

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  |
|---------------|------------------|--|---------------|-----------|--------------------------|--|-----------------------|------------------------------|--------------------------------|----------------|---|---|
| 32            | 32.13            | Ngai Tama<br>Tim Selwyn                                  | 15            | Koivi     | Amend                    | If koivi are discovered in a subdivision then they are to remain in situ and a minimum 20m area around it should be created and title given to Hapu.   | FS17                  | FS17.19                      | Chris Petersen                 | Oppose in part | Supports appropriate cultural protocols to be adhered to, however including as a requirement in the District Plan may not be appropriate in all cases. These should be determined on a case-by-case basis on consultation with tangata whenua through the resource consent process. | Accept in part. Conditions are usually imposed through subdivision consent processes to ensure applicants are aware of the appropriate response. A general condition may be included in this chapter.   |
| 18            | 18.208           | Heritage NZ<br>Carolyn McAlley                           | 15.1          | Issues    | Support                  | Resource Management Issue 15.1.6 is retained.  |                       |                              |                                |                |   | Accept. Support is noted.   |
| 11            | 11.156           | Horticulture NZ<br>Angela Halliday                       | 15.1.4        | Issues    | Support                  | Retain Issue 15.1.4  |                       |                              |                                |                |   | Accept. Support is noted.   |
| 12            | 12.3             | NZ Transport Agency<br>Mathew Stulen                     | 15.1.7        | Issues    | Support                  | Support objectives and policies  |                       |                              |                                |                |   | Accept. Support is noted.   |
| 39            | 39.56            | Transpower NZ Ltd<br>Pauline Whitney                     | 15.1.7        | Issues    | Support                  | (i) Retain Issue 15.1.7  |                       |                              |                                |                |   | Accept. Support is noted.   |
| 11            | 11.157           | Horticulture NZ<br>Angela Halliday                       | 15.1.8        | Issues    | Support                  | Amend 15.1.8 as follows:<br>Rural production land, particularly versatile land, can be degraded and fragmented as a result of inappropriate subdivision.   |                       |                              |                                |                |   | Accept in part. The issue relates to versatile land, not rural land as a whole, but may be clarified to link it more closely to rural productive activities reliant on versatile land.  |
| 17            | 17.179           | Bay of Plenty Regional Council<br>Fiona McTavish         | 15.1.8        | Issues    | Support / Amend          | Amend Issue 8 to read:<br><br><i>The versatile land in the District may be degraded and fragmented as a result of inappropriate subdivision to support non-rural productive uses.</i>  |                       |                              |                                |                |   | Accept in part. The issue relates to versatile land, not rural land as a whole, but may be clarified to link it more closely to rural productive activities reliant on versatile land.  |
| 17            | 17.183           | Bay of Plenty Regional Council<br>Fiona McTavish         | 15.1.11       | Issues    | Support / Amend          | Amend Issue 11 to read:<br><br><i>Subdivision of sites identified as HAIL sites can result in unacceptable risks to human health or the environment. Where appropriate land subdivision or development shall demonstrate compliance with the applicable provisions of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.</i> |                       |                              |                                |                |   | Accept in part. The additional wording reads as a policy rather than an issue, but reference is recommended to be included to the need for compliance with the NES.   |
| 8             | 8.204            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.1.12       | Issues    | Support                  | Retain   |                       |                              |                                |                |   | Accept. Support is noted.   |
| 57            | 57.42            | Toi Te Ora - Public Health Service<br>Sally Webb         | 15.1.14       | Issues    | Support                  | Retain issue 14 which identifies that subdivisions need to have connections to appropriate services according to the location and infrastructure available.  |                       |                              |                                |                |   | Accept. Support is noted.   |
| 8             | 8.205            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.2.1        | Objective | Support                  | Retain   |                       |                              |                                |                |   | Accept. Support is noted.   |
| 11            | 11.159           | Horticulture NZ<br>Angela Halliday                       | 15.2.1        | Policies  | Support                  | Include a new policy 15.2.1.7<br>To enable rural production lots to facilitate the establishment of rural production lots that only require a small area such as horticulture in the District.   | FS3                   | FS3.145                      | Bay of Plenty Regional Council | Oppose         | Reject submission point   | Accept in part. It is appropriate to recognise that rural lots need to be in a range of sizes, where horticulture may need smaller lots than pastoral farming.  |
| 8             | 8.206            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.2.1.2      | Policies  | Support                  | Retain   |                       |                              |                                |                |   | Accept. Support is noted.   |
| 18            | 18.209           | Heritage NZ<br>Carolyn McAlley                           | 15.2.1.2      | Policies  | Support                  | That Policy 15.2.1.2 is retained.  |                       |                              |                                |                |   | Accept. Support is noted.   |
| 11            | 11.158           | Horticulture NZ<br>Angela Halliday                       | 15.2.1.3      | Policies  | Support                  | Retain Policy 15.2.1.3   |                       |                              |                                |                |   | Accept. Support is noted.   |
| 17            | 17.180           | Bay of Plenty Regional Council<br>Fiona McTavish         | 15.2.1.3      | Policies  | Support / Amend          | Amend Policy 15.2.1.3 to read:<br><br><i>To avoid fragmentation and loss of the productive rural land, and in by allowing subdivision of particular versatile land for non-rural production purposes.</i>  | FS19                  | FS19.138                     | Horticulture NZ                | Oppose         | Rejects submission point  | Accept in part. Subdivision for purposes other than rural production purposes should be controlled.   |
| 11            | 11.160           | Horticulture NZ<br>Angela Halliday                       | 15.2.1.4      | Policies  | Support                  | Retain Policy 15.2.1.4   |                       |                              |                                |                |   | Accept. Support is noted.   |
| 51            | 51.6             | Mountain Ridge Holdings<br>Martin Bryan                  | 15.2.1.4      | Policies  | Oppose in part           | Delete Policy 15.2.1.4 or amend to clarify that it does not seek to prevent any rural land from being utilised for activities other than rural production.   |                       |                              |                                |                |   | Reject. Subdivision of rural land should be directed to enabling rural production activities and activities provided for as permitted activities. A change to broaden the purpose of rural land subdivision is not supported and will not achieve the outcomes sought through the Plan. |
| 8             | 8.208            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.2.1.5      | Policies  | Amend                    | To manage the effects of <del>restrict</del> new small lot subdivision for rural residential purposes in sensitive rural and coastal environments.   |                       |                              |                                |                |   | Accept. The amended wording states the intent more clearly.   |
| 8             | 8.207            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.2.1.6      | Policies  | Support                  | Retain   |                       |                              |                                |                |   | Accept. Support is noted.   |
| 18            | 18.210           | Heritage NZ<br>Carolyn McAlley                           | 15.2.1.6      | Policies  | Support                  | That Policy 15.2.1.6 is retained.  |                       |                              |                                |                |   | Accept. Support is noted.   |
| 12            | 12.31            | NZ Transport Agency<br>Mathew Stulen                     | 15.2.2        | Objective | Support                  | Support objectives and policies  |                       |                              |                                |                |   | Accept. Support is noted.   |
