

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
7	7.4	Department of Conservation Chris Staite	10	General	Amend	Include policy direction that gives effect to the NZCPS in a consistent manner to the coastal environment of the Opotiki District.
11	11.4	Horticulture NZ Angela Halliday	10	Horticulture	Amend	That changes are made to the Plan to enable development of horticulture on Maori land, particularly in the Coastal or Coastal Settlement Zones, so that Policy IW 1B of the RPS is given effect.
11	11.110	Horticulture NZ Angela Halliday	10.1	Issues	Oppose in part	Amend the Coastal Settlement Zone at Te Kaha to zone all land in current farming or horticultural production on lot sizes greater than 1 hectare as Rural.  OR Amend the Coastal Settlement Zone at Te Kaha to zone all land in current farming or horticultural production on lot sizes greater than 1 hectare as Deferred Coastal Settlement and apply the Rural Zone provisions for land zoned Deferred Coastal Settlement.  No issue - addresses rural production activity Include provisions sought in this submission for rural production activities in the Coastal Zone to the Coastal Settlement Zone.
29	29.17	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.1	Issues	Support	Support
18	18.82	Heritage NZ Carolyn McAlley	10.1.3	Issues	Support	That Resource Management Issue 10.1.3 is retained.
7	7.40	Department of Conservation Chris Staite	10.2	Policies	Oppose	Include policy direction to ensure that the scale, design and colour of buildings avoids significant adverse effects on natural character in this zone.
17	17.66	Bay of Plenty Regional Council Fiona McTavish	10.2	Objective	Support / Amend	Insert new Objectives 9.2.4, 10.2.3 and 11.2.4 to read:  <u>Recognise the special relationship tangata whenua have with their ancestral land.</u>
17	17.69	Bay of Plenty Regional Council Fiona McTavish	10.2	Policies	Support / Amend	Insert new Policies 9.2.4.1, 10.2.3.1, 11.2.4.1 to read:  <u>To recognise and provide for the cultural, spiritual and archaeological values of tangata whenua and the desire of tangata whenua to live on and develop their ancestral lands.</u>
17	17.72	Bay of Plenty Regional Council Fiona McTavish	10.2	Policies	Support / Amend	Insert new Policies 9.2.4.2, 10.2.3.2, 11.2.4.2 to read:  <u>To recognise the special relationship of Māori with their ancestral land by enabling use and development of land, including Papakāinga and associated support facilities.</u>
7	7.39	Department of Conservation Chris Staite	10.2.1	Policies	Support in Part	Retain reference to the preservation of natural character
8	8.98	Eastern Bay of Plenty - Forest and Bird Linda Conning	10.2.1	Objective	Amend	Delete the word 'distinctive'.

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29	29.18	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.2.1	Objective	Support	Support objectives and policies
39	39.18	Transpower NZ Ltd Pauline Whitney	10.2.1	Objective	Support	(i) Retain Objective 10.2.1.
8	8.99	Eastern Bay of Plenty - Forest and Bird Linda Conning	10.2.1.1	Policies	Support	Retain this policy
37	37.61	NZ Fire Commission Stephanie Dean	10.2.1.2	Policies	Support	Retain Policy 10.2.1.2 as notified.
29	29.19	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.2.1.5	Policies	Support	Support
8	8.1	Eastern Bay of Plenty - Forest and Bird Linda Conning	10.2.1.6	Policies	Support	Retain this policy
29	29.2	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.2.1.6	Policies	Support	Support
8	8.101	Eastern Bay of Plenty - Forest and Bird Linda Conning	10.2.1.7	Policies	Support	Retain this policy
11	1.111	Horticulture NZ Angela Halliday	10.2.2	Policies	Amend	Include a new policy under Objective 10.2.2: To recognise the specific relationship of Māori with their ancestral land by enabling use and development of land.
18	18.83	Heritage NZ Carolyn McAlley	10.2.2	Objective	Support	That Objective 10.2.2 is retained.
29	29.21	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.2.2	Objective	Support	Support objectives and policies. Policies 10.2.2.1 & 10.2.2.3 need to be effective in the event that Maori values clash with Opotiki District Council objectives. Policies are expected to provide meaningful engagement and not merely token gestures.
39	39.19	Transpower NZ Ltd Pauline Whitney	10.2.2	Policies	Amend	(i) Insert a new Policy 10.2.2.4 as follows: <u>Recognise that the National Grid/Regionally Significant Infrastructure have a functional, operational or technical requirement to locate in the Coastal Settlement Zone.</u>
18	18.84	Heritage NZ Carolyn McAlley	10.2.2.1	Policies	Support in part	That Policy 10.2.2.1 is amended as follows : "Where activities in the zone affect the relationship tangata whenua have with their cultural sites and traditions, activities are to avoid, <del>and where not practicable,</del> remedy or mitigate adverse effects".
18	18.85	Heritage NZ Carolyn McAlley	10.2.2.2	Policies	Support	That Policy 10.2.2.2 is retained.
18	18.86	Heritage NZ Carolyn McAlley	10.2.2.3	Policies	Support in part	That Policy 10.2.2.3 is retained subject to clarification being provided as to the nature of the "associated developments"

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8	8.2	Eastern Bay of Plenty - Forest and Bird Linda Conning	10.3	Status	Amend	Vehicle access to the coast, except for management search and rescue, life saving and emergency purposes, is prohibited in the following locations: Ohiwa Harbour, Ohiwa Spit, Ohiwa (Bryans) Beach, Waitohi Spit, Waitohi Estuary, Waitohi Beach, Waiuwa Beach, Motu River bed, Whangapararua Beach and river mouth
18	18.11	Heritage NZ Carolyn McAlley	10.3	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.
39	39.32	Transpower NZ Ltd Pauline Whitney	10.3	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.
17	17.139	Bay of Plenty Regional Council Fiona McTavish	10.3.1.1	Status	Amend	Reconsider residential intensity in the zone when compared to that provided for in the Coastal zone.
37	37.62	NZ Fire Commission Stephanie Dean	10.3.1.1	Status	Oppose	Amend Rule 10.3.1.1 to include the following as a permitted activity: <u>"x. Emergency services training and management activities."</u>
7	7.41	Department of Conservation Chris Staite	10.3.1.1.1	Status	Support	Retain
8	8.102	Eastern Bay of Plenty - Forest and Bird Linda Conning	10.3.1.1.1	Status	Amend	Amend so that all buildings and accessory buildings are Controlled Activities in the coastal environment.
57	57.61	Toi Te Ora - Public Health Service Sally Webb	10.3.1.1.10	Status	Support	Allow the provision for temporary military training as a permitted activity complying with noise controls in Appendix 3.
19	19.13	NZ Defence Force Rebecca Davies	10.3.1.1.10	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>
24	24.49	Opotiki District Council Aileen Lawrie	10.3.1.1.12	Status	Amend	Clarify the intent of the rule to read: <i>"Removal of residential dwellings <u>where the removal is in accordance with the requirements of the Building Act 2004 and Council's engineering standards</u>"</i>
18	18.88	Heritage NZ Carolyn McAlley	10.3.1.1.3	Status	Support	That Permitted activities 10.3.3.3.2 <b>Marae</b> and 10.3.1.1.3 Urupa and private cemeteries are retained
24	24.13	Opotiki District Council Aileen Lawrie	10.3.2	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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13	13.1	Overington Surveyors Karl Rendall	10.3.2.1	Status	Oppose	6(b) On-site investigations are undertaken by a suitably qualified person approved by the Bay of Plenty Regional Council to show that the site complies with the On-site Effluent Treatment Regional Plan
37	37.63	NZ Fire Commission Stephanie Dean	10.3.2.1	Status	Oppose	Amend Rule 10.3.2.1 to include the following as a controlled activity: "x. <u>Emergency service facilities.</u> "
8	8.103	Eastern Bay of Plenty - Forest and Bird Linda Conning	10.3.2.1.1	Status	Amend	Change 10.3.2.1.1 to Discretionary and relocate criteria.  Clarify activity status and criteria for buildings in natural hazard zones or cross-reference to Chapter 18.
24	24.67	Opotiki District Council Aileen Lawrie	10.3.2.1.1	Status	Amend	Change reference from '10.6.1' to '10.3.1'.
14	14.10	Department of Corrections Craig Plim	10.3.2.1.4	Status	Oppose	Retain Rule 10.3.2.1.4 as notified.
39	39.22	Transpower NZ Ltd Pauline Whitney	10.3.2.1.7	Status	Oppose	(ii) Clarify the default activity status that would apply to those network utilities not controlled under Rule 10.3.2.1.7. This could be achieved through: - The deletion of non-complying rule 10.3.5.1 Or - Inserting a new controlled rule 10.3.2.1.9 as follows (alternately Transpower would support specific reference to the National Grid, or Regionally Significant Infrastructure): <u>9. Network Utilities</u>
24	24.28	Opotiki District Council Aileen Lawrie	10.3.3	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
18	18.87	Heritage NZ Carolyn McAlley	10.3.3.3.2	Status	Support	That Permitted activities 10.3.3.3.2 <b>Marae</b> and 10.3.1.1.3 Urupa and private cemeteries are retained
41	41.22	Ministry of Education Andrew Hill	10.3.4.1.6	Status	Support	Retain as notified
19	19.39	NZ Defence Force Rebecca Davies	10.3.5.1	Status	Oppose	Provide for TMTA that do not comply with the noise standards as controlled activities in each Zone.
17	17.10	Bay of Plenty Regional Council Fiona McTavish	10.4	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.'

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29	29.22	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.4.1.3.1	Criteria CA	NS	No modification or alteration to the natural character of the coastal landscape should take place at all if it will have an adverse effect. If it is absolutely necessary then consultation needs to take place with the appropriate iwi or hapu first, to mitigate any negative impact.
29	29.23	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.4.1.3.3	Criteria CA	Support	Upokorehe would like to be engaged in consultation regarding any matters that may affect areas of cultural significance
17	17.87	Bay of Plenty Regional Council Fiona McTavish	10.4.1.4	Criteria CA	Support / Amend	Amend 9.4.1.4, 10.4.1.4, and 11.4.1.3 to read:  <i>1. The effects of any earthworks <u>and land disturbance</u> on the <del>surrounding</del> environment, including <u>waahi tapu, sites of cultural significance or landscape value</u>; any alteration to the contours of the <u>site from stormwater</u>, siltation and sedimentation effects, and any effects on the stability of the coastal dune system.</i>
29	29.24	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.4.1.4.1	Criteria CA	NS	Any earthworks should only be done after consultation with the appropriate iwi or hapu
17	17.26	Bay of Plenty Regional Council Fiona McTavish	10.4.1.6	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 <u>values and resources</u></i>  <i>2. The effects of the activity on historic, archaeological <u>and cultural values and resources</u> of importance to Māori.</i>
18	18.89	Heritage NZ Carolyn McAlley	10.4.1.6	Criteria CA	Support in part	That Assessment Criteria 10.4.1.6 are retained subject to clarification regarding the nature of the items to be considered as part of the assessment criteria, in particular those items or features of historical or archaeological worth.
29	29.25	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.4.1.6	Criteria CA	NS	Upokorehe must be consulted regarding the effects of activities on water
29	29.26	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.4.1.6	Criteria CA	NS	Upokorehe must be consulted regarding the effects of the activity on resources of importance to Maori
29	29.27	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.4.1.6	Criteria CA	NS	Upokorehe must be consulted regarding the effects of the activity on heritage and conservation values, both on the site and on adjoining sites
29	29.28	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.4.1.7	Criteria CA	NS	Upokorehe are concerned with the effects of proposed activities on water bodies and believe there should be consultation in events where adverse effects may impact on these resources
29	29.29	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.4.1.7	Criteria CA	NS	Upokorehe agree in principle to the riparian management mechanisms implemented to <u>eliminate</u> or mitigate potential adverse effects of the activity on the coast an on waterbodies
29	29.30	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.4.1.7	Criteria CA	NS	Upokorehe support in principle the proposal to preserve and protect coastal areas of indigenous vegetation and habitats of indigenous fauna

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17	17.45	Bay of Plenty Regional Council Fiona McTavish	10.4.1.8	Criteria CA	Support / Amend	Amend 9.4.1.8, 10.4.1.8 to read: 1. The susceptibility of the site to natural coastal hazards and the measures implemented to mitigate the effects of natural hazards and achieve a low level of risk including any investigations undertaken by the applicant in relation to natural hazard susceptibility of the site, and the activities undertaken on the site.
29	29.31	Upokorehe Iwi Lance Reha & Gaylene Kohunui	10.4.1.9	Criteria CA	NS	Upokorehe believes that all hazardous substances need to be managed in an efficient manner and where possible, any potential hazard to the environment should be eliminated or mitigated
18	18.26	Heritage NZ Carolyn McAlley	10.5	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.
8	8.5	Eastern Bay of Plenty - Forest and Bird Linda Conning	10.6	Standards	Amend	Consistency with the PWDP is adopted for coastal setbacks and earthworks provisions in the Coastal, Coastal Settlement and Ohivi Harbour Zones, ONFLs and SIBs.
12	12.12	NZ Transport Agency Mathew Stulen	10.6	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"> <li>- <u>have reflective material or illumination that flashes and moves;</u></li> <li>- <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></li> <li>- <u>Physically obstruct or impede traffic or pedestrians;</u></li> <li>- <u>Resemble or be likely to be confused with any official traffic signs or signals; and</u></li> <li>- <u>Use support structures which are not frangible.</u></li> </ul> <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>

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19	19.23	NZ Defence Force Rebecca Davies	10.6	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>
24	24.68	Opotiki District Council Aileen Lawrie	10.6	Standards	Amend	Add <i>‘10.6.# Wastewater’ ‘10.6.#.# Where Council Wastewater services are available’ ‘10.6.#.# Wastewater connections</i> <i>1. All new developments within any of Council’s wastewater scheme boundaries shall connect to the Council’s wastewater system</i> <i>2.2 All new wastewater management systems shall be designed and constructed in accordance with Rule 17.5.2.</i>
24	24.69	Opotiki District Council Aileen Lawrie	10.6	Standards	Amend	Add <i>‘10.6.# Stormwater’ ‘Where Council Stormwater services are available’ ‘10.6.#.# Stormwater Management</i> <i>A stormwater disposal system shall be provided for any residential, community or business activity. The stormwater management system shall be designed and constructed with Rule 17.5.3’</i>
37	37.64	NZ Fire Commission Stephanie Dean	10.6.1.2	Standards	Support in part	Amend Standard 10.6.1.2 to include the following: <u>“This Standard does not apply to hose drying towers up to 15m associated with emergency service facilities.”</u>
8	8.104	Eastern Bay of Plenty - Forest and Bird Linda Conning	10.6.2.3	Standards	Amend	Standardise the setbacks based on natural character, landscape and natural hazards.
37	37.65	NZ Fire Commission Stephanie Dean	10.6.4.1	Standards	Support in part	Amend Standard 10.6.4.1 to include the following: <u>“These standards do not apply to sirens used by emergency services.”</u>
41	41.23	Ministry of Education Andrew Hill	10.6.4.1	Standards	Support	Retain as notified
57	57.82	Toi Te Ora - Public Health Service Sally Webb	10.6.4.1	Standards	Support / Amend	A. In the first paragraph in clause 10.6.4.1, delete “the boundary of” and substitute “any other.” B. Add after the table, and before the construction noise paragraph, “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.” C. Amend incorrect title of NZS 6803 to NZS 6803:1999 Acoustics- Construction Noise. D. Delete blank column 4 in the table.

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37	37.66	NZ Fire Commission Stephanie Dean	10.6.5	Standards	Support in part	Amend Standard 10.6.5.1 to include the following additional standard: "Emergency service facilities 1 space per emergency service vehicle bay"
41	41.24	Ministry of Education Andrew Hill	10.6.5.1	Standards	Support	Retain as notified
14	14.11	Department of Corrections Craig Plim	10.6.5.1.1	Standards	Oppose	Amend the Coastal Settlement Zone standard for Parking and Access (10.6.5.1.1) as follows: <i>10.6.5.1 Parking and loading</i> <i>On-site carparking and provision for loading shall be provided in relation to every activity whether new, reconstructed, extended or where the use is changed, as follows:</i> <i>1. On-site carparking shall be provided 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 people the facility is designed to service.</i>
17	17.36	Bay of Plenty Regional Council Fiona McTavish	10.6.6.1	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 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>
37	37.67	NZ Fire Commission Stephanie Dean	10.6.7.1	Standards	Support in part	Amend Standard 10.6.7 as follows: "10.6.7.1 Access to any site shall be sufficient to allow two-way traffic flow. One point of entry and one exit or one combined entry/exit is required. Vehicle crossings shall meet the standard in Appendix 4, <u>except where additional access width is necessary to provide access for emergency service vehicles in accordance with Standard 10.6.9.x(2) or at fire station sites.</u> "
8	8.105	Eastern Bay of Plenty - Forest and Bird Linda Conning	10.6.8	Standards	Amend	Require a hazard assessment if location within hazard zone.

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37	37.68	NZ Fire Commission Stephanie Dean	10.6.9.1	Standards	Oppose	Amend Standard 10.6.9 as follows: <b>"10.6.9 WATER SUPPLY</b> 10.6.9.1 A potable water supply ... <b>10.6.9.x Firefighting Water Supply</b> 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> 2. <u>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	24.47	Opotiki District Council Aileen Lawrie	10.6.11	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	37.69	NZ Fire Commission Stephanie Dean	10.6.11.1	Standards	Support in part	Amend Standard 10.6.11 as follows: "10.6.11.1 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 10.6.9.x(2).</u> "
17	17.56	Bay of Plenty Regional Council Fiona McTavish	10.7.1	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:  <del>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.</del>  Insert the above 'Other Method' into sections 4.7.1, 5.6.1, 6.7.1 and 11.9.1.
8	8.106	Eastern Bay of Plenty - Forest and Bird Linda Conning	10.8	EER	Support	Retain