

# Application for Resource Consent

Resource Management Act 1991 – Form 9

PRINT CLEARLY WITH BLUE OR BLACK PEN

## 1. APPLICATION TYPE (TICK ONE)

- Land Use  
 Subdivision  
 Other : \_\_\_\_\_

<b>Office Use only</b>	Consent No.
Date Received	Deposit Paid Y <input type="checkbox"/> N <input type="checkbox"/>
	Receipt Number:

## 2. THE LOCATION OF THE PROPOSED ACTIVITY

Street Number \_\_\_\_\_ Street Name \_\_\_\_\_  
Town \_\_\_\_\_  
LEGAL DESCRIPTION : Lot(s) \_\_\_\_\_  
DP/S \_\_\_\_\_

## 3. THE OWNER AND OCCUPIER OF THE LAND

Full Name/Company \_\_\_\_\_  
Mail Address \_\_\_\_\_  
Phone (daytime) \_\_\_\_\_  
Fax \_\_\_\_\_  
Mobile phone \_\_\_\_\_  
Email \_\_\_\_\_  
Attention \_\_\_\_\_  
Ph \_\_\_\_\_

## 4. THE APPLICANT

Full Name/Company \_\_\_\_\_  
Mail Address \_\_\_\_\_  
Phone (daytime) \_\_\_\_\_  
Fax \_\_\_\_\_  
Mobile phone \_\_\_\_\_  
Email \_\_\_\_\_  
Attention \_\_\_\_\_  
Ph \_\_\_\_\_

## 5. THE PROPOSAL (use additional pages if necessary)

DESCRIBE WHAT IS TO BE CARRIED OUT ON THE SITE, INCLUDING A LIST OF WAYS IT DOES NOT COMPLY WITH THE WDC DISTRICT PLAN

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## 7. OTHER CONSENTS

HAVE YOU APPLIED FOR OR REQUIRED TO APPLY FOR ANY OTHER CONSENTS FOR THIS PROJECT

- WDC : Subdivision Consent
- Land Use
- Environment Waikato : Water Permit
- Environment Waikato : Other, please specify :

HAVE YOU APPLIED FOR A PIM AND OR BUILDING CONSENT FOR THIS PROJECT : Y  N

## 8. SIGNATURE OF APPLICANT

I certify that the information contained in this application is true and correct and I agree to pay all actual and reasonable costs incurred by Council in processing this application.

\_\_\_\_\_  
Signature of application or person authorised to sign on behalf of Applicant

\_\_\_\_\_  
Date

## 9. NOTE TO APPLICANTS

1. You may apply for 2 or more resource consents that are needed for the same activity on the same form,
2. All applicants are asked to check the accuracy of the information supplied. Inaccuracies in information supplied can cause difficulties at a later date, such as additional costs, delays, and legal proceedings initiated by the Council and/or by other persons.
3. If the resource consent is granted the applicant has a legal obligation to comply with any conditions of the consent.
4. The required **MINIMUM APPLICATION FEE** must be paid before processing of any application will start. Please refer to our fees and charges [www.waitomo.govt.nz](http://www.waitomo.govt.nz) or call our customer services for details.
5. **A FURTHER INVOICE** will be sent **TO THE APPLICANT** when the processing of this application has been completed and the cost of processing it exceeds the minimum application fee paid.
6. The application for resource consent under the Resource Management Act 1991 is in addition to any building consent application required under the Building Act 2004.
7. Other consents/licences may also be required under such legislation as the Health Act 1956 and Sale of Liquor Act 1989.
8. The written approval of persons the Council considers may be adversely affected by the proposal may be required as part of the application, if it is to be processed on a non-notified basis. This will be determined after the application has been lodged and assessed.
9. Consultation with neighbours and other affected persons is the responsibility of the applicant.
10. When this application is lodged with WDC it becomes public information and is available for public inspection. If there is commercially sensitive information in the proposal, please let us know.
11. If your application is **INADEQUATE, IT MAY BE RETURNED TO THE APPLICANT UNPROCESSED**. If additional information is required, you will be advised and processing of the application will be suspended until the information is received. To avoid delays and cost it is in your best interest to submit a complete application.

