

SECTION 4.0 INFORMATION REQUIREMENTS FOR SUBDIVISION AND RESOURCE CONSENT APPLICATIONS

4.1 REQUIREMENTS FOR INFORMATION

In order to enable the Council to process an application for a resource consent, an applicant must provide adequate information, in accordance with Section 88(4) of the Act, or in the case of a subdivision consent, Sections 88(4) and 219, to be able to assess the effects of the activity.

4.2 FURTHER INFORMATION

Section 92 of the Act also allows the Council to seek more information about an application to ensure that it better understands the nature of the activity for which consent is sought, the effects it will have on the environment or the ways in which any adverse effects can be mitigated.

Where an applicant fails to provide adequate information as required under Section 4.4, 4.5 and 4.6 and in the opinion of the Council further information is required, the Council may postpone:

- (a) Notification of the application, or
- (b) Determination of the application, or
- (c) Hearing of the application.

4.3 MAKING AN APPLICATION

Any person may apply to the Hastings District Council for a resource consent to undertake any activity other than an activity which is specifically prohibited by this District Plan. A resource consent application shall be in the prescribed form and shall include the following information as appropriate to the scale and significance of the effects of the activity on the environment. Forms for the resource consent applications are available from the Hastings District Council offices.

Applications should be discussed with Council staff before they are formally lodged to ensure that the requirements of this District Plan are met. This enables any minor difficulties to be informally resolved early in the process and will avoid delay caused by formal requests from the Council for more information.

The process of arranging a pre-application meeting with Council staff is relatively informal, however for more substantial applications reference can be made to Section F1 of the Subdivision and Infrastructure Development in Hastings: Best Practice Design Guide. This section outlines the design process and encourages applicants involved in significant development projects to establish a relationship with Council officers as early as possible in the design process. The mutual benefits and opportunities that can result from open dialogue between landowners / developers and Council can result in better outcomes for the whole community.

4.4 INFORMATION TO BE SUBMITTED WITH LAND USE CONSENT APPLICATIONS

4.4.1 General Requirements

Subject to Section 88 of the Resource Management Act 1991, an application for a land use consent shall include the following information:

- (a) **The full name and address of the applicant**

- (b) **The location of the site, including the street address, legal description and current Certificate(s) of Title for the subject site(s).**
- (c) **A full description of the activity for which the consent is sought.**
- (d) **An existing site plan (on size A3 or A4 paper) which shall incorporate (where appropriate):**
- A north point accurately orientated.
 - A specified metric scale (eg. 1:100, 1:200, or 1:500).
 - All certificate of title boundaries and their lengths.
 - Topography, noting significant landforms and natural features, archaeological sites, waahi tapu and other heritage items or trees.
 - Watercourses and catchment orientation.
 - All significant vegetation, including any vegetation located on adjacent road reserves or surrounding properties.
 - Approximate distances to buildings on adjoining lots, or in the vicinity of the proposal.
 - Road frontages.
 - Existing buildings and structures, accessways, service lanes, parking areas and landscaping.
 - Position of all service connections.
- (e) **Proposed development information and plans, where relevant, of the proposed development, including:**
- Details of the appearance of any building(s).
 - Floor plans, including information on the height of floor levels.
 - All landscape design, site planting and fencing.
 - Location of proposed activities, including vehicle parking, loading, circulation and manoeuvring areas, and provision for pedestrian and vehicle access.
 - The vehicle class and number of vehicle movements anticipated to or from the site, their frequency, the number of heavy vehicle movements expected, and the number of persons to be employed, or frequenting the site.
 - Elevations of any buildings or structures, showing their relationship to the street and any buildings on adjacent sites.
 - Any outdoor signs or advertising proposed, including the dimensions, height, lettering and location (freestanding or on buildings) of any signs, and any proposed illumination of the signs.
 - Any proposed machinery or equipment to be used on the site, and its location on the site (whether outdoors or within buildings).
 - Hours of operation of activities on the site.
 - Location and details of hazardous substances used or stored on the site, including the form in which those substances are used or stored, the quantities involved and the methods of use or storage.
 - The location, nature and power of any outdoor lighting on the site.
 - Any proposed fill or excavation on the site, the type of fill to be used, the volume and depth of fill or excavation, the location of areas of the site subject to fill or excavation.
 - For relocated dwellings, photographs of the house to be relocated.
 - Any information required to be provided by a rule in this District Plan.
 - Details of water supply, wastewater disposal and stormwater disposal.
- (f) **Assessment of the Effects on the Environment without limiting the provisions of Section 88(A), Section 92 and the Fourth Schedule of the Resource Management Act 1991.**

