



How to apply

Resource Consents



**Environment
Canterbury**

Environment Canterbury regional council works with the people of Canterbury to manage the region's air, water and land. We are committed to the sustainable management of our environment while promoting the region's economic, social and cultural well-being.

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The Resource Management Act (1991)

The Resource Management Act (1991) (RMA) is the main piece of legislation that sets out how we should manage our environment. It promotes the sustainable management of our resources and encourages us to plan for the future of our environment.

The RMA also encourages the community to become involved in deciding what is best for the environment - what needs to be protected and how. While the RMA provides a guide to what is important, it generally leaves the decisions about how to manage the environment in the hands of the local community.

District and Regional plans are one of the most important aspects of the RMA. The RMA requires councils to prepare plans to help them manage the environment in their area. It is these plans that tell you what you can or cannot do. Regional plans tend to concentrate on particular aspects of the environment, whereas District plans concern the use and development of land and set out the policies and rules a council will use to manage the use of land in its area.

More detailed information regarding the RMA can be obtained from the Ministry for the Environment website: www.ecan.govt.nz

What is a Resource Consent?

Under the Resource Management Act (1991), you are required to apply for a resource consent if you wish to do something that is not permitted by your District or Regional Plan.

There are different types of resource consents. The table provided lists the different types of consents you can apply for and some examples of when you might need to apply for them.

Resource Consents are not needed for some activities which have been permitted by rules in a regional plan, as long as you comply with particular conditions specified in the plan. For example, provided there will be no adverse effects, the RMA allows you to take fresh water for reasonable domestic needs, stock drinking water and fire-fighting. You should check with Environment Canterbury's Customer Services team if you think your activity may be a permitted activity. If your proposed activity is a permitted activity, you may request a certificate of compliance from Environment Canterbury which will state it complies with the relevant authorisation, set out in a Regional Plan.

Consent Type	Example
Land Use Consent	<ul style="list-style-type: none"> To carry out earthworks To install or alter a bore
Coastal Permit	<ul style="list-style-type: none"> To build a wharf on the coast below the mean high water springs mark To discharge stormwater into coastal waters
Water Permit	<ul style="list-style-type: none"> To take water from a stream for an irrigation scheme To build a dam in the bed of a river
Discharge Permit	<ul style="list-style-type: none"> To discharge stormwater through a pipe directly into a lake To discharge exhaust fumes from a wood curing kiln into the air

More information on the different types of Resource Consents can be found on our website: www.ecan.govt.nz

Applying for a Resource Consent

Preparing the application

You can come in to the Environment Canterbury offices to talk through your application, or download a form from the Environment Canterbury website (www.ecan.govt.nz) through the “What is a Resource Consent” page. Many of the application types have associated notes and we recommend you read these, as they are there to help you complete your application correctly. Ensure that you are using the correct form for your purpose – incorrect applications can cause delays as the required information will not have been provided and you may have your application returned to you. If you have any queries, call Customer Services on (0800) 324 636, or you may choose to employ a consultant to assist you with your application.

Consultants can help you with your application, particularly in complex cases. Choose a consultant in the same way you would select any other business professional and monitor their performance. What relevant previous experience have they had? How helpful have others found them? What assurances will they give regarding the cost of their service? Will they keep you informed about what is happening with your application? Selecting the “right” consultant will, in our experience, reduce your costs and save time.

All applications should include:

- The correct deposit
- The full name and address of the applicant
- The name and address of the owner / occupier of the land if different from the applicant
- An Assessment of Environmental Effects (AEE)
- A description of the activity and its location with a legal description of the site
- A location plan and site map
- Any written approval supplied by affected parties
- A description of the mitigation measures
- A statement of any other consents which may be required.

Consulting with affected parties

Consultation is not just a pre-application exercise; it helps throughout the application process and assists in fostering good relationships with neighbours and the community as a whole. It is the process of communicating with people or groups who may be interested or affected by the proposed activity.

Consultation is not a pre-requisite under the RMA, but it can save both time and money, and may mean your application can proceed on a non-notified basis. It helps identify where further information may be required and provides the decision-makers with the details they require to make a well-founded decision.

Consultation benefits:

- May reveal local information that had not been considered
- Matters of significance to Maori can be incorporated into the proposal
- May improve the proposal and reduce any environmental impact
- May reduce potential opposition and therefore reduce processing time and cost.

Who to consult

Environment Canterbury may be able to help you identify the parties you should consult. In particular, we encourage applicants to consult with local Iwi. Staff can supply you with the names of the appropriate contact. Environment Canterbury cannot make a decision on an application without first assessing and weighing up issues related to the application which may affect Maori.

