

Resource Consent Application Form 28



Earthworks for residential development
(Land Use and Discharge)

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

This form is to be used for earthworks for residential development that requires consent. Ensure that you complete this Application Form 28 and Resource Consent Application Form 1 in full.

Please note that earthworks for residential development require both a land use consent (under s9(2) of the RMA) and a discharge permit (under s15 of the RMA). Consent is required under Rule 14.5.2.1 of the Regional Water Plan.

Earthworks: Means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts.

Residential Development: Means the preparation of land for, and construction of, development infrastructure and buildings (including additions and alterations) for residential activities, and includes retirement villages. It excludes camping grounds, motor parks, hotels, motels, backpackers' accommodation, bunkhouses, lodges and timeshares. The terms development infrastructure, residential activity, and retirement village are defined in the National Planning Standards.

Please refer to the **Earthworks for Residential Development Factsheets** for additional information about earthworks for residential development

Your activity may also require consent under the relevant city or district plan provisions. Please check with your local city or district council.

The application will be assessed in terms of effects from sediment discharges, including effects on water quality, ecological values, other properties, human use or Kāi Tahu values.

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 scale of the proposal is limited. However, this can only be determined on application.

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

PART A: GENERAL

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

for a NEW consent for earthworks for residential development?

to REPLACE a current consent?

Consent number: _____

Expiry date: _____

PART B: LOCATION OF THE EARTHWORKS ACTIVITY

B.1 Landholding where the earthworks will occur

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.

a. Name of owner(s)

b. Address/Location

c. Legal description(s) of the landholding (*as shown on Record of Title*)

d. Please attach a current Record of Title to the application (no older than 3 months)

Yes, Record of Title attached

e. Which city/district are you in?

Queenstown Lakes District

Central Otago District

Dunedin City

Clutha District

Waitaki District

B.2 Earthworks area

a. How large will the area of earthworks be in any consecutive 12 month period?

_____ square metres

b. How large is the total area of earthworks?

_____ square metres

B.3 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
 - 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

B.4 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.

B.5 Nearby sensitive receptors

Any sensitive receptors (as per the table) should be identified on the map required under B.3. 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.

a. Please use the table below to identify any sensitive receptors near the areas where earthworks will occur.

Sensitive receptor	Specific details about the sensitive receptor*	Distance to earthworks area
River		
Stream		
Lake		
Drain		
Water race		
Pond		
Wetland		
Bore		
Soakhole		
Neighbouring Dwellings		
Vegetation, including natives		
Fish habitat		
Bird habitat		
Bird nesting areas		

Department of Conservation reserves		
Public gathering areas		
Amenity areas		
Other		

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

B.6 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

B.7 Existing water quality

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

This includes visual clarity, contaminant concentrations, periphyton or algal growth

B.8 Groundwater levels

- a. If known, what are the groundwater levels within or near your earthworks area?

PART C: NATURE OF THE EARTHWORKS

C.1 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

PART D: MANAGEMENT OF THE EARTHWORKS

D.1 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 Erosion and Sediment Control Plan (ESCP)?

Yes

No

If no, why not, and what measures do you propose to manage erosion and sediment on site?

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

Yes

No

If yes, please attach it to your application.

Your erosion and sediment control plan will need to be certified by Otago Regional Council prior to the commencement of works. In most instances a draft will be required to be submitted as part of your application.

D.2 Water management

- a. Is groundwater likely to be encountered during works?

Yes

No

If yes, how will works and groundwater be managed? *Note: You may need additional consents for that, such as a bore consent, as well as a permit for groundwater take, discharge and/or diversion.*

- b. 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.

c. How will stormwater and sediment laden run-off be managed on site? Please also comment on contingency measures for extreme weather events.

d. Will you be using water from waterways, lakes or groundwater for the management of dust?

Yes

No

If yes, where will the water be taken from? *Note: You may need an additional consent for the take and use of water.*

D.3 Contamination

a. Is the site (or parts of the site) contaminated or potentially contaminated?

Yes

No

b. If the site is contaminated or potentially contaminated, what is the contaminant type and source, and how will the works be managed in light of this?

D.4 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 waterbodies and bores?