# CHECKSHEET : Application for Resource Consent : LANDUSE

A land use resource consent is written approval from council to use your land in a way that does not comply with the District Plan or is listed in the District Plan as an activity specifically requiring resource consent. The District Plan is a book of rules for particular activities and developments for the Waitomo District. You can view a copy of this plan by visiting our website at [www.waitomo.govt.nz](http://www.waitomo.govt.nz), or at the council offices.

This checklist has been produced to assist you in the preparation and lodgement of your LANDUSE resource consent application. **TICK** each box which is relevant and ensure you attach the information

- APPLICATION FORM**
- APPLICATION FEE**
- SITE AND LOCALITY PLAN** : Always supply an accurate site plan (drawn to scale) showing:
  - All legal boundaries
  - All proposed and existing buildings on site.
  - Accurate distances to boundaries, and distances between buildings. (These measurements to be to the nearest part of the building).
  - All points of access (vehicular) to the site
  - Significant areas of vegetation/plantings
  - North point
  - Easement, public drains, and service connections (where known). Stormwater, sewer, soakage, effluent disposal, manholes and gas line.
- ELEVATION DRAWING OF ALL PROPOSED STRUCTURES**, showing relationship of proposed buildings including:
  - The natural ground level
  - Existing and finished ground levels
  - Maximum building height and relevant height plane angle(s)
- COPIES OF RELEVANT CERTIFICATE OF TITLES**
- DETAILS OF ANY EASEMENT APPLYING TO THE SITE, THAT IS, WHO IS IT GRANTED IN FAVOUR OF, WHAT IS ITS PURPOSE.**
- AEE**

All applications for resource consent must be accompanied by an assessment of environment effects (AEE). WDC will be able to advise you on what information you need to include. If your project could have significant effects on the environment, you may need specialist advice to prepare the AEE.

  - An assessment of the actual and potential effects on the environment of your activity.
    - For example, what are the effects on the following:
      - land, water, and flora and fauna
      - people
      - infrastructure
      - traffic and parking
      - cumulative effects - effects that can build up over time or occur in combination with other effects.
  - A description of ways in which adverse environmental effects can be avoided, remedied or mitigated.
  - Identification of the persons affected by the proposal, the consultation undertaken, if any, and any response to the views of any person consulted.
  - All resource consents for discretionary and non-complying activities will require an explanation of how, once the proposal is approved, effects will be monitored and by whom.
  - For contaminants, an assessment of the nature of the discharge and sensitivity of the receiving environment to the adverse effects and any possible alternative methods of discharge, including discharge into any other receiving environment.
  - Where any activity includes the use of hazardous substances and installations, and assessment of risks to the environment which are likely to arise from such use.
- AFFECTED PARTY APPROVAL FORM(S)**

Ensure that written approval(s) from all affected persons has been obtained.

# AFFECTED PARTIES WRITTEN APPROVAL

Resource Management Act 1991 : Section 94

The written approval of affected parties is required in order for this application to proceed on a non-notified basis. Please note: Council requires the approval of all legal owners and occupiers of an affected property. If the owner and occupier are different, please use a separate form.

PLEASE READ THE NOTES OVERLEAF BEFORE COMPLETING THIS FORM

## I / WE:

Full Name/Company _____
<input type="checkbox"/> being the owner/s and occupier/s
<input type="checkbox"/> being the owner/s
<input type="checkbox"/> being the occupier/s
Of the Property at _____

## HAVE SEEN THE APPLICATION OF:

Full Name/Company _____
Street Number _____ Street Name _____
_____ Town _____

## FOR THE PROPOSED:

_____
_____
_____
_____

## AND HAVE SIGNED ALL OF THE FOLLOWING:

<input type="checkbox"/> This form
<input type="checkbox"/> A description of the proposal
<input type="checkbox"/> Elevation plans
<input type="checkbox"/> Site plan

**You should only give your written approval if you clearly understand the proposal and its possible effects on you. You do not have to give your written approval if you do not wish to.**

## AND HEREBY GIVE APPROVAL

Signature: _____
Date : _____
Full Name _____
_____
Mail Address _____
_____
Phone (daytime) _____
Mobile phone _____
Email _____

Signature: _____
Date : _____
Full Name _____
_____
Mail Address _____
_____
Phone (daytime) _____
Mobile phone _____
Email _____

**1 WHY HAVE I BEEN ASKED FOR MY APPROVAL?**

You have been consulted and/or asked to give written approval to a proposal, because you are the owner or occupier of land or a building and may be affected in some way by a proposal in your neighbourhood. You are under no obligation to sign the consent form or any development plans for the proposal.

