

District Plan Hearings Committee – Agenda

Date: 20 July 2017

Location: Ōpōtiki District Council - Chambers



To hear submissions and further submissions to the Proposed Ōpōtiki District Plan

Section 42a Hearing Report

1.0 MEMBERSHIP AND DELEGATIONS

Chairperson	Christine Chambers
Members	Councillor Lyn Reisterer, Dayle Hunia
Delegations	The District Plan Hearings Committee has the following delegations: a. To conduct hearings of submissions and further submissions to the Proposed Ōpōtiki District Plan b. To deliberate and make recommendations on submissions and further submissions as provided for under clause 9 and 10 of the Resource Management Act 1991.

2.0 APOLOGIES

3.0 INTRODUCTION

This report has been prepared under section 42A of the Resource Management Act 1991 to report on submissions and further submissions received on the Proposed Ōpōtiki District Plan (the Plan) and to make recommendations to the District Plan Hearings Committee (the Committee). This report provides an overview of the hearing process, the statutory framework for the Plan, the process followed in developing the Plan and main issues raised in the process.

4.0 DOCUMENTS

The section 42A Report is made up of this report supported by an individual report on each chapter of the Plan. In addition, the following documents are available separately to this agenda. These documents will be referred to in the hearing process:

1. Proposed Ōpōtiki District Plan
2. Proposed Ōpōtiki District Plan Maps
3. Submissions to the Proposed Ōpōtiki District Plan
4. Further submissions to the Proposed Ōpōtiki District Plan
5. Section 32 Evaluation Reports

These documents are available on Council's website www.odc.govt.nz

5.0 HEARING PROCESS

Council has appointed the committee above to hear and deliberate on submissions and further submissions to the Proposed Ōpōtiki District Plan. This committee was established under section 34A of the Resource Management Act 1991. The committee must:

- Consider all submissions received on the Plan including verbal presentations and written evidence from submitters who have advised that they wish to be heard and;
- Make recommendations to the Council to accept or reject submissions on whether the Plan provisions are retained or amended from the submissions received.

What happens at the hearing?

1. The Chairperson opens the hearing, welcomes everyone and introduces the panel.
2. A council officer may introduce themselves and their report
3. The submitters will be asked to speak to their submissions either personally or through a representative. The committee may ask questions of clarification, and the chair may ask the reporting officer questions of clarification also.
4. The reporting officer may have the opportunity to provide comment about any changes to recommendations as a result of submitters' presentations.
5. The Chairperson closes the public part of the hearing.

Conduct of Hearing:

The Committee may conduct the hearings as they may consider it appropriate to enable the Committee to make an informed decision. Generally the following applies:

- Submitters can only speak to the matters raised in their written submissions. No further matters can be raised. Points can be elaborated or further explained.
- Decisions are limited to the relief sought in submission points raised.
- Evidence is not given on oath
- Only the Committee may question any party or witness. There will be no cross examination.
- If any party wishes to seek clarification of a matter raised by another party, the request for clarification can be directed to the Chairperson who may, if considered appropriate, pursue the matter with the other party.
- The Committee may request or receive advice
- The hearing will be held in public unless it is necessary to protect sensitive information.
- The Council officer report is only a recommendation, and the Committee may reach a different decision.

What happens after the hearing?

The Committee considers the original written submissions and further submissions, and the information heard at the hearing considers this in deliberations. If necessary, the Committee can seek clarification or request further information. A copy of the decision made by the Committee will be sent to the submitters after the conclusion of all hearings.

6.0 STATUTORY FRAMEWORK

The Council is required to have a District Plan by Section 73 of the RMA to assist with carrying out its functions under Section 31 and to achieve the purpose of the RMA as set out in section 5. The District Plan must be reviewed every ten years. The process for reviewing the Ōpōtiki District Plan is set out in Schedule 1 of the RMA, including requirements for consultation, making submissions and further submissions, hearing submitters and making decisions.

