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File ref:			
	<b>SEEN</b>		<b>SEEN</b>
Office use only			

**Application for a Resource Consent – Resource Management Act 1991 (s88)**

**4C Discharge Contaminants to Air**

The purpose of this form is to provide applicants with guidance on the minimum information that is required under Schedule 4 of the Resource Management Act 1991 (RMA). Depending on the nature and scale of your proposed activity, more detailed information may be required.

If you need help filling out this form please or would like to organise a pre-application meeting, contact the Consents Team on 0800 884 880. They will be able to provide some assistance; up to 1 hour is provided as pre-application advice.

If you have dealt with a staff member regarding your consent application, please provide their name here:

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Please be aware your consent application is subject to the requirements in the:

- Regional Natural Resources Plan; and
- Plan Change 13 to the Regional Natural Resources Plan.

The information you provide in this application is regarded as official information. It is required under the provisions of the Resource Management Act 1991 to process this application, and to assist in the management of the region’s natural and physical resources.

The information will be held by Bay of Plenty Regional Council, Quay Street, Whakatāne. This information is subject to the provisions of the Local Government Official Information and Meetings Act 1987, and the Privacy Act 1993. The information you provide in this application will generally be available to the public. If there is any information that you would like to remain confidential please contact a Consents Officer to discuss.

If you are applying for more than one activity and you have already completed the basic details in Part 1 on another form, go straight to Part 2 of this form.

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Under section 88 of the Resource Management Act 1991, the undersigned makes this application for resource consent(s).

## **PART 1**

### **1 Applicants Details**

**Full name of applicant(s)** *(the name that will be on the consent)*

Surname: .....

First names: .....

**OR**

If the application is being made on behalf of a trust, the Trustees must be named.

Trust name: .....

Trustees' name: .....

**OR**

Company name: Lawter (N.Z.) Limited .....

Contact person: Ashley Hart .....

**Telephone** *(please tick preferred contact number)*

Residential (0 ) .....  Business (07) 987 2105 .....

Cell (021) 956 056 .....

**Email** Ashley.Hart@lawter.com .....

**Postal address:** 211 Totara Street .....

Mt Maunganui 3116 .....

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### **2 Details of consultant** *(or other person authorised to make application on behalf of applicant)*

Company name: Tonkin & Taylor Ltd .....

Contact person: Romae Calland .....

Postal address: PO Box 317 .....

Tauranga .....

**Telephone** *(please tick preferred contact number)*

Business (07) 571 9396 .....  Cell (029) 777 9994 .....

**Email** RCalland@tonkintaylor.co.nz .....

All correspondence, including invoices for charges, relating to this application(s) should be sent to:

Applicant     Consultant

Preferred method of contact:

Email     Post

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**3 Name and address of owner/occupier (of the site relating to application)**

**Owner:** Lawter (N.Z.) Limited .....

Postal address: 211 Totara Street.....

Mount Maunganui 3116.....

Residential (0 ) .....     Business (07) 572 7381 .....

Cell (0 ) .....

**Occupier:** as above.....

Postal address: .....

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Residential (0 ) .....     Business (0 ) .....

Cell (0 ) .....

**Please note:** If the applicant is not the owner of the land to which the activity relates, then it is good practice to submit the application with written approval from the landowner.

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**4 In which district is the activity located?**

Whakatāne District

Ōpōtiki District

Taupō District

Rotorua District

Kawerau District

Tauranga District

Western Bay of Plenty District

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**5 Application Details**

(a) Is this application to replace an existing or expired consent(s)?     Yes     No

If Yes, please state the consent number(s) 61693-AP .....

(b) Please specify the duration sought for your consent(s).

35 ..... years ..... months

Start date 30...../06 ...../2020 .....

Completion date (if applicable) ...../ ...../ .....

(c) Do you also require resource consent(s) 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

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**6 Location description of activity**

Site address: 211 Totara Street, Mt Maunganui .....

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Legal description: Lot 1 Deposited Plan South Auckland 32302

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Map reference NZTM, (if known).....