**2 WHO DECIDES WHO IS AFFECTED BY A PROPOSAL?**

A Council Planner makes the decision as to who may be affected and whose written approval is required.

**3 WHAT HAPPENS IF I GIVE MY APPROVAL?**

If you give your written approval, pursuant to section 104(6) of the Resource Management Act 1991, Council is not able to take into account any adverse effects on you.

If you and the other people likely to be affected have given your written approval, the Planner makes a recommendation and the decision on the application is made under delegated authority and usually no hearing is held.

It is very important that you understand a proposal fully before you give your written approval. If you are in any doubt, contact a member of the Council's Planning staff to discuss a proposal or its possible effects. It is acceptable for you to request that you be given some time to consider the application before you decide whether or not to give your approval to the proposal.

**4 HOW MUCH INFORMATION SHOULD I BE GIVEN?**

You should be given enough information to understand the proposal and how it will affect you.

**5 CAN I ASK FOR CHANGES TO AN APPLICATION?**

You can ask an applicant to change their proposal; for example by reducing the hours or by providing screening so that the possible side effects on you are minimised or avoided.

**6 CAN I PUT CONDITIONS IN MY WRITTEN APPROVAL?**

Council will not accept a written approval with conditions. If you request any conditions to your approval, please ask the applicant to amend their application to reflect these changes. These changes can only be included in the application if they can be enforced as a condition of Council's consent. In some cases a separate agreement between you and the applicant might be made.

**7 CAN I REFUSE TO GIVE WRITTEN APPROVAL?**

Yes. You do not have to explain your reasons but it is helpful to the applicant if you do. You can let the Council know so that your refusal can be recorded on the file.

**8 WHAT HAPPENS IF I REFUSE TO GIVE WRITTEN APPROVAL?**

If any of the people likely to be affected have not given written approval then the Planner cannot make a decision on the application. The applicant does however have the right to make a notified application. Council would advise you if this happens and you would have the opportunity to make a submission.

**9 CAN I CHANGE MY MIND?**

You can withdraw your written approval at any time up until Council issues a decision. You must advise Council in writing that your approval has been withdrawn. You should also let the applicant know.

# CHECKSHEET : Application for Resource Consent : SUBDIVISION

The following checklist details each question in the District Plan on subdivision and is designed to help you to prepare a subdivision application. Please note that it may not cover absolutely every situation and further information may be required by Council staff on specific applications. If you have any questions please feel free to contact the District Planner at this office.

Where you have answered yes to the first question, your assessment of the issue should cover matters raised in the further questions relating to that issue.

You should answer every question for both new allotments AND the balance areas, in any application for subdivision.

- APPLICATION FORM**
- APPLICATION FEE**
- SITE AND LOCALITY PLAN** : Always supply an accurate site plan (drawn to scale) showing:
  - Position of all existing and proposed boundaries,
  - Existing buildings and any proposed building platforms
  - Existing and proposed entrances
  - Location and areas of any proposed reserves including esplanade reserves;
  - Any other features of the site relevant to the application, including topographical features, hazards, archaeological sites, existing easements, farm tracks etc.
- COPIES OF RELEVANT CERTIFICATE OF TITLES**

## QUESTIONNAIRE

### 1 WILL ANY ADDITIONAL NEW TITLES BE CREATED?

- How many new titles will be created? (do not include the balance lot or titles for access, network utility operation or reserve purposes) 

Y	N
---	---
- Are the allotments being created for reserve, road, access, or public utility purposes? 

Y	N
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### 2 DOES THE SITE FRONT ONTO A STATE HIGHWAY (and will not gain legal access from another road)?

If you answered **YES**, please provide the written comments and recommendations of Land Transport New Zealand with respect to your proposal. 

