



RESOURCE MANAGEMENT A GUIDE TO PROPOSING A DEVELOPMENT, BUILDING WORK OR BUSINESS

The Resource Management Act 1991

Section 5 of the Resource Management Act (RMA) 1991 sets out the purpose of the Act which requires that local authorities promote the sustainable management of natural and physical resources.

This means “managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while:

- Sustaining the potential of natural and physical resources to meet the foreseeable needs of future generations;
- Safeguarding the life-supporting capacity of air, water, soil and ecosystems.
- Avoiding, remedying or mitigating any adverse effects of activities on the environment.”

The Ruapehu District environment has cultural heritage, as well as natural and physical attributes, which are particular to the area and New Zealand, for example the Old Bank building in Raetihi and vast conservation areas.

These attributes have been identified in the Ruapehu District Council District Plan.

What is the District Plan?

The Ruapehu District Council is required by the Resource Management Act 1991 to prepare and operate a District Plan.

The District Plan covers all of the land within the Ruapehu territorial boundaries and it is the means by which the use, development and protection of the District’s natural and physical resources will be managed in a sustainable manner. Council is required to focus on the effects of developments and activities on the District’s natural and physical environment.

What is a land use resource consent?

The rules in Council’s District Plan may or may not allow certain types of land use activity in certain areas or locations. These rules classify land use of development activities as being permitted, controlled, discretionary or prohibited. Activities not provided for in the District Plan are called non-complying activities.

If the activity you want to carry out is not permitted by a rule in the District Plan, you are required to apply for a resource consent for land use.

What is a permitted activity?

A permitted activity is one that is allowed by a District Plan without a resource consent, if it complies in all respects with any conditions specified in the Plan.

What is a controlled activity?

A controlled activity must comply with conditions attached to the particular activity. It requires a resource consent application.

Only matters which Council has reserved control over in the Plan are assessed. A controlled activity cannot be declined by Council, but conditions can be imposed on the resource consent.

What is a discretionary activity?

A discretionary activity requires a resource consent application. Such an application can be declined by Council. Some discretionary activities are unrestricted, while others are restricted.

Discretionary (restricted) activity means an activity in respect of which Council has restricted the exercise of its discretion to those matters specified in the District Plan.

Discretionary (unrestricted) activity means an activity in respect of which Council has not restricted the exercise of its discretion.

What is a prohibited activity?

A prohibited activity is an activity expressly prohibited in a District Plan. It is an activity for which no resource consent shall be granted by Council.

What is a non-complying activity?

A non-complying activity is an activity that is not provided for in a District Plan, or those activities currently listed as a prohibited activity.

It requires a resource consent application and Council has not restricted the exercise of its discretion on matters relating to that activity.

Again, an application to undertake a non-complying activity can be declined.

What is a subdivision resource consent?

A subdivision consent is required from Council to legally divide land or buildings for separate ownership, such as new lots or sections, unit title, flats plan or company lease.

You cannot subdivide land in the Ruapehu District until you obtain this consent. Like land use proposals, subdivision proposals are categorised as being either controlled, discretionary, non-complying or prohibited.

How do I know if I need a resource consent?

We advise that you discuss your proposal with a Planning Officer by visiting the public inquiry desk at the Taumarunui Office in Huia Street or, alternatively, contacting them by telephone.

A Planning Officer will check if your proposal complies with rules of the District Plans and will advise if a resource consent application is required.

They will also describe to you the information you need to lodge with your application and give you some pamphlets to help you prepare an application.

Every subdivision requires resource consent and, because a subdivision consent application can be complex, a Registered Surveyor is often used by applicants to prepare the application and lodge it with Council.

What other consents, permits or licences may be required from the Ruapehu District Council or Horizons Regional Council?

- Earthworks Permit.
- Building Consent under the Building Act 1991.
- Water Permit from Horizons Regional Council to take, dam, use or divert water.
- Discharge Permit from Horizons Regional Council to discharge water or contaminants into the environment (land, water and air).
- Coastal Permit from Horizons Regional Council for any activity carried out in the coastal marine area (ie below mean high water springs and out to the limit of New Zealand's territorial waters) – including structures, activities on the water's surface, discharging waste and taking, damming, diversion or use of coastal water (includes estuarine and sea water).
- Liquor Licence from Council's Liquor Licensing Officer.