

28 May 2026

ATTN: [REDACTED]
Fast-track Application Team
Environmental Protection Authority

Tenā koe [REDACTED]

FTAA-2605-1227 – Wairakei South Fast Track Application

Bay of Plenty Regional Council (BOPRC) s46 Completeness Check

Thank you for notification of the Wairakei South substantive application (the Application) recently submitted to the Environmental Protection Authority (EPA) under the Fast Track Approvals Act 2024 (FTAA). Please find our response to your letter dated 21 May 2026, below.

1.1 Consultation with BOPRC

Consultation between Bell Road Limited Partnership (the Applicant) and BOPRC started in late-2024, as pre-application consultation. Given the location of the proposal within the BOPRC Lower Kaituna River Scheme Drainage Area, and potential effects, consultation has largely revolved around stormwater impacts including:

- Modelling of pre- and post-development scenarios and flooding impacts
- The proposed management of stormwater
- Impacts on current and future asset management.

The Applicant has provided BOPRC with regular updates over this consultation period.

1.2 Section 30 of the Fast-track Approvals Act 2024

Section 30 of the FTAA applies to this proposal, as the proposal includes a resource consent application for a water take. While the Applicant has not formally notified the BOPRC in accordance with s30(2), during the pre-application process, this type of information was exchanged during pre-application consultation.

We confirm that there is no existing resource consent to which section 124C(1)(c) or 165ZI (of the Resource Management Act 1991 (RMA)) apply to this Application.

1.3 Section 43(2)(b) of the FTAA – Staged Projects

The proposal will be staged, as set out in the application there will be two primary stages (Northern and Southern), however these will be broken up further into sub-stages (18 earthworks stages) with each stage being completed independently over approximately 10 – 20 years.

The Application does not contain an explanation of how each stage meets the criteria in s22 of the FTAA, as required by s43(2)(b)(iii).

1.4 Section 43(3)(a) of the FTAA – Resource Consents

Projects which are seeking approval as resource consents (s42(4)(a)) are required to include the information required by clauses 5 to 9 of Schedule 5 of the FTAA.

1.4.1 Schedule 5, Clause 5 – Information required in consent application

Where relevant the Applicant has provided the information required by Schedule 5, Clause 5 of the FTAA, other than:

- (1)(l) relating to the process and information required by s30 (as detailed above).
- (5)(a) relating to permitted activities and demonstrating that the relevant activity can comply with the permitted activity conditions. While Appendix-AC lists the permitted activity rules, it does not demonstrate how the conditions of these rules will be met. See further below in 1.5.

In relation to (k) *“any conditions that the applicant proposes for the resource consent”*, we are currently working through the Applicant’s proposed conditions. While the Applicant has circulated conditions during pre-application consultation, the set of consent conditions provided with the Application have not been agreed to. An initial review of the pre-application version of the conditions indicates that substantial amendments will be sought by BOPRC.

Note: The requirements of Clause 5(4) are addressed below in reference to Clauses 6 and 7.

1.4.2 Schedule 5, Clause 6 – Information required to assess environmental effects

Where relevant the Applicant has provided the information required by Schedule 5, Clause 6 of the FTAA, other than:

- (1)(c)(ii) where the Applicant has not identified any possible alternative methods or receiving environments for discharges, particularly in the instance of the permanent discharge of stormwater from the developed landform.
 - o The Applicant’s proposed method of discharge for permanent stormwater relies on continuous pumping of stormwater from the area. We have not been able to find any assessment within the Application relating to alternative methods.
 - o There is also a lack of information relating to stormwater treatment alternatives.

While the assessment of effects on the environment may generally address the types of effects anticipated from the proposal, following an initial review of the lodged Application documents (and having undertaken pre-application reviews), we consider the effects relating to stormwater quantity are not assessed in sufficient detail to satisfy the purpose for which it is required. This is addressed in more detail in 1.4.3 below.

