Application details

**Application ID:** CH22-02643 (65616)

**Applicant:** Bay of Plenty Regional Council

**Application:** Change of consent conditions under Section 127 of the Resource Management Act 1991 to allow for Rangitaiki Floodway Spillway Modifications.

**Location of activity:** 266 Hydro Road, Edgecumbe, Whakatāne District.

Introduction/Summary of proposal

The Bay of Plenty Regional Council (BOPRC) has applied to change the conditions of resource consent 65616 to authorise an alternative design for the spillway structure on the eastern bank of the Rangitaiki River upstream of Edgecumbe. The spillway regulates the flow of floodwaters into the Rangitaiki Floodway and is situated on a property located at 266 Hydro Road, Edgecumbe.

The application is to change conditions of consent relating to the design of the spillway structure authorised by BOPRC resource consent 65616 from the rubber dam spillway structure to an alternative design. The proposed design comprises of a lower fixed crest weir structure with an additional gated spillway to provide contingency to ensure the 0.01 Annual Exceedance Probability (AEP) design flow is achieved within the floodway. The volume of flow discharged down the floodway will not increase as a result of the change in spillway design.

The application includes some recontouring of the land immediately below the spillway structure to assist in directing the flow of floodwaters into the floodway.

The key points of the proposal are:

* In 2009 resource consent 65616 was granted authorising the installation and use of a 75m long inflatable rubber dam spillway structure and 153m fixed crest spillway to regulate the flow of water into the floodway. The crest height of the rubber dam section can be adjusted between 6.3m RL and 7.3m RL. This structure has not been installed.
* Detailed hydraulic modelling has determined that the consented design (rubber dam) is unlikely to convey the design flow into the floodway. In addition, the design has high capital and operational costs and a high degree of complexity. For these reasons an alternative design is preferred.
* Prior to the emergency works carried out in 2017 to the lower part of the spillway crest, the spillway comprised of a 230m long fixed crest weir with a crest height of between 6.95 and 7.12m RL.
* The application seeks to change the approved spillway design to a lower fixed crest weir structure to allow water into the Rangitaiki Floodway. The weir will be 115m wide with a crest elevation varying from RL 6.00m to RL 6.15m. The structure also includes gates to allow additional contingency flow to be conveyed to ensure the floodway operates at the design flow. The proposed lower fixed crest weir will be constructed in the general location of the existing spillway weir.
* The design criteria for the spillway is based on the following: - Nil (or near zero) discharge in a 0.05 AEP (1 in 20 year) flood (river flow at 437 m3/s) - Capacity to pass 190 m3/s in a 0.01 AEP (1 in 100 year) flood (river flow at 804 m3/s)
* The key difference between the consented and proposed spillway design is the reduced height of the lower fixed crest weir. This allows water to spill from the Rangitaiki River into the floodway at a lower flow level than with the rubber dam design. Changes in the upstream management of floodwaters in Lake Matahina have been implemented to ensure that the lower flow threshold does not equate to an increased frequency of full floodway operation relative to what is authorised under the current consent.
* Having a lower river flow threshold for water to begin spilling into the floodway has a significant positive effect in relieving pressure on downstream flood protection structures in the lower Rangitaiki River and therefore reducing the risk of stop bank failure.

It is recognised that there is significant public interest in the Rangitaiki Floodway and spillway proposal. For this reason, BOPRC (the Applicant) requests that the application be publicly notified to provide an opportunity for interested parties to make a submission on the application and ensure their views are taken into consideration.

Planning framework

Resource consent is required under Section 127 of the Resource Management Act 1991 (the Act) as a discretionary activity to change conditions of consent 65616*.*

Is public notification mandatory?

**Step 1 – Has the applicant requested public notification (s95A(3)(a))?**

Yes – No further consideration required; publicly notify the application.

Date and method of request: 17 August 2022 via resource consent application

Recommendation

In accordance with the above assessment, I recommend that the application be:

**Publicly notified on the basis that:**

The applicant has requested public notification.

This recommendation is made by:



**Consultant Consents Planner** Date: 03 October 2022

Decision under delegated authority

I agree with the recommendation that the application should be processed via public notification

This decision is made under delegated authority by:



3/10/2022

Ella Tennent **Date**

Consents Manager