

# Resource Consent Application Form 45

Vegetation clearance and earthworks or land disturbance for arable and horticultural land use



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

Phone: 0800 474 082

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## IMPORTANT NOTES TO THE APPLICANT

Consent for arable and horticulture land use near a natural wetland is required under Clause 54 of the [Resource Management \(National Environmental Standards for Freshwater\) Regulations 2020](#).

This form is to be used for arable and horticultural land use near a wetland that requires consent.

*Arable and horticultural activities within the following distances of a natural wetland may require consent:*

- a. *vegetation clearance and earthworks or land disturbance within 10 m.*

Refer to Section A.2 below for the consent triggers. If your activity does not trigger any of the matters set out in Section A.2, your activity is likely to be permitted under Clause 50 of the National Environmental Standards for Freshwater.

Ensure that you complete this Application Form 45 and Resource Consent Application Form 1 in full.

**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

Please refer to the [Wetlands Factsheet](#) for additional information about arable and horticultural land use near natural wetlands.

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 to undertake a horticultural and arable land use near a wetland?
- To REPLACE a current consent to undertake a horticultural and arable land use near a 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 wetland restoration activity may be permitted under Clause 50 of the National Environmental Standards for Freshwater.*

- The area for arable or horticultural land use was not used for either purpose at any time between 1 January 2010 and the close of 2 September 2020
- Works associated with horticultural or arable land use will be within (rather than near) a natural wetland
- One or more of the wetland general conditions set out on Form 46 will not be complied with

**PART B: LOCATION OF THE ACTIVITY**

**B.1**

**Location of wetland near or within which arable or horticultural land use will be undertaken**

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.*

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<p><b>B.2</b></p>	<p><b>Land to be used for arable and horticultural activities</b></p> <p>How big is the wetland near or within which arable and horticultural land uses will occur?</p> <p>_____ square metres</p> <p>How close will the horticultural or arable land use be to the wetland area?</p> <p><i>Where multiple areas near the wetland will be used, please provide distances for each area as well as the total area.</i></p> <p>_____ metres</p>
<p><b>B.3</b></p>	<p><b>Map or aerial image</b></p> <p>Please provide a map or aerial image showing:</p> <p><input type="checkbox"/> The extent of the wetland(s)</p> <p><input type="checkbox"/> All areas near the wetland where horticultural or arable land use may occur, including:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Vegetation to be cleared</li> <li><input type="checkbox"/> Earthworks or land disturbance</li> <li><input type="checkbox"/> Location of any associated activities, such as planting</li> </ul> <p><input type="checkbox"/> Within and near the horticultural or arable land use areas, identify:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Any critical source areas</li> <li><input type="checkbox"/> Any water bodies (including rivers, lakes, ponds and streams) that flow to or from the wetland</li> <li><input type="checkbox"/> Any surrounding wetlands</li> <li><input type="checkbox"/> Any subsurface drainage</li> <li><input type="checkbox"/> Any bores or soak holes</li> <li><input type="checkbox"/> Any sites of historic heritage</li> </ul> <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>B.4</b></p>	<p><b>Additional information regarding the wetland</b></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 horticultural and arable land uses near a wetland, and the works involved, if these reflect how the proposed activity will be managed.</p> <p>Description of any photos included:</p> <p>_____</p> <p>_____</p>

**PART C: NATURE OF THE LAND USE ACTIVITY**

**C.1 Nature of the wetland**

Describe the nature of the wetland in its current state:

*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 or infrastructure*

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Describe any management practices related to the wetland in its current state:

*This may include existing fencing, nature of the surrounding land use, management of stock near the wetland area, water management near the wetland*

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**C.2 Describe the nature of the horticultural or arable land use:**

*Types of crops to be grown, crop rotations, use of tillage and fertiliser, stock use of the area, fencing or stock exclusion*

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## PART D: MANAGEMENT OF THE LAND USE ACTIVITY

**D.1** How will you manage the land use activity?

*Please provide details of how you will manage the land use activity. This may include:*

- *fencing*
- *stock management*
- *riparian planting*
- *management of cultivation and tillage*

*Management strategies may change across and through different aspects of the land use, so please be as specific as possible.*

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## PART E: ASSESSMENT OF ENVIRONMENTAL EFFECTS

**E.1** **Effects on the wetland**

Describe the actual and potential effects your land use activity may have on the values of the natural wetland, its catchment, and the coastal environment

*The land use activity may impact the values associated with the wetland. In this section, describe how your management practices will ensure values associated with the wetland are degraded, maintained or improved, and when this may occur.*

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Describe the actual and potential effects your land use activity may have on the extent of the wetland.

*The land use activity 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.*

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Describe the actual and potential effects your land use activity may have on the hydrological regime of the wetland.

*The land use activity 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.*

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Describe the actual and potential effects your research activity may have on the passage of fish in the wetland or another waterbody.

*The land use activity 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.*

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<p><b>E.4</b></p>	<p>Describe the actual and potential effects your land use activity may have on Kai Tahu cultural and spiritual beliefs, values and uses.</p> <p><i>The land use activity has the potential to impact Kai Tahu values. In this section, describe any nearby Rūnanga sensitive receptors (Statutory Acknowledgements, wāhi tapu etc), and how your land use activity might affect these features and the associated cultural values.</i></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p><b>E.5</b></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"> <li><i>a. adverse effects are avoided where practicable; and</i></li> <li><i>b. where adverse effects cannot be avoided, they are minimised where practicable; and</i></li> <li><i>c. where adverse effects cannot be minimised, they are remedied where practicable; and</i></li> <li><i>d. where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided where possible; and</i></li> <li><i>e. if aquatic offsetting of more than minor residual adverse effects is not possible, aquatic compensation is provided; and</i></li> <li><i>f. if aquatic compensation is not appropriate, the activity itself is avoided.</i></li> </ul> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>



<b>E.6</b>	Describe the actual and potential positive effects of your land use activity.  <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
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**PART F: ALTERNATIVES**

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

<b>G.1</b>	Please describe any consultation undertaken with persons/parties potentially affected by your proposed activity. <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>  <hr/> <hr/> <hr/>
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<b>G.2</b>	<p><b>Written approvals</b></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 obtained 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.*

<b>PART I: CHECKLIST</b>	
<b>I.1</b>	<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>

## 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
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