

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
11	11.27	Horticulture NZ Angela Halliday	6.1	Issues	Support in Part	Add new issue: There is a shortage of accommodation facilities for seasonal workers working in horticulture post harvest facilities.
19	19.41	NZ Defence Force Rebecca Davies	6.1	Issues	Oppose	Provide for TMTA that do not comply with the noise standards as controlled activities in each Zone.
15	15.8	Whakatohea Mussels Opotiki Limited John Wilson	6.1.1	Issues	Support	
12	12.17	NZ Transport Agency Mathew Stulen	6.1.6	Issues	Amend	Amend Issue 6.1.6 and 7.1.5 <i>Inadequate provision made for site manoeuvrability. Activities can adversely affect the safety, sustainability and efficiency of the transport network s-within-and-adjoining-the-zone .</i>
12	12.19	NZ Transport Agency Mathew Stulen	6.2	Objective	Amend	Add a new objective and policy to recognise the implementation of the revised issue. Suggest that this is consistent with other chapters (such as 4.2.3 above). Add new objective: <i>Manage activities to ensure vehicle movement is undertaken in a safe and efficient manner that does not adversely affect the functioning of the transport network.</i> Add new policy: <i>To avoid, remedy or mitigate the adverse effects of Industrial Zone activities on the safety and efficiency of the transportation network.</i>
11	11.28	Horticulture NZ Angela Halliday	6.2.1	Objective	Support in Part	Amend Objective 6.2.1 Enable industrial activities to establish in industrial zones where the adverse effects of activities are managed both in the zone and between adjoining zones.
11	11.29	Horticulture NZ Angela Halliday	6.2.1	Policies	Amend	Add new policy under Objective 6.2.1: To provide for the co-location of seasonal worker accommodation for horticulture post harvest facilities located in industrial zones.
11	11.30	Horticulture NZ Angela Halliday	6.2.1.1	Policies	Support	Retain Policy 6.2.1.1 but amend 'industry' to 'industrial activities'.
17	17.119	Bay of Plenty Regional Council Fiona McTavish	6.2.1.5	Policies	Support / Amend	Amend Policy 6.2.1.5 to read: <i>Ensure that any effects of activities within the Industrial Zone do not adversely affect the efficient functioning and capacity of ponding areas and overland flow paths .</i>
11	11.31	Horticulture NZ Angela Halliday	6.2.1.6	Policies	Support in Part	Amend Policy 6.2.1.6 as follows: Landscaping and screening will be provided where the industrial activity directly adjoins Residential or Mixed Activity zones and there is potential to affect the amenity values of those zones.

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15	15.9	Whakatohea Mussels Opotiki Limited John Wilson	6.2.2	Objective	Support	
11	11.32	Horticulture NZ Angela Halliday	6.2.2.1	Policies	Support in Part	Amend to insert 'adjoining <u>Residential or Mixed Activity Zones</u> '
15	15.10	Whakatohea Mussels Opotiki Limited John Wilson	6.2.2.2	Policies	Support	
57	57.69	Toi Te Ora - Public Health Service Sally Webb	6.2.2.2	Policies	Support	Allow the provision
18	18.7	Heritage NZ Carolyn McAlley	6.3	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.
36	36.3	First Gas Limited Hywel Edwards	6.3	Status	Amend	Delete statement under 6.3.1 stating that additional controls apply in relation to network utilities and add the following statement to be consistent with Chapter 8: <u>Network Utilities are subject to the provisions in Chapter 17 and are not subject to the Rules in this Chapter.</u>
39	39.28	Transpower NZ Ltd Pauline Whitney	6.3.1	Status	Support in part	(i) Amend the clause as follows: <u>Network utilities are subject to the provisions in Chapter 17 and are not subject to the Zone-Standards Rules in this Chapter.</u> (ii) Insert the above clause in other zone chapters as appropriate.
11	11.9	Horticulture NZ Angela Halliday	6.3.2	Status	Amend	To include provisions for seasonal worker accommodation
37	37.36	NZ Fire Commission Stephanie Dean	6.3.2	Status	Oppose	Amend Rule 6.3.2.1 to include the following as a permitted activity: "x. <u>Emergency services training and management activities.</u> "
37	37.37	NZ Fire Commission Stephanie Dean	6.3.2	Status	Support in part	Amend Rule 6.3.2.1 to include the following as a permitted activity: "x. <u>Emergency service facilities.</u> "
11	11.33	Horticulture NZ Angela Halliday	6.3.2.1	Status	Support in Part	Amend 6.3.2.1 (2) to Industrial activities and amend the definition of 'industry' to 'Industrial activities'. Make consequential changes throughout the Plan.
11	11.34	Horticulture NZ Angela Halliday	6.3.2.1	Status	Support in Part	Amend 6.3.2.1 as follows: 1. Buildings and activities accessory to permitted activity, <u>including seasonal worker accommodation co-locating with Post harvest facilities</u>
11	11.35	Horticulture NZ Angela Halliday	6.3.2.1	Status	Support in Part	Amend 6.3.2.1 as follows: 2. Industries <u>Industrial activities</u>

