

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 deposit charge specified in the "Summary of Resource Consent Charges" or 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. 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 deposit	Rangitata Diversion Race Management Limited
Method of payment: cheque/internet banking/paid in person at Environment Canterbury office	Internet Banking
Date payment is made	
Payment reference e.g. applicant name	RDRML

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.**

FOR OFFICE USE ONLY

Receipt number:

Charges paid:

CRC:

1 APPLICATION DETAILS

Please complete all questions and sign and date the form.

1.1 Applicant(s) details

Surname:		First names (in full):	Mr
Surname:		First names (in full):	Mr
OR Registered Company name and number:		Rangitata Diversion Race Management Limited #394028	
Postal address:	18 Kermode Street, Ashburton	Postcode:	7740
Billing address (if different):		Postcode:	
Phone (home):		Phone (work):	
Cell phone:	021 893 944	Email address:	ben@rdmrl.co.nz
Contact person:	Ben Curry		

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:	Gavin Kemble	Company:	Ryder Consulting Limited
Postal address:	PO Box 13009, Tauranga	Postcode:	3141
Phone (work):	07 571 8289	Cell phone:	0274 377 613
Email address:	g.kemble@ryderconsulting.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 land owner or they may be considered an affected party.)

Owner:		Phone:	
Postal address:		Postcode:	
Occupier:		Phone:	
Postal address:		Postcode:	

1.4 Location of the proposed activity

Site address:	906 Shepherds Bush Road and 108 Klondyke Terrace, Ashburton District.		
Locality (City/District):	Ashburton District	Map reference NZTM:	X: 1,461,626 mE; Y: 5,143,556 mN
Area of property (ha):	500ha+	Legal description:	Lot 2 DP482124, Pt Lot 1 DP2767, RS36179, Res 1002, Lot 3 DP677665, Lot 1 DP482124, Section 1 SO7312, Lot 4 DP482124, Section 1 SO15627, Pt Lot 1 DP3403 and Pt Lot 1 DP2768

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

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

☒ Yes ☐ No

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

1.5.3 **If yes**, please list:

Landuse consent

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

☒ Yes ☐ No

1.5.5 **If yes**, what is the consent number and status?

Lodged

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

refer attached documents

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

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

Abstraction of Water from the Rangitata River: Active (CRC011237) -No changes proposed to this consent.

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.

2.3 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 type="checkbox"/> Meeting(s)	
<input checked="" type="checkbox"/> Verbal advice	
<input checked="" type="checkbox"/> Written advice	
<input checked="" 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.

The Proposal involves seven separate components, being:

1. The additional abstraction of up to 10 cubic metres per second from the Rangitata River, when the River is flowing at greater than 140 cumecs. While this flow can be abstracted via the RDR's existing intake at Klondyke, localised widening and raising of the canal embankments is needed. The area of the RDR affected by the proposed works is, in broad terms, from the Klondyke intake to the proposed water storage facility (hereafter referred to as 'the Site').
2. The replacement of the existing 'BAFF' fish screen with a fixed screen / gallery (hereafter referred to as the 'Fish Screen'). Associated works include the disestablishment of the BAFF fish screen and its associate 'fish return channel', and the construction of a new fish return channel.
3. The construction and operation of a substantial water storage facility, including a new spillway / sluicing channel back to the Rangitata River.
4. The construction and operation of a white water course ('WWC'), in the form of a standing wave feature, with the associated amenities.
5. The 'removal' of Shepherds Bush Road (hereafter referred to 'SBR'), and its reestablishment further to the South.
6. Modifications to a series of intersections on the expected transportation routes for vehicles involved in the construction of the five preceding components.
7. The establishment of a lizard sanctuary ('LS'), three landscaped buffers (which will include native plantings) and a wetland.

