

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
27	27.2	Tio Te-Kahika Whanau Trust Joseph Hohepa Te Kahika	4	General	Support	Activity status
12	12.14	NZ Transport Agency Mathew Stulen	4.1.1	Issues	Support / Amend	Amend 4.1.1 as follows : Delete " <i>main arterial roads</i> " Replace with " <i>regional strategic transport network</i> ".
17	17.107	Bay of Plenty Regional Council Fiona McTavish	4.1.6	Issues	Support	Retain issue 4.1, 6 as notified.
17	17.108	Bay of Plenty Regional Council Fiona McTavish	4.2.1.3	Policies	Support / Amend	Amend Policy 4.2.1.3 to read: <i>Manage the potential effects of activities on ponding areas to ensure their effects on the capacity of the ponding areas and overland flow paths are minimal.</i>
37	37.23	NZ Fire Commission Stephanie Dean	4.2.2	Objective	Oppose	Amend Objective 4.2.2 and Policy 4.2.2.1 as follows: "OBJECTIVE 4.2.2 To provide a mixture of Residential, Community and Commercial Activities within the zone. POLICIES 4.2.2.1 Enable a mix of Residential, <u>Community</u> and Commercial Activities to locate within the zone, whilst managing the effects on existing lawfully established activities."
37	37.24	NZ Fire Commission Stephanie Dean	4.2.2.1	Policies	Oppose	Amend Objective 4.2.2 and Policy 4.2.2.1 as follows: "OBJECTIVE 4.2.2 To provide a mixture of Residential, Community and Commercial Activities within the zone. POLICIES 4.2.2.1 Enable a mix of Residential, <u>Community</u> and Commercial Activities to locate within the zone, whilst managing the effects on existing lawfully established activities."
12	12.15	NZ Transport Agency Mathew Stulen	4.2.3	Objective	Support / Amend	Amend 4.2.3 as follows: " <i>...adversely affect the functioning of roads and state highways</i> <u><i>the transport network</i></u> "
12	12.16	NZ Transport Agency Mathew Stulen	4.2.3.1	Policies	Support / Amend	Amend: <i>Control the location of activities which may adversely affect the safe and efficient traffic flow on state highways- regional strategic transport network.</i>
18	18.5	Heritage NZ Carolyn McAlley	4.3	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.
26	26.1	Whakatohea Research & Archives Trust Salena Christie	4.3	Status	Support	Activity status

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39	39.26	Transpower NZ Ltd Pauline Whitney	4.3.1	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.
38	38.2	Brendan Hickey	4.3.2	Status	Amend	I would propose: - That the Rules relating to retailing in the Mixed Activity Zone be tightened and removed as a controlled activity within that zone.
14	14.6	Department of Corrections Craig Plim	4.3.2.1	Status	Oppose	Amend the Mixed Activity Zone permitted activities rule (4.3.2.1) as follows: <i>4.3.2.1 Subject to compliance with the Zone Standards in Section 4.6, the following activities may be established in the Mixed Activity Zone without resource consent:</i> ... <u>X. Community corrections activities.</u>
37	37.25	NZ Fire Commission Stephanie Dean	4.3.2.1	Status	Oppose	Amend Rule 4.3.2.1 to include the following as a permitted activity: <u>"x. Emergency services training and management activities."</u>
37	37.26	NZ Fire Commission Stephanie Dean	4.3.2.1	Status	Oppose	Amend Rule 4.3.2.1 to include the following as a permitted activity: <u>"x. Emergency service facilities."</u>
19	19.8	NZ Defence Force Rebecca Davies	4.3.2.1.10	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	57.56	Toi Te Ora - Public Health Service Sally Webb	4.3.2.1.10	Status	Support	Allow the provision for temporary military training as a permitted activity complying with noise controls in Appendix 3.
24	24.8	Opotiki District Council Aileen Lawrie	4.3.3	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.
41	41.8	Ministry of Education Andrew Hill	4.3.3.1.8	Status	Support	Amend wording: <i>9. A sign not exceeding 1.1m2 in area for any public purposes or in connection with and on the same site as any of the following activities.</i> c) Educational institutions- Education facilities
24	24.40	Opotiki District Council Aileen Lawrie	4.3.4.1	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

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41	41.9	Ministry of Education Andrew Hill	4.3.4.1	Status	Support	Amend wording: <i>The Council will restrict its discretion to the following matters:</i> 4.5.1.1 <i>Education facilities</i> 1. <i>Design and appearance of the activity facility</i> 2. <i>Effects of the activity on adjoining property</i> 3. <i>Vehicle access and site manoeuvrability</i> 4. <i>Parking</i>
24	24.24	Opotiki District Council Aileen Lawrie	4.3.4.1.3	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
50	50.5	Z Energy Limited Karen Blair	4.3.5.1.7	Status	Support	Retain as notified
19	19.33	NZ Defence Force Rebecca Davies	4.3.6.1	Status	Oppose	Provide for TMTA that do not comply with the noise standards as controlled activities in each Zone.
17	17.4	Bay of Plenty Regional Council Fiona McTavish	4.4	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>
17	17.20	Bay of Plenty Regional Council Fiona McTavish	4.4.1.4	Criteria CA	Support / Amend	Amend assessment criteria within Chapters 2 to 11 as they relate to <u><i>Historical and archaeological and cultural resources</i></u> to read: <i>Historical, archaeological and cultural <u>values and resources</u></i> 2. <i>The effects of the activity on historic, archaeological <u>and cultural values and resources</u> of importance to Māori.</i>
18	18.52	Heritage NZ Carolyn McAlley	4.4.1.4	Criteria CA	Support in part	Heritage New Zealand seeks that the assessment criteria 4.4.1.4 is amended to state the heritage items to which they are applicable.
17	17.40	Bay of Plenty Regional Council Fiona McTavish	4.4.1.5	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 <u>and achieve a low level of risk.</u></i>

