



Affected Party Approvals Resource Consent Guide

ABOUT AFFECTED PARTIES

When considering a resource consent application, the Council must consider the effects of a proposal on the surrounding environment. A proposal may need to be publicly notified and if so the applicant will be informed of this decision. If the Council decides that a proposal does not need to be publicly notified, it will then decide if there are any affected persons or order holders. Once this decision has been made, the applicant will be advised in writing and given the opportunity to seek the written approval of these parties. The only time a resource consent application is processed as non-notified is when all affected parties have given their written approval to the application.

Applicants: When you are compiling your application you should be making an assessment as to who you think may be affected by your proposal. If you can provide all necessary approvals with your application your application will be able to be processed in a more timely and efficient manner. It is important to ensure that these affected parties understand fully what they are giving their approval to, in order to avoid these parties withdrawing their approval at a later date.

WHO IS AFFECTED?

Any person or order holder is considered to be affected if the effects on those parties are “minor” or “more than minor”. This will usually be owners and occupiers of surrounding properties, but may also be any agencies responsible for infrastructure or other aspects of the environment.

If a proposal is over land which the applicant does not own, approval from the land owners and occupiers is required.

Applicants: Council will, upon request provide a list of the names of property owners from our rating database for properties you consider may be adversely affected by your proposal, and will help you make a preliminary determination of potential affected parties.

AFFECTED PARTY APPROVAL FORM

When filling out the Form 4 – Approval of Affected Person form, the proposal must be clearly described. If the Council is unsure whether the affected party fully understands the application, we may require the applicant to obtain a new approval. Council has a responsibility to ensure that affected parties understand the implications of what they are signing.

It is very important to ensure that Form 4 is filled out properly. A copy of the site plan submitted with the application should accompany every approval and also be signed and dated by the affected party.

PROPERTIES IN JOINT OWNERSHIP, FAMILY TRUSTS AND COMPANIES

Many properties in the Grey District are jointly owned by multiple individuals, or owned by Family Trusts and Limited Liability Companies. In cases of joint ownership, an applicant must obtain all individual owners' approvals. When obtaining the approval of a Family Trust an applicant must provide the affected party approval of all Trustees, or the written approval of one person who is legally entitled to give the approval for that Trust. Similarly an applicant must obtain all company directors' approvals, or the written approval of one person who is legally entitled to give the approval for that company.

It is important that an applicant obtains the express written approval of these entities, or they may be asked by the Council to obtain a new approval.

OTHER AGENCIES

If a proposal is for a land use or subdivision consent on a property which is adjacent to the State Highway, there may be effects on the State Highway. If this is the case an applicant will be required to provide approval from the New Zealand Transport Agency (NZTA).

If your proposal has effects on the rail network, you may be required to obtain the approval of Kiwirail.

If there are effects on any land administered by the Department of Conservation, effects on habitats of indigenous fauna, or effects on indigenous vegetation you may be required to obtain the approval of the Department of Conservation.

If your proposal is within a Statutory Acknowledgement Area, or there are cultural effects on Tangata Whenua you may be required to obtain the approval of Te Runanga o Ngati Waewae, our local runanga.

Applicants: There may be other agencies which may be affected by your proposal, and Council will advise you accordingly. It is a good idea to contact the above types of agencies prior to lodging your consent application to ensure that you have addressed any of their concerns.

FURTHER INFORMATION

- www.greydc.govt.nz – the District Plan is available for download from <http://www.greydc.govt.nz/council-services/planning/district-plan/>.
- www.mfe.govt.nz – the Ministry for the Environment website has useful information on affected party approvals, specifically the following two pages <http://www.mfe.govt.nz/publications/rma/everyday/consent-consultation/> and <http://www.mfe.govt.nz/publications/rma/everyday/affected/>

CONTACT DETAILS

GREY DISTRICT COUNCIL

105 Tainui Street

PO Box 382, Greymouth

Phone: 03 769 8607 Fax: 03 769 8610 Email: planning@greydc.govt.nz

www.greydc.govt.nz

This information is intended as a guide only. No liability is assumed for any losses suffered by a person relying directly upon it. It is strongly recommended that you talk to both Council staff and other relevant professionals prior to lodging your application.