

Rule BLR9 Introduction or planting of plant pests – prohibited activity

| Activity | Conditions | Cross ref |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------------------|
| <p>The introduction or planting of any plant or part of any of the plant identified within Schedule BLR1 in, on or under the bed of a lake or river is a prohibited activity for which no resource consent will be granted.</p> | | <p>Policy: BLR1</p> |
| <p>Where Rule Applies: This rule applies everywhere in the Canterbury region excluding the coastal marine area.</p> | | |

6.7 Information requirements and the resource consent process

6.7.1 Introduction

This section applies to proposed activities that require resource consent.

Applications for resource consent must be made in accordance with section 88 of the RMA. The RMA further requires that where an assessment of the effects of the proposed activity is required, that the assessment be prepared in accordance with Schedule 4.

Those wishing to apply for resource consent can discuss their application with Environment Canterbury's customer services section before writing and submitting an application. Staff may be able to provide information on the scope and contents of the information required, but are unable, legally, to draft an application for an applicant.

6.7.2 Information to be submitted with a resource consent application

In addition to the requirements of the RMA, and specific information required by the rules in this chapter, the applicant, when applying for consent shall:

- (a) provide a description of the activity for which consent is sought, and its location.
- (b) provide the physical nature of the environment (including, where appropriate, landforms, geology, soils, stability of land and riverbeds, climate etc).
- (c) demonstrate that consultation, where appropriate, has occurred with persons likely to be affected by the proposed activity. This should include the results of any consultation, the comments of those consulted with, and the applicant's response to those comments.
- (d) provide an assessment of any actual or potential effects that the activity may have on the environment, and the ways in which any adverse effects may be avoided, remedied or mitigated. This assessment shall be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment, and shall be prepared in accordance with Schedule 4 of the RMA. In particular, the assessment of environmental effects shall include coverage of:
 - (i) any adverse effects on:
 - (1) the environment,
 - (2) the stability of land, riverbeds and river banks,
 - (3) landscape and amenity values,
 - (4) resources or values of significance to the Ngāi Tahu,
 - (5) soil, plants, animals, and ecosystems, or
 - (6) the coastal environment.
 - (ii) any cumulative effects which may arise over time or in combination with other effects;
 - (iii) any effects of low probability but high potential impact;
 - (iv) the proposed monitoring provisions; and
 - (v) any additional information that may be required in relation to applications for specific types of activities.
- (e) provide a statement of all other resource consents or approvals that the applicant may require from Environment Canterbury or any other consent or approval authority to undertake this and every other activity associated with the proposal, and whether or not the applicant has applied for, or obtained, such consents or approval. Note, that where

other resource consents will be required, Environment Canterbury or any other consent or approval authority may require applications for those consents to be proceeded with at the same time.

- (f) Where an application for resource consent has arisen because one or more conditions for a permitted activity cannot be met, the application must identify those particular conditions. It must also include an undertaking to meet every other condition of the permitted activity.

Notes:

Provisions in other chapters of this Proposed NRRP may apply in addition to those in this chapter. This will be the case if the activity includes discharges of contaminants to land, water or into the air. The Regional Coastal Plan should also be referred to if activities involving land and riverbeds occur close to the coast. Environment Canterbury will be able to provide information on this.

6.7.3 Information to be submitted with specific resource consent applications

In addition to the information requirements under section 6.7.2, the following particular information is required for certain activities.

6.7.3.1 Excavating of bed material

In addition to the information required for all activities, applications to excavate material from the bed shall include:

- (a) details of the activity including:
- (i) name of waterway in which excavation will take place and the amount to be extracted(m³);
 - (ii) amount to be stockpiled (m³) and the length of time the stockpile will be left;
 - (iii) the time of year the works will be carried out; and
 - (iv) the method of excavation, the depth below ground level and whether the works will involve vehicles or machinery entering water.
- (b) A detailed map, which shows the following, is required:
- (i) the excavation site;
 - (ii) the location of any stockpiling in relation to local landmarks;
 - (iii) the location of, and distance from, any flood protection works in relation to your excavation site;
 - (iv) the location and distance from any other structures, such as culverts, bridges, fords, water level recorders, irrigation intakes etc;
 - (v) the dimensions of the site, i.e. length, width of proposed area;
 - (vi) location of access points to the excavation site, including any temporary crossings, that may need to be installed while excavation is to occur; and
 - (vii) location of nearest domestic properties, if within one kilometre.
- (c) A description of the water body(ies) and surrounding environment will help you to assess the effects of your proposed gravel excavation on the environment. Your description must include the following:
- (i) the type of water body(ies), e.g. spring-fed creek, braided river;
 - (ii) the channel width and depth (please draw a cross section);
 - (iii) how flows vary during the year (include average and low flow rates if known, and water depths);

