

CON401: APPLICATION FOR RESOURCE CONSENT

FOR SWING MOORINGS OUTSIDE SWING MOORING AREA

FOR OFFICE USE ONLY

Receipt number: _____

Charges paid: _____ CRC: _____

NOTE: This form is for swing moorings outside Swing Mooring Areas under the Proposed Regional Coastal Environment Plan. For additional information on the Harbour Bylaws 2003 please contact Customer Services.

If you need help in filling out this form please contact our Customer Services staff on (03) 353-9007 or toll free 0800 EC INFO (0800 324 636). They will be able to provide some general assistance or provide you with a list of consultants who can help you with your application. Send the completed application to: Environment Canterbury, 58 Kilmore Street, P O Box 345, Christchurch 8140.

Information

Completing all the questions in this form:

- (a) may satisfy the requirements of the Resource Management Act 1991 for an application for resource consent. Environment Canterbury will inform you if further information is required.
- (b) will assist with the prompt processing of your application - any omissions in the form may result in significant delays and costs while the required information is obtained.

Charges

Your application must be accompanied with the deposit charge specified in the "Summary of Resource Consent Charges" or at www.ecan.govt.nz. When your application has been processed, if the actual and reasonable costs incurred by Environment Canterbury exceed the deposit charge, you will be invoiced for the balance. If the cost of processing an application is less than the deposit charge paid, the balance will be refunded. You can require the provision of an estimate of the charge for processing your application. If an application is declined all charges must still be paid.

All accounts are payable by the 20th day of the month following the date of invoice. If the account is not paid within 30 days after the due date, our debt collection agent may charge you a fee equal to 25% of the unpaid portion of the account, but no less than \$25.00. Where the total debt collection costs, legal and other costs arising from the collection of any amount owing exceeds the debt collection fee charged, our debt collection agent is also entitled to recover such additional costs. All Environment Canterbury charges must be met by the applicant. This may include time spent discussing issues with the applicant and any other parties involved in the process.

Part A: Application Details

1. Name and address of applicant(s):

Surname:	First names (in full):	Mr/Mrs/Ms/ Miss/Dr/Prof.
Surname:	First names (in full):	Mr/Mrs/Ms/ Miss/Dr/Prof.
OR		
Registered Company name and number:		
Postal address:		
		Postcode:
Phone (home):	Phone (business):	
Fax (home):	Fax (business):	
Email:	Cellphone:	
Contact person:		

You must declare by ticking this box if you are an ECan staff member, an ECan Councillor, or a family member of either.

2. Consultant/Agents details (if applicable):

Contact person: _____

Company: _____

Postal address: _____

Postcode: _____

Email: _____

Phone: _____ Fax: _____

During the processing of your application who will be the contact person for making decisions? Applicant Consultant / Agent
Note: All correspondence during the consent investigation process will be directed to this contact person, unless instructed otherwise. Final decision documents will be sent to the applicant.

Who will be the contact person for compliance monitoring matters? Applicant Consultant / Agent

3. Names and addresses of the owner and occupier of the site to which this application relates.

(You only need to include this information if it is different to that of the applicant(s))

Owner: _____ Phone: _____

Postal address: _____

Postcode: _____ Fax: _____

Occupier: _____ Phone: _____

Postal address: _____

Postcode: _____ Fax: _____

4. The location of the site to which this application relates:

Site address: _____

Locality: _____

Legal description: _____

Map reference: _____

The legal description can be found on the certificate of title, valuation notice, subdivision plan or rate demand for the site. Please include a copy of one of these with your application.