Purpose of the District Plan (Section 31 of the RMA)

The purpose of a District Plan is to assist Council to undertake its functions as set out in Section 31 of the Act in achieving its purpose. These functions include the establishment, implementation and review of objectives, policies and methods to achieve integrated management of the effects of use, development or protection of land and associated natural and physical resources of the district. In particular Council must control any actual or potential effects of the use, development, or protection of land including for the purpose of:

- a. The avoidance or mitigation of natural hazards; and*
- b. The prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances; and*
- c. The prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land;*
- d. The maintenance of indigenous biological diversity.*
- e. The control of emission of noise and the mitigation of the effects of noise;*
- f. The control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes.*

Section 75 sets out the requirements for the contents of a district plan.

Contents of the District Plan

A District Plan must state the objectives, policies and rules (if any) and may state significant resource management issues, methods other than rules, principal reasons, environmental results expected, monitoring and other information. The Plan must give effect to any national policy statement, NZ coastal policy statement and any regional policy statement. National Policy Statements relevant to the Plan are:

- National Policy Statement on Electricity Transmission 2008 (NPSET)
- National Policy Statement on Renewable Electricity Generation 2011 (NPSREG)
- National Policy Statement for Freshwater Management 2011 (NPSFW)

A district plan must not be inconsistent with a regional plan. In addition, under section 44A a rule in the Plan must not duplicate or be in conflict with a national environmental standard, of which there are three relevant to this Plan:

- National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)
- National Environmental Standards for Electricity Transmission Activities 2009 (NESETA)
- National Environmental Standard for Telecommunications Facilities 2008 (NESTF)

Other Legislation

Section 66(2a)(a) requires that, when Council is developing a plan under the RMA, it must take into account relevant planning documentation recognised by an iwi authority and lodged with the Council. In addition, there is a range of other legislation, such as the Building Act 2004, Heritage New Zealand Pouhere Taonga Act 2014, and Reserves Act 1977, that has been considered in preparing the Plan.

7.0 RESOURCE LEGISLATION AMENDMENT ACT 2017

The Amendment Act (RLAA) obtained Royal Assent on 18 April 2017. The RLAA is the second phase of reform of the RMA. The changes outlined in the RLAA have not been considered as part of this process, as the review was well underway and the proposed plan was notified prior to the RLAA being enacted.

Schedule 2, Part 2 Clause 13(1)(2) states:

- (1) This clause applies to a proposed policy statement or plan, change or variation that, immediately before the commencement of a relevant amendment made by the amendment Act -
 - a. Has been publicly notified under Clause 5 or 26(1) of Schedule 1; but*
 - b. Has not proceeded to the stage at which no further appeal is possible**
- (2) The proposed policy statement, plan, change, or variation must be determined as if the amendments made by the amendment Act has not been enacted.*

Therefore, the hearing and decision making process must continue as if the RLAA had not been enacted.

8.0 SECTION 32AA EVALUATION

Section 32 of the RMA directs a local authority making a proposed plan to carry out an evaluation, both before it is publicly notified and before making a decision on submissions. The evaluation is to examine the extent to which each objective is the most appropriate way to achieve the purpose of the Act, and whether, having regard to their efficiency and effectiveness, the policies, rules and other methods are the most appropriate for achieving the objectives. The evaluation is to take into account the benefits and

costs of policies, rules or other methods; and also the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

The Ōpōtiki District published a series of reports prepared under section 32 when the Plan was notified. These are available on the Council's website.

Under section 32AA, a further evaluation must be made in accordance with section 32 for any changes made to the Plan. The evaluation is required at a level of detail consistent with the scale of changes. The changes recommended are generally minor changes only to clarify and enhance the consistency of the plan as notified. Where more significant changes are recommended, then a summary is given in each chapter report in relation to the section 32AA considerations.

As part of decision making, the Committee may address the requirements of section 32 AA by reference in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with the section.

