

**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)	Planners recommendations
7	7.7	Department of Conservation Chris Stalte	18	General	Amend	Include policy direction that gives effect to the NZCPS in a consistent manner to the coastal environment of the Opotiki District.						Accept in part. In response to other submission points a policy framework has been recommended to manage activities within the coastal environment. Matters specifically related to management of activities in regard to natural hazards will form part of the natural hazards project Council is going to undertake. The data collection and modelling will take into account the requirements in the NZCPS, specifically in the understanding of coastal inundation and coastal erosion. No amendments are recommended.
7	7.91	Department of Conservation Chris Stalte	18	Introduction	Amend	Insert text accurately reflecting Policy 25(a) and (b) of the NZCPS in relation to coastal hazards.						Accept recommend amending the introduction as follows: <u>NZCPS also requires areas affected by coastal hazards over the next 100 years avoids increasing the risk of social, environmental and economic harm from coastal hazards. This also includes avoiding redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards. (Sub 7.91)</u>
17	17.189	Bay of Plenty Regional Council Fiona McTavish	18	Introduction	Support	Retain the statement:  <i>Council along with key stakeholders and our community are committed to working toward introducing a new management regime which gives effect to the risk based approach. This project will occur within the next three years.</i>						Accept support noted
24	24.95	Opotiki District Council Aileen Lawrie	18	Introduction	Amend	Amend last line to read "...within 3 years of the date of plan notification."						Accept amend as requested
17	17.190	Bay of Plenty Regional Council Fiona McTavish	18.1	Issues	Amend	Insert the following new issues in 18.1:  <u>1. Giving effect to the Bay of Plenty Regional Policy Statement requires a natural hazard risk management approach.</u>						Accept amend as requested
17	17.191	Bay of Plenty Regional Council Fiona McTavish	18.1	Issues	Amend	Insert the following new issues in 18.1:  <u>2. Until District Plan provisions give effect to the Bay of Plenty Regional Policy Statement natural hazard risk provisions, proposals for new development are required to include their own natural hazard risk assessment.</u>						Accept in part. Policy NH 9B requires assessment of natural hazards risk at the time of subdivision, or change in instrification of land use before a District Plan assess natural hazard risk. This would be required at the time of subdivision or change or intensification of land use on urban sites 5ha or more. Recommend including a new issue statement as follows: Until District Plan provisions give effect to the Bay of Plenty Regional Policy Statement natural hazard risk provisions, <u>proposals for subdivision, change or land use intensification on urban sites 5ha or greater, are to include their own natural hazard risk assessment.</u>

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18	18.220	Heritage NZ Carolyn McAlley	18.1	Issues	Oppose	That the 18.1 Resource Management Issues is amended to include the following issue : <i>"There is potential for adverse effects to historic heritage through works to control hazards"</i>						Accept amend as requested
7	7.92	Department of Conservation Chris Stalte	18.1.4	Issues	Amend	Amend as follows:  There is a need for <u>avoidance or</u> mitigation measures ...						Accept amend as requested
8	8.25	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.1.5	Issues	Support	Retain						Accept support is noted
8	8.251	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.1.9	Issues	Support	Retain						Accept support is noted
7	7.93	Department of Conservation Chris Stalte	18.2	Objective	Amend	Include new objective requiring that the risk of adverse effects from coastal hazard is not increased						Matters specifically related to management of activities in regard to natural hazards will form part of the natural hazards project Council is going to undertake. The data collection and modelling will take into account the requirements in the NZCPS, specifically in the understanding of coastal inundation and coastal erosion. No amendments are recommended.