The Council requires applicants to provide more detailed investigations of potential effects of the proposed activity on the environment by way of an Assessment of Environmental Effects Report (prepared at the expense of the applicant). The level of detail required will depend on the scale and nature of the proposal as well as the magnitude and extent of anticipated effects on the environment.

The assessment of effects should include, but not be limited to, those matters listed below where they are relevant to the application:

- The present noise levels in the vicinity of the proposed activity, the levels of noise which will be generated by vehicles, machinery or people associated with the activity over various times of the day, the effects of this noise on the surrounding environment, and measures which will be implemented to mitigate any adverse effects of noise.
- Any effects which the proposed activity may have on any natural conservation areas, including indigenous vegetation, habitats and ecosystems, ecologically sensitive areas, breeding populations of indigenous fauna, the margins or waterways, the coastal environment, or wetlands.
- Any effects of the proposed activity on sites which have cultural or historic significance, including archaeological sites, waahi tapu, heritage items or trees.
- The effects of the proposal on areas or facilities of recreational value, or on existing recreation users in the vicinity.
- The compatibility of the proposal with the existing style of development and the existing amenity values and general ambience of the area where it is to be located.
- The risks associated with the use, storage or movement of hazardous substances on, to, or from the site.
- The effects of the proposed activity on the effectiveness, safety and efficiency of the District Transportation Network, transportation or communication systems, or public services and utilities.
- The effects arising from dust, vibration or odour.
- The effects of the proposed activity on Outstanding or Significant Landscape Areas.
- The possible visual effects of buildings, equipment, storage or parking areas on the landscape.
- The effects on the economic and social well being of the community.
- The nature of any wastes involved and their volumes, and the possible options for the treatment and disposal of wastes.
- Any risk to the neighbourhood, the wider community or the environment through changes to the risks from natural hazards.
- Details of how any identified adverse effects are to be avoided, remedied or mitigated, including the use of covenants on land titles.

(g) Consultation with affected persons

Any application should be discussed with neighbours or persons likely to be affected, or other public bodies such as New Zealand Transport agency (NZTA) (where the property concerned is on a State Highway), the Hawke's Bay Regional Council (for example, where a discharge permit is necessary), the New Zealand Historic Places Trust (where an item registered by the New Zealand Historic Places Trust may be affected) or the Department of Conservation. The Tangata Whenua may also need to be consulted. The details of the consultation undertaken, and the outcomes of this should be included with the assessment of effects. Council staff will assist in identifying those people or bodies likely to be affected.

- (h) **A statement specifying all other resource consents that may be required in regard to any aspect of the proposed activity, and whether the applicant has applied for such consents.**

4.5 INFORMATION TO BE SUBMITTED WITH SUBDIVISION CONSENT APPLICATIONS

4.5.1 General Requirements

Subject to Section 88 and Section 219 of the Resource Management Act 1991, an application for a subdivision consent shall include the following information:

- (a) **The full name and address of the applicant.**
- (b) **The location of the site, including the street address, rural number (where applicable), legal description, and the name of the owner of the land to be subdivided (copies of the current certificates of title must be provided).**
- (c) **A statement specifying all other resource consents that may be required in regard to any aspect of the proposed activity, and whether the applicant has applied for such consents.**
- (d) **Plan(s) shall be submitted which contain sufficient information to define the following:**
- A north point accurately orientated.
 - A specified metric scale (eg. 1:100, 1:200, or 1:500).
 - All certificate of title boundaries and their lengths.
 - The position of all new boundaries (for the total subdivision and each site within it).
 - Numbers, areas and dimensions of all new sites (except in the case of a subdivision to be effected by the grant of a cross lease or company lease or by the deposit of a unit plan).
 - The location and areas of existing reserves or esplanade reserves, and of new reserves to be created, and any esplanade reserves to be set aside.
 - The location and areas of land below Mean High Water Springs or any part of the bed of a river or lake, which is required under Section 237A of the Resource Management Act 1991 to be vested in the Crown.
 - The location and areas of land to be set aside as existing and new roads, accessways, service lanes, access lots and private ways.
 - The location and area of any proposed easement.
 - The principal topographic and geological features.
 - All watercourses and wetlands.
 - Location of all existing buildings, structures, stopbanks, water related structures such as dams, spillways etc, utilities and services (including power/telecommunication and gas services).
 - Areas of indigenous vegetation.
 - Plans shall be drawn in accordance with the current relevant New Zealand Standard -
- (e) **Buildings Platforms**

