

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
18	18.38	Heritage NZ Carolyn McAlley	3.1	Issues	Oppose	That the Resource Management Issues section is amended to include a new issue relating to the consideration and retention of Heritage within the Town Centre Zone.
57	57.64	Toi Te Ora - Public Health Service Sally Webb	3.1	Issues	Support / Amend	Allow the provision in part and amend as follows: In sub-clause 2, insert "unreasonable" before "noise."
17	17.106	Bay of Plenty Regional Council Fiona McTavish	3.1.4	Issues	Support	Retain issue 3.1, 4 as notified
18	18.39	Heritage NZ Carolyn McAlley	3.2.1	Objective	Oppose	That Objective 3.2.1 is amended to include reference to heritage matters, as follows: <i>"The Town centre is <u>rich in historic heritage values</u>, vibrant, functional, attractive and pleasant, and is a focal point for retail, commercial, cultural and community activities"</i>
37	37.13	NZ Fire Commission Stephanie Dean	3.2.1	Objective	Support in part	Objective 3.2.1 and Policies supported in part
37	37.14	NZ Fire Commission Stephanie Dean	3.2.1	Policies	Support in part	Amend the Policies that implement Objective 3.2.1 to include the following: <u>"3.2.1.x Enable a range of retail, commercial, cultural and community activities in the Town Centre."</u>
18	18.42	Heritage NZ Carolyn McAlley	3.2.1.3	Policies	Support in part	That Policy 3.2.1.3 of the ODC PDP is amended to clarify the buildings and facades of heritage importance within the Town Centre Zone.
57	57.65	Toi Te Ora - Public Health Service Sally Webb	3.2.1.4	Policies	Support / Amend	Allow the provision in part and amend as follows: Insert "both inside the Zone and" before "on the surrounding..."
18	18.40	Heritage NZ Carolyn McAlley	3.2.2.1	Policies	Oppose	That Policy 3.2.2.1 is retained and amended as follows: <i>"Development within the zone "Policy Area" will be required to provide continuity of retail frontage and of verandahs <u>subject to consideration of heritage values</u>."</i>
50	50.7	Z Energy Limited Karen Blair	3.2.2.1	Policies	Support	Retain policy as notified
32	32.8	Ngai Tama Tim Selwyn	3.2.3.1	Policies	Amend	For safety the speed limit on Church Street from Richard Street to Kelly Street should be reduced from 50kph to 30kph.
37	37.16	NZ Fire Commission Stephanie Dean	3.2.3.1	Policies	Oppose	Amend Rule 3.2.3.1 to include the following as a controlled activity: <u>"x. Emergency service facilities."</u>
8	8.14	Eastern Bay of Plenty - Forest and Bird Linda Conning	3.2.4	Objective	Support	Retain
18	18.41	Heritage NZ Carolyn McAlley	3.2.4	Objective	Support	That Objective 3.2.4 is retained subject to the following amendment: <i>To enable the Town Centre to continue to draw on its natural, <u>historical</u> and cultural heritage and to emphasise its relationship with the river and built heritage features"</i>
8	8.15	Eastern Bay of Plenty - Forest and Bird Linda Conning	3.2.4.1	Policies	Support	Retain
18	18.43	Heritage NZ Carolyn McAlley	3.2.4.2	Policies	Support	That Policy 3.2.4.2 is retained

