Kaituna Catchment Control Scheme Advisory Group

4 September 2024
10:00 am

Waiariki Room

BOPRC Level 2

1118 Fenton Street

Rotorua

Kaituna Catchment Control Scheme Advisory Group Meeting

4 September 2024 at 10:00 am

Agenda

1 **Welcome**

2 **Apologies**

3 **Notes of previous meeting held 13 March 2024.**

4 **Matters arising from previous meeting**

5 **Long Term Plan update 2024-34 and Rivers and Drainage Asset Management Plan update.**

6 **Capital Works Programme**

7 **Maintenance Works Programme**

8 **Essential Freshwater update**

9 **Finance Report**

10 **Te Maru o Kaituna River Authority update**

11 **General business**

12 **Public forum**

13 **Meeting closure**

Kaituna Catchment Control Scheme Advisory Group

Meeting notes

Commencing:	Wednesday, 13 March 2024, 10.00 am
Venue:	The Orchard Church, 20 MacLoughlin Drive, Te Puke
Chairperson:	Councillor Ken Shirley
Members:	Heather Brake, Roger Hintz, Barry Roderick, Dave Hurst, Graham Thompson, Richard Weld, Dean Flavell (TMoK River Authority Chair) Councillor Andy Wichers (WBOPDC), Colin Bates (Rotorua Lakes Council) and Eric Cawte (Rotorua Lakes Council).
BOPRC staff:	Chris Ingle (GM Integrated Catchments), Kirsty Brown (Rivers and Drainage Assets Manager), Dan Batten (Rivers and Drainage Operations Manager), Mark Townsend (Engineering Manager), Laura Boucher (Communications Partner), Hemi Barsdell (Asset Management Specialist), Jenn Goodfellow (Asset Management Coordinator), AJ Prinsloo (Finance Manager) and Gemma Moleta (Senior Planner – Water Policy).
Public:	Cor Verwey, Nathan York, Noel McLeod and Dave Marshall
Apologies:	Nick Chater (Rotorua Lakes Community Board), Deputy Mayor J Scrimgemour (WBOPDC), Pim de Monchy (Coastal Catchments Manager), Kerry Smith (Area Engineer), Bruce Crabbe (Principal Advisor), Councillors J Nees and K Winters (BOPRC).

1. Opening

Cr Shirley opened the meeting. The following items were tabled:

1. Updated Finance Report
2. Draft Long Term Plan Kaituna Catchment Control Scheme handout
3. Long Term Plan 2024/2034 consultation document.

1.1 Items for General Business

- Rangiuru Business Park stormwater ponds – Richard Weld.

1.2. Items for Public Forum

- Cor Verwey - Consenting and compliance issues.

1.3 Apologies

Apologies received as noted above.

2. Previous Meeting Notes

2.1 Kaituna Catchment Control Scheme Advisory Group meeting notes – 6 September 2023

Resolved:

That the notes from previous meeting held 6 September 2023 are a true and correct record.

Shirley/Hintz
CARRIED

2.2 Matters Arising:

- Graham Thompson noted his attendance was not recorded in the meeting notes.

Action Items:

- Meeting notes from 6 September 2023 to be updated with Graham Thompson's attendance.

2.3 Action Items from meeting 6 September 2023

Presented by Kirsty Brown. Action items were acknowledged and opened for discussion.

Discussion:

Action item 2: Confirmed update to be provided during the meeting. It was noted that the RiverSpace's report had only recently been received by staff and is still pending review. Measurements of the Borough Drain areas will be covered in the RAD Operations update section of the meeting.

3. Agenda items

3.1 Long Term Plan 2024-34 and Rivers and Drainage Asset Management Plan 2024-2074 proposed changes

Presented by: Kirsty Brown, Hemi Barsdell and Laura Boucher.
Agenda report taken as read.

Key Points:

- Staff's focus has been on balancing affordability and risk while ensuring the continued function of rivers and drainage activities.
- Draft budgets are showing increases in both operational and capital expenditure.
- External pressures such as inflation, increased interest rates and insurance hikes contributing to unavoidable cost increases.
- Capital investment in flood protection has boosted resilience but it comes at a cost.
- Growing need to prepare for climate change and meeting an increased demand for our services.
- Noted that presented budget information based on version 4 of the budget adopted by Council for review by Audit NZ in December 2023 and for the LTP consultation period. Currently working towards a version 5.
- Detailed budgets with loan and rating implications and property examples were presented. Loan interest rates are forecast to rise from 2.5% to 4%, leading to an additional annual cost of approximately $342,000.
- Overview of predicted version 5 budget movements.
- Staff are still working towards finding further savings.
- Overview of the LTP consultation process provided.

Discussion:

- Clarification that the spike in 2027/28 in the proposed Operational budgets is due to the 5-yearly predicted flood damage event as per the Rivers and Drainage Asset Management Plan. It was noted that these events are funded from the flood damage reserves so not to affect the rates for the year they are predicted.
- Remediation of Ohineangaanga Stream in Year 1 addresses the 2023 washout of drop structures, bank erosion, and damage to a gas line. Noting that temporary measures have been implemented and that $1 million allocated in the budget is a placeholder amount only.
- Lake Rotoiti diversion wall concerns. It was clarified that this is a lake structure (water quality) and is not a scheme flood protection asset.
- Risks caused by overgrown trees outside of the scheme maintenance area, upstream of the State Highway on Ngongotahā Stream. It was noted that significant tree removal work has been completed in this area and will remain an ongoing issue.
- Clarification that the river scheme includes lake Rotorua and Rotoiti.
- Changes to the OCR are factored into the interest rate assumptions, advice on predictions are ongoing.

- Concern raised that the drainage improvement works underway at the Ford Road Pump Station was not tendered therefore no market scrutiny. Staff advised that only one contractor was available to complete the work with the required timeframe and estimated cost.
- Phase 2 of the infrastructure insurance review to commence in May 2024.
- Ongoing lobbying of central government for capital funding support.

Action Items:

- Update on work upstream of State Highway 5, Ngongotahā in relation to risk posed to the lower catchments.
- Present the difference between rate increase and the inflation increase.

3.2 Capital Works Programme Update

Presented by: Mark Townsend and Laura Boucher
Agenda report taken as read.

Key Points:

- Overview of the Scheme's web page provided.
- Action item 3. from the previous meeting notes regarding the analysis to determine whether pump stations have been meeting levels of service. It was noted this will require substantial effort with each pump station having its own catchment area and the need to carry out rain radar analysis. Aiming to have the results available at the next meeting.
- Ford Road Pump Station update: All necessary consents have been obtained. Currently in the process of selecting the appropriate pump. Pump order will take 52 weeks for delivery. The pump station detailed design is due December 2024.
- Modelling work has been completed for the Puarenga Stream. Design work for upgrades is underway but a site meeting with RLC is required.
- Ngongotahā Stream Mitigation Project:
  - There are still overflow issues downstream that will affect housing. Proposed to raise stopbanks and we have consulted with landowners.
  - Southern floodway – Construction is proposed to start in October, and it is intended that it be complete within one construction season. Resource consent is non-notified as the affected parties, A&P showgrounds and Ngāti Whakaue, have already been heavily involved in the project.
  - High flow bypasses – Design is completed but needs to proceed following the southern floodway as there are downstream effects as a result of the bypasses.
- Seddon Street Pump Station – Construction is underway. Overlay is required behind the stopbank.
- Floodplain settlement – This financial year a network is being setup for the Kaituna flood plains to monitor peat shrinkage. This will be on a 5-year monitoring cycle using a combination of manpower and drones.

Discussion:

- Discussion regarding the rain radar. Gauge corrected rain radar is being used across all forecasting models – more reliable and cost effective. Currently part way through rain analysis work.
- Queries regarding the Armer pump capacity and cost.
- Stormwater modelling of the Bell Road sub-catchment – Have opted to add in the new ponds around the new overpass to try and rectify some anomalies found with pond G. Final report should be completed within a month.

Action Items:

- Mark to have analysis completed on whether pump stations have been meeting their levels of service and prepare a response for a future meeting.

3.3 Maintenance Works Programme

Presented by: Dan Batten. Agenda report taken as read.

Key Points:

- Seddon Street Pump Station construction update.
- Mangakakahi Stream – There have been flooding issue around low-lying houses. Stream channel maintenance has been completed and There is a cost share arrangement with the Rotorua Lakes Council.
- Raparapahoe maintenance works – long reach has been used and more planned maintenance will take place this summer 24/25.
- Ongoing desilting works is required on the Ohineannagaanga Canal with large volumes being extracted. Working with adjacent landowners, contractors and WBOPDC to rehome the material to retain capacity of the Canal.
- Desilting issues in the Kaituna scheme canals are a result of heavy rainfall and multiple slips outside the scheme maintenance areas. Adjacent landowners are working with BOPRC. Silt is being used in some capital works projects.
- Upper Scheme floodgate and riverbank erosion inspections – Looking at nature-based solutions for erosion spots. Inspection of critical flood gates every quarter and the remainder are checked annually.

Discussion:

- Explanation of the Armer pump engineering and capacity.
- Clarification of the de-silting location in the Lower Kaituna canals. Historically the desilting would occur ones every 3 to 5 years. In the last year the work has been completed 6 to 8 times. The work is currently staying within the operations budget and will be completed before winter.

