

Resource Consent Application Form 49

Vegetation clearance, earthworks or land disturbance and take, use, damming, diversion, or discharge of water for natural hazard works



This application is made under Section 88 of the Resource Management Act 1991

Phone: 0800 474 082

Website: www.orc.govt.nz

IMPORTANT NOTES TO THE APPLICANT

Consent for natural hazard work is required under Clause 54 of the [Resource Management \(National Environmental Standards for Freshwater\) Regulations 2020](#).

This form is to be used for natural hazard works in or near a natural wetland that require consent.

The following natural hazard works within the following distances of a natural wetland may require consent:

- a. *vegetation clearance, earthworks, or land disturbance within 10 m; and*
- b. *take, use, damming, diversion, or discharge of water within 100 m.*

Ensure that you complete this Application Form 49 and Resource Consent Application Form 1 in full.

Natural hazard works: means works for the purpose of removing material, such as trees, debris, and sediment, that—

- a. is deposited as the result of a natural hazard; and
- b. is causing, or is likely to cause, an immediate hazard to people or property.

Natural wetland: means a [wetland \(as defined in the Act\)](#) that is not:

- a. a wetland constructed by artificial means (unless it was constructed to offset impacts on, or restore, an existing or former natural wetland); or
- b. a geothermal wetland; or
- c. any area of improved pasture that, at the commencement date, is dominated by (that is more than 50% of) exotic pasture species and is subject to temporary rain-derived water pooling

Sediment control measures: Means measures or structures that do 1 or more of the following:

- a. stop sediment from being washed away from its source:
- b. slow or stop water with sediment in it so that the sediment drops out of suspension before the water reaches a water body:
- c. divert the flow of water so that it does not become contaminated with sediment.

Please refer to the [Wetlands Factsheet](#) for additional information about natural hazard works the construction of wetland utility structures.

For the consent application to be processed efficiently in the minimum time and at minimum cost, it is critical that as much relevant information as possible is included with the application. If all the necessary information is not entered on the form or supplied with the application then Otago Regional Council may return your application, request further information, or publicly notify your application. This will lead to delays in the processing of your application and may increase processing costs. This application form, when properly completed, should provide an adequate "Assessment of Effects on the Environment" (AEE) where the adverse effects of a proposal are not significant. However, this can only be determined on application.

You may wish to provide a separate AEE using this form as template.

PART A: GENERAL

A.1 Is this application (tick which applies):

- For a NEW consent for natural hazard works in a natural wetland?
- To REPLACE a current consent for natural hazard works in a natural wetland?

Current consent number: _____

Expiry date: _____

A.2 What is the reason you require consent?

If you don't tick any of the criteria below, your natural hazard works may be permitted under Clause 51 of the National Environmental Standards for Freshwater.

- The activity may result in land becoming unstable
- The activity may result in, or involve, debris or other materials being deposited in a natural wetland
- The activity undertaken will exceed the extent necessary to achieve the purpose of the natural hazard works
- The activity may inhibit the passage of fish as a result of changes to the profile of the bed of the wetland
- Erosion and sediment control measures will not be applied and maintained for the duration of earthworks and land disturbance
- Soil on site will not be stabilised or contained as soon as practicable after works end
- Within 3 months of works ending, debris, materials and equipment will not be removed from site
- Within 3 months of works ending, the site will not be free from litter

PART B: LOCATION OF THE ACTIVITY

B.1 Location of natural wetland where natural hazard works will occur

Name of landowner(s):

Address/Location:

How big is the property where the wetland is located?

_____ hectares

Legal description(s) of the property (as shown on Certificate of Title)

Please attach a current (less than 3 months old) Certificate of Title to the application.

B.2 Wetland where natural hazard works will be undertaken

How big is the wetland where the natural hazard works will be undertaken?

_____ square metres

How much of the wetland will be impacted by the natural hazard works?

