

CON499: APPLICATION FOR A RESOURCE CONSENT UNDER THE RESOURCE MANAGEMENT ACT 1991

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. They will be able to provide some general assistance.

Email the completed application to: ecinfo@ecan.govt.nz
Or send to Environment Canterbury, PO Box 345, Christchurch 8140

Information

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. We recommend you read [Section 88](#) and [Schedule 4](#) of the RMA prior to completing this form.

Completing all the questions in this application form in full:

- 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.
- Will assist with the prompt processing of your application. Any omissions in this form may result in your application being returned (under Section 88(3) of the RMA) and may result in additional costs while the required information is obtained.

Charges

Your application must be accompanied with the initial fixed charge specified [here](#) on Environment Canterbury's website page "How much will my consent cost?" The initial fixed charge may not cover all charges related to the auditing of the application. The applicant may be invoiced for additional charges. 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.

Name of person/company/organisation that is paying the initial fixed charge:	Chapman Tripp
Method of payment: Internet banking/paid in person at Environment Canterbury office	In person
Date payment is made:	16 August 2021
Payment reference e.g. applicant name	LPC XCOALAIR

Please complete all questions and sign and date the form.

1 APPLICATION DETAILS

1.1 Applicant(s) details

Surname:		First names (in full):	
Surname:		First names (in full):	
OR Registered Company name and number: Lyttelton Port Company Limited (498061)			

Postal address:	Private Bag 501	Postcode:	Lyttelton 8841
Billing address (if different):		Postcode:	
Phone (home):		Phone (work):	0272981347
Phone (cell):		Email address:	kim.kelleher@lpc.co.nz
Contact person: Kim Kelleher, Head of Environment and Sustainability			

Are you an Environment Canterbury staff member, an Environment Canterbury Councillor, or a family member of either?

☐ Yes ☒ No

I prefer to receive invoices by:

☐ Postal address above ☒ Email above ☐ other address or email (please specify)

1.2 Consultant/Agents details (if applicable)

Contact person:	Gareth Taylor	Company:	Collaborations
Postal Address:	19/42 Marriner St, Sumner	Postcode:	8081
Phone (work):		Cell phone:	0212460396
Email address:	gareth.taylor@lpc.co.nz		

1.2.1 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.

1.2.2 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). If you do not own the land to which this application relates to, you will need to provide written approval from the landowner, or they may be considered an affected party.)*

Owner:		Phone:	
Postal Address:		Postcode:	
Occupier:		Phone:	
Postal address:		Post code:	

1.4 Location of the proposed activity

Site address:	Lyttelton Port, Christchurch (multiple titles - see application)		
Locality (City/District):	Christchurch	Map reference NZTM:	MZMS260 M36:888-337
Area of property (ha):	Approximately 23.5 hectares	Legal description:	See application

Note: 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.

1.5 Consents from local authorities

1.5.1 Under which territorial authority is the land situated:

- | | | | |
|---|---------------------------------------|---|-------------------------------------|
| <input type="checkbox"/> Ashburton DC | <input type="checkbox"/> Kaikōura DC | <input type="checkbox"/> Timaru DC | <input type="checkbox"/> Waitaki DC |
| <input checked="" 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 | |

Do you require consent from the local authority for this proposal?

Note: You may need to consult with the relevant local authority to determine this.

☐ Yes ☒ No

If yes, please list:

If a consent is required from the District or City Council, have you applied for it?

☐ Yes ☐ No

If yes, what is the consent number and status?

Please list any permitted activities under the District or City Plan that are part of the proposal to which the application relates:

1.6 Current or previous consents

1.6.1 Do you hold, or have you held any previous consents at this site for this activity or any related activities?

☒ Yes ☐ No

If yes, please provide details of the existing consents:
(e.g. CRC111000, discharge of dairy effluent etc.)

