

# 3. User's Guide

## 3.1 Information Requirements for Resource Consents and Designations

### 3.1.1 General Guide

If you are considering a development in the District you may need a resource consent. To find this out, follow the steps below. If you have any difficulties then ring the Planning staff at the Council: they are there to assist you. Refer to Section 2 for explanations of Permitted, Controlled, Discretionary and Non-complying activities.

1. Check to see which zone the site is in by checking the Planning Maps. Each zone has its own rules.
2. Check to see what other rules may apply. There are a number of District-Wide rules which will also apply in the particular zone, e.g.:
  - Natural Hazards Refer Section 8
  - Hazardous Substances Rules Refer Section 9
  - Utilities Rules Refer Section 10
  - Landscape and Amenity Refer Section 11
  - Transport Rules Refer Section 12
  - Subdivision Refer Section 13
  - Financial Contributions Refer Section 14
  - Heritage, Tree Protection and Archaeological Sites Refer Section 15
  - Relocated Buildings & Temporary Buildings and Activities Refer Section 17
3. Check on the planning maps to see if the property is affected by one or more of the following:
  - a designation Appendix B
  - a historic building Appendix C
  - a protected tree Appendix D
  - an archaeological site, waahi tapu or historic area Appendix E
  - natural hazards Planning Maps
4. Check the definitions, Section 4
5. Check to see what consents may be required:
  - Refer to the list of Activities at the start of each rule. Those activities which are Permitted, Controlled, Discretionary and Non-complying are listed under the heading "Activities".
  - Refer to the performance standards.

The steps for determining compliance are set out as part of each Rule.

### **Should you require a resource consent refer to Section 25: Assessment Matters For Guidance.**

6. Check to see if consents are required from the Canterbury Regional Council on, for example, the following matters:
  - earthworks or vegetation clearance
  - discharges of contaminants to land or water (e.g. effluent)
  - taking of water (e.g. from water courses or underground wells)
  - activities seaward of the Coastal Hazard Lines (identified and defined in the Proposed Regional Coastal Environment Plan) and below Mean High Water Springs.
  - disturbance of the beds of rivers (i.e. gravel extraction)

## **3.2 Information to be Submitted with a Resource Consent Application**

The applicant must provide adequate information to enable the effects of the activity to be assessed in accordance with the Act or any assessment matters set out in the District Plan. The amount of detailed information you need to provide depends on the type of resource consent and the scale of the activity.

Applicants may need to undertake consultation with parties affected by the proposal. The level of consultation depends on the effects or impacts of the proposal. The process of consultation allows people to understand the proposal and can reduce the time delays and costs of resource consents. Staff can help to identify those parties with whom you should be consulting, such as the Department of Conservation (particularly with respect to freshwater and coastal areas). Special consultation procedures may apply to activities which affect sites or values of significance to Te Runanga o Ngai Tahu.

Where the Council considers insufficient information has been supplied further information will be requested under Section 92 of the Act and the application or plan change will not be processed until the information is supplied.

Applications should be on Form 5 of the Resource Management (Forms) Regulations 1991 or in the same or similar format. Copies are available from the Council.

Forms and details of information requirements to accompany land use and subdivision consent applications are available from the Kaikoura District Council Offices, at 34 Esplanade, Kaikoura. In most circumstances the following information is required;

1. A completed application form (form five)
2. An assessment of environmental effects prepared in accordance with the Fourth Schedule of the Act
3. Consent of parties adversely affected by the proposal
4. A detailed site plan of the proposal and any other plans which are relevant to the application
5. A copy of the certificate of title
6. An application deposit fee (in accordance with the District Council's schedule of fees).
7. Any other information required to assess the application.

These requirements are outlined in more detail in 3.2.1 and 3.2.2 below. An information pamphlet has been prepared by the Council to assist applicants. Copies are available at the Council.

