

Consent Conditions

Failure to comply with the conditions of a land use consent may result in enforcement action. Council monitors compliance with the consent conditions which may involve site visits by Council staff.

Can I object to the decision or conditions?

If your application was not decided at a hearing, you may lodge an objection requesting that Council reconsider its decision and/or conditions. This process will normally involve a hearing to allow you to present your objection to Council's Hearings Committee.

You have a further right to lodge an appeal to the Environment Court against the Council's decision.



I have my consent—now what?

For non-notified consents that have been approved, you may start the activity immediately unless you wish to object to a condition that has been imposed. For notified consents there is an appeal period of 15 working days after the decision is issued. If no appeal is lodged after this time the activity may commence.

A consent will lapse if it hasn't been given effect to within 5 years of being granted.

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.



**WHANGANUI
DISTRICT COUNCIL**
Te Kaunihera a Rohe o Whanganui

101 Guyton Street
PO Box 637
Whanganui 4540
New Zealand

Phone: (06) 349 0001
Fax: 06 349 0000
www.whanganui.govt.nz

Whanganui District Council



A guide to Land Use Consents



**WHANGANUI
DISTRICT COUNCIL**
Te Kaunihera a Rohe o Whanganui

What is a Land Use Consent?

When you wish to build or use your land in a way that does not comply with the rules of the District Plan you need to get permission from Council. This permission is called a resource consent. The Council deals with two types of resource consents: Subdivisions and Land Use consents. This pamphlet is about land use consents.

All Land Use Consents...

- Must be obtained prior to the start of the activity.
- Are assessed in terms of the Resource Management Act (1991) (RMA), the effects on the environment, any relevant regulations, statutory documents, plans and any other matter Council deems to be reasonably necessary.
- May require the written approval of any persons the Council deems to be adversely affected by the activity, or require public notification.
- Are legal documents. Land use consents belong to the land, not the applicant. It is the holder's responsibility to adhere to the conditions of the consent.

Making an Application

All applications are to be made with the application form and should include the relevant information listed in the checklist included with the application.

Many of the requirements listed on the checklist may vary or be unnecessary in some cases. If you need help please contact a Council Planner.

If the information supplied with the application is not sufficient to enable Council staff to fully understand and assess the proposal, then the application will either be returned for incompleteness or placed on hold until further information is provided.

Application fees

A deposit is payable on lodgment. In some cases, this will be the whole cost of the application. In other cases, where further information is required, or a hearing or specialist input is required, additional fees will be charged.

Will my application be Notified or Non-Notified?

The RMA provides specific guidance in relation to how a consent is notified. Depending on the potential effects of the activity it may be either:

- Publicly Notified—including advertising in the newspaper; or
- Limited Notified—notified only to those parties deemed affected by Council; or
- Non-Notified—there are no affected parties for the Council to consider.

How long does the Council have to process the consent?

For non-notified applications Council has 20 working days to make a decision.

For limited and publically notified applications the following timeframes apply:

Within 10 working days a notice is placed in the newspaper and sent to affected parties. From the date of this notice there is 20 working days for people to submit.

Within 25 working days of submissions closing, a hearing will be held to hear the application.

Within 15 working days of the hearing an decision will be issued.

