**4D Discharge contaminants to air – solid fuel burners in the Rotorua Airshed**

This form is for activities under 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 is on our website at <https://www.boprc.govt.nz/plans-policies-and-resources/plans/regional-air-plan/proposed-plan-change-13-air-quality/>.

We recommend you discuss your application with a Consents Planner before you apply. The first hour is free and will save you time and money in the long run. After the first hour, we will charge you for the service. We’ll let you know before we start charging.

**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)

Name of **staff member** you discussed your application with:

|  |
| --- |
| **Important information for applicants applying to install a new woodburner using an existing solid fuel burner as an offset – AQ R13**  The Consents Planner will need to check 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 in the dwelling house or building, **before** it is removed or replaced.  Where a solid fuel burner is being removed as part of a Regional Council Hot Swap Loan, the burner will not be able to be used to offset a new burner in the Rotorua Airshed. |

Reading the rules and assessment criteria for your activity will help you prepare your assessment of environmental effects.

Activity status of your consent application:

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

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

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.**

*If you’ve already completed Part 1 on another form (if applying for more than one activity), go straight to Part 2 of this form.*

I apply for resource consent under section 88 of the Resource Management Act 1991 (RMA).

**PART 1**

1. **Applicant/s name** *(name/s to be on the consent)*

Surname:

First names:

**OR**

Trust and trustee names (*if application on behalf of a trust)*

Trust name:

Trustees’ name:

**OR**

Company name:

Contact person:

NZ Companies Register number:

1. **Applicant/s contact details**

Postal address:

Phone *(selected preferred contact number)*

Residential        Business

Cell

Email

1. **Consultant details** *(or other person authorised to apply on behalf of applicant)*

Company name:

Contact person:

Postal address:

Phone *(select preferred contact number)*

Business        Cell

Email

Send all **correspondence** relating to this application(s), including **invoices**, to:

Applicant  Consultant

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

**Owner:**

Postal address:

Residential        Business

Cell

**Occupier:**

Postal address:

Residential        Business

Cell

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

1. **Name and address of owner/occupier of the offset burner** *(where an offset is taking place)*

**Owner:**

Postal address:

Residential        Business

Cell

**Occupier:**

Postal address:

Residential        Business

Cell

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

1. **Consent(s) and other processes**
2. Consent **duration** sought:

      years       months

*We’ll generally grant a short-term consent (1–2 years) to give you time to remove the old burner and install the new burner. Once installed, the new burner will be a permitted activity under Rule AQ R12(c)(iii).*

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, attach the documents.

1. **Activity location/s**

Site address

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

Map reference NZTM:

1. **Offset burner location (if applicable)**

Site address

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

Map reference NZTM:

**PART 2**

1. **Description of activity**

*(Please as necessary)*

1. Details of proposed activity:

Provide information about the new solid fuel burner to be installed and/or used. 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>.

*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)

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?

*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*

*(Continue as necessary)*

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

*(Continue as necessary)*

1. **Mitigation**

To assess your application, the Consents Planner 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.

Where a solid fuel burner is being removed as part of a Regional Council Hot Swap Loan, the burner will not be able to be used to offset a new burner within the Rotorua Airshed.

1. If an existing solid fuel burner is being **removed** or **replaced** to provide an offset for a new woodburner, 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 (please attach)

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 by s88 and schedule 4 of the RMA.

**Assessment of the application against the relevant objectives and policies of the** *Proposed Bay of Plenty Regional Air Plan (Plan Change 13).*