The location of a building platform on the sites which can comply with Rule 15.1.9.1 of Section 15.1

(f) Water Supply

- The demand for water which is likely to be generated from activities on the site.
- The availability of a public reticulated water supply for the allotment(s) to connect to, and the capacity of that system to supply water to the allotment(s).
- Where a public reticulated water supply is not available, how water may be sourced on the site.

(g) Stormwater

- The amount of stormwater runoff likely to occur from activities on the site.
- Availability of a public reticulated stormwater disposal system for the site to connect to, and the available capacity of that system to carry stormwater from the site.
- Where a public reticulated stormwater disposal system is not available, how stormwater may be disposed of on the site.
- An explanation of how low impact stormwater design techniques and solutions can be incorporated into the design of the development in order to manage stormwater runoff. Refer Section D5 (Stormwater Management) of the Subdivision and Infrastructure Development in Hastings: Best Practice Design Guide.

(h) Wastewater

- The amount of wastewater likely to be produced from activities on the site.
- Availability of a public reticulated sewerage system for the site to connect to, and the available capacity of that system to carry effluent from the site.
- Where a public reticulated sewerage system is not available, how wastewater may be disposed of on the site.

(i) Natural Hazards

- Whether the site is located within a Natural Hazard Resource Management Unit (RMU) and can comply with any relevant rules for the RMU in Section 12.3 of the District Plan.
- Whether the site, or any adjacent land has any history or evidence of things such as erosion, falling debris, subsidence, slippage or inundation from any source.
- Whether the subdivision is adjacent to such things as a gully or steep slope, or a permanent waterbody.
- Whether the site has ever been used as a landfill area.

(j) Earthworks

Details of the location and extent of any proposed earthworks, filling or landform changes and their actual or potential effects on the environment, including the control of sediment discharge into waterways. An assessment of the environmental effects of earthworks on visual amenity, land instability, water tables, indigenous vegetation, Waahi Tapu and archaeological sites.

(k) Size and shape of Sites

Details of the arrangement and shape of the proposed sites, and their compatibility with the pattern of development on adjoining land.

(l) Heritage Sites or Objects

Details of any Waahi Tapu, Archaeological Sites, Heritage Items or Trees located within the subdivision site and the ability of the subdivision to comply with the rules of Sections 12.4 and 12.5 of the District Plan for these.

(m) Consultation with affected persons

Any application should be discussed with neighbours or persons likely to be affected, or other public bodies such as New Zealand Transport Agency (NZTA) (where the property concerned is on a State Highway), the Hawke's Bay Regional Council (for example, where a discharge permit is necessary), the New Zealand Historic Places Trust (where an item is registered by the New Zealand Historic Places Trust may be affected) or the Department of Conservation. Tangata Whenua may also need to be consulted. The details of the consultation undertaken, and the outcomes of this should be included with the assessment of effects. Council staff will also assist in identifying those people or bodies likely to be affected.

(n) Tangata Whenua consultation

May be required where there is reason to believe the land involved includes sites of cultural or historic value.

