

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
5	5.5	J Gregory	17	General	NS	Stop pollution - protect water supply
24	24.93	Opotiki District Council Aileen Lawrie	17	General	Amend	Amend Chapter 17 rules and standards generally as attached ( <a href="#">Attachment 2</a> ) (Refer attachment to submission)
24	24.94	Opotiki District Council Aileen Lawrie	17	Format	Amend	Repetition in 17.5 should be deleted
48	48.8	NZ Association of Radio Transmitters Douglas Birt	17	ARCs	Amend	Include the same provision for Amateur Radio Configurations as Network Utilities within residential and other zones. (i) Antennas attached to buildings must not exceed the point of attachment height by more than 7 metres. (ii) The maximum number of antennas is 12. (iii) Masts and attached antennas identified as permitted activities have a maximum height of 20 metres.
53	53.34	Vodafone Chris Horne	17.1	Issues	Oppose in part	Amend Issue 17.1 (9) as follows: Regionally significant infrastructure <b>and network utilities</b> is <b>are</b> essential for the economic and social wellbeing of the District.
54	54.34	Chorus Chris Horne	17.1	Issues	Oppose in part	Amend Issue 17.1 (9) as follows: Regionally significant infrastructure <b>and network utilities</b> is <b>are</b> essential for the economic and social wellbeing of the District.
55	55.34	Spark	17.1	Issues	Oppose in part	Amend Issue 17.1 (9) as follows: Regionally significant infrastructure <b>and network utilities</b> is <b>are</b> essential for the economic and social wellbeing of the District.
36	36.20	First Gas Limited Hywel Edwards	17.1.1	Issues	Support	Retain Issues 1 & 3
39	39.64	Transpower NZ Ltd Pauline Whitney	17.1.1	Issues	Support	(i) Retain Issues 17.1.1 – 17.1.9.
39	39.65	Transpower NZ Ltd Pauline Whitney	17.1.2	Issues	Support	(i) Retain Issues 17.1.1 – 17.1.9.
36	36.21	First Gas Limited Hywel Edwards	17.1.3	Issues	Support	Retain Issues 1 & 4
39	39.66	Transpower NZ Ltd Pauline Whitney	17.1.3	Issues	Support	(i) Retain Issues 17.1.1 – 17.1.9.
39	39.67	Transpower NZ Ltd Pauline Whitney	17.1.4	Issues	Support	(i) Retain Issues 17.1.1 – 17.1.9.
39	39.68	Transpower NZ Ltd Pauline Whitney	17.1.5	Issues	Support	(i) Retain Issues 17.1.1 – 17.1.9.
39	39.69	Transpower NZ Ltd Pauline Whitney	17.1.6	Issues	Support	(i) Retain Issues 17.1.1 – 17.1.9.
36	36.22	First Gas Limited Hywel Edwards	17.1.7	Issues	Support / Amend	Amend Issue 7: The operation, maintenance, development, <i>replacement</i> and upgrade of Regionally Significant Infrastructure including the National Grid can be constrained by adverse effects from other activities.
39	39.70	Transpower NZ Ltd Pauline Whitney	17.1.7	Issues	Support	(i) Retain Issues 17.1.1 – 17.1.9.

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
36	36.23	First Gas Limited Hywel Edwards	17.1.8	Issues	Support	Retain Issue 8
39	39.71	Transpower NZ Ltd Pauline Whitney	17.1.8	Issues	Support	(i) Retain Issues 17.1.1 – 17.1.9.
36	36.24	First Gas Limited Hywel Edwards	17.1.9	Issues	Support	Retain Issue 9
39	39.72	Transpower NZ Ltd Pauline Whitney	17.1.9	Issues	Support	(i) Retain Issues 17.1.1 – 17.1.9.
39	39.42	Transpower NZ Ltd Pauline Whitney	17.2	Policies	Amend	(i) Insert a new policy as follows: <u>New National Grid infrastructure:</u> <u>a) should seek to avoid adverse effects on outstanding natural landscapes and features, while:</u> <u>i. considering the constraints imposed on achieving measures to manage the environmental effects of National Grid infrastructure by the technical, locational or operational requirements of the network; and</u> <u>ii. having regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection.</u>
39	39.73	Transpower NZ Ltd Pauline Whitney	17.2	Objective	Support	(i) Retain 17.2 Objectives and Policies
53	53.27	Vodafone Chris Horne	17.2	Policies	Oppose	Possible wording for a policy to be included in Chapter 17 is as follows: "Recognise that network utilities may require a location within the sensitive natural environments covered by Chapter 13 of the District Plan in appropriate circumstances following a consideration of the following matters: - The benefits of providing the infrastructure and adverse effects of not providing it; - Whether there is a functional or operational need to locate within or traverse a particular area; - Whether there are practicable alternatives to locate outside these areas; - The extent of any adverse effects on the values and attributes of the particular area, and the extent to which these can be remedied or mitigated".