1.4.3 Schedule 5, Clause 7 – Matters to be covered in assessment of environmental effects

The Applicant has generally provided the information required by Schedule 5, Clause 7 of the FTAA. Of particular relevance to the BOPRC, the Application includes an assessment of environmental effects relating to the following activities:

- Earthworks, including the disturbance of contaminated soils, and the discharges of temporary stormwater and contaminated soils
- Works in the bed of a river, including the construction and upgrade of bridges and culverts
- The damming and diversion of surface water
- The permanent discharge of stormwater from the developed landform
- The construction of a bore and the take and use of groundwater
- The take and use of surface water.

BOPRC considers that the majority of the activities (requiring consent from the BOPRC) are relatively straightforward to assess and manage via typical assessments and consent conditions. However, the permanent discharge of stormwater from the developed area is a highly complex activity, primarily as:

- The site is low lying and sits within a floodplain, with a high water-table.

- Flooding currently occurs across the site, with physical conditions restricting water drainage via gravity to the Kaituna River.
- The area is currently serviced by a BOPRC operated flood management scheme, which enables the ongoing operation of rural farming activities in the wider area.
- The proposal requires significant earthworks to create a developable platform, resulting in floodwater displacement and the potential for exacerbating cumulative flooding effects and flood risk on surrounding land and downstream of the site.

Following an initial review of the Application (including by technical experts), BOPRC has concerns regarding the level of detail within the effects assessments relating to the permanent stormwater discharge. While the BOPRC technical reviews of the Application are not yet complete, having undertaken an initial review of the Application (and having received some of the information as part of pre-application consultation), we would like to highlight that:

- At this stage, the peer review of the Applicant's hydraulic model concludes that the model only supports macro-scale conclusions for a 100-year ARI design event 2130 climate change, to evaluate flood risks associated with the development, specifically those associated with filling of the floodplain, and how the effects are able to be avoided, remedied, or mitigated effectively at a concept level only.
- The Applicant's hydraulic model has not been verified for smaller or larger events. Consideration of the 500-year ARI event is considered to be critical for assessing potential loss of life and effects on lifeline utilities (such as Tauranga Eastern Link Expressway (State Highway 2)), particularly in the event of stopbank failure.
- Modelling undertaken by the BOPRC in their own model indicates (and supports the above points) that the Applicant's model is not verified to undertake accurate modelling of the range of scenarios required to understand the full effects of the proposal, including flood hazards.
- Accurate modelling to assess flood hazard effects is important to understand the risk and magnitude of:
 - o Property damage, including effects on productive land.
 - o Residential property flooding.
 - o Effect on lifelines.
 - o Social and cultural effects.
- Further work on the model is required to undertake detailed flow path analysis and localised hazard interpretation. This is particularly important for the larger flood events, where flooding effects may be more significant. As the Applicant's model is yet to be verified to accurately model these events, further work on the model will be required, may take an extended period of time, and will require peer review. Without this work being completed prior to the consenting process, it could result in the need for very complex consent conditions and uncertainty about the ability to implement the consent.
- Modelling does not take into account the increasing area of impervious surfaces allowed through resource and building consents, within the Pāpāmoa East area (authorised but not yet fully implemented).
- Modelling does not take into account the authorised (but not yet implemented) overflow discharge to the Kaituna River from the Pāpāmoa Comprehensive Stormwater Consent held by Tauranga City Council.
- The proposal is for the development to be implemented over two primary stages (Northern and Southern), with these being broken up further into 18 sub-stages which are anticipated to be completed independently over approximately 10 – 20 years.

- Major infrastructure upgrades are proposed at Stages 1, 2 and 4, with further upgrades at Stages 6, 8, 9 and 11. It is important that supporting infrastructure is in place prior to each stage, and it is demonstrated that:
 - o 2-, 5-, 10-, 20-, 50-, and 100-year design flood levels are maintained.
 - o The infrastructure that is implemented over time, meets the consent criteria (should it be granted), e.g. the proposed level of service is maintained, or the flooding effects are mitigated to a set minimum level.
 - o There is no increase in flood hazard within the catchment.
 - o Any new flood mitigation infrastructure ensures that catchment is drained down to less than 1 m NZVD within 3 days for the 20% AEP event, to meet the original design intent proposed in the Application.
- Some concerns relating to the staged proposal are:
 - o Infrastructure is not adequately implemented across the development, prior to each stage of the development occurring.
 - o The stormwater wetland and swales appear to be constructed over all 18 stages, resulting in prolonged earthworks in a flood prone area.
 - o The development becomes financially unviable, with infrastructure partially constructed and effects not being adequately addressed.