18	18.221	Heritage NZ Carolyn McAlley	18.2	Objective	Oppose	That Section 18.2 Objectives and Policies is amended to include: <i>"New Objective: Ensuring that the effects of any hazard related works avoids effects on matters of national importance"</i> <i>New Policy: That any hazard related works that potentially impact on matters of national importance demonstrate consideration of a range of appropriate alternatives to avoid adverse effects on finite resources"</i>						Accept amend as requested
8	8.252	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1	Objective	Support	Retain						Accept support noted
8	8.253	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1.1	Policies	Support	Retain						Accept support noted
8	8.254	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1.2	Policies	Support	Retain						Accept support noted
8	8.255	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1.3	Policies	Support	Retain						Accept support noted
8	8.256	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1.4	Policies	Support	Retain						Accept support noted
8	8.257	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1.5	Policies	Support	Retain						Accept support noted
8	8.258	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1.6	Policies	Support	Retain						Accept support noted
17	17.192	Bay of Plenty Regional Council Fiona McTavish	18.2.1.6	Policies	Amend	Amend to read:  <i>Avoid new development in areas at risk of coastal hazards in the Ōhiwa Spit Coastal Hazard Overlay Area that does not achieve low of-coastal natural hazard s risk.</i>	FS9	FS9.43	Department of Conservation	Support	Accept submission point	Reject
7	7.94	Department of Conservation Chris Stalte	18.2.2.2	Policies	Amend	Include policies 18.2.2.2 & 18.2.2.3 under the new objective requested above.						Matters specifically related to management of activities in regard to natural hazards will form part of the natural hazards project Council is going to undertake. The data collection and modelling will take into account the requirements in the NZCPS, specifically in the understanding of coastal inundation and coastal erosion. Information from the project may inform a plan change. No amendments are recommended.

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7	7.96	Department of Conservation Chris Stalte	18.2.2.2	Policies	Clarify	Clarify but retain the direction in policy 18.2.2.2.						The policy seeks to direct, subdivision use and development into areas that wont require hard structures to protect from hazards. Which will generally direct development away from at risk areas.
17	17.193	Bay of Plenty Regional Council Fiona McTavish	18.2.2.2	Policies	Amend	Amend Policy 18.2.2.2 to read:  <i>Locate and design subdivision, land use, and development within coastal areas so that the need for hazard protection works is avoided.</i>						Accept amend as requested
7	7.95	Department of Conservation Chris Stalte	18.2.2.3	Policies	Amend	Include policies 18.2.2.2 & 18.2.2.3 under the new objective requested above.						Matters specifically related to management of activities in regard to natural hazards will form part of the natural hazards project Council is going to undertake. The data collection and modelling will take into account the requirements in the NZCPS, specifically in the understanding of coastal inundation and coastal erosion. Information from the project may inform a plan change. No amendments are recommended.
7	7.97	Department of Conservation Chris Stalte	18.2.2.3	Policies	Clarify	Clarify but retain the direction in policy 18.2.2.2.						The policy seeks to direct, subdivision use and development into areas that wont require hard structures to protect from hazards. Which will generally direct development away from at risk areas.
8	8.259	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.2.3	Policies	Amend	Reword "Where residential [and/or business] land use activities are threatened by a coastal hazard ..."						Accept amend as requested