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
53	53.43	Vodafone Chris Horne	17.2	Policies	Support	<p><b>Add</b> a new policy that recognises and provides for network utilities in sensitive natural environments (e.g. ONFL) in appropriate circumstances.</p> <p>Possible wording for a policy to be included in Chapter 17 is as follows:  <i>“Recognise that network utilities may require a location within the sensitive natural environments covered by Chapter 13 of the District Plan in appropriate circumstances following a consideration of the following matters:</i></p> <ul style="list-style-type: none"> <li>- <i>The benefits of providing the infrastructure and adverse effects of not providing it;</i></li> <li>- <i>Whether there is a functional or operational need to locate within or traverse a particular area;</i></li> <li>- <i>Whether there are practicable alternatives to locate outside these areas;</i></li> <li>- <i>The extent of any adverse effects on the values and attributes of the particular area, and the extent to which these can be remedied or mitigated”.</i></li> </ul>
54	54.27	Chorus Chris Horne	17.2	Policies	Oppose	<p>Possible wording for a policy to be included in Chapter 17 is as follows:  <i>“Recognise that network utilities may require a location within the sensitive natural environments covered by Chapter 13 of the District Plan in appropriate circumstances following a consideration of the following matters:</i></p> <ul style="list-style-type: none"> <li>- <i>The benefits of providing the infrastructure and adverse effects of not providing it;</i></li> <li>- <i>Whether there is a functional or operational need to locate within or traverse a particular area;</i></li> <li>- <i>Whether there are practicable alternatives to locate outside these areas;</i></li> <li>- <i>The extent of any adverse effects on the values and attributes of the particular area, and the extent to which these can be remedied or mitigated”.</i></li> </ul>
54	54.43	Chorus Chris Horne	17.2	Policies	Support	<p><b>Add</b> a new policy that recognises and provides for network utilities in sensitive natural environments (e.g. ONFL) in appropriate circumstances.</p> <p>Possible wording for a policy to be included in Chapter 17 is as follows:  <i>“Recognise that network utilities may require a location within the sensitive natural environments covered by Chapter 13 of the District Plan in appropriate circumstances following a consideration of the following matters:</i></p> <ul style="list-style-type: none"> <li>- <i>The benefits of providing the infrastructure and adverse effects of not providing it;</i></li> <li>- <i>Whether there is a functional or operational need to locate within or traverse a particular area;</i></li> <li>- <i>Whether there are practicable alternatives to locate outside these areas;</i></li> <li>- <i>The extent of any adverse effects on the values and attributes of the particular area, and the extent to which these can be remedied or mitigated”.</i></li> </ul>

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
55	55.27	Spark	17.2	Policies	Oppose	Possible wording for a policy to be included in Chapter 17 is as follows: <i>"Recognise that network utilities may require a location within the sensitive natural environments covered by Chapter 13 of the District Plan in appropriate circumstances following a consideration of the following matters:</i> <ul style="list-style-type: none"> <li>- <i>The benefits of providing the infrastructure and adverse effects of not providing it;</i></li> <li>- <i>Whether there is a functional or operational need to locate within or traverse a particular area;</i></li> <li>- <i>Whether there are practicable alternatives to locate outside these areas;</i></li> <li>- <i>The extent of any adverse effects on the values and attributes of the particular area, and the extent to which these can be remedied or mitigated".</i></li> </ul>
55	55.43	Spark	17.2	Policies	Support	<b>Add</b> a new policy that recognises and provides for network utilities in sensitive natural environments (e.g. ONFL) in appropriate circumstances.  Possible wording for a policy to be included in Chapter 17 is as follows: <i>"Recognise that network utilities may require a location within the sensitive natural environments covered by Chapter 13 of the District Plan in appropriate circumstances following a consideration of the following matters:</i> <ul style="list-style-type: none"> <li>- <i>The benefits of providing the infrastructure and adverse effects of not providing it;</i></li> <li>- <i>Whether there is a functional or operational need to locate within or traverse a particular area;</i></li> <li>- <i>Whether there are practicable alternatives to locate outside these areas;</i></li> <li>- <i>The extent of any adverse effects on the values and attributes of the particular area, and the extent to which these can be remedied or mitigated".</i></li> </ul>
8	8.239	Eastern Bay of Plenty - Forest and Bird Linda Conning	17.2.1	Objective	Amend	Delete the word 'significant'.
36	36.25	First Gas Limited Hywel Edwards	17.2.1	Objective	Support / Amend	Amend Objective 17.2.1  The benefits of the safe, efficient and effective operation (including maintenance, upgrade, replacement and development) of Regionally Significant Infrastructure including <i>Network Utilities</i> within the District are recognised. <del>where significant adverse effects on the environment are avoided, remedied, or mitigated.</del>
53	53.35	Vodafone Chris Horne	17.2.1	Objective	Support	Retain
54	54.35	Chorus Chris Horne	17.2.1	Objective	Support	Retain
55	55.35	Spark	17.2.1	Objective	Support	Retain
36	36.26	First Gas Limited Hywel Edwards	17.2.1.1	Policies	Support	Retain Policy 17.2.1.1
53	53.36	Vodafone Chris Horne	17.2.1.1	Policies	Support	Retain

