



WHAKATĀNE DISTRICT PLAN
**Proposed Plan Change 3 -
Matters of Control**

Summary of Submissions by Submitter

Proposed Plan Change 3 – Matters of Control

Whakatāne District Council has prepared and made available a summary of decisions requested in submissions (summary of submissions) on Proposed Plan Change 3 – Matters of Control. Further submissions are now sought on the submissions that have been made as provided for in clauses 7 and 8 of Schedule 1, Resource Management Act 1991 (RMA).

Description and scope of Proposed Plan Change 3

Proposed Plan Change 3 consists of 17 separate changes to the Whakatāne District Plan that will update eight activities that currently lack either assessment criteria for restricted discretionary activities or matters of control for controlled activities in one or more zone. These 17 separate changes have been identified since the Whakatāne District Plan was made operative in 2017.

Proposed Plan Change 3 was publically notified on 9th of October 2020 under clause 5 of Schedule 1. During the notification period, four submissions were received and now further submissions are being sought.

Making further submissions to Proposed Plan Change 3

The following persons may make a further submission:

- any person representing a relevant aspect of the public interest; and
- any person that has an interest in the proposed policy statement or plan greater than the interest that the general public has; and
- the local authority itself.

A further submission may only express support or opposition to a matter raised in an original submission (made under clause 6, Schedule 1). It must not raise new points of submission. Further submissions must be in the format of Form 6 of the Resource Management (Forms, Fees and Procedure) Regulations 2003.

Further submissions close **5pm Friday, 29 January 2021.**

Further submissions can be made using one of the following options:

Post to: Policy Planner
Whakatāne District Council
Private Bag 1002
Whakatāne 3158

Deliver to: Policy Planner
Whakatāne District
14 Commerce Street
Whakatāne 3120

Email: shaping.whakatane@whakatane.govt.nz

Online: [whakatane.govt.nz /plan-change-3](http://whakatane.govt.nz/plan-change-3)

Once the closing date for further submissions has passed, Whakatāne District Council will convene hearings to consider submissions and further submissions that have been lodged and issue decisions on

the matters raised. Anyone who has made a submission or further submission and who has indicated that they wish to be heard will have the right to attend the hearings and present their submission.

A copy of the further submission is required to also be sent to the original submitter not later than five working days after lodging the further submission with Whakatāne District Council (clause 8A, Schedule 1).

Addresses for service of submissions under clause 8A, Schedule 1:

Whakatāne District Council

Post: Policy Planner

Whakatāne District Council

Private Bag 1002

Whakatāne 3158

Email: nicholas.woodley@whakatane.govt.nz

Waka Kotahi New Zealand Transport Agency

Post: New Zealand Transport Agency

Level 1, Deloitte Building

24 Anzac Parade

Hamilton 3216

Email: luke.braithwaite@nzta.govt.nz

Forest & Bird

Post: Eastern Bay of Plenty Branch

Royal Forest and Bird Protection Society NZ Inc

PO Box 152

Whakatāne 3120

Email: easternbayofplenty.branch@forestandbird.org.nz

Fire and Emergency New Zealand

Post: C/ - Beca Limited

PO Box 448

Hamilton 3240

Email: alec.duncan@beca.com

Submitter Name	Submitter No.	Submission Point	Tracked Change No. Submitting On	Support/ Support in part/ Oppose	Summary of decision requested	Decision reasons
Whakatāne District Council	1	1.1	5	Support in part	Delete the reference to “internal noise and noise insulation” and replace with reference to the criteria listed in 3.7.10 (Noise Effect).	Incorrect reference to noise that lacks consistency.
		1.2	5	Support in part	Delete entire reference to 5.4.10.2 and include intended hours of use as a new assessment criterion in 5.4.10.1	Make changes to improve the interpretation of the assessment criteria.
		1.3	5	Support in part	Remove advice note.	Advice note is an incorrect reference.
		1.4	6	Support in part	Amend the criterion regarding hours of operation.	Make changes to improve the interpretation of the assessment criteria.
		1.5	6	Support in part	Delete the reference to “internal noise and noise insulation” and replace with reference to the criteria listed in 3.7.10 (Noise Effect).	Incorrect reference to noise that lacks consistency.
		1.6	6	Support in part	Delete the entire reference to 6.4.5.2 due to uncertainty over its application.	Make changes to improve the interpretation of the assessment criteria.
		1.7	6	Support in part	Remove advice note.	Advice note is an incorrect reference.

Submitter Name	Submitter No.	Submission Point	Tracked Change No. Submitting On	Support/ Support in part/ Oppose	Summary of decision requested	Decision reasons
Waka Kotahi NZ Transport Agency	2	2.1	4	Support	Retain	The matters of discretion are able to assess any traffic, safety and efficiency concerns that may arise.
		2.2	5	Support in part	Broaden section to include all traffic effects.	The terminology provided does not adequately allow for consideration of all traffic effects on state highways.
		2.3	6	Support in part	Broaden section to include all traffic effects.	The terminology provided does not adequately allow for consideration of all traffic effects on state highways.
		2.4	7	Support in part	Broaden section to include all traffic effects.	The terminology provided does not adequately allow for consideration of all traffic effects on state highways.
		2.5	9	Support	Retain	The matters of discretion are able to assess any traffic, safety and efficiency concerns that may arise.
		2.6	11	Support	Retain	The matters of discretion are able to assess any traffic, safety and efficiency concerns that may arise.