| **Reference** | **Comment** |
| --- | --- |
| **AQ O3 Local air quality**  Sustainable management of discharges of contaminants to air according to their adverse effects on human health, cultural values, amenity values and the receiving environment. |  |
| **AQ P3 - Management of discharges**  Activities that discharge *contaminants* to air must be managed, including by use of the *best practicable option*, to:   1. safeguard the life supporting capacity of the air, protect human health, and avoid, remedy or mitigate adverse *effects* on cultural values, amenity values, and the *environment,* 2. avoid the discharge of *contaminants* at a rate or volume that may cause an exceedance or breach of the **ambient air** quality standards of the National Environmental Standards for Air Quality (or its replacement or amendment), 3. avoid reduction in visibility where it may cause adverse *effects* on vehicle, aircraft, or *ship* safety, 4. avoid, remedy or mitigate the discharge of *contaminants* that may cause adverse *effects* on regionally significant **infrastructure**/industry. |  |
| **AQ P4 Matters to consider**  Have particular regard to the following matters when considering the acceptability of any discharge of *contaminants* to air:   1. The proximity of **sensitive areas** to the discharge including the *effect* of new activities discharging *contaminants* into air near established **sensitive areas.** 2. Areas where the discharge may cause an exceedance or breach of the **ambient air** quality standards of the National Environmental Standards for  Air Quality or exceed the Health-based Guideline Values in Table 1 of the Ambient Air Quality Guidelines (or their replacements or amendments). 3. Adverse *effects* on air quality values identified in the relevant iwi and hapū resource management plans during assessments of resource consent applications. 4. The *effect* of the prevailing weather conditions, including rainfall, wind speed and wind direction. 5. The *effect* of the discharge on human health, cultural values, amenity values, the *environment*, and regionally significant **infrastructure**. 6. Cumulative *effects*. 7. Whether a change to an activity expressly allowed by an existing resource consent will cause a net increase of **particulates** into an **airshed** in breach of the ambient air quality standard for **particulates** of the National Environmental Standards for Air Quality. 8. The operational requirements and locational constraints relevant to the discharge and/or activity. 9. Any other recognised air quality guidelines or standards (not listed) that are appropriate to the discharge. 10. The FIDOL factors (frequency, intensity, duration, offensiveness, location) when determining adverse *effects* in relation to odour and dust discharges. 11. The investment of existing **infrastructure** that mitigates adverse *effects* of discharges of *contaminants* to air. |  |
| **AQ P6 Solid fuel burners**  Avoid significant adverse *effects* on the *environment* from the operation of **solid fuel burners** installed in **dwelling houses** or buildings by avoiding:   1. excessive discharge of **particulates** (e.g. caused by burning wet wood or restricting oxygen flow to the fire), 2. any discharge that is noxious or dangerous, offensive or objectionable (e.g. burning painted or **treated timber** or *waste*). |  |
| **AQ P7 - Solid fuel burners in Rotorua Airshed**  Avoid discharges of **particulates** to air from certain **solid fuel burners** in the **Rotorua Airshed**, in particular discharges from:   1. new **solid fuel burners**, except **pellet burners**, replacement low emissions **woodburners/ultra-low emission burners,** and new **woodburners/ultra-low emission burners** where an **offset** is provided, 2. **indoor open fires**, **coal burners**, **multifuel burners**, and **woodburners** installed before September 2005, 3. **solid fuel burners** that have been **refurbished** since their installation, 4. **solid fuel burners** used or designed for use other than as a **space heater,**   except where exceptional circumstances apply. |  |
| **AQ P10 Offsets in Rotorua Airshed**  Any **offsets** required in the **Rotorua Airshed** by Regulation 17 of the National Environmental Standards for Air Quality must:   1. be expressed in kilograms per year and calculated using annual mass emission rates based on the maximum consented discharge rate, 2. be based on quantifiable emissions reduced from another source or sources that can be shown to have occurred, either by measurement, monitoring or other robust means, 3. permanently remove the emissions used as **offsets** from the **Rotorua Airshed,** 4. be located within the **Rotorua Airshed** or where emissions can be shown to contribute to the **Rotorua Airshed,** 5. be carried out as close as practicable to where the *effects* of the emissions being **offset** may occur, 6. be above and beyond any emissions decrease that would otherwise occur or would otherwise be required by the Regional Council, 7. assume that all **TSP** is **PM10** unless demonstrated otherwise, 8. treat all **PM10** as equal, having the same health *effects* irrespective of the source of **PM10,** 9. be effective before any emission from the proposed activity occurs, 10. use the emission factors set out in  Table AQ1 for each **solid fuel burner** type, where domestic sources are selected to provide reductions of emissions unless alternative emission factors for domestic sources have been determined based on robust evidence consisting of, but not limited to, actual measurements based on a suitable methodology. |  |

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

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

*The 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.

Provide information about why your activity will have minor adverse effects or how your activity will not be contrary to the objectives and policies of PC13.

*(Continue as necessary)*

1. **Affected parties**

*Affected persons may include neighbouring landowners 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.*

*If you are proposing to offset a new burner with an existing burner in another home, you will need to provide affected party approval from the owner of the solid fuel burner.*

*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 the end of this application form.*

Provide details of any persons who may be affected by your proposal. If you have discussed your proposal with any of these persons, please provide any correspondence.

Name

Address

Written approval attached

Name

Address

Written approval attached

*[Continue as necessary]*

1. **Extending timeframes**

*The RMA specifies timeframes for processing resource consent applications. Timeframes can be extended with the applicant’s agreement.*

May we extend the consent processing timeframe?

