

Resource consent application – dairy support land Land use and discharge of contaminants

Application made under section 88 of the Resource Management Act 1991

Discretionary activity under regulation 23 of the National Environmental Standards for Freshwater 2020.

Read and complete this form. You must provide all the relevant information about your proposal.

When complete lodge it with us in person, by post, or by email to resourceconsentadmin@tasman.govt.nz

Help with this form

Check the information guide.

Use the guidance notes at the end of this form.

Our Council staff can help you.

We have a duty planner service to help you.

- email: info@tasman.govt.nz and include "NES freshwater" and "duty planner" in the subject line, or
- website: complete a contact form, and Include "NES freshwater" and "duty planner" in the subject, or
- phone: 03 543 8400 and ask for the duty planner - natural resources.

How much does this cost?

You must pay the required deposit when you lodge your application. To see the Tasman District Council's current schedule of charges - go to www.tasman.govt.nz and in the search box enter the keywords "consent fees"

What happens when you send us your application?

We will check it to make sure you have included everything.

If we need more information, we will let you know what else is needed.

1. Applicant details

Legal name

Email address

Post address

Phone

Is this the address for service?

yes - go to section 3

no - go to section

All invoices are made out to and sent to the applicant unless alternative name and address advised.
Email is the preferred address for service for the applicant or the agent

2. Consultant or agent details (address for service if not applicant)

Name

Email address

Post address

Phone

Are you the agent for the applicant? yes no – tell us your role

All invoices to be made out to and sent to this name and address: yes no

3. Application type

This application for dairy support land is for

a new consent

go to section 4

a new consent to replace an expiring consent

complete the details about your existing resource consent

a change to conditions of an existing consent

Existing resource consent

The consent number of the existing resource consent is

The existing resource consent's date of expiry is

4. Reason why resource consent is required

the land on the farm has not been used as dairy support land in the reference period
(does not comply with NES FW reg 22(3)(a) condition)

at all times, the area of the farm that is used as dairy support land exceeds the maximum area
that was used as dairy support land in the reference period
(does not comply with NES FW reg 22(3)(b) condition)

5. Other resource consents

Does your proposed dairy support land use activity need any other resource consents?

yes – details below

no – details below of compliance with any other relevant permitted activities

Details of other resource consents and / or compliance with permitted activity standards

For resource consents required, identify what TRMP rule or NES regulation, whether you have applied for them, and if so the Council reference number. Also address any permitted activities.

For permitted activities, identify the permitted TRMP rule or NES regulation, and as needed information on why you comply with any relevant permitted activity conditions standards.

Tick if continued on a separate page

Continued on next page

6. Location of proposed activity

6.1 Farm within which dairy support land will be used

A farm means a landholding whose activities include agriculture.

A landholding means one or more parcels of land (whether or not they are contiguous) that are managed as a single operation

The address or location is

Legal description (Lot, deposited plan & record of title numbers)

a current record of title is attached (no more than three months old), or
I ask the Council to get a record of title from LINZ, and
have paid an extra \$21 for each record of title needed

Area of the farm

How big is the farm?

hectares

Legal tenure of the farm

Is the applicant also the sole legal owner and occupier of the site?

yes – go to section [6.2](#)

no - complete below

part owner

prospective purchaser

lessee

other

Full names and addresses of other owners and / or occupiers (other than applicant)

Tick if continued on a separate page

6.2 Land to be used as dairy support land

Identify all areas of land that may be used for dairy support over the term of any resource consent, as well as how much of this land will be used each year.

This is since if consent is granted, the Council will set the term of the resource consent (see [section 123](#) of the RMA), but must ensure any expiry date is before 1 January 2031 (see NES FW reg 24(2)).

How much of the farm is currently used for dairy support?	hectares
How much of the farm was used for dairy support during the reference period (1 July 2014 - 30 June 2019)?	hectares
How much of the farm may be used for dairy support land over the life of the consent (consent must expire before 1 January 2031)?	hectares
How much of the farm may be used for dairy support each year?	hectares

Map or aerial image

I have attached a map or aerial map showing (tick boxes to confirm)

farm boundary (following the boundaries of the legal description above)

all the areas in dairy support land use

all the areas that may be used for dairy support in future

I have identified the following within and near these areas (and including outside the farm boundaries):

- any critical source areas
- any water bodies (including rivers, lakes, ponds and streams)
- any wetlands
- any subsurface drainage
- any bores or soakholes

nature of the terrain to be irrigated, including slope (flat, rolling, steep) and direction of slope

a north symbol (oriented to the top of the page if possible) and scale

Terrain

Describe the terrain of all dairy support land, including slope (flat, rolling, steep) and the direction of the slope.

