

# Resource Consent Application to Discharge Dust Suppressants to Land (Part A and B Form)

This application is made under Section 88 of the Resource Management Act 1991 (RMA)



Consent is required to discharge a dust suppressant onto or into land where it may enter water under Rule 17 of the proposed Southland Water and Land Plan (decisions version) if:

- you are using a dust suppressant that is a hazardous substance; **or**
- the product has been approved for use as a dust suppressant under the Hazardous Substances and New Organisms Act, but you cannot meet all of the conditions on that approval.

*Note: The Environmental Protection Authority's approval to use an oil product in New Zealand may not include approval for its use as a dust suppressant, so the use may be prohibited by the Hazardous Substances and New Organisms Act 1996. You can find these approvals and their conditions at:*

<https://www.epa.govt.nz/database-search/approved-hazardous-substances-with-controls/>

## Section A: Application details

### Full name, address and contact details of applicant (in whose name consent is to be issued)

Name

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Address

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Email

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Phone

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Mobile

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### How much will it cost to process my application?

Please include a **deposit of \$1,500** with your application. Staff time is then charged against this deposit at a rate of \$145/hr and vehicle use for site visits is charged at \$0.73/km (inclusive of GST). When the consent has been processed you will receive an invoice for an additional fee, or for a refund.

The fee is a **deposit to be paid at the time of application**. Costs may be incurred relating to staff time, disbursements, legal charges, consultation fees, and hearing commissioner fees. Environment Southland's User Charges and Fees document is available at: [www.es.govt.nz/fees-and-charges](http://www.es.govt.nz/fees-and-charges). The Council's user charges are fixed under Section 36 of the Resource Management Act 1991.

### Please include:

- a photo, drawing, or diagram showing the equipment to be used to discharge the dust suppressant;
- a map or a coloured aerial photograph, showing:
  - (a) the location(s) of the discharge to be authorised by this resource consent. You may need to attach more than one map to this application;
  - (b) permanent or intermittent rivers, streams, lakes, drains, ponds or wetland within 20 m of the proposed discharge area(s);

- (c) any known bores or soak holes within 20 metres of the proposed discharge area(s);
- (d) any grass berms located between the edge of discharge area/road and any adjacent drains/waterways.

## Section B: Dust Suppressant

1. Please tick which statement below applies to you:

- The dust suppressant I am using is a hazardous substance
- The dust suppressant I am using is a hazardous substance and has been approved under the HASNO Act 1996<sup>1</sup> for use as a dust suppressant but I cannot meet all of the conditions of the approval.

2. What dust suppressant(s) will you be using?

- (a) Used engine oil
- (b) Used hydraulic oil
- (c) new light fuel or new lubricating oil
- (d) Other (please specify below):

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3. Which conditions of the approval for the use of the product as a dust suppressant can you not meet and why?

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4. Method, rate and timing of application:

- (a) Please describe how you will apply the dust suppressant.

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- (b) What is the height above the road surface that the dust suppressant will be discharged from?

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<sup>1</sup> Hazardous Substances and New Organisms Act 1996

(c) How often will you apply the dust suppressant?

\_\_\_\_\_

(d) What is the rate of discharge?

\_\_\_\_\_ litres per square metre per day

\_\_\_\_\_ litres per square metre per annum

(e) Will you only apply the dust suppressant to dry land only (including any potholes or depressions in the land surface)?

Yes

  

No

(f) Will you be using a contractor to apply the dust suppressant?

Yes

  

No

If yes, please specify which contractor you will be using:

Name: \_\_\_\_\_

Company: \_\_\_\_\_

### Section C: Location of discharge and description of surrounding environment

#### 5. Location of the proposed discharge of dust suppressant:

Name of road(s): \_\_\_\_\_

Locality (city/district): \_\_\_\_\_

Map reference: \_\_\_\_\_

Length of road to be oiled (metres): \_\_\_\_\_

Width of road to be oiled (metres): \_\_\_\_\_

#### 6. Have dust suppressants been applied at this location within the last five years?

Yes

No

Unsure

7. Are there any permanent or intermittent rivers, streams, lakes, drains, ponds or wetlands within 20 metres of the discharge area?

