

# Further Submission on Proposed Change5 (Kaituna River) to the Regional Policy Statement

Clause 8 of Schedule 1, Resource Management Act 1991

FS Number  
Office use only

Please send your submission to be received by **4:00 pm on Tuesday, 9 November 2021**

**TO:** The Chief Executive  
Bay of Plenty of Regional Council

**BY POST:** PO Box 364  
Whakatāne 3158

**OR BY EMAIL:** rps@boprc.govt.nz

**Name: Rivers and Drainage department – Bay of Plenty Regional Council**

**This is a further submission in support of or opposition to a submission on Proposed Change 5 (Kaituna River) to the BOP Regional Policy Statement**

1. I **do** wish to be heard in support of my further submission.
2. If others make a similar submission I **would** be prepared to consider presenting a joint case with them at any hearing.
3. I am: *[Please tick one]*

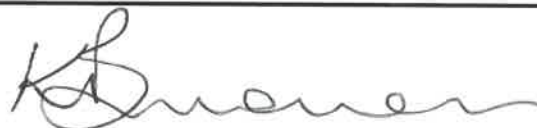
a person representing a relevant aspect of the public interest.

a person who has an interest in the proposal that is greater than the interest the general public has.

On the following grounds:

This submission is made on behalf of the Rivers and Drainage department of Bay of Plenty Regional Council. We have a statutory role to manage the Kaituna Catchment Control Scheme – which includes drainage and flood protection assets in the lower Kaituna River. Management of the Kaituna Catchment Control Scheme will be affected by Plan Change 5.

**Signature** *[of person making submission or person authorised to sign on behalf of person or organisation making submission. A signature is not required if you make your submission by electronic means]*



**Address for Service** *[Provide full postal details]:*

Bay of Plenty Regional Council

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*Submissions contain personal information within the meaning of the Privacy Act 2020. By taking part in this public submission process, submitters agree to any personal information (including names and contact details) in their submission being made available to the public and published on our website, and for the information collected to be held in accordance with our Privacy Statement available at [www.boprc.govt.nz](http://www.boprc.govt.nz).*

Contact person:

Hemi Barsdell – Rivers and Drainage Assets – Asset Management Specialist

**Note: A copy of your submission must be served on the original submitter within 5 working days after making this further submission**

### FURTHER SUBMISSION POINTS:

<b>Submission Number</b> <i>[Submission number of original submission as shown in the "Summary of Decisions Requested" report]</i>	<b>Submitter Name</b> <i>[Please state the name and address of the person or organisation making the original submission as shown in the "Summary of Decisions Requested" report]</i>	<b>Section Reference</b> <i>[Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposed plan change]</i>	<b>Support/ Oppose</b>	<b>Reasons</b> <i>[State in Summary the nature of your submission, giving clear reasons]</i>
14.5	Royal Forest and Bird Protection Society NZ (Forest and Bird)	<p>Section 2.12, provision 2.14 Issue 4.</p> <p>The Forest and Bird submission requests changes as follows:</p> <p>"Amend <b>Issue 4</b> as follows:</p> <p><b>Waterbody modification Drainage scheme impacts</b></p> <p>Mahinga kai, ecosystem health and natural character values are being impacted by <b>drainage scheme</b> waterbody modifications especially in the lower Kaituna River area."</p>	Oppose	<p>Rivers and Drainage propose that Issue 4 wording is maintained as follows:</p> <p><b>"Waterbody modification impacts</b></p> <p>Mahinga kai, ecosystem health and natural character values are being impacted by waterbody modifications especially in the lower Kaituna River area."</p> <p>Our rationale: This wording reflects the broader situation that has evolved over time. Loss of wetlands and indigenous vegetation, change in land use, intensification of agricultural/horticultural land use, application of fertilisers, discharge of contaminants through run-off into drains and waterways are all part of the broader issue.</p> <p>Rivers and Drainage involvement in Project 1 (Lowland Drains and Drainage Canal Improvement Project) from the Te Tini a Tuna Action Plan in collaboration with Te Maru o Kaituna and other stakeholders, will deliver positive outcomes for the Kaituna River and Maketū Estuary moving forward.</p>

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14.38	Royal Forest and Bird Protection Society NZ (Forest and Bird)	<p>Appendix A – Definitions – Riparian Areas or Margins</p> <p>The Forest and Bird submission requests changes as follows:</p> <p>“Amend the definition for <b>Riparian Areas or Margins</b>:</p> <p>A strip of land of varying width adjacent to a <del>waterway water body or artificial watercourse</del> which contributes or may contribute to the maintenance and enhancement of the natural functioning, quality and character of <del>freshwater</del>, the <del>waterway waterbody</del> and its margins.”</p>	Oppose	<p>Rivers and Drainage propose that Appendix A – Definitions – Riparian Areas or Margins is maintained as follows:</p> <p><b>“Riparian Areas or Margins:</b></p> <p>A strip of land of varying width adjacent to a waterway which contributes or may contribute to the maintenance and enhancement of the natural functioning, quality and character of the waterway and its margins.”</p> <p>Our rationale: The inclusion of the term “artificial watercourse” has significant potential implications that may not be fully understood by the landowners whose land contains artificial watercourses. Nor would those landowners have had the opportunity to submit/comment on this proposed change if it is accepted and endorsed.</p> <p>Forest and Birds proposed change constitutes a significant policy shift which is likely to have significant implications for drainage scheme management and private landowners in other areas across the Bay of Plenty. Any such change should be subject to a full and robust public consultation process.</p> <p>Rivers and Drainage acknowledge the importance of managing and improving drain water quality. Through our involvement in initiatives such as Project 1 from the Te Tini a Tuna Action Plan and the work around implementing National Policy and Environmental Standards, we are confident that we will contribute to positive environmental outcomes.</p>
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