

RESOURCE CONSENT APPLICATION for work on Listed Notable Tree(s)

Please complete all sections. Examples are provided in brackets to help you answer the questions. If you require assistance in completing the application, please feel free to give us a call on (03) 788 9603, email us at planning@bdc.govt.nz or make an appointment at the Westport office, as a Duty Planner is available most days.

Checklist

- Have you completed and signed the application form?
- Have you filled in the attached Assessment of Environmental Effects form?
- Have you attached an assessment of the activity against Part 2 of the Resource Management Act and any relevant Objectives and Policies of the Plan (in accordance with Schedule 4)? To assist with completing this assessment, a copy of Part 2 and the District Plan's Objectives and Policies can be downloaded from the Council's website – <http://bullerdc.govt.nz/application-forms-and-information-sheets/assessmentdocument/>
- Have you attached any technical reports, such as a report by an arborist as to the tree(s) condition and detailing why works are required?
- Have you completed and attached the 'Declaration to Accompany Application for Resource Consent' in regard to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES)?
- Have you enclosed a deposit of \$450.00?
Please note that this is a deposit only and the Council operates on a full cost recovery system. If the cost of processing the consent is more than the deposit, you will be charged the additional amount. .
- Ensure you have included a detailed Site Plan.
- Have you attached any completed and signed affected parties forms?
- Have you included a copy of the Record of Title (RT). The RT must not be older than 3 months), or
 - Do you wish Council to search a copy for you (for a cost of \$40.00 per RT)?
- Have you included photos of the site, or
 - Are you going to email photos to the Council? Photos can be emailed to planning@bdc.govt.nz

Advice Note: Please attach separate sheet(s) if required.

APPLICANT DETAILS

1. Applicant(s) name(s): (please write all names in full)

2. Postal Address:

Telephone: Business: _____ Facsimile: _____
Private: _____ Email: _____

3. Applicant is the owner/occupier (please tick the appropriate box)
 prospective owner

Property owner's name: (if different from above)

Telephone: Business: _____ Facsimile: _____
Private: _____ Email: _____

4. Correspondence to be sent to the following name and address: (if different from applicant)

Telephone: Business: _____ Facsimile: _____
Private: _____ Email: _____

PROPERTY DETAILS

5. Description of location of activity and/or property address: (include the name of any relevant stream, river or other water body to which the application may relate, proximity to any well-known landmark, etc)

Map Reference (leave blank if unknown):



- 6. Legal Description: _____
- 7. Record of Title Reference: _____
- 8. Valuation Roll Number: _____
(from rates or valuation notice)
- 9. Zone: _____
- 10. Size of Property: _____

DETAILS OF PROPOSAL

- 11. This is an application for
 - Removal or felling of the tree(s)
 - Trimming or modifying the trees(s)

12. A general description of what is proposed:

- 13. Assessment of Effects (Items (a), (b) and (c) should be completed by an experienced arboriculturalist)

a. What is the condition of the tree(s)? – please describe:

b. Describe how the trimming or disturbance of the root system of the tree(s) will affect appearance and/or health of the tree(s):

c. Is/are the above tree(s) currently or likely to cause significant damage to buildings, services or property? Yes No

Explanation: _____

15. Is the destruction or modification of the tree as a result of danger to the public? Yes No

16. Is the destruction or modification of the tree as a result of advanced age? Yes No

17. Is the destruction or modification of the tree as a result of disease? Yes No

18. Is the destruction or modification of the tree as a result of damage? Yes No
If the cause of the damage is known, please explain below: (*i.e. storm event in 2014 etc*):

19. Is the tree removal or modification being undertaken in the interests of private aesthetic amenity? Yes No If yes, please explain:

20. Have alternatives been considered to undertake the activity without the removal of major trimming of the tree(s)? Yes No

What alternatives have you considered? – please explain:



20. Is any substitute tree planting or landscaping proposed? Yes No

If yes, please explain:

22. Any other matters that should be considered as part of this application?

23. Do you wish to be contacted prior to a member of the Planning Department undertaking a site visit?

Yes No

Note : The written approval of every person who the Buller District Council considers may be adversely affected by the granting of this resource consent should accompany this application. If you are unable to obtain approvals yourself then the application may be notified to those considered affected.

