



SECTION 42A PLANNING REPORT – PROPOSED ŌPŌTIKI DISTRICT PLAN

Date : 3 July 2017
To : Hearing Commissioners
From : Consultant Planner
Subject : **CHAPTER 8 RURAL - PLANNING REPORT**
File ID :

1. INTRODUCTION

My name is Ann Nicholas. I have a Bachelor of Town Planning and I am a member of the New Zealand Planning Institute. I am a principal of Sigma Consultants, Rotorua, and I have over 35 years experience as a planning consultant. I have been engaged by the Ōpōtiki District Council to assist with the preparation of the draft district plan and the Proposed District Plan and to report on submissions to the Proposed District Plan.

The scope of this report is to provide an evaluation of submissions and further submissions received in relation to Chapter 8 Rural. The data, information, facts and assumptions I have considered in forming my recommendations are set out in this report.

2. STRUCTURE AND SUMMARY OF CHAPTER 8 RURAL

The structure of Chapter 8 Rural comprises issues, objectives, policies, activity status, zone standards, assessment criteria, other methods, and expected environmental results. Standards for deer and goat fencing are appended to the chapter. This chapter is an existing chapter in the Operative District Plan and seeks to provide a framework for activities to occur within the rural zone.

The Rural Zone comprises the main rural areas in the Ōpōtiki district, away from the coastal environment and urban areas. The rural area surrounding the Ohiwa Harbour is zoned Ohiwa Harbour Zone and addressed in Chapter 11. The Coastal Environment affects a small proportion of the Rural Zone.

3. RELEVANT STATUTORY CONSIDERATIONS

The overall Section 42A report provides the statutory framework for the District Plan and the review process and any changes since the Plan was notified. The provisions in this chapter have been developed

in accordance with the specific statutory requirements as set out in the Section 32 report prepared and made available at the time that the Plan was notified.

Section 74 of the RMA requires that the District Plan must give effect to the Operative RPS. The RPS identifies regionally significant issues as including:

- Difficulties developing Maori land
- Reverse sensitivity effects on infrastructure
- Fragmentation of rural land
- Operation and growth of rural production activities
- Conflict between incompatible or sensitive activities and rural production activities in rural areas
- Integration of land use and infrastructure.

This chapter gives effect to the objectives and policies that address these issues.

4. SUBMISSIONS

4.1 SUBMISSION OVERVIEW

29 submitters lodged submissions on this chapter with a further ten parties lodging further submissions. The submissions raised a number of issues of which the main issues, for which changes are recommended, are as follows:

- Coastal environment – giving effect to the NZCPS. This is discussed in more detail in the main Section 42A report.
- Biosecurity – the addition of objectives, policies and rules to enable responses to biosecurity incursions
- Rural production activities / primary production – recognition that they are the main activity in the rural zone, especially in relation to versatile land
- Seasonal worker accommodation to be provided for near the place of employment. This is discussed in more detail in the main Section 42A Report.
- Cultural input – provision for iwi to be involved in issues that affect their interests
- Biodiversity – effect of pest animals and plants introduced through subdivision and development
- Reverse sensitivity effects – residential development and sensitive activities in the rural zone can constrain productive rural land use and need to be managed effectively
- Transport networks – new issue, objective, and policies to address the effects of activities on the transport network
- Rural industry and services – new policy to support the role of these services in the rural environment

- Airport – provision for airport and rural industries in Airport Protection Policy Area
- Horticulture – provide for artificial crop protection structures, audible bird scarers, frost fans subject to compliance with standards
- Provision as permitted activities for emergency services facilities, training and management activities
- Quarries – within farms and forests permitted
- Natural hazard – achieving a low level of risk as a matter of control, minimum floor levels
- Buildings setbacks – an increase in setbacks was sought for habitable buildings from horticulture, rural contractors depots and rural industries. No change is recommended
- Artificial crop protection structures are discussed in more detail in the main section 42A report
- Noise – exemption for rural production activities, emergency services sirens
- Goat and deer farming – status change sought – no change recommended

The key issues relate to giving effect to the NZCPS, artificial crop protection structures and seasonal worker accommodation. These issues are discussed in the main section 42A report.