### 3.2.1 Land Use Consent Applications - Information to be Included

#### Details

The following information shall be submitted with any application for resource consent, where relevant:

1. 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;
2. The assessment should:
  - be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment; and
  - include the following details where relevant:
    - a. a description of the proposal;
    - b. description of any possible alternative locations or methods of undertaking the activity, where it is likely that the activity will result in significant adverse effects on the environment;
    - c. an assessment of the actual or potential effects on the environment of the proposed activity;
    - d. where the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment which are likely to arise from such use;
    - e. where the activity includes the discharge of any contaminant, a description of:
      - i. the nature of the discharge and the sensitivity of the proposed receiving environment to adverse effects and;
      - ii. any possible alternative methods of discharge, including discharge into any other receiving environment
    - f. a description of the mitigation measures (safeguards and contingency plans where relevant), to be undertaken to help prevent or reduce the actual or potential effects;
    - g. an identification of those persons interested in or affected by the proposal, the consultation undertaken, and any response to the views of those consulted;
    - h. where the scale or significance of the activity's effect are such that monitoring is required, a description of how, once the proposal is approved, effects will be monitored and by whom.
3. In the case of applications for resource consents relating to controlled activities, or discretionary activities over which the Council has restricted the exercise of its discretion, the assessment shall only address those matters specified in the Plan over which the Council has reserved control, or to which it has restricted the right to exercise its discretion.
4. A statement specifying all other resource consents that the application may require from any consent authority in respect of the activity to which the application relates, and whether or not the applicant has applied for such consents;
5. Copies of Certificates of title for the subject sites;
6. A description of the activity for which consent is sought including, where relevant, the following information:
  - a. General

A description of the site including existing uses, buildings, topography and vegetation, including information on the extent and nature of any fill on the site, any indication of natural hazards and a description of the existing natural environment (including areas of indigenous vegetation, habitat of indigenous birds and animals, and landscape features);

Any filling or excavation proposed, the type of fill, the volume and depth of fill and excavation, identification of those areas on the site subject to fill or excavation, the impact on utilities, or on any archaeological sites;

The results of any consultation undertaken with parties who may be affected by the proposal.

Any effects on Maori cultural, spiritual or traditional values and the outcome of any consultation with Te Runanga o Ngai Tahu.

Any effects on people's health and safety.

**b. Buildings and Structures**

The general design of any building or structure and its relationship to existing services.

**c. Natural Hazards**

Any geological or other natural hazards to which the site may be subject, its suitability for the activity proposed, and the means by which any adverse effects of the hazards are to be avoided, remedied or mitigated.

**d. Parking and Access**

The number of car-parks to be provided and the provision for access, loading and traffic movement.

**e. Landscape and Visual Amenity Values**

Any landscaping to be provided, including areas for planting, the location and types of trees to be planted, the location of any outdoor storage areas, and how these are to be screened from view.

The effects on landscape values, and visual amenity, views, natural landscape patterns and natural vegetation patterns.

**f. Noise**

In respect of any potential for noise generation, the type and power of any proposed machinery or equipment; its location on site or within buildings; the material of which the buildings are constructed; details of any proposed measures to reduce noise, including any insulating materials or structures; hours of operation; and the expected nature and acoustical character, sound pressure level, frequency and duration of noise emissions.

**g. Odour, Glare and Other Emissions**

In respect of any potential for odour generation, the source of the odour, its frequency, intensity, duration and offensiveness and the design, management and operation of odour prevention and mitigation measures to be employed.

In respect of any potential for glare, the nature and location of any highly reflective surfaces; the location, nature and power of lighting on the site; and means of directing its spill.

Any potential for other emissions from the site, such as dust, fumes, electromagnetic, radio or high frequency wave emissions.

**h. Hazardous Substances**

In respect of any hazardous substances to be stored or used on site, the type and volume of those substances; proposed methods of containment; including in emergencies the location on site or within buildings of any transfer, or storage points; transport arrangements on site; and routes and methods of transport to and from the site.

**i. Notable Trees**

The location of any notable trees identified in the Plan on the site or adjoining sites, and whether they are to be removed, trimmed or subject to any building or earthworks in the vicinity of the tree.