- (iv) what lives in or adjoining the river, e.g. native fish, river birds, trout;
 - (v) who else uses the riverbed within the vicinity of your proposed works, e.g. for recreation, irrigation, stock water, existing gravel extractors;
 - (vi) any significant sites nearby, e.g. Ngāi Tahu food gathering areas, natural wetlands, and fish spawning areas; and
 - (vii) any flood protection works, riverbanks, stopbanks or any other important structures (e.g. bridges, fords, etc) within one kilometre of the proposed works. Please show the location, size and length of these structures on an attached map.
- (d) An assessment of any effects of the activity on the following matters and any proposed measures to avoid or mitigate this effect:
- (i) floodwater carrying capacity
 - (ii) bed stability
 - (iii) existing structures
 - (iv) nesting birds
 - (v) in-stream plants and animals
 - (vi) amenity values and
 - (vii) other bed users.

6.7.3.2 Structures within the bed

- (a) In addition to the information required for all activities, applications to use, erect, reconstruct, place, alter, extend, remove or demolish any structure or part of any structure in, on, under or over the bed shall include:
- (i) A description of the proposal, including the following:
 - (ii) The total area of the works;
 - (iii) Scale drawings of the structure, showing width, length, height and design characteristics;
 - (iv) A detailed map/plan clearly showing the location and scale of the proposed works. Including any need to dam or divert water or pass vehicles or machinery through water;
 - (v) The frequency the works will be carried out, e.g. will the works be carried out only once or will they need to be maintained;
 - (vi) Estimated duration of works; and
 - (vii) In the case of a dam or weir, the volume and dimensions of the reservoir created.
- (b) A description of the water body(ies) and surrounding environment including the following:
- (i) The type of water body(ies), e.g. spring-fed creek, braided river;
 - (ii) The channel width and depth (please draw a cross section);
 - (iii) How flows vary during the year (average, low and flood flow rates if known, and water depths);
 - (iv) What lives in or adjoining the river, e.g. native fish, river birds, trout;
 - (v) Who else uses the riverbed within the vicinity of your proposed works, e.g. for recreation, irrigation, stockwater, gravel extractors;
 - (vi) Any significant sites nearby, e.g. Ngāi Tahu food gathering areas, natural wetlands, and fish spawning areas;

- (vii) Any flood protection works, riverbanks, stopbanks or any other important structures (e.g. bridges, fords, etc) within one kilometre of the proposed works. Please show the location, size and length of these structures on an attached map; and
- (viii) In the case of a dam or weir, the catchment area above the structure.
- (c) An assessment of any effects of the activity, which includes the following matters and any proposed measures to avoid or mitigate effects on them:
 - (i) Floodwater carrying capacity;
 - (ii) Bed stability;
 - (iii) Risk posed by structure failure;
 - (iv) Water users (including surface and groundwater takes upstream and downstream of the activity);
 - (v) Existing structures;
 - (vi) In-stream plants and animals;
 - (vii) Amenity values;
 - (viii) Recreational users; or
 - (ix) Coastal erosion rates.

6.7.4 Circumstances in which Environment Canterbury may require further information

Environment Canterbury may require further information and explanations, or an applicant to consider alternatives and may commission reports before the hearing of an application for resource consent. Such information may only be sought if it is necessary to enable Environment Canterbury to better understand the nature of the activity proposed, the effect it will have on the environment or the way adverse effects may be mitigated. Pending receipt of further information, Environment Canterbury may postpone the notification or, in the absence of a hearing, the determination of an application. The information is to be made available for public inspection and any reports commissioned are to be supplied to the applicant at least 15 working days before the hearing.

6.7.5 Making a resource consent application

Resource consents to undertake an activity described in this Plan (excluding Permitted Activities and Prohibited Activities) must be obtained from Environment Canterbury. Application forms are available from the Christchurch and Timaru offices. Enquiries and correspondence can be directed to the Customer Services Section, Environment Canterbury, P O Box 345, Christchurch, or by telephoning (03) 365 3828 (toll free 0800 EC INFO - 0800 324 636).

6.7.6 The resource consent process

Once an application has been lodged, Environment Canterbury must decide whether to notify the application or not. If the application is non-notified, Environment Canterbury has 20 working days to make a decision. If Environment Canterbury decides to notify the application then it has:

- (a) 10 working days to publicly notify the application;
- (b) 20 working days to receive submissions;
- (c) 25 working days after the closure of submissions to hold a hearing. At least 10 working days notice must be given of the time and place of the hearing; then
- (d) if a hearing is not held - 20 working days to make and notify a decision; or
- (e) if a hearing is held - 15 working days after the hearing to make and notify a decision.

These timeframes may be extended (on a case by case basis) by Environment Canterbury under section 37 of the RMA provided the Council has taken into account the interests of any person who may be directly affected by the extension, the interest of the community in achieving adequate assessment of the effects of any proposal and the duty under section 21 of the RMA to avoid unreasonable delay.