CRC 940431

1.6.2 List any other consents required from the Canterbury Regional Council and indicate whether they have been applied for:

1.6.3 Is this application for a:

- ☐ New activity ☒ Existing Activity
- ☐ Change of conditions for an existing consent

1.6.4 If it is a change of conditions to an existing consent, please supply the consent reference number(s) or consent holder's name (if different from current applicant's name) and which conditions you wish to change:

2 PRE-APPLICATION ADVICE

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

☒ Yes ☐ No

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

E.g. RMA165897. This number should be provided to you by the Consents Planner or Customer Services.

RMA210756

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

Type of advice	Brief details, including who provided the advice and the date
<input checked="" type="checkbox"/> Meeting(s)	Preapplication meetings with R McLintoch & PDP (15/10/21) and L Kamali & PDP (12/07/21)
<input type="checkbox"/> Verbal advice	
<input checked="" type="checkbox"/> Written advice	Response to drafted conditions
<input type="checkbox"/> Other (e.g. submitted draft application / AEE)	

3 DESCRIPTION OF THE PROPOSAL

Please describe fully the proposal for which consent(s) are being sought. Include details of activities associated with the proposal to which this application relates. Attach additional information as necessary – for example plans, diagrams etc. that will help to describe the activity.

See application documents

4 LEGAL AND PLANNING MATTERS

4.1 What type(s) of resource consent(s) are you applying for?

<input type="checkbox"/>	Coastal Permit (s12 of the RMA 1991)	<input type="checkbox"/>	Place, alter or remove structure	<input type="checkbox"/>	Disturb foreshore or seabed	<input type="checkbox"/>	Deposit substance
<input type="checkbox"/>	Reclaim or drain foreshore or seabed	<input type="checkbox"/>	Occupy coastal marine area	<input type="checkbox"/>	Remove natural material (e.g. sand)	<input type="checkbox"/>	Use water
<input type="checkbox"/>	Take surface water	<input type="checkbox"/>	Dam water	<input type="checkbox"/>	Diver water	<input checked="" type="checkbox"/>	Discharge contaminant to air
<input type="checkbox"/>	Discharge contaminant or water to water	<input type="checkbox"/>	Discharge contaminant to land	<input type="checkbox"/>	Other		
<input type="checkbox"/>	Land Use Consent						
	(s9 of the RMA 1991)		(s13 of the RMA 1991)				
<input type="checkbox"/>	Contaminant storage	<input type="checkbox"/>	High country burning	<input type="checkbox"/>	Earthworks	<input type="checkbox"/>	Vegetation clearance
<input type="checkbox"/>	Activity in coastal hazards zone	<input type="checkbox"/>	Fencing/grazing in waterway	<input type="checkbox"/>	Planting in waterway	<input type="checkbox"/>	Use, place, alter or remove structure in waterway
<input type="checkbox"/>	Disturb bed of waterway (incl. excavation of gravel)	<input type="checkbox"/>	Deposit substance in waterway	<input type="checkbox"/>	Reclaim or drain waterway	<input type="checkbox"/>	Place a structure within 8 meters of a waterway
<input type="checkbox"/>	Excavation of land	<input type="checkbox"/>	Other				
<input type="checkbox"/>	Water Permit (s14 of the RMA 1991)						
<input type="checkbox"/>	Take groundwater	<input type="checkbox"/>	Take surface water	<input type="checkbox"/>	Dam water	<input type="checkbox"/>	Divert water
<input type="checkbox"/>	Use water						
<input type="checkbox"/>	Discharge Permit (s15 of the RMA 1991)						
<input checked="" type="checkbox"/>	Discharge contaminant to air	<input type="checkbox"/>	Discharge contaminant or water to water	<input type="checkbox"/>	Discharge contaminant to land		

4.2 Please classify the proposal against the relevant rule(s) in the relevant regional plan

4.2.1 Which regional plan does this activity fall under?

Canterbury Air Regional Plan, Regional Coastal Environment Plan

4.2.2 Please list the relevant rule(s) of this plan:

See application document

4.2.3 What is the status of this activity?

- ☐ Permitted ☐ Controlled ☐ Restricted Discretionary ☒ Discretionary
- ☐ Non-complying

4.3 Please provide a full assessment of the proposal against the above rule(s), including an assessment against each condition of the rule(s)

See application document

4.4 If you consider part of the proposal is a permitted activity, please provide a full assessment against the conditions of that rule (how do you comply with each condition?).