5. Under which District Council or City Council is this site located?

- | | | | |
|--|---------------------------------------|---|-------------------------------------|
| <input type="checkbox"/> Ashburton DC | <input type="checkbox"/> Kaikoura DC | <input type="checkbox"/> Timaru DC | <input type="checkbox"/> Waitaki DC |
| <input type="checkbox"/> Christchurch CC | <input type="checkbox"/> Mackenzie DC | <input type="checkbox"/> Waimakariri DC | |
| <input type="checkbox"/> Hurunui DC | <input type="checkbox"/> Selwyn DC | <input type="checkbox"/> Waimate DC | |

Have you consulted with the appropriate District or City Council to determine whether you need a consent from them for this activity?

Yes No

If yes, what was their response? _____

If a consent is required, have you applied for it? Yes No

PART B: ASSESSMENT OF EFFECTS

1. INTRODUCTION

You must include an assessment of the effects of your activity on the environment as part of your application.

Section 88 of the Resource Management Act 1991 requires that each application include an assessment of the actual and potential effects of the activity on the environment. This assessment must be prepared in accordance with the Fourth Schedule of the Resource Management Act. A copy of this schedule is available from Customer Services.

The assessment of effects will differ for each application depending on the type and scale of the activity. Consultation is one of the best ways of identifying adverse effects.

For further assistance in preparing this assessment, Environment Canterbury has a fact sheet available entitled "Preparation of Assessment of Effects on the Environment."

2. DESCRIPTION OF THE PROPOSED ACTIVITY

In which bay do you wish to place the swing mooring and occupy part of the Coastal Marine Area for the purpose of placing a mooring? _____

Please provide the following information regarding the vessel you wish to attach to the swing mooring:

- Length: _____ metres
- Draught (depth below water): _____ metres
- Beam (width): _____ metres
- Name of vessel: _____
- Type of vessel (tick the box that applies.):
 Yacht Catamaran Trimaran Launch
- If your vessel is 12 metres or longer, you must submit an engineering report to show that your vessel can be securely moored.

Do you propose to construct the mooring in accordance with the specifications outlined in the Swing Moorings booklet?

- Yes No

If no, please provide an engineering report to show that your mooring design will, as far as practicable, securely moor your vessel to the seabed in all weather conditions.

Please ensure that you provide the following:

- A map or chart showing the location that you wish to place the swing mooring in relation to existing swing and pile moorings, skiing lanes, swimming areas and other recreational uses (a copy can be obtained from the Regional Harbourmaster or Customer Services).
- A photo of the vessel you wish to moor to the swing mooring.
- Grid reference: _____
- If known, GPS Position: _____

3. DESCRIPTION OF THE AFFECTED ENVIRONMENT

Providing a good description of the area where you intend to undertake the works will help you assess the effects of your proposed swing mooring on the environment.

Description of the affected environment: _____

4. ASSESSMENT OF ACTUAL AND POTENTIAL EFFECTS

It is a national priority as established in the New Zealand Coastal Policy Statement, to encourage appropriate use or development in areas where the natural character has already been compromised and to avoid sprawling or sporadic use or development elsewhere.

(4.1) This information is essential in determining whether your application should be publicly notified.

To preserve the natural character of the coastal environment by avoiding the placement of new swing moorings outside defined Swing Mooring Areas as identified in the Proposed Regional Coastal Environment Plan (the Plan), you must show how you can meet Policy 8.13 of the Plan.

Note: The placement of swing moorings outside a swing mooring area is a NON-COMPLYING ACTIVITY.

Please demonstrate how you can meet either (a) OR (b):

(a) There is a necessity for the swing mooring to be located outside a defined Swing Mooring Area because of the operational requirements of an associated activity that is located in the same part of the Coastal Marine Area or immediately adjacent to it. An example would be the operation of a marine farm.

OR

(b) Where the swing mooring is not within an Area of Significant Natural Value:

(i) there are extraordinary and unusual reasons for the swing mooring to be placed in the area

OR

(ii) the mooring owner occupies adjacent land on shore; and there is no defined Swing Mooring Area in close proximity to the site.

In considering either (a) or (b), you must demonstrate that the adverse effects of the mooring on the natural character of the area will be minor, either by itself, in combination with existing moorings, or with regard to potential cumulative effects.

