

**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	7.7	Department of Conservation Chris Staite	18	General	Amend	Include policy direction that gives effect to the NZCPS in a consistent manner to the coastal environment of the Opotiki District.
7	7.91	Department of Conservation Chris Staite	18	Introduction	Amend	Insert text accurately reflecting Policy 25(a) and (b) of the NZCPS in relation to coastal hazards.
17	17.189	Bay of Plenty Regional Council Fiona McTavish	18	Introduction	Support	Retain the statement: <i>Council along with key stakeholders and our community are committed to working toward introducing a new management regime which gives effect to the risk based approach. This project will occur within the next three years.</i>
24	24.95	Opotiki District Council Aileen Lawrie	18	Introduction	Amend	Amend last line to read "...within 3 years of the date of plan notification."
17	17.190	Bay of Plenty Regional Council Fiona McTavish	18.1	Issues	Amend	Insert the following new issues in 18.1: <i>1. <u>Giving effect to the Bay of Plenty Regional Policy Statement requires a natural hazard risk management approach.</u></i>
17	17.191	Bay of Plenty Regional Council Fiona McTavish	18.1	Issues	Amend	Insert the following new issues in 18.1: <i>2. <u>Until District Plan provisions give effect to the Bay of Plenty Regional Policy Statement natural hazard risk provisions, proposals for new development are required to include their own natural hazard risk assessment.</u></i>
18	18.220	Heritage NZ Carolyn McAlley	18.1	Issues	Oppose	That the 18.1 Resource Management Issues is amended to include the following issue : <i>" <u>There is potential for adverse effects to historic heritage through works to control hazards</u>"</i>
7	7.92	Department of Conservation Chris Staite	18.1.4	Issues	Amend	Amend as follows: There is a need for <u>avoidance or</u> mitigation measures ...
8	8.25	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.1.5	Issues	Support	Retain
8	8.251	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.1.9	Issues	Support	Retain
7	7.93	Department of Conservation Chris Staite	18.2	Objective	Amend	Include new objective requiring that the risk of adverse effects from coastal hazard is not increased
18	18.221	Heritage NZ Carolyn McAlley	18.2	Objective	Oppose	That Section 18.2 Objectives and Policies is amended to include: <i>" <u>New Objective: Ensuring that the effects of any hazard related works avoids effects on matters of national importance</u></i> <i><u>New Policy: That any hazard related works that potentially impact on matters of national importance demonstrate consideration of a range of appropriate alternatives to avoid adverse effects on finite resources</u>".</i>
8	8.252	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1	Objective	Support	Retain

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8	8.253	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1.1	Policies	Support	Retain
8	8.254	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1.2	Policies	Support	Retain
8	8.255	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1.3	Policies	Support	Retain
8	8.256	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1.4	Policies	Support	Retain
8	8.257	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1.5	Policies	Support	Retain
8	8.258	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.1.6	Policies	Support	Retain
17	17.192	Bay of Plenty Regional Council Fiona McTavish	18.2.1.6	Policies	Amend	Amend to read: <i>Avoid new development in areas at risk of coastal hazards in the Ōhiwa Spit Coastal Hazard Overlay Area that does not achieve low of-coastal natural hazard s risk.</i>
7	7.94	Department of Conservation Chris Staite	18.2.2.2	Policies	Amend	Include policies 18.2.2.2 & 18.2.2.3 under the new objective requested above.
7	7.96	Department of Conservation Chris Staite	18.2.2.2	Policies	Clarify	Clarify but retain the direction in policy 18.2.2.2.
17	17.193	Bay of Plenty Regional Council Fiona McTavish	18.2.2.2	Policies	Amend	Amend Policy 18.2.2.2 to read: <i>Locate and design subdivision, land use, and development within coastal areas so that the need for hazard protection works is avoided.</i>
7	7.95	Department of Conservation Chris Staite	18.2.2.3	Policies	Amend	Include policies 18.2.2.2 & 18.2.2.3 under the new objective requested above.
7	7.97	Department of Conservation Chris Staite	18.2.2.3	Policies	Clarify	Clarify but retain the direction in policy 18.2.2.2.
8	8.259	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.2.2.3	Policies	Amend	Reword "Where residential [and/or business] land use activities are threatened by a coastal hazard ..."
18	18.17	Heritage NZ Carolyn McAlley	18.3	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.