- Confirmation that the trees on the landward side of the Kopuaroa canal stopbank are in good health and so are not currently an issue. They are being monitored for future asset defect repairs.
- Thanks to Dan and the team for all their hard work during wet period.

Action items:

Cross section presentation on silt levels in Kaituna River for next meeting.

8 Essential Freshwater update

Presented by Gemma Moleta, Senior Planner (Water Policy)

Key Points:

- Changes to the Regional Policy Statement (RPS) and Regional Natural Resources Plan (RNRP) which will result in potential rule changes including:
  - Drain discharges regulated to improve water quality.
  - Regulations on setbacks and stock exclusion from rivers and drains.
  - Guidelines for managing stock on steep land.
  - Regulations against grazing practices that lead to bare soil.
  - Control measures for nitrogen and phosphorus fertiliser use.
  - Regulation of scheme works near rivers and wetlands.
  - Amendments to allocation limits and minimum flow requirements for water extraction.
- Council has delayed the release of the draft RPS and RNRP documents due to the recent central government changes.
- Council has extended proposed plan notification date to Sep 2025 (from December 2024)

Discussion:

- There are potentially some reductions in consenting costs and may be some fast tracking.

9 Finance Report Update

Presented by: Kirsty Brown

Report taken as read.

Key Points:

- Revenue and expenditure update for the 6 months ending 31 December 2023.
- Total operation revenue $72,000 higher than budget.
- Total operation expenditure $318,000 higher than budget.
- Resulting in an operating deficit of $246,000.

- Total capital revenue $766,000 lower than budget. Climate Resilient funding not yet received.
- Total capital expenditure $3.1 million lower than budget. Before construction season.
- Total reserve funds available $3.163 million.
- Internal loans closing balance as of 31 December 2023 $9.991 million.
- Asset valuation as of 1 July 2023 $92.9 million.

Discussion:

- A query raised regarding the earning on investments.
- Lead time for ordering the Ford Road pump is 52 weeks, the expense will be in the next financial year. There will be an underspend of $3.6 million this financial year.

Action items:

- Detail of 5 yrs. earnings on investments.

10 Te Maru o Kaituna River Authority update

Presented by: Kirsty Brown. Report taken as read.

Key Points:

- New contract to support Te Maru o Kaituna River Authority
- August 2023 - January 2024 TMoK Biannual Report

Discussion:

- The $10k co funding is crown funding.
- It was noted that the WBOPDC Cycleway remains uncertain. It was highlighted that the purpose of the stopbanks is flood protection, and this takes priority over the cycleway.

11 General Business

Presented by: Kirsty Brown. Read taken as read.

Key Points:

- Kaituna Minor Ratings review update: there is a delay in completing the final stage of the review for the Te Puke area due to issues with the model. It was noted that Simon Harris from Land Water People Ltd has been engaged to complete the final stage once the revised modelling was available.
- Room for the River overview: it was noted that Room for the River practices are currently not applied to the Kaituna scheme.

Discussion:

- Rangiuru Business Park stormwater ponds: concerns were raised regarding the integrity of the ponds.

- Quayside Investments: work is underway to develop a separate rating formula for the Business Park. This includes a capital contribution towards the Ford Road Pump Station and ongoing operations.
- Pump Station Caretaker Fees: it was noted that caretaker fees for the pump station have not been paid.
- Stormwater Model: a new stormwater model for the Te Puke area should be completed by July.

Action items:

- Rangiuru Business Park ponds - check for any concerns regarding the bund and boundary and confirm whether the ponds are lined.
- Follow up on pump station caretaker fee payments.

12 Public Forum

- Cor Verwey tabled and read a letter concerning stormwater issues affecting farmers. It was acknowledged that the points highlighted in the letter necessitate a comprehensive response from the Council, as they extend beyond flood protection and fall outside the scope of the advisory group.

Action item:

- Tabled letter to be circulated to relevant Council teams for response.

6. Closing

12:22 pm – the meeting closed.

CONFIRMED

Councillor Shirley
Meeting Chairperson, Kaituna Catchment
Control Scheme Advisory Group

Action Sheet

Kaituna Catchment Control Scheme Advisory Group Meeting

Action	Person Responsible	Completed	Comment
1. Meeting notes from 6 September 2023 to be updated with Graham Thompson's attendance.	Jenn Goodfellow	Completed	Updated on website
2. Update on work upstream of State Highway 5, Ngongotahā in relation to risk posed to the lower catchments.	Mark Townsend	Underway	To be covered in the meeting
3. Show the difference between rate increase and the inflation increase	AJ Prinsloo	Completed	Information included
4. Have an analysis done on whether pump stations have been meeting their levels of service and prepare a response for a future meeting.	Mark Townsend	Underway	To be covered in the meeting
5. Cross section presentation on silt levels in Kaituna river next meeting	Mark Townsend	Underway	To be covered in the meeting
6. Detail of earnings on investments 5yr	AJ Prinsloo	Completed	Information included
7. Follow up with the business park ponds. Check for issues of concern of bund and boundary. Confirm if the ponds are lined.	Mark Townsend	Underway	To be covered in the meeting
8. Follow up on caretaker fee payments.	Dan Batten	Underway	Working with Finance to have caretaker payment fees paid. Awaiting IRD information from farmer (Luther)

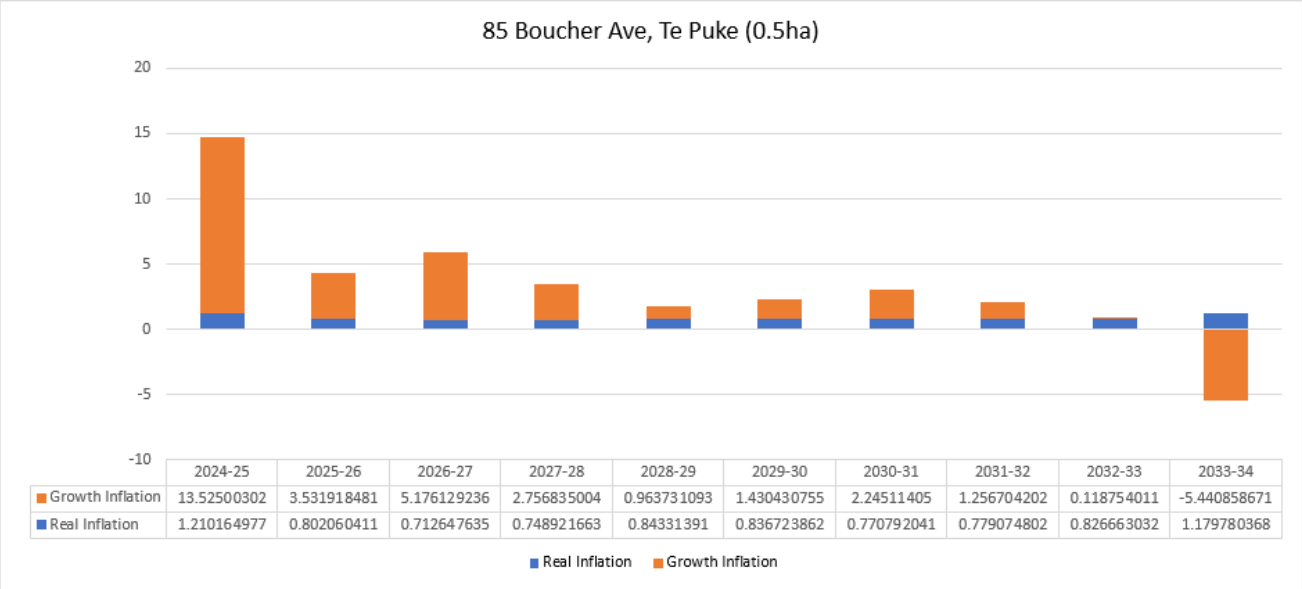
Action	Person Responsible	Completed	Comment
9. Respond as an organisation re Eastpack and Pukepine – consenting and compliance issues	Chris Ingle	Completed	Letter sent 11 July 2024

