

Wetland Construction Consent Requirements Overview

Workshop 13 September 2023

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Why are wetlands so special:

- Wetlands are important environmental filters, often described as the kidneys of the landscape. They are also important for biodiversity by supporting a variety of native birds, fish, invertebrates, and plants.
- Wetlands improve water quality by filtering sediment and nutrients,
- Removing soluble nitrogen from runoff and resurfacing groundwater. In some soils, managed wetlands are the most effective solution to reducing the amount of nitrogen reaching waterways. Too much nitrogen in the water can cause nuisance plant/algae growth, which affects ecosystems and water quality.
- 90% of wetlands have been lost.



What is the Relevant Legislation

- Resource Management Act 1991 (RMA) – law to manage the land, air and water.
- RMA requires Councils to develop Regional Plans.
- Regional Plan Water for Otago (RPW) operative in 1998 and has rules with regard to water, activities in the beds and banks of watercourses.
- Government sets National Environment Standards (NES). NES for Freshwater was updated in September 2020 with rules in relation to protecting wetlands and stop further loss.
- The Central Otago District Council may have rules regarding land use, so talk to them too.
- Building Act for dams.

The screenshot shows the New Zealand Legislation website. The page title is "Resource Management Act 1991". It includes a search bar, navigation links, and a warning that some amendments have not been incorporated. The page is viewed as of 13 April 2023. The coat of arms of New Zealand is displayed, followed by the title "Resource Management Act 1991" and its details: Public Act 1991 No 69, Date of assent 22 July 1991, and Commencement see section 1(2).

The screenshot shows the New Zealand Legislation website. The page title is "Resource Management (National Environmental Standards for Freshwater) Regulations 2020". It includes a search bar, navigation links, and a warning that some amendments have not been incorporated. The page is viewed as of 1 July 2023. The coat of arms of New Zealand is displayed, followed by the title "Resource Management (National Environmental Standards for Freshwater) Regulations 2020" and its identifier (LI 2020:174).

Regional Plan: Water For Otago

- Regional Plan Water for Otago has rules with regard to activities relating to water and activities in the beds of lakes and rivers;
- Rules can be prohibited, permitted or require a resource consent;
- Resource consents can be water permits (taking, using damming diverting water (surface or ground water) land use consents for works on the beds and banks of watercourses. Creating large bores that fill with groundwater.
- As we are all aware in Central Otago, water is an important resource.

What activities might be permitted relating to wetland construction

- Small water takes, usually 0.5 L/s and 25,000 litres a day;
- Creating sediment trap in a watercourse that is not flowing all the time;
- Small diversions if catchment less than 50 hectares;
- Small dams if catchment less than 50 hectares, and impoundment less than 3 m deep;
- Small discharges of water to water (make sure its clean).

What you may need to consider when constructing a wetland:

- Diversion – creating a new channel to a proposed wetland area, then returning water to the watercourse;
- Groundwater takes - excavating a pit that may encounter groundwater land use bore and water permit;
- Surface Water takes – In Central Otago if it's not permitted it has to be non consumptive and returned to the watercourse without a large delay;
- Allocation issues - we cannot grant more surface water its prohibited (supplementary water takes maybe possible);
- Discharges to land and water if not permitted;
- Working in the beds of watercourses if its not permitted, you can't disturb the bed without a land consent;
- Working near existing natural inland wetlands – NES has rules with regards to distances;
- Weirs, damming water and structures - RPW and NES rules;
- Consent team will need details before we can determine what consents could be required.



Resources at ORC

Who can help?

- Consents Team
 - Public.enquiries@orc.govt.nz
- Catchment Advisors
- Compliance Team

What we can help with

- Site visits
- Good practice advice
- Catchment/farmer group sessions
- Consent questions

ORC website:

- Information on wetlands
- Consent forms

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Consents and Compliance

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The Farmer's Guide

There are a lot of rules and guidelines that farmers need to understand.

These rules apply to farming activities, with information on when you might need a resource consent, useful links, relevant dates and answers to frequently asked questions.

Contact us

If you're ever unsure, contact our public enquiries team who can help with consent information.

Book a time to talk to us.

Email public.enquiries@orc.govt.nz

Tel 0800 474 082



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Managing our Environment

Water »

Lakes, Rivers, and Streams

Wetlands and estuaries

- Central Otago District
- Clutha District
- Waitaki District
- Queenstown Lakes District
- Dunedin District
- Mapping the Otago Wetlands
- Doing works in or near wetlands

Toxic algae sightings

Groundwater

Good practice information

Catchment Advisor team

New Water Rules

Land and Water Regional Plan

Doing works in or near wetlands

Natural wetland or Regionally Significant Wetland

Wetlands are permanently or intermittently wet areas that support natural ecosystems of plants and animals. They can include bogs, swamps, fens, shallow water and salt marshes, and are found from the coast to the high country. If you have a wetland on your property, there are different rules depending on the type of wetland (Regionally Significant Wetland and/or a natural wetland) and what activity you are proposing to do in or near the wetland.

