

36. Resource Consents – Rules

36.1 Information to be Included With Land Use Consents

Section 88 of the Resource Management Act 1991 sets out the general procedure for making an application for a resource consent.

36.1.1 Every application for a resource consent shall provide a full description of the proposal and sufficient information to enable the Council and the general public to understand the nature of the proposal and its effects.

An assessment of effects on the environment shall be in accordance with the Fourth Schedule to the Resource Management Act 1991. Refer to Rule 36.3.2 for further information.

36.1.2 All applications shall include:

- a. names and addresses of all applicants and owners and occupiers of the land;
- b. address or location and full legal description, including a current copy of the certificate of title for the land subject to the application;
- c. reference to any other resource consent including Regional Council consents required with respect to the proposal;
- d. evidence of consultation with affected parties including tangata whenua and the results of that consultation;
- e. the purpose of the activity; and
- f. the location, timing and duration of the activity.

36.1.3 Plans shall be drawn to a metric scale (either 1:250, 1:200, 1:100 or an approved alternative) with a north point.

36.1.4 All plans shall show as a minimum:

- a. **Site Features:** Existing landscape and natural features including how the site is to be modified. Information to be provided must include: the location and manner in which areas are to be planted, grassed, sealed or paved, species planted and details of screening of structures or activities from the public view or from neighbouring properties.
- b. **Appearance:** Details indicating the location, design and appearance of all structures on the property. Design features that reflect the character of the area should be appropriately indicated.

- c. **Site Layout:** The total site development indicating all relevant boundaries, areas and dimensions including setbacks. In particular, it should show location of parking areas and landscaping and screening in relation to other site development and boundaries, and location of all existing and proposed structures and utility structures.
- d. **Access:** Vehicular and pedestrian access to the site and effects on public access. Regard must be had to the location, design and safety of access in relation to vehicular and pedestrian movement and in respect of vehicular movement on adjacent roads and intersections. The location of any adjoining off-street parking.
- e. **Car Parking:** The location, number and dimension of parking, loading, manoeuvring, queuing, and set down spaces and areas, and access.
- f. **Hazards:** All hazards should be identified and the means of avoiding, remedying or mitigating adverse effects of the activity specified.
- g. **Sites of Significance:** Any heritage items, places, buildings, notable plants and vegetation and habitat sites referred to in this Plan either on the site or on adjoining sites should be identified.
- h. **Designation:** Areas of sites subject to designation should be identified.
- i. **Recession Planes:** A cross-sectional diagram will show compliance with recession planes.

36.1.5 Applications shall include the following information:

- a. For contaminated sites health-based risk assessments carried out in accordance with the “Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites” (1992).
- b. Site restoration or remediation proposals.

36.2 Information to be Included with Subdivision Consents

36.2.1 Applications for subdivision consents shall include the information required for other resource consents set out in Rules 36.1.1 to 36.1.3, and the following additional information:

- a. The information required to define:
 - the position of all new boundaries;
 - except in the case of a subdivision to be effected by the grant of a cross lease or company lease or by the deposit of a unit plan, the areas of all new allotments;
 - the location and areas of new reserves to be created, including any esplanade reserves to be set aside on a survey plan under section 231;

- the location and areas of any esplanade strips to be created under section 232;
 - the location and areas of any existing esplanade reserves, esplanade strips, or access strips;
 - the location and areas of any land below mean high water springs of the sea, or of any part of the bed of a river or lake, which is required under section 237A to be shown on a survey plan as land to be vested in the Crown; and
 - the location and areas of land to be set aside as new road.
- b. The legal description and current copies of certificates of title for the land proposed to be subdivided.
 - c. A location diagram showing the proposed subdivision in relation to the District.
 - d. A plan at an appropriate scale (either 1:250 or 1:200 or an approved alternative) defining all allotments and balance areas.
 - e. Provision for vehicular access.
 - f. Legal descriptions of contiguous land.
 - g. Names of landowners of contiguous land where the consent application is a discretionary (restricted), discretionary, or non-complying activity.
 - h. Details of any land or structures on the land that is, or is likely to be, subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source.
 - i. All existing buildings, structures and significant topographical features such as land forms, watercourses, flood channels, trees, fences, pipes or drains.
 - j. A statement of yards, bulk and location of existing structures and a plan if requested.
 - k. The location and proximity of any heritage resources, notable plant, or vegetation and habitat site listed in the Plan.
 - l. The location and proximity of any archaeological or heritage sites, wetlands or natural features.
 - m. The location, and effects on any wahi taonga.
 - n. Existing and proposed services such as stormwater, sewerage, water supply, electricity and telephone, to be indicated on the subdivision plan.
 - o. Proposed tenure and use of access lots, rights of way and easements.
 - p. Location and areas of land to be set aside as new roads, corner splays, access and the width and grade of any road and access.
 - q. Sufficient accompanying information to enable the Council to determine whether the proposed subdivision meets the requirements of the Plan.

