

# APPLICATION FOR RESOURCE CONSENT

## FORM C: OTHER MATTERS

### NOTES

- The following information requirements were introduced by the RM Amendment Act 2013 and took effect on 3/3/2015. Due to this, it is mandatory to answer these questions. **If you feel that these questions do not apply to your activity, please write 'not applicable' in the space provided.**
- Questions 1, 3 and 4 require varying degrees of familiarity with the Resource Management Act (RMA) and documents produced under the RMA. Please contact the Resource Use Directorate on our freephone if you need help accessing these documents.
- Question 6 applies to applications for replacement consents.

**If you need any further help, please phone our Resource Use staff on 0800 800 401.**

### RELATED PERMITTED ACTIVITIES

- 1a. List any activities that are part of your proposal and are permitted (allowed without a resource consent) under the Waikato Regional Plan and/or the Waikato Regional Coastal Plan.**

- 1b. Provide information that shows how each permitted activity will comply with the conditions of the relevant rule.**

## OTHER ACTIVITIES

2. Describe any other activities related to your proposal that you think Waikato Regional Council may need to be aware of.

## PART 2 OF THE RMA

3. Part 2 of the RMA is attached on the last page. Provide an assessment of your proposed activity/activities against the matters set out in Part 2.

### 4. Assess your proposal against any relevant provisions of:

- national environmental standards
- other regulations
- national policy statements. (Where the NPS for Freshwater Management 2020 is relevant, please also complete Questions 5.1 to 5.4. Where the NPS for Indigenous Biodiversity 2023 is relevant, please also complete Question 5.5).
- the Waikato Regional Policy Statement (RPS).

*Note: for activities within the Waikato/Waipā Catchment below Huka Falls, this will require assessment against the **Vision and Strategy** for the Waikato River. This requires every application to provide for the protection and restoration of the River in a manner which is proportionate to the activity and its effects.*

- the Waikato Regional Plan (WRP) and/or Waikato Regional Coastal Plan (WRCP).

*Note: If your application is for a controlled activity then you do not need to provide any assessment against the RPS or WRP (or WRCP).*

**5.1 If your proposal affects freshwater, demonstrate how your proposal gives effect to Te Mana o Te Wai.**

**Advice Note:** Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.

(In addition to the concept described above, there is a “hierarchy of obligations” in Te Mana o te Wai, however the RMA requires that an application must not include an assessment of that hierarchy and Council must not have regard to it.)

**5.2 For rivers and natural inland wetlands, identify any loss of extent, or loss of values of these waterbodies as a result of your proposal.**

**Advice Note:** For the purposes of this question values include: ecosystem health, indigenous biodiversity, hydrological functioning, Māori freshwater values and amenity.

### 5.3 For any loss of extent or values identified above, describe – with reference to the effects management hierarchy - how the proposal addresses that effect.

**Advice Note:** effects management hierarchy under the NPS for Freshwater Management, in relation to natural inland wetlands and rivers, means an approach to managing the adverse effects of an activity on the extent or values of a wetland or river (including cumulative effects and loss of potential value) that requires that:

- (a) adverse effects are avoided where practicable; and
- (b) where adverse effects cannot be avoided, they are minimised where practicable; and
- (c) where adverse effects cannot be minimised, they are remedied where practicable; and
- (d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided where possible; and
- (e) if aquatic offsetting of more than minor residual adverse effects is not possible, aquatic compensation is provided; and
- (f) if aquatic compensation is not appropriate, the activity itself is avoided

### 5.4 For rivers and natural inland wetlands:

- any activity which affects the extent or values of a river describe how there is a functional need for the activity, and
- any specified infrastructure, quarrying activities, landfills and cleanfill areas, urban development works, or extraction of minerals and ancillary activities; that are located in or within 10m of a natural inland wetland, or within 100m of a natural inland wetland where it may also cause complete or partial drainage of the wetland, assess what NES-F additional requirements are relevant under Regulations 45 to 45D as applicable including how your activity complies in relation to: significant national, regional or district benefit, function, alternative locations/configuration, and/or if there is a functional need for the activity in that location.

**5.5 For any loss of indigenous biodiversity as a result of your proposal, describe how the proposal addresses that loss, with reference to the effects management hierarchy and identification of any SNA in all relevant Regional Policy Statement, District Plan(s), and Regional Plan(s) applicable to the location of the proposed activity.**

**Advice Note:** effects management hierarchy under the NPS for Indigenous Biodiversity, means an approach to managing the adverse effects of an activity on indigenous biodiversity that requires that:

- adverse effects are avoided where practicable; then
- where adverse effects cannot be avoided, they are minimised where practicable; then
- where adverse effects cannot be minimised, they are remedied where practicable; then
- where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; then
- where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided; then
- if biodiversity compensation is not appropriate, the activity itself is avoided

## VALUE OF CONSENT HOLDER INVESTMENT

**Important:** You must complete question 6 if your application is intended to replace a currently operative resource consent, and this application will be lodged with Waikato Regional Council at least 3 month before that consent expires.

**6. Provide an assessment of the value of your investment. You need to**

- specify the value of investment of the activities/infrastructure that are reliant on the resource consent/s you are applying for here. This must be the 'book value' of the investment (not the replacement value).
- include evidence that supports the assessment.

## 5 Purpose

- (a) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (b) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
  - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
  - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
  - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

## 6 Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:
- (g) the protection of protected customary rights
- (h) the management of significant risks from natural hazards.

## 7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) kaitiakitanga:
  - (aa) the ethic of stewardship:
- (b) the efficient use and development of natural and physical resources:
  - (ba) the efficiency of the end use of energy:
- (c) the maintenance and enhancement of amenity values:
- (d) intrinsic values of ecosystems:
- (e) [Repealed]
- (f) maintenance and enhancement of the quality of the environment:
- (g) any finite characteristics of natural and physical resources:
- (h) the protection of the habitat of trout and salmon:
- (i) the effects of climate change:
- (j) the benefits to be derived from the use and development of renewable energy

## 8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

### Privacy Statement

The Resource Management Act (1991) requires this information to process the application and assist in managing the region's natural and physical resources. Information in this application is regarded as **official information**.

Waikato Regional Council will hold this information, including all associated reports and attachments, and it is subject to the Local Government Official Information and Meetings Act 1987 and the Privacy Act 2020. The details may also be made available to the public. These details are collected to inform the general public and community groups about all consents which have been processed or issued through the council.

Under the Privacy Act 2020 you have the right of access to, and correction of, personal information held by the Waikato Regional Council.