



14 August 2014

Bay of Plenty Regional Council, Natural Resource Operations  
C/- Opus International Consultants Limited  
Concordia House  
Payne Street  
PO Box 800  
Whakatane 3158

Attn: Stephanie Brown & Simon Banks

Dear Stephanie and Simon,

**Resource Consent Application 67958 – Bay of Plenty Regional Council – Kaituna River Re-Diversion and Ongatoro/Maketu Estuary Enhancement Project – Request for Further Information (s92 RMA)**

Ryder Consulting Limited has been engaged by the Bay of Plenty Regional Council to process your application for resource consent on their behalf. We have undertaken a preliminary assessment of your application, conducted a site visit and received specialist comments and have identified that further information is required to assess the application.

The required information is set out as follows:

**1. DHI Modelling and Associated Reporting**

**a) Sediment Load from the Kaituna River**

The peer reviewers of the DHI and Economos reports have raised concern over the fact that the morphological model has not incorporated incoming sediment from the Kaituna River. They consider that the exclusion of this input raises doubt over the model's ability to realistically provide an indication of future morphological behaviour. In particular, they raise concern over the potential that the model has underestimated morphological effects immediately downstream of the new diversion channel.

Information requested:

- (i) Additional model runs are carried out that include bedload and suspended sediment load from the Kaituna River; and
- (ii) A discussion on the outcomes of these additional model runs is provided.

**b) Use of 'Typical Year'**

The peer reviewers have raised some concern over the use of the year 2006 as the 'typical' year and note that there is a large difference between the long-term sediment transport rate and the modelled 2006 rate. They also note that it appears that 2006 has been considered as a

'typical' year based solely on littoral drift transport and consider that river flows will also be a key physical process affecting the system.

Information requested:

- (i) Further justification of the selection of 2006 as the 'typical' year;
- (ii) Further consideration and discussion on whether 2006 represents a 'typical' year in terms of river flows; and
- (iii) Additional model runs and reporting that stem from points 1 b)(i) and (ii).

**c) Outputs from 'Typical Year' Morphological Model**

The peer reviewers note that there are measureable differences at both the Te Tumu Cut and the Estuary inlet for the one year simulation. They raise concern over the fact that no allowance for any enlargement of the estuary inlet has been made in the model runs and the potential effects that this enlargement may have on tidal flux, flood hazard and water quality assessments.

- (i) Additional model runs are carried out to understand the morphological response (particularly at the Te Tumu Cut and Maketu Estuary entrance); and
- (ii) A discussion on the outcomes of these additional model runs.

**d) Impacts Upon Other Reports**

I note that significant reliance has been placed on the outputs of the DHI model to assess the Project's potential effects within the various specialist reports (in particular those relating to ecological effects). These reports are, therefore, considered to be sensitive to any changes associated with the additional model runs requested within points 1 a), b) and c) of this request.

Information requested:

- (i) Confirmation be provided from each of the specialist report authors that they have received and considered the revised modelling outputs; and
- (ii) The various reports are amended, as necessary, in light of the revised model outs.

**2. Hamill (2014) Ongatoro/Maketu Estuary Condition and Potential Effects**

Information requested:

- (i) Comment on the rationale for the site selection of the algal assessments transects; and
- (ii) Comment on whether the four composited algal samples collected are considered to be generally representative of nutrient content in algae throughout the estuary and/or the extent of possible variation in other areas and whether this has any bearing on the total mass of N and P estimated to be present in algae in the estuary.

**3. MacGibbon (2014) Terrestrial, Avian and Wetland Restoration Ecology**

Information requested:

- (i) Comment on the importance of the time of year that construction and re-establishment activities are to occur in terms of vegetation and avian ecology (i.e. breeding seasons, migration, and so on) and proposed mitigation measures;
- (ii) Comment on the vegetation survey methodology (including, but not limited to, justification of vegetation transect localities and soil chemical characteristics);
- (iii) Comment on the presence and significance of the threatened tussock species *Poa billarieraei* at eastern-most 800 metres of the spit and any mitigation measures proposed during the pre, during and post-construction phases of the Project;

- (iv) Salinity models of average river flow and average tidal cycle at water surface, mid water and bed; and
- (v) Further comment on proposed avian monitoring and mitigation recommendations (for example, whether relocation during construction is appropriate and is there a proposed avian monitoring regime).

#### 4. **Log Deflector**

Information requested:

- (i) As a minimum, please provide some details of the proposed design and construction of the proposed 'log deflector'.

Please note that these do not have to be final and the purpose would be to enable Council to set some parameters around a 'final' plan for later certification by Council (should resource consent be granted).

#### 5. **Culvert Serving the Lower Kaituna Wildlife Management Reserve**

I note that section 5.2 – Construction Activities on Page 50 of the AEE sets some 'likely' dimensions for the proposed additional culvert serving the Lower Kaituna Wildlife Management Reserve but a to-scale plan has not been provided showing the approximate location of this culvert.

Information requested:

- (i) Please provide a to-scale plan identifying the proposed approximate location of this proposed culvert;
- (ii) Please clarify the maximum dimensions of this culvert, maximum earthworks and whether any additional works are proposed (for example nature and likely extent of erosion mitigation measures;

Please note that these do not have to be final and the purpose would be to enable Council to set some parameters around a 'final' plan for later certification by Council (should resource consent be granted).

Once we have received all information necessary to assess the effects of your proposal on the receiving environment, we will continue processing your application.

Please note that, for completeness, I have attached the memorandums provided by the peer reviewers. These provide a fuller discussion of the reasons for the information requested. You will note that these reports have 'fundamental' and 'nice to have' information requirements, some of which I do not consider necessary to request at this stage. They do, however, flag some issues that you may decide to respond to. For clarity, only those items requested within this letter are required.

Please feel free to contact the undersigned regarding the requirements of this letter by telephone on (07) 571 8289 or by email at s.miles@ryderconsulting.co.nz.

#### ***When and how should I respond?***

In accordance with section 92A(1) of the Resource Management Act 1991 (RMA) you must respond to this request by **Wednesday 3 September 2014**. You may either:

- a) Provide the required information; or
- b) Write to us stating that you will supply the required information, but require a longer period in which to do so; or
- c) Write to us stating that you refuse to provide the required information.

***What happens if I do not respond or refuse to provide the information?***

If you do not respond by **Wednesday 3 September 2014** or respond indicating your refusal to provide the requested information, then under section 92B(2) of the RMA we must continue to process your application but your application is likely to incur extra costs and it may be recommended that the application be declined. If your application is declined, you have the right of appeal (s120 RMA) to the Environment Court.

Yours faithfully

**Ryder Consulting Limited**



Shanan Miles

**Associate & Environmental Planner (Consultant Processing Planner)**