

Proposed Opotiki District Plan
Summary of Decisions Requested

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)	Further submitter no.	Further submission point no.	Submitter Name	Support/Oppose	Decision Requested (Relief Sought)	Planner's Recommendation
7	7.5	Department of Conservation Chris Stalte	11	General	Amend	Include policy direction that gives effect to the NZCPS in a consistent manner to the coastal environment of the Opotiki District.	FS19	FS19.81	Horticulture NZ	Oppose in part	Ensure that production land currently in the Ōhiwa Harbour Zone is able to continue to operate.	Accept in part. Changes are recommended to identify the Coastal Environment on planning maps and to include new objectives, policies and rules to give effect to the specific policy framework for the coastal environment and in particular to manage building setbacks and earthworks, and potential effects on natural character.
8	8.107	Eastern Bay of Plenty - Forest and Bird Linda Conning	11	Cover	Amend	Delete photo of vehicle tracks						The submitter's request has been noted for consideration in the next version of the Plan.
8	8.118	Eastern Bay of Plenty - Forest and Bird Linda Conning	11	General	Amend	This chapter should be more consistent with the Proposed Whakatane District Plan especially Chapter 17.	FS19	FS19.82	Horticulture NZ	Oppose	Reject submission point	Accept in part. Changes are made to some provisions to enable a more consistent regime across the Council boundaries. However, the issues to be addressed in Opotiki District differ from those in the Whakatane District and alignment of the plans would not be consistent with the outcomes to be achieved for the Opotiki District.
60	60.50	Federated Farmers of NZ Nikki Edwards	11	Zoning Ōhiwa	Amend	That the Ōhiwa Harbour Zone is deleted, for the reason that surface of water activities, ONFLs, ecological values, heritage values and natural hazards are already managed in other Chapters of the proposed Plan.	FS3 FS12 FS19	FS3.106 FS12.1 FS19.83	Bay of Plenty Regional Council Whakatane District Council Horticulture NZ	Oppose Oppose Support	Reject submission point Reject submission point Accept submission point	Reject. The Ōhiwa Harbour is a unique environment with high landscape, cultural, ecological and recreational values. These are most effectively addressed through a dedicated Plan chapter to protect and manage development appropriately. Deletion of the chapter is not supported.
11	11.113	Horticulture NZ Angela Halliday	11.1	Issues	Oppose in part	Include additional issues in 11.1 as follows: Some land within the Ōhiwa Harbour Zone is used, or able to be used for farming and horticulture activities and the zone provisions need to provide for such uses alongside recreational and residential uses of the zone and preservation of the natural character of the coastal environment.	FS12	FS12.10	Whakatane District Council	Oppose in part	Reject submission point	Accept in part. The issue is valid for the land included in the zone and it is appropriate to recognise rural production activities in the list of issues.
12	12.24	NZ Transport Agency Mathew Stulen	11.1	Issues	Amend	Add new issue to 7.1, 8.1.9.1 & 11.1, as follows: <i>Activities can adversely affect the safety, sustainability and efficiency of transport network &---</i>						Accept in part. The effect of activities in general on the transport network are addressed in Chapter 17. The report on Chapter 17 should be referred to.
49	49.3	Whakatane District Council Melanie McCormick	11.1	Issues	Support in part	Retain the Ōhiwa Harbour Zone (with amendments as sought below)						Accept. The Ōhiwa Harbour is a unique environment with high landscape, cultural, ecological and recreational values. These are most effectively addressed through a dedicated Plan chapter to protect and manage development appropriately. Deletion of the chapter is not supported.
60	60.51	Federated Farmers of NZ Nikki Edwards	11.1	Issues	Amend	That a new issue is included reading: <i>Some land within the Ōhiwa Harbour Zone is used for primary production, rural production and farming activities need to be recognised as appropriate and provided for.</i>	FS12 FS19	FS12.2 FS19.84	Whakatane District Council Horticulture NZ	Oppose Support	Reject submission point. Accept submission point	Accept in part. The issue is valid for the land included in the zone and it is appropriate to recognise rural production activities in the list of issues.
29	29.32	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.1.1	Issues	NS	Upokorehe would like to stress again the importance of the Ōhiwa Harbour in regards to our people. Our very identity, culture, history and wellbeing is so deeply embedded within the Ōhiwa Harbour that any threat posed to it will undoubtedly have an impact on us as well. We would like to be consulted on any activity that may have an adverse effect on the harbour itself, or the surrounding catchment areas.						Accept in part. The Council acknowledges the significance of the Ōhiwa Harbour to the submitter. The Ōhiwa Harbour Zone is intended to enable appropriate management of the environment.
7	7.42	Department of Conservation Chris Stalte	11.1.1.1	Issues	Support	Retain	FS3	FS3.107	Bay of Plenty Regional Council	Support	Accept submission point	Accept. The support of the submitter is acknowledged.
8	8.108	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.1.1.1	Issues	Amend	Rewrite issue 1 to reflect the high ecological values in the zone.						Accept in part. The wording is amended to refer to the specific values of the environment.
18	18.90	Heritage NZ Carolyn McAlley	11.1.1.3	Issues	Support	That Resource Management Issue 11.1.1.3 is retained.						Accept. The support of the submitter is acknowledged.
7	7.43	Department of Conservation Chris Stalte	11.1.1.4	Issues	Support	Retain						Accept. The support of the submitter is acknowledged.
7	7.44	Department of Conservation Chris Stalte	11.1.1.5	Issues	Support	Retain						Accept. The support of the submitter is acknowledged.
24	24.70	Opotiki District Council Aileen Lawrie	11.1.1.5	Issues	Amend	Amend to read "... on or near ridgelines."						Accept. The correction is appropriate and consistent with the intended wording. It is accepted.
7	7.45	Department of Conservation Chris Stalte	11.1.1.9	Issues	Support	Retain						Accept. The support of the submitter is acknowledged.
11	11.114	Horticulture NZ Angela Halliday	11.2	Objective	Oppose in part	Include a new objective: To enable rural production activities and maintain the rural character in the Ōhiwa Harbour Zone.	FS12	FS12.11	Whakatane District Council	Oppose	Reject submission point	Reject. A new objective is not supported as the issue does not require a separate set of objective and policies. However, a new policy is recommended in response to another submission.
11	11.115	Horticulture NZ Angela Halliday	11.2	Policies	Amend	Include a new policy To provide for the continued operation of rural production activities, including associated buildings and structures, recognising that these activities are an integral part of the rural environment and contribute to the rural character of the Ōhiwa Harbour Zone.	FS3 FS12	FS3.18 FS12.12	Bay of Plenty Regional Council Whakatane District Council	Oppose Oppose	Reject submission point Reject submission point.	Accept in part. A new policy is appropriate to recognise the role of farming and horticulture in the Zone. A new policy is included.
11	11.116	Horticulture NZ Angela Halliday	11.2	Policies	Amend	Add a new policy as follows: To provide for the use of the rural land resource located in the Ōhiwa Harbour Zone for rural production activities by ensuring that adjacent residential activities do not compromise the ability to use the land for rural production purposes through reverse sensitivity effects.	FS12	F12.13	Whakatane District Council	Oppose	Reject submission point	Accept in part. A new policy is appropriate to recognise the role of farming and horticulture in the Zone. A new policy is included.
12	12.28	NZ Transport Agency Mathew Stulen	11.2	Objective	Amend	Add a new objective and policy to 7.2, 8.2, 9.2 & 11.2, which recognises the implementation of the revised issue. Suggest that this is consistent with other chapters (such as 4.2.3 above). Add new objective: <i>Manage activities to ensure vehicle movement is undertaken in a safe and efficient manner that does not adversely affect the functioning of the transport network.</i> Add new policy: <i>To avoid, remedy or mitigate the adverse effects of Rural Zone activities on the safety and efficiency of the transportation network.</i>	FS11	FS11.28	Federated Farmers of New Zealand (FFNZ)	Oppose	Reject submission point	Accept in part. The objective and policy are included in this Chapter as requested. Reference is also included in Chapter 17 which addresses network utilities and infrastructure.