4.2 SUBMITTERS

The submitters who lodged submissions on provisions relevant to this chapter are as follows:

Submitter Number	Submitter Name	Provisions submitted on
5	J Gregory	8.6.11
7	Department of Conservation	8.1, 8.2.3.4, 8.3.3.1.4, 8.3.4.1.5, 8.3.6, 8.4.1.5, 8.5.1.4, 8.6, 8.6.4.3, 8.6.14, 8.6.15, 8.9
8	Eastern Bay of Plenty – Forest and Bird	8.1.2, 8.1.10, 8.2.1, 8.2.1.1, 8.2.1.2, 8.2.1.3, 8.2.1.4, 8.2.1.5, 8.2.3.3, 8.3.2.6, 8.3.3.1.4, 8.3.4.1.4, 8.4.1, 8.5.1.4, 8.5.15, 8.6.1.4, 8.6.1.5, 8.6.4.3, 8.7.1.7,
10	Hancock Forest Management	8.2.1, 8.2.1.1, 8.2.1.5, 8.2.3, 8.2.3.1, 8.3.1.1, 8.3.1.1.18, 8.3.1.1.19, 8.3.2, 8.3.4.1, 8.6.4.4, 8.6.7,
11	Horticulture NZ	8, 8.1, 8.1.2, 8.1.9, 8.2.1, 8.2.1.1, 8.2.1.2, 8.2.1.3, 8.2.1.4, 8.2.1.5, 8.2.2, 8.2.2.1, 8.2.2.2, 8.2.2.3, 8.2.3, 8.2.3.1, 8.2.3.4, 8.2.4.2, 8.3.1.1, 8.3.1.1.1, 8.3.1.1.19, 8.3.2, 8.3.2.1, 8.3.3, 8.3.3.1, 8.3.4.1, 8.4.1.2, 8.5.1, 8.5.1.2, 8.5.1.5, 8.5.1.6, 8.6.1, 8.6.2, 8.6.4, 8.6.5, 8.6.6, 8.6.7.1, 8.6.7.1.1, 8.6.7.2.2, 8.6.9.1, 8.6.16, 8.6.17
12	NZ Transport Agency	8.1, 8.2,
13	Overington Surveyors	8.3.2.1,
16	Wiseman Holdings Ltd	8.6.5,
17	Bay of Plenty Regional Council	8.2.2, 8.2.2.1, 8.2.2.2, 8.2.2.3, 8.2.3.4, 8.2.4, 8.2.4.1, 8.3.2.1.7, 8.4, 8.4.1.4, 8.4.1.6, 8.6.4,

