

Affected Person's Written Approval Guide



SECTION 95E(3) RESOURCE MANAGEMENT ACT 1991

What is Resource Consent?

Resource Consent is permission from Council for an activity that might affect the environment and isn't allowed as of right in the District Plan.

Who decides who is an affected person?

An affected person is a property owner or occupier who Council has identified as someone who would be affected by the proposal.

What does being an affected person mean?

As an affected person, the applicant for resource consent will ask you for your written approval for the activity. If the applicant gains the written approvals of all the affected persons, Council will probably not provide anyone with an opportunity to make a submission on the proposal.

If an applicant gains written approval from some but not all of the affected persons, Council will provide all affected persons with an opportunity to make a submission on the proposal.

If you are an affected person you:

- May be asked by an applicant to give written approval to the application for a resource consent that affects you.
- Don't have to give written approval if you are unhappy about what is being proposed.
- Are entitled to write to Council on an application if you, or any other affected party, decide not to give your written approval, giving your reasons for withholding approval.

What does giving written approval involve?

Giving your written approval involves signing a number of documents. The applicant will usually ask you to sign and date:

- A copy of the application form.
- A copy of the plans, if there are any.
- A copy of the AEE (assessment of environmental effects).
- An affected person approval form.

If you are asked to sign:

- Study all of the documents carefully so you understand exactly what's involved.
- Make sure the applicant gives you enough information for you to understand the proposal and how it affects you.
- Remember that you can take your time, and that you don't have to sign.
- You may ask the applicant for a copy of the application for your own records.

Other questions about signing

Can I ask for changes?

Yes. If you'd be happy to give your approval to the application after some changes, you can ask the applicant to amend the documents and bring them back for you to sign.

Can I give conditional approval?

No. Council does not accept conditional approval. An example of a conditional approval might be "I give approval on the basis that the garage is moved a further metre off my boundary". If you want changes, request the applicant to amend the application.

What happens if you do sign?

If you give your written approval:

- Council can't consider the adverse effects on you when it is deciding whether to grant or decline the application.
- You can't appeal the Council's decision after the resource consent has been approved and issued.
- If you change your mind you need to formally withdraw your approval in writing to Council before the resource consent is granted.

**For further assistance please contact Council Resource Management Staff on 03 2111 777
or email ResourceConsents@icc.govt.nz.**