

**Proposed Opotiki District Plan
Summary of Decisions Requested**

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
56	56.3	Alex Dobie	2	Grazing	Oppose	Council is asked to prohibit all grazing from occurring both on the residential stopbanks and on all land between the urban stopbanks and the Waioweka and Otara river's edge. ie alongside the Waioweka River from Duke Street right around the Opotiki Township then alongside the Otara River from Duke street. - The expensive flood protection is being compromised and the practice of council issuing grazing on river margins is short sighted and contributing to the degradation of the natural environment. Council is asked to cease the practice.
57	57.10	Toi Te Ora - Public Health Service Sally Webb	2.1	Issues	Support	Support
57	57.12	Toi Te Ora - Public Health Service Sally Webb	2.1	Issues	Support / Amend	Amend the list of requirements to maintain and enhance a high level of amenity on residential sites by adding point 4 to the list: The provision of reticulated sanitary services (sewerage and water). Or Policy is included to reflect that onsite effluent treatment systems are only appropriate for residential sites which meet strict criteria related to the size and location of the lot, the type of soil, the cumulative impact of all onsite systems in the immediate location and the anticipated loading.
57	57.53	Toi Te Ora - Public Health Service Sally Webb	2.1	Issues	Support / Amend	Allow the provision in part and amend as follows: In sub-clause 3, insert "unreasonable" before "noise."
57	57.15	Toi Te Ora - Public Health Service Sally Webb	2.1.2	Issues	Support	Retain points 2 and 2.5.1.2
57	57.18	Toi Te Ora - Public Health Service Sally Webb	2.1.3	Issues	Support / Amend	Retain Point 3 and 2.5.1.3 wastewater connections and stormwater connections. Amend 'potable water connections' by adding the ability for the water supply to provide potable and adequate water for the lifetime of the activity.
17	17.104	Bay of Plenty Regional Council Fiona McTavish	2.1.5	Issues	Support / Amend	Amend Issue 2.1.5 to read: <i>Effects of land use activities, such as earthworks, may compromise the capacity of ponding areas and overland flow paths, and that, compounded with the effects from flooding, may affect some residential areas of the Ōpōtiki Township.</i>
57	57.11	Toi Te Ora - Public Health Service Sally Webb	2.1.6	Issues	Amend	Amend point 6 to read: Residential sites need to be suitable so that where on-site effluent treatment is appropriate there will be no unacceptable adverse effects on the site, or adjoining sites.
57	57.6	Toi Te Ora - Public Health Service Sally Webb	2.2	Objectives & Policies	Support	Retain the objectives and policies for this zone.
57	57.7	Toi Te Ora - Public Health Service Sally Webb	2.2.1	Objective	Amend	Add an objective to provide for a healthy residential environment with a high level of amenity by providing a wide range of affordable, safe and suitable housing.

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57	57.13	Toi Te Ora - Public Health Service Sally Webb	2.2.1.6	Policies	Support / Amend	Amend the list of requirements to maintain and enhance a high level of amenity on residential sites by adding point 4 to the list: The provision of reticulated sanitary services (sewerage and water). Or Policy is included to reflect that onsite effluent treatment systems are only appropriate for residential sites which meet strict criteria related to the size and location of the lot, the type of soil, the cumulative impact of all onsite systems in the immediate location and the anticipated loading.
37	37.2	NZ Fire Commission Stephanie Dean	2.2.2	Objective	Support in part	Amend Objective 2.2.2 and add a new Policy as follows: “OBJECTIVE 2.2.2 To recognise and provide for non-residential activities that contribute to the health, safety and wellbeing of the community while managing their manage potential adverse effects of non-residential activities to ensure that the activities complement the amenity values of the District's residential areas. POLICIES <u>2.2.2.x Provide for non-residential activities that contribute to the health, safety and wellbeing of the community.”</u>
57	57.8	Toi Te Ora - Public Health Service Sally Webb	2.2.2	Objective	Amend	Add an objective to provide for a healthy residential environment with a high level of amenity by providing a wide range of affordable, safe and suitable housing.
37	37.3	NZ Fire Commission Stephanie Dean	2.2.2.1	Policies	Support	Retain
37	37.4	NZ Fire Commission Stephanie Dean	2.2.2.2	Policies	Support	Retain

