

Resource Consent Application Form 60b – Small scale disturbance of contaminated land for residential development

- No more than 25 m³ per 500 m²
- Less than 10 degrees slope
- 20 metres away from sensitive receptors and no groundwater encountered



Otago
Regional
Council

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IMPORTANT NOTES TO THE APPLICANT

You must complete this form and Resource Consent Application Form 1 in full.

This application is for small scale contaminated land disturbance and residential earthworks. The application is for the disturbance of contaminated land managed under the Regional Plan: Waste for Otago (RPW).

Examples of sensitive receptors include:

- Waterways
- Wetlands
- Bores
- Drinking water supplies

For the purpose of the RPW, contaminated land is a site at which hazardous substances occur at concentrations above background levels and where assessment indicates it poses, or is likely to pose an immediate or long term hazard to human health or the environment.

The National Environmental Standard for Assessment and Managing Contaminants in Soil to Protect Human Health (NES-CS) also manages the disturbance of contaminated land. If your activity requires consent under the NES-CS, please get in touch with your District Council.

For the purpose of the NES-CS, contaminated land is a piece of land that is described by 1 of the following:

- (a) an activity or industry described in the HAIL is being undertaken on it.
- (b) an activity or industry described in the HAIL has been undertaken on it.

The HAIL is the Hazardous Activities and Industries List, which can be found here: <https://environment.govt.nz/publications/hazardous-activities-and-industries-list-hail/>

It is crucial that you provide as much relevant information as possible with your application and in an understandable way. This will help ORC staff process it efficiently, and at the minimum cost.

If all the necessary information is not entered on the form or supplied with the application then Otago Regional Council must return your application or may 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 in significant. In order to confirm whether the completed form alone would be adequate, please contact Council at (consents.enquires@orc.govt.nz) to discuss with a Planner / arrange a pre-application meeting.

You can find helpful information relating to applications for contaminated land in our [practice notes](#).

1. Location of the disturbance activity

A landholding is defined as either land in a single record of title, land in two or more adjoining records of title with a common occupier, or all contiguous land acquired under one instrument of conveyance and occupied by a common occupier.

1.1 Which city/district are you in?

- Queenstown Lakes District
- Central Otago District
- Dunedin City
- Clutha District
- Waitaki District

1.2 Is consent required from the territorial authority?

- Yes – Please describe why consent is required below:
- No

If consent is also required from the territorial authority, we recommend that this is applied for at the same time as the consents required from Otago Regional Council. In order to be efficient and reduce costs, Otago Regional Council will endeavour to combine processing with the Territorial Authority where possible.

2. GENERAL

2.1 Please describe the disturbance to be undertaken, including the area and volume of the disturbance, and the purpose of the disturbance:

2.2 Please describe how contaminated soils will be managed, including whether contaminated soil will be retained on site, or removed from the site.

2.3 Will the disturbance be for the purpose of residential development?

- Yes
- No – Please use form [60a](#), which is for disturbance of contaminated land not associated with residential development

2.4 Will the volume of the disturbance be no more than 25 m³ per 500 m²?

- Yes
- No – Please use Form [60c](#), which is for larger-scale disturbance of contaminated land

2.5 What is the slope of the area which will be disturbed?

2.6 Please describe the earthworks intended to be undertaken:

This includes why earthworks are being undertaken, what the earthworks will involve (e.g. cut, fill), and any specific details of how earthworks will be undertaken (e.g. staging, stock piling)

2.7 Scale of earthworks

- a. **What is the maximum depth of earthworks in metres?**
- b. **What is the maximum height of any fill (above natural ground) in metres?**
- c. **What is the maximum volume of earthworks in metres?**

2.8 Duration of works

- a. When are works expected to start?

- b. How long are works expected to take?

2.9 Stabilisation of the site

a) Will the area of earthworks be stabilised upon completion of works?

- Yes – Please attach to the application.
- No

If yes, how?