Report To: Kaituna Catchment Control Scheme Advisory Group

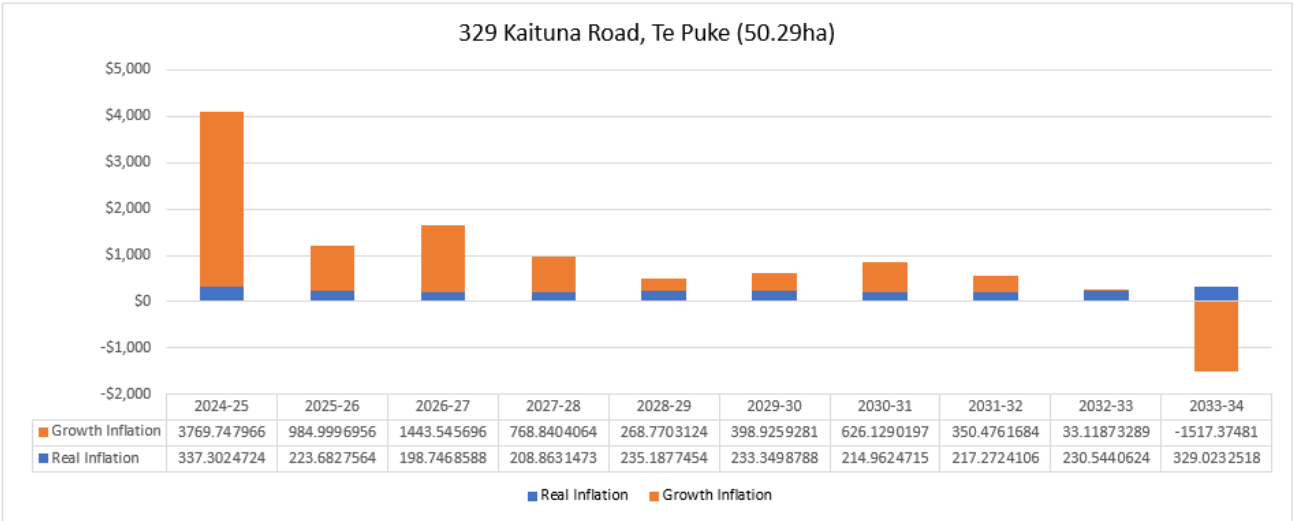
Meeting Date: 4 September 2024

Action Items from Kaituna Catchment Advisory meeting on 13 March 2024

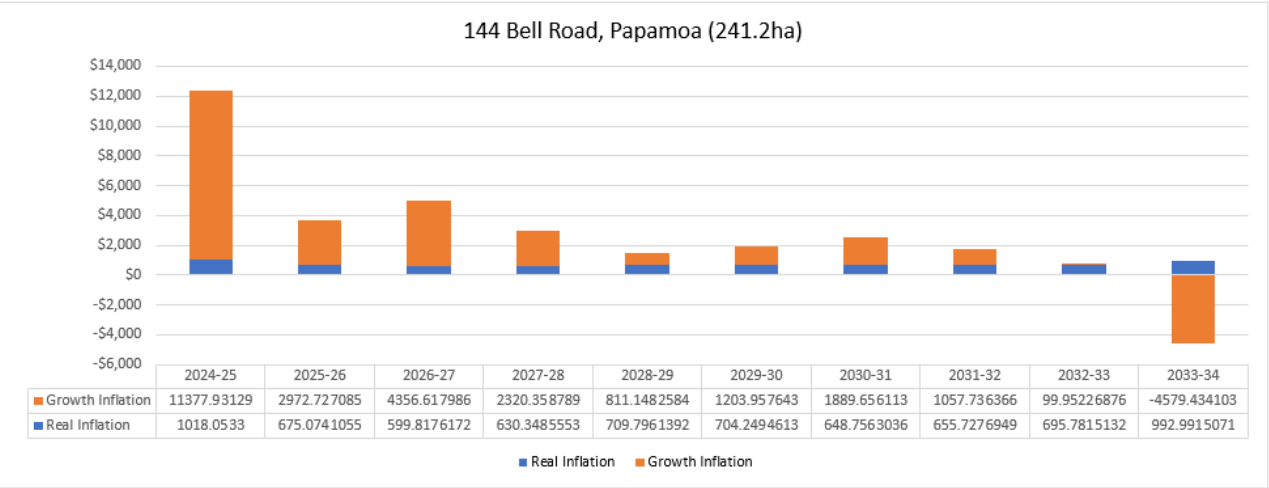
1. Action item 3: Show the difference between rate increase and the inflation increase



	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34
Growth Inflation	13.52500302	3.531918481	5.176129236	2.756835004	0.963731093	1.430430755	2.24511405	1.256704202	0.118754011	-5.440858671
Real Inflation	1.210164977	0.802060411	0.712647635	0.748921663	0.84331391	0.836723862	0.770792041	0.779074802	0.826663032	1.179780368



	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34
Growth Inflation	3769.747966	984.9996956	1443.545696	768.8404064	268.7703124	398.9259281	626.1290197	350.4761684	33.11873289	-1517.37481
Real Inflation	337.3024724	223.6827564	198.7468588	208.8631473	235.1877454	233.3498788	214.9624715	217.2724106	230.5440624	329.0232518



	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34
Growth Inflation	11377.93129	2972.727085	4356.617986	2320.358789	811.1482584	1203.957643	1889.656113	1057.736366	99.95226876	-4579.434103
Real Inflation	1018.0533	675.0741055	599.8176172	630.3485553	709.7961392	704.2494613	648.7563036	655.7276949	695.7815132	992.9915071

2. Action item 6: Detail of earnings on investments 5yr

Yearly	Jun-20	Jun-21	Jun-22	Jun-23	Jun-24
Weighted Averge Investment Income	2.690%	1.950%	2.840%	5.220%	5.530%

3. Action item 9: Complaint regarding stormwater issues affecting Verwey property Collins Lane

The below letter was presented by Cor Verwey at the Kaituna Catchment Control Scheme Advisory meeting on 13 March 2024

13th March 2024

To whom it may concern within the BOP Regional council

Re: Stormwater issues at the farmers expense

The Verweys have been farming at the Collins Lane farm for approximately 35 years, where the factory drain runs through.

In 1990 an upgrade of the factory drain and culverts was done through the Verwey and Marshall farms. The location of the three culverts are a problem due to the layout of the area and have been for a long time.

In approximately the year 2000, the Pukepine culvert was upgraded due to big stormwater problems at the PukePine site and also due to the fact the town has been growing faster than the stormwater infrastructure can take.

The council paid for the stormwater pipe that runs under the railways. This pipe is a double sized pipe compared to the one that is located on the Verwey farm, meaning during a storm, our pipes can't handle the flow of water. We also have a lot of water coming out of the Eastpack site and the old dairy factory area onto our farmland.

At the PukePine hearing, there was no consent for stormwater and that was proven by the Regional council. Also the Eastpack Washer Road site has no stormwater pond. I have been asking why this is the case for a long time now. Where are the consents for the stormwater ponds?

I have been told by Bruce Crabbe at a site meeting about the pollution clean up from PukePine. Apparently they are working on a comprehensive stormwater plan but in the meantime we are dealing with having their sites stormwater end up being our responsibility and at our expense.

Everyone has to spend big dollars on stormwater ponds except our neighbours Eastpack, Pukepine and the old dairy factory. Why are they excluded from needing to have stormwater ponds on their sites?

The three stormwater pipes on the Verwey farm are undersized – which was also confirmed by Dan Batten of the BOP regional council. We had a gentlemens agreement for access to the airstrip, the weather station and the three bores. They were happy to replace them but at the last minute, they came with some easements to sign for the weather station and return of the pipes. Because I have had little to no response to my queries, I stopped access to the airstrip as a matter of principal.

We received a letter from Paul Scholes saying they didn't want to continue with the weather station on the airstrip, so we gave them a timeframe to remove the weather station and the three bores. This was done in March 2023.

I feel that it is the council's responsibility to maintain fairness for who is going to pay for the collapse of the culverts when flooding occurs, as currently this becomes my responsibility.

I feel that I have been, and continue to be, a target for these issues. When PukePine had no consent for discharge of arsenic, and when a cleanup happened, you tried to shift the waste from the drains to my industrial site on Washer Road – which I hadn't agreed to - and later on at the Collins Lane stopbank. Eventually the waste ended up in someone else's stopbank, which is surely illegal.

Regarding the Eastpack Collins Lane stormwater – half of their site stormwater goe s straight out into my drain. They promised to put a stormwater pond in but instead, a carpark has been constructed. We have been the ones who have to upgrade the paddock crossing pipes before it hits the factory drain. Why does Eastpack not stick to the same rules as I have to in this case??

Regards

Cor Verwey

027 578 0845

3.1 Response

This response letter was sent to Cor Verwey on the 11th of July 2024

BAY OF PLENTY REGIONAL COUNCIL TOI MOANA

11 July 2024

Cor Verwey
23B Collins Lane
RD 7
Te Puke 3187

ccverwey@xtra.co.nz / d.s.verwey@hotmail.com

Dear Cor

Complaint regarding stormwater issues affecting Verwey property Collins Lane

Bay of Plenty Regional Council **(Council)** received your letter dated 13 March 2024 in which you raise a number of issues regarding stormwater management at sites surrounding your farm at Te Puke. Council's response is as follows:

1. **Eastpack Collins Lane stormwater compliance**

The infrastructure in the southern part of this site was established around 2015. An attenuation pond was constructed for the stormwater for this part of the development. Additional buildings were constructed in 2019 on the northern part of the site, with the stormwater from this area discharging via an historic pipe directly to the drain on your property.

On 17 January 2024, Council staff met with Eastpack and its consultants to raise concerns in relation to the compliance status of its stormwater discharge and follow up on various discussions regarding the same that had occurred throughout 2023. Eastpack maintains its position that its stormwater discharge complies with Rule DW R20 of the Regional Natural Resources Plan. Council does not have the evidence to prove that it does not.

Eastpack advised that it plans to enlarge the existing stormwater pond and redirect all stormwater from the site to that pond. Its consultants advise that the pond capacity will be increased to the size required to achieve attenuation requirements. Design drawings and calculations have been provided and reviewed by Council's engineers. It appears from the information provided that the appropriately attenuated stormwater discharge from the pond will comply with Rule DW R20 of the Regional Natural Resources Plan.