Please note that Policy 8.13 outlined above suggests that applications outside swing mooring areas and within an Area of Significant Natural Value, are likely to have significant adverse effects, requiring notification.

Adverse effects on natural character; actual and potential cumulative adverse effects: _____

(4.2) Do you propose to place your mooring in:

(i) an Area of Significant Natural Value in Schedule 5.5 of the PRCEP (refer to section 5 list) Yes No

OR

(ii) within an area of Banks Peninsula listed in Schedule 5.13 of the PRCEP (refer to section 6 list) Yes No

If you have answered yes to either (i) or (ii) above, please demonstrate that the adverse affects of the placement and use of the mooring on the following effects will be minor:

- (a) the natural character of the area including its overall landscape and seascape; and
- (b) the marine, foreshore and seabed ecology; and
- (c) the water quality; and
- (d) the use or enjoyment of the area by recreational, tourist or other users of the marine environment who do not require authorisations for exclusive occupancy; and
- (e) the habitat of Hector's Dolphins.

5. AREAS OF SIGNIFICANT NATURAL VALUE

(more information (e.g maps) can be obtained from Customer Services)

Clarence River Mouth	Lyttelton Harbour/Whakaraupo Tidal Flats
Waipapa to Irongate	Ripapa Island
Kaikoura Peninsula, South Bay to Peketa	Okains Bay Estuary, Pa Island to Ducksfoot Bay
Kahutara River to Oaro	Crown Island Coas
Oaro to Haumuri Bluffs	Stony Bay, Redcliffe Nook to Damons Bay
Whale, Dolphin & Hutton's Shearwater area	Scenery Nook, Nikau Palm Gully to Akaroa
Conway River Mouth Lagoons	Akaroa Harbour Tidal Flats, Onawe Peninsula
Waiau River mouth/Shag Rock Coastline	Kaitorete
Napenape	Coopers Lagoon/Muriwai coastline, Rakaia River Mouth
Motunau Island, Motunau Cliffs and River mouth	Ashburton River/Hakatere Mouth
Ashley River/Rakahuri -Saltwater Creek Estuary	Orari River Mouth & Lagoons, Opihi River Mouth & Lagoons
Waimakariri River mouth & Brooklands Lagoon	Washdyke (Waitarakao) coastline, Patiti Point to Tuhawaiki
Avon-Heathcote Estuary/Ihutai	Wainono to Waihao River Mouth
Scarborough Cliffs & Godley Head	Waitaki River Mouth

6. AREAS OF BANKS PENINSULA TO BE MAINTAINED IN THEIR NATURAL STATE, FREE OF ADDITIONAL STRUCTURES

(more information (e.g maps) can be obtained from Customer Services)

Port Levy/Koukourarata, Pigeon Bay & Menzies Bay	Tokoroa Bay, Hikuraki Bay, Tumbledown Bay, Te Oka Bay,
Decanter Bay, Little Akaloa Bay, Okains Bay,	Robin Hood Bay, Peraki Bay & Long Bay
Lavericks Bay & Le Bons Bay	Long Bay, Island Bay & Akaroa Harbour
	Hickory Bay, Goughs Bay, Fishermans Bay, Shell Bay, Red Bay, Otanerito Bay, Sleepy Bay & Stony Bay

ONCE THE BLOCK HAS BEEN LAID, THE COUNCIL:

1. Is not liable in any event for the position, inefficiency or insecurity of any mooring.
2. Is not responsible for any damage or loss that may arise to any vessel permitted to use a mooring site occasioned through any breaking away or defect in the owner's moorings site or any part of them or caused by any vessel whilst moored to such moorings or by any perils of the seas or by navigation of any vessel within the area of the moorings site or from any cause whatever.
3. May investigate any mooring site which has been left vacant for an extended period.
4. Carry out an annual monitoring of sites to ensure they are adequately buoyed and numbered.