Y	N
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### 3 VEHICLE ACCESS

Will a new vehicle entrance be needed or will the existing vehicle entrance have to be relocated or upgraded? 

Y	N
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- Will 2 or more lots use the same entranceway/ROW or access lot? 

Y	N
---	---
- Are existing entranceways designed and formed to Council Standards? 

Y	N
---	---

You can discuss entranceway requirements with WDC Engineering Staff (Roading) prior to making a subdivision application.

### 4 EASEMENTS

- Do any services cross your site? 

Y	N
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If **YES**, necessary easements to provide for services that cross private land shall be shown on the preliminary plan of subdivision.

## 5 SEWAGE DISPOSAL

- Does this site lack a reticulated sewerage treatment system or will sewage be disposed of on the site?  Y  N
- Where sewage can be disposed of via an existing sewage treatment reticulation system, is a connection to the system provided at the boundary of each allotment?  Y  N
- Where sewage cannot be disposed of via an existing sewage treatment reticulation system, is each allotment greater than 2500m<sup>2</sup> in area?  Y  N

If **YES**, please provide details of the method by which sewage will be disposed of on each allotment (the location or existing and proposed sewage disposal areas should be shown on the plan of subdivision).

If **NO** – a resource consent for an alternative sewage disposal method on a smaller area must be approved by Environment Waikato.

## 6 WATER SUPPLY

- Does the site lack a water supply?  Y  N
- Where water can be supplied via an existing urban reticulated water supply system, is a connection to the system provided at the boundary of each allotment?  Y  N
- Where water cannot be supplied to each allotment from an urban reticulated system please provide details of how water will be supplied to each allotment.  Y  N
- Have existing water supply lines (their location should be shown on the plan of subdivision) which cross proposed allotment boundaries been disconnected, or has their status been protected by an easement registered against the title of the land?  Y  N
- 

## 7 ELECTRICITY, GAS AND TELEPHONE SERVICES

- Are electricity and/or telephone services still to be connected to the site?  Y  N
- Is the property traversed by existing aerial power supply or telephone lines?  
If **YES**, please show the location of the lines on the scheme plan.  Y  N
- Where the allotments are located within an urban area which is serviced by an existing electricity supply and telephone system, is an underground connection provided at the boundary of each allotment?  Y  N
- Does the site contain, or is it located within 20 metres of, a gas pipeline or high voltage transmission line?  Y  N
- Are any of the allotments located within 20 metres of a gas pipeline or high voltage transmission line?  Y  N

If **YES** – have building line restrictions in respect of the lines been registered on the title of the property/properties to be subdivided?

If **NO** - please provide an assessment of the effect of the design of each allotment on the gas pipeline and/or high voltage transmission line plus the written comments and recommendations of the relevant line authority.

## 8 FLOODING?

- Is the site liable to flooding by fresh water or seawater?  Y  N
- Are the allotments protected by flood protection works?  Y  N

If **NO** – are habitable room floor levels 0.5 metres (minimum) above the known design flood levels, or an adequate size to accommodate proposed buildings.

- Where sewage is disposed of on-site is it able to be undertaken on an area of each allotment that is not liable to flooding? (Areas liable to flooding should be shown on the plan of subdivision).  Y  N

If **NO** – please provide details of how sewage will be disposed of without contaminating water sources.

## 9 NATURAL HAZARDS

- Is there any evidence of erosion, falling debris, subsidence or slippage on the site?  Y  N

If **YES** – please provide an assessment of the effect of erosion, subsidence or slippage on the design of each lot plus the written comments and recommendations of a registered engineer with respect to your proposal. Please include a plan of the proposal showing areas liable to natural hazards. The assessment should propose measures to avoid, remedy or mitigate any identified adverse effects.

- Where the allotments are located within the rural effects area is a connection to an existing telephone system and electricity supply system provided at the boundary of each allotment?  Y  N

If **NO**, please provide written evidence from the appropriate service providers that each allotment is capable of being serviced by an electricity supply system and telephone



system;  
or demonstrate that an alternative supply of energy and/or external telecommunication can be made available for each allotment.

#### 10 LANDFILL

- Is there fill on site, or will any part of the site be filled?

