

Application For Resource Consent to Erect a Structure, Occupy or Disturb the Coastal Marine Area (Coastal Permit)

To: Co-ordinator Customer Services
Tasman District Council
Private Bag 4
Richmond 7050

FOR OFFICE USE ONLY

Consent No: _____

Fee: _____

Customer No: _____

Please ensure that you read the notes at the end of this form.

PART A: Contact Details

Pursuant to Section 88/127 of the Resource Management Act 1991, the undersigned hereby applies for a coastal permit in accordance with the details below:

1.* Applicant(s) Details

Company Name: *(if applicable)* _____

Name(s):

| | |
|---------------|----------|
| First Name(s) | Surname: |
| First Name(s) | Surname: |
| First Name(s) | Surname: |
| First Name(s) | Surname: |

Contact Person Details *(if applicable)*

Name of Contact Person: _____

Postal Address: _____

Street Address: *(if different from above)* _____

Phone Number:

Business: _____ Private: _____

Mobile: _____

Email Address: _____

2. Consultant/Agent Details *(if applicable)*

Consultant/Agent Name: _____

Postal Address: _____

Phone Number:

Business: _____ Private: _____

Mobile: _____

Name of Contact Person: _____

Email address: _____

3. All correspondence relating to this application should be sent to: *(tick one only)*

Applicant Consultant/Agent Other *(specify)*

4.* Application type: Indicate whether this application is for: *(tick one)*

- a. A new coastal permit
 b. A replacement for an expiring/expired coastal permit
 c. A change to the conditions of a current coastal permit

If you have ticked b or c, give the reference number and description (purpose and quantities) of the expired or current permit

5. List any other consents required in relation to this proposal and indicate whether or not they have been applied for or granted (e.g. a discharge consent or water permit).

PART B: Description of Proposal

1.0 Site Details

a. Location

b. Map Reference of Site (Use WGS 84 DDM)

c. Name of rivermouth, estuary, beach, harbour etc if relevant

d.* Please provide a map (either photocopy of a marine chart or an accurate plan drawn to scale) showing the location and area of the works/structure/activity, and depth relative to chart datum.

Note: Please provide three copies of location and design plans.

2.0 Description of Proposed Works/Structure/Activities *(Works/Construction/Activity per Section 12 or 12 A RMA)*

a. Specify/describe the type of works/structures proposed (eg marine farm, jetty, ramp, mooring etc)

b. Indicate whether the proposed works/structures etc are:

- a new development
 in connection with structures/works already in existence

If in connection with structures/tanks already in existence, please state:

Coastal Permit No.

Name of Permit Holder:

Date of Construction:

c. Please provide detailed plans/cross sections of the proposal.

- alteration/maintenance of existing work/structure/activity

d. How long will it take to complete the proposed from the date of commencement?

Will works be completed in stages?

- Yes No

If **yes**, please give details:

e. Will public access to and along the coastal marine area be affected during construction?

Yes No

If **yes**, give details of the degree of effect and actions that will be taken to minimise the impact during the construction period.

f. Please supply a site plan indicating the location of the activity in relation to common routes and random vessel movements (eg recreational boating). Provide details on how the works/structure will be marked eg lighting, poles, buoys etc.

g. Provide details of any other fixtures to be attached to the works/structures eg lights, signs, additional sheds building etc

2.1 Occupation (Section 12(2) RMA)

a. Specify whether the proposal involves occupation of space within the coastal marine area and if so the period which such occupation is sought.

b. Indicate whether the proposed works/occupation is for

Private Commercial Public Use

c. Will members of the public be able to:

Move over or under the structure/work or area to be occupied in order to gain access to/from and along the coastal marine area?

Yes No

If **yes**, please give details of how this is provided:

Will members of the public be able to:

Use the structure? For example, use a boat ramp to access the coastal marine area or use a jetty for the purposes of accessing adjacent beach or land (where applicable)?

