

To: Opotiki District Council

Submission on Proposed District Plan

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The Parts of the Proposed District Plan that this submission relates to are:

Chapter 11: Ohiwa Harbour Zone; and

Chapter 15: Subdivision.

The submission is:

The submitter acknowledges that Ohiwa Harbour is a special place. The submitter supports the need for the Ohiwa Harbour environment to be specifically recognised in the District Plan through the Ohiwa Harbour Zone.

The submitter considers that the District Plan can be part of a strategy to encourage appropriate outcomes rather than simply providing the regulatory framework that supports the status quo. That is, subject to rigorous assessment, appropriate development should be able to be considered where it provides an opportunity to enhance the Harbour environment. Enhancement may include reduction of nutrients, protection and enhancement of bio-diversity, restoration of indigenous habitats and natural character, protection of historic or cultural heritage, enhanced public access.

Opotiki District Council is one of the authorities that has regulatory control of the Harbour environment. As identified in the Ohiwa Harbour Strategy and the Regional Coastal Environment Plan, a consistent regulatory regime should apply. The Opotiki District Plan should therefore be consistent with the provisions of the Regional Coastal Environment Plan, considering that this planning document has been recently reviewed and the provisions are settled.

The Regional Coastal Environment Plan contains specific policy with respect to Ohiwa Harbour. Policy NH3A Provides that a development proposal may be appropriate where it can demonstrate positive benefits that offset adverse effects on natural character, natural features or biodiversity.

Provisions of the Proposed District Plan do not reflect this policy.

The Submission request is to amend the Proposed District Plan as follows:

1. Add the following policy to Chapter 11 Ohiwa Harbour Zone (Note this is the same policy as Policy NH3A of the Regional Coastal Environment Plan):

11.2.1.5 Urban activities in the coastal environment surrounding Ohiwa Harbour and Waioatahe Estuary should be avoided unless:

- (a) It can be demonstrated that the activities will not cause cumulative adverse effects on the natural character, natural features and biodiversity of these areas; or
- (b) The activities will be undertaken as part of a proposal that will have positive effects that will offset adverse effects on natural character, natural features and biodiversity. Positive effects may include, but are not limited to:
 - (i) Enhancing water quality, for example by reducing the amount of nutrients or other contaminants entering the coastal marine area;
 - (ii) Removing derelict or functionally redundant structures;
 - (iii) Restoring or enhancing natural elements including dunes, saline wetlands, intertidal saltmarsh, riparian margins and other natural coastal features or processes;
 - (iv) Restoring indigenous habitats and ecosystems (using local genetic stock where practicable) including restoring habitats of species that are important for cultural purposes (such as mahinga kai, kaimoana or raranga areas) identified in collaboration with tangata whenua;
 - (v) Supporting the natural regeneration of indigenous species, including effective weed and animal pest management;
 - (vi) Creating or enhancing habitat for indigenous species;
 - (vii) Declaiming previously reclaimed and functionally redundant land where it will restore the natural character of the coastal marine area;
 - (viii) Restoring cultural landscape features; and
 - (ix) Providing more or enhanced public open space or public access to and along the costal marine area where this is associated with passive recreation.

2. Add the following assessment criteria to subdivision in the Ohiwa Harbour Zone:

15.8.2.1.7 The extent to which the development proposal will have positive effects that will offset adverse effects on natural character, natural features and biodiversity including but not limited to those matters identified in Policy 11.2.1.5.

15.8.2.1.8 The extent to which the landowner or applicant has contributed positive effects on natural character, natural features and biodiversity, including but not limited to those matters identified in Policy 11.2.1.5, prior to lodging an application for consent for a development proposal.

Ohiwa Cove Ltd wishes to be heard in support of this submission.

Signed



Date

16 - 11 - 16