



Opotiki District Council
STRONG COMMUNITY STRONG FUTURE

Council Reference: RC2024-31

Applicant: Te Pou Oranga O Whakatōhea

Proposal: Establish and operate a Residential Care Facility

Site address: 19A Baird Road, Kukumoa

1. I/we made a submission on the above resource consent and stated that I/we wished to be heard at a hearing or present a joint submission with others.
2. I/we have received a copy of the draft conditions numbered dated 22 October 2024 from Opotiki District Council staff.
3. I/we accept that the draft conditions satisfactorily address the issues and concerns that I/we identified in my/our submission.
4. Provided that any resource consent is granted subject to the conditions dated 22 October 2024, I/we confirm that we no longer wish to be heard at a council hearing.
5. I/we understand that if no parties wish to be heard, a council hearing will not be required. Council staff will make the decision on the resource consent application under their delegated authority.
6. I understand that I/we will receive a copy of the final decision and conditions.
7. I understand that I/we still retain rights of Appeal to the Environment Court on the decision.

Submitter Name	Signature
1. Ian Pappa	
2.	
3.	
4.	

Please note that all persons listed in the original submission and who signed the submission form must complete this form, if they agree with and accept the above statements are correct.




Council Reference: RC2024-31

Applicant: Te Pou Oranga O Whakatōhea

Proposal: Establish and operate a Residential Care Facility

Site address: 19A Baird Road, Kukumoa

1. Fire and Emergency New Zealand made a submission on the above resource consent and stated that it wished to be heard at a hearing or present a joint submission with others.
2. Fire and Emergency New Zealand have received a copy of the draft conditions dated 22 October 2024 from Ōpōtiki District Council staff.
3. Fire and Emergency New Zealand accept that the draft conditions satisfactorily address the issues and concerns that Fire and Emergency New Zealand identified in its submission.
4. Provided that any resource consent is granted subject to the conditions dated 22 October 2024, Fire and Emergency New Zealand confirm that it no longer wishes to be heard at a council hearing.
5. Fire and Emergency New Zealand understand that if no parties wish to be heard, a council hearing will not be required. Council staff will make the decision on the resource consent application under their delegated authority.
6. I understand that Fire and Emergency New Zealand will receive a copy of the final decision and conditions.
7. I understand that Fire and Emergency New Zealand still retain rights of Appeal to the Environment Court on the decision.

Submitter Name	Signature
1. Fire and Emergency New Zealand	 Alec Duncan – Consultant Planner Signed on behalf of Fire and Emergency New Zealand

Please note that all persons listed in the original submission and who signed the submission form must complete this form, if they agree with and accept the above statements are correct.

From: russell.a
To: [Laura Swan](mailto:Laura_Swan)
Subject: RE: 2024-11-27 - Draft conditions - 19A Baird road - Residential Care facility - follow-up email
Date: Sunday, 1 December 2024 3:47:10 pm
Attachments: [image001.png](#)
[image001.png](#)

Hi Laura I've read the draft submission conditions and I'm satisfied with the conditions as noted Russell Abbot

Sent from my Galaxy

----- Original message -----

From: Laura Swan
Date: 27/11/24 2:21 pm (GMT+12:00)
To: Laura Swan
Subject: 2024-11-27 - Draft conditions - 19A Baird road - Residential Care facility - follow-up email

Hi

I am just following up regarding the letter we sent on the 8th of November and whether you have considered the draft conditions, or still have questions/concerns.

I will try and touch base over the next few days via phone with you if I haven't heard back from you.

If you do accept the draft conditions, please sign and return the attached form to me or drop it into council attention to me.

Thanks

Laura Swan

Consultant Planner

Ōpōtiki District Council | PO Box 44 | 108 St John Street | Ōpōtiki | New Zealand

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Web www.odc.govt.nz | www.facebook.com/opotikidistrictcouncil



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From: Laura Swan
Sent: Friday, 8 November 2024 2:02 PM
To: Laura Swan
Subject: 2024-11-08 - Draft conditions - 19A Baird road - Residential Care facility - sent to

From: [Kevin Crawshaw](#)
To: [Laura Swan](#)
Subject: Re: 2024-11-27 - Draft conditions - 19A Baird road - Residential Care facility - follow-up email
Date: Wednesday, 4 December 2024 7:06:36 am
Attachments: [image001.png](#)
[Draft condition letter - 19A Baird Road \(RC2024-31\).pdf](#)
[Submitter form if draft conditions accepted.docx](#)
[Draft conditions 19A Baird Road \(RC2024-31\).pdf](#)

Hi Laura,

Please see singed provisional conditions.

