

Will council notify my application?

Council does not have a general discretion to publically notify resource consent applications. The decision to require that your application is notified or not is governed by a step-by step process under the Resource Management Act. This includes consideration of where:

1. Legislation or regulation mandates that some activities must be publicly notified and others not.
2. Council must notify an application either fully or to limited parties because 'special circumstances' exist.
3. An affected group must be notified e.g. affected customary rights groups

Where none of the above applies Council staff assessing your application consider what effects your activity has and who may be affected by it. E.g. *is it likely to result in excessive noise that could affect adjacent properties?* The assessment considers whether there are adverse effects on a person or the environment that are minor or more than minor. It will include:

- Whether the effects of the activity are ones that were anticipated or consistent with the purpose of the zone the proposed activity will be carried out in
- what you may be doing to reduce that effect e.g. *are you proposing to do landscaping in the screen what you are doing so that it is not so obviously visible to the neighbours.*
- Who you have consulted with and whether you have written approval from everyone who may be affected by what you for what you want to do.

It is only when the assessment determines that the activity will have or is likely to have adverse effects on the environment that notification of the application will be required

Applications which cannot be publically notified

- The application is for an activity that a rule in a national environmental standard (NES) **precludes** public notification.
- The application is for one of the following and no other consents are required:
 - A controlled activity in the Operative District Plan.
 - A restricted-discretionary or discretionary activity for subdivision of land or a residential activity (i.e construction, alteration or use of 1 or more houses on land zoned either Residential or Urban Living in the Operative District Plan).
 - A boundary activity (matter that can be deemed to be a permitted boundary activity such as a structure located in a side yard, or infringement of the natural light plain where the owner of the yard being infringed has given their written approval).

(Unless the application is for multiple activities where public notification of each of the activities is precluded from notification)

Applications which must be fully notified

- Where a rule in a national environmental standard (NES) **requires** the type of activity or effects need notification
- Where an applicant requests public notification
- An applicant refuses to provide further information requested or does not provide it in the time requested or has not responded to or refuses to agree to the commissioning of technical reports
- When a resource consent application is made jointly with an application for an exchange of recreation reserve land

Applications which cannot be limited notification

- The application is for an activity that a rule in a national environmental standard (NES) **precludes** limited notification
- Any activity prescribed through regulation
- The application is a controlled activity in the Operative District Plan

(Unless the application is for multiple activities where limited notification of each of the activities is precluded from notification)

Applications which will be limited notified

- Where Council determines certain people or groups are affected persons and must be given limited notification
 - Affected protected customary rights groups
 - Affected persons to who a statutory acknowledgement is made (fi the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement)
- Where 'special circumstances' exist