

**RESOURCE CONSENTS**

Porirua City Council  
16 Cobham Court, Porirua  
PO Box 50218, Porirua 5240  
Phone: (04) 237 5089  
Web: porirucity.govt.nz



**FORM 9**

**APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991**

**PLEASE SEE NOTES, TERMS AND CONDITIONS AND CHECKLIST ATTACHED TO THIS FORM**

**If you fail to complete all sections of this form and provide the necessary information, including the deposit fee, your application may not be accepted for processing. Full details of the Applicant/s and the Applicants signature/s are required.**

**To: Porirua City Council**

I/We (Full name of Applicant/s)	
---------------------------------	--

Apply for the following type(s) of resource consent(s) described below:

- The type of resource consent(s) sought is/are:  
*(Please specify one or more of the following: land use consent, subdivision consent)*

--

- The location to which this application and proposed activity relates is:  
*[Describe the location in a manner which will allow it to be readily identified e.g. the street address, the legal description, the name of any relevant stream, river, or other water body to which the application may relate, proximity to any well-known landmark, the grid reference (if known) etc]*

<b>Street Address:</b>	
<b>Legal Description:</b>	
<b>Other:</b>	

3. The names and addresses of the owner and occupier (other than the Applicant) of any land to which the application and proposed activity relates are as follows:

4. A description of the activity to which the application relates is/attached. *[This description should identify the Activity Status of your proposal, what you are intending to do, and detail the particular Activity Standards for which your application is unable to comply with.]*

5. No additional resource consents are needed for the proposed activity.

OR

The following additional resource consents are required in relation to this proposal and have (or have not) been applied for *[give details e.g. water permit, discharge permit or coastal permit,]*

6. I/We attach in accordance with the Fourth Schedule of the Resource Management Act 1991, an assessment of environmental effects in the detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment. *[Including matters as relevant identified in the District Plan; list all documents you are providing]*

7. I attach any information required to be included in this application by Part F of the District Plan, the Regional Policy Statement & any relevant Regional Plan Provision, the Resource Management Act 1991, or any regulations made under the Act. *[List all documents you are providing]*

8. *[Where the application is for a consent for reclamation]* I attach information in accordance with section 88(7) of the Act to show the area proposed to be reclaimed, including its size and location, the position of all new boundaries and the portion of that area (if any) to be set apart as an esplanade reserve.



**SIGNATURE/S OF APPLICANT AND AGENT**

**Applicant:** **THE SIGNATURE OF THE APPLICANT IS ALWAYS REQUIRED**

**I/We** declare that the information provided is true and correct.

**I/We** agree **I am/We are** bound by any representation made by the agent as if **I/We** had made the representation myself/ourselves and that the Council is entitled to act in reliance on those representations with respect to processing of this application.

<b>Signature of Applicant:</b> <i>(required)</i>	
<b>Name of Applicant:</b>	
<b>Date:</b>	

<b>Signature of Agent:</b> <i>(when required)</i>	
<b>Name of Agent:</b>	
<b>Date:</b>	

**DECLARATION OF PAYMENT OF FEES**

**I/We** understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application and **I/We** undertake to pay such costs, subject to my/our rights of objection pursuant to sections 357B and 358 of the Resource Management Act 1991. **I/We** agree to pay any and all costs incurred by Council in recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated), or a company, in signing this application **I/We** are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

<b>Signature of applicant or person authorised to sign on behalf of applicant:</b>	
<b>Date:</b>	

Enquiries may be made during office hours at the Customer Service Centre on the ground floor of the Council Administration buildings in Cobham Court or by phoning the Council on (04) 237 5089.

## NOTES

- 1) **Initial fee payment:** This is a deposit only. There will be additional charges for actual planning staff time spent processing your application, which will be invoiced at the completion of the application. This is based on an hourly rate set in the Resource Consent Current Fees & Charges. Where the hourly rate changes the new rate will be charged from the date that it takes effect. For further information, please consult the Terms and Conditions of Resource Consent Application.
- 2) **Number Consents:** You may apply for two or more resource consents that are needed for the same activity on the same form.
- 3) **Brochures:** Brochures on related matters are available on request.
- 4) **Further Advice:** Advice and further information may be obtained from the Council planning staff and/or professional consultants. It is recommended that you make an appointment with a planning officer to review your application before it is lodged. Final assessment of your application to determine whether it shall be formally received will be undertaken within 5 working days of the application being lodged at Council.
- 5) **Notification 1:** The decision of whether or not to publicly notify a resource consent application is at the discretion of the Council, but an application must be publicly notified if:
  - The Council decides that the activity will have or is likely to have adverse effects on the environment that are more than minor beyond the application site and adjacent sites
  - If the applicant requests public notification
  - If the applicant refuses to provide requested additional information
- 6) **Notification 2:** The council must carry out a limited notification of the resource consent application if the adverse effects of the proposed activity on persons are considered to be minor or more than minor unless the written approvals have been obtained from all identified affected persons.
- 7) **Processing Time:** If your application is processed on a non notified basis and the Council has sufficient information a decision can be expected within 20 working days of applying. Where additional information is required you will be advised and the processing will be suspended until the information is received. It is recommended that you include as much information as possible in the initial application to avoid delays. Our brochures will assist in this regard.
- 8) **Fees:** The schedule of charges can be requested from Council. The initial deposit is offset against the processing time and a final account will be prepared once the decision is made. A monitoring charge is included in the final account when monitoring of consent conditions will be necessary.
- 9) **Subdivision:** If you are applying for subdivision it is strongly recommended that you consult a professional planner and/or surveyor before making the application.
- 10) **Privacy Information:** The information you have provided on this form is required so that your application can be processed under the RMA, so that statistics can be collected by the Council. The information will be stored on a public register, and held by the Council. The details may also be made available to the public on the Council's website. If you would like to request access to, or correction of your details, please contact the Council.