Dated at _____ this _____ day of _____ 20____

Signed: _____
(to be signed by or on behalf of applicant)

Print name: _____

The personal information that you provide in this form will be held and protected by Buller District Council in accordance with our privacy policy (available at bullerdc.govt.nz/privacy and at council libraries and service centres) and with the Privacy Act 2020. Council's privacy policy explains how we may use and share your personal information in relation to any interaction you have with the council, and how you can access and correct that information. We recommend you familiarise yourself with this policy

PLEASE PROVIDE AN ASSESSMENT OF YOUR PROPOSAL AGAINST THE MATTERS SET OUT IN PART 2

In reaching a decision on an application, the Council has to be satisfied that by granting the application, Part 2 of the RMA will be achieved. Resource consent applications are to include an assessment of the activity against the matters set out in Part 2 of the RMA.

Part 2 of the Resource Management Act 1991

Section 5 – Purpose

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *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*

Section 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.*

Section 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*

Section 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).

PLEASE PROVIDE AN ASSESSMENT OF YOUR PROPOSAL AGAINST THE RELEVANT OBJECTIVES AND POLICIES OF THE DISTRICT PLAN:

4.8. Ecosystems and Natural Habitats

A full copy of the District Plan’s Objectives and Policies can be obtained from Council’s website - <http://bullerdc.govt.nz/district-council/publications/district-plan/part-4-significant-resource-management-issues-objectives-and-policies/>

Objective

4.8.6.1. To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and to recognise their importance to the character and quality of the natural and physical environment and to the wellbeing of the people and communities in Buller.

Policy

4.8.7.9. For the purpose of Rule 7.9.8, the following criteria will be used for identifying Notable Trees:

1. Historic significance to the community
2. Scientific or botanical importance
3. Cultural or spiritual significance
4. Recreational significance
5. Landscape significance
6. Functional value
7. Size or age

A tree may be notable for a combination of these factors or because it is outstanding in one respect.



BULLER
DISTRICT COUNCIL
Te Kaunihera O Kawatiri

Declaration to Accompany Application for Resource Consent

This Declaration MUST be completed, signed and submitted with your application

The *National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES)* applies to particular activities on a piece of land where an activity or industry described in the current edition of the *Hazardous Activities and Industries List (HAIL)* is being undertaken, has been undertaken, or it is more likely than not that it is being or has been undertaken.

The *HAIL* and other useful information about the *NES*, including a *User's Guide on the NES*, can be found on the Ministry for the Environment's website, <http://www.mfe.govt.nz/land/nas-assessing-and-managing-contaminants-soil-protect-human-health/about-nas>. A copy of the current *HAIL* is attached.

To help determine whether or not the NES will apply to your activity please answer the following questions:

Is an activity described on the <i>HAIL</i> currently being undertaken on the piece of land to which this application applies?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has an activity described on the <i>HAIL</i> ever been undertaken on the piece of land to which this application applies?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is it more likely than not that an activity described on the <i>HAIL</i> is being or has been undertaken on the piece of land to which this application applies?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If 'Yes' to ANY of the above, then the NES may apply. Please answer the following questions:

Is the activity you propose to undertake removing or replacing a fuel storage system or parts of it?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the activity you propose to undertake sampling soil?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the activity you propose to undertake disturbing soil?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the activity you propose to undertake subdividing land?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the activity you propose to undertake changing the use of the land?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If 'Yes' to ANY of the above activities, then the NES is likely to apply.

For further information about the *NES* and what is required please contact Council's Planning Department on (03) 788 9603 or planning@bdc.govt.nz.

I hereby certify that to the best of my knowledge and belief, the information given in this form is true and correct.

Applicant's Signature: (or person authorized to sign on applicant's behalf)

..... **Date:**

Name: (Please Print)

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Hazardous Activities and Industries List (HAIL)