17	17.67	Bay of Plenty Regional Council Fiona McTavish	11.2	Objective	Support / Amend	Insert new Objectives 9.2.4, 10.2.3 and 11.2.4 to read: <i>Recognise the special relationship tangata whenua have with their ancestral land.</i>	FS12 FS18	FS12.15 FS18.26	Whakatane District Council Heritage NZ	Support Support	Accept submission point Accept submission point	Accept in part. Objective 11.2.3 addresses the cultural significance of the harbour to tangata whenua. The wording has been expanded but a separate objective and policies are not supported.

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17	17.70	Bay of Plenty Regional Council Fiona McTavish	11.2	Policies	Support / Amend	Insert new Policies 9.2.4.1, 10.2.3.1, 11.2.4.1 to read: <i>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.</i>	FS12 FS18	FS12.16 FS18.29	Whakatāne District Council Heritage NZ	Support Support	Accept submission point Accept submission point - seek clarification around approach.	Accept in part. Objective 11.2.3 addresses the cultural significance of the harbour to tangata whenua. A new policy has been included to recognise the special relationship tangata whenua have with their land and the desire to develop and live on the land.
17	17.73	Bay of Plenty Regional Council Fiona McTavish	11.2	Policies	Support / Amend	Insert new Policies 9.2.4.2, 10.2.3.2, 11.2.4.2 to read: <i>To recognise the special relationship of Māori with their ancestral land by enabling use and development of land, including Panakāinga and associated support facilities.</i>	FS12 FS18 FS19	FS12.17 FS18.32 FS19.85	Whakatāne District Council Heritage NZ Horticulture NZ	Support Support Support	Accept submission point Accept submission point Accept submission point	Accept in part. Objective 11.2.3 addresses the cultural significance of the harbour to tangata whenua. A new policy has been included to recognise the special relationship. However, a second policy is not considered to be necessary as the requested wording replicates in part the same content.
49	49.4	Whakatāne District Council Melanie McCormick	11.2	Objective	Support in part	Retain the Ōhiwa Harbour Zone (with amendments as sought below)						Accept in part. The support of the submitter is acknowledged.
60	60.56	Federated Farmers of NZ Nikki Edwards	11.2	Objective	Amend	That a new objective and policy is included in the Ōhiwa Harbour Zone: <i>To enable rural production activities and farming in the Ōhiwa Harbour Zone.</i> <i>To provide for the continued operation of rural production activities and farming, including associated buildings and structures, recognising that these activities are an integral part of the rural environment and contribute to the rural character of Ōhiwa Harbour Zone.</i>	FS12 FS19	FS12.3 FS19.86	Whakatāne District Council Horticulture NZ	Oppose in part Support	An addition of an objective that provides for rural activities in a managed way, consistent with the values of the Ōhiwa Harbour Zone, would be appropriate. Accept submission point	Reject. A new objective is not supported as the issue does not require a separate set of objective and policies. However, a new policy is recommended above in response to another submission.
7	7.46	Department of Conservation Chris Stalle	11.2.1	Objective	Oppose / Amend	Amend as follows: The adverse effects of land use activities are managed to protect and enhance the outstanding natural and landscape values and the natural character of the Ōhiwa Harbour environment.	FS11 FS19	FS11.29 FS19.88	Federated Farmers of New Zealand (FFNZ) Horticulture NZ	Oppose Oppose in part	Reject submission point Reject submission point	Accept. The change in wording is consistent with the format of other objectives and provides a clear focus.
29	29.33	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.2.1	Objective	NS	Upokorehe agrees in principle to the sensible management of land use to ensure that all activities are managed to protect and enhance the outstanding natural and landscape values and the natural character of the harbour environment. It is recommended that Upokorehe be consulted on any activity that may have an adverse effect on the harbour.						Accept. The support of the submitter is acknowledged.
29	29.34	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.2.1	Objective	NS	Upokorehe also agree in principle with those policies that support this objective.						Accept. The support of the submitter is acknowledged.
60	60.52	Federated Farmers of NZ Nikki Edwards	11.2.1	Objective	Amend	That Objective 11.2.1, and associated Policies 11.2.2.1, 11.2.2.2 and 11.2.2.3 are deleted.	FS12 FS19	FS12.4 FS19.87	Whakatāne District Council Horticulture NZ	Oppose Support	Reject submission point Accept submission point	Reject. The Ōhiwa Harbour is a unique environment with high landscape, cultural, ecological and recreational values. These are most effectively addressed through the objective and policies as set out in the chapter to protect and manage development appropriately. Deletion is not supported.
7	7.47	Department of Conservation Chris Stalle	11.2.1.1	Policies	Oppose in part	Amend as follows: To avoid as far as practicable, and where this cannot be achieved, remedy or mitigate, the adverse effects of activities such as buildings, earthworks and tracking, especially on skylines and ridges, that will adversely affect the qualities and characteristics of the Ōhiwa Harbour landscape.	FS12 FS19	FS12.18 FS19.89	Whakatāne District Council Horticulture NZ	Support Support in part	Accept submission point Accept submission point but add 'inappropriate' activities	Accept. The wording change will provide clearer guidance.
8	8.111	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.1.1	Policies	Amend	To avoid as far as practicable the adverse effects of activities such as buildings, earthworks and tracking, especially on skylines and ridges, that will adversely affect the qualities and characteristics of the Ōhiwa Harbour landscape.	FS3 FS19	FS3.109 FS19.90	Bay of Plenty Regional Council Horticulture NZ	Support Oppose	Accept submission point Reject submission point	Accept. The wording has been changed to provide clearer guidance in response to another submission.
8	8.11	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.1.3	Policies	Support	Insert the word 'Zone' and retain policy.						Accept. The wording change will be clearer.
8	8.11	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.1.4	Policies	Amend	Delete						Reject. The policy identifies natural character and is part of the set of policies giving effect to the objective. No change is recommended.
43	43.1	Ōhiwa Cove Ltd Bain McDonald	11.2.1.5	Policies	Amend	Urban activities in the coastal environment surrounding Ōhiwa Harbour and Waitāhe Estuary should be avoided unless: (a) It can be demonstrated that the activities will not cause cumulative adverse effects on the natural character, natural features and biodiversity of these areas; or (b) The activities will be undertaken as part of a proposal that will have positive effects that will offset adverse effects on natural character, natural features and biodiversity. Positive effects may include, but are not limited to: (i) Enhancing water quality, for example by reducing the amount of nutrients or other contaminants entering the coastal marine area; (ii) Removing derelict or functionally redundant structures; (iii) Restoring or enhancing natural elements including dunes, saline wetlands, intertidal saltmarsh, riparian margins and other natural coastal features or processes; (iv) Restoring indigenous habitats and ecosystems (using local genetic stock where practicable) including restoring habitats of species that are important for cultural purposes (such as mahinga kai, kaimoana or raranga areas) identified in collaboration with tangata whenua; (v) Supporting the natural regeneration of indigenous species, including effective weed and animal pest management; (vi) Creating or enhancing habitat for indigenous species; (vii) Declaiming previously reclaimed and functionally redundant land where it will restore the natural character of the coastal marine area; (viii) Restoring cultural landscape features; and (ix) Providing more or enhanced public open space or public access to and along the coastal marine area where this is associated with passive recreation.						Accept in part. The provisions in the Chapter seek positive environmental results to achieve the matters identified by the submitter.
7	7.48	Department of Conservation Chris Stalle	11.2.2	Policies	Support	Retain						Accept. The support of the submitter is acknowledged.
8	8.110	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.2	Policies	Amend	<i>New Policy</i> Recognise that Ōhiwa Harbour is an Outstanding Natural Feature and Landscape with Outstanding Natural Character and that activities on land surrounding the harbour can adversely affect these values.	FS3 FS11	FS3.110 FS11.30	Bay of Plenty Regional Council Federated Farmers of New Zealand (FFNZ)	Support Oppose	Accept submission point Reject submission point	Accept in part. Rather than a new policy, Policy 11.2.1.1 has been amended to recognise the outstanding landscape of the Ōhiwa Harbour, even though this is addressed through Chapter 13.
