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**AGENDA AND SUPPORTING PAPERS
FOR COUNCIL'S MARCH MEETINGS**

**TO BE HELD IN THE OFFICES OF THE WEST COAST REGIONAL COUNCIL
388 MAIN SOUTH ROAD, GREYMOUTH**

TUESDAY, 10 MARCH 2015

The programme for the day is:

10.30 a.m:

Resource Management Committee Meeting

On completion of RMC Meeting:

Council Meeting

Councillor Budget Workshop to follow Council Meeting

RESOURCE MANAGEMENT COMMITTEE

THE WEST COAST REGIONAL COUNCIL

Notice is hereby given that a meeting of the **RESOURCE MANAGEMENT COMMITTEE** will be held in the Offices of the West Coast Regional Council, 388 Main South Road, Paroa, Greymouth on **Tuesday, 10 March 2015**

P. EWEN
CHAIRPERSON

M. MEEHAN
Planning and Environmental Manager
J. ADAMS
Consents and Compliance Manager

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2.		MINUTES
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3.		PRESENTATION
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THE WEST COAST REGIONAL COUNCIL

**MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE
HELD ON 9 FEBRUARY 2015, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL,
388 MAIN SOUTH ROAD, GREYMOOUTH, COMMENCING AT 10.30 A.M.**

PRESENT:

P. Ewen (Chairman), A. Robb, A. Birchfield, P. McDonnell, T. Archer, S. Challenger, N. Clementson, J. Douglas, F. Tumahai

IN ATTENDANCE:

C. Ingle (Chief Executive Officer), R. Mallinson (Corporate Services Manager), M. Meehan (Planning & Environmental Manager), J. Adams (Consents & Compliance Manager), T. Jellyman (Minutes Clerk)

1. APOLOGIES

There were no apologies.

2. PUBLIC FORUM

Mr Jeffrey Allen addressed the meeting. Mr Allen stated that he has concerns regarding the restoration of his land at Duganville. He stated that his concerns relate to resource consent number RC05067. Mr Allen was not happy with the standard of restoration so he did the work himself. He provided Council with a background to this mining operation and displayed photographs of various stages of the restoration work. Mr Allen answered various questions from Councillors. Cr Ewen thanked Mr Allen.

3. MINUTES

Moved (Archer / Challenger) *that the minutes of the previous Resource Management Committee meeting dated 9 December 2014, be confirmed as correct.*

Carried

Matters Arising

There were no matters arising.

4. CHAIRMAN'S REPORT

Cr Ewen reported that it has been very quiet over the Christmas and New Year period. He advised that he assisted with the tender opening for the cleaning contract for the Council building. Cr Ewen advised that he was unable to attend the meeting for the Coal Creek rating district to view the erosion in this area as he was on holiday. Cr Ewen advised that Cr Birchfield updated him with the course of action for this rating district. Cr Ewen stated that he is happy with this.

Moved (Ewen / Birchfield)

Carried

5. REPORTS**5.1 PLANNING AND ENVIRONMENTAL GROUP****5.1.1 PLANNING AND ENVIRONMENT MANAGER'S REPORT**

M. Meehan reported that funding from MfE has helped to kick start the Grey Valley Water Resource work. He stated that the funding is going to NIWA so they can build three models which will be able

to be used in other catchments around New Zealand. M. Meehan advised that staff have been doing low flow work over the summer in the Mawheraiti catchment. The data from this work will help with resource consents and planning working in this catchment.

M. Meehan reported that the Draft Coastal Plan has been sent out for pre-consultation. He advised that an extension of time has been granted to some parties who requested more time. A new draft will be presented to either the March or April Council meeting.

M. Meehan advised that all Schedule 2 wetland owners who are not seeing a change to their wetland have been written to advising them that a plan change is to be notified early this year. He stated this will give the landowners a final opportunity to contact Council to discuss their wetland to see if there can be any boundary adjustments made. M. Meehan advised that these landowners have already received two letters from Council and this will be the third letter.

M. Meehan advised that two submissions have been received on the Flood Protection Bylaw. He stated that it is unlikely that a hearing will be required.

M. Meehan advised that work is progressing for improvements to water quality in the Lake Brunner catchment. He advised the MfE have granted an extension of time, up until the 31st of March, to allow four or five farmers who have been unable to do their planting and fencing for various reasons.

M. Meehan reported that the Pest Plant Workshop held in December was very well received with DoC and NZTA in attendance. He stated that these parties are now looking at opportunities to combine resources.

M. Meehan answered various questions from Councillors regarding the letters being sent to wetland owners. He advised that around 100 of these wetland owners do not have any boundary adjustments to be made to their land. C. Ingle advised that the message to the landowners who have not yet been in touch with Council is that they need to get in touch with Council now, Council has written two letters to them already and they need to advise Council as to whether or not they need a boundary change. C. Ingle advised that if these landowners don't contact Council then the Plan will stay as it is. Cr Robb stated that a reasonable number of people may not be concerned with having a wetland that has been mapped on their property. M. Meehan stated that the landowner has the opportunity to get a consent should they wish to develop their land. He stated that DoC has a staff member who is solely focused on land exchanges and land purchases. Council can put landowners in touch with this person. Further discussion took place. M. Meehan gave an example of when Council's Wetland's Coordinator went out on site with the DoC Ecologist, the landowner was able to work out an area and come up with a mutual agreement and they all then went through the consent process to then be able to develop the area. Cr Birchfield stated that this is private land, and the DoC have told the landowner what he can and can't do. Cr Ewen stated that this is the third and last opportunity for these landowners and therefore he would like a council officer to ring each of these landowners and to remind them that this is their last opportunity to make a submission on this. C. Ingle agreed that staff would do their best on this.

Moved (Archer / Douglas) *That Council receives this report.*

Carried

5.1.2 REGIONAL TRANSPORT UPDATE

C. Ingle spoke to this report and advised that one submission was received on the Regional Public Transport Plan and nine submissions on the Regional Land Transport Plan. He stated that submissions closed on the 23rd of January. Hearings are scheduled for the 17th of February but C. Ingle advised that at the moment none of the submitters wish to be heard. C. Ingle advised that Elected Members will still meet and make decisions and both plans will be put to Council at the April meeting for adoption.

C. Ingle advised that the Government Policy Statement on Road Transport which was released on the 18th of December 2015. He stated that this reflected the priorities council put in the Regional Transport Plan which were economic growth and productivity and value for money.

Moved (Robb / Archer) *That Council receives this report.*

Carried

5.1.3 BATHING BEACH WATER QUALITY SAMPLING UPDATE

M. Meehan spoke to this report and advised that all the exceedances that occurred relate to rainfall during the previous week. M. Meehan advised that following on from work done in Buller last year where results had been inconclusive, it was agreed at that time that sampling would be increased in

both Buller and Westland sites. M. Meehan stated that the latest results are good and a summary report at the end of the summer period will be prepared outlining exactly what has been done. Cr Challenger stated that he wonders if dates and asterisks could be put in on the report on the date row. He feels that in some areas septic tanks or animals could be causing problems in some catchments. M. Meehan agreed to put the asterisks on the dates of rainfall. M. Meehan advised that he would follow up on the two results from Lake Kaniere to see if further work needs to be done to trace this.

Moved (Challenger / McDonnell) *That Council receives this amended report.*

Carried

5.2.1 CONSENTS MONTHLY REPORT

J. Adams spoke to this report. He advised that 15 non-notified resource consents were granted and four variations were processed. Two limited notified resource consents were granted. J. Adams reported that all information requests were processed during the required timeframes.

Moved (Robb / Archer) *that the February 2015 report of the Consents Group be received.*

Carried

5.2.1 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

J. Adams spoke to this report and advised that 171 site visits were made during the reporting period. J. Adams reported that 22 complaints were received during the reporting period, nine of these were unsubstantiated. J. Adams reported that RC09084 bond is recommended for release. He advised that the resource consent for this has changed hands.

Moved (Archer / Clementson)

1. *That the February 2015 report of the Compliance Group be received.*
2. *That the bond for RC09084 (Humphreys Mining Ltd) be released.*

Carried

6.0 GENERAL BUSINESS

C. Ingle informed Councillors that a letter has been received from the Ombudsman following a complaint. He advised that the complainant has been considered a vexatious complainant regarding unsubstantiated complaints about odour in Hokitika. C. Ingle advised that the Ombudsman has backed up the Compliance staff in their response and has told the complainant that staff have been more than fair and reasonable. C. Ingle stated that it is good to see an independent body reviewing how Council does things and has supported Council's decisions.

The meeting closed at 11.20 a.m.

.....
Chairman

.....
Date

5.1.1

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting – 10 March 2014
Prepared by: Michael Meehan - Planning and Environment Manager
Date: 26 February 2015
Subject: **PLANNING AND ENVIRONMENT MANAGERS REPORT**

Coastal Plan review

Following on from the workshop with Councillors and iwi representatives on 9 December 2014 to confirm the draft changes to the Draft Coastal Plan, the Draft Plan was sent to the RMA First Schedule section 3 parties for pre-consultation feedback on 11 December. These parties are:

- Minister for the Environment
- Other Ministers of the Crown who may be affected
- Poutini Ngāi Tahu and Te Rūnanga O Ngāi Tahu
- Buller, Grey, and Westland District Councils
- Adjoining Regional Councils
- Department of Conservation

Feedback has been received from the three Ngāi Tahu Rūnanga, and DOC. Planning staff met with both these parties to discuss and clarify their feedback. We are awaiting feedback from the three District Councils. Once all pre-consultation feedback is received and assessed, a workshop will be held for Council to consider any amendments to the Draft Coastal Plan arising from the pre-consultation feedback.

Land and Water Plan

Council sent letters to Schedule 2 wetland landowners where no boundary adjustment is proposed. The letter encouraged them to make contact with Council if they believe there has been an error with the mapping. Council is also attempting to contact each landowner by phone.

Council has received 8 enquiries and is undertaking site visits over the next month.

Flood Protection Bylaw

Council received 2 submissions, 1 in support and 1 opposed to the bylaw. Since receiving the submissions Council has met with the submitter who opposed the bylaw, they have now withdrawn their submission.

Council is awaiting confirmation from the remaining submitter as to whether they wish to be heard.

Resource Science

Council and the Institute of Geological and Nuclear Sciences (GNS) are collecting samples from eleven West Coast groundwater wells and determining the age of groundwater water in selected aquifers.

Dairy NZ has agreed to fund AgResearch to complete a model that uses rainfall and soil type information to predict soil moisture. Council will use this tool on our website that Lake Brunner catchment farmers can use to determine suitability for effluent irrigation. Traditionally, this type of tool has used telemetered soil moisture probes e.g. Southland, our approach is new and may later be applied elsewhere in NZ.

Experienced NIWA hydrologist Graeme Horrell has provided advice on methods for estimating stream flows. The purpose was to explore techniques that generate flows on a more regular basis for our water quality sites e.g., monthly rather than 4 yearly. Options include more 'flood warning' type stations on rivers, more in depth weather/catchment modelling and crude river stage/flow systems.

RECOMMENDATION

That the report is received

Michael Meehan
Planning and Environment Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee – 12 March 2015
Prepared by: Nichola Costley & Lillie Sadler
Date: 20 February 2015
Subject: **Proposed Regional Policy Statement**

Purpose

This report presents the Proposed Regional Policy Statement (RPS), and accompanying Section 32 Evaluation Report, and recommends notification of the Proposed RPS.

Proposed RPS

Staff have completed the review of the Proposed RPS. Pre-consultation in accordance with clause 3 of the First Schedule took place during July and August 2014. Feedback, and follow-up meetings, provided a number of amendments to the Proposed RPS.

The Proposed RPS provides a broad direction and framework for managing the West Coast's natural and physical resources. It includes the principles that are important to West Coast communities, identified regionally significant issues, objectives to address the issues, and policies and methods to achieve the objectives.

This is a new direction for the Proposed RPS. With regulation now set in our Regional and District Plans, the Proposed RPS takes a high level strategic approach to the management of the regionally significant issues on the West Coast.

Section 32 Evaluation Report

As per clause 5 (1)(a) of the First Schedule of the RMA, the Council must prepare an evaluation report in accordance with section 32 and have particular regard to the report when deciding whether to proceed with the Proposed RPS.

The section 32 report is intended to help readers understand how the Proposed RPS was developed and the rationale behind the policy options chosen. The section 32 report contains the evaluation of objectives, policies and methods. It outlines for each regionally significant issue in the Proposed RPS, the extent to which the objectives are the most appropriate way to achieve the purpose of the Act and whether the policies and methods are the most appropriate way to achieve the objectives having regard to their efficiency and effectiveness and their benefits and costs. The risks associated with acting or not acting on certain issues where there is uncertain or insufficient information are also noted where appropriate.

Notifying the Proposed Regional Policy Statement

The Council can now publicly notify the Proposed RPS, in accordance with Clause 5 of the First Schedule. With Council approval, a public notice inviting submissions will be placed in the three main West Coast newspapers and the Christchurch Press on 16 March 2015. A copy of the public notice, the Proposed RPS and the Section 32 Evaluation Report will be made available at the main public libraries of the region. Copies of the documents will also be available on the Council website.

Staff have also prepared a Summary of the Proposed RPS which will accompany the Rates demand later in March as well as being sent out to those individuals and organisations who provided feedback on the Discussion Document in 2013.

The submission period will close on 22 May 2015.

RECOMMENDATION

That the Council approve the Proposed Regional Policy Statement for public notification, and accompanying Section 32 Evaluation Report, in accordance with Clause 5 of the First Schedule of the Resource Management Act.

Michael Meehan
Planning and Environmental Manager



Proposed

**West Coast
Regional Policy Statement**

March 2015

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Part A Introduction and background

1. Introduction

1.1 Role of the Regional Policy Statement – Its Scope and Effect

The role of the Regional Policy Statement is to promote the sustainable management of the natural and physical resources of the West Coast. It does this by:

- Providing an overview of the resource management issues of the region; and
- Identifying policies and methods to achieve integrated management of the West Coast's natural and physical resources.

The Regional Policy Statement is the vehicle for identifying and dealing with the significant resource management issues on the West Coast. It takes account of all those issues relating to resources such as land, water, infrastructure, and the coastal environment that are of importance to the region, and puts in place policies and methods to achieve the integrated management of those resources.

The Regional Policy Statement has an important role in setting the overall direction for the management of natural and physical resources and the environment of the West Coast. Although the Regional Policy Statement does not contain rules to regulate activities, the West Coast Regional Council and the District Councils of the region are required to give effect to this document when preparing or changing regional or district plans (which may contain such rules). In addition, the West Coast Regional Council and the Territorial Authorities are required to "...have regard to" relevant objectives and policies in the Regional Policy Statement when considering an application for a resource consent (section 104(1) of the Resource Management Act).

The Regional Council must have a Regional Policy Statement in place at all times – this will be the West Coast's second one. The Resource Management Act (RMA) prescribes what the Regional Policy Statement must cover (section 62) and the responsibilities of regional and district councils (sections 30 and 31).

1.2 Regional Policy Statement Guiding Principles

The West Council Regional Council has developed this Regional Policy Statement using the following principles. They provide strategic direction on what is important to the communities of the West Coast.

PEOPLE

People are at the heart of this Regional Policy Statement. All District and Regional Plans should have regard to people and communities and their need for a healthy environment, well managed infrastructure, employment and business opportunities for their wellbeing and long-term economic success.

ECONOMY AND ENVIRONMENT

The Regional Policy Statement is developed giving weight, and finding the balance, between economic and environmental considerations. It recognises that a healthy West Coast economy needs a healthy environment. This Regional Policy Statement is enabling, balancing improving the economy and using our resources wisely, with managing and investing in the environment to achieve our future aspirations for improvement throughout the West Coast.

EFFECTIVENESS

The Regional Council believes that environmental regulation needs to be clear and simple with quick processes. It recognises that solutions must be affordable, fit for purpose and achieve the objectives. The policy instruments used should match the resource management issues and opportunities identified. In line with affordability this avoids unnecessary compliance costs.

ADAPTIVE MANAGEMENT

The management of the natural and physical resources of the West Coast is a complex task as the environment, resources and systems are dynamic. Understanding of these also changes over time. The management regime is therefore adaptive and able to respond to change as required in order to achieve sustainable resource management.

AFFORDABILITY

There may be circumstances where current resource management practices may have to change over time in order for these resources to be managed sustainably. Where these changes may impose a significant financial burden, or a practical solution is not currently available, a reasonable time is to be allowed for desired environmental outcomes to be achieved. This is to take into account the need for change and the costs and effects of not acting, or not acting quickly.

1.3 Statutory and Planning Framework

1.3.1 POLICIES, PLANS AND OTHER INSTRUMENTS

The Regional Policy Statement is the key document for identifying issues related to the development, use and protection of natural and physical resources on the West Coast and establishing a management framework for dealing with them. It is, however, only part of a broader policy and planning framework under the RMA. The RMA provides for a hierarchy of resource management policy statements and plans related to the three levels of government – central, regional and district.

At the national level, the main statutory instruments include:

National environmental standards – Regulations made by Order in Council on the recommendation of the Minister for the Environment, to prescribe technical standards relating to the use, development and protection of natural and physical resources. National standards override existing provisions in plans that require a lesser standard.

National policy statements – Issued on recommendation by the Minister for the Environment, they state policy on matters of national significance relevant to achieving the purpose of the RMA. Regional and district-level planning documents prepared under the RMA must give effect to these.

New Zealand Coastal Policy Statement – Prepared and issued by the Minister of Conservation, it states policies for achieving the purpose of the RMA in relation to the coastal environment of New Zealand. Regional and district-level planning documents prepared under the RMA must give effect to the New Zealand Coastal Policy Statement.

Water conservation orders – Issued on the recommendation of the Minister for the Environment and made by Order in Council to recognise and sustain outstanding amenity or intrinsic values associated with a waterbody that warrants protection. The Regional Policy Statement must not be inconsistent with these.

At the regional or district level, the main statutory instruments include:

Regional policy statements – Prepared by regional councils to achieve the purpose of the RMA by providing an overview of the significant resource management issues for the region, and the policies and methods to achieve integrated management.