Mooring owner's attention is drawn to Section 52 of the General Harbour (Nautical and Miscellaneous) Regulations 1968 which set out the power of the Harbourmaster to remove vessels.

PART C: OTHER INFORMATION

You do not need to provide the following details, but they will assist with the processing of your application.

1. PREVIOUS CONSENTS

- (a) Have you held any previous consents at this site for this activity or any related activities? Yes No
 If yes, please supply the consent reference number(s) or consent holder’s name (if different from current applicant’s name).
 CRC _____ Name: _____
- (b) If your application is to replace an existing consent which has not yet expired, do you agree to your application being processed outside the timeframes set out in the Resource Management Act (Section 37(5A) approval) but before the expiry of your existing consent? Yes No N/A

2. NOTIFICATION

If your assessment of effects has shown that adverse effects on the environment are likely to be more than minor and/or there are people who may be adversely affected from whom you are unable to obtain written approval, you may wish to request that your application be publicly notified in order to avoid possible delays in the processing of your application.

The final decision to notify or not notify an application will still be made by Environment Canterbury.

Please note that an application cannot be notified unless there is sufficient information for the notice that makes it clear what is being applied for, and how it might affect the environment (including people).

I request that my application is notified. (check box)

3. DURATION REQUESTED

Please specify the duration sought for your consent(s): _____ years _____ months.

Note: The maximum duration allowed under the Act is 35 years.

4. START DATE

Resource consents lapse five years after their commencement date unless the consent has been given effect to or an application is made to Environment Canterbury to extend this period.

When do you propose to start the activity? _____ (date/month/year)

5. ERRORS AND OMISSIONS

When you receive your Resource Consent Documents please check that the details are correct. You have a 15 working day period after the decision is notified to allow you to object or advise of errors or omissions without cost.

ADDITIONAL NOTES TO APPLICANTS

1. Your application must be publicly notified unless Environment Canterbury is satisfied that the adverse effects on the environment will be minor and written approval has been obtained from every person Environment Canterbury considers may be adversely affected by the granting of your application (unless Environment Canterbury considers it unreasonable to require the obtaining of every such approval). Enclosed is a form “Written Approval of Persons Likely to be Adversely Affected” to help you obtain such approvals.
2. Section 128 of the Resource Management Act 1991 sets out the circumstances in which Environment Canterbury may review the conditions of a resource consent. Under Section 128(c) Environment Canterbury may undertake a review at any time if the application contained any inaccuracies which materially influenced the decision made.
3. The information you provide with your application is official information. It will be used to process your application and, together with other official information, assist in the management of the region’s natural and physical resources. Access to information held by Environment Canterbury is administered in accordance with the Local Government Official Information and Meetings Act 1987, and Privacy Act, 1993. Your information may be disclosed in accordance with the terms of these Acts. Public access is also provided to consent information via Environment Canterbury’s website. It is therefore important you advise Environment Canterbury if your application includes trade secrets and/or commercially sensitive material.

PART D: SIGNATURE AND DATE

I have read all of the information on this application form and I understand that I am liable to pay all actual and reasonable charges relating to the processing of this application.

I also understand that if the application is granted, I will be liable to pay all actual and reasonable charges related to compliance monitoring of that consent.

*Signature of **consultant***

Date

Full name of person signing – please print

*Signature of **applicant***

Date

Full name of person signing – please print

Note: Environment Canterbury must have written authorisation. Both the consultant (if used) and the applicant must sign this section.

CHECKLIST

Have you remembered to:

- Complete all the details set out in Part A of this application form.
- Include an assessment of effects of the activity on the environment, set out in Part B of this application form – must include a site plan.
- Include a copy of the certificate of title, rates demand, subdivision plan or valuation notice for the site your application relates to.
- Sign and date this application form.
- Include the appropriate deposit charge as set out in the “Summary of Resource Consent charges”.