18	18.17	Heritage NZ Carolyn McAlley	18.3	Status	Oppose	That the ODC PDP is amended to include the following advice note: <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> in all chapters of the ODC PDP under the heading Activity Status, except in the Heritage Chapter, which already contains a similar note.						Reject
39	39.92	Transpower NZ Ltd Pauline Whitney	18.3	Status	Amend	(i) Clarify the activity status of activities associated with the <i>Maintenance, upgrade and replacement, or Minor Upgrading</i> , of any network utility. (ii) Include a permitted rule if required.	FS11	FS11.59	Federated Farmers of New Zealand (FFNZ)	Support in part	That the submission be partially accepted	Accept in part. Recommend amending as follows: Non habitable network utility structures are provided for as a permitted activity
45	45.1	Geoff & Tina Pointon	18.3.1	Status ASCH	Support	We support this line in its current position as it will still allow us flexibility to establish a new dwelling within this site should the sale and purchase go through.						Accept support noted
46	46.2	Bibiana & Brian Hill	18.3.1	Status	Support	No relief sought as we are in support of the line which runs along the coastal boundary of our property. Provided this line does not change we are in support of the line.						Accept support noted
53	53.53	Vodafone Chris Horne	18.3.1	Status	Oppose	<b>Amend</b> Rule 18.3.1 such that non habitable network utility structures are provided for as a permitted activity in all natural hazard areas, and make any consequential changes to the Policy framework (e.g. Policy 17.2.1.3 in Chapter 17 Network Utilities).	FS4	FS4..21	Transpower NZ Ltd	Support	Allow	Accept in part. Recommend amending as follows: Non habitable network utility structures are provided for as a permitted activity
54	54.53	Chorus Chris Horne	18.3.1	Status	Oppose	<b>Amend</b> Rule 18.3.1 such that non habitable network utility structures are provided for as a permitted activity in all natural hazard areas, and make any consequential changes to the Policy framework (e.g. Policy 17.2.1.3 in Chapter 17 Network Utilities).						Accept in part. Recommend amending as follows: Non habitable network utility structures are provided for as a permitted activity
55	55.53	Spark	18.3.1	Status	Oppose	<b>Amend</b> Rule 18.3.1 such that non habitable network utility structures are provided for as a permitted activity in all natural hazard areas, and make any consequential changes to the Policy framework (e.g. Policy 17.2.1.3 in Chapter 17 Network Utilities).						Accept in part. Recommend amending as follows: Non habitable network utility structures are provided for as a permitted activity

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17	17.194	Bay of Plenty Regional Council Fiona McTavish	18.3.1.1	Status	Amend	Amend Rule 18.3.1.1 to read:  <i>The permitted activities with respect to the management of the effects of natural hazards are <u>(except in the Ōhiwa Spit Coastal Overlay Area)</u> :</i>  <i>1. Structures located within the ponding areas as identified on Planning Maps 5A, 5C, and 5D and 5E that have a building platform on natural ground floor level greater than 1% AEP level of 3.6m or higher above Mean High Water Datum.</i>						Accept amend as requested
60	60.116	Federated Farmers of NZ Nikki Edwards	18.3.1.1	Status	Amend	That uninhabited farm buildings are permitted within ponding areas, with no floor level limit.						Reject. It is unlikely that farm buildings will be located in the identified ponding areas. No amendments are recommended.
8	8.260	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.3.2	Status	Amend	Amend to Restricted Discretionary if discretion is to be applied otherwise change 'may' to 'can' or 'will'.						Accept amend as requested
19	19.290	NZ Defence Force Rebecca Davies	18.3.2	Status	Oppose	Provide for TMTA as a permitted activity in these chapters.						Accept amend as requested
17	17.195	Bay of Plenty Regional Council Fiona McTavish	18.3.2.1	Status	Amend	Remove Controlled Activity 18.3.2.1.						Reject. Need to provide an activity status for those activities that cannot meet the permitted activity.