Accordingly, we consider it imperative that if consent is granted, that infrastructure upgrades are conditioned to occur prior to each relevant development stage.

- The proposal relies on groundwater pumping to maintain necessary in-catchment storage in wet years and/or winter conditions, and on substantial surface water pumping infrastructure to manage flooding effects. This extent of pumping is generally not supported, is not considered best practice and is not recommended by much of the relevant technical guidelines across the country, for new developments.
- There are anticipated significant ongoing costs and operational maintenance required for the proposed pumping system. The Applicant has not provided capital or operational cost details, which may impact the viability of the system and has the potential to create legacy issues for future asset owners. How those costs are on-charged or recovered has also yet to be determined. Should the assets be vested with Council as proposed by the Applicant, a Council-initiated rating review process would need to occur.
- The proposed pumping system includes significant upgrades to the existing BOPRC assets and integration into the BOPRC managed flood scheme. While the Applicant has been working with the BOPRC and the Western Bay of Plenty District Council on this, to date sufficient information has not been supplied to satisfy the BOPRC that these assets could be taken over by the Council.

While not as complex as water quantity effects, an initial high-level review of the Application has also raised concerns with the limited information, assessment and proposed conditions in relation to the water quality effects assessment. In summary:

- The water quality assessment mainly relies on existing available information, including state of the environment monitoring and BOPRC sampling from 2018, with limited one-off field measurements in site drains. This is sufficient to identify that the receiving environments are degraded, but it is not comprehensive enough to robustly characterise the existing state of water quality across the receiving environments.
- The proposed approach relies heavily on primary treatment through wetland swales and proposed constructed wetlands. The actual performance of those systems will not be known until monitoring is undertaken. If monitoring shows that the system is not sufficient to meet water quality targets, it may be difficult to remedy retrospectively.

Unlike a point-source discharge that can be readily stopped, stormwater will continue to be generated and discharged during rainfall events, with limited practical ability to “turn off” the discharge or install additional treatment options.

- The Stormwater Monitoring Plan proposes one round of baseline monitoring and annual storm-event monitoring. Water quality can vary substantially between events and seasons, and annual event sampling will not capture the range of water quality conditions or treatment performance and doesn't provide an appropriate timeframe to respond to poor water quality, if it were to occur.

In summary, we consider more information is needed to assess the stormwater management and flooding effects of the proposal.

1.5 Resource Consents Required under the Regional Plan

The BOPRC agrees with the Applicant’s identified rule triggers, other than:

- The permanent discharge of stormwater from the developed landform:
 - o The Applicant has assessed that resource consent is required under Rules DW R21 and DW R23 – Restricted Discretionary Activity.
 - o It is not clear whether the discharge can meet the conditions of the Restricted Discretionary Activity rules, in particular *“The discharge shall not cause nor contribute to flooding or ponding on any land or property owned or occupied by another person.”* We consider that consent may be required under Rule DW R8.
 - o The discharge from the site would be consented as a comprehensive catchment discharge consent, as such all of the stormwater discharged from the site requires consent as one activity (rather than components of the discharge being permitted).
- The construction, use and maintenance of bridges and culverts has been applied for under Controlled Activity rules. The structure(s) will be in an area that will become an urban area¹, therefore resource consent is required under BW R36 as a Discretionary Activity for these activities. We expect there will be no material difference in the assessment or conditions for the bridges and culverts whether they are assessed as controlled or discretionary activities, as the matters of control are also the matters which we would use to assess the effects of these activities.

Overall, the application is a Discretionary Activity under the RNRP.

If you have any questions, please contact Mary Pappon and Danielle Petricevich via our email addresses provided below.

Ngā mihi,



Mary Pappon
Senior Consents Planner
Bay of Plenty Regional Council



Danielle Petricevich
Principal Consultant - Planning
Bay of Plenty Regional Council Consultant
Planner (SLR Consulting NZ Ltd)

[Redacted]

[Redacted]

¹ Urban area or settlement – an area which contains an aggregation of more than 50 lots or sites of an average size of no more than 1000m²