A natural inland wetland means a wetland (as defined in the Act) that is not:

- (a) in the coastal marine area; or
- (b) a deliberately constructed wetland, other than a wetland constructed to offset impacts on, or to restore, an existing or former natural inland wetland; or
- (c) a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body; or
- (d) a geothermal wetland; or
- (e) a wetland that:
 - (i) is within an area of pasture used for grazing; and
 - (ii) has vegetation cover comprising more than 50% exotic pasture species (as identified in the National List of Exotic Pasture Species using the Pasture Exclusion Assessment Methodology (see clause 1.8)); unless
 - (iii) the wetland is a location of a habitat of a threatened species identified under clause 3.8 of this National Policy Statement, in which case the exclusion in (e) does not apply

If an area doesn't meet the definition of a wetland under the National Policy Statement for Freshwater Management (NPS-FM), it may meet the wetland definition under the Regional Plan: Water (known as a Regionally Significant Wetland). If so, the Water Plan rules apply to the wetland.

Resources - Consents Team

Pre application

- Consents Team Contact via:
 - Public.enquiries@orc.govt.nz

What we can help with

- Are consents required?
- Site visits?
- What type of consents might be required?
- Level of detail required for the application?

ORC website:

- Go to website fill in the pre application form

You are here: [Home](#) > [Consents and Compliance](#) > [Before applying for a consent](#)

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Before you apply for a consent

Before you apply for a consent, it's important to understand when and why you may need one.

We administer resource consents under the Resource Management Act 1991. The purpose of the Act is to promote the sustainable management of natural and physical resources. This involves managing the use, development, and protection of resources while enabling individuals and communities to provide for their social, economic and cultural needs. Sustainable management also involves:

- sustaining resources for future generations
- safeguarding the life-supporting capacity of air, water, soil, and ecosystems
- avoiding, remedying or mitigating any adverse effects of activities on the environment.

A resource consent permits a person or organisation to use or develop a natural or physical resource and/or to carry out an activity which affects the environment in some way. Resource consents include special conditions designed to ensure that any adverse environmental effects are avoided, mitigated or remedied.

Some activities may require resource consents from your local district council as well as the regional council. In such situations, applications to both councils may be processed at the same time.

Before you apply you will need to check that your application includes any additional information and resource consents under any of the new rules in our recently notified Plan Changes and the new national healthy waterways standards and regulations which apply from 3 September 2020.

We know there are a lot of changes to take in and understand. We're here to help. If you would like more information about the new rules and how they might affect you please call 0800 474 082 or email public.enquiries@orc.govt.nz

Pre-application meetings

Pre-application meetings provide an opportunity for us to help you understand what consents might be needed and for you to chat about your proposal with council staff before applying for resource consent. Processing an application is generally simpler, quicker and less costly if the applicant has already sought the council's advice on the relevant plan provisions and information requirements before making an application.

The costs related to this service include but are not limited to, administration, research, meeting time, taking minutes, distribution of meeting notes, and question follow ups. An overall pre-application service typically requires 2-4 hours to complete. Thirty (30) minutes of work carried out by the Consents Officer is free of charge. The remaining work is charged at the relevant officer's hourly rate in accordance with the [fees and charges schedule](#).

To book a pre-application meeting fill in [this form](#) and email it to consents.applications@orc.govt.nz

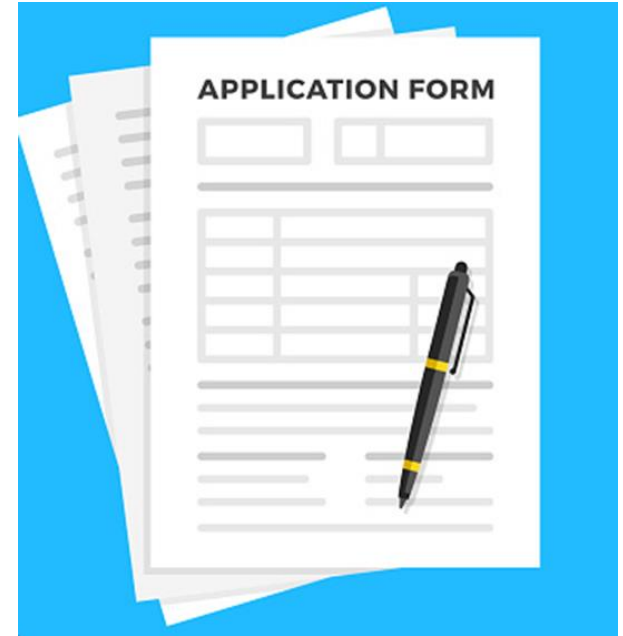
Resource consent application process

You will need:

- Farm map, legal descriptions
- Plan of the wetland, locations of watercourses, other wetlands, any other water users;
- Cover letter and relevant applications forms completed;
- Separate AEE if larger scale wetland.
- Purpose built application forms currently being developed.

Consent term applied for

- Suggest 3-5 years to construct wetlands



Processing timeframe – 20 working days, not including further info or APA's.



Several large and small applications have been processed



Consent deposit required, estimate provided at start and updates through the process
Potential funding available for consent process

Submitting your application

- Online using the online portal; or
- Email it to:
 - Consents.applications@orc.govt.nz ; or
- Post it to us:
 - 70 Stafford Street, Private Bag 1954, Dunedin 9054