

Resource Consent Application Form 26

Discharge of a dust suppressant



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

Phone: 0800 474 082

Website: www.orc.govt.nz

IMPORTANT NOTES TO THE APPLICANT

This form is to be used for the discharge of a dust suppressant to land that requires consent. Ensure that you complete this Application Form 25 and Resource Consent Application Form 1 in full.

Please Note: The discharge of waste oil to land or water is prohibited. This means waste oil is not able to be used as a dust suppressant in Otago.

Please refer to the **Dust Suppressants Factsheet** for additional information about the discharge of a dust suppressant.

The application will be assessed in terms of potential adverse effects on soil loss, water quality and cultural values.

For the consent application to be processed efficiently in the minimum time and at minimum cost, it is critical that as much relevant information as possible is included with the application. If all the necessary information is not entered on the form or supplied with the application then Otago Regional Council may return your application, request further information, or publicly notify your application. This will lead to delays in the processing of your application and may increase processing costs. This application form, when properly completed, should provide an adequate "Assessment of Effects on the Environment" (AEE) where the adverse effects of a proposal are not significant. However, this can only be determined on application.

You may wish to provide a separate AEE using this form as template.

PART A: GENERAL

A.1 Is this application (*tick which applies*):

for a NEW consent to discharge a dust suppressant?

to REPLACE a current discharge consent?

Discharge consent number: _____

Expiry date: _____

A.2 What is the reason you require consent?

If you don't trigger any of the conditions below, your discharge of a dust suppressant may be permitted. Check Rule 6.6.2 of Proposed Plan Change 1 of the Waste Plan to confirm.

The dust suppressant is a hazardous substance

- The dust suppressant has not been approved under the Hazardous and New Organisms Act 1996
- The dust suppressant has been approved under the Hazardous and New Organisms Act 1996, but will not be used in accordance with the conditions of approval
- The discharge may result in an objectionable odour or conspicuous oil or grease film, scum or foam in any waterbody, bore or soakhole
- The discharge may result in ponding or overland flow that may enter a waterbody

PART B: LOCATION OF THE DISCHARGE ACTIVITY

B.1 Landholding within or near which a dust suppressant will be used

a. Name of owner(s)

b. Address/Location

c. Legal description(s) of the landholding or area where dust suppressant will be used *(as shown on Certificate of Title)*

d. Please attach a current Certificate of Title to the application

- Yes, Certificate of Title attached

e. Which city/district are you in?

B.2 Area where dust suppressant will be used

As your consent to discharge a dust suppressant may be granted with a duration of several years, please identify all areas where a dust suppressant may be used.

a. Where will the dust suppressant be used?

For example, specific roads, farm laneways or yard areas

b. If dust suppressant to be used on a road:

- i. Length of road: _____ metres
- ii. Width of road: _____ metres

c. If dust suppressant to be used on another surface or area:
 i. Total area where suppressant may be used: _____ square metres

d. Has dust suppressant been applied at any of these locations in the last five years?

- Yes
- No
- Unsure

If yes or unsure, please provide any known details about the nature of any past use of dust suppression, including the suppressant used, and how and when it was applied.

B.3 Please provide a map or aerial image showing:

- The landholding boundary, as per the legal description(s) above
- All areas where dust suppressant may be discharged
- Within and near the areas where dust suppressant may be used, identify:
 - o Any waterways, including rivers, streams, lakes, drains, ponds or wetlands
 - o Any bores or soakholes
 - o Any grass berms or vegetated areas between the discharge areas any nearby waterbodies
- Nature of the terrain on which dust suppressant will be discharged, including slope (flat, rolling, steep) and direction of slope
- A north symbol (oriented to the top of the page if possible) and scale bar

B.4 In addition to the map or aerial image required above, you may also wish to provide some photos of the areas where dust suppressant will be used, and any of the waterbodies identified on the map.

B.5 Nearby sensitive receptors

Any sensitive receptors should be marked on the map required under B.3. please fill out the table below to clearly identify the setback distance from the discharge area to sensitive receptors, and any others not marked on the plan.

a. Please use the table below to identify any sensitive receptors near the areas where dust suppressant will be used

Sensitive receptor	Specific details about the sensitive receptor*	Setback to discharge area
River		
Stream		
Lake		
Drain		
Pond		
Wetland		
Bore		
Soakhole		
Neighbouring Dwellings		
Other		

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* Details might include address of dwellings, bore numbers, waterbody names

b. If any of the surface water bodies identified above are within 20 metres of the discharge area, do they include any:

- Freshwater fish species, native birds or frogs?
- Areas where food is gathered (eg watercress, eels, wildfowl)?
- Bird nesting habitats?
- Areas of particular aesthetic, cultural, heritage or scientific value?

If any of these features are present, please discuss:

c. If any of the bores or soakholes identified above are within 20 metres of the discharge area, what is the depth to groundwater at the location of the discharge?

d. Does stormwater flow over the discharge area onto any neighbouring properties?

- Never
- Sometimes
- Often
- Always

PART C: NATURE OF THE DUST SUPPRESSANT TO BE USED

As your consent to discharge a dust suppressant may be granted with a duration of several years, please identify all potential dust suppressants to be used. We acknowledge that these details may change over time, but please provide your best estimate.

