**1C Lake structures: new and existing**

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 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. For more information email** **consents.queries@boprc.govt.nz** **or visit** [**www.boprc.govt.nz**](http://www.boprc.govt.nz)

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

Lake structures are subject to rules in the Regional Natural Resources Plan and sometimes 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 your activity:

**Activity status** of your consent application:

[ ]  Controlled

[ ]  Restricted discretionary

[ ]  Discretionary

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

**PART 1**

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

Surname:

First names:

**OR**

Trustee names *(if the application is 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. **Activity location/s**

Site address/es:

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

Map reference/s NZTM:

***Note:*** *The Regional Council has a Transfer Agreement with Rotorua Lakes Council, so we assess lake structure consent applications under both the Rotorua District Plan and the Regional Plan. You need to apply to only BOPRC for a lake structure consent. Call the Consents Duty Planner on 0800 884 880 for more information.*

**PART 2**

1. **Description of activity** *(tick all that apply)*:

[ ]  Use, erect, reconstruct, place, alter, extend, remove or demolish any structure or part of any structure in, on, under, or over the bed.

[ ]  Excavate, drill, tunnel or otherwise disturb the bed.

[ ]  Deposit any substance in, on or under the bed.

[ ]  Reclaim or drain the bed.

[ ]  Other

* 1. Details of proposed activity:

Purpose of activity:

Materials to be used:

Duration of works:

Earthworks volume *(if applicable)*:

Machinery to be used:

Access to site:

Methods of installation *(e.g. pile driving)*:

* 1. For each activity, provide:
1. A **site plan** showing location of structure in relation to property boundaries.

*You can use our mapping system (*[***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. **Structural drawings (or as-built plans for existing structures)**, to scale (1:100), showing plan view, long section, cross-section and typical details. Plans must include dimensions, levels and material specification of the structure including:
* Area the structure will occupy over the bed of the lake or waterbody.
* Height of structure above the lake bed.
* Level of underside of the structure (RL above Moturiki Vertical Datum – 1953).
* Foundation depth below the bed level.
* Dimensions of the structure/s.
1. An **erosion and sediment control plan**, including dimensions and specifications of erosion protection (if required).
2. **Site description**
3. Lake or water body the structure will be located in:

1. Describe the site, including topography, vegetation, bed materials, wildlife habitats, fish, shellfish and bird species, cultural, scientific features, natural character*.* Please include photos.

1. Describe the planning overlays of the site, such as Outstanding Natural Feature and Landscape, Area of Significant Cultural Value etc.

1. Attach land owner approval if the structure is built on Rotorua District Council Reserve or marginal strip managed by the Department of Conservation.
2. **Te Arawa Lakes Trust**

Te Arawa Lakes Trust (TALT) owns the lakebeds and holds a Statutory Acknowledgement on the Rotorua Lakes. Your application must include approval from TALT. TALT’s contact details: (07) 346 1761. For more information: <https://tearawa.iwi.nz/structures/>

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

Describe the actual or potential effects of the proposed activity on the environment.

1. Effects on stability of banks and bed of the lake (e.g. erosion to neighbouring properties, natural beaches and other structures) – during and after construction:

1. Effects on lake water quality (e.g. increase in suspended sediment, leaching from treated timber):

1. Effects on aquatic ecosystems, birds, fish habitat and fish passage – during and after construction:

1. Effects on public access to and along the lake shore; the extent to which the structure contributes to the recreational and social benefits and environmental wellbeing:

1. Effects on existing users, e.g. navigation and safety in the lake:

1. Effects on landscape values and the values of the Outstanding Natural Feature/Landscape (if relevant):

1. Effects on natural character (e.g. the natural lake margin):

1. Cumulative effects (e.g. proliferation of structures in the lake, loss of naturalness of lake margin):

1. Other effects:

*[Continue as necessary]*

1. **Structural integrity**

You must provide an **engineering assessment** from a **Chartered Professional Engineer** for all new or previously unconsented structures. This assessment must consider if the structure will be structurally sound and suitable for use by the public for the duration of the consent term sought.

[ ]  Engineering assessment (from CPEng) attached.

[ ]  No engineering assessment attached because:

*If you do not provide an engineering assessment, we may return your application as incomplete under s88 of the RMA.*

1. **Mitigation**

Methods to be used to reduce or prevent the environmental effects *(e.g. managing sediment discharges, indigenous planting, habitat wall)*:

*If using concrete,* see *the concrete factsheet on our website* [***www.boprc.govt.nz***](http://www.boprc.govt.nz)*.*

 *[Continue as necessary]*

1. **Alternative options**

Alternative options considered *(e.g. shared facilities)*:

Reason/s alternatives are not proposed:

 *[Continue as necessary]*

1. **Monitoring**

Monitoring to be carried out:

 *[Continue as necessary]*

1. **Ongoing vegetation and sediment removal for access**
	1. Lake structure(s) will require ongoing sediment removal or vegetation clearance to maintain access:

[ ]  Yes [ ]  No

*If yes to 9.1, make sure that the affected party approvals include approval for this ongoing vegetation and/or sediment removal activity.*

* 1. If yes, details about the vegetation or sediment removal activity *(e.g. how often, area/volume involved, type of vegetation, ecological effects, erosion effects)*:

1. **Assessment against relevant objectives & policies of the relevant plan/s**

*Provide an assessment of the proposal against the relevant objectives and policies of the Regional Natural Resources Plan (*<http://www.boprc.govt.nz/knowledge-centre/plans/>) *and the Rotorua District Plan (*[*https://www.rotorualakescouncil.nz/our-services/planningservices/districtplan/Pages/default.aspx*](https://www.rotorualakescouncil.nz/our-services/planningservices/districtplan/Pages/default.aspx)*).*

*[Continue as necessary]*

1. **Affected persons**

*Affected persons may include neighbouring land owners and occupiers, iwi, hapū, organisations such as the Department of Conservation, Land Information New Zealand (LINZ), Eastern Region Fish and Game Council and community groups.*

*If you do not think there will be affected persons, you do not need to fill out this section. Bay of Plenty Regional Council will make the final assessment of whether a person is affected by your proposal, and you may be asked to consult with those 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. The ‘Affected Person’s Written Approval’ form can be filled out by the affected person and attached to this application. It is on our website:* [***www.boprc.govt.nz***](http://www.boprc.govt.nz) ***keywords ‘resource consent forms’****.*

Provide details of persons who may be affected by your proposal. If you have discussed your proposal with any of these persons, record their comments and your response and submit with your application.

Name

Address

 [ ]  Written approval attached

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 deposit is required with this application:** $2,700 including GST for new structures; $775 including GST for re-consenting existing unchanged structures. 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 resource 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 the application with:

Pre-application code RM     -     -PĀ

[ ]  Attach any pre-application correspondence/advice

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

[ ]  Complete all contact details in this 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 and district plans

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

[ ]  Site plan, structure plans

[ ]  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.

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 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

**IMPORTANT**

**NOTES TO THE APPLICANT**

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

Call the Consents Duty Planner on 0800 884 880 for consents related queries.

1 **We’ll not start processing your application until the $775 or $2,700 deposit is paid,** unless prior arrangement is made. Processing costs are likely to be more than the deposit; you will be invoiced 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).

**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 may 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/)