Include all areas of land that may be used for dairy support over the potential term of the consent.

Tick if continued on a separate page

Additional information about the farm

You can include photos of

- the areas of your farm that you propose to use for dairy support land.
- any critical source areas or waterways.
- any previous or existing areas of dairy support land if these show how you propose to manage the activity.

Name any photos / digital images and refer to those names when completing this.

Describe what the photos show and how they reflect how the proposed activity will be managed

Tick if continued on a separate page

7. Nature of conversion activity

Identify as best you can all the potential areas you may use for dairy support use over the term of any resource consent if granted. Estimate as needed.

7.1 Existing environment

Describe the land that will be converted to dairy support.

This includes how the land is currently managed, crops grown, any waterbodies or other sensitive areas nearby, stocking types and rates.

Tick if continued on a separate page

7.2 Existing dairy support activity

If any, how is dairy support land currently managed on the farm? (if none, enter n/a, go to section 8)

Tick if continued on a separate page

How will any additional dairy support land be managed?

The addition of new dairy support land on the farm may significantly change how the property is operated.

Describe any changes to the farm system that are likely to occur. Include related activities, such as growing of crops.

Tick if continued on a separate page

8. Assessment of environmental effects (AEE)

See guidance note 15.8 for information on what an AEE is needed.

8.1 Effects on soil

Describe the actual and potential effects your dairy support activity may have on soil

The use of land and discharge of contaminants from dairy support land has the potential to impact soil structure, fertility and soil retention.

How will your management practices avoid or minimise adverse effects on the soil?

Tick if continued on a separate page

8.2 Effects on water quality

Describe the actual and potential effects your dairy support activity may have on both ground and surface water quality

Dairy support land use and the associated discharge of contaminants has the potential to adversely impact water quality through the leaching and run-off of nutrients and sediment.

How will your management practices avoid or minimise adverse effects on water quality?

Tick if continued on a separate page

Increases in contaminants

Evidence for the below may include discussion of

- inputs and outputs between the reference period and the dairy support operation proposed,
- nutrient modelling for the farm during the reference period and the dairy support operation proposed, and
- known loads and / or concentrations as at 2 September 2020.

Will the dairy support activity result in an increase in:

- a. contaminants loads in the catchment, compared with loads as at the close of 2 September 2020?

yes – the consent authority must not grant a resource consent

(see [regulation 24 of the National Environmental Standard for Freshwater 2020](#))

no – explain why below

- b. concentrations of contaminants in freshwater or other receiving environments, compared with the concentrations as at the close of 2 September 2020?

yes – the consent authority must not grant a resource consent

(see [regulation 24 of the National Environmental Standard for Freshwater 2020](#))

no – explain why below

If you answered no, explain why there are no increases in the contaminants

Tick if continued on a separate page

8.3 Cumulative effects

Cumulative effects are actual effects which arise over time, in combination with other effects (see section 3 of the RMA)

While the effects of your activity on its own may be environmentally acceptable, cumulative effects recognise that similar effects over time from many activities may not be acceptable.

Describe the cumulative effects of your dairy support activity

Tick if continued on a separate page

8.4 Effects on iwi

The dairy support activity has the potential to impact cultural and spiritual values of iwi. Indicators of these include statutory acknowledgements (many associations are with rivers / streams and their catchments), or identified wāhi tapu sites. To see which iwi and how to consult with them on their cultural and spiritual values and associations with the resource, see section 10 and the guidance at the end of this form.

Describe any cultural effects of your dairy support activity.

Tick if continued on a separate page

8.5 Positive effects

Detail the positive effects from your dairy support activity

Tick if continued on a separate page

9. Alternatives

Have any alternatives to the dairy support activity been considered?

no

yes – details below, with reasons why dairy support activity selected as preferred

Tick if continued on a separate page

12. Other information

Is there any other information that you believe the Council should have to process your application?

