**Application for resource consent – Resource Management Act 1991 (s88)**

**1A Culverts, bridges, fords, erosion protection, pipes & associated works**

We recommend you discuss your application with a Consents Planner before you apply. The first 30 minutes are free and will save you time and money in the long run. After the first 30 minutes, 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.

**See Notes to Applicant (last pages of form) before filling in this application form.**

Land disturbing activities are subject to rules in the **Regional Natural Resources Plan** and the **Regional Coastal Environment Plan**. Activities in the Tarawera River Catchment are subject to the **Tarawera River Catchment Plan**. These plans are on our website: <http://www.boprc.govt.nz/knowledge-centre/plans/>.

**Rule/s** and **plan/s** that apply to the activity:

**Activity status** of your consent application:

[ ]  Controlled

[ ]  Restricted discretionary

[ ]  Discretionary

***Note - the proposal may also require resource consent under the National Environmental Standard for Freshwater***

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

Trust name:

Trustees’ names:

Trustees’ contact details:

**OR**

Company name:

Contact person:

NZ Companies Register number:

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

Company name:

Contact person:

Postal address:

Telephone *(select preferred contact number)*

[ ]  Business       [ ]  Cell

Email

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

[ ]  Applicant [ ]  Consultant

Send **correspondence** and **invoices** once consent is granted, to:

[ ]  Applicant [ ]  Consultant

Purchase Order Number for invoices (if required):

1. **District and consent term**
2. **District** the activity is located in:

[ ]  Whakatāne District [ ]  Ōpōtiki District

[ ]  Rotorua District [ ]  Kawerau District

[ ]  Western Bay of Plenty District [ ]  Tauranga District

[ ]  Taupō District

1. Application to replace an **existing or expired consent**(s): [ ]  Yes [ ]  No

If yes, consent number(s):

1. Consent **duration** sought:

      years       months

Start date:

Completion date *(if applicable)*:

1. Resource consent(s) also required from a **district council**: [ ]  Yes [ ]  No

Type of consent required:

Has it been applied for? [ ]  Yes [ ]  No

Has it been granted? *(If yes, please attach)*  [ ]  Yes [ ]  No

1. **Activity location/s**

Site address/es:

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

Map reference/s NZTM:

**PART 2**

1. **Description of activity** *(select all that apply)*

[ ]  Erect, reconstruct, place, alter, extend, remove, or demolish any structure or part of any structure in, on, under, or over the bed of a stream or river.

[ ]  Excavate, drill, tunnel, or otherwise disturb the bed of a stream or river.

[ ]  Deposit any substance in, on, or under the bed of a stream or river.

[ ]  Reclaim or drain the bed of a stream or river.

[ ]  Wetland disturbance.

[ ]  Other *(please specify)*

* 1. Describe the proposed activity.

Purpose of activity:

Materials to be used:

Duration and timing of works:

Volume of extraction:

Machinery to be used:

Access to site:

* 1. For all activities, provide:
1. A **site plan** showing location of works in relation to property boundaries.

*You can use the mapping system on our website (*[***www.boprc.govt.nz***](http://www.boprc.govt.nz) ***keywords ‘regional mapping’****). The maps have property boundary and contour layers. You can search by property, view and print topographic maps and aerial photographs.*

1. A **catchment analysis and sizing assessment**, undertaken by an engineer, showing how your design meets *Hydrological and Hydraulic Guidelines* standards, or explaining why it does not.

For bridges and culverts, refer to tables 4.1 and 4.2 from the *Hydrological and Hydraulic Guidelines* (shown below) for catchment analysis and sizing. For all other works, refer to the *Hydrological and Hydraulic Guidelines* (on our website [***www.boprc.govt.nz***](http://www.boprc.govt.nz) ***keyword ‘guidelines’***)*.*

If you are not sure you need an engineering assessment, contact the Consents Duty Planner.

