

Consent Application Guide

For All Other Consents

This guidance document has been developed to assist applicants and their advisors in the preparation of resource consent applications where a standard form is not available on our website for the activity consent is being sought for.

1 PREPARATION OF AN APPLICATION

In addition to the administration Form A you must also include an application, detailing the proposed activity, prepared in accordance with Schedule 4 of the Resource Management Act (RMA). Schedule 4 of the RMA contains a comprehensive list of the information that must be provided with your application including:

- A clearly defined activity location. This can include a site plan or use of an aerial photo showing the activity location (as per schedule 4 section 2(1b) of the RMA);
- Consideration of the resource management principles in Part 2 of RMA;
- Consideration of the relevant provisions in the Regional Plan (One Plan) (as per schedule 4 section 2(1g) of the RMA);
- An assessment of environmental effects (as per schedule 4 section 2(3) of the RMA). This may include (but is not limited to);
 - An assessment of the actual or potential effect on the environment of the activity;
 - If the activity includes the discharge of any contaminant, a description of the nature of the discharge and the sensitivity of the receiving environment to adverse effects. You must also identify any possible alternative methods of discharge, including discharge into any other receiving environment;
 - A description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect;
 - If the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved;
 - Identification of any persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted;

If your proposed activity falls under a Discretionary or Non-Complying Activity status or there is discretion to consider cultural effects, an assessment of cultural effects will be required. This should be informed by [written] feedback from the relevant iwi and/or hapū. For indicative rohe and contact details of your local iwi and/or hapū please visit <http://www.tkm.govt.nz/>.

- Compliance with any permitted activities (as per schedule 4 section 3a of the RMA);
- If the activity is existing please include the value of investment (as per schedule 4 section 3b of the RMA); and
- Consideration of customary marine title (see further guidance notes below for activities in the Coastal Marine Area) (as per schedule 4 section 3c of the RMA).

Please note the above list acts as a guide only, and Horizons Regional Council reserves the right to request additional information.

A full copy of Schedule 4 is available online: <http://www.legislation.govt.nz/>.

2 ACTIVITIES IN THE COASTAL MARINE AREA AND GIVING EFFECT TO THE MARINE AND COASTAL AREA ACT 2011.

If you are applying for resource consent in the Coastal Marine Area you need to notify and seek the views of any group that has applied for recognition of customary marine title in the area under the Marine & Coastal Area Act (2011). If you are applying for resource consent in an area where customary marine title has been recognised, you may need the written permission of the customary marine title group.

The Coastal Marine Area is defined in the Resource Management Act 1991 as:

“coastal marine area means the foreshore, seabed, and coastal water, and the air space above the water—

(a) of which the seaward boundary is the outer limits of the territorial sea

(b) of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of—

(i) 1 kilometre upstream from the mouth of the river; or

(ii) the point upstream that is calculated by multiplying the width of the river mouth by 5"

To find out if the area you are seeking to undertake the activity within has any groups which have applied for or have been granted permission, please visit <https://www.justice.govt.nz/maori-land-treaty/marine-and-coastal-area>.

Please note we are unable to accept your application without the inclusion of evidence you have sought the views of groups who have applied for recognition and/or approval of groups who have been granted recognition.

3 ACTIVITIES IN OR ADJACENT TO A STATUTORY ACKNOWLEDGEMENT

Statutory acknowledgements are statements of cultural, spiritual, historic, and traditional associations of an iwi with a site or an area acknowledged by the Crown in Treaty of Waitangi settlement processes. They have legal weight from inclusion in Treaty Claims Settlement Acts. The areas may include land, geographical features, lakes, wetlands and coastal marine environments that the iwi is associated with.

The purpose of the statutory acknowledgements is specified in each Claim Settlement Act, but generally requires Horizons to forward summaries of resource consent applications to the Post Treaty Settlement entity if the activities lie within, adjacent to, or impact directly on the identified statutory areas, unless there is an alternative agreement with the iwi.

A list of statutory acknowledgements within our region can be found here <http://www.horizons.govt.nz/about-our-region-and-council/iwi-and-hapu/statutory-acknowledgements>.

If you are of the opinion that your activity may have a direct impact on an iwi who hold a statutory acknowledgement within our region we encourage you to speak to iwi prior to submitting your application.

4 TE AWA TUPUA (WHANGANUI RIVER CLAIMS SETTLEMENT) ACT 2017

Are the proposed works in the Whanganui catchment?

Yes

No

Please note that this covers a large area. If you are unsure, please contact the consents team.

If yes, the Whanganui River and its wider catchment is the subject of the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017. Council must have regard to the values of Te Awa Tupua when making a decision on any application we receive (regardless of activity status). On that basis, we recommend that parties considering undertaking works within the Whanganui catchment make contact with Ngā Tāngata Tiaki o Whanganui and local iwi and/or hapū before lodgement of a consent application to confirm any requirements under Te Awa Tupua and obtain feedback on the proposed works.

5 TE WAIŪ-O-TE-IKA - WHANGAEHU RIVER (NGĀTI RANGI CLAIMS SETTLEMENT ACT 2019)

Are the proposed works in the Whangaehu catchment?

Yes

No

Please note that this covers a large area. If you are unsure, please contact the consents team.

If yes, the Whangaehu River and its wider catchment is the subject of Te Waiū-o-Te-Ika (Ngāti Rangī Claims Settlement Act 2019). Council must have regard to the values (Te Mana Tupua and Ngā Toka Tupua) of Te Waiū-o-Te-Ika when making a decision on any application we receive (regardless of activity status). On that basis, we recommend that parties considering undertaking works within the Whangaehu catchment make contact with local iwi and/or hapū before lodgement of a consent application to confirm any requirements under Te Waiū-o-Te-Ika and obtain feedback on the proposed works.

Please contact the consents team on freephone **0508 800 800** if you require assistance with your application.