## **TERMS AND CONDITIONS OF RESOURCE CONSENT APPLICATION**

### **Definitions**

- 1 For the purposes of these terms and conditions:
  - 1.1 "The Act" means the Resource Management Act 1991;
  - 1.2 "Council" means the Porirua City Council;
  - 1.3 "Application" means an application to the Council for a resource consent under section 88 of the Act 1991;
  - 1.4 "Applicant" means the person or persons named as such on the application;
  - 1.5 "Owner" means a person or persons named on the application as an Owner of any land to which the application relates;
  - 1.6 "Agent" means any person named as an Agent on the application;

### **Accuracy of information**

- 2 Without limiting or derogating from any other obligation at law the Applicant and the Agent (if any) warrant(s) that:
  - 2.1 All information provided in the application is true and correct to the best of their knowledge and belief having made due inquiry and that it has not been presented in any manner which misrepresents the subject matter to which it relates;
  - 2.2 No materially relevant information has been omitted from the application; and
  - 2.3 They have read, understood and agreed to be bound by these terms and conditions;
  - 2.4 Council reserves the right to deem an application incomplete where it is unclear as to the identity of the Applicant.

### **Fees and Charges**

- 3 Unless a declaration concerning payment of fees has been signed, the Applicant shall be liable for all fees and charges levied by Council under the Act.
- 4 Where such a declaration has been signed, the Applicant and the entity signing the declaration is / are liable for the payment of fees including (but not limited to) additional charges under section 36(3) of the Act where fixed charges are inadequate to cover the Council's actual and reasonable costs.
- 5 Further charges will be notified to the Applicant by invoice and will be payable on or before the due date shown on that invoice.
- 6 Resource Consent current Fees & Charges can be found on the Council website. Council may amend these charges at any time, subject to the requirements of section 36(2) of the Act.

### **Payment**

- 7 Unless otherwise stated, all amounts which become payable pursuant to the application are due for payment on the 20<sup>th</sup> of the following month.
- 8 Any dispute as to any sum payable under these terms and conditions must be notified to Council in writing within 15 days of the date of the invoice.
- 9 The Council is entitled to apply the payment of any payment received first in reduction of costs and interest and then in reduction of any charges.
- 10 The Applicant will be liable for all costs and expenses (including by way of example only collection and commission costs and solicitor client costs) which Council incurs in attempting to recover any outstanding sums due under these terms and conditions.
- 11 Council may set-off any other funds held by Council on behalf of the Applicant against any sums due under these terms and conditions.

### **Liability of Agent**

- 12 Where an application is submitted to Council on behalf of the Applicant by an Agent, the Agent shall provide evidence of their authorisation to Council before the application will be accepted for processing.
- 13 If the authorisation is defective, the Agent shall be liable as a principal debtor for all amounts which the Applicant would otherwise be liable for under these terms and conditions.

## CHECKLIST

Have you included the following with your application for resource consent or certificate of compliance (☑)?

**Please provide 3 copies of the application and all supporting documents.**

- Deposit** – see Resource Consent Fees
  
- Certificate/s of Title for the subject site including pictorial (Land Transfer Plan). Please include full details of any interests registered on the title in the appropriate form**
  - Pictorial
  - Consent notices
  - Land covenants
  - Memorandum of encumbrances
  - Building line restrictions
  
- Site Plan (scale 1:100/1:200 for Suburban Zone & Rural Zone scale as appropriate) of existing and proposed activities including:**
  - North point
  - Legal description
  - Title or reference number
  - Contours (including spot heights on relevant boundaries & floor levels of buildings)
  - Certificate of title boundaries
  - Site boundaries and notional site boundaries (notional site boundaries only where applicable)
  - Road frontages
  - Existing buildings
  - Layout and location of proposed building and activity (including dimensions from boundaries)
  - Vehicle access, manoeuvring and parking (see Part H of District plan)
  - Proposed Landscaping (where proposed as a mitigation measure)
  - Site coverage calculation
  - Net site area calculation & notional net site area calculation (where applicable)
  - For a non-residential activity, the gross floor area of all buildings on the site (for assessing car-parking requirements)
  - Outdoor living area
  - Council utility services (water, storm water and sewer mains)
  - Watercourses
  - Easements
  - Encumbrance boundaries
  - Details of any signage (sign design, dimensions and location)
  
- All Elevation Drawings (scale 1:100) of all structures to be constructed or altered, showing the relationship to proposed buildings, including:**
  - The actual ground level (the level of ground after the completion of all sub-divisional earthworks and before the commencement of any earthworks for the development of the site)
  - Finished ground levels
  - Maximum building height and relevant height recession plane angle(s) (please demonstrate worst case scenario relevant to actual ground level and appropriate boundaries and identify location on site plan).