8	8.114	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.2	Objective	Support / Amend	Retain and add "and its surrounds" at the end.	FS3	FS3.112	Bay of Plenty Regional Council	Support	Accept submission point	Accept. The wording change will provide clearer guidance.
29	29.35	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.2.2	Objective	NS	Upokorehe agree in principle to the protection and enhancement of significant indigenous vegetation and habitats of indigenous fauna to maintain the ecological, botanical, scientific, and educational values of the Ōhiwa Harbour						Accept. The support of the submitter is acknowledged.
29	29.36	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.2.2	Objective	NS	Upokorehe also agree in principle with those policies that support the above objective however, in instances where proposed enhancement activities include the introduction of flora or fauna that is not native to the Ōhiwa Harbour, Upokorehe would like to be consulted beforehand. This consultation should also take place for any activity that may change or affect the natural character of the harbour.						Accept in part. The Council acknowledges the significance of the Ōhiwa Harbour to the submitter. The Ōhiwa Harbour Zone is intended to enable appropriate management of the environment.
7	7.49	Department of Conservation Chris Stalle	11.2.2.1	Policies	Support	Retain						Accept. The support of the submitter is acknowledged.

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8	8.109	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.1	Policies	Amend	Re-word as follows: Objective 11.2.1 "Preserve the natural character and protect the outstanding natural landscape values of the Harbour environment".	FS3 FS11 FS19	FS3.108 FS11.31 FS19.93	Bay of Plenty Regional Council Federated Farmers of New Zealand (FFNZ) Horticulture NZ	Support Oppose Oppose	Accept submission point Reject submission point Reject submission point	Accept in part. A change has been made to the objective in response to another submission which goes some way to addressing this request.
8	8.115	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.2.1	Policies	Support	Retain	FS3	FS3.113	Bay of Plenty Regional Council	Support		Accept. The support of the submitter is acknowledged.
60	60.53	Federated Farmers of NZ Nikki Edwards	11.2.2.1	Policies	Amend	That Objective 11.2.1, and associated Policies 11.2.2.1, 11.2.2.2 and 11.2.2.3 are deleted.	FS12 FS19	FS12.5 FS19.94	Whakatāne District Council Horticulture NZ	Oppose Support	Reject submission point Accept submission point	Reject. The Ohia Harbour is a unique environment with high landscape, cultural, ecological and recreational values. These are most effectively addressed through the objective and policies as set out in the chapter to protect and manage development appropriately. Deletion is not supported.
7	7.50	Department of Conservation Chris Stalte	11.2.2.2	Policies	Support	Retain						Accept. The support of the submitter is acknowledged.
8	8.116	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.2.2	Policies	Support	Retain						Accept. The support of the submitter is acknowledged.
60	60.54	Federated Farmers of NZ Nikki Edwards	11.2.2.2	Policies	Amend	That Objective 11.2.1, and associated Policies 11.2.2.1, 11.2.2.2 and 11.2.2.3 are deleted.	FS12 FS19	FS12.6 FS19.95	Whakatāne District Council Horticulture NZ	Oppose Support	Reject submission point Accept submission point	Reject. The Ohia Harbour is a unique environment with high landscape, cultural, ecological and recreational values. These are most effectively addressed through the objective and policies as set out in the chapter to protect and manage development appropriately. Deletion is not supported.
7	7.51	Department of Conservation Chris Stalte	11.2.2.3	Policies	Support / Amend	Amend as follows: Protect the Ohia Harbour saltmarsh from modification and destruction by managing the adverse effects of activities on adjacent land	FS19	FS19.97	Horticulture NZ	Oppose in part	Reject submission or amend to include 'inappropriate activities'.	Accept. The wording sought retains a clear focus on the intent of the objective for protection.
8	8.117	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.2.3	Policies	Support	Retain						Accept. The support of the submitter is acknowledged.
60	60.55	Federated Farmers of NZ Nikki Edwards	11.2.2.3	Policies	Amend	That Objective 11.2.1, and associated Policies 11.2.2.1, 11.2.2.2 and 11.2.2.3 are deleted.	FS12 FS19	FS12.7 FS19.96	Whakatāne District Council Horticulture NZ	Oppose Support	Reject submission point Accept submission point	Reject. The Ohia Harbour is a unique environment with high landscape, cultural, ecological and recreational values. These are most effectively addressed through the objective and policies as set out in the chapter to protect and manage development appropriately. Deletion is not supported.
11	11.117	Horticulture NZ Angela Halliday	11.2.3	Policies	Amend	Include a new policy under Objective 11.2.3. To recognise the specific relationship of Māori with their ancestral land by enabling use and development of land, including Papakainga and associated support facilities.	FS18	FS18.42	Heritage NZ	Support in part	Accept - seeks clarification of support facilities	Accept in part. Objective 11.2.3 addresses the cultural significance of the harbour to tangata whenua. A new policy has been included in response to another submission to recognise the special relationship tangata whenua have with their land and the desire to develop and live on the land.
18	18.91	Heritage NZ Carolyn McAlley	11.2.3	Objective	Support	That Objective 11.2.3 is retained.	FS3	FS3.114	Bay of Plenty Regional Council	Support	Accept submission point	Accept. The support of the submitter is acknowledged.
29	29.37	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.2.3	Objective	NS	Upokorehe supports the fact that Ohia Harbour be recognised as an area of cultural and historical significance to the people of the Opoitiki district and the iwi and hapu of the harbour. Upokorehe would also like to reaffirm their role as responsible/active kaitiaki of Ohia Harbour and would like to reiterate the fact that we continue to occupy this area and have done so since time immemorial.						Accept in part. The Council acknowledges the significance of the Ohia Harbour to the submitter. The Ohia Harbour Zone is intended to enable appropriate management of the environment.
29	29.38	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.2.3	Objective	NS	Upokorehe agree in principle with those policies that support the above objective, especially in regards to consultation regarding any activity that may have an adverse effect on the harbour. Upokorehe would like to highlight the importance of consulting with the correct iwi or hapu.						Accept in part. The Council acknowledges the significance of the Ohia Harbour to the submitter. The Ohia Harbour Zone is intended to enable appropriate management of the environment.
18	18.92	Heritage NZ Carolyn McAlley	11.2.3.1	Policies	Support	That Policy 11.2.3.1 is retained.	FS3	FS3.115	Bay of Plenty Regional Council	Support	Accept submission point	Accept. The support of the submitter is acknowledged.
18	18.93	Heritage NZ Carolyn McAlley	11.2.3.2	Policies	Support	That Policy 11.2.3.2 is retained.						Accept. The support of the submitter is acknowledged.
8	8.3	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3	Status	Amend	Vehicle access to the coast, except for management search and rescue, life saving and emergency purposes, is prohibited in the following locations: Ohia Harbour, Ohia Spit, Ohia (Bryans) Beach, Waiotahi Spit, Waiotahi Estuary, Waiotahi Beach, Waiuwa Beach, Motu River bed, Whangapararua Beach and river mouth	FS11	FS11.32	Federated Farmers of New Zealand (FFNZ)	Oppose	Reject submission point	Accept in part. Policy 20 of the NZCPS requires that councils control vehicle use on beaches, in relation to environmental values and safety. In the Opoitiki District, vehicle access to the beaches is controlled through Council Bylaw and through reserve management. The bylaw is currently under review and this process allows appropriate public consultation and input. There are also non-regulatory methods to educate and use, such as physical barriers. Therefore, rather than include a rule, wording is recommended in "Other Methods" to provide future guidance.
18	18.12	Heritage NZ Carolyn McAlley	11.3	Status	Oppose	That the ODC PDP is amended to include the following advice note: "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" in all chapters of the ODC PDP under the heading Activity Status, except in the Heritage Chapter, which already contains a similar note.						Reject. Chapter 14 Heritage contains references to the statutory requirement for pre 1900 sites and Chapter 14 is cross referenced in the header to activity status in all chapters. Inclusion of an additional note is not considered to be necessary.
19	19.40	NZ Defence Force Rebecca Davies	11.3	Status	Oppose	Provide for TMTA that do not comply with the noise standards as controlled activities in each Zone.						Accept in part. Matters of control are recommended for inclusion.
