



What is a resource consent and why do I need one for ground improvement?

The Resource Management Act 1991 (RMA) promotes the sustainable management of natural and physical resources and seeks to protect land and the environment. District and regional councils are responsible for preparing the suite of plans and policy documents that provide a framework for implementing the RMA purpose and principles. These plans set out the resource consent requirements for different activities.

Some ground improvement activities are 'permitted' under the relevant regional and district plans. You are required to apply for resource consent if an activity is not permitted in the relevant plans.

Who can grant resource consents?

In Canterbury, resource consents are granted by the district/city council (Christchurch City Council [CCC], Waimakariri District Council [WDC] or Selwyn District Council [SDC]) and/or the regional council, Environment Canterbury (ECan), depending on which rules trigger the need for consent.

Even if an activity is permitted under the relevant planning rules, documentation may need to be submitted to the local council both before and after works have taken place, for example, a statement of professional opinion or producer statement, and as-built plans from a suitably qualified and experienced geotechnical engineer.

How do I get a resource consent?

Applications for a resource consent can be made to either the district/city or regional council, depending on rules that trigger the need for consent. They must be accompanied by an assessment of effects on the environment (AEE) report. Information provided in the district and regional

plans, and guidance from council staff and RMA planning consultants, can help in determining what information is needed. In some cases, specialist advice may be required to prepare an AEE report.

It is recommended that a RMA planning consultant is engaged to assess any proposed ground improvement works against the land repair provisions to confirm the resource consent requirements. Even if resource consent is not required for ground improvement works, compliance with the performance standards set out in the land repair rules developed by ECan, CCC, and WDC is required for the works to be permitted. These performance standards include measures for erosion and sediment control, construction noise and vibration and hours of work.

Other consents and approvals

It is important to note that additional consents and approvals may be required prior to doing the works, such as if the site is potentially contaminated. Ground improvement works on contaminated sites may require consents under the provisions of the Resource Management (National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES Soil).

Where the proposed works have the potential to disturb sites of archaeological or cultural interest an 'Authority to Modify' may be required from Heritage New Zealand under the Heritage New Zealand Pouhere Taonga Act 2014. Approvals may also be required where equipment or machinery necessary to undertake the works occupy the public open space or the road reserve or where dewatering discharges are pumped to the stormwater networks.



What is a building consent and why do I need one for ground improvement?

A building consent is a requirement of the Building Act 2004, which aims to ensure that construction, alteration, demolition and maintenance of new and existing buildings is of a suitable standard. Because ground improvement is related to building foundations, a building consent or a building consent exemption is required, to ensure that the ground improvement works are suitable for the structure that is intended for the site.

Who can grant building consents?

It is recommended to apply for a building consent for the construction of the ground improvement and for a new house.

In Christchurch city, a building consent must be granted by the Christchurch City Council (CCC) prior to undertaking ground improvement. If ground improvement is intended to be constructed prior to planning the construction of a new house, CCC may grant a building consent exemption. This exemption may only be granted as long as the planned ground improvement is in accordance with the April 2015 update of the MBIE guidance on Repairing and rebuilding houses affected by the Canterbury earthquakes.

Waimakariri District Council (WDC) and Selwyn District Council (SDC) do not require building consents prior to undertaking ground improvement works. The constructed ground improvement and house plans are assessed to ensure that the ground improvement and house foundations are compatible with the Building Act 2004.

To ensure compatibility, it is recommended that ground improvement and the new house design be done prior to the application for building consent and any construction works begin on site.

How do I get a building consent?

Application for a building consent can be made to the local council. For a building consent to be granted for ground improvement, a Chartered Professional Geotechnical Engineer will need to provide the local council with site investigation information and a suitable design of the proposed ground improvement.

The design may be in accordance with the MBIE guidance, or may be a bespoke design that the engineer can show to be suitable for the ground conditions on the property. The ground improvement design must also be compatible with the proposed new house foundations (an engineer and/or licenced building practitioner will provide the details).

Other consents and approvals

It is important to note that additional consents and approvals may be required before undertaking the works.