



RESOURCE MANAGEMENT YARD REQUIREMENTS

Purpose

This page provides information relating minimum boundary requirements in accordance with the Ruapehu District Plan that should be adhered to when building on your property.

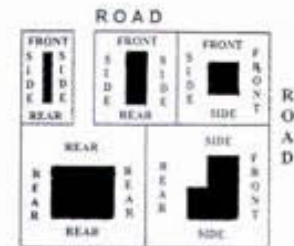
This page also provides information on what needs to be done if you need to encroach on these minimum yards (Resource Consent).

District Plan

The Ruapehu District Plan advises of how close you can build to your boundary. These requirements vary based on the zoning of your property and where on the street your property is located.

What are yards?

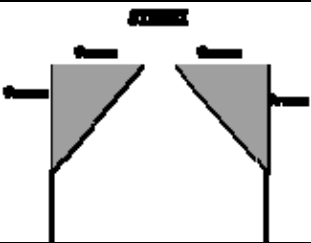
Yards are areas within a site which must remain free of any buildings. Within the District Plan there are requirements relating to front, side and rear yards. The diagram illustrates where yards exist on your property.



- Yards are important in terms of protecting amenity values. Yards can achieve:
- Privacy and the provision of daylight by the separation of the buildings from the neighbouring property
- Ensuring access to the rear of the property
- Providing an open streetscape
- Provision of outdoor living space

Zoning Requirements

Zone	Front Yard	Side Yard	Rear Yard
Rural	If fronting local roads and collector roads, a minimum of 10 metres is required. If fronting all other roads, a minimum of 30 metres is required. If the site is less than 3,000 square metres and existed on the date the Plan was notified, a minimum of 5 metres is required.	All sites shall have minimum side and rear yards of 20 metres. if the site is less than 3,000 square metres and existed on the date the Plan was notified, a minimum of 5 metres is required.	All sites shall have minimum side and rear yards of 20 metres. if the site is less than 3,000 square metres and existed on the date the Plan was notified, a minimum of 5 metres is required.
Residential High	Determined by joining a line from a point 9.0 metres along the street boundary to a point 9.0 metres along the respective side boundary where no building will be permitted.	One side yard of 1.0 metre	0 metres

			
Residential Medium	4.5 metres	1.5 metres	3.0 metres
Residential Low	10 metres	10 metres	10 metres
Industrial	6 metres from any adjoining property that is zoned Residential	6 metres from any adjoining property that is zoned Residential	6 metres from any adjoining property that is zoned Residential

What is a resource consent?

If your development proposal is not able to meet the yard requirements, then you will need to apply for resource consent. This is the process whereby Council can approve your proposed development if it does not comply with the yard requirements. It is a formal application which you must make to Council.

With respect to a proposal which does not comply with the density requirements, Council may either approve or refuse the application.

How to apply for a resource consent

The first step is to complete a Resource Consent Application Form. This can be obtained from Council. The application must be accompanied by the appropriate application fee.

There are two important pieces of information that must be provided when making a resource consent application for the reduction or waiver of the yard requirements. These are:

- A detailed description of the activity to be undertaken. This includes a description in words, a site plan drawn to scale showing all existing and proposed buildings in relation to each other and the boundaries, and plans showing the elevations of the proposed building.
- An assessment of effects. This assessment requires you to consider what effects your proposal will have on the environment. Relevant matters to be considered include:
 - Effects on open space (i.e. will there be a loss of separation from neighbouring buildings or properties, resulting in a closed in feeling)
 - Effects on the daylight (i.e. will encroaching on the yard block sunlight and lead to shading both on your and neighbouring properties)
 - Effects on privacy (i.e. will building on the yard affect either you or your neighbours privacy)
 - Effects of access (i.e. will developing on the yard impede access to the rear of the property)
 - Effects on amenity (i.e. will the development affect the surrounding environment in any way).

Consents

There are two ways Council can process a resource consent application, non-notified or notified.

Non-Notified Resource Consents

A non-notified resource consent application is dealt with without the opportunity for the general public to participate. In reaching a decision, a site inspection will be undertaken by Council staff and a staff report prepared containing a recommendation on the application. The final decision is made by the Chief Executive or delegate. A decision on a non-notified application will generally be made within **20 working days** of receiving a **complete** application.

A complete application adequately addresses the matters set out on this page, and includes the required fee.

An application may be considered as non-notified provided the written consent of all affected parties is obtained and the effects on the environment are minor. In the first instance, Council is responsible for the judgement on these matters. However, you will need to provide enough information to enable this judgement to be made.

With respect to yard requirements, affected parties are people adjacent to the non-complying area. It is necessary that these affected parties sign a copy of the site plan for the proposal.

Notified Resource Consents

If the application is notified, the public have the opportunity to make written submissions to Council regarding the application. You should receive a copy of these submissions. In the event that either you or a submitter wish to present a case in support of the application or submission, or Council determines a Hearing is necessary, a public hearing will be held. At the Hearing, you will have the opportunity to present a case in support of your application to the Hearings Committee. The Committee will make the decision on the application.

If submissions to the application are received and a Hearing needs to be held, the application will generally take between **three to four months** to process from receipt of a **complete** application. This timeframe may be shortened if no submissions are made, or if all submitters do not wish to be heard.

Appeals and objections

You have the right to appeal or object to the whole, or any part of, the decision made on a resource consent application (either notified or non-notified), including any condition imposed. You may appeal the decision to the Environment Court or, in the case of a resource consent that was not notified, object to Council. All appeals and objections must be in writing and made within 15 working days of Council's decision being advised to you.