53	53.540	Vodafone Chris Horne	18.3.3	Status	Oppose	Delete Rule 18.3.3.1(2)(b).						Accept amend as requested
54	54.540	Chorus Chris Horne	18.3.3	Status	Oppose	Delete Rule 18.3.3.1(2)(b).						Accept amend as requested
55	55.540	Spark	18.3.3	Status	Oppose	Delete Rule 18.3.3.1(2)(b).						Accept amend as requested
39	39.93	Transpower NZ Ltd Pauline Whitney	18.3.3.1.2	Status	Support	(i) Retain Rule 18.3.3.1.2(b)						Accept support noted
7	7.98	Department of Conservation Chris Stalte	18.3.3.2	Status	Support / Amend	Retain approach, amend 18.3.3.2.6(b) as follows:  <i>Where the outcome of the report indicates that <u>the activity will not result in an increase in the risk of adverse effects from coastal hazards</u> there will be no significant effects from the activity, then the activity shall be a controlled activity.</i>						Accept amend as requested
17	17.196	Bay of Plenty Regional Council Fiona McTavish	18.3.3.2	Status	Amend	Amend 18.3.3.2 to read:  <i>1. Erosion impacts of sea level rise: <u>apply RPS Policy NH 11B 'Providing for climate change' for erosion impacts of sea level rise: the Intergovernmental Panel on Climate Change best estimate should be used - (currently IPCC 1995 IS92a scenario of) 0.49m by the year 2100 ....</u></i>  <i>3. <u>At least</u> a 100 year planning horizon.</i>						Accept amend as requested
17	17.20	Bay of Plenty Regional Council Fiona McTavish	18.3.3.2	Status	Amend	<i>Add a new 7. That reads:</i>  <i><u>Impacts of coastal inundation, considering the cumulative effects of sea-level rise, storm surge and wave height under storm condition.</u></i>						Accept amend as requested

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8	8.261	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.3.3.2.6	Status	Amend	Any development within the Coastal hazard lines shown on the planning maps in the Operative RCEP should be Restricted Discretionary under 18.3.3.2.6 (b).						Reject. It is considered appropriate to provide for the activity as Discretionary. This will allow Council to assess any matter as may be required. No amendments are recommended.
8	8.262	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.3.3.3	Status	Amend	Any development within the Coastal hazard lines shown on the planning maps in the Operative RCEP should be Restricted Discretionary.						Reject. It is considered appropriate to provide for the activity as Discretionary. This will allow Council to assess any matter as may be required. No amendments are recommended.
17	17.198	Bay of Plenty Regional Council Fiona McTavish	18.3.3.3	Status	Support / Amend	Amend Rule 18.3.3.3 to read:  <i>Activities located within areas sensitive to coastal hazards (ASCH) as defined illustrated in Planning Maps by the Operative Regional Coastal Plan ....</i>						Accept amend as requested
8	8.263	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.3.4.1	Status	Support	Retain						Accept support noted
7	7.99	Department of Conservation Chris Slatte	18.4	Criteria CA	Support	Retain this section						Accept support is noted
8	8.265	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.4	Criteria CA	Amend	Amend 18.4 to include criteria for Restricted Discretionary, Discretionary and Non-complying activities.						Reject there are no restricted discretionary activities and the criteria for discretionary and non-complying activities are listed in Chapter 1. No amendments recommended.
17	17.17	Bay of Plenty Regional Council Fiona McTavish	18.4	Heading	Amend	Amend Chapters 2 to 18 (excluding Chapter 16) to insert a new heading: <i>'Matters over which control is reserved'</i> before the heading <i>'Assessment Criteria for Controlled Activities'</i> . 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 <i>'Matters over which discretion is restricted.'</i>	FS17	FS17.10	Chris Petersen	Support	Accept submission point	Accept amend as requested
18	18.222	Heritage NZ Carolyn McAlley	18.4.1	Criteria CA	Oppose	That the following controlled activity criteria (subject to amendments sought by Heritage New Zealand in other parts of this submission) are included in 18.4: <i>"18.4.1.6: Historical, cultural and archaeological resources</i> <i>1. The effect of the design and layout of the activities in relation to land, buildings, features and water bodies which have historical and archaeological worth.</i> <i>2. The effects of the activity on the resources of importance to Maori.</i> <i>3. The effects of the activity on heritage and conservation values, both on the site and adjoining sites."</i>						Accept amend as requested
17	17.199	Bay of Plenty Regional Council Fiona McTavish	18.4.1.2	Criteria CA	Support / Amend	Amend 18.4.1.2 to read:  <i>The extent to which the activity would worsen the achieve a low natural hazard risk posed by the natural hazard, or would accentuate the effects of the natural hazard.</i>						Reject
8	8.266	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.4.1.5	Criteria CA	Amend	Add 'Effects on significant indigenous biodiversity'.						Accept amend as requested
8	8.264	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.6.1.3	Other Methods	Amend	Change to assessment criteria						Reject, the matters contained in this section are other methods,