39	39.23	Transpower NZ Ltd Pauline Whitney	11.3	Status	Support in part	(i) Amend the clause as follows: Network utilities are subject to the provisions in Chapter 17 and are not subject to the <u>Zone Standards Rules</u> in this Chapter. (ii) Insert the above clause in other zone chapters as appropriate.						Accept. The wording is already as requested.
60	60.60	Federated Farmers of NZ Nikki Edwards	11.3.2	Status	Amend	That signs required under legislation are permitted.						Accept. The District Plan should not impose controls on signs where statute requires that signs are displayed. A qualification is added to the the standard in 18.7.9.2.

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11	11.118	Horticulture NZ Angela Halliday	11.3.2.1	Status	Support in Part	Add to 11.3.2.1 - Activities accessory to permitted activities. - Artificial crop protection structures which comply with 8.6.5 - Audible bird scaring devices that comply with 8.6.7.1 (1)	FS3	FS3.58	Bay of Plenty Regional Council	Oppose	Reject submission point	Accept in part. These activities are an adjunct to horticulture and there are established horticultural activities in the zone for which provision should be made. However, the special characteristics in the Ōhiwa Harbour Zone require that the visual effects of artificial crop protection structures are managed to avoid adverse effects on the environment.
13	13.2	Overington Surveyors Karl Rendall	11.3.2.1	Status	Oppose	10.3.2 CONTROLLED ACTIVITIES 6(b) On-site investigations are undertaken by a suitably qualified person approved by the Bay of Plenty Regional Council to show that the site complies with the On-site Effluent Treatment Regional Plan.						Accept in part. Reference to "a suitably qualified and experienced person" is recommended in response to another submission point (below).
17	17.80	Bay of Plenty Regional Council Fiona McTavish	11.3.2.1	Status	Amend	Amend 8.3.2.1.7 (b) and 11.3.2.1 (b) to read: A report by a Suitably Qualified and Experienced Person Chartered Professional Engineer is provided to show that the site complies with the On-Site Effluent Treatment Regional Plan.						Accept in part. Reference to "a suitably qualified and experienced person" is recommended in response to another submission point (below).
17	17.83	Bay of Plenty Regional Council Fiona McTavish	11.3.2.1	Status	Amend	Insert the following permitted earthwork rules in 9.3.2.1, 11.3.2.1: Any modification of any natural landform, including earthworks less than or equal to 400m ² and 200m ³ in any 12 month period. Any earthworks for the maintenance of existing walking tracks, farm and forestry tracks, driveways, roads, fence lines and drains.	FS9 FS11	FS9.17 FS11.33	Department of Conservation Federated Farmers of New Zealand (FFNZ)	Support Support in part	Accept submission point Proposed rule for earthworks that modifies a natural landform to 400 square metres and 200 cubic metres is rejected.	Accept. Although earthworks are only controlled through Chapter 13, controls to enable only minor earthworks in the Ōhiwa Harbour Zone would be consistent with the outcomes sought for the zone.
Reject. No change is	17.140	Bay of Plenty Regional Council Fiona McTavish	11.3.2.1	Status	Amend	Replace 11.3.3.1 (Controlled Activity) with 11.3.2.1.4 (currently listed as a Permitted Activity).	FS9	FS9.23	Department Of Conservation	Support	Accept submission point	Reject. The rules for buildings within setbacks from the harbour edge provide for increasing control towards the water. No change is supported to this established rule framework.
29	29.39	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.3.2.1	Status	NS	Upokorehe are concerned with point 8 in relation to prospecting. If the activity creates ground disturbance then this activity should be clearly managed and monitored as technology today can be quite intrusive, especially in areas that are of cultural and historical significance to tangata whenua. In order to minimise any misunderstandings permission should be sought by land owners, or in the instance where the affected area is wahi tapu, then tangata whenua need to be consulted. Perhaps this point needs more discussion to clarify the actual purpose of the prospecting.						Accept in part. Controls are included on earthworks in response to another submission which may go some way towards addressing this issue.
37	37.70	NZ Fire Commission Stephanie Dean	11.3.2.1	Status	Oppose	Amend Rule 11.3.2.1 to include the following as a permitted activity: "x. Emergency services training and management activities."						Accept. The addition is appropriate.
40	40.4	NZDFA - Bay of Plenty Lindsay Fung	11.3.2.1	Status	Oppose	Delete Clause 3 of 11.3.2.1: 11.3.2.1 Subject to compliance with the Zone Standards in Section 8.6, the following activities may be established in the Industrial Zone, without resource consent, - Deer-farming	FS3	FS3.46	Bay of Plenty Regional Council	Oppose	Reject submission point	Reject. Management of goat farming is essential within the District to enable appropriate management.
60	60.57	Federated Farmers of NZ Nikki Edwards	11.3.2.1	Status	Support / Amend	That Rural Production Activities are permitted along with Farming in Rule 9.3.1.1.1.	FS3 FS12 FS19	FS3.6 FS12.8 FS19.98	Bay of Plenty Regional Council Whakatāne District Council Horticulture NZ	Oppose Oppose Support	Reject submission point Reject submission point Accept submission and add rural production activities as permitted activity in the Ōhiwa Harbour Zone.	Reject. Rural production activities include mining and quarrying, processing and intensive farming. These activities need to be managed appropriately to reduce adverse effects on the environment and other activities established in the rural area. Therefore, permitted activity status for rural production activities as defined is not supported.
60	60.58	Federated Farmers of NZ Nikki Edwards	11.3.2.1	Status	Amend	That goat farming is included under the definition of farming or rural production activity, and therefore permitted by Rule 11.3.2.1.1	FS3	FS3.33	Bay of Plenty Regional Council	Oppose	Reject submission point	Reject. Management of goat farming is essential within the District to enable appropriate management.
7	7.52	Department of Conservation Chris Stalte	11.3.2.1.2	Status	Support	Retain						Accept. The support of the submitter is acknowledged.
17	17.77	Bay of Plenty Regional Council Fiona McTavish	11.3.2.1.2	Status	Support / Amend	Retain 8.6.14, 8.9.2, 9.3.2.1.2 and 11.3.2.1.2 as notified.						Accept. The support of the submitter is acknowledged.
7	7.53	Department of Conservation Chris Stalte	11.3.2.1.3	Status	Support	Retain						Accept. The support of the submitter is acknowledged.
60	60.59	Federated Farmers of NZ Nikki Edwards	11.3.2.1.3	Status	Amend	That Deer farming is included under the definition of farming or rural production activity, and therefore permitted by Rule 11.3.2.1.1	FS3	FS3.43	Bay of Plenty Regional Council	Oppose	Reject submission point	Reject. Management of deer farming is essential within the District to enable appropriate management.
7	7.54	Department of Conservation Chris Stalte	11.3.2.1.4	Status	Support	Retain						Accept. The support of the submitter is acknowledged.
8	8.119	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.2.1.4	Status	Amend	Buildings within 50m or other appropriate distance of the CMA should be discretionary, but all buildings in the coastal environment should be Restricted Discretionary for consistency with the Proposed Whakatāne District Plan (PWDP), including accessory buildings.	FS19	FS19.99	Horticulture NZ	Oppose	Reject submission point	Reject. The rules for buildings within setbacks from the harbour edge provide for increasing control towards the water. No change is supported to this established rule framework.
18	18.94	Heritage NZ Carolyn McAlley	11.3.2.1.5	Status	Support	That Permitted activities 11.3.2.1.5, and 11.3.2.1.6 and 11.3.2.1.7 are retained.						Accept. The support of the submitter is acknowledged.
8	8.83	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.2.1.6	Status	Amend	Change to restricted discretionary in coastal environment						Reject. The Plan enables development of land and papakainga on sites in this zone. Changing the status to restricted discretionary would be inconsistent with that outcome.
18	18.95	Heritage NZ Carolyn McAlley	11.3.2.1.6	Status	Support	That Permitted activities 11.3.2.1.5, and 11.3.2.1.6 and 11.3.2.1.7 are retained.						Accept. The support of the submitter is acknowledged.