See application document

4.5 Please provide an assessment of the proposal against any relevant objectives, policies or other provisions of any National Policy Statements, Coastal Policy Statements, National Environmental Standards, the Canterbury Regional Policy Statement, Iwi Management Plan, and any other relevant plan or proposed plan.

See application document

4.6 The purpose of the Resource Management Act (1991) is to promote the sustainable management of natural and physical resources. Does your proposal meet the requirements of Part 2, Section 5 (view [here](#))?

☒ Yes ☐ No

PRINCIPLES

Matters of National Importance (section 6 - view [here](#))

Do you consider your proposed activity considers the Matters of National Importance?

☒ Yes ☐ No

Other Matters (section 7 - view [here](#))

Do you consider your proposed activity considers Other Matters?

☒ Yes ☐ No

Treaty of Waitangi (section 8 – view [here](#))

Do you consider your proposed activity considers the principles of the Treaty of Waitangi?

☒ Yes ☐ No

4.7 Please provide an assessment of the proposal against any relevant objectives, policies or other provisions of any National Policy Statements, Coastal Policy Statements, National Environmental Standards, the Canterbury Regional Policy Statement, Iwi Management Plan, and any other relevant plan or proposed plan.

See application document

5 CONSULTATION AND WRITTEN APPROVAL OF AFFECTED PERSONS

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

Ngāi Tahu in Canterbury

Te Rūnanga o Ngāi Tahu is the statutory authority representing iwi members and includes ten local rūnanga within Canterbury, known as Papatipu Rūnanga. 'Papatipu' refers to ancestral land. Local rūnanga have the status of mana whenua with kaitiaki status (guardianship) over land and water within their takiwā (territory).

Depending on where the activity is to occur within Canterbury, the values of one or more Papatipu Rūnanga may be affected. Iwi interests as a whole may also be affected where an activity is to occur within, adjacent to, or affecting an area recognised in the Ngāi Tahu Claims Settlement Act 1998 as a Statutory Acknowledgement area. In those circumstances, Te Rūnanga o Ngāi Tahu will be involved in management of the area.

For assistance with answering the below questions, please refer to our webpage [Ngāi Tahu and the consent process](#).

Have you consulted with the Papatipu Rūnanga and/or Te Rūnanga o Ngāi Tahu? ☒ Yes ☐ No

If 'Yes', please state who you have consulted with and attach any evidence of your consultation, including any written approvals for this application:

Note: Ngāi Tahu as an iwi, and specifically Papatipu Rūnanga representing mana whenua, are considered an affected party where effects on cultural values are minor or more than minor, in accordance with Section 95E of the RMA. Environment Canterbury MUST notify an application if the adverse effects of your proposed activity on cultural values are determined to be minor or more than minor unless you have obtained the written approval of Papatipu Rūnanga and/or Ngāi Tahu for your proposal. Consultation before lodging your application is one of the best ways of identifying adverse effects.

Non-notified applications

Non-notified consents are for activities which have minor adverse effects on the environment. For your activity to be considered on a non-notified basis you must determine whether there are any persons potentially affected by your proposed activity and if there are, you must consult them and obtain their written approval (e.g., Iwi, Fish and Game Council, Department of Conservation, Owners of nearby structures/infrastructure (e.g. NZTA), Other consent holders, Neighbouring land owners and occupiers,. If you are unsure who may be an affected party, please call us. Non-notified consents are significantly cheaper and quicker to process.