Regional coastal plan – Prepared by regional councils these are intended to assist the regional council, in conjunction with the Minister of Conservation, to manage the coastal marine area where each has specific functional responsibilities. The coastal marine area generally encompasses the foreshore, coastal water, and the air space above the water, between mean high water springs and the outer limits of the territorial sea. Regional coastal plans may contain rules to control activities and effects.

Regional plans – Prepared by regional councils to assist them in carrying out their functions under the RMA, they must give effect to the Regional Policy Statement. Regional plans are optional and may contain rules to control activities and effects.

District plans – Prepared by district councils these plans assist them in carrying out their specific functional responsibilities under the RMA, particularly those relating to controlling the effects of land use and subdivision, and the provision of associated public works and utilities. District plans may contain rules to control activities and effects. The RMA requires that district plans must “give effect” to the Regional Policy Statement of a region and must “not be inconsistent with” regional plans.

Resource consents – Required either from a regional or district council (or both) to carry out activities that would otherwise contravene the restrictions in the RMA on the use and development of natural and physical resources. Under section 104(1) of the RMA, a consent authority considering a resource consent must have regard to any relevant regional policy statement.

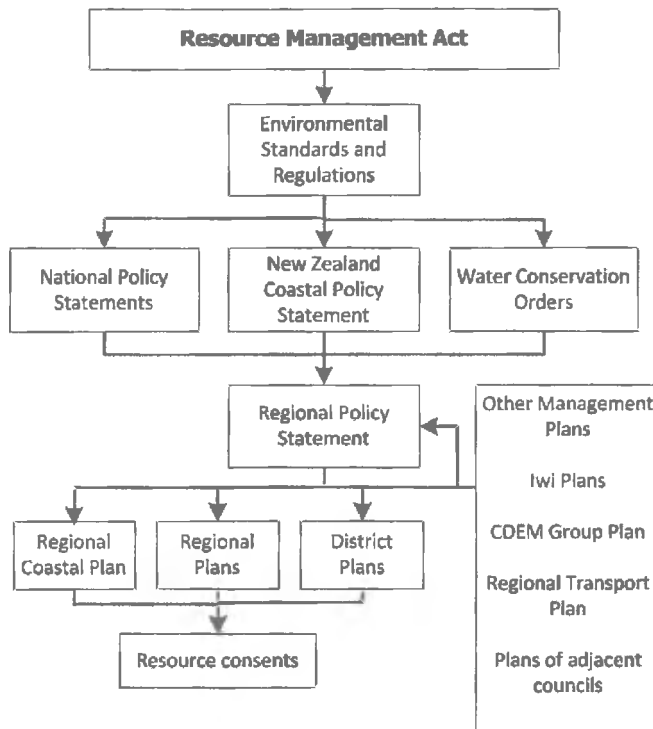


Figure 1: Regulatory Framework

1.3.2 FUNCTIONS AND POWERS

To give effect to the purpose and principles of the RMA, central government, regional and district councils have specific functions, powers and duties.

Regional and district councils have been given primary responsibilities for the management of natural and physical resources within their areas, subject to the requirements of central government as exercised through the instruments available under the RMA or through other legislation (such as the Local Government Act 2002 or Civil Defence Emergency Management Act 2002).

Under section 30 of the RMA, the West Coast Regional Council is responsible for the control of:

- Water, air, and land (for the purpose of soil conservation, water management, natural hazards avoidance and mitigation and hazardous substances management); and
- The investigation of land for the purposes of identifying and monitoring contaminated land;
- The coastal marine area (in conjunction with the Minister of Conservation);
- The discharge of contaminants into the environment;
- River and lake beds; and
- The establishment and implementation of objectives, policies and methods for indigenous biodiversity; and,
- The strategic integration of infrastructure with land use through objectives, policies and methods.

Under section 31 of the RMA, the three district councils are responsible, in relation to their district, for the preparation of objectives and policies for the:

- Integrated management of the effects of land use;
- Control of the effects of land use, including responsibility for the:
 - avoidance and mitigation of natural hazards;
 - use, disposal or transportation of hazardous substances;
 - prevention and mitigation of the adverse effects of the use of contaminated land; and
 - the maintenance of indigenous biodiversity;
- Control of the emission of noise; and,
- Control of activities on the surface of water in rivers and lakes.

Under section 30(1)(a) of the RMA, the West Coast Regional Council is further responsible for preparing objectives, policies and methods to achieve integrated management of the natural and physical resources of the region and for preparing objectives and policies in relation to any actual or potential effects of the use, development, or protection of any land which is of significance. The Regional Policy Statement has been developed to give effect to this responsibility.

1.3.3 STATEMENT OF REGIONAL AND DISTRICT COUNCIL RESPONSIBILITIES

The Regional Policy Statement must state the local authority responsible for specifying the objectives, policies and methods for the control of the use of land –

- To avoid or mitigate natural hazards or any group of natural hazards; and
- To prevent or mitigate the adverse effects of the storage, use, disposal, or transportation of hazardous substances; and
- To maintain indigenous biological diversity.

This Regional Policy Statement has identified the management of natural hazards and indigenous biological diversity as significant resource management issues for the West Coast and consequently addresses the roles and responsibilities within Sections 11 and 7 respectively. However there are no corresponding policies or methods for the management of hazardous substances as they are not considered to be a regionally significant issue for this Regional Policy Statement. Table 1 identifies the respective roles and responsibilities for the management of hazardous substances. This approach is consistent with the Resource Management (National Environmental Standard for Assessing and Managing Contaminants on Soil to Protect Human Health) Regulation 2011, which outlines district council responsibilities in more detail. Further detail on the management of hazardous substances is included in the Regional and District Plans where relevant.

Table 1: Hazardous substances roles and responsibilities

Parts of the West Coast	Responsibility for specifying objectives, policies, methods including rules
<ul style="list-style-type: none"> ▪ In the coastal marine area, on beds of rivers and lakes, and on or into water bodies ▪ Discharge into or onto land ▪ Discharge to air ▪ Contaminated land 	Regional Council
All other land use, and the surface of freshwater bodies.	District Councils

1.4 User Guide to the Regional Policy Statement

Part A (this part) contains the introduction. This includes the purpose and the key principles of the Regional Policy Statement and an overview of the RMA which provides the statutory framework relevant to the implementation of objectives, policies and methods in the Regional Policy Statement.

Part B contains the issues of significance to Poutini Ngāi Tahu. It contains the objectives, policies and methods to take into account the principles of the Treaty of Waitangi and for recognising and providing for the relationship of Maori with ancestral lands, water, sites, wahi tapu and other taonga.

Part C contains the significant resource management issues for the West Coast. It provides a summary of these issues and also considers how other provisions under sections 6 and 7 of the RMA are considered and managed.

In relation to each issue, objectives, policies, methods of implementation and environmental results anticipated are identified. To assist the reader in locating all relevant policies, related policies (e.g. where an activity has effects on other resources) are cross-referenced.

Part D sets out the administrative procedures relating to the implementation of the Regional Policy Statement. They include the processes that the West Coast Regional Council will use to promote integrated management and deal with issues that cross local authority boundaries, and the procedures to monitor the effectiveness of the Regional Policy Statement and for its review.

Glossary - To assist readers in using the Regional Policy Statement, a glossary has been prepared and is located at the back of this document.

Part B
Resource management issues of significance to Poutini
Ngāi Tahu

2. Resource Management Issues of Significance to Poutini Ngāi Tahu

PREAMBLE

Poutini Ngāi Tahu are the tangata whenua of Te Tai o Poutini (the West Coast). Under section 9 of the Te Rūnanga O Ngāi Tahu Act 1996 the two Rūnanga who hold such status on the West Coast are Te Rūnanga O Ngāti Waewae and Te Rūnanga O Makaawhio.

The Resource Management Act (RMA) recognises that the principles of the Treaty of Waitangi are an integral part of promoting the sustainable management of natural and physical resources. Part 2 of the RMA requires recognition of the values of local iwi. Section 62 of the Act requires a regional policy statement to state the resource management issues of significance to iwi authorities in the region.

The Regional Council has long recognised the need to consult with Poutini Ngāi Tahu - and to provide opportunities for their participation in resource management processes. The two Rūnanga have been invited to appoint members to the Council's Resource Management Committee and this arrangement has worked well for many years, with iwi having a voice in all resource management decision making.

Poutini Ngāi Tahu have indicated that there are a number of cultural and spiritual values, which are matters of resource management significance to iwi authorities. Their views include:

- The connection between the natural world and Poutini Ngāi Tahu through whakapapa, where people are descended from Papatuanuku, the ancestral earth mother and Ranginuiatea the ancestral sky father. The care of natural resources is an act of whānaungatanga (caring for the family) which recognises that people are dependent on resources and have reciprocal obligations to care for, conserve and protect them;
- The need for integrated environmental management of and between all resources;
- The obligation to compensate and restore where environmental degradation has occurred;
- The need to use resources to sustain the community;
- The obligation to preserve the environmental integrity of the natural world for future generations;
- The wise and efficient allocation and use of non-mineral resources within their capacity to regenerate themselves, and having regard to the effects of the use.

Section 220 of the Ngāi Tahu Claims Settlement Act 1998 recognises Ngāi Tahu's mana of specific sites and resources, known as Statutory Acknowledgement Areas. These are acknowledgements by the Crown of Ngāi Tahu's special relationships with the Areas for cultural, spiritual, historical, and traditional reasons. On the West Coast the Statutory Acknowledgement Areas are: Okari Lagoon, Taramakau River, Kotuku-Whakaoho (Lake Brunner/Moana), Lake Kaniere, Poerua (Saltwater Lagoon), Okarito Lagoon, Makaawhio (Jacob's River), Karangarua Lagoon, and Lake Paringa. The West Coast Councils will consider the respective Papatipu Rūnanga to be an affected party where resource use may adversely affect Statutory Acknowledgement Areas.

Pounamu is a taonga of utmost importance to Poutini Ngāi Tahu/Ngāi Tahu culture and tradition, and the three Rūnanga have each prepared a resource management plan to manage appropriate use and protection of pounamu. Councils must have regard to these management plans when preparing regional and district plans, and when considering resource use activities that might affect pounamu resources.

Section 7(a) of the RMA requires the Council to have particular regard to kaitiakitanga. The outcomes of kaitiakitanga are likely to include the management of natural resources in a way that ensures that all taonga (which includes all natural resources) are available for future generations.

BACKGROUND TO THE ISSUES

The RMA gives the Regional Council the statutory function to exercise certain laws and regulations in respect of the management of the region's natural and physical resources. The Regional Council recognises that the Treaty affords Poutini Ngāi Tahu a status distinct from other interest groups or members of the public.

Wāhi tapu are sacred places of spiritual and cultural significance to Maori for reasons related to their associations with their tipuna (ancestors) and historical events. As District Councils have responsibility for the use, development and protection of land, they have a particular role in relation to managing effects of these activities on wāhi tapu. Māori view the preservation of wāhi tapu as of paramount importance.

In this Region wāhi tapu link Poutini Ngāi Tahu to their tipuna, and to the land, with bonds which are not broken by the passage of time. Wāhi tapu can include urupā (burial sites) ana tūpāpaku (burial caves) tauranga waka (canoe landing sites), battleground's, maunga (mountains), awa (rivers) and roto (lakes), symbolic and legendary landscape features, places from which important taonga are sourced (for example wāhi pounamu, wāhi taonga, and wāhi raranga) or places associated with wairua ritual. It is important that Poutini Ngāi Tahu maintain their special relationship with these places, to enable them to perform their obligations under kaitiakitanga.

The significant resource management issues for Poutini Ngāi Tahu on the West Coast are:

1. Taking into account the principles of the Treaty of Waitangi in the sustainable management of the natural and physical resources of the West Coast Region.
2. Recognition and provision for the relationship of Poutini Ngāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga as a matter of national importance.

OBJECTIVES

1. To take into account the principles of the Treaty of Waitangi in the exercise of functions and powers under the RMA.
2. Recognise and provide for the relationship of Poutini Ngāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga within the West Coast Region.

POLICIES

1. Acting cooperatively and in good faith, the Regional Council will continue to provide opportunities for tangata whenua to participate in resource management processes under the RMA.
2. In consultation with Poutini Ngāi Tahu, provide for the protection of ancestral land, wāhi tapu, water, sites, and other taonga from the adverse effects of activities, in a manner which is consistent with the purpose of the RMA.
3. The special relationship that Poutini Ngāi Tahu have with te taiao (the environment), and their economic, cultural, and spiritual values, including their role as kaitiaki, will be given particular consideration in resource management decisions and practices.
4. The aspirations of Poutini Ngāi Tahu concerning the development of papakainga housing on Poutini Ngāi Tahu land will be recognised and supported.

EXPLANATION TO THE POLICIES

The term "principles of the Treaty of Waitangi" originates from the Treaty of Waitangi Act 1975. The Court of Appeal has emphasised that it is the principles of the Treaty which are to be applied, not the literal words. The Privy Council characterised the Treaty principles as a dynamic force in that they reflect the intent of the Treaty as a whole and include, but are not confined to, the express terms of the Treaty. In this context the Regional Council's responsibility is to take into account the principles of the Treaty as defined by the Act and clarified by the courts.

The Regional Council will endeavour to:

- a) Ensure that its understanding of the interpretation of the principles of the Treaty is consistent with the current interpretation of the Courts;
- b) Take into account the following principles:
 - act reasonably and in good faith;
 - make informed decisions;
 - consider whether active steps are needed to protect Maori interests;
 - not take actions which would prevent the redress of claims; and
 - recognise that the government must be able to govern.

The policies above recognise that some resources, places or things are of special significance to Māori. These include wāhi tapu sites and may also include archaeological sites, other historic sites or places and natural features of cultural or traditional importance to Māori. The policies aim to protect such sites and values from the adverse effects of resource use and development as far as is practicable. The role of Poutini Ngāi Tahu as kaitiaki is an integral part of the special relationship Poutini Ngāi Tahu have with their land, and all living things.

Policy 4 seeks to ensure that tangata whenua face no unnecessary barriers in the development of their lands.

RELATED POLICIES

All other policies in this Regional Policy Statement.

METHODS

1. Provide for consultation with Poutini Ngāi Tahu in a way which is timely, practicable, meaningful and continuous as provided by the Te Rūnanga O Ngāi Tahu Act 1996, and in accordance with Poutini Ngāi Tahu tikanga.
2. Provide for Poutini Ngāi Tahu involvement on Council Committees, in the development of regional policies and plans, and in the resource consent process.
3. Recognise Poutini Ngāi Tahu initiatives to articulate their resource management values and methods through iwi management plans.
4. Inform affected Poutini Ngāi Tahu Rūnanga of resource consent applications as they are received.
5. Where necessary, add conditions to resource consents incorporating iwi protocols to protect ancestral lands, water, sites, wāhi tapu and other taonga from the adverse effects of activities.
6. In preparing regional policies and plans, and when making decisions on resource consents, have regard to Statutory Acknowledgements Areas, mataitai reserves, and iwi management plans.
7. Contract, as appropriate, Rūnanga representatives to review relevant iwi chapters for policy and plan reviews, and update schedules of ancestral lands, water, sites, wāhi tapu and other taonga of significance to iwi.

PRINCIPAL REASONS FOR ADOPTING THE OBJECTIVES, POLICIES AND METHODS

All those exercising functions and powers under the RMA are required by section 8 to take into account the principles of the Treaty of Waitangi. These provisions reflect current practice which is working well, and will enable the Regional Council to continue to carry out its obligation under the RMA to provide for tangata whenua participation in the management of the region's natural and physical resources and to recognise and provide for the relationship of Poutini Ngāi Tahu, their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.

ANTICIPATED ENVIRONMENTAL RESULTS

1. Wāhi tapu and other taonga are recognised and provided for when managing the adverse effects of the use and development of natural and physical resources.
2. Helping to maintain the relationship of Poutini Ngāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga within the West Coast region.
3. Recognition of the principles of the Treaty of Waitangi, and making resource management decisions which take these principles into account.

Part C
Resource management issues of significance

3. Significant Resource Management Issues for the West Coast

This section identifies the significant resource management issues for the West Coast region and presents the objectives, policies and methods of implementation to address those issues. These issues are summarised in Table 2. Resource management issues of significance to Poutini Ngāi Tahu are identified in Part B, Section 2.

Table 2: Summary of the significant resource management issues for the West Coast

Issues	
Resilient and Sustainable Communities	<ol style="list-style-type: none"> 1. The West Coast is at risk of experiencing population decline. It is critical that our planning documents address this risk by ensuring new developments, which involve new jobs, are welcomed and encouraged. 2. West Coast industries are traditionally susceptible to fluctuating cycles and global commodity prices which can affect the social and economic wellbeing of our communities. Councils management of natural and physical resources needs to contribute, where possible, to making our communities more resilient and sustainable in the long term. This includes ensuring that communities retain their sense of place, identity and amenity value. 3. The implementation of the RMA, if not performed with care and sensitivity, can be seen as detrimental to economic growth and creation of employment in the region.
Use and Development	<ol style="list-style-type: none"> 1. Recognising the central role of resource use and development on the West Coast. 2. Managing conflicts arising from the use and development of resources.
Regionally Significant Infrastructure	<ol style="list-style-type: none"> 1. Recognising the benefits of, and providing for, the establishment and continued operation of regionally and nationally significant infrastructure (including renewable electricity generation), particularly where they cross district and/or regional boundaries. 2. Strategically integrating infrastructure and land use.
Biodiversity and Landscapes	<ol style="list-style-type: none"> 1. The RMA requires Councils to provide protection to significant indigenous vegetation and significant habitats of indigenous fauna. 2. While the protection of significant indigenous vegetation and habitat of significant indigenous fauna is provided for within regional and district plans, in the context of the current abundance of conservation land it would be sensible for ownership of all such significant areas to be within the Department of Conservation's land portfolio. 3. The relatively unmodified environment of the West Coast provides a wealth of outstanding natural features and landscapes, and outstanding natural character. Management of these areas should not unnecessarily restrict future employment, regional growth or development.
Land and Water	<ol style="list-style-type: none"> 1. Managing adverse effects on water quality arising from point source and diffuse source discharges to waterbodies from activities on land. 2. Potential overuse of water resources can occur in certain areas during drier seasons. 3. Integrating the management of subdivision, use and development activities on land with the potential effects on water quality.
Coastal Environment	<ol style="list-style-type: none"> 1. The NZCPS requires the avoidance of adverse effects on significant coastal biodiversity, and outstanding natural character and landscapes, however with a relatively unmodified coastal environment on the West Coast management of these areas may also need to enable appropriate future employment, regional growth and development. 2. Enabling appropriate subdivision, use and development of the coastal environment while reducing the risk of harm to people, property and infrastructure from natural hazards in the coastal environment.
Air Quality	<ol style="list-style-type: none"> 1. In urban areas during Wintertime, PM₁₀ emissions can potentially affect peoples health. It is critical that people are able to keep warm in their homes while Wintertime PM₁₀ emissions are reduced to meet the NESAQ. 2. Allowing point source discharges to air while managing adverse effects of those discharges on air quality and other values.
Natural Hazards	<ol style="list-style-type: none"> 1. Natural hazards, particularly flooding and earthquake, have the potential to create significant risk to human life, property, community and economic wellbeing on the West Coast. 2. Increasing public awareness of, and planning for, natural hazards is required for communities to become more resilient.