Eastpack have committed to applying for a certificate of compliance to formalise this outcome. Work on this matter is ongoing at this time.

2. Eastpack Washer Road stormwater compliance

There is an existing stormwater pond on the western side of the Washer Road site that remains currently active, and a ponding area/drain through the middle of the site.

Resource consent RM22-0276 was granted in August 2023 to authorise earthworks for the construction of a suitable building platform at the site. Condition 9.1 of that consent prohibited the commencement of coolstore construction until a permanent stormwater system for the entire site is designed and certified by an engineer, confirming compliance with Rule DW R20 or R22 of the Regional Natural Resources Plan and causes no off-site flooding.

This confirmation was provided in May 2024 – Eastpack will provide attenuation for 800 m^3 of stormwater which meets the requirement for attenuation to 80% of predevelopment flows in a 1% AEP 72 hour storm (726 m^3).

The earthworks were inspected on 5 July 2024 and the consent was rated complying. Pre-load material is in place on the site and is stabilised, while building consent is being sought for the proposed stormwater pond.

3. Pukepine and the Factory Drain

Pukepine Sawmills (1998) Limited currently holds resource consent 66758 for the discharge of stormwater from a timber treatment and processing site at 274-280 and part 290 Jellicoe Street to water and to land where it may enter water. The consent was granted on 6 September 2019 and expires on 31 July 2039. Prior to this, Pukepine held resource consent 25164 for a stormwater discharge which was granted on 15 June 2004.

Condition 7.5 of resource consent 66758 requires that *all stored chemicals and the timber treatment process shall be covered under roof and bunded in such a manner to isolate all chemical handling and processes, to ensure that no stormwater enters the treatment area and no chemical drips or spills enters stormwater*.

There is currently no outstanding non-compliance in relation to Pukepine stormwater discharges.

Your letter raises the matter of a "pollution clean-up" related to Pukepine where contaminated sediments were removed from the Factory Drain and placed on the land adjacent to the drain. I understand that you have raised this matter with Council a number of times in the past and a full investigation including soil sampling was carried out in 2016. Outcomes were communicated to you at that time. Further feedback was provided to you in 2020.

As previously advised, the investigation found that the only contaminant found at elevated levels was arsenic. There is no relevant arsenic standard or limit for the current land use (dairy farming). The test results slightly exceeded the 'rural residential' arsenic standard in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health **(NES-CS)** however this standard is considered conservative for the current land use. There is no evidence that the contamination is affecting the use, productivity, or the value of the land.

The affected land is zoned "industrial" and its most likely future use (and highest value) will be as an industrial site whereby remediation of the slightly elevated arsenic levels would be relatively easy and cost-effective in relation to the cost of industrial development.

Whilst Council did carry out drain cleanings in the past upon request from landowners, and deposited the removed sediments on the adjacent paddocks, we are aware that Western Bay of Plenty District Council **(WBOPDC)** has previously done the same, and the drain has also overtopped in flood events, naturally carrying sediments onto the adjacent paddocks.

For clarity, I reiterate our previous advice – Council does not intend to spend ratepayer funds to remediate your land.

4. Old dairy factory stormwater

Your letter refers to the old dairy factory discharging stormwater with no attenuation pond or resource consent. The old dairy factory is now part of the Jellicoe Street Industrial Park which is covered by resource consent 66861. This consent authorises the discharge of potentially contaminated stormwater to land where it may enter water, being the Ohineangaanga Stream. This consent was granted on 30 September 2020.

Prior to this, resource consent 24652 authorised the discharge of stormwater from this site to the Ohineangaanga Stream via three stormwater outfalls.

There is currently no outstanding non-compliance in relation to resource consent 66861.

5. Other compliance matters

Previously your stormwater complaints have included issues with the Eastpack Quarry Road and the Metalco sites. For completeness, updates on these sites are as follows:

- Eastpack Quarry Road has a stormwater consent 64686 which includes two attenuation ponds. This consent was granted on 3 May 2007 and expires on 31 March 2027. There is currently no outstanding non-compliance in relation to this consent.

- Enforcement actions are underway relating to the Metalco Recyclers site at 20 Te Puke Quarry Road. A resource consent application RM24-0045 for earthworks, contaminated land disturbance and industrial discharges to land and/or water was lodged on 5 February 2024. This is currently being processed and further technical information has been sought from the applicant. A notification decision has not yet been made.

6. Land drainage matters

Your letter states that three stormwater pipes on the Verwey farm are undersized. It appears that you are asking Council to upgrade these for you.

Council will not be replacing private farm race or paddock entrance culvert crossings on your land.

The culverts in question are crossings through the Factory drain, which is part of the Kaituna Catchment Control Scheme. Any proposed works are within the Flood Protection and Drainage Bylaw applicable area, whereby a Bylaw Authority is needed prior to undertaking works. For further information please see Flood Protection and Drainage Bylaws (boprc.govt.nz).

In terms of Resource Management Act compliance, culvert replacement in a land drainage canal is permitted by Rule BW R17, subject to conditions. A copy of this rule is enclosed for your reference.

7. Eastern Catchments of Western Bay of Plenty District

The following additional relevant information is provided regarding stormwater management for the eastern catchments of the Western Bay of Plenty District.

Resource consent 67481 was granted to WBOPDC on 9 July 2020. The Te Puke catchment is included within the eastern catchments. This consent authorises the discharge of stormwater from urban areas. It does not include discharges of stormwater from land zoned industrial.

One of the conditions of the consent is that any new or upgraded stormwater infrastructure must result in a peak design stormwater discharge of no more than 80% of the pre-development peak

stormwater discharge for the 1% AEP (Q100) critical storm event inclusive of climate change. This was intended to be and is typically being achieved by stormwater detention via ponds.

Other conditions included requirements to undertake stormwater flood modelling of the Te Puke Urban Area to assess the effects of urban expansion.

An advice note to the consent states:

> *The specific modelling and assessment relating to the Te Puke Urban Area provided for in conditions 6.6 and 6.7 has been offered by the consent holder to resolve the submission by Bay of Plenty Regional Council Rivers and Drainage (BOPRC-RAD) which raised concerns about the impact of stormwater from the Te Puke Urban Area on the capacity of Bay of Plenty Regional Council's Lower Kaituna Drainage Scheme (Lower Kaituna Scheme) to manage the impact of flooding on farmland downstream of the discharge points from the Te Puke Urban Area within the catchment of the Lower Kaituna Scheme. The consent holder agrees to be bound by conditions 6.6 and 6.7.*

Condition 6.9 of the consent states:

> *Flood mitigation and reduction measures to address flood risks identified through the modelling required by condition 6.6 and assessment required by condition 6.7 (including any specific to the Te Puke Urban Area), must be scheduled on a risk and priority basis in the consent holder's Long Term Plan (budget) and the Asset Management Plan (works).*

Council is assisting WBOPDC with both the modelling requirement and the mitigation measures.

8. Conclusion

I trust this letter addresses all of the concerns you have raised. If you wish to discuss these matters further, please make an appointment to meet with me here at the Council offices at 1 Elizabeth Street, Tauranga.

Yours sincerely

Reuben Fraser
Acting Chief Executive Officer

Bay of Plenty Regional Council

Enclosed: BW R17 of the Regional Natural Resources Plan

Report To: Kaituna Catchment Control Scheme Advisory Group Members

Meeting Date: 4 September 2024

Report Writer: Hemi Barsdell, Acting Rivers and Drainage Asset Manager

Adoption of Council's Long Term Plan 2024-34 and Rivers and Drainage Assets Management Plan 2024-74

On 26 June 2024, Council formally adopted its Long Term Plan 2024-34 (LTP), which sets BOPRC's strategic direction for the next ten years, including the work to be delivered and how it will be funded. Alongside adoption of the LTP, the updated Rivers and Drainage Asset Management Plan 2024-74 (AMP) was also adopted. The AMP includes the scheme's capital and operational forecasted works and budgets. This report outlines what this means for the Kaituna Catchment Control Scheme over the coming years.

Appended below is the detailed budget for the LTP.

Capital Works Programme

Major new flood control projects costing $500,000 or more that are planned for 2024-2054 are listed in the table below. Entries marked with an asterisk are placeholder costs. The estimated costs include inflation.

Major work	Project Cost $000	Timing	Type
Kaituna Catchment Control Scheme			
Ford Rd Pump Station Replacement	2,289	2024/25	Renewal
*Ohineaangaangaa Stream Drop Structure Replacement	1,060	2024/25	Renewal
*Ngongotaha Stream Mitigation	5,660	2024/25 – 26/27	Renewal
Kaituna Canals Stopbank Upgrades	1,115	2025/26	Renewal
Kaituna Canals Stopbank Upgrades	1,072	2026/27	Renewal
Ohau Canal structure	993	2029/30	Improvement
Ford Road Pump Station Demolition	2,094	2030/31	Demolish
Structure renewals	1,232	2033/34	Replacement
Upper Kaituna Capacity Review and Renewals	1,221	2034/35 – 2038/39	Renewal

Major work	Project Cost $000	Timing	Type
Kaituna Catchment Control Scheme			
Lower Kaituna Capacity Review and Renewals	5,859	2034/35 – 2038/39	Renewal
Upper Kaituna Capacity Review and Renewals	3,066	2039/40 – 2043/44	Renewal
Upper Kaituna Capacity Review and Renewals	2,983	2044/45 – 2048/49	Renewal
Lower Kaituna Capacity Review and Renewals	6,143	2044/45 – 2048/49	Renewal
Upper Kaituna Capacity Review and Renewals	4,077	2049/50 – 2053/54	Renewal

Operational Works Programme

Routine operational maintenance works will be undertaken in accordance with the AMP. The AMP sets out the timing for the full suite of works including, but not limited to, pump station inspections/maintenance, rock replenishment, willow management, drain desilting, and stopbank condition assessments. Routine operational work programmes will be balanced with the need to respond to flooding events and flood damage.