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14	14.8	Department of Corrections Craig Plim	6.3.2.1	Status	Oppose	Amend the Industrial Zone permitted activities rule (6.3.2.1) as follows: 6.3.2.1 <i>Subject to compliance with the Zone Standards in Section 6.6, the following activities may be established in the Industrial Zone, without resource consent:</i> ... <u>X. Community corrections activities.</u>
15	15.12	Whakatohea Mussels Opotiki Limited John Wilson	6.3.2.1	Status	Amend	Industries <i>including food and seafood processing, packing and storage</i>
16	16.4	Wiseman Holdings Ltd Jessica Wiseman	6.3.2.1	Status	Oppose in part	Permitted criteria should be restricted to those industrial activities that have passed a test to confirm no more than minor effects. Add requirement for site management plan to cover how effects will be minimised to adjoining zones.
30	30.4	WA & EA Gault EA Gault	6.3.2.1	Status	Oppose in part	Permitted should be restricted to those industrial activities that have passed a test to confirm no more than minor effects. Add requirement for site management plan to cover how effects will be minimised to adjoining zones.
31	31.4	Graeme Gault	6.3.2.1	Status	Oppose in part	Permitted should be restricted to those industrial activities that have passed a test to confirm no more than minor effects. Add requirement for site management plan to cover how effects will be minimised to adjoining zones.
19	19.10	NZ Defence Force Rebecca Davies	6.3.2.1.10	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	57.58	Toi Te Ora - Public Health Service Sally Webb	6.3.2.1.10	Status	Support	Allow the provision for temporary military training as a permitted activity complying with noise controls in Appendix 3.
24	24.10	Opotiki District Council Aileen Lawrie	6.3.3	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	41.12	Ministry of Education Andrew Hill	6.3.3.1.4	Status	Support	Amend wording: 4. <i>A sign not exceeding 1.1metres² in area for any public purposes or in connection with an on the same site as any of the following activities.</i> c) Educational institutions <u>Education facilities</u>

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11	11.36	Horticulture NZ Angela Halliday	6.3.4	Status	Support in Part	Amend 6.3.4.1 by adding 5) 5) <u>Seasonal worker accommodation co-locating with post harvest facilities not meeting Zone Standards</u>
24	24.42	Opotiki District Council Aileen Lawrie	6.3.4.1.5	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
41	41.13	Ministry of Education Andrew Hill	6.3.5.1.1	Status	Support	Retain as notified
19	19.34	NZ Defence Force Rebecca Davies	6.3.6.1	Status	Oppose	Provide for TMTA that do not comply with the noise standards as controlled activities in each Zone.
19	19.35	NZ Defence Force Rebecca Davies	6.3.6.1	Status	Oppose	Provide for TMTA that do not comply with the noise standards as controlled activities in each Zone.
17	17.6	Bay of Plenty Regional Council Fiona McTavish	6.4	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	17.22	Bay of Plenty Regional Council Fiona McTavish	6.4.1.4	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>
18	18.57	Heritage NZ Carolyn McAlley	6.4.1.4	Criteria CA	Support in part	Heritage New Zealand seeks that the assessment criteria 6.4.1.4 is amended to state the heritage items to which they are applicable.
17	17.42	Bay of Plenty Regional Council Fiona McTavish	6.4.1.5	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>
11	11.37	Horticulture NZ Angela Halliday	6.5	Criteria RDA	Support in Part	Add new criteria: <u>6.5.1.5 Seasonal worker accommodation co-locating with post harvest facilities Noise and amenity effects on surrounding neighbours and measures to mitigate the effects of the activity</u>

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17	17.61	Bay of Plenty Regional Council Fiona McTavish	6.5	Criteria RDA	Amend	<p>Insert into sections 3.5, 4.5, 5.5, 6.5 a new heading <u>Matters over which discretion is restricted</u> (or similar) before the heading <u>Assessment Criteria for Restricted Discretionary Activities</u> 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>
18	18.22	Heritage NZ Carolyn McAlley	6.5	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.
37	37.42	NZ Fire Commission Stephanie Dean	6.5.1.3	Criteria RDA	Oppose	As a consequence of the change to 6.6.10, amend 6.5.1.3 to include the following: "Firefighting water supply 1. Mitigation of the potential adverse effects of fire, including fire spread."
11	11.38	Horticulture NZ Angela Halliday	6.6	Standards	Support in Part	<p>Add <u>6.6.12 Seasonal worker accommodation</u></p> <p><u>Operate only for seasonal worker accommodation associated with the post harvest facility and/ or orchard operations associated with that facility</u></p> <p><u>Be constructed in accordance with the Code of Practice for Able Bodied Seasonal Workers, published by Dept. of Building and Housing 2008.</u></p> <p><u>Accommodate up to 24 workers</u></p> <p><u>Be located no less than 100m from any dwelling established in an adjoining zone. This may be reduced with the written consent of neighbouring property owners.</u></p>

