

01 April 2019

Stephanie Hantler
Bay of Plenty Regional Council
PO Box 364
Whakatāne 3158
New Zealand

Dear Stephanie,

Western Bay of Plenty District Council (Council) is committed to a comprehensive approach to managing stormwater quality and quantity throughout the District. Part of this approach is to gain comprehensive stormwater consents (CSCs) to provide a consent framework which is then supported by financial commitment in the Long-term Plan (LTP).

In this regard we note that it is challenging to provide some of the information required in the section 92 request from the Bay of Plenty Regional Council (BOPRC) (dated 13 February 2019); and also highlighted to BOPRC staff at a meeting on 30 October 2018. Council's response to the section 92 request is provided in Attachment One. A second attachment provides a set of draft conditions which Council proffers as part of the application.

We reiterate our notification request as per our email to you on the 30th of January 2019 and ask that this is undertaken as a matter of priority. As you are aware this application was lodged in March 2017 and Council wishes to ensure that the appropriate funding can be provided as soon as possible to ensure that the required modelling and improvements can be undertaken as soon as practically possible.

If you have any questions in regards to the information provided please do not hesitate to call on 0223262362.

Yours faithfully



Ariell King
Principal Planner
ariell.king@aecom.com

ATTACHMENT ONE – SECTION 92 RESPONSE

Matter	Response
<p>1. Please provide a single comprehensive CMP document to supersede the PMS document and AECOM gap analysis. <i>This should be structured as a 'living' document, to be updated as stormwater management activities are progressed and more information becomes available. It should address the matters in Chapter 7 of the Bay of Plenty Regional Council's Guidelines for the Development of comprehensive Stormwater Consent Applications and Catchment Management Plans 2005/02. The CMP should be limited to the catchments in question.</i></p>	<p>As noted in the AECOM application (dated March 2017) Council intends to prepare a single comprehensive CMP following the granting of the CSC. In the AECOM application conditions were proffered which indicated that an updated CMP would be provided 12 months after the consent was granted. It is now anticipated that it would take 24 months for this updated CMP to be prepared due to the modelling that is required and the community consultation and engagement that Council wish to undertake. Accordingly Council proffers a revised condition as provided in Attachment Two (Draft Conditions).</p> <p>For the notification process Council will also provide a covering navigation document to guide parties to the relevant sections between the AECOM and PMS documents.</p>
<p>2. Please provide a separate consent application report which fulfils the requirements of Schedule 4 of the Act, and includes complete coverage/assessment of the necessary matters. This includes:</p> <ul style="list-style-type: none"> a. An assessment of the proposal against the matters in Part 2 of the RMA; b. An assessment of the proposal against the matters in s104(1)(b) of the RMA; c. An assessment of the effects of the activity on the environment, in accordance with clauses 6 and 7 of Schedule 4 of the RMA. 	<p>The application (as submitted) provides the assessment that has been requested. This is demonstrated in the following sections of the AECOM and PMS documents:</p> <ul style="list-style-type: none"> a. Section 6.1.1 of the AECOM report provides an assessment against the provisions of Part 2 of the RMA b. Sections 6.1.2, 6.1.3, 6.1.4, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9 and 6.10 of the AECOM report provide an assessment of the relevant policies and plans in accordance with section 104 (1)(b). c. Section 5 of the AECOM report and section 5 of the PMS report provide an assessment of environmental effects.

3. As a means of presenting the relevant supporting information succinctly and in an easy to manage way, please provide a GIS database or layers of the following:
- a. Catchment and sub-catchment boundaries;
 - b. The details of all existing stormwater network assets (including outlets, open channels, ponds, wetlands, all recognized OLFPs (protected and otherwise), individual pipelines, earth structures, works in water bodies), including the applicable resource consent number(s). Ensure that the data on outlets includes the location, specifications, capacity, condition and photograph(s);
 - c. Secondary flowpaths;
 - d. Flood maps for different rainfall events;
 - e. Existing catchment areas where stormwater modelling has been undertaken;
 - f. Priority areas for future stormwater modelling;
 - g. Proposed capital works and their priority status;
 - h. Existing water quality information;
 - i. Existing land use;
 - j. Soil and geological information;
 - k. Groundwater/surface water interaction;
 - l. Industrial sites and hazards;
 - m. Sites of cultural, historical, archaeological and geological significance;
 - n. Existing water-related consents;
 - o. Receiving water information;
 - p. Monitoring sites;

Council is able to provide some of the information outlined in this list as a GIS layer, with Web portal access for BOPRC if required, as outlined below. Where Council is unable to provide the information comments are included.