**Hydrological and Hydraulic Guidelines Table 4.1**

|  |  |
| --- | --- |
| **Road type** | **Definition** |
| Major road | Either:1. A state highway, or
2. Within 1 km of any urban area or settlement, or
3. Carrying more than 750 vehicles per day.
 |
| Rural road | Any other road except as described below. |
| Remote road | Public or private roads accessing property that does not have dwellings and which cross a waterway with a contribution catchment of less than 50 km2. |
| Access tracks | Rural roads that cross a waterway with a contributing catchment of less than 100 ha. |

**Hydrological and Hydraulic Guidelines Table 4.2**

|  |  |  |
| --- | --- | --- |
| **Road type** | **Bridge standard** | **Culvert standard** |
| Major road | Passage of the 100-year return period flood with minimum clearance of 0.6 m normally, but with up to 1.2 m where large trees can be transported in the river. | * Passage of the 100-year return period flood by heading up to a maximum 0.5 m below the road surface, and
* Passage of the 10-year flood without heading up.
 |
| Rural road | Passage of the 50-year return period flood with a minimum clearance of 0.6 m. | * Passage of the 50-year return period flood by overtopping the embankment to a maximum depth of 0.2 m, and
* Passage of the 2-year return period flood with no heading up.
 |
| Remote road | Passage of the 20-year return period flood with a minimum clearance of 0.3 m. | * Passage of the 20-year return flood with no freeboard, and
* Passage of the 2-year return period flood with no heading up.
 |
| Access track | Passage of the 10-year return period flood with a minimum clearance of 0.3 m. | * Passage of the 10-year return period flood by heading up to a maximum 0.3 m below road level.
 |

1. **Bridge construction, placement, and use**

Location of bridge abutments:

[ ]  Outside banks of waterway [ ]  Inside banks of waterway [ ]  In bed of waterway

**Fill in the dimensions shown below:**



|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **1** | Length of bridge approach: |       m | **5** | Height of natural ground level above stream bed |       m |
| **2** | Length of bridge:  |       m | **6** | Bed width of stream channel |       m |
| **3** | Length of bridge approach |       m | **7** | Top width of stream channel |       m |
| **4** | Height of bridge underside above natural ground level: |       m | **8** | Average depth of water in the stream |       m |

**Spillway dimensions:**

Spillway depth:       m Spillway width:       m

1. **Culvert construction and use**

What is the proposed culvert made of *(e.g. concrete, pvc)*?

Length of culvert:       m

Number of sections of culvert pipe:

Gradient at which culvert will be laid in the stream bed:

Surface material of spillway *(e.g. rock, grass, geotextile)*:

Proposed fill material:

Fill in the dimensions below. If the culvert design is different from the diagram below, include a diagram showing all dimensions.



|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **1** | Length of culvert approach: |       m | **5** | Top width of original stream channel |       m |
| **2** | Length of culvert approach: |       m | **6** | Depth of fill over culvert |       m |
| **3** | Circular culvert diameter |       m | **7** | Depth of culvert base below original stream bed level |       m |
|  | **OR** Box culvert Width Height |       m      m |  | Spillway width |       m |
| **4** | Bed width of original stream channel |       m |  |  |  |

**National Environmental Standard for Freshwater:**

1. The culvert provides for the same passage of fish upstream and downstream as would exist without the culvert, except as required to carry out the works to place, alter, extend, or reconstruct the culvert:

[ ]  Yes [ ]  No

(b) The culvert will be laid parallel to the slope of the bed of the river or connected area;

[ ]  Yes [ ]  No

(c) The mean cross-sectional water velocity in the culvert is no greater than that in all immediately adjoining river reaches;

[ ]  Yes [ ]  No

(d) The culvert’s width where it intersects with the bed of the river or connected area (s) and the width of the bed at that location (w), both measured in metres, are:

(i) where w ≤ 3, s ≥ 1.3 × w: [ ]  Yes [ ]  No [ ]  Not applicable

(ii) where w > 3, s ≥ (1.2 × w) + 0.6; [ ]  Yes [ ]  No [ ]  Not applicable

1. The culvert will be open-bottomed or its invert will be placed so that at least 25% of the culvert’s diameter is below the level of the bed;

[ ]  Yes [ ]  No

1. The bed substrate will be present over the full length of the culvert and stable at the flow rate at or below which the water flows for 80% of the time;

[ ]  Yes [ ]  No

1. The culvert provides for continuity of geomorphic processes (such as the movement of sediment and debris).

[ ]  Yes [ ]  No

1. **Other in-stream works** *(e.g. bank stabilisation, erosion protection features, retaining works, fords, pipes).*

Provide detailed structural plans, to scale, minimum A4 size, including:

* Dimensions;
* Length and width of the bed and banks that will be affected.
1. **Site description**

Describe the site and waterbody, including the topography, ecology, bed materials, wildlife habitats, recorded archaeological sites, stream cross-section. Some of the region’s water bodies and their qualities are scheduled in the Regional Natural Resources Plan. Please include photographs.

