



Guidance Notes

Building a Shed or Garage in the Rural Zone

Ruapehu District Plan

These Guidance Notes sets out the rules for building a shed within the Rural Zone. If you cannot comply with these rules, then Resource Consent is required. Applying for a Resource Consent is a relatively simple process and guidance see "Applying for Resource Consent for a Shed or Garage - Rural Zone" section on how to apply.

Please Note: This guidance relates only to sheds and garages that are to be used in association with a farm or a house. If it is to be used for other purposes (eg, in connection with a business or industrial activity), please contact the Resource Consents Team, who will provide the relevant rules.

Question 1a - Setback from boundaries on sites 3000m² and less

Setback

Sheds and garages must be at least 5m from all boundaries

Go to Q2

Yes

No

Question 1b - Setback from boundaries on sites larger than 3000m²

Front Boundary Setback

The shed or garage must be at least 10m from the front boundary.

Except where the property adjoins one of the following roads, then the shed or garage must be at least 30m from the front boundary.

- Raetihi Ohakune Road
- Ohura Road and Mangaparo Road
- Otahu Road and Okahukura Saddle Road
- Any State Highway

Yes

No

Exceptions for Rear Sites

Where a site does not adjoin a public road, there is no 'front boundary'. Instead, all boundaries are considered to be rear boundaries and the rules for Rear Boundaries apply (see below)

Side and Rear Boundary Setback

Site of between 3000m² and 1ha

- Sheds and garages must be at least 10m from the boundary

OR

Sites larger than 1ha

- Garages must be at least 20m from the boundary
- Sheds must be at least 10m from the boundary

Yes

No

How to determine a boundary

People often assume that fences are constructed on the boundary and that the edge of the formed road is the front boundary of their property. This is not necessarily the case.

To establish the location of the boundary you can either:

- 1 Locate your boundary pegs, check these against the boundary points shown on your Certificate of Title and then determine where the boundary lies. However, if your boundary pegs have been removed, or if you don't measure accurately, there is a risk the information may not be correct.
- 2 Employ a surveyor. If a building is located close to a boundary and/or there is any uncertainty as to the location of the building, Council would recommend this approach.

Question 2 - Setbacks from Rivers and Streams

Note: The bank of a river is taken to be the outer edge of the riverbed. The riverbed is the space of land which the waters of the river cover at its annual fullest flow without overtopping the banks.

Yes

No

Not Applicable

Setback

At least 20m from the banks of a river if the riverbed is wider than 3m.

Setback

At least 10m from the banks of a river if the riverbed is less than 3m in width

Yes

No

Not Applicable

Question 3 - Height

The maximum height is the lesser of either:

- 15m or
- 2m plus the horizontal distance from the nearest site boundary (eg, if the shed is positioned 5m from the boundary, the maximum height can be 7m)

Yes

No

Exceptions

Properties adjoining Taumarunui Airfield

If your property adjoins the Taumarunui Airfield, , please contact Council. Specific Rules apply to protect aircraft using the Taumarunui Airfield. **Consent may be required.**

Applicable

Not Applicable

State Highway 4, National Park

If your property is located to the east of State Highway 4 at National Park, please contact Council. Specific Rules apply to protect views of Tongariro National Park from National Park Village. **Consent may be required.**

Applicable

Not Applicable

Question 4 - Access

There must be legal and practical access from the building to a public road

Yes

No

Question 5 - Miscellaneous

Earthworks

- Any areas exposed through earthworks need to be reinstated as soon as possible.
- No more than 1000m³ of material shall be removed from site.
- Any person undertaking earthworks must comply with the New Zealand Electrical Code of Practice (NZECP 34:2001).

Yes

No

National Environmental Standard: Soil

If there are any earthworks being undertaken, you will need to check whether there is a risk of soil contamination. The Brochure *NES Soil* has more information on this.

Yes

No

High Voltage Power Lines

The garage or shed must be more than 32m from the centreline of any high voltage power lines.

Yes

High voltage power lines are owned and operated by Transpower NZ and form part of the National grid.

No

Not Applicable

Hazardous Substances

Should the shed be used to store hazardous substances (eg, fertilisers, agrichemicals or fuels), please contact Council for the relevant rules.

Note re Archaeological Discovery

Should any human remains or archaeological items be exposed during construction, works need to be stopped and Council contacted.

Other Requirements

Building Consent may be required for the construction of the building.