Information availability:

- a. Catchment and sub-catchment boundaries – Yes
- b. The details of all existing stormwater network assets (including outlets, open channels, ponds, wetlands, all recognized OLFPs (protected and otherwise), individual pipelines, earth structures, works in water bodies), including the applicable resource consent number(s). Ensure that the data on outlets includes the location, specifications, capacity, condition and photograph(s) – Yes
- c. Secondary flowpaths - Not available until modelling complete.
- d. Flood maps for different rainfall events - Not available until modelling complete.
- e. Existing catchment areas where stormwater modelling has been undertaken - Yes
- f. Priority areas for future stormwater modelling - Yes
- g. Proposed capital works and their priority status - Yes we can display this – but we have no proposed capital works so nothing will show.
- h. Existing water quality information - Yes
- i. Existing land use - Yes
- j. Soil and geological information - Yes
- k. Groundwater/surface water interaction – Not currently available
- l. Industrial sites and hazards - No Industrial sites within this

<p>q. Historic flooding;</p> <p>r. Existing and potential erosion and sedimentation sites.</p> <p>Note: Council may seek to require the maintenance of this database as a condition of consent. WBoPDC may already keep this information for its own asset management.</p> <p>Condition: Any new discharges/structures/works to be authorised under this consent must be approved in writing and added to the schedule prior to construction.</p>	<p>catchment.</p> <p>m. Sites of cultural, historical, archaeological and geological significance – Yes where known (BOPMAP Arc sites)</p> <p>n. Existing water-related consents - Yes – but we will need this information from BOPRC</p> <p>o. Receiving water information – Council assumes that this would be in relation to the monitoring data that is currently available for the receiving waters. Can this please be confirmed by the BOPRC?</p> <p>p. Monitoring sites – Yes</p> <p>q. Historic flooding – Council’s preference is that this information is not displayed on public maps. There is only very limited anecdotal information (based on what is reported to Council). It may also limit what the community chooses to share into the future. As such Council does not intend to provide this information.</p> <p>r. Existing and potential erosion and sedimentation sites – Yes, based on what is the existing District Plan layer.</p> <p>We note your comments that Council may seek to require the maintenance of this database as a condition of consent and that any new discharges/structures/works to be authorised under this consent must be approved in writing and added to the schedule prior to construction. Council agrees to this draft conditions and it is included in the updated draft conditions in attachment two.</p>
<p>4. In conjunction with (3) and for clarity in setting out the scope of the consent, please provide a schedule of the following:</p> <p>a. All works and discharges to be authorised under this consent. This will form a baseline schedule to enable audit of new activities. The Applicant may already hold such asset management information in a readily shareable</p>	<p>a. Existing structures to be authorised under this consent are shown in AECOM document, Section 2.1, Figures 3, 4 and 5. Council can provide this information in a readily shareable format. The information is also included in layer (b) above.</p> <p>b. Council does not have any funding in the LTP for upgrades</p>

<p>format.</p> <p>b. All proposed management and mitigation methods, including capital works/infrastructure solutions, and policy solutions (District Plan, code of practice, education, etc.). Include an updated schedule and budget for implementation.</p> <p>c. All existing resource consents to be replaced by the CSC. Include consent numbers and grant/expiry dates. It appears that the revised list of consents in Table 6 of the AECOM report does not include a number of relevant consents from Appendix J (Existing Stormwater Consents) of the PMS report. It is unclear whether this is because they are outside of the urban catchment, have expired, been withdrawn, or omitted for some other reason. Further, if any stormwater related consents have been sought and granted since the application was first lodged these should be included.</p> <p><i>Note: Council may seek conditions of consent to ensure that new discharges/ structures/ works to be authorised under the consent must meet certain design criteria, be approved by Council in writing, and be added to the schedule in (2), prior to construction.</i></p>	<p>within this catchment. Funding is available in 2019/20 and 2020/21 to develop a structure plan for Minden. However any funding requirements for upgrades will be included in the Long-term Plan 2021-31. As previously noted Minden is not currently rated for stormwater. Therefore any improvements will need to undergo extensive consultation as well as a revenue and finance review. On average \$250,000 per annum has been included in Council's Long-term Plan 2018-28 for stormwater quality improvements across the District. The location and types of treatment have not yet been determined. Council would like to establish its CSC and monitoring programs before allocating funding to specific catchments to ensure appropriate expenditure.</p> <p>c. There are no updates to the list of existing resource consents to be replaced by the CSC</p> <p>Note that the comments regarding the condition of consent regarding new discharges/structures/works has been addressed above.</p>
<p>5. An updated, peer-reviewed modelling report for both Te Puna and Minden catchments.</p> <p>a. Ensure the hydrological assumptions, including flows and volumes, are robust and correct, and incorporate the correct Tauranga Harbour sea levels.</p> <p>b. Ensure that the report is consistent with BoPRCs Stormwater Management Guidelines for the Bay of Plenty Region 2012/01 and Hydrological and Hydraulic Guidelines 2012/2.</p> <p>c. Include clarification on whether or not the upgrades proposed for Te Puna West have been implemented and</p>	<p>We note the comment that no hydrological calculations were presented and that the modelling of Te Puna carried out in 2005 does not appear to have been peer reviewed; and no modelling has been provided for Minden. We also note the comment that there is currently not enough valid information to assess the likely effects of the proposal or whether the stormwater management is acceptable, or to determine whether the proposed monitoring is appropriate.</p> <p>Council acknowledges that no hydrological calculations of flood modelling were presented as part of the application. However this information was proffered as a draft condition. We note that in addition to the proposed condition, Council has been advised by BOPRC in relation to the Eastern Catchment Management Plan that modelling was not required as part of the application (attachment three).</p>

