

24 April 2020

Bay of Plenty Regional Council
Private Bag 12022
Tauranga 3143

Via email to: riversanddrains@boprc.govt.nz

Dear Sir/Madam

Re: Flood Protection and Drainage Bylaws

Please find attached a submission from the kiwifruit industry on Bay of Plenty Regional Council's proposed Flood Protection and Drainage Bylaw.

Please do not hesitate to contact us if you require any further information on this submission.

Yours sincerely



Sarah Cameron
Senior Policy Analyst

TO: Bay of Plenty Regional Council

SUBMISSION ON: Flood Protection and Drainage Bylaw

NAME: NZ Kiwifruit Growers Inc (NZKGI)

ADDRESS: PO Box 4246, Mount Maunganui South, 3149

1. The kiwifruit industry in New Zealand

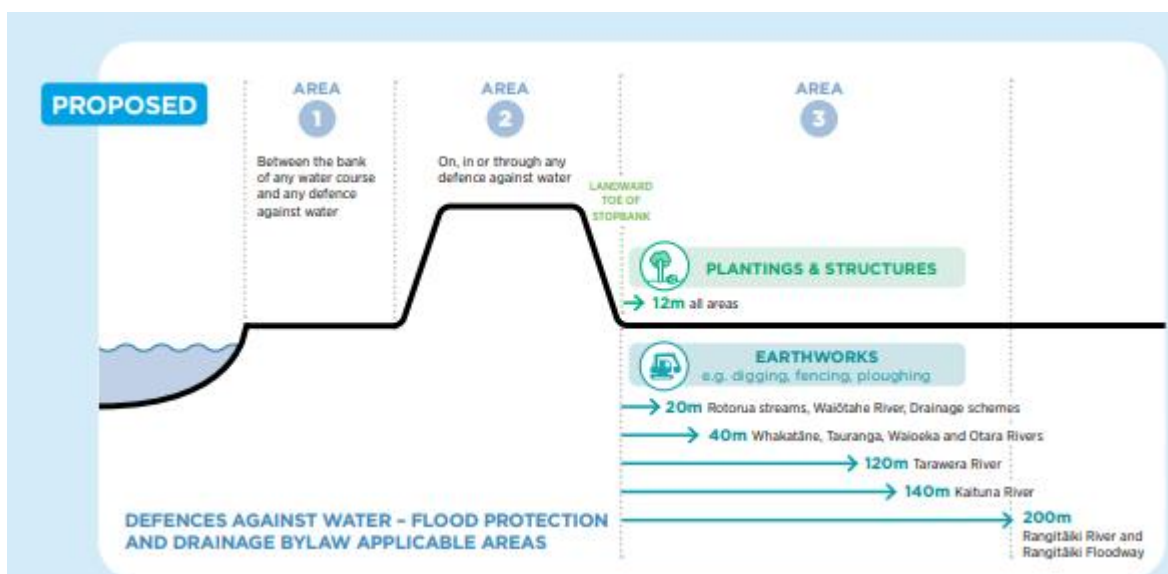
The kiwifruit industry is a major contributor to regional New Zealand returning \$1.8b directly to rural communities in 2018/19. There are ~3000 growers, 14,000ha of orchards, 10,000 permanent employees and up to 25,000 jobs during the peak season. Approximately 80% of New Zealand's kiwifruit crop is grown in the Bay of Plenty and the industry is expected to grow its global sales to \$4.5b by 2025 which is an increase from \$3.1b in 2018/19. The projected growth of the industry will contribute significantly to the Bay of Plenty GDP increasing it by 135% to \$2.04 billion by 2029/2030.

2. General comments

Thank you for the opportunity to comment on the Flood Protection and Drainage Bylaw. There are ~2,600 orchards in the Bay of Plenty with an average size of 4.46ha.

3. Setback requirements

The setback distance for planting and structures from the landward toe of a stop bank is 12m and this will not change under the proposed bylaw. Setback distances for earthworks from the landward toe of a stop bank are proposed to increase (as noted below). Erecting structures require a type of earthwork which is likely to include digging and/or fencing. Therefore is Council saying that a structure can only be permitted within 12m if no earthworks are required to erect it?



The setback requirements from waterways are proposed to increase with Council using the below methodology in their decision making:

- Historic data and staff observations from previous flood events
- Assessment of geotechnical investigations around the region
- The results of computer-generated models that predict soil, river and asset performance during a flood event.

The geotechnical report and computer-generated modelling are not available on Council's website for submitters to review which makes it difficult to understand why some setbacks are more than others. An example being the Rangitikei river setback is 200m yet the Whakatane river only 40m. Both rivers breached their stop banks in 2017

4. Awareness and Education

Setback distances are not a requirement to be included in resource consents and many landowners probably do not know that setback distances are required. It would be helpful to know if Council has provided any type of awareness/education campaign to landowners through the Bay of Plenty region or are likely to in the future? It would also be helpful to know if there is existing fencing/buildings/structures within the proposed setback area, will Council require these to be removed if the proposed rules are adopted.

5. Additional comments

Overall, NZKGI supports Council's intent to strengthen the defences against water and agrees with Council's decision to reduce the \$172.50 flood protection and drainage bylaw authority fee to \$0.