Yes No

d. Describe any proposed limitations on public access or use of the area, and/or the structure and the reasons for requesting any such access or use limitations on members of the public

2.2 Activities (Section 12(3) RMA)

a. Please describe the purpose for which the work or structure is required (eg clubhouse, recreational berthage, servicing of vessels etc) and the period required. If no work or structure is proposed please describe the use for which occupation of the coastal marine area is sought (eg a special maritime event), and the period of time required.

Part C: Assessment of Environmental Effects

Section 88 of the RMA 1991 requires that an application for a coastal permit include an assessment of any actual or potential effects that the activity may have on the environment and the ways in which any adverse effect may be mitigated. A consent application will not be accepted if an Assessment of Environmental Effects (AEE) is not attached.

The AEE shall be in such detail as corresponds with the scale and significance of the actual or potential effects that activity may have on the environment and is required to be prepared in accordance with the Fourth Schedule of the RMA.

The Fourth Schedule of the RMA identifies the components that an Assessment must include.

These are:

- a description of the proposal;
- where it is likely that an activity will result in any significant adverse effects on the environment, a description of possible alternative locations or methods for undertaking the activity;
- an assessment of the actual or potential effects of the activity on the environment;
- a description of mitigation measures to be undertaken to help prevent or reduce the actual or potential effects;
- an identification of those persons interested in or affected by the proposal, the consultation undertaken, and any response to the views of those consulted;
- where the scale or significance of the activity's effect are such that monitoring is required, a description of how the effects will be monitored and by whom.

An AEE should be prepared and submitted as part of the application. This assessment should be presented in a report form with the appropriate level of technical information included.

The Consent Planner, Coastal is available to discuss your proposal and to give guidance in terms of the level of information required.

1 As a general guide, the AEE should include the following: Coastal permits for disturbance, structures or occupation:

- a) A description of the habitats, ecology and species that are likely to be affected by the proposed activity, and what those effects are likely to be.
- b) The visibility of all parts of the activity, including buoys, light, floats, piles, cages, racks, impoundments, and other structures or associated craft; and
 - (i) from the shore, especially from public reserves and scenic areas but also residential areas or other occupied coastal areas:
 - (ii) to other users of the sea, including users for navigational, recreational, historical or commercial purposes.
- c) Effects of the activity on areas of natural character and on landscape, recreational, historical, cultural, amenity or heritage values.
- d) Effects of the activity on other activities occurring in the locality, including commercial and recreational fishing activities.
- e) Water quality requirements for the activity and likely impacts of the activity on water quality.
- f) The use or possible discharge of any contaminant or hazardous substance from the site or activity.
- g) Structural integrity, taking into account the range of weather and sea conditions experienced at the site.
- h) Noise likely to be generated by the activity.
- i) Odour likely to be generated by the activity.
- j) Effects of the activity on coastal processes or likely effects of coastal processes on the activity.
- k) The timing, duration, or frequency of the activity including any preparation or construction phase, and the continuing operation of the activity.
- l) The effect of the activity on public access to and in the coastal marine area.
- m) People identified as being likely to be adversely affected by the proposed activity, the results of any consultation undertaken, and any written approval given by any adversely affected person.
- n) Methods proposed to manage any adverse effects of the activity.
- o) Any other consents or authorisations required, whether under the RMA or any other legislation.

2 Coastal permits for Spat-catching and Mussel Farming:

Applicants for coastal permits for spat catching and mussel farming must submit information on the following matters:

- a) A description of the proposed activity, including:
 - (i) site identification (latitude and longitude) and the location of monitoring control sites;
 - (ii) species, method, structures and equipment; and
 - (iii) site plan and development programme, including intensity of structures placement.
- b) A description of the hydrodynamic and hydrographic properties of the site and its vicinity, including:
 - (i) water depth;
 - (ii) current velocities, over at least one neap/spring tide cycle, and their ability to:
 - replenish the site with nutrients;
 - disperse material released from the farmed stock;
 - (iii) temperature;
 - (iv) salinity;
 - (v) density;
 - (vi) stratification of any of the above parameters;
 - (vii) general water quality, including the influence of rivers and discharges from land; and
 - (viii) wind and wave conditions.
- c) A description of the spatial variation of phytoplankton biomass within the application area and at the proposed monitoring control sites.
- d) A description of benthic habitat characteristics and variability within the application area and at the proposed monitoring control sites including:
 - (i) substrate characteristics:
 - sediment size, type and variability; and
 - whether it is typical, unusual or rare.
 - (ii) epifauna and infauna:
 - distribution and relative abundance of species;
 - dominant or characteristic species;
 - vulnerable species or species under stress; and
 - species of particular ecological value.
- e) A description of effects of the activity, particularly:
 - (i) phytoplankton depletion;
 - (ii) deposition of onto seabed; and
 - (iii) effects on habitat and species.including an assessment of the extent to which effects are likely to occur beyond the application site.
- f) A description of a monitoring and review process appropriate to mussel farming and to the nature of the site, taking into account any prior use of the site for aquaculture activities.
- g) A description of the ways in which the activity will effect Treaty of Waitangi values (except for applications for spat catching as a controlled activity).
- h) Where an application is for a site that is being used or has previously been used for aquaculture, the application must include a description of any change in site characteristics from those described in the previous application.

Part D: Consultation

An AEE should include an identification of those persons interested or affected by the proposal, the consultation undertaken, if any, and any response of those consulted. Consultation with other parties who may be adversely affected by your intended activity is an important part of applying for a resource consent under the RMA 1991.

Interested parties may include adjacent neighbours, local iwi, the Department of Conservation, District or City Council and any other users of the area.

If any person(s) consulted has raised concerns in respect of the proposal, please outline within the AEE the nature of the concerns raised and attach any relevant correspondence from those persons. Please also outline any response to design modifications made as a result of consultation.

List below those parties consulted, their address and/or phone number, any concerns they have expressed and your response to this (attach additional list and/or supporting information where appropriate).

| | | |
|-----|-----------------|----------|
| 1.* | Name: | Address: |
| | _____ | _____ |
| | _____ | _____ |
| | Position: | _____ |
| | _____ | |
| | Their concerns: | _____ |
| | _____ | |
| | Your response: | _____ |
| | _____ | |
| | _____ | |
| 2. | Name: | Address: |
| | _____ | _____ |
| | _____ | _____ |
| | Position: | _____ |
| | _____ | |
| | Their concerns: | _____ |
| | _____ | |
| | Your response: | _____ |
| | _____ | |
| | _____ | |
| 3. | Name: | Address: |
| | _____ | _____ |
| | _____ | _____ |
| | Position: | _____ |
| | _____ | |
| | Their concerns: | _____ |
| | _____ | |
| | Your response: | _____ |
| | _____ | |
| | _____ | |

Part E: Checklist

Have you remembered to?

- Fill in all parts of this form
- Include a location plan
- Enclose the required deposit fee
- Include an Assessment of Environmental Effects (AEE) and all relevant documents
- Include copies of written approvals from all affected parties
- Sign and date the application form

Completed

List any other supporting information supplied with this application eg photographs etc

Part F: Declaration

I hereby certify that, to the best of my knowledge and belief, the information given is true and correct.

I undertake to pay all actual and reasonable application processing costs incurred by Tasman District Council.

Signature of Applicant or Agent:

Date:

Name: *(block capitals)*

Designation: *(eg Owner, Manager, Consultant)*

Please attach your Deposit Fee payment to this application. Make cheques payable to Tasman District Council. Refer to the fee schedule for details.

Part G: Contact Details

1 Applicant(s) Details

A resource consent can only be held by a legal organisation or fully named individual(s). A legal organisation includes a limited company, incorporated group or a registered trust. If the application is not for one of the above, then you may use fully named individuals and the organisation name.

