

CON 501: APPLICATION FOR A RESOURCE CONSENT UNDER THE RESOURCE MANAGEMENT ACT 1991

TO USE LAND FOR A FARMING ACTIVITY WITHIN AN ORANGE NUTRIENT ALLOCATION ZONE UNDER RULE 5.55 OF THE CANTERBURY LAND & WATER REGIONAL PLAN

FOR OFFICE USE ONLY

Receipt number:

Charges paid: CRC:

Please note that this application form only applies to those that can meet the criteria below:

- The property is located within an Orange Nutrient Allocation Zone;
- The proposal cannot meet Rule 5.53 of the Canterbury Land & Water Regional Plan;
- The nitrogen loss calculation does not increase above the nitrogen baseline by more than 5 kg per hectare per annum; and
- A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A.

If you meet these criteria then your application will be processed as a restricted discretionary activity. If granted, conditions may only relate to the matters specified in the Plan in Rule 5.55.

For further information on Rule 5.55 or Rule 5.53 see the Canterbury Land & Water Regional Plan <http://ecan.govt.nz/our-responsibilities/regional-plans/lwrp/Pages/default.aspx> or <http://ecan.govt.nz/our-responsibilities/regional-plans/lwrp/Documents/3913-lwrp-rules-summary-jan2014.pdf> for summary information on rules.

If you cannot meet the above criteria you may need to apply for consent under a different rule, and use a different form. Please see Environment Canterbury Website <http://ecan.govt.nz/services/resource-consents/Pages/forms-booklets.aspx> or call customer services on 0800 324 636.

If only part of your property is located within the Orange Nutrient Allocation Zone, you may apply for a resource consent for that part or the whole of your property. If applying for the part of your property in the orange zone, and you meet the criteria above, you can use this form. If you wish to apply for the whole of your property where it contains other nutrient allocation zones you will need to complete a separate form.

Before you apply for your resource consent please ensure you have completed:

- A Nitrogen Baseline for your property; and
- A Farm Environment Plan.

See <http://ecan.govt.nz/our-responsibilities/regional-plans/lwrp/Pages/information-farmers.aspx> for information on preparing a Farm Environment Plans or a Nitrogen Baseline.

Canterbury Maps

The Canterbury Maps portal is a joint data-sharing initiative brought to you by Canterbury's regional and territorial authorities. Canterbury Maps contains a range of property and site geographical information and data. Use the following link and search for "Farming Activity Resource Consents" to access geographical information and data to assist you with completing this application form <http://canterburymaps.govt.nz/maps-apps>.

Where can I get help?

If you need help in filling out this form please contact our Customer Services staff on (03) 353 9007 or toll free on 0800 324 636.

APPLICATION CHECKLIST

Section 88 of the Resource Management Act 1991 specifies the requirements for applications for resource consents, and requires that each application includes a description of the activity, a planning assessment, and an assessment of the actual and potential effects of the activity on the environment, amongst other things. Rule 5.55 also requires that certain matters be addressed in your application or accompany it.

This form has been created to help you satisfy these requirements. If you fail to provide necessary information, including deposit fee, your application will not be accepted for processing.

Please ensure that you have completed all parts of this application form, including:

- Applicant details (Section 1) Page 3
- Pre-application advice (Section 2) Page 4
- Using your Farm Environment Plan as part of your application (Section 3) Page 4
- Description of the activity and site (Section 4) Page 5
- Planning Assessment (Section 5) Page 7
- Assessment of actual and potential effects on the Environment [AEE] (Section 6) Page 7
- Consultation (Section 7) Page 11
- Signatures (Section 8) Page 12

Please also ensure that you have attached the following documents:

- A copy of your Farm Environment Plan (even if you wish to keep it confidential).
- A copy of your OVERSEER® file(s) for the baseline period (xml files).
- If your proposed land use differs from your baseline period, a copy of your OVERSEER® file(s) for your proposed land use (xml files).
- A farm map (this may form part of your Farm Environment Plan).
- A copy of the Certificate of Title, or rates demand, or subdivision plan, or valuation notice for the property your application relates to.