**j. Heritage Items**

The effect of the proposal on any historic buildings listed in Appendix C or other historic features with possible heritage values, including where relevant plans and photographs showing interior or exterior original features, and plans of any alterations proposed to these features. A statement must also be provided as to whether any activity will adversely affect the whole or part of a listed historic building;

**k. Notable Trees and Archaeological Sites**

The effect of the proposal on any protected trees, archaeological sites, waahi tapu or historic areas listed in Appendix D or E. Note: if archaeological features, artefacts or bones are discovered during any works, section 15 sets out a procedure which must be followed.

**l. Conservation Values and Ecosystems**

The effects of the proposed activity on the life supporting capacity of air, water and soil in relation to any:

- conservation values
- indigenous vegetation
- significant ecosystems
- habitats for indigenous fauna
- margins of waterbodies
- wetlands.

**m. Recreation**

The effects on recreational values and facilities and recreational users in the vicinity.

**n. Neighbours**

Any effect on neighbours and others in the neighbourhood and where relevant, the wider community including any socio-economic or cultural effect.

**o. Reverse Sensitivity**

Whether there are any reverse sensitivity issues which may affect the proposed activity.

Refer to Section 4. definitions for the definition of "Reverse Sensitivity".

**p. Waste Management**

The proposed management of any waste which will be generated, including: alternatives considered with respect to minimisation, generation, storage, collection and disposal of waste; the quantities and categories of waste which will be generated; the proposed system of waste storage, collection and disposal; measures taken to avoid or mitigate adverse effects. Refer to the Waste Management Protocol in Appendix G for guidance.

## **Drawings**

- 1.** In addition to the above information, any application for land use consent shall, where relevant, include a set of drawings illustrating the proposal. Two scaled copies of each drawing are required, including accurate dimensions.
- 2.** The drawings must include the details set out in paragraph (3), (4), (5), and (6) below, where relevant, and be dimensioned in metres.
- 3.** A drawing showing the location of the site such that its location can be readily determined, with road names, property number, north point and any significant built or topographical features.
- 4.** A site plan of the area affected by the proposal showing, as applicable:
  - a.** site boundary lengths and other dimensions in metres;
  - b.** location with distances to site boundaries, of all existing buildings which are to remain on the site, and all proposed buildings and structures (including where applicable, eaves, balconies, courts and verandas);
  - c.** proposed use of each building;
  - d.** position of any easement over the site;
  - e.** position, location and dimensions of every parking and loading space;
  - f.** location of roads adjacent to the site and the formation status of the road and any footpaths;
  - g.** location of all vehicle access points and driveways at the street boundary;
  - h.** kerb lines adjacent to the site and the position of any street trees;
  - i.** levels on the site boundaries and around any buildings; and, except in cases where the site is less than 1000m<sup>2</sup>, or has a uniform grade of less than 1 in 10, contours of the site;
  - j.** proposed retaining walls, excavations and fill;
  - k.** existing trees and proposed landscaping (particularly where this is a requirement of the rules for the zone). Dimensioned areas of the landscaping should be shown together with all existing and proposed sealed areas;
  - l.** indigenous vegetation areas, streams and wetlands;
  - m.** any historic buildings, protected trees, archaeological sites or other features listed in appendix C, D or E and any other historic features which are not listed but which may contain possible heritage values;
  - n.** recession line diagrams or models;
  - o.** watercourses and drainage and sewerage pipes within and adjacent to the site;
  - p.** the means proposed to deal with all stormwater and sanitary drainage, and to provide for water supply;

- q. the location of any water supply bores and effluent disposal areas on the site and on adjoining sites;
  - r. a floor plan of each building (at a scale of not less than 1:100) showing:
    - use of all parts of the building, including basements, parking, lift towers, storage or service areas;
    - room layout of the building, if this is known, and a clear identification of the use of different rooms or parts of a floor.
5. Where several floors are of the same area and use, a standard floor plan may be shown.
  6. Elevations of each building (at a scale not less than 1:100) showing:
    - external appearance of the building including doors and windows;
    - number of floors and their proposed usage;
    - building heights and height in relation to any boundary.
  7. The location of any waahi taonga or mahinga kai areas.