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
54	54.36	Chorus Chris Horne	17.2.1.1	Policies	Support	Retain
55	55.36	Spark	17.2.1.1	Policies	Support	Retain
36	36.27	First Gas Limited Hywel Edwards	17.2.1.2	Policies	Support	Retain Policy 17.2.1.2
53	53.37	Vodafone Chris Horne	17.2.1.2	Policies	Support	Retain
54	54.37	Chorus Chris Horne	17.2.1.2	Policies	Support	Retain
55	55.37	Spark	17.2.1.2	Policies	Support	Retain
36	36.28	First Gas Limited Hywel Edwards	17.2.1.3	Policies	Support / Amend	Amend Policy 17.2.1.3:  Where network utility operators propose to locate within areas susceptible to natural hazards to meet a functional requirement, to ensure infrastructure has been adequately designed to <del>require a natural hazard assessment</del> so that the risks to and from the network utility can be appropriately managed <i>to the extent they are acceptable</i> .
53	53.44	Vodafone Chris Horne	17.2.1.3	Policies	Oppose	Delete Policy 17.2.1.3.
54	54.44	Chorus Chris Horne	17.2.1.3	Policies	Oppose	Delete Policy 17.2.1.3.
55	55.44	Spark	17.2.1.3	Policies	Oppose	Delete Policy 17.2.1.3.
36	36.29	First Gas Limited Hywel Edwards	17.2.1.4	Policies	Support / Amend	Amend Policy 17.2.1.4: Recognise the benefits of <i>Regionally Significant Infrastructure and</i> the National Grid in the District.
53	53.45	Vodafone Chris Horne	17.2.1.4	Policies	Oppose in part	<b>Amend</b> Policy 17.2.1.4 as follows: <i>"Recognise the benefits of <b>network utilities including</b> the National Grid in the District".</i>
54	54.45	Chorus Chris Horne	17.2.1.4	Policies	Oppose in part	<b>Amend</b> Policy 17.2.1.4 as follows: <i>"Recognise the benefits of <b>network utilities including</b> the National Grid in the District".</i>
55	55.45	Spark	17.2.1.4	Policies	Oppose in part	<b>Amend</b> Policy 17.2.1.4 as follows: <i>"Recognise the benefits of <b>network utilities including</b> the National Grid in the District".</i>
8	8.240	Eastern Bay of Plenty - Forest and Bird Linda Conning	17.2.2	Objective	Amend	Change 'management' to 'control' and amend as follows:  <i>Management <u>Control</u> of the potential adverse effects of network utilities on sensitive environments, particularly in areas of high landscape value <u>including the coastal environment</u> . such as in the District's <u>eastal areas</u> .</i>

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
18	18.216	Heritage NZ Carolyn McAlley	17.2.2	Objective	Support in part	That Objective 17.2.2 is retained and amended as follows: <i>"Management of the potential adverse effects of network utilities on sensitive environments, particularly in areas of high landscape <u>and historic heritage</u> value such as in the District's Coastal areas."</i>
53	53.38	Vodafone Chris Horne	17.2.2	Objective	Support	Retain
54	54.38	Chorus Chris Horne	17.2.2	Objective	Support	Retain
55	55.38	Spark	17.2.2	Objective	Support	Retain
53	53.39	Vodafone Chris Horne	17.2.2.1	Policies	Support	Retain
54	54.39	Chorus Chris Horne	17.2.2.1	Policies	Support	Retain
55	55.39	Spark	17.2.2.1	Policies	Support	Retain
36	36.30	First Gas Limited Hywel Edwards	17.2.2.2	Policies	Support / Amend	Retain Policy 17.2.2.2  Ensure that <i>Network Utilities</i> including overhead lines, structures, and buildings are designed and located to seek to avoid or minimise adverse effects, particularly visual effects, <i>while recognising some infrastructure has functional and location constraints.</i>
53	53.4	Vodafone Chris Horne	17.2.2.2	Policies	Support	Retain
54	54.4	Chorus Chris Horne	17.2.2.2	Policies	Support	Retain
55	55.4	Spark	17.2.2.2	Policies	Support	Retain
36	36.31	First Gas Limited Hywel Edwards	17.2.3	Objective	Support / Amend	Retain Objective 17.2.3
53	53.41	Vodafone Chris Horne	17.2.3	Objective	Support	Retain
54	54.41	Chorus Chris Horne	17.2.3	Objective	Support	Retain
55	55.41	Spark	17.2.3	Objective	Support	Retain
36	36.32	First Gas Limited Hywel Edwards	17.2.3.1	Policies	Support / Amend	Retain Policy 17.2.3.1
60	60.114	Federated Farmers of NZ Nikki Edwards	17.2.3.1	Policies	Amend	That Policy 17.2.3.1 is amended to apply only to the National Grid: <i>To ensure that new subdivision, buildings and activities do not result in reverse sensitivity which could compromise the maintenance, upgrade, replacement, development and operation of existing network utilities, including the National Grid.</i>
36	36.33	First Gas Limited Hywel Edwards	17.2.3.2	Policies	Support	Retain Policy 17.2.3.2

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
53	53.42	Vodafone Chris Horne	17.2.3.2	Policies	Support	Retain
54	54.42	Chorus Chris Horne	17.2.3.2	Policies	Support	Retain
55	55.42	Spark	17.2.3.2	Policies	Support	Retain
11	11.171	Horticulture NZ Angela Halliday	17.2.3.3	Policies	Oppose in Part	Amend 17.2.3.3 as follows: To manage subdivision within the National Grid Subdivision Corridor.
60	60.115	Federated Farmers of NZ Nikki Edwards	17.2.3.3	Policies	Amend	That Policy 17.2.3.3 is amended to read: <i>To manage <u>inappropriate</u> subdivision, land-use activities and vegetation within the electricity transmission corridors, including the National Grid for the purpose of avoiding reverse sensitivity.</i>
11	11.172	Horticulture NZ Angela Halliday	17.2.3.4	Policies	Support in Part	Amend 17.2.3.4: To avoid sensitive activities and inappropriate buildings and structures within the National Grid Yard.
18	18.16	Heritage NZ Carolyn McAlley	17.3	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	39.21	Transpower NZ Ltd Pauline Whitney	17.3	Status	Oppose	(i) Insert the following Notes within Section 17.3 Activity Status <u>Resource Management Regulations – National Environmental Standards</u> <u>The operation, maintenance, upgrading, relocation or removal of an electricity transmission line and ancillary structures that existed prior to 14 January 2010 is largely controlled by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009, separate to this District Plan.</u>  <u>For clarification, where there is conflict or perceived conflict between the provisions of this Plan and the requirements of the NES identified above, the provisions of the NES shall apply.</u>