Limited notified and fully notified applications

Notified consents (either limited notified or fully notified consents) are for activities which do not meet requirements in the RMA for processing on a non-notified basis.

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. This will 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)

Please provide any consultation details and written approvals obtained in the space provided below.

See application document

5.1 Consultation details

- 5.1.1 Have you consulted with iwi? ☒ Yes ☐ No
- 5.1.2 If yes, who did you consult? **TE HAPŪ O NGĀTI WHEKE**
- 5.1.3 Who else have you consulted? **See application document**
- 5.1.4 What was their response? **See application document**
- 5.1.5 How have you addressed any concerns they may have had? **See application document**

5.2 Written approval of affected parties

Have you obtained any written approvals from any persons for your proposed activity? ☐ Yes ☒ No

If yes, please give their details below. Please note that for us to accept the approvals they must each complete and sign the Written Approval of Persons Likely Affected – FORM8A, found [here](#). Please attach the completed forms to this application.

Name	Address	Contact details (phone, email etc)

6 ASSESSMENT OF ACTUAL & POTENTIAL EFFECTS OF THE PROPOSAL ON THE ENVIRONMENT

You must include an assessment of the effects of your proposal on the environment in this part of your application.

[Section 88](#) of the Resource Management Act 1991 requires that each application includes 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 [online](#) or 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. Please contact Customer Services with any questions on ecinfo@ecan.govt.nz or via phone on (03) 353 9007 or 0800 324 636 (0800 EC INFO).

For further assistance in preparing this assessment, you may find the Ministry for the Environment Publication "[A guide to preparing a basic assessment of environmental effects](#)" useful.

See application document

7 OTHER INFORMATION REQUIRED BY REGIONAL PLANS OR REGULATIONS

Regional plans or regulations may specify other information that must be provided as part of your application. Please provide this information here.

See application document

8 OTHER INFORMATION

8.1 Duration requested

8.1.1 Please specify the duration sought for your consent(s):

20 years 0 months.

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

8.2 Start date

Note: 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 prior to the lapse date.

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

NA as is an existing activity so is already occurring

8.3 Additional notes to applicants

- 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).
- 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.
- 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 consider any concern you wish to raise.

Please describe any concerns here:

None

8.4 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.

9 APPLICANT SIGNATURE AND DATE

I/we **have read** all of the information on this application form and I understand all of the notes and I understand 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.

I/we **also agree** to advise Environment Canterbury if any of my/ our contact details change.



16/08/21

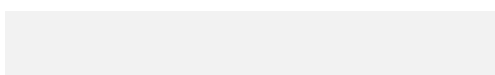
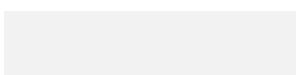
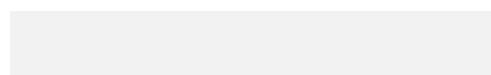
Kim Kelleher

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

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.

10 CONSULTANT SIGNATURE AND DATE



16/08/21

Gareth Taylor

Signature of **consultant**

Date

Full name of person signing – please print

CHECKLIST

Please ensure you:

- ☒ Complete all parts of this application form.
- ☒ Include an assessment of effects of the activity on the environment, set out in Section 6 of this application form.
- ☒ 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 (both applicant and consultant if one is used).
- ☒ Include the appropriate initial fixed charge as set out [here](#)
- ☒ Consider consulting local Rūnanga if your proposed activity occurs:
 - (a) Within a statutory acknowledgement area
 - (b) Within a silent file area
 - (c) Close to a site of cultural significance, or
 - (d) Otherwise affects a site of cultural significance.

11 LOCATION PLAN

Please complete this plan showing the site with the location of the proposed activity and indicate any relevant identifying features such as buildings, roads, rivers, etc. or other relevant details, or alternatively, attach a plan or map to this consent application. <http://canterburymaps.govt.nz/> is a good tool to utilise when applying for a resource consent.

See application documents

