

Form B – Land Use – Vegetation clearance, land disturbance and earthworks



Land Use – Vegetation clearance, land disturbance and earthworks (Excluding instream structures and farming activities)

All sections must be completed in full and accompanied by the initial deposit fee, the administration form (Form A) and an Assessment of Environmental Effects [AEE] in accordance with schedule 4 of the Resource Management Act 1991. Failure to do so may result in your application not being accepted and/or returned.

You may wish to consult with a Consents Officer prior to applying, as this could save you time and money in the long run. We always recommend that you consult with anyone who may be deemed an affected party by your proposal, including neighbours and tangata whenua. We are happy to provide you with the correct contact information and anything else you might require with regards to communications and engagement.

Land use is subject to rules in the **Regional Soil and Fresh Water Plans for Taranaki and the National Environmental Standards for Freshwater**. These documents are available at these links:

Link to Regional Fresh Water Plan for Taranaki [RFPW]

<https://www.trc.govt.nz/regional-fresh-water-plan>

Link to Regional Soil Plan for Taranaki [RSP]

<https://www.trc.govt.nz/council/plans-and-reports/strategy-policy-and-plans/regional-soil-plan/>

Link to National Environmental Standards for Freshwater [NES-FW]

<https://environment.govt.nz/national-environmental-standards-for-freshwater>

SECTION A – Initial information

1) Land Use (s) applying for

1.1 Please indicate the type and number of land use/discharge consents you are applying for on this form				
	Type	Number of applications	Previous consent number (if replacement or change)	
<input type="checkbox"/>	Disturbance/Removal/ Vegetation Clearance (as per NES-F)			Please note a deposit will be required for each consent applied for. This total should match the number of consents and deposit amount you have completed in Section 9 (Fees and charges) of Form A
<input type="checkbox"/>	Earthworks (wetland) or land disturbance			
<input type="checkbox"/>	Planting in a stream/restoration			
<input type="checkbox"/>	Extraction of sand, gravel, aggregate or rock			
<input type="checkbox"/>	Other			
<input type="checkbox"/>	Total number of land use consents applying for on this form			

2) Regional Plans/National Regulations and Activity Status

2.1 Please advise the regional plan and/or National Environmental Standard (NES) regulation, and activity status of the consents applied for

<i>Please state where in the AEE the information can be located</i>	AEE Page Number	Section
<p>Please indicate the following for each activity:</p> <ul style="list-style-type: none"> ▪ The regional plan/NES-FW and rule you are applying under ▪ What permitted activity rule and standards are not being complied with and why ▪ What is the activity status of your application <p><u>Councils preference is the information is provided in the format shown below</u></p>		

Consent applied for	Regional Plan or NES Regulation	Rule/Regulation applying under	Activity Status e.g. Controlled	Permitted Activity Rule/Regulation not complied with and reasons why not met
<i>Earthworks within 10 m of wetland (for UD)</i>	<i>NES - FW</i>	<i>45C (2)</i>	<i>Restricted Discretionary</i>	<i>Rule XX– unable to meet this because XXX</i>

3) Other consents required/permitted activities

3.1 What other consents are required from the Taranaki Regional Council for the proposed activity?		
<i>(Outline where in the AEE the information can be located)</i>	AEE Page Number	Section
State other required consent(s) and whether they have been applied for.		
Provide an assessment of any permitted activities that are part of the proposal and explain how they meet the permitted standards for the rule.		

4) Site photographs, location and works timetable

4.1 Location of Activity

<i>Please state where in the AEE the information can be located</i>	AEE Page Number	Section
<p>Please attach a map/site plan or aerial image of where you will be undertaking the activity. This map needs to show the features listed below.</p> <ul style="list-style-type: none"> a) The extent of any wetland (for Natural Inland Wetlands please consider if the regulations in the NES-F apply, if so include information specified in Form C for Natural Inland Wetlands) b) All areas of any wetland where wetland related activities will occur, including the following: <ul style="list-style-type: none"> - Vegetation to be cleared - Earthworks or land disturbance - Location of any take, use, damming, diversion or discharge of water - Location of any associated activities, such as planting c) Within and near any wetland where wetland related activities will be located, identify: <ul style="list-style-type: none"> - Any critical source areas - Any water bodies (including river, lakes, ponds and streams) - Any wetlands (include information specified in Form C for Natural Inland Wetlands) - Any subsurface drainage - Any bore or soak holes - Any sites of historic heritage d) Nature of the terrain surrounding the wetland, including slope (flat, rolling, steep) and direction of slope <ul style="list-style-type: none"> - A north symbol (top right corner) and scale bar <p>If any of the above features are present, please provide some further details.</p> <p><i>You can use the mapping system on our website (www.trc.govt.nz keywords 'local maps'). The maps include property boundary and contour layers. You can search by property, view and print topographic maps and aerial photographs.</i></p>		

4.2 Presence of Natural Inland Wetland

<i>Please state where in the AEE the information can be located</i>	Yes	No
Is there a wetland within 100 metres of the work?		
<p>If yes, please read the NES-FW to see if a consent is required. If a consent is required please also complete Form C – Natural Inland Wetland Information</p>		