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**PART 2**

**1 Air Discharge Information**

- (a) The nature of the discharge refers to the composition of the discharge, the concentrations of the components and the emission rate.
- (b) For a boiler, the fuel type, expected contaminants, concentrations, and emission rate must be listed (i.e. nitrogen oxides, sulphur oxides, particulate matter, heat output, and any others present).
- (c) The makeup of the particulate matter should be known and provided. Particle size range is required to indicate whether particles are likely to settle, drift or be inhaled.
- (d) The sensitivity of the receiving environment is related to the location of the operation and includes sensitive receptors (e.g. residential properties, schools, recreational facilities).
- (e) Any physical controls or treatment provided to control or reduce the effects of the contaminants must be provided, including any possible hazards or emissions from these mitigation measures.
- (f) For spray painting, please submit a Material Safety Datasheets with your application.

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**2 Description of activity**

- (a) Combustion materials (boiler using coal, wood waste, diesel, etc.) see section 3 of AEE
- (b) Gases(s)/particulates/materials (contaminants) being discharged see section 4 of AEE.

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- (c) Concentration of contaminant(s) in air (*corrected to 0°C, 1 Atm and dry gas basis*). .....  
See Appendix C of AE .....
- (d) Discharge/emission rate (from flue or vent) see Appendix C of AEE ..... m<sup>3</sup>/s
- (e) Discharge rate for particulates (*Ks/h*) see Appendix C of AEE .....
- (f) Flue velocity see Appendix C of AEE ..... m/s
- (g) Particulate matter size range see Appendix C of AEE.....
- (h) Heat output (*gross*) of a boiler/heating plant see Appendix C of AEE.....
- (i) Fuel being used in a boiler/heating plant see Appendix C of AEE .....
- (j) Sulphur content of fuel used in a boiler/heating plant see Appendix C of AEE .....
- (k) Height of flue above ground level see Appendix C of AEE ..... m
- (l) Height of building in vicinity of flue see Appendix C of AEE ..... m
- (m) Source of odours (*e.g. composting, wastewater treatment plant, industrial farming – piggery/poultry*) CTO and CST.....
- (n) Is the discharge:       Point source       Diffuse
- (o) Describe all possible sources of discharge:  
See section 3 of AEE and Appendix C of AEE.....  
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**3 Process details**

- (a) Please supply a detailed **flow chart** and **description of the process** that either results in a discharge to the atmosphere, or could potentially result in a discharge to air. Show that raw materials and products are in your process.

See section 3 of AEE

- (b) How often does the operation run during the day and year?

Hours per day: 24 .....

Days per year 365 .....

**4 Receiving environment**

(a) Site plan

On a separate piece of paper, please provide a site plan showing the location of the activity and receiving environment including distances to property boundaries.

*You can also use the regional mapping system available on our website ([www.boprc.govt.nz](http://www.boprc.govt.nz) keywords 'regional mapping'). The mapping system includes property boundary and contour layers, and allows you to carry out a property search, and view and/or print topographic maps or aerial photography.*

(b) Is the activity located in a gazetted airshed?  Yes  No

(c) What is the land main use in the surrounding area?

Industrial – see section 4 of AEE .....

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*(Please continue on a separate sheet)*

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5 **Assessment of Environmental Effects (AEE)**

The Resource Management Act 1991 requires resource consent applications to include an Assessment of Environmental Effects (AEE), identifying the actual and potential effects that an activity may have on the environment.

(a) Describe the actual potential effects that the proposed activity/operation could have on the environment, the neighbourhood, including cultural effects. Other areas that need effects assessed are historic sites and recreational areas, such as parks, scientific areas, and scenic features, etc.

See section 7 of AEE .....

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*(Please continue on a separate sheet)*

- (b) Describe any 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 section 7 of AEE .....

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*(Please continue on a separate sheet)*

- (c) Please describe any effects your operation will have on physical habitats of plants and animals and any potential health effects. *Some contaminants, such as nitrogen oxides, sulphur oxides, fluorides, and heavy metals have the potential to damage flora and fauna and pose a health risk to humans.*

See section 7 of AEE .....

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*(Please continue on a separate sheet)*

- (d) Have there been any complaints associated with the proposed activity? Please describe.

See section 4.4 of AEE .....