You may have 'interested' parties and 'affected' parties to consult regarding your application. Interested parties refer to a broad group of persons or organisations who will have an interest in your proposal. Affected parties are people who may experience an effect as a result of your proposal which is significantly greater than or different from the effect on the general public. Environment Canterbury will determine who may be considered an affected party. Potentially, you may want to consult with:

- Owners, occupiers and users of adjacent and nearby land
- Downstream water users
- Users of the same groundwater resource
- Tangata Whenua (the local Rununga)
- Department of Conservation, or Fish and Game NZ
- Occupiers of land living downwind of a proposed discharge to air.

Keep a record of your consultation - who was consulted, the topics and any decision(s) reached. Include any information that may be helpful in presenting your application to Environment Canterbury.

How to consult

Prepare clear and concise information to share with potentially affected or interested parties, and consult with them via letter, telephone or in face to face meetings.

- Consult as soon as possible, while you have flexibility to incorporate any issues raised.
- Outline your proposal, its location, why you want to proceed and enclose any additional information you feel will provide clarification.
- Be upfront and open about your intentions; give some idea of where your proposal is flexible and where it cannot be changed.
- Keep your views open to the responses and their benefits; consultation is an opportunity to take all perspectives into consideration.
- Agreement is not necessary, but all parties should make a genuine effort.
- Obtain written approvals from potentially affected parties to save them being contacted again at a later date, and submit these with your application.

Assessment of Environmental Effects (AEE)

Every activity has some effect on the environment – positive or negative. An AEE is a written statement which describes all the environmental effects of the activity on the environment and the ways any negative effects can be managed. All applications must be accompanied by an AEE which should include, as a minimum, the following:

- A clear description of the proposal
- A description of the site and activity
- A site plan drawn to scale
- A description of actual and potential environmental effects of the activity
- A description of any measures taken to avoid, prevent or reduce any adverse effects for example by changing location or method
- Identification of anyone who may be interested in or affected by the activity
- A record of any consultation that has taken place, including responses
- A discussion of how and when any monitoring which may be required will occur
- An assessment of any risks to the environment where the activity includes the use of hazardous substances
- A description of the nature of any discharge of contaminants, the sensitivity of the receiving environment and any possible alternative methods of discharge including discharge into any other receiving environment.

Activity and location

Applicants should provide concise details of the activity and location – for the activity we will need information of exactly what is proposed, and for the location we will require a map and a legal description of the site.

Application deposits and costs

Each type of application requires a specific deposit. Details of these are available on our website, or you can speak to Customer Services if you require clarification. The consent application process is 100% user pays, which means that you pay for the time spent on your application by staff, plus expenses – nothing more, nothing less.

The application fee is an initial deposit, calculated on the average cost to process an application of each particular type. If the processing of your application takes less time than expected, you will receive a refund of the difference. If your application takes longer than expected, you will receive additional invoices. You may receive one final invoice once your consent has been granted, or interim invoices if your application needs to go to a hearing. If you disagree with the additional charges incurred, you can object. Further information is available in the booklet “Your Consent Document”.

What the fee covers

The applicant is required to pay the fee regardless of whether the application is granted or refused. The process is cost-recoverable, and covers:

- Staff time for processing the application
- Staff time for carrying out site inspections and travel
- Staff time for attending meetings and hearings, and venue costs if necessary
- Newspaper advertising costs if your application is publicly notified
- The cost of contractors and decision makers.

How to make payments

Payments can be made by cheque addressed to Environment Canterbury, or via direct deposit. Please ensure that you provide details relating to the application – your full name, type of application and location of the proposed activity are advisable. If you send a payment in response to a request for further payments, please provide your application reference number.



Keeping costs down

The key steps to keeping your costs down are as follows:

- Ensure your application is correct and complete at the time you submit it to Environment Canterbury. This prevents delays and increased processing time caused by requests for further information, and therefore reduces cost.
- Speak to anyone who may be affected by your activity and where possible obtain written approval from them; they may want to suggest some changes to your application which will save any problems arising at a later stage
- If you are applying for several consents, it can reduce the time taken if you lodge them at the same time. The Investigating Officer who is looking at your application may be able to process them as a group and ultimately this may save time and reduce cost.

Processing of your application

Receipting of your application

The submitting and receipt of your application are the first two steps at Environment Canterbury. When our database shows that your application has been submitted, this simply means that it has been received into the Environment Canterbury offices. Your application will then be checked to ensure that you have supplied enough information for it to be processed. If we identify deficiencies in your application, you may be contacted by phone or mail and asked to supply the outstanding information or payment. If the deficiencies are more substantial, your application will be returned to you and you will need to re-submit it. We are unable to formally receipt and begin processing your application until this information is received.