If no, why not? Please note that stabilization of the earthworked area is required in most instances

2.10 What is the nature of the HAIL activity that is, or has been undertaken on the site, or has a preliminary site investigation been undertaken on the site?

2.11 Site investigations

a. Has a preliminary site investigation, detailed site investigation or other soil investigation (e.g., testing) been undertaken for the piece of land to be disturbed?

- Yes – Please attach to the application.
- No

If no, please provide comment on why this is appropriate with reference to Ministry for the Environment Contaminated Land Management Guidelines eg. letter from suitably qualified and experienced person

b. If a detailed site investigation has been undertaken, does it state that the soil contamination does or does not exceed the applicable guidelines protective of human health and environment?

- The soil contamination does not exceed the applicable guidelines
- The soil contamination does exceed the applicable guidelines

If it does exceed the applicable guidelines please include a risk assessment

c. Describe any other information held in relation to the contaminated land, such as soil sampling from the site that has been undertaken by a Suitably Qualified Person and any results of this soil sampling:

2.12 Please provide a map or aerial image showing:

- The landholding boundary, as per the legal description(s) above
- All areas where earthworks will occur
- Within and near the areas where earthworks will occur, identify:
 - Any waterways, including rivers, streams, lakes, drains, water races and ponds
 - Any wetlands, including natural inland wetlands
 - The coastal marine area
 - Any bores or soak holes
 - Any existing vegetation
 - Any fish or bird habitat or nesting areas
 - Any Department of Conservation reserves
 - Any public gathering areas or amenity areas
 - Nearby dwellings
- The location of any contaminated or potentially contaminated land
- Nature of the terrain where earthworks will occur, including slope (flat, rolling, steep) and direction of slope
- A north symbol (oriented to the top of the page if possible) and scale bar

2.13 In addition to the map or aerial image required above, you may also wish to provide some photos of the site, and any of the waterbodies identified on the map.

3. DESCRIPTION OF THE AFFECTED ENVIRONMENT

Please fill out the table below to clearly identify the separation distance from the earthworks area to these sensitive receptors, and any others not marked on the plan, use the table below.

3.1 Please identify any sensitive receptors near the area where the disturbance will occur, using the table below.

	Specific details about the sensitive receptor*	Distance to disturbance area
River		
Stream		
Lake		
Drain		
Water race		
Pond		
Wetland		
Coastal marine area		
Bore		
Soakhole		
Neighbouring dwellings		
Vegetation, including natives		
Other		

** Details might include address of dwellings, bore numbers, waterbody names, reserve names, types of habitat present.*

3.2 Is the proposed disturbance located in a historical place, recorded archaeological site, or in an area of cultural or spiritual significance to Tangata Whenua?

- Yes – Please describe below
- No

3.3 Underlying material

a. If known, what are the underlying soil types on the earthworks area?

b. If known, are there any other materials other than soil likely to be encountered during earthworks?

For example, demolition fill, rock, organic material other than soil

3.4 If known, what is the current state of water quality in the water bodies within or near your earthworks area?

3.5 If known, what are the groundwater levels within or near your earthworks area?

4. ASSESSMENT OF ENVIRONMENTAL EFFECTS

4.1 Management of contaminated land

In assessing the potential effects of your earthworks activity, the key effects council staff will look at are the effects on air quality, surface and groundwater, ecosystems and values and effects on Kai Tahu cultural and spiritual beliefs, values and uses.

4.2 Describe the effects of the proposed disturbance on air quality.

The disturbance of contaminated land and earthworks may generate contaminated dust, odour, and/or volatile substances. An air discharge permit may be required, consult the Otago Regional Council for more information.

4.3 Describe the effects of the proposed disturbance on water quality.

Disturbance activities have the potential to negatively impact water quality, particularly through the run-off of sediment or contaminated material. In this section, describe how your management practices will ensure adverse effects on surface and groundwater quality, including cumulative effects, are avoided or minimised as best possible.