(o) Soils with Potential to Contain Historic Persistent Chemical Residues or Other Potentially Hazardous Soil Residues

- i. Sufficient background data on whether the site has any history of horticulture and, agriculture or any other uses that are likely to have resulted in historic persistent chemical residues in the soil or residues from other persistent harmful contaminants, in the soil.
 - a) If so, soil sampling may be required to confirm that the land is fit for residential purposes (see Sampling Guidance for Hastings District Council prepared by Pattle Delamore Partners Ltd: January 2005)
Website: <http://www.hastingsdc.govt.nz/environment/pesticides/index.htm>
and TRIM reference: STR-7-03-06-272
 - b) If the land has no history of activities involving the use of any historic persistent chemical residues or other activities with the potential to release persistent harmful soil contaminants, soil testing will not be necessary.
- ii. Where soil sampling is necessary, compliance with provisions on soil contamination in 15.1.9.18 and 15.1.10.1 is required.
If soil concentration results exceed the relevant guidelines, further testing will be required and appropriate mitigation measures to ensure compliance (see the Pattle Delamore Report "Agrichemical Use and Residential Development" November 2004)
Website: <http://www.hastingsdc.govt.nz/environment/pesticides/index.htm> and
TRIM reference: STR-7-03-04-17

(p) Subdivision Design

Applications for urban subdivision shall provide details of how the proposed activity meets the planning and design elements outlined in Sections C (Subdivision Planning), D

(Subdivision Design) & E (Road Design) of the Subdivision and Infrastructure Development in Hastings: Best Practice Design Guide.

4.5.2 Subdivision consent applications within the Rural Residential Zone and Rural Zone, where located on land comprising Outstanding Natural Features and Landscapes, or Significant Landscape Character Areas (Appendices 12.2-1 and 12.2-2) and subdivision consent applications within the Te Mata and Tuki Tuki Special Character Zones.

In addition to the matters to be addressed in 4.5.1 above, the following information shall also be provided for these types of subdivision consent applications:

- Sufficient information to ensure that an assessment against the relevant Specific Performance Criteria (Terms) in Rule 15.1.10.2(2) and Rule 15.1.10.2(4) in Section 15.1 can be made.

4.5.3 Subdivision consent applications to create Conservation Lots

In addition to the matters to be addressed in 4.5.1 above, the following information shall also be provided with subdivision consent applications for Conservation Lots:

- Details on the nature of the feature to be protected
 - If indigenous vegetation:
 - the percentage of mature trees.
 - the range of indigenous vegetation present.
 - the nature and extent of the canopy of indigenous vegetation.
 - identification of any indigenous species threatened in the Hastings District.
 - its wildlife habitat values.
 - If a biological or scientific feature:
 - any rare or endangered species present.
 - presence of any freshwater wetland.
 - presence of any uncommon indigenous vegetation.
 - any wildlife significance.
 - If a Heritage Item:
 - confirmation of its New Zealand Historic Places Trust Registration.
 - sufficient information for the Council to ascertain the particular cultural or historic value of the item.
 - any proposed protective or enhancement measures to maintain or enhance its physical security.
- The area of the feature to be protected.
- Location of the feature on the subdivision site.
- Size of the Conservation Lot(s) to be created.
- Size of the balance allotment.
- Location of house site(s) on the Conservation Lot(s).
- How the legal and physical protection of the feature will be achieved, including any instruments that may be registered against the title(s).

4.5.4 Assessment of Environmental Effects

Without limiting the provisions of Sections 88(4), 92, 219, or the Fourth Schedule of the Resource Management Act 1991, any applications for subdivision consents shall include an assessment of

the actual or potential effects that any subdivision activity may have on the environment, and the ways any adverse effects can be mitigated.

The Council requires applicants to provide more detailed investigations of potential effects of the proposed subdivision on the environment by way of an Assessment of Environmental Effects Report (prepared at the expense of the applicant). The level of detail required will depend on the scale and nature of the proposal as well as the magnitude and extent of anticipated effects on the environment.

The Assessment of Effects shall also include consideration of, but not limited to, the following matters listed below:

- Any actual or potential effects of the proposed subdivision's connection and integration into the District transportation Network.
- Any actual or potential effects which abstraction of water on the site may have on the water resource from which the water is taken.
- Any actual or potential effects of on-site stormwater disposal on the environment, including effects on water resources and effects on adjoining activities.
- Any actual or potential effects of on-site effluent disposal on the environment, including effects on water resources, adjoining activities and the health and safety of residents.