Yes

No

If no, why not?

D.5 Standard conditions

a. On land use consents and the associated discharge permits for earthworks, Otago Regional Council usually includes several standard conditions to manage actual and potential effects. Do you agree to the following conditions on your consent?

Please note that there will be additional conditions specific to your proposal.

i. Requiring all staff and contractors on site to have access to the consent document

This condition ensures all people on site are aware of the requirements of the consent.

Yes

No

ii. Archaeological Discovery Protocol

If an unidentified archaeological site is located, operations must cease near the area, Heritage New Zealand and Otago Regional Council must be notified. If the site is Maori in origin, iwi groups must also be notified.

Yes

No

iii. Advising Otago Regional Council prior to commencement of works

Yes

No

iv. Providing Otago Regional Council with photos of the site upon completion of works

Yes

No

b. If you don't agree to any of these conditions, why not?

PART E: ASSESSMENT OF ENVIRONMENTAL EFFECTS

In assessing the potential effects of your earthworks activity, the key effects council staff will look at are the effects on surface and groundwater quality, ecosystems and values, natural and human use values, contact recreation and food

gathering and effects on Kai Tahu cultural and spiritual beliefs, values and uses.

E.1 Describe the actual and potential effects your earthworks may have on erosion, land instability, sedimentation or property damage

Earthworks activities have the potential to result in erosion, land instability, and sedimentation or property damage (eg essential structures). In this section, describe how your earthworks activity and associated sediment discharges will be managed to ensure adverse effects on these matters will be avoided or minimised as best possible.

E.2 Describe the actual and potential effects your earthworks may have on surface and groundwater quality

Earthworks 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 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.

E.3 Describe the actual and potential effects your earthworks may have on ecological values and ecosystems of waterbodies and the coastal environment

Earthworks activities have the potential to negatively impact ecological values and ecosystems of waterbodies and the coastal environment. In this section, describe how your management practices will ensure adverse ecosystem effects are avoided or minimised as best possible.

E.7 Describe the actual and potential positive effects of your earthworks. *Potential positive effects include: providing employment or new and warm housing.*

PART F: ALTERNATIVES

F.1 Have any alternatives to the proposed earthworks methodology been considered? If so, why has the proposed method been chosen over the alternatives?

PART G: CONSULTATION

G.1 Please describe any consultation undertaken with persons/parties potentially affected by your proposal. *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. Parties may include Public Health South, landowners, neighbours, Aukaha, Te Ao Marama, Forest and Bird, Fish and Game Otago and Department of Conservation.*

G.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.

PART H: POLICY ASSESSMENT

For your application to be accepted for processing, it needs to include an assessment of your activity against the relevant planning documents. You should include this assessment on a separate document. You should make sure that this assessment includes the below documents. This list is not exhaustive, but provides the most common documents:

- Resource Management Act – Part 2
- National Policy Statement – Freshwater 2020

- Regional Policy Statements
- Regional Plan Water
- Relevant Iwi Management Plan.

You should also check if your proposal needs consents under the National Environmental Standards for things such as culverts and works near wetlands. If this is the case, then please also fill out the application forms for these on our website.

PART I: DEPOSIT

A deposit is required upon lodgment 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 Council's scale of fees and charges and you will be invoiced for additional costs.

Deposit Enclosed

- Yes
 No

PART J: CHECK LIST

Use the checklist below to ensure you've provided all of the relevant information to complete your application.

- Fully completed this application form and Form 1?
- Attached a detailed site map? *Refer to B.3*
- Attached any relevant photos? *Refer to B.4*
- Attached an Environmental Management Plan and/ or Erosion and Sediment Plan? *Refer to D.3*
- Attached any written approvals? *Refer to G.2*
- Paid your deposit or attached a cheque? *Refer to I.*
- Attached Record of Title(s) less than 3 months old? *Refer to B.1*
- A Policy assessment. *Refer to Section H.*

To keep consent processing costs to a minimum it is strongly recommended that the checklist is completed and all items required are attached **before** you lodge your application to the Otago Regional Council. If you have any queries relating to information requirements, please contact the Otago Regional Council Offices:

Freephone: 0800
 474 082 Website:
www.orc.govt.nz