Charges

Your application must be accompanied with a deposit of \$1725 as specified in the “Summary of Resource Consent Charges” at <http://ecan.govt.nz/advice/resource-consents/applying-resource-consent/Pages/resource-consent-processing.aspx>

The deposit may not cover all charges related to the auditing of the application. You may be invoiced for additional charges. If an application is declined, all charges must still be paid.

- I have included the appropriate charge of \$1725 as set out in the “Summary of Resource Consent charges”.

Name of person/company/organisation that is paying the deposit	
Method of payment: cheque/internet banking/paid in person at Environment Canterbury office	
Date payment is made	
Payment reference e.g. applicant name	

When you have completed this form:

To submit your application and the relevant fixed charge or deposit, you need to either email it to ecinfo@ecan.govt.nz, or send it to: **Environment Canterbury, PO Box 345, Christchurch 8140.**

1 APPLICANT DETAILS

1.1 Applicant(s) details

Surname:		First names (in full):	
Surname:		First names (in full):	
OR Registered Company name and number:			
Postal address:		Postcode:	
Billing address (if different):		Postcode:	
Phone (home):		Phone (work):	
Cell phone:		Email address:	
Contact person:			

Are you an Environment Canterbury staff member, an Environment Canterbury Commissioner, or a family member of either? Yes No

1.2 Consultant/Agents details (if applicable)

Contact person:		Company:	
Postal address:		Postcode:	
Phone (work):		Cell phone:	
Email address:			

During the processing of your application who will be the contact person for making decisions? Applicant Consultant / Agent

Note: All correspondence during the consent application 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

1.3 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:	
Occupier:		Phone:	
Postal address:		Postcode:	

2 PRE-APPLICATION ADVICE

Have you received any advice from Environment Canterbury on this application prior to lodging this application?

Yes No

If yes, please list the pre-application number if known:

E.g. RMA165897. This number should have been provided to you by staff

Please list any pre-application meetings or advice (verbal and/or written) you have had with Environment Canterbury on this application below:

Type of advice	Brief details, including who provided the advice and the date
<input type="checkbox"/> Meeting(s)	
<input type="checkbox"/> Verbal advice	
<input type="checkbox"/> Written advice	
<input type="checkbox"/> Other (e.g. submitted draft application / AEE)	

3 USING YOUR FARM ENVIRONMENT PLAN AS PART OF YOUR APPLICATION

Note: Some information required to complete in this application form will already be contained in your Farm Environment Plan. You may therefore choose to refer to the content of your Farm Environment Plan when completing this form where it represents your farming activity for which consent is being sought. For more information as to how your information will be treated see "Official Information" at the end of this form. Alternatively, you may wish to keep the content of your Farm Environment Plan confidential. In that instance you will need to answer all the questions in this form in full.

Do you wish to use your Farm Environment Plan as part of your application?

Yes.

No

If No, would you like your Farm Environment Plan to be kept confidential?

Yes.

No

4 DESCRIPTION OF THE ACTIVITY AND SITE

4.1 This application is for:

Land Use Consent (s9 of the RMA 1991) in accordance with Rule 5.55 of the Land & Water Regional Plan

Rule 5.55: From 1 January 2016, the use of land for a farming activity that does not meet Rule 5.53 is a restricted discretionary activity provided both conditions below are met. Please confirm you meet the following conditions. If you cannot meet these conditions you need to complete a different form.

<p>1. Your nitrogen loss calculation for the part of your property within the Orange Zone does not increase above the nitrogen baseline by more than 5 kg per hectare per annum; and</p>	<p><input type="checkbox"/> Yes</p>
<p>2. A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A.</p>	<p><input type="checkbox"/> Yes</p>

Note: See <http://ecan.govt.nz/our-responsibilities/regional-plans/lwrp/Pages/information-farmers.aspx> for information on the terms Nitrogen Loss Calculation, Nitrogen Baseline and about preparing a Farm Environment Plan.

