



Resource Management Act 1991

The following applications for resource consent have been received by Bay of Plenty Regional Council and Tauranga City Council.

The applications, including an assessment of environmental effects, can be viewed on the Bay of Plenty Regional Council website (www.boprc.govt.nz) or the Tauranga City Council website (<https://www.tauranga.govt.nz/community/have-your-say/public-notices>). Electronic copies of the application documents can also be requested from the Regulatory Coordination Team of the Bay of Plenty Regional Council, phone 0800 884 880.

Applicant's address for service

The applicant's postal address is: c/- Boffa Miskell, PO Box 13373, Tauranga 3141. Attention Matt Allott, email matt.allott@boffamiskell.co.nz.

Nature of application

Tauranga City Council has applied to the Bay of Plenty Regional Council and Tauranga City Council for resource consents for works to address flood risk in the Awaitei sub-catchment in Ohauiti. Modelling has identified that this sub-catchment has a high flood risk. Solutions include a large earth stormwater detention dam, raising the existing Awaitei stormwater detention pond embankment to attenuate flood peaks, new infrastructure to improve fish passage, new stormwater infrastructure such as culverts, pipes and scruffy domes, and energy dissipation and erosion protection structures. Sections 4.2 to 4.6 of the resource consent application assessment of environmental effects provide further details.

Consents applied for:

Bay of Plenty Regional Council application number RM20-0763:

- 1 Earthworks: under rule LM R4 of the Regional Natural Resources Plan (RNRP) to undertake a **discretionary activity** to disturb land and soil as a result of earthworks.
- 2 Temporary stormwater discharge: temporarily discharge sediment-contaminated stormwater (associated with earthworks) to land where it may enter water.
- 3 Permanent stormwater discharge: under rule DW R1 of the RNRP to undertake a **restricted discretionary activity** to discharge stormwater to surface water; the discharge rates at both McFetridge Lane and Poike Road exceed the permitted rate of 125 litres per second.
- 4 Disturb contaminated soil: under rule DW R25 of the RNRP to undertake a **restricted discretionary activity** to disturb contaminated soil. Part of Ohauiti Reserve was a kiwifruit orchard from 1986 to 2011 and so is classified as a Hazardous Activities and Industries List (HAIL) site for persistent pesticide use.
- 5 Dam and divert water: under rule WQ R21 of the RNRP to undertake a **discretionary activity** to dam and divert water.
- 6 Disturb the beds of streams: under rule BW R36 of the RNRP to undertake a **discretionary activity** to excavate, disturb and install structures in the beds of streams.

- 7 Modify a wetland: under rule WL R9 of the RNRP to undertake a **discretionary activity** to modify wetland areas within the project area.

Tauranga City Council Land Use Consent application number RC28560:

- 1 The use and development of contaminated land is a **restricted discretionary activity** pursuant to with rule 9B.3.
- 2 The proposed McFetridge Lane Stormwater Detention Dam (Pukepoto Dam) has a height of 10.5m from ground level, which exceeds the maximum building height of 9m within the Passive Open Space Zone. Resource consent is required for a **discretionary activity** pursuant to rule 10A.11(b).
- 3 New underground pipelines conveying water, stormwater, wastewater are a controlled activity within the Open Space zone. Resource consent is required for a **controlled activity** pursuant to rule 10A.9(a).
- 4 In accordance with Regulation 11(1) of the NESCS, resource consent is required for a **restricted discretionary activity** for the disturbance of soil.

Building consent

The proposed Pukepoto Dam is classified as a large dam: >4 m high and retaining >20,000 m³ of water; building consent is required for the dam (Building Act 2004). Waikato Regional Council processes large dam building consents for the Bay of Plenty.

Submissions

Any person may make a submission on the applications by sending a written submission to Bay of Plenty Regional Council at PO Box 364, Whakatāne 3158 or email RegulatoryAdmin@boprc.govt.nz no later than **5:00 p.m. on Friday, 15 October 2021**.

The submission must be dated, signed by you and include:

- 1 Your name, postal address, telephone number and email address.
- 2 Whether your submission relates to consents sought from the Bay of Plenty Regional Council or Tauranga City Council or both.
- 3 Whether you support or oppose the application along with your comments/reasons.
- 4 The decision you wish the Bay of Plenty Regional Council and/or Tauranga City Council to make.
- 5 Whether you wish to be heard in support of your submission.

If you wish to make a submission on the application to Bay of Plenty Regional Council, a template submission form can be downloaded from www.boprc.govt.nz/do-it-online/consent-forms - Other forms (surrenders, transfers, etc – Forms – Make a submission).

If you wish to make a submission on the application to Tauranga City Council a template submission form can be downloaded from <https://www.tauranga.govt.nz/living/planning/resource-consents/planning-forms-and-checklists> - Form name: 'Submission form resource consents'.

A copy of your submission must also be served on the applicant at the address given, as soon as reasonably practicable.

Dated at Whakatāne this Friday, 17 September 2021.

Fiona McTavish
Chief Executive