The LTP contains annual budget savings of approximately $75,000 in operating budgets due to reductions in rock replenishment rates in non-critical areas and Bylaw contractor hours.

LTP Communications and Engagement

At the March 2024 Advisory Group meeting, an update was provided on the proposed communications and engagement activity to support the LTP process.

Communications and engagement activities leading up to and during the LTP consultation period aimed to raise awareness about the process and encourage submissions.

For the consultation and the supporting communications campaign, we offered different ways to connect with the community and tried to reach the community in places and ways that would work for them.

Below is a high-level summary of what was presented to councillors in May 2024.

Pre-Engagement

Two ‘pulse check’ online surveys were promoted via Regional Council’s online and print channels, as well as through a dedicated digital advertising campaign.

The first survey ran from 14-28 September 2023 and focused on priorities for the region. This survey received 383 contributions from 363 contributors.

The second survey ran from 5-12 October 2023 and focused on activity-specific questions. This survey received 1,326 contributions from 1,277 contributors.

Consultation Communications and Engagement Activities

A campaign to communicate the LTP consultation period ran during March and April 2024. Communications ran across print, radio and digital (including social media, programmatic video, Spotify, mobile proximity advertising and direct display online advertising).

A consultation document was produced and distributed around the region through existing council networks. These were also available at engagement events and online.

Regional Council staff attended a number of existing events, undertook one-on-one hui with Post Settlement Governance Entity's, iwi, hapū and Māori land trusts; online presentations; Councillor 'drop-in' sessions and 'pop-up' stands at key locations.

Overall, Regional Council received a total of 464 submissions, of which 391 were received for the LTP; a breakdown of this is shown below:

Topic	Submissions received
Revenue and Financing Policy	1
Rates Remission and Postponement Policies	50
Fees and Charges Policy	21
Development Contributions or Financial Contributions Policy	1
LTP	**391**
Total submissions	**464**

Hemi Barsdell
Acting Rivers and Drainage Assets Manager

Draft Long Term Plan 2024-2034

Sub Activity 210: Kaituna Catchment Rivers Scheme by Natural Account

	2024-2034 Long Term Plan									
	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
	$000	$000	$000	$000	$000	$000	$000	$000	$000	$000
OPERATING										
Operating revenue by Natural										
General Rates - Allocated	451	478	536	562	579	606	640	660	676	661
Targeted Rates - All	3,846	4,093	4,429	4,629	4,732	4,861	5,033	5,149	5,203	4,960
Targeted Rates - Reserves	0	0	0	0	0	0	0	0	0	0
Internal Reserve Interest Received	73	66	49	45	46	47	49	50	52	53
Investment Income	522	527	575	595	616	636	663	672	665	626
Rent Received	3	3	3	3	3	3	3	3	3	3
Grant in Lieu of Rates	31	31	32	33	33	34	33	34	34	34
Total operating revenue	**4,926**	**5,199**	**5,625**	**5,866**	**6,009**	**6,187**	**6,421**	**6,569**	**6,634**	**6,338**
Expenditure by Natural										
Depreciation - Rivers and Drainage	865	878	928	974	983	1,017	1,047	1,071	1,094	1,106
Depn unfunded - Lakes	37	37	38	34	35	36	37	37	38	37
Infrastructural Insurance	278	311	348	390	436	488	546	555	564	559
Other Insurance	9	10	11	12	12	13	12	13	13	13
Electricity/Gas	169	172	175	178	182	185	188	191	194	194
Other General Expenses	2	2	2	2	2	2	2	2	2	2
Contract Work	949	965	984	1,002	1,020	1,038	1,056	1,074	1,106	1,088
Predicted Flood Damage	0	0	0	848	0	0	0	0	0	0
Materials	151	154	157	160	163	166	168	171	174	174
Expenditure (before charges and recoveries)	**2,460**	**2,528**	**2,643**	**3,600**	**2,833**	**2,945**	**3,055**	**3,114**	**3,185**	**3,172**
Net overhead charges and recoveries	**2,114**	**2,209**	**2,428**	**2,497**	**2,488**	**2,491**	**2,514**	**2,524**	**2,470**	**2,466**
Total operating expenditure	**4,574**	**4,737**	**5,071**	**6,097**	**5,321**	**5,436**	**5,569**	**5,638**	**5,654**	**5,638**
Total operating surplus (deficit)	**352**	**462**	**554**	**(231)**	**688**	**751**	**852**	**930**	**980**	**701**
Operating funding										
Transfer from Flood Damage Reserve	0	0	0	(848)	0	0	0	0	0	0
Transfer from Equalisation Reserve	0	(19)	0	(0)	0	0	0	0	0	0
Transfer fromTargeted Rate Reserves	0	0	0	0	0	0	0	0	0	0
Transfer to Flood Damage Reserve	305	329	324	322	322	322	322	322	322	322
Transfer to Equalisation Reserve	11	0	4	0	12	27	45	45	41	47
Transfer to Current Account Reserves	73	66	49	45	46	47	49	50	52	53
Transfer to ARR - additional loan payment	0	123	214	285	343	391	473	550	603	315
Transfer offset non-funded depreciation	(37)	(37)	(38)	(34)	(35)	(36)	(37)	(37)	(38)	(37)
Total operating funding	**352**	**462**	**554**	**(231)**	**688**	**751**	**852**	**930**	**980**	**701**

	2024-2034 Long Term Plan									
	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
	$000	$000	$000	$000	$000	$000	$000	$000	$000	$000
CAPITAL EXPENDITURE										
Ford Road Pump Station	2,289	0	0	0	0	0	0	0	0	0
Ngongotaha Stream Civil Works	2,660	1,497	1,503	0	0	0	0	0	0	0
Upper Kaituna design	98	419	491	0	0	0	0	0	0	0
Lower Kaituna modelling	191	0	0	0	0	0	0	0	0	0
Lower Kaituna construciton	33	1,115	1,072	0	0	0	0	0	0	0
Bell Road B Pump Renewals	0	0	80	0	0	0	0	0	0	0
Ohineanganga	1,060	0	0	0	0	0	0	0	0	0
Bell Road upgrade	318	0	0	0	0	0	0	0	0	0
Maketu pump & electronics	0	201	0	0	0	0	0	0	0	0
Kaituna fish passage	21	21	21	0	0	0	0	0	0	0
Diagonal Drain pumps and electrical	0	0	447	0	0	0	0	0	0	0
Kaituna consent new	0	0	26	48	123	0	0	0	0	0
Okere Gates electronics	0	0	0	0	56	0	0	0	0	0
Ohau Canal Structure	0	0	0	0	0	993	0	0	0	0
Utuhina concrete wall	0	0	0	0	0	0	0	0	411	0
Bell Road A pumps and electrical	0	0	0	109	0	0	0	0	0	0
Kopuaroa Pumps	0	0	0	99	0	0	0	0	0	0
Ford Road pump station demolishion	0	0	0	0	0	0	2,094	0	0	0
Rarapahoe Drop Structure	0	0	0	0	380	0	0	0	0	0
Lower Kaituna Hydrology	0	0	0	0	0	0	0	0	0	62
Sturcture renewals (Managhs, Browns, Bell	0	0	0	0	0	0	0	0	0	1,232
SOS Waengaehe Stream	0	105	0	0	0	0	0	0	0	0
Total Capital Expenditure	**6,670**	**3,358**	**3,640**	**256**	**559**	**993**	**2,094**	**0**	**411**	**1,293**
Capital cost of borrowing										
New loans - clean heat programme	0	0	0	0	0	0	0	0	0	0
Clean heat loan repayments	0	0	0	0	0	0	0	0	0	0
Capital expenditure loan repayments	851	1,001	1,142	1,259	1,326	1,408	1,520	1,621	1,697	1,421
Total Other Capital Costs	**851**	**1,001**	**1,142**	**1,259**	**1,326**	**1,408**	**1,520**	**1,621**	**1,697**	**1,421**
Total capital expenditure	**7,521**	**4,358**	**4,782**	**1,515**	**1,885**	**2,401**	**3,614**	**1,621**	**2,108**	**2,714**
CAPITAL FUNDING										
Funding of Capital Expenditure										
Capital grants received	(1,700)	0	0	0	0	0	0	0	0	0
Capital Disposals	0	0	0	0	0	0	0	0	0	0
Increase in debt	(4,970)	(3,358)	(3,640)	(256)	(559)	(993)	(2,094)	0	(411)	(1,293)
Funding of capital expenditure	**(6,670)**	**(3,358)**	**(3,640)**	**(256)**	**(559)**	**(993)**	**(2,094)**	**0**	**(411)**	**(1,293)**
Funding of borrowing costs										
Clean heat pogramme	0	0	0	0	0	0	0	0	0	0
Clean heat loan repayments	0	0	0	0	0	0	0	0	0	0
Capital expenditure loan repayments	(851)	(1,001)	(1,142)	(1,259)	(1,326)	(1,408)	(1,520)	(1,621)	(1,697)	(1,421)
Total loan	**(851)**	**(1,001)**	**(1,142)**	**(1,259)**	**(1,326)**	**(1,408)**	**(1,520)**	**(1,621)**	**(1,697)**	**(1,421)**
Total capital funding	**(7,521)**	**(4,358)**	**(4,782)**	**(1,515)**	**(1,885)**	**(2,401)**	**(3,614)**	**(1,621)**	**(2,108)**	**(2,714)**

Kaituna Catchment Control Scheme

Capital Works Programme 2024-25

The following table outlines the Kaituna Catchment Control Scheme capital work programme for 2024-25.