4.2 Duration of resource consent being applied for:

<p>Please state the duration sought for your resource consent.</p>	<p>years.</p>	<p>months.</p>
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4.3 Site of the proposed activity

<p>Site address:</p>		
<p>Locality (City/District):</p>	<p>Map or GPS reference NZTM (if known):</p>	
<p>Area of property (ha):</p>	<p>Legal description:</p>	

Note: Your 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.

4.4 Description of your farming activity for which consent is being sought

If in Section 3, you indicated that you would like to use your Farm Environment Plan to form part of your application, you should have already described your farming activity as part of your Farm Environment Plan. If that is the case you do not need to address this question. If however you indicated that you wished to make your Farm Environment Plan confidential, you will need to provide a description of your farming activity below (or attach):

4.5 Current or previous consents

Do you hold or have you held any previous resource consent/s at this site for the following activities?

Discharge of dairy effluent	<input type="checkbox"/> No	<input type="checkbox"/> Yes CRC/s:
Take and use water (groundwater and/or surface water) for irrigation	<input type="checkbox"/> No	<input type="checkbox"/> Yes CRC/s:
Any others	<input type="checkbox"/> No	<input type="checkbox"/> Yes CRC/s:

Note: Consent numbers can be found using Canterbury Maps <http://canterburymaps.govt.nz> . Search "Farming Activity Resource Consents"

4.6 Statement of whether there are other activities (controlled by a Plan) that are part of the proposal or any additional resource consents needed

List any additional resource consents required as part of the proposed activity from Environment Canterbury and your City or District Council.

Have these resource consents been applied for:

- Yes
- No

Note: you will only need to complete this field if you currently do not hold all the relevant consents for your farming activity or you have changed your farming activity and trigger additional rules. If you are uncertain please contact Environment Canterbury's customer services on (03) 353 9007 or toll free on 0800 324 636 or ecinfo@ecan.govt.nz and/or your relevant city or district council.

4.7 Related Permitted Activities

Where a permitted activity rule applies to your farming activity the Council is required to determine that a resource consent is not required for these activities.

Do any permitted activity rules apply to your farming activity?

- Yes
- No

If Yes, does the farming activity comply with the conditions in the permitted activity rules?

- Yes
- No

Note: Permitted activities that could apply to farming activities can be viewed at <http://ecan.govt.nz/our-responsibilities/regional-plans/lwrp/Pages/information-farmers.aspx> . See "Farmers Guide to Permitted Activities in the Canterbury Land and Water Regional Plan".

5 PLANNING ASSESSMENT

The Resource Management Act requires you to provide an assessment of your application against relevant provisions of planning documents and Part 2 of the Resource Management Act 1991.

To assist, a list of the relevant provisions is available to use in an accompanying PLANNING ASSESSMENT SHEET. This is available at <http://ecan.govt.nz/services/resource-consents/Pages/forms-booklets.aspx>

Note: You can choose to fill out the PLANNING ASSESSMENT SHEET or provide your own assessment

Please indicate which you have undertaken:

I have completed and attached a PLANNING ASSESSMENT SHEET;	<input type="checkbox"/>
OR	
I have attached an assessment against the above documents.	<input type="checkbox"/>

6 ASSESSMENT OF ACTUAL AND POTENTIAL EFFECTS ON THE ENVIRONMENT

6.1 Description of the environment and assessment of the proposed activity’s effects on the environment

If in Section 3, you indicated that you would like to use your Farm Environment Plan to form part of your application, you should have described the environment and provided an assessment of effect on the environment as part of your Farm Environment Plan. If this is the case you do not need to address this question. If however you indicated that you wished to make your Farm Environment Plan confidential, you will need to provide a description of the environment and an assessment of effects below (or attach):

6.2 Quality, Compliance and Auditing of your Farm Environment Plan

6.2.1 Quality of your Farm Environment Plan

Was your Farm Environment Plan prepared:

Information on Schedule 7 and approved templates can be found at <http://ecan.govt.nz/our-responsibilities/regional-plans/lwrp/Pages/information-farmers.aspx>

- By farmer alone
 - By farmer supported at an Industry or Environment Canterbury workshop
 - By a farmer supported by consultant
- If so, consultant’s name?

