

SCHEDULE 19.1 : INFORMATION REQUIREMENTS FOR RESOURCE CONSENT APPLICATIONS

1. INTRODUCTION

Council is responsible for considering applications for resource consents and for making decisions in terms of the District Plan and the Resource Management Act 1991. In order to ensure that the Council has adequate information to consider applications for resource consent and to make clear, well informed decisions, the applicant is required to provide such information as will enable the Council and interested parties to consider the application fully.

Section 75 of the Act requires Council to state in the plan what information is to be submitted with an application for resource consent and such information is required to be included in a application pursuant to section 88(4). Where insufficient information has been provided, Council may request further information under section 92 of the Act. The following sets out a general guide to resource consent applications, Council's requirements for information to be supplied with an application for land use and/or subdivision consent and establishes the circumstances in which further information may be requested.

2. DETERMINING WHEN A RESOURCE CONSENT IS REQUIRED

To determine whether a resource consent is required -

- (i) Establish from the planning maps which resource area the proposed activity is located in and whether the site is subject to any notation, designation, identified natural hazard, or other specific control (eg heritage precinct).
- (ii) Check whether the proposed activity is listed as a controlled, discretionary (restricted), discretionary, non-complying or prohibited within the rules for the resource area.
- (iii) Check whether the proposed activity complies with all of the rules for the resource area.
- (iv) Check whether the proposed activity complies with all of the rules that apply across the District (See Sections 12 to 17).

If the activity is classified as an activity of the type listed in (ii) or is in breach of the rules/standards for the particular resource area or the general rules that apply across the district, a resource consent is required prior to the commencement of that activity. Resource consent cannot be sought with respect to a prohibited activity.

Applicants should be aware that in some circumstances consents may be required from other consent authorities, particularly the Otago Regional Council. Circumstances can exist where an activity is a permitted activity in terms of the provisions of this District Plan but may still require the consent of the Regional Council, for example, for discharges to air or discharges to water. The functions of the Otago Regional Council are set out in Schedule 19.5 of this Plan.

Where an activity is permitted subject to standards, then the activity cannot proceed until such time as any standards stated in the Plan are complied with. In some instances proof of compliance or further information will be required before a building consent will be issued or the activity can commence. This may include:-

- (i) Provision of evidence of an appropriate level of services.
- (ii) Confirmation of height and location of buildings in respect of yard and other standards (rules).
- (iii) Access, parking, loading and manoeuvring provisions.

- (iv) Landscaping provisions.
- (v) Reports detailing how noise and other adverse effects are to be mitigated to comply with performance standards.
- (vi) Location of areas of fill and/or excavation.
- (vii) Areas of potential hazard including inundation, instability, slippage or subsidence.

2.1 The Resource Consent Procedure

The procedure for preparing and considering applications for resource consent is detailed in Parts VI and X of the Resource Management Act 1991.

2.2 Making An Application

An application for resource consent shall be in the prescribed form as set out in Form 5 of the Resource Management (Forms) Regulations 1991 and shall be accompanied with the appropriate deposit fee. Copies of the relevant forms and details of deposit fees are available at the Council's office.

3. INFORMATION TO BE SUPPLIED WITH A LAND USE CONSENT APPLICATION

The following information, is required to be submitted with an application for land use consent:

- (i) A comprehensive description of the activity for which consent is sought and of the site subject to the application.
- (ii) A location plan identifying the site in relation to legal roads, neighbouring properties and any distinctive physical features.
- (iii) A plan of the site subject to application drawn to scale on a standard international paper size, (A1, A2, A3 and A4). The plan shall show a north point, the date the plan was drawn, the plan title and the scale and shall detail the following information where relevant to the particular application:
 - site boundaries and boundaries of adjacent Certificates of Title.
 - the location with distances to site boundaries, of all existing and proposed buildings including their size, current and proposed use.
 - the general topographic features of the site including contours and spot heights (where appropriate).
 - the location of roads adjacent to the site including legal boundaries, carriageways and the formation status of the road and tracks within the site.
 - the location of proposed and existing accesses to the site and their design.
 - provision for parking, loading and on-site manoeuvring of vehicles.
 - the position of any easements over the site (including rights of way) and covenant areas.
 - the location of any water supply intakes or bores and effluent disposal areas on the site and on adjoining sites, including farm effluent disposal systems and/or areas.
 - areas of fill and excavations.
 - the location of any fences (existing and proposed).
 - areas of indigenous vegetation.
 - esplanade reserves and/or strips, access strips.
 - any watercourses, wetlands, drainage, systems, stop banks, ponds, or dams.
 - archaeological/heritage sites.
 - known hazards.
 - any relevant designations or notations.
 - proposed landscaping.
- (iv) A current copy of all relevant Certificates of Title for the site subject to application.

- (v) A statement specifying all other resource consents that may be required from any consent authority in respect of the activity to which the application relates, and whether these have been applied for or obtained.
- (vi) An assessment of any actual or potential effects that the activity may have on the environment and the ways in which those adverse effects may be avoided, remedied or mitigated. Any such assessment of effects shall:
- be prepared in accordance with the Fourth Schedule of the Act.
 - be in such detail as corresponds with the scale and significance of the actual or potential effect that the activity may have on the environment.
 - address those matters listed in the Plan.
 - in the case of an application for a controlled activity or a discretionary (restricted) activity, only address those matters over which the Council has reserved control, or to which it has restricted the exercise of its discretion.
 - include a description of the anticipated levels and characteristics of any dust and odour emissions at the boundary of the property.
 - identify the location of sensitive activities adjacent to and in the immediate vicinity of the subject site.
- (vii) Elevation plans and a description of the external appearance of any buildings or structures associated with the activity.