Y  N

If **YES** – please provide an assessment of the effect of fill on the design of each lot (including upon stormwater drainage and ponding areas) plus the written comments and recommendations of a registered engineer with respect to your proposal. Please include a plan of the proposal showing areas of fill, and/or areas to be filled. The assessment should propose measures to avoid, remedy or mitigate any identified adverse effects.

#### 11 BUILDING PLATFORM

- Does the site lack an identified suitable building platform of adequate size to accommodate the proposed building?
- Does an alternative to the provision of a complying building platform exist?  
Please provide details in your application.

Y  N

Y  N

#### 12 NEW ROADS

- Will any new road be created in the proposed subdivision?

Y  N

If **YES** – please provide an assessment of the effect that the road may have on the environment.

This should propose measures to avoid, remedy or mitigate any identified adverse effects. In addition a road development plan is to be submitted with the application setting out the following information:

- Scale plans showing the area of land on which the road is to be developed including
- contours and natural features;
- The design, method and standard of road construction;
- Provisions for stormwater disposal, kerb and channelling, footpaths, fire hydrants, road markings, landscaping and street lighting;
- Timetable of road development costs and liability responsibilities.
- The written comments and recommendations of WDC Engineering staff (Roading) should also be provided with the application.

#### 13 NATURAL WATERWAYS

- Is The Site Located Within 20 Metres Of The Coastal Marine Area?
- Is There A Stream Or River Over 3 Metres Wide Or A Lake, On Or Adjoining The Site?

Y  N

Y  N

If **YES**, please provide an assessment of the effects of the proposal on public access and conservation values of the river/stream and or coastal environment including the written comments and recommendations of Environment Waikato.

#### 14 TREES, SIGNIFICANT VEGETATION, HERITAGE SITES OUTSTANDING NATURAL FEATURES

- Does your site contain, areas of significant indigenous vegetation, indigenous or exotic trees; wetlands; outstanding natural features, or sites of special heritage value.
- Is the landuse activity resulting from subdivision likely to threaten significant ecological, natural and heritage values?
- Is there a need for access through these areas for farming or pedestrian purposes?

Y  N

Y  N

Y  N

#### 15 HERITAGE RESOURCES

- Does the site contain any archaeological, historical or cultural sites?

Y  N

If **YES**, what type of site is it? \_\_\_\_\_

- Is the site registered on the title of the property to be subdivided or is it legally protected in some other way?