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
39	39.74	Transpower NZ Ltd Pauline Whitney	17.3	Status	Support in part	(i) As proposed in Submission Point 20, insert the following Notes within Section 17.3 Activity Status <u>Resource Management Regulations – National Environmental Standards</u> <u>The operation, maintenance, upgrading, relocation or removal of an electricity transmission line and ancillary structures that existed prior to 14 January 2010 is largely controlled by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009, separate to this District Plan.</u> <u>For clarification, where there is conflict or perceived conflict between the provisions of this Plan and the requirements of the NES identified above, the provisions of the NES shall apply.</u>
39	39.75	Transpower NZ Ltd Pauline Whitney	17.3	Status	Support in part	(ii) Amend Section 17.3 as follows: <i>Resource consent is not required for Permitted activities provided all relevant standards are met. Resource consent is required for all <del>Controlled</del>, Restricted Discretionary, Discretionary and Non-complying activities. Additional controls apply in relation to the following activities. Refer to the Chapters identified.</i> • <u>Coastal Zone – refer Chapter 9</u> • <u>Coastal Settlement Zone – refer Chapter 10</u> • <u>Landscapes and Habitats – refer Chapter 13</u> • <u>Heritage – refer Chapter 14</u> • <u>Natural Hazards – refer Chapter 18</u>
53	53.46	Vodafone Chris Horne	17.3	Status	Oppose in part	<b>Amend</b> 17.3 activity status by including a cross reference to the NESTF and a brief explanation of its scope.
53	53.52	Vodafone Chris Horne	17.3	Status	Support	<b>Add</b> a new rules regime within Chapter 17 for network utilities within sensitive natural environments covered by Chapter 13. As a starting position, the underlying zone rules shall apply instead of the rules relating more generally to structures and buildings in Chapter 13. A suitable rules regime should take into account the following principles: - Network utilities in roads are subject to the standards of the underlying zone; - Network utilities outside of roads are subject to additional permitted activity controls (e.g. alternative height limits, colour and reflectivity controls); - RD status where permitted activity standards are not met; and - D status where a network utility activity is not otherwise provided for.
54	54.46	Chorus Chris Horne	17.3	Status	Oppose in part	<b>Amend</b> 17.3 activity status by including a cross reference to the NESTF and a brief explanation of its scope.

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
54	54.52	Chorus Chris Horne	17.3	Status	Support	<b>Add</b> a new rules regime within Chapter 17 for network utilities within sensitive natural environments covered by Chapter 13. As a starting position, the underlying zone rules shall apply instead of the rules relating more generally to structures and buildings in Chapter 13. A suitable rules regime should take into account the following principles: <ul style="list-style-type: none"> <li>- Network utilities in roads are subject to the standards of the underlying zone;</li> <li>- Network utilities outside of roads are subject to additional permitted activity controls (e.g. alternative height limits, colour and reflectivity controls);</li> <li>- RD status where permitted activity standards are not met; and</li> <li>- D status where a network utility activity is not otherwise provided for.</li> </ul>
55	55.46	Spark	17.3	Status	Oppose in part	<b>Amend</b> 17.3 activity status by including a cross reference to the NESTF and a brief explanation of its scope.
55	55.52	Spark	17.3	Status	Support	<b>Add</b> a new rules regime within Chapter 17 for network utilities within sensitive natural environments covered by Chapter 13. As a starting position, the underlying zone rules shall apply instead of the rules relating more generally to structures and buildings in Chapter 13. A suitable rules regime should take into account the following principles: <ul style="list-style-type: none"> <li>- Network utilities in roads are subject to the standards of the underlying zone;</li> <li>- Network utilities outside of roads are subject to additional permitted activity controls (e.g. alternative height limits, colour and reflectivity controls);</li> <li>- RD status where permitted activity standards are not met; and</li> <li>- D status where a network utility activity is not otherwise provided for.</li> </ul>
53	53.50	Vodafone Chris Horne	17.3.1	Status	Support	<b>Add</b> a new rule to provide for telecommunications kiosks as permitted activities in all roads and zones.
53	53.51	Vodafone Chris Horne	17.3.1	Status	Support	<b>Add</b> a new rule to Chapter 17 to specifically enable new overhead lines and support structures in Rural Zones, and overhead customer connections from existing overhead lines networks in all zones.
54	54.50	Chorus Chris Horne	17.3.1	Status	Support	<b>Add</b> a new rule to provide for telecommunications kiosks as permitted activities in all roads and zones.
54	54.51	Chorus Chris Horne	17.3.1	Status	Support	<b>Add</b> a new rule to Chapter 17 to specifically enable new overhead lines and support structures in Rural Zones, and overhead customer connections from existing overhead lines networks in all zones.
55	55.5	Spark	17.3.1	Status	Support	<b>Add</b> a new rule to provide for telecommunications kiosks as permitted activities in all roads and zones.
55	55.51	Spark	17.3.1	Status	Support	<b>Add</b> a new rule to Chapter 17 to specifically enable new overhead lines and support structures in Rural Zones, and overhead customer connections from existing overhead lines networks in all zones.
36	36.34	First Gas Limited Hywel Edwards	17.3.1.1	Status	Support / Amend	Amend 17.3.1.1:  Subject to compliance with the Standards in 47-4 <u>17.5</u> unless otherwise stated, the following activities may be established without resource consent.
11	11.173	Horticulture NZ Angela Halliday	17.3.1.2	Status	Oppose in Part	Clarify the terminology regarding maintenance, minor upgrading and replacement and ensure that only minor upgrading is provided as a permitted activity.

