

What do I need to know (the applicant)?

If you are making an application for resource consent Council will identify who may be adversely affected (if anyone). It is important to ensure parties you approach sign all the appropriate papers, otherwise the approvals may not be valid and you will have to re-visit all parties.

*It is important to note that **all** owners **and** occupiers of a property can be affected parties.*

Please note that the final decision on who is an affected party is made by Council Officers once the application is received.

It is important to listen to people's reasons for withholding a consent. Sometimes you will be able to change your proposal slightly to meet their concerns but still meet your objectives.

What can I do if a person will not give their consent?

If you cannot come to an agreement, then the application must be notified. Alternatively, an option might be to re-design it in a way that does not affect that person.

Who can help?

If you are required to obtain parties consents by the Council or if you are approached by someone who requires your consent, think carefully about the process.

If you have any concerns or questions you can call Council and discuss them with a Council planner.

This pamphlet is one in a series published by the Whanganui District Council. It is intended to provide general information only. It is not intended as a legal document and may not be applicable in all circumstances. For specific information on any consent application please contact a Council Planner.



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Whanganui District Council



A guide to being an Affected Person



**WHANGANUI
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Te Kaunihera a Rohe o Whanganui

What do I need to know (affected person)?

If the Council considers you to be potentially adversely affected by a land use or subdivision proposal, it is the applicant's responsibility to seek your written approval to the activity they are proposing. If they do not get the written approvals, their application will be either limited or publically notified.

There are some types of activities that do not require written approval.

It is your responsibility to ensure that you understand why your approval is being sought and what effect the proposed activity will have on you and your property. It is your right to:

- Question the applicant about the proposed activity; and
- Seek further information about the resource consent process and your rights from Council or a lawyer.

The Council cannot advise you whether you should or shouldn't give your approval. Once you sign an affected parties form, Council cannot consider any adverse effects of the activity on you.



Timeframes

If you want to take your time to consider the proposal it is worth noting that there is no legal timeframe to give written approvals (there is a 20 working day timeframe for notified consents).

If an applicant asks you to sign by a specific date it is usually for their own requirements. If you need more time, you should say so.

Supporting the Application

If you agree with what the applicant is proposing, you may decide to sign the forms. It is recommended that you sign not just the consent form, but also the application itself (including plans) and the assessment of environmental effects.

The applicant is required to show you all of these documents. This is also a safeguard for you that you are quite clear on what you are agreeing to.

What if I don't approve?

If you don't want to give your written approval and you are considered a potentially affected person, the application will be notified.

A copy of the application will be sent to you as an affected person and you will have 20 working days to 'have your say' on the application.

What if I change my mind?

You can withdraw your consent anytime before Council makes a decision on notification (within 10 working days of receiving the application). Withdrawing is done by writing to Council and the applicant. Otherwise Council will assume you agree with the application.

Can I change the proposal?

Council can only accept unconditional approvals from affected persons, so you cannot make changes to the proposed activity by giving conditional or partial consent.

Any changes to the proposal must be incorporated into the plans and application.

Private agreements outside the scope of the resource consent application are sometimes entered into but these are private and Council has no power to enforce or monitor them.