_____ square metres

B.3 Map or aerial image

Please provide a map or aerial image showing:

The extent of the wetland

All areas of the wetland where natural hazard works will occur, including:

- Vegetation to be cleared
- Earthworks or land disturbance
- Location of any take, use, damming, diversion, or discharge of water

	<ul style="list-style-type: none"> ○ Location of any associated activities, such as planting <p><input type="checkbox"/> Within and near the wetland where natural hazard works will occur, identify:</p> <ul style="list-style-type: none"> ○ Any critical source areas ○ Any water bodies (including rivers, lakes, ponds, and streams) that flow to or from the wetland ○ Any surrounding wetlands ○ Any subsurface drainage ○ Any bores or soak holes ○ Any sites of historic heritage <p><input type="checkbox"/> Nature of the terrain surrounding the wetland, including slope (flat, rolling, steep) and direction of slope</p> <p><input type="checkbox"/> A north symbol (oriented to the top of the page if possible) and scale bar</p>
<p>B.4</p>	<p>Additional information regarding the wetland</p> <p>In addition to the map or aerial image required in B.3, you may also provide some photos of the areas of the wetland in its current state. You may also provide some photos of previous natural hazard works, if these reflect how the proposed activity will be managed.</p> <p>Description of any photos included:</p> <hr/> <hr/> <hr/>

PART C: NATURE OF THE ACTIVITY	
<p>C.1</p>	<p>Nature of the wetland</p> <p>Describe the nature of the wetland in its current state:</p> <p><i>This may include the values, extent, functions, vegetation types present, soils underlying the wetland, habitat for fish and birds, flow of water into, through and out of the wetland, any field observations related to the wetland, existing artificial features and utility structures</i></p> <hr/> <hr/> <hr/> <hr/> <hr/>

	<p>Describe any management practices related to the wetland in its current state: <i>This may include existing fencing, nature of the surrounding land use, management of stock near the wetland area, water management near the wetland</i></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>C.2</p>	<p>Describe the natural hazard works to be undertaken: <i>This may include intended purpose and operation, size, footprint, materials used</i></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>C.3</p>	<p>Nature of the activity</p> <p>Describe the works involved in the natural hazard works: <i>This may include location and species for vegetation clearance and planting, specific areas of earthworks or land disturbance, machinery and equipment to be used, any works that may affect water quantity or quality, setbacks between works and the wetland</i></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

	<p>In addition to the plan provided in Section B.3, please provide plans showing specific details of the works associated with the natural hazard works.</p> <p>When are works expected to start, and for how long will they continue until completion?</p> <hr/> <hr/> <hr/> <hr/>
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PART D: MANAGEMENT OF THE ACTIVITY

D.1

How will you manage the activity?

Please provide details of how you will manage the natural hazard works activity. This may include:

- *timing and duration of works*
- *management of water on the site*
- *oversight of the works*
- *disposal of cleared vegetation and earth*
- *setbacks to the wetland*

Management strategies may change across the wetland, and through different aspects of the works, so please be as specific as possible.

PART E: ASSESSMENT OF ENVIRONMENTAL EFFECTS

E.1 Effects on the wetland

Describe the actual and potential effects your natural hazard works may have on the values of the natural wetland, its catchment, and the coastal environment

Natural hazard works may impact the values associated with the wetland. In this section, describe how your management practices will ensure values associated with the wetland are maintained or improved.

Describe the actual and potential effects your natural hazard works may have on the extent of the wetland.

Natural hazard works may result in an increase or decrease in the extent of the wetland. In this section, describe how your management practices will affect the extent of the wetland.

Describe the actual and potential effects your natural hazard works may have on the hydrological regime of the wetland.

Natural hazard works may result in a change to the hydrological regime of the wetland. In this section, describe how your management practices will affect the hydrological regime of the wetland.

	<p>Describe the actual and potential effects your natural hazard works may have on the passage of fish in the wetland or another waterbody.</p> <p><i>Natural hazard works may result in a change to the hydrological regime of the wetland. In this section, describe how your management practices will affect the hydrological regime of the wetland.</i></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>E.2</p>	<p>Describe the actual and potential effects your natural hazard works may have on flooding risk up and downstream of the wetland.</p> <p><i>Natural hazard works, in particular changes to the hydrological regime, have the potential to change flooding risk to the surrounding areas. In this section, describe how your management practices will ensure adverse effects on flooding risk are avoided or minimised as best possible.</i></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>E.3</p>	<p>Describe the cumulative effects of your natural hazard works.</p> <p><i>Cumulative effects are effects which arise over time, in combination with other effects. While the effects of your activity on its own may be environmentally acceptable, cumulative effects recognise that similar effects over time from many activities may not be acceptable.</i></p> <hr/> <hr/> <hr/> <hr/>