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12	12.8	NZ Transport Agency Mathew Stulen	6.6	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>
15	15.11	Whakatohea Mussels Opotiki Limited John Wilson	6.6	Standards	Amend	<p>Include a section in the zone standards requiring a reasonable standard of "house keeping" on sites to mitigate effects spilling over to neighbouring sites. Examples include:</p> <ol style="list-style-type: none"> 1. Keeping sites in a tidy condition <ol style="list-style-type: none"> a) Control of weeds b) No accumulations of rubbish c) Control of litter d) Control of dust 2. Keeping sites in a condition that minimised the likelihood of vermin infestation.
19	19.19	NZ Defence Force Rebecca Davies	6.6	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>

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24	24.54	Opotiki District Council Aileen Lawrie	6.6.1	Standards	Amend	Change 'Vehicle Entrance Designs' to ' <i>Vehicle Entrances</i> ' Change 'Industrial and commercial vehicle entrance designs shall comply with Appendix 4' to ' <i>Industrial and commercial vehicle entrances shall be provided and designs shall comply with Appendix 4</i> '
16	16.8	Wiseman Holdings Ltd Jessica Wiseman	6.6.1.2	Standards	Support in Part	Seek inclusion of provision: "not be of a height and scale which will adversely affect adjacent non-industrial zones"
30	30.8	WA & EA Gault EA Gault	6.6.1.2	Standards	Support in part	Seek inclusion of provision: "not be of a height and scale which will adversely affect adjacent non-industrial zones"
31	31.8	Graeme Gault	6.6.1.2	Standards	Support in part	Seek inclusion of provision: "not be of a height and scale which will adversely affect adjacent non-industrial zones"
37	37.38	NZ Fire Commission Stephanie Dean	6.6.1.2	Standards	Support in part	Amend Standard 6.6.1.2 to include the following: "This Standard does not apply to hose drying towers up to 15m associated with emergency service facilities."
16	16.5	Wiseman Holdings Ltd Jessica Wiseman	6.6.2.2	Standards	Oppose in part	Set back distance should be a minimum of 4.5m and also include "No part of any building or structure shall exceed a height equal to the shortest distance between that part of the building or structure and a road boundary, whichever is the greater distance".
30	30.5	WA & EA Gault EA Gault	6.6.2.2	Standards	Oppose in part	Set back distance should be a minimum of 4.5m and also include "No part of any building or structure shall exceed a height equal to the shortest distance between that part of the building or structure and a road boundary"
31	31.5	Graeme Gault	6.6.2.2	Standards	Oppose in part	Set back distance should be a minimum of 4.5m and also include "No part of any building or structure shall exceed a height equal to the shortest distance between that part of the building or structure and a road boundary"
11	11.39	Horticulture NZ Angela Halliday	6.6.3.1	Standards	Support in Part	Amend 6.6.3.1: Industrial activities adjoining a Residential or Mixed Activity zones shall provide landscape planting and screening of storage areas where the storage areas are visible from the adjoining zones. Where the boundary is the road the zone on the opposite side of the road will apply.
16	16.1	Wiseman Holdings Ltd Jessica Wiseman	6.6.3.1	Standards	Oppose	Must include reference to "all industrial activities" rather than just storage areas
16	16.2	Wiseman Holdings Ltd Jessica Wiseman	6.6.3.1	Standards	Oppose	Include: A minimum of 3m landscape strip along site boundary where adjacent non-industrial zones exist. This should extend to those non-industrial zones adjoining a road boundary.
16	16.3	Wiseman Holdings Ltd Jessica Wiseman	6.6.3.1	Standards	Support in Part	Inclusion of "effective" planting and screening for industrial activities" rather than only storage and service areas.
30	30.1	WA & EA Gault EA Gault	6.6.3.1	Standards	Oppose	Must include reference to "all industrial activities" rather than just storage areas
30	30.2	WA & EA Gault EA Gault	6.6.3.1	Standards	Oppose	Include: A minimum of 3m landscape strip along site boundary where adjacent non-industrial zones exist. This should extend to those non-industrial zones adjoining a road boundary.

