**Application for a Resource Consent – Resource Management Act 1991 (s.88)**

**4D Discharge Contaminants to Air - Solid Fuel Burners in the Rotorua Airshed**

The purpose of this form is to provide applicants with guidance on the minimum information that is required under Schedule 4 of the Resource Management Act 1991 (RMA). Depending on the nature and scale of your proposed activity, more detailed information may be required.

This form is for activities set out in rules AQ R13 and AQ R14 of Plan Change 13 (Air Quality) to the Regional Natural Resources Plan (PC13) for solid fuel burners in the Rotorua Airshed. This plan change can be found on our website at <https://www.boprc.govt.nz/plans-policies-and-resources/plans/regional-air-plan/proposed-plan-change-13-air-quality/>

If you need help filling out this form or would like to organise a pre-application meeting, contact the Consents Team on 0800 884 880. They will be able to provide some assistance; up to 1 hour is provided as pre-application advice.

If you have dealt with a staff member regarding your consent application, please provide their name here:

|  |
| --- |
| **Important information for applicants applying to install a new woodburner using an existing solid fuel burner as an offset – AQ R13**  To assess your application, the Consent Officer will need to verify that the solid fuel burner being used as an offset fits the criteria. This will include a site visit to verify that the existing solid fuel burner is installed in the dwelling house or building, **before** it is removed or replaced  Once verified, the existing solid fuel burner being used as an offset must be removed or replaced according to the requirements of PC13 before the resource consent will be considered further. |

Reviewing and understanding the rules and assessment criteria applicable to your activity will assist you with preparation of your assessment of environmental effects.

What is the activity status of your consent application?

Discretionary (AQ R13) – for use of new woodburners that provide offsets

Non-complying (AQ R14) – for use of all other solid fuel burners

The information you provide in this application is regarded as official information. It is required under the provisions of the Resource Management Act 1991 to process this application, and to assist in the management of the region’s natural and physical resources.

The information will be held by Bay of Plenty Regional Council. This information is subject to the provisions of the Local Government Official Information and Meetings Act 1987, and the Privacy Act 1993. The information you provide in this application will generally be available to the public. If there is any information that you would like to remain confidential please contact a Consents Officer to discuss.

If you are applying for more than one activity and you have already completed the basic details in Part 1 on another form, go straight to Part 2 of this form.

Under section 88 of the Resource Management Act 1991, the undersigned makes this application for resource consent(s).

**PART 1**

1. **Applicants Details**

**Full name of applicant(s)** *(the name that will be on the consent)*

Surname:

First names:

**OR**

If the application is being made on behalf of a trust, the Trustees must be named.

Trust name:

Trustees’ name:

**OR**

Company name:

Contact person:

**Telephone** *(please tick preferred contact number)*

Residential (0 )  Business (0 )

Cell (0 )

**Email**

**Postal address:**

1. **Details of consultant** *(or other person authorised to make application on behalf of applicant)*

Company name:

Contact person:

Postal address:

**Telephone** *(please tick preferred contact number)*

Business (0 )  Cell (0 )

Email

All correspondence, including invoices for charges, relating to this application(s) should be sent to:

Applicant  Consultant

Preferred method of contact:

Email  Post

1. **Name and address of owner/occupier** *(of the site relating to application)*

**Owner:**

Postal address:

Residential (0 )  Business (0 )

Cell (0 )

**Occupier:**

Postal address:

Residential (0 )  Business (0 )

Cell (0 )

***Please note:*** *If the applicant is not the owner of the land to which the activity relates, then it is good practice to submit the application with written approval from the landowner.*

1. **Consent(s) and other processes**
2. Please specify the duration sought for your consent(s).

years months

1. Solid fuel burners in the Rotorua Airshed must also comply with the Rotorua District Council Air Quality Control Bylaw 2017 and the Building Act 2004. They may require a dispensation under the Rotorua District Council Air Quality Control Bylaw and a building consent under the Building Act.

Have you applied for a dispensation and/or building consent  Yes  No

If yes, please attach documentation relevant to your applications

1. **Location description of activity**

Site address

Legal description………………………………………………………………………………………..

Map reference NZTM, *(if known)*

1. **Location description of offset (if applicable)**

Site address

Legal description………………………………………………………………………………………..