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18	18.4	Heritage NZ Carolyn McAlley	3.3	Status	Oppose	That the ODC PDP is amended to include the following advice note: "It should be noted that all pre 1900 sites, recorded or unrecorded are protected under the Heritage New Zealand Pouhere Taonga Act and Heritage New Zealand should be consulted prior to proposed works to identify the need for an archaeological authority" in all chapters of the ODC PDP under the heading Activity Status, except in the Heritage Chapter, which already contains a similar note.
39	39.25	Transpower NZ Ltd Pauline Whitney	3.3.1	Status	Support in part	(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> (ii) Insert the above clause in other zone chapters as appropriate.
11	11.6	Horticulture NZ Angela Halliday	3.3.2	Status	Amend	To include provisions for seasonal worker accommodation
11	11.23	Horticulture NZ Angela Halliday	3.3.2.1	Status	Support in Part	Add to 3.3.2.1 Seasonal worker accommodation
14	14.4	Department of Corrections Craig Plim	3.3.2.1	Status	Oppose	Amend the Town Centre Zone permitted activities rule (3.3.2.1) as follows: 3.3.2.1 <i>Subject to compliance with the Zone Standards in Section 3.6, the following activities may be established in the Town Centre Zone, without resource consent:</i> ... <u>X. Community corrections activities.</u>
37	37.15	NZ Fire Commission Stephanie Dean	3.3.2.1	Status	Oppose	Amend Rule 3.3.2.1 to include the following as a permitted activity: <u>"x. Emergency services training and management activities."</u>
19	19.7	NZ Defence Force Rebecca Davies	3.3.2.1.13	Status	Support in Part	Retain permitted activity rule for TMTA, and include a statement to clarify that the other zone standards do not apply to TMTA (note: this appears to be the intent of the provisions but is not entirely clear in the rule framework). We suggest amending the introduction to the zone standards in each chapter (section 8.6 in the Rural Zone for example) to state – <i>"For clarity, the zone standards shall not apply to temporary military training activities."</i>
57	57.55	Toi Te Ora - Public Health Service Sally Webb	3.3.2.1.13	Status	Support	Allow the provision for temporary military training as a permitted activity complying with noise controls in Appendix 3.
24	24.48	Opotiki District Council Aileen Lawrie	3.3.2.1.15	Status	Amend	Clarify the intent of the rule to read: <i>"Removal of residential dwellings where the removal is in accordance with the requirements of the Building Act 2004 and Council's engineering standards"</i>
24	24.7	Opotiki District Council Aileen Lawrie	3.3.3	Status	Amend	Refer to compliance with Appendix 3 - Provide for temporary military training activities as a controlled activity in chapters 4, 5, 6, 8, 9, 10. Add matters of control where required.

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11	11.24	Horticulture NZ Angela Halliday	3.3.4.1	Status	Support in Part	Add to 3.3.4.1 Seasonal worker accommodation not complying with Zone Standards
24	24.39	Opotiki District Council Aileen Lawrie	3.3.4.1	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
24	24.50	Opotiki District Council Aileen Lawrie	3.3.5.1	Status	Amend	Add to listed activities: "Signs as stated in 3.6.7.2"
41	41.5	Ministry of Education Andrew Hill	3.3.5.1.2	Status	Support	Retain as notified
50	50.4	Z Energy Limited Karen Blair	3.3.5.1.8	Status	Support	Retain as notified
19	19.32	NZ Defence Force Rebecca Davies	3.3.6.1	Status	Oppose	Provide for TMTA that do not comply with the noise standards as controlled activities in each Zone.
17	17.3	Bay of Plenty Regional Council Fiona McTavish	3.4	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.'
17	17.19	Bay of Plenty Regional Council Fiona McTavish	3.4.1.5	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>
18	18.44	Heritage NZ Carolyn McAlley	3.4.1.5	Criteria CA	Support in part	Heritage New Zealand seeks that the Assessment Criteria 3.4.1.5 and 3.5.1.4 are retained and amended to state the heritage items to which they are applicable.
17	17.39	Bay of Plenty Regional Council Fiona McTavish	3.4.1.6	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>

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17	17.58	Bay of Plenty Regional Council Fiona McTavish	3.5	Criteria CA	Amend	<p>Insert into sections 3.5, 4.5, 5.5, 6.5 a new heading <i>Matters over which discretion is restricted</i> (or similar) before the heading <i>Assessment Criteria for Restricted Discretionary Activities</i> and insert new matters: <u>Natural hazard occurrence</u></p> <p><u>1. 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.</u></p> <p><u>2. The effects that the activity may have on the Volkners Island and Tarawa Creek ponding areas.</u></p> <p>Under the heading 'Assessment Criteria for Restricted Discretionary Activities' insert:</p> <p><u>The extent to which the activity may accentuate the adverse effects of natural hazards.</u></p>
11	11.25	Horticulture NZ Angela Halliday	3.5.1	Criteria RDA	Support in Part	<p>Seasonal worker accommodation:</p> <p>Add assessment criteria where permitted activity rule cannot be met.</p> <p>Noise and amenity effects on surrounding neighbours and measures to mitigate the effects of the activity</p>
18	18.45	Heritage NZ Carolyn McAlley	3.5.1.4	Criteria RDA	Support in part	Heritage New Zealand seeks that the Assessment Criteria 3.4.1.5 and 3.5.1.4 are retained and amended to state the heritage items to which they are applicable.
37	37.21	NZ Fire Commission Stephanie Dean	3.5.1.8	Criteria RDA	Amend	<p>As a consequence of the change to 3.6.11, amend 3.5.1.8 to include the following:</p> <p>"Firefighting water supply</p> <p>1. Mitigation of the potential adverse effects of fire, including fire spread."</p>
11	11.26	Horticulture NZ Angela Halliday	3.6	Standards	Support in Part	<p>Add: Seasonal worker accommodation facilities in the Town Centre Zone is a permitted activity provided the following standards are complied with:</p> <p>a) The relevant Zone standards for yards, height, and daylight protection are complied with.</p> <p>b) Used solely for part of the year to meet labour requirements in the horticulture sector</p> <p>c) Accommodate up to 12 workers</p> <p>d) Provide 1 parking space per 6 workers to be accommodated</p> <p>e) Complies with Code of Practice for Able Bodied Seasonal Workers, published by Dept of Building and Housing 2008.</p>