| 36            | 36.13            | First Gas Limited<br>Hywel Edwards                       | 15.2.2        | Objective | Support                  | Retain Objective 15.2.2  |                       |                              |                                |                |   | Accept. Support is noted.   |
| 39            | 39.57            | Transpower NZ Ltd<br>Pauline Whitney                     | 15.2.2        | Objective | Support                  | (i) Retain Objective 15.2.2  |                       |                              |                                |                |   | Accept. Support is noted.   |
| 60            | 60.111           | Federated Farmers of NZ<br>Nikki Edwards                 | 15.2.2        | Objective | Amend                    | That Objective 15.2.2 is amended to read:<br><i>Subdivision of land does not adversely affect the safe and efficient functioning of regionally-significant infrastructure and the National Grid and the capacity of roads and infrastructure to service new development.</i>   | FS4                   | FS4.4                        | Transpower NZ Ltd              | Neutral        | No specific relief sought   | Reject. The scope of the objective and policies is broader than the National Grid alone, to guide the relationship between infrastructure and subdivision. No change is recommended.  |
| 37            | 37.73            | NZ Fire Commission<br>Stephanie Dean                     | 15.2.2.1      | Policies  | Support                  | Retain Policy 15.2.2.1 as notified.  |                       |                              |                                |                |   | Accept. Support is noted.   |
| 12            | 12.32            | NZ Transport Agency<br>Mathew Stulen                     | 15.2.2.2      | Policies  | Amend                    | Amend as follows:<br>15.2.2.2 To ensure safe and efficient access to and from the transport network ...  |                       |                              |                                |                |   | Accept. This change is appropriate to the outcome sought.   |
| 11            | 11.161           | Horticulture NZ<br>Angela Halliday                       | 15.2.2.4      | Policies  | Support in Part          | Amend Policy 15.2.2.4 by replacing 'National Grid Corridor' as 'National Grid Subdivision Corridor' and make consequential changes throughout the Plan.  | FS4                   | FS4.5                        | Transpower NZ Ltd              | Support        | Allow   | Accept. The correct wording should be used.   |
| 39            | 39.58            | Transpower NZ Ltd<br>Pauline Whitney                     | 15.2.2.4      | Policies  | Support                  | (i) Retain Policy 15.2.2.4   |                       |                              |                                |                |   | Accept. Support is noted.   |
| 60            | 60.112           | Federated Farmers of NZ<br>Nikki Edwards                 | 15.2.2.4      | Policies  | Amend                    | Amend so that farming subdivision is recognised as not the cause of reverse sensitivity to the National Grid.  | FS4                   | FS4.6                        | Transpower NZ Ltd              | Oppose         | Disallow  | Reject. The policy does not link farming to reverse sensitivity on the National Grid. No change is recommended.   |

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| 36            | 36.14            | First Gas Limited<br>Hywel Edwards                       | 15.2.2.5      | Policies  | Support / Amend          | Add new Policy 15.2.2.5:<br><i>To manage subdivision to avoid sensitive land use or inappropriate activities from compromising the operation, maintenance, upgrading and development (including access) of network utilities and Regionally Significant Infrastructure.</i>  |                       |                              |                |                |                                    | Accept. The additional policy provides guidance to subdivision that may enable sensitive land uses to establish. This is supported.   |
| 6             | 6.20             | Chris Petersen   | 15.2.3        | Policies  | Support / Amend          | Add a new policy as follows:<br><i>Esplanade reserves or strips may not be required in all circumstances, such as where public access is not appropriate to protect public health and safety or security.</i>  |                       |                              |                |                |                                    | Reject. The Act is clear about when esplanade reserves will be required and enables esplanade reserves to be closed in some circumstances. However, the addition of a policy is not considered to be consistent with the provisions in the Act.         |
| 8             | 8.209            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.2.3        | Objective | Support                  | Retain   |                       |                              |                |                |                                    | Accept. Support is noted.   |
| 8             | 8.211            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.2.3.1      | Policies  | Amend                    | Include natural hazards in its policy.   |                       |                              |                |                |                                    | Accept. Natural hazard is recognised by the Act as one of the purposes of esplanade reserves.   |
| 8             | 8.212            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.2.3.2      | Policies  | Amend                    | Reword the policy to require esplanade reserves or strips except where there are topographical constraints, or where it may impede conservation values.  |                       |                              |                |                |                                    | Reject. The policies as worded make it clear that esplanade reserves will be required for the purposes as set out in the Act. No change is recommended.   |
| 8             | 8.210            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.2.3.3      | Policies  | Support                  | Retain   |                       |                              |                |                |                                    | Accept. Support is noted.   |
| 8             | 8.213            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.2.3.4      | Policies  | Amend                    | Amend for consistency with the Act.  |                       |                              |                |                |                                    | Accept in part. The scope of the policy needs to be broader than as notified.   |
| 18            | 18.15            | Heritage NZ<br>Carolyn McAlley                           | 15.3          | Status    | Oppose                   | That the ODC PDP is amended to include the following advice note:<br><i>"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"</i><br>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. |
| 8             | 8.216            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.3.4        | Status    | Amend                    | Include another row in the table for subdivision of sites meeting the criteria in 13.9.3 being Discretionary.  |                       |                              |                |                |                                    | Reject. Subdivision in relation to Appendix 13.9.3 is considered under rule 15.4.3 and no additional listing is required.   |
| 11            | 11.162           | Horticulture NZ<br>Angela Halliday                       | 15.3.4        | Status    | Support in Part          | Amend 15.3.4 Line 1 Rural to RD  |                       |                              |                |                |                                    | Reject. No change is recommended to the status of the subdivision in the Rural Zone. The status has been controlled in the ODP and no reason to make the status more restrictive have been identified.  |
| 17            | 17.184           | Bay of Plenty Regional Council<br>Fiona McTavish         | 15.3.4        | Status    | Amend                    | Insert two new rows 14. And 15. into Table under 15.3.4 to include reference to:<br><br><i>14. Subdivision of sites in accordance with Rules 15.4.2.1 and 15.4.2.4 (RDA in Rural, Coastal and Ohiva Harbour zones).</i><br><br><i>15. Subdivision of Versatile Land not in accordance with Rules 15.4.2.2, 15.4.2.3 and 15.4.2.4 (NC in Rural, Coastal and Ohiva Harbour zones).</i>   |                       |                              |                |                |                                    | Accept in part. The cross referencing to rules is corrected in response to other submissions below and this will address this submission, at least in part.   |
| 18            | 18.211           | Heritage NZ<br>Carolyn McAlley                           | 15.3.4        | Status    | Oppose                   | That Table 15.3.4 is amended to include a rule related to protection/incentive lots for historic heritage.   |                       |                              |                |                |                                    | Accept in part. An amendment is proposed to include provision in rule 15.4.3.   |