Map reference NZTM, *(if known)*

**PART 2**

1. **Description of proposed activity**

*(Please continue on a separate sheet)*

1. Details of proposed activity

Provide the following information for the solid fuel burner to be installed and/or used as the subject of this consent. For new solid fuel burners this information can be found on the Ministry for the Environment’s authorised woodburner list on: <https://www.mfe.govt.nz/air/home-heating-and-authorised-wood-burners/burners>

**Please note:** Under the Rotorua District Council Air Quality Control Bylaw 2017, only new woodburners with an emission rate of 0.60 g/kg or less can be considered.

Manufacturer

Appliance (brand e.g. Kent)

Specify if the appliance is a wet-back  Yes  No

Date of installation (if applicable)

Appliance type (as defined in PC13):

woodburner

coal burner or multifuel burner

indoor open fire

other solid fuel burner (e.g. coal range, chip heater) please specify

Fuel type (wood, coal

Emission rate (g/kg)

Thermal efficiency (%)

Rotorua Lakes Council building consent number (if applicable)

Environment Canterbury or Nelson City Council authorisation number

For authorisation number please see: <https://www.mfe.govt.nz/air/home-heating-and-authorised-wood-burners/burners?combine=&field_manufacturers_tid=All&=Search>

1. **Receiving environment**
2. How sensitive is the receiving environment to these discharges?

**Please Note:** *The receiving environment is the Rotorua Airshed, currently in breach of the PM10 ambient air quality standard for PM10 in the National Environmental Standards for Air Quality*

*(Please continue on a separate sheet)*

1. Describe the actual/potential effects that the proposed activity/operation could have on the environment.

*(Please continue on a separate sheet)*

1. **Mitigation**
2. If an existing solid fuel burner is being **removed** or **replaced** to provide an offset for a new woodburner please provide the following information for the **solid fuel burner** that will be **removed** or **replaced**:

Manufacturer

Appliance (brand e.g. Kent)

Specify if the appliance is a wet-back  Yes  No

Date of installation (if applicable)

Appliance type (as defined in PC13):

woodburner

coal burner or multifuel burner

indoor open fire

other solid fuel burner (e.g. coal range, chip heater) please specify

Fuel type (wood, coal

Emission rate (g/kg)

Thermal efficiency (%)

Rotorua Lakes Council building consent number (if applicable)

Environment Canterbury or Nelson City Council authorisation number

For authorisation number please see: <https://www.mfe.govt.nz/air/home-heating-and-authorised-wood-burners/burners?combine=&field_manufacturers_tid=All&=Search>

1. **Statutory Assessment**

This policy assessment is required as per s88 and schedule 4 of the RMA for the application to be considered completed. This policy assessment is required as per s88 and schedule 4 of the RMA for the application to be considered completed.

Please note, on the nature and scale of your activity you may be required to undertake a more extensive assessment. If you do not wish to complete the provided policy assessment then please provide an assessment below.

*(Please continue on a separate sheet)*

1. **Additional information for non-complying activities**

If the activity is a non-complying activity, you will need to provide additional information.

*The Resource Management Act 1991 (RMA) states that a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either:*

1. *the adverse effects of the activity will be minor; or*
2. *the application is for an activity that will not be contrary to the objectives and policies of the relevant plan (in this case PC13).*

The most relevant objectives and policies of PC13 are AQ O2, AQ P3, and AQ P7.

Please provide additional information to support your application either setting out why your activity will have minor adverse effects or how your activity will not be contrary to the objectives and policies of PC13.

*(Please continue on a separate sheet)*

1. **Persons likely to be affected**

*Affected persons may include neighbouring land owners and occupiers and/or relevant iwi and hapū and community groups. If you do not think there will be affected persons, you do not need to fill out this section; however, the Bay of Plenty Regional Council will make the final assessment of whether a person is affected by your proposal.*

*In order for your application to be considered for* ***non-notification*** *you* ***must*** *gain written approval from all persons who may be affected by the proposal. The Bay of Plenty Regional Council can help you identify people/organisations that are likely to be affected, and the form ‘Affected Person’s Written Approval’, can be found at* [***www.boprc.govt.nz***](http://www.boprc.govt.nz)*keywords* ***‘resource consent forms’.***

Please provide details of any persons identified as potentially being affected. If you have discussed your proposal with any of these persons, please provide any correspondence.

Name

Address

Written approval supplied *(attached).*

Name

Address

Written approval supplied *(attached).*

*(Please continue on a separate sheet)*

1. **Extending timeframes**

*The Resource Management Act 1991 (RMA) specifies timeframes for processing resource consent applications (e.g. 20 working days for a non-notified application); however these timeframes can be extended, if necessary, with the Applicant’s agreement.*

Do you agree to the Bay of Plenty Regional Council extending RMA consent processing timeframes?