For each of these issues, the Regional Policy Statement sets out:

- The background to the issues;
- The objectives to be achieved by this Regional Policy Statement;
- The policies that will meet those objectives (and an explanation of those policies);
- The principal reasons for adopting the objectives, policies and methods of implementation; and
- The environmental results anticipated from the implementation of those policies and objectives.

In formulating the objectives, policies and methods of this Regional Policy Statement, the West Coast Regional Council has recognised the fundamental purpose of the Resource Management Act, to promote the sustainable management of the natural and physical resources of the region. In preparing this Regional Policy Statement, Council recognises the role of resource use and development, as well as protection, in the West Coast region and their contribution to enabling people and communities to provide for their economic, social and cultural wellbeing, while at the same time ensuring that any adverse effects on the environment are avoided, remedied or mitigated.

For each of the Regionally Significant Issues identified, the objectives, policies and methods have been developed as a generally high level principles approach. Much of the specific detail relating to their implementation is included within the Regional and District Plans.

The statements of significant resource management issues may address either use, development or protection of resources depending on the focus or relevance to the West Coast of the issue in question. The objectives, policies and methods which follow the issues then establish the framework for its sustainable management.

The objectives have been formulated to focus on the long-term outcome sought in relation to the issues identified. These are high level goals to be aimed for. The West Coast Regional Council recognises that some of these objectives may not be fully achieved over the life of this Regional Policy Statement. However, the objectives do establish an overall outcome that is to be worked towards.

Policies are statements of a general course of action in working towards the achievement of the objectives. They may deal with resource use, development or protection, or all of these. Some policies in the Regional Policy Statement are broad in their application, reflecting the high level principles approach adopted, while others are more specific. All policies (and related objectives and methods) when read as a whole are designed to promote the sustainable management of resources.

The methods of implementation listed in the Regional Policy Statement are the specific actions to implement the policies.

Issues, objectives, policies or methods in this Regional Policy Statement may refer to avoiding, remedying or mitigating adverse effects on the environment. The Council considers that in carrying out its functions under the RMA, it must consider any adverse effects of activities on the environment, including minor effects, in line with the requirements of section 5(2)(a), (b) and (c). However, adverse effects will be addressed by the Council in different ways to reflect the different nature and scale of effects. It may not always be possible or necessary to completely avoid, remedy or mitigate all adverse effects. Some effects will be so small as to be insignificant or inconsequential and can be ignored. Other effects may be more than minor but may not be able to be avoided, remedied or mitigated fully, and positive effects and benefits may outweigh any adverse effects. The degree and significance of effects, including the potential for cumulative effects, will need to be considered in the circumstances of each case and a weighing up of factors made under this Regional Policy Statement and relevant plan provisions.

Other matters

The RMA, through sections 6 and 7, set out a number of matters of national importance (section 6) that shall be recognised and provided for, as well as having particular regard to other provisions (section 7). Not all of these are considered to be regionally significant issues for the West Coast and therefore are not specifically addressed within this Regional Policy Statement. However, they are

recognised, provided for and given regard to through the regional and district plans and in the resource consenting process.

4. Resilient and Sustainable Communities

BACKGROUND TO THE ISSUES

To plan for the future we must first examine and learn from our past. Prior to European settlement and the discovery of gold circa 1864, the West Coast was home to Poutini Ngāi Tahu. Reciprocity or balanced exchange encompassed all areas of general trade - timber, pounamu, mahinga kai (food) sources, art and weaponry, and land access agreements, internally and inter-tribally. Post 1864 the West Coast had its economic roots in the mining industry – both gold and coal. Timber, fisheries and agriculture also played a big role.

Because miners are always chasing the next rich seam, our towns and communities' populations have fluctuated - dramatically in some cases. When employment declines people often move away, and communities can lose their sense of identity. Less money is available and towns and settlements can become run down, losing their amenity values.

To be resilient and sustainable, our communities require more consistent and reliable employment, and a decent household income, as well as modern health, education and recreation services. Our regional community cannot grow and prosper without new economic development in the region and the employment that this creates. Without this, there is a very real risk that this region will start to experience population decline and the loss of core services.

The relatively recent emergence of the strengthening dairy and tourism sectors have provided alternatives to the mineral extraction industries. But the future of the region cannot rely on these three sectors alone. Further diversification of the economy is crucial - to counteract fluctuations in the commodities market, exchange rates and the needs and wants of our export and tourism markets. The dispersed nature of the West Coast means that even small to medium-sized investment can have significant positive impacts. The West Coast needs to present itself as an attractive place to live and do business, inviting diversification of the key industries and providing alternatives from the cornerstones of the traditional earners. This diversification will come in part from providing reliable access to regional resources, as well as ensuring sound, consistent and reliable regulatory processes.

Poor quality regulation and high compliance costs can act as a brake on business growth, investment and job creation. Councils need to be mindful of the impact of regulation on the economy – good quality regulation can be used to stimulate economic growth. Consistency in interpreting and implementing the law has been identified as a desirable yet problematic feature of any regulatory environment. Businesses require a reasonable degree of certainty to operate with confidence, especially when it comes to larger investments. Consistency between Councils with approaches that are timely and effects based, and provide both certainty as well as flexibility where it is required, is critically important for business confidence.

Each of the Councils recognise the importance of economic growth and development for their districts and have taken steps, individually and collectively, to raise the profile of this through the development of district and regional economic strategies. While this Regional Policy Statement does not seek to drive economic development of itself, it can establish the importance of developing an enabling Resource Management Act (RMA) framework in our region, within which growth is welcomed, by ensuring that the Regional and District Plans enable development whilst also achieving environmental outcomes.

This Regional Policy Statement explicitly links the Councils' statutory RMA roles to the (non-statutory) regional Economic Development Plan which seeks to co-ordinate the efforts of the four councils and Development West Coast in growing the economy, jobs and population in our region. The role of the Regional Policy Statement is to identify our regionally significant issues and co-ordinate the management of our natural and physical resources.

The significant issues in relation to resilient and sustainable communities on the West Coast are:

1. The West Coast is at risk of experiencing population decline. It is critical that our planning documents address this risk by ensuring new developments, which involve new employment, are welcomed and encouraged.
2. West Coast industries are traditionally susceptible to fluctuating cycles and global commodity prices which can affect the social and economic wellbeing of our communities. Councils' management of natural and physical resources needs to contribute, where possible, to making our communities more resilient and sustainable in the long term. This includes ensuring that communities retain their sense of place, identity and amenity value.
3. The implementation of the RMA, if not performed with care and sensitivity, can be seen as detrimental to economic growth and creation of employment in the region.

OBJECTIVES

1. To enable sustainable and resilient communities on the West Coast.
2. To ensure the region's planning framework welcomes and enables economic development and new employment opportunities in the region, while ensuring environmental outcomes are met.
3. To ensure that the West Coast has built environments that effectively integrate subdivision, use and development with the natural environment, and which have a sense of place, identity and a range of lifestyle and employment options.

POLICIES

1. To manage the West Coast's natural and physical resources in a way that enables a range of economic activities to occur, prioritising activities likely to provide substantial employment that benefits the long term sustainability of the region's communities.
2. Regional and District Plans shall:
 - a) Only contain regulation if it is the most effective and efficient way of achieving resource management objective(s), taking into account the costs, benefits and risks;
 - b) Be as consistent as possible;
 - c) Be as simple as possible;
 - d) Use or support good management practices;
 - e) Minimise compliance costs where possible;
 - f) Enable subdivision, use and development that accords with the Regional Policy Statement; and
 - g) Focus on effects and, where suitable, use performance standards.
3. Regional and District Plans shall recognise and reflect the vision and targets of the West Coast Economic Development Plan 2014 – 2030.
4. To consider the transfer and delegation of regional and district council functions (as provided by sections 33 and 34 of the RMA) where it would result in increased efficiencies and/or effectiveness in achieving resource management objectives, using shared services principles.
5. To promote sustainable development in urban areas and small settlements, along with the maintenance and enhancement of amenity values in these places.

EXPLANATION TO THE POLICIES

The implementation of Policy 1 supports diversification of the economy in order to create communities that are both more resilient and sustainable. The importance of both natural and physical resources is recognised to achieve this as it is through their use and development that our communities' economic and social wellbeing will be provided for in the future. Welcoming opportunities for a wide range of industries to establish in the region will provide a variety of employment options assisting with reducing the potential market fluctuations on individual industry sectors. Prioritising activities for growth will also provide incentives for both businesses to develop in the region, as well as encouraging people to reside on the West Coast.

Policy 2 aims to provide a regulatory framework that promotes diversity, innovation, and encourages businesses to invest in the region and grow. The policy seeks to make the Regional and District Plans as 'business friendly' as possible (while still maintaining environmental standards). Consistency over like matters is efficient for Councils, businesses, developers, communities and individuals. It can lead to smarter shared services, and ensuring that regulation is effective and not excessively costly.

Adopting or supporting good/best practice through other tools such as performance standards or codes of practice should avoid regulation from becoming out of date as well as promoting ownership of environmental performance and reduce compliance costs.

Enabling subdivision, use and development in Regional and District Plans can be achieved in a number of ways. Most obviously this is through activity status (for example permitted or controlled activities), but there are other tools such as limited notification of resource consent applications and setting out resource consent application information requirements.

Effects of activities should be the focus of Plans. This encourages innovation and avoids unnecessarily restricting uses and developments that are able to meet environmental bottom lines. There will be circumstances whereby specific constraints are justified. However, Plans should provide the ability to innovate and adapt where possible.

Policy 3 recognises the importance of creating a framework to encourage diversification, growth and development of the region and seeks to align regional and district planning documents accordingly.

Policy 4 seeks to achieve efficiency and consistency in the management of Council functions particularly where one Council may have expertise.

The implementation of Policy 5 incorporates concepts of aesthetically pleasing, stimulating and vibrant urban areas and smaller settlements. It also seeks to promote a range of amenity values to present choices to meet the diverse needs of residents throughout the region. It is important to not only apply this in the recognised urban towns but the smaller settlements with which people feel a strong connection to, and identity with.

RELATED POLICIES

All other policies in this Regional Policy Statement.

METHODS

1. The Regional and District Councils, when reviewing their Plans, considering options for Plan changes, or replacement of an entire Plan, shall:
 - a) Consider:
 - i) Removing unnecessary regulation;
 - ii) Opportunities for streamlined, efficient processes;
 - iii) Increasing flexibility of approach, certainty of provisions, and consistency of process; and
 - iv) Taking a risk based approach;
 - b) Consider the benefits, costs and risks of combining planning documents and joint plan changes, in part or in total, including on specific resources or geographical areas;
 - c) Consider the use of good management practices (including environmental best practice guidelines, and codes of practice).
2. Undertake joint consent processes where appropriate.

PRINCIPAL REASONS FOR ADOPTING OBJECTIVES, POLICIES AND METHODS

The objectives, policies and methods of implementation have been adopted to enhance the quality of life for the residents of the West Coast by creating sustainable and resilient communities that have vibrant, safe and cohesive town centres with a range of residential and business opportunities. Providing a region that is welcoming to business and that will enable growth, diversification and innovation is one step towards achieving this leading to greater community wellbeing. Promoting the ongoing viability of existing town centres by creating a sense of place and identity with sufficient levels of service is vital to retaining and growing our population into the future. The intent is for development that is compatible with surrounding uses and values, is served by the appropriate level of social infrastructure and is appropriate within the context of the surrounding environment. Good planning (and urban design) can improve West Coaster's social and cultural wellbeing, strengthen our sense of place, enhance our ability to access services and connect with our wider community.

ANTICIPATED ENVIRONMENTAL RESULTS

1. Improved coordination and collaboration with resource management and related functions between the Regional and District Councils, using shared services principles.
2. Simplified application of regulation, using a light touch wherever possible.
3. New use and development fits within the context of the surrounding environment and provides a range of lifestyle choices.

5. Use and Development of Resources

BACKGROUND TO THE ISSUES

The sustainable management of natural and physical resources means managing the use, development and protection of natural resources in a way or at a rate that enables people and communities to provide for their economic, social and cultural wellbeing while meeting the requirements of section 5(2)(a), (b) and (c) of the Resource Management Act (RMA).

The state and availability of natural resources is relatively more important for the West Coasts' economy than for many other regions in New Zealand. Twenty percent of the West Coast's Gross Domestic Product is derived from the primary sector, the direct use of natural resources. This is in comparison to the national average of 7%¹. The West Coast is reliant on the natural and physical resources of the region for both its economic, social and community wellbeing.

Traditionally mining (coal and gold) has been the primary employer in the region with around 25% of the mining in New Zealand occurring on the West Coast². Mining directly employs approximately 10% of the regional workforce. Farming is also a significant contributor, particularly the dairy industry, which employs 6% of the workforce. Combined, these activities produce over half the income and most of the export income for the region. In addition to direct farm income from milk production, the added value by the processing of the product is a significant contributor to regional employment and income. Many engineering and other support businesses exist because the mining and farming activity creates the demand for their products and services. Tourism is also playing an increasingly important role in the West Coast economy. With world renowned attractions the region is gaining traction in international markets. The region is rich in natural landscapes, coastal environments, and rivers and lakes. The West Coast currently ranks fifth out of all New Zealand regions in international visitor numbers and future growth in this sector is likely, particularly from China³.

Aside from these three mainstays of the economy, other industries based on natural resources include forestry, fishing, horticulture, sphagnum moss harvesting, food production as well as a thriving arts industry consisting of pounamu, gold, wood, stone and copper. Aggregate extraction and production is important for regionally significant infrastructure construction, operation, maintenance and upgrading and for broader economic activity across the West Coast for the building and construction sectors. The manufacturing and construction sectors, through heavy and light engineering industries, have developed to service these primary sectors and now play an important role in the regional economy itself.

Future growth in the region is likely to continue to be based around the use and development of natural resources in the first instance, with supporting industries developing alongside these, followed by other sectors as demand determines or sectors diversify. Some land and resource use activities are incompatible with others, for example mining near residential areas. Planning and managing for these is essential to ensure that both the economic and social wellbeing of communities is looked after. There is also consideration required regarding the activities and land use undertaken within the conservation estate. In these situations an evaluation of the ecological as well as the economic and social values will need to be undertaken which can result in many situations in a mutually beneficial outcome.

The reliance on the natural resources of the region requires that the environment remain in a healthy functioning state to provide for this. People choose to invest, do business, live and recreate on the West Coast for a large part based on the natural resources of the region. Use and development, as well as protection of the region's natural and physical resources, is therefore a significant resource management issue for the West Coast.

¹ BERL West Coast Region Economic Indicators 2013, p.17

² 2013 Regional Economic Activity Report, MBIE, p.52

³ The West Coast of New Zealand Economic Indicators 2013, DWC, p.22

The significant issues in relation to the use and development of resources on the West Coast are:

1. Recognising the central role of resource use and development on the West Coast.
2. Managing conflicts arising from the use and development of resources.

OBJECTIVES

1. To recognise the role of resource use and development on the West Coast and its contribution to enabling people and communities to provide for their social, economic and cultural wellbeing.
2. To recognise that the use and development of natural resources may be incompatible with other land uses, in some situations and locations.

POLICIES

1. Recognition will be given in resource management processes to the role of resource use and development on the West Coast and its contribution to enabling people and communities to provide for their economic, social and cultural wellbeing.
2. To recognise that natural and physical resources important for the West Coast's economy need to be protected from significant negative impacts of new subdivision, use and development, and land protection with particular emphasis on either:
 - a) Reverse sensitivity for:
 - i) primary production activities;
 - ii) industrial and commercial activities;
 - iii) minerals extraction*;
 - iv) significant tourism infrastructure; and
 - v) existing and planned regionally significant infrastructure.
 - b) Sterilisation of:
 - i) land with significant mineral resource; or
 - ii) land which is likely to be needed for regionally significant infrastructure.

*Minerals extraction includes aggregates and other mining activities.

EXPLANATION TO THE POLICIES

The implementation of Policy 1 recognises the importance of the role of resource use and development on the West Coast and its contribution to the social, economic and cultural wellbeing of people and communities. Use and development of resources may be of regional and national importance providing benefits to people and communities on the West Coast and to New Zealand as a whole. The use and development of resources must be undertaken in a way which promotes the sustainable management purpose of the RMA. This will mean enabling people and communities to provide for their economic, social and cultural wellbeing and for their health and safety while meeting the requirements of section 5(2)(a), (b) and (c) of the RMA to meet the reasonably foreseeable needs of future generations, safeguard life-supporting capacity of resources, and avoiding, remedying or mitigating adverse effects on the environment.

Policy 2 aims to create a framework for getting the right development in the right place at the right time. It is a strategic and proactive policy, designed to give effect to section 30(1)(gb) of the RMA which gives regional councils the function of strategically integrating infrastructure with land use. The policy seeks to ensure that there is a planned and coordinated approach to developing the built environment. Well-designed development also provides for the wellbeing of people and communities now and into the future. It also recognises that some types of development are incompatible when in close proximity to each other. Some activities can only occur in certain places depending on where the natural resource is located. Should other development occur there, then this can lead to a lost opportunity for development, and a higher value use of that land. This is known as the sterilisation of land.

