



Bay of Plenty
REGIONAL COUNCIL

Submission on the Proposed Bay of Plenty Regional Coastal Environment Plan

Send your submission to reach us by 4.00 pm on Friday 22 August 2014

Submission Number
Office use only

137

TO: The Chief Executive
Bay of Plenty Regional Council
PO Box 364
Whakatāne 3158

Fax: 0800 884 882

or email: coastal.plan@boprc.govt.nz

Submitter Name: NGA POTIKI RESOURCE MANAGEMENT UNIT on behalf of the NGA POTIKI A
TAMAPAHORE TRUST (PSGE)

- 1 I do wish to be heard in support of my 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 **could not** gain an advantage in trade competition through this submission. *[Delete as required]*

26 August 2014

Date

[Signature of person making submission or person authorised to sign on behalf of person making submission.]

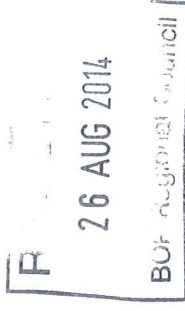
[A signature is not required if you make your submission by electronic means]

Address for Service of Submitter: P.O. Box 11491, Papamoa 3151

Telephone: Daytime: 0211811253 After Hours:

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Contact person: *Matire Duncan (Office Administrator)*



BOPRC ID: A1865738

SUBMISSION POINTS:

Page No	Reference (e.g. Policy, Rule, Method or Objective number)	Support/Oppose	Decision Sought Say what changes to the plan you would like	Reasons
General	New		Ngā Potiki seek objectives, policies, methods and rules provision to recognise and enable active kaitiakitanga.	Ngā Potiki wish to be active managers and decision makers along our coast.
General	New		Seek provision to recognise the role of hapū as kaitiaki of our rohe.	
General	New		Ngā Potiki seek provision to ensure the cultural landscape is recognised, recorded and expressed as part of any development in the coastal environment.	Papamoa is a largely modified urban environment and the important cultural landscape and footprint is being substantially lost. Ngā Potiki seek provision to ensure the cultural landscape is recognised, recorded and expressed as part of any development in the coastal environment.
General	New		Ngā Potiki seek provision to preserve and protect access and use of the coastal environment for customary activities, including restoration of degraded resources which were important for customary purposes.	
General	New		Ngā Potiki seek provision to require local authority co-governance over coastal reserves.	The Tauranga City Council is responsible for substantial Ngā Potiki coastal lands. There is a need for provision to ensure that local authorities provide for co-governance of such lands, particularly to enable customary activities.

Maps	Areas of significant cultural value.		Need to add area from Parakiri to Wairakei (Papamoa Beach) as an area of significant cultural value – this area should also extend out to the 12 nautical mile mark.	
Maps	Coastal boundary line		The Wairakei River is an important part of the coastal area and should be included within the coastal boundary line.	
Maps	Coastal boundary line		Amend where necessary	Ngā Potiki wishes to consider the boundary line in respect of Ngā Potiki rohe and how it has been placed in the location that it is. Ngā Potiki considers that the line should not be influenced by existing development.
Maps	Historic Heritage		Include provision for various areas of historic heritage to Ngā Potiki.	Need to include references to various historic heritage sites in the coastal environment of Ngā Potiki, though, we also note the provisions of Method 17.
	Issues 14-21 and 36	Support	Retain with minor amendments to improve their effect and purpose.	
	New issue		Ngā Potiki seeks a new issue to recognise the cumulative effects of development on the coastal environment and to avoid reliance on Māori land to operate as de facto reserve land (limiting the use of the land for papakainga, marae and customary occupation and use) to compensate for surrounding development.	

	Objective 5		<p>Ngā Potiki considers this objective should not apply only to significant adverse effects, recognising that less than 'significant' adverse effects (such as threats to kaimoana) still need to be addressed.</p>	
	Objective 6		<p>Ngā Potiki say that this objective needs to be stronger. For example, it should seek to restore the environment to natural levels (as opposed to current levels), especially where current levels are already having adverse effects which will accumulate.</p>	
	Objective 7(b)		<p>Ngā Potiki says that this objective needs to be stronger – 'provides for' as opposed to 'take into account'. It should also say that discharges in areas of traditional kaimoana gathering will be avoided.</p>	
	Objective 14		<p>Ngā Potiki seeks clarification on the reference to 'where these are known', particularly given Method 17 and requirements of the RMA.</p>	
	2.4 - Iwi Resource Management		<p>Ngā Potiki seek a new objective to actively provide for customary use and occupation of the coastal area for customary practices.</p>	
	Objective 23		<p>This objective should include reference to 'including customary activities, such as wānanga or other traditional practices'</p>	

Objective 34			Ngā Potiki seek a new objective to actively provide for aquaculture activities that provide a customary resource for marae and hapū. It is also noted that objective 37 and 34 conflict which needs to be reconciled.	
Objective 38			This objective should also include reference to 'light' (in addition to avoiding noise) in the coastal environment.	
Policy NH 1(a)			This sub-policy has the potential to create adverse cumulative effects which needs to be considered, particularly in terms of detracting from the cultural landscape.	
Policy NH 2			It is necessary to recognise that the nature of mana whenua customs is such that hapū who may seek to undertake commercial development cannot necessarily go to port or harbour development zones, and therefore some exceptions may be required. Particularly where such development may be in association with marae or customary areas.	
Policy NH 4			This policy should include reference to areas of cultural significance.	
Policy NH 5(b)			Ngā Potiki seeks to add words, including practical alternatives in accordance with tikanga Maori taking into account the customs of mana whenua/mana moana and iwi/hapū rohe.	