9.0 PROPOSED DISTRICT PLAN DEVELOPMENT PROCESS

The Council is required to have a District Plan by Section 73 of the RMA and review it every ten years. The review process began in 2014. Since then we have undertaken the following steps:

1. Three pop-up shops which included seeking feedback on District Plan topics.
2. Notified the Draft District Plan for feedback, with a total of 31 comments received.
3. Several Council workshops.
4. A number of Council meetings.
5. Several Coast Community Board Meetings.
6. A number of key stakeholder meetings.
7. Proposed Plan was notified in Sept 2016 where a total of 60 submissions were received.
8. Public notification of the submissions received and further submissions from 33 parties were received
9. Prehearing Meetings

10.0 PRE-HEARING MEETINGS

Pre-hearing meetings may be held to clarify or facilitate resolution of a matter. This process is provided for under Clause 8AA of Schedule 1 of the RMA. Meetings were held with some submitters to clarify matters raised in their submission. These meetings were undertaken on an informal basis, with Council reporting officers, and no formal outcomes require reporting prior to the hearing or consideration in decision making.

11.0 SUBMISSIONS

The Plan was publicly notified on 20 September 2016 and the period for receiving submissions closed on 18 November 2016. 60 submissions were received including 2 late submissions.

The summary of submissions was notified on 16 February 2017 for further submissions and the period for further submissions to be received closed on 2 March 2017.

The list of submitters and further submitters is attached as Appendices 1 and 2 to this report.

In relation to the late submissions, the submitters are as follows:

- Federated Farmers
 - Apanui Farms Limited
 - Nuitupu Farms Trust
 - Whakatōhea Mussels Ōpōtiki Limited

The Commissioners are required to have regard to Section 37A(1) of the Act as follows:

- a. *The interests of any person who, in its opinion, may be directly affected by the extension; and*
- b. *The interests of the community in achieving adequate assessment of the effects of any proposal, policy statement, or plan; and*
- c. *The Council's duty to avoid unreasonable delay.*

The four late submissions were received either after 4.00pm on the closing date or within a few days after the closing date and do not raise issues beyond the scope of submissions received within time, in the interests of natural justice, it is recommended that they are received.

Further submissions were received from 34 parties. Two were not linked to specific submissions and are unable to be recorded in the analysis of submissions. The two parties are:

- Peter Helmbright (Waiariki Executive Tribal Authority)
- Amy Hurren

While the points raised in the further submissions are acknowledged, no recommendations are made in response to these further submissions.

11.0 S42A PLANNING REPORT STRUCTURE

This section 42A report has been prepared with separate reports that relate to each chapter of the Proposed District Plan.

The report provides an introductory section which outlines key legislative frameworks considered relevant to the chapter or topics within the chapter, a list of submitters and further submitters who have made submissions in relation to the chapter, and a brief overview of the main points raised.

Appended to each chapter report is an analysis of submissions and further submissions and recommendations to the Committee in relation to each point raised (Appendix 1). A track change version of each chapter shows the recommended amendments (Appendix 2). These amendments are identified with underlining for additional text or ~~strike-out~~ where text is recommended for deletion. Next to each amendment is a number which indicates which submission point the change relates to, as listed in Appendix 1 to the chapter report.

The recommendations set out in the section 42A reports are made by Council staff, prior to the hearings and before hearing and considering information presented by submitters at the hearings. There may be updates to the recommendations at the hearings.

It should be emphasised that the Committee may reach a different conclusion after hearing from submitters.

Abbreviations used:

The abbreviations used in the reports are as follows:

Council	Ōpōtiki District Council
RMA	Resource Management Act 1991
BOPRC	Bay of Plenty Regional Council
RPS	BOP Regional Policy Statement
RWLP	BOP Regional Water and Land Plan
NZCPS	NZ Coastal Policy Statement
NES	National Environmental Standard
NPS	National Policy Statement
ONFL	Outstanding Natural Feature or Landscape

13. KEY ISSUES APPLYING ACROSS THE PLAN

13.1 Introduction

This section of the report sets out the key issues that have been raised by submitters that affect more than one chapter. Therefore, rather than repeat the discussion in each Chapter report, the issues and recommended responses are discussed here.