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56	56.2	Alex Dobie	2.3	Status	Amend	<p>The Council is asked to making the grazing of horses and cattle a Non Complying Activity on Residentially zoned land. Council is asked to include provisions / amenity standards that must be addressed before granting any resource consent for the grazing of animals in the residential zone.</p> <p>These need to include the following:</p> <ul style="list-style-type: none"> - Land that is to be grazed must have animal proof fencing and adequate water supply that the animals can access at all time eg water troughs. - All animals being grazing on residentially zone land must be micro chipped and a register of their owner(s) be kept and maintained by the council - An annual grazing fee similar to the cost of a "full" dog fee be applied to each animal. - Over grazing or a lack of suitable grazing often leads to animal welfare issues. Before issuing any resources consents for grazing the council should ensure that a minimum standard (of one acre per horse /cattle beast is available E&OE) - The council consults with the SPCA's Animal welfare officer and where a person has a history / track record of concerns relating to animal welfare they should decline a resource consent application. - Where the grazing is to occur within 100 metres of an adjoining or adjacent residential dwelling, the consent of those near neighbours is required. A refusal to sign a consent form from an adjoining owner will not as of right result in an application for a resource consent for grazing in a residentially zone being declined, but their reasons / concerns for not signing will be taken into account and addressed as part of the process.
18	18.3	Heritage NZ Carolyn McAlley	2.3	Status	Oppose	<p>That the ODC PDP is amended to include the following advice note:</p> <p><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></p> <p>in all chapters of the ODC PDP under the heading Activity Status, except in the Heritage Chapter, which already contains a similar note.</p>
39	39.24	Transpower NZ Ltd Pauline Whitney	2.3.1	Status	Support in part	<p>(i) Amend the clause as follows: <i>Network utilities are subject to the provisions in Chapter 17 and are not subject to the <u>Zone-Standards Rules</u> in this Chapter.</i></p> <p>(ii) Insert the above clause in other zone chapters as appropriate.</p>
11	11.5	Horticulture NZ Angela Halliday	2.3.2	Status	Amend	To include provisions for seasonal worker accommodation
37	37.5	NZ Fire Commission Stephanie Dean	2.3.2	Status	Oppose	Amend Rule 2.3.2.1 to include the following as a permitted activity: <u>"x. Emergency services training and management activities."</u>

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19	19.6	NZ Defence Force Rebecca Davies	2.3.2.1.8	Status	Support in Part	Retain permitted activity rule for TMTA, and include a statement to clarify that the other zone standards do not apply to TMTA (note: this appears to be the intent of the provisions but is not entirely clear in the rule framework). We suggest amending the introduction to the zone standards in each chapter (section 8.6 in the Rural Zone for example) to state – <i>“For clarity, the zone standards shall not apply to temporary military training activities.”</i>
57	57.54	Toi Te Ora - Public Health Service Sally Webb	2.3.2.1.8	Status	Support	Allow the provision for temporary military training as a permitted activity complying with noise controls in Appendix 3.
37	37.6	NZ Fire Commission Stephanie Dean	2.3.3	Status	Oppose	Amend Rule 2.3.3.1 to include the following as a controlled activity: <u>“x. Emergency service facilities.”</u>
19	19.30	NZ Defence Force Rebecca Davies	2.3.3.1.5	Status	Oppose	Delete rule
41	41.1	Ministry of Education Andrew Hill	2.3.3.1.7	Status	Support	Amend wording: <i>7.0 A sign not exceeding 1.1m2 in area for any public purposes or in connection with and on the same site as any of the following activities.</i> <i>c) Educational institutions- Education facilities</i>
24	24.38	Opotiki District Council Aileen Lawrie	2.3.4.1	Status	Amend	Add ‘Activities not complying with Rule 2.6.2.3 (Building setback from Council pipelines)’ Similar changes to other Zone Chapters with reference to applicable standard number
57	57.16	Toi Te Ora - Public Health Service Sally Webb	2.3.4.1	Status	Support	Retain points 2 and 2.5.1.3
57	57.19	Toi Te Ora - Public Health Service Sally Webb	2.3.4.1	Status	Support / Amend	Retain Point 3 and 2.5.1.3 wastewater connections and stormwater connections. Amend ‘potable water connections’ by adding the ability for the water supply to provide potable and adequate water for the lifetime of the activity.
24	24.23	Opotiki District Council Aileen Lawrie	2.3.4.1.2	Status	Amend	Include Restricted Discretionary criteria for buildings not complying with 2.6.2.2 and include in activity list in 2.3.4.1. Correct similar provisions in other chapters
41	41.2	Ministry of Education Andrew Hill	2.3.5.1.4	Status	Support	Retain as notified
19	19.31	NZ Defence Force Rebecca Davies	2.3.6.1	Status	Oppose	Provide for TMTA that do not comply with the noise standards as controlled activities in each Zone.