2 Consultant/Agent Details

If you are using a consultant/agent for this application, put their details here. If you are not, leave question 2 blank.

3 Correspondence

Do you want correspondence (letters/phone calls) to be sent to you or your agent?

4 Other Consents

If you are carrying out earthworks or building work you may need other consents from Tasman District Council.

2(e) Public Access

Preservation of the natural character of the environment and the maintenance and enhancement of public access to and along the CMA are recognised as matters of national importance by the RMA.

2.1 Occupation (Section 12(2) RMA)

Note: Any person wishing to occupy any part of the publicly owned CMA to the exclusion of other persons, where that occupation is reasonably necessary for a proposed activity, requires an occupation consent in terms of S12(2) of the RMA, unless that occupation is permitted by a rule in a Proposed Regional Coastal Plan.

For example, a wharf or jetty or other structure does involve such exclusive occupation, as would a special event for which organisers would expect to be able to exclude the general public from the area concerned. People exercising their public right of navigation are not occupying the CMA and this may extend to the ability to leave a vessel in one place for a temporary period.

The standard Tasman District Council occupation condition of consent specifies the extent to which a structure occupies coastal space. It does not exclude public from using a structure for access to, from, or along the foreshore.

Section 122(5) of the RMA stipulates that except to the extent that the coastal permit expressly provides otherwise and that it is reasonably necessary to achieve the purpose of the coastal permit, no coastal permit shall be regarded as an authority for the holder to occupy part of the publicly owned CMA to the exclusion of others.

It is therefore important that the applicant recognises the general policy of the RMA to secure rights of the public access and bring to the attention of the Tasman District Council any reason(s) why a modification of the provision should apply.

Part B Description of Proposal

1(d) When supplying the map the following should be clearly shown

- mean high water springs (MHWS)
- the location of any other structures (eg jetties, ramps, building, marine farms etc) or moorings in the vicinity
- orientation (ie North arrow) and scale
- type of marine habitat
- any key landmarks or historic sites
- any stream or rivers near to the site

2(b) Existing Structures

If the proposed structure or works relate to structures or works already in existence (eg a jetty extension) please provide the information requested.

PLEASE READ THESE PAGES BEFORE COMPLETING THIS APPLICATION FORM ADDITIONAL INFORMATION MAY BE REQUIRED

The Resource Management Act (1991)

This application is made pursuant to Section 88 of the Resource Management Act (RMA) 1991. For applications to erect structures, disturb or occupy the coastal marine area the RMA is concerned about sustaining the potential of natural and physical resources to meet the needs of future generations, safeguarding the life supporting capacity of the coastal marine environment and ecosystems, and avoiding, remedying or mitigating any adverse effects of activities on the environment.

Additional Information

This application form, when properly completed, should provide an adequate "Assessment of Environmental Effects" where the adverse effects of a proposal are not significant. Where effects are greater, more detail will be required. This additional detail should be provided in a supporting letter or report prepared by an appropriate specialist or consultant. Tasman District Council staff will be able to advise you on the nature of information required with respect to the scale of your proposed activity (Refer to Chapter 26 of the Tasman Resource Management Plan for more information).

Completing This Form

To ensure that you complete this application in full, please read the accompanying notes marked with * at the end of this document. These provide guidance on answering certain questions and indicate where additional information may be required. In providing as much information as possible at this stage you will reduce the likelihood of any delay in the processing of your application. However, once an initial assessment has been made of your application we may request further information.

Send the completed form, together with any additional information required, supporting documents and the correct deposit fee to the address shown over. Your application will not be accepted for processing until the correct information and deposit fee has been received.

If you have further queries, please phone 03 543 8400.