How to Apply for a Consent

If you do not meet one or more of the rules above, you will need to apply for Resource Consent, which is generally a very simple process. The process simply allows Council to check whether there are any issues with what you are proposing and allows neighbours, if they are affected, to be involved.



Checklist for Application for

Building a Shed or Garage in Rural Zone

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If you are applying for Resource Consent for a shed you will need to do the following:

- Completed Resource Consent application form** (attached)
- Written approval of any affected parties** (attached)
You are not required to provide written approval from neighbours. However, if this is not provided, Council will need to assess if the application needs to be notified to neighbours.
These may include:
- Neighbours (eg, where the shed or garage is close to a boundary, the written approval of the adjoining neighbours will generally be required).
 - New Zealand Transport Authority (NZTA) or Council:
 - » NZTA's approval is required where the building will be closer than permitted to a front boundary which adjoins a State Highway.
 - » Council's Land Transport Team approval is required for any other application for a front yard encroachment.
- Certificate of Title** either:
- Less than three months old, including title plan and any relevant encumbrances.
- OR
- To be ordered on your behalf. The cost of \$15 will be added to the Resource Consent Costs.
- Description of the proposal and an Assessment of Environmental Effects**
With simple applications, the standard template can be used (attached).
- Site plan showing the location of the shed within the site and elevations of the building**
These can often be provided by the company supplying the building and will be required, in any case, with the Building Consent application.
Please note: It is important that plans are accurate and to scale. If you are providing the plans yourself please see "Plans Accompanying A Resource Consent Application" section for guidance on what the plans need to show.
- Required deposit (see "Resource Management" in Council's Fees and Charges Manual for current fees)**
The actual cost for processing the application may plus or minus actual and reasonable costs.
Council staff can provide guidance on the likely cost of the application. Where it is for a simple yard encroachment and good information is provided with the application, the applicant may be entitled to a refund on the deposit.

What happens next?

In some instances, further information may be required.

You will normally receive a decision on your application within 20 working days of Council receiving the application. These timeframes will take longer if neighbours are considered to be affected and their written approval has not been provided, or when there is insufficient information provided with the application.



Simple Application for Resource Consent

Section 88 - Resource Management Act 1991 (Form 9)

Application Type

Use this form when applying for simple Resource Consent applications (eg, Building a Shed or Garage in a Rural Zone).

Please feel free to contact Council if you would like help on completing this form.

Section 1 - Lodgement of Consent Application and Fee (Deposit)

I/We hereby certify that, in the best of my/our knowledge and belief, the information given in this application is true and correct. I/We understand that Council may invoice me/us for the actual and reasonable costs incurred in the processing of this application.

Signature of Applicant

Date

Or person authorised to sign on behalf of applicant

Section 2 - Applicant and Consultant Details

Applicant

Name

Contact Person

Mailing Address

Billing Address (if different from above Mailing Address)

Daytime Phone No

After Hours Phone No

Email

Consultant Details (if applicable)

Name

Contact Person

Mailing Address

Billing Address (if different from above Mailing Address)

Daytime Phone No

After Hours Phone No

Email

Section 3 - Owner and Occupier Details

Owner's Name (if different from applicant)

Owner's Address (if different from applicant)

Occupier's Name (if different from applicant)

Occupier's Address (if different from applicant)

Section 4 - Site Details

Street Address of Site

Legal Description of Land

Valuation No

Certificate of Title (less than three months old)

To be obtained by Council on your behalf (the cost of obtaining the CT will be included in the Resource Consent fee)

Attached, together with the diagram page and details of any relevant consent notices or covenants

Section 5 - Description of Proposal

Section 6 - Affected Persons Approval

Has consent been obtained from affected persons? (Affected Persons Approval Form required)

Yes No

Section 7 - Additional Resource Consents

The following additional Resource Consents are required in relation to this proposal

Description of Additional Resource Consent

Resource Consent Applied for?

Yes No

Yes No

Yes No

Yes No



Ruapehu District Plan

Affected Person(s) Consent Form

Section 95 Resource Management Act 1991

Affected Person Details

Full Name(s)

Address of Property

Daytime Phone

Mobile

Email

I am/We are the

Owner

Occupier

Owner and Occupier

of the property

I have the authority to sign on behalf of all the other owners/occupiers of the property.

Note: If you are signing on behalf of others (eg, a Trustee on multiple-owned Maori land), please provide evidence to show that you have this authority.

Consent Details

I have read and understand the information on the reverse of the page and consent to the proposal described below.