Submitter Name	Submitter No.	Submission Point	Tracked Change No. Submitting On	Support/ Support in part/ Oppose	Summary of decision requested	Decision reasons
Waka Kotahi NZ Transport Agency	2	2.7	12	Support	Retain	The matters of discretion are able to assess any traffic, safety and efficiency concerns that may arise.
		2.8	16	Support	Retain	The matters of discretion are able to assess any traffic, safety and efficiency concerns that may arise.
		2.9	17	Support	Retain	The matters of discretion are able to assess any traffic, safety and efficiency concerns that may arise.

Submitter Name	Submitter No.	Submission Point	Tracked Change No. Submitting On	Support/ Support in part/ Oppose	Summary of decision requested	Decision reasons
Forest & Bird	3	3.1	1	Oppose	Amend 5.4.7.1.(a) xii	Lack of specificity and not consistent with Council's climate change agenda.
		3.2	2	Oppose	Amend 5.4.8.1.(a) xiii	Lack of specificity and not consistent with Council's climate change agenda.
		3.3	3	Oppose	Add new criterion to 7.3.3.1	Lack of specificity and not consistent with Council's climate change agenda.
		3.4	4	Oppose	Add new criterion to 5.4.9.1	Lack of specificity and not consistent with Council's climate change agenda.
		3.5	5	Oppose	Add new criterion to 5.4.10.1	Lack of specificity and not consistent with Council's climate change agenda.
		3.6	6	Oppose	Add new criterion to 6.4.5.1	Lack of specificity and not consistent with Council's climate change agenda.
		3.7	15	Oppose	Add new criterion to 5.3.1.1	Lack of specificity and not consistent with Council's climate change agenda.
		3.8	3	Oppose	Use the phrase "landscaping and planting" for this controlled activity.	Make consistent with other assessment criteria.

Submitter Name	Submitter No.	Submission Point	Tracked Change No. Submitting On	Support/ Support in part/ Oppose	Summary of decision requested	Decision reasons
Forest & Bird	3	3.9	4	Oppose	Add a cross reference to 3.7.1	Inconsistency of wording in landscaping criteria.
		3.10	7	Oppose	Add a cross reference to 3.7.1	Inconsistency of wording in landscaping criteria.
		3.11	8	Oppose	Use the phrase "landscaping and planting" for this controlled activity.	Make consistent with other assessment criteria.
		3.12	12	Oppose	Add a cross reference to 3.7.1	Inconsistency of wording in landscaping criteria.
		3.13	16	Oppose	Amend the Activity Status of Esplanade/ Reserve Strips to Non – Complying.	Waivers or reductions of esplanade reserves/strips are of considerable public interest and should be publically notified.
		3.14	5	Oppose	Clarify this provision by including consideration of conflicts with residential use.	Exclusion of the consideration for residential activities in the Mixed Use Zone.

Submitter Name	Submitter No.	Submission Point	Tracked Change No. Submitting On	Support/ Support in part/ Oppose	Summary of decision requested	Decision reasons
Fire and Emergency New Zealand (Fire and Emergency)	4	4.1	1	Support	Retain as notified.	Support for criteria that relates to site access, manoeuvring and access to water supply.
		4.2	2	Support	Retain as notified.	Support for criteria that relates to site access, manoeuvring and access to water supply.
		4.3	3	Support	Retain as notified.	Support for criteria that relates to site access, manoeuvring and access to water supply.
		4.4	4	Support	Retain as notified.	Support for criteria that relates to site access, manoeuvring and access to water supply.
		4.5	5	Support	Retain as notified.	Support for criteria that relates to site access, manoeuvring and access to water supply.
		4.6	6	Support	Retain as notified.	Support for criteria that relates to site access, manoeuvring and access to water supply.

Submitter Name	Submitter No.	Submission Point	Tracked Change No. Submitting On	Support/ Support in part/ Oppose	Summary of decision requested	Decision reasons
Fire and Emergency New Zealand (Fire and Emergency)	4	4.7	7	Support	Retain as notified.	Support for criteria that relates to site access, manoeuvring and access to water supply.
		4.8	9	Support	No specific change requested.	Activity will be assessed against criteria for 3.7.10 Noise Effect. Council should carefully consider the crucial role of emergency sirens in any future assessment for an emergency service facility or similar.
		4.9	10	Support	No specific change requested.	Activity will be assessed against criteria for 3.7.10 Noise Effect. Council should carefully consider the crucial role of emergency sirens in any future assessment for an emergency service facility or similar.