

Resource Consent Application – Land Disturbance

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

Please read and complete this form thoroughly and provide all details relevant to your proposal. Feel free to discuss any aspect of your proposal, the words used in this form or the application process with Council staff, who are here to help. Ph. 03 543 8400 and ask to make an appointment with the Duty Planner.

Attached at the rear of this form is a list of information requirements. You should check through this list and use it as a guide for completing this form. Of course not all the information listed is necessary for every application.

A deposit in accordance with the Tasman District Council's schedule of charges is required to be paid with the application.

In terms of Section 36 of the Resource Management Act 1991, further charges may be imposed to recover actual and reasonable costs in processing the application. Likewise, if actual costs are less than the deposit a refund will be made.

This application will be checked before formal acceptance. If further information is required, you will be notified accordingly. When this information is supplied, the application will be formally received and processed further.

FOR OFFICE USE ONLY

Deposit Paid \$ _____

Receipt No. _____

Consent No. _____

1. Applicant details

(If the site is owned by more than one person an Unincorporated Trust or a Partnership, then all the owners, trustees or partners must be identified.)

Name: _____

Mailing Address: _____

Email Address: _____

Phone(daytime): _____ Fax: _____

Phone(mobile): _____

2. Name and address for service *(if different from above or if your agent is dealing with the application)*

Name: _____

Mailing Address: _____

Email Address: _____

Phone(daytime): _____ Fax: _____

Phone(mobile): _____

3. Application type: Indicate whether this application is for *(tick one):*

a. Recontouring b. Roads/tracks c. Quarrying d. Cultivation e. Building platform

f. Retaining wall g. Vegetation removal h. Other *(specify)* _____

i. Irrigation/detention ponds j. A change to conditions of a current consent
(pursuant to Section 127 of the Resource Management Act 1991)

4. List any other consents required in relation to this proposal

For example, stormwater discharge, wastewater disposal, subdivision, other landuse.

Have these been: Applied for? Yes No

Granted? Yes No

5. Property details

The address or location to which the application relates is:

Property number (10 digit number):

Legal Description:

(eg Lot and DP numbers.)

Map reference

[Use NZMS 260 (1:50,000)]

Name of water body into which runoff (stormwater) will ultimately be discharged

or discharge will only be to land

You must attach a copy of the Certificate of Title (Computer Freehold Register) for the property that has been searched within 3 months.

6. There are land disturbance areas in the Tasman Resource Management Area (TRMP) under Rule 18.6.2.

Please tick which one the subject property falls under:

a Land Disturbance Area 1

b Land Disturbance Area 2

7. Site size

a. Total area of bare ground on site (*accumulative total through development period*) _____ m²

b. Total length of site (*roading, trenching, tracking only*) _____ m

c. Volume of proposed earthworks _____ m³

d. Area of vegetation removal _____ m²

8. Programme

a Work commencement date _____

b Work completion date _____

c Requested duration of consent _____

9. The National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health (2011)

Note: These questions must be accurately answered for all land use applications

Is an activity described on the HAIL* currently being undertaken anywhere on the property to which this application relates?

Yes No

Has an activity described on the HAIL* ever been undertaken anywhere on the property to which this application relates?

Yes No

If you ticked "yes" to either of the above questions, please describe the activity that is, or was, undertaken on the site:

If you are unsure, and think that an activity described on the HAIL* may have been undertaken anywhere on the property, please describe the activity that may have been undertaken and describe the circumstances and reasons why you think it may or may not have been undertaken:

* What is the HAIL?

HAIL stands for "Hazardous Activities and Industries List". It is a list published by the Ministry for the Environment. It can be obtained from the Ministry's website or the Tasman District Council.

The HAIL specifies over 50 different activities which are considered to be potentially hazardous. It includes the following classes of activities:

- Chemical manufacture, application and bulk storage
e.g. Spray mixing shed, fertiliser storage, Sheep dips
- Electrical and electronic works, power generation and transmission
- Explosives and ordnance production, storage and use
e.g. gun clubs or explosive storage
- Metal extraction, refining and reprocessing, storage and use
e.g. abrasive blasting sites, engineering workshops
- Mineral extraction, refining and reprocessing, storage and use
e.g. asbestos-containing buildings in deteriorating condition
- Vehicle refuelling, service and repair
e.g. motor vehicle workshops, transport depots
- Cemeteries and waste recycling, treatment and disposal
e.g. landfill sites, scrap yards.
- Any land that has been subject to the migration of hazardous substances from adjacent land
- Any other land that has been subject to the intentional or accidental release of a hazardous substance that could risk human health.

10. Assessment of Effects on the Environment (AEE)

- An AEE is an essential part of your application. If no AEE is provided then the Council cannot accept your application.
- Either complete your AEE in the space provided below, or tick here if an AEE is attached.

Describe the effects of your proposal on the environment.

(continue on next page or separate sheet if necessary)

Describe any methods or steps you will take to reduce these effects.

(continue on next page or separate sheet if necessary)

Information box – brief guide to completing your AEE

For more information see the Ministry for the Environment publication “A Guide to Preparing a Basic Assessment of Environmental Effects” at www.mfe.govt.nz

WHAT is an Assessment of Environmental Effects?