13.2 Plan Format And Minor Changes

A number of submissions requested changes to the format of some parts of the Plan to improve clarity and interpretation, as well as providing for more consistent order of provisions in chapters, correct headings and consistent introductions, such as to Permitted Activities. These are generally minor changes as they do not change the intent of the rules although they appear substantially different.

Some changes are recommended through the section 42A reports, in particular where rule format or ordering is change and in response to specific submissions. Such changes are recommended in Chapters 13 and 17, to make the rules easier to understand. Other changes are required to number pages and order sections and wording to introduce sections. These have been generally left to the next version of the Plan, after decisions have been made, when minor changes and editing will be undertaken. Some of these will be undertaken under clause 16 of Schedule 1 of the RMA, which allows Council to alter any information, where such an alteration is of minor effect, or may correct any minor errors.

13.3 Coastal Environment

Submissions have requested that the Plan gives effect to the New Zealand Coastal Policy Statement 2010 (NZCPS). The NZCPS requires the identification of the area considered to be the extent of the Coastal Environment and Policy 1(2) provides the criteria how the coastal environment should be defined. The Proposed Bay of Plenty Regional Coastal Environment Plan identifies the extent of the Coastal Environment for the Bay of Plenty Region

A number of submissions have requested that the Proposed Plan give better recognition of the Coastal Environment with the use of an appropriate policy and rule framework. It is recommended that this is provided for in the following way:

- a. Identification of the extent of the coastal environment on planning maps.
- b. A policy framework that will apply to the coastal environment to give effect to the NZCPS
- c. Appropriate rules for activities, use and development within the Coastal Environment.

The Coastal Environment crosses zone boundaries and so this framework will sit within the Coastal Zone, Ōhiwa Harbour Zone, Rural, Network Utilities and Subdivision chapters. In considering the appropriate framework recommendations have been made based on the NZCPS.

The framework has been divided into three broad areas:

1. Giving effect to the Treaty of Waitangi
2. Infrastructure

3. Natural Character

The recommended policy framework for giving effect to NZCPS is set out below.

Objective 1: Recognise the special relationship tangata whenua have with their ancestral lands

Policy 1: To recognise and provide for the cultural, spiritual and archaeological values of tangata whenua and the desire of tangata whenua to live on and develop their ancestral lands.

Policy 2: To recognise the special relationship of Māori with their ancestral land by enabling use and development of land, including Papakāinga and associated support facilities.

Objective 2: Recognise and provide for Infrastructure including electricity transmission in the **Coastal Environment** to enable the social, economic and cultural well-being of people and communities.

Policy 1: Enable the location of infrastructure recognising where there is a functional need.

Policy 2: Ensure that public access is provided for in appropriate locations.

Policy 3: Ensure the effects of infrastructure on the **Coastal Environment** are managed to minimise adverse effects on the **Coastal Environment**.

Objective 3: Preserve and restore the natural character of the Ōpōtiki **Coastal Environment**.

Policy 1: Ensure subdivision use and development avoids adverse effects on the natural character of the **Coastal Environment**.

Policy 2: Require setbacks for structures and buildings from MHWS to ensure maintenance of the natural character of the **Coastal Environment**.

Policy 3: Consolidation of existing coastal settlement areas to avoid inappropriate and sprawling subdivision, use and development to preserve the natural character of the coastal environment.

Activities that may impact on natural character and the special qualities of the Coastal Environment have been re-evaluated and changes to their status and management of effects are recommended, generally as follows:

Activity	Zone	Activity Status
Earthworks within the Coastal Environment but outside and Outstanding Natural Feature or Landscape up to 400m ² and 200m ³	Coastal Zone Rural Zone Ōhiwa Harbour Zone	Permitted
Earthworks within the Coastal	Coastal Zone	Restricted Discretionary