RELATED POLICIES

All other policies in this Regional Policy Statement.

METHODS

1. Provide for sustainable use and development of natural resources through Regional and District Plan rules, and resource consents.

PRINCIPAL REASONS FOR ADOPTING OBJECTIVES, POLICIES AND METHODS

The objectives, policies and methods of implementation have been adopted to ensure that the role of resource use and development in enabling people and communities to provide for their economic, social and cultural wellbeing is recognised in resource management decision making processes. Such recognition is a core part of the sustainable management of resources and the sustainable development of our communities.

Land, and the natural resources that can be derived from this land, is one of the most important assets that the West Coast has. Recognition of this, and the conflicts that can arise through poor decision making, need to be taken into account through both regional and district plans and resource consenting processes.

ANTICIPATED ENVIRONMENTAL RESULTS

1. Resource use and development is able to occur in accordance with the sustainable management purpose of the RMA.
2. The ability to access or use significant natural resources is not compromised by inappropriate subdivision, use or development.

6. Regionally Significant Infrastructure

BACKGROUND TO THE ISSUES

There is a need to recognise the social, economic, and environmental benefits that accrue regionally and nationally from the establishment and continued operation of network utilities and other regionally significant infrastructure. Energy enables people to provide for their wellbeing, and is a key facet of the regional (and national) economy. Transport services provide vital access and freight links to and within the region. Tele and radio communication networks provide an important everyday and emergency facility to people and businesses. Municipal water, sewage and stormwater systems enable communities to maintain a healthy standard of living. The region's flood protection schemes protect individual and community assets, productive capability, community safety, and other utility networks.

The ambition of West Coast communities is to develop world class infrastructure, including high speed broadband and enhanced cellular coverage, and to use this infrastructure to enable new diversified economic development and employment opportunities on the West Coast. The Resource Management Act (RMA) processes that are required for this infrastructure therefore need to be simple, quick and low cost.

Section 30(g)(b) of the RMA gives regional councils the functions of:

"...the strategic integration of infrastructure with land use through objectives, policies, and methods:..."

The government has also acknowledged that renewable electricity generation and infrastructure is a matter of national importance, and developed the following policies and regulations:

- National Policy Statement on Electricity Transmission 2008 (NPSET);
- National Environmental Standard for Electricity Transmission Activities 2009; and
- National Policy Statement for Renewable Electricity Generation 2011 (NPSREG).

Relevant provisions of the national electricity policies are incorporated into regional plans, particularly the Regional Land and Water Plan, which also provides for other significant infrastructure. Issues associated with avoiding, remedying and mitigating adverse effects on the environment arising from the construction, use and maintenance of regionally significant infrastructure are addressed in regional plans and elsewhere in this Regional Policy Statement.

The NPSREG requires that some matters be addressed in regional policy statements. The potential for certain activities to disrupt, or risk disrupting, the safe and efficient operation of regionally significant infrastructure needs to be managed. Additionally, practical constraints associated with regionally significant infrastructure can limit their ability to avoid, remedy or mitigate adverse effects. For instance, infrastructure facilities are often located on conservation estate, and hydro electricity generation structures need to locate where the water resources are. The positive and negative impacts, and limitations of suitable sites, are some of the matters that need to be weighed up during the consenting process.

The significant issues in relation to regionally significant infrastructure for the West Coast are:

1. Recognising the benefits of, and providing for, the establishment and continued operation of regionally and nationally significant infrastructure (including renewable electricity generation), particularly where they cross district and/or regional boundaries.
2. Strategically integrating infrastructure and land use.

OBJECTIVE

1. Enable the safe and efficient development, operation, maintenance, and upgrading of regionally and nationally significant infrastructure which contributes to the region's wellbeing, where it will provide long term benefits to the community.

POLICIES

1. Recognise the importance of an adequate supply of energy resources to meet the needs of people and communities on the West Coast, and to meet the foreseeable future needs of economic growth in the region.
2. Provide for the development, operation, maintenance, and upgrading of new and existing renewable energy generation activities.
3. To provide for the development, operation, maintenance and upgrading of any other new and existing regionally significant infrastructure, whether for transport, power supply, erosion or flood protection, water services, or telecommunications.
4. To recognise that regionally significant infrastructure important to the West Coast's economy needs to be protected from the reverse sensitivity effects of incompatible new subdivision, use and development, which would compromise the effective operation, maintenance, or upgrading, of the infrastructure.
5. When considering any residual adverse environmental effects of regionally significant infrastructure that cannot be avoided, remedied or mitigated, decision-makers shall have regard to offsets which benefit the environment and community affected.
6. Land use and infrastructure should be integrated as far as practicable to avoid constraints through the lack of supporting infrastructure, or conversely unsustainable demands being placed on infrastructure to meet new growth.

EXPLANATION TO THE POLICIES

Policy 1 seeks to ensure that the West Coast has an adequate supply of energy to meet the needs of people and communities from either non-renewable or renewable sources. The Policy applies to infrastructure which supplies energy rather than energy supplies per se.

Policy 2 gives effect to Policies E1-E4 of the NPSREG, which seek to enable renewable energy generation. Policy E2 for hydro-electricity generation is the most relevant for the West Coast.

Policy 3 seeks to ensure that other regionally significant infrastructure are provided for to meet the needs of the people and communities of the West Coast.

Policy 4: The operation, maintenance and future development of utility networks can be significantly constrained by the adverse environmental impact of encroaching activities and development, also known as reverse sensitivity.

Policy 5: The linear nature of many infrastructure networks determines its form, shape and location. Technical, operational and security requirements associated with infrastructure networks can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects. Consequently in some cases it may be appropriate for new infrastructure to be located in, or traverse parts of, a sensitive environment to achieve a net benefit, or lower overall adverse effects. These situations need to be determined on a case by case basis.

Policy 6 recognises the need for planning for growth and development and the provision of local, regional and national infrastructure to proceed side-by-side in a coordinated and integrated way.

RELATED POLICIES

Policy 1 and 5 of Section 4 [Resilient and Sustainable Communities]; Policy 1 and 2 of Section 5 [Use and Development of Resources]; Policy 1 and 3 of Section 7 [Biodiversity and Landscape Values]; Policy 2 of Section 2 [Resource Management Issues of Significance to Ngāi Tahu]; Policy 1, 2 and 3 of Section 8 [Land and Water]; Policy 1, 2, 3, 4 and 5 (in relation to roading) in Section 9 [Coastal Environment]; Policy 2 in Section 10 [Air Quality]; Policy 2 and 4 in Section 11 [Natural Hazards].

METHODS

1. Provide for the development, operation, maintenance and upgrading of micro and small-scale hydro electricity generation activities, subject to appropriate conditions, in regional plans as permitted or controlled activities, and in district plans where appropriate.

2. Through Regional and District Plan rules, or conditions of resource consents, recognise the positive benefits of regionally significant infrastructure, and manage adverse environmental effects on the safe and efficient operation of the region's network utilities and other regionally significant infrastructure (including where this is of national importance).
3. Maintain river control and flood protection works and services.

Notes:

1. Method 1: Policy F of the NPSREG requires that Regional Policy Statements include methods to provide for the development, operation, maintenance and upgrading of small and community-scale distributed renewable electricity generation from any renewable energy source to the extent applicable to the region or district. Many of the region's rivers and creeks have potential for hydroelectric development for individual domestic and small-scale business use, with no more than minor effects. Appropriate hydro schemes can be developed and the adverse effects reduced by careful design and location of structures. Increased generation in the region would improve security of supply.

PRINCIPAL REASONS FOR ADOPTING OBJECTIVES, POLICIES AND METHODS

Regionally significant infrastructure and network utilities are important for the economic and social wellbeing of people and communities on the West Coast, and play a vital role in daily life. Provision for the safe, reliable, and efficient functioning of such facilities and their maintenance and upgrading is provided for in this document in recognition of their importance.

The provisions in this Section also give effect to national legislation, policies and standards which direct Councils to address matters of national importance. These are incorporated where they are considered relevant to the resource management of infrastructure activities on the West Coast.

ANTICIPATED ENVIRONMENTAL RESULTS

1. A perpetually adequate supply of energy to meet the needs of people and communities and industry on the West Coast.
2. Increased use and development of renewable energy resources.
3. Continued development and operation of regionally significant infrastructure.
4. Effective management of potential resource management conflicts so as to avoid, remedy, or mitigate significant adverse effects on network utilities and infrastructure.
5. New land use generated by growth and development strategically integrated with local, regional and national infrastructure, particularly transport, so as to avoid an unsustainable approach to infrastructure provision and funding.

7. Biodiversity and Landscape Values

BACKGROUND TO THE ISSUES

The West Coast region has a land area of 2,300,000 ha with the Department of Conservation managing 1,912,000 ha or 84% of this land⁴ leaving approximately 388,000 ha (16%) of land on the West Coast not under their control. In a national context, one quarter of New Zealand's protected land is located on the West Coast. Compared to other regions, the West Coast is rich in its level of remaining biodiversity.

Where there is a threat to biodiversity, it is most often on the farmed productive lowland environments. Through District and Regional Plan rules, the significant fauna and habitats in these areas are afforded recognition and protection. The Regional Plans manage the potential effects on wetlands and the District Plans manage those in significant natural areas. In some instances there is an overlap in these areas and in that situation the rules in both Plans apply.

Biodiversity protection under the Resource Management Act (RMA) is not absolute, as resource consents can be granted for developing such areas. The West Coast Regional Council and Department of Conservation share the view that significant habitats and vegetation is best protected when the underlying land is owned by the Department. This is best achieved through land exchange or purchase. This ensures the small proportion of private land in this region will not shrink further.

As well as high conservation value areas, the Department administers some land considered to be of limited conservation value. Land exchanges should occur by swapping such land for high conservation value land in private ownership. Biodiversity is better protected by land ownership changing rather than by applying planning restrictions. The long term objective for our region is for all high value land to be in Crown ownership and all low (conservation) value land to be in private ownership, and being used to generate employment and income.

The RMA requires the protection of natural character and outstanding natural features and landscapes. The West Coast is internationally recognised for its landscape features. The glaciers, pancake rocks, the Heaphy Track and many other attractions are managed by the Crown for the purpose of visitor appreciation. The most frequented sites are regionally significant for the West Coast given that tourism is currently one of the top three economic drivers for the region. Other parts of the region also contribute to local landscapes but it is difficult to quantify that contribution other than on a case by case assessment. For the coastal marine area, the Regional Coastal Plan identifies specific areas with outstanding natural features and landscapes, and outstanding natural character.

The significant issues in relation to the management of biodiversity and landscape values on the West Coast are:

1. The RMA requires Councils to provide protection to significant indigenous vegetation and significant habitats of indigenous fauna.
2. While the protection of significant vegetation and habitat of significant indigenous fauna is provided for within Regional and District Plans, in the context of the current abundance of conservation land it would be sensible for ownership of all such significant areas to be within the Department of Conservation's land portfolio.
3. The relatively unmodified environment of the West Coast provides a wealth of outstanding natural features and landscapes, and outstanding natural character. Management of these areas should not unnecessarily restrict future employment, regional growth or development.

OBJECTIVES

1. A regulatory framework that reflects the abundance of biodiversity, natural character, and natural features and landscapes whilst enabling West Coast communities to provide for their economic, social and cultural wellbeing.

⁴ West Coast Conservation Management Strategy 2010 – 2020 Volume I

2. Recognising the need to protect significant indigenous vegetation and significant habitat of native fauna, while encouraging the Crown to acquire ownership of any areas located on private land, while ensuring the proportion of private land to conservation land in the region does not decrease.
3. Recognising and providing for areas of outstanding natural features and landscape, noting that these are primarily located on Crown conservation lands.

POLICIES

1. Adverse effects on significant indigenous vegetation, significant habitat of native fauna, and outstanding natural character arising from the use and development of natural resources will be avoided, remedied or mitigated via Regional and District Plans and resource consent processes.
2. Advocate that the Crown acquires ownership of any areas of significant fauna or vegetation on private land, by exchanging such areas for an equal value area with lower conservation value, currently held by the Crown.
3. The appropriateness of any subdivision, use or development potentially affecting an outstanding natural feature or landscape as identified in Regional and District Plans shall be assessed against the following criteria:
 - a) The value, importance or significance of the feature or landscape at the local, regional or national level;
 - b) The degree and significance of actual or potential adverse effects on outstanding natural features and landscapes, including cumulative effects, and the efficacy of measures to avoid, remedy or mitigate such effects;
 - c) The benefits to be derived from the use and development at the local, regional and national scale;
 - d) The degree of existing modification of the natural feature or landscape from its natural character;
 - e) The vulnerability of a natural feature or landscape to change, and its capacity to accommodate change, without compromising the value of the feature or landscape.

EXPLANATION TO THE POLICIES

Policy 1 requires adverse environmental effects to be managed in a way that gives effect to the RMA's sustainable management purpose. This includes informing iwi of any consent application potentially affecting an area of significant biodiversity which also has important iwi values. Consideration should be given to the nature and scale of effects, the significance of the values affected as well as the impact on the economic and social wellbeing of the community, and how these contribute to the overall purpose of sustainable management. Decision-makers need to apply this in context to the West Coast and the quantity and quality of biodiversity, natural character, and natural features and landscapes remaining throughout the region. Schedule 1 wetlands in the Land and Water Plan contain significant indigenous vegetation and significant habitats of indigenous fauna, and are protected by provisions in that Plan.

Policy 2 encourages the purchase of high value land, or exchange of land with high conservation values, with areas that have a lower value and may be utilised for growing the regional economy and much needed employment. This approach is vital in a region where such a high proportion of land is already under the administration of the Department of Conservation. It also presents a prudent, and pragmatic, approach to the management of land in the region and allows conservation monies to be spent on areas of higher significance reducing the burden of managing areas that do not have high conservation values.

Recognising that the West Coast has a wealth of outstanding natural features and landscapes region wide, Policy 3 provides guidance on determining what is appropriate subdivision, use and development. While section 6(b) of the RMA requires that Councils recognise and provide for the protection of these places this does not prohibit development in these areas. Instead these activities must be assessed as to their impact including the value or importance of the natural feature or landscape, their vulnerability to change and the overall degree of adverse effect. The benefits to be derived from the use or development at the local, regional or national level must also be considered. These, and the other matters identified in Policy 3, will need to be considered in determining whether on balance, the use is appropriate and will meet the sustainable management purpose of the RMA.

RELATED POLICIES

Policy 2 of Section 4 [Resilient and Sustainable Communities]; Policy 1 of Section 5 [Use and Development of Resources]; Policy 5 of Section 6 [Regionally Significant Infrastructure]; Policy 1 and 3 of Section 8 [Land and Water]; Policy 1 and 2 of Section 9 [Coastal Environment].

METHODS

1. Maintain the Regional and District Plans with objectives, policies and methods of implementation addressing potential impacts on significant indigenous biodiversity.
2. Encourage the Crown to acquire ownership of any areas of significant biodiversity value on private land, in exchange for lower conservation value land currently held by the Crown.
3. Avoid, remedy or mitigate adverse effects on outstanding natural character and outstanding natural features and landscapes, via regional and district plan rules and/or resource consent processes.

PRINCIPAL REASONS FOR ADOPTING OBJECTIVES, POLICIES AND METHODS

Part 2 of the RMA requires Councils, when exercising their functions under the RMA, to recognise and provide for areas of significant indigenous vegetation, significant habitat of native fauna, natural character and outstanding landscapes, from inappropriate development. Case law has clarified that Part 2 is an overall broad judgement seeking to balance:

- a) Enabling people and communities to provide for their social, economic and cultural wellbeing, health and safety; with
- b) Meeting resource needs of future generations, safeguarding life-supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects of activities on the environment⁵.

Sections 6, 7 and 8 of the RMA refine and give further meaning to the elements in b) above, noting that each section has a different relative weighting. Conflicting considerations and their scale, degree, and relative significance or proportion in the final outcome must be balanced, both at policy development stage and the resource consent decision-making stage.

While this Section focuses on the requirements of sections 6a, 6b and 6c of the RMA, the objectives, policies and methods have been adopted to provide for a broader application of Part 2 of the RMA taking into account the natural and physical resources being managed, the community's desires, and the proportion of land under protection versus that available for enabling communities to provide for their wellbeing. The intent is to provide appropriate methods to protect those values that are most significant, whilst allowing appropriate development to occur enabling the social, economic and cultural wellbeing of communities into the future. More specific objectives, policies and methods are contained within the relevant Regional and District Plans.

A range of methods are proposed to implement the policies and achieve the objectives. Where regulatory tools are to be applied these are to be targeted to significant values, not preventing appropriate use and development. This overall approach is more likely to result in community acceptance and support for biodiversity and landscape protection.

In accordance with section 62(1)(i)(iii) of the RMA, the three Territorial Authorities of the region will be responsible for specifying the objectives, policies and methods for the control of the use of land to maintain indigenous biological diversity except where the control of the use of land relates to the West Coast Regional Council's functions under the RMA regarding:

- the coastal marine area;
- the beds of rivers, lakes and scheduled wetlands; and
- land use activities managed in the Regional Land and Water Plan.

⁵ The 'enabling' and 'management' functions of section 5(2) are of equal importance. The purpose is to ensure present people and communities do not, in pursuit of their own wellbeing, consume or destroy the existing stock of natural and physical resources, so as to improperly deprive future generations of the ability to meet their needs.

ANTICIPATED ENVIRONMENTAL RESULTS

1. Maintenance and enhancement of areas with regionally significant indigenous biodiversity values in the West Coast region.
2. Land supporting significant biodiversity values will be held in Crown ownership, without reducing the proportion of land in the region currently held in private ownership.
3. Appropriate protection of outstanding natural features and landscapes, in particular the iconic tourist vistas that attract visitors to the region.
4. Appropriate subdivision, use and development are able to occur, and regulatory processes do not unduly delay appropriate resource use and development taking place.