Submitter Number	Submitter Name	Provisions submitted on
		8.6.10.1, 8.6.14, 8.7.1, 8.7, 8.9.2
18	Heritage NZ	8.1.3, 8.2.4, 8.2.4.1, 8.2.4.2, 8.3, 8.3.1.6, 8.3.1.9, 8.3.2.6, 8.3.2.7, 8.4, 8.5, 8.8,
19	NZ Defence Force	8.3.1.1.13, 8.3.5.1.2, 8.6,
22	Cedar Park Orchard	8.6.2.3,
24	Opotiki District Council	8.3.1.1, 8.3.2, 8.3.3.1, 8.3.3.1.4, 8.3.6.1.2, 8.5.1.3, 8.6.9.1, 8.6.9.2, 8.9.2.7
26	Whakatohea Research and Archives Trust	8.1
29	Upokorehe Iwi	8.1
30	WA & EA Gault	8.6.5
31	Graeme Gault	8.6.5
32	Nga Tama	8.2.4.1, 8.3.1.1,
36	First Gas Ltd	8.1.6, 8.2.1.5, 8.3, 8.3.3.1, 8.5.1, 8.6.16
37	NZ Fire Commission	8.3.1.1, 8.5.1, 8.6.2, 8.6.4.4, 8.6.7.1, 8.6.9, 8.6.12,
39	Transpower NZ Ltd	8.1.6, 8.2.1, 8.2.1.5, 8.3,
40	NZDFA BOP	8.3.1.1, 8.6.15,
41	Ministry of Education	8.3.4.1.7, 8.6.7.1, 8.6.9.1,
42	Rayonier Matariki Forests	8.3.1.1,
47	Jon Burchett	8.3.1.1.5, 8.3.1.1.7, 8.6.3, 8.6.5, 8.6.7.1.1, 8.6.9.1,
49	Whakatāne District Council	8.2, 8.3.1.1, 8.3.1.1.5,
50	Z Energy	8.2.3.1, 8.3.1,
57	Toi Te Ora	8.2.3, 8.2.3.1, 8.2.3.2, 8.2.3.3, 8.2.3.4, 8.3.1.1.13, 8.5.1.5, 8.5.1.6, 8.6.7.1,
60	Federated Farmers of NZ	8.1, 8.2.1, 8.2.1.1, 8.2.1.2, 8.2.1.5, 8.2.2.3, 8.2.3, 8.2.3.1, 8.2.3.2, 8.2.3.3, 8.2.3.4, 8.3.1.1.1, 8.3.1.1.2, 8.3.1.1.3, 8.3.1.1.4, 8.3.1.1.17, 8.3.3.1, 8.3.4.1.4, 8.3.4.1.15, 8.4.1.7, 8.6.4.2, 8.6.4.3, 8.6.4.4, 8.6.6.1, 8.6.7.1, 8.6.14, 8.6.15,

4.3 Further submitters in relation to the above submissions are as follows:

Further Submitter Number	Further Submitter Name	Submission Number and Name submitted on	
		Number	Name
3.75	Bay of Plenty Regional Council	60.1	Federated Farmers of NZ
3.76	Bay of Plenty Regional Council	18.59	Heritage NZ
3.77	Bay of Plenty Regional Council	11.45	Horticulture NZ
3.11	Bay of Plenty Regional Council	11.12	Horticulture NZ
3.78	Bay of Plenty Regional Council	10.6	Hancock Forest Management
3.45	Bay of Plenty Regional Council	40.2	NZDFA BOP
3.3	Bay of Plenty Regional Council	11.63	Horticulture NZ
3.4	Bay of Plenty Regional Council	60.13	Federated Farmers of NZ
3.31	Bay of Plenty Regional Council	60.14	Federated Farmers of NZ

