

What is a resource consent and how do I apply for one?

When you wish to build or use your land in a way that does not comply with the rules of Buller District Plan, you need to get special permission from the Council. This permission is called a resource consent.

If you obtain a resource consent you are then able to build or use your land in accordance with this consent and you do not have to comply with the plan.

The Council prepares the District Plan in consultation with the community and the public are able to make submissions on its contents. All land use proposals have to be assessed against the plan.

The District Plan guides the way the Buller district is developed and assists in controlling any potential negative effects of development.

How do I apply for a resource consent?

You, or someone representing you will need to complete a Resource Consent application form and submit it to Council. You can apply for a resource consent yourself, but if you have trouble getting the information together or need advice on technical aspects of your application it may pay to get assistance from a professional such as a resource management planner, land surveyor, architect, builder or lawyer.

There is a fee for processing resource consent applications, and a deposit towards this fee must be paid at the time the application is made. The fees for different types of applications are detailed in our fees and charges page of the website.

How will my application be processed?

Once Council has been supplied with sufficient information to assess the application, a decision will be made as to how your application will be processed.

There are three ways in which applications can be processed - notified, limited notified or non-notified. The Resource Management Act provides specific guidance to councils who must decide whether or not an application is to be notified.

Not-notified

The written approval of all affected parties must be obtained and Council must be satisfied that the environmental affects of the proposal will be minor.

Notified

If the activity is considered to have more than minor effects on the environment, the activity is publicly notified. A notified application is advertised in newspapers and copies are sent to the affected neighbours. Anyone may lodge submissions supporting or opposing the application.



Limited notified

Where the activity is considered to have minor effects but not all affected parties approvals can be obtained, the application can be served on those parties. Only those parties who are served are allowed to make a submission on the application.

Those who lodge submissions under both limited notified and notified procedures may request to be heard by a hearings panel. If no-one wishes to be heard, or the applicant is non-notified the decision is made 'in house'.

Notified and limited notified applications take significantly longer to process and are more expensive than non-notified applications. An applicant should not assume that if they obtain written consent from affected parties that an application will be non-notified. If the adverse effects of the proposal are considered more than minor then the application may still need to be notified.

Once a resource consent is obtained, you are able to carry out the activity in accordance with the conditions and any other regulations and legislation. A resource consent remains valid for five years unless otherwise specified. After this time the consent will have expired if you have not made substantial progress with the development. There are provisions for applying for an extension or re-approval of a resource consent.

For more information, please contact:

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