

Resource Consent Application Form 28

Use of land for earthworks for residential development



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 the use of land for earthworks for residential development that requires consent. Ensure that you complete this Application Form 28 and Resource Consent Application Form 1 in full.

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.

Please refer to the **Earthworks for Residential Development Factsheet** for additional information about the use of land for earthworks for residential development

Your land use 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 potential adverse effects on soil loss, water quality and cultural 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 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 a template.

PART A: GENERAL

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

- for a NEW consent to use land for earthworks for residential development?
- to REPLACE a current land use consent?

Land use 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 certificate of title, land in two or more adjoining certificates 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 Certificate of Title)

d. Please attach a current Certificate of Title to the application

Yes, Certificate 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 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

C.2 Scale of the earthworks

a. What is the maximum depth of earthworks?
_____ metres

b. Volume of earthworks
_____ cubic metres

C.3 Duration of works

a. When are works expected to start?

b. How long are works expected to take?
_____ months

C.4 Stabilisation of the site

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

Yes

No

b. If yes, how?

c. If no, why not?

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 erosion and sediment control plan?

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 erosion and sediment control plan?

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.

D.2 Water management

a. Is groundwater likely to be encountered during works?

Yes

No

If yes, how will works and groundwater be managed?

b. If there are any surface waterbodies within the landholding, please describe how earthworks will managed to avoid sediment loss to those waterbodies.

c. How will stormwater and sediment laden run-off be managed on site?

D.3 Contamination

a. Is 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 for earthworks, Otago Regional Council often recommends several standard conditions to manage actual and potential effects. Do you agree to the following conditions on your consent?

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 erosion, flood flows and essential structures, surface and groundwater quality, ecosystems and instream values, amenity values, people and communities, and effects on Kai Tahu cultural and spiritual beliefs, values and uses.

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

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

E.7 Describe the actual and potential positive effects of your land use.

PART F: ALTERNATIVES

F.1 Have any alternatives to the proposed earthworks and 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 proposed discharge.

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 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: 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.

H.1 Deposit Enclosed

- Yes
 No

PART I: CHECK LIST

I.1 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 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 H.1
- Attached Certificate of Title(s) less than 3 months old? Refer to B.1
- An assessment of the activity against the relevant parts of the RMA, Regional Policy Statement (Operative and Partially Operative) and Water Plan.

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

Dunedin:
70 Stafford St
Private Bag 1954
Dunedin 9054

Phone 03 474 0827
Fax 03 479 0015

Alexandra:
Dunorrington 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