Applicant

Location of Property

Description of Proposal

Signatures *(a signature is not required if you give your written approval by electronic means)*

Signed

Date

Queries

If you have any queries regarding the Resource Consent process and the roles and rights of adversely affected person(s), please contact the Resource Management Team at Council.

Other Potential Affected Parties

Are there any other potentially affected parties that Council needs to be aware of? For example, any person who has agreed in writing to purchase your land or leasehold estate is potentially affected if that agreement is still in place. A tenant of your property may also be affected, especially if they are a longer term tenant.

Name of Other Party

Contact Details

Introduction

Any proposal to do something that is not provided for as a Permitted Activity in Ruapehu District Council's District Plan will require a Resource consent.

If you have been asked to sign this form, it will be because the applicant is proposing to do something that is not a Permitted Activity and therefore their proposal requires a Resource Consent. This is not, in itself, a bad thing but the Resource Consent process provides the opportunity to determine whether the proposal can be granted consent in terms of the Act.

Why is your Consent Required?

If an application for a Resource Consent is to be proposed as a Non-Notified application, the Resource Management Act requires that the proposed activity should have no more than minor effects on the environment and that written approval be obtained from any person Council considers may be adversely affected. If you have been asked to give your consent, it is because Council considers you may be adversely affected by the proposed activity.

Just because your consent is being sought, it does not mean you are definitely adversely affected. The affected persons consent process is designed to give you the opportunity to consider the particular proposal and decide for yourself whether you are adversely affected and/or the degree to which you may be adversely affected.

What Should You Do?

If you are asked to give your consent to someone's proposal as part of their application for a Resource Consent, you should do the following:

- 1 Request that your neighbour (or their representative) explain the proposal clearly and fully to you.
- 2 Study the application and associated plans of the proposed activity provided by then in order to understand the effects of the proposal. If there are no plans available at this stage, you are quite entitled to wait until they are available.
- 3 Decide whether the proposal will adversely affect your property and, if so, to what extent. You can take your time over this decision and you are quite entitled to ask the applicant for more information. You may suggest amendments to the proposal that you consider improve aspects of the proposal in terms of its adverse effects on you.
- 4 If you are satisfied that the proposed activity will not adversely affect you, **complete and sign the affected person(s) consent form** (on reverse) and **sign an copy of the associated plans and the Assessment of Environmental Effects**. Please also list these documents below, including version numbers and date of the document.

If you wish to consent to the proposed activity, subject to conditions, these should be discussed with the applicant (or their representative) directly and a satisfactory conclusion reached before your consent is given. Any agreed changes need to be included by the applicant in the consent application. Your written approval cannot be subject to conditions. Council will not enter into any negotiations on the subject.

- 5 Return all documentation to the applicant (or their representative).

Important Information

Please note that, even though you may sign the affected person(s) consent form, Council must still give full consideration to the application in terms of the Act. However, **if you give your approval to the application, Council will not have regard to any actual or potential effects the proposal may have on you**. Should Resource Consent be approved by Council, there is no way for either you or Council to retract it later. You are therefore encouraged to weigh up all the effects of the proposed activity before consenting to it.

If you do not give your approval and you are considered by Council to be an adversely affected party, then the application must be treated as a Notified application, as a result of which you will have a formal right of objection by way of submission. If, after consenting to the proposed activity, you change your mind, your consent may be withdrawn before determination of the application (by Hearing or otherwise) by advising Council in writing that your consent is withdrawn.



Assessment of Environmental Effects - Rural Yard Encroachment

Building a Shed or Garage in Rural Zone

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Please Note: This form is only to be used in relation to very simple yard encroachments where all relevant neighbour approvals have been obtained. Please contact Council's Resource Consents Team to confirm that your proposal falls into this category or if you would like to discuss your proposal.

As a simple application, the information required is less than with typical applications. Should there be issues which make the application more complicated, you will need to provide additional information. Council can provide guidance on this. However, the responsibility to provide the information relating to an application lies with the applicant.

Description of the activity

The following information is needed:

- Size of building (footprint and height).
- Location of building in relation to boundaries.
- Design of building (external materials and colours).
- Use of building, including whether any hazardous substances will be stored within it).
- Where the access to the site is (will a new access track or vehicle crossing be required?)
- Are any earthworks to be undertaken to create the building platform?
- Any other information that Council should be aware of.

