

# Does your Resource Consent Application Require Affected Person's Approval?

*Section 95E(3) Resource Management Act 1991*

**When processing your resource consent application, Council must consider whether or not anyone would be adversely affected by your proposal, and what level of impact it is likely to have on the environment. This determines whether your resource consent will be non-notified, limited notified or publicly notified.**

## **Non-Notified Resource Consent Applications**

Council may decide that your application does not need to be notified, providing you obtain the written approval of every person who is considered to be adversely affected by the activity you plan to carry out.

This written approval is referred to as "Affected Person's Approval". Council can provide you with forms for you to take to affected parties to obtain their written approval. You will also need to provide them with a copy of your application and plans.

It is best, if you can, to talk to everyone you think might be affected by your activity. Show them your plans and your completed resource consent application and obtain their written approval before you submit your resource consent application to the Council.

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## **Limited Notified Resource Consent Applications**

If your application does not need to be publicly notified but you are not able to get written approval from all affected parties, your application will be limited notified. You can also request that your application be limited notified.

The Council will write to all affected parties and give them the opportunity to make a submission on your application within 20 working days. Only those people considered affected by your application will get the chance to make a submission.

If you and/or any submitters wish to be heard, or if Council considers it necessary, a hearing will be held. At the hearing, you and the submitters will get the opportunity to speak to your submission in front of the commissioner(s) who will make the final decision on your application.

If a hearing is not required, Council staff will make a decision on your application.

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## **Publicly Notified Resource Consent Applications**

If what you are proposing will have adverse effects on the environment that are more than minor, or if you request it, your resource consent application will be publicly notified.

Your application will be advertised in newspapers and anyone who wants to will be able to make a submission that either supports or opposes your application or is neutral.

If you and/or any submitters wish to be heard, or if Council considers it necessary, a hearing will be held. At the hearing, you and the submitters will get the opportunity to speak to your submission in front of the commissioner(s) who will make the final decision on your application.

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**Notified and limited notified resource consents** cost more, as Council Planning staff must spend more time on your application. They also take longer to process, as your application has to be open for submission for at least 20 working days and then a hearing may be required before a decision can be made.

The people most likely to be affected by your resource consent application are your neighbours. As it is likely you will continue to live next to them after you have completed the resource consent process, it is best if you can talk to them about your plans and obtain their written approval before you submit your application to Council.

Have a think about what you are wanting to do, and how you would feel if your next door neighbour or the person across the street was going to be the one doing it.

Also have a think about whether you could change your plans so that they meet the permitted rules of the operative Buller District Plan. If you can, you may not need to get a resource consent.

For more information on the resource consent process, either phone (03) 788 9603 or email [planning@bdc.govt.nz](mailto:planning@bdc.govt.nz) with your proposal and our Duty Planner will respond.