18	18.96	Heritage NZ Carolyn McAlley	11.3.2.1.7	Status	Support	That Permitted activities 11.3.2.1.5, and 11.3.2.1.6 and 11.3.2.1.7 are retained.						Accept. The support of the submitter is acknowledged.
19	19.14	NZ Defence Force Rebecca Davies	11.3.2.1.13	Status	Support in Part	Retain permitted activity rule for TMTA, and include a statement to clarify that the other zone standards do not apply to TMTA (note: this appears to be the intent of the provisions but is not entirely clear in the rule framework). We suggest amending the introduction to the zone standards in each chapter (section 8.6 in the Rural Zone for example) to state - "For clarity, the zone standards shall not apply to temporary military training activities."						Accept in part. A proviso is added to the activity listed in 8.3.1.1.13.
57	57.62	Toi Te Ora - Public Health Service Sally Webb	11.3.2.1.13	Status	Support	Allow the provision for temporary military training as a permitted activity complying with noise controls in Appendix 3.						Accept. The support is acknowledged.
7	7.55	Department of Conservation Chris Stalte	11.3.3.1.1	Status	Support	Retain						Accept. The support of the submitter is acknowledged.
8	8.120	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.3.1.1	Status	Amend	Buildings within 50m or other appropriate distance of the CMA should be discretionary, but all buildings in the coastal environment should be Restricted Discretionary for consistency with the PWDP. See 11.3.5.1.	FS19	FS19.100	Horticulture NZ	Oppose	Reject submission point	Accept in part. This change clarifies an apparent conflict between setback for buildings 25-50m from MHWS. The rules for buildings within setbacks from the harbour edge provide for increasing control towards the water. The change is supported to clarify this established rule framework.

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8	8.121	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.3.1.2	Status	Amend	Buildings within 50m or other appropriate distance of the CMA should be discretionary, but all buildings in the coastal environment should be Restricted Discretionary for consistency with the PWDP. See 11.3.5.1.	FS19	FS19.101	Horticulture NZ	Oppose	Reject submission point	Accept in part. This change clarifies an apparent conflict between setback for buildings 25-50m from MHWs. The rules for buildings within setbacks from the harbour edge provide for increasing control towards the water. The change is supported to clarify this established rule framework.
17	17.141	Bay of Plenty Regional Council Fiona McTavish	11.3.3.2	Status	Amend	Replace 11.3.3.1 (Controlled Activity) with 11.3.2.1.4 (currently listed as a Permitted Activity).	FS9	FS9.24	Department of Conservation	Support	Accept submission point	Accept in part. This change clarifies an apparent conflict between setback for buildings 25-50m from MHWs. The rules for buildings within setbacks from the harbour edge provide for increasing control towards the water. The change is supported to clarify this established rule framework.
8	8.12	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.4.1	Status	Support	Retain						Accept. The support of the submitter is acknowledged.
11	11.119	Horticulture NZ Angela Halliday	11.3.4.1	Status	Oppose in part	Amend 11.3.4.1 by adding: Audible bird scaring devices that do not comply with 8.6.7.1 (1) Artificial crop protection structures that do not comply with 8.6.5						Accept in part. It is appropriate to list these activities are restricted discretionary where standards are not complied with.
7	7.56	Department of Conservation Chris Stalle	11.3.4.1.2	Status	Support	Retain	FS3	FS3.34	Bay of Plenty Regional Council	Oppose	Reject submission point	Accept. The support of the submitter is acknowledged.
11	11.12	Horticulture NZ Angela Halliday	11.3.4.1.3	Status	Oppose in part	Amend 11.3.4.1 (3) to include Buildings and activities						Accept. The requested wording will enable appropriate control over buildings and activities
17	17.85	Bay of Plenty Regional Council Fiona McTavish	11.3.5	Status	Amend	Insert the following discretionary earthwork rule in 9.3.5 and 11.3.5: <i>Any modification of any natural landform, including earthworks in excess of 400m² and 200m² in any 12 month period. (Refer to performance standards in 13.4.2).</i>	FS9 FS18	FS9.19 FS18.37	Department of Conservation Heritage NZ	Support Support in Part	Accept submission point Accept submission with an addition of an advice note	Accept.
41	41.25	Ministry of Education Andrew Hill	11.3.5	Status	Support	Amend wording: 11.3.5 Discretionary Activities 11.3.5.1 The following activities require land use consent from the Council and consent may be granted or refused. The Zone standards in 11.7 will be used as a guideline when assessing the application. 6. Education facilities						Accept. Education facilities should be provided for in the zone.
7	7.57	Department of Conservation Chris Stalle	11.3.5.1	Status	Support	Retain	FS3	FS3.25	Bay of Plenty Regional Council	Support	Accept submission point	Accept. The support of the submitter is acknowledged.
8	8.12	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.5.1	Status	Support	Retain						Accept. The support of the submitter is acknowledged.
17	17.142	Bay of Plenty Regional Council Fiona McTavish	11.3.5.1	Status	Amend	Amend 11.3.5.1.2 (Discretionary Activity) to read: 2. Buildings within 25m and 50m from MHWs.	FS9	FS9.25	Department of Conservation	Support	Accept submission point	Reject. The rules for buildings within setbacks from the harbour edge provide for increasing control towards the water. No change is supported to this established rule framework.
60	60.61	Federated Farmers of NZ Nikki Edwards	11.3.5.1	Status	Oppose	That Production Forestry is a permitted activity.	FS12	FS12.9	Whakatane District Council	Oppose in part	Production forestry as a permitted activity should be limited to existing operations and small lots.	Accept in part. Existing production forestry should be permitted in the zone
7	7.58	Department of Conservation Chris Stalle	11.3.5.2	Status	Support	Retain						Accept. The support of the submitter is acknowledged.
7	7.59	Department of Conservation Chris Stalle	11.3.5.3	Status	Support	Retain						Accept. The support of the submitter is acknowledged.
8	8.12	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.5.3	Status	Amend	Change activity status to non-complying.						Reject. The rules for buildings within setbacks from the harbour edge provide for increasing control. Discretionary activity status enables the potential adverse effects to be considered and appropriate controls imposed.
7	7.60	Department of Conservation Chris Stalle	11.3.5.4	Status	Support	Retain						Accept. The support of the submitter is acknowledged.
7	7.61	Department of Conservation Chris Stalle	11.3.5.5	Status	Support	Retain						Accept. The support of the submitter is acknowledged.
8	8.13	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.7.1	Status	Support	Retain						Accept. The support of the submitter is acknowledged.
8	8.13	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.4	Criteria CA	Amend	Amend to be consistent with PWDP						Accept in part. Changes are made to some provisions to enable a more consistent regime across the council boundaries. However, the issues to be addressed in Opatiki District differ from those in the Whakatane District and the outcomes to be achieved for the Opatiki District differ.
17	17.11	Bay of Plenty Regional Council Fiona McTavish	11.4	Heading	Amend	Amend Chapters 2 to 18 (excluding Chapter 16) to insert a new heading: 'Matters over which control is reserved' before the heading 'Assessment Criteria for Controlled Activities'. Copy 'matters' to the new 'Matters' heading. Amend the list of criteria so it includes only criteria. Replicate this process for RDA activities having inserted a new heading 'Matters over which discretion is restricted.'						Accept. The headings need to be correct.
29	29.40	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.4.1	Criteria CA	NS	Upokorehe supports any initiative that eliminates or mitigates negative effects on the Outstanding Natural Features and Landscapes, indigenous biodiversity and natural character values of the Ohiwa Harbour. In the event that these values are threatened, Upokorehe should be consulted.						Accept in part. The Council acknowledges the significance of the Ohiwa Harbour to the submitter. The Ohiwa Harbour Zone is intended to enable appropriate management of the environment.
7	7.62	Department of Conservation Chris Stalle	11.4.1.1	Criteria CA	Support	Retain						Accept. The support of the submitter is acknowledged.