**Note:**

1. Applications which do not contain the information required under the Resource Management Act or under this section of the Plan, which are not in an approved form, or which lack an adequate Assessment of Effects on the Environment may not be accepted by the Council.

2. Further information may be required from an applicant where it is considered necessary to better understand the nature of the activity, the effect it may have on the environment, or the ways in which adverse effects may be mitigated. The Council may also commission a report, at the applicant's expense, on any matters raised in relation to the application or on any environmental assessment or effects.

### 3.2.2 Subdivision Consent Applications - Information to be Included

The following information shall be included with any application for subdivision consent, where relevant:

**Detail**

1. An assessment of any actual or potential effects that the activity may have on the environment, and the ways in which any adverse effects may be avoided, remedied or mitigated (the details required under 3.2.1 Land Use Consents above may be relevant).
2. The assessment should:
  - be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment; and
  - where relevant, include the following details:
    - a. a description of the proposal;
    - b. a description of any possible alternative locations or methods of undertaking the activity, where it is likely that the activity will result in significant adverse effects on the environment;
    - c. an assessment of the actual or potential effects on the environment of the proposed activity;
    - d. where the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment which are likely to arise from such use;
    - e. where the activity includes the discharge of any contaminant, a description of:

- i. the nature of the discharge and the sensitivity of the proposed receiving environment to adverse effects and;
    - ii. any possible alternative methods of discharge, including discharge into any other receiving environment
  - f. a description of the mitigation measures (safeguards and contingency plans where relevant), to be undertaken to help prevent or reduce the actual or potential effects;
  - g. an identification of those persons interested in or affected by the proposal, the consultation undertaken, and any response to the views of those consulted;
  - h. where the scale or significance of the activity's effect are such that monitoring is required, a description of how, once the proposal is approved, effects will be monitored and by whom.
3. A statement specifying all other resource consents that the application may require from any consent authority in respect of the activity to which the application relates, and whether or not the applicant has applied for such consents.
  4. A legal description of the site, and current copies of all certificates of title.
  5. A drawing showing the location of the site such that its location can be readily determined, with road names, property number, north point and any significant built or topographical features.
  6. Where relevant, an assessment, of visibility onto and off the development site.
  7. A full description of any geological or other natural hazards to which the site may be subject, its suitability for the subdivision, and the means by which any adverse effects of the hazards are to be avoided, remedied or mitigated.

## Plans

The following plans must be supplied and must be drawn to an appropriate stated metric scale to show sufficient detail of the proposal to enable the Council to determine its effects.

1. Two scaled copies of a site plan, showing accurate dimensions in metres. The site plans must show:
  - a. a north point accurately orientated;
  - b. a unique plan number and title describing the proposal and the site; and
 The site plan should also show, where relevant:
  - a. topographical information (including New Zealand map grid references), wherever possible in terms of the Kaikoura Datum, together with a certificate as to its origin and accuracy;
  - b. details of hazardous areas (for example, uncompacted filling or flood-prone areas);
  - c. existing buildings and buildings on adjacent sites, and their location in relation to existing and proposed boundaries;
  - d. the location of any historic buildings, protected trees, archaeological sites, waahi tapu or historic areas as listed in Appendices C, D or E; and any other historic features with possible heritage values;
  - e. landforms and landscape elements;