Further	Further Submitter Name	Submission Number and Name submitted on	
3.42	Bay of Plenty Regional Council	60.15	Federated Farmers of NZ
3.137	Bay of Plenty Regional Council	60.16	Federated Farmers of NZ
3.35	Bay of Plenty Regional Council	60.19	Federated Farmers of NZ
3.50	Bay of Plenty Regional Council	10.10	Hancock Forest Management
3.36	Bay of Plenty Regional Council	8.56	Eastern BOP – Forest and Bird
3.51	Bay of Plenty Regional Council	60.149	Federated Farmers of NZ
3.80	Bay of Plenty Regional Council	7.17	Department of Conservation
3.81	Bay of Plenty Regional Council	7.18	Department of Conservation
3.82	Bay of Plenty Regional Council	18.24	Heritage NZ
3.37	Bay of Plenty Regional Council	8.59	Eastern BOP – Forest and Bird
3.40	Bay of Plenty Regional Council	8.57	Eastern BOP – Forest and Bird
3.83	Bay of Plenty Regional Council	7.20	Department of Conservation
3.53	Bay of Plenty Regional Council	11.80	Horticulture NZ
3.54	Bay of Plenty Regional Council	16.9	Wiseman Holdings Ltd
3.47	Bay of Plenty Regional Council	7.22	Department of Conservation
3.59	Bay of Plenty Regional Council	7.23	Department of Conservation
4.2	Transpower NZ Ltd	8.51	Eastern BOP – Forest and Bird
5.1	Rayonier Matariki Forests	10.13	Hancock
9.7	Department of Conservation	17.44	BOPRC
11.1	Federated Farmers of NZ	8.45	Eastern BOP – Forest and Bird
11.2	Federated Farmers of NZ	12.26	NZ Transport Agency
11.3	Federated Farmers of NZ	8.51	Eastern BOP – Forest and Bird
11.4	Federated Farmers of NZ	39.10	Transpower NZ Ltd
11.5	Federated Farmers of NZ	57.73	Toi Te Ora
11.7	Federated Farmers of NZ	7.15	Federated Farmers of NZ
11.8	Federated Farmers of NZ	7.16	Department of Conservation
11.9	Federated Farmers of NZ	8.55	Eastern BOP – Forest and Bird
11.10	Federated Farmers of NZ	7.19	Department of Conservation
11.11	Federated Farmers of NZ	8.59	Eastern BOP – Forest and Bird
15.5	NZ Defence Force	24.11	Ōpōtiki District Council
16.1	Hancock Forest Management	8.50	Eastern BOP – Forest and Bird
16.2	Hancock Forest Management	60.5	Federated Farmers of NZ
16.4	Hancock Forest Management	60.8	Federated Farmers of NZ
16.5	Hancock Forest Management	60.17	Federated Farmers of NZ
16.6	Hancock Forest Management	24.59	Ōpōtiki District Council
16.7	Hancock Forest Management	60.149	Federated Farmers of NZ
16.8	Hancock Forest Management	37.49	NZ Fire Commission
17.18	Chris Petersen	60.16	Federated Farmers of NZ
18.9	Heritage NZ	17.24	BOPRC
19.9	Horticulture NZ	60.1	Federated Farmers of NZ
19.10	Horticulture NZ	60.2	Federated Farmers of NZ
19.11	Horticulture NZ	39.10	Transpower NZ Ltd
19.12	Horticulture NZ	17.127	BOPRC
19.13	Horticulture NZ	17.129	BOPRC
19.14	Horticulture NZ	60.8	Federated Farmers of NZ

Further	Further Submitter Name	Submission Number and Name submitted on	
19.15	Horticulture NZ	60.9	Federated Farmers of NZ
19.16	Horticulture NZ	60.12	Federated Farmers of NZ
19.17	Horticulture NZ	17.132	BOPRC
19.18	Horticulture NZ	49.2	Whakatane District Council
19.19	Horticulture NZ	60.17	Horticulture NZ
19.20	Horticulture NZ	24.57	Ōpōtiki District Council
19.21	Horticulture NZ	17.8	BOPRC
19.22	Horticulture NZ	60.20	Federated Farmers of NZ
19.23	Horticulture NZ	57.78	Toi Te Ora
19.24	Horticulture NZ	57.79	Toi Te Ora
19.25	Horticulture NZ	47.14	Jon Burchett
19.26	Horticulture NZ	17.133	BOPRC
19.27	Horticulture NZ	60.22	Federated Farmers of NZ
19.28	Horticulture NZ	16.9	Wiseman Holdings Ltd
19.29	Horticulture NZ	10.13	Hancock Forest Management
19.30	Horticulture NZ	57.80	Toi Te Ora
19.31	Horticulture NZ	60.25	Federated Farmers of NZ
19.32	Horticulture NZ	47.13	Jon Burchett
19.33	Horticulture NZ	37.52	NZ Fire Commission

5. CONCLUSION

The changes recommended as a result of the analysis of submissions in Appendix 1 are outlined in the Tracked Changes Version of the Chapter (Appendix 2).

Appendices

Appendix 1 - Chapter 08 – Submissions Analysis

Appendix 2 – Chapter 08 - Track Changes