PLEASE READ THESE PAGES BEFORE COMPLETING THIS APPLICATION FORM

This application form is comprised of the following:

Part A: Applicant Contact Details

Part B: Description of Proposal

Part C: Assessment of Environmental Effects

Part D: Consultation

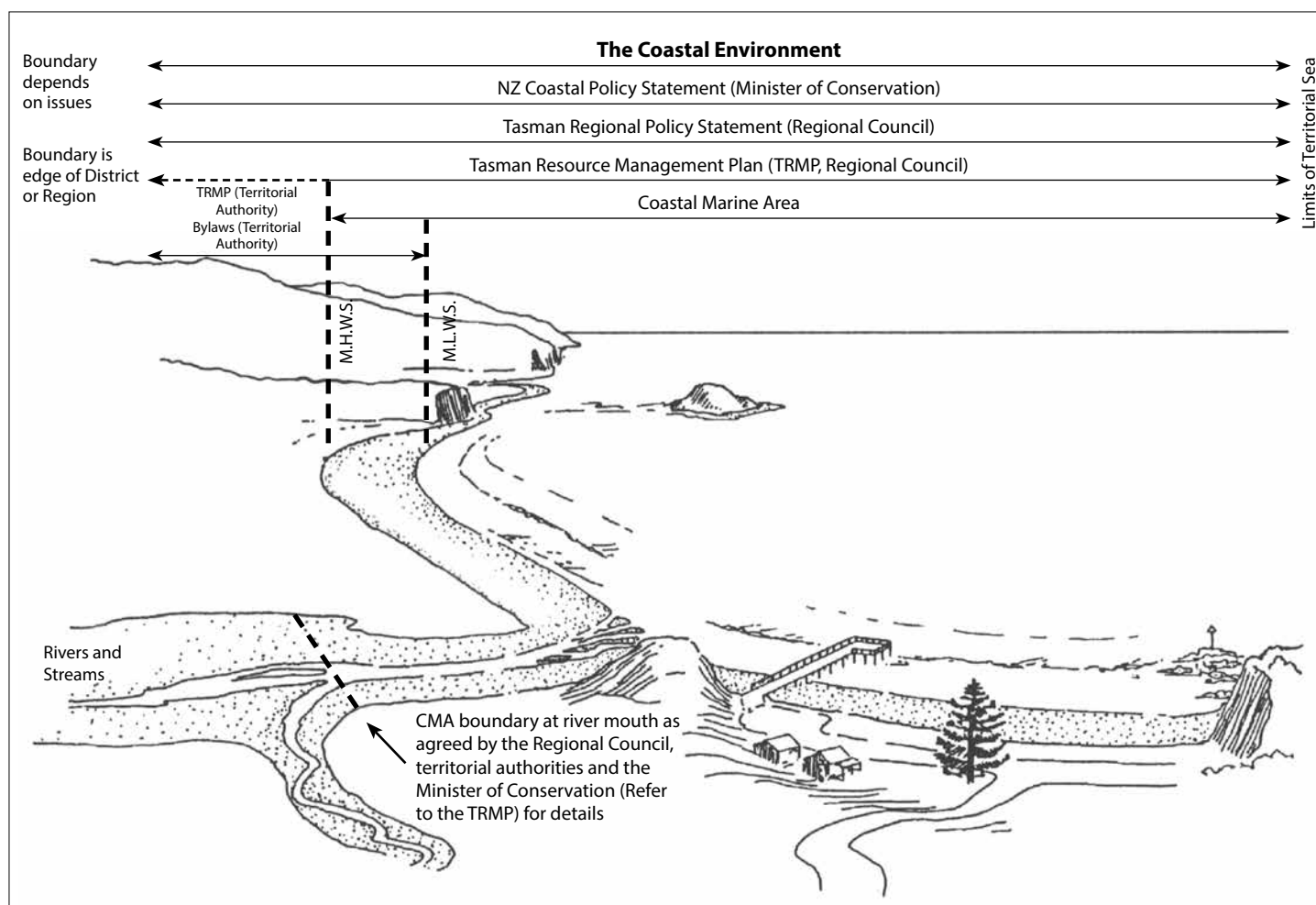
Part E: Checklist

Part F: Declaration

For questions marked you will find notes at the end of the document*

Do you need to make a Resource Consent (Coastal Permit) Application?