*[Continue as necessary]*

1. **Assessment of environmental effects (AEE)**

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

1. Construction effects *(e.g. stream bed disturbance, sediment release, fish passage)*:

1. Post-construction effects/effects of structure on the riverbed, upstream and downstream and in typical and extreme conditions *(e.g. flooding, erosion, ecology).* Provide an assessment and supporting calculations:

1. Effects on water quality *(e.g. sedimentation)*:

1. Effects on fish habitats and fish passage *(e.g. perched culverts),* and measures to mitigate effects *(e.g. placing culvert invert below streambed, fish ladders, native planting)*:

1. Any other effects *(see the* [*Concrete Fact Sheet*](https://cdn.boprc.govt.nz/media/40801/factsheet-100514-concreteinformationsheet.pdf) *on our website).*

1. During construction

*Refer to the Bay of Plenty Regional Council* [*Erosion and Sediment Control Guidelines*](https://cdn.boprc.govt.nz/media/29555/Guideline-100624-ErosionandSedimentControl.pdf)*.*

Methods to reduce or prevent identified environmental effects and stabilise exposed earth:

Will the work area be isolated? [ ]  Yes [ ]  No

Will the stream be diverted temporarily? [ ]  Yes [ ]  No

1. Post construction

Methods to reduce or prevent environmental effects after construction *(such as restoring riparian margins, grassing and planting fill batters with native species, metalling approaches, stabilising abutments)*:

1. **Cultural effects assessment**

*The Regional Policy Statement is clear that only tangata whenua can identify their relationship with an area. It is good practice to consult with tangata whenua about your application so that you can provide an accurate assessment of* [*cultural effects*](https://www.boprc.govt.nz/media/796657/cultural-effects_mobile-links.pdf)*.*

*We can provide a list of iwi and hapū with an interest in the site. Iwi and hapū management plans are on our website* [*www.boprc.govt.nz*](http://www.boprc.govt.nz) *(key words ‘iwi management plans’). We can provide details about identified archaeological sites and Statutory Acknowledgements.*

*Contact the Consents Duty Planner on 0800 884 880 for more information.*

Provide an **assessment of cultural effects** associated with the proposal:

*[Continue as necessary]*

1. **Alternative options**

Alternative options considered, and/or reasons why these are not proposed:

1. **Monitoring**

Monitoring to be carried out:

1. **Assessment against relevant objectives & policies of the relevant plan/s and the National Policy Statement for Freshwater Management**

*Provide an assessment of the proposal against the relevant objectives and policies of the relevant regional plan, on our website:* <http://www.boprc.govt.nz/knowledge-centre/plans/> *and any relevant National Policy Statement(s).*

*[Continue as necessary]*

1. **Affected persons**

*For your application to be considered for* ***non-notification*** *you must gain written approval from all persons who may be affected by the proposal. We can help you identify people/organisations likely to be affected. Affected persons may include neighbouring land owners and occupiers, organisations such as the Department of Conservation, Land Information New Zealand (LINZ), Eastern Region Fish and Game Council, iwi, hapū and/or community groups.*

*Have the affected person fill out the ‘Affected Person’s Written Approval’ form (on our website:* [***www.boprc.govt.nz***](http://www.boprc.govt.nz) ***keywords ‘resource consent forms’****) and attach to this application.*

**People who may be affected by your proposal**

*If you have discussed your proposal with any of these people/groups, record their comments and your response, and attach to this application.*

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 **$2,700** deposit (including GST) is required with this application. This can be paid online, by cash or 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.
* The application will not be accepted until the deposit is paid. We’re happy to hold the forms, but won’t start processing until we receive payment.
* **Additional charges are usually incurred**, depending on the resources we use in processing your application *(e.g. staff time, technical reviews, complexity of application)*. Staff can give an estimate of expected costs. Please see the schedule of fees attached.