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17	17.2	Bay of Plenty Regional Council Fiona McTavish	2.4	Heading	Amend	Amend Chapters 2 to 18 (excluding Chapter 16) to insert a new heading: 'Matters over which control is reserved' before the heading 'Assessment Criteria for Controlled Activities'. Copy 'matters' to the new 'Matters' heading. Amend the list of criteria so it includes only criteria. Replicate this process for RDA activities having inserted a new heading 'Matters over which discretion is restricted.'
18	18.37	Heritage NZ Carolyn McAlley	2.4.1	Criteria CA	Support in part	Heritage New Zealand seeks that the assessment criteria 2.4.1.4 is amended to state the heritage items to which they are applicable.
17	17.18	Bay of Plenty Regional Council Fiona McTavish	2.4.1.4	Criteria CA	Support / Amend	Amend assessment criteria within Chapters 2 to 11 as they relate to <u>Historical and archaeological and cultural resources</u> to read: <i>Historical, archaeological and cultural values and resources</i> <i>2. The effects of the activity on historic, archaeological and cultural values and resources of importance to Māori.</i>
17	17.38	Bay of Plenty Regional Council Fiona McTavish	2.4.1.5	Criteria CA	Support / Amend	Amend as a 'Matter of Control' in Chapters 2 to 8 (as listed in the index column) : <i>The susceptibility of the site to natural hazards and the measures implemented to mitigate the effects of natural hazards and achieve a low level of risk .</i>
17	17.105	Bay of Plenty Regional Council Fiona McTavish	2.4.1.5	Criteria CA	Support / Amend	Amend 2.4.1.5 to include a new matter of control: <i>5. The effects of the activity on any overland flow path .</i>
18	18.19	Heritage NZ Carolyn McAlley	2.5	Criteria RDA	Oppose	That the restricted discretionary assessment criteria are amended to include assessment criteria related to the impact of restricted discretionary activities on historic heritage.
24	24.29	Opotiki District Council Aileen Lawrie	2.5.1.2	Criteria RDA	Amend	Include Restricted Discretionary criteria for buildings not complying with 2.6.2.2 and include in activity list in 2.3.4.1. Correct similar provisions in other chapters
24	24.36	Opotiki District Council Aileen Lawrie	2.5.1.2	Criteria RDA	Amend	Add '2.6.2.2 (setback from roads' to the listed activities and heading of 2.5.1.2 Similar change to 8.3.3.3 and heading of 8.5.1.3
57	57.17	Toi Te Ora - Public Health Service Sally Webb	2.5.1.2	Criteria RDA	Support	Retain points 2 and 2.5.1.4
37	37.11	NZ Fire Commission Stephanie Dean	2.5.1.3	Criteria RDA	Amend	As a consequence of the change to 2.6.11, amend 2.5.1.3 to include the following: "Firefighting water supply 1. Mitigation of the potential adverse effects of fire, including fire spread."

