**Deemed permitted activity**

This application contains two parts:

1. Applicant details
2. Deemed permitted information

Please complete both sections. Other information, such as technical specifications and calculations, may be required to process this application depending on the proposal.

**Call the Consents Duty Planner on 0800 884 880 with consents questions. For more information email** [**consents.queries@boprc.govt.nz**](mailto:consents.queries@boprc.govt.nz) **or visit** [**www.boprc.govt.nz**](http://www.boprc.govt.nz)

**National Environmental Standards for Freshwater 2020**

Is the activity within 100m of a natural wetland?  Yes  No

*If the activity is within 100m of a natural wetland then consent is required under the National Environmental Standards for Freshwater and the application cannot be processed as a deemed permitted activity. Please use application form 3A instead.*

**PART 1 Applicant details**

1. **Applicant/s name** *(the name that will be on the notice)*

Surname/Trust/Company:

First names:

Telephone *(select preferred contact number)*

Residential        Business

Cell

Email

1. **Owner/occupier name and address** *(of the site relating to application)*

**Owner:**

Postal address:

Residential        Business

**Occupier:**

Postal address:

Residential        Business

*If the applicant does not own the land on which the activity relates, then it is good practice to provide landowner written approval with the application.*

1. **Activity location**

**District** the activity is located in:

Whakatāne District  Ōpōtiki District

Rotorua District  Kawerau District

Western Bay of Plenty District  Tauranga District

Taupō District

**Site address**/es:

**Legal description** *(from Certificate of Title, valuation notice or rate demand)*:

**PART 2 Deemed permitted information (Section 87BB RMA)**

Section 87BB of the Resource Management Act 1991 states that an **activity is permitted if**:

1. the activity would be permitted except for a **marginal or temporary non-compliance** with requirements, conditions, and permissions specified in this Act, regulations (including any national environmental standard), a plan, or a proposed plan; and
2. any **adverse environmental effects** of the activity are no different in character, intensity, or scale than they would be in the absence of the marginal or temporary non-compliance referred to in paragraph (a); and
3. any adverse effects of the activity **on a person** are less than minor; and
4. the consent authority, in its discretion, decides to notify the person proposing to undertake the activity that the activity is a **permitted activity**.
5. Describe the proposed activity:

1. Provide the permitted activity rule number and Bay of Plenty regional plan applicable to your activity:

1. Provide an assessment of your activity against each of the criteria listed under the permitted activity rule identified in (2) above. The assessment should describe how the activity does or does not give effect to each of the permitted criteria:

1. For the permitted criteria listed in (3) above that your activity will not comply with, please describe the nature and degree of the temporary or marginal non-compliance:

1. Provide reasons why the proposed activity will have adverse environmental effects no different in character, intensity or scale than the permitted activity:

1. Please attach all relevant site plans and design drawings for the activity:

**Information privacy**

The RMA requires this information to process the application and assist in managing the region’s natural and physical resources. Information in this application is regarded as **official information**.

Bay of Plenty Regional Council will hold this information, and it is subject to the Local Government Official Information and Meetings Act 1987 and the Privacy Act 2020. **This information will generally be available to the public. Let us know if you want any of this information to be confidential.**

**1 I have authority to sign on behalf of the party/ies named as applicants for this deemed permitted activity notice.**

**2 I have read, and understand, all information in this application form, including the requirement to pay additional costs.**

**3 All information provided is true and correct. I understand that inaccurate information could mean that my deemed permitted notice is invalid.**

Signature Date:

Name:

**IMPORTANT**

**NOTES TO THE APPLICANT**

**READ THIS BEFORE FILLING OUT THE APPLICATION FORM**

Call the Consents Duty Planner on 0800 884 880 with consents questions.

1 The actual and reasonable processing costs (beyond one hour) of a Section 87BB deemed permitted application by Bay of Plenty Regional Council will be charged to the applicant.

2 Let us know if your application includes **trade secrets** and/or **commercially or culturally sensitive material**. Section 42 of the RMA enables protection of sensitive information.

**Hourly charges for staff and consultants**

|  |  |
| --- | --- |
| **Group** | **Hourly charge**  **Incl GST**  **(Excl GST)** |
| Administration/Coordinator | $140.00  ($121.74) |
| Officers/Planners  Senior Officers/ Planners  Engineers/Scientist/Regulatory Project Officers (RPO)  External contracted Compliance Monitoring Officer (externally contracted)  Maritime Officer | $200.00  ($173.91) |
| Team Leaders/Senior RPO/Works Engineer/Senior Maritime Officer  Senior Engineer/Senior Scientist/Harbourmaster  Pou Ngaio (Technical/Cultural RMA Specialist) | $220.00  ($191.30) |
| Managers/Regional Harbourmaster/Engineering Manager | $325.00  ($282.61) |
| Consultants/Contractors | As charged by consultant/contractor |
| Regional Council staff mileage | Current applicable  IRD rate |

The full **Charges Policy** is on our website:

[**http://www.boprc.govt.nz/knowledge-centre/policies/section-36-charges-policy/**](http://www.boprc.govt.nz/knowledge-centre/policies/section-36-charges-policy/)