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
36	36.35	First Gas Limited Hywel Edwards	17.3.1.2	Status	Support / Amend	Amend Chapter 17.3.1.2:  Maintenance, minor upgrading and replacement of lines and <i>Network Utilities</i> . Minor-upgrading as defined in Chapter 19 is <u>These activities are</u> not required to comply with the Zone Standards. .
36	36.36	First Gas Limited Hywel Edwards	17.3.1.2	Status	Support / Amend	Amend Chapter 17.3.1.2:  <u>4. In response to an emergency or disaster or where there is considered that there could be a risk to life or property.</u>  <u>5. To mitigate natural hazards to protect existing Network Utilities</u>
39	39.76	Transpower NZ Ltd Pauline Whitney	17.3.1.2	Status	Support	(i) Retain Permitted Activities Rules 17.3.1.2 All Zones
53	53.47	Vodafone Chris Horne	17.3.1.2	Status	Oppose in part	<b>Amend</b> Rule 17.3.1.2 but providing for the following exemptions from all rules in Chapter 17: - Lightning rods, and omni-directional antennas not exceeding a diameter of 60mm, from all height standards. - Network utilities in roads and service connections to adjacent properties, from all rules in Chapter 17 restricting network utilities within 50m of the MHWS.
54	54.47	Chorus Chris Horne	17.3.1.2	Status	Oppose in part	<b>Amend</b> Rule 17.3.1.2 but providing for the following exemptions from all rules in Chapter 17: - Lightning rods, and omni-directional antennas not exceeding a diameter of 60mm, from all height standards. - Network utilities in roads and service connections to adjacent properties, from all rules in Chapter 17 restricting network utilities within 50m of the MHWS.
55	55.47	Spark	17.3.1.2	Status	Oppose in part	<b>Amend</b> Rule 17.3.1.2 but providing for the following exemptions from all rules in Chapter 17: - Lightning rods, and omni-directional antennas not exceeding a diameter of 60mm, from all height standards. - Network utilities in roads and service connections to adjacent properties, from all rules in Chapter 17 restricting network utilities within 50m of the MHWS.
8	8.241	Eastern Bay of Plenty - Forest and Bird Linda Conning	17.3.1.2.1	Status	Amend	Revisit 50m setback and coastal environment line. Add height for Ohiwa Harbour Zone.
8	8.242	Eastern Bay of Plenty - Forest and Bird Linda Conning	17.3.1.2.3	Status	Amend	Revisit 50m setback and coastal environment line. Add height for Ohiwa Harbour Zone.
8	8.243	Eastern Bay of Plenty - Forest and Bird Linda Conning	17.3.1.3	Status	Amend	Revisit 50m setback and coastal environment line. Add height for Ohiwa Harbour Zone.
8	8.244	Eastern Bay of Plenty - Forest and Bird Linda Conning	17.3.1.4	Status	Amend	Revisit 50m setback and coastal environment line. Add height for Ohiwa Harbour Zone.

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
53	53.48	Vodafone Chris Horne	17.3.1.4	Status	Oppose in part	<b>Amend</b> Rule 17.3.1.4 by increasing the permitted height limit to 20m for the Town Centre Zone and Mixed Activity Zone, and a apply the Residential Zone height in relation to boundary control to network utilities covered by this rule to sites in these zones adjoining Residential Zones.
54	54.48	Chorus Chris Horne	17.3.1.4	Status	Oppose in part	<b>Amend</b> Rule 17.3.1.4 by increasing the permitted height limit to 20m for the Town Centre Zone and Mixed Activity Zone, and a apply the Residential Zone height in relation to boundary control to network utilities covered by this rule to sites in these zones adjoining Residential Zones.
55	55.48	Spark	17.3.1.4	Status	Oppose in part	<b>Amend</b> Rule 17.3.1.4 by increasing the permitted height limit to 20m for the Town Centre Zone and Mixed Activity Zone, and a apply the Residential Zone height in relation to boundary control to network utilities covered by this rule to sites in these zones adjoining Residential Zones.
53	53.49	Vodafone Chris Horne	17.3.1.5	Status	Oppose in part	<b>Amend</b> Rule 17.3.1.5 by increasing the permitted height limit to 25m for the Rural Zone and Industrial Zone, and 30m in these zones where antennas from more than one operator are located on the facility.
54	54.49	Chorus Chris Horne	17.3.1.5	Status	Oppose in part	<b>Amend</b> Rule 17.3.1.5 by increasing the permitted height limit to 25m for the Rural Zone and Industrial Zone, and 30m in these zones where antennas from more than one operator are located on the facility.
55	55.49	Spark	17.3.1.5	Status	Oppose in part	<b>Amend</b> Rule 17.3.1.5 by increasing the permitted height limit to 25m for the Rural Zone and Industrial Zone, and 30m in these zones where antennas from more than one operator are located on the facility.