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57	57.20	Toi Te Ora - Public Health Service Sally Webb	2.5.1.3	Criteria RDA	Support / Amend	Retain Point 3 and 2.5.1.3 wastewater connections and stormwater connections. Amend 'potable water connections' by adding the ability for the water supply to provide potable and adequate water for the lifetime of the activity.
12	12.4	NZ Transport Agency Mathew Stulen	2.6	Standards	Amend	Provide an effect based framework for signage that enables Council to consider the potential adverse effects of signs on the safety and efficiency of the transport network. Suggested provisions to include in the zone standards (including but not limited to): <u>The proposed sign should not:</u> <ul style="list-style-type: none"> - have reflective material or illumination that flashes and moves; - Obstruct impair the view of any official traffic sign and signal, or the line of sight of any corner, bend, intersection or vehicle crossing; - Physically obstruct or impede traffic or pedestrians; - Resemble or be likely to be confused with any official traffic signs or signals; and - Use support structures which are not frangible. Amend the "approval of the Transport Agency" requirement so that it becomes an advice note and it is amended as follows: <u>Approval for signs visible from any state highway must be gained from NZ Transport Agency. Consultation with the NZ Transport Agency will be important in the assessment of traffic safety for sign resource consent applications where they are proposed to be located on private property and are visible from a State Highway. The NZ Transport Agency also controls signs on state highway corridor Legal Road by the means of the NZ Transport Agency signs on state highways bylaw July 2010.</u>
19	19.15	NZ Defence Force Rebecca Davies	2.6	Standards	Support in Part	Retain permitted activity rule for TMTA, and include a statement to clarify that the other zone standards do not apply to TMTA (note: this appears to be the intent of the provisions but is not entirely clear in the rule framework). We suggest amending the introduction to the zone standards in each chapter (section 8.6 in the Rural Zone for example) to state – <i>"For clarity, the zone standards shall not apply to temporary military training activities."</i>
37	37.7	NZ Fire Commission Stephanie Dean	2.6.1.2	Standards	Support in part	Amend Standard 2.6.1.2 to include the following: <u>"This Standard does not apply to hose drying towers up to 15m associated with emergency service facilities."</u>
13	13.3	Overington Surveyors Karl Rendall	2.6.1.3	Standards	Oppose	No part of any building shall penetrate a daylight recession plane of 45 deg from a height of 2.7m above <u>original</u> ground level at any boundary. Non-compliance with this standard shall be assessed as a Restricted Discretionary Activity
37	37.8	NZ Fire Commission Stephanie Dean	2.6.4.1	Standards	Support in part	Amend Standard 2.6.4.1 to include the following: <u>"These standards do not apply to sirens used by emergency services."</u>

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41	41.3	Ministry of Education Andrew Hill	2.6.4.1	Standards	Support	Retain as notified
57	57.63	Toi Te Ora - Public Health Service Sally Webb	2.6.4.1	Standards	Support / Amend	Allow the provision in part and amend as follows: B. Delete "within the oundary" and substitute "any other" C. Amend incorrect title of NZS 6801 to NZS 6801:2008 Acoustics-Measurement of Environmental Sound. D. Amend incorrect title of NZS 6802 to NZS 6802:2008 Acoustics-Environmental Noise. E. Amend incorrect title of NZS 6803 to NZS 6803:1999 Acoustics- Construction Noise.
57	57.22	Toi Te Ora - Public Health Service Sally Webb	2.6.5	Standards	Amend	Add cycle storage facilities (bicycle parking) and drinking water fountains in each urban zone.
37	37.9	NZ Fire Commission Stephanie Dean	2.6.5.1	Standards	Support in part	Amend Standard 2.6.5.1 to include the following additional standard: <u>"Emergency service facilities 1 space per emergency service vehicle bay"</u>
41	41.4	Ministry of Education Andrew Hill	2.6.5.1	Standards	Support	Retain as notified
14	14.3	Department of Corrections Craig Plim	2.6.5.1.1	Standards	Oppose	Amend the Residential Zone standard for Parking and Loading (2.6.5.1.1) as follows: <i>2.6.5.1 On-site carparking and provision for loading shall be provided in relation to every activity whether new, extended or where the activity has changed, as follows:</i> <i>1. On-site carparking shall be as follows:</i> <i>...</i> <i><u>Periodic detention and Probation centres- Community corrections activities</u></i> <i>1 space for every 2 full time equivalent employees and 1 space for every 10 detainees <u>people the facility is designed to service</u></i>
17	17.28	Bay of Plenty Regional Council Fiona McTavish	2.6.6.1	Standards	Oppose / Amend	Amend Floor Level rules in Chapters 2 to 11 (as listed in the index to read eg 9.6.9): <i><u>Floor levels shall be sufficient to ensure that water does not enter buildings in a 1% AEP (Annual Exceedance Probability) event within the coastal environment or a 2% AEP (Annual Exceedance Probability) event for areas outside the coastal environment and a low level of risk achieved.</u></i> <i><u>Ōpōtiki District Council will determine the appropriate freeboard that needs to be added to the flood level to set the required minimum floor level.</u></i>