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19	19.16	NZ Defence Force Rebecca Davies	3.6	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	37.17	NZ Fire Commission Stephanie Dean	3.6.1.2	Standards	Support in part	Amend Standard 3.6.1.2 to include the following: <u>“This Standard does not apply to hose drying towers up to 15m associated with emergency service facilities.”</u>
50	50.22	Z Energy Limited Karen Blair	3.6.2.1	Standards	Oppose	Delete Town Centre Zone rule 3.6.2.1 relating to yards and setbacks and rely on HSNO rules to address risk issues
37	37.18	NZ Fire Commission Stephanie Dean	3.6.4.1	Standards	Support in part	Amend Standard 3.6.4.1 to include the following: <u>“These standards do not apply to sirens used by emergency services.”</u>
41	41.7	Ministry of Education Andrew Hill	3.6.4.1	Standards	Support	Retain as notified
57	57.66	Toi Te Ora - Public Health Service Sally Webb	3.6.4.1	Standards	Support / Amend	A. Replace “the boundary of a site within the Residential Zone” with “any point within the Residential Zone”... B. In the noise table replace the day time noise limit with 70 LAeq and the night-time limits with “70 LAeq and 85 LAmaz”. C. Add a new paragraph under the table as follows: “Except where expressly provided elsewhere in this Plan, noise shall be measured in accordance with the provisions of NZS 6801:2008, Acoustics-Measurement of Environmental Sound and assessed in accordance with the provisions of NZS 6802:2008 Acoustics-Environmental Noise.” D. Amend incorrect title of NZS 6803 to NZS 6803:1999 Acoustics- Construction Noise.
18	18.46	Heritage NZ Carolyn McAlley	3.6.6	Standards	Oppose	That Zone standard: 3.6.6 is retained and is amended to recognise that no parking and loading is to be required to be installed nor financial contributions expected in the event of the reuse of a heritage building.
37	37.19	NZ Fire Commission Stephanie Dean	3.6.6	Standards	Support in part	Amend Standard 3.6.6.1 to include the following additional standard: <u>“Emergency service facilities 1 space per emergency service vehicle bay”</u>
57	57.23	Toi Te Ora - Public Health Service Sally Webb	3.6.6	Standards	Amend	Add cycle storage facilities (bicycle parking) and drinking water fountains in each urban zone.
41	41.6	Ministry of Education Andrew Hill	3.6.6.1	Standards	Support	Retain as notified

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14	14.5	Department of Corrections Craig Plim	3.6.6.1.1	Standards	Oppose	Amend the Town Centre Zone Zone standard for Parking and Loading (3.6.6.1.1) as follows: 3.6.6.1 <i>Carparking and provision for loading shall be provided in relation to every activity whether new, reconstructed, extended or where the building use has changed, and the parking ratios require stricter rules as follows:</i> 1. <i>A financial contribution for customer carparking, in the form of money, will be required, and will be based on the following ratios:</i> ... <u>Community corrections activities</u> <u>1 space for every 2 full time equivalent employees and 1 space for every 10 people the facility is designed to service</u>
12	12.5	NZ Transport Agency Mathew Stulen	3.6.7	Standards	Amend	Provide an effect based framework for signage that enables Council to consider the potential adverse effects of signs on the safety and efficiency of the transport network. Suggested provisions to include in the zone standards (including but not limited to): <u>The proposed sign should not:</u> <u>- have reflective material or illumination that flashes and moves;</u> <u>- Obstruct impair the view of any official traffic sign and signal, or the line of sight of any corner, bend, intersection or vehicle crossing;</u> <u>- Physically obstruct or impede traffic or pedestrians;</u> <u>- Resemble or be likely to be confused with any official traffic signs or signals; and</u> <u>- Use support structures which are not frangible.</u> 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>
50	50.23	Z Energy Limited Karen Blair	3.6.8.1	Standards	Oppose	Delete Rule 3.6.8.1