4.3 Works Timetable - Not Applicable if works already completed (e.g. for replacement consents)		
<i>Please describe each activity in more detail and state where in the AEE the information can be located</i>	AEE Page Number	Section
How long will the work take? (<i>number of days</i>)		
Proposed date work will commence		
Proposed duration of works (<i>number of days</i>)		
Not Applicable – works already completed (e.g. replacement consents)	<input type="checkbox"/> N/A works already completed	

Will there be any works in the water between 1 May and 31 October?		
<input type="checkbox"/>	No	
<input type="checkbox"/>	Yes	
	<i>If yes, please provide the following</i>	
<i>Please state where in the AEE the information can be located</i>	AEE Page Number	Section
The May to October period is when fish spawning and migration occur and may be disrupted by stream work. If work is proposed during this period, an assessment of the impact on fish migration and spawning will be required. Consultation and/or written approval from Fish & Game and/or the Department of Conservation may also be necessary.		
<input type="checkbox"/>	Assessment of impact on fish migration/spawning attached	
<input type="checkbox"/>	Results of consultation attached	

SECTION B – Vegetation clearance and/or earthworks

(use of land for Vegetation clearance or earthworks)

5) Details of the Activity

5.1 Describe the activity taking place
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	State where in the AEE the information can be located. Where relevant this section must include, but not be limited to (tick all that apply):	AEE Page Number	Section
<input type="checkbox"/>	In your own words, briefly describe the activity you are undertaking		
<input type="checkbox"/>	Give full details of the activity and its purpose, including volumes and types of material involved, and the area of river/wetland affected. Attach plans as necessary.		
<input type="checkbox"/>	Describe how the activity will be undertaken, include description of any machinery to be used in the stream bed.		
<input type="checkbox"/>	Detail if any permanent realignment or diversion associated with the installation of the activity is proposed (<i>show on map, and attach appropriate drawings</i>) - please note this might prompt the need for an additional consent.		

5.2 Drawing detailing the activity

(state where in the AEE the information can be located)	AEE Page Number	Section
Please provide details and attach plans of the proposed activity. Include dimensions e.g. depth of excavation, deposits etc.		

6) Assessment against relevant objectives & policies of the relevant plan/s

6.1 A policy assessment is required by s88 and schedule 4 of the RMA.

Provide an assessment of the proposal against the relevant objectives and policies of the relevant regional plan(s), on our website: www.trc.govt.nz/ and relevant documents including but not limited to the relevant Iwi Management Plan & National Policy Statement

<i>(state where in the AEE the information can be located)</i>		AEE Page Number	Section
Policy assessment included?	<input type="checkbox"/> Yes		

6.2 National Policy Statement for Freshwater Management 2020 (NPS-FM)

Clause 3.26(1) of the NPS-FM requires the Regional Plan to include the following objective:
 ‘The passage of fish is maintained, or is improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.’

Clause 3.24 of the NPS-FM directs that the Council cannot grant a consent that will result in a **loss of river extent and values*** unless it is satisfied that:

- (a) there is a **functional need*** for the activity in that location; and
- (b) the effects of the activity are managed by applying the **effects management hierarchy***.”

Definitions located at <https://environment.govt.nz/assets/publications/National-Policy-Statement-for-Freshwater-Management-2020.pdf>

6.2.1 Loss of river/wetland extent and values

Any loss of river or wetland extent and values that may result from the proposed structure must be detailed in this application.

<i>Please state where in the AEE the information can be located</i>		AEE Page Number	Section
<input type="checkbox"/>	No loss of river or wetland values for reasons detailed below <i>(provide reasoning in attached documentation)</i>		
<input type="checkbox"/>	Yes, there will be a loss of river or wetland extent. Full details are below and/or in attached documentation.		

6.2.2 Functional need					
If there is a loss of river or wetland values/extent there must be a functional need for the structure at this location (tick boxes that apply).					
Please state where in the AEE the information can be located			AEE Page Number	Section	
<input type="checkbox"/>	Functional need not required because there will be no loss of river or wetland values/extent.				
<input type="checkbox"/>	Is there a functional need for the structure?				
<input type="checkbox"/>	For the reason that the structure is currently authorised, it is not practicable to remove it.				
<input type="checkbox"/>	For the reason that associated infrastructure, such as a road or other access, must cross the river at this location.				
<input type="checkbox"/>	For other reasons I have detailed in the attached documentation.				

6.2.3 Effects Management Hierarchy					
If there is a loss of river values there must be a functional need for the discharge and the effects management hierarchy must be applied.					
Please state where in the AEE the information can be located			AEE Page Number	Section	
<input type="checkbox"/>	Application of effects management hierarchy is not required because there will be no loss of river or wetland values/extent.				
<input type="checkbox"/>	Application of the effects management hierarchy is detailed in the attached documentation.				