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57	57.14	Toi Te Ora - Public Health Service Sally Webb	2.6.9.1	Standards	Support / Amend	Amend the list of requirements to maintain and enhance a high level of amenity on residential sites by adding point 4 to the list: The provision of reticulated sanitary services (sewerage and water). Or Policy is included to reflect that onsite effluent treatment systems are only appropriate for residential sites which meet strict criteria related to the size and location of the lot, the type of soil, the cumulative impact of all onsite systems in the immediate location and the anticipated loading.
37	37.10	NZ Fire Commission Stephanie Dean	2.6.11	Standards	Oppose	Amend Standard 2.6.11 as follows: "2.6.11 POTABLE WATER 2.6.11.1 Potable Water Supply A potable water supply ... 2.6.11.x Firefighting Water Supply <u>1. New buildings (excluding accessory buildings that are not habitable) shall have sufficient water supply for firefighting in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.</u> <u>2. Where a building is located more than 135m from the nearest road that has reticulated water supply (including hydrants) access shall have a minimum formed width of 4m, a height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8)."</u>
57	57.21	Toi Te Ora - Public Health Service Sally Webb	2.6.11.1	Standards	Support / Amend	Retain Point 3 and 2.5.1.3 wastewater connections and stormwater connections. Amend 'potable water connections' by adding the ability for the water supply to provide potable and adequate water for the lifetime of the activity.
37	37.12	NZ Fire Commission Stephanie Dean	2.6.12	Standards	Support in part	Amend Standard 2.6.12 as follows: <u>"2.6.12.1 Residential and commercial vehicle entrance designs shall comply with Appendix 4, except where additional access width is necessary to provide access for emergency service vehicles in accordance with Standard 2.6.11.x(2)."</u>
24	24.43	Opotiki District Council Aileen Lawrie	2.6.12	Standards	Amend	Change 'Vehicle Entrance Designs' to 'Vehicle Entrances' Change 'Residential and commercial vehicle entrance designs shall comply with Appendix 4' to 'Residential and commercial vehicle entrances shall be provided and designs shall comply with Appendix 4'

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17	17.48	Bay of Plenty Regional Council Fiona McTavish	2.7.1	Other Methods	Support / Amend	Amend 'Other Method's' referring to natural hazards (in 2.7.1, 3.7.1, 7.6.1, 8.7.1, 9.7.1 and 10.7.1) as notified to read: <i>Through the use of Land Information Memoranda (LIM) and Project Information Memoranda (PIM) to provide information on known natural hazards to potential developers and applicants.</i> <i>Insert the above 'Other Method' into sections 4.7.1, 5.6.1, 6.7.1 and 11.9.1.</i>
57	57.9	Toi Te Ora - Public Health Service Sally Webb	2.8	EER	Support	Retain the expected environmental results.