**Checklist**

Name of staff member you discussed your application with:

Pre-application code RM     -     -PĀ

[ ]  Attach pre-application correspondence/advice

**The following information must be included in your application:**

[ ]  Complete all details in this application form

[ ]  Assessment of environmental effects (AEE), as set out in Schedule 4 of the RMA, summarised at the back of this form

[ ]  Written approval from all affected persons and/or summary of consultation carried out

[ ]  Site plan, engineering plans and calculations

[ ]  Assessment of cultural effects (refer Section 9 of this form)

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

[ ]  Sign and date the application form

[ ]  Pay the deposit

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

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

**Information privacy**

The RMA requires this information to process the application.

Bay of Plenty Regional Council (“BOPRC”) will use the information provided with your application to process your application and to assist in managing the region’s natural and physical resources. Information in this application is regarded as **official information** and available to the public on request in accordance with the Local Government Official Information and Meetings Act 1987. In addition, you agree that the information in your activity application (Forms 1A to 7B) (and any documentation provided in support) will be published and made available on our website. **It is important that you let us know if your application includes trade secrets, commercially sensitive information, and/or any other information that you would like to remain confidential.**

This application will likely contain personal information within the meaning of the Privacy Act 2020. You agree that any personal information provided with this application will be held and used by BOPRC in accordance with our Privacy Statement (available at [www.boprc.govt.nz](http://www.boprc.govt.nz)) and the Privacy Act 2020.”

**1 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 in this application, 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

**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 will 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).

10 A separate authority/approval may be required for the activity under the **Flood Protection and Drainage Bylaws 2020**. Further information is available on our website: <https://www.boprc.govt.nz/do-it-online/request-or-enquire/flood-protection-and-drainage-bylaw-authority> or by emailing: riversanddrains@boprc.govt.nz

**How to prepare an assessment of environmental effects**

**Key points of Schedule 4 of the RMA**

The amount of information in your assessment of environmental effects (AEE) should correspond to the scale and significance of the proposal’s environmental effects. Your AEE must include:

* A full description of the proposal, including the site and locality; a site plan and plans of your proposal.
* A description of the environmental effects, including the significance and nature of the effects. Address specific environmental effects and refer to issues identified in the relevant regional plan/s.
* A discussion of effects that may need to be controlled or monitored, how the control or monitoring will be carried out, and by whom.
* A description of alternatives to avoid, remedy or mitigate environmental effects.
* An assessment of risks to the environment from hazardous substances and/or discharge of contaminants.
* An assessment of the activity against the relevant objectives and policies in the relevant regional plan/s.
* A record of consultation: names and comments of people you discussed the proposal with.

You are likely to need specialist advice for more complex applications. Call the Consents Duty Planner on 0800 884 880 for more information.

**It is not adequate to state that there are no environmental effects.**

If your AEE is not sufficient, we may:

* not accept your application
* turn down your application
* impose many conditions on your resource consent
* ask for more information, delaying the time to process your application, or
* commission someone else to review the application at your cost.

**For more information** see the Ministry for the Environment’s *Good Practice Guide on How to Prepare an AEE* and its brochure on making resource consent applications, at [**www.mfe.govt.nz/publications/rma**](http://www.mfe.govt.nz/publications/rma)

**Hourly charges for staff and consultants**

|  |  |
| --- | --- |
| **Examples** | **Hourly rate****Incl GST****(Excl GST)** |
| Administration/Coordinator | $160.00($139.13) |
| Officers/PlannersSenior Officers/PlannersEngineers/Scientist/Regulatory Project Officers (RPO)External contracted Compliance Monitoring Officer (externally contracted)Maritime Officer | $230.00($200.00) |
| Team Leaders/Senior RPO/Works Engineer/Senior Maritime OfficerSenior Engineer/Senior ScientistPrincipal Advisor/Cultural Specialist | $255.00($221.74) |
| Managers/Regional Harbourmaster/Principal Advisor Consents | $375.00($326.09) |
| Consultants/Contractors | As charged by consultant/contractor |
| Regional Council staff mileage | Current applicable IRD rate |

Note: Some positions may not be listed. In such cases the charge will be calculated from actual time multiplied by the most appropriate charge out rate listed above.

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/)