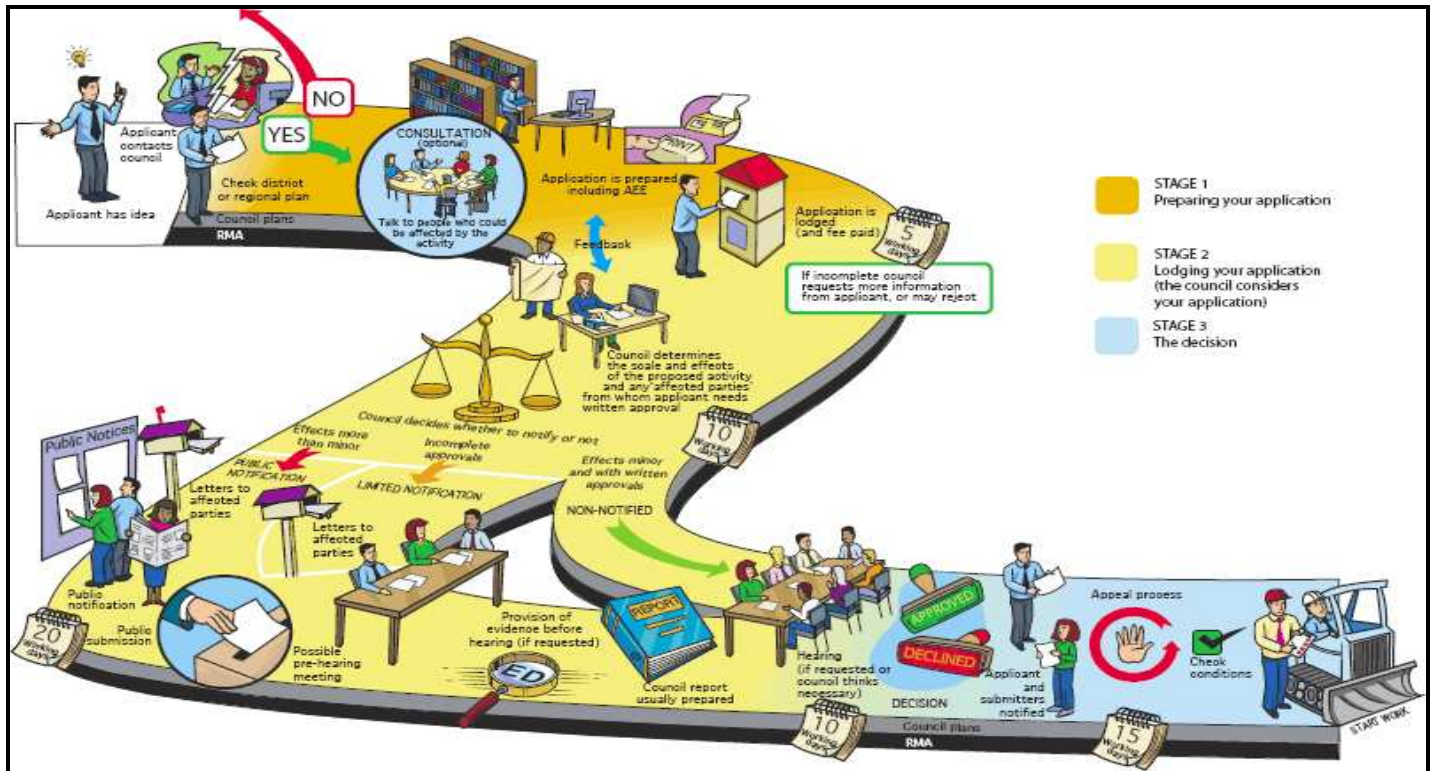
Y  N

If **YES**, provide details

If **NO**, please provide an assessment of the value of the site and the written comments and recommendations of the Historical Places Trust, Iwi, or the New Zealand Archaeological Association (as appropriate) with respect to your proposal. The assessment should include the physical location of the site as identified (by one of the above or by a suitably qualified expert) and the site should then be shown on the subdivision plan in relation to lot boundaries.

# GUIDANCE NOTES: Application for Resource Consent

## GENERAL LIFECYCLE OF A RESOURCE CONSENT



### NOTIFIED APPLICATIONS

In some cases, the council will decide to notify your application, either generally, or to a specific group of people it considers are potentially affected. This might happen when affected parties don't give approval or if the council decides the effects of the activity are more than minor. Public notification allows people to make submission, and hearings into the application are often then held. Generally, the likelihood of notification depends of the scale and significance of your project.

### CONSENT APPROVAL

The council will inform you whether your application has been approved or declined and provide you with a copy of its decision. If your application is approved, you should:

- understand any conditions attached to your resource consent
- note whether you (or the council) are obliged to monitor compliance with those conditions
- note whether the activity for which our resource consent has been granted has an expiry date
- check the timeframe for starting the activity. In many cases a resource consent may lapse if work hasn't started within 5 years from the date the consent was granted.

### CONSENT DECLINED

If your application is declined, or if it is granted subject to conditions that you are unhappy with, you have a couple of options.

- You can make a formal objection to the council. You will be able to attend a hearing on your objection.
- You can also lodge a formal appeal with the Environment court if you are unhappy with the council's decision on your application and/or on your objection. The environment court makes an independent decision and has the same power as a district court.

### RIGHT TO APPEAL

If submitters are unhappy with the council's decision (on a notified application) they also have a right to appeal. If your application was publicly notified, you must allow time to people to lodge an appeal. In such cases, you can't start work until the appeal period ends without any appeals being lodged (15 working days) or after any appeals that are lodged are either determined or withdrawn. The appeal process can be very costly. The court submission costs are a small part of the total expenses. Consult a professional for advice if you want to make an appeal or if any appeal is lodged against the council's decision on your application by another party. They can tell you how much it will cost, how long it will take, and your chance of success.