7) Assessment of environmental effects (AEE)

The Resource Management Act (RMA) 1991, requires resource consent applications to include an assessment of environmental effects (AEE), in accordance with schedule 4 of the Resource Management Act 1991, identifying the actual and potential effects that an activity may have on the environment. In addition, the applicant is required to identify the ways in which those effects can be avoided, remedied or mitigated.

Schedule 4 can be viewed at www.trc.govt.nz/resource-consent-application-forms

AEE included? (please attach separate document)

Yes

Where relevant the AEE must include, but not be limited to (tick all that apply):		AEE Page Number	Section
<input type="checkbox"/>	<p>Construction effects (e.g. stream bed disturbance, sediment release, fish passage)</p> <ul style="list-style-type: none"> Is there a fish management plan for the effects to fish during installation of the structure. 		
<input type="checkbox"/>	<p>Post-construction effects/effects of structure on the riverbed, upstream and downstream and in typical and extreme conditions (e.g. flooding, erosion, ecology). Provide an assessment and supporting calculations:</p> <ul style="list-style-type: none"> Methods to reduce or prevent environmental effects after construction (such as restoring riparian margins, grassing and planting fill batters with native species, metalling approaches, stabilising abutments). Describe any adverse effects that may occur from sediment disturbed during and immediately after work in the stream. 		
<input type="checkbox"/>	<p>Effects on water quality (e.g. sedimentation)</p> <ul style="list-style-type: none"> Will the discharge cause any conspicuous change in colour or clarity of water? 		
<input type="checkbox"/>	<p>Effects on fish habitats and fish passage (e.g. perched culverts), and measures to mitigate effects (e.g. placing culvert invert below streambed, fish ladders, native planting):</p> <ul style="list-style-type: none"> Describe any fish life in the redundant channel and any fish salvage proposed. Could the bridge/culvert impede fish movements upstream or downstream of the structure? If so, how do you propose to mitigate any effects on fish passage? Note that fish passage may be impeded by high water velocity, steep drop out of culvert or a long smooth culvert pipe. It is common practice to bury the invert of the pipe below the bed of the stream to enable unimpeded water flow. 		
<input type="checkbox"/>	<p>Effects on cultural values. Please see our website for iwi boundaries and contacts https://www.trc.govt.nz/council/working-with-iwi/iwi-contacts/</p>		
<input type="checkbox"/>	<p>Alternatives</p> <p>Include an assessment of alternatives and explain why they were deemed unreasonable.</p>		

<input type="checkbox"/>	Maintenance		
<input type="checkbox"/>	Contingency		
<input type="checkbox"/>	Monitoring		
<input type="checkbox"/>	Erosion and scour (including site sediment and erosion control (ESCP) – <i>see explanation of an ESCP plan on back page</i>)		
<input type="checkbox"/>	Effects on neighbour's properties		
<input type="checkbox"/>	Are there any other environmental effects likely to occur and if so, how will they be mitigated?		

Site sediment and erosion control

Depending on the scale and significance of the proposal, the application may include an Erosion and Sediment Control Plan (ESCP) that gives full details of the measures proposed to ensure that sediment discharge to water and off-site effects of dust are avoided as far as practicable.

The ESCP shall as a minimum be based upon and incorporate all the relevant principles and practices for the activity applied for and contained within the Waikato Regional Council document titled “Erosion and Sediment Control – Guidelines for Soil Disturbing Activities”; and, shall include but not necessarily be limited to, the following:

- a) Details of all principles, procedures and practices that will be implemented to undertake erosion and sediment control to minimise the potential for sediment discharge from the site, including flocculation if required;*
- b) The design criteria and dimensions of all key erosion and sediment control structures;*
- c) A site plan of a suitable scale to identify;
 - i) The locations of waterways;*
 - ii) The extent of soil disturbance and vegetation removal;*
 - iii) Any “no go” and/or buffer areas to be maintained undisturbed adjacent to watercourses;*
 - iv) Areas of cut and fill;*
 - v) Locations of topsoil stockpiles;*
 - vi) All key erosion and sediment control structures;*
 - vii) The boundaries and area of catchments contributing to all stormwater impoundment structures;*
 - viii) The locations of all specific points of discharge from the work area to the environment; and,*
 - ix) Any other relevant site information.**
- d) Construction timetable for the erosion and sediment control works and the bulk earthworks proposed;*
- e) Maintenance, monitoring and reporting procedures;*
- f) Rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control structures;*
- g) Procedures and timing for review and/or amendment to the erosion and sediment control measures listed in the ESCP; and,*
- h) Identification and contact details of personnel responsible for the operation and maintenance of all key erosion and sediment control structures.*

The ESCP must include a plan of the site and detailed illustrations/descriptions for the construction, placement and management of sediment controls. It must also include the reasons why a particular control method is appropriate. For example, where a sediment pond is proposed accompanying information is expected to include pond dimensions, calculations showing the pond will work effectively, materials used, stabilisation methods used, other control methods within the pond and why these have been used over others (e.g. Floating T bars, Level spreading bars, Geotextile cloth on external wall to stop erosion, Goose neck pipes).