Budget figures are from the Long Term Plan 2024-34 but exclusive of proposed carry forwards from the previous financial year.

Kaituna Catchment Control Scheme Capital Budget for 2024-25 is $6,670,000.

Project name and background	LTP Budget 2024-25	Update	Milestones 2024-25
Ford Road Pump Station Upgrade The upgrade involves additional pump capacity at the Diagonal Drain pump station located upstream of the Ford Road site and includes: • A new pump station adjacent to Diagonal Drain pump station. • Widening 1600 metres of existing drains and upgrading culvert crossings. • Decommissioning of the existing gravity outlet and gates at Ford Road.	**$2,289,000** Carry forward funding from 2023-24 to be approved.	Consents and authorities have all been granted. Consultation with tangata whenua, DOC, F&G and directly affected landowners is ongoing. The project is being implemented in three main stages as follows: Stage 1 – Drainage Improvement works began in February 2024 and are expected to be completed by the end of September. Stage 2 – Construction of the new pump station. *Timeframes TBC, Note: Paper to Council Meeting 12 September Meeting detailing updated project*	• Complete drainage and bridge work by 30 September 2024. • Order pump by 30 September 2024 • Complete detailed design of Pump Station by 31 March 2025.

Project name and background	LTP Budget 2024-25	Update	Milestones 2024-25
		timeline costs and funding. Stage 3 – Decommissioning and removal of the existing Ford Road Pump Station – 2030/31	
Upper Kaituna Capacity Review Modelling This modelling is part of the Capacity Review of the Rotorua Streams (Upper Kaituna) – Waiteti Stream, Ngongotahā Stream, Waiowhero Stream, Utuhina Stream, Puarenga Stream, Waingaehe Stream. Hydrological modelling has been completed for the Utuhina, Ngongotahā, Puarenga streams. The focus for 2024-25 is on undertaking hydraulic modelling for the Waitetī and Waiowhero streams and finalising the modelling for the Waingaehe Stream.	**$0** Carry forward funding from 2023-24 to be approved**.**	Modelling of the Waingaehe Stream is being completed by T&T and is nearing completion. Progress on the Waitetī and Waiowhero was rescheduled due to staff availability: • Hydraulic modelling of the Waitetī Stream is being undertaken inhouse by Staff. The model is currently being set up. • The Waiowhero Stream hydraulic modelling is to be undertaken by Jacobs. Documentation is prepared and the work is about to begin.	• Hydraulic modelling of the Waitetī and Waiowhero streams completed June 2025.
Upper Kaituna Design As a result of the Upper Kaituna Capacity Review Modelling any identified stopbank upgrades need investigation and design. Sections of the Puarenga Stream Stopbanks have been identified as needing upgrading.	**$98,000**	Concept designs have been undertaken for the Puarenga Stream and geotechnical investigations have been undertaken for the left bank. Vegetation removal is being arranged for the right bank before geotechnical investigations can be undertaken.	• Geotechnical investigations complete by 31 Dec 2024. • Detailed designs completed by 30 June 2025.

Project name and background	LTP Budget 2024-25	Update	Milestones 2024-25
Lower Kaituna Modelling Hydrological modelling to check if changes that have occurred since the last hydrological modelling have been substantial enough to warrant a rerun of the hydraulic model. Hydrology to be undertaken mostly inhouse with an external review.	**$191,000** Carry forward funding from 2023-24 to be approved.	Progress on the hydrological modelling was rescheduled due to staff availability: • Brief confirmed and work has commenced in the last quarter of the 2023-24 financial year.	• Assessment of need for a rerun of the hydraulic model determined by end June 2025.
Lower Kaituna Construction Completion of design and securing of any required consents for the upgrades for: Kaituna (10% AEP), Parawhenuamea, Waiari, Kopuaroa in 2025-26 Ohineangaanga, Maketū Estuary and Raparapahoe. allowed for in 2026-27.	**$33,000**	Preliminary designs undertaken for all sites. Geotechnical investigations undertaken for Waiari and Kopuaroa.	• Investigations undertaken, detailed design completed, and consents lodged for 2025-26 sites – June 2025.
Ohineangaanga Erosion Geotechnical and hydraulic investigations have been undertaken along with the development of options for erosion remediation, protection, and control. This work is as a consequence of the 2023 Auckland Anniversary weather event. The preferred solution is based on channel armouring, bank battering, planting, and grade control downstream of the Station Road Bridge.	**$1,060,000** (Placeholder budget)	Detailed design work and costing is currently underway. This will inform a staged approach to align with funding availability.	• Detailed design work completed September 2024. • Stage Plan adopted – December 2024. • Stage One works underway - March 2025.
Bell Road Pump Station upgrade The Bell Road C pumpstation has had a full electronics upgrade to enable the conversion from diesel to electricity energy supply. NB: The station will still have the ability to be run on its diesel generator in the event of power outages.	**$318,000**	All internal works are complete and are ready to be switched over to the new electricity supply. The remaining step is to install the new transformer at the station.	• Transformer installed and pump station converted to electrical supply - June 2025.

Project name and background	LTP Budget 2024-25	Update	Milestones 2024-25
Ngongotahā Stream Flood Mitigation – Civil Works This project involves implementing the recommendations of the independent Ngongotahā Stream Review and includes: • Constructing a southern bypass channel. • Constructing high flow bypasses on stream bends. • New stopbank development (Brookdale, Streamdale). • Raising Western/Brake Road. *Central Government Climate Resilience Funding has been approved for this project.*	**$2,660,000** Carry forward funding from 2023-24 to be approved.	Analysis of design concepts has revealed many issues. Many iterations of the design concepts have needed to be made to try and achieve an economical solution. Further investigation and analysis are required before designs can be shared with the Community.	• Public consultation ongoing during 2024. • Consents granted for floodway by November 2024.

Kaituna Catchment Control Scheme

Maintenance Programme 2024-25

The purpose of this report is to provide an overview of the Kaituna Catchment Control Scheme maintenance work programme for 2024-25.

Maintenance work programme

Maintenance works comprise of activities that ensure the river and drainage flood protection networks are operational and providing the agreed level of service. These activities are programmed through the Asset Management Plan considering asset lifecycle, and maintenance and inspection schedules. Maintenance programme budgets are set during the Long Term Plan and Annual Plan processes.

Scheme maintenance work includes:

- Drain maintenance - desilting, de-weeding, weed spraying, water quality improvements.
- Pump stations - operation, inspections, and maintenance.
- Culvert and floodgates - inspections and maintenance.
- Stopbanks - inspections, maintenance, repairs, pest control.
- River maintenance - pest plant control, beach shaping, habitat enhancement works.
- Erosion control – rock refurbishment, edge planting, trenched willows, willow maintenance.
- Annual flood damage repairs.
- Asset defect repairs.
- Scheme drain riparian improvements.

Key maintenance projects in 2024-25:

- Drainage maintenance and improvements including upgrading and modifying floodgates and outlet structures to improve flood conveyance, day to day gravity drainage and fish passage. Parawhenuamea and Seddon Drain floodgates have been upgraded and outlets modified. Multiple new gates are being fabricated and installed across the scheme.
- The Kaituna River erosion repairs opposite the Mangorewa (Paraiti) River have been completed. Further Kaituna River erosion repairs are to be assessed and completed this summer.
- Lowland Drains riparian works in conjunction with Land Management staff implementing best practice drain shaping, fencing and riparian planting following Ministry for the Environment/Dairy NZ guidelines. Approximately 1.24 km of Lawler's Drain has been completed with stage two works (a further 500 meters) programmed for planting next winter.
- Lowland drains culvert installations to improve excavator access and efficiency for drain maintenance. 40 of the 47 culverts have been installed. The ability to maintain the scheme drainage network form the landward side (as opposed to the road reserve) of the drain is proving efficient with the increased accessibility now minimizing excavator travel time.
- De silting of the Ohineangaanga Canal and Raparapahoe canals. The exceptional and consistent rainfall that exceeded historic maximum recorded totals and caused multiple large slips in the upper catchment, has required, and will require, ongoing desilting treatment. We are working with

adjacent landowners, contractors and WBOPDC to re home the material removed, to retain flood carrying capacity in the canal systems.