Such measures may include setbacks and buffers to waterbodies and bores and the use of erosion and sediment control measures.

4.4 Describe the effects of the proposed disturbance on water quantity.

The disturbance of contaminated land has the potential to impact water quantity, particularly if groundwater is intercepted during the disturbance. In this section, describe how your management practices will ensure adverse effects on surface and groundwater quantity are avoided or minimised as best possible.

- a. **If there are any surface waterbodies near the area of earthworks, please describe how earthworks will be managed to avoid sediment loss to those waterbodies:**
- b. **How will stormwater and sediment laden run-off be managed on site? Please also comment on contingency measures for extreme weather events**
- c. **Will you be using water from waterways, lakes or groundwater for the management of dust?**
- Yes – Where will the water be taken from?
You may need an additional consent for the take and use of water.

4.5 Describe the effects of the proposed disturbance on cultural values.

The disturbance and associated discharge from contaminated land have the potential to impact Kāi Tahu values. In this section, describe any spiritual and cultural beliefs, values and uses of significance to Kāi Tahu identified in Schedule 1D of the Regional Plan: Water for Otago, and nearby Rūnanga sensitive receptors (Statutory Acknowledgement Areas, food gathering places, rock art sites etc.), and how your disturbance might affect these features and the associated cultural values. Also consider any mapped area of cultural significance contained in district plans.

4.6 Describe the positive effects of your proposal.

Please provide a copy of the following:

- A letter from a SQEP describing the nature of the works and site management controls required.

Any of the following specified by your SQEP. Your SQEP will let you know if you need these documents and you only need to include these with the application, if your SQEP requires them. Examples include:

- A Contaminated Site Management Plan
- Remedial Action Plan

4.7 Erosion and Sediment Control

Otago Regional Council defers to the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region, 2016 guideline document, published by Auckland Council (GD2016/005) for guiding erosion and sediment control measures when undertaking earthworks.

a. Will you be undertaking the earthworks in accordance with an Environmental Management Plan (EMP) and/ or an Erosion and Sediment Control Plan (ESCP)?

- Yes
- No – Please describe why not, and what measure you propose to manage erosion and sediment on site.

b. Have you already created an EMP and/or ESCP?

- Yes – Please attach it to your application
- No

4.8 Vehicles and machinery

a. Will vehicles and machinery be stored on site?

- Yes
- No

b. If yes, will vehicles and machinery be refuelled and stored more than 20 metres from any water bodies and bores?

- Yes
- No – Please describe why not

4.9 Briefly describe what health and safety protection measures are proposed during the works, particularly in regard to ensuring public safety:

5. STATUTORY ASSESSMENT

6. Please complete the policy assessment in the [form for the disturbance of contaminated land](#).

6.1 AFFECTED PARTIES AND WRITTEN APPROVALS

- 6.1 Please describe any consultation undertaken with persons/parties potentially affected by your proposal.

If you are not the owner of the land upon which the activity is proposed, written approval is required from all parties who own the land as shown on the Certificate of Title. This is to demonstrate that agreement has or is being attained where the activity is located on property that you do not own.

You do not have to undertake consultation, but if you do you need to tell us about it. Please include evidence of any correspondence you have had with these persons/parties.

- 6.2 Please attach any written approvals received for your proposal to the application.

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.

Please supply written approvals at the time of lodging your application to reduce delays in consent processing and to keep costs to a minimum. You can use the written approval form available on the ORC website.

7. CHECKLIST

In order to submit a complete application, have you remembered to:

- Fully complete this application form and Form 1
- Attached an Assessment of Environmental Effects (if required following confirmation by an Otago Regional Council Planner)
- Attached policy assessment Form – [Policy Sheet for forms 60a, 60b, & 60c](#)
- Attached maps and drawings as appropriate
- Attached a Certificate of Title less than 3 months old
- Attached any written approvals
- Paid your deposit or attached a cheque
- Information from your Suitably qualified and experience person

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.