Please note I have underlined the conditions requested by the applicant to use eco sourced screening plants as opposed to a hedge

I have two main concerns;

1, The request was for a hedge to screen along the southern boundary not screening plant's ie a hedge is one plant type usually a clone/cutting brown plant that is maintained/trimmed to a set height and width

2, Eco sourcing plants require collecting local seeds to then germinate
My concern with this is it will take too long to to grow and establish and not be consistent with a normal hedge of one singe plant type

Other points to note there has been no request to run or have offsite clients attend day programs which is different to what we were told at a hui held on site in March emailer this year by the staff, can this be confirmed if they will or will not be having external day programs?

Kind regards

Kevin

Kevin Crawshaw
1696 SH 2
RD 2
Opotiki
New Zealand
3198

On Wed, 27 Nov 2024 at 2:20 pm, Laura Swan <LauraS@odc.govt.nz> wrote:

Hi

I am just following up regarding the letter we sent on the 8th of November and whether you have considered the draft conditions, or still have questions/concerns.

I will try and touch base over the next few days via phone with you if I haven't heard back from you.

If you do accept the draft conditions, please sign and return the attached form to me or drop it into council attention to me.

Thanks

DRAFT conditions for circulation to submitters

22/10/2024

1. Except as modified by a condition of this consent, the Residential Care Facility activity shall be carried out in general accordance with the plans and information lodged with application ref. RC2024-31, including the:
 - i. Plans by DD2 Architectural for the Hauora and Recovery Centre rev 2 dated 4 October 2023.
 - ii. Emergency Response Plan (ERP) for Site Inundation, 19A Baird Road, Ōpōtiki
 - iii. Appendix 1: Pou Oranga Whaiora Emergency Response Plan: Evacuation Plan for Te Whare Oranga O Kōpūārau Addiction Residence

Pre-occupation and pre-operation conditions

2. Prior to use and occupation of the facility by residents, the lot shall be connected to council's reticulated wastewater system.

Advice Note: Agreement for the connection to the wastewater reticulation and the full design for the connection must be obtained from the Ōpōtiki District Council's engineering team. This approval process is separate from the resource consent process. A building consent will be required for any wastewater connection works.

3. As an alternative to condition 2, an on-site effluent treatment system (OSET) that complies with a resource consent granted by the Bay of Plenty Regional Council (BOPRC) shall be installed on the site to service the facility, prior to use and occupation by residents.

Advice Note: Building consent will be required for the installation of the OSET system. A copy of the resource consent obtained from BOPRC should be provided with the building consent application documentation.

4. The buildings must be provided with an adequate supply of water and access to water supplies for firefighting purposes that is in accordance with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008, except that the vehicle accessway may have a sealed carriageway of 3m only.

Advice Note: Compliance with this condition will need to be demonstrated as part of the building consent application documentation.

5. The vehicle crossing serving the lot shall be upgraded and re-sealed in accordance with Standard Drawing R28 of the Ōpōtiki District Council's "Code of Practice – Subdivision and Development" version 1: 2000.
6. Security cameras shall be installed at the entrance of the site and directed to provide coverage of the shared accessway.
7. No less than 20 working days prior to the commencement of the activity, the Consent Holder shall provide a Landscaping Plan to the Ōpōtiki District Council for certification. The purpose of the Landscaping Plan is to detail planting and/or screening that will be established along the southern boundary of the site to provide an effective visual screen to a height of 2 metres.

The Landscape Plan shall include details of:

a) Species and planter bag size at time of planting and expected height of plants after 5 years. The plants utilised for the visual mitigation planting shall be locally eco-sourced, plants that are suitable for the location they are to be planted, and that will achieve the purpose as detailed above.

b) Temporary screen fencing provided during the establishment phase to provide effective visual screening until such time as vegetative screening is achieved.

- details? Height + type.
+ colour?
, orchard cloth green.

c) Site preparation

d) Timing and method of planting

e) Maintenance requirements for the plant establishment period, and replacement of dead or diseased plants.