<p>included in the modelling.</p>	<p>As noted in the covering letter, Council is committed to ensuring that stormwater is managed appropriately and that a CSC provides a framework within which to operate. Council will not be providing this information as part of this application but reiterates its intention for this modelling to be undertaken and for it to support an updated CMP. This commitment is included in the updated draft conditions in attachment two. The points raised in 5 a – c will be taken into account when the modelling framework is developed.</p>
<p>Overall the ecological reports provided for each catchment do not provide sufficient assessment of the aquatic values of waterways in the catchment (streams, drains, ponds); do not adequately identify the devices/measures proposed for mitigation; and do not assess the impact of such measures. While it appears that the application supports low impact urban design, minimizing creation of stormwater, using devices/structures to improve water quality, and maintaining hydrologic neutrality, there is no certainty as to what devices will be implemented in different parts of each catchment, and to what effect. As such, the application is lacking substantial detail on how the stormwater objectives of the CMP will actually be achieved.</p>	<p>In response to this overall comment Council notes that it does not intend to undertake any further assessments prior to the CSC being granted. When Council identifies the appropriate devices and mitigation at specific locations in the catchment the required assessment will be undertaken at that time. The intent of a CSC is not to identify each mitigation device or structure that will be utilised throughout the catchment. Rather it is to indicate the Council's overall intentions regarding objectives for the appropriate management of stormwater quality and quantity.</p> <p>We note that the BOPRC guidelines for developing CSCs and CMPs states the following <i>'Applying for wide ranging consents is encouraged. This minimises duplication of effort and provides certainty to the TA and Regional Council of the works required to manage stormwater on a catchment by catchment basis. It is likely that detailed design information will not be available at this early stage, however preliminary design may be appropriate to base decisions on, subject to further consultation and detailed design if necessary in the future'</i>.</p>
<p>6. Please provide revised ecology reports for both catchments that include substantiated (surveyed) descriptions of the receiving environments in each catchment. Include description of the ephemeral and perennial habitat conditions in the streams.</p>	<p>As outlined above Council does not intend to undertake any further assessments prior to the granting of consent. As a proposed condition of consent Council agrees to provide revised ecology reports for both catchments that include substantiated (surveyed) descriptions of the receiving environments in each catchment, including a description of the ephemeral and perennial habitat conditions in the streams. This matter has been provided for in the updated draft conditions included in attachment two.</p>
<p>7. What are the invertebrate communities dominated by and what does this indicate about the sensitivity of the receiving environment? Again, please substantiate with survey</p>	<p>As noted above Council does not intend to undertake any further assessments prior to the granting of consent. As a proposed condition of consent Council agrees to provide revised ecology reports for both catchments that include invertebrate community survey and sensitivity of the receiving environment. This matter has been provided for in the</p>