- r. Any proposed amalgamation conditions, covenants and consent notices.
- s. The standard of the legal roads providing legal frontage and access and their classification in the local hierarchy set by this Plan.
- t. Where a subdivision abuts a legal road, that is an arterial or strategic road, a written statement from the road controlling authority on the effects of the proposal.
- u. Provision for on-site drainage.
- v. Proposed areas of cut and fill.
- w. In the case of land to be subdivided in stages, the above information presented separately in regard to each stage for which subdivision consent is not immediately sought, with an indication of the proposed timing for each stage.
- x. In the case of land in the Rural Zone, or in the Localised Flooding Area, or the Outstanding Landscape Area, identification of any proposed building sites.
- y. A statement on fire safety requirements in regard to proposed party walls and structures on boundaries.
- z. Where a subdivision abuts a State Highway, a written statement from Transit New Zealand on the effects of the proposal.
- aa. Whether land to be subdivided is used for the use, storage, transshipment, or disposal of hazardous or contaminated material.
- ab. For contaminated sites health-based risk assessments carried out in accordance with the “Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites” (1992).
- ac. Site restoration or remediation proposals for contaminated sites.
- ad. For Lots 1 to 11 DP 60558 and Lots 1 and 2 DP 69390 and Lots 2 and 3 DP 18232, (former Oxford Part-time Farming Zone):
 - i. the Council will require an engineering report for each of the allotments:
 - indicating the suitability of the allotments for on-site disposal and treatment of liquid wastes,
 - identifying suitable building sites on each allotment,
 - identifying the location, method and design of on-site disposal and treatment of liquid wastes; and
 - ii. the appropriate locations for structures and liquid waste treatment and disposal systems shall be shown on the plan of subdivision.
- ae. On lots traversed by high voltage transmission lines, the location of those lines and a building platform that demonstrates Rule 31.1.1.13 can be complied with.

36.3 Assessment of Effects

36.3.1 For land use and subdivision consents, applications must include an assessment of any actual or potential effects that the activity may have on the environment and the ways in which adverse effects may be mitigated. The assessment of effects must be of such detail that is consistent with the scale and significance of the likely actual and potential effects of the proposal. In the case of a controlled activity, the assessment needs to cover only the matters over which control is reserved, as stated in the relevant rules.

36.3.2 The Fourth Schedule to the Resource Management Act 1991 sets out the matters which should be addressed in an assessment of effects. In preparing such an assessment, consideration should be given to any positive effect as well as any adverse effect. In addition to those matters specified in the Fourth Schedule, assessments should include, where appropriate, an assessment of effects on:

- a. adjacent activities in terms of such effects as noise, traffic generation, shade, dust, smell, glare;
- b. existing and proposed infrastructure including road networks, stormwater services, sewerage, water supply;
- c. disposal and storage of effluent, solid waste and hazardous substances;
- d. the social, economic and cultural wellbeing of the community;
- e. any special localities, heritage resources, notable plants, or vegetation and habitat sites identified in the Plan;
- f. amenity values of a locality;
- g. natural hazards;
- h. roads and public places; and
- i. the habitat of trout and salmon (including spawning sites).

36.4 Further Information

The Council may require an applicant to provide further information under section 92 of the Resource Management Act 1991. The circumstances in which further information may be required include where:

- i. applications do not cover the information requirements in enough detail for the consent authority to understand the nature of the activity, or the effect it will have on the environment, or the ways in which any adverse effects will be mitigated; or
- ii. there has been insufficient consultation with affected parties.

