**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)

**PART 1**

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

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. **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 and/or Regulation number and National Environmental Standard 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.

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 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

**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 rate**  **Incl GST**  **(Excl GST)** |
| Administration | $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 |

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/)