

Guidelines for Applying for a

LAND USE CONSENT

The Marlborough District Council considers applications for resource consents for land use activity, building, land disturbance, burning, bore construction, dam construction and river surface or riverbed activity. These guidelines are designed to familiarise applicants with the particular requirements for each of these land use consents.

INTRODUCTION

In considering each application for a land use consent, the Council takes into account the Resource Management Act 1991 (RMA) and Marlborough's resource management plans, both of which address the issues of land use.

These guidelines provide some background information for each type of land use consent and the information you need to provide with your application. It is important that, before seeking a land use consent, you first read the Council's brochure '*Guidelines for Applying for a Resource Consent*', particularly the section dealing with the assessment of the environmental effects of your proposal.

Council staff are available to discuss your application.

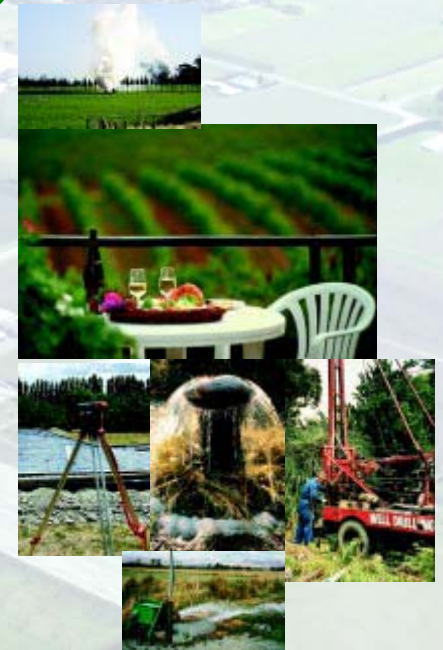
If your proposal is complicated or will have significant environmental effects, it is strongly recommended that you engage a suitably qualified person to help you with your application.

BUILDING

Many building projects only require a building consent, as defined in the Building Act 2004. However, if a building proposal does not comply with the rules or standards under the relevant plan, a land use resource consent will also be required. Examples of this are a building proposal that is closer to a boundary than is allowed for in the plan, or an apartment complex in a zone which restricts buildings to single dwellings.

It is important to realise that a land use consent for a building project is an **authority to use the land for the**

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specified purpose, but is not in itself a building consent. A separate application will be required for your building proposal to comply with the Building Act 2004, as outlined in the Council's brochure *Guidelines for Applying for a Building Consent*.

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... building details

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The description of your proposed building should include:

- size and height of building, its distance from boundaries, the number of dwellings on the site (if applicable) and the percentage of property the proposed building will cover. Include a site plan on an appropriate scale - e.g. 1:200 –building plans and elevations 1:100
- the suitability of the site for your building proposal. This may need to be investigated by a suitably qualified and certified engineer who will provide you with an “engineer’s opinion”. This opinion must be less than two years old.
- proposals for water supply and for effluent and stormwater disposal. This may form part of your engineer’s opinion.
- vehicle access and allowance for parking spaces.

... environmental effects

An assessment of the environmental effect of the proposed building activity forms an important part of your application. Include details of any consultation. Have you considered:

- any alternatives and why you chose this option?
- the surrounding environment? Is it industrial, residential or rural?
- your neighbours? Will the proposed building affect them in any way - e.g. reduce their sunlight, privacy etc?
- any possible effects of significance to iwi?

- the visual effect of the proposed building? Will it impact on the skyline? Does its architectural and/or landscape design complement the area?
- any road safety issues? Have you provided safe access points and on-site turning?
- any effect on your neighbours or the environment during the construction process? What will you do to avoid/minimise/ reverse any environmental damage that may occur?

LAND USE ACTIVITY

Marlborough’s resource management plans divide Marlborough into zones, generally permitting specific activities in each zone. A permitted activity in one zone may require a resource consent in another zone. These different requirements normally relate to activities inconsistent with the characteristics of the area, such as an industrial activity in a residential zone. Council staff will be able to advise if your proposal requires a resource consent.