8. Land and Water

BACKGROUND TO THE ISSUES

The West Coast has high rainfall and water is generally abundant in most areas.

State of Environment reporting has shown that freshwater quality is improving on the West Coast. Council's Long Term Plan now includes five water quality parameters and Council measures progress with these parameters and reports on this annually.

Water quality management has been mainly focussed on addressing point source (direct) discharges of contaminants. Continued work on the way land is used and managed to reduce diffuse run-off and leaching would enable further improvements in water quality. Council has been working closely within specific catchments to improve water quality through both regulatory and non-regulatory approaches, with some success⁶.

Compared with other regions, there are relatively few significant water use pressures on water bodies on the West Coast. However, water availability is coming under increased seasonal pressure due to extraction for irrigation in the upper Grey Valley. This may require further work to prioritise water allocation between water uses (such as pasture irrigation) and in-stream uses (such as fish habitat/aquatic ecology and other in-stream needs).

The Freshwater National Policy Statement (NPS) was gazetted in 2011. The Regional Policy Statement must give effect to the NPS. The objectives, policies, rules and methods in the Regional Land and Water Plan are meeting the requirements of the NPS through managing the effects of land use and their potential impact on waterbodies. Further emphasis on the requirement for integrated management, particularly on the effects of the use of land on fresh water for both the Regional and District Councils, will give further effect to this NPS.

The significant issues in relation to the management of land and water for the West Coast region are:

1. Managing adverse effects on water quality arising from point source and diffuse source discharges to waterbodies from activities on land.
2. Potential overuse of water resources can occur in certain areas during drier seasons.
3. Integrating the management of subdivision, use and development activities on land with the potential effects on water quality.

OBJECTIVES

1. Provide for a range of land and water uses to enable the economic, social and cultural wellbeing of West Coast communities while avoiding, remedying or mitigating adverse effects on the environment.
2. Determine allocation priorities for water in catchments where there are competing or conflicting demands.
3. Achieve the integrated management of fresh water and the subdivision, use and development of land within catchments.

POLICIES

1. Adverse effects on water arising from subdivision, use or development of land will be avoided, remedied or mitigated via Regional and District Plans and resource consent processes.
2. Subject to the requirements of Part 2 of the Resource Management Act (RMA) the allocation of water will generally be dealt with on a "first-come, first-served" basis but will take into account the reasonable needs of water users. In catchments where there is likely to be competition for the use of water, allocation decisions will be made having particular regard to the following:

⁶ The West Coast Regional Council claimed 2nd place in the National River Awards for work undertaken in the Harris Creek Catchment in 2013 for improving water quality in Harris Creek.

- a) Reasonably foreseeable future requirements for domestic and community water supply needs, stock drinking, and fire fighting;
 - b) The degree of national, regional or community benefit from the taking and use of water;
 - c) That any adverse environmental effects from the allocation of water will be avoided, remedied or mitigated as far as practicable in accordance with other policies of this Policy Statement or Regional Plans, and the requirements of the RMA.
3. Regional and District Plans are integrated to manage the effects of the use and development of land on water.

EXPLANATION TO THE POLICIES

Policy 1 requires the adverse effects of subdivision, use and development activities on land to be managed in a way that will contribute to maintaining and improving water quality by reducing the effects of discharges of contaminants. Explicit detail on how this will be achieved is set out in the Regional Land and Water Plan, as well as provisions in the District Plans and through conditions on individual resource consents. This includes providing for discharges to land where this is more appropriate than discharging contaminants to water, for example dairy shed effluent, and requiring treatment of certain contaminants prior to discharging into water, such as sewage effluent.

Policy 2 sets out the approach to be taken to determine allocation priorities for the use of water. Subject to Part 2 of the RMA, the Council will generally allocate water on a 'first-come, first-served basis'. However where there is likely to be competition for the use of water, the Council will need to 'prioritise' water allocation among competing users. Policy 2 establishes that allocations are made subject to Part 2 of the Act including the need to safeguard the life-supporting capacity of water and protect instream uses and values. This will be done in accordance with other policies in the Regional Policy Statement as well as the Regional Plans and the requirements of the RMA. In making decisions on the allocation of water under this policy, some water users will need to be given priority because they provide important economic, social or health and safety benefits to the community, the region, New Zealand, or because of the strategic nature of their business or operations. Water will be managed and prioritised where allocation pressures exist. The intent is to avoid, remedy or mitigate the adverse effects that the use and development within these catchments may have on these water resources whilst still enabling communities to meet their social, cultural and economic wellbeing. While this issue is fairly limited at this time, future development, and use of freshwater, in the region may put other catchments under pressure.

The Freshwater NPS requires the Regional Policy Statement to provide for the integrated management of the effects of the use and development of land on water. This is to include encouraging the co-ordination and sequencing of regional and/or urban growth, land use and development and the provision of infrastructure. Policy 3 recognises the connectivity between activities on land and its effects on water, and that these must be managed through both the Regional and District Plans. An example of where integrated management is necessary is ensuring sufficient infrastructure capacity is provided for stormwater disposal and discharge from new subdivision and land development, to avoid stormwater overflows flooding adjoining land, or eroding riverbanks, or causing sedimentation of water bodies.

RELATED POLICIES

Policy 2 of Section 2 [Resource Management Issues of Significance to Poutini Ngāi Tahu]; Policy 1, 2, and 5 of Section 4 [Resilient and Sustainable Communities]; Policy 1 and 2 of Section 5 [Use and Development or Resources]; Policy 1, 2, 3, 4, 5, and 6 of Section 6 [Regionally Significant Infrastructure]; Policy 1 of Section 7 [Biodiversity and Landscape Values].

METHODS

1. Maintain a Regional Plan with objectives, policies, rules and methods of implementation to ensure that any adverse effects of point and diffuse source discharges to land and water are avoided, remedied or mitigated, and that water quality is maintained and enhanced.
2. Include in District Plans, policies, rules, guidelines or other information to avoid, remedy or mitigate the adverse effects of land use activities and management practices on water quality.

3. Maintain a Regional Plan with objectives, policies, rules and methods of implementation to ensure the prioritisation of freshwater in catchments where conflict may arise during dry periods.
4. Regional Plans are integrated across land and water resources, and Regional and District plans are integrated across statutory functions.

PRINCIPAL REASONS FOR ADOPTING OBJECTIVES, POLICIES AND METHODS

It is the activities that occur on land that have the greatest influence over the quality of our freshwater. The Regional Land and Water Plan provides a comprehensive tool for the integrated management of land and water. These objectives, policies and methods do, at their broadest level, establish a policy framework for maintaining and improving freshwater on the West Coast. Their aim is to maintain the West Coast's generally high to excellent water quality and to enhance that water quality by addressing the effects of water contamination from diffuse and point sources. Further detail and the specific approaches to the management of these issues is provided in the Regional Land and Water Plan. Regulation, through the inclusion of rules in the Regional and District Plans, as well as conditions on resource consents, provide a simple, efficient and effective method of controlling adverse effects associated with the use of land and water.

The aim is to provide for the many uses of land and water and to balance these competing demands while also maintaining, and where appropriate, enhancing water quality. Through the statutory framework in place, and in particular the use of regional rules, the Regional Council can provide for the use of these resources for the economic, social and cultural wellbeing of our communities while managing any adverse effects.

ANTICIPATED ENVIRONMENTAL RESULTS

1. Water quality is maintained or improved on the West Coast.
2. Water allocations are prioritised and managed.
3. Regional and District Plans are integrated.

9 Coastal Environment

BACKGROUND TO THE ISSUES

This Section identifies resource management issues of regional significance affecting the West Coast's coastal environment. Resource management of the coastal environment is shared between regional and district councils, as follows:

- a) The coastal marine area (CMA) covers from the line of mean high water spring (MHWS) out to the 12 nautical mile limit at sea, wherein the Regional Council manages effects of occupation and other activities through the Regional Coastal Plan;
- b) The coastal environment extends from the MHWS line inland to "where coastal processes, influences, or qualities are significant" (Policy 1(2)(c), New Zealand Coastal Policy Statement 2010). The three District Councils manage effects of land use and subdivision in the coastal environment of their respective Districts via their District Plans. The Regional Council manages effects of activities such as earthworks and discharges in the coastal environment through its Regional Land and Water Plan.

For the purposes of this Section, the term "coastal environment" applies to both the coastal marine area, and the coastal environment that is the jurisdiction of district councils, unless stated otherwise.

Section 62(3) of the Resource Management Act (RMA) requires that this Regional Policy Statement must, among other things, give effect to the New Zealand Coastal Policy Statement (NZCPS). The Minister of Conservation prepared and approved a revised NZCPS in 2010 covering a range of coastal matters. The NZCPS policies relevant to this RPS are:

- Policy 6 which has clauses recognising the contribution of activities in the coastal environment to the social, economic and cultural wellbeing of people and communities;
- Policy 7 which requires consideration of where, how and when to provide for activities in the coastal environment, and where protection from inappropriate activities is needed;
- Policies 11, 13 and 15 which require protection of significant indigenous biodiversity, areas of outstanding natural character, and outstanding natural features and landscapes from adverse effects of activities; and
- Policies 24 and 27 which provide guidance on managing coastal hazard risk.

Other policies in the NZCPS 2010 which are relevant to the West Coast CMA are given effect to in the Regional Coastal Plan.

As referred to in Section 7 on Biodiversity and Landscape Values, the West Coast coastal environment has an abundance of natural habitat, natural character, and landscapes. Protection of these values must be balanced with allowing appropriate subdivision, use and development. While there is currently a relatively low level of development particularly in the coastal marine area, there is the potential for further resource use and development in the coastal environment. Tourists are attracted to the West Coast to view iconic coastal scenic areas such as the Punakaiki rocks. Natural materials such as sand, gravel, driftwood, and minerals such as ilmenite can be used to provide for people's social and economic wellbeing. The Regional Coastal Plan has provisions to manage the balance of use and protection by avoiding, remedying, and mitigating adverse effects of development on important values.

Climate change can potentially affect the coastal environment via sea level rise, and changes to the intensity and frequency of storm surges and waves. More frequent or greater erosion and inundation can be expected in coming decades. Inappropriate subdivision, use and development can increase the exposure of people and communities to risks from coastal hazards. This Section proposes guidance on the balancing of allowing appropriate development in the coastal environment while managing inappropriate development that increases the risk of hazards that affect people.

The significant issues in relation to the management of the coastal environment for the West Coast region are:

1. The NZCPS requires the avoidance of adverse effects on significant coastal biodiversity, and outstanding natural character and landscapes, however with a relatively unmodified coastal environment on the West Coast management of these areas may also need to enable appropriate future employment, regional growth and development.
2. Enabling appropriate subdivision, use, and development of the coastal environment while reducing the risk of harm to people, property, and infrastructure from natural hazards in the coastal environment.

OBJECTIVES

1. A regulatory framework that protects significant coastal biodiversity, outstanding natural character areas, and outstanding natural features and landscapes from adverse effects of activities.
2. Recognise the role of resource use and development in the coastal environment and its contribution to enabling people and communities to provide for their economic, social, and cultural wellbeing.
3. Ensure that any new subdivision, use or development allowed in the coastal environment has appropriate regard to the level of coastal hazard risks.
4. Ensure that coastal hazard risks potentially affecting existing development are managed so as to enable the safety, and social and economic wellbeing of people and communities.

POLICIES

1. Adverse effects on significant indigenous biodiversity, outstanding natural character, and outstanding landscapes in the coastal environment arising from the use and development of coastal resources will be avoided via Regional and District Plans and resource consent processes.
2. When considering proposals for subdivision, use, and development in the coastal environment, take into account the following matters:
 - a) The protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;
 - b) Some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;
 - c) Functionally some uses and developments can only be located in the coastal marine area or inland coastal environment.
3. Where new subdivision, use or development in the coastal environment may be adversely affected by coastal hazards, adopt a risk management approach taking into account, where applicable:
 - a) Official, nationally recognised guidelines for sea level rise;
 - b) The life-cycle of the proposed development (i.e. short-term, long term, permanent);
 - c) Whether the predicted impacts are likely to have material or significant consequences;
 - d) The acceptability of those potential consequences, given their likelihood; and,
 - e) Whether future adaptation options are feasible.
4. Coastal hazard risks should be assessed over at least a 100 year timeframe.
5. In areas of significant existing development likely to be affected by coastal hazards, a range of options for reducing coastal hazard risk should be assessed. This should include recognition that hard protection structures may be the only practical means to protect people, property, and infrastructure.

EXPLANATION TO THE POLICIES

Policy 1 gives effect to Policies 11, 13, and 15 of the NZCPS 2010. In applying this Policy, caselaw indicates that it may be acceptable to allow activities that have minor or temporary adverse effects on significant biodiversity or outstanding natural character or landscape areas and still give effect to these NZCPS policies, where the avoidance of the effects of an activity is not necessary (or relevant) to protect the particular values. Consideration should be given to the nature and scale of effects, what adverse effects are to be avoided, and what values are to be protected. Decision-makers need

to apply this in context of the West Coast and the quantity and quality of biodiversity and natural values remaining throughout the region's coastal environment.

Policy 2 gives effect to Policy 6(2) of the NZCPS 2010 reflecting that the RMA does not preclude appropriate use and development in the coastal environment. Policy 2(a) also links to Policy 7 of the NZCPS which requires consideration in regional policy statements, and plans of where, how and when to provide for future development. These matters are implemented for the coastal marine area in the Regional Coastal Plan by identifying areas with important values where adverse effects of proposed new development may need to be assessed. Plan rules indicate when consideration of effects is required through the consent process. District plans will have similar provisions for the coastal environment to be consistent with the RPS and Coastal Plan.

Policy 3: The potential impacts of climate change on coastal processes (and thus hazards) are complex, and a risk management approach to coastal hazard management is necessary when considering if coastal subdivision, use and development is suitable in the coastal environment. A number of national level guidance manuals are available which have a range of factors to consider when assessing the risk of coastal hazard effects on proposed development, including adaptive management.

Policy 4: Policy 24 of the NZCPS 2010 requires that a minimum 100 year timeframe is used for assessing coastal hazard risks, particularly for proposed development in or adjoining areas identified as being high risk for hazards. This will provide consistency for development in the coastal environment of the three Districts.

The provisions in this Section are specific to resource management-related hazard issues in the coastal environment. The Natural Hazards Section has provisions which may also apply in the coastal environment.

Policy 5: Policy 27 of the NZCPS 2010 lists several options to consider for managing coastal hazard effects on significant existing development, including relocation and removal of existing development, as well as hard protection structures. Where resource management action is needed to protect people and property, the RMA provides for councils to take the best practicable option. On the West Coast there may be limited land suitable or available to relocate to in the coastal environment. Decision-makers will need to consider the potential social and economic impacts, including costs, to land and infrastructure owners of options to best manage hazard effects.

RELATED POLICIES

Policy 1, 2 and 3 of Section 2 [Resource Management Issues of Significance to Ngāi Tahu]; Policy 1, 2, and 5 of Section 4 [Resilient and Sustainable Communities]; Policy 1 of Section 5 [Use and Development of Resources]; Policy 1, 2, 3, 4, 5, and 6 in Section 6 [Regionally Significant Infrastructure]; Policy 1 and 3 in Section 7 [Biodiversity and Landscape Values]; Policy 2 (in the inland coastal environment) of Section 9 [Air Quality]; Policy 1, 2, 3, and 4 of Section 11 [Natural Hazards].

METHODS

1. Allow appropriate use and development in the coastal environment, and manage adverse effects of activities by provisions in the Regional Coastal Plan, the Land and Water Plan, and district plans.
2. Use resource consent, building consent, and rating district processes to assess and manage the risk of coastal hazards affecting development in the coastal environment.
3. Identify Coastal Hazard Areas in the coastal marine area in the Regional Coastal Plan, including areas at high risk of being affected by a coastal hazard.
4. Consider using expert advice where there may be a medium or high risk of significant existing development being affected by a coastal hazard.

PRINCIPAL REASONS FOR ADOPTING THE OBJECTIVES, POLICIES, AND METHODS

The provisions in this Section will enable Councils to carry out their obligations under the RMA to manage subdivision, use, and development in the coastal environment. This includes giving effect to relevant parts of the NZCPS 2010 which apply to the coastal environment of the West Coast.

The provisions for managing coastal hazard risk also implement Councils' functions under section 30 of the RMA for controlling the use of land, including land in the coastal environment, to avoid or mitigate natural hazards.

Managing effects of activities in the coastal marine area which may potentially cause or exacerbate a coastal hazard risk is covered in the Regional Coastal Plan.

ANTICIPATED ENVIRONMENTAL OUTCOMES

1. The particular values that make biodiversity, natural character, and landscape areas significant and outstanding are protected from adverse effects of activities in the coastal environment.
2. West Coast communities can continue to appropriately use resources to provide for their economic, social, and cultural wellbeing.
3. Appropriate subdivision, use and development occurs in the coastal environment, with ways of reducing coastal hazard risk incorporated into their design and location.
4. Existing significant development is protected from coastal hazards, where practicable.

10. Air Quality

BACKGROUND TO THE ISSUES

Most of the West Coast Region enjoys a generally high standard of air quality. This is because of the Region's relatively windy and exposed nature, together with its small and dispersed population, and low numbers of heavy industry and vehicles.

Burning coal and wood for domestic heating in Winter affects air quality in some urban areas on the West Coast. The main contaminant affecting Wintertime air quality is particulate matter or PM₁₀, which are the particles smaller than 10 micrometres in diameter that can adversely affect human health.

The Regional Air Quality Plan does not have provisions to deal with individual discharges of smoke from domestic fires, except for in the Reefton Airshed. Region-wide control of domestic fires through rules in the Regional Air Quality Plan is not appropriate because of the number of individual sources of discharge.

The Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (NESAQ) contain limits for certain contaminants, including PM₁₀, that councils must meet as part of their resource management functions. A balance needs to be achieved between fulfilling Council's obligations under the NESAQ to meet PM₁₀ standards, and ensuring that people are able to keep warm in their homes during cold winter months.

