

CON 509: APPLICATION FOR A RESOURCE CONSENT UNDER THE RESOURCE MANAGEMENT ACT 1991

TO USE LAND FOR A FARMING ACTIVITY WITHIN THE SELWYN - TE WAIHORA CATCHMENT WHERE A PROPERTY NITROGEN LOSS IS GREATER THAN 15 KG PER HECTARE PER ANNUM OR FOR A FARMING ENTERPRISE

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 or Farming Enterprise is located within the Selwyn -Te Waihora Catchment;
- The proposal cannot meet Rule 11.5.8 of the Canterbury Land & Water Regional Plan;
- The current and proposed nitrogen loss for a Property exceeds 15 kg per hectare per annum; or
- The Farming Enterprise is proposed to be managed under one Farm Environment Plan; and
- A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A.

If applying for a 'Property' and you meet these criteria then your application will be processed as a controlled activity under Rule 11.5.9 and cannot be declined. Farming activities who wish to manage several properties together as a Farming Enterprise will be treated as discretionary activities under Rule 11.5.11.

Note: A 'Property' is defined in the Canterbury Land and Water regional plan as any contiguous area of land, including land separated by a road or river, held in one or more than one ownership that is utilised as a single operating unit, and may include one or more certificates of title.

A 'Farming Enterprise' is defined as an aggregation of parcels of land held in single or multiple ownership (whether or not held in common ownership) that constitutes a single operating unit for the purpose of nutrient management.

If you're nitrogen loss from your property is 15 kg per hectare per annum or less then please use Form 508. This form is not designed for Farming Enterprises with more than one Farm Environment Plan.

Please see Environment Canterbury's Website <http://ecan.govt.nz/services/resource-consents/Pages/forms-booklets.aspx> to obtain copies of these forms or call customer services on 0800 324 636 or toll free on 0800 324 636.

For further information on Selwyn -Te Waihora Catchment farming activity rules see the Canterbury Land & Water Regional Plan http://ecan.govt.nz/OUR-RESPONSIBILITIES/REGIONAL-PLANS/LWRP/V1/Pages/understanding_variation_1.aspx

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

- A Farm Environment Plan;
- Overseer files (or information from a model approved by the Chief Executive of Environment Canterbury that shows the inputs and the amount of nitrogen lost to water) for the baseline period (xml files); and
- You have read the Industry-Agreed good management practice for water quality http://www.ecan.govt.nz/publications/General/Industry_Agreed_GMPs_A5_Version2_Sept2015_FINAL.pdf

See <http://ecan.govt.nz/our-responsibilities/regional-plans/lwrp/Pages/understanding-lwrp.aspx> for information on preparing a Farm Environment Plans or a Nitrogen Baseline Overseer files (or information from a model approved by the Chief Executive of

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 "Selwyn Te Waihora Farming Activities" 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 11.5.9 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 5
- ☐ Using your Farm Environment Plan as part of your application (Section 3) Page 5
- ☐ Description of the activity and site (Section 4) Page 6
- ☐ Planning Assessment (Section 5) Page 8
- ☐ Assessment of actual and potential effects on the Environment [AEE] (Section 6) Page 8
- ☐ Consultation (Section 7) Page 13
- ☐ Signatures (Section 8) Page 15

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® or an alternative model approved by the Chief Executive of Environment Canterbury file(s) for the baseline period (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.

- ☐ 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 1:		Phone:	
Postal address:		Postcode:	
Occupier:		Phone:	
Postal address:		Postcode:	

Owner 2:		Phone:	
Postal address:		Postcode:	
Occupier:		Phone:	
Postal address:		Postcode:	
Owner 3:		Phone:	
Postal address:		Postcode:	
Occupier:		Phone:	
Postal address:		Postcode:	
Owner 4:		Phone:	
Postal address:		Postcode:	
Occupier:		Phone:	
Postal address:		Postcode:	

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3 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:

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)	

4 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

If you would like to use your Farm Environment Plan as part of your application but are concerned about content with personal details or commercially sensitive information you may request that type of information be redacted. Please identify what content you would like redacted and the reasons below.

Note: Redacting is a form of editing text so that it cannot be viewed by the public. The time spent to redact information may result in an additional cost to process your application.

5 DESCRIPTION OF THE ACTIVITY AND SITE

5.1 This application is for:

☒ Land Use Consent (s9 of the RMA 1991) in accordance with Rule 11.5.9 or 11.5.11 of the Land & Water Regional Plan.

Please confirm you meet the following:

1. The nitrogen loss for your current and/or proposed land use on the Property is greater than 15 kgN/ha/yr; and/or	<input type="checkbox"/> Yes
2. You are applying for a Farming Enterprise and it will be managed under one Farm Environment Plan.	
3. A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A.	<input type="checkbox"/> Yes
4. The land that was not irrigated prior to January 2015 is not supplied with water from Central Plains Water.	<input type="checkbox"/> Yes

5.2 Duration of resource consent being applied for:

Please state the duration sought for your resource consent.	years.	months.
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5.3 Site of the proposed activity

Site address:

Locality (City/District):

Area of property (ha):

<input type="checkbox"/> Selwyn District Council; or	Map or GPS reference NZTM (if known):	
<input type="checkbox"/> Christchurch City Council		
	Legal description:	

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.

