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Information Requirements



16.1 Introduction

The Resource Management Act requires that applications for a resource consent be made in accordance with Section 88. The Resource Management Act further requires that, where an assessment of the effects of the proposed activity is required, this assessment be prepared in accordance with the Fourth Schedule of the Act.

In general, applications for resource consent for activities affecting Otago's water resources or water bodies will be required to demonstrate that:

- (a) The effects of the proposed activity comply with the relevant objectives, policies and rules of this Plan;
- (b) Information has been included, in accordance with the Fourth Schedule of the Resource Management Act, to enable the consent authority to make an assessment of the effects of the proposed activity; and
- (c) Where practicable, consultation has occurred with parties likely to be affected by the proposed activity.

Without limiting the requirements of Section 88 of the Resource Management Act, or of the Fourth Schedule to the Act, any application for any activity which this Regional Plan: Water specifies as being:

- (a) Controlled;
- (b) Restricted discretionary; or
- (c) Discretionary;

will be required to include information, as specified in this chapter.

Applications will also be assessed in terms of policies in the Regional Policy Statement for Otago. There may be additional information requirements once regard has been had to the Regional Policy Statement.

Pursuant to Section 88(2) of the Resource Management Act, no application shall be made for an activity that this Plan specifies as a prohibited activity once the time for making or lodging submissions or appeals against the proposed rule has expired and:

- (a) No such appeals or submissions have been lodged; or
- (b) All such submissions or appeals have been withdrawn or dismissed.

Applications for resource consents shall be made on the prescribed forms available from the Otago Regional Council. The detail of the environmental impact assessment should be in context with the scale of the proposed activity.

16.2 General information required

The following information must be supplied with all resource consent applications:

1. The name and address of the applicant.
2. A description of the activity, its nature, purpose and duration.

3. The location of the activity together with a site plan, legal description, and relevant map references.
4. A description of possible alternative locations or methods and the reasons for making the proposed choice.
5. The scale of the activity, including the size of the area required for the activity, in hectares or square metres.
6. An assessment of any actual or potential effects of the activity on the environment.
7. A description of the measures to be undertaken to avoid, remedy or mitigate any effect on the environment, and the extent to which environmental compensation, if any, has already been provided with respect to the activity.
8. A list of names and addresses of landholders likely to be directly affected by the activity.
9. An identification of those persons interested in or affected by the activity, any consultation undertaken, and any response to the views of those consulted. Depending on the type of activity proposed, or its scale or location, these people may include:
 - (a) Neighbouring landholders,
 - (b) Local runanga and te Runanga o Ngai Tahu,
 - (c) Department of Conservation,
 - (d) City or district councils,
 - (e) Fish and game councils,
 - (f) The New Zealand Historic Places Trust,
 - (g) Commercial user groups,
 - (h) Recreational user groups, or
 - (i) The community in general.
10. A statement of whether any other resource consent is required from any other consent authority to undertake the activity and whether any such consent has been applied for, or obtained.

16.3 Specific information requirements

In addition to the general information required by Section 16.2 above, where the proposed activity involves the following activities, the information listed will be required.

16.3.1 The taking of surface water or groundwater

1. A description of the rate, volume, timing and frequency (including the 7-day take and annual or seasonal volumes) of the proposed take and an assessment of the need for the take.
2. A statement of the intended purpose of use for which the water is to be taken and the location where the water is to be used.
3. A description of the methods of take, delivery, storage (if any) and application to be used.

4. An assessment of the effect of the take on other users of the source water body.
- 4A. An overview of the economic, social, environmental and cultural effects of taking from the water source applied for, over other practicable sources, to an extent relative to the scale of the application.
- 4B. A statement about how, or if, the applicant proposes to work with other water users to meet day-to-day water requirements; and whether there is a water supply scheme in the area.
- 4C. Evidence of the rate, volume, timing and frequency of water taken under any existing consent, over the preceding 5 years.
- 4D. An outline of the value of the investment of the existing consent holder.
5. In the case of the taking of groundwater, a description of the bore used or to be used.
- 5A. In the case of the taking of groundwater, affected parties who are those taking from that aquifer, within a radius r of the proposed pumping bore as specified in Schedule 5B.
- 5B. In the case of the taking of groundwater, results of the aquifer test.
6. In the case of the taking of groundwater, a description of the likely adverse effect on the aquifer or any connected surface water body using the equations given in Schedule 5A of this Plan.
7. In the case of the taking of groundwater for irrigation purposes, a description of the quality of the groundwater where there is likely to be any adverse effect on soils.
8. In the case of any resource consent application for the taking of water under Rule 12.1.5.1 or 12.2.4.1, an assessment of the effects of the activity on:
 - (a) The natural and human use values including those identified in Schedule 1 for any affected water body; and
 - (b) The natural character of any affected water body; and
 - (c) The amenity values supported by any affected water body.

