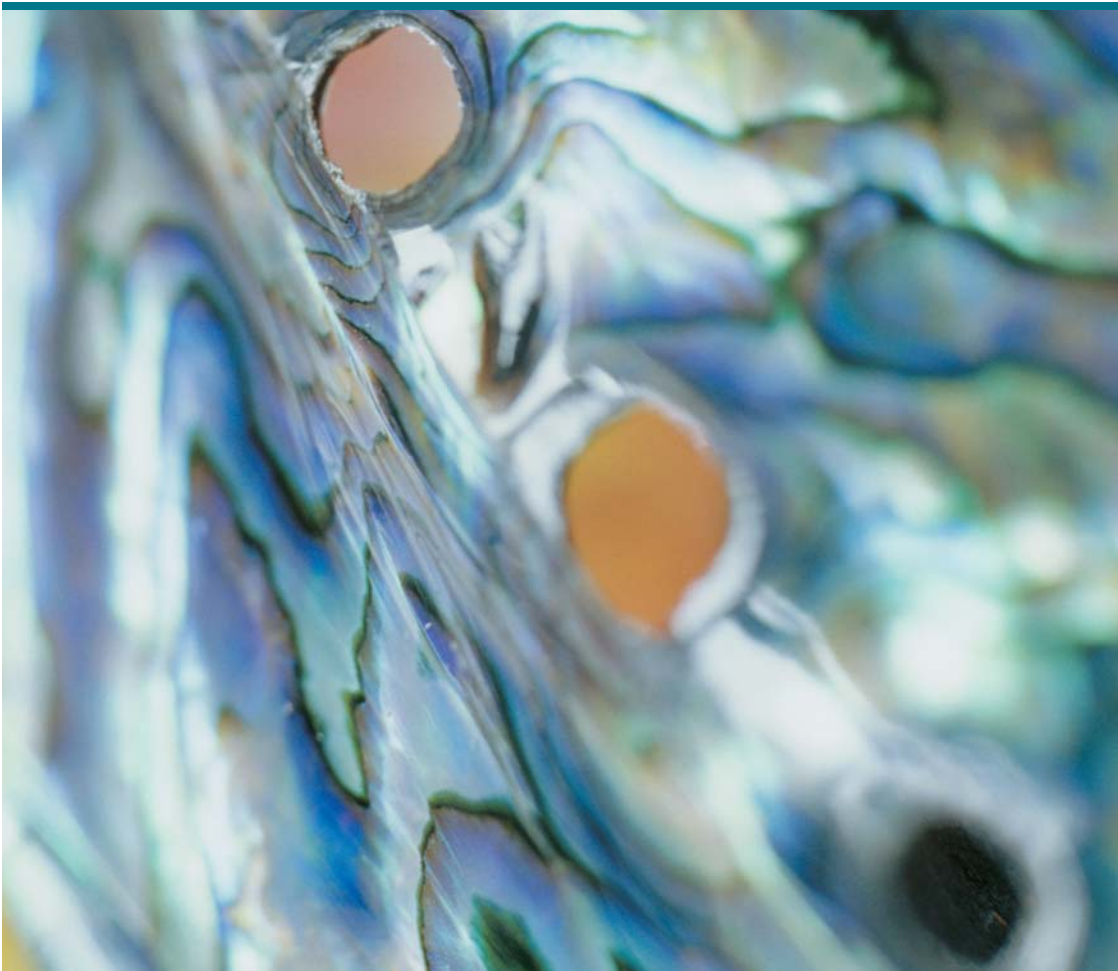




Resource consent information

Quality for Life





About your resource consent

When can you use your consent?

If your application was non-notified, you can start using your consent from the 'effective date' on your consent certificate, unless your consent conditions specify a later date. However, if you want to object to Greater Wellington about any of these conditions, you can't use your consent until the objection is resolved.



If your application was publicly or limited notified, the 'effective date' on your consent certificate is the date we sent you our decision on your application. We wait another 15 working days after the effective date to send your consent certificate, in case any appeals are made to the Environment Court. When you receive your certificate you can start using your consent, unless your consent conditions specify a later date.



How long does your consent last for?

The 'term of consent' on the front page of your consent certificate is the length of time you can use it. You can't use your consent after the expiry date. We recommend you apply for a new consent at least six months before your existing consent expires. You can then continue to operate under your old consent until your new application is decided.



If you're not happy with our decision or consent conditions

Your right to object

If your resource consent application was non-notified, or was notified and there were no submissions, you can object to our decision and any consent conditions we imposed. You must make your objection in writing and send it to us no more than 15 working days after you receive our decision.

Greater Wellington may dismiss or support all or part of your objection. If you are still not happy, you have the right to appeal this decision to the Environment Court.

Your right to appeal

If your resource consent application was publicly or limited notified, you or any submitters can appeal against Greater Wellington's decision and any consent conditions we imposed. You must lodge your appeal with the Environment Court no more than 15 working days after you receive our decision.