Activity	Zone	Activity Status
Environment but outside and Outstanding Natural Feature or Landscape greater than 400m ² and 200m ³	Rural Zone Ōhiwa Harbour Zone	Discretion restricted to: Natural Character a. The extent to which the activity changes the coastal land form b. The extent to which the activity has an impact on the visual character of the coastal environment.
Buildings at least 50m from MHWS	Coastal Zone Rural Zone Ōhiwa Harbour Zone	Permitted
Buildings less than 50m from MHWS excluding public toilets and emergency service facilities.	Coastal Zone Rural Zone Ōhiwa Harbour Zone	Discretionary
Artificial crop protection structures that use green or black on vertical faces and are located on land that has a slope of less than 15°.	Coastal Zone Rural Zone Ōhiwa Harbour Zone Coastal Settlement Zone	Permitted
Artificial crop protection structures that does not use green or black on vertical faces and is located on land that has a slope of more than 15°.	Coastal Zone Rural Zone Ōhiwa Harbour Zone Coastal Settlement Zone	Restricted Discretionary Discretion restricted to: a. The extent to which the activity has an impact on the visual character of the coastal environment.

13.4 Seasonal Workers Accommodation

There is a need to provide accommodation for seasonal workers to support employment in the District. In particular this issue has been raised by Horticulture NZ but it is recognised that this an issue across sectors within the District.

Seasonal worker accommodation differs from Visitor Accommodation in that it provides for seasonal workers who may reside in the District for a period of time. These facilities typically provide communal living, sleeping, cooking and ablutions. They are generally located near the source of employment, which may be a pack house, or an orchard. Alternatively transport maybe provided in a van to move staff from accommodation to the workplace.

The effects of seasonal workers accommodation which need to be considered through the District Plan are:

- Traffic
- Parking
- Noise
- Amenity
- Provision of services.

Changes to the management framework are recommended for within each chapter generally as follows:

Zone	Description	Activity Status	Commentary
Residential	1-12 People 13+	Controlled Activity Discretionary Activity	There may be a higher level of traffic, parking demand and noise from the activity and this needs to be managed in the context of the zone. This may impact on the amenity values of the residential environment.
Mixed Activity	1-12 13+	Permitted Restricted Discretionary	The zone provides for a range of activities, this zone is more resilient than that of the Residential Zone and can absorb higher level of effects.
Town Centre	1-12 13+	Permitted Restricted Discretionary	The zone provides for a range of activities, this zone is more resilient than that of the Residential Zone and can absorb higher level of effects.
Industrial	1-12 13+	Permitted Restricted Discretionary	The zone provides for a range of activities, this zone is more resilient than that of the Residential Zone and can absorb higher level of effects
Rural	1-12 13+	Permitted Restricted Discretionary	Some if these activities are the source of employment for seasonal workers. Providing for this activity will help support the industry.
Coastal Settlement	1-12 People 13+	Controlled Activity Discretionary Activity	There may be a higher level of traffic, parking demand and noise from the

Zone	Description	Activity Status	Commentary
			activity and this needs to be managed in the context of the zone. This may impact on the amenity values of the coastal residential environment.

12.4 Activities Accessory To Horticulture

Horticulture NZ has requested that consistent provision is made for activities that are required in relation to horticulture in the District. These include artificial crop protection structures, crop support structures, audible bird scarers and frost fans.

Crop support structures are open structures which support vegetation. They do not affect adjacent properties through shading or visually dominant structures. Therefore, a definition is recommended for inclusion in Chapter 19 and the structures are recommended to be exempt from the definition of building and hence building height and setback.

Artificial crop protection structures are defined in the Plan and standards provided for in the Rural Zone. Horticulture NZ has requested that they are provided for in the Coastal and Coastal Settlement Zones, and in the Ohiwa Harbour Zone. The main potential adverse effect of artificial crop protection structures is visual, especially with white vertical faces near roads and property boundaries and in sensitive landscapes. Therefore, the Plan as notified imposes standards in the Rural Zone requiring setbacks from roads and boundaries and compliance with daylight protection rules, unless written approval of the affected party is provided to Council, and the use of green or black cloth within the setbacks. These rules are generally recommended to be extended to the Coastal, Coastal Settlement and Ohiwa Harbour Zones, with more restrictive status applied in more sensitive environments, including the Coastal Environment, as discussed above.