An AEE is a statement identifying the actual or potential effects on the environment of your proposal. There are two important definitions to understand.

“Environment” includes:

- Ecosystems, people and communities; and
- All natural and physical resources; and
- The social, economic, aesthetic and cultural conditions which affect the matters stated above or which are affected by those matters.
- Amenity values

“Effect” includes:

- Any positive or adverse effect; and
- Any temporary or permanent effect; and
- Any past, present or future effect; and
- Any cumulative effect which arises over time:
 - Any potential effect of high probability; and
 - Any effect of low probability but high potential impact.

WHO should write your AEE?

The level of detail in your AEE needs to correspond with the scale and significance of the effects that your proposed activity may have on the environment. A more significant application with more effects will need a more detailed AEE.

If your application is simple or only moderately complex then you may be able to write your own AEE. If it is more complicated or the effects are greater you may require help from a professional such as a planner, engineer or scientist.

HOW to write your AEE

The Fourth Schedule of the Act provides guidance on the scope and content of the AEE. A copy of the Fourth Schedule can be found in the Ministry for the Environment document referred to at the top of this brief guide.

Your AEE should be logically structured, accurate and honest and should be presented as clearly and simply as possible. Maps, aerial photographs and drawings are particularly effective.

11. Management plan

An erosion and sediment control plan for the operation must be provided with your application. This should be done in conjunction with the required Assessment of Environmental Effects (Section 10). Details to be included in the erosion and sediment control plan should be appropriate to the scale of the operation, but should generally include the following:

- Detailed location map including boundaries, location of streams, roads, etc. (Ensure that the map includes a scale bar)
- Site description eg. topography, vegetation, soils etc
- Details of proposed activity eg. proposed quarrying, forestry or cleanfill operation
- Details of plans (with a scale bar) to avoid or minimise sediment removal off site (including drawings, specifications and supporting calculations). Please provide two copies of these plans showing:
 - runoff control measures
 - sediment control measures
- A work programme (eg. timing, scheduling of works etc)
- Details of any stream crossing – type of crossing, size, etc, and measures taken to avoid sediment impact
- Rehabilitation details (including timing)
- Details of proposed monitoring measures to assess/demonstrate effectiveness of proposed control measures
- Details of any other measures designed to reduce impact on the environment

12. Affected person or parties

You must identify any persons or parties who may be adversely affected by your proposal. To report the results of any discussion or consultation, use section 11 below.

Information box – affected parties

If any people or parties are affected by your proposal to a minor or a more than minor extent they may have a say in how your consent is processed by the Council.

Other points to consider are:

- If your neighbours or other parties have no concerns at all, consider asking them to sign a Written Approval of an Affected Person form (form number EP-RC043).
- The Council has the final say on who is, or is not, deemed to be an affected party.
- If an affected person or party raises concerns, offering solutions or amending your application may satisfy them so that they are happy to sign a “Written Approval” form.
- It is an affected person or party’s right NOT to sign a “Written Approval” form if they do not want to.
- If they do choose to sign they must also sign a copy of the relevant plans to show that they have seen them.
- Affected persons or parties do not have veto rights, but refusal to sign a “Written Approval” form can make the consent process longer and more expensive.

Written Approval of Affected Person form/s (EP-RC043) and any relevant plans have been signed by the following people:

- | | |
|-----|--|
| (1) | <input type="checkbox"/> form attached |
| (2) | <input type="checkbox"/> form attached |
| (3) | <input type="checkbox"/> form attached |
| (4) | <input type="checkbox"/> form attached |

13. Consultation

Depending on the scale or effects of your proposed activity it may be appropriate for you to consult with people who may be affected by, or have an interest in your activity. Consultation is not always necessary, but if others are affected it can be very worthwhile.

Space is provided to write the results of your consultation.

Information box – brief guide to consultation

The Act says that you must identify the person or parties affected. However there is no legal obligation to consult with any person or party.

Examples of people you may consult are neighbours, local iwi and the New Zealand Transport Agency (for State Highway access). Think about who might be affected by or interested in your proposal.

Meeting face to face may be the best way to achieve effective consultation. Here are some ingredients for effective consultation.

1. Be prepared to make changes to the proposal in response to feedback.
2. Listen rather than promote. The person consulting should remember that the primary purpose of the exercise is to find out what people think about the proposal, not to “sell” the proposal by putting down or ignoring any concerns expressed.
3. Make sure that those being consulted are representative of all the people who will be affected. At meetings, make sure that all the people present contribute to the discussions.

The Council must take into account the effects of proposals on resources of value to tangata whenua.