Policies WQ3-WQ6	support	Retain with minor amendments to improve their effect and purpose.	
Policy IW1		Ngā Potiki seeks a new sub-policy for 'measures to provide for the practical, visible and active expression of tāngata whenua associations and relationships and ancestral footprint with the coastal environment'	
Policies IW2-IW10	support	Retain with minor amendments to improve their effect and purpose.	
Policy IW11		Ngā Potiki seeks to add 'statutory associations' to the list.	
New policy		Ngā Potiki seeks a new IW policy – to enable structures in the coastal environment associated with customary activities, such as wānanga or customary practices.	
Policy RA2(d)		Ngā Potiki seeks a new sub-policy 'to recognise the cumulative effects on cultural values and associations with the coast'.	

Policy RA4			Ngā Potiki seeks additional words, including cultural events, such as wānanga.	
Part Four			Ngā Potiki seeks provision for customary activities, including rules.	
Policy SO1(e)			Ngā Potiki seeks to include structures associated with customary activities, such as whare waka, tauranga waka, or whare wānanga.	
New policy			Support the establishment of a kura wānanga a moana in the coastal environment (schooling dedicated to the coastal environment, including learning about the customs and sciences associated with the moana). For example, could be spot zoned as a development zone dedicated to this purpose.	
Rule SO			Ngā Potiki seeks to include permitted activity rule for customary activities.	
New definition			Ngā Potiki seeks a definition for customary activities which provides for customs as well as structures associated with customary activities.	

	Method 17		<p>Is supported, but Ngā Potiki says that this needs to incorporate measures to ensure that any methods can influence planning provisions and outcomes, ie, it is somehow incorporated into planning processes, for example, alert layers etc.</p>	
	Methods		<p>Ngā Potiki says that there is a need for other methods to provide for customary activities in the coastal environment, including establishment of structures to support such activities. This needs further thought to develop appropriate measures to facilitate such activities.</p>	



Guide to making a submission

Public notification of the Proposed Bay of Plenty Regional Coastal Environment Plan (the Proposed Plan) is the start of the formal development of the new plan. Making a submission is a way to give your views and influence decisions made by the Regional Council on the new plan.

Any person can make a submission. You don't have to be an expert, you just need to have a relevant point of view and be specific about the changes you wish to see. Your submission should focus on the positive or negative environmental effects of the Proposed Plan. The Ministry for the Environment website has more advice on making a submission: <http://www.mfe.govt.nz/publications/rma/everyday/plan-submission/>.

The Resource Management Act 1991 requires submissions to be made in a certain way¹. The attached Submission Form can be used as a guide. You can attach additional pages if necessary. Your submission must be made in writing and include:

- The name of the local authority you are sending your submission to.
- The name of the Proposed Plan.
- Your full name, address, telephone and/or fax number and email address so information can be sent to you. This is your 'Address for Service'.
- The specific provisions of the Proposed Plan your submission relates to.
- Whether you support or oppose those provisions or wish to have amendments made and your reasons why.
- The decision or conclusion you would like the council to reach. Put in as much detail as possible.
- Whether you wish to be heard (speak and give evidence) at a Council hearing on your submission.
- Whether you will consider presenting a joint case at a council hearing with others who have lodged submissions similar to yours.
- Whether you could gain an advantage in trade competition through your submission.

You must sign and date your submission - a signature isn't necessary for electronic submissions.

Please be as clear and detailed as possible in your submission, particularly on the changes you wish to see made to the Proposed Plan.

The closing date for submissions is Friday, 22 August 2014 at 4:00 pm.

Once submissions have closed, the Regional Council will summarise submissions and make the summary document available to the public. You are able to make a further submission if you have an interest that is more than the public in general. This further submission can only support or oppose the original submissions.

Bay of Plenty Regional Council will then hold a public hearing of submissions and make decisions, providing reasons. Any person who made a submission has the right to appeal the Regional Council's decision on their submissions to the Environment Court.

Following the resolution of any appeals, the Regional Council will adopt the Proposed Bay of Plenty Regional Coastal Environment Plan (amended in accordance with its decisions and any directions from the Environment Court) and send the Proposed Plan to the Minister of Conservation for their approval.

¹ Set out in Form 5 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.