<p>information.</p>	<p>updated draft conditions included in attachment two.</p>
<p>8. Sections 4.1.3 and 4.2.4 of the AECOM report provide some discussion on quality and quantity treatment options, but there is little throughout the report or application overall to identify where these are proposed to be implemented in either catchment. The recommendations in section 7 of the AECOM report are general and not site-specific. Please confirm the mitigation and management measures proposed and provide an assessment of the effectiveness of these.</p> <p>For example, on p73 of the AECOM report it is noted that gullies and streams in the Minden catchment may be suitable for conveyance and treatment if combined with riparian planting and enhancement. However, this is presumably based on the brief ecological assessment provided; proposals to discharge stormwater to surface water seem at odds with a low impact urban design approach; and reliance on riparian planting assumes that the Applicant is able to secure access rights to riparian margins through private land. Further detail is needed to substantiate the effectiveness of this approach.</p>	<p>As noted in the covering letter, Council is committed to ensuring that stormwater is managed appropriately and that a CSC provides a framework within which to operate.</p> <p>When Council identifies the appropriate treatment options, devices and mitigation at specific locations in the catchment the required assessment will be undertaken at that time. The intent of a CSC is not to identify each mitigation device or structure that will be utilised throughout the catchment. Rather it is to indicate the Council's overall intentions regarding objectives for the appropriate management of stormwater quality and quantity.</p>
<p>9. Please provide further detail on the locations and frequency of proposed sampling for monitoring both water quality and sediment quality. In his review of the application, BoPRCs Freshwater Ecologist, Alastair Suren, recommended that monitoring of stormwater in catchments needs to examine sediment quality over time, as this is often where evidence of heavy metal accumulation is first detected.</p>	<p>As part of preparing a single comprehensive CMP, and in association with identifying specific treatment options, devices and mitigation measures in the catchment, Council will determine the location and frequency of sampling including establishing baseline levels. The suite of sampling and monitoring requirements will be as outlined in Section 7.5.1 and Table 22 of the AECOM document, and following agreement with BOPRC. This matter has been provided for in the updated draft conditions included in attachment two.</p>
<p>10. The contaminant load modelling in Tables 9 to 11 of the AECOM report shows that heavy metals are predominantly generated from roads and other paved areas. The report states that the concentrations are below the ANZECC guidelines, however the long-term cumulative effects on</p>	<p>An updated Containment Load Model will be provided as part of the preparing a single comprehensive CMP. This matter has been provided for in the updated draft conditions included in attachment two.</p>

<p>receiving environments have not been assessed (e.g. estuarine sediments for Te Puna; soils and streams in Minden). Please advise.</p>	
<p>11. The summary of BoPRC water quality monitoring in section 3.6.3 of the AECOM report shows that discharges from the Te Puna West catchment may be contributing to bacterial contamination of the foreshore. What mitigation is proposed to address this?</p>	<p>In regards to the bacterial contamination identified in the Te Puna West catchment, Council have just completed the construction of a wastewater scheme in this area. Council will now continue to monitor the catchment and if bacterial contamination continues undertake further monitoring to determine the source of the contamination.</p>
<p>12. Table 13 (p73 of the PMS report and revised version on p59 of the AECOM report) identifies recommended methods for the protection of ecological values, but does not assess the environmental effects of these. Please advise.</p>	<p>As part of preparing a single comprehensive CMP, Council will include an assessment of the environmental effects associated with the recommended protection methods. This matter has been provided for in the updated draft conditions included in attachment two.</p>
<p>13. For discharges of stormwater to ground soakage, please provide an assessment of impacts on groundwater quality and any groundwater takes in proximity.</p>	<p>As part of preparing a single comprehensive CMP, and in association with identifying specific treatment options, devices and mitigation measures in the catchment, Council will be assess the potential impacts on groundwater quality and any groundwater takes in close proximity. This matter has been provided for in the updated draft conditions included in attachment two.</p>
<p>14. In terms of discharges to the CMA (Te Puna only), very little information has been provided on the ecological impacts on marine habitats. Please provide further discussion on whether any outfalls are causing physical degradation of the habitat (e.g. via erosion); or whether contamination may affect flora and fauna of receiving environment.</p>	<p>As part of preparing a single comprehensive CMP, and in association with identifying specific treatment options, devices and mitigation measures in the catchment, Council will determine the location and frequency of sampling including establishing baseline levels. This will includes an assessment of the outfalls and any potential effect on the flora and fauna of the receiving environment. This matter has been provided for in the updated draft conditions included in attachment two.</p>
<p>15. The monitoring proposed in section 7.5.1 of the AECOM report is focused on freshwater environment. It is recommended that monitoring also include sediment</p>	<p>As part of preparing a single comprehensive CMP, and in association with identifying specific treatment options, devices and mitigation measures in the catchment, Council will also include sediment sampling for</p>