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
39	39.83	Transpower NZ Ltd Pauline Whitney	17.3.1.6	Status	Amend	<p>(i) Insert the following new permitted activity provisions specific to the National Grid Yard as follows:  <b><u>17.3.1.6. On any site within any part of the National Grid Yard</u></b>  <u>On any site that is within the National Grid Yard, the following activities:</u></p> <p><u>1. For developed sites within the Coastal Settlement Zone that existed prior to notification of the proposed District Plan,</u></p> <p><u>(a) Any uninhabitable accessory building</u></p> <p><u>2. In all zones the following buildings and structures within the National Grid Yard but located more than 12m from a National Grid support structure foundation or stay wire:</u></p> <p><u>(a) Fences less than 2.5m high (b) Alterations and additions to existing buildings for sensitive activities that do not involve an increase in the building envelope or floor space. (c) Uninhabitable farm buildings and structures for farming activities excluding milking sheds (accessory structures are permitted) and buildings and structures for intensive farming (d) Artificial crop protection structures and crop support structures, excluding commercial greenhouses and protective canopies.</u></p> <p><u>3. In all zones, the following activities within 12 metres of a National Grid support structure foundation or stay wire:</u></p> <p><u>(a) Network utilities within a transport corridor (b) Network Utilities that form part of electricity infrastructure shall connect to the National Grid Network utility (c) Fences no more than 2.5m in height and be more than 5m from the nearest National Grid support structure foundation</u></p> <p><u>(d) Horticultural structures between 8m and 12m from a National Grid pole support structure that:</u></p> <p><u>i. Demonstrate compliance with New Zealand Electricity Code of Practice for Electricity Safe Distances (NZECP 34:2001)</u></p> <p><u>ii. Are less than 2.5m in height; and iii. Are removable or temporary, to allow a clear working space 12m from the pole when necessary for maintenance purposes; and iv. Allow all weather access to the pole and a sufficient area for maintenance equipment, including crane. OR v. Artificial crop protection and crop support structures in accordance with clause 2.4.1 of NZECP34:2001.</u></p>

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
39	39.84	Transpower NZ Ltd Pauline Whitney	17.3.1.7	Status	Amend	<p>Insert the following new permitted activity provisions specific to Earthworks within the National Grid Yard as follows:</p> <p><b><u>17.3.1.7 Earthworks on any site within any part of the National Grid Yard:</u></b></p> <p><u>1. Earthworks within a distance measured 12 metres from the outer visible edge of any National Grid support structure shall not exceed a depth (measured vertically) of 300mm; provided that the following are exempt from point (i) above:</u></p> <p><u>(a) Earthworks for a Network Utility within a transport corridor, as part of a transmission activity, or for electricity infrastructure. (b) Earthworks undertaken as part of agricultural or domestic cultivation (including ploughing), or repair, sealing or resealing of a road, footpath, driveway or farm track. (c) Vertical holes not exceeding 500mm in diameter are exempt provided they:</u></p> <p><u>i. are more than 1.5 metres from the outer edge of pole support structure or stay wire or ii. are a post hole for a farm fence or artificial crop protection and crop support structures and more than 5 metres from the visible outer edge of a tower support structure foundation.</u></p> <p><u>2. Earthworks shall not result in a reduction in the ground to conductor clearance distances of less than 6.5 metres (measured vertically) from a 50kV or 110kV National Grid transmission line.</u></p>
8	8.245	Eastern Bay of Plenty - Forest and Bird Linda Conning	17.3.3.2	Status	Amend	Revisit 50m setback and coastal environment line. Add height for Ohiwa Harbour Zone.
39	39.77	Transpower NZ Ltd Pauline Whitney	17.3.3.2.1	Status	Support	(ii) Retain Restricted Discretionary Activities Rule 17.3.3.2.1, but change the reference from 'pylons' to 'towers' within clause 1.
39	39.85	Transpower NZ Ltd Pauline Whitney	17.3.3.3	Status	Amend	<p>Insert the following new restricted discretionary activity provision specific to the National Grid Yard:</p> <p><b><u>17.3.3.3 Earthworks within a National Grid Yard</u></b></p> <p><u>Earthworks within a National Grid Yard not meeting permitted activity condition 17.3.1.7 (1).</u></p>
8	8.246	Eastern Bay of Plenty - Forest and Bird Linda Conning	17.3.4	Status	Amend	Delete 17.3.4.6 and relocate 17.4 to follow 17.3.3.2.
57	57.84	Toi Te Ora - Public Health Service Sally Webb	17.3.4	Status	Support / Amend	<p>A. In 17.3.4.6 sub-clauses 2 (a) and sub-clause 17.5 9 (c) delete "of emitted noise of emissions" and substitute "noise"</p> <p>B. In 17.3.4.6 sub-clauses 2 (b) and sub-clause 17.5 9 (d) delete "emitted"</p>
39	39.78	Transpower NZ Ltd Pauline Whitney	17.3.4.2	Status	Support	(iii) Retain Discretionary Activities Rule 17.3.4.2

