

# Application for resource consent

- Resource Management Act 1991 (section 88)



Application number:	
Date and time received:	

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## 4C Discharge contaminants to air

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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)**

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

Discharges are subject to rules in Plan Change 13 (Air Quality) to the Regional Natural Resources Plan, on our website: <http://www.boprc.govt.nz/knowledge-centre/plans/>.

**Rule/s and plan/s that apply to your activity:** Rule AIR-R15 of the Regional Natural Resources Plan (Proposed Plan Change 13 (Air Quality))

**Activity status** of your consent application:

- Controlled
- Restricted Discretionary
- Discretionary

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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*)

Last name:

First names:

**OR**

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

Trust name:

Trustees' names:

Trustees' contact details:

**OR**

Company name: 1. [Rainbow Mountain Renewable Energy Ltd](#)

Contact person: [Bruce Gledhill](#)

NZ Companies Register number: [021 717 694](#)

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

Company name: [Mitchell Daysh Ltd](#)

Contact person: [Craig Mathieson](#)

Postal address: [PO Box, 300 673, Auckland 0752](#)

Phone (*select preferred contact number*)

Business

Cell 021 1779 664

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):

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### 3 District and consent term

(a) **District** the activity is located in:

- |   |  |
|---|--|
| <input type="checkbox"/> Whakatāne District             | <input type="checkbox"/> Ōpōtiki District  |
| <input checked="" type="checkbox"/> Rotorua District    | <input type="checkbox"/> Kawerau District  |
| <input type="checkbox"/> Western Bay of Plenty District | <input type="checkbox"/> Tauranga District |
| <input type="checkbox"/> Taupō District                 |  |

(b) Application is to replace an **existing or expired consent(s)**:  Yes  No

If yes, consent number(s):

(c) Consent **duration** sought:

                years                months

Start date

Completion date *(if applicable)*

(d) Resource consent(s) also required from a **district council**?  Yes  No

Type of consent required:

[consent as a discretionary activity under Rule EIT-R11 of the District Plan](#)

Has it been applied for?  Yes  No

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

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### 4 Activity location/s

Site address/es [216 State Highway 38, Waimangu](#)

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

[Fee Simple, 1/1, Section 1-2 Survey Office Plan 61678 and Lot 1 Deposited Plan South Auckland 91029](#)

Map reference/s NZTM:

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## PART 2

### Nature of the discharge(s) notes:

- (a) The nature of the discharge refers to its composition, flows and concentrations.
- (b) For a boiler, list the expected contaminants, concentrations and flows *(i.e. nitrogen oxides, sulphur oxides, particulate matter, heat output and any others)*.

- (c) List the makeup and particle size of the particulate matter; particle size range is required to indicate whether particles are likely to drift or be inhaled.
- (d) The sensitivity of the receiving environment is related to the operation's location.
- (e) List the materials used to reduce the effects of the contaminants, to assess any possible hazards or emissions from these.

## 1 Description of activity

The proposed activity is to undertake resource recovery and recycling activities associated with anaerobic-thermal-reduction ('ATR') pyrolysis trials (12 week period) in order to test variables and record results to confirm the process discharges. This is a trial process – resource consent for a full scale resource recovery activity at the site will be applied for sometime in the future.

Refer AEE for details.

- (a) Combination gases (*boiler using coal, wood waste, etc.*)

Material(s) being discharged

Concentration of contaminant(s) in air (*corrected to 0°C, 1 Atm and dry gas basis*), if applicable

Discharge flow m<sup>3</sup>/s of flue or vent (*if applicable*)

Discharge rate for particulate (*Ks/h*)

Particulate matter size range (*if applicable*)

Heat output (*gross*) of a boiler/heating plant (*if applicable*)

Fuel being used in a boiler/heating plant (*if applicable*)

Sulphur content of fuel used in a boiler/heating plant (*if applicable*)

Height of flue above ground level & height of buildings adjoining the flue (*if applicable*)  
Approx. 15m

Pollution control equipment used to reduce particulate discharges (*if applicable*)

- (b) Odours (*composting, wastewater treatment plant, industrial farming – piggery/poultry*)

Is the discharge:             Point source             Diffuse (*fugitive*)

Describe all possible sources of discharge

- (c) Other (*geothermal venting, landfill, abrasive blasting, dust, particulate matter, volatile organic compounds, spray painting, other industrial activity*)

Material(s) being discharged

Concentration of contaminant(s) in air (*corrected to 0°C, 1 Atm and dry gas basis*), if applicable

*If applicable:*

Volume flow of flue or vent	m <sup>3</sup> /s
Flue velocity	m/s
Height of flue above ground level	m
Height of building in vicinity of flue	m

For spray painting, please submit a Material Safety Datasheets with your application.

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## 2 Process details

- (a) Supply a detailed **flow chart** and **description of the process** that results in or could result in a discharge to air. Show what raw materials and products are in your process.
- (b) How often does the operation run during the day and year?

