

RESOURCE CONSENT APPLICATION GUIDE

PLEASE READ CAREFULLY BEFORE SUBMITTING AN APPLICATION

Resource Consents and the Mackenzie District Plan

The Mackenzie District Plan (District Plan) sets out rules and related information which will help you to determine whether you need a resource consent. The District Plan may be viewed at the Mackenzie District Council offices in Main Street, Fairlie and Market Place, Twizel. An online version is available on our website at www.mackenzie.govt.nz.

The [Resource Management Act 1991](#) (the Act) provides the legal framework for resource management decision making. It governs the management of land, subdivision, water, soil resources, the coast, air and pollution (including noise). The purpose of the Act is to promote the sustainable management of natural and physical resources.

A resource consent, issued under the Act, allows a person or an organisation to carry out an activity that will use natural or physical resources or have an effect on the environment. Mackenzie District Council issues resource consents for:

- **Land use consent:** required to use land, including the surface of water in a way which is not permitted as of right under the District Plan.
Note: existing use rights continue to apply where maintained in accordance with Section 10, 10A and 10B of the Act.
- **Subdivision consent:** required where any person wishes to sell part of the land contained in an allotment or lease part of the land contained in an allotment or lease part of the land for a period of 35 years or more (including rights of renewal) unless expressly allowed by a rule in a District Plan.

Note: it should be specified whether the subdivision is for fee simple, cross-lease, lease of land or unit title.

Activities Requiring Resource Consent

The Act and District Plan divide land use activities into five different categories. To ascertain what activity your proposal is, refer to the rules in the District Plan and identify which of the following applies:

- **Permitted activity:** The activity is allowed without Council's consent, provided it complies with any conditions or standards specified in the Plan.
Note: there are no permitted subdivision activities.
- **Controlled activity:** Consent must be granted, but Council reserves the right to impose conditions. Conditions imposed will be limited to the matters over which control is reserved in the District Plan.

- **Restricted Discretionary activity:** Consent may be declined or granted, with conditions restricted to the matters over which discretion is reserved in the District Plan.
- **Discretionary activity:** Council may grant or decline an application based upon Council's consideration of criteria specified in the Act and the District Plan. Council may impose any reasonable condition it deems necessary.
- **Non-complying activity:** Though the activity is not prohibited under the District Plan, it contravenes the Plan to a higher degree and may be considered as being discouraged in that zone. Consent may be granted or declined upon Council's consideration of criteria specified in the Act and the District Plan.
- **Prohibited:** expressly prohibited and no consent can be granted.

Whether your proposal is a Controlled, Restricted Discretionary, Discretionary or Non-Complying Activity, the goal of your application is to prove to the Council that the environmental effects of your proposal will not be more than minor.

Making an Application

To make an application for a land use and / or subdivision consent, please complete the attached application form, gather all the information required and submit to Council with the required application deposit (see [Schedule of Fees and Charges](#)).

The Act requires that information accompanying each application be sufficient to enable it to be readily understood. Further information may be requested before a determination is made on how the application is to be processed. A well prepared application, covering all aspects of the proposal will generally be processed in less time and incur less fees than one which contains insufficient information.

1. Information Required in all Applications

An application for resource consent for an activity must include the following:

- i. A description of the proposed activity;
- ii. A description of the site at which the activity is to occur;
- iii. The full name and address of each owner or occupier of the site;
- iv. A scaled site plan showing:
 - Location of all existing and proposed buildings and distances to boundaries;
 - Location of landscape features including trees and waterways;
 - Existing and proposed access points and internal roading;
 - Existing and proposed car parking areas;
 - Location of existing septic tanks and effluent drainage lines;
 - Details of existing and proposed landscaping;
 - Location of existing and proposed signs;
 - Areas and dimensions of property;
 - Roads onto which the property has frontage.
- v. A description of any other activities that are part of the proposal to which the application relates;
- vi. A description of any other resource consents required for the proposal to which the application relates;
- vii. An assessment of the activity against any relevant provisions of the District Plan.
- viii. An assessment of the activity's effects on the environment (please see Section 6 of this document).