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*(Please continue on a separate sheet)*

- (e) Describe any effects of the proposal downwind, under prevailing wind conditions.

See section 7 of AEE .....

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*(Please continue on a separate sheet)*

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## 6 Mitigation

The Resource Management Act 1991 requires the applicant to identify the ways in which those effects can be avoided, remedied or mitigated.

- (a) Describe what methods are going to be used to reduce the actual or potential effects (include physical controls, treatment systems and management procedures).
- (b) Include plans of the emission control system, if applicable.
- (c) Detail contingency plans in the event of a breakdown, such as a back-up system, stopping the process, alarms to warn of a problem, etc.
- (d) Show what your schedule of maintenance will be for the control equipment.
- (e) Provide an odour-management plan.

See section 7 of AEE .....

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*(Please continue on a separate sheet)*

What alternative contaminant control methods or discharge locations have you considered and why?

See section 10 of AEE .....

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*(Please continue on a separate sheet)*

**7 Hazards and waste generation**

- (a) Where your operations include the use of hazardous substances or installations, please provide an assessment of the risks to the air environment likely to arise from such use.

See section 7 of AEE .....

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*(Please continue on a separate sheet)*

- (b) Describe the type of waste generated by the proposed activity, and how you tend to manage that waste (e.g. capture, storage, disposal).

See section 3 and 7 of AEE .....

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*(Please continue on a separate sheet)*

- (c) If the activity produces hazardous waste products, indicated the volume produced and assess the risks of the waste on the environment (including health risks to humans).

See section 3 and 7 of AEE .....

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*(Please continue on a separate sheet)*

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**8 Monitoring**

- (a) How do you plan to monitor the discharges to air (include proposed frequency)?

See section 7 and 11 of AEE .....

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*(Please continue on a separate sheet)*

- (b) If there are fugitive discharges, how do you plan to monitor the fugitive discharges to air (include proposed frequency)?

See section 7, 10 and 11 of AEE .....

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*(Please continue on a separate sheet)*

- (c) What, if any, monitoring do you propose to carry out on the potential adverse environmental effects of the proposal on the receiving environment?

See section 7 and 11 of AEE .....

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*(Please continue on a separate sheet)*

- (d) Please describe any other monitoring of associated control measures proposed, if applicable.

See section 7 and 11 of AEE .....

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*(Please continue on a separate sheet)*

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9 **Statutory Assessment**

This policy assessment is required as per s88 and schedule 4 of the RMA for the application to be considered completed. This policy assessment is required as per s88 and schedule 4 of the RMA for the application to be considered completed.

See section 8 and 9 of AEE .....

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*(Please continue on a separate sheet)*

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10 **Persons likely to be affected**

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

*If you do not think there will be affected persons, you do not need to fill out this section; however, the Bay of Plenty Regional Council will make the final assessment of whether a person is affected by your proposal, and it is recommended as best practice to consult with those persons.*

*In order 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 Bay of Plenty Regional Council can help you identify people/organisations that are likely to be affected, and the form 'Affected Person's Written Approval', can be found at [www.boprc.govt.nz](http://www.boprc.govt.nz) keywords '**resource consent forms**'.*

Please provide details below of those you have identified as persons who may be affected. If you have discussed your proposal with any of these persons, please record any correspondence, and submit this with your application.

Full notification of the application has been requested. See section 6 of AEE for consultation details.

Name .....

Address .....

.....

Written approval supplied (*attached*)

Name .....

Address .....

.....

Written approval supplied (*attached*)

(*Please continue on a separate sheet*)

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## 11 Extending timeframes

*The Resource Management Act 1991 specifies timeframes for processing resource consent applications (e.g. 20 working days for a non-notified application); however these timeframes can be extended, if necessary, with the Applicant's agreement.*

Do you agree to the Bay of Plenty Regional Council extending RMA consent processing timeframes?

- Yes, provided that I can continue to exercise my existing consent until processing of this application is completed (*renewal application only*).
  - Yes, provided that the extension is for the specific purpose of discussing and trying to agree on consent conditions.
  - Yes, provided that the application process is completed before ..... / ..... / .....
  - No.
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## 12 Deposit fee

A deposit fee of \$2,700.00, inclusive of GST, is payable with this application. This may be paid online, by cheque, or by eftpos at one the Regional Council's reception desks.