8	8.13	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.4.1.1	Criteria CA	Amend	Assessment criteria should be consistent with PWDP controls for Rural Ohiwa Zone.						Accept in part. Changes are made to some provisions to enable a more consistent regime across the council boundaries. However, the issues to be addressed in Opatiki District differ from those in the Whakatane District and the outcomes to be achieved for the Opatiki District differ.
11	11.121	Horticulture NZ Angela Halliday	11.4.1.1	Criteria CA	Oppose in part	Amend 11.4.1.1 Design and appearance Add to the criteria: The functional need for the building or structure for farming activities.	FS12	FS12.14	Whakatane District Council	Oppose	Reject submission point	Reject. The matter relates to design and appearance. The additional wording sought relates to the purpose of the building and is not consistent with the heading.
7	7.63	Department of Conservation Chris Stalle	11.4.1.3	Criteria CA	Support	Retain						Accept. The support of the submitter is acknowledged.

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8	8.13	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.4.1.3	Criteria CA	Amend	Amend consistent with PWDP criteria for Rural Ohiwa Zone and include earthworks effects on indigenous vegetation and require reinstatement or revegetation						Accept in part. Changes are made to some provisions to enable a more consistent regime across the council boundaries. However, the issues to be addressed in Opatiki District differ from those in the Whakatahane District and the outcomes to be achieved for the Opatiki District differ.
17	17.88	Bay of Plenty Regional Council Fiona McTavish	11.4.1.3	Criteria CA	Support / Amend	Amend 9.4.1.4, 10.4.1.4, and 11.4.1.3 to read: 1. The effects of any earthworks and land disturbance on the surrounding environment, including waahi tapu, sites of cultural significance or landscape value, any alteration to the contours of the site from stormwater, siltation and sedimentation effects, and any effects on the stability of the coastal dune system.	FS18 FS19	FS18.40 FS19.105	Heritage NZ Horticulture NZ	Support Oppose	Accept submission point Reject submission point	Accept. Broadening the scope of matters over which Council has reserved control is appropriate when considering earthworks and land disturbance.
29	29.41	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.4.1.3	Criteria CA	NS	Upokorehe are concerned about the effects of any earthworks or activity on the surrounding environment, including any alteration to the contours of a site, siltation and sedimentation effects, and any effects on the stability of the coastal dune system. Although it is ideal that these activities be eliminated, in the event that this is unavoidable then consultation with Upokorehe should be undertaken beforehand.						Accept in part. The Council acknowledges the significance of the Ohiwa Harbour to the submitter. The Ohiwa Harbour Zone is intended to enable appropriate management of the environment.
17	17.27	Bay of Plenty Regional Council Fiona McTavish	11.4.1.4	Criteria CA	Support / Amend	Amend assessment criteria within Chapters 2 to 11 as they relate to <i>Historical and archaeological and cultural resources</i> to read: <i>Historical, archaeological and cultural values and resources</i> 2. The effects of the activity on historic, archaeological and cultural values and resources, of importance to Maori.	FS18	FS18.12	Heritage NZ	Support	Accept submission point	Accept - the additional words provide a clearer focus to the assessment required.
18	18.97	Heritage NZ Carolyn McAlley	11.4.1.4	Criteria CA	Support in part	That Assessment Criteria 11.4.1.4 are retained subject to clarification regarding the nature of the items to be considered as part of the assessment criteria, in particular those items or features of historical or archaeological worth.						Accept. Additional wording has been included in response to the submission above.
29	29.42	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.4.1.4	Criteria CA	NS	Upokorehe would like to stress the importance of meaningful consultation for any activity that may impact on the environment, places of cultural and historical importance, resources of cultural significance or the natural character of the Ohiwa Harbour.						Accept in part. The Council acknowledges the significance of the Ohiwa Harbour to the submitter. The Ohiwa Harbour Zone is intended to enable appropriate management of the environment.
17	17.47	Bay of Plenty Regional Council Fiona McTavish	11.4.1.5	Criteria CA	Support / Amend	Insert into 11.4.1.5 as a new matter under subheading Natural hazards the above amendment for 9.4.1.8 and 10.4.1.8.	FS	FS9.10	Department of Conservation	Support in part	Amend so that an increase in the risk of adverse effects from coastal hazards is avoided, rather than achieving a low level of risk.	Accept in part. The Opatiki District Council is committed to managing the effects of natural hazards within its district. As part of this commitment Council will enter into a project with the Bay of Plenty Regional Council to respond to the management of use and development of land in a way that reduces natural hazard risk. This project is to commence within the next three years. The project will be undertaken in an integrated manner that incorporates a number of modelling projects, sustainability of the stopbanks on the Waioeka and Otara rivers, along with a number of other hazards including coastal hazards. It is intended that the project team will consult and engage with the Opatiki 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 a RMA framework. This will guide use, development and subdivision of land within our District.
18	18.27	Heritage NZ Carolyn McAlley	11.5	Criteria RDA	Oppose	That the restricted discretionary assessment criteria are amended to include assessment criteria related to the impact of restricted discretionary activities on historic heritage.						Accept in part. The consideration of effects on historic heritage is consistent with the requirement of the Act.
24	24.35	Opatiki District Council Aileen Lawrie	11.5.1	Criteria RDA	Amend	Include Restricted Discretionary criteria for buildings not complying with 2.6.2.2 and include in activity list in 2.3.4.1. Correct similar provisions in other chapters						Accept. Where activities are listed as RDA, there is a requirement to specify the matters over which discretion has been restricted.
24	24.71	Opatiki District Council Aileen Lawrie	11.5.1.1	Criteria RDA	Amend	Add "Buildings not otherwise permitted or controlled that do not comply with the Zone Standards in 11.7"						Accept. Where activities are listed as RDA, there is a requirement to specify the matters over which discretion has been restricted.
8	8.129	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.5.1.1.2	Criteria RDA	Amend	Amend as follows: 2. Visibility from the road, public places, including from Ohiwa Harbour, and other residential areas;						Accept. The management of activities in relation to the Ohiwa Harbour is the purpose of the zone. Therefore, consideration of effects of activities on the harbour are consistent with the purpose of the zone.
7	7.64	Department of Conservation Chris Stalte	11.5.1.2	Criteria RDA	Support	Retain						Accept. The support is noted.
8	8.62	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.5.1.2	Criteria RDA	Amend	Standardise the wording of 11.5.1.2.						Accept. Consistent wording of similar provisions is supported.
8	8.130	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.5.1.2	Criteria RDA	Amend	Ensure wording of 11.5.1.2 and 8.5.15 is the same.						Accept. Consistent wording of similar provisions is supported.
7	7.65	Department of Conservation Chris Stalte	11.6.1	Criteria DA	Support	Retain						Accept. The support is noted.
8	8.132	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.6.1.4	Criteria DA	Amend	Amend to read "Foreground vegetative screening".						Accept. The change sought is correct.
8	8.6	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7	Standards	Amend	Consistency with the PWDP is adopted for coastal setbacks and earthworks provisions in the Coastal, Coastal Settlement and Ohiwa Harbour Zones, ONFLs and SIBs.	FS12 FS19	FS12.19 FS19.106	Whakatahane District Council Horticulture NZ	Support Oppose	Accept submission point Reject submission point	Accept. Changes are recommended to give effect to the specific policy framework for the coastal environment and in particular setbacks and earthworks.
11	11.124	Horticulture NZ Angela Halliday	11.7	Standards	Support in Part	Add Zone standards for: Artificial crop protection structures as set out in 8.6.5 Audible bird scaring devices as set out in 8.6.7.1 (1)	FS3	FS3.62	Bay of Plenty Regional Council	Support in part	Support the relief sought subject to appropriate performance standards. Requires either black or green cloth on both vertical and horizontal surfaces.	Accept in part. A higher level of control is included in the Coastal Environment than in the balance of the Zone, but enabling horticulture and associated structures in appropriate locations is supported.