Description of the site at which the activity is to occur

The following information is needed:

- Description of the contour of the site (eg, flat, rolling, etc) and current use of the site (eg, grazed, covered in scrub, native bush).
- Describe any other features in the surrounding area such as streams, cliffs, native bush, power lines, easements, etc, that should be noted.
- Describe what the land and surrounding area is currently used for (eg, is it farmed, are there houses nearby, etc?)
- Describe what the land has previously been used for (eg, types of farming, market gardening, residential, etc).

Full name and address of each owner and occupier of the site

Note: The application either needs to be made and signed by all land owners or a letter provided with all land owners' signatures, confirming that they pass authority to the applicant.
If the application is being made on behalf of multiple owners (eg, Maori land) and the application needs to be signed by a Trustee, evidence needs to be provided to show that this person has the authority to make the application.
Where all land owners have not provided their approval, Council will generally require an Affected Persons Consent Form to be signed. Please list the names and addresses of owners and occupiers of the property.

1

2

3

4

A description of any other activities that are part of the proposal to which the application relates

In some cases, there will be requirements under different legislation (eg, if you are storing fertilisers or hazardous substances within a shed, you need to note this, or if you will be operating a small cafe from the building, we can advise you of Environmental Health requirements). The intention here is to ensure that, early on in the process, you are aware of all the different rules/legislation you need to comply with.

A description of any other Resource Consents required for the proposal to which the application relates

For example, if you have also applied for consent from the Regional Council for a water take associated with a carrot washing operation from the shed - let us know here.

An assessment of the activity against the matters set out in Part 2: Resource Management Act (RMA)

The RMA requires that all applicants must show that what is being proposed is consistent with the overall purpose and principles of the RMA (Sections 5-8). Most applications for minor breaches of the District Plan Rules will be consistent with the sustainable management principles of the RMA.

However, a small number of applications will need to provide a more in-depth assessment here (eg, if the shed is very large, will be brightly coloured or reflective and would be close to National Park).

An assessment of the activity against any relevant provisions of a document referred to in Section 104(1)(b) of the RMA

Please tick which conditions the shed or garage will not comply with (these Conditions are outlined in Questions Section at beginning of document)

- Condition RU3.3.1 - Front Yard Setback
- Condition RU3.3.2 - Side and Rear Yard Setback
- Condition RU3.3.3 - Setback
- Condition RU3.3.5 - Height
- Other (please specify)

Discuss whether your proposal is consistent with the Assessment Criteria in the District Plan. The Assessment Criterion are as follows:

For all yard encroachments

- Whether the open space character and amenity of the Rural Zone will be maintained.
- Whether the potential conflicts between adjoining land uses will be avoided by buildings and activities being sufficiently separated from one another.
- Whether remediation and/or mitigation measures, such as landscaping, will be undertaken and effectiveness of such measures.

For front yard encroachment

- The extent to which the functional and practical constraints of a site require the siting or location of a building within the front yard setback.
- Whether the safety of the public roading network will be maintained. Issues included shading of the road (including front issues during winter), damage to roads and general safety issues associated with falling branches.

Riverbed/Stream setback

- The extent to which the location of the building is likely to create a risk to either people or property from either flooding and/or associated land slippage.

Height Encroachment

- Whether the amenity, privacy and access to daylight will be maintained by preventing tall and/or obtrusive buildings, structures and forestry activities from being located close to boundaries.
- Whether the activity will be of a scale that is consistent with the rural character and amenity of the surrounding environment.
- Whether remediation and/or mitigation measures such as landscaping will be undertaken and the effectiveness of such measures.

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES Soil) may be applicable to this application.

In most cases, the NES Soil will not apply if the shed is used in conjunction with rural activities occurring on a site. However, if the shed or garage is used in association with a hose on the site, then the *NES Soil may apply*. Please contact Council's Resource Consents Team, who can confirm if the NES will apply.

I/We Confirm that NES Soil applies

Yes

No

An Assessment of Environmental Effects (AEE)

The RMA requires that applications provide information on the following, where relevant. In many instances these criteria will not be relevant where the application is simple.

6 Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
- (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:
 - (b) an assessment of the actual or potential effect on the environment of the activity;
 - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use;
 - (d) if the activity includes the discharge of any contaminant, a description of—
 - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment;
 - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect;
 - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted;
 - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved;
 - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

(2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

(3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—

 - (a) oblige the applicant to consult any person; or
 - (b) create any ground for expecting that the applicant will consult any person.