<p>sampling for contaminants in the marine environment, at a minimum from the worst-case example of the outfalls.</p>	<p>contaminants in the marine environment. This matter has been provided for in the updated draft conditions included in attachment two.</p>
<p>16. A cultural impact assessment was undertaken in 2014 by Pirirakau. This assessment was conducted on the basis of a technical summary report of the CMP, as opposed to the full and final application (such as it is), and it is not clear whether Pirirakau have been consulted further. Please advise.</p>	<p>Further consultation has not been undertaken with Pirirakau in regards to the updated report and application prepared by AECOM. Consultation and engagement with Pirirakau will be undertaken as part of the notification process and it is intended that through ongoing engagement Pirirakau can be involved in the development of a single comprehensive CMP.</p>
<p>17. It is not clear how the recommended methods to manage/mitigate effects on cultural values (Table 14 of PMS report and Table 14b of AECOM report) correlate to the matters identified in the CIA. Please advise.</p>	<p>Further consultation with Pirirakau will provide an opportunity to discuss potential mitigation or management of effects on cultural values. As noted above Council intends to have ongoing engagement with Pirirakau.</p>
<p>18. It is not clear whether there is other iwi/hapū with interest in the application catchments. Please advise how the interest groups were established. If other groups have an interest, an assessment of effects will be required.</p>	<p>Further assessment has identified that Ngati Taka may have an interest in this application. Council is committed to working with those that have an interest in this application and will discuss the proposal with Ngati Taka and look to incorporate the feedback and suggestions that they may have regarding stormwater management.</p>
<p>19. The application identifies stakeholders but does not identify any persons as being affected by the proposal. The CMP notes that a presentation was made to tangata whenua representatives in 2010; that consultation has been undertaken in the form of letter drops and the WBoPDC website; and implies that the public notification process for the consent application will be relied upon for consultation. Please advise if any further consultation has been undertaken, and provide evidence of the same.</p>	<p>A public open day was held at the Te Puna hall on Monday 22 February 2016. A notice was also sent to the surrounding schools. Discussions were also undertaken with Te Puna Heartlands throughout 2014 regarding stormwater management in this area. No further consultation (other than that noted in the application) has been undertaken or is intended prior to the notification of the application.</p>

As an overall comment, please revise the application to incorporate updates on any stormwater related matters that may have advanced since the application was lodged.

Updates to the application are based on the comments above and include an updated list of draft conditions and the provision of information as requested.

ATTACHMENT TWO – DRAFT CONDITIONS

1. The consent holder shall within 24 months of the commencement of this consent, complete the Te Puna/Minden Comprehensive Stormwater Catchment Management Plan to ensure consistency with the conditions of this consent. The Te Puna/Minden Comprehensive Stormwater Catchment Management Plan will also include the following:
 - a. An updated Containment Load Model
 - b. An assessment of the environmental effects associated with the recommended protection methods and the opportunities to mitigate any identified effects
 - c. An assessment of the potential impacts on groundwater quality and any groundwater takes in close proximity.
2. The consent holder shall undertake flood prediction modelling for the Te Puna and Minden urban areas. After completing the flood prediction modelling, the consent holder shall submit a report to the Chief Executive of the Regional Council, or delegate, of the outcome of the modelling and shall include a copy of the modelling data and analysis details. The report shall be made available to the public on request. This flood modelling will be used in the development of the Te Puna/Minden Comprehensive Stormwater Catchment Management Plan.
3. The consent holder shall complete a review of the Te Puna/Minden Comprehensive Stormwater Catchment Management Plan no later than XXXX and at five yearly intervals thereafter.
4. The review shall be undertaken in consultation with the Chief Executive of the Regional Council or delegate; and shall include as a minimum:
 - a. Identification of stormwater management issues, effects, options and mitigation;
 - b. Effectiveness of the following general principles of stormwater management:
 - i. Use of Low Impact Design solutions where practicable;
 - ii. Use of wide grassed swales for stormwater treatment and flow attenuation; and
 - iii. Use of appropriate riparian planting where practicable, to achieve improved water quality and habitat outcomes;
 - c. All available data collected on rainfall events/frequency and updated flood modelling;
 - d. Consideration of any Iwi/Hapu Management Plans that have been lodged with the Bay of Plenty Regional Council;
 - e. Updated asset management details for stormwater management infrastructure;
 - f. Updated list of any private stormwater discharge consents to be included in the Te Puna/Minden Comprehensive Stormwater Catchment consent;
 - g. Details on monitoring, and communications with stakeholders.
5. At the conclusion of each review of the Te Puna/Minden Comprehensive Stormwater Catchment Management Plan, the consent holder shall submit a report to the Chief Executive of the Regional Council, or delegate, of the outcome of the review and shall include a copy of the revised Catchment Management Plan. The report shall be made available to the public on request.
6. Notifying the Regional Council
 - a) The consent holder shall notify the Regional Council, in writing, no less than five working days prior to the start of the following work authorised under this consent:
 - Any structure reconstruction
 - Any work on, or disturbance of the bed of a fresh water body (stream, river or lake).
 - Any work on, or disturbance of the coastal marine area (CMA).
 - Any earthworks in the coastal margin. Coastal margin is defined as 40 meters landward of the coastal marine area.
 - b) Notification at this time shall include details of who is responsible for on site management and compliance with consent conditions.
 - c) Within 30 working days of completion of any structure re-construction works authorised under this consent, the consent holder shall submit a Producer Statement, signed by a Chartered Professional Engineer, to certify that the structure(s) have been re-constructed and works undertaken in accordance with good engineering practice and the requirements of this consent.