Yes, if I can use my existing consent until this application is processed *(renewal only).*

Yes, if the extension is to discuss and try to agree on consent conditions.

Yes, if the application is processed before

No.

1. **Deposit**

A **$1770** deposit (including GST) is required with this application. This can be paid online, by cash, or by eftpos at a Regional Council reception desk. Our bank won’t accept cheques after 1 May 2021.

* Bay of Plenty Regional Council’s bank account number is **06 0489 0094734 00.** Use the applicant’s name as the reference. We’ll give you a GST invoice marked “PAID” when you’ve paid.
* An application will not be accepted until the deposit is paid. We’re happy to hold the forms in the meantime, but won’t start processing until we receive payment.
* **Additional charges are usually incurred**, depending on the resource we use in processing your application *(e.g. staff time, technical reviews, complexity of the application)*. Staff can give an estimate of expected costs. Please see the schedule of fees attached.

**Checklist**

Pre-application code RM     -     -PĀ

❒ Attach any pre-application correspondence/advice

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

Complete all details in this application form

Assessment of environmental effects (AEE), as set out in Schedule 4 of the RMA

Assessment of the activity against the relevant objectives and policies in the relevant regional plan/s

Written approval from all affected parties, and/or summary of consultation carried out

Site plan

Sign and date the application form

Pay the deposit

Other relevant information *(e.g. Certificate of Title, details from the Companies Register etc.)*

**Unchecked boxes may result in your application being returned under s88 of the RMA.**

**Send your application to RegulatoryAdmin@boprc.govt.nz**

**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 consent.**

**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 result in my resource consent being cancelled.**

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 **We’ll not start processing your application until the $2700 deposit is paid** unless prior arrangement is made. Processing costs are likely to exceed the deposit; we’ll invoice you for the balance.

2 You may be required to pay a **resource management charge** associated with holding a consent (s36 of the RMA). Accounts are payable by the 20th of the month following date of invoice. Where costs are more than $2000 above the deposit, you may be requested to make interim payments towards the final total cost.

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, contact the Consents Duty Planner for clarification.

4 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.

5 Schedule 4 of the RMAsets out the **information you must provide**. If insufficient information is provided, we may put the application on hold or return it as incomplete.

6 **Identify every consent required** for the proposal. We may put the application on hold until you apply for all resource consents required (s91 of the RMA).

7 If we request **further information** (s92 of the RMA), the application will be put on hold and processing will not restart until all information is received.

8 An application does not need to be publicly notified if the environmental **effects are minor and written approval has been obtained** from everyone adversely affected by the granting of the consent (s95D and s95B of the RMA). Written approval forms are on our website: <https://www.boprc.govt.nz/do-it-online/consent-forms/> under ‘Other forms’.

9 We may **review any consent** at any time if the application contains inaccuracies that materially influence the decision made (s128(1)(c) of the RMA).

**To: Bay of Plenty Regional Council**

Full name of person giving written approval:

I am the owner/occupier *(delete one)* of the property at *(address)*

I have authority to sign on behalf of all the other owners/occupiers *(delete one)* of the above property.

***Note:*** *If you are signing on behalf of a trust or company, provide evidence that you have signing authority.*

**I provide written approval for the following activity, which is the subject of a resource consent application.**

Applicant’s name

Application number

Description of proposal

Location

I have read the full resource consent application, the assessment of environmental effects and the site plan/s as follows:

In signing this written approval, I understand that the Bay of Plenty Regional Council must decide that I am no longer an affected person, and the Bay of Plenty Regional Council must not have regard to any adverse effects on me. I understand that I may withdraw my written approval by giving written notice to the Bay of Plenty Regional Council before the hearing, if there is one, or, if there is not, before the outcome of the application is determined.

Signature Date:

*Signature\* of person giving written approval (or person authorised to sign on behalf of person giving written approval).*

*A signature is not required if you submit your written approval by email.*

**Address** for service *(of person giving approval)*

Phone       Email

Contact person *(name and designation if applicable)*

|  |
| --- |
| ***Notes: 1 You don’t have to sign this form and you don’t need to give reasons for not signing. If you do not understand what this form is, or the consent application, DO NOT SIGN THIS FORM.***  ***2 Conditional written approvals cannot be accepted.***  ***3 If this form is not signed, the application may need to be notified and you may have the opportunity to submit on the application*** |