In addition to the above information the following may be required where appropriate to the particular land use activity proposed:-

- (i) A certificate may be required from a person suitably qualified in effluent disposal, which demonstrates that effluent can be safely disposed of within the site.
- (ii) Where any site or activity is located within an area prone or potentially prone to natural hazards, detailed information to describe the hazard and a report and recommendation from the Otago Regional Council and/or other relevant expert may be required.
- (iii) A description of any filling or excavation including the type of fill and the volume and depth of fill and excavation.
- (iv) A description and plan illustrating any signs proposed including the dimensions, height, lettering, colours, location, construction and any illumination.
- (v) A description of effects on any heritage items (including waahi tapu, archaeological sites, heritage trees and buildings) on the site and how the proposal recognises and provides for the values associated with the heritage item.
- (vi) A description of the anticipated level and characteristics of any noise, vibration, glare, odour, dust and/or electrical interference that may be generated and the ways in which these effects will be avoided, remedied or mitigated.
- (vii) A description of any hazardous substances (including waste) to be stored, used or generated on site including a description of the proposed method of containment (including in the event of emergencies) and the routes and methods of transport to and from the site.
- (viii) A description of the potential impact on public access to and along any affected water body.

The Council retains the discretion to require information in addition to that listed above, and to waive the provision of the information as listed, where adequate information is lodged to fully describe the proposal and to enable the effects of an activity to be fully understood.

4. INFORMATION TO BE SUPPLIED WITH A SUBDIVISION CONSENT APPLICATION

The following information is required to be submitted with an application for subdivision consent:

- (i) A location plan identifying the site in relation to legal roads, neighbouring properties and any distinctive physical features.
- (ii) A plan of the proposed subdivision that is drawn to scale and shows the following:-
 - The position of all new boundaries and adjacent roads.
 - The areas of all new allotments, except for subdivision to be effected by the granting of a cross lease or company lease or by the deposit of a unit plan.
 - 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 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 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.
 - The location and areas of all land to be set aside as new road.
- (iii) A schedule of all rights of way, water supply, drainage and other easements to be granted or reserved.
- (iv) A legal description of the site and current copies of all relevant Certificates of Title for the land subject to application.
- (v) A statement specifying all other resource consents that may be required from any consent authority in respect of the activity to which the application relates and whether these have been applied for.

In addition to the above, the following is to be provided where appropriate to the particular subdivision-

- (i) For a discretionary (restricted), discretionary or non-complying activity an assessment of any actual or potential effects that the activity may have on the environment and the ways in which these adverse effects may be avoided, remedied or mitigated. Any such assessment of effects shall:
 - be prepared in accordance with the Fourth Schedule of the Act.
 - be in such detail as corresponds with the scale and significance of the actual or potential effect that the activity may have on the environment.
 - address those matters listed in the plan.
 - in the case of a discretionary (restricted) activity, only address those matters over which the Council has restricted the exercise of its discretion.
- (ii) The location of public telephone, electricity, street lighting, water, sewerage or stormwater reticulation, or provision to be made for such services to meet the needs of the subdivision.
- (iii) The name and width of roads adjacent to the subdivision; the location of carriageway, kerb and channel, footpaths and crossing places and a cross section and details of any roads to be constructed.
- (iv) Details of any amalgamation conditions proposed.
- (v) Confirmation of whether a resolution is required to authorise an allotment without road frontage in terms of section 321 of the Local Government Act 1974.
- (vi) Information to demonstrate that land is not or is not likely to be subject to material damage by erosion, falling debris, subsidence, slipping or inundation, or if it is, information to confirm that such effects will be avoided, remedied or mitigated.

- (vii) Any other information that may be required in terms of the Council's Code of Practice for Urban Subdivision.

The Council retains the discretion to require information in addition to that listed above, and to waive the provision of the information as listed, where adequate information is lodged to fully describe the proposal and to enable the effects of an activity to be fully understood.

5. FURTHER INFORMATION

Further information may be required from an applicant where the Council considers that this is necessary to:-

- Better understand the nature of the activity;
- To assess the effects it may have on the environment;
- To assess the ways in which adverse effects may be avoided, remedied or mitigated; or
- To assess how any subdivision resource consent application may affect any probable future land use activity.

Council may also commission a report, at the applicants expense, on any matters raised in relation to the application or on any environmental assessment or environmental effect. In particular, a report may be commissioned where:-

- The site is subject to or potentially subject to a natural hazard;
- The activity involves the use or storage of a hazardous substance; or
- The activity may, in the opinion of the Council, give rise to significant adverse effects.

Such a report will generally only be commissioned where the applicant is unable to provide satisfactory information or where an independent opinion is considered necessary by the Council.

6. CONSULTATION

All applications for resource consent shall be accompanied by a statement identifying those persons likely to be interested in or affected by the activity, and a description of the consultation undertaken with those parties and the outcomes of that consultation. Depending upon the nature of the proposal, parties affected by the activity may include Kai Tahu ki Otago, Transit New Zealand, Otago Regional Council, Department of Conservation, Fish and Game Otago, other agencies and adjoining landowners.

Supplying the written approval of affected persons may facilitate the non-notification of the application.

7. PUBLIC NOTIFICATION

Attention is drawn to sections 93-98 of the Act which establish the procedure with respect to the non-notification or notification of applications and for lodging submissions in response to a notified application.

8. HEARINGS

Attention is drawn to sections 100-103 of the Act which state the procedure to be followed with respect to any hearing of an application for resource consent.