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12	12.13	NZ Transport Agency Mathew Stulen	11.7	Standards	Amend	Provide an effect based framework for signage that enables Council to consider the potential adverse effects of signs on the safety and efficiency of the transport network. Suggested provisions to include in the zone standards (including but not limited to): <i>The proposed sign should not:</i> - have reflective material or illumination that flashes and moves; - obstruct impair the view of any official traffic sign and signal, or the line of sight of any corner, bend, intersection or vehicle crossing; - physically obstruct or impede traffic or pedestrians; - resemble or be likely to be confused with any official traffic signs or signals; and - use support structures which are not frangible. Amend the "approval of the Transport Agency" requirement so that it becomes an advice note and it is amended as follows: <u>Approval for signs visible from any state highway must be gained from NZ Transport Agency. Consultation with the NZ Transport Agency will be important in the assessment of traffic safety for sign resource consent applications where they are proposed to be located on private property and are visible from a State Highway. The NZ Transport Agency also controls signs on state highway corridor Legal Road by the means of the NZ Transport Agency signs on state highways bylaw July 2010.</u>						Accept in part. The alignment of the sign rules through the Plan is supported for consistency.
19	19.24	NZ Defence Force Rebecca Davies	11.7	Standards	Support in Part	Retain permitted activity rule for TMTA, and include a statement to clarify that the other zone standards do not apply to TMTA (note: this appears to be the intent of the provisions but is not entirely clear in the rule framework). We suggest amending the introduction to the zone standards in each chapter (section 8.6 in the Rural Zone for example) to state - "For clarity, the zone standards shall not apply to temporary military training activities."						Accept in part. A proviso is added to the activity listed in 11.3.2.1.13.
8	8.133	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7.1.1	Standards	Support	Retain site coverage limits.						Accept. Support is noted.
8	8.134	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7.1.2	Standards	Support	Retain						Accept. Support is noted.
17	17.143	Bay of Plenty Regional Council Fiona McTavish	11.7.1.2	Standards	Support	Retain the Standard for Height in 11.7.1.2 as notified.						Accept. Support is noted.
11	11.123	Horticulture NZ Angela Halliday	11.7.2	Standards	Support in Part	Amend 11.7.2 by adding "when visible from a public place".						Reject. The requirement to determine where buildings and structures are visible from a public place involves a discretionary judgement to be made and this is inconsistent with a standard for a permitted activity.
49	49.5	Whakatane District Council Melanie McCormick	11.7.2	Standards	Support in part	Amend the rules to read: <u>The exterior surfaces (including the roof) of any building shall have reflectivity values of between 0% and 37%.</u> All external surfaces of buildings shall in accordance with BS 5252 Reflective Value and shall meet; a. A maximum of 35% reflective value for walls; b. A maximum of 25% reflective value for roofs, and c. There shall be no mirror glazing. Advice Note: Under this Rule "all external surfaces", "walls", "roofs", includes gutters, spouting and joinery.	FS19	FS19.107	Horticulture NZ	Oppose in part	Amend to ensure the standard does not apply to artificial cloth.	Reject. The requirement to comply with reflectivity in a specified range is commonly used and understood. It will achieve a similar outcome to the wording requested.
11	11.122	Horticulture NZ Angela Halliday	11.7.3.1	Standards	Support in Part	Amend 11.7.3.1 5. Except as provided below all buildings <u>other than dwellings</u> shall be set back at least 5 metres from side and rear boundaries. 6. <u>All dwellings shall be set back at least 25 metres from side and rear boundaries unless the written approval of any affected, adjoining neighbour is obtained and that written approval has been lodged with council.</u> 7. Non-compliance with the Rule shall be considered as a Restricted Discretionary Activity. 8. Clause 3 as notified						Reject. The application of a 5m setback has been required in the Zone under the operative District Plan and has been effective in achieving the environmental outcomes sought through the zone. Some of the sites are smaller in the zone and the continuation of the 5m setback is supported as appropriate.
60	60.62	Federated Farmers of NZ Nikki Edwards	11.7.3.2	Standards	Amend	That Standard 11.7.3.2 does not apply to on-farm yards.						Reject. The application of a 9m setback from roads has been required in the Zone under the operative District Plan and has been effective in achieving the environmental outcomes sought through the zone. The standard is supported as appropriate
8	8.135	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7.3.3	Standards	Amend	Standardise the setbacks based on natural character, landscape and natural hazards.	FS19	FS19.108	Horticulture NZ	Oppose	Reject submission point	Reject. The setbacks have been required in the Zone under the operative District Plan and have been effective in achieving the environmental outcomes sought through the zone. Some of the sites are smaller in the zone and the continuation of the proposed setbacks is supported as appropriate.
60	60.63	Federated Farmers of NZ Nikki Edwards	11.7.3.3	Standards	Amend	That Standard 11.7.3.3 does not apply to farm buildings.	FS3	FS3.116	Bay of Plenty Regional Council	Oppose	Reject submission point	Reject. The setbacks have been required in the Zone under the operative District Plan and have been effective in achieving the environmental outcomes sought through the zone. Some of the sites are smaller in the zone and the continuation of the proposed setbacks is supported as appropriate.
11	11.125	Horticulture NZ Angela Halliday	11.7.4	Standards	Oppose in part	Amend 11.7.4 Areas used for storage by rural industries and rural services shall be to be screened from any public place and from adjoining residential activity site that existed prior to the establishment of the rural industry or rural service.						Accept in part. Rural industries and rural services require resource consent to establish in the Zone and screening can be addressed through the conditions on the consent. The requirement for screening from sites containing a residential activity can be modified as topography and existing planting may provide effective screening without further requirement.
60	60.64	Federated Farmers of NZ Nikki Edwards	11.7.4	Standards	Amend	That Standard 9.6.3.1 clarifies that it refers to screening of industrial or commercial storage and service areas.						Accept in part. Rural industries and rural services require resource consent to establish in the Zone and screening can be addressed through the conditions on the consent. The requirement for screening from sites containing a residential activity can be modified as topography and existing planting may provide effective screening without further requirement.

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Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)	Further submitter no.	Further submission point no.	Submitter Name	Support/Oppose	Decision Requested (Relief Sought)	Planner's Recommendation
11	11.126	Horticulture NZ Angela Halliday	11.7.5	Standards	Oppose in part	Amend 11.7.5. Include an exemption as follows Subject to best practicable option being adopted the following activities are exempt from 11.7.5. Activities required for rural production activities, including agricultural and horticultural vehicles and equipment; aircraft used for agricultural and horticultural purposes; and portable equipment (excluding portable sawmills and frost protection fans and audible bird scaring devices) associated with agricultural and horticultural activities such as: spraying, harvesting, livestock.						Accept in part. Provision for noise exceeding permitted levels for short term operations such as harvesting is supported as practical and appropriate.
41	41.26	Ministry of Education Andrew Hill	11.7.5	Standards	Support	Retain as notified						Accept. The support is noted.
57	57.83	Toi Te Ora - Public Health Service Sally Webb	11.7.5	Standards	Support / Amend	A. In the first paragraph in clause 11.7.5.1, delete "boundary of any" and substitute "notional boundary of any dwelling within any other" B. Delete column 4 in the table C. Amend incorrect title of NZS 6801 to NZS 6801:2008 Acoustics-Measurement of Environmental Sound D. Amend incorrect title of NZS 6802 to NZS 6802:2008 Acoustics- Environmental Noise E. Amend incorrect title of NZS 6803 to NZS 6803:1999 Acoustics- Construction Noise						Accept in part. The updates are supported as practical and appropriate.
60	60.65	Federated Farmers of NZ Nikki Edwards	11.7.5	Standards	Amend	That rural production activity noise is exempt from Standard 11.7.5 for noise.	FS19	FS19.109	Horticulture NZ	Support	Accept submission point.	Accept in part. Provision for noise exceeding permitted levels for short term operations such as harvesting is supported as practical and appropriate.
11	11.127	Horticulture NZ Angela Halliday	11.7.5.1	Standards	Oppose in part	Amend 11.7.5 (1) All activities on a site shall be designed and conducted to ensure that the following noise limits are not exceeded at the notional boundary within the Ohiwa Harbour Zone or the boundary of an adjoining zone.						Accept in part. Reference to the adjoining zone is supported.
