

**BEFORE A HEARING PANEL
CONSTITUTED BY HORIZONS REGIONAL COUNCIL**

IN THE MATTER

of an application dated 21 December 2020 for regional consents by Grenadier Limited to develop the Douglas Link Golf Course at 765 Muhunua West Road, Ōhau

IN THE MATTER

of Part 6 of the Resource Management Act 1991

EVIDENCE IN REPLY BY THOMAS PETER BLAND

Applicant's Consultant:

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I, **THOMAS PETER BLAND**, state:

- [1] The Panel asked a number of questions following the presentation of Ngāti Tukorehe. Given there was no evidence exchanged it was difficult to respond in full within the time constraints of the hearing. This reply evidence presents my considered response in relation to the questions posed relating to planning and resource management matters.
- [2] I have read the legal submissions filed in reply, and to the extent that they address planning matters, I agree with them.
- [3] The evidence of Ngāti Tukorehe was not specific on the precise environmental outcomes that would be necessary to meet their cultural interests.
- [4] Ngāti Tukorehe introduced the idea of the cultural landscape encompassing a wider 'region' called Tirotiro Whetū. That region was not defined. It is evident that Ngāti Tukorehe assign a spiritual significance to the region.
- [5] Policy 2-2 of the One Plan contains guidance for situations where historic heritage is not identified in a district planning document. It discusses both public and confidential sites of significance to Māori. Except for Mary O'Keeffe's evidence, there was no evidence presented at the hearing that assisted the panel in identifying the location of Tirotiro Whetū, nor the effects on it. Ngāti Kikopiri and Muaupoko Tribal Authority have both confirmed they consider the activities over this area to be acceptable and are looking forward to the continued dialogue with the Applicant.
- [6] From an RMA perspective, it is not clear to me how the significance of this region will be diminished as a result of the proposed activities when compared with the status quo (which includes driving four-wheel drive vehicles in the area, a lack of recognition or protection for any physical features in the area and the unchecked spreading of exotic and weed species over the area).

Permitted baseline and the existing environment

- [7] The presentation by Ngāti Tukorehe described a region of cultural significance, including around proposed hole 13. It is important to remember that there are limits on the control of earthworks under the One Plan and that some earthworking activities are permitted earthworks.
- [8] Included within the supplementary materials is a table showing the permitted activity earthworks rules in the One Plan. Rule 13-1 permits 2,500m² per property per 12-month period outside the coastal foredune. There is also in the supplementary materials a diagram showing which parts of the property are outside the coastal foredune.
- [9] It should also be noted that the existing land use consents from the Horowhenua District Council (**HDC**) (which incorporate earthworks consents not related to regional functions) already allow modifications to the land in part covering areas that Ngāti Tukorehe discussed at the hearing. These consents form part of the existing environment and cannot be undone by regional consenting activities.

NZCPS – Policy 11

- [10] I consider that Policy 11 is adequately implemented by the provisions in Chapter 13 of the One Plan. The One Plan was developed and made operative in full cognisance of the New Zealand Coastal Policy Statement 2010. The legal submissions direct the panel to the relevant case.
- [11] From a planning practitioner perspective, the One Plan policy and rule framework provide a consenting pathway via S.104 and S.104D of the RMA. In this case the key issues are dune ecology and biodiversity outcomes (as set out in Policy 13-4). The proposed activities have less than minor effects on dune ecology (as confirmed by Dr Keesing) and will result in better biodiversity outcomes. The activities are consistent with, not contrary to, the policy framework.

- [12] I consider that the One Plan policies are well constructed and provide the most reliable guidance for implementation of Part 2 in a way that is not inconsistent with the NZCPS Policy 11.
- [13] In any event, I consider that Policy 11 of the NZCPS is not the appropriate regulatory tool given the scale at which it was produced and the fact that lower order planning documents have been prepared to give effect to it.
- [14] I am guided by Dr Keesing that the effects of the proposed activity on Schedule F habitat are less than minor. Notwithstanding this, I do not consider that Policy 13-4(b)i. of the One Plan requires avoidance at all points of impact. I consider that the aim of the provisions is to ensure ecological enhancement (where appropriate) in the ecosystem affected by the proposal. Both ecologists agree that the proposed activities will result in a net enhancement of the dune ecosystem.
- [15] The lack of management of the Esplanade Reserve and the adjacent area has affected the ecosystem values. If the status quo is maintained, this degradation of the ecosystem is likely to continue with exotic species prevailing. Mr Dahm, Dr Keesing and Dr Boffa have all provided evidence on these matters.
- [16] The restoration proposed by the Applicant is a practical way to secure long term ecological outcomes. HDC has consented the proposed Douglas Links Golf Course, recognising that the existence of a links golf course generates a legal and economic interest in enhancing these important ecosystem values. In my view, the protection of indigenous biodiversity (sought by Policy 11 of the NZCPS) is best served by granting these consents.

Dated 1 June 2022



Thomas Peter Bland