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31 January 2017

The Chief Executive
Bay of Plenty Regional Council
PO Box 364
Whakatane 3158

rules@boprc.govt.nz

Dear Sir/Madam,

RE: HEARING STATEMENT ON BEHALF OF THE OIL COMPANIES (SUBMITTER 47, FS02) ON PROPOSED PLAN CHANGE 10 (LAKE ROTORUA NUTRIENT MANAGEMENT) TO THE BAY OF PLENTY REGIONAL WATER AND LAND PLAN

1. INTRODUCTION

We refer to the abovementioned matters set down for hearing commencing 13th March 2017. Z Energy Limited, BP Oil New Zealand Limited and Mobil Oil New Zealand Limited (*the Oil Companies*) were a submitter on these chapters (Submitter 47 and FS02). The Oil Companies will not be attending the hearing as they are generally in agreement with the recommendations of the reporting planner and instead ask that this statement be tabled before the Independent Hearings Panel.

The statement has been prepared on behalf of the Oil Companies and represents their views. The statement relates to the relevant submissions by the Oil Companies, including how they have been addressed in the Section 42A report.

Annexure 1 to this statement sets out the Oil Companies' submissions and the corresponding recommendations of the reporting planner. The recommendations are accepted by the Oil Companies, except as addressed herein.

2. SUBMISSION POINTS 47-4 TO 47.6 – CONSEQUENTIAL AMENDMENTS TO THE WATER AND LAND PLAN

The Oil Companies sought a number of consequential amendments to the Water and Land Plan to make it clear that the provisions of PC10 only apply to particular rural areas of the Lake Rotorua groundwater catchment. The relief sought has been accepted in part by the reporting planner who proposes revised wording primarily linking PC10 to the Lake Rotorua groundwater catchment as a whole. The wording proposed by the reporting planner does not fully recognise that PC10 only applies to particular areas of the Lake Rotorua groundwater catchment as shown on amended Map LR1.

Recommendation to the Independent Hearings Panel: Ensure that appropriate provisions are retained for activities within the Lake Rotorua groundwater catchment not addressed by the provisions of PC10 by revising the consequential amendments to the Water and Land Plan to clearly articulate that the provisions of PC10 only apply to particular rural areas as defined on Map LR1. Alternate relief articulating that PC10 only applies to particular rural production activities within the Lake Rotorua groundwater catchment may achieve the same outcome.

It would be appreciated if you could table this statement before the Independent Hearings Panel. Please do not hesitate to contact the writer on (09) 917 4302 should you wish to clarify any matter addressed herein.

Yours sincerely

BURTON PLANNING CONSULTANTS LIMITED



Mark Laurensen
Senior Planner

Encl: Annexure 1 – S42A Recommendations in response to the Oil Companies' submissions and further submissions