Other

Is the Farm Environment Plan on an Environment Canterbury approved template?

- Yes No

If no, has it been prepared in accordance with the matters in Schedule 7 of the Canterbury Land & Water Regional Plan?

Yes No

If no, why not?

Note: If you indicated that your Farm Environment Plan has not been prepared in accordance with an approved template or Schedule 7 of the Canterbury Land & Water Regional Plan your application will be considered a non-complying activity under Rule 5.56A and you will need to use application form CON499 at <http://ecan.govt.nz/services/resource-consents/Pages/forms-booklets.aspx>.

Do you agree to have your Farm Environment Plan audited by an independent and certified Farm Environment Plan auditor to ensure you are implementing Good Management Practices or Actions in your Farm Environment Plan?

Yes No

Note: Your audit will be undertaken in accordance with the Farm Environment Plan audit requirements and your grade will be reported to Environment Canterbury. The recurrence of future audits will be based on your grade (A= 3 years, B= 2 years, C= 1 year, D= 6 months).

If **No**, how do you intend to demonstrate compliance with the Farm Environment Plan?

Note: See <http://ecan.govt.nz/our-responsibilities/regional-plans/lwrp/Pages/information-farmers.aspx> for information on Farm Environment Plan auditing.

6.3 Proposed management practices to avoid or minimise the discharge of nitrogen, phosphorus, sediment and microbial contaminant to water from the use of land

If in Section 3, you indicated that you would like to use your Farm Environment Plan to form part of your application, you should have already completed this assessment as part of your Farm Environment Plan and do not need to address this question. If however you indicated that you wished to make your Farm Environment Plan confidential, you will need to outline the practices you propose to use to avoid or minimize the discharge of nitrogen, phosphorus, sediment and microbial contaminants to water below (or attach):

6.4 Potential benefits of the activity to the applicant, the community and the environment

Please provide a summary of the positive benefits of your farming activity:

6.5 Potential effects of the land use on surface and groundwater quality and sources of drinking water

6.5.1 Potential Effects

Please assess your farming activity against the following questions:

Is any part of a Community Water Supply Protection Zone within your farm boundary?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Is there a Freshwater Bathing site within 1000 metres down-gradient of your farm boundary?	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Is there a Salmon or Inanga Spawning site or Inanga Spawning Habitat within your farm boundary?	<input type="checkbox"/> No	<input type="checkbox"/> Yes

Note: Please refer to <http://canterburymaps.govt.nz/> to find information on these sites or areas. Search "Farming Activity Resource Consents"

If you answered **Yes** to any of the matters above and you indicated that you want to use your Farm Environment Plan as part of your application, does your Farm Environment Plan address effects on these matters?

Yes

No

If **No**, are you willing to amend you Farm Environment Plan to address effects on these matters?

Yes

No

Note: If you agree to do this, this requirement will be required to be addressed in your Farm Environment Plan and it will then be a matter that will be audited.

If you indicated you wish to make your Farm Environment Plan confidential and have answered yes to any of the matters above you will need to address these effects below (or attach).

6.6 Nitrogen Loss Management

6.6.1 Nitrogen Baseline Information

Please fill out the table below and supply Overseer files (preferably xml files) or an equivalent model approved by the Chief Executive of Environment Canterbury that shows the inputs and the amount of nitrogen lost to water from the property over the years listed below.

Note: If your land use did not change during this period you may generate this information using one representative file for the four year period.

