

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: Western Bay of Plenty District 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~~ ~~or do not~~ wish to be heard in support of my further submission.

2. If others make a similar submission I **would** ~~or would not~~ 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. (Specify upon what grounds you come within this category.)

a person who has an interest in the proposal that is greater than the interest the general public has. (Specify upon what grounds you come within this category.)

On the following grounds:

I am: A person who has an interest in the proposal that is greater than the interest the general public has as a Territorial Local Authority.

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]*



Garry Webber Mayor – Western Bay of Plenty District Council

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

Private Bag 12803, Tauranga Mail Centre, 3143

Telephone:

Daytime: 07 571 8008

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Contact person *[Name & Designation if applicable]:*

Matthew Leighton, Senior Policy Analyst

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.

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:

<p>Submission Number [Submission number of original submission as shown in the "Summary of Decisions Requested" report]</p>	<p>Submitter Name [Please state the name and address of the person or organisation making the original submission as shown in the "Summary of Decisions Requested" report]</p>	<p>Section Reference [Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposed plan change]</p>	<p>Support/Oppose</p>	<p>Reasons [State in Summary the nature of your submission, giving clear reasons]</p>
9.3	The Proprietors of Taheke 8C & Adjoining Blocks (Inc)	<p><i>General submission point</i></p> <p><i>And throughout</i></p>	Oppose in part	<p>WBOPDC opposes the request "(b) Delete recreational access and activities from the Plan Change".</p> <p>WBOPDC recognises and acknowledges the issues raised by the submitter, including the rights of land owners, and does not seek to comment on these points.</p> <p>The deletion of recreational access and activities from the change is opposed, as this is an important aspect of people's relationship with the river and associated water bodies. Protecting recreational values forms part of Objective 4 of Kaituna He Taonga Tuku Iho – The Kaituna River Document. This should be reflected in the RPS.</p>
8.1	Horticulture New Zealand	<p><i>2.12 Treaty co-governance</i></p> <p><i>2.14 Issue 1</i></p>	Support in part	Further clarification of the "current and best knowledge of the aquifers at the Kaituna catchment scale" is sought. Understanding what information BOPRC currently hold and the programme to improve this would be beneficial to better appreciate the implications of this change.
14.5	Royal Forest and Bird Protection Society NZ (Forest & Bird)	<p><i>2.12 Treaty co-governance</i></p> <p><i>2.14 Issue 4</i></p>	Oppose	WBOPDC opposes changing 'Waterbody modification' to 'drainage scheme'. It is felt that while this is correct in the majority of instances, it unnecessarily narrows the scope of this issue. Waterbody modification may occur for several reasons beyond those of drainage schemes including ad hoc land drainage outside of formal schemes, changes to the extent of wetlands, and other civil engineering projects.

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14.9	Royal Forest and Bird Protection Society NZ (Forest & Bird)	2.12 Treaty governance Objective 41	co-	Oppose	WBOPDC opposes the insertion of 'by 2030' to this Objective. The inclusion of a timeframe confuses the objective and is a matter better addressed through the NPSFM process.
14.10	Royal Forest and Bird Protection Society NZ (Forest & Bird)	2.12 Treaty governance Objective 42	co-	Oppose	WBOPDC opposes the insertion of 'by 2030' to this Objective. The inclusion of a timeframe confuses the objective and is a matter better addressed through the NPSFM process.
2.8	Eastland Generation Limited	2.12 Treaty governance Objective 43	co-	Oppose	WBOPDC does not consider that a new policy to recognise climate change mitigation is appropriate to be introduced through the Change 5 process. It is felt that such a policy is better considered and introduced through a wider regional process.
14.11 / 14.40	Royal Forest and Bird Protection Society NZ (Forest & Bird)	2.12 Treaty governance Objective 43	co-	Oppose in part	WBOPDC supports the intent of the submitter, but it is unclear as to which change the submitter is proposing. It is also felt that the implications of the change need to be considered further and clarified.
11.2	Tauranga City Council	2.12 Treaty governance Objective 44	co-	Support in part	WBOPDC supports the change in part, in so far as it provides clarity to Plan users.

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11.4	Tauranga City Council	3.1 Policies Policy KR 2B	Support	WBOPDC supports the change in part, in so far as it provides clarity to Plan users.
14.16	Royal Forest and Bird Protection Society NZ (Forest & Bird)	3.1 Policies Policy KR 2B	Support in part Oppose in part	WBOPDC supports the change in part, in so far as it provides clarity to Plan users. In particular the changes to (a) is supported. New clause (e) is opposed in part. The intent of the change is appreciated, however it is unclear what the wider implications of the clause may be and how conflicting uses may be allowed for.
11.9	Tauranga City Council	3.1 Policies Policy KR 6B	Oppose	WBOPDC does not feel that the narrowing of this policy to become focused on projects only is appropriate or within the intent of its formulation. The repetition of 'projects' suggests that Te Maru o Kaituna member bodies are establishing and fully responsible for running these and does not encourage proactive behaviour or conditions. Whilst it is acknowledged that the NPSFM implementation process may also cut across this, the changes are not considered appropriate.
14.24	Royal Forest and Bird Protection Society NZ (Forest & Bird)	3.2 Methods to implement policies Method KR3	Oppose in part	WBOPDC opposes the changes to implementation responsibility. Whilst the intent is appreciated, the level of detail suggested is unnecessary and inconsistent with other methods.
11.12	Tauranga City Council	3.2 Methods to implement policies New method	Support in part	WBOPDC, as drinking water supplier, may potentially be impacted by such a change. However, the benefits of repeating a legislative requirement in the RPS require clarification.

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14.38	Royal Forest and Bird Protection Society NZ (Forest & Bird)	Appendix A – Definitions Riparian Areas or Margins	Oppose	WBOPDC opposes the change to the definition for Riparian Areas or Margins. The submitter's changes extend the definition much wider than before with consequential impacts wider than the Kaituna area. This is definition best determined through a regional NPSFM approach or through national direction.
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