| 36            | 36.15            | First Gas Limited<br>Hywel Edwards                       | 15.3.4        | Status    | Amend                    | Amend Chapter 15.3.4:<br><i>14. Subdivision of land on which the Gas Transmission Pipelines traverses and incidental equipment is located.</i><br>- include as a Restricted Discretionary Activity in all zones.<br><br><i>Note: First Gas Ltd will be identified as an affected party for subdivisions breaching Subdivision standard 15.3.4.14.</i>  |                       |                              |                |                |                                    | Accept in part. Provision for subdivision in this situation is supported.   |
| 37            | 37.74            | NZ Fire Commission<br>Stephanie Dean                     | 15.3.4        | Status    | Support in part          | Amend Row '4' of the Table in 15.3.4 as follows:<br><i>"Lots for public utilities, public works, emergency services, reserves within the meaning of the Reserves Act 1977, in accordance with Rule 15.4.5."</i>  |                       |                              |                |                |                                    | Accept. The inclusion of emergency services is supported as consistent with the listed activities.  |
| 6             | 6.21             | Chris Petersen   | 15.3.4.1      | Status    | Support                  | Retain the controlled activity status as notified.   |                       |                              |                |                |                                    | Accept. Support is noted.   |
| 8             | 8.214            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.3.4.1      | Status    | Amend                    | Change status in Coastal and Ohiva Harbour Zones to Discretionary.   |                       |                              |                |                |                                    | Accept. More restrictive status in the Coastal and Ohiva Harbour Zones is supported as consistent with the special values of the coastal environment.   |
| 51            | 51.7             | Mountain Ridge Holdings<br>Martin Bryan                  | 15.3.4.1      | Status    | Oppose in part           | Amend the activity status for this activity within the Coastal Zone from Restricted Discretionary to Controlled.   |                       |                              |                |                |                                    | Reject. More restrictive status in the Coastal and Ohiva Harbour Zones is supported as consistent with the special values of the coastal environment.   |
| 53            | 53.30            | Vodafone<br>Chris Home                                   | 15.3.4.4      | Status    | Oppose in part           | Amend Rule 15.3.4 (4) and the heading of Rule 15.4.5 (relevant standards) by amending the terminology from <i>"public utilities"</i> to <i>"network utilities"</i> .   |                       |                              |                |                |                                    | Accept. Minor correction.   |
| 54            | 54.30            | Chorus<br>Chris Home                                     | 15.3.4.4      | Status    | Oppose in part           | Amend Rule 15.3.4 (4) and the heading of Rule 15.4.5 (relevant standards) by amending the terminology from <i>"public utilities"</i> to <i>"network utilities"</i> .   |                       |                              |                |                |                                    | Accept. Minor correction.   |
| 55            | 55.30            | Spark  | 15.3.4.4      | Status    | Oppose in part           | Amend Rule 15.3.4 (4) and the heading of Rule 15.4.5 (relevant standards) by amending the terminology from <i>"public utilities"</i> to <i>"network utilities"</i> .   |                       |                              |                |                |                                    | Accept. Minor correction.   |
| 6             | 6.22             | Chris Petersen   | 15.3.4.5      | Status    | Oppose                   | Delete Rule 15.3.4(5).   | FS18                  | FS18.62                      | Heritage NZ    | Oppose         | Reject submission point            | Reject. Provision for subdivision in relation to a consented activity responds to a requirement that arises from time to time.  |
| 51            | 51.8             | Mountain Ridge Holdings<br>Martin Bryan                  | 15.3.4.5      | Status    | Oppose                   | Delete Rule 15.3.4(5).   | FS18                  | FS18.61                      | Heritage NZ    | Oppose         | Reject submission point            | Reject. Provision for subdivision in relation to a consented activity responds to a requirement that arises from time to time.  |
| 53            | 53.31            | Vodafone<br>Chris Home                                   | 15.3.4.5      | Status    | Oppose in part           | Amend Rule 15.3.4 (4) and the heading of Rule 15.4.5 (relevant standards) by amending the terminology from <i>"public utilities"</i> to <i>"network utilities"</i> .   |                       |                              |                |                |                                    | Accept. Minor correction.   |
| 54            | 54.31            | Chorus<br>Chris Home                                     | 15.3.4.5      | Status    | Oppose in part           | Amend Rule 15.3.4 (4) and the heading of Rule 15.4.5 (relevant standards) by amending the terminology from <i>"public utilities"</i> to <i>"network utilities"</i> .   |                       |                              |                |                |                                    | Accept. Minor correction.   |
| 55            | 55.31            | Spark  | 15.3.4.5      | Status    | Oppose in part           | Amend Rule 15.3.4 (4) and the heading of Rule 15.4.5 (relevant standards) by amending the terminology from <i>"public utilities"</i> to <i>"network utilities"</i> .   |                       |                              |                |                |                                    | Accept. Minor correction.   |
| 6             | 6.23             | Chris Petersen   | 15.3.4.6      | Status    | Oppose                   | Amend the rule as follows:<br>Lots created under Rules 15.4.42.2, 15.4.42.3 and 15.4.42.4  |                       |                              |                |                |                                    | Accept. Minor correction.   |
| 51            | 51.9             | Mountain Ridge Holdings<br>Martin Bryan                  | 15.3.4.6      | Status    | Oppose in part           | Amend the rule as follows:<br>Lots created under Rules 15.4.42.2, 15.4.42.3 and 15.4.42.4  |                       |                              |                |                |                                    | Accept. Minor correction.   |
| 6             | 6.24             | Chris Petersen   | 15.3.4.7      | Status    | Oppose                   | Amend the rule as follows:<br>Lots created under Rules 15.4.42.2, 15.4.42.3 and 15.4.42.4 that do not comply with all the requirements   |                       |                              |                |                |                                    | Accept. Minor correction.   |
| 51            | 51.10            | Mountain Ridge Holdings<br>Martin Bryan                  | 15.3.4.7      | Status    | Oppose in part           | Amend the rule as follows:<br>Lots created under Rules 15.4.42.2, 15.4.42.3 and 15.4.42.4 that do not comply with all the requirements   |                       |                              |                |                |                                    | Accept. Minor correction.   |
| 51            | 51.11            | Mountain Ridge Holdings<br>Martin Bryan                  | 15.3.4.7      | Status    | Support                  | Retain the activity status.  |                       |                              |                |                |                                    | Accept. Support is noted.   |

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|---------------|------------------|--|---------------|-----------|--------------------------|---|-----------------------|------------------------------|---|------------------|--|---|
| 8             | 8.215            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.3.4.10     | Status    | Support                  | Retain  |                       |                              |   |                  |  | Accept. Support is noted.   |
| 39            | 39.59            | Transpower NZ Ltd<br>Pauline Whitney                     | 15.3.4.11     | Status    | Support                  | (i) Retain Rule 15.3.4.11   |                       |                              |   |                  |  | Accept. Support is noted.   |
| 39            | 39.60            | Transpower NZ Ltd<br>Pauline Whitney                     | 15.3.4.12     | Status    | Support in part          | (i) Retain Rule 15.3.4.12 but amend to provide a direct reference to the Transpower designated substations within Chapter 19 Appendix 2, as follows:<br>12 Subdivision of land where all or part of the site is within 20m of the boundary of a designated National Grid substation, as identified in Chapter 19 Appendix 2.<br>- Restricted Discretionary 9  |                       |                              |   |                  |  | Accept. Minor correction.   |
| 39            | 39.61            | Transpower NZ Ltd<br>Pauline Whitney                     | 15.3.4.13     | Status    | Support                  | (i) Retain Rule 15.3.4.13, but amend the reference to National grid corridor to show upper case lettering, consistent with other references in the proposed plan.   |                       |                              |   |                  |  | Accept. Minor correction.   |