4 LEGAL AND PLANNING MATTERS

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

☐ Coastal Permit (s12 of the RMA 1991)

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Reclaim or drain foreshore or seabed | <input type="checkbox"/> Place, alter or remove structure | <input type="checkbox"/> Disturb foreshore or seabed | <input type="checkbox"/> Deposit substance |
| <input type="checkbox"/> Planting foreshore or seabed | <input type="checkbox"/> Occupy coastal marine area | <input type="checkbox"/> Remove natural material (eg sand) | <input type="checkbox"/> Use water |
| <input type="checkbox"/> Take surface water | <input type="checkbox"/> Dam water | <input type="checkbox"/> Divert water | <input 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 | |

☒ Land Use Consent

- | | | | |
|--|---|--|---|
| <input checked="" type="checkbox"/> s9 of the RMA 1991 | <input checked="" type="checkbox"/> s13 of the RMA 1991 | <input checked="" type="checkbox"/> Earthworks | <input checked="" type="checkbox"/> Vegetation clearance |
| <input type="checkbox"/> Contaminant storage | <input type="checkbox"/> High country burning | <input type="checkbox"/> Planting in waterway | <input checked="" type="checkbox"/> Use, place, alter or remove structure in waterway |
| <input type="checkbox"/> Activity in coastal hazards zone | <input type="checkbox"/> Fencing/grazing in waterway | <input type="checkbox"/> Reclaim or drain waterway | <input checked="" type="checkbox"/> Place a structure within 8 metres of a waterway |
| <input checked="" type="checkbox"/> Disturb bed of waterway (incl. excavation of gravel) | <input checked="" type="checkbox"/> Deposit substance in waterway | | |
| <input checked="" type="checkbox"/> Excavation of land | <input type="checkbox"/> Other | | |

☒ Water Permit (s14 of the RMA)

- | | | | |
|---|--|------------------------------------|---------------------------------------|
| <input type="checkbox"/> Take groundwater | <input checked="" type="checkbox"/> Take surface water | <input type="checkbox"/> Dam water | <input type="checkbox"/> Divert water |
| <input type="checkbox"/> Use water | | | |

☒ Discharge Permit (s15 of the RMA)

- | | | |
|---|---|---|
| <input type="checkbox"/> Discharge contaminant to air | <input checked="" type="checkbox"/> Discharge contaminant or water to water | <input checked="" 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?

Natural Resources Regional Plan, Land and Water Regional Plan, Plan Change 4 - Land and Water Regional Plan, Proposed Canterbury Air Regional Plan

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

[refer attached documents](#)

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)

[Please refer attached documents](#)

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?).

[Please refer attached documents](#)

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.

[Please refer attached documents](#)

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

4.7 Matters of National Importance (section 6 - view [here](#))
Do you consider your proposed activity takes into account the Matters of National Importance?

☒ Yes ☐ No

4.8 Other Matters (section 7 – view [here](#))
Do you consider your proposed activity takes into account Other Matters?

☒ Yes ☐ No

4.9 Treaty of Waitangi (section 8 – view [here](#))
Do you consider your proposed activity take into account the principles of the Treaty of Waitangi?

☒ Yes ☐ No

4.10 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.

[Please refer attached documents](#)

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 more detail on Ngāi Tahu and assistance with answering the question below, please refer to the booklet titled [Ngai Tahu in the Resource Consent Process](#) which is also available from our Customer Services Section. You may also find our webpage [Engaging with Ngai Tahu](#) useful.

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 Ngai 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.

5.1 Consultation details

☒ Yes ☐ No

- 5.1.1 Have you consulted with iwi?
 5.1.2 If yes, who did you consult?
 5.1.3 Who else have you consulted?
 5.1.4 What was their response?
 5.1.5 How have you addressed any concerns they may have had?

Please refer attached documents

5.2 Written approval of affected parties

If you have obtained the signature of affected persons please give their details below. Please note that for us to accept the approvals they must each complete and sign form [CON510](#). 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.

Please refer attached documents.

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.

Assessment of the Rangitata Water Conservation Order

8 OTHER INFORMATION

8.1 Duration requested

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

35 years 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?

within the proposed lapse period of 35 years (date/month/year)

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 take into account any concern you wish to raise.**

Please describe any concerns here:

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 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.

<div></div>	<div></div>	<div>Ben Curry, Rangitata Diversion Race Management Limited</div>
<i>Signature of applicant</i>	<i>Date</i>	<i>Full name of person signing – please print</i>
or Duly Authorised Person		
<div></div>	<div></div>	<div></div>
<i>Signature of applicant</i>	<i>Date</i>	<i>Full name of person signing – please print</i>
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

<div></div>	<div></div>	<div>Gavin Kemble, Ryder Consulting Ltd</div>
<i>Signature of consultant</i>	<i>Date</i>	<i>Full name of person signing – please print</i>

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 charge as set out in the "Summary of Resource Consent charges".

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.