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39	39.92	Transpower NZ Ltd Pauline Whitney	18.3	Status	Amend	(i) Clarify the activity status of activities associated with the <i>Maintenance, upgrade and replacement, or Minor Upgrading</i> , of any network utility. (ii) Include a permitted rule if required.
45	45.1	Geoff & Tina Pointon	18.3.1	Status ASCH	Support	We support this line in its current position as it will still allow us flexibility to establish a new dwelling within this site should the sale and purchase go through.
46	46.2	Bibiana & Brian Hill	18.3.1	Status	Support	No relief sought as we are in support of the line which runs along the coastal boundary of our property. Provided this line does not change we are in support of the line.
53	53.53	Vodafone Chris Horne	18.3.1	Status	Oppose	Amend Rule 18.3.1 such that non habitable network utility structures are provided for as a permitted activity in all natural hazard areas, and make any consequential changes to the Policy framework (e.g. Policy 17.2.1.3 in Chapter 17 Network Utilities).
54	54.53	Chorus Chris Horne	18.3.1	Status	Oppose	Amend Rule 18.3.1 such that non habitable network utility structures are provided for as a permitted activity in all natural hazard areas, and make any consequential changes to the Policy framework (e.g. Policy 17.2.1.3 in Chapter 17 Network Utilities).
55	55.53	Spark	18.3.1	Status	Oppose	Amend Rule 18.3.1 such that non habitable network utility structures are provided for as a permitted activity in all natural hazard areas, and make any consequential changes to the Policy framework (e.g. Policy 17.2.1.3 in Chapter 17 Network Utilities).
17	17.194	Bay of Plenty Regional Council Fiona McTavish	18.3.1.1	Status	Amend	Amend Rule 18.3.1.1 to read: <i>The permitted activities with respect to the management of the effects of natural hazards are <u>(except in the Ōhiwa Spit Coastal Overlay Area)</u> :</i> <i>1. Structures located within the ponding areas as identified on Planning Maps 5A, 5C, and 5D and 5E that have a <u>building platform on natural ground floor level greater than 1% AEP level</u> of 3.6m or higher above <u>Motoriki Datum</u>.</i>
60	60.116	Federated Farmers of NZ Nikki Edwards	18.3.1.1	Status	Amend	That uninhabited farm buildings are permitted within ponding areas, with no floor level limit.
8	8.260	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.3.2	Status	Amend	Amend to Restricted Discretionary if discretion is to be applied otherwise change 'may' to 'can' or 'will'.
19	19.290	NZ Defence Force Rebecca Davies	18.3.2	Status	Oppose	Provide for TMTA as a permitted activity in these chapters.
17	17.195	Bay of Plenty Regional Council Fiona McTavish	18.3.2.1	Status	Amend	Remove Controlled Activity 18.3.2.1.
53	53.540	Vodafone Chris Horne	18.3.3	Status	Oppose	Delete Rule 18.3.3.1(2)(b).
54	54.540	Chorus Chris Horne	18.3.3	Status	Oppose	Delete Rule 18.3.3.1(2)(b).
55	55.540	Spark	18.3.3	Status	Oppose	Delete Rule 18.3.3.1(2)(b).
39	39.93	Transpower NZ Ltd Pauline Whitney	18.3.3.1.2	Status	Support	(i) Retain Rule 18.3.3.1.2(b)

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7	7.98	Department of Conservation Chris Staite	18.3.3.2	Status	Support / Amend	Retain approach, amend 18.3.3.2.6(b) as follows: Where the outcome of the report indicates that <u>the activity will not result in an increase in the risk of adverse effects from coastal hazards</u> there will be no significant effects from the activity, then the activity shall be a controlled activity.
17	17.196	Bay of Plenty Regional Council Fiona McTavish	18.3.3.2	Status	Amend	Amend 18.3.3.2 to read: 1. Erosion impacts of sea level rise: <u>apply RPS Policy NH 11B 'Providing for climate change' for erosion impacts of sea level rise: the Intergovernmental Panel on Climate Change best estimate should be used (currently IPCC 1995 IS92a scenario of) 0.49m by the year 2100</u> 3. <u>At least</u> a 100 year planning horizon.
17	17.20	Bay of Plenty Regional Council Fiona McTavish	18.3.3.2	Status	Amend	Add a new 7. That reads: <u>Impacts of coastal inundation, considering the cumulative effects of sea-level rise, storm surge and wave height under storm condition.</u>
8	8.261	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.3.3.2.6	Status	Amend	Any development within the Coastal hazard lines shown on the planning maps in the Operative RCEP should be Restricted Discretionary under 18.3.3.2.6 (b).
8	8.262	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.3.3.3	Status	Amend	Any development within the Coastal hazard lines shown on the planning maps in the Operative RCEP should be Restricted Discretionary.
17	17.198	Bay of Plenty Regional Council Fiona McTavish	18.3.3.3	Status	Support / Amend	Amend Rule 18.3.3.3 to read: <u>Activities located within areas sensitive to coastal hazards (ASCH) as define d illustrated in Planning Maps by the Operative Regional Coastal Plan</u>
8	8.263	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.3.4.1	Status	Support	Retain
7	7.99	Department of Conservation Chris Staite	18.4	Criteria CA	Support	Retain this section
8	8.265	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.4	Criteria CA	Amend	Amend 18.4 to include criteria for Restricted Discretionary, Discretionary and Non-complying activities.
17	17.17	Bay of Plenty Regional Council Fiona McTavish	18.4	Heading	Amend	Amend Chapters 2 to 18 (excluding Chapter 16) to insert a new heading: <u>'Matters over which control is reserved'</u> before the heading <u>'Assessment Criteria for Controlled Activities'</u> . 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 <u>'Matters over which discretion is restricted.'</u>

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18	18.222	Heritage NZ Carolyn McAlley	18.4.1	Criteria CA	Oppose	That the following controlled activity criteria (subject to amendments sought by Heritage New Zealand in other parts of this submission) are included in 18.4: <i>"18.4.1.6: Historical, cultural and archaeological resources</i> <i>1. The effect of the design and layout of the activities in relation to land, buildings, features and water bodies which have historical and archaeological worth.</i> <i>2. The effects of the activity on the resources of <u>importance to Maori</u>.</i> <i>3. The effects of the activity on heritage and conservation values, both on the site and adjoining <u>sites</u>."</i>
17	17.199	Bay of Plenty Regional Council Fiona McTavish	18.4.1.2	Criteria CA	Support / Amend	Amend 18.4.1.2 to read: <i>The extent to which the activity would worsen the <u>achieve a low natural hazard</u> risk posed by the natural hazard, or would accentuate the effects of the natural hazard.</i>
8	8.266	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.4.1.5	Criteria CA	Amend	Add 'Effects on significant indigenous biodiversity'.
8	8.264	Eastern Bay of Plenty - Forest and Bird Linda Conning	18.6.1.3	Other Methods	Amend	Change to assessment criteria