You would also include information on non-RMA activities that are part of your proposal that may need permissions under other legislation.

If you applying to replace a resource consent that is expiring, include information on the value of the investment of the existing consent holder (see section 104(2A) of the RMA)

yes – details below

no - go to section 13

Tick if continued on a separate page

13. Checklist

I confirm I have:

- checked the detailed site aerial / map checklist (see section 6.2) and confirm that the attached aerial / map meets the requirements yes
- included **one** copy of the current records of title (certificates of title) for the farm, which is less than three months old, **or** asked the Council to get a copy and have included payment for the extra cost for this service with the required deposit yes
- included the required deposit (or evidence of payment - see [guidance note 15.13B](#)), yes
- completed this form (including “n/a” as needed) and attached all references material. yes

Privacy information

The Council needs all the information provided to process the application under the RMA and to collect statistics. It is available to the public, and the Council may make it available on its website. You have the right to see and correct any personal information the Council holds about you.

14. Declaration

By submitting this application as applicant or authorised agent, I acknowledge that:

- I must meet the information requirements under section 88 and Schedule 4 of the RMA, before the Council can accept my application for processing,
- The information I provided must be in enough detail to satisfy the purpose it's asked for,
- The minimum fee paid is a deposit against full costs, and the Council will invoice all the actual and reasonable costs of processing this application (see **guidance note 15.13B**),
- The information provided in this application and its attachments are accurate to the best of my knowledge, and
- I have attached all other information required for this application by the National Environmental Standards for Freshwater Management 2020, the Tasman Resource Management Plan, the RMA, and any regulations.

Signature of applicant or authorised agent

Not needed if lodged electronically

Printed full name

Dated

If you have filled this in on your computer and are lodging it electronically, once you complete this form lock all the information by choosing to print this form as a pdf.

In the print dialogue select the pdf printer (eg "Microsoft Print to pdf") and you will be prompted to save the form on your computer.

This locks all the information in the form as a finalised flattened pdf.

15. Guidance notes

This application form is for resource consent applications made under the National Environment Standards Freshwater 2020.

The information required with your application is set under section 88 and Schedule 4 of the RMA.

The guidance notes are numbered by the section of the form they relate to - for example [guidance note 15.8](#) gives guidance on affected persons for [section 8](#) of this application form.

Note 15.0: Important notes on this application form

When to use this form	This form is for applications when a resource consent is needed under regulation 23 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 for the use of land for and discharge of contaminants from dairy support land activities
Permitted activities	The permitted activity and associated conditions for dairy support land activities are in regulation 22 of the National Environmental Standards for Freshwater.
Definitions	Definitions for dairy support cattle, dairy support land and reference period are in regulation 3 of the National Environmental Standards for Freshwater.
When consent must not be granted	If your proposed activity will result in an increase in contaminants loads or concentrations beyond the levels at 2 September 2020 then the consent authority cannot grant you a resource consent.
Lodging your application	You can lodge your application the following ways: <ul style="list-style-type: none">• by email: resourceconsentadmin@tasman.govt.nz• by post, or• in person at any of our service centres.

Note 15.1: Applicant details

Name	You must provide the full legal name of the applicant. If the 'applicant' is multiple people, or an incorporated trust, or a partnership, then you identify all persons - such as all trustees. Companies or registered trusts should use their registered name.
Email	We prefer email so we can get in touch with you more quickly and easily, and can send you documents and correspondence in digital form.

Note 15.3: Application type

New resource consent	Select if you do not have current resource consent for the proposed activity (this includes any expired resource consent or resource consent that will expire in the next three months)
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Replacement resource consent	Select if you have an existing resource consent that is expiring in three months or more and you want a new resource consent for the same activity to replace it. Under Section 9 of this application form give details of the value of the investment of the existing consent holder that the consent authority must have regard to under section 104(2A) .
Change to conditions	Select if you have an existing resource consent under regulation 23 of the National Environmental Standards for Freshwater 2020 and want to apply under section 127 of the RMA to cancel or change a condition. When you consider the effects only the effects of the variation are considered, and when considering if any person is affected, regard is had in particular to anybody who may have made a submission on the original resource consent application.
Resource consent number	Usually this is RM followed by a seven-digit number, perhaps with V1 or V2 etc added if the original consent has had an application for a change of conditions granted.