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

Note: you will only need to complete fields 4.6 and 4.7 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 or related permitted activities. 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.

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

4.6 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/understanding-lwrp.aspx>

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6 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"/>

7 ASSESSMENT OF ACTUAL AND POTENTIAL EFFECTS ON THE ENVIRONMENT

7.1 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):

7.2 Quality, Compliance and Auditing of your Farm Environment Plan

7.2.1 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/understanding-lwrp.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 11.5.11 and you will need to use application form CON499 at <http://ecan.govt.nz/services/resource-consents/Pages/forms-booklets.aspx>.

7.2.2 Farm Environment Plan Auditing

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

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

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

7.3 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:

7.4 Nitrogen Loss Management

7.4.1 Nitrogen Baseline Information

Please fill out the table below and supply Overseer files (preferably xml files) or an alternative 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 OVERSEER® files (or information from a model approved by the Chief Executive of Environment Canterbury that shows the inputs and the amount of nitrogen lost to water) for your Current or Proposed Nitrogen Loss were created or last updated.

Date:

Note: Nitrogen Baselines prepared using older versions of OVERSEER® will be accepted, although they will be required to be updated to the current version as part of the Farm Environment Plan auditing process once the consent is granted.

Was your OVERSEER® prepared in accordance with the [OVERSEER Input Standards](#)

☐ Yes

☐ No

If **No**, why not?

6.4.2 Nitrogen Discharge Limit

In the Selwyn Te Waihora catchment from 2017 the rate of nitrogen loss from a property needs to be consistent with good management practice for the property's baseline land use. From 2022 further reductions apply. In order to ensure that these limits are met:

Do you agree to:

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

☐ Yes

☐ No

If **No**, why not?

Note: The above approach assumes that your farming practices, as modelled for your Nitrogen Baseline, are consistent with the industry-agreed good management practices relating to water quality:

http://www.ecan.govt.nz/publications/General/Industry_Agreed_GMPs_A5_Version2_Sept2015_FINAL.pdf.

If the farming practices in your Nitrogen Baseline are inconsistent with these practices, then your Nitrogen Baseline file(s) will need to be adjusted either prior or during the consent process to reflect good management practice

2. From 1 January 2022, do you agree to a Nitrogen Discharge Limit to reduce nitrogen loss below your Nitrogen Baseline by the following percentages?

30% for dairy

22% for dairy support

20% for pigs

5% for irrigated sheep, beef or deer

2 % for dryland sheep, beef or deer

7% for arable

5% for fruit, viticulture or vegetables

0% for any other land use

☐ Yes

☐ No

If **No**, why not?

6.5 Phosphorus and Sediment Management

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 identified good management practices to minimise the discharge of phosphorus and sediment to water 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 outline the practices you propose to use below (or attach):

Please only complete question 6.6 below if you are applying for a farming enterprise consent

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

7.4.2 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 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/maps-apps> to find information on these sites or areas. Search "Selwyn Te Waihora Farming Activities"

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).

Please only complete question 6.7 below if any part of your property or farming enterprise is within the Cultural Landscape/Values Management Area.

Please refer to the following link and search for "Selwyn Te Waihora Farming Activities" to access geographical information and data to assist you with establishing whether your property or farming enterprise is within the Cultural Landscape/Values Management Area or contains a known wāhi tapu or wāhi taonga sites <http://canterburymaps.govt.nz/maps-apps>.

7.5 Cultural Landscape/Values Management Area

7.5.1 Known wāhi tapu or wāhi taonga sites

Does any part of your property or farming enterprise contain a known wāhi tapu or wāhi taonga site?

☐ Yes ☐ No

Please outline your proposed practices or actions to protect these site below (or attach):

7.5.2 Mahinga kai and management of waterways and drains

Do you agree to the following additional objective being addressed as part of your Farm Environment Plan? If you accept this, it will be audited as one component of your Farm Environment Plan.