In the Rural Zone noise standards are set for audible bird scarers and frost fans. These rules are recommended for inclusion in the Coastal, Coastal Settlement and Ohiwa Harbour Zones. Specific listing is also recommended in each zone, with matters to which Council has restricted its discretion should the standards not be met.

12.5 Heritage Advice Note

Heritage New Zealand has requested that an advice note is included in each chapter as follows:

It should be noted that all pre 1900 sites, recorded or unrecorded are protected under the Heritage New Zealand Pouhere Taonga Act and Heritage New Zealand should be consulted prior to proposed works to identify the need for an archaeological authority.

While the intent of the advice note is supported, repetition in each chapter is not supported as Chapter 14 is dedicated to heritage resource in the District and the management of activities that may affect heritage resource on the District. Therefore, no change is recommended.

12.6 Fire Fighting Design and Water Supply

The NZ Fire Service Commission provides for the NZ Fire Service and the National Rural Fire Authority (NRFA). They provide training and response to fires and other emergencies. Their responsibility includes, in relation to RMA functions:

- fire safety and fire prevention;
- water supply and access to this supply;
- property access for emergency response;
- noise from emergency activities and associated training;
- the operation of fire stations; and
- the establishment of new fire stations.

The Commission has sought a number of changes to recognise and provide for fire stations and training facilities. In addition, specific water supply and access design rules have been requested. The New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 is a non-mandatory NZ Standard that provides for sufficient fire fighting water supply and access to support the role of the NZ Fire Service. While the Plan supports the role, the requirement will vary from site to site and case by case. Therefore, the approach recommended is to include a rule in Chapter 17 in relation to water supplies for habitable buildings and an advice note in relation to broader considerations about access and water supply.

12.7 Biosecurity

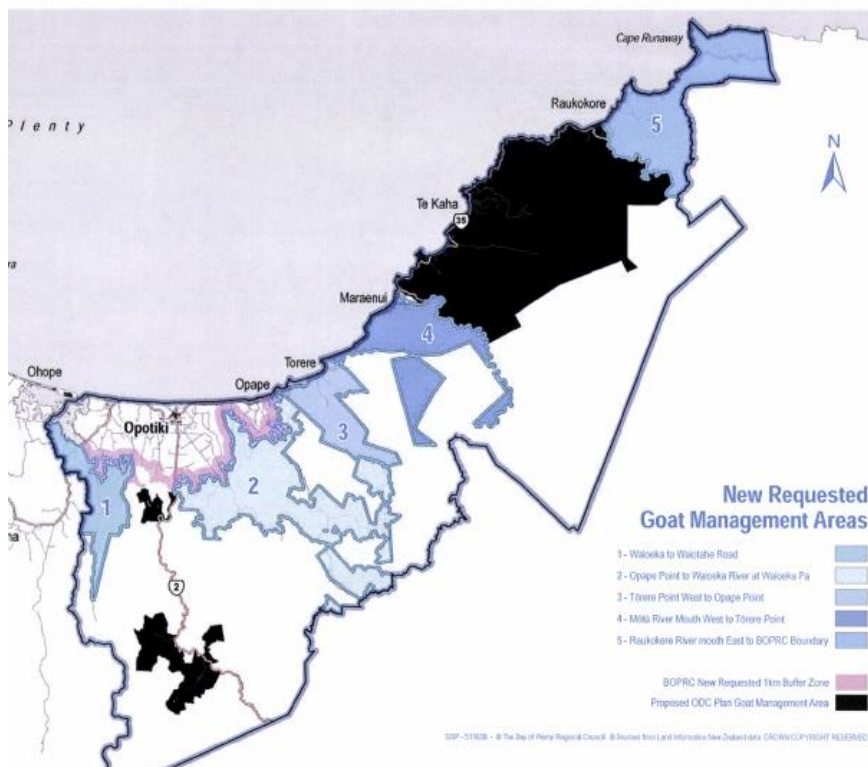
Horticulture is an increasingly important component of the District economy and provision has been made to support and enable the sector and its associated activities through this Plan. Hort NZ has requested that provision is made in the Plan for responses to biosecurity incursions, as controls on activities can impose barriers on rapid responses to threats. Vegetation removal, burial, burning, and spraying of material may be required at short notice. Where an emergency is declared then statutory powers override the Plan provisions. However, an emergency has not yet been declared in NZ and hence the Plan provisions are important. Horticulture NZ has sought objectives, policies, rules and definitions in the Plan.

