

Application for resource consent

- Resource Management Act 1991 (section 88)



Application number:	
Date and time received:	

4A Discharge water or stormwater to water and/or land from urban residential/rural areas

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 or visit www.boprc.govt.nz

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

Stormwater discharges are subject to rules in the Regional Natural Resources Plan and the Regional Coastal Environment Plan. These plans are on our website:

<http://www.boprc.govt.nz/knowledge-centre/plans/>.

Rule/s and regional plan/s that apply to your activity: **Rule DW R8 (temporary discharge during construction period)**

Activity status of your consent application:

- Controlled
- Restricted discretionary
- Discretionary

National Environmental Standards for Freshwater 2020

Is the activity within 100m of a natural wetland? Yes No

Name of staff member you discussed the application with: Marcia Christian

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

PART 1

Company name: Te Puna Industrial Ltd

Contact person: Colin Booth/Dr Margaret Harris

NZ Companies Register number: 8185315

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

Company name: Momentum Planning & Design Ltd

Contact person: Vincent Murphy

Postal address: Level 1, 136 Willow Street Tauranga 3110

Telephone *(tick preferred contact number)*

Business (07) 220 9812 Cell 021 283 0673

Email Vincent@mpad.co.nz

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):

2 District and consent term

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

- | | |
|--|--|
| <input type="checkbox"/> Whakatāne District | <input type="checkbox"/> Ōpōtiki District |
| <input type="checkbox"/> Rotorua District | <input type="checkbox"/> Kawerau District |
| <input checked="" 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:

35 years months

Start date As soon as possible

Completion date (*if applicable*) As soon as possible

(d) Is resource consent(s) required from a **district council**? Yes No

Type of consent required - Land use consent as per AEE

Has it been applied for? Yes No

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

3 Activity location/s

Site address/es 297 Te Puna Station Road

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

Part Lot 3 DP 22158

Map reference/s NZTM: Lat 37.68390 degrees South, Long 176.08140 degrees North

PART 2

1 Description of activity

(a) Stormwater is discharged from: (*tick all that apply*)

- Roofs/buildings
- Car parks
- Other (*please specify*) Industrial yards as per application description

- (b) Is there an outlet structure in a water body? Yes No

If yes, provide a plan and specifications.

Not an existing water body. Discharge of site stormwater during construction will be to land following treatment in Silt Retention Ponds. Post-construction will be discharged into planned wetland of Structure Plan.

- (c) What is the 10 minute 10% Annual Exceedence Probability (AEP) at your site? (*Your engineer can work this out for you or you can find information on the NIWA database/online services/ HIRDS on www.niwa.co.nz*).

0.688m³/s (advised by engineers WSP)

2 Nature of discharge

- (a) Potential contaminants, and their concentrations, in the discharge: (*select all that apply*)

Suspended solids 150 mg/L

No potential for discharge of other contaminants during earthworks (based on SQEP advice – Pennan and Co, who have completed the site DSI, given Silt Retention Ponds to be in-place prior to discharge).

3 Site plan

Provide a site plan showing the location of the activity and receiving environment in relation to property boundaries.

You can use our mapping system (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.

4 Receiving environment

Provide receiving environment information for **either** (a) surface water, **or** (b) land soakage:

Land soakage (planned wetland/overland flowpath of Te Puna Business Park Structure Plan)

- (b) **Land soakage**

Name of area where land soakage will occur: Planned wetland/overland flowpath of Te Puna Business Park Structure Plan.

Sensitivity of the land - Unknown

The discharge is:

- Diffuse (*does not occur at a specific, identifiable point*)
- In the Coastal Margin (0-40 m from the Coastal Marine Area)
- Point source (*at one location through an outlet such as a pipe or channel*)

If discharge is **point source**, describe erosion protection provided at the discharge point. Attach design drawings and/or photographs.

Outlets from ponds to be provided with scour protection appropriate to design velocity (to achieve 80% if 100-year event (1% AEP) – 461 l/s) (as per WSP Engineering Report). Flows in larger events to be serviced by weirs. To be designed at detail design phase.

Soil type of the area where land soakage will occur: Uncertified fill over soft alluvial soils (see WSP Geotechnical Report)

Drainage of the area where land soakage will occur: To ground (planned wetland within overland flowpath)

Distance to groundwater at the point of discharge: less than 1m (as per CPT's, see WSP Geotechnical Report)

5 Assessment of environmental effects (AEE)

(a) Your AEE should include, but not be limited to:

- Treatment
- Storage/alteration
- Alternatives
- Maintenance
- Contingency
- Monitoring
- Erosion and scour
- Flooding
- Effects on neighbour's properties

Note the AEE and supporting technical reports covers the above.

(b) Any other effects relevant to the application.

If your company has an Environmental Management Plan, please submit with your application. If you would like to put one together, check our Environmental Management Plan Checklist on our website (www.boprc.govt.nz).

Where your discharge could have a significant adverse effect on the environment, a more detailed environmental assessment is required in accordance with the Fourth Schedule of the Resource Management Act 1991.

6 Maintenance and contingency

Describe how the equipment controlling the discharge will be operated and maintained to prevent equipment failure. Describe the measures to be taken to remedy the effects of a malfunction:

The swales and stormwater system will be maintained by the landowner following completion of construction. Outline maintenance detailed in Appendix 16 of AEE. Includes regular

inspections especially early in design life following heavy rainfall events, to ensure integrity of landform following heavy rainfall and higher water flows. Dredging and clearing to ensure effective operation.

[Continue as necessary]

7 Monitoring

Describe the monitoring you propose to carry out to ensure the discharge does not have an adverse effect:

Routine discharge water quality monitoring and inspections, and record keeping.

[Continue as necessary]

8 Cultural effects

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 (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.

[Continue as necessary]

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 relevant regional plan (<http://www.boprc.govt.nz/knowledge-centre/plans/>) and the National Policy Statement for Freshwater Management (<https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/national-policy-statement-freshwater-management>).

See AEE

[Continue as necessary]

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.

Public notification requested, see section 8 of AEE.

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.
-

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.
- 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 the application*). Staff can give an estimate of expected costs. Please see the schedule of fees attached.

Has possibly been paid at the time of lodging original application January 2022

Checklist

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

The following information must be included in your application:

Error! Unknown document property name. Discharge water or stormwater to water and/or land from urban residential/rural

- 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)

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) 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 23 Dec 2021

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 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

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

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/>