Note 15.4: Why resource consent is required

Definitions	See regulation 3 of the National Environmental Standards for Freshwater for definitions of “dairy support land”, “reference period” or “farm”. :
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Note 15.5: Other resource consents

Resource consents	Under the RMA generally you are required to apply for all the resource consents needed for your proposed activity. This is so the decision can be made on the basis of all the effects on the environment and whether the proposal meets the sustainable management purpose of the RMA. If you do not apply for all the resource consents, then you may face delays while the Council makes you apply for any other resource consents needed (see section 91 of the RMA).
Permitted activities	The RMA requires you to include enough evidence with your application to explain how any parts of your proposal are permitted activities under the rules of a plan or national environmental standard or otherwise expressly authorised (see section 88 and Schedule 4)

Note 15.6: Location

Legal description	You can find the legal description the following ways: <ul style="list-style-type: none"> • on your Council rates form, • use https://www.topofthesouthmaps.co.nz and enter the legal description and the title number, or • use https://www.linz.govt.nz below and enter the legal description and current title summary number.
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Copy of the title

You can order a record of title from <https://www.linz.govt.nz> (keyword search "order title" them from LINZ, or

You can pay an extra \$21 per title and we will source the record of title for the land from the LINZ records for you.

We will cost recover our actual LINZ Landonline costs – so the required fee will change if LINZ changes their fee for this service. The above is as at November 2021.

Note 15.8: Completing your assessment of environment effects (AEE)

Why you must complete an AEE.

You must complete an assessment of environmental effects (AEE).

We cannot accept your application without an AEE

This ensures your application has all the necessary information, and will avoid delays that can happen later.

What is an AEE?

An AEE identifies all the actual or potential effects on the environment of your proposal.

The RMA defines the environment to include:

- ecosystems, people and communities,
- all natural and physical resources,
- social, economic, aesthetic and cultural conditions which affect the above or are affected by them, and
- amenity values.

The RMA defines any effect to include:

- positive or adverse effect,
- temporary or permanent effect,
- past, present or future effect; and
- cumulative effect which arises over time,
- any potential effect of high probability, and
- any effect of low probability but high potential impact.

For your proposal, you must identify what the relevant environment is, and what the relevant effects are that may result as a result of your proposed activity.

How to write your AEE

[Schedule 4](#) of the RMA sets out the required scope and content of the AEE.

Talk to our duty planner to confirm what is needed.

As it gets more complicated or if the effects are greater, then we recommend you get help from a professional, such as a planner, engineer or scientist.

Your AEE should be logically structured, accurate and honest. You should make it as clear and simple as possible. Maps, aerial photographs and drawings are very effective.

What must you include in your AEE?

[Section 88](#) and [Schedule 4](#) of the RMA sets out exactly what you must include.

Your assessment must include, among other things:

- the actual or potential effects on the environment of your proposal, and any ways to avoid or reduce any adverse effects,
- any person who is affected,
- any consultation that you may have done,
- the provisions of the Tasman Resource Management Plan, and any other relevant RMA statutory documents or regulations, and
- how your proposal fits with any relevant provisions of these.

The level of detail we need relates to the scale and significance of the effects that your proposed activity will have - 'horses for courses'.

- A more significant application with more effects means a more detailed AEE.
- For a very simple and small development, completing this application form and attaching plans is enough to make a simple AEE.

There are other matters in [Schedule 4](#) of the RMA that you must address for proposals with more significant effects.

You can find a copy of the RMA at www.legislation.govt.nz

(The Schedules are listed at the end of the contents page).

Note 15.10 - Affected parties

What is an affected party?

The RMA requires you to identify any person or parties affected.

If any people or parties are affected by your proposal to a minor or more extent, unless there's a rule that says otherwise, they may have a say in how your consent is processed by the Council.

The Council has the final say on who is an affected party.

The Council has to expressly consider the Statutory Acknowledgments by the Crown to iwi, and whether your proposed activity affects any iwi's recognised associations with identified places or resources.

What to do if your proposal may affect others?

Talk to them.