Note: As part of an assessment of environmental effects the applicant may be required to consult with the Hawke's Bay Regional Council on matters affecting soil conservation, water quality and quantity, stormwater and effluent disposal.

4.5.5 Statement of Professional Opinion as to the ability of the Proposed Subdivision to comply with the General Site Performance Standards in Section 15.1.9 of the District Plan

- Form 4-1 (see Appendix 4.0-1 of the District Plan) shall be completed and signed by a suitably qualified and experienced registered professional and shall be submitted to the Council with the application for the subdivision consent.

4.5.6 Statement of Professional Opinion as to Suitability of Land for Subdivision - Preliminary Geotechnical Assessment and Comprehensive Geotechnical Assessment

- A statement of professional opinion as to the suitability of the land for its intended purpose – refer NZS 4404 Schedule 2A may be required to be completed and signed by a suitably qualified and experienced registered professional, and submitted to the Council with the application for the subdivision consent. The Hastings District Council Engineering Code of Practice: Section 3 part 2: Land Stability, Foundations, and Earthworks, Vesting; provides guidelines where Council believes a Preliminary Geotechnical Assessment and Comprehensive Geotechnical Assessment will be required.

4.6 INFORMATION TO BE PROVIDED FOR COMPLIANCE WITH SECTION 224 OF THE RESOURCE MANAGEMENT ACT 1991

The following forms (see Appendix 4.0 of the District Plan) shall be completed and signed by a suitably qualified and experienced registered professional, and submitted to Council, in order to achieve compliance with Section 224 of the Resource Management Act 1991:

- Form 4-3 Statement of Professional Opinion as to Compliance of the Subdivision with the Subdivision Consent Conditions for Geotechnical Works.

- Form 4-4 Certification of Engineering Design for Subdivision (Note: the Hastings District Council Engineering Code of Practice provides guidelines for the content and design reports which will be required to accompany this form).
- Form 4-5 Certification of Construction and Completion of Engineering Works for Subdivision (Note: this will include all Quality Control and As-Built information outlined in Section Four Schedule A of the Hastings District Council Engineering Code of Practice).

Copies of the above forms are available from the Council Offices.

APPENDIX 4.0-1

FORM 4-1

To: Hastings District Council
Private Bag 9002
HASTINGS

STATEMENT OF PROFESSIONAL OPINION AS TO THE ABILITY OF THE PROPOSED SUBDIVISION TO COMPLY WITH THE GENERAL SITE PERFORMANCE STANDARDS IN SECTION 15.1.9 OF THE HASTINGS DISTRICT PLAN (Submit with Subdivision Consent Application)

Subdivision:.....

Owner/Developer:.....

Location:

I: of (Name and address)

hereby confirm that:

1. I am a suitably qualified and registered professional experienced in Land Subdivision work and was retained by the owner/developer in that regard on the above subdivision. My qualifications are:

.....

2. Site Assessments have been carried out under my direction and are described in my report dated:

.....

3. I am aware of the details of the proposed scheme of subdivision and of the general nature of proposed engineering works as shown on the following drawings

.....

(Insert references to all drawings including dates of latest amendments).

4. In my professional opinion, I consider that the proposed subdivision can comply with all relevant Zone subdivision standards and all relevant General or Specific Site Performance Standards of the District Plan. A full assessment of the effects of the subdivision has been completed in accordance with the Fourth Schedule to the Resource Management Act 1991 and is included as a report which is attached to this form. I consider that the land is suitable for the proposed subdivision providing that:

(Please provide details of any works needed to ensure compliance with the standards).

a

b

c

This professional opinion is furnished to the Council and the owner/developer for their purposes alone, on the express conditions that it will not be relied upon by any other person and does not remove the necessity for further inspection during the course of the works.

Signed:..... Date.....

APPENDIX 4.0-1

FORM 4-2

To: Hastings District Council
Private Bag 9002
HASTINGS

STATEMENT OF PROFESSIONAL OPINION AS TO
SUITABILITY OF LAND FOR SUBDIVISION
PRELIMINARY GEOTECHNICAL REPORT
(Submit with Subdivision Consent Application)

Subdivision.....

Owner/Developer:.....