- Floor plan (including the use of all parts of the building, including basements, parking, lifts, storage and service area)**
- Earthworks plan (for any alteration to the land contour or disturbance of land)**
  - Plans showing the location and extent of proposed cuts & fills (please define height, depth (m) and area (m<sup>2</sup>) of earthworks).
- Earthworks that do not meet permitted activity standards, please include:**
  - Earthworks addendum form (please attach completed form, available on request)
  - Earthworks Management Plan & Assessment (including: description of height, depth (m) and area (m<sup>2</sup>) of earthworks, the location in relation to any water body, any areas of vegetation to be removed, silt & sediment control measures).
- Information required in application for resource consent**
  - An application must include the information specified in Schedule 4 of Resource Management Act 1991. If the required information is not provided Council cannot assess the application.
  - Any information must be specified in sufficient detail to satisfy the purpose for which it is required.
  - An application for Resource Consent must include consideration of Part 2 of the RMA and any relevant documents listed in Section 104(1)(b) of the RMA, including the District or Regional Plan and any relevant National Environmental Standards.
  - An application for Resource Consent must include an assessment of the activity against any relevant objectives, policies, or rules in any relevant document including the District Plan.
  - An Assessment of environmental effects (AEE) is an essential part of the application and must include such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.
    - An AEE must include the following information:**
      - If it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:
      - An assessment of the actual or potential effect on the environment of the activity:
      - If the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use:
      - 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; and 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:
      - Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:
      - 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:



- If the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

**An AEE must address the following matters:**

- Any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:
- Any physical effect on the locality, including any landscape and visual effects:
- Any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:
- Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:
- Any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:
- Any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.

- Application form fully completed and signed by the Applicant**

- For the purposes of the National Environmental Standard (NES) Assessing and Managing Contaminants in Soil to Protect Human Health, please confirm the following:**

**1. Is my land covered by the NES?**

- Is an activity or industry described in the HAIL (*Hazardous Activities and Industries List*, Ministry for the Environment <http://www.mfe.govt.nz/issues/hazardous/contaminated/hazardous-activities-industries-list.html>) being undertaken on the piece of land.

Yes  No

- Are you aware if any activity or industry described in the HAIL has been undertaken or has more than likely been undertaken on the piece of land to which this application applies?

Yes  No

**2. Is my activity covered by the NES?**

- Is the activity you propose to undertake one or more of the following activities?
  - removing or replacing a fuel storage system or parts of it  Yes  No
  - sampling soil  Yes  No
  - disturbing soil  Yes  No
  - subdividing land  Yes  No
  - changing the use of the land, which means changing it to a use that, because the land is described as HAIL land, is reasonably likely to harm human health  Yes  No

**3. Will I need a resource consent?**

- If 'Yes' to both 1 & 2 above, then the NES regulations may apply. If you cannot meet the requirements of the NES permitted activity standards you will need to apply for a resource consent. The Council will advise you of the process.

For more detailed information on the requirements of the NES please contact the duty planner at the Council, or refer to the Ministry for the Environment website

<http://www.mfe.govt.nz/laws/standards/contaminants-in-soil/>

Where the application is for a **subdivision consent** please also include in your application:

- The position of all new boundaries.
- The numbers, areas and dimensions of all proposed lots.
- Existing and proposed sewer, water and stormwater systems with invert and manhole levels.
- Proposed roads, accessways, service lanes, access lots and private ways with relevant width, areas, and proposed gradients.
- Proposed easements (drainage, rights of way etc) with suitable memorandum and/or schedule.
- A description and evaluation of existing native flora and fauna and natural landscape features.
- Proposed reserves with suggested classifications and improvements (pathways, rest areas, play areas, landscaping, etc).
- In the case of subdivision in the Rural Zone, information on water supply and waste water disposal, identification of house/building sites, and evidence that the proposed building sites are suitable for buildings in relation to the stability of the land and the proposed waste water disposal systems.
- In the case of subdivision in the City Centre, Industrial and Suburban Zones, outline plans of proposed development of sufficient quality and detail to demonstrate that this is practicable to construct on all allotments, as a permitted activity, a dwelling or other buildings which does not contravene any permitted activity standard.
- Any areas of the site that have the potential for flooding, inundation, erosion, landslip or subsidence.
- The location and areas of new reserves to be created, including any esplanade reserves to be set aside on a survey plan under section 230 of the Act.
- The location and areas of any existing esplanade reserves, esplanade strips, and access strips.
- The location and areas of land below mean high water springs of the sea or of any part of the bed of a river or lake which is to be vested in the Crown or local authority under section 237A of the Act.
- In the case of land fronting on the state highway, evidence that the proposed subdivision has been discussed with the New Zealand Transport Agency and the outcome of discussions.

**Comments:**

Type any comments here