Please discuss any potential environmental effects from the list above:



Plans Accompanying a Resource Consent Application

Building a Shed or Garage in the Rural Zone

Ruapehu District Plan

Often, if you are purchase a kitset garage or shed, the company will be able to provide elevations of the building and possibly site plans.

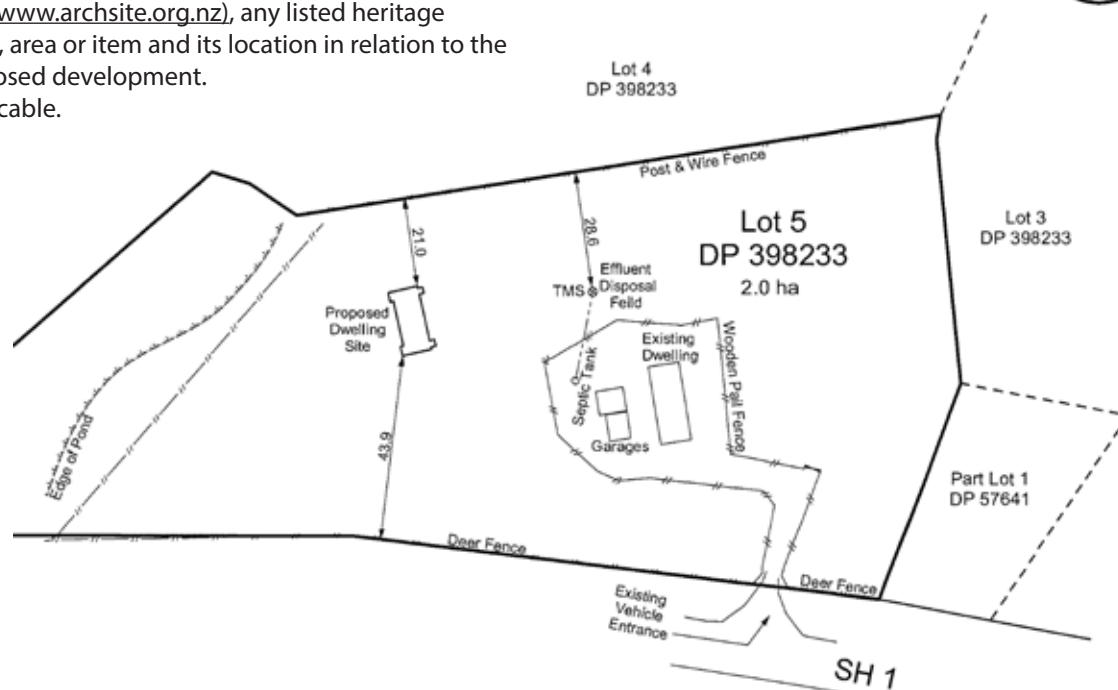
If these are not provided you can choose to either employ a draughtsperson or designer to do the drawings on your behalf, or draw them yourself.

If you do choose to do the drawings yourself, the information below will need to be shown on the plans (as applicable). Note that the plans need to be a commonly used scale (eg, 1:100, 1:200 or 1:500) and need to provide sufficient information for Council to understand what is proposed on site.

Information to be shown on plans

- 1 A drawing showing the location of the site, with road name, property number and north point.
- 2 A site plan of the property (to scale) showing:
 - (a) Site boundary lengths and other dimensions in metres.
 - (b) Location of all existing buildings which are to remain on the site and all proposed buildings and structures (including, where applicable, eaves, balconies, courts and verandahs) and distances to site boundaries.
 - (c) Proposed use of each building.
 - (d) Position of any easement over the site.
 - (e) Location of existing or proposed vehicle crossings.
 - (f) Position, location and dimensions of every parking and loading space and the proposed access and maneuvering areas.
 - (g) Proposed retaining walls, excavations and fill.
 - (h) Watercourses and wetlands on or adjoining the site.
 - (k) Known archaeological sites (information available from the New Zealand Archaeological Association - see www.archsite.org.nz), any listed heritage place, area or item and its location in relation to the proposed development.
- 3 Not applicable.

- 4 Elevations of each building (to scale) showing:
 - (a) Building heights and height in relation to any boundary.
 - (b) Maximum permitted height.
 - (c) Original ground levels along boundaries at 1m intervals in relation to the datum used.



Free Resources

- There are various programmes available on the internet. Some of these are free, which you can use to create site plans to scale.
- Your Certificate of Title shows the dimensions of your site.
- Council can provide a site plan showing your boundaries. Note, however, that you need to verify the position of your boundaries.