The inclusion of these provisions is supported and amendments have been included in the relevant chapters to enable responses to biosecurity threat.

12.8 Deer and Goat Farming

Deer and goat farming is controlled through the District Plan to support the District's ecological values. Introduced pest animal species can threaten natural ecosystems and decrease biodiversity and natural character. Supporting other measures to reduce the numbers of pest animals in the district, the plan rules manage goat farming through identified goat management areas and manage deer farming through fencing and management measures. Keeping mustelids is prohibited in all the district.

Submissions have sought that deer and goat farming is amended so that it becomes permitted with farming in general. BOPRC has requested a significant extension to the goat management area with provision for permitted activity status outside the area. As the increase (shown below) is significant, no change is recommended as consultation has not been enabled with affected parties.



Overall, the current regime is supported as achieving the outcomes sought through the Plan. Only minor clarifications are recommended.

12.9 Temporary Military Training Activities

The Operative District Plan provides for Temporary Military Training Activities (TMTA). The Proposed Plan has made some amendments to the rule framework and NZ Defence Force has requested changes to

align with their current operations and to allow flexibility for TMTA. These include an amended definition of TMTA, permitted activity status subject to compliance with noise standards only, Controlled Activity status if noise standards are not met, and new noise standards to reflect current practices.

These changes are generally supported and amendments are recommended across the zone chapters and to the definitions and Appendix 3.

12.10 Wetlands

Chapter 13 of the Plan as notified contains a range of objectives, policies and rules in relation to wetlands and activities that may affect their values, such as earthworks, drainage and vegetation disturbance. Submissions have been received seeking the deletion of the rule framework and also to increase the level of control over such activities.

Consideration of the rules in the BOP Regional Water and Land Plan has identified that the rules in this Plan could conflict with or duplicate the role of consents required by BOPRC. To avoid this potential conflict, the rules relating to wetlands have been recommended for deletion. The objectives and policies remain in the chapter to guide applications for land use and subdivision consent.

12.11 Network Utilities

Submissions were received on a range of topics in relation to Chapter 17 Network Utilities. While improvements were sought to the format and clarity of the rule framework for network utilities, the main requirement has been to clarify the relationship of Chapter 17 to the rest of the plan and, in particular, the Zone Chapter rules. Changes are recommended to clarify that Chapter 17 is self contained in relation to the establishment and management of network utilities. To this end, some rules have been copied from Chapter 13 and the rules generally arranged to be clearer.

12.12 Natural Hazard

A number of submission points raised the issue of controlling use and development of land in response to natural hazards.

The Ōpōtiki District Council is committed to managing the effects of natural hazards within its district. The Council and the Bay of Plenty Regional Council have joined to undertake a project that seeks to investigate natural hazards and how land can be subdivided, used and developed. The project will take a wide view to natural hazards and will cover RMA requirements, along with engineering input, data modelling and options for responding. It is intended that the project team will consult and engage with the Ōpōtiki Community to provide options around responding.

At the completion of the project dependant on findings a plan change may be undertaken to implement the outcomes of the project in an RMA framework. This will guide use, development and subdivision of land within our District.