- d) The consent holder shall notify the Regional Council, in writing, of all incidents relating to contaminant inputs into the Tauranga City stormwater network, investigated by WBOPDC Officers, in accordance with the notification requirements under any current Regional Council Delegation Agreement.
 - e) In addition to the requirements of condition 6 (d), WBOPDC shall immediately notify the Regional Council of incidents involving large contaminant inputs into the stormwater network which are likely to have a significant adverse impact on either a freshwater or marine receiving environment beyond the stormwater network. Such notification shall be undertaken by contacting the Regional Council Pollution Hotline.
7. Any new discharges/structures/works to be authorised under this consent must be approved in writing by the Chief Executive of the Regional Council, or delegate, and shall be added to the schedule prior to construction.
8. Principles of Stormwater Management
The consent holder shall, where practicable, give effect to the following general principles of stormwater management:
- a) Generally, to encourage and where appropriate for new development or redevelopment, require the use of Low Impact Design solutions as a preferred option to stormwater management where this is practicable. The aim of this is to mimic natural stormwater runoff characteristics, thereby helping to reduce the adverse offsite effects associated with stormwater from developed sites;
 - b) Examples of Low Impact Design Solutions may include, but are not limited to the use of grassed swales and rain gardens for stormwater treatment and flow attenuation;
 - c) The mitigation and avoidance of erosion resulting from the discharge of stormwater;
 - d) The use of ground soakage as a preferred option for the disposal of stormwater from roofs of buildings where such discharge does not exacerbate subsurface instability;
 - e) The use of indigenous and site appropriate riparian planting to achieve improved water quality and habitat outcomes. Riparian planting should provide for erosion control while not impeding capacity, flows or system maintenance;
 - f) The creation, enhancement, protection and use of wetlands to achieve improved water quality and biodiversity outcomes;
 - g) The use of stormwater detention ponds to provide treatment and attenuation of stormwater where other low impact design solutions are not practicable.
9. Discharge Monitoring and Reporting
- a) The consent holder shall undertake monitoring, including sampling and analysis, on stormwater discharge quality (at the identified outfalls), the freshwater receiving environment; and the marine receiving environment in accordance with a monitoring plan which has received written approval from the Chief Executive of the Regional Council or delegate.
 - b) The monitoring plan will include the location and frequency of sampling including establishing baseline levels. The suite of sampling and monitoring requirements will include those outlined in Section 7.5.1 and Table 22 of the AECOM document.
 - c) The results of the monitoring required by condition 9 (a) shall be forwarded to the Regional Council within 3 months of receiving the results.
 - d) Stormwater analyses required under conditions of this consent shall be carried out by an IANZ registered laboratory.
 - e) The consent holder shall create an annual summary report of the previous 12 months monitoring data collected under condition 9 (a) which provides an assessment and interpretation of the collected data. This data assessment shall include assessment of the quality of discharges and implications of the discharges on the receiving environment.
10. That the database of stormwater information accessible via the WBOPDC website shall be maintained to ensure that accurate and current information is available to the general public.

11. Ecology reports for both catchments will be provided within 12 months of the granting of consent. The reports shall include substantiated (surveyed) descriptions of the receiving environments in each catchment, including a description of the ephemeral and perennial habitat conditions in the streams; an assessment of the potential effects on the flora and fauna; an invertebrate community survey and the sensitivity of the receiving environment

ATTACHMENT THREE - EMAILS FROM BOPRC

From: Reuben Fraser <Reuben.Fraser@boprc.govt.nz>
Sent: Friday, 13 April 2018 1:56 p.m.
To: Kathy Thiel-Lardon; Mark Townsend
Cc: Marlene Bosch
Subject: RE: Eastern Comprehensive Consent

Hi team,

My preference would be to get the application in based on the modelling that they have done already. My expectation is that it will be notified anyway, and it would be much better to lock WBOPDC into 1% AEP modelling and mitigation through a consent process rather than waiting until they have done it before having the conversation with the community.