Commercial, industrial, recreational and institutional discharges to air of odour, dust, smoke, and other contaminants are a by-product of resource use and development or other activities undertaken by people providing for their social, cultural and economic wellbeing, which the Regional Policy Statement and regional and district plans seek to enable. Such discharges can have the potential for more than minor adverse effects if not managed properly. This Section provides direction for the Regional Air Quality Plan to manage these air discharges.

The significant issues in relation to the management of air quality for the West Coast region are:

1. In urban areas during Wintertime, PM₁₀ emissions can potentially affect peoples health. It is critical that people are able to keep warm in their homes while Wintertime PM₁₀ emissions are reduced to meet the NESAQ.
2. Allowing point source discharges to air while managing adverse effects of those discharges on air quality and other values.

OBJECTIVES

1. To reduce Wintertime PM₁₀ emissions to meet the NESAQ, while ensuring people's and communities' health and wellbeing is not compromised.
2. To allow discharges to air which are part of activities contributing to the social, economic, and cultural wellbeing of people and communities on the West Coast, while managing adverse effects of those discharges on air quality and other values.

Note: Objective 2 does not apply to domestic fire emissions.

POLICIES

1. Where appropriate and practicable, use a range of regulatory and non-regulatory tools to reduce Wintertime PM₁₀ emissions that also enable people to keep their homes warm during cold months.
2. Management of adverse effects of the discharge of contaminants to air shall include consideration of the following:
 - a) Reverse sensitivity, including the siting of inappropriate development;
 - b) Use of technology, codes of practice, and industry standards; and,
 - c) Best practicable option.

EXPLANATION TO THE POLICIES

Policy 1: The Regional Council has worked with the Reefton community to identify a range of options for reducing PM₁₀ levels in the Reefton Airshed to improve public health and meet the NESAQ, while allowing the community to continue using solid fuel, particularly coal, to warm their homes during winter. Provisions will be added to the Draft Regional Air Quality Plan to reduce PM₁₀ emissions in the Airshed.

As a general principle for the rest of the Region, Council recognises the importance of residents being able to keep warm during Winter. Council will balance this, along with the principles underpinning this Regional Policy Statement, including affordability, when considering what other regulatory and non-regulatory action will or may be taken, to meet the NESAQ for PM₁₀.

The matters listed in Policy 2 are potential issues and tools commonly associated with managing discharges of contaminants to air (other than domestic fires outside the Reefton Airshed). Reverse sensitivity effects can occur when sensitive activities are inappropriately located in close proximity to activities which discharge contaminants to air. In conjunction with Policy 2 of the Use and Development of Resources Section, this Policy 2 allows for the consideration of the siting and establishment of subdivision, use and development to avoid, remedy or mitigate reverse sensitivity effects. Due to the subjective element of managing air discharges, and odour in particular, national and industry guidelines are available to assist decision-makers, as well as considering the best practicable option under the Resource Management Act.

RELATED POLICIES

Policy 1 and 3 of Section 2 [Resource Management Issues of Significance to Poutini Ngāi Tahu]; Policy 1, 2, and 4 of Section 4 [Resilient and Sustainable Communities]; Policy 1 and 2 of Section 5 [Use and Development of Resources]; Policy 1 and 2 of Section 6 [Regionally Significant Infrastructure]; Policy 2 (in the inland coastal environment) of Section 10 [Air Quality].

METHODS

1. Consider providing education and advice on how PM₁₀ emissions can be reduced from domestic solid fuel burners, subject to available funding.
2. Allow discharges of contaminants to air and manage the effects through Regional and District plan rules, and resource consents (apart from domestic fires outside the Reefton Airshed).

PRINCIPAL REASONS FOR ADOPTING OBJECTIVES, POLICIES, METHODS

The provisions relating to the NESAQ for PM₁₀ reflect appropriate management approaches for the West Coast Region. Councils are required under the NESAQ to reduce PM₁₀ levels in airsheds. It is uncertain if or what action may be needed or may be feasible in other urban places to meet the NESAQ for PM₁₀ once compliance is achieved in Reefton. An adaptive management approach is therefore required providing Council the flexibility to consider these matters in the future. This will ensure that the balance of good air quality and people's warmth and wellbeing is maintained.

Managing discharges to air (other than domestic fires outside the Reefton Airshed) through plan provisions reflects current practice which is working well. The Regional Air Quality Plan is an effective means of managing air discharges. Under section 67(3) of the RMA the Regional Air Quality Plan must give effect to the direction provided in the Regional Policy Statement on managing discharges to air.

No provisions are included for managing emissions of greenhouse gases as this is a national issue for central government to deal with.

ANTICIPATED ENVIRONMENTAL RESULTS

1. Reduced PM₁₀ levels in Winter in some urban areas.
2. Odour, dust, smoke, and other contaminant emissions are discharged at acceptable levels under the RMA, enabling resource use and development to occur for people's social, cultural and economic wellbeing.

11. Natural Hazards

BACKGROUND TO THE ISSUES

A 'natural hazard' as defined under the Resource Management Act (RMA), is ..."any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire or flooding) the action of which adversely affects or may adversely affect human life, property or other aspects of the environment." Natural hazards arise from natural events such as high rainfall, earthquake and high winds. However, natural events only become natural hazards when they have the potential to affect people, property and other valued aspects of the environment.

The West Coast has a range of high risk environments that are susceptible to natural hazards. The potential impacts of natural hazard events range from general nuisance to creating significant damage and loss of property and, in extreme cases, loss of lives. These can lead to high economic and social costs on the West Coast with significant consequences for public health and safety, agriculture, housing and infrastructure.

The effects of climate change are addressed in this Section. The West Coast is expected to have both more severe and frequent extreme weather events in future decades. This can exacerbate potential natural hazards and good planning is needed to avoid locating inappropriate land uses in high risk areas.

Depending on the nature of the natural hazard, the level of risk, and the advantages and cost of any action, there may be benefits in undertaking actions or activities to avoid or mitigate the effects of natural hazards on people, property and communities. However, inevitably there will be events where, despite a community's readiness and efforts to mitigate the effects of such events, coordinated relief actions and responses are necessary to assist individuals and communities affected. This activity is facilitated through the Civil Defence Emergency Management Act 2002 and the plans and local arrangements developed under this framework by the West Coast Civil Defence Emergency Management Group.

Under the Resource Management Act (RMA), people must be able to provide for their social and economic wellbeing; however, this needs to be balanced against the risk to people, property and infrastructure from natural hazard events. There is an increasing amount of information that shows which areas of the West Coast are prone to damage from natural hazards and this enables informed assessments about the risk to people and property. Where there is existing development within hazard-prone areas, enabling appropriate hazard mitigation measures to be created will help to minimise the risks and impacts on these vulnerable communities.

The management of natural hazards in New Zealand is under review⁷. Following the Canterbury and Christchurch earthquakes the management of natural hazards is being reviewed through the government RMA reform proposals 2014. If enacted, natural hazard management will be elevated to a matter of national importance. Future planning for natural hazards will require an adaptive management approach and flexibility to allow for new information and/or changing legislation.

The significant issues in relation to the management of the natural hazards for the West Coast are:

1. Natural hazards, particularly flooding and earthquake, have the potential to create significant risk to human life, property, community and economic wellbeing on the West Coast.
2. Increasing public awareness of, and planning for, natural hazards is required for communities to become more resilient.

⁷ Managing natural hazards in New Zealand – Towards more resilient communities: a thinkpiece (2014)

OBJECTIVE

1. The risks and impacts of natural hazard events on people, communities, property, infrastructure and our regional economy are avoided or minimised.

POLICIES

1. Reduce the susceptibility of the West Coast community and environment to natural hazards by improving planning, responsibility and community awareness for the avoidance and mitigation of natural hazards.
2. New subdivision, use and development should be located and designed so that the need for hazard protection works is avoided. Where necessary, further development in hazard-prone areas will be restricted.
3. Avoid or mitigate adverse effects on the environment arising from climate change by recognising and providing for the development and protection of the built environment and infrastructure in a manner that takes into account the potential effects of rising sea levels and the potential for more variable and extreme weather patterns in coming decades.
4. The appropriateness of works and activities designed to modify natural hazard processes and events will be assessed by reference to:
 - a) The levels of risk and the likely increase in disaster or risk potential;
 - b) The costs and benefits to people and the community;
 - c) The potential effects of the works on the environment; and
 - d) The effectiveness of the works or activities and the practicality of alternative means, including the relocation of existing development or infrastructure away from areas of natural hazard risk.

EXPLANATION TO THE POLICIES

Policy 1 seeks to increase awareness of hazard risks and the adoption of appropriate building controls, including avoiding inappropriate development in hazard prone areas, to reduce the susceptibility of the West Coast community to the adverse effects of natural hazards. Civil defence planning and preparedness under the Civil Defence Emergency Management Act 2002 provides further means of reducing the potential for loss or damage from natural hazard emergencies and disasters. Application of regional and district activity to applying the four R's (reduction, readiness, response and recovery) will continue to assist with preparing communities for emergencies as well as ensuring that Councils and partner agencies are ready to act should these events arise.

Policy 2 recognises that through appropriate planning, the need for protection works can be avoided by siting new subdivision, use and development away from existing or potential natural hazards. Research on natural hazards is ongoing. This information may indicate that in places where development has already occurred these areas may be susceptible to natural hazards. In such cases, further permanent development may need to be restricted to reduce additional risk to people or property.

Policy 3 recognises that adverse effects arising from climate change may be significant in certain areas. While there is some uncertainty over the possibility, extent and timing of climate change effects, when assessing natural hazard risk, Councils should use the latest national guidance and the best available information on the impacts of climate change on natural hazard events. Local authorities, as managers of significant infrastructural assets and through their statutory resource management and emergency management responsibilities, will, as opportunities arise and as practicable, plan and prepare for the anticipated effects of climate change.

Policy 4 recognises that there will be situations where modifying the environment to reduce susceptibility to natural hazards will produce benefits to the community in excess of the costs involved in protection or prevention works or programmes. Consideration should be given to the relocation of existing development and infrastructure away from areas prone to natural hazards, however it is recognised that this cannot always occur. Consequently those who benefit from the works or services should pay for them.

RELATED POLICIES

Policy 1 of Section 2 [Resource Management Issues of Significance to Poutini Ngāi Tahu]; Policy 2 and 5 of Section 4 [Resilient and Sustainable Communities]; Policy 3 of Section 6 [Regionally Significant Infrastructure]; Policy 3 and 5 of Section 9 [Coastal Environment].

METHODS

1. Increase understanding and public awareness of natural hazards, including the potential influence of climate change on natural hazard events.
2. Use the most up to date and accurate information available in areas potentially affected by natural hazards.
3. Where appropriate, include provisions in regional and district plans that address natural hazard issues including the control of the use of land to avoid or mitigate natural hazards. Particular methods may include:
 - a) Special hazard zones and rules;
 - b) Identification of natural hazards on maps and registers;
 - c) General building and development controls or criteria;
 - d) Subdivision controls.
4. Take into account the location, nature and potential extent of natural hazards when providing and planning for the provision of essential lifeline utilities.
5. The Regional Council will maintain detailed regional flood response strategies in priority catchments as well as initiating and maintaining flood protection works where communities are willing to fund such works.
6. The Regional and District Councils will maintain and implement the Civil Defence Emergency Management Group Plan for the West Coast, and Local Arrangements, setting out regional and district emergency responses and contingency provisions in the event of a natural hazard event as members of the Civil Defence Emergency Management Group.
7. The Regional and District Councils will maintain a civil defence emergency management response capability, which includes the ability to assist in the establishment and coordination of disaster relief and recovery assistance programmes.

PRINCIPAL REASONS FOR ADOPTING OBJECTIVES, POLICIES AND METHODS

The objectives, policies and methods of implementation establish a policy framework for the management of natural hazards and, in particular, avoid or mitigate the adverse effects of natural hazards on human life, property and the environment.

In accordance with section 62(1)(i)(i) of the RMA the three territorial authorities of the West Coast will be responsible for specifying the objectives, policies and methods for the control of the use of land to avoid or mitigate natural hazards except where the control of the use of land relates to the West Coast Regional Council's functions under the RMA regarding:

- The coastal marine area;
- The beds of rivers, lakes and other waterbodies; and
- Land use activities managed in the Regional Land and Water Plan.

Members of the Civil Defence and Emergency Management Group, and in particular the Lifelines Group and the Co-ordinating Executive Group are expected to continue to research and investigate natural hazards in the region and make recommendations to the relevant Council, should rules around land use be indicated as a hazard avoidance or mitigation method. This further promotes a collaborative approach between the Regional and District Councils (who are the regulatory and consent granting authority responsible for the avoidance or mitigation of natural hazards) to implement a region-wide approach to the management of natural hazards while allowing flexibility of application.

There is an increasing amount of information that is being produced that identifies areas at risk from natural hazards. This work will be ongoing and is integral to minimising the risks and impacts of natural hazard events. These objectives, policies and methods allow for the consideration of this and the application of an adaptive management approach as required.

ANTICIPATED ENVIRONMENTAL RESULTS

1. A reduction in actual or potential losses to people, property and the environment.
2. Use and development of resources consistent with levels of risk.
3. Increased community awareness of, and responsibility for, hazard avoidance and mitigation.
4. Appropriate development within areas subject to natural hazards provided for in Regional and District Plans.

Part D
Administrative procedures

12. Administrative Procedures

The Resource Management Act (RMA) requires that a Regional Policy Statement state:

- a) The processes to be used to deal with issues that cross local authority boundaries, and issues between territorial authorities or between agencies (section 62(1)(h));
- b) The procedures to be used to monitor the efficiency and effectiveness of the policies or the methods contained in the Regional Policy Statement (section 62(1)(j)); and,
- c) Any other information required for the purpose of the West Coast Regional Council's functions, powers and duties under the RMA (section 62(1)(k)).

This Section of the Regional Policy Statement covers these matters and other related administrative procedures.

12.1 Integrated Management and Cross Boundary Processes

This Regional Policy Statement is about the integrated management of the West Coast's natural and physical resources. Integrated management involves a consideration of:

- a) The effects of the use of one natural resource on other natural and physical resources or on other parts of the environment recognising that such effects may occur across space and time.
- b) The functions of other agencies with roles and responsibilities that contribute towards or impact on resource management
- c) The social and economic objectives and interests of the community, recognising that natural and physical resources cannot be managed without having regard to social, economic and cultural matters.

The need for integration between resource management authorities is required under the RMA in terms of dealing with cross-boundary issues (section 62). These issues can arise in a number of situations but generally fall into two categories: those related to the preparation and review of plans; and those related to the administration of plans and associated resource consents.

To achieve integrated management, it is essential that the policies, plans and actions of all those involved in resource management (government agencies, regional and district councils, iwi and the community) are coordinated. The aim of integrated management is to promote the sustainable management of natural and physical resources in an efficient manner by implementing and promoting complementary, efficient and effective management of all natural and physical resources. In addition to the policies and methods identified in Part B and C of this Regional Policy Statement, the West Coast Regional Council will use the following procedures to further promote integrated management and address cross-boundary issues:

- Liaise, as appropriate, with central government agencies in relation to resource management issues of regional significance.
- Make submissions, as appropriate, on documents prepared by central government agencies regarding issues of national significance that impact or impinge on the West Coast Regional Council's resource management functions under the RMA.
- Liaise, as appropriate, with other Regional Councils on resource management matters that are relevant to more than one region.
- Have regard to any Policy Statements and Plans (including Resource Management Plans and Annual Plans) prepared by the West Coast Regional Council and Territorial Authorities (including those under other legislation e.g. Biosecurity Act and the Civil Defence Emergency Management Act), and the extent to which this Statement needs to be consistent with those documents.
- Consult adjoining local authorities in the preparation of Regional and District Plans to ensure a consistent approach between districts and between the regions and districts regarding issues which cross local authority boundaries and state in those Plans the processes for dealing with them.

- Advocate to the Buller, Grey and Westland District Councils that where appropriate, provisions are included in District Plans that avoid unnecessary duplication of resource management responsibilities.
- Consider the transfer of functions that other agencies could carry out more efficiently, effectively and appropriately. Transfers of functions will be considered on the requirements of section 33 of the RMA, including where both authorities agree that the authority to which the transfer is made represents the appropriate community of interest, and where the transfer is desirable on the grounds of efficiency and technical or special capability or expertise.
- Establish appropriate protocols for the efficient and effective operation of joint hearings.
- Give full consideration to the effects on all other aspects of the environment in the development of strategies and plans, in the consideration of resource consent applications, and in the provision of advice.
- When considering an application for resource consent, consider all issues in the balance with other policies set out in the Regional Policy Statement.

12.2 Monitoring

Monitoring is an important component of the decision-making process. It establishes a process to check on the progress being made towards the achievement of objectives and the efficiency and effectiveness of the options that have been chosen. The RMA recognises the value of monitoring and gives the regional and district councils responsibilities in this area. Section 35 of the RMA outlines the Regional Council's information gathering, monitoring and record keeping responsibilities.

The West Coast Regional Council monitors:

- The state of the West Coast environment;
- The efficiency and effectiveness of our policies and plans;
- The exercise of any functions we delegate; and
- Compliance with resource consents.

The Regional Council already has a number of policies and procedures in place to gather information, and to monitor and report on how well the West Coast's natural and physical resources are being managed. These include:

- The review process for Regional Plans which monitors the efficiency and effectiveness of regional plans as a means of achieving the objectives and policies of the Regional Policy Statement;
- The State of the Environment Monitoring Reports for air and water on the West Coast. They are produced every three-five years and are a comprehensive analysis of the environmental monitoring results and trends;
- The Regional Council's Annual Report which reports against objectives and performance measures in the Council's Long Term Plan for the West Coast, developed under the Local Government Act 2002.

The content of future State of the Environment Reporting will be reviewed and updated to reflect the new environmental goals (objectives) and ensure the right information is being gathered to monitor the environmental results anticipated in the Regional Policy Statement.