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17	17.29	Bay of Plenty Regional Council Fiona McTavish	3.6.9.1	Standards	Oppose / Amend	Amend Floor Level rules in Chapters 2 to 11 (as listed in the index to read eg 9.6.9): <i>Floor levels shall be sufficient to ensure that water does not enter buildings in a 1% AEP (Annual Exceedance Probability) event within the coastal environment or a 2% AEP (Annual Exceedance Probability) event for areas outside the coastal environment and a low level of risk achieved.</i> <i>Ōpōtiki District Council will determine the appropriate freeboard that needs to be added to the flood level to set the required minimum floor level.</i>
18	18.47	Heritage NZ Carolyn McAlley	3.6.10.1	Standards	Oppose	That Zone standard: 3.6.10.1 is retained and amended as follows: <i>"Within the Town Centre Zone Policy Area, as indicated on Planning Maps 5a all buildings (except historic items in Appendix 14.9.1) fronting footpaths, arcades and pedestrian precincts shall provide display windows on the facade. Non-retail activities shall provide a similar appearance to adjacent retail activities"</i> .
18	18.48	Heritage NZ Carolyn McAlley	3.6.10.2	Standards	Oppose	That Zone standard: 3.6.10.2 is retained and is amended as follows: <i>"A continuous pedestrian verandah shall be provided by every building (except historic items in Appendix 14.9.1) within the Town Centre Zone Policy area as identified on Planning Map 5a:</i> 1. <i>The verandah shall have a minimum depth of 3m or terminate no less than 0.5m behind the face of the carriageway kerb, whichever is the lesser.</i> 2. <i>Where the building is set back further than adjoining buildings, the Council may require a verandah deeper than 3m to maintain the continuity of cover over the public footpath .</i> 3. <i>The underside of the verandah shall be between 2.6m and 3.6m over the finished level of the footpath and provide continuity of height and cover with adjoining verandahs.</i> 4. <i>Verandah posts are permitted provided that they are not used for structural support of the verandah"</i> .
35	35.1	Nuitupu Trust Ian Peterson	3.6.10.2.4	Standards	Support / Amend	Delete provision that the verandah poles must not be load bearing
37	37.20	NZ Fire Commission Stephanie Dean	3.6.13	Standards	Oppose	Amend Standard 3.6.11 as follows: "3.6.11 POTABLE WATER 3.6.11.1 Potable Water Supply A potable water supply ... 3.6.11.x Firefighting Water Supply 1. <u>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>

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24	24.44	Opotiki District Council Aileen Lawrie	3.6.14	Standards	Amend	Change 'Vehicle Entrance Designs' to ' <i>Vehicle Entrances</i> ' Change 'Residential and commercial vehicle entrance designs shall comply with Appendix 4' to ' <i>Residential and commercial vehicle entrances shall be provided and designs shall comply with Appendix 4</i> '
37	37.22	NZ Fire Commission Stephanie Dean	3.6.14	Standards	Support	Subject to Standard 3.6.14 not applying to fire stations, retain Standard 3.6.14 as notified.
18	18.49	Heritage NZ Carolyn McAlley	3.7	Other Methods	Oppose	That the Other Methods section is amended to include a plan change to recognise and protection additional heritage items within the Town Centre Zone.
18	18.50	Heritage NZ Carolyn McAlley	3.7	Other Methods	Oppose	Other Methods could also include a method to incentivise the conservation of historic heritage within the town centre zone with methods similar to the reduction in parking requirements suggested in this submission.
17	17.49	Bay of Plenty Regional Council Fiona McTavish	3.7.1	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>
18	18.51	Heritage NZ Carolyn McAlley	3.8	EER	Oppose	That 3.8 Expected Environmental Results is amended to include a new result: <i>"D: Increased recognition and protection for Heritage buildings".</i>