



## Glossary of Resource Consent Terms

**The Resource Management Act 1991** – provides the legal framework for resource management decision making.

**Regional Councils** issue **resource consents** for **discharge of water or wastes into air, water or onto land**; and allow the applicant to use/take water, land or coastal resources.

**Regional Plans** – assist a regional council to achieve sustainable management. A regional council must prepare a regional coastal plan to address activities in the coastal marine area and may prepare other regional plans to cover issues it has responsibility for including soil conservation, natural hazards, discharge of contaminants, water quality and quantity.

**District Councils** issue **resource consents** (RC), which allows the applicant to carry out an activity that will use natural resources or may have an effect on the environment, for **land use** and **subdivision**. Consent is required if the land use proposal does not fully comply with all the rules and standards in the District Plan or is for a subdivision proposal.

**A District Plan** – explains how Council will manage development and consider the effects of land use within its district. It sets out the activities that are permitted (you can do as of right), what activities need resource consent and establishes how certain activities may be carried out within designated zones.

**Activity Status** – the District Plan rules guide development and provide the following categories:  
**Permitted** – where activities have acceptable effects on the environment and resource consent is not required.

**Controlled** – the proposal involves matters over which the Council has reserved control as identified in the District Plan or in National Environmental Standards. A resource consent is required, but it cannot be declined by Council.

**Restricted discretionary** – requires resource consent to be obtained from Council and the Council can only assess those matters over which they have reserved discretion. Can be approved or declined.

**Discretionary** – requires a resource consent and the application will have to assess all the potential effects of the activities, not simply the non-conforming aspects. An assessment of relevant objectives and policies is also required. Can be approved or declined.

**Non-complying** – resource consent can only be approved if the proposal achieves the ‘gateway test’ – it must be proven to either conform to the objectives and policies of the District Plan, or confirm that all the adverse effects are less than minor.

Each Resource consent application must include **an assessment of environmental effects** (AEE) which involves a complete and thorough assessment of the extent of the effects generated by the proposal and appropriate mitigation of effects.

Each resource consent application submitted to the Council is allocated to a **processing planner** who is responsible for the application's processing, including compliance with timeframes and consulting with Council appointed specialists to determine the effects of the proposal.

**Section 92** request issued by Council for more information during Council's processing of the application. The processing clock stops when this has been issued and does not restart until all information is returned.

An application follows one of three procedures:

- (i) **Non-notified** – does not require notification or a hearing. The council can delegate the approval of non-notified applications to officers.
- (ii) **Limited notified** – the application is notified to potentially affected parties. If submissions are made by affected parties Council will hold a **hearing** where the applicant and submitters can present their views.
- (iii) **Publicly notified** - call for submissions from any person. Council will hold a **hearing** where the applicant and submitters can present their views, if a submitter wishes to be heard.

**Hearing** – A hearing is only required if the Council considers it necessary; the applicant request a hearing; or a submitter wishes to be heard. Evidence from all involved parties is presented to an independent commissioner or hearing panel for their determination.

To avoid notification of an application, Council may ask the applicant to seek **written approval from affected parties** – any person/organisation who may be affected by your proposal (usually neighbours). The AEE needs to document who you consulted, how you addressed their concerns and/or provide their approval.

**Conditions of consent** – a set of conditions are attached to the resource consent, which may require physical works, engineering plans, legal work or monitoring, for example. Such conditions generally have to be completed prior to starting the activity that consent provides for. We will review a set of draft conditions to mitigate any problematic wording or onerous requirements.

**Section 127 application** – resource consent conditions can be changed or cancelled by making an application under Section 127 of the RMA.

**An objection** in respect of the decision on an application can be made under Section 357 of the RMA. It must be made in writing within 15 working days after the consent decision is issued.

**Development Contributions** – all consents are assessed by Council for development contributions, which is a one off payment to the Council for any increase in demand on Council's infrastructure.