October 2011

A Chemical manufacture, application and bulk storage

1. Agrichemicals including commercial premises used by spray contractors for filling, storing or washing out tanks for agrichemical application
2. Chemical manufacture, formulation or bulk storage
3. Commercial analytical laboratory sites
4. Corrosives including formulation or bulk storage
5. Dry-cleaning plants including dry-cleaning premises or the bulk storage of dry-cleaning solvents
6. Fertiliser manufacture or bulk storage
7. Gasworks including the manufacture of gas from coal or oil feedstocks
8. Livestock dip or spray race operations
9. Paint manufacture or formulation (excluding retail paint stores)
10. Persistent pesticide bulk storage or use including sport turfs, market gardens, orchards, glass houses or spray sheds
11. Pest control including the premises of commercial pest control operators or any authorities that carry out pest control where bulk storage or preparation of pesticide occurs, including preparation of poisoned baits or filling or washing of tanks for pesticide application
12. Pesticide manufacture (including animal poisons, insecticides, fungicides or herbicides) including the commercial manufacturing, blending, mixing or formulating of pesticides
13. Petroleum or petrochemical industries including a petroleum depot, terminal, blending plant or refinery, or facilities for recovery, reprocessing or recycling petroleum-based materials, or bulk storage of petroleum or petrochemicals above or below ground
14. Pharmaceutical manufacture including the commercial manufacture, blending, mixing or formulation of pharmaceuticals, including animal remedies or the manufacturing of illicit drugs with the potential for environmental discharges
15. Printing including commercial printing using metal type, inks, dyes, or solvents (excluding photocopy shops)
16. Skin or wool processing including a tannery or fellmongery, or any other commercial facility for hide curing, drying, scouring or finishing or storing wool or leather products
17. Storage tanks or drums for fuel, chemicals or liquid waste
18. Wood treatment or preservation including the commercial use of anti-sapstain chemicals during milling, or bulk storage of treated timber outside

B Electrical and electronic works, power generation and transmission

1. Batteries including the commercial assembling, disassembling, manufacturing or recycling of batteries (but excluding retail battery stores)



2. Electrical transformers including the manufacturing, repairing or disposing of electrical transformers or other heavy electrical equipment
 3. Electronics including the commercial manufacturing, reconditioning or recycling of computers, televisions and other electronic devices
 4. Power stations, substations or switchyards
- C Explosives and ordinances production, storage and use**
1. Explosive or ordinance production, maintenance, dismantling, disposal, bulk storage or re-packaging
 2. Gun clubs or rifle ranges, including clay targets clubs that use lead munitions outdoors
 3. Training areas set aside exclusively or primarily for the detonation of explosive ammunition
- D Metal extraction, refining and reprocessing, storage and use**
1. Abrasive blasting including abrasive blast cleaning (excluding cleaning carried out in fully enclosed booths) or the disposal of abrasive blasting material
 2. Foundry operations including the commercial production of metal products by injecting or pouring molten metal into moulds
 3. Metal treatment or coating including polishing, anodising, galvanising, pickling, electroplating, or heat treatment or finishing using cyanide compounds
 4. Metalliferous ore processing including the chemical or physical extraction of metals, including smelting, refining, fusing or refining metals
 5. Engineering workshops with metal fabrication
- E Mineral extraction, refining and reprocessing, storage and use**
1. Asbestos products manufacture or disposal including sites with buildings containing asbestos products known to be in a deteriorated condition
 2. Asphalt or bitumen manufacture or bulk storage (excluding single-use sites used by a mobile asphalt plant)
 3. Cement or lime manufacture using a kiln including the storage of wastes from the manufacturing process
 4. Commercial concrete manufacture or commercial cement storage
 5. Coal or coke yards
 6. Hydrocarbon exploration or production including well sites or flare pits
 7. Mining industries (excluding gravel extraction) including exposure of faces or release of groundwater containing hazardous contaminants, or the storage of hazardous wastes including waste dumps or dam tailings
- F Vehicle refuelling, service and repair**
1. Airports including fuel storage, workshops, washdown areas, or fire practice areas
 2. Brake lining manufacturers, repairers or recyclers
 3. Engine reconditioning workshops
 4. Motor vehicle workshops
 5. Port activities including dry docks or marine vessel maintenance facilities



6. Railway yards including goods-handling yards, workshops, refuelling facilities or maintenance areas
7. Service stations including retail or commercial refuelling facilities
8. Transport depots or yards including areas used for refuelling or the bulk storage of hazardous substances

G Cemeteries and waste recycling, treatment and disposal

1. Cemeteries
2. Drum or tank reconditioning or recycling
3. Landfill sites
4. Scrap yards including automotive dismantling, wrecking or scrap metal yards
5. Waste disposal to land (excluding where biosolids have been used as soil conditioners)
6. Waste recycling or waste or wastewater treatment

H Any land that has been subject to the migration of hazardous substances from adjacent land in sufficient quantity that it could be a risk to human health or the environment

I Any other land that has been subject to the intentional or accidental release of a hazardous substance in sufficient quantity that it could be a risk to human health or the environment