- Bay of Plenty Regional Council's bank account number is **06 0489 0094734 00**. Please use the Applicant's name as the reference. A GST invoice marked "PAID" will be issued on receipt of payment.
  - An application will not be accepted as a complete application until the deposit fee has been paid. **Please note:** while we are happy to hold the forms in the meantime, the processing time will not start until payment is received.
  - Additional charges are usually incurred, and will vary depending on the resource we use in the course of processing your application (*e.g. staff time*). Staff can give an estimate of expected costs. Please see the schedule of fees attached.
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## Checklist

The following information must be included in your application to ensure it is accepted.

- Complete all details in this application form.
- Include an Assessment of Environmental Effects, as set out in Schedule 4 of the RMA
- Supply written approval from all affected parties, if any, and/or summary of consultation carried out.
- Include a site plan.
- Sign and date the application form.
- Pay the required deposit.

- Include any other information you think relevant (e.g. *Certificate of Title, details from the Companies Register, etc.*)
- If your application is a large application, please submit an electric version on CD, and one hard copy.

Please be aware any unchecked boxes may result in your application being returned under s88.

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- 1 I confirm that 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 contained on this application form, including the requirement to pay additional costs that will be itemised.**
- 3 I confirm that all the information provided is true and correct and understand that any inaccurate information provided could result in my resource consent later being cancelled.**

Signature  .....

Date 05 / 12 / 2019



# IMPORTANT

## NOTE TO THE APPLICANT

### PLEASE READ THIS BEFORE PROCEEDING WITH THE APPLICATION FORM

If you are unsure whether you require a resource consent for your proposed activity, or you have any other queries, please contact a consents officer at Bay of Plenty Regional Council on 0800 884 880.

#### IMPORTANT INFORMATION

- 1 **Processing of the application by Bay of Plenty Regional Council will not begin until the deposit fee is paid, unless prior arrangement has been made. If, at the end of the processing of the application, the actual cost exceeds the deposit, you will be invoiced for the balance.**
- 2 You may also be required to pay a resource management charge associated with holding a consent. The Water Administration Team will be able to provide you with more details. All charges are in accordance with Section 36 of the Resource Management Act 1991. All accounts are payable by the 20<sup>th</sup> of the month following date of invoice. Where costs are incurred that exceed \$2,000 above the deposit, or at the end of every quarter, you may be requested to pay an additional amount by way of interim payment against the final total costs.
- 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, please contact a consents officer at Bay of Plenty Regional Council for clarification.
- 4 Section 42 of the Resource Management Act 1991 allows the protection of sensitive information. Therefore, if your application includes trade secrets and/or commercially and culturally sensitive material, please advise Bay of Plenty Regional Council.
- 5 Schedule 4 of the Resource Management Act 1991 (*summarised at the back of this form*) sets out the information you must provide with your consent application, including an Assessment of Environmental Effects (AEE). An AEE must be prepared in accordance with Schedule 4 of the Resource Management Act 1991. To assist in the preparation of the assessment, a summary of the key requirements of Schedule 4 follows this information sheet. Failure to provide the correct information will result in delays in the processing of your application.
- 6 Bay of Plenty Regional Council may decide not to proceed with the application until applications for further resource consents are made (Section 91). It is, therefore, important to identify every consent required for the proposal at the outset.
- 7 Bay of Plenty Regional Council may request the Applicant, by written notice, to provide further information if required (section 92). If this occurs, the application will be put on hold, and the processing timeframes stopped. Processing will not recommence until the information is received.
- 8 An application does not need to be publicly notified if the environmental effects are minor, and if written approval has been obtained from everyone who is adversely affected by the granting of the consent (Sections 95D and 95B respectively). Bay of Plenty Regional Council has forms available to obtain approvals.
- 9 Under Section 128(1)(c) of the Resource Management Act 1991, Bay of Plenty Regional Council may undertake a review of any consent at any time if the application contains any inaccuracies that materially influence the decision made.