You can read more about making an objection or an appeal in our 'Objections and appeals' brochure, available online at www.gw.govt.nz or from a Greater Wellington office.

Complying with your resource consent

Checking compliance with your consents

Greater Wellington is responsible for checking that consent holders comply with their consent conditions and whether there are any adverse effects on the environment.

The amount of checking depends on the extent and type of environmental effects occurring through using the consent. For example, if your consent has only one-off effects or is a permanent structure, such as a culvert, we usually only do an inspection during the works or shortly after they are completed. If your activities have the potential to cause significant effects, we'll design a specific monitoring programme that may involve several visits each year. We may also require you to demonstrate that you're complying with your consent, such as by providing test results.

We'll write to you after your compliance inspection to let you know whether you're complying with your consent conditions and, if not, what you need to do to comply.



Are there consent supervision and monitoring charges?

When we send you your consent certificate, we'll let you know about any consent supervision and monitoring charges. These may include:



Customer Service Charge: This annual fee applies to all consents and covers such services as providing information and advice on your consent, maintaining your consent as a public record and recording changes in consent status (for example, if you surrender your consent or transfer it to another person). Even if you haven't started using your resource consent, you'll be charged this fee every year until you surrender your consent or the consent expires.



Compliance Monitoring Charge: Compliance monitoring involves a site visit to assess your operation's compliance with the consent conditions. The inspection results are sent to you.



State of the Environment Monitoring Charge (SOE Charge): We undertake many types of monitoring to assess the state of the environment. Charges apply when a local catchment area is identified as being under stress – we pass on a small proportion of the monitoring costs to the consent holders in that area. The amount you pay is proportional to the amount of water you take or contaminants you discharge.



Consent supervision and monitoring charges are set out in Greater Wellington's Resource Management Charging Policy, which is available online at www.gw.govt.nz or at a Greater Wellington office.



How you can reduce your compliance monitoring charges

Consent holders who demonstrate a good record in discharging contaminants to land, water or air may be eligible for a reduced compliance charge. For example, if you establish a good compliance record over three years, we'll inspect your activity less often and your charge will be reduced accordingly.



What if you don't comply with your consent conditions?

We can take enforcement action against consent holders who breach their consent conditions. This includes written warnings, infringement notices (fines) and court action, such as prosecution or court orders.



We can also charge consent holders for the time Greater Wellington staff spend in investigating complaints, where it is shown that consent holders are not complying with their conditions, or where additional inspections are needed because consent holders continue to breach their consent conditions.



If your situation changes

If you don't use or no longer need your consent

If you don't use your consent within five years of the 'effective date', it will lapse (unless it contains a condition bringing forward or delaying the lapse date). When this happens you lose the right to carry out the activity.



If you want to avoid your consent lapsing, you can apply for an extension of lapse time – but you need to do this before your consent lapses. Consents often lapse long before they expire, particularly if their term is longer than five years. Please contact us for more information about this.



If you start using your resource consent then stop using it for a continuous period of five years or more, we can cancel it.

If you no longer need your resource consent, you can apply to Greater Wellington to surrender it (for no charge). However, you'll still be liable for any past breaches of consent conditions. You may also be required to complete any works the consent authorises.



Once you've surrendered your consent you can't reactivate it, and you need to apply for a new consent if you change your mind. Application forms for surrendering a consent are available from Greater Wellington offices.

Transferring a consent to someone else

You can transfer your land use consent or coastal, discharge or water permit to any other person who wants to undertake the same activity at the same site. You can also transfer your water permit to someone at a different site, but you can't do this for any other type of consent.

Until your consent is transferred, you'll be liable for any ongoing consent supervision and monitoring charges. So if you sell your operation or property, contact us and we'll arrange the transfer free of charge.

Changing your consent conditions

You can apply to Greater Wellington to change or cancel any of your resource consent conditions, except for the expiry date.

We'll process your application as if you were applying for a new consent – although we only consider the potential adverse environmental effects of changing or cancelling the conditions you have specified. You'll be charged for the time it takes to process your application. Contact us for more information.



Notes

OUR CONTACT DETAILS

Greater Wellington
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Level 3, 142 Wakefield Street
P O Box 11646
Wellington
T 04 384 5708
F 04 385 6960
E www.gw.govt.nz

Greater Wellington
Regional Council
34 Chapel Street
P O Box 41
Masterton
T 06 378 2484
F 04 378 2146
E www.gw.govt.nz

FOR MORE INFORMATION

Greater Wellington has a range of other brochures designed to help people with resource consents and the consent application process. Copies are available online at www.gw.govt.nz or at a Greater Wellington office.

Topics include:

- Applying for a resource consent
- Making a submission on a resource consent application
- Resource consent timeframes
- Consulting iwi
- Pre-hearing and hearing meetings
- Objections and appeals