- The first section of the Waiari River erosion repairs and desilting has been completed on the right bank with more de silting works programmed for this summer.
- Clearing of pest plants and clearing floodways along the Rotorua urban streams. Work on the Utuhina, Otamatea and Waiowhero streams is underway.
- A vegetation maintenance project is being undertaken on the Mangakakahi stream in conjunction with RLC.

Ohineangaanga post flood above, de-silt below

Kaituna Catchment Control Scheme Pumpstation Maintenance Update

- Additional mobile pumps stationed at Seddon Drain have been removed following the completion of the Seddon Street Pump Station. Mobile pumps at the Parawhenuamea and Factory drain outlets remain in place for heavy rain events.
- Mobile pumps and electric submersible pumps are available and can be installed at pump stations should the duty pump be out for maintenance for an extended period.
- The Bell Road C pumpstation electronic upgrades have been completed. A new transformer will be installed, and electrification of the station will be complete in the near future.
- All pump stations have been maintained to a high standard and pump inspections have been carried out as per the frequencies set out in the AMP.
- There have been no reported pumpstation outages in the past year.

Maintenance programme budget 2024-25

The budget summary table for the Kaituna Catchment Control Scheme maintenance programme is shown below. The annual budget figures include operational costs only and exclude non-operational costs (e.g. debt servicing and infrastructural asset insurance).

Kaituna River Scheme: 2024-2025 Maintenance Works Programme Budget Summary		
Lower Kaituna:		
	General	$70,000
	Annual Flood Damage Allowance	$213,600
	River Reach 1	$224,500
	River Reach 2	$59,700
	Canals & Drains (Reach's 3 & 4)	$385,000
	Pump Station Operations & Maintenance	$309,800
	Total Lower Kaituna	**$1,262,600**
Upper Kaituna:		
	General	$81,800
	Annual Flood Damage Allowance	$44,000
	Tributary Streams (Reach 4)	$128,400
	Lake Level Control Structures (Reach 5)	$91,900
	Total Upper Kaituna	**$346,100**
Kaituna Scheme Total Budget		**$1,608,700**

Report To:	Kaituna Catchment Control Scheme Advisory Group
Meeting Date:	9 September 2024
Report Writer:	Nicola Green, Principal Advisor, Natural Resources Policy
Purpose:	To outline draft changes to rules affecting the Scheme, and prepare the group for the feedback period

Draft policies and rules affecting the Kaituna Catchment Control Scheme

Executive Summary

Toi Moana Bay of Plenty has some significant local freshwater management issues that require attention. Enabling the benefits of economic activities associated with land and water use, including primary production, is also very important for the region. Council has been working on solutions for some time.

Council will soon release a draft change to the Regional Natural Resources Plan[1], and a discussion document about options for reducing contaminants from farming, for targeted stakeholder feedback. Some changes would affect the management of discharges from the Kaituna Catchment Control Scheme (KCCS).

The adverse effects of contaminants from farming, the KCCS and industry on ecosystems, tangata whenua and community values are evident in the Maketū Estuary and lower reaches of rivers. As part of the package to address the effects, the draft plan change proposes a controlled activity discharge rule requiring a consent for KCCS discharges, with no limited or public notification. A scheme management plan would be required that would demonstrate how reasonably practicable steps would be taken to reduce adverse effects and the preparation of the plan would need to involve tāngata whenua.

[1] Subject to upcoming Council decisions to confirm this.

It is recommended that KCCS advisory group considers these changes and prepares to provide feedback during the November - December 2024 feedback period.

1. Introduction

Toi Moana Bay of Plenty has some healthy rivers, lakes and estuaries, as well as some significant local issues that require urgent attention. Enabling the benefits of economic activities associated with land and water use, including primary production, is also very important for the region.

Council will soon release a draft change to the Regional Natural Resources Plan[2], and a discussion document about options for reducing contaminants from farming, for targeted stakeholder feedback. This will enable tangata whenua and key stakeholders to provide their feedback before Council reaches a view on which policy approaches to advance, and when and whether it will formally notify a proposed plan change, which will then go through its full plan process (with formal submissions and hearings).

Draft changes for water quality focus on maintaining good water quality, halting degrading trends, and turning around existing degradation. The draft particularly seeks to address clearly observed impacts on rivers, lakes, estuaries and community values like swimming or shellfish gathering that occur in some catchments. The degraded state of Waihī and Maketū estuaries are major focus areas.

The draft plan change proposes changes that would affect the management of discharges from the Kaituna Catchment Control Scheme, as well as associated operation, maintenance, and upgrade activities. This paper provides an introduction to some of the changes, and these will be explained and discussed at the meeting. The advisory group will have an opportunity to provide feedback on this in writing when the draft is released, and/or may wish to provide feedback via primary sector organisations.

1.1 Background

Bay of Plenty Regional Council must review regional plans every 10 years and must implement legislation and operative national policy direction. Our land and water policies and rules are overdue for review and Council has been working on this for some time. Last year, we carried out community engagement about early draft thinking, and feedback has informed development of a draft plan change. Council intends to release the draft plan change in early November, for feedback during November and December. We will particularly seek feedback from tangata whenua, relevant government ministries, district councils, and also key stakeholders.

Addressing contaminant losses from farming is a real challenge. Rather than including a draft rule set to reduce contaminants from pastoral, horticultural

[2] Subject to upcoming Council decisions to confirm this.

and arable land use, a discussion document setting out options will be released for feedback alongside the more detailed draft plan change provisions. That aspect will not be covered at this advisory group meeting.

Council is very aware that Government is signalling changes to national policy direction for freshwater, and will keep abreast of updates, so that we can adjust the draft plan change as and when needed.

Council is focused on what is 'best for the Bay of Plenty' and addressing real freshwater issues for the region.

2. Freshwater management issues in Kaituna catchment

The Kaituna FMU story document[3], released last year for community engagement, summarises land and water use in the catchment, as well as significant water quality issues. Farming (pastoral, arable and horticulture) land use is a significant contributor to the regional economy and to the local community. In the lower catchment, farming relies on the continued operation of an effective land drainage scheme. Still, there are serious issues to address, as summarised:

> ***Te Awa o Ngātoroirangi Maketū Estuary has significant ecosystem, cultural and recreational values, which are degraded by sediment, nutrient and faecal contaminants.*** *This is the result of historical modification and drainage in the catchment, including encroachment into the estuarine wetlands, the 1956 diversion of the Kaituna River at Te Tumu, wetland drainage and drain discharges, stopbanking, channelisation and straightening. It is also due to ongoing nutrient, sediment and bacterial loads from the catchment, and increased land use intensity over the past 35 years (eg higher stocking rates, fertiliser and other inputs). Dairy farming is a substantial contributor. Horticulture, drystock and to some extent forestry also contribute. Recent restoration and re-diversion activities have reduced macroalgae cover dramatically. However, degradation in the estuary is still clearly apparent, with high mud content, loss of seagrass beds and water quality which haven't yet improved. Substantial contaminant load reduction is required to support estuary ecological health, cultural and other values.*
>
> ***Water quality is often not safe for shellfish gathering/kaimoana in the Maketū estuary****. This is largely due to faecal contaminants from rural land uses, particularly in the lowland drained areas in the FMU.*
>
> ***Lowland rivers have degraded water quality****, ecosystem health, cultural values and natural character. Some of the lower reaches have not been monitored over the long term, but short-term monitoring illustrates these issues. Habitat features that support ecological health are generally absent. Elevated nutrient and sediment levels are primarily from intensive pastoral and horticultural land uses and land drainage in the lower catchment. Note a diversity of fish species was still found.*

Without intervention, these issues are likely to continue to worsen. To achieve a healthy estuary, safe shellfish gathering and contact recreation most of the time will require large reduction of nitrogen, sediment and faecal contaminant

[3] https://www.boprc.govt.nz/environment/fresh-water/updating-regional-fresh-water-rules/

loads in freshwater entering the estuary will be needed (in the order of 70% for nitrogen, 40%-60% for *E. coli*, and up to ~40% for sediment)[4]. These are large reductions that cannot be achieved in the short term without unaffordable/intolerable costs. Instead, the draft changes set a long-term vision for 40 years' time, and seeks to set appropriate first steps to halt degradation and turn the trajectory for the estuary around.

3. Kaituna Catchment Control Scheme discharges

The KCCS includes a network of rivers and drains. The distinction between rivers and drains is important in terms of how rules apply in the operative Plan and the draft plan change.

Land Drainage Canals are listed in the operative Plan, and in the draft plan change (Attachment 1). These are rivers (modified water courses) and therefore we must set objectives and water quality targets to provide for values like habitat for indigenous freshwater species, ecosystem health, habitats of trout, human contact, and mahinga kai values.

Drains are not rivers. They do not need objectives and targets for these values. However, the discharge of water into drains and discharging from drains into rivers and estuaries requires authorisation under the regional plan. Under the operative regional plan, these are permitted activities subject to meeting some conditions.

During our review and research for the plan change, we have found:

- Farming, and dairy farming in particular, in the KCCS area is a significant contributor of nitrogen and faecal contaminants to the lower reaches of Kaituna River and to the estuary.

- Council can only allow a discharge as a permitted activity if it can "be satisfied" that certain effects stated in the RMA are unlikely to arise in receiving waters. It is our view this test is unlikely to be able to be met, given observed effects on aquatic life in the estuary, which the KCCS discharges contribute to.