Yes, provided that I can continue to exercise my existing consent until processing of this application is completed *(renewal application only).*

Yes, provided that the extension is for the specific purpose of discussing and trying to agree on consent conditions.

Yes, provided that the application process is completed before / /

No.

1. **Deposit fee**

A deposit fee of $2,700, inclusive of GST, is payable with this application. This may be paid online, by cheque, or by eftpos at one the Regional Council’s reception desks.

* Bay of Plenty Regional Council’s bank account number is **06 0489 0094734 00.** Please use the Applicant’s name as the reference. A GST invoice marked “PAID” will be issued on receipt of payment.
* An application will not be accepted as a complete application until the deposit fee has been paid. **Please note:** while we are happy to hold the forms in the meantime, the processing time will not start until payment is received.
* Additional charges are usually incurred, and will vary depending on the resource we use in the course of processing your application *(e.g. staff time)*. Staff can give an estimate of expected costs. Please see the schedule of fees attached.

**Checklist**

The following information must be included in your application to ensure it is accepted.

Complete all details in this application form.

Supply written approval from all affected parties, if any, and/or summary of consultation carried out.

Include a site plan.

Sign and date the application form.

Pay the required deposit.

Include any other information you think relevant *(e.g. Certificate of Title, details from the Companies Register, etc.)*

If your application is a large application, please submit an electric version on CD, and one hard copy.

Please be aware any unchecked boxes may result in your application being returned under s88.

**1 I confirm that I have authority to sign on behalf of the party/ies named as the applicants for this consent.**

**2 I have read, and understand, all of the information contained on this application form, including the requirement to pay additional costs that will be itemised.**

**3 I confirm that all the information provided is true and correct and understand that any inaccurate information provided could result in my resource consent later being cancelled.**

Signature Date / /

**IMPORTANT**

**NOTE TO THE APPLICANT**

**PLEASE READ THIS BEFORE PROCEEDING WITH THE APPLICATION FORM**

If you are unsure whether you require a resource consent for your proposed activity, or you have any other queries, please contact a consents officer at Bay of Plenty Regional Council on 0800 884 880.

**IMPORTANT INFORMATION**

1 **Processing of the application by Bay of Plenty Regional Council will not begin until the deposit fee is paid, unless prior arrangement has been made. If, at the end of the processing of the application, the actual cost exceeds the deposit, you will be invoiced for the balance.**

2 You may also be required to pay a resource management charge associated with holding a consent. The Water Administration Team will be able to provide you with more details. All charges are in accordance with Section 36 of the Resource Management Act 1991. All accounts are payable by the 20th of the month following date of invoice. Where costs are incurred that exceed $2,000 above the deposit, or at the end of every quarter, you may be requested to pay an additional amount by way of interim payment against the final total costs.

3 The Coastal Marine Area is the area from the outer limit of the territorial sea (12 nautical miles) to the line of mean high-water springs. For activities at river mouths, please contact a consents officer at Bay of Plenty Regional Council for clarification.

4 Section 42 of the Resource Management Act 1991 allows the protection of sensitive information. Therefore, if your application includes trade secrets and/or commercially and culturally sensitive material, please advise Bay of Plenty Regional Council.

5 Schedule 4 of the Resource Management Act 1991 *(summarised at the back of this form)* sets out the information you must provide with your consent application, including an Assessment of Environmental Effects (AEE). An AEE must be prepared in accordance with Schedule 4 of the Resource Management Act 1991. To assist in the preparation of the assessment, a summary of the key requirements of Schedule 4 follows this information sheet. Failure to provide the correct information will result in delays in the processing of your application.

6 Bay of Plenty Regional Council may decide not to proceed with the application until applications for further resource consents are made (Section 91). It is, therefore, important to identify every consent required for the proposal at the outset.

7 Bay of Plenty Regional Council may request the Applicant, by written notice, to provide further information if required (section 92). If this occurs, the application will be put on hold, and the processing timeframes stopped. Processing will not recommence until the information is received.

8 An application does not need to be publicly notified if the environmental effects are minor, and if written approval has been obtained from everyone who is adversely affected by the granting of the consent (Sections 95D and 95B respectively). Bay of Plenty Regional Council has forms available to obtain approvals.

9 Under Section 128(1)(c) of the Resource Management Act 1991, Bay of Plenty Regional Council may undertake a review of any consent at any time if the application contains any inaccuracies that materially influence the decision made.