| 3             | 3.1              | A & H Mortleman  | 15.4.1.1      | Standards | Oppose                   | Coastal Settlement Zone - non sewerred - was 800m2, now to be 1200m2. Revert to 800m2 minimum lot size (unsewerred).  | FS3                   | FS3.146                      | Bay of Plenty Regional Council                | Oppose           | Reject submission point                            | Reject. The minimum lot size of 1200m2 is consistent with the requirements of the BOPRC regional On Site Effluent Treatment Plan and therefore no change is recommended.  |
| 6             | 6.25             | Chris Petersen   | 15.4.1.1      | Standards | Support                  | Retain the minimum lot size requirements for lots within the Harbour Industrial Zone as notified.   |                       |                              |   |                  |  | Accept. Support is noted.   |
| 36            | 36.16            | First Gas Limited<br>Hysel Edwards                       | 15.4.1.1      | Standards | Support / Amend          | Amend 15.4.1.1:<br>The minimum lot dimensions in each zone shall relate to land without legally binding development restrictions (e.g. development restrictive easements), and be as follows:   |                       |                              |   |                  |  | Accept in part. The achievement of net areas exclusive of easements and access requirements is supported as resulting in a more suitable site for development.  |
| 13            | 13.6             | Overington Surveyors<br>Karl Rendall                     | 15.4.1.2      | Standards | Oppose                   | A report from a suitably qualified person approved by the Bay of Plenty Regional Council is provided that identifies that the lot and proposed use of the lot complies with the requirements of the Bay of Plenty On-site Effluent Treatment Regional Plan  | FS3                   | FS3.147                      | Bay of Plenty Regional Council                | Support in part  | Supports use of terminology                        | Accept in part. The reference to a suitably qualified and experienced person enables Council to require an appropriate level of expertise but is not too onerous for the District.  |
| 17            | 17.81            | Bay of Plenty Regional Council<br>Fiona McTavish         | 15.4.1.2.2    | Standards | Amend                    | Amend 8.3.2.1.7 (b) and 11.3.2.1 (b) to read:<br><br>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. The reference to a suitably qualified and experienced person enables Council to require an appropriate level of expertise but is not too onerous for the District.  |
| 57            | 57.46            | Toi Te Ora - Public Health Service<br>Sally Webb         | 15.4.1.2.2    | Standards | Support / Amend          | Retain the requirement for subdivision to non-sewered lots to supply a report from an engineer which identifies the lot will be fit for purpose and complies with requirements for onsite effluent treatment systems set by the Bay of Plenty Regional Council.<br>Add the above requirement for any lot that is not sewerred.  |                       |                              |   |                  |  | Accept in part. The reference to a suitably qualified and experienced person enables Council to require an appropriate level of expertise but is not too onerous for the District.  |
| 51            | 51.12            | Mountain Ridge Holdings<br>Martin Bryan                  | 15.4.2        | Standards | Oppose in part           | Introduce a new rule in section 15.4.2 which provides for the subdivision of a parent lot of more than 4 hectares where the subdivided lots will have a minimum lot size of 2,000m <sup>2</sup> and an average density over the entire subdivision of 1 lot per 4 hectares. Add a restricted discretionary activity status for this rule in the activity status table under Rule 15.3.4.  | FS3<br>FS18           | FS3.148<br>FS18.63           | Bay of Plenty Regional Council<br>Heritage NZ | Oppose<br>Oppose | Reject submission point<br>Reject submission point | Reject. The rules as set out in the Plan for the rural environment respond to the requirement to protect versatile land for productive use and enabling primary production. No change to enable closer subdivision is supported as this will not be consistent with the outcomes sought through the Plan. |
| 13            | 13.5             | Overington Surveyors<br>Karl Rendall                     | 15.4.2.2      | Standards | Oppose                   | Re-word for clarity meaning of 'average minimum density'  |                       |                              |   |                  |  | Accept. Clarification is supported.   |
| 51            | 51.13            | Mountain Ridge Holdings<br>Martin Bryan                  | 15.4.2.2      | Standards | Oppose in part           | Relocate clause 4 of Rule 15.4.2.2 to Section 15.8 – Assessment Criteria for Discretionary Activities.  |                       |                              |   |                  |  | Accept. The relocation of the matters Council will consider as a Discretionary Activity are generally found in section 15.8 and therefore the relocation of the text is supported.  |
| 17            | 17.181           | Bay of Plenty Regional Council<br>Fiona McTavish         | 15.4.2.2.3    | Standards | Support / Amend          | Amend Rule 15.4.2.2.3 to read:<br><br>A report from a suitably qualified person shall be lodged with the resource consent application demonstrating how the subdivision will avoid adverse effects on ...   |                       |                              |   |                  |  | Accept. Minor correction.   |
| 8             | 8.217            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.4.2.2.4    | Standards | Amend                    | Relocate 15.4.2.2.4 to 15.8 Discretionary criteria.   |                       |                              |   |                  |  | Accept. The relocation of the matters Council will consider as a Discretionary Activity are generally found in section 15.8 and therefore the relocation of the text is supported.  |
| 17            | 17.182           | Bay of Plenty Regional Council<br>Fiona McTavish         | 15.4.2.2.4    | Standards | Support / Amend          | Amend Rule 15.4.2.2.4 to read:<br><br>Council shall consider the extent to which any proposed rural residential lots, buildings, structures or developments preclude or compromise the use or availability of this versatile land for rural production activities...  | FS19                  | FS19.139                     | Horticulture NZ                               | Oppose           | Reject submission point                            | Accept. The correction is supported.  |
| 8             | 8.218            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.4.2.3      | Standards | Amend                    | Delete 15.4.2.3 and replace with a minimum lot size of 4 ha in the Coastal and Ohiwa Harbour Zones.   |                       |                              |   |                  |  | Reject. The minimum lot size is generally 4ha and no change is recommended.   |
| 51            | 51.14            | Mountain Ridge Holdings<br>Martin Bryan                  | 15.4.2.3      | Standards | Oppose in part           | Relocate clause 2 of Rule 15.4.2.3 to Section 15.8 – Assessment Criteria for Discretionary Activities.  |                       |                              |   |                  |  | Accept. The relocation of the matters Council will consider as a Discretionary Activity are generally found in section 15.8 and therefore the relocation of the text is supported.  |
| 17            | 17.185           | Bay of Plenty Regional Council<br>Fiona McTavish         | 15.4.2.3.1    | Standards | Support / Amend          | Amend Rule 15.4.2.3.1 to read:<br><br>Where a report is provided by a suitably qualified and experienced person... then the lots created by subdivision of a parent lot with an area of more than four hectares shall have a minimum lot size of four hectares, with the versatile land being retained on the larger balance lot, and the general requirements in Rule 15.4.2.4 shall be met.   | FS19                  | FS19.140                     | Horticulture NZ                               | Oppose           | Reject submission point                            | Reject. The amendment sought may be considered through the subdivision process and the appropriate arrangement of boundaries can be considered on a case by case basis. No change is recommended.   |
| 8             | 8.219            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.4.2.4      | Standards | Support                  | We note that the word 'be' should be replaced with the word 'contain'.  |                       |                              |   |                  |  | Accept. The correction is supported.  |
| 11            | 11.164           | Horticulture NZ<br>Angela Halliday                       | 15.4.2.4      | Standards | Support in Part          | Retain 15.4.2.4 but amend as follows: Each lot shall have an identified residential building platform that ensures separation distances that meet the Zone Standards and provides visual separation through such means as topographical features, distances over flat land, protected areas of vegetation or other similar devices and that will not compromise the continuation of Permitted Activities, including rural production activities on adjacent lots through reverse sensitivity effects. |                       |                              |   |                  |  | Accept in part. The second requirement in the rule is relocated to 15.8 in response to another submission, to separate the requirement for compliance with standards from the discretionary judgement to be considered through the application process.   |