No

Go to Question 9

Yes

Go to question 8

8. Features of the rivers, streams, lakes, drains, ponds or wetlands within 20 metres from the discharge area include:

Yes No

- (a) Signs of instream life (e.g. fish, eels, bullies, crayfish, native birds, frogs)
- (b) Areas where food is gathered from a water body (e.g. watercress, eels, wildfowl)
- (c) Bird nesting habitats
- (d) Areas of particular aesthetic, cultural, heritage or scientific value (e.g. archaeological sites)

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9. Are there any bores or soakholes within 20 metres of the discharge area?

No

Go to Question 11

Yes

Go to question 10

10. What is the depth to groundwater at the location of the dust suppressant discharge?

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11. Does stormwater flow over the land surface from the area you intend to discharge onto any neighbouring property?

Never

Sometimes

Often

Permanently

### Section D: Assessment of Effects

12. Please describe any possible long term or short term effects the discharge may have on the quality of the receiving environment and including effects on water bodies, plant and animal life, soil quality, and human health:

(a) The effects of the proposed discharge on surface water bodies and the Coastal Marine Area will less be minor because:

- the discharge will only occur where there is a grassed berm or area between the discharge area and any water body and the Coastal Marine Area
- the minimum width of the grassed berm/area located between the discharge area and the water body is \_\_\_\_\_ metres.

Yes No

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- the timing, rate and frequency of the discharge (including ensuring the land is dry when the suppressant is applied) will ensure there is no ponding or run-off that may enter any surface water body or the Coastal Marine Area.

(b) the effects of the proposed discharge on groundwater will be less than minor because:

- the discharge will only occur where there is a grassed berm or area between the discharge area and any bore or soak hole
- the minimum distance between the discharge area and any bore or soak hole is \_\_\_\_\_metres.
- the timing, rate and frequency of the discharge (including ensuring the land is dry when the suppressant is applied) will ensure there is no ponding or run-off that may enter any bore or soak hole.

### Section E: Other matters

13. Please specify the duration sought for the resource consent:

- 2 years
- Other (please state):

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14. Start date:

When do you propose to start applying the dust suppressant? \_\_\_\_\_

15. Have you identified any parties which may be affected by the activity?

Yes  No

If **yes**, please indicate below:

- Neighbours
- Other consent holders in the immediate area
- Department of Conservation
- Iwi (Te Ao Marama Inc, Te Rūnanga O Ngāi Tahu)
- Local authorities
- Fish & Game New Zealand
- Other (please state):

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Please include evidence of any consultation undertaken for this application.

## Section F: Planning Assessment and Declaration

The RMA requires you to make your own assessment of your proposal against relevant policies. Indicate where, in your assessment, you agree with the policy statements made here.

### Assessment against the Proposed Southland Water and Land Plan 2018

| Relevant provisions  | Assessment  | Agree? |
|--|---|--------|
| Objective 6 – land use and water quality                     | The proposed mitigation measures show an understanding of the connection between land use and freshwater and seek to manage any effects on water quality. These mitigations will ensure that water quality is maintained. |        |
| Objective 13 – use and development of soils                  | The proposed mitigation measures will ensure the discharge of the dust suppressant to land will enable the use and development of land to support the economic, social and cultural well-being of the region.             |        |
| Objective 13A – quantity and quality of soil resource        | The use of the dust suppressant will not degrade the quality or quantity of the soil resource as the discharge is to a gravel road and I will be following good practice.   |        |
| Objective 13B – effects on human health                      | The discharge is to land and will not have a significant or cumulative effect on human health.  |        |
| Objective 18 – Good practice                                 | I will operate at good practice or better to optimise efficient resource use and to protect the region’s land, soils, and water from quality and quantity degradation.  |        |
| Policy 13- Land use and water quality                        | The proposed mitigation measures will ensure the discharge activities are appropriately managed.  |        |
| Policies 15A and B – Maintaining and improving water quality | The proposed mitigation measures will ensure any adverse effects on water quality are avoided, remedied or mitigated. My discharge will not result in water quality degrading.  |        |

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

I have lodged the deposit fee for consent processing of \$1,500 with Environment Southland (a/c no 01 0961 0018998 00 with my surname as a reference). I understand further costs may be incurred.

I undertake to pay all actual and reasonable application processing costs incurred by Environment Southland.

**Name (please print)**

\_\_\_\_\_

**Signed**

\_\_\_\_\_

**Date**

\_\_\_\_\_

Applications made on a completed version of this form may be sent to [esconsents@es.govt.nz](mailto:esconsents@es.govt.nz)