If there is a chance that your proposal may affect the local iwi, or if you want to find out if they are interested, you should consult with the appropriate groups:

For Motueka Area

- Tiakina te Taiao Ltd, PO Box 1666, Nelson

For Golden Bay Area

- Manawhenua Ki Mohua Trust, C/o Kirstie Macleod, 03 525 8528, manawhenuakimohua@xtra.co.nz

For Moutere/Waimea/Richmond

- Tiakina te Taiao Ltd, PO Box 1666, Nelson
- Te Runanga O Ngati Kuia Charitable Trust, PO Box 968, Nelson

For Lakes/Murchison

- Tiakina te Taiao Ltd, PO Box 1666, Nelson
- Te Runanga O Ngati Kuia Charitable Trust, PO Box 968, Nelson
- Te Runaka o Katiwaewae, C/o The Chairman, PO Box 37, Hokitika
- Ngati Apa kit e Waipounamu Trust, C/o The Chairperson, PO Box 708, Blenheim.

Enter the results of your consultation in the space below:

Name: _____ Position: _____

Address: _____

Their concerns: _____

Your response: _____

Name: _____ Position: _____

Address: _____

Their concerns: _____

Your response: _____

Name: _____ Position: _____

Address: _____

Their concerns: _____

Your response: _____

(continue on separate sheet if necessary)

Declaration

I (please print name)

hereby acknowledge:

- (i) The requirement to provide details of additional consents needed, and the effects of my proposal on the environment.
- (ii) That the minimum fee paid is a deposit against full costs.
- (iii) That the information provided in this application and the attachments to it are to the best of my knowledge accurate.
- (iv) I attach other information (if any) required to be included in the application by the Resource Management Plan or Regional Plan or regulations.

Signature of applicant or authorised agent:

Date:

Information that must be submitted with this application

Attach **two** copies of the following information in support of this application, to satisfy the requirements of Section 88(2) of the Resource Management Act 1991 (RMA). If inadequate information is supplied with your application, this will cause delays in processing.

Two copies of the following information (as relevant):

Assessment of Environmental Effects (AEE)

– If you have a separate AEE (not as part of this form)

Site and Elevation Plan:

– Aerial photos and/or diagrams may also be attached

Include a location plan (with scale bar) and site plan

This plan should illustrate cuts, batters, heights of retaining walls, erosion/sedimentation control methods, details of fill etc.

Management Plan

– Refer Section 11 of the this form

One copy of the following (as relevant):

Current computer register (certificate(s) of title) for the subject site (no more than 3 months old)

– Including any relevant consent notice(s) registered on the computer register

Any signed written approval forms

– with an initialled copy of the site plan and any other relevant plan

Please also enclose or provide:

The necessary deposit

– specified in the Council's schedule of charges

– processing of your application can not begin until the deposit is paid

Notes

The following matters must be addressed in your assessment of environmental effects (AEE) and conditions may be imposed on any consent granted to avoid, remedy or mitigate potential effects arising from these matters. Please check the boxes to make sure all these matters have been addressed in your AEE (this information will need to be provided in a separate AEE report).

All activities

- 1 The extent, timing and duration of bare ground
- 2 The location, timing of construction, design, and density of earthworks including roads, tracks, or landings
- 3 The re-establishment of vegetation cover
- 4 The disposal and stabilisation of waste material or fill
- 5 Loss or damage to soil
- 6 Damage to riparian vegetation or soil
- 7 Damage to animal or plant communities or habitats in water bodies or coastal water
- 8 Effects of the activity on river or stream flows
- 9 Sedimentation effects on subsurface streams or caves in karst
- 10 The potential for slope instability
- 11 The visual effects of the activity, including the effects and screening of the locality from excavations, heaps, dumps, spoil, materials, buildings and machinery
- 12 Potential damage to any cultural heritage site or area, including any archaeological site or site of significance to Maori
- 13 Damage to any natural habitat or feature
- 14 The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128)
- 15 Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108)

Additional matters for land disturbance associated with quarrying

- 15 The depth and area of excavation and effects on groundwater
- 16 Restoration of the site, including ground levels and plant
- 17 The machinery to be used and manner of excavation
- 18 The method of storage and replacement of subsoil and of topsoil, including management of stockpiles and minimisation of compaction
- 19 Types and quantities of introduced fill
- 20 Measures to ensure both surface and subsurface drainage is at least as good as that prior to mining or recontouring
- 21 Measures to avoid, remedy or mitigate compaction or damage to the soil resource
- 22 Establishment and management of appropriate vegetation and fertiliser application and grazing management to ensure optimal rehabilitation
- 23 Likely difficulty in avoiding adverse impact on the land's actual and potential productivity and versatility
- 24 The potential for increased hazard at the site or on adjacent land
- 25 Measures to avoid or mitigate adverse effects on adjacent land uses, including limiting hours of operation and measures to control noise and dust

Additional matters for destruction or removal of indigenous vegetation

- 26 The setting aside or creation of an esplanade reserve or esplanade strip as appropriate
- 27 The significance of the indigenous vegetation, including its representativeness, and significance as a habitat for indigenous fauna
- 28 The contribution of the indigenous vegetation to the protection of other natural values
- 29 The practicality of providing protection to the indigenous vegetation by setting aside or creating an esplanade reserve or esplanade strip.

Feel free to contact us:



Tasman District Council
Email info@tasman.govt.nz
Website www.tasman.govt.nz
24 hour assistance

Richmond
189 Queen Street
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New Zealand
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Fax 03 543 9524

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Fax 03 528 9751

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