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30	30.3	WA & EA Gault EA Gault	6.6.3.1	Standards	Support in part	Inclusion of "effective" planting and screening for industrial activities" rather than only storage and service areas
31	31.1	Graeme Gault	6.6.3.1	Standards	Oppose	Must include reference to "all industrial activities" rather than just storage areas
31	31.2	Graeme Gault	6.6.3.1	Standards	Oppose	Include: A minimum of 3m landscape strip along site boundary where adjacent non-industrial zones exist. This should extend to those non-industrial zones adjoining a road boundary.
31	31.3	Graeme Gault	6.6.3.1	Standards	Support in part	Inclusion of "effective" planting and screening for industrial activities" rather than only storage and service areas
16	16.6	Wiseman Holdings Ltd Jessica Wiseman	6.6.3.3	Standards	Oppose in part	Should not be restricted to State Highways. All roads where dwellings in adjoining non-industrial zone are located within 250 metres.
30	30.6	WA & EA Gault EA Gault	6.6.3.3	Standards	Oppose in part	Should not be restricted to State Highways. All roads where dwellings in adjoining non-industrial zone are located within 250 metres.
31	31.6	Graeme Gault	6.6.3.3	Standards	Oppose in part	Should not be restricted to State Highways. All roads where dwellings in adjoining non-industrial zone are located within 250 metres.
11	11.40	Horticulture NZ Angela Halliday	6.6.4	Standards	Support in Part	Amend 6.6.4.1 2nd sentence: Provided that at the boundary of a site within the Residential or Mixed Activity Zone, or the notional boundary within the Rural Zone the noise limits for the relevant Zone shall be complied with.
37	37.39	NZ Fire Commission Stephanie Dean	6.6.4	Standards	Support in part	Amend Standard 6.6.4.1 to include the following: "These standards do not apply to sirens used by emergency services."
16	16.7	Wiseman Holdings Ltd Jessica Wiseman	6.6.4.1	Standards	Oppose	Seek removal of Sunday and public holidays from proposed day time noise limit and move to the night time limit. Seek a noise management plan to be submitted to council to address and mitigate noise effects to dwellings in adjoining zones.
30	30.7	WA & EA Gault EA Gault	6.6.4.1	Standards	Oppose	Seek removal of Sunday and public holidays for proposed day time noise limit. Seek a noise management plan to be submitted to council to address and mitigate noise effects to dwellings in adjoining zones.
31	31.7	Graeme Gault	6.6.4.1	Standards	Oppose	Seek removal of Sunday and public holidays for proposed day time noise limit. Seek a noise management plan to be submitted to council to address and mitigate noise effects to dwellings in adjoining zones.
57	57.70	Toi Te Ora - Public Health Service Sally Webb	6.6.4.1	Standards	Support / Amend	Allow the provision in part and amend as follows: A. Delete "the boundary of" and substitute "any other." B. Replace "the boundary of a site" with "any point"... 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.
37	37.40	NZ Fire Commission Stephanie Dean	6.6.5	Standards	Support in part	Amend Standard 6.6.5.1(1) to include the following additional standard: "Emergency service facilities 1 space per emergency service vehicle bay"
57	57.26	Toi Te Ora - Public Health Service Sally Webb	6.6.5	Standards	Amend	Add cycle storage facilities (bicycle parking) and drinking water fountains in each urban zone.

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41	41.14	Ministry of Education Andrew Hill	6.6.5.1	Standards	Support	Retain as notified
11	11.41	Horticulture NZ Angela Halliday	6.6.5.1.1	Standards	Support in Part	Add to 6.6.5.1 (1) Coolstores 1 space per 500m2.
14	14.9	Department of Corrections Craig Plim	6.6.5.1.1	Standards	Oppose	Amend the Industrial Zone standard for Parking and Loading (6.6.5.1.1) as follows: 6.6.5.1 On-site carparking and provision for loading shall be provided in relation to every activity whether new, extended or where the use is changed, as follows: 1. On-site carparking shall be as follows: ... Periodic detention and Probation centres <u>Community corrections activities</u> 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>
17	17.32	Bay of Plenty Regional Council Fiona McTavish	6.6.6.1	Standards	Oppose / Amend	Amend Floor Level rules in Chapters 2 to 11 (as listed in the index to read eg 9.6.9): <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> <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>
37	37.41	NZ Fire Commission Stephanie Dean	6.6.10	Standards	Oppose	Amend Standard 6.6.10 as follows: “6.6.10 POTABLE WATER 6.6.10.1 Potable Water Supply A potable water supply ... 6.6.10.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>
37	37.43	NZ Fire Commission Stephanie Dean	6.6.11	Standards	Support in part	Amend Standard 6.6.11 as follows: “6.6.11.1 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 6.6.11.x(2).</u> ”

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17	17.52	Bay of Plenty Regional Council Fiona McTavish	6.7.1	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>
15	15.13	Whakatohea Mussels Opotiki Limited John Wilson	6.8	EER	Support / Amend	Amend 6.8B: Conscientious management of activities within the Industrial Zone where adverse effects on nearby sites and neighbouring residences are minimised.