Year	Average amount of nitrogen lost to water beneath the property (kg N/ha/yr) using four years of data	Average amount of nitrogen lost to water beneath the property (kg N/ha/yr) using one representative file
1 July 2009 – 30 June 2010		
1 July 2010 – 30 June 2011		
1 July 2011 – 30 June 2012		
1 July 2012 – 30 June 2013		
TOTAL		
Baseline average (TOTAL divided by 4)		

Please specify when the files were created

Date:

Was your OVERSEER® prepared in accordance with the [OVERSEER Input Standards](#) Yes No

If **No**, why not?

6.6.2 Proposed Nitrogen Loss

State your proposed nitrogen loss rate being applied for in kg N/ha/yr.

Note: If you're farming activity has changed since 2009-2013 you will need to supply OVERSEER® file/s for your current (or proposed) activity, in order to show the level of increase in nitrogen losses from your nitrogen baseline.

6.6.3 Nutrient Discharge Allowance

Do you agree to:

1. A Nutrient Discharge Allowance based on your Proposed Nitrogen Loss? If you accept this, your Nutrient Discharge Allowance will be audited as one component of your Farm Environment Plan.

Yes No

If **No**, why not?

2. Operate to "Good Management Practice loss rates" based on your existing activity?

Yes No

If **No**, why not?

7 CONSULTATION

Consultation with all persons potentially affected by your activity prior to lodging your application may result in considerable time and cost savings.

To assist with determining what consultation may be required, please answer the question below.

Have you had any increase in your Nitrogen loss rate since the baseline period (2009-13) that may affected any party (e.g. impact on a drinking water bore)?

Yes

No

If written approval is obtained from all parties that could be affected by your activity and the effects of your activity are minor, then Environment Canterbury may process your application without public notification.

If written approval cannot be obtained, please suggest ways to reduce the effects on the potentially affected party (mitigation measures).

Note: If you do not own the land to which the application relates to, you will also need to provide written approval from the land owner or they may be considered an affected party.

Have you attached any written approvals obtained?

No

Yes

Written approval forms are available at <http://ecan.govt.nz/services/resource-consents/pages/forms-booklets.aspx>

Non-notified and Limited notified applications

For your activity to be considered on a non-notified basis the effects on the environment must be no more than minor and the effects any persons potentially affected by your proposed activity must be less than minor, unless that person has provided their written approval.

If you determine there is any persons potentially affected you may therefore want to consult with them in order to discuss whether they will provide their written approval for your proposal. If you were unable to obtain written approval and Environment Canterbury decided that there were persons affected by your proposal, those parties will be notified of your application (Limited notification) and given the opportunity to submit on your application.

Publically Notified applications

Publically notified consents are for activities which do not meet requirements in the RMA for processing on a Non-notified or Limited notified basis as set out above.

The final decision to notify or not notify an application is made by Environment Canterbury.

8 SIGNATURES

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

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

Signature of **applicant**

Date

Full name of person signing – please print

or Duly Authorised Person

Signature of **applicant**

Date

Full name of person signing – please print

or Duly Authorised Person

Signature of **consultant (if applicable)**

Date

Full name of person signing – please print

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

- Where there are multiple people applying for consent, all persons must sign this form.
- If a company is the applicant, at least one director must sign this form.
- Anyone else who is applying for consent on behalf of another person, group of people or a company (e.g. a manager applying on behalf of a company) can sign this form and submit the application. However, written authorisation from the persons or company on behalf of which the consent is being applied for must be supplied with this application.

Official Information

The information you provide with your application, which includes all associated reports and attachments, 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. *Environment Canterbury may withhold access to information in certain circumstances.* It is therefore important you advise Environment Canterbury about any concern you may have about disclosure of any of the information, which includes all associated reports and attachments, you have provided in this application (e.g. protection of personal information, trade secrets, commercially sensitive material, information which, if released, may cause serious offence to tikanga Maori, or any other information you consider should not be disclosed. While Environment Canterbury may still have to disclose information under the above legislation, it can take into account any concern you wish to raise.

Please describe any concerns here: