



Opotiki District Council

Section 32 Evaluation Report

11. Ōhiwa Harbour Zone

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1. Introduction

Ōhiwa Harbour is an outstanding natural feature and landscape; it is of local, regional, national and international importance as an ecological area; it has high cultural and spiritual significance for iwi and hapū of the district. In particular the Upokorehe hapū; have been the kaitiaki for many centuries.

The Ōhiwa Harbour is important spiritually, historically, culturally, ecologically, scientifically, and botanically, and is an important area for recreation activities. The Harbour is also a food source for the local iwi and hapū. The foreshore of the harbour is surrounded by many areas of indigenous vegetation which contribute to the district's biodiversity. Also surrounding the Harbour are coastal forest sequences not found elsewhere in the district.

Efforts have been made by Ōpōtiki District Council, Whakatane District Council, BOP Regional Council, landowners, iwi and hapū, and the Department of Conservation to preserve the values of the Ōhiwa Harbour environs through such measures as land improvement agreements, consent conditions, discontinuation of intensive stock grazing near the harbour edge, retiring of salt marsh areas, and the creation of esplanade reserves and esplanade strips.

The majority of the Ōhiwa Harbour is in a natural state possessing natural, ecological, landscape, and cultural values. Characteristics that contribute to the character of the Zone include:

- Shallow tidal estuary which is vulnerable to the effects of adjacent land uses
- Concentrated low density residential settlement, and increasing lifestyle lot development
- Internationally important wetland
- Long history of Maori occupation and association, and sites of significant cultural importance
- Presence of significant flora and fauna species

The Ōhiwa Spit Coastal Hazard Overlay Area covers an area of 56.0110 hectares and is located on the seaward side of part of the Ōhiwa Spit. The Overlay covers an area that was subjected to an extreme coastal erosion event in the mid 1970s. This event resulted in the planned removal of all but one of the houses from seaward sites of that part of the Spit, but the house that remained was lost to the sea. Coastal processes at the Spit have been the subject of much research. Coastal processes affecting the area subject to the Overlay Area have resulted in the retreat and advance of the shoreline in cycles lasting between 50 - 60 years. Because land at the Spit is unstable, it is appropriate that development be avoided.

Chapter 11 allows rural production activities while controlling the potential adverse effects on the special values of the Ōhiwa Harbour. It applies to a similar area to the Indicative Visual Catchment line asset out in the Ōhiwa Harbour Strategy (Refreshed in October 2014), to recognise the need for consistent administration of the Harbour with BOPRC and Whakatāne District Council.

Section 32 of the RMA requires Council to carry out an evaluation before a plan is publicly notified and before making a decision on submissions. The evaluation must examine whether each objective is the most appropriate way to achieve the purpose of the RMA and whether, having regards to their efficiency and effectiveness, the policies and other methods including rules are most appropriate or achieving the objectives. The evaluation must take into account the benefits and costs of policies, rules or other methods, as well as the risk of acting or not acting if there is uncertain or insufficient information about the subject.

This report provides the required evaluation of the objectives, policies and methods including rules relating to activities in the Ōhiwa Harbour Zone.

2. Legislative Framework

2.1. Resource Management Act 1991 (RMA)

Section 5 of the RMA sets out the purpose of the RMA as follows:

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
 - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Sustainable management of the land resource is fundamental to achieving the purpose of the RMA as set out in section 5.

Section 6 of the RMA lists matters of national importance and these include several relevant to the Ōhiwa Harbour: preservation of the natural character of the coastal environment, lakes and rivers and their margins and their protection from inappropriate subdivision, development and use; maintenance and enhancement of public access; protection of significant habitats of indigenous fauna; and relationship of Maori and their culture and traditions with ancestral water, waahi tapu and other taonga.

Section 7 requires that regard is given to a number of matters relevant to activities in the Ōhiwa Harbour environment: kaitiakitanga, the ethic of stewardship, the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values, intrinsic values of ecosystems, and the maintenance and enhancement of the quality of the environment.

Section 31 of the RMA gives Council the responsibility for:

“The establishment, implementation and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:”

and

“the control of any actual or potential effects of the use, development, or protection of land”.

The Council must give effect to National Policy Statements in the District Plan under sections 55 and 75(3)(a) of the RMA.

2.2. National Policy Statements

The Council must give effect to National Policy Statements in the District Plan under sections 55 and 75(3)(a) of the RMA.

New Zealand Coastal Policy Statement (NZCPS)

The NZCPS provides guidance for addressing issues in the coastal environment, part of which is contained in the Ōhiwa Harbour Zone. The Council must give effect to the provisions of the NZCPS under section 75(3)(b). The NZCPS contains seven objectives and 29 policies, of which the following are most relevant to the Ōhiwa Harbour zone:

- Objective 1 which relates to the integrity, form, functioning and resilience of the coastal environment and its ecosystems, including marine and intertidal areas, estuaries, dunes and land.
- Objective 2, which relates to preserving the natural character of the coastal environment and protect natural features and landscape values.
- Objective 3, which relates to the principles of the Treaty of Waitangi, the role of tangata whenua as kaitiaki and tangata whenua involvement in the management of the coastal environment
- Objective 4, which relates to the maintenance and enhancement of public open space qualities and recreation opportunities of the coastal environment.

The NZCPS acknowledges that the coastal environment will vary from locality to locality. In the Ōpōtiki District, the coastal environment has been mapped in the Operative BOP Regional Policy Statement (RPS) and has been adopted for this plan.

2.3. National Environmental Standards

Section 44A of the RMA requires the Council to ensure that a rule in the district plan does not duplicate, or be in conflict with, a national environmental standard. There are five National Environmental Standards (NES).

2.4. Regional Policy Statement

Section 74 of the RMA requires that the District Plan must give effect to the Operative RPS. The RPS identifies regionally significant issues as relating to:

- Inadequate recognition and provision for matters of national importance
- Effects of growth and development pressures on access to the coast, lakes and rivers, ancestral sites and historic heritage
- Inadequate recognition of kaitiakitanga, the Maori environmental resource management system and Te Tiriti o Waitangi principles

- Insufficient protection of tangata whenua environmental values
- Degradation of mauri of land and water
- Uncoordinated growth and development
- Fragmentation of rural land
- Effects of urban and rural subdivision on natural features and landscapes
- Conflict between incompatible or sensitive activities and rural production activities in rural areas
- Integration of land use and infrastructure.

Objective	RPS Objective	Policies	Relevance
2	Preservation, restoration, and, where appropriate, enhancement of the natural character and ecological functioning of the coastal environment	CE2B CE4A CE 6B	Managing adverse effects on natural character in the coastal environment and protecting and restoring natural coastal margins and indigenous biodiversity
13	Kaitiakitanga is recognised and the principles of the treaty of Waitangi (Te Tiriti o Waitangi) are systematically taken into account in the practice of resource management	IW 1B IW2B IW 5B	Enabling development of multiple-owned Maori land Recognising matters of significance to Maori Providing for and managing adverse effects on matters of significance to Maori
16	Multiple-owned Maori land is developed and used in a manner that enables Maori to provide for their social, economic and cultural well-being and their health and safety, while maintaining and safeguarding its mauri.	IW 1B IW2B IW 5B	Enabling development of multiple-owned Maori land Recognising matters of significance to Maori Providing for and managing adverse effects on matters of significance to Maori
18	The protection of historic heritage and outstanding natural features and landscapes from inappropriate subdivision, use and development	IW 2B MN 1B	Recognising matters of significance to Maori Recognise and provide for matters of national importance in relation to rivers and their margins
19	The preservation of the natural character of the regional coastal environment (including coastal marine areas) wetlands, lakes and rivers and their margins	MN 1B	Recognise and provide for matters of national importance
20	The protection of significant indigenous habitats and ecosystems, having particular regards to their maintenance, restoration and intrinsic values	MN1B MN2B	Recognise and provide for matters of national importance Giving particular consideration to protecting significant indigenous habitats and ecosystems
21	Recognition of and provision for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga	IW 1B IW2B IW 5B	Enabling development of multiple-owned Maori land Recognising matters of significance to Maori Providing for and managing adverse effects on matters of significance to Maori

		MN1B	Recognise and provide for matters of national importance
27	The quality and mauri of water in the region is maintained or, where necessary to meet the identified values associated with its required use and protection, enhanced	WL1B	Enabling land use change

3. Key Issues

The key issues to be addressed in relation to activities in the Ōhiwa Harbour environment are as follows:

#	Issue	Commentary
1	Modification through drainage, vegetation clearance, land use change, subdivision, and earthworks can affect the quality of the Ōhiwa Harbour and its values	The Ōhiwa Harbour environment is sensitive to changes in vegetation cover and landform, which can change the visual backdrop to the harbour and potentially lead to sedimentation.
2	The Ōhiwa Harbour straddles administrative boundaries and this can result in different administrative approaches	Working with BOPRC and Whakatane District Council enables consistency of management regimes where appropriate to the aspirations of the Council and community
3	The cultural importance of the Harbour to the community and to the Upokorehe Hapu needs to be recognised	Change in land uses and management regimes can impact adversely on the high cultural values of the harbour
4	Sporadic subdivision and development pressure can adversely affect the natural character of the Harbour, particularly where there is fragmented <i>ad hoc</i> development	Increased numbers of dwellings on the hills that form the backdrop to the harbour and associated clearance for gardens and access reduce natural character significantly.
5	The location of structures within the Ōhiwa Harbour Zone can detract from outstanding natural features, and landscapes within coastal margins and ridgelines	Outstanding natural features are protected through controls in Chapter 13. However, the location of buildings near ridgelines detracts from the coastal environment.
6	Effects of activities such as the visual impact of buildings, storage areas, parking, and signage, as well as noise, glare, and lack of separation distances need to be managed to maintain amenity values and the quality of residential sites	Buildings and accessory structures can be out of scale with the sensitive environment and detract from the amenity values that attract people to live there.
7	In some parts of the Harbour it is difficult to obtain a water supply that is suitable for human consumption	Residential development can only proceed where there is a suitable water supply.
8	The Ōhiwa Spit is subject to coastal hazard risks as the shoreline is unstable and subject to erosion and progradation cycles of around 50 - 60 years	Special management is required for the Ōhiwa Spit to minimise risk of erosion and damage to property

4. Summary of Plan Provisions

The issues, objectives, policies, rules and other provisions and their relationship in the Proposed District Plan are set out in the following table.

Issue	Objective	Policies	Rules	Other Methods
1	1, 2	11.2.1.1, 11.2.1.2, 11.2.1.3, 11.2.1.4, 11.2.2.1, 11.2.2.3	11.3.2.1.3, 11.3.2.1.4, 11.3.3.1.3, 11.3.5.1.4, 11.3.4.1.3, 11.3.5.1.5, 11.4, 11.5.1.2	
2	1	11.2.1.2, 11.2.2.2		11.8.1
3	3	11.2.3.1, 11.2.3.2	11.3.2.1.5, 11.3.1.2.6, 11.4	
4	1, 2	11.2.1.3, 11.2.1.4	11.3.5.1.1, 11.3.5.2, 11.4	
5	1, 2	11.2.1.1, 11.2.1.3, 11.2.2.3, 11.2.2.4	11.3.5.1.1, 11.3.5.1.2, 11.4, 11.6	
6	1	11.2.1.1, 11.2.1.3, 11.2.1.3	11.3.3.1.2, 11.3.2.1.4, 11.4.11.5.1, 11.7	
7	1	11.2.1.2, 11.2.1.3, 11.2.1.4	11.7.2	
8	1	11.2.1.3, 11.2.1.4	11.3.2.1.4, 11.3.3.1.1, 11.3.5.2.3, 11.3.5.1.1, 11.3.5.1.3, 11.4, 11.7.13.1	Refer Chapter 18

5. Changes Made to ODP Approach

5.1 The ODP also had a chapter dedicated to the Ōhiwa Harbour, Chapter 16. This approach has been carried into this plan with only a few material changes made. Chapter 11 now includes the following main amendments:

- Bring all the relevant rules together to avoid cross referencing to the Coastal Zone and to ensure that the rules work in an integrated manner
- Reduce the number of houses per lot from 4 as of right to 1
- Strengthen the controls on buildings, such as coverage and setbacks,
- Add controls on buildings near ridgelines and reflectivity
- Ensure a consistent approach with the Whakatane District Plan where appropriate.

5.2 A number of minor amendments have also been made to the objectives, policies, rules and other methods to clarify provisions where unclear, delete unnecessary text and update references.

5.3 Rules are the principal method for managing the effects of activities in the Ōhiwa Harbour environment and these are listed in the plan. The restricted discretionary category has been introduced where controls are required and it may be necessary to refuse consent where the purpose of the RMA will not be achieved. These rules are supported by other methods.

6. Evaluation – Appropriateness of Objectives

6.1 Objectives are to be assessed as to whether they are the most appropriate to achieve the purpose of the RMA. ‘Most appropriate’ has been interpreted to mean ‘suitable’.

	Objectives	Appropriateness
1	The adverse effects of land use activities are managed to protect and enhance the outstanding natural and landscape values and the natural character of the Harbour environment	<p>Addresses Issues 1, 2, 4, 5, and 6.</p> <p>Section 5: The objective will achieve the purpose of the RMA by seeking the outcomes consistent with sustainable management of the Ōhiwa Harbour and that avoid, remedy or mitigate adverse effects on the environment.</p> <p>Section 6: The preservation of natural character and protection of outstanding natural features and landscapes are matters of national importance sought through the objective.</p> <p>Section 7: The objective will also achieve the maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment in accordance with section 7(c) and (f).</p> <p>Section 8: The objective is consistent with the principles of the Treaty.</p> <p>RPS: It gives effect to Objective 2, 18, and 19 of the RPS and associated policies</p>
2	Protect and enhance significant indigenous vegetation and habitats of indigenous fauna to maintain the ecological, botanical, scientific, and educational values of the Ōhiwa Harbour	<p>Addresses Issues 1, 4, 5, and 6.</p> <p>Section 5: The objective will achieve the purpose of the RMA by seeking outcomes that provide for the sustainable management of natural and physical resources and avoid, remedy or mitigate adverse effects on the environment.</p> <p>Section 6: The preservation of natural character and protection of significant habitats of indigenous fauna are matters of national importance sought through the objective.</p> <p>Section 7: The objective provides for the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment in accordance with section 7(b), (c), and (f).</p> <p>Section 8: The objective is consistent with the principles of the Treaty.</p> <p>RPS: It gives effect to Objectives 2, 18, 19, 20,</p>

		and 21 and associated policies
3	The Ōhiwa Harbour is recognised as an area of cultural and historical significance to the people of the Ōpōtiki district and the Iwi and Hapū of the Harbour	Addresses Issue 3. Section 5: The objective will achieve the purpose of the RMA by seeking outcomes that provide for the social, economic and cultural wellbeing of the community. Section 6: The objective seeks to enhance the relationship of Maori with the harbour which is of high cultural significance and historic heritage, in accordance with section 6 Section 7: The objective is consistent with kaitiakitanga. Section 8: The objective is consistent with the principles of the Treaty. RPS: It gives effect to Objectives 13, 16, 18, 21 and 27 of the RPS and associated policies

6.2 These objectives are considered to be the most appropriate methods of achieving the purpose of the RMA as they recognise the matters set out in Part 2 of the RMA, they give effect to the relevant objectives and policies in the RPS, and they will guide the appropriate management of activities within the Ōhiwa Harbour Zone.

7. Evaluation – Achieving the Objectives

7.1 Section 32(1)(b) Requirements

Section 32(1)(b) of the RMA requires examination of whether the provisions (being policies, rules and other methods) in the Proposed Plan are the most appropriate way to achieve the objectives. The appropriateness must be considered in relation to:

- “(i) identifying other reasonably practicable options for achieving the objectives; and*
- (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
- (iii) summarising the reasons for deciding on the provisions”.*

These are set out below.

The assessment must be at a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects of the Proposed Plan. The Operative District Plan contains an existing chapter, Chapter 19, to address the effects of activities in the Ōhiwa Harbour Zone and this approach has been carried forward into this Plan. As set out in section 5 above, the approach taken in the Proposed Plan is to amend the provisions only where necessary to:

- Clarify the provisions;
- Improve consistency across the Plan;
- Respond to new statutory requirements, such as through a national or regional policy statement;

- Delete unnecessary text;
- Update references.

Only where there are new statutory requirements through a national policy statement or regional policy statement have new provisions been introduced. A change in activities or the way they are managed requires examination of the provisions in more detail.

Therefore, as the plan provisions, being policies and rules, have not materially changed and are generally well understood and accepted as appropriate mechanisms to achieve environmental outcomes sought through the district plan, a detailed re-examination of the plan provisions is not considered to be necessary.

7.2 Reasonably Practicable Options

In terms of reasonably practicable options, as discussed above, the plan provisions have been generally carried forward. The reasonably practicable options are therefore considered to be:

Options	Response
Do nothing	<ul style="list-style-type: none"> ▪ No policy or rule in the plan. ▪ Rely on other non-statutory methods as set out in the chapter ▪ BOPRC plan provisions address the issue and duplication is unnecessary
Status Quo	<ul style="list-style-type: none"> ▪ Carry forward the policy or rule without change or with only minor amendment
New policy or provision	<ul style="list-style-type: none"> ▪ Address an issue that is not addressed or is ineffective in the operative plan ▪ Give effect to a new requirement in a NPS or RPS ▪ Align with plans or other statutory documents

7.1.5 The plan provisions have been generally carried forward with amendments to clarify and improve consistency across the plan and with other documents. the status of activities and standards to be applied are well known to the community and well understood.

The “Do Nothing” option has not been selected as it is not acceptable where a policy or rule is required to achieve the purpose of the RMA and the objectives set out above. Either the status quo (with or without minor amendments for clarification) or a new provision have been assessed as reasonably practicable options. The proposals are concluded to be the only reasonably practicable options to evaluate.

7.3 Policies and methods

7.3.1 Efficiency and Effectiveness

In assessing the efficiency and effectiveness of the proposed provisions, the RMA requires the Council to *“identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for:*

- (i) *economic growth that are anticipated to be provided or reduced; and*
- (ii) *employment that are anticipated to be provided or reduced”.*

If practicable, the benefits and costs referred should be quantified.

7.3.2 Efficiency

The proposed policies will be efficient in achieving the objectives as they give clear direction for potential activities in the Ōhiwa Harbour Zone and guidance for decision makers.

7.3.3 Effectiveness

Objective 11.2.1

Issue relationship	11.1.1, 2, 4, 5, and 6
Objective 11.2.1	The adverse effects of land use activities are managed to protect and enhance the outstanding natural and landscape values and the natural character of the Harbour environment
Policies	
11.2.1.1	To avoid as far as practicable 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 Ōhiwa Harbour landscape.
11.2.1.2	To provide for the integrated management of the Ōhiwa Harbour through consultation with agencies that also have responsibilities for Harbour management.
11.2.1.3	To avoid, remedy or mitigate the adverse effects of subdivision, use, and development in those parts of the Ōhiwa Harbour which have largely been unmodified to date.
11.2.1.4	To preserve the natural character and protect the ecology of the Harbour margins by managing the use and development in the zone.
Methods	<p>Methods to give effect to the policies relate to:</p> <ul style="list-style-type: none"> ▪ Retaining the Ōhiwa Harbour Zone in the Plan enables specific management appropriate to the special qualities and characteristics of the zone. ▪ The status of activities allows farming and buildings set back from MHWS and ridgelines, subject to standards but is more restrictive where adverse effects on the special qualities of the harbour could result. ▪ Imposing controls on the reflectivity of buildings and structures and controlling production forestry to minimise adverse effects on the landscape values. ▪ Criteria that require consideration of effects on ridgelines, natural character and the coastal environment, as well as ONFLS through Chapter 13 ▪ Imposing controls to be imposed on activities through the consent process to minimise adverse effects on the natural character and the

	<p>visual environment and amenity of the Ōhiwa Harbour</p> <ul style="list-style-type: none"> ▪ Requiring consideration of the scale and effects of new buildings in sensitive locations, including reflectivity and appropriate setbacks. ▪ The inclusion of the restricted discretionary classification to allow activities to be considered in relation to relevant potential effects where standards cannot be met
Benefits	
Environmental benefits	<ul style="list-style-type: none"> ▪ Provides clear guidance through objectives, policies, rules and zoning to give priority to the special characteristics of the environment. ▪ Sets expectations for the character and amenity of the Harbour environment ▪ Imposes controls on the proximity of activities and buildings to MHWS and ridgelines ▪ Will enable the specific effects on the environment to be considered ▪ Allows specified aspects of activities to be managed where appropriate to the potential effects of the activity. ▪ Well understood approach which achieves the purpose of managing activities in a way that is consistent with the objectives
Economic Benefits	<ul style="list-style-type: none"> ▪ Gives certainty that the purpose of the zone is to manage activities so that the special values are maintained while enabling rural production activities. ▪ Greater certainty about the types of effects that will be controlled ▪ Gives permitted activity status to activities which are encouraged in the environment to avoid the cost of consent processes for those activities. ▪ Uses the hierarchy of other activity status to manage activities according to their effects
Social Benefits	<ul style="list-style-type: none"> ▪ Supports a range of activities, while allowing opportunities for farming and other activities ▪ Enables residential development subject to design and location controls
Cultural Benefits	<ul style="list-style-type: none"> ▪ Controls activities that may otherwise adversely affect the cultural values of the harbour. ▪ No other cultural benefits identified under this objective
Costs	
Environmental Costs	<ul style="list-style-type: none"> ▪ Risk of adverse environmental effects is addressed through the policy ▪ Some opportunity remains for activities to adversely affect the environment
Economic Costs	<ul style="list-style-type: none"> ▪ May be increased application costs associated with management of activities ▪ The policy may result in higher costs for landowners and operators through resource consent application costs
Social Costs	<ul style="list-style-type: none"> ▪ Some activities may be limited where they would compromise the values of the harbour environment and hence reduced opportunity for living in the area
Cultural Costs	<ul style="list-style-type: none"> ▪ No specific cultural costs identified
Risk of Acting or Not Acting	Risk is a factor of potential consequences and the likelihood of a consequence occurring.
	The risk of not acting may lead to development around the Harbour for activities that could reduce natural character and adversely affect ONFL values, resulting in loss of the special character of the harbour and its

	<p>values to the community. There may be consequentially loss of social and economic opportunities.</p> <p>The risk of not acting is not consistent with achieving the purpose of the RMA, and especially section 6 and 7.</p> <p>There is sufficient information known about the consequences</p>
Overall Assessment	The inclusion of the provisions above is supported as enabling the purpose of the RMA to be achieved including sections 6 and 7 matters.

Objective 11.2.2

Issue relationship	11.1.1, 4, 5, and 6.
Objective 11.2.2	Protect and enhance significant indigenous vegetation and habitats of indigenous fauna to maintain the ecological, botanical, scientific, and educational values of the Ōhiwa Harbour
Policies	Protect and, where appropriate, enhance significant indigenous vegetation and habitats of indigenous fauna which contribute to the character of the Ōhiwa Harbour through the resource consent process, education and incentives
11.2.2.1	
11.2.2.2	Protect natural areas around the Harbour from development by the creation of reserves, retirement areas, or other protection mechanisms through resource consent processes
11.2.2.3	Protect the Ōhiwa Harbour saltmarsh from modification and destruction by managing the adverse effects of activities on adjacent land.
Methods	<p>Methods to give effect to the policies relate to:</p> <ul style="list-style-type: none"> ▪ Zoning the Ōhiwa Harbour Zone enables specific management appropriate to the special qualities and characteristics of the zone. ▪ The status of activities, being more restrictive where adverse effects on the special qualities of the harbour could result. ▪ Criteria that require consideration of effects on significant indigenous vegetation and habitats of indigenous fauna ▪ Enabling controls to be imposed through the consent process for activities to minimise adverse effects on significant indigenous vegetation and habitats of indigenous fauna ▪ Requiring consideration of the scale and effects of activities in sensitive locations. ▪ The inclusion of the restricted discretionary classification to allow activities to be considered in relation to relevant potential effects where standards cannot be met
Benefits	
Environmental benefits	<ul style="list-style-type: none"> ▪ Provides clear guidance through objectives, policies, rules and zoning to give priority to the special characteristics of the environment. ▪ Sets expectations for the maintenance of the values associated with the harbour environment ▪ Imposes controls on the activities and buildings that may impact on significant indigenous vegetation and habitats of indigenous fauna ▪ Will enable the specific effects on the environment to be considered

	<ul style="list-style-type: none"> ▪ Allows specified aspects of activities to be managed where appropriate to the potential effects of the activity. ▪ Well understood approach which achieves the purpose of managing activities in a way that is consistent with the objectives
Economic Benefits	<ul style="list-style-type: none"> ▪ Gives certainty that the purpose of the zone is to manage activities so that the special values are maintained. ▪ Greater certainty about the types of effects that will be controlled ▪ Gives permitted activity status to activities which are encouraged in the environment to avoid the cost of consent processes for those activities. ▪ Uses the hierarchy of other activity status to manage activities according to their effects
Social Benefits	<ul style="list-style-type: none"> ▪ Supports a range of activities, while allowing opportunities for farming and other activities ▪ Enables residential development subject to design and location controls
Cultural Benefits	<ul style="list-style-type: none"> ▪ Controls activities that may otherwise adversely affect the cultural values of the harbour. ▪ No other cultural benefits identified under this objective
Costs	
Environmental Costs	<ul style="list-style-type: none"> ▪ Risk of adverse environmental effects is addressed through the policy but some opportunity remains for activities to adversely affect the environment
Economic Costs	<ul style="list-style-type: none"> ▪ May be increased application costs associated with management of activities ▪ The policy may result in higher costs for landowners and operators arising from resource consent application requirements
Social Costs	<ul style="list-style-type: none"> ▪ Some activities may be limited where they would compromise the values of the harbour environment and hence reduced opportunity for living in the area
Cultural Costs	<ul style="list-style-type: none"> ▪ No specific cultural costs identified
Risk of Acting or Not Acting	Risk is a factor of potential consequences and the likelihood of a consequence occurring.
	<p>The risk of not acting may lead to development around the harbour for activities that could reduce significant indigenous vegetation and habitats of indigenous fauna, resulting in loss of the special character of the harbour and its values to the community. There may be consequentially loss of social and economic opportunities.</p> <p>The risk of not acting is not consistent with achieving the purpose of the RMA, and especially section 6 and 7.</p> <p>There is sufficient information known about the consequences</p>
Overall Assessment	The inclusion of the provisions above is supported as enabling the purpose of the RMA to be achieved including sections 6 and 7 matters.

Objective 11.2.3

Issue relationship	11.1.3
Objective 11.2.3	The Ōhiwa Harbour is recognised as an area of cultural and historical significance to the people of the Ōpōtiki district and the Iwi and Hapū of the Harbour

<p>Policies</p> <p>12.2.3.1</p> <p>12.2.3.2</p>	<p>To encourage consultation with tangata whenua who hold mana whenua within the Ōhiwa Harbour when assessing resource consents to ensure that concerns are adequately addressed.</p> <p>When assessing resource consent applications within the Ōhiwa Harbour area to ensure, through consultation with appropriate agencies, that heritage resources are protected.</p>
<p>Methods</p>	<p>Methods to give effect to the policies relate to:</p> <ul style="list-style-type: none"> ▪ Zoning the Ōhiwa Harbour environment to enable specific provision for considering cultural values through applications ▪ The status of activities, requiring consent where cultural values of significant sites may be affected or lost ▪ Specifying criteria for evaluating discretionary activities that include the importance of a place to tangata whenua and historic heritage. ▪ Work with iwi and hapū to develop appropriate processes for requiring consent and including criteria for assessment.
<p>Benefits</p>	
<p>Environmental benefits</p>	<ul style="list-style-type: none"> ▪ Will help to achieve protection and appropriate management of potential effects on sites of cultural and historical significance
<p>Economic Benefits</p>	<ul style="list-style-type: none"> ▪ Maintaining the cultural integrity of the cultural resources supports a stronger community
<p>Social Benefits</p>	<ul style="list-style-type: none"> ▪ Protects cultural resources which support social wellbeing of the community
<p>Cultural Benefits</p>	<ul style="list-style-type: none"> ▪ Protects sites of significance to iwi and hapū ▪ Requires consideration of cultural values in consent processes ▪ Maintains the relationship of iwi and hapū with places of significance ▪ Requires the Council to work with iwi and hapū to identify and protect sites of cultural significance
<p>Costs</p>	
<p>Environmental Costs</p>	<ul style="list-style-type: none"> ▪ No environmental costs identified
<p>Economic Costs</p>	<ul style="list-style-type: none"> ▪ Economic costs may be incurred in achieving the outcome sought by the policies
<p>Social Costs</p>	<ul style="list-style-type: none"> ▪ Some activities may be limited where they would compromise the values of the site
<p>Cultural Costs</p>	<ul style="list-style-type: none"> ▪ No cultural costs identified
<p>Risk of Acting or Not Acting</p>	<p>Risk is a factor of potential consequences and the likelihood of a consequence occurring.</p>
	<p>The risk of not acting may lead to activities on sites of cultural and historic heritage significance and result in damage to cultural values, with consequential loss of social and economic wellbeing.</p> <p>The risk of not acting is not consistent with achieving the purpose of the RMA, and especially section 6 and 7.</p> <p>There is sufficient information known about the consequences</p>
<p>Overall Assessment</p>	<p>The inclusion of the provisions above is supported as enabling the purpose of the RMA to be achieved including sections 6 and 7 matters.</p>