Note: Where the Council already holds this information under the requirements of an existing consent, the applicant may provide a cross-reference to the consent number in relation to which this information is held.

16.3.2 The damming or diversion of water

1. An assessment of the effects of the activity on:
 - (a) The natural and human use values set out in Schedule 1 for any affected water body; and
 - (b) The natural character of any affected water body; and
 - (c) The amenity values supported by any affected water body; and
 - (d) Other users of any water or water body affected by the activity; and
 - (e) The movement of water and sediment; and

- (f) Any defence against water; and
 - (g) Adjacent land.
2. An assessment of the effect on upstream and downstream users of any affected water bodies, land or water, including any likely effect should a dam fail or be overtopped either during or after construction.
 3. A description of the anticipated effect of the activity on public access to or along the water body including a description of:
 - (a) The extent to which members of the public would be excluded or restricted from the area; and
 - (b) Where existing public access would be excluded or restricted as a result of the activity, a description of the methods, if any, proposed to bring about enhanced access in the area or elsewhere.
 4. An assessment of the effect of the activity on any natural hazard, and the extent to which it is likely to create or exacerbate a natural hazard.
 5. An assessment of the effects of the activity on heritage values, including those identified in Schedule 1C or in any district plan, any archaeological site, or any place with interim historic place registration.
 6. A description of the provisions made for the remediation of any adverse effect of the failure or overtopping of the dam.
 7. In the case of a dam, the intended timing and duration of the filling of any reservoir and the proposed discharges from the dam.
 8. A description of the flow regime intended to be maintained in the water body downstream of the dam or diversion.
 9. In the case of a diversion, the total quantity or proportion of the flow that is intended to be diverted.
 10. An assessment of any known contaminated land, for example a recognised “contaminated site”, that may be flooded or inundated by the damming or diversion.
 11. In the case of a flood detention dam, a description of the mechanism for releasing water.

16.3.3 *[Repealed – 1 May 2014]*

16.3.4 The use of a structure on the bed of a lake, river, or Regionally Significant Wetland

1. A description of the current legal status of the structure including compliance with any district rule or proposed district rule.
2. A description of the nature of the use and the effect this may have on the function or structural integrity of the structure.
3. A description of work to be undertaken to maintain the structure in good repair.

16.3.5 The erection, placement, extension, alteration, replacement, or reconstruction of a structure on the bed of a lake, river, or Regionally Significant Wetland

1. A description of the structure's dimensions, whether existing or proposed, including an assessment of any percentage change in size of the structure.
2. The expected construction period
3. A description of the proposed method of construction including:
 - (a) The material to be used to erect or place, or extend, alter, or reconstruct the structure;
 - (b) The equipment to be used; and
 - (c) A construction plan.
4. An assessment of the effects of the activity on:
 - (a) The natural and human use values set out in Schedule 1 for any affected water body; and
 - (b) The natural character of any affected water body; and
 - (c) The amenity values supported by any affected water body; and
 - (d) The movement of water and sediment; and
 - (e) Any defence against water.
5. A description of the anticipated effect of the activity on public access to or along the water body including a description of:
 - (a) The extent to which members of the public would be excluded or restricted from the area; and
 - (b) Where existing public access would be excluded or restricted as a result of the activity, a description of the methods, if any, proposed to bring about enhanced access in the area or elsewhere.
6. An assessment of the effect of the activity on any natural hazard, and the extent to which it is likely to create or exacerbate a natural hazard.
7. An assessment of the likely effect of any flow or sediment process operating in the area, on the structure.
8. An assessment of the effects of the activity on heritage values, including those identified in Schedule 1C or in any district plan, any archaeological site, or any place with interim historic place registration.
9. A description of work to be undertaken to maintain the structure in good repair.
10. In the case of the erection or placement of a structure, a description of the provisions to be made for the maintenance of fish passage.
11. In the case of extension, alteration, or reconstruction, a description of the current legal status of the structure including compliance with any district rule or proposed district rule.

