

**Received by:** Email

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**Submission number** 104

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**Organisation if applicable** Bay of Plenty Regional Council

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**Support or oppose** Support

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**Wants to Speak to submission/feedback** Yes

SEE ATTACHED SUBMISSION

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27 October 2021



Dear Sir/Madam

**Bay of Plenty Regional Council's submission to Ōpōtiki District Council's Statement of Proposal – Review of Part 8 Animal Control of the Consolidated Bylaws 2020.**

The Ōpōtiki District Council (**District Council**) is currently reviewing its Bylaws in response to ongoing health and safety issues caused by roaming horses in the Ōpōtiki township. The District Council has proposed changes to the Bylaws to ban the keeping of horses within a township area identified in a schedule to the Bylaws. People will still be able to ride a horse in the Ōpōtiki township as long as it remains under effective control of the rider at all times.

The review purpose and proposed changes are set out in a Statement of Proposal dated 30 August 2021.

Thank you for the opportunity to submit on the Statement of Proposal.

**Our Organisation**

The Bay of Plenty Regional Council (BOPRC), like the District Council, plays an important role in promoting the sustainable management of resources and protecting the health, safety and wellbeing of the community. BOPRC has a range of functions under statutes such as the Local Government Act and the Resource Management Act. Our functions are different from that of the District Council, but the roles and responsibilities of the two organisations can overlap and be complementary, for example in relation to natural hazards.

**Regional Council submission**

BOPRC supports the proposed changes to the Bylaws.

The proposal explains that reducing health and safety risks to the Ōpōtiki community is a key rationale for the proposed changes. Under the proposal, horses will not be able to graze on the township stopbanks.

BOPRC manages stopbanks located in the Ōpōtiki Township as identified in proposed Map 1 of Schedule 2 to the Bylaws. These stopbanks are part of the Waioeka-Otara Rivers Scheme. The stopbanks protect the township and people within it from floods.

Horses are large animals that can cause damage to stopbanks. Grazing of stopbanks by horses should not be permitted, because it can destroy the vegetative and mulch cover on the batters, as well as damaging the underlying bank, undermining the integrity of the stopbanks. Maintenance of stopbanks and the prevention of damage to them is extremely important in managing flood risk to the Ōpōtiki Township. Preventing horses from grazing the stopbanks will reduce damage and flooding risk. BOPRC supports the proposal for this reason.

*Objective ID: A3951253*

We further support the proposal because the proposed changes will complement the BOPRC Flood Protection and Drainage Bylaws 2020 (BOPRC Bylaws). The BOPRC Bylaws prohibit grazing of stopbanks by horses. However, the coverage of the BOPRC Bylaws in respect to prohibiting horses is restricted only to the stopbanks. The proposed changes to the District Council Bylaws will significantly reduce the likelihood of horses being present on the land immediately adjacent to the stopbanks. Therefore, reducing the likelihood of horses coming into contact with the stopbanks and posing a risk to stopbank integrity.

BOPRC acknowledges and supports the change made to the definition of "Township" notified via email on 14/10/2021. The new definition:

**"Township** means the area as identified in Map 1 of Schedule 2 in Part 8 – Animal Control"

This new definition encompasses the BOPRC managed stopbanks and ensures that the risks posed to stopbanks by horses will be better managed in future.

For matters relating to this submission, please contact Hemi Barsdell at [hemi.barsdell@boprc.govt.nz](mailto:hemi.barsdell@boprc.govt.nz) or 0800 884 880.

Yours sincerely



pp Hemi Barsdell

**Rivers and Drainage Assets – Asset Management Specialist**

**On behalf of:**

Chris Ingle

**General Manager Integrated Catchments**