C.1 Dust suppressant to be used

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

Hazardous substances are any chemical, or mixture of chemicals that meets hazardous classification criteria. These criteria include explosiveness, flammability, toxicity to people, ability to cause cancer, toxicity to the environment and their ability to generate a different hazardous substance on contact with air or water¹.

All hazardous substances must be approved under the Hazardous Substances and New Organisms Act 1996. An approval under the HSNO Act will detail conditions that must be complied with when using the substance. Please refer to the Environment Protection Authority website to determine whether or not your dust suppressant, if hazardous, has been approved under the HSNO Act.

b. Is the dust suppressant a hazardous substance?

- Yes
- No

c. If the dust suppressant is hazardous, has it been approved under the Hazardous Substances and New Organisms Act 1996?

- Yes
- No

d. If yes, will you be using the dust suppressant in accordance with all conditions of the approval?

- Yes
- No

e. If no, which conditions won't you be meeting, and why?

C.2 Application of the dust suppressant

a. What will you be using to apply the dust suppressant?

i. Please provide a photo, drawing or diagram of the equipment to be used to discharge the dust suppressant.

b. At what height above the surface will the dust suppressant be discharged?

_____ metres

c. How often will you apply the dust suppressant?

¹ Sourced from the Environmental Protection Authority website <https://www.epa.govt.nz/industry-areas/hazardous-substances/what-are-hazardous-substances/>

d. What is the rate of discharge/application of the dust suppressant?

_____ litres per square metre per day
_____ litres per square metre per annum

e. Will you apply the dust suppressant to dry land only?

- Yes
 No
If no, why?

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

- Yes
 No
If yes, please provide the contractors details:

PART D: MANAGEMENT OF THE DISCHARGE ACTIVITY

D.1 Management near surface water bodies

a. Will the discharge occur only when there is a grassed berm or vegetated area between the discharge and any surface water bodies or the coastal marine area?

- Yes
 No
If yes, what will the minimum width of the grassed/vegetated area be?
_____ metres

b. How will the discharge be managed to ensure there is no ponding or overland flow of the dust suppressant that may enter a waterbody?

c. Any other details around the management of the discharge near surface waterbodies?

D.2 Management near groundwater

a. Will the discharge occur only when there is a grassed berm or vegetated area between the discharge and any bores or soakholes?

Yes

No

If yes, what will the minimum width of the grassed/vegetated area be?

_____ metres

b. Any other details around the management of the discharge near bores and soakholes?

PART E: ASSESSMENT OF ENVIRONMENTAL EFFECTS

In assessing the potential effects of your intensive grazing activity, the key effects council staff will look at are the effects on surface and groundwater, and effects on Kai Tahu cultural and spiritual beliefs, values and uses.

E.1 Please provide a discussion on the actual and potential effects your discharge may have on surface waterbodies, including the coastal marine area

The discharge of dust suppressants has the potential to result in ponding or overland flow that may negatively impact water quality in waterbodies. In this section, provide a discussion on how your management practices will ensure adverse effects on surface waterbodies, and their ecology are avoided or minimised as best possible.

E.2 Please provide a discussion on the actual and potential effects your discharge may have on groundwater quality

The discharge of dust suppressants has the potential to result in ponding or overland flow that may enter groundwater. In this section, provide a discussion on how your management practises will ensure adverse effects on groundwater quality are avoided or minimised as best possible.

PART F: ALTERNATIVES

- F.1 Have you considered alternative methods of dust suppression, or locations of the discharge?**
Please provide details of any alternatives considered, and the reasons for choosing the proposed method and location of discharge.

PART G: CONSULTATION

- G.1 Please describe any consultation undertaken with persons/parties potentially affected by your proposed discharge.**

Parties may include Public Health South, landowners, neighbours, Aukaha, Te Ao Marama, Forest and Bird, the owner of the road, Fish and Game Otago and Department of Conservation).

- G.2 Please attach any written approvals received to the application.**

Please note that the Council only accepts unconditional written approvals and any conditions proposed by affected parties need to be agreed to and incorporated into the application.

PART H: DEPOSIT

A deposit is required upon lodgement of your application. Refer to the fees on Form 1. This deposit is not the final or maximum cost of your application. Further charges are incurred in accordance with Councils scale of fees and charges.

- H.1 Deposit Enclosed**

Yes

PART I: CHECK LIST

- I.1 Use the checklist below to ensure you've provided all of the relevant information to complete your application.**

- Fully completed this application form and Form 1?
- Attached a detailed site map? Refer to B.3
- Attached any relevant photos? Refer to B.4
- Attached any written approvals? Refer to G.2

- Paid your deposit or attached a cheque? Refer to H.1
- Attached Certificate of Title(s) less than 3 months old? Refer to B.1
- An assessment of the activity against the relevant parts of the RMA, Regional Policy Statement (Operative and Partially Operative) and Waste Plan.

To keep consent processing costs to a minimum it is strongly recommended that the checklist is complete and all items required are attached **before** you lodge your application to the Otago Regional Council.

If you have any queries relating to information requirements, please contact the Otago Regional Council Offices:

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Dunedin 9054

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