submission period. Persons wishing to speak in support of their submission must indicate this to Council in their submission. Where an electronic or printed submission form is made available, it will include an option to be heard.

At the end of the submission period, Council will notify all submitters wishing to be heard of the hearing date and these submitters will have the opportunity to present oral submissions. Speaking at a hearing allows submitters to highlight the main points of their submission, as well as allowing Council the opportunity to ask the submitter questions.

## Submission content conditions

Rotorua Lakes Council reserves the right to remove from consideration, any submission – in part or in full – that contains content that is clearly determined to be of the following nature:

1. Frivolous or vexatious
2. Offensive language
3. Discriminatory or derogatory
4. Personal threats or harassment of Councillors or staff members
5. Would be an abuse of the hearing process to allow the submission (or part thereof) to be taken further
6. Unrelated to Rotorua Lakes Council work (in which case Rotorua Lakes Council would endeavour to forward the submission to the appropriate agency (if they can be identified).

**Formatted:** Don't add space between paragraphs of the same style, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.63 cm + Indent at: 1.27 cm

**Formatted:** Don't add space between paragraphs of the same style

**Commented [KG1]:** Do you need warning to provide a translator? If so, we recommend noting this.



Submitters will not be unfairly denied the opportunity to make genuine submissions. Where there is uncertainty, the default position will be to allow the submission with every effort made to preserve as much of the content as possible.

Rotorua Lakes Council's ~~Chair Mayor~~ or Deputy ~~Mayor-Chair~~ and the Chief Executive will be jointly responsible for the final decision on whether any submission or part thereof should be removed from consideration.

Any substantial redactions or removals of submissions will be listed and provided to Council prior to deliberations.

### Late submissions

A late submission is any submission received after the indicated consultation closing date and time. For postal submissions, this is any submission post-marked after the consultation's closing date.

Late submissions may be accepted subject to a Council resolution before the hearing or deliberations begin. Acceptance of late submissions will be at Council's discretion. In considering whether to accept late submissions, Council will consider whether:

- the submission is received at a practical point in the process (e.g. before hearings begin); and/or,
- the submitter will have an unfair advantage over others.

### Result of submission

Once a decision is made, Council will provide all submitters with access to the decision as well as any explanatory material associated with the decision in such form as is most appropriate.

**Formatted:** Font: 14 pt

**Formatted:** Don't add space between paragraphs of the same style, Tab stops: Not at 4.17 cm

**Formatted:** Font: Bold

**Formatted:** Add space between paragraphs of the same style, Tab stops: 4.17 cm, Left



# Submissions Policy

Date Created	Next Review	Officer Responsible
8 February 2023	8 February 2025	Corporate Planning and Strategy Manager



## Introduction

Submissions are an important part of Rotorua Lakes Council decision-making process. A submission is formal feedback from an individual or an organisation/group in response to a Council proposal or matter upon which a decision is required. It is one of the main ways Council can better understand the views on an issue and factor them into their decision-making.

This policy relates to handling submissions under the Local Government Act 2002 (including Annual and Long-term Plans). The principles in this policy may also be used for other areas of legislation. It does not cover submissions under the Resource Management Act 1991, where a separate process is required by legislation.

## Who can make a submission?

Anyone can make a submission regardless of his or her age or place of residence. You don't need to be a ratepayer to make a submission. Submissions can be made by individuals or representatives of an organisation, group, or agency.

## Submissions are public documents

Submissions are public documents. While personal contact details may be removed from any publicly available copy, the submitter's name will be published unless they specify otherwise.

Only Council and relevant staff members will have access to un-redacted versions of submissions.

## Submission minimum criteria

To be considered, all submissions must include:

- First and last name
- Organisation, if appropriate.
- One of the following:
  - Postal address
  - Email address
- Telephone number – while not mandatory this may be helpful if you wish to arrange attendance at a Council Hearing.

## Accepted submission methods

Rotorua Lakes Council will receive submissions:

1. Online – through our Let's Talk engagement website:  
<https://letstalk.rotorualakescouncil.nz/>
2. By post – to: Rotorua Lakes Council, Private Bag 3029, Rotorua Mail Centre, Rotorua 3046





In person – Drop a form off at our Customer Centre in the Civic Centre, 1061 Haupapa Street, Rotorua, New Zealand.

## Accepted submission formats and languages

Rotorua Lakes Council will accept submissions that are:

- Written or spoken in English or Te Reo Māori;
- New Zealand Sign Language (NZSL) (subject to prior arrangement if submission to be presented in person); and
- Recorded as video or audio files.

Rotorua Lakes Council can provide assistance for people who need help to make a submission.

Note: Guidance on the content of the submission cannot be provided.

## Option to be heard

When required or requested Council will provide an opportunity to be heard at the end of the submission period. Persons wishing to speak in support of their submission must indicate this to Council in their submission. Where an electronic or printed submission form is made available, it will include an option to be heard.

At the end of the submission period, Council will notify all submitters wishing to be heard of the hearing date and these submitters will have the opportunity to present oral submissions. Speaking at a hearing allows submitters to highlight the main points of their submission, as well as allowing Council the opportunity to ask the submitter questions.

## Submission content conditions

Rotorua Lakes Council reserves the right to remove from consideration, any submission – in part or in full – that contains content that is clearly determined to be of the following nature:

1. Frivolous or vexatious
2. Offensive language
3. Discriminatory or derogatory
4. Personal threats or harassment of Councillors or staff members
5. Would be an abuse of the hearing process to allow the submission (or part thereof) to be taken further
6. Unrelated to Rotorua Lakes Council work (in which case Rotorua Lakes Council would endeavour to forward the submission to the appropriate agency (if they can be identified)).



Submitters will not be unfairly denied the opportunity to make genuine submissions. Where there is uncertainty, the default position will be to allow the submission with every effort made to preserve as much of the content as possible.

Rotorua Lakes Council's Mayor or Deputy Mayor and the Chief Executive will be jointly responsible for the final decision on whether any submission or part thereof should be removed from consideration.

Any substantial redactions or removals of submissions will be listed and provided to Council prior to deliberations.

### **Late submissions**

A late submission is any submission received after the indicated consultation closing date and time. For postal submissions, this is any submission post-marked after the consultation's closing date.

Late submissions may be accepted subject to a Council resolution before the hearing or deliberations begin. Acceptance of late submissions will be at Council's discretion. In considering whether to accept late submissions, Council will consider whether:

- the submission is received at a practical point in the process (e.g. before hearings begin); and/or,
- the submitter will have an unfair advantage over others.

### **Result of submission**

Once a decision is made, Council will provide all submitters with access to the decision as well as any explanatory material associated with the decision in such form as is most appropriate.