12.3 Review of the Regional Policy Statement

The RMA requires that the West Coast Regional Council commence a full review of this Regional Policy Statement no later than 10 years from the date upon which it becomes operative. The Council will also undertake an internal review no later than 5 years from the date that this Regional Policy Statement becomes operative. The internal review will determine whether the direction taken in this Statement continues to be relevant. A review of the relevant parts or provisions of the Regional Policy Statement may be carried out if a new issue arises or regional monitoring shows that a review would be appropriate.

Glossary

Amenity values means the natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

Best practicable option in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to:

- a) The nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects ; and
- b) The financial implications, and the effects on the environment, of that option when compared with other options; and
- c) The current state of technical knowledge and the likelihood that the option can be successfully applied.

Biological diversity (or biodiversity) means the variability among living organisms, and the ecological complexes of which they are part; including diversity within species, between species, and of ecosystems.

Coastal environment encompasses the coastal marine area and the land areas adjacent to the coastal marine area that have a coastal character.

Coastal marine area means the foreshore, seabed, and coastal water and the air space above the water –

- a) Of which the seaward boundary is the outer limits of the territorial sea;
- b) Of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be as identified by the Regional Coastal Plan.

Community means a social group of any size, in a particular locality, who share common interests.

Cultural values are those values that relate to the culture of a society.

Discharge includes emit, deposit and allow to escape.

Effect includes –

- a) Any positive or adverse effect; and
- b) Any temporary or permanent effect; and
- c) Any past, present, or future effect; and
- d) Any cumulative effect which arises over time or in combination with other effects – regardless of the scale, intensity, duration, or frequency of the effect, and also includes –
- e) Any potential effect of high probability; and
- f) Any potential effect of low probability which has a high potential impact.

Environment includes –

- a) Ecosystems and their constituent parts, including people and communities; and
- b) All natural and physical resources; and
- c) Amenity values; and
- d) The social, economic, aesthetic, and cultural conditions which affect the matters stated in (a) to (c) of this definition or which are affected by those matters.

Environmental results anticipated means the expected or foreseen result or outcome on the environment as a consequence of implementing the policy or policies and methods of implementation. The environmental results anticipated provide a means of assessing the success of the objectives, policies and methods but may not always be measureable or achievable within the operative life of the Regional Policy Statement.

Indigenous means native to New Zealand.

Instream values are those uses or values of rivers or streams that are derived from within the river system itself and include amenity values, cultural and spiritual values of tangata whenua, and values associated with freshwater ecology and recreational, scenic, aesthetic and educational uses.

Integrated management means managing (i.e. identifying, prioritising and acting on) the use, development and protection of natural and physical resources as a whole. Integrated management involves three inter-related parts:

- a) A recognition by management agencies that natural and physical resources exist as parts of complex and inter-connected social and biophysical systems, where effects on one part of a system may affect other parts of the system and that these effects may occur immediately, may be delayed or may be cumulative; and
- b) The integration of management systems between agencies so that the various roles and responsibilities of those agencies are clearly identified and combined or coordinated to achieve consistency of purpose; and
- c) The integration of management systems within agencies to ensure that other legislation or administrative actions are consistent with promoting sustainable management of natural or physical resources.

Issue means a matter of concern to the region's community regarding activities affecting some aspect of natural and physical resources and the environment of the region or their management. These matters are addressed in the Regional Policy Statement as either:

- a) Significant resource management issues of the region; or
- b) Resource management issues of significance to iwi; or
- c) Issues which cross local authority boundaries; or
- d) Matters where jurisdiction and delineation of responsibilities need to be made clear.

Kaitiakitanga means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship.

Land includes land covered by water and the air space above land.

National policy statement means a statement issued under section 52 of the Act.

Natural and physical resources includes land, water, air, soil, minerals and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.

Natural hazard means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire or flooding) the action of which adversely affects or may adversely affect human life, property or other aspects of the environment.

Network utilities includes telecommunication, electricity operation distribution, and generation water supply, drainage and sewage systems, roads, railways and airports.

Policy means a specific statement that guides or directs decision-making. A policy indicates a commitment to a general course of action in working towards an action.

Regionally significant infrastructure means:

- a) Facilities for the generation of more than 1 MW of electricity and its supporting infrastructure where the electricity generated is supplied to the electricity distribution and transmission networks;
- b) The National Grid and electricity distribution and transmission networks defined as the system of transmission lines, sub transmission and distribution feeders and all associated substations and other works to convey electricity;

- c) Pipelines and gas facilities used for the transmission and distribution of natural and manufactured gas;
- d) The road and rail networks as mapped in the Regional Land Transport Plan;
- e) The Westport, Greymouth, and Hokitika airports;
- f) The Regional Council seawalls, stopbanks and erosion protection works;
- g) Telecommunications and radio communications facilities;
- h) Public or community sewage treatment plants and associated reticulation and disposal systems;
- i) Public water supply intakes, treatment plants and distribution systems;
- j) Public or community drainage systems, including stormwater systems; and
- k) The ports of Westport, Greymouth and Jackson Bay.

Significant mineral resource, for the purpose of Chapter 5 Use and Development of Resources Policy 2(b)(i), means the monetary value of the mineral resource is significant to the local community, and employment is created in extracting the resource, based on the latest information available about the resource at the time.

Significant tourism infrastructure refers to the major tracks, roads and facilities managed by the Department of Conservation which are regionally and nationally important in terms of their contribution to the regional economy such as the Glacier Roads, Heaphy Track, Punakaiki and other visitor information and visitor access facilities.

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 wellbeing 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;
- b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- c) Avoiding, remedying, or mitigating any adverse effect of activities on the environment.

Taonga means treasure, property; taonga are prized and protected as sacred possessions of the tribe. The term carries a deep spiritual meaning and taonga may be things that cannot be seen or touched, e.g. wahi tapu, waterways and mountains.

Tapu means under spiritual protection or restriction.

Wahi tapu means places or things which are sacred or spiritually endowed.



**West Coast
Regional Policy Statement
Section 32 Evaluation Report**

March 2015

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Part A Introduction

1.1 Purpose of the Report

This report is the background work supporting the Proposed Regional Policy Statement (RPS). It is intended to help readers understand how the Proposed RPS was developed and the rationale behind the policy options chosen.

This report has been prepared by the West Coast Regional Council (Council) in conjunction with the preparation of the Proposed RPS. It documents how Council has fulfilled its section 32 responsibilities under the Resource Management Act 1991 (the Act).

1.2 Scope of this Report

Section 32(1) of the Act requires that the Council prepare a section 32 report for the following purposes:

- (1) *An evaluation report required under this Act must –*
 - (a) *Examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *Examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by –*
 - (i) *Identifying other reasonably practicable options for achieving the objectives;*
 - (ii) *Assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *Summarising the reasons for deciding on the provisions;*
 - (c) *Contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.*

Any assessment under subsection (1)(b)(ii) must also 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 economic growth that are anticipated to be provided or reduced and employment that is anticipated to be provided or reduced. If practicable, the benefits and costs are to be quantified. An assessment of the risk of acting or not acting, if there is uncertain or insufficient information about the subject matter of the provisions, is also required.

The Ministry for the Environment (MFE) has published guidance for councils on preparing section 32 evaluation reports, and the New Zealand Planning Institute (NZPI) has provided training on the matter. Relevant parts of the MFE's and the NZPI's guidance were used in the preparation of this report.

Other matters that this report addresses are outlined below:

- Detailing the process that the Council has taken to date with the development of the proposed RPS;
- Explanation on why some 'regionally significant resource management issues' in the current RPS have not been included in the Proposed RPS.

1.3 What is a Regional Policy Statement

A RPS is a mandatory document that sets the high level resource management direction for a region. It identifies the significant regional resource management issues, and sets objectives, policies and methods for addressing these issues. Regional and District Plans must 'give effect to' the direction given in a RPS as they sit below it in the Resource Management Act planning hierarchy. Decision makers also have to 'have regard to' the RPS when considering resource consent applications. The Proposed RPS takes the approach of saying what things must be done to enable the region's social, cultural and economic wellbeing, as well as identifying the planning framework to do this.

1.4 Structure of this Report

This report has four Parts:

Part A introduces the report – its purpose, scope and structure.

Part B outlines the RPS review process.

Part C explains why some regionally significant issues from the current RPS are not included in the Proposed RPS.

Part D contains the evaluation of objectives, policies and methods. It outlines, for each regionally significant issue in the RPS, the extent to which the objectives are the most appropriate way to achieve the purpose of the Act and whether the policies and methods are the most appropriate way to achieve the objectives having regard to their efficiency and effectiveness and their likely benefits and costs. The risks associated with acting or not acting on certain issues where there is uncertain or insufficient information are also noted where appropriate.

This report should be read in conjunction with the Proposed RPS. It would also be useful to refer to the relevant Regional or District Plan as well, as much of the specific policy and method detail has been incorporated within those documents during their plan development and review processes.

Part B Regional Policy Statement Review Process

2. RPS Review Process

2.1 The Current RPS

The Act requires each regional council to have in place a RPS for its region and requires it to be reviewed no later than 10 years after it becomes operative. The current RPS was adopted in 2000. Only the Transitional Regional Plan was operative prior to 2000 with the Soil Conservation and Erosion Control Plan, Discharge to Land Plan, Air Quality Plan, Coastal Plan and three District Plans all being proposed Plans at that time. As a result of the status of the various Plans, the RPS contained very detailed direction.

A total of 43 regionally significant issues are identified in the current operative RPS. These are grouped under the general headings of significant resource management issues: soil and rivers, water, habitats and landscapes, air, coast, energy, minerals and network utilities and transport systems; as well as cross boundary processes and integrated management, and matters of significance to Poutini Ngai Tahu.

For each issue, a framework of objectives, policies and methods apply to address the relevant issue and to guide decision-making. There are 30 objectives, 72 policies and 184 methods in the current RPS. The methods cover a wide range of approaches and include information and advice, regulation, works and services, financial incentives, advocacy and voluntary agreements.

Review of the current RPS commenced in March 2010. All background information, issues, objectives, policies, methods of implementation and other provisions of the current RPS have been reviewed in developing the Proposed RPS 2015.

2.2 Development of the Proposed RPS

2.2.1 A NEW APPROACH TO THE RPS

Council has intentionally developed the proposed RPS in a new light with a focus not only on the environment but also the other three wellbeing's identified in the Act - economic, social and cultural. Many first generation RPS's were drafted to preserve and protect their regions against adverse effects, with little, if any, recognition of the need to also enable and encourage positive effects and look to the future growth and development of their regions. This was evident with the West Coast RPS.

There was also an emphasis on bringing the Proposed RPS back to its core purpose and function – to provide high level strategic guidance in order to achieve the purpose of the Act. It was also felt that this could be achieved in a much more streamlined manner than had previously been attempted, removing Chapters that were no longer regional issues, as well as policy provisions to avoid duplication between planning documents.

Council has also taken the review of the RPS as an opportunity to provide regional leadership on the West Coast and be an advocate for the region. Matheson and McVeagh (2013) provide a useful commentary on the role of regional councils and the RPS in regional leadership¹, the challenge is in drafting a RPS that operates, and influences, within the mandate accorded to it.

The proposed RPS takes a more mature approach to managing ecosystem values and other wellbeings. The document clearly sets out how, in the broadest sense, the region will achieve the sustainable management of the natural and physical resources of the West Coast. There is an aspect of sustainable management to "avoid, remedy and mitigate" any adverse effects on the environment, however it is not the sole requirement. Sustainable management also includes an important enabling component in respect of the social, cultural and economic wellbeings. Section 30 of the RMA specifically directs regional councils to prepare objectives and policies in relation to *any actual or potential effects* of the use, development or protection of land which are of regional significance. The

¹ Matheson, B. & McVeagh, R. (2013) "A Call for Regional Leadership: Why regional policy statements must enable social, cultural and economic wellbeing", *Resource Management Journal*, August pp.1 – 6.

definition of “effect” set out in section 3 of the Act explicitly includes both positive and negative effects, and the careful balancing of both aspects when preparing planning documents or assessing consent applications must be applied.

In light of this, the Proposed RPS, and all subordinate planning documents such as the Regional and District Plans, should be giving potential positive effects equal consideration to adverse effects. This is one of the reasons that the Proposed RPS sets out that issues like the use and development of resources on the West Coast is just as important as the protection of those resources. Any management approach taken should also enable the people and communities of the West Coast to provide for their economic, social and cultural wellbeing. Due to the high degree of conservation land under existing protection, regulatory protection on production land needs to be minimised and restricted to those circumstances where there is clear proof of significant values needing protection under the Act.

The new approach taken in the Proposed RPS reflects the main role of Regional and District Plans to manage environmental effects at a more detailed level. The now operative Regional Land and Water, Coastal, and Air Quality Plans have rules with conditions for managing adverse environmental effects of respective land, water, coastal marine area, and air use activities. The operative three District Plans also have rules and standards for managing adverse effects of land use and subdivision. Avoiding duplication in the new RPS of Plan provisions that manage adverse effects has been a key consideration. The first Chapters in the Proposed RPS enable resource use and development, and recognise the role of infrastructure. The Proposed Biodiversity and Landscapes, Land and Water, Coastal Environment, and Air Quality Chapters have provisions about managing adverse effects, primarily looking to Regional and District Plans as the main tools for balancing enabling resource use with meeting specific environmental ‘bottom lines’. Once operative, the Proposed RPS will be used with Regional and District Plans as part of a whole planning framework for the Region, to enable development that sustains the Region’s people and communities, and to guide implementation and review of the more specific Plans for managing environmental effects.

The implications of the King Salmon case have resulted in some positives for planning in terms of the preparation of new plans and RPS’s. Regional Councils can now consider themselves empowered to a greater extent to be very directive in their RPS as to the outcomes they wish to see in their regions. That can include enabling development as well as managing adverse effects².

Council also considered that the balance had shifted too far in favour of listening to environmental concerns, at the expense of the basic needs of the local people and communities. Community sustainability should take precedence over the narrow concerns of individual environmental focus groups and the Proposed RPS takes steps to address this, particularly after hearing from the community during the Discussion Document process.

In addition to the above, there have been a number of other factors that have assisted Council in developing the Proposed RPS. These have included:

- Discussion Document released in 2013 seeking feedback on two new regionally significant issues;
- Regional Policy Statement guiding principles;
- Changing legislative context; and
- Pre-consultation.

2.2.2 DISCUSSION DOCUMENT

In 2013, Council released a Discussion Document on the RPS Review. The Discussion Document highlighted two new regionally significant issues. The Council sought confirmation from the community on their inclusion in the RPS review. The Discussion Document was purposefully designed to be provocative and challenging in order to engage the community of the West Coast and get them involved in the conversation. The two new issues address factors that are considered key to the future success of the West Coast.

² Nolan, D., Gardner-Hopkins, J. & McVeagh R. (2014) “EDS v New Zealand King Salmon – the implications”, *Resource Management Journal*, November pp.1-5.

Councilors and staff travelled from Haast to Karamea promoting the Discussion Document, speaking at meetings and attending local events to talk to as many people as possible about the RPS review and the new proposed issues. A total of 233 people and organisations provided written feedback on the Discussion Document with many more taking the time to discuss the issues, and other matters, verbally with staff and Councilors. This was a particularly useful exercise to confirm that the general direction Council was intending to take with the identification of the new issues was in fact supported by the wider public as too often it has been found this sector of the community does not engage in local government processes in the region.

2.2.3 REGIONAL POLICY STATEMENT GUIDING PRINCIPLES

Feedback obtained from the Discussion Document, and community generally, resulted in identifying a number of principles which were used to assist Council with developing the Proposed RPS. While it is recognised that not all of these are RMA matters as such, they are reflective of how and what the communities of the West Coast are seeking in regards to their resource management planning documents. They provide strategic direction on what is important for the region. The principles are included below for reference in the reading of the section 32 evaluation report:

- **PEOPLE**
People are at the heart of this Regional Policy Statement. All District and Regional Plans should have regard to people and communities and their need for a healthy environment, well managed infrastructure, employment and business opportunities for their wellbeing and long-term economic success.
- **ECONOMY AND ENVIRONMENT**
The Regional Policy Statement is developed giving weight, and finding the balance, between economic and environmental considerations. It recognises that a healthy West Coast economy needs a healthy environment. This Regional Policy Statement is enabling, balancing improving the economy and using our resources wisely, with managing and investing in the environment to achieve our future aspirations for improvement throughout the West Coast.
- **EFFECTIVENESS**
The Regional Council believes that environmental regulation needs to be clear and simple with quick processes. It recognises that solutions must be affordable, fit for purpose and achieve the objectives. The policy instruments used should match the resource management issues and opportunities identified. In line with affordability this avoids unnecessary compliance costs.
- **ADAPTIVE MANAGEMENT**
The management of the natural and physical resources of the West Coast is a complex task as the environment, resources and systems are dynamic. Understanding of these also changes over time. The management regime is therefore adaptive and able to respond to change as required in order to achieve sustainable resource management.
- **AFFORDABILITY**
There may be circumstances where current resource management practices may have to change over time in order for these resources to be managed sustainably. Where these changes may impose a significant financial burden, or a practical solution is not currently available, a reasonable time is to be allowed for desired environmental outcomes to be achieved. This is to take into account the need for change and the costs and effects of not acting, or not acting quickly.

2.2.4 CHANGING LEGISLATIVE CONTEXT

Since the current RPS was adopted, there have been a number of changes to legislation and government policies that have to be considered in the review of the RPS. Changes to legislation have included the Resource Management Act 1991, Local Government Act 2002, Building Act 2004, Hazardous Substances and New Organisms Act 1996, Civil Defence Emergency Management Act 2002 and Land Transport Management Act 2003.

A number of National Policy Statements and National Environmental Standards have been released which have been considered in the development of this Proposed RPS. These include the New Zealand Coastal Policy Statement 2010, National Policy Statement on Electricity Transmission 2008,

National Policy Statement for Renewable Electricity Generation 2011, National Policy Statement on Freshwater 2011 and the National Environmental Standard for Air Quality 2004.

The Government is intending to move forward with its RMA reforms during 2015. However it is still unclear at the time of reviewing the Proposed RPS and the development of this section 32 evaluation report as to what the changes may entail. Depending on the nature and scale of any change to the Act, amendments may be required to the Proposed RPS and the Regional and District Plans.