16.3.6 The demolition or removal of a structure on the bed of a lake, river, or Regionally Significant Wetland

1. A description of the structure to be removed including a description of its former purpose and use.
2. A description of any amenity or historic value attached to the structure to be removed.
3. An assessment of the effects of the activity on:
 - (a) The natural and human use values set out in Schedule 1 for any affected water body; and
 - (b) The natural character of any affected water body; and
 - (c) The amenity values supported by any affected water body; and
 - (d) The movement of water and sediment; and
 - (e) Any defence against water.
4. A description of the anticipated effect of the activity on public access to or along the water body including a description of:
 - (a) The extent to which members of the public would be excluded or restricted from the area; and
 - (b) Where existing public access would be excluded or restricted as a result of the activity, a description of the methods, if any, proposed to bring about enhanced access in the area or elsewhere.
5. An assessment of the effect of the activity on any natural hazard, and the extent to which it is likely to create or exacerbate a natural hazard.
6. Evidence that the existing authorised owner of the structure, if known, has given their approval to the demolition and removal.
7. A description of the extent to which all or part of the structure is to be demolished or removed.
8. A description of the methods to be used to remove the structure and the anticipated disturbance of the bed or margin resulting from that removal, and a description of the methods to be used to rectify the disturbance or rehabilitate the site.
9. An assessment of the effects of the activity on heritage values, including those identified in Schedule 1C or in any district plan, any archaeological site, or any place with interim historic place registration.

16.3.7 The alteration of the bed of a lake, river, or Regionally Significant Wetland

1. A description of the nature, scale and frequency of the proposed bed alteration.
2. A description of the proposed method of the alteration, including a description of equipment to be used.
3. An assessment of the effects of the activity on:
 - (a) The natural and human use values set out in Schedule 1 for any affected water body; and

- (b) The natural character of any affected water body; and
 - (c) The amenity values supported by any affected water body; and
 - (d) Other users of any water or water body affected by the activity; and
 - (e) The movement of water and sediment; and
 - (f) Any defence against water; and
 - (g) Adjacent land.
4. A description of the anticipated effect of the activity on public access to or along the water body including a description of:
 - (a) The extent to which members of the public would be excluded or restricted from the area; and
 - (b) Where existing public access would be excluded or restricted as a result of the activity, a description of the methods, if any, proposed to bring about enhanced access in the area or elsewhere.
 5. An assessment of the effect of the activity on any natural hazard, and the extent to which it is likely to create or exacerbate a natural hazard.
 6. An assessment of the effects of the activity on heritage values, including those identified in Schedule 1C or in any district plan, any archaeological site, or any place with interim historic place registration.
 7. In the case of the extraction of alluvium:
 - (a) An assessment of the volume of material proposed to be removed, in terms of a total annual volume, and in terms of daily amounts (where applicable); and
 - (b) A description of the period over which the extraction will occur, and the frequency of removal in any 12 month period; and
 - (c) A description of the methods to be used to remove the material; and
 - (d) An assessment of alternatives, including alternative sources of material, that have been considered to the proposed extraction and the reasons why the extraction is required in the location chosen.
 8. In the case of reclamation or deposition of a substance onto or into the bed of a lake or river, a description of the composition of the material proposed to be deposited.

16.3.8 The introduction or planting of vegetation to or on the bed of a lake, river, or Regionally Significant Wetland

1. The name of the plant or plants proposed to be introduced and the proposed methods to be used to introduce the plant.
2. The purpose for introducing the plant or plants.
3. A description of whether the plant or plants are already resident in the area of the proposed introduction.
4. An assessment of the effects of the activity on:

- (a) The natural and human use values set out in Schedule 1 for any affected water body; and
 - (b) The natural character of any affected water body; and
 - (c) The amenity values supported by any affected water body; and
 - (d) Other users of any water or water body affected by the activity; and
 - (e) The movement of water and sediment; and
 - (f) Any defence against water; and
 - (g) Adjacent land.
5. A description of the anticipated effect of the activity on public access to or along the water body including a description of:
- (a) The extent to which members of the public would be excluded or restricted from the area; and
 - (b) Where existing public access would be excluded or restricted as a result of the activity, a description of the methods, if any, proposed to bring about enhanced access in the area or elsewhere.
6. An assessment of the effect of the activity on any natural hazard, and the extent to which it is likely to create or exacerbate a natural hazard.
7. An assessment of the effects of the activity on heritage values, including those identified in Schedule 1C or in any district plan, any archaeological site, or any place with interim historic place registration.