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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   |
|---------------|------------------|--|---------------|-----------|--------------------------|---|-----------------------|------------------------------|---|----------------------|---|--|
| 17            | 17.186           | Bay of Plenty Regional Council<br>Fiona McTavish         | 15.4.2.4      | Standards | Support / Amend          | Amend Rule 15.4.2.4 to read:<br><br><i>Each lot shall contain a safe stable, be a residential building site that... will not further fragment versatile land from existing rural production uses nor compromise the continuation of Permitted Activities, including rural production activities, on adjacent lots through reverse sensitivity effects.</i>  | FS19                  | FS19.141                     | Horticulture NZ                                   | Oppose               | Reject submission point   | Accept in part. The second requirement in the rule is relocated to 15.8 in response to another submission, to separate the requirement for compliance with standards from the discretionary judgement to be considered through the application process.  |
| 24            | 24.90            | Opotiki District Council<br>Aileen Lawrie                | 15.4.2.4      | Standards | Amend                    | Amend 'Distances Over Flat Land' to provide clearer guidance  |                       |                              |   |                      |   | Accept in part. The second requirement in the rule is relocated to 15.8 in response to another submission, to separate the requirement for compliance with standards from the discretionary judgement to be considered through the application process.  |
| 51            | 51.15            | Mountain Ridge Holdings<br>Martin Bryan                  | 15.4.2.4      | Standards | Oppose                   | Either amend Rule 15.4.2.4 to specify what is needed to achieve compliance, such as separation distances or screening or relocate the rule as an assessment criteria.   |                       |                              |   |                      |   | Accept in part. The second requirement in the rule is relocated to 15.8 as requested, to separate the requirement for compliance with standards from the discretionary judgement to be considered through the application process.   |
| 11            | 11.163           | Horticulture NZ<br>Angela Halliday                       | 15.4.2.5      | Standards | Support in Part          | Add new provisions 15.4.2.5<br>Subdivision for Rural Production lots in Rural, Coastal and Ohiva Harbour Zones Existing lots may be subdivided to create one or more Rural Production Lots subject to the following standards and criteria relating to either productive land or land containing a productive crop:<br>Productive Land:<br>(i) Shall contain a minimum of 4ha.<br>(ii) Each Rural Production Lot shall be suitable for the successful growing of permanent horticulture crops in the prevailing climatic conditions.<br>(iii) Shall have the following characteristics:<br>- Soil texture: silt loam, sandy loam, loam, loamy sand (in the topsoil 15cm)<br>- Potential rooting depth: minimum one metre<br>- Drainage Class: well-drained<br>- Profile readily available water (0 – 100cm): moderate (greater or equal to 50mm)<br>- Topsoil (top 15 cm) bulk density: less than or equal to 0.90 g/cm <sup>3</sup><br>- Subsoil (below 15 cm) bulk density: less than or equal to 1.00 g/cm <sup>3</sup><br>- Topsoil (top 15cm) organic matter: minimum 5%<br>- No point exceeding 15 degree slope<br>- No more than 20% of the productive land shall be facing 45 degrees either side of South (south east to south west).<br>(iv) Each application shall be accompanied by a report/s completed by a person/s qualified and experienced in local soils and horticulture production. The report as a minimum shall:<br>- Certify that the land concerned meets (i) to (iii) above;<br>- Provide comment on effects of drainage, climatic conditions, previous or current land use, any limitations and any cumulative effects;<br>- Recommendations for any remedial work.<br><br>Productive Crop:<br>(v) The above provisions, (i) to (iv) shall not be required to be met where each Rural Production Lot is a minimum of 4ha and no less than 70% of that area is planted in a productive crop which must be certified or other evidence provided. | FS3<br><br>FS18       | FS3.149<br><br>FS18.64       | Bay of Plenty Regional Council<br><br>Heritage NZ | Oppose<br><br>Oppose | Reject submission point<br><br>Reject submission point.                               | Reject. The subdivision rules provide appropriately for subdivision in the Rural, Coastal and Ohiva Harbour Zones for a range of rural production activities. Specific rules for horticulture lots is not supported as it is not consistent with the intent of the zones and the outcomes sought. No change is recommended.  |
| 7             | 7.82             | Department of Conservation<br>Chris Stalte               | 15.4.3        | Standards | Support / Clarify        | Retain but clarify relationship with requirement to fence in 15.5.12  | FS3                   | FS3.150                      | Bay of Plenty Regional Council                    | Support              | Accept submission point   | Accept. Clarification is supported.  |
| 8             | 8.220            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.4.3        | Standards | Amend                    | 1. Delete 15.4.3 and replace with a regime that requires protection of all of a feature if the feature is a wetland, coastal habitat, or in the Opotiki Ecological District.<br><br>2. Where the feature does not meet 1 above, 90% or more of the feature is to be protected. A higher minimum lot size should be considered for such features.<br><br>3. Require the protected feature to be entirely within 1 lot or otherwise on the parent lot.<br><br>4. The lot containing the protected feature must contain an approved building site and access exclusive of the area to be protected.<br><br>5. Only 1 additional lot can be created.<br><br>6. The activity is a Discretionary Activity.<br><br>7. Conditions of consent should require stock proof fencing and permanent legal protection, as well as a required management plan to ensure the ongoing protection of the feature (incorporate 15.5.12).  | FS18                  | FS18.65                      | Heritage NZ                                       | Oppose in part       | Incentive lots provide for the protection of historic heritage                        | Accept in part. The protection of the whole feature is the ideal outcome, and will be secured through the maximum number of lots allowed. However, the whole feature may not be located within one lot or one ownership. In this case protection of part of the feature may be preferable to none of it. Therefore, the entire change sought is not supported. However, the identification of a house platform and access and clarification of the fencing requirements would provide more effective guidance for applicants. Clarification of the wording is recommended. |
| 18            | 18.212           | Heritage NZ<br>Carolyn McAlley                           | 15.4.3        | Standards | Oppose                   | That 15.4.3 Subdivision Standards is amended to include a standard relating to protection or incentive lots for historic heritage.  | FS3                   | FS3.151                      | Bay of Plenty Regional Council                    | Support              | Accept submission point   | Accept. The inclusion of sites of historic value in the incentive / protection lot rule is supported.  |
| 51            | 51.16            | Mountain Ridge Holdings<br>Martin Bryan                  | 15.4.3        | Standards | Support in part          | Amend Rules 15.4.3.1 and 15.4.3.2 to separate the protection and incentive lot components of the rule and clarify that the incentive lot provision is enabled by the creation of a protection lot.  | FS18                  | FS18.66                      | Heritage NZ                                       | Oppose in part       | Amendments provide for incentive lots related to the protection of historic heritage. | Accept in part. Protection lots are defined but incentive lots are not defined and this may be confusing. The definition of protection lots is also not entirely aligned with these rules. Therefore, it would be appropriate to amend the definition to include incentive lots to reflect the intent of the rule.   |
| 7             | 7.84             | Department of Conservation<br>Chris Stalte               | 15.4.3.2      | Standards | Amend                    | Clarify reference to refer to Appendix 13.9 if intended.  |                       |                              |   |                      |   | Accept. Correction is supported.   |
| 51            | 51.17            | Mountain Ridge Holdings<br>Martin Bryan                  | 15.4.4.2      | Standards | Support in part          | Either include a definition of Access Strip which includes access lot, access let, right of way and private road or alternatively include these terms within the rule.  |                       |                              |   |                      |   | Accept. The term access is defined and clarification of the wording is supported.  |

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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   |
|---------------|------------------|--|---------------|-------------------|--------------------------|---|-----------------------|------------------------------|----------------------------|-----------------|--|--|