<p>E.4</p>	<p>Describe the actual and potential effects your natural hazard works may have on Kai Tahu cultural and spiritual beliefs, values and uses.</p> <p><i>Natural hazard works have the potential to impact Kai Tahu values. In this section, describe any nearby Rūnanga sensitive receptors (Statutory Acknowledgements, wāhi tapu etc), and how your activity might affect these features and the associated cultural values.</i></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>E.5</p>	<p>Demonstrate how your proposal meets the effects management hierarchy approach to managing adverse effects of any activity on the values or extent of a wetland.</p> <p><i>This means that:</i></p> <ul style="list-style-type: none"> <i>a. adverse effects are avoided where practicable; and</i> <i>b. where adverse effects cannot be avoided, they are minimised where practicable; and</i> <i>c. where adverse effects cannot be minimised, they are remedied where practicable; and</i> <i>d. where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided where possible; and</i> <i>e. if aquatic offsetting of more than minor residual adverse effects is not possible, aquatic compensation is provided; and</i> <i>f. if aquatic compensation is not appropriate, the activity itself is avoided.</i> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

E.6	<p>Describe the actual and potential positive effects of your natural hazard works.</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
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PART F: ALTERNATIVES

F.1	<p>Have any alternatives to the natural hazard works, either as a whole or specific aspects, been considered? If so, why is the proposed activity being utilised over those alternatives?</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
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PART G: CONSULTATION

G.1	<p>Please describe any consultation undertaken with persons/parties potentially affected by your proposed activity.</p> <p><i>Potentially affected parties may include Public Health South, landowners (if farm is leased), neighbours, Aukaha, Te Ao Marama, Fish and Game Otago and Department of Conservation.</i></p> <hr/> <hr/> <hr/> <hr/> <hr/>
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G.2	<p>Written approvals</p> <p>Were any written approvals obtained as part of this application?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>If yes, please describe who written approval was obtain from, and why.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Please attach any written approvals received to the application. <i>Please note that the Council only accepts unconditional written approvals and any conditions proposed by affected parties need to be agreed to and incorporated into the application.</i></p>
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PART H: DEPOSIT

A deposit is required upon lodgement of your application. Refer to the fees on Form 1. This deposit is not the final or maximum cost of your application. Further charges are incurred in accordance with Councils scale of fees and charges.

PART I: CHECKLIST

I.1	<p>Use the checklist below to ensure you've provided all of the relevant information to complete your application. <i>To keep consent processing costs to a minimum it is strongly recommended that the checklist is complete and all items required are attached before you lodge your application to the Otago Regional Council.</i></p> <p><input type="checkbox"/> Fully completed this application form and Form 1?</p> <p><input type="checkbox"/> Attached Certificate of Title(s) less than 3 months old? Refer to B.1</p> <p><input type="checkbox"/> Attached a detailed site map? Refer to B.3</p> <p><input type="checkbox"/> Attached any relevant photos? Refer to B.4</p> <p><input type="checkbox"/> Attached any written approvals? Refer to G.2</p> <p><input type="checkbox"/> Paid your deposit or attached a cheque? Refer to Part H</p> <p><input type="checkbox"/> Attached a completed planning assessment sheet, or an assessment of the activity against the relevant parts of the RMA, National Policy Statement for Freshwater Management 2020, Regional Policy Statement (Operative and Partially Operative) and Regional Plan: Water for Otago</p>
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CONTACT US

If you have any queries relating to the information requirements, please contact one of our Otago Regional Council Offices:

Dunedin: 70 Stafford St Private Bag 1954 Dunedin 9054 Phone 03 474 0827 Fax 03 479 0015	Alexandra: Dunorling St PO Box 44 Alexandra 9340 Phone 03 448 8063 Fax 03 448 6112	Queenstown: Terrace Junction 1092 Frankton Road Queenstown 9300 Phone 03 442 5681 Fax 03 442 5682
Freephone: 0800 474 082 Website: www.orc.govt.nz		