... activity details

Even if only a portion of your project does not comply with the plan, you will still need to give full details of your proposal. The description of your proposed activity should include:

- the nature of the activity - e.g. retail shop, café, licensed premises, office etc - and whether it is a new or existing activity. If your activity requires a licence under the Sale of Liquor Act 1989, include details in the description of your activity.
- the size of the premises (in square metres)
- the hours/days of operation

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- provision of services - e.g. stormwater, sewerage, water supply, solid waste disposal
- vehicle access, along with the number and location of parking spaces provided (show these on your site plan)
- the number of customers expected and the facilities you are providing for them - e.g. the number of seats and tables in a café
- any advertising signs.

... environmental effects

An assessment of the environmental effects of the proposed activity is a very important part of your application. Include details of any consultation. Have you considered:

- any alternatives to your proposal?
- the surrounding environment and its users. Is it industrial, residential?
- how your proposal will affect your neighbours? Will there be any increase in noise levels, dust, glare, vibration and traffic volumes? Will they have reduced privacy, sunlight etc? Are there any security implications?
- whether your activity complements the character and other amenities of the area?
- any road safety issues? Have you provided safe access points and on site turning?
- any possible effects of significance to iwi?
- any ways you can avoid, minimise or reduce the effects on the environment?

- how can the effects of the activity be monitored?

LAND DISTURBANCE

Land disturbance activities generally involve excavation and construction, and have the potential to have a wide-ranging effect on the surrounding environment. Examples of land disturbance activities are excavation for building platforms and foundations, construction of vehicle access, forestry tracks and skid sites,

alluvial mining and building a retaining wall. Issues of prime concern are sediment, dust, erosion, cultural matters, visual impact and land stability.

Some land disturbance activities are permitted in some zones. Council staff will be able to advise if your proposal requires a resource consent.

... land disturbance details

The description of your proposed land disturbance should include:

- specific details of your proposed works, including volumes of excavation or fill. For forestry operations, include the method of harvesting, skid site details, tracks/roads, the location of utilities, water control methods, culverts etc. Your site plan should be to scale and should include as many details as possible.
- management of excavated material including disposal of material and stock piles.
- current vegetation and any water bodies (rivers, streams etc) within the surrounding area.
- the gradient of the site. Aerial photographs may be useful, along

with a contour map for larger land disturbance proposals.

- the soil type and the stability of the site, including the potential for, or history of, erosion. You may need to obtain an opinion on the stability of the site from a suitably qualified and certified engineer.
- methods to control adverse effects of the construction phase.
- any action that will be carried out to return the site to its former state (if applicable).
- any action being taken to minimise any adverse effects and their anticipated time-frames – e.g. plantings to improve site stability.

... environmental effects

An assessment of the environmental effects of the proposed land disturbance is a very important part of your application. Include details of any consultation. Have you considered:

- alternative designs and methods?
- the surrounding environment and its users? How will your proposal affect your neighbours?
- cultural and historical significance of the site?
- any possible effects of significance to iwi?
- the proposal's potential to cause erosion and the possible effect of soil and debris making its way into streams, rivers or other water bodies. Could this alter the waterways and cause flooding or divert the natural river flow?

- any effect of dust on the environment or your neighbours?
- the stability of the site after you have completed your project?
- any visual effects - negative or positive - of your proposal?
- any effects caused by the construction process including dust, noise, vibration, traffic?
- any effect the weather would have on your proposal? For example, would a prolonged period of rain increase any adverse effects?
- any ways you can avoid, minimise or reduce the adverse effects on the environment?
- how can the effects of the proposal be monitored?

BURNING

- The lighting of a fire in a rural area is subject to the Rural Forest and Fires Act 1977 and the Forest and Rural Fires Regulations 1979, and requires a fire permit from the Council. In some cases, a land use resource consent is also required.

... burning details

The description of your proposed burning should include:

- the location and purpose of the burn-off, the type of vegetation being burned and when the burn will be carried out. Include a map showing the location and size of the burn area.
- the location and width of fire breaks, fire control measures to be used and the downward wind direction.

- whether you hold a fire permit and whether you have advised the Fire Service of your proposal.
- the suitability of the site for burning. Will erosion increase as a result of the burning?
- management plans for the site following the burn. Include any re-vegetation proposal, land use details and proposed time frames.

... environmental effects

An assessment of the environmental effects of the proposed burning is a very important part of your application. Include details of any consultation. Have you considered:

- any alternatives to burning?
- the surrounding environment and your neighbours?
- any possible effects of significance to iwi?
- the possibility of the burn getting out of control?
- the impact on habitats and species?
- how can the effects of the burning be monitored?
- will burning lead to increased erosion and sediment loss?