If your application can proceed, details of your proposal will be sent to your local authority, Rununga and any relevant government departments who may need to comment on your proposed activity. Your information will be entered on our database and you will be sent a letter confirming receipt.

Please note that your application becomes public information once it has been submitted to Environment Canterbury, so please ensure that we are aware of any commercially sensitive information.

Initial investigations

Once your application has been lodged, it will be passed to the relevant processing team specifically trained to deal with your type of resource consent. Your application will be allocated to an Investigating Officer who will review its technical aspects. At this stage, your application may be returned to you if the Investigating Officer finds it is deficient. The Investigating Officer has up to 5 working days to make this determination, although the RMA allows us to double these timeframes in some circumstances. It is important that you have provided as much clear information as possible to ensure that your application is processed efficiently. If your application is complete and passes the initial assessment, it will be processed accordingly. You should note that your application may be delayed if:

- You do not supply all the information that Environment Canterbury needs to assess your application
- You need other consents for the activity and Environment Canterbury decides to consider all the applications as a single package
- The activity is large and complex.

Notification or non-notification

The council may decide to notify your consent, and this will be decided within 10 days of receipting your application, although the RMA allows us to double these timeframes in some circumstances. You can obtain a further booklet which provides you with additional information on the notification process, and explains the difference between limited and public notification. Applications are usually not notified if the effects of the activity on the environment will be minor, and all affected parties have provided their written approval.

Draft conditions

If you have not agreed to standard conditions, as supplied with the application form for some activities, the Investigating Officer will send you draft conditions for your resource consent. You should check these thoroughly. Remember that these are the conditions you must comply with once the resource consent document has been issued. You should return the signed draft conditions to the Investigating Officer promptly, ensuring you supply any additional comments you need to have considered.

Final decision

When the final decision is made, you will receive a letter telling you whether your application has been granted or refused. If your application was not notified, you should receive your decision document straight away with the letter. If your application was notified, there will be a delay of 15 working days to allow for appeals. There is additional information available on Environment Canterbury's website, outlining what to do if you disagree with the decision, what your resource consent means, any further charges that may be involved and how you can request possible changes to the consent.

Withdrawing your application

You can withdraw your application at any time. If an Investigating Officer has already started processing your proposal you will not have your full deposit returned and in a few cases, you may have to pay additional costs. In some situations, Environment Canterbury may recommend that you withdraw your application, particularly if the Investigating Officer identifies that the application is for a Permitted Activity – an activity for which a District or Regional Plan does not require you to obtain a resource consent. In these cases, you may want to obtain a certificate of compliance from Environment Canterbury to provide you with official permission to undertake your activity.

Changing applicant

If you sell your property while your application is being processed, you may agree with the new owner that they will continue with the application. You must submit a form to Environment Canterbury signed by both parties and agreeing that you will pay for any charges up to the date of the change. The new applicant will be required to pay a new deposit and any further charges incurred.

How long will it take?

There are timeframes provided within the RMA. Environment Canterbury is committed to processing applications as effectively as possible. A decision about non-notified applications will usually be made within one month and notified applications within four months. It is also important to note that the quality of the application often has a direct impact on how long it takes to process. Your application may take longer to process if we require further information. Remember to lodge a complete application at the start; it will save you time.

There is a facility to look up your individual application and find out which stage of the investigation process has been reached. If you require further information, please call Environment Canterbury's Customer Services.

Glossary

Affected Parties

People who may experience an effect as a result of your proposal which is significantly greater than or different from the effect on the general public.

Assessment of Environment Effects (AEE)

A report that must be provided with your application, outlining the effects that the proposed activity might have on the environment.

District Plan

Plans are prepared by Regional Councils to help manage the environment within their area, and concern the use and development of land, setting out the policies and rules a Council will use to manage the use of land in its area.

Interested Parties

Individuals or a broad group of persons or organisations who will have an interest in your proposal.

Investigating Officer

An Environment Canterbury staff member with the appropriate skills and knowledge to process the application and make a recommendation.

Processing Team

A team of Investigating Officers specialising in particular types of resource consent application, such as discharge, coastal or water.

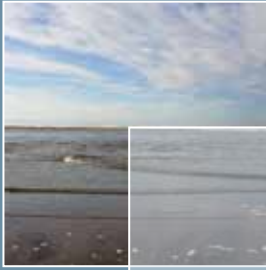
Regional Plans

Prepared by Regional Councils to help manage the environment, concentrating on particular parts of the environment.

Submission

Outlines any written comments, opinions or concerns that may support or object to a proposed activity, policy statement or plan.

For further explanation of these terms, visit our website.



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