2. Additional Information Requirements for Subdivision

An application for a subdivision consent must also include information that adequately defines the following:

- i.* The position of all new boundaries;
- ii.* The areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan;
- iii.* The locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips;
- iv.* The locations and areas of any existing esplanade reserves, esplanade strips and access strips;
- v.* The locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A;
- vi.* The locations and areas of land to be set aside as new roads.

3. Additional Information Requirements for Reclamations

An application for a recourse consent for a reclamation must also include information to show the area to be reclaimed, including the following:

- i.* The location of the area;
- ii.* If practicable, the position of all new boundaries;
- iii.* Any part of the area to be set aside as an esplanade reserve or esplanade strip.

4. Additional Information Required in some Applications

An application may also include any of the following that apply:

- i.* if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1));
- ii.* if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A));

5. Further Information as Required to Demonstrate Compliance with the District Plan

Reference to the District Plan will indicate if any further information is required to demonstrate that your proposal would comply with the Plan. This may include:

All resource consent applications

- i.* Results of consultation with interested or affected parties e.g. Papatipu Rūnanga, New Zealand Transport Authority, Department of Conservation;
- ii.* Reports from relevant experts where the site is subject to natural or other hazards e.g. flood, erosion, soil contamination;
- iii.* Reports from other relevant experts e.g. landscape architect or ecologist;
- iv.* Detail of proposed earthworks or fill including volume;
- v.* Aerial photographs of the site;
- vi.* Proposed landscaping plans;
- vii.* Management plans.

Land use consent applications

- i.* Building plans and applications (including demonstration of existing and finished ground levels and materials / colours of exterior cladding of proposed buildings);
- ii.* Photographs or artists impressions of buildings or activities;
- iii.* Design and colour of proposed signage;
- iv.* Permits or licenses already obtained.

Subdivision consent applications

- i.* Existing buildings and topographical features and contours of the land;
- ii.* Easement or covenant areas;
- iii.* The location of any existing and/or proposed connections to services;
- iv.* Access arrangements;
- v.* Reports on the quality or adequacy of the proposed water supply or stormwater disposal method;
- vi.* Proposed lighting plans;
- vii.* Suggested street names;
- viii.* Information on staging of the subdivision;
- ix.* Amalgamations;
- x.* Reserve or other financial / land contributions;

6. Assessment of Environmental Effects

An Assessment of Environmental Effects (AEE) must include such detail as corresponds with the scale and significance of the effects that the proposal may have on the environment. The assessment accompanying your application form should include the following information:

- i.* Where it is likely that an activity will result in any significant adverse effect on the environment, a description or possible alternative locations and/or methods for undertaking the activity;
- ii.* An assessment of the actual or potential effect on the environment of the proposed activity. Such effects may include:
 - Any effect on neighbours and, where relevant, the wider community, including any socio-economic and cultural effects;
 - Any physical effect on the locality, including landscape and visual effects;
 - Any effect on ecosystems, including effects on plants and animals and any physical disturbance of habitats in the vicinity;
 - Any effect of natural or physical resources, having aesthetic, recreational, scientific, historical, spiritual, cultural or other specific value for future generations;
 - Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants;
 - Any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use hazardous substances or hazardous installations.
- iii.* An assessment of any risks to the environment which are likely to arise from the use of hazardous substances and installations;
- iv.* A description of the mitigation measures (safe guards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect;

- v. An identification of those persons interested in or affected by the proposal, consultation undertaken and any response to the views of those consulted;
- vi. Where the scale of significance of the activity's effects are such that monitoring is required, a description of how, once the proposal is approved, effects will be monitored and by whom.

7. Matters that Must be Addressed by Assessment of Environmental Effects

An AEE must address the following matters subject to the provisions of the Act, Canterbury Regional Policy Statement, and District Plan:

- i. Any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects;
- ii. Any physical effect on the locality, including any landscape and visual effects;
- iii. Any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity;
- iv. Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations;
- v. Any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants;
- vi. Any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.

DEFINITION

Effect means:

- a) *any positive or adverse effect; and*
- b) *any temporary or permanent effect; and*
- c) *any past, present, or future effect; and*
- d) *any cumulative effect which arises over time or in combination with other effects regardless of the scale, intensity, duration, or frequency of the effect, and also includes—*
- e) *any potential effect of high probability; and*
- f) *any potential effect of low probability which has a high potential impact.*