BORE CONSTRUCTION

- Construction of a new bore deeper than 5 metres or any alteration to an existing bore requires a land use consent. "Alteration" includes capping, filling or deepening an existing bore. You may also require a water permit to take underground water. In some

areas, a water permit may not be required if the water is to be used for domestic use for one house, stock water or fire-fighting requirements.

... bore details

The description of your proposed bore should include:

- the purpose for which the well will be used – e.g. domestic water supply, stock water, irrigation, industrial.
- details of the bore construction – estimated depth (in metres), diameter of bore (mm) and the bore-driller's name, address and telephone number.
- the location of any other well sites within the property boundary and distance of your proposed bore to the nearest neighbouring wells. Your well must be a minimum of 30 metres from septic tanks, soakage fields and ofal pits.
- distance to surface water bodies e.g. - lakes, streams etc.

... environmental effects

An assessment of the environmental effects of the proposed well is a very important part of your application.

Include details of any consultation. Have you considered:

- alternative locations and methods of obtaining water?
- distances from contaminated sites, landfills, farm dumps, stockyards, hazardous substances storage, septic tanks etc?
- the possible effect on neighbouring wells. Will there be a



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reduction in water available for their use?

- any possible effects on surface water?
- any possible effects of significance to iwi?
- the possible contamination of the groundwater from surface water or contaminants entering the well?
- mixing of different water layers if the bore has intakes in more than one aquifer?
- noise and vibration during bore construction?

DAM CONSTRUCTION

Damming or diverting waterways, or surface catchment areas, can have significant effects on other users and the environment, both upstream and downstream of the dam. Construction of a dam or weir usually requires a resource consent.

... dam details

The description of your proposal should include:

- the location and purpose of the dam.
- the location and distances to any roads, property boundaries, dwellings etc. Show details on your site plan and location map.
- construction method, materials to be used and holding capacity (in cubic metres). Include details on construction supervision, management and ongoing maintenance. (Provide the name and details of the engineer who will design and supervise the

construction and a copy of the design plans drawn to scale).

- the source of water for the dam. If it is not on a river or stream a water permit may also be required. Detail the expected time-frame for the dam to refill during peak water use. Include an assessment of the rainfall history and run-off for the area.
- the amount of water to be stored.
- proposed measures to be undertaken if a storm occurs during construction.
- the probable impact if the dam fails.

... environmental effects

An assessment of the environmental effects of the proposed dam is a very important part of your application. Include details of any consultation. Have you considered:

- any alternatives to your proposal?
- the surrounding environment, including birds, fish and other wildlife, and any recreational users? Have you allowed for continued fish passage? Have you talked with the Department of Conservation?
- the effect on downstream water quality?
- the impact on downstream users and stream habitat?
- any possible effects of significance to iwi?
- stock access to the dam and associated water quality impacts?
- how the dam will impact on other users of the waterway?

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overflow spillway scour protection?

- any ways you can avoid, minimise or reduce the adverse effects on the environment?
- how the effects of the dam can be monitored?

RIVER SURFACE OR RIVERBED ACTIVITY

Construction of fords, bridges, culverts and water pipes across a river or chemical control of aquatic weeds are among activities that may require a river surface or riverbed activity resource consent. Some activities are permitted, within specific limitations. Council staff will be able to advise if your proposal requires a resource consent.

Removal of gravel is a separate issue - refer to the gravel removal section of this brochure.

... activity details

The description of your proposed river surface or riverbed activity should include:

- construction details - you may require an engineer to complete this for you.
- details of the type of soil or gravel in the riverbed.
- name and address of the owner of the riverbed to which the application relates.
- details of any temporary access routes or crossing while construction is in progress.

... environmental effects

An assessment of the environmental effects of the proposed activity is a very important part of your application. Include details of any consultation. Have you considered:

- alternative sites and methods?
- any possible effects of significance to iwi?
- the effect on plants and animals within the water body and surrounding environment - e.g. bird nesting sites, fish spawning areas, natural wetlands. Have you talked with the Department of Conservation?
- how sediment impacts can be controlled or minimised?
- the possible detrimental effect on downstream users?
- the possible effects on other users of the site?
- any visual, noise or dust effect to neighbours while construction is taking place?
- how the effects of your activity can be monitored?