Cheers,

Reuben Fraser
Consents Manager
Bay of Plenty Regional Council Toi Moana

P: 0800 884 880 **DD:** 0800 884 881 x8460
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A: PO Box 364, Whakatāne 3158, New Zealand

Thriving together – mō te taiao, mō ngā tāngata

From: Kathy Thiel-Lardon
Sent: Friday, 13 April 2018 1:39 p.m.
To: Mark Townsend ; Reuben Fraser
Cc: Marlene Bosch
Subject: FW: Eastern Comprehensive Consent

Hi Mark/Reuben,

Can I please get some guidance on how to proceed.
Attached are the requirements we have asked western bay to access.
We have pushback in regards to the 1% AEP.
This means that they would not be able to assess the magnitude of effects appropriately.
However, taken the current flooding information the effects would likely be more than minor.
Notification is therefore very likely (though I am not the one making this call).
Some affected parties have already expressed frustration over the lack of stormwater mitigation.
Within Te Puke CSC area there are also steep road embankments with undersized culverts which are holding back water, posing a high risk to the environment, public health and downstream properties if the structures would fail.
If these are required for detention then these need to be classed as dams and appropriately managed.
We are currently requiring any new developments to mitigate to 80% of the 1% AEP to make the situation not worth, but don't have a clear picture of what the situation actually is.
Until the time we have a full assessment can we still rely on the 80% of the 1% AEP mitigation requirement?

Cheers
Kathy Thiel-Lardon
Senior Environmental Engineer
Bay of Plenty Regional Council Toi Moana

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Thriving together – mō te taiao, mō ngā tāngata

From: Marlene Bosch
Sent: Wednesday, 11 April 2018 4:43 p.m.
To: Kathy Thiel-Lardon
Subject: FW: Eastern Comprehensive Consent

Hi Kathy

Please have a look at Aecom's suggestion to progress this application, given that there is currently a discrepancy with the WBOPDC's level of service and BOPRC guideline requirements.

I see no reason why they cannot proceed as suggested and that we condition new modelling (and associated works identification) within a certain timeframe to be submitted as part of a CMP review. We often require upgrades/ improvements in the future as a condition of consent. Is there any risk/ concern from an engineering perspective to doing this?

Regards

Marlene Bosch
Senior Consents Officer
Bay of Plenty Regional Council Toi Moana

P: 0800 884 880 **DD:** 0800 884 881 x8462

Thriving together – mō te taiao, mō ngā tāngata

From: Coral-Lee Ertel [<mailto:Coral-Lee.Ertel@westernbay.govt.nz>]
Sent: Wednesday, 11 April 2018 3:55 p.m.
To: Marlene Bosch
Cc: Kelvin Hill; bob.shaw@aecom.com
Subject: FW: Eastern Comprehensive Consent

Hi Marlene

Please see below email from Bob Shaw (AECOM) who is working on our CSC for the Eastern Zone.

Can you or your engineers provide feedback on his suggestion. I would be happy to sit down and discuss further if required.

We would really like to have this consent lodged in July. Any remodelling will take us at least 1 year to complete (as we are required to consult on any new information before it is finalised).

Coral-Lee

From: Shaw, Bob <bob.shaw@aecom.com>
Sent: Wednesday, 11 April 2018 3:49 PM
To: Coral-Lee Ertel <Coral-Lee.Ertel@westernbay.govt.nz>
Cc: Kelvin Hill <Kelvin.Hill@westernbay.govt.nz>; richard.harkness@aecom.com
Subject: RE: Eastern Comprehensive Consent

Hi Coral-lee,

Just to confirm in summary:

- WBOPDC LOS requires 2%AEP
- WBOPDC has undertaken modelling/has access to modelling outputs(?) based on 2%AEP (is this with or without CC?)
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Your thoughts?

Bob Shaw
Associate Director - Water
D +64 7 927 3735 M +64 21 592 140
bob.shaw@aecom.com

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PO Box 13161, Tauranga 3141
T +64 7 927 3080 F +64 7 927 3082
aecom.com

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From: Kathy Thiel-Lardon
Sent: Wednesday, 11 April 2018 2:21 p.m.
To: Marlene Bosch
Subject: RE: Eastern Comprehensive Consent

Hi Marlene,

Please find attached the wording regarding the CSC & CMP provisions, which Council is currently providing as feedback on the TA's long term plan, were no CSC is in place yet.

This includes specific recommendation on what the assessment should entail and should answer Coral-Lee's question.

Let me know if you have any question. I am also happy to attend another meeting with WBOPDC and their consultants if they which.

Cheers
Kathy Thiel-Lardon
Senior Environmental Engineer
Bay of Plenty Regional Council Toi Moana

Thriving together – mō te taiao, mō ngā tāngata

From: Marlene Bosch
Sent: Thursday, 5 April 2018 9:07 a.m.
To: Kathy Thiel-Lardon
Subject: FW: Eastern Comprehensive Consent

Hi Kathy

See question below. It is my understanding that BOPRC require mitigation of the 1%AEP + Climate change and in this regard we differ from the district councils? Anyway could you please provide a response as to what BOPRC are expecting stormwater design to cater for.