- If your neighbours or other parties have no concerns at all, consider asking them to sign a 'Written Approval of an Affected Person' form. Then we don't have to think about how your proposal may affect them.
- If an affected person or party has concerns, you can explore solutions or changes to your application which may satisfy them so that they're happy to sign a written approval form.
- An affected person or party has the right not to sign the form.
- If they do choose to sign, then you must also get them to sign a copy of the relevant plans / documents to show that they have seen and understood them.
- Affected persons or parties do not have veto rights, but if they don't give their written approval, this can make the consent process longer and more expensive.

Note 15.11A: Consultation

When to consult

While you must identify persons or parties affected, there's no legal obligation to consult with any person or party.

Examples of people you may consult are neighbours, local iwi and Fish and Game NZ.

Think about who might be affected by or interested in your proposal.

Meeting face to face is often the best way to achieve effective consultation. Consider the following:

- Be open to making changes to the proposal in response to feedback.
- Listen rather than promote. When you're consulting the main goal is to find out what people think about your proposal, rather than selling the proposal by dismissing or ignoring any concerns expressed.
- Make sure that who you're talking with are representative of all the people who will be affected. If it's a meeting, ensure everyone present gets to contribute.

Note 15.11B Consulting with iwi

Why consult with iwi?

The Council must consider the adverse cultural and spiritual effects of proposals on the values and interests of tangata whenua.

While you may not be obliged to consult, in some cases you will need to talk with the appropriate iwi to find out what adverse effects your proposal may have on any significant spiritual and cultural values associated with the land or the resource. In any location multiple iwi may have an interest from their own historical and cultural associations. Their cultural heritage, relationships and values are different, so one iwi's view does not represent all iwi.

As well as the above, through Treaty settlements with iwi, the Crown has identified land that it acknowledges iwi have particular associations with - known as 'statutory acknowledgments'. If your proposal is on or adjacent to this land, or may affect it, the Council must consider if that iwi is an affected group.

Talk to our duty planner to find out if the nature and / or the location of your proposal means it's beneficial to talk to iwi before you finalise and / or lodge your consent application.

Simple applications in established urban areas or townships are less likely to impact significant cultural values and interests. Applications involving matters such as development in the coastal environment, significant land disturbance, or discharges of contaminants to water are more likely be of interest to iwi, and could benefit from consultation.

Iwi contact details

If there is a chance that your proposal may affect the local iwi, or if you want to find out if they are interested, you should consult with the appropriate group.

We recommend that you contact all of them - relevant to the area of the district - to find out if they consider their interests are affected. If so make sure you find out how and why those interests are affected. Document this in your

consultation record.

To find out if you need to talk with iwi,

1. go to our webpage at www.tasman.govt.nz and
2. enter "talk to iwi" as the keywords in the search box.

This will take you to guidance on:

- when it's likely you must talk to iwi,
- why you should talk,
- what to expect,
- which iwi to contact, and
- their contact details.

We also explain that if you're unsure it's worth talking to our duty planners as part of this process.

Check before you lodge - this can save you time and money.

Note 15.13B: Payment and costs of processing

How much does it cost

Go to our website at www.tasman.govt.nz and enter the keyword "resource consent fees".

As at 01 July 2021 the required deposit was \$985.00.

The fees usually change every year (1 July). If you need to confirm the amount, go to our website.

Payment of deposits

You can pay the deposit the following ways:

- in person at our service centres, or
- online by internet banking or by credit card

To find out how to pay online, go to our website (keyword search "internet banking" or "credit card").

Payment of subsequent costs above

Subject to an applicant's rights under sections [357B](#) and [358](#) of the RMA to object to any costs, the applicant must pay all actual and reasonable processing costs incurred by the Council. The Council will give a refund if the actual costs (including the administrative cost of providing the refund) are less.

The Council may issue interim invoices for applications.

If any steps, including the use of debt collectors and / or lawyers, are needed to recover unpaid processing costs, the applicant agrees to pay all collection costs.

If an application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company, by signing this application the applicant binds the trust, society or company to pay all the above costs and guarantee to pay all the above costs in their personal capacity.



Te Kaunihera o
te tai o Aorere

Tasman District Council
Email info@tasman.govt.nz
Website www.tasman.govt.nz
24 hour assistance

Richmond
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Fax 03 543 9524

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