8. The certified Landscaping Plan shall be implemented within the first growing season (April – September) following implementation of this consent.
9. Landscaping shall be maintained on the site in accordance with the certified plan for the duration of the consented activity.
10. Prior to use and occupation of the facility by residents, the Emergency Response Plan (ERP) for Site Inundation, 19A Baird Road, Ōpōtiki referenced in condition 1 shall be updated and provided to the District Council's Building and Planning Manager for certification. The ERP shall include the following additional information as a minimum:
 - i. the name and contact details for the site manager or other person(s) responsible for ensuring implementation of the ERP.
 - ii. details of the sources of information that the responsible person(s) will utilise to obtain information about natural hazard events, and to monitor weather reports, river or localised flood water levels.
 - iii. The trigger levels for implementation of specific actions, including communication with council staff and/or the Civil Defence Controller and when to voluntarily and pre-emptively evacuate the site.
 - iv. Additional details and more specific stated timeframes for staff training and at least annual review of the ERP.
 - v. A copy each revised EREP shall be provided to the council for record keeping by emailing info@odc.govt.nz

Advice Note: Voluntary and pre-emptive evacuation of the site may be necessary in a natural hazard event where a Civil Defence Emergency has not been declared and emergency staff and police do not have extra-ordinary powers under the Civil Defence and Emergency Management Act 2002.

11. The Emergency Response Plan (ERP) or subsequent revisions of the ERP shall be implemented for the duration of the consent.
12. Prior to occupation of the facility by residents, the name and contact details for the Site Manager shall be provided to all landowners and occupiers of properties located on Baird Road and within 300m of the site, and to the Building and Planning Manager, Ōpōtiki District Council.

Use and occupation conditions

13. The Residential Care Facility activities authorised by this consent shall only be undertaken with the main "dwelling" building located on the site.

Advice Note: The other buildings on the site are not lawfully established and the use of them is not authorised by this consent.

14. No more than eight people may reside on the site at any one time while receiving treatment and rehabilitation services at the facility.
15. A maximum of ten people (residents and staff) may be present overnight on the site.
16. A minimum of two staff members must always be present on the site.
17. Ancillary office activities for a maximum of eight on site staff members may occur as part of the operation of the facility.
18. The operation of the facility shall not include any on-site day-patient services, such as workshops, training, education or counselling for people not residing on the site.
19. The facility shall maintain and implement a visitor procedure to ensure that anyone wishing to visit residents must pre-arrange a date and time for their visit with staff.
20. All exterior security lighting shall be designed, installed, and maintained so that the light emitted does not overspill site boundaries, or cause glare or nuisance to residents of adjacent properties.
21. All activities on the site shall be undertaken to meet the following noise limits at any point within the notional boundary of any dwelling on another site within the Rural zone.

Daytime: 7am to 10pm Monday to Sunday including Public Holidays: 50 LA_{eq}

Night-time: At all other times – 40 LA_{eq} and 70 LA_{max}

22. Noise shall be measured in accordance with the provisions of NZS 6801:2008 Measurement of Sound and assessed in accordance with the provisions of NZS 6802:2008 Assessment of Environmental Noise.
23. The Ōpōtiki District Council may, 5 years after the activity commences and annually thereafter on the anniversary of the consent, serve notice on the consent holder under s128(1) of the Resource Management Act 1991 of its intention to review conditions 8, 9, 12 and 13 of this resource consent for the purpose of addressing any adverse effects that have arisen during the operation of the activity as a result of changes to natural hazard risk, and which are appropriate to deal with at a later date.
All costs associated with any review shall be met by the consent holder
24. That a monitoring fee of \$190 (including GST) shall be paid to the Opotiki District Council for the monitoring and supervision of this resource consent. Notwithstanding the above, where there is good and reasonable cause for unprogrammed monitoring and additional site inspections, the costs of that will be charged to the consent holder. Such costs are recovered on an actual and reasonable basis as defined in the Fees and Charges Schedule as approved by the Council in terms of Section 36 of the Resource Management Act 1991.

Other Advice Notes

1. *As the land itself is subject to a hazard, the Council must consider the provisions of Sections 71-75 of the Building Act as part of the building consent process.*
2. *Please note that resource consent is not consent to undertake buildings works. A building consent must be issued prior to any building work being undertaken.*
3. *Any signage for the facility is located in the public road reserve. Landowner approval from the Ōpōtiki District Council is required if the sign is to remain in that location.*
4. *In accordance with section 127(1) of the RMA, the consent holder may apply to the consent authority for a change or cancellation of any condition of this consent.*



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Submitter Name	Signature
1. Alan W.J. Baird.	
2. Bandra E. Redpath-Baird JP	
3.	
4.	

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