Thanks

Marlene Bosch
Senior Consents Officer
Bay of Plenty Regional Council Toi Moana

P: 0800 884 880 **DD:** 0800 884 881 x8462
E: Marlene.Bosch@boprc.govt.nz
M: 021 243 8261 **W:** www.boprc.govt.nz
A: PO Box 364, Whakatāne 3158, New Zealand

Thriving together – mō te taiao, mō ngā tāngata

From: Coral-Lee Ertel [<mailto:Coral-Lee.Ertel@westernbay.govt.nz>]
Sent: Thursday, 5 April 2018 9:00 a.m.
To: Marlene Bosch
Cc: Kelvin Hill
Subject: Eastern Comprehensive Consent

Hi Marlene

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I would appreciate if we could get some direction from you on where our focus should be. Please note that if BOPRC require us to focus on the 1%AEP we will be required to do significant rework, also this will not align with Councils current Level of Service and stormwater strategy.

Happy to sit down and discuss if required.

Regards,

Coral-Lee

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From: Marlene Bosch <Marlene.Bosch@boprc.govt.nz>
Sent: Tuesday, 24 April 2018 7:57 a.m.
To: Coral-Lee Ertel
Subject: RE: Eastern Comprehensive Consent
Attachments: RE: Eastern Comprehensive Consent

Hi Coral-Lee

I have not heard back from the Engineers, but Reuben Fraser, Consents Manager, supports your/ Bob Shaw's Suggestion. Reuben's E-mail attached

Marlene Bosch
Senior Consents Officer
Bay of Plenty Regional Council Toi Moana

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M: 021 243 8261 **W:** www.boprc.govt.nz
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Thriving together – mō te taiao, mō ngā tāngata

From: Coral-Lee Ertel [<mailto:Coral-Lee.Ertel@westernbay.govt.nz>]
Sent: Thursday, 19 April 2018 9:54 a.m.
To: Marlene Bosch
Subject: FW: Eastern Comprehensive Consent

Hi Marlene

Did you get a chance to follow up my query below with your engineering team?

Coral-Lee

From: Coral-Lee Ertel
Sent: Wednesday, 11 April 2018 3:55 PM
To: Marlene Bosch (Marlene.Bosch@boprc.govt.nz)
Cc: Kelvin Hill ; bob.shaw@aecom.com
Subject: FW: Eastern Comprehensive Consent

Hi Marlene

Please see below email from Bob Shaw (AECOM) who is working on our CSC for the Eastern Zone.

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From: Coral-Lee Ertel [<mailto:Coral-Lee.Ertel@westernbay.govt.nz>]
Sent: Wednesday, 11 April 2018 2:38 p.m.
To: Shaw, Bob
Cc: Kelvin Hill; Harkness, Richard
Subject: FW: Eastern Comprehensive Consent

Feedback from Marlene on requirements for the CSC application for Eastern.

Have a read and we can discuss how we should proceed.

Cheers
Coral-Lee

From: Marlene Bosch <Marlene.Bosch@boprc.govt.nz>
Sent: Wednesday, 11 April 2018 2:31 PM
To: Coral-Lee Ertel <Coral-Lee.Ertel@westernbay.govt.nz>
Subject: FW: Eastern Comprehensive Consent

Hi
Sorry – apparently the stormwater provisions just sent through had a mistake – attached is the correct information.

Marlene Bosch
Senior Consents Officer
Bay of Plenty Regional Council Toi Moana

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Thriving together – mō te taiao, mō ngā tāngata

From: Kathy Thiel-Lardon
Sent: Wednesday, 11 April 2018 2:29 p.m.
To: Marlene Bosch
Subject: RE: Eastern Comprehensive Consent

Oops please use this one the previous version had a mistake.

Thanks

Kathy Thiel-Lardon
Senior Environmental Engineer
Bay of Plenty Regional Council Toi Moana

P: 0800 884 880 **DD:** 0800 884 881 x8144
E: Kathy.Thiel-Lardon@boprc.govt.nz
M: 027 503 8242 **W:** www.boprc.govt.nz
A: PO Box 364, Whakatāne 3158, New Zealand

Thriving together – mō te taiao, mō ngā tāngata

From: Marlene Bosch
Sent: Wednesday, 11 April 2018 2:25 p.m.
To: Kathy Thiel-Lardon
Subject: RE: Eastern Comprehensive Consent

Thanks!

Marlene Bosch
Senior Consents Officer
Bay of Plenty Regional Council Toi Moana

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