The trials will be undertaken 24 hours/day for 5 days/week (Monday through Friday).

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## 3 Receiving environment

- (a) **Site plan:** provide a site plan showing the location of the activity and receiving environment 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.*

- (b) **Sensitivity of the receiving environment** to the discharges (*i.e. what is the main use of the surrounding area, e.g. north, residential – closest 500 m; south, industrial etc*):

Industrial and Rural

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## 4 Assessment of environmental effects

- (a) Actual or potential effects of the proposed activity/operation on the **environment**:

[See AEE for details](#)

- (b) Actual or potential effects of the proposed activity/operation on the **neighbourhood**, including historic sites, recreational areas such as parks, scientific areas, and scenic features etc:

[See AEE for details](#)

- (c) **Visual effects** (*e.g. may be caused by wet plumes from a drying kiln, cooling tower, or wet scrubber*) and/or landscape effects (*e.g. deposition of matter onto land from an aerial discharge*):

[See AEE for details](#)

- (d) Effects of the proposed activity/operation on the **habitats** of plants and animals. *Some contaminants, such as nitrogen oxides, sulphur oxides, fluorides, and heavy metals can damage flora and fauna:*

[See AEE for details](#)

- (e) Have there been any **complaints** about the proposed activity? If so, please describe:

No

- (f) Effects of the proposal **downwind**, under prevailing wind conditions:

[See AEE for details](#)

*[Continue as necessary]*

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## 5 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.*

*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:

[See AEE for details](#)

*[Continue as necessary]*

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## 6 Mitigation

Describe the methods or actions to be used to reduce or prevent these environmental effects *(include a plan(s) of any discharge control system used)*:

- Describe the methods to reduce the actual or potential effects.
- Include plans of the emission control system, if applicable.
- Describe contingency plans in the event of a breakdown, such as a back-up system, stopping the process, alarms to warn of a problem, etc.
- Describe the maintenance schedule for the control equipment.
- Provide an odour management plan.

Proposed mitigation methods:

[See AEE for details](#)

Alternative contaminant control methods or discharge locations you have considered:

Reasons for the chosen location and mitigation method/s:

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## 7 Hazards and waste generation

- (a) Provide an assessment of the risks to the air environment where your operations use hazardous substances or installations (*if applicable*):
- (b) If hazardous air pollutants, as listed in Appendix 3 of the Regional Air Plan, are discharged from your operations, list their quantities and provide an assessment of the risk (*if contaminants are hazardous to people or the environment, or the installation is hazardous, the risk of these must be assessed*):
- (c) Describe the type of waste generated by the proposed activity, and how the waste will be managed:

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## 8 Monitoring

- (a) Proposed monitoring to avoid, remedy, mitigate the potential adverse environmental effects of the proposal:  
  
[See AEE for details](#)
- (b) Regular compliance tests may be required to be conducted by the company. How do you plan to monitor the discharges?  
  
[See AEE for details](#)

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## 9 Assessment against relevant objectives & policies of the relevant plan/s

*Provide an assessment of the proposal against the relevant objectives and policies of the operative Regional Air Plan and Proposed Plan Change 13 (Air Quality) to the Regional Natural Resources Plan (<http://www.boprc.govt.nz/knowledge-centre/plans/>).*

[See AEE for details](#)

*[Continue as necessary]*

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## 10 Affected parties

*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.*

*The form 'Affected Person's Written Approval' can be filled out by the affected party 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]*

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## 11 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.

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## 12 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.
- 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.

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## Checklist

Name of **staff member** you discussed your application with: [Aleisha Mitchell](#)

Pre-application code RM - -PÄ

Attach any 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
- Assessment of cultural effects
- 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.**

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**Send your application to [RegulatoryAdmin@boprc.govt.nz](mailto:RegulatoryAdmin@boprc.govt.nz)**

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## Information privacy

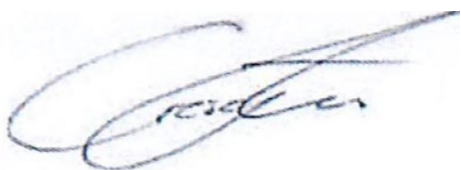
The RMA requires this information to process the application.

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.”

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- 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

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Date 09/02/2022



## **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 \$2,700 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 20<sup>th</sup> 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 RMA sets 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

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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

Group	Hourly charge (including GST)
Administration	\$120
Officers/Planners	\$170
Senior Officers/ Planners	
Engineers/Scientist/Regulatory Project Officers (RPO)/ Environmental Data Officer/Laboratory Technicians	
Compliance Monitoring Officer (externally contracted)	
Maritime Officer	
Team Leaders/Senior RPO/Works Engineer/Senior Maritime	\$190
Senior Engineer/Senior Scientist/Harbourmaster	
Pou Ngaio (Technical/Cultural RMA Specialist)	
Managers/Regional Harbourmaster	\$280
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/>