You may need a coastal permit (Section 12 RMA) if your proposed activity will occur within the coastal marine area. The Coastal Marine Area (CMA) includes the foreshore, the seabed, the sea surface, and the air above the sea from mean high water springs (MHWS) mark out to the 12 nautical mile limit.



Activities which may require a Resource Consent (Coastal Permit) include the following:

- Building or altering any structure on over the foreshore or seabed (eg marine farm, seawall, jetty, culvert, stormwater outfall, swing or pile mooring);
- Undertaking works which will alter the foreshore or sea or adversely affect marine plants or animals or their habitat (eg extracting sand, reclamation, dredging, disturbance, deposition of material);
- Occupying Crown land in the coastal marine area (with, for example, structures, moorings, special activities);
- Introducing or planting any exotic or introduced plant in, on, or under the foreshore or seabed; and/or
- Any other activity which is not permitted by the Proposed Tasman Resource Management Plan

Separate application forms should be used for any take, use, damming or diversion of any seawater (Section 14 RMA or Section 12, 12a or 12b RMA 1991), or discharge of contaminants or water into coastal marine area (Section 15 RMA).

PLEASE READ THESE PAGES BEFORE COMPLETING THIS APPLICATION FORM

Pre-application consultation

It should be noted that not all proposals involving the above activities require a coastal permit, either because the activities may be provided for as a permitted activity in the Proposed Tasman Resource Management Plan, or because the Resource Management Act 1991 makes specific provision for these activities (eg Section 20, transitional provisions of Part XV of the Act).

Before making an application, the applicant should discuss the proposal with the Consent Planner Coastal from the Environment and Planning Department to determine that a coastal permit is in fact required, and to ensure that all relevant issues and the required assessment of environmental effects are dealt with and included in the application. It is recommended that applicants familiarise themselves with the relevant provisions of the Proposed Tasman Resource Management Plan before finalising their coastal permit application.

Notes

1. The Consent Planner Coastal from the Environment and Planning Department is available to assist with any difficulties in filling out this form or to clarify information to include with your application.
2. Your application must be accompanied by the appropriate deposit fee as determined by Council. Processing of application will not commence until the appropriate fee is received.
3. It is Council policy to recover from the applicant(s) all actual and reasonable costs incurred in processing the application. If Council costs exceed the deposit you will be invoiced for the balance.
4. Annual administrative charges are payable on all coastal permits. A schedule of annual charges is available from Council and will specify the current charges for your proposed activity.
5. Copies of applications for coastal permits are usually forwarded to the Department of Conservation. Copies of applications for reclamations, structures, harbour works and the removal of material will be forwarded in accordance with the requirements of Section 395 of the RMA, to the Minister of Transport (Maritime Safety Authority), who will report to Council on any navigational matters. This may attract extra costs from the Minister of Transport and these costs will be invoiced directly.
6. Applications for reclamations must include information in accordance with Section 88(7) of the RMA, to show the area proposed to be reclaimed, including its size and location and the portion of that area (if any) to be set apart as an esplanade reserve.
7. Detailed plans of the proposal must be included with your application. Please provide one copy of the plans in A1 size (84cm x 60cm) and three reduced copies in A3 (42cm x 30cm).
8. The information provided in this application form and other documentation provided in support of your application will be used to process the coastal permit application. If insufficient information is provided, the application will either be considered to be incomplete and not accepted until necessary information is supplied, or processing of your application will be delayed until such time as all information requested to process your application is provided.
9. The information you provide with your application becomes public information. In particular, it may be viewed by persons or organisations who consider that they may be adversely affected by your proposal. Access to the information held by the Tasman District Council is administered in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993.
10. Applicants are referred to Chapter 26 of the Proposed Tasman Resource Management Plan which sets out the information requirements for coastal permit applications and Section 88(4) of the RMA and the Fourth Schedule of the RMA which details application requirements.



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