| 13            | 13.4             | Overington Surveyors<br>Karl Rendall             | 15.4.4.3      | Standards         | Oppose                   | 1. The minimum access width required for up to six lots shall in all zones except the Rural Zone be as follows:<br>1 lot 3m<br>2 lots 4m<br>3-6 lots 6m<br><br>2. The minimum access width required for up to six lots shall in the Rural zone be as follows:<br>1 lot 4m<br>2 lots 9m<br>3-6 lots 12m  |                       |                              |                            |                 |  | Reject. The change in access width is inconsistent with the current requirements of the District Plan and of Council's Engineering Code of Practice. Changing the minimum access width would result in subdivision design under the PDP being incompatible with existing subdivision. No change is recommended.  |
| 37            | 37.76            | NZ Fire Commission<br>Stephanie Dean             | 15.4.4.3      | Standards         | Support in part          | Amend Standard 15.4.4 as follows:<br>"15.4.4.3 The minimum access width required for up to six lots shall be as follows:<br>1 lot<br>3.4m (except where the access terminates less than 135m from the nearest road that has reticulated water supply (including hydrants))"<br><br>2 lots 4m<br><br>3-6 lots 6m<br><br>15.4.4.x Accesses shall have a minimum height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8) except where the access terminates less than 135m from the nearest road that has reticulated water supply (including hydrants)." |                       |                              |                            |                 |  | Accept in part. No change is recommended to the requirements for access dimensions, as the wording sought is not clear as to the alternative implied. There is a requirement for fire fighting water supply appropriate to the specific circumstances of a site. As consent is required for all subdivision, this is considered to be preferable to the inclusion of the specific wording. |
| 37            | 37.75            | NZ Fire Commission<br>Stephanie Dean             | 15.4.5        | Standards         | Support in part          | Amend Rule 15.4.5 as follows:<br>"LOTS FOR PUBLIC UTILITIES, PUBLIC WORKS, EMERGENCY SERVICES, AND FOR RESERVES AS STATED IN THE RESERVES ACT 1977<br>15.4.5.1 The minimum standards for the zone shall not apply where the lots are created for the following purposes:<br>1. Where land is required by a network utility operator.<br>2. Where land is required for a public work or emergency service. ..."  | FS19                  | FS19.110                     | Horticulture NZ            | Oppose in part  | Seek that the plan encourage land owners to have a water supply for firefighting purposes. | Accept. The additional wording providing for emergency services is appropriate.  |
| 36            | 36.17            | First Gas Limited<br>Hywel Edwards               | 15.4.5.1      | Standards         | Support                  | Support Standard 15.4.5.1   |                       |                              |                            |                 |  | Accept. Support is noted.  |
| 60            | 60.113           | Federated Farmers of NZ<br>Nikki Edwards         | 15.4.6        | Standards         | Amend                    | That when a buildings site is identified outside the National Grid Yard, the status of the subdivision should not be stricter than otherwise provided for.  | FS4                   | FS4.7                        | Transpower NZ Ltd          | Oppose          | Disallow   | Accept. Support is noted.  |
| 39            | 39.62            | Transpower NZ Ltd<br>Pauline Whitney             | 15.4.6.1      | Standards         | Support in part          | (i) Amend Standard 15.4.6.1 as follows:<br>15.4.6.1 A building platform for each new lot shall be identified that complies with minimum standards for the zone and that is fully located outside the National Grid Yard.  |                       |                              |                            |                 |  | Accept. The reference to just the National Grid Corridor relates to the purpose of the rule. The amended wording is supported.   |
| 17            | 17.187           | Bay of Plenty Regional Council<br>Fiona McTavish | 15.4.7.1      | Standards         | Amend                    | Insert a new clause into 15.4.7.1 to read:<br><br>3. In the Rural, Coastal and Ōhiwa Harbour zones, the adjustment shall not further fragment versatile land or result in a reduction of future rural production land use options.  | FS19                  | FS19.142                     | Horticulture NZ            | Support in part | Accept submission but not 'fragment versatile land'  | Accept in part. The reference to productive rural land is consistent with the purpose of the Plan in relation to enabling rural production activities and in particular protecting versatile land.   |
| 17            | 17.188           | Bay of Plenty Regional Council<br>Fiona McTavish | 15.5          | General Standards | Amend                    | Insert a new general standard 15.5.14 NATURAL HAZARD RISK to read:<br><br>1.Until this Plan includes provisions giving effect to RPS Policies NH 7A and NH 8A, assess the natural hazard risk associated with any subdivision of 5 ha or more of land zoned or to be zoned for urban use in accordance with the RPS natural hazards policy and method provisions.   | FS9                   | FS9.42                       | Department of Conservation | Support         | Accept submission point  | Accept in part. The requirement for a natural hazard assessment in accordance with the RPS is supported as an interim measure. Reference to the District Plan process is not required as the rule will form part of the plan.  |
| 11            | 11.166           | Horticulture NZ<br>Angela Halliday               | 15.5.2.1      | General Standards | Support                  | Retain 15.5.2.1.  |                       |                              |                            |                 |  | Accept. Support is noted.  |
| 37            | 37.77            | NZ Fire Commission<br>Stephanie Dean             | 15.5.5        | General Standards | Support in part          | Amend Standard 15.5.5.1(7) as follows:<br>"7. Where there is no reticulated water supply, provision shall be made for an adequate supply of water and access to water supplies for firefighting purposes in accordance with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. Compliance with this Code of Practice can typically be achieved through connection to a Council reticulated water supply."   |                       |                              |                            |                 |  | Accept. The amended wording is supported as clarifying the NZFS requirements.  |
| 51            | 51.18            | Mountain Ridge Holdings<br>Martin Bryan          | 15.5.5.1      | General Standards | Support in part          | Amend clause 6 of Rule 15.5.5.1 as follows:<br>Provide an adequate supply of reticulated potable water to each lot. Where reticulation is not practicable, a means of adequate storage and continuous supply of potable water shall be provided to each lot.  |                       |                              |                            |                 |  | Reject. A source of potable water is required to be provided to each lot.  |
| 11            | 11.167           | Horticulture NZ<br>Angela Halliday               | 15.5.5.6      | General Standards | Support in Part          | Add to 15.5.5(6) Where reticulation is not practicable a means of adequate storage and continuous supply of potable water shall be provided to each lot, that does not affect or compromise existing uses of water in the area.   |                       |                              |                            |                 |  | Reject. The management of the water resource is a regional council function and it is not relevant to address capacity through the District Plan.  |
| 57            | 57.47            | Toi Te Ora - Public Health Service<br>Sally Webb | 15.5.5.6      | General Standards | Support                  | Retain the requirement for all subdivision to provide an adequate supply of reticulated potable water to each lot. Where reticulation is not practicable, a means of adequate storage and continuous supply of potable water shall be provided to each lot.   |                       |                              |                            |                 |  | Accept. Support is noted.  |
| 57            | 57.44            | Toi Te Ora - Public Health Service<br>Sally Webb | 15.5.6        | General Standards | Support / Amend          | Add that all new lots and/or buildings shall connect to the Council water supply, where available.  |                       |                              |                            |                 |  | Accept in part. An explicit statement requiring connection to the Council reticulation is added to 15.5.8 Potable Water.   |
| 57            | 57.43            | Toi Te Ora - Public Health Service<br>Sally Webb | 15.5.6.1      | General Standards | Support                  | Retain the requirement that all new lots within any of Council's wastewater scheme boundaries shall connect to the Council's wastewater system.   |                       |                              |                            |                 |  | Accept. Support is noted.  |
| 53            | 53.32            | Vodafone<br>Chris Home                           | 15.5.9.1      | General Standards | Oppose                   | Amend Rule 15.5.9.1 to improve its clarity such that it is clear that telecommunications services must be provided to the boundary of all new lots, and globally change all references from "telephone" to "telecommunications" in all parts of the Proposed Plan including Rule 15.5.9.1.  |                       |                              |                            |                 |  | Accept. Correction is supported.   |