- f. watercourses, wetlands and catchment orientation and whether or not any adjoining river has an average width of 3 metres or more;
  - g. the location and areas of any existing esplanade reserves, esplanade strips, or access strips;
  - h. all significant nature conservation areas including indigenous vegetation, ecosystems, the margins of waterbodies or wetlands;
  - i. all significant individual trees;
  - j. existing street names and numbers;
  - k. the position of existing water, sewer, and stormwater services and the position of existing water supply bores and effluent disposal fields on the site and on adjacent sites;
  - l. existing easements and covenant areas;
  - m. the formation standards of roads adjoining the subject land and the location of the carriageway, and any kerb and channel or footpath.
2. Two scaled copies of a subdivision plan showing the following details, where relevant:
- a. the position of all proposed lots, and certificates of title, boundaries and their dimensions;
  - b. the areas of all new lots, including net areas;
  - c. existing indicative building positions and their location in relation to existing and proposed boundaries;
  - d. indicative vehicle access points and driveways on street edges;
  - e. location and type of all proposed trees and other vegetation, including all existing vegetation to be retained;
  - f. proposed earthworks and retaining walls, their scale and dimensions;
  - g. proposed methods of servicing the new lots with water, effluent disposal, electricity supply and stormwater disposal;
  - h. any land proposed to be set aside as new road and/or public open space for recreational purposes;
  - i. levels on the new lot boundaries, and except where the lots are less than 1000m<sup>2</sup> in area or have a uniform grade of less than 1 in 10, contours of each lot;
  - j. formation widths and grades of proposed roads and rights-of-way, parking bays and bus stops;
  - k. proposed easements and covenant areas;
  - l. where reserves and/or roads are to vest in the Council, the location and areas of the proposed reserves and/or walkways and any tree planting proposed for the reserves and/or roads to vest in the Council; including esplanade reserves and strips, and access strips;
  - m. the location 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;
  - n. information to show compliance with any other District Plan rule;
  - o. the location of any waahi tapu or waahi taonga or mahinga kai areas;

- p. the location of any historic buildings, protected trees, archaeological sites, waahi tapu or historic areas as listed in Appendices C, D or E; and any other historic features with possible heritage values.

**Please note:**

1. Applications which do not contain the information required under the Resource Management Act or under this section of the Plan, which are not in an approved form, or which lack an adequate Assessment of Effects on the Environment may not be accepted by the Council.
2. Further information may be required from an applicant where it is considered necessary to better understand the nature of the activity, the effect it may have on the environment, or the ways in which adverse effects may be mitigated. The Council may also commission a report, at the applicant's expense, on any matters raised in relation to the application or on any environmental assessment or effects.

### 3.2.3 Costs - Applications and Plan Changes

The Council policy requires cost recovery in respect of applications for Resource Consents or Plan Changes. Applicants should ascertain the range and level of those costs from the Council before making an application. Deposits will be required for all Resource Consents and Plan Change requests. All costs will be progressively recovered during the processing of the application. Recovered costs will include costs for:

- any public notices
- Council officer's time
- postage and distribution
- hearing time (Council staff, Councillors and/or Commissioners)
- any independent reports required by the Council
- consultancy fees directly attributable to the application
- any legal opinions required to determine any aspect of the application

### 3.2.4 Designations and Information to be Supplied

Section 166 of the Act defines those authorities which have power to become a requiring authority and provide for their works through designations in the District Plan. Section 168 of the Act sets out what information is necessary to accompany any such notice of requirement. In addition, the District Plan may specify further information to be provided. The following additional information shall be submitted with a notice of a requirement:

1. Details of the Order in Council or empowering legislation which allows the applicant to be a requiring authority, including any specified terms or conditions attached to the Order in Council.
2. A statement of how the requirement meets Part II of the Act.
3. A statement of the objectives the project or work is aiming to achieve.
4. The degree to which the requirement meets the objectives and policies of the Plan.
5. The relationship of the work to, or effect on, any relevant provisions of national or regional policy statements and regional plans.
6. Details of land ownership, acquisition and site clearance.
7. The proposed sequence and timing of the work, clearly identifying any part which may not be commenced or completed within 5 years time.

8. Proposals for the use and maintenance of those parts of the land which will not be developed for 5 years or more, in particular, identification of those buildings and structures which could continue to be used and maintained in the meantime.
9. Identification of any other designation or heritage order applying to the site, whether it has been given effect to and the effect the requirement may have on the existing designation or heritage order.