Objective 2: To protect mahinga kai and manage waterways and drains recognising their cultural and ecological sensitivity to discharges of contaminants within the Cultural Landscape Values Management Area

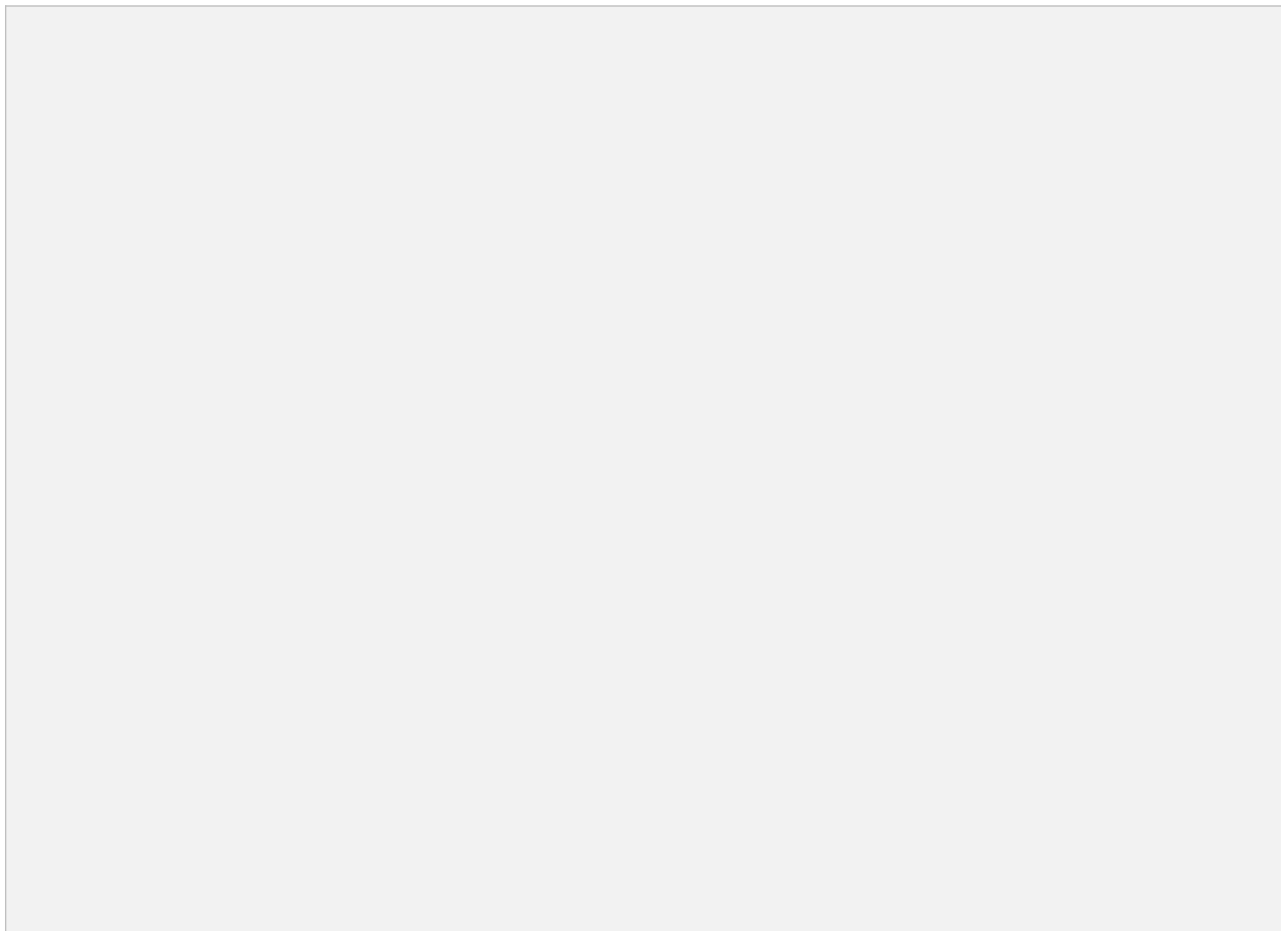
Targets:

- (1) Mahinga kai values are protected by implementing all other Farm Environment Plan Objectives and Targets taking mahinga kai values into account.
- (2) Mahinga kai species and habitats are protected when waterway (including drain) management and vegetation clearance occurs.
- (3) Mahinga kai habitats and species are sustained through management of remnant native vegetation and wetlands.
- (4) Properties within Selwyn District Council Drainage Scheme comply with any District Council Discharge of Land Drainage Water resource consent.

☐ Yes

☐ No

If **No**, how do you intend to demonstrate how you will protect mahinga kai and manage waterways and drains and the cultural and ecological sensitivity of the Cultural Landscape/Values Management Area?



8 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 consider the following.

Have you recently or do you propose to change your farming activity in a way that could affect any party (e.g. impact on a drinking water bore)?

☐ Yes

☐ No

If any part of your property or farming enterprise is within the Cultural Landscape Values Management Area and:

a. you have any known wāhi tapu or wāhi taonga sites within your property or farming enterprise; or

b. You have indicate no to question 6.7.2;

then rūnanga may be considered an affected party.

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

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.

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>

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

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.

9 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**

or Duly Authorised Person

Date

Full name of person signing – please print

Signature of **applicant**

or Duly Authorised Person

Date

Full name of person signing – please print

Signature of **applicant**

or Duly Authorised Person

Date

Full name of person signing – please print

Signature of **applicant**

Date

Full name of person signing – please print

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.
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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:

