

**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	7.5	Department of Conservation Chris Staite	11	General	Amend	Include policy direction that gives effect to the NZCPS in a consistent manner to the coastal environment of the Opotiki District.
8	8.107	Eastern Bay of Plenty - Forest and Bird Linda Conning	11	Cover	Amend	Delete photo of vehicle tracks
8	8.118	Eastern Bay of Plenty - Forest and Bird Linda Conning	11	General	Amend	This chapter should be more consistent with the Proposed Whakatane District Plan especially Chapter 17.
60	60.50	Federated Farmers of NZ Nikki Edwards	11	Zoning Ohiwa	Amend	That the Ohiwa Harbour Zone is deleted, for the reason that surface of water activities, ONFLs, ecological values, heritage values and natural hazards are already managed in other Chapters of the proposed Plan.
11	1.113	Horticulture NZ Angela Halliday	11.1	Issues	Oppose in part	Include additional issues in 11.1 as follows: Some land within the Ohiwa Harbour Zone is used, or able to be used for farming and horticulture activities and the zone provisions need to provide for such uses alongside recreational and residential uses of the zone and preservation of the natural character of the coastal environment.
12	12.24	NZ Transport Agency Mathew Stulen	11.1	Issues	Amend	Add new issue to 7.1, 8.1,9.1 & 11.1, as follows:  <u>Activities can adversely affect the safety, sustainability and efficiency of transport network s—</u>
49	49.3	Whakatane District Council Melanie McCormick	11.1	Issues	Support in part	Retain the Ohiwa Harbour Zone (with amendments as sought below)
60	60.51	Federated Farmers of NZ Nikki Edwards	11.1	Issues	Amend	That a new issue is included reading: <u>Some land within the Ohiwa Harbour Zone is used for primary production, rural production and farming activities need to be recognised as appropriate and provided for.</u>
29	29.32	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.1.1	Issues	NS	Upokorehe would like to stress again the importance of the Ohiwa Harbour in regards to our people. Our very identity, culture, history and wellbeing is so deeply embedded within the Ohiwa Harbour that any threat posed to it will undoubtedly have an impact on us as well. We would like to be consulted on any activity that may have an adverse effect on the harbour itself, or the surrounding catchment areas.
7	7.42	Department of Conservation Chris Staite	11.1.1.1	Issues	Support	Retain
8	8.108	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.1.1.1	Issues	Amend	Rewrite issue 1 to reflect the high ecological values in the zone.
18	18.90	Heritage NZ Carolyn McAlley	11.1.1.3	Issues	Support	That Resource Management Issue 11.1.1.3 is retained.
7	7.43	Department of Conservation Chris Staite	11.1.1.4	Issues	Support	Retain
7	7.44	Department of Conservation Chris Staite	11.1.1.5	Issues	Support	Retain
24	24.70	Opotiki District Council Aileen Lawrie	11.1.1.5	Issues	Amend	Amend to read "... on or near ridgelines ."

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7	7.45	Department of Conservation Chris Staite	11.1.1.9	Issues	Support	Retain
11	11.114	Horticulture NZ Angela Halliday	11.2	Objective	Oppose in part	Include a new objective:  To enable rural production activities and maintain the rural character in the Ohiwa Harbour Zone.
11	11.115	Horticulture NZ Angela Halliday	11.2	Policies	Amend	Include a new policy  To provide for the continued operation of rural production activities, including associated buildings and structures, recognising that these activities are an integral part of the rural environment and contribute to the rural character of the Ohiwa Harbour Zone.
11	11.116	Horticulture NZ Angela Halliday	11.2	Policies	Amend	Add a new policy as follows: To provide for the use of the rural land resource located in the Ohiwa Harbour Zone for rural production activities by ensuring that adjacent residential activities do not compromise the ability to use the land for rural production purposes through reverse sensitivity effects.
12	12.28	NZ Transport Agency Mathew Stulen	11.2	Objective	Amend	Add a new objective and policy to 7.2, 8.2, 9.2 & 11.2, which recognises the implementation of the revised issue. Suggest that this is consistent with other chapters (such as 4.2.3 above).  <u>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></u>  <u>Add new policy: <i>To avoid, remedy or mitigate the adverse effects of Rural Zone activities on the safety and efficiency of the transportation network.</i></u>
17	17.67	Bay of Plenty Regional Council Fiona McTavish	11.2	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	17.70	Bay of Plenty Regional Council Fiona McTavish	11.2	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	17.73	Bay of Plenty Regional Council Fiona McTavish	11.2	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>

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49	49.4	Whakatane District Council Melanie McCormick	11.2	Objective	Support in part	Retain the Ohiwa Harbour Zone (with amendments as sought below)
60	60.56	Federated Farmers of NZ Nikki Edwards	11.2	Objective	Amend	That a new objective and policy is included in the Ohiwa Harbour Zone: <u>To enable rural production activities and farming in the Ohiwa Harbour Zone.</u>  <u>To provide for the continued operation of rural production activities and farming, including associated buildings and structures, recognising that these activities are an integral part of the rural environment and contribute to the rural character of Ohiwa Harbour Zone.</u>
7	7.46	Department of Conservation Chris Staite	11.2.1	Objective	Oppose / Amend	Amend as follows:  <del>The adverse effects of land use activities are managed to p</del> Protect and enhance the outstanding natural and landscape values and the natural character of the <u>Ohiwa</u> Harbour environment.
29	29.33	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.2.1	Objective	NS	Upokorehe agrees in principle to the sensible management of land use to ensure that all activities are managed to protect and enhance the outstanding natural and landscape values and the natural character of the harbour environment. It is recommended that Upokorehe be consulted on any activity that may have an adverse effect on the harbour.
29	29.34	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.2.1	Objective	NS	Upokorehe also agree in principle with those policies that support this objective.
60	60.52	Federated Farmers of NZ Nikki Edwards	11.2.1	Objective	Amend	That Objective 11.2.1, and associated Policies 11.2.2.1, 11.2.2.2 and 11.2.2.3 are deleted.
7	7.47	Department of Conservation Chris Staite	11.2.1.1	Policies	Oppose in part	Amend as follows:  To avoid as far as practicable, <u>and, where this cannot be achieved, remedy or mitigate</u> the adverse effects of activities such as buildings, earthworks and tracking, especially on skylines and ridges, that will adversely affect the qualities and characteristics of the Ohiwa Harbour landscape.
8	8.111	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.1.1	Policies	Amend	<del>To avoid as far as practicable</del> the adverse effects of activities such as buildings, earthworks and tracking, especially on skylines and ridges, that will adversely affect the qualities and characteristics of the Ohiwa Harbour landscape.
8	8.11	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.1.3	Policies	Support	Insert the word 'Zone' and retain policy.
8	8.11	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.1.4	Policies	Amend	Delete

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43	43.1	Ohiwa Cove Ltd Bain McDonald	11.2.1.5	Policies	Amend	Urban activities in the coastal environment surrounding Ōhiwa Harbour and Waiōtahe Estuary should be avoided unless: (a) It can be demonstrated that the activities will not cause cumulative adverse effects on the natural character, natural features and biodiversity of these areas; or (b) The activities will be undertaken as part of a proposal that will have positive effects that will offset adverse effects on natural character, natural features and biodiversity. Positive effects may include, but are not limited to: (i) Enhancing water quality, for example by reducing the amount of nutrients or other contaminants entering the coastal marine area; (ii) Removing derelict or functionally redundant structures; (iii) Restoring or enhancing natural elements including dunes, saline wetlands, intertidal saltmarsh, riparian margins and other natural coastal features or processes; (iv) Restoring indigenous habitats and ecosystems (using local genetic stock where practicable) including restoring habitats of species that are important for cultural purposes (such as mahinga kai, kaimoana or raranga areas) identified in collaboration with tāngata whenua; (v) Supporting the natural regeneration of indigenous species, including effective weed and animal pest management; (vi) Creating or enhancing habitat for indigenous species; (vii) Declaiming previously reclaimed and functionally redundant land where it will restore the natural character of the coastal marine area; (viii) Restoring cultural landscape features; and (ix) Providing more or enhanced public open space or public access to and along the coastal marine area where this is associated with passive recreation.
7	7.48	Department of Conservation Chris Staite	11.2.2	Policies	Support	Retain
8	8.110	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.2	Policies	Amend	<u>New Policy</u> <u>Recognise that Ohiwa Harbour is an Outstanding Natural Feature and Landscape with Outstanding Natural Character and that activities on land surrounding the harbour can adversely affect these values.</u>
8	8.114	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.2	Objective	Support / Amend	Retain and add "and its surrounds" at the end.
29	29.35	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.2.2	Objective	NS	Upokorehe agree in principle to the protection and enhancement of significant indigenous vegetation and habitats of indigenous fauna to maintain the ecological, botanical, scientific, and educational values of the Ohiwa Harbour
29	29.36	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.2.2	Objective	NS	Upokorehe also agree in principle with those policies that support the above objective however, in instances where proposed enhancement activities include the introduction of flora or fauna that is not native to the Ohiwa Harbour, Upokorehe would like to be consulted beforehand. This consultation should also take place for any activity that may change or affect the natural character of the harbour.
7	7.49	Department of Conservation Chris Staite	11.2.2.1	Policies	Support	Retain

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8	8.109	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.2.1	Policies	Amend	Re-word as follows: Objective 11.2.1 " <u>Preserve the natural character</u> and protect the outstanding natural landscape values of the Harbour environment".
8	8.115	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.2.1	Policies	Support	Retain
60	60.53	Federated Farmers of NZ Nikki Edwards	11.2.2.1	Policies	Amend	That Objective 11.2.1, and associated Policies 11.2.2.1, 11.2.2.2 and 11.2.2.3 are deleted.
7	7.50	Department of Conservation Chris Staite	11.2.2.2	Policies	Support	Retain
8	8.116	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.2.2	Policies	Support	Retain
60	60.54	Federated Farmers of NZ Nikki Edwards	11.2.2.2	Policies	Amend	That Objective 11.2.1, and associated Policies 11.2.2.1, 11.2.2.2 and 11.2.2.3 are deleted.
7	7.51	Department of Conservation Chris Staite	11.2.2.3	Policies	Support / Amend	Amend as follows:  Protect the Ohiwa Harbour saltmarsh from <del>modification and destruction</del> by managing the adverse effects of activities on adjacent land
8	8.117	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.2.2.3	Policies	Support	Retain
60	60.55	Federated Farmers of NZ Nikki Edwards	11.2.2.3	Policies	Amend	That Objective 11.2.1, and associated Policies 11.2.2.1, 11.2.2.2 and 11.2.2.3 are deleted.
11	11.117	Horticulture NZ Angela Halliday	11.2.3	Policies	Amend	Include a new policy under Objective 11.2.3: To recognise the specific relationship of Māori with their ancestral land by enabling use and development of land, including Papakainga and associated support facilities.
18	18.91	Heritage NZ Carolyn McAlley	11.2.3	Objective	Support	That Objective 11.2.3 is retained.
29	29.37	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.2.3	Objective	NS	Upokorehe supports the fact that Ohiwa Harbour be recognised as an area of cultural and historical significance to the people of the Opotiki district and the iwi and hapu of the harbour. Upokorehe would also like to reaffirm their role as responsible/active kaitiaki of Ohiwa Harbour and would like to reiterate the fact that we continue to occupy this area and have done so since time immemorial.
29	29.38	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.2.3	Objective	NS	Upokorehe agree in principle with those policies that support the above objective, especially in regards to consultation regarding any activity that may have an adverse effect on the harbour. <i>Upokorehe would like to highlight the importance of consulting with the correct iwi or hapu.</i>
18	18.92	Heritage NZ Carolyn McAlley	11.2.3.1	Policies	Support	That Policy 11.2.3.1 is retained.
18	18.93	Heritage NZ Carolyn McAlley	11.2.3.2	Policies	Support	That Policy 11.2.3.2 is retained.

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8	8.3	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3	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	18.12	Heritage NZ Carolyn McAlley	11.3	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.
19	19.40	NZ Defence Force Rebecca Davies	11.3	Status	Oppose	Provide for TMTA that do not comply with the noise standards as controlled activities in each Zone.
39	39.23	Transpower NZ Ltd Pauline Whitney	11.3	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.
60	60.60	Federated Farmers of NZ Nikki Edwards	11.3.2	Status	Amend	That signs required under legislation are permitted.
11	11.118	Horticulture NZ Angela Halliday	11.3.2.1	Status	Support in Part	Add to 11.3.2.1 - Activities accessory to permitted activities. - Artificial crop protection structures which comply with 8.6.5 - Audible bird scaring devices that comply with 8.6.7.1 (1)
13	13.2	Overington Surveyors Karl Rendall	11.3.2.1	Status	Oppose	10.3.2 CONTROLLED ACTIVITIES 6(b) On-site investigations are undertaken <u>by a suitably qualified person approved by the Bay of Plenty Regional Council</u> to show that the site complies with the On-site Effluent Treatment Regional Plan.
17	17.80	Bay of Plenty Regional Council Fiona McTavish	11.3.2.1	Status	Amend	Amend 8.3.2.1.7 (b) and 11.3.2.1 (b) to read:  <i>A report by a Suitably Qualified and Experienced Person <del>Chartered Professional Engineer</del> is provided to show that the <b>site</b> complies with the On-Site Effluent Treatment Regional Plan.</i>

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17	17.83	Bay of Plenty Regional Council Fiona McTavish	11.3.2.1	Status	Amend	Insert the following permitted earthwork rules in 9.3.2.1, 11.3.2.1:  <i>Any modification of any natural landform, including earthworks less than or equal to 400m<sup>2</sup> and 200m<sup>3</sup> in any 12 month period.</i>  <i>Any earthworks for the maintenance of existing walking tracks, farm and forestry tracks, driveways, roads, fence lines and drains.</i>
17	17.140	Bay of Plenty Regional Council Fiona McTavish	11.3.2.1	Status	Amend	Replace 11.3.3.1 (Controlled Activity) with 11.3.2.1.4 (currently listed as a Permitted Activity).
29	29.39	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.3.2.1	Status	NS	Upokorehe are concerned with <u>point 8</u> in relation to prospecting. If the activity creates ground disturbance then this activity should be clearly managed and monitored as technology today can be quite intrusive, especially in areas that are of cultural and historical significance to tangata whenua. In order to minimise any misunderstandings permission should be sought by land owners, or in the instance where the affected area is wahi tapu, then tangata whenua need to be consulted. Perhaps this point needs more discussion to clarify the actual purpose of the prospecting.
37	37.70	NZ Fire Commission Stephanie Dean	11.3.2.1	Status	Oppose	Amend Rule 11.3.2.1 to include the following as a permitted activity: <i>"x. Emergency services training and management activities."</i>
40	40.4	NZDFA - Bay of Plenty Lindsay Fung	11.3.2.1	Status	Oppose	Delete Clause 3 of 11.3.2.1: <i>11.3.2.1 Subject to compliance with the Zone Standards in Section 8.6, the following activities may be established in the Industrial Zone, without resource consent,</i> <i>3. Deer farming</i>
60	60.57	Federated Farmers of NZ Nikki Edwards	11.3.2.1	Status	Support / Amend	That <i>Rural Production Activities</i> are permitted along with <i>Farming</i> in Rule 9.3.1.1.1.
60	60.58	Federated Farmers of NZ Nikki Edwards	11.3.2.1	Status	Amend	That goat farming is included under the definition of <i>farming</i> or <i>rural production activity</i> , and therefore permitted by Rule 11.3.2.1.1
7	7.52	Department of Conservation Chris Staite	11.3.2.1.2	Status	Support	Retain
17	17.77	Bay of Plenty Regional Council Fiona McTavish	11.3.2.1.2	Status	Support / Amend	Retain 8.6.14, 8.9.2, 9.3.2.1.2 and 11.3.2.1.2 as notified.
7	7.53	Department of Conservation Chris Staite	11.3.2.1.3	Status	Support	Retain
60	60.59	Federated Farmers of NZ Nikki Edwards	11.3.2.1.3	Status	Amend	That Deer farming is included under the definition of <i>farming</i> or <i>rural production activity</i> , and therefore permitted by Rule 11.3.2.1.1
7	7.54	Department of Conservation Chris Staite	11.3.2.1.4	Status	Support	Retain

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8	8.119	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.2.1.4	Status	Amend	Buildings within 50m or other appropriate distance of the CMA should be discretionary, but <b>all</b> buildings in the <i>coastal environment</i> should be Restricted Discretionary for consistency with the Proposed Whakatane District Plan (PWDP), including accessory buildings.
18	18.94	Heritage NZ Carolyn McAlley	11.3.2.1.5	Status	Support	That Permitted activities 11.3.2.1.5, and 11.3.2.1.6 and 11.3.2.1.7 are retained.
8	8.83	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.2.1.6	Status	Amend	Change to restricted discretionary in coastal environment
18	18.95	Heritage NZ Carolyn McAlley	11.3.2.1.6	Status	Support	That Permitted activities 11.3.2.1.5, and 11.3.2.1.6 and 11.3.2.1.7 are retained.
18	18.96	Heritage NZ Carolyn McAlley	11.3.2.1.7	Status	Support	That Permitted activities 11.3.2.1.5, and 11.3.2.1.6 and 11.3.2.1.7 are retained.
19	19.14	NZ Defence Force Rebecca Davies	11.3.2.1.13	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	57.62	Toi Te Ora - Public Health Service Sally Webb	11.3.2.1.13	Status	Support	Allow the provision for temporary military training as a permitted activity complying with noise controls in Appendix 3.
7	7.55	Department of Conservation Chris Staite	11.3.3.1.1	Status	Support	Retain
8	8.120	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.3.1.1	Status	Amend	Buildings within 50m or other appropriate distance of the CMA should be discretionary, but all buildings in the coastal environment should be Restricted Discretionary for consistency with the PWDP. See 11.3.5.1.
8	8.121	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.3.1.2	Status	Amend	Buildings within 50m or other appropriate distance of the CMA should be discretionary, but all buildings in the coastal environment should be Restricted Discretionary for consistency with the PWDP. See 11.3.5.1.
17	17.14	Bay of Plenty Regional Council Fiona McTavish	11.3.3.2	Status	Amend	Replace 11.3.3.1 (Controlled Activity) with 11.3.2.1.4 (currently listed as a Permitted Activity).
8	8.12	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.4.1	Status	Support	Retain
11	11.119	Horticulture NZ Angela Halliday	11.3.4.1	Status	Oppose in part	Amend 11.3.4.1 by adding: Audible bird scaring devices that do not comply with 8.6.7.1 (1) Artificial crop protection structures that do not comply with 8.6.5
7	7.56	Department of Conservation Chris Staite	11.3.4.1.2	Status	Support	Retain
11	11.12	Horticulture NZ Angela Halliday	11.3.4.1.3	Status	Oppose in part	Amend 11.3.4.1 (3) to include Buildings <u>and activities</u>



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17	17.85	Bay of Plenty Regional Council Fiona McTavish	11.3.5	Status	Amend	Insert the following discretionary earthwork rule in 9.3.5 and 11.3.5:  <i>Any modification of any natural landform, including earthworks in excess of 400m<sup>2</sup> and 200m<sup>3</sup> in any 12 month period. (Refer to performance standards in 13.4.2).</i>
41	41.25	Ministry of Education Andrew Hill	11.3.5	Status	Support	Amend wording: <b>11.3.5 Discretionary Activities</b> <i>11.3.5.1 The following activities require land use consent from the Council and consent may be granted or refused. The Zone standards in 11.7 will be used as a guideline when assessing the application.</i> <b>6. Education facilities</b>
7	7.57	Department of Conservation Chris Staite	11.3.5.1	Status	Support	Retain
8	8.12	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.5.1	Status	Support	Retain
17	17.142	Bay of Plenty Regional Council Fiona McTavish	11.3.5.1	Status	Amend	Amend 11.3.5.1.2 (Discretionary Activity) to read:  <b>2. Buildings within 25m and 50m from MHWS.</b>
60	60.61	Federated Farmers of NZ Nikki Edwards	11.3.5.1	Status	Oppose	That Production Forestry is a permitted activity.
7	7.58	Department of Conservation Chris Staite	11.3.5.2	Status	Support	Retain
7	7.59	Department of Conservation Chris Staite	11.3.5.3	Status	Support	Retain
8	8.12	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.5.3	Status	Amend	Change activity status to non-complying.
7	7.60	Department of Conservation Chris Staite	11.3.5.4	Status	Support	Retain
7	7.61	Department of Conservation Chris Staite	11.3.5.5	Status	Support	Retain
8	8.13	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.3.7.1	Status	Support	Retain
8	8.13	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.4	Criteria CA	Amend	Amend to be consistent with PWDP

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17	17.11	Bay of Plenty Regional Council Fiona McTavish	11.4	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>
29	29.40	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.4.1	Criteria CA	NS	Upokorehe supports any initiative that eliminates or mitigates negative effects on the Outstanding Natural Features and Landscapes, indigenous biodiversity and natural character values of the Ohiwa Harbour. In the event that these values are threatened, Upokorehe should be consulted.
7	7.62	Department of Conservation Chris Staite	11.4.1.1	Criteria CA	Support	Retain
8	8.13	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.4.1.1	Criteria CA	Amend	Assessment criteria should be consistent with PWDP controls for Rural Ohiwa Zone.
11	11.121	Horticulture NZ Angela Halliday	11.4.1.1	Criteria CA	Oppose in part	Amend 11.4.1.1 Design and appearance Add to the criteria: The functional need for the building or structure for farming activities.
7	7.63	Department of Conservation Chris Staite	11.4.1.3	Criteria CA	Support	Retain
8	8.13	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.4.1.3	Criteria CA	Amend	Amend consistent with PWDP criteria for Rural Ohiwa Zone and include earthworks effects on indigenous vegetation and require reinstatement or revegetation
17	17.88	Bay of Plenty Regional Council Fiona McTavish	11.4.1.3	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 and land disturbance on the surrounding environment, including waahi tapu, sites of cultural significance or landscape value; any alteration to the contours of the site from stormwater, siltation and sedimentation effects, and any effects on the stability of the coastal dune system.</i>
29	29.41	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.4.1.3	Criteria CA	NS	Upokorehe are concerned about the effects of any earthworks or activity on the surrounding environment, including any alteration to the contours of a site, siltation and sedimentation effects, and any effects on the stability of the coastal dune system. Although it is ideal that these activities be eliminated, in the event that this is unavoidable then consultation with Upokorehe should be undertaken beforehand.

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17	17.27	Bay of Plenty Regional Council Fiona McTavish	11.4.1.4	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	18.97	Heritage NZ Carolyn McAlley	11.4.1.4	Criteria CA	Support in part	That Assessment Criteria 11.4.1.4 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	29.42	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.4.1.4	Criteria CA	NS	Upokorehe would like to stress the importance of meaningful consultation for any activity that may impact on the environment, places of cultural and historical importance, resources of cultural significance or the natural character of the Ohiwa Harbour.
17	17.47	Bay of Plenty Regional Council Fiona McTavish	11.4.1.5	Criteria CA	Support / Amend	Insert into 11.4.1.5 as a new matter under subheading Natural hazards the above amendment for 9.4.1.8 and 10.4.1.8.
18	18.27	Heritage NZ Carolyn McAlley	11.5	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	24.35	Opotiki District Council Aileen Lawrie	11.5.1	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	24.71	Opotiki District Council Aileen Lawrie	11.5.1.1	Criteria RDA	Amend	Add "Buildings not otherwise permitted or controlled that do not comply with the Zone Standards in 11.7 "
8	8.129	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.5.1.1.2	Criteria RDA	Amend	Amend as follows: <i>2. Visibility from the road, public places, including from Ohiwa Harbour and other residential areas;</i>
7	7.64	Department of Conservation Chris Staite	11.5.1.2	Criteria RDA	Support	Retain
8	8.62	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.5.1.2	Criteria RDA	Amend	Standardise the wording of 11.5.1.2.
8	8.130	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.5.1.2	Criteria RDA	Amend	Ensure wording of 11.5.1.2 and 8.5.15 is the same.
7	7.65	Department of Conservation Chris Staite	11.6.1	Criteria DA	Support	Retain
8	8.132	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.6.1.4	Criteria DA	Amend	Amend to read "Foreground vegetative screening".
8	8.6	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7	Standards	Amend	Consistency with the PWDP is adopted for coastal setbacks and earthworks provisions in the Coastal, Coastal Settlement and Ohiwa Harbour Zones, ONFLs and SIBs.
11	11.124	Horticulture NZ Angela Halliday	11.7	Standards	Support in Part	Add Zone standards for: Artificial crop protection structures as set out in 8.6.5 Audible bird scaring devices as set out in 8.6.7.1 (1)

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12	12.13	NZ Transport Agency Mathew Stulen	11.7	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>- have reflective material or illumination that flashes and moves;</li> <li>- Obstruct impair the view of any official traffic sign and signal, or the line of sight of any corner, bend, intersection or vehicle crossing;</li> <li>- Physically obstruct or impede traffic or pedestrians;</li> <li>- Resemble or be likely to be confused with any official traffic signs or signals; and</li> <li>- Use support structures which are not frangible.</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>
19	19.24	NZ Defence Force Rebecca Davies	11.7	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>
8	8.133	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7.1.1	Standards	Support	Retain site coverage limits.
8	8.134	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7.1.2	Standards	Support	Retain
17	17.143	Bay of Plenty Regional Council Fiona McTavish	11.7.1.2	Standards	Support	Retain the Standard for Height in 11.7.1.2 as notified.
11	11.123	Horticulture NZ Angela Halliday	11.7.2	Standards	Support in Part	Amend 11.7.2 by adding 'when visible from a public place'.

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49	49.5	Whakatane District Council Melanie McCormick	11.7.2	Standards	Support in part	Amend the rules to read: <del>The exterior surfaces (including the roof) of any building shall have reflectivity values of between 0% and 37%.</del> All external surfaces of <b>buildings</b> shall in accordance with BS 5252 Reflective Value and shall meet; a. A maximum of 35% reflective value for walls; b. A maximum of 25% reflective value for roofs, and c. There shall be no mirror glazing.  Advice Note: <b>Under this Rule "all external surfaces", "walls", "roofs", includes gutters, spouting and joinery.</b>
11	11.122	Horticulture NZ Angela Halliday	11.7.3.1	Standards	Support in Part	Amend 11.7.3.1 5. Except as provided below all buildings <u>other than dwellings</u> shall be set back at least 5 metres from side and rear boundaries. 6. All dwellings shall be set back at least 25 metres from side and rear boundaries unless the written approval of any affected, adjoining neighbour is obtained and that written approval has been lodged with council. 7. Non-compliance with the Rule shall be considered as a Restricted Discretionary Activity. 8. Clause 3 as notified
60	60.62	Federated Farmers of NZ Nikki Edwards	11.7.3.2	Standards	Amend	That Standard 11.7.3.2 does not apply to on-farm yards.
8	8.135	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7.3.3	Standards	Amend	Standardise the setbacks based on natural character, landscape and natural hazards.
60	60.63	Federated Farmers of NZ Nikki Edwards	11.7.3.3	Standards	Amend	That Standard 11.7.3.3 does not apply to farm buildings.
11	11.125	Horticulture NZ Angela Halliday	11.7.4	Standards	Oppose in part	Amend 11.7.4 Areas used for storage by rural industries and rural services shall be to be screened from any public place and from adjoining residential activity site that existed prior to the establishment of the rural industry or rural service.
60	60.64	Federated Farmers of NZ Nikki Edwards	11.7.4	Standards	Amend	That Standard 9.6.3.1 clarifies that it refers to screening of industrial or commercial storage and service areas.
11	11.126	Horticulture NZ Angela Halliday	11.7.5	Standards	Oppose in part	Amend 11.7.5. Include an exemption as follows Subject to best practicable option being adopted the following activities are exempt from 11.7.5. Activities required for rural production activities, including agricultural and horticultural vehicles and equipment; aircraft used for agricultural and horticultural purposes; and portable equipment (excluding portable sawmills and frost protection fans and audible bird scaring devices) associated with agricultural and horticultural activities such as: spraying, harvesting, livestock.

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41	41.26	Ministry of Education Andrew Hill	11.7.5	Standards	Support	Retain as notified
57	57.83	Toi Te Ora - Public Health Service Sally Webb	11.7.5	Standards	Support / Amend	A. In the first paragraph in clause 11.7.5.1, delete "boundary of any" and substitute "notional boundary of any dwelling within any other" B. Delete column 4 in the table 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
60	60.65	Federated Farmers of NZ Nikki Edwards	11.7.5	Standards	Amend	That rural production activity noise is exempt from Standard 11.7.5 for noise.
11	11.127	Horticulture NZ Angela Halliday	11.7.5.1	Standards	Oppose in part	Amend 11.7.5 (1) All activities on a site shall be designed and conducted to ensure that the following noise limits are not exceeded at the notional boundary within the Ohiwa Harbour Zone or the boundary of an adjoining zone.
11	11.128	Horticulture NZ Angela Halliday	11.7.5.1	Standards	Oppose	Add to 11.7.5 (1) Audible bird scaring devices complying with the Rural Zone Standard 8.6.7.1 (1).
17	17.144	Bay of Plenty Regional Council Fiona McTavish	11.7.6	Standards	Support / Amend	Amend 11.7.6 to read:  <i>All exterior <del>security</del> lighting shall be designed, installed, and maintained so that the light emitted does not overspill <del>site</del> boundaries, <u>cause light pollution in the night sky</u>, or cause distraction or glare which could affect traffic safety on adjacent <b>roads</b>.</i>
41	41.27	Ministry of Education Andrew Hill	11.7.7.1	Standards	Support	Amend wording: <b>2. On-site car parking shall be provided as follows:</b> <b><i>Educational institutions</i></b> <b><i>Education facilities</i></b>
37	37.71	NZ Fire Commission Stephanie Dean	11.7.8	Standards	Support in part	Amend Standard 11.7.8 as follows: "11.7.8 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 11.7.12.x(2).</u> "
5	5.3	J Gregory	11.7.8.2	Standards	NS	Fence off access - prevent access to mudflats
8	8.136	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7.9.2	Standards	Support	Retain
60	60.66	Federated Farmers of NZ Nikki Edwards	11.7.9.2	Standards	Amend	That signs required under legislation are permitted with no limits.
8	8.137	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7.9.3	Standards	Support	Retain

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41	41.28	Ministry of Education Andrew Hill	11.7.9.3	Standards	Support	Amend wording: <i>Signs meeting the following standards are Controlled Activities in the zone. A sign not exceeding 1.1m<sup>2</sup> in area for any public purposes or in connection with and on the same site as any of the following activities:</i> <b>c) Educational institutions</b> <b><u>Education facilities</u></b>
17	17.37	Bay of Plenty Regional Council Fiona McTavish	11.7.10.1	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>Opotiki 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	37.72	NZ Fire Commission Stephanie Dean	11.7.12	Standards	Support in part	Amend Standard 11.7.12 as follows: <b>"11.7.12 WATER SUPPLY</b> 11.7.12.1 A potable water supply ... 11.7.12.2 All new buildings shall have access to a water supply for fire fighting purposes in accordance with NZFSA Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. <u>Where the 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> "
11	11.129	Horticulture NZ Angela Halliday	11.7.12.2	Standards	Oppose in part	Amend 11.7.12.2 by adding an exclusion: Except that this does not apply to artificial crop protection structures.
8	8.138	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.7.13	Standards	Amend	Require that all new lots must have a safe building envelope and new buildings in the hazard zone should require a hazard assessment.
7	7.66	Department of Conservation Chris Staite	11.7.13.1	Standards	Support	Retain
7	7.67	Department of Conservation Chris Staite	11.7.15	Standards	Support	Retain
60	60.67	Federated Farmers of NZ Nikki Edwards	11.7.15	Standards	Amend	That Standard 11.7.15 is deleted
40	40.3	NZDFA - Bay of Plenty Lindsay Fung	11.7.16	Standards	Oppose	Delete 11.7.16 Deer Farming and as a result delete Appendix 8.9.1.
60	60.69	Federated Farmers of NZ Nikki Edwards	11.7.16	Standards	Amend	That Standards 11.7.16 are deleted

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17	17.57	Bay of Plenty Regional Council Fiona McTavish	11.8	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	8.139	Eastern Bay of Plenty - Forest and Bird Linda Conning	11.8.1.5	Other Methods	Amend	Reword as follows:  "Seek support from DOC and regional council <u>to provide assistance to landowners to fence wetlands and other indigenous vegetation</u> ".
18	18.98	Heritage NZ Carolyn McAlley	11.9	EER	Support in part	That the 11.9 Environmental Results expected are amended as follows: <b>C.</b> <del>The important ecological, scientific, historic and botanical values of the Ohiwa Harbour are maintained and enhanced:</del> <u>conserved</u> <b>D.</b> <del>The cultural and spiritual significance of the Harbour is recognised and conserved.</del>
29	29.43	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.9.1	EER	NS	Upokorehe acknowledges the importance of preserving the natural character of the Ohiwa Harbour.
29	29.44	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.9.1	EER	NS	Upokorehe would like to be consulted on any proposed development or activity that may compromise the significant natural values of Ohiwa Harbour and its environs.
29	29.45	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.9.1	EER	NS	Upokorehe recognises that the important ecological, scientific, historic and botanical values of the Ohiwa Harbour are maintained and enhanced.
29	29.46	Upokorehe Iwi Lance Reha & Gaylene Kohunui	11.9.1	EER	NS	Upokorehe unequivocally agrees that the cultural and spiritual significance of the harbour is recognised and respected.