| 54            | 54.32            | Chorus<br>Chris Home                             | 15.5.9.1      | General Standards | Oppose                   | Amend Rule 15.5.9.1 to improve its clarity such that it is clear that telecommunications services must be provided to the boundary of all new lots, and globally change all references from "telephone" to "telecommunications" in all parts of the Proposed Plan including Rule 15.5.9.1.  |                       |                              |                            |                 |  | Accept. Correction is supported.   |
| 55            | 55.32            | Spark  | 15.5.9.1      | General Standards | Oppose                   | Amend Rule 15.5.9.1 to improve its clarity such that it is clear that telecommunications services must be provided to the boundary of all new lots, and globally change all references from "telephone" to "telecommunications" in all parts of the Proposed Plan including Rule 15.5.9.1.  |                       |                              |                            |                 |  | Accept. Correction is supported.   |

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|---------------|------------------|--|---------------|-------------------|--------------------------|--|-----------------------|------------------------------|----------------|----------------|------------------------------------|---|
| 53            | 53.33            | Vodafone<br>Chris Home                                   | 15.5.9.2      | General Standards | Oppose                   | Delete Rule 15.5.9.2.  |                       |                              |                |                |                                    | Accept. The content of this rule is more appropriately located and addressed in Chapter 17.   |
| 54            | 54.33            | Chorus<br>Chris Home                                     | 15.5.9.2      | General Standards | Oppose                   | Delete Rule 15.5.9.2.  |                       |                              |                |                |                                    | Accept. The content of this rule is more appropriately located and addressed in Chapter 17.   |
| 55            | 55.33            | Spark  | 15.5.9.2      | General Standards | Oppose                   | Delete Rule 15.5.9.2.  |                       |                              |                |                |                                    | Accept. The content of this rule is more appropriately located and addressed in Chapter 17.   |
| 6             | 6.26             | Chris Petersen   | 15.5.11       | Standards         | Support / Amend          | Amend the heading of Zone Standard 15.5.11 as follows:<br><del>Subdivision in relation to infrastructure</del> other than the national grid yard<br>Amend clause 2 as follows:<br>The extent to which potential adverse visual impact of infrastructure is mitigated through the location of the structures and buildings platforms associated with the infrastructure ; and                                     |                       |                              |                |                |                                    | Accept in part. The clarification in relation to infrastructure is supported as providing clearer guidance.   |
| 8             | 8.221            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.5.11.1     | General Standards | Amend                    | Move to assessment criteria.   |                       |                              |                |                |                                    | Accept. The relocation of the rule will be appropriate.   |
| 36            | 36.18            | First Gas Limited<br>Hywel Edwards                       | 15.5.11.1     | General Standards | Support / Amend          | Amend 15.5.11.1(1):<br>1. The ability to undertake maintenance, <u>upgrading, replacement,</u> and inspection of the infrastructure, <u>including access, to avoid risk of injury and/or property damage; and</u>  |                       |                              |                |                |                                    | Accept. The additional wording is relevant to the matter addressed.   |
| 36            | 36.19            | First Gas Limited<br>Hywel Edwards                       | 15.5.11.1.3   | General Standards | Support                  | Retain 15.5.11.1.3   |                       |                              |                |                |                                    | Accept. Support is noted.   |
| 7             | 7.83             | Department of Conservation<br>Chris Stalle               | 15.5.12       | General Standards | Support / Clarify        | Retain but clarify relationship with requirement to fence in 15.5.13   |                       |                              |                |                |                                    | Accept. A reference to fencing has been included in 15.4.3.   |
| 7             | 7.85             | Department of Conservation<br>Chris Stalle               | 15.5.12       | General Standards | Support                  | Retain, and add 'significant habitats of indigenous fauna' to the list of areas to be protected.   |                       |                              |                |                |                                    | Accept. The addition is appropriate and is supported.   |
| 8             | 8.222            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.5.13       | General Standards | Amend                    | This should apply to all subdivision consent and be included in assessment criteria  |                       |                              |                |                |                                    | Accept. Support is noted.   |
| 17            | 17.15            | Bay of Plenty Regional Council<br>Fiona McTavish         | 15.6          | 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 correction is supported.  |
| 11            | 11.168           | Horticulture NZ<br>Angela Halliday                       | 15.6.1.1      | Criteria CA       | Support                  | Retain 15.6.1.1.   |                       |                              |                |                |                                    | Accept. Support is noted.   |
| 7             | 7.86             | Department of Conservation<br>Chris Stalle               | 15.6.1.2      | Criteria CA       | Support                  | Retain   |                       |                              |                |                |                                    | Accept. Support is noted.   |
| 8             | 8.223            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.6.1.2      | Criteria CA       | Amend                    | Remove to Discretionary Criteria and add Fencing and pest management plan.   |                       |                              |                |                |                                    | Accept in part. The matters are relevant to controlled activity and relocation in discretionary activity criteria is not supported. However, the consideration of pest management is supported.   |
| 18            | 18.213           | Heritage NZ<br>Carolyn McAlley                           | 15.6.1.2      | Criteria CA       | Support in part          | That Assessment Criteria 15.6.1.2 is 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 in part. The support is noted but restricting the scope to only those sites identified in the Plan would not enable a broader consideration of effects and responses. More inclusive wording is recommended for inclusion.   |
| 7             | 7.87             | Department of Conservation<br>Chris Stalle               | 15.6.1.3      | Criteria CA       | Support                  | Retain   |                       |                              |                |                |                                    | Accept. Support is noted.   |
| 8             | 8.224            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.6.1.3      | Criteria CA       | Amend                    | Remove to Discretionary Criteria.  |                       |                              |                |                |                                    | Reject. The matters are relevant to controlled activity and relocation in discretionary activity criteria is not supported.   |
| 7             | 7.88             | Department of Conservation<br>Chris Stalle               | 15.6.1.7      | Criteria CA       | Support                  | Retain   |                       |                              |                |                |                                    | Accept. Support is noted.   |
| 8             | 8.225            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.6.1.7      | Criteria CA       | Amend                    | Include also in Discretionary Criteria where the site has values identified according to criteria in 13.9.3.   |                       |                              |                |                |                                    | Accept. The additional criteria are supported.  |
| 18            | 18.28            | Heritage NZ<br>Carolyn McAlley                           | 15.7          | 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.  |                       |                              |                |                |                                    | Reject. There is no subdivision listed as a Restricted Discretionary Activity where the inclusion of such matters would be relevant.  |