11	11.128	Horticulture NZ Angela Halliday	11.7.5.1	Standards	Oppose	Add to 11.7.5 (1) Audible bird scaring devices complying with the Rural Zone Standard 8.6.7.1 (1).						Accept. The inclusion of noise standards for audible bird scaring devices is supported.
17	17.144	Bay of Plenty Regional Council Fiona McTavish	11.7.6	Standards	Support / Amend	Amend 11.7.6 to read: <i>All exterior security lighting shall be designed, installed, and maintained so that the light emitted does not overspill site boundaries, cause light pollution in the night sky, or cause distraction or glare which could affect traffic safety on adjacent roads.</i>						Accept. Dark skies are part of the character of the Ohiwa Harbour Zone and protection is supported.
41	41.27	Ministry of Education Andrew Hill	11.7.7.1	Standards	Support	Amend wording: 2. On-site car parking shall be provided as follows: Educational institutions Education facilities						Accept. Minor correction.
37	37.71	NZ Fire Commission Stephanie Dean	11.7.8	Standards	Support in part	Amend Standard 11.7.8 as follows: "11.7.8 Residential and commercial vehicle entrance designs shall comply with Appendix 4, <u>except where additional access width is necessary to provide access for emergency service vehicles in accordance with Standard 11.7.12 x(2).</u> "						Accept in part. Provision for fire fighting access is addressed in Chapters 15 and 17.
5	5.3	J Gregory	11.7.8.2	Standards	NS	Fence off access - prevent access to mudflats						Accept in part. The submitter's concern about access to mudflats is noted. Such issues can be addressed through resource consent applications for sites adjacent to the coastal marine area and through the Council Bylaw which is currently under review.
8	8.136	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7.9.2	Standards	Support	Retain						Accept. Support is noted.
60	60.66	Federated Farmers of NZ Nikki Edwards	11.7.9.2	Standards	Amend	That signs required under legislation are permitted with no limits.						Accept in part. Signs required by statute should not be subject to a resource consent process. However, there are sensitive locations in this Zone which require specific consideration of all activities, including signs, to minimise adverse effects on the Coastal Environment.
8	8.137	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7.9.3	Standards	Support	Retain						Accept. The support of the submitter is acknowledged.
41	41.28	Ministry of Education Andrew Hill	11.7.9.3	Standards	Support	Amend wording: <i>Signs meeting the following standards are Controlled Activities in the zone. A sign not exceeding 1.1m2 in area for any public purposes or in connection with and on the same site as any of the following activities:</i> c) Educational institutions Education facilities						Accept. Minor correction.
17	17.37	Bay of Plenty Regional Council Fiona McTavish	11.7.10.1	Standards	Oppose / Amend	Amend Floor Level rules in Chapters 2 to 11 (as listed in the index to read eg 9.6.9): <i>Floor levels shall be sufficient to ensure that water does not enter buildings in a 1% AEP (Annual Exceedance Probability) event within the coastal environment or a 2% AEP (Annual Exceedance Probability) event for areas outside the coastal environment and a low level of risk achieved.</i> <i>Ōpōtiki District Council will determine the appropriate freeboard that needs to be added to the flood level to set the required minimum floor level.</i>						Accept in part. The Ōpōtiki District Council is committed to managing the effects of natural hazards within its district. As part of this commitment Council will enter into a project with the Bay of Plenty Regional Council to respond to the management of use and development of land in a way that reduces natural hazard risk. This project is to commence within the next three years. The project will be undertaken in an integrated manner that incorporates a number of modelling projects, sustainability of the stopbanks on the Waioeka and Otara rivers, along with a number of other hazards including coastal hazards. 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.
37	37.72	NZ Fire Commission Stephanie Dean	11.7.12	Standards	Support in part	Amend Standard 11.7.12 as follows: "11.7.12 WATER SUPPLY 11.7.12.1 A potable water supply ... 11.7.12.2 All new buildings shall have access to a water supply for fire-fighting purposes in accordance with NZFSA Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. <i>Where the building is located more than 135m from the nearest road that has reticulated water supply (including hydrants) access shall have a minimum formed width of 4m, a height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8).</i> "						Accept in part. The provisions for water supply, including fire fighting, are addressed in Chapter 17. The report on Chapter 17 should be referred to.

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Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)	Further submitter no.	Further submission point no.	Submitter Name	Support/Oppose	Decision Requested (Relief Sought)	Planner's Recommendation
11	11.129	Horticulture NZ Angela Halliday	11.7.12.2	Standards	Oppose in part	Amend 11.7.12.2 by adding an exclusion: Except that this does not apply to artificial crop protection structures.						Reject. If the provision of a fire fighting water supply is not required by the code then the rule does not apply.
8	8.138	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7.13	Standards	Amend	Require that all new lots must have a safe building envelope and new buildings in the hazard zone should require a hazard assessment.						Accept in part. The requirement for buildings in the hazard risk area is addressed on a case by case basis. No specific change is proposed.
7	7.66	Department of Conservation Chris Stalte	11.7.13.1	Standards	Support	Retain	FS3	FS3.117	Bay of Plenty Regional Council	Support	Accept submission point	Accept. The support is noted.
7	7.67	Department of Conservation Chris Stalte	11.7.15	Standards	Support	Retain						Accept. The support is noted.
60	60.67	Federated Farmers of NZ Nikki Edwards	11.7.15	Standards	Amend	That Standard 11.7.15 is deleted						Reject. Management of goat farming is essential within the District to enable appropriate management. Deletion is not supported.
40	40.3	NZDFA - Bay of Plenty Lindsay Fung	11.7.16	Standards	Oppose	Delete 11.7.16 Deer Farming and as a result delete Appendix 8.9.1.						Reject. Management of deer farming is essential within the District to enable appropriate management. Deletion is not supported.
60	60.69	Federated Farmers of NZ Nikki Edwards	11.7.16	Standards	Amend	That Standards 11.7.16 are deleted	FS3	FS3.48	Bay of Plenty Regional Council	Oppose	Reject submission point	Reject. Management of deer farming is essential within the District to enable appropriate management. Deletion is not supported.
17	17.57	Bay of Plenty Regional Council Fiona McTavish	11.8	Other Methods	Support / Amend	Amend 'Other Method's' referring to natural hazards (in 2.7.1, 3.7.1, 7.6.1, 8.7.1, 9.7.1 and 10.7.1) as notified to read: Through the use of Land Information Memoranda (LIM) and Project Information Memoranda (PIM) to provide information on known natural hazards to potential developers and applicants. Insert the above 'Other Method' into sections 4.7.1, 5.6.1, 6.7.1 and 11.9.1.						Accept. The inclusion is supported as consistent across the Plan.
8	8.139	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.8.1.5	Other Methods	Amend	Reword as follows: *Seek support from DOC and regional council to provide assistance to landowners to fence wetlands and other indigenous vegetation*.						Accept in part. The rewording to include the regional council and fencing gives a clearer focus to the method.
18	18.98	Heritage NZ Carolyn McAlley	11.9	EER	Support in part	That the 11.9 Environmental Results expected are amended as follows: C. The important ecological, scientific, historic and botanical values of the Ohiwa Harbour are maintained and enhanced; conserved. D. The cultural and spiritual significance of the Harbour is recognised and conserved.						Accept. The change in wording is minor but provides a clearer outcome.
29	29.43	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.9.1	EER	NS	Upokorehe acknowledges the importance of preserving the natural character of the Ohiwa Harbour.						Accept. The support of the submitter is acknowledged.
29	29.44	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.9.1	EER	NS	Upokorehe would like to be consulted on any proposed development or activity that may compromise the significant natural values of Ohiwa Harbour and its environs.						Accept in part. The Council acknowledges the significance of the Ohiwa Harbour to the submitter. The Ohiwa Harbour Zone is intended to enable appropriate management of the environment.
29	29.45	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.9.1	EER	NS	Upokorehe recognises that the important ecological, scientific, historic and botanical values of the Ohiwa Harbour are maintained and enhanced.						Accept. The support of the submitter is acknowledged.
29	29.46	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.9.1	EER	NS	Upokorehe unequivocally agrees that the cultural and spiritual significance of the harbour is recognised and respected.						Accept. The support of the submitter is acknowledged.