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17	17.59	Bay of Plenty Regional Council Fiona McTavish	4.5	Criteria RDA	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 '<i>Assessment Criteria for Restricted Discretionary Activities</i>' insert:</p> <p><u>The extent to which the activity may accentuate the adverse effects of natural hazards.</u></p>
18	18.20	Heritage NZ Carolyn McAlley	4.5	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	24.30	Opotiki District Council Aileen Lawrie	4.5.1.3	Criteria RDA	Amend	<p>Include Restricted Discretionary criteria for buildings not complying with 2.6.2.2 and include in activity list in 2.3.4.1.</p> <p>Correct similar provisions in other chapters</p>
37	37.31	NZ Fire Commission Stephanie Dean	4.5.1.4	Criteria RDA	Oppose	<p>As a consequence of the change to 4.6.10, amend 4.5.1.4 to include the following:</p> <p>"Firefighting water supply</p> <p>1. Mitigation of the potential adverse effects of fire, including fire spread."</p>

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12	12.6	NZ Transport Agency Mathew Stulen	4.6	Standards	Amend	<p>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.</p> <p>Suggested provisions to include in the zone standards (including but not limited to):</p> <p><u>The proposed sign should not:</u></p> <ul style="list-style-type: none"> - <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> <p>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></p>
19	19.17	NZ Defence Force Rebecca Davies	4.6	Standards	Support in Part	<p>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).</p> <p>We suggest amending the introduction to the zone standards in each chapter (section 8.6 in the Rural Zone for example) to state –</p> <p><i>"For clarity, the zone standards shall not apply to temporary military training activities."</i></p>
37	37.27	NZ Fire Commission Stephanie Dean	4.6.1.2	Standards	Support in part	<p>Amend Standard 4.6.1.2 to include the following:</p> <p><u>"This Standard does not apply to hose drying towers up to 15m associated with emergency service facilities."</u></p>
37	37.28	NZ Fire Commission Stephanie Dean	4.6.4.1	Standards	Support in part	<p>Amend Standard 4.6.4.1 to include the following:</p> <p><u>"These standards do not apply to sirens used by emergency services."</u></p>
41	41.10	Ministry of Education Andrew Hill	4.6.4.1	Standards	Support	<p>Retain as notified</p>

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57	57.67	Toi Te Ora - Public Health Service Sally Webb	4.6.4.1	Standards	Support / Amend	A. Delete "the boundary of any" and insert "other site" before "Mixed" B. Replace "the boundary of a site within the Residential Zone" with "any point within the Residential Zone" ... 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	57.24	Toi Te Ora - Public Health Service Sally Webb	4.6.5	Standards	Amend	Add cycle storage facilities (bicycle parking) and drinking water fountains in each urban zone.
37	37.29	NZ Fire Commission Stephanie Dean	4.6.5.1	Standards	Support in part	Amend Standard 4.6.5.1(1) to include the following additional standard: "Emergency service facilities 1 space per emergency service vehicle bay"
41	41.11	Ministry of Education Andrew Hill	4.6.5.1	Standards	Support	Retain as notified
14	14.7	Department of Corrections Craig Plim	4.6.5.1.1	Standards	Oppose	Amend the Mixed Activity Zone standard for Parking and Access (4.6.5.1.1) as follows: <i>4.6.5.1 On-site carparking and provision for loading shall be provided in relation to every activity whether new, reconstructed, extended or where the activity is changed, as follows:</i> <i>1. On-site carparking shall be as follows:</i> <i>...</i> <i>Periodic detention and Probation centres-</i> <i>Community corrections activities</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>
24	24.52	Opotiki District Council Aileen Lawrie	4.6.5.2	Standards	Amend	Amend wording to use the same wording as in other chapters
17	17.30	Bay of Plenty Regional Council Fiona McTavish	4.6.6.1	Standards	Oppose / Amend	Amend Floor Level rules in Chapters 2 to 11 (as listed in the index to read eg 9.6.9): <i>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 <u>for areas outside the coastal environment and a low level of risk achieved.</u></i> <i><u>Opotiki 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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37	37.30	NZ Fire Commission Stephanie Dean	4.6.10	Standards	Oppose	Amend Standard 4.6.10 as follows: "4.6.10 POTABLE WATER 4.6.10.1 Potable Water Supply A potable water supply ... 4.6.10.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>
24	24.45	Opotiki District Council Aileen Lawrie	4.6.11	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	37.32	NZ Fire Commission Stephanie Dean	4.6.11	Standards	Support in part	Amend Standard 4.6.11 as follows: "4.6.11.1 Residential and commercial vehicle entrance designs shall comply with Appendix 4, <u>except where additional access width is necessary to provide access for emergency service vehicles in accordance with Standard 4.6.11.x(2).</u> "
17	17.50	Bay of Plenty Regional Council Fiona McTavish	4.7.1	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>