| 51            | 51.19            | Mountain Ridge Holdings<br>Martin Bryan                  | 15.7          | Criteria RDA      | Oppose in part           | Add restricted discretionary activity assessment criteria for the subdivision of land within the Coastal Zone. See also other submission points relating to the subdivision of land within the Coastal Zone.   |                       |                              |                |                |                                    | Accept in part. Within the Coastal Environment, subdivision and works associated with subdivision has the potential to adversely affect the natural character of the environment and public access to the coast. Therefore it is appropriate and consistent with changes elsewhere in the Plan to manage subdivision more carefully. This is most effectively achieved through Discretionary Activity status. |
| 11            | 11.169           | Horticulture NZ<br>Angela Halliday                       | 15.7.1        | Criteria RDA      | Support in Part          | Amend 15.7.1 as follows:<br><br>Add new provision: The assessment criteria listed in 15.6  |                       |                              |                |                |                                    | Accept. The matters over which Council has reserved control are accepted as being relevant as discretions reserved. The inclusion of the provision is accepted.   |
| 39            | 39.63            | Transpower NZ Ltd<br>Pauline Whitney                     | 15.7.1.1      | Criteria RDA      | Support in part          | (i) Subject to the following amendment, retain Assessment Criteria 15.7.1.1<br>(ii) Amend Clause 7 as follows:<br>For Rules 15.2.1-3.43, 3.4.11, and 1.4.2, public notification of applications for resource consent will not be required but the written approval of the National Grid Operator will be required or a Limited Notification process will be followed.  |                       |                              |                |                |                                    | Accept. The correction is supported.  |
| 24            | 24.91            | Opotiki District Council<br>Aileen Lawrie                | 15.7.1.1.7    | Criteria RDA      | Amend                    | Correct '15.7.2.13 and 14' to read '15.3.4.11, 12 and 13'  |                       |                              |                |                |                                    | Accept. The correction is supported.  |
| 8             | 8.226            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.8          | Criteria DA       | Support / Amend          | 15.8.1.1.13 - should delete the word 'noxious' and replace it with 'pest' as the Biosecurity Act no longer uses the term 'noxious'. Comments above apply.  |                       |                              |                |                |                                    | Accept. The correction is supported.  |

**Proposed Opatiki 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  |
|---------------|------------------|--|---------------|-------------------|--------------------------|--|-----------------------|------------------------------|----------------|-----------------|---|---|
| 11            | 11.170           | Horticulture NZ<br>Angela Halliday                       | 15.8.1        | Criteria DA       | Support in Part          | Add to 15.8.1:<br>Provision of adequate potable water supply that does not affect existing users.  |                       |                              |                |                 |   | Reject. The provision of potable water supply is managed by Council in reticulated areas or by BOPRC. The management of capacity is addressed outside this Plan.  |
| 37            | 37.78            | NZ Fire Commission<br>Stephanie Dean                     | 15.8.1        | Criteria DA       | Support in part          | As a consequence, <b>amend</b> the criteria in 15.8.1 to include the following additional clause:<br>"x. The potential adverse effects of fire, including fire spread."  |                       |                              |                |                 |   | Accept. The additional criterion is supported.  |
| 7             | 7.890            | Department of Conservation<br>Chris State                | 15.8.1.1      | Criteria DA       | Support                  | Retain criteria 1 - 8 and 13   |                       |                              |                |                 |   | Accept. Support is noted.   |
| 51            | 51.20            | Mountain Ridge Holdings<br>Martin Bryan                  | 15.8.1.1      | Criteria DA       | Oppose in part           | Amend clause 7 of the assessment criteria in section 15.8.1.1 as follows:<br><br>Effects of building platforms and access on the visual values and significant landscape and features in the area, including an assessment by an appropriately qualified landscape architect <u>where there is the potential for identified significant landscapes or features to be affected.</u> |                       |                              |                |                 |   | Accept. The additional wording directs the correct attention to identified landscapes and features.   |
| 18            | 18.215           | Heritage NZ<br>Carolyn McAlley                           | 15.8.1.1.10   | Criteria DA       | Support                  | That assessment criteria 15.8.1.1.10 is retained.  |                       |                              |                |                 |   | Accept. Support is noted.   |
| 18            | 18.214           | Heritage NZ<br>Carolyn McAlley                           | 15.8.1.1.9    | Criteria DA       | Support in part          | That assessment criteria 15.8.1.1.9 is retained and amended as follows:<br>"The impacts on <u>the historic heritage archaeological integrity of the site</u> ".  |                       |                              |                |                 |   | Accept. The additional wording is appropriate.  |
| 7             | 7.90             | Department of Conservation<br>Chris State                | 15.8.2.1      | Criteria DA       | Support                  | Retain criteria 2 - 6  |                       |                              |                |                 |   | Accept. Support is noted.   |
| 8             | 8.23             | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.8.2.1.5    | Criteria DA       | Support                  | These provisions are supported except that 5(a) is unclear - should it read "Specifying the location"?   |                       |                              |                |                 |   | Accept. The correction is supported.  |
| 8             | 8.23             | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.10.1.1     | Esplanade Reserve | Support                  | Retain   |                       |                              |                |                 |   | Accept. Support is noted.   |
| 8             | 8.23             | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.10.1.2     | Esplanade Reserve | Support                  | Retain   |                       |                              |                |                 |   | Accept. Support is noted.   |
| 8             | 8.23             | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.10.1.3     | Esplanade Reserve | Support                  | Retain   |                       |                              |                |                 |   | Accept. Support is noted.   |
| 8             | 8.23             | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.10.1.4     | Esplanade Reserve | Support                  | Retain   |                       |                              |                |                 |   | Accept. Support is noted.   |
| 8             | 8.232            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.10.1.5     | Esplanade Reserve | Amend                    | Amend as follows:<br><br>Public recreational use of the land <u>as determined through public notification.</u>   | FS17                  | FS17.20                      | Chris Petersen | Oppose          | Reject submission point   | Reject. The appropriateness of public recreational use is best decided on a case by case basis and requiring public notification is not supported.  |
| 6             | 6.27             | Chris Petersen   | 15.10.1.6     | Esplanade Reserve | Support / Amend          | Retain Rule 15.10.1.6 as notified.   |                       |                              |                |                 |   | Accept. Support is noted.   |
| 8             | 8.233            | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.10.1.6     | Esplanade Reserve | Amend                    | Require waivers to be a discretionary activity.<br><br>Delete 15.10.1.6.2 and replace with "Waiving of the requirement for an esplanade reserve or strip will only be considered subject to RPS Policy MN6B".  | FS17                  | FS17.21                      | Chris Petersen | Support in part | It may be more appropriate to include the matters listed in Policy MN 6B within 15.10.1.6.2 rather than cross-reference | Reject. The matters to be considered at the District level may differ from the RPS policies.  |
| 8             | 8.23             | Eastern Bay of Plenty - Forest and Bird<br>Linda Conning | 15.10.1.6     | Esplanade Reserve | Amend                    | Require waivers to be a discretionary activity.  |                       |                              |                |                 |   | Accept. Identification of a waiver of the requirement for an esplanade reserve or strip as a Discretionary Activity will allow evaluation of each location on a case by case basis. However, it is considered to be potentially more onerous when the proposal involves only a boundary adjustment. |