**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	11.174	Horticulture NZ Angela Halliday	17.3.4.6	Status	Support in Part	Add a new criteria in 17.3.4.6 (8) <u>Effects on rural activities</u> a) Proximity of network utility to rural production activities b) Measures to avoid, remedy or mitigate any adverse effects on rural production activities
39	39.79	Transpower NZ Ltd Pauline Whitney	17.3.4.6	Status	Oppose	(i) Delete 17.3.4.6 Assessment Criteria and Conditions
57	57.85	Toi Te Ora - Public Health Service Sally Webb	17.3.4.6.2	Status	Support / Amend	A. In 17.3.4.6 sub-clauses 2 (a) and sub-clause 17.5 9 (c) delete "of emitted noise of emissions" and substitute "noise" B. In 17.3.4.6 sub-clauses 2 (b) and sub-clause 17.5 9 (d) delete "emitted"
18	18.217	Heritage NZ Carolyn McAlley	17.3.4.6.3	Status	Support	That assessment criteria 17.3.4.6.3 (a) and (b) are retained.
39	39.87	Transpower NZ Ltd Pauline Whitney	17.3.5	Status NCA	Amend	Insert new non-complying activity introduction as follows: <b><u>17.3.5 NON COMPLYING ACTIVITIES</u></b> <u>The following activities are non-complying. The Council may grant or refuse resource consent for a non-complying activity. The following activity may be established after a land use consent has been granted by Council.</u>
39	39.88	Transpower NZ Ltd Pauline Whitney	17.3.5.1	Status NCA	Amend	Insert new non-complying activity provisions specific to earthworks within the National Grid Yard as follows: <b><u>17.3.5.1 Earthworks within a National Grid Yard</u></b> <u>Earthworks within a National Grid Yard not meeting permitted activity condition 17.3.1.7 (2).</u>
39	39.89	Transpower NZ Ltd Pauline Whitney	17.3.5.2	Status NCA	Amend	Insert new non-complying activity provisions specific to the National Grid Yard as follows: <b><u>17.3.5.2 Activities, buildings and structures within a National Grid Yard</u></b> <u>The following activities, buildings or structures within any part of the National Grid Yard on any site;</u> <u>1. Any new building for a sensitive activity or addition to an existing building that involves an increase in the building envelope or height for a sensitive activity. 2. A change of use from a non-sensitive to a sensitive activity or the establishment of a new sensitive activity. 3. Any milking shed (excluding accessory structures and buildings), commercial greenhouse, protective canopy, or other building for an intensive farming activity. 4. Any activity, building or structure provided for under rule 17.3.1.6. that does not comply with the permitted activity standard 17.5.5. 5. Any building or structure within the National Grid Yard that is not a permitted activity under rule 17.3.1.6.</u>
8	8.247	Eastern Bay of Plenty - Forest and Bird Linda Conning	17.4	Criteria RDA	Amend	Delete 17.3.4.6 and relocate 17.4 to follow 17.3.3.2.

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
17	17.16	Bay of Plenty Regional Council Fiona McTavish	17.4	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.'
36	36.39	First Gas Limited Hywel Edwards	17.4.1	Criteria RDA	Amend	Add to 17.4.1: <u>7. The reasons for the proposed location, site or route or method, taking into account locational and functional requirements and constraints.</u>  <u>8. The degree to which any adverse environmental effects have been sought to be avoided or minimised, or are to be remedied or mitigated.</u>
18	18.218	Heritage NZ Carolyn McAlley	17.4.1.2	Criteria RDA	Support	That provision 17.4.1.2 is retained.
36	36.380	First Gas Limited Hywel Edwards	17.4.1.4	Criteria RDA	Support	Retain Matter 4 listed in Chapter 17.4.1.
39	39.800	Transpower NZ Ltd Pauline Whitney	17.4.1.4	Criteria RDA	Support	(i) Retain 17.4.1.4 Assessment Criteria for Restricted Discretionary Activities
39	39.86	Transpower NZ Ltd Pauline Whitney	17.4.2	Criteria RDA	Amend	Insert the following new assessment criteria for restricted discretionary activities <b><u>17.4.2 Earthworks within a National Grid Yard</u></b> <u>Earthworks within a National Grid Yard not meeting permitted activity condition 17.3.1.7 (1).</u> <u>Council restricts its discretion to the following matters.</u> <u>1. Any risk to the structural integrity of the transmission line; 2. Any effects on the ability of the transmission line owner to access, operate, maintain and/or upgrade the National Grid; 3. The proximity of buildings and structures to electrical hazards; 4. Operational risks relating to health or public safety, and the risk of property damage; 5. Amenity effects; 6. Any actual or potential reverse sensitivity effects; 7. Technical advice provided by the National Grid owner (Transpower); and 8. Any effects on National Grid support structures including the creation of an unstable batter</u>
8	8.13	Eastern Bay of Plenty - Forest and Bird Linda Conning	17.5	Criteria DA	Amend	Amend 17.5 to add criteria for earthworks in the Coastal Zone as identified in 1.9.2.
8	8.248	Eastern Bay of Plenty - Forest and Bird Linda Conning	17.5	Criteria DA	Amend	Add effects of earthworks on landscape values (see submission on 1.9.2).  Add effects on significant indigenous vegetation and habitats of significant indigenous species. Criteria could be cross-referenced to Chapter 13.