APPENDIX 1 – SUBMITTERS

Submitter Number	Submitter Name	Abbreviation in Section 42A Report (if any)
1	Chris Donkin	
2	Ian Connor	
3	Bay of Plenty Regional Council	BOPRC
4	Pauline Hoskins	
5	J Gregory	
6	Chris Petersen	
7	Department of Conservation	DoC
8	Eastern Bay of Plenty Branch of Forest and Bird	Forest and Bird
9	Eastpack	
10	Hancock Forest Management	Hancock
11	Horticulture NZ	Hort NZ
12	NZ Transport Agency	NZTA
13	Overington Surveyors	
14	Department of Corrections	
15	Whakatohea Mussels Ōpōtiki Ltd	
16	Wiseman Holdings Ltd	
17	Bay of Plenty Regional Council	BOPRC
18	Heritage NZ	
19	NZ Defence Force	
20	Dorothy Lillian Kelly	
21	John Maynard (Nardus Holdings Ltd)	
22	FD & ERL Young - Cedar Park Orchard	
23	Julie Lux	
24	Opotiki District Council (Aileen Lawrie)	Council
25	Peter Helmbright (Waiariki Executive Tribal Authority)	
26	Whakatohea Research and Archives Trust	
27	Joseph Hohepa Te-Kahika (Tio Te-Kahika Whanau Trust)	
28	Gordon Gault	
29	Lance Reha and Gaylene Kohunui - Upokorehe Iwi	Upokorehe Iwi
30	LA Gault	
31	Graeme Gault	

Submitter Number	Submitter Name	Abbreviation in Section 42A Report (if any)
32	Tim Selwyn	
33	D Christian	
34	Apanui Farms Ltd	
35	Nuitupu Trust	
36	First Gas Ltd	
37	NZ Fire Commission	
38	Brendan Hickey	
39	Transpower NZ Ltd	Transpower
40	NZ Deer Farmers Association BOP	NZDFA
41	Ministry of Education	
42	Rayonier Matariki Forests	Rayonier
43	Ohiwa Cove Limited Bain McDonald	
44	Edward Matchitt	
45	Geoff and Tina Pointon	
46	Bibiana and Brian Hill	
47	Jon Burchett	
48	NZ Association of Radio Transmitters Inc – Douglas Birt	NZART
49	Whakatāne District Council	
50	Z Energy Ltd	
51	Mountain Ridge Holdings	
52	House Movers	
53	Vodafone NZ Ltd	Vodafone
54	Spark NZ Trading Ltd	Spark
55	Chorus NZ Ltd	Chorus
56	Alex Dobie	
57	Toi Te Ora Public Health Service	Toi Te Ora
58	NZ Police	
59	Jim Robinson	
60	Federated Farmers of NZ	Federated Farmers

APPENDIX 2 – FURTHER SUBMITTERS

Submitter Number	Submitter Name	Abbreviation in Section 42A Report
1	Z Energy Ltd	
2	First Gas Ltd	
3	Bay of Plenty Regional Council	BOPRC
4	Transpower NZ Ltd	Transpower
5	Rayonier Matariki Forests	Rayonier
6	Vodafone NZ Ltd	Vodafone
7	Spark NZ Trading Ltd	Spark
8	Chorus NZ Ltd	Chorus
9	Department of Conservation	DoC
10	Whakatohea Mussels (Ōpōtiki) Ltd	
11	Federated Farmers of NZ	Federated Farmers
12	Whakatane District Council	
13	Michael B Spearman	
14	Whakatohea Maori Trust Board	
15	NZ Defence Force	
16	Hancock Forest Management	Hancock
17	Chris Petersen	
18	Heritage NZ	
19	Horticulture NZ	Hort NZ
20	Neil Linley and Barbara Brown	
21	Mayona Connell	
22	Alison Cookson	
23	Glenn Collins	
24	Brian Heywood	
25	Craig Shepard	
26	Ian Connor	
27	Peter Helmbricht (Waiariki Executive Tribal Authority)	
28	Doug Wheeler	
29	Robert K Taylor	
30	Amy Hurren	
31	Douglas Birt	
32	Department of Corrections	

Submitter Number	Submitter Name	Abbreviation in Section 42A Report
33	Michael David Newman	
34	DB Hardwick	