Location:

Iof
(Name and address)

hereby confirm that:

- 1. I am a suitably qualified and registered professional experienced in the field of Geotechnical Engineering and was retained by the owner/developer in this regard on the above subdivision. My qualifications are:
2. Site investigations have been carried out under my direction and are described in my report dated
3. I am aware of the details of the proposed scheme of subdivision and of the general nature of the proposed engineering works as shown on the following drawings.....
(Insert references to all drawings including dates of latest amendments)
4. In my professional opinion, I consider that the proposed works give due regard to land slope and foundation stability considerations that the land is suitable for the proposed subdivision, providing that:
a
b
c

This professional opinion is furnished to the Council and the owner/developer for their purposes alone, on the express conditions that it will not be relied upon by any other person and does not remove the necessity for further inspection during the course of the works.

Signed:Date.....

APPENDIX 4.0-1

FORM 4-3

To: Hastings District Council
Private Bag 9002
HASTINGS

STATEMENT OF PROFESSIONAL OPINION AS TO COMPLIANCE
OF THE SUBDIVISION WITH THE SUBDIVISION CONSENT
CONDITIONS FOR GEOTECHNICAL WORKS

Subdivision.....

Owner/Developer.....

Location

I.....of.....
(Name and address)

hereby confirm that:

- 1. I am a suitably qualified and registered professional experienced in the field of Geotechnical Engineering and was retained by the owner/developer in this regard on the above subdivision. My qualifications are:
2. Site investigations have been carried out under my direction and are described in my report dated:
3. I am aware of the details of the proposed scheme of subdivision, the conditions imposed by Council on the Subdivision Consent and of the general nature of proposed engineering works as shown on the following drawings:.....
(Inser references to all drawings including dates of latest amendments).
4. In my professional opinion, I consider that the works have been completed in accordance with the conditions of the subdivision consent for geotechnical works, providing that:
(Please provide details of any works needed to ensure compliance with the standards)
(a).....
(b).....
(c).....

This professional opinion is furnished to the Council and the owner/developer for their purposes alone, on the express conditions that it will not be relied upon by any other person and does not remove the necessity for further inspection during the course of the works.

Signed:Date.....

APPENDIX 4.0-1

FORM 4-4

To: Hastings District Council
Private Bag 9002
HASTINGS

CERTIFICATION OF ENGINEERING
DESIGN FOR SUBDIVISION

Subdivision:.....

Owner/Developer:.....

Location:

I.....of.....
(Name and address)

hereby confirm that:

- 1. I am a suitably qualified and registered professional experienced in the field of and was retained by the owner/developer in this regard on the above subdivision. My qualifications are:
2. Designs have been carried out under my direction and are described in my report dated:
3. I am aware of the details of the proposed scheme of subdivision as shown on the following drawings, and the conditions imposed by the Council. (I have also made reference to the following reports in the Design)
4. I certify that the Design done under my control has been carried out in accordance with the conditions of the Subdivision Consent.

Please note the following special considerations:

- (a).....
(b).....
(c).....

This professional opinion is furnished to the Council and the owner/developer for their purposes alone, on the express conditions that it will not be relied upon by any other person and does not remove the necessity for further inspection during the course of the works.

Signed:Dated:.....

APPENDIX 4.0-1

FORM 4-5

To: Hastings District Council
Private Bag 9002
HASTINGS

CERTIFICATION OF CONSTRUCTION AND COMPLETION
OF ENGINEERING WORKS FOR SUBDIVISION

Subdivision:.....

Owner/Developer:.....

Location:

Iof
(Name and address)

hereby confirm that:

- 1. I am a suitably qualified and registered professional experienced in the field of and was retained by the owner/developer in this regard on the above subdivision. My qualifications are:
2. The Construction Works have been carried out under my observation and are described in my report dated:.....
3. I am aware of the details of the proposed scheme of subdivision and the conditions imposed by Council as shown on the following drawings: (Insert references to all drawings including dates of latest amendments).
4. In my professional opinion, I consider that the proposed works have been constructed and completed in accordance with the conditions of the subdivision consent.

Please note the following special considerations:

- (a).....
(b).....
(c).....

This certification is furnished to the Council and the owner/developer for their purposes alone.

Signed:Date.....