**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	11.175	Horticulture NZ Angela Halliday	17.5	Criteria DA	Support in Part	Add a new criteria in 17.5. <u>Effects on rural activities</u> c) Proximity of network utility to rural production activities d) Measures to avoid, remedy or mitigate any adverse effects on rural production activities
18	18.219	Heritage NZ Carolyn McAlley	17.5	Criteria DA	Support	That the Assessment criteria for Discretionary Activities: 17.5 (a) and (b) are retained.
39	39.81	Transpower NZ Ltd Pauline Whitney	17.5	Criteria DA	Support in part	(i) Subject to the following amendment, retain 17.5 Assessment Criteria for Discretionary Activities. (ii) Amend criterion 8.(h) as follows: <i>The viability, and operational and economic constraints of for undergrounding of the network utility, including undergrounding all, or part, of the utility.</i>
24	24.92	Opotiki District Council Aileen Lawrie	17.5	Format	Amend	There are two section 17.5's: '17.5 ASSESSMENT CRITERIA FOR DISCRETIONARY ACTIVITIES' and '17.5 ZONE STANDARDS. Re-Number
39	39.82	Transpower NZ Ltd Pauline Whitney	17.5	Standards	Support in part	(i) Amend 17.5 Zone Standards as follows: <i>The following standards apply to network utilities -in addition to the Zone Standards--</i> <b>17. 5 6 .1 SITE REQUIREMENTS AND YARD STANDARDS FOR NETWORK UTILITIES</b> <b>17. 5 6 .1.1 All network utilities shall comply with the following Zone Standards except where:</b> <b>1. The network utility structure is located more than 10m from a residential dwelling and, either:</b> <b>(a) The network utility structure has a total floor area of 3m2 or less, and/or</b> <b>(b) The network utility structure does not require a building consent under the Building Act 1991.</b>  (ii) Renumber section 17.5.

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
39	39.90	Transpower NZ Ltd Pauline Whitney	17.5	Standards	Amend	<p>Insert new Standards under Chapter 17.5 specific to the National Grid Yard as follows:  <u>17.5.5 Requirements for Buildings and Structures within any National Grid Yard</u>  <u>All buildings and structures within a National Grid Yard shall:</u>  <u>1. Provide a minimum vertical clearance distance of 10 metres below the lowest point of the conductor associated with a National Grid transmission line shown on the Planning Maps; or</u>  <u>2. Demonstrate compliance with Section 2 and 3 of NZECP34:2001.</u>  <u>Advice notes:</u>  <u>Please contact Transpower or a suitably qualified engineer for assistance with clearance requirements in NZECP 34:2001.</u>  <u>Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.</u></p>
39	39.91	Transpower NZ Ltd Pauline Whitney	17.5	Standards	Amend	<p>Insert the following Notes within Chapter 17.  <u>1. An activity, including buildings and artificial crop protection structures, earthworks, quarrying and planting vegetation, within the National Grid Corridor or National Grid Yard may require resource consent. Transpower New Zealand limited will be considered to be an affected party where consent is required. Where an activity requires resource consent solely because it is within the National Grid Corridor public notification of the application is precluded. However, limited notification will be given to Transpower unless the written approval from Transpower is provided at the time the application is lodged.</u>  <u>2. The Electricity (Hazards from Trees) Regulations 2003 applies to vegetation planted within the National Grid Corridor or near sub-transmission or distribution electricity lines and must be complied with. Vegetation to be planted within the National Grid Yard as shown on the District Plan Maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting near any electricity line especially works within the National Grid Yard, contact the relevant network utility operator.</u></p>
57	57.86	Toi Te Ora - Public Health Service Sally Webb	17.5	Standards	Support / Amend	<p>A. In 17.3.4.6 sub-clauses 2 (a) and sub-clause 17.5 9 (c) delete "of emitted noise of emissions" and substitute "noise"            B. In 17.3.4.6 sub-clauses 2 (b) and sub-clause 17.5 9 (d) delete "emitted"</p>
50	50.19	Z Energy Limited Karen Blair	17.5.3	Standards	Support	Retain as notified
50	50.25	Z Energy Limited Karen Blair	17.5.3	Standards	Amend	<p>Include an advice note to the remaining Stormwater Standards of 17.5.3 to read as follows: <u>Advice Note: The quality of stormwater discharges is controlled by the Bay of Plenty Regional Council.</u></p>
50	50.24	Z Energy Limited Karen Blair	17.5.3.2.2	Standards	Oppose	Delete network utility standard 17.5.3.2(2)

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

Submitter No.	Submission Point	Submitter Name	Provision No.	Topic	Support / Amend / Oppose	Decision Requested (Relief Sought)
37	37.79	NZ Fire Commission Stephanie Dean	17.5.4	Standards	Oppose	Amend Standard 17.5.4 as follows: <u>"17.5.4 POTABLE WATER SUPPLY</u> ... 17.5.4.2 All water supply systems shall be designed and constructed to: 1. Adequately service each lot, or development, <u>including the provision of a firefighting water supply for any habitable building in accordance with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. ...."</u>
8	8.249	Eastern Bay of Plenty - Forest and Bird Linda Conning	17.5.6	Criteria DA	Amend	Add the words "technical and/or physical" before "constraints".
36	36.40	First Gas Limited Hywel Edwards	17.5.13	Criteria DA	Support	Retain Matter 13