16.3.9 The removal of vegetation from the bed of a lake, river or Regionally Significant Wetland

- 1. The method of removal.

16.3.10 The construction of a groundwater bore or the drilling of land

- 1. A description of the nature and scale of the bore construction or drilling, including its proposed depth.
- 2. A statement of the purpose of the proposed bore construction or drilling activity.
- 3. A description of the nature of the land where the bore construction or drilling is to occur, its soils, geology, and its proximity to water including groundwater.
- 4. A description of the bore head or drill hole management, or other methods, to be used to prevent contamination of groundwater, or to prevent groundwater running to waste.
- 5. An assessment of the effects of the activity on heritage values, including those identified in Schedule 1C or in any district plan, any archaeological site, or any place with interim historic place registration.

16.3.11 *[Repealed – 1 October 2013]*

16.3.12 *[Repealed – 1 October 2013]*

16.3.13 The erection, placement, extension, alteration, replacement, reconstruction, demolition or removal of a defence against water

1. A description of the defence against water's dimensions, whether existing or proposed, including an assessment of any percentage change in size of the defence against water.
2. The expected construction period.
3. A description of the proposed method of construction including:
 - (a) The material to be used to erect, or place, or extend, or alter, or replace, or reconstruct, the defence against water; and
 - (b) The equipment to be used; and
 - (c) A construction plan.
4. An assessment of the effects of the activity on:
 - (a) Any waahi tapu, waahi taoka, or other site of significance to Kai Tahu including values in Schedule 1; and
 - (b) Any affected water body including values in Schedule 1; and
 - (c) The natural character of any affected lake, river or its margins, including values in Schedule 1, and any wetland; and
 - (d) Any heritage value including values in Schedule 1; and
 - (e) Any amenity value; and
 - (f) The movement of water and sediment; and
 - (g) Any defence against water.
5. A description of the anticipated effect of the activity on public access including a description of:
 - (a) The extent to which members of the public would be excluded or restricted from the area; and
 - (b) Where existing public access would be excluded or restricted as a result of the activity, a description of the methods, if any, proposed to bring about enhanced access in the area or elsewhere.
6. An assessment of the effect of the activity on any natural hazard including flooding, and the extent to which it is likely to create or exacerbate a natural hazard.
7. An assessment of the likely effect of any flow or sediment process operating in the area, on the defence against water.
8. A description of work to be undertaken to maintain the defence against water in good repair.
9. A description of the intended purpose and action of the defence against water in flood circumstances.
10. In the case of extension, alteration, replacement, or reconstruction, a description of the current legal status of the defence against water including compliance with any district rule or proposed district rule.

11. In the case of demolition or removal, evidence that the existing authorised owner of the defence against water, if known, has given their approval to the demolition.
12. In the case of demolition or removal, a description of the extent to which all or part of the defence against water is to be demolished or removed.
13. In the case of demolition or removal, a description of the methods to be used to remove the defence against water and the anticipated disturbance of the bed or margin of any water body resulting from that removal, and a description of the methods to be used to rectify the disturbance or rehabilitate the site.

16.4 Provision of further information

Pursuant to Section 92 of the Resource Management Act, the Otago Regional Council may at any reasonable time before the hearing of a resource consent application, by written notice to an applicant, require further information. The variable nature and site specific aspects of activities within Otago's water bodies make it difficult to define all of the required information without closer investigation of each application. Accordingly, the applicant may be required to supply further information where it is necessary to enable the Otago Regional Council to better understand the nature of the proposed activity, the effect it will have on the environment, or how the adverse effects may be avoided, remedied or mitigated.

INFORMATION REQUIREMENTS