- Tangata whenua have strongly expressed their concern about the state of the estuary, and lower river reaches for a long time, and their desire to be involved to a greater extent in freshwater management.

- Community engagement to date has identified a widely held view that the state of the lowland rivers (land drainage canals) and estuary habitat, ecosystem, water quality, mahinga kai values and natural character values should be improved.

- Land drainage scheme owners and operators have limited ability to make improvements to the assets owned and operated by them, or to implement mitigation measures on land they do not own, as well as limited ability within their statutory drainage functions to address the

[4] **Note:** Further research into high naturally occurring phosphorus levels shows the reduction needed from farming is only small.

source, i.e., the quality of water discharging into the scheme from contributing farms.

- Options that might be available include treatment devices, habitat restoration, carrying out drain management in a way that minimises contaminant discharges, installing and operating pumps in a way that reduces concentration or loads and the like.

- The land drainage scheme must continue to operate effectively for land use to continue.

- There is real concern that consenting processes involving extensive technical assessments and lengthy RMA processes involving notification (submitters, hearings, potentially court proceedings) will be expensive and yet the options available to the scheme owner / operator to make improvements or implement practicable mitigation options are very limited. In these circumstances, it is appropriate that investment is focussed on planning and delivering improvements to the extent practicable, so the consent process needs to be streamlined.

4. Draft plan change

The draft plan change includes the following in relation to land drainage scheme and other farm drain discharges:

- Controlled Activity status for existing land drainage scheme discharges, so the consent cannot be declined, but conditions of consent can be set. This recognises the existing schemes must continue to operate.

- The application for consent must be accompanied by a scheme management plan that:

    - identifies adverse effects, and commits to reasonably practicable options to make improvements to these across time.

    - is developed in consultation with tangata whenua and affected land owners, so their views are considered from the outset.

- The rule precludes limited or public notification, making the consent process simpler and less expensive. Council will set out the justification for this, relying on meaningful tangata whenua involvement in the scheme management plan.

- Policies:

    - set an expectation of improvements over time.

    - enable a best practicable option approach, which recognises economic/affordability and feasibility constraints.

    - expect effects of climate change, including sea level rise and changing pattern of rainfall to be taken in to account.

- Gravity drained farm drain discharges remain a permitted activity, with conditions.

- New pumped drain discharges require consent.

Generally, rules relating to maintenance activities within drains and land drainage canals in the KCCS retain the same activity status as current. Conditions require management approaches to minimise discharge of sediment and nutrients, operations in accordance with a code of practice, and a consent will be required for activities in a Source Water Risk Management Area 1 or 2 (these are areas close to large drinking water supply takes).

5. Next Steps

1. The advisory group will be notified when the draft Plan change and discussion document about farming is released.

2. The group can provide detailed feedback directly or via a primary sector organisation.

3. We are working with primary sector organisations to find a streamlined way to hold discussions with farming groups about options in the discussion document.

4. Farmers will be encouraged to get their feedback to their sector organisations who will provide us feedback in writing.

6. Recommendations

1. Receive the report and presentation.

2. Consider implications.

3. Prepare for release of the draft Plan change and discussion document, with detailed feedback in writing.

Attachment 1: Rivers that are Land Drainage Canals in the Kaituna Catchment Control Scheme

Modified Watercourses with ecological values, Schedule 3, Operative Regional Natural Resources Plan

Kopuroa/Kopuaroa Canal,

Ohineangaanga Canal,

Raparapahoe Canal

Waiari Stream

Definitions in the operative Regional Natural Resources Plan

<table>
<tr>
<td rowspan="2">River: Means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal). Note: ‘River’ includes intermittent watercourses, but excludes ephemeral flowpaths.</td>
<td>Modified watercourse:
a watercourse that meets any of following criteria
(a) Is a river or stream that has been channelled or diverted.
(b) Is a Land Drainage Canal (as defined in this regional plan) constructed through a wetland or swamp, that generally follows the path of a historic natural watercourse or reasonably defined natural drainage channel.
(c) Is a watercourse that has a natural headwater of either a channel or spring, and generally follows the path of a historic natural watercourse or reasonably defined natural drainage channel.
(d) Is the oxbow of a diverted river.</td>
<td>Land Drainage Canal: a modified watercourse that is part of a land drainage scheme. For the purposes of this regional plan the term ‘Land Drainage Canal’ is limited to the following:
….
(b) Kaituna - Kopuroa/Kopuaroa Canal, Ohineangaanga Canal, Raparapahoe Canal, Waiari Stream
…
Any other canal or drain that is within a land drainage scheme is included in the term ‘Drain’</td>
</tr>
<tr>
<td>Intermittent Watercourse: A watercourse that:
(a) Flows for most of the year or is only dry for short periods of the year, and during such</td>
<td></td>
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</table>

<table>
<tr><td></td><td>dry periods has stable pools or ‘wet patches’; and
(b) Has a defined water channel and banks; and (c) Connects with a permanently flowing surface water body; and
(d) Provides habitat for aquatic flora and/or fauna species</td><td></td></tr>
<tr><td colspan="3">Ephemeral flowpath: is where any one of the following criteria are met:
(a) The flow path is an entrenched dry gully greater than 1 metre deep.
(b) There is clear evidence of a channel within the valley system where overland flow occurs from time to time.
(c) There is clear evidence of erosion (such as gullying or headward gully erosion) associated with short term water flow from time to time within the valley system.
An ephemeral flowpath excludes a valley that does not show any evidence of overland flow channels, or erosion as a result of overland flow</td></tr>
<tr><td rowspan="2">Artificial water course:
A watercourse which meets the following criteria:
(a) Is not a natural or modified watercourse, and
(b) Is a completely human-made channel along which water would not naturally flow. Includes irrigation canals, water supply race, canals for the supply of water for electricity power generation, farm drains and other drains (e.g. roadside drains). Excludes Land Drainage Canals</td><td colspan="2">Drain: an artificial watercourse used for land drainage purposes, excluding Land Drainage Canals. Also refer to the definitions of Farm drain and Roadside drain</td></tr>
<tr><td colspan="2">Farm Drain: an artificial watercourse on production land that is used for land drainage purpose</td></tr>
</table>

Report To: Kaituna Catchment Control Scheme Advisory Group

Meeting Date: 4 September 2024

Report Writer: Kirsty Brown, Rivers and Drainage Assets Manager

General Business

Executive Summary

The Kaituna Minor Rating Review has progressed into its second phase. Simon Harris from Land Water People (LWP) Ltd, who conducted the initial review, has been re-engaged by the Regional Council.

Additionally, an internal review of the scheme's infrastructure insurance has commenced. This review is exploring options to potentially reduce insurance costs, such as removing low-risk assets and increasing the deductible.

In February 2022 Advisory Group members were provided with an overview of recommended best practice drain management techniques. Work in this area has been progressing on the enhancement of drains.

1. Kaituna Minor Rating Review Update

Following the update provided at the March 2024 advisory group meeting, the second phase of the Kaituna Minor Rating Review has been initiated. Simon Harris from Land Water People (LWP) Ltd, who conducted Phase 1 of the minor rating review, has been re-engaged by the Regional Council to undertake the second phase.

Over time, Phase 2 will include the following projects:

- Seddon Street Pump Station, and the Armer and Marshall Farms pumping.
- Te Puke stormwater modelling report.
- Bell Road modelling report.
- Rangiuru Business Park.
- Ngongotahā improvements

2. Infrastructure Insurance Review

In case of a major natural disaster, the central government will cover up to 60% of repair costs for essential infrastructure, with the Regional Council covering the remaining 40% through flood damage reserves and infrastructure insurance. A 2021/22 review, triggered by rising insurance premiums, found current insurance the most cost-effective option for flood losses but stressed the need for ongoing monitoring.

At the March 2024 advisory group meeting, the draft Long Term Plan and Rivers and Drainage Asset Management Plan budgets highlighted insurance premium increases as a cost driver. Staff emphasised balancing affordability and risk to maintain Rivers and Drainage activities.

An internal review is now exploring potential options to reduce insurance costs, including:

- Removing low-risk assets from the insurance schedule.
- Increasing the deductible.
- Removing high-risk but low-value assets.

These options, with confirmed data, will be presented at the March 2025 meeting. Feedback from river scheme advisory groups will guide further research into the feasibility, risks, consequences, and benefits of these options.

3. Best Practice Drain Management Update

In February 2022 Advisory Group members were provided with an overview of recommended best practice drain management techniques. This includes fencing with set-backs, battering banks, and low plantings, which has benefits for the filtration of contaminants, flood capacity, and enhanced habitat.

Approximately 15 km of best practice drain upgrade works have now been completed on over 11 properties in the lower Kaituna area, with support of the BOPRC Land Management Teams “Focus Catchments” programme, landowners, and our Rivers & Drainage staff. Planning is underway to gradually extend this network each year.

Current costs to restore drains to best practice standard remain at around $20,000-$40,000/km depending on site conditions (includes re-battering drain, new fencing, and native planting etc.). Opportunities exist to help reduce costs.

The photos below show how one reach of the enhancement drain is progressing, with excellent plant growth providing a filter strip, shade and overhanging vegetation after only ˜2 years. Drainage function has been maintained with no issues reported to date.


Before


After


After