2.2.5 PRE-CONSULTATION

As per clause 3 of the First Schedule of the Act, the Council undertook pre-consultation with a number of parties as required on the Proposed RPS. The process was a useful step in the development of the Proposed RPS to listen to what others had to say, consider their responses and then decide if the Proposed RPS required further amendment before being notified for wider submissions. A number of comments submitted by parties involved in the pre-consultation resulted in amendments to the Proposed RPS.

2.3 Summary

The Proposed RPS takes a much needed practical and pragmatic approach to the management of the regionally significant issues for the West Coast. With the current RPS having been prepared prior to development of other planning documents, it needed to provide additional guidance and direction. In its current form it is significantly out of date, and with its overly cautious approach which was appropriate at the time, it is now considered unbalanced and does not reflect the resource management issues facing the region today. Development of a 'second generation' RPS will create a better balance of both enabling resource use and managing effects of activities, making it a useful tool for Councils on the West Coast over the next 10-15 years.

Part C

Issues not considered to be regionally significant

3. Issues not considered to be regionally significant

Four chapters in the current RPS are not included in the Proposed RPS. Reasons for their omission are detailed below.

3.1 Heritage

While registered heritage resources are acknowledged to be regionally significant, the common view of most Regional and District Council Consents staff is that there are no significant resource management issues with heritage resources. Protection of significant historic heritage from adverse effects of land use is covered in the Regional Land and Water Plan, and District Plans. Robust processes are in place for liaising with Heritage New Zealand (HNZ) where a consent application may adversely affect a heritage site, and these processes are working well. Resource consent applicants must obtain written approval from HNZ, and conditions can be attached to a consent to avoid, remedy, or mitigate adverse effects on heritage resources. There is not widespread destruction or damage occurring to heritage sites to warrant inclusion in the Proposed RPS. Furthermore, it is not the role of the RPS to promote identification or protection of significant heritage sites. This is a role for HNZ and other agencies.

Should planning documents or consenting processes need further guidance on the management of heritage, there are provisions within the Resilient and Sustainable Communities Chapter of the Proposed RPS which refer to 'sense of place' and 'identity'. Both of these terms are considered to refer to the concept of heritage contributing to either a community's identity, their sense of place, or both.

3.2 Soils and Rivers

There are currently no major identified significant resource management issues in regards to soil conservation and land use affecting rivers. This is generally being comprehensively managed by the operative Regional Land and Water Plan which has objectives, policies, rules and methods to minimise sediment loss, nutrient or bacterial discharges to rivers, erosion of slopes and riverbanks, and pugging in riparian margins. Field days have been held to provide education primarily to farmers and miners, ongoing compliance monitoring field visits are another means to pass on information and advice about good practice use and rehabilitation of land to ensure that water quality and quantity is not seriously affected by productive land uses.

However, it is recognised that activities on land can affect freshwater and as such there are new provisions in the proposed Land and Water Chapter.

3.3 Solid and Hazardous Waste

Significant improvements have been made in regards to solid and hazardous waste management since the current RPS became operative in 2000.

District Council approaches to managing municipal solid waste are generally working well. Many small rural landfills that were receiving waste with no controls on the substances disposed of have been closed. The three main towns and other centres and settlements now have kerbside recycling to reduce volumes of residual waste either going into landfills, or transported outside the region for disposal. Experienced contractors provide waste collection, separation and recycling services at landfills and transfer stations. Hazardous substances are stored separately, collected by a contractor, and treated and disposed of outside the region.

Adverse effects of landfills are better managed. The Centre for Advanced Engineering *New Zealand's Guidelines for Landfills 2000* have been incorporated into resource consents for main landfills at Runanga and Butlers, and require that cells be lined, no hazardous wastes are disposed of, and comprehensive soil and water quality monitoring are undertaken. Chapter 15 of the Regional Land and Water Plan also provides direction for consent applications for managing discharges of hazardous substances.

Processes for managing potentially contaminated land have improved. The Regional Council keeps an up-to-date inventory of sites in the region that are likely to have used, stored or disposed of hazardous substances, known as Selected Land Use Sites (SLUS), and this information can be accessed by the District Councils. Chapter 16 of the Regional Land and Water Plan has an objective and policies for maintaining the SLUS database, and managing discharges from contaminated land. The Resource Management (National Environmental Standard for Assessing and Managing Contaminants on Soil to Protect Human Health) Regulations 2011 has rules and standards to help District Councils determine if land is contaminated and how to manage use of that land.

New legislative requirements for solid and hazardous waste management will ensure that improved waste management on the West Coast continues. The Waste Minimisation Act 2008 encourages waste minimisation, and to reduce waste disposal to protect the environment. The main method is by way of a waste levy which is passed on to individuals at the landfill and transfer station gate, reflecting a user pays approach.

Since 2009 the West Coast Waste Working Group comprising District and Regional Council representatives has not needed to meet, as no regional waste management issues have been identified for the Group to address. While isolated problems have occurred at specific sites, these are generally operational matters dealt with by the relevant District Council.

Based on the work that has been undertaken, guidelines issued and the extremely limited number of issues that have arisen, this is not considered to be a regionally significant resource management issue for the West Coast. As per section 62(1)(i)(ii) of the Act the RPS must state the local authority responsible for specifying the objectives, policies and methods for the control of the use of land to prevent or mitigate the adverse effects of the storage, use, disposal, or transportation of hazardous substances. This statement is made under section 1.3.3 of the Proposed RPS.

3.4 Minerals

A separate Chapter on minerals is considered unnecessary as the proposed Chapter 5 Use and Development of Resources recognises the important role of mining and other resource uses. Recent economic assessments of the West Coast region indicate that currently there are three primary economic drivers: mining, farming, and tourism, as well as other industries based on natural resource use such as forestry, fishing, sphagnum moss harvesting, food production, and support businesses providing products and services for these activities. Economic diversification is critical to enable our region to be sustainable. The new Chapter 5 of the Proposed RPS recognises the significant contribution to the regional economy from natural resource use and moves away from 'picking winners'. Feedback from the community through the Discussion Document supported a region that was moving towards diversification in order to reduce the peaks and troughs experienced in the economy.

Part D

Evaluation of Objectives, Policies and Methods

4. Evaluation of the Objectives, Policies and Methods

In 2013 amendments were made to section 32 of the Act adding extra criteria for analysis of changes to plans and policy statements. The main changes include:

- An assessment of the costs and benefits of environmental, economic, social and cultural effects of the implementation of provisions, including opportunities for:
 - (i) Economic growth that are anticipated to be provided or reduced;
 - (ii) Employment that are anticipated to be provided or reduced;
- If practicable, quantify benefits and costs; and
- The assessment can be at a level of detail that corresponds to the scale and significance of the effects anticipated from the proposal.

The analysis in this section 32 report is at a general level to reflect the fact that the Proposed RPS is a high level strategic policy document. For the majority of the proposed objectives, policies and methods it is not possible to quantify anticipated benefits and costs.

Section 32(1)(b)(i) requires identifying other reasonably practicable options for policies and methods to achieve the objectives. In most cases two or three options are considered: 'do nothing', retain the status quo or current provisions, or where it is no longer appropriate, consider new options. This makes the assessment straightforward as we have a reasonably clear idea of what the regional issues are and what provisions are appropriate. A more in-depth analysis of particular wording or more options is considered unnecessary.

Section 32(1)(b)(ii) requires that councils assess the efficiency and effectiveness of the policies and methods as the most appropriate way to achieve the objectives. The Ministry for the Environment's guidance explains efficiency as where a policy or method will achieve the objective (the benefit) at the least cost. Least cost can be difficult to quantify, especially in monetary terms, and we have not identified the costs of alternative policies and methods to indicate the least cost option for this section 32 evaluation. The main methods used to achieve the RPS objectives are regulatory tools of regional and district plans and the consent process. Consent processing and compliance costs are mostly borne by the consent holder. While plan development and review costs are high at the initial stages of the plan development process, once implemented, the benefits of allowing resource use over a 10-15 year period are expected to outweigh these. In implementing the proposed provisions it is anticipated that there are generally more benefits than costs accruing, and that they are not expected to generate any additional significant cost. For the purposes of this assessment the proposed policies and methods are therefore considered to be efficient.

Section 32(2)(a) requires that councils identify and assess the costs and benefits of the environmental, economic, social and cultural effects that are anticipated from implementing the provision, including the opportunities for:

- (i) Economic growth that are anticipated to be provided or reduced;
- (ii) Employment that is anticipated to be provided or reduced.

The scale of potential effects of the changes in this Proposed RPS does not warrant an in-depth cost-benefit analysis. The effects of the new provisions are generally considered to be limited, compared to for example, the economic impacts of land use restrictions on property rights. This document is intended to be overarching in its policy framework, and objectives, policies, rules and methods relating to activities likely to have this scale of effect will be located within the regional and district plans and will be assessed through those planning processes. While there is an intent with this Proposed RPS to present a framework to encourage increased economic growth and development, as well as employment opportunities whilst maintaining our environmental values, rampant growth is not anticipated. Instead it is likely to be a gradual process, depending significantly on market forces and demands.

The following tables provide the section 32 evaluation of the Objectives, Policies and Methods for the Proposed RPS. The evaluation follows the same Chapter order as the Proposed RPS.

4.1 Resource Management Issues of Significance to Poutini Ngai Tahu

Section 32 provision	Evaluation
<p>(1)(a) Are the objectives the <i>most appropriate</i> way to achieve the purpose of the Act?</p>	<p>Yes. Section 6(e) of the RMA requires councils to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. The tangata whenua of the Region have particular interests and concerns in relation to management of the natural environment, and they wish to maintain meaningful and adequate input to regional and district councils' resource management decision-making. Poutini Ngai Tahu iwi contribute a wealth of local knowledge about the Region's natural resources and sites of value to them that has been handed down from generation to generation, which is valuable for plan development and assessing environmental effects in the consent process.</p> <p>The current Objectives 5.1 and 5.2(a) capture the essence of providing for iwi participation in RMA processes. Treaty principles establish guidelines to govern the relationship between iwi and local government. The Regional Council continues to maintain an effective working relationship with iwi on resource management matters through a number of processes outlined in the Methods that reflect current practice and are working well. Iwi participation is provided for in a manner that is inclusive and makes the best use of the limited resources of Poutini Ngai Tahu and Council. The Treaty principles and matters of importance to Poutini Ngai Tahu have not changed, the two current Objectives are therefore still relevant and appropriate, and are proposed to be retained in the new RPS.</p> <p>The current Objective 5.2(b) is to have particular regard to kaitiakitanga in resource management on the West Coast. Council's understanding of kaitiakitanga is that it refers to the exercise of custodianship by an iwi or hapu over land and other taonga within the tribal rohe. Kaitiakitanga is given regard to in the plan development and consent processes, and through iwi representation on the Councils' Resource Management Committee. Council further understands that kaitiakitanga is part of Poutini Ngai Tahu's culture and traditions in relation to environmental management and so it is implicit in, and appropriately covered by, Objective 5.2(a). A separate clause in the objective for kaitiakitanga is therefore considered to be not necessary.</p>
<p>(1)(b) Are the policies and methods the most appropriate way to achieve the objectives, by:</p> <p>(i) are there other reasonably practicable options for achieving the objectives?</p> <p>(ii) are they efficient and effective to achieve the objectives?</p> <p>(iii) what are the reasons for deciding on the policies and methods?</p>	<p>Yes. The proposed policies and methods are the most appropriate way to achieve the objectives.</p> <p>(i) In the consideration of the development of policies and methods and whether there were other reasonably practicable options to achieve the objectives:</p> <p><u>Do nothing</u> – This option was never considered as Council recognises that iwi are a fundamental contributor to resource management on the West Coast as well as there being a legislative requirement. Having no high level policy direction in the RPS does not adequately give effect to Treaty principles and RMA section 6 requirements. For these reasons, this option was never considered.</p> <p><u>Status quo</u> - the subject matter of the current policies is considered to be still relevant and it is appropriate that they be retained, to be consistent with retaining two of the Objectives.</p>

Section 32 provision	Evaluation
	<p><u>Changes to policies</u> - some wording changes are proposed based on iwi policies in the Northland and Taranaki RPS's, which reflect iwi participation in council processes on the West Coast. Current Policy 5.1.1 simply repeats Objective 5.1 and adds little value, so is proposed to be replaced by new Policy 1 which more accurately and specifically reflects how Council gives effect to Treaty principles. Amendments to Policy 5.2.1 link it more closely to the RMA framework and managing effects through the consent process. Current Policy 5.2.2 has some terms which may be difficult to interpret, and is to be replaced with new Policy 3 which includes reference to iwi's role of kaitiaki, and better articulates the consideration given to iwi values in resource management practices.</p> <p><u>New policies</u> - at a hui on 14th October 2014 Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio, and Te Rūnanga o Ngāi Tahu sought a number of new objectives and policies be added on various matters. Council seeks a balance between recognising iwi resource management issues, meeting the criteria in section 32, and applying the five principles underlying the Proposed RPS³. As a result of considering the initial iwi feedback, new Policy 4 about papakainga housing is added to the iwi chapter, along with some additional Preamble information and explanatory sentences in the Biodiversity, and Land and Water Chapters. Council's view is that most of the new objectives and policies sought cover matters dealt with in the Land and Water, and Coastal Plans, and they do not need to be duplicated in the Proposed RPS.</p> <p>It is noted that at the time of finalising this section 32 report further feedback from Poutini Ngai Tahu is awaited from a second pre-consultation hui as part of the RMA First Schedule section 3 process, which may or may not mean changes are needed to the iwi chapter and other sections of the RPS. If this feedback is not received in time to be evaluated in the section 32 report it may be considered in a submission at the public notification stage.</p> <p>(ii) The policies and methods are considered efficient and effective to achieve the objective for the following reasons:</p> <p>The proposed policies and methods reflect that Council, Te Runanga o Ngai Tahu and the two West Coast Runanga have established procedures so that iwi participation in Resource Management Committee meetings, consent processing, and plan development is efficient, and iwi views are effectively heard. Iwi are consulted about, and kept informed of, relevant matters as and when needed, reflecting the fact that both West Coast iwi and Council have limited resources and so focus on being involve with, and undertaking the core RMA functions.</p> <p>(iii) Most of the current Methods are proposed to be deleted and replaced with new Methods specifically reflecting Council's activities which iwi participate in. The new Methods reflect current practice which is working well, and Council has limited resources to provide other opportunities apart from through its</p>

³ Refer to Chapter 1, section 1.2 Regional Policy Statement Guiding Principles, Page 5 of the Proposed RPS.

Section 32 provision	Evaluation
	<p>existing core functions. The new Methods are therefore based on consent and planning practice, as well as incorporating parts of current methods which are still relevant. Part of the current Explanation to the section 5.1 provisions which contains two methods, and some of the Taranaki RPS's methods from their iwi chapter, have also been incorporated where relevant.</p> <p>Reasons for deleting most of the current Methods are:</p> <ul style="list-style-type: none"> ▪ Done routinely in the consent process; ▪ None of the Councils have an iwi liaison officer now that the Runanga have their own staff carrying out resource management roles; ▪ Provision(s) are provided for in the RMA; ▪ Has been implemented and is now out of date; ▪ Has not been implemented and is unlikely to be in the future; ▪ Not one of Council's core functions; ▪ It is not appropriate for Council to give iwi access to its quarry for safety reasons.
<p>(2)(a) Identify and assess the costs and benefits of the environmental, economic, social, and cultural effects that are anticipated from implementing the provisions, including the opportunities for-</p> <p>(i) economic growth that are anticipated to be provided or reduced;</p> <p>(ii) employment that are anticipated to be provided or reduced;</p>	<p>The proposed changes to the Poutini Ngai Tahu chapter are not expected to result in large-scale increases in economic growth or employment. They mostly reflect current practices that will continue to provide for iwi participation in resource management processes.</p> <p>Benefits <u>Social/economic/environmental/cultural:</u> Poutini Ngai Tahu participation on the Resource Management Committee, and in plan development and consent processes, will continue to enable their culture and values to be recognised, and enable iwi to exercise their kaitiakitanga role in regard to their taonga.</p> <p>It is anticipated that West Coast iwi will continue to gain financial, cultural, and social benefits from having their taonga protected from the adverse environmental effects of resource use.</p> <p>Costs The new provisions do not place any additional cost requirements on consent applicants above what is already required in the consent process. The provisions simply reflect current practice. Costs will vary on a case by case basis, depending on the nature and scale of environmental effects.</p>
<p>(2)(b) Quantify if practicable the benefits and costs</p>	<p>There is not expected to be any change in costs from the status quo. Quantifying the identified benefits and costs is not considered practical or useful, and does not add reasonable value to this section 32 assessment. The time and cost it would take to quantify the benefits and costs is unjustified. There are no new or large costs arising from implementation.</p>

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Section 32 provision	Evaluation
(2)(c) Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.	Not applicable. The three Runanga have been consulted about the proposed Poutini Ngai Tahu Chapter, and the Proposed RPS as a whole, and have not identified any areas of uncertainty or insufficient information which need to be evaluated for risk at this stage of the process.

4.2 Resilient and Sustainable Communities

Section 32 provision	Evaluation
<p>(1)(a) Are the objectives the <i>most appropriate</i> way to achieve the purpose of the Act?</p>	<p>Yes. The three new objectives in this section of the RPS provide overarching strategic guidance to the RMA planning framework on the West Coast. They recognise that resource management is about people as much as it is about the environment, and looks to provide for all four of the wellbeing's as identified in section 5 of the RMA.</p> <p>The West Coast has frequently faced boom and bust periods which have had a detrimental effect on many communities. To resolve this, the West Coast needs an economy, and a resource use framework, that is able to withstand these fluctuations. Creating a regulatory framework that supports economic development, as well as industry diversification, takes steps towards the achievement of this. Importantly though, this welcoming of economic growth is not at the expense of the environment. The environment of the West Coast is recognised as one of the primary reasons people choose to visit, live and do business here. Environmental outcomes are clearly identified throughout this RPS as well as the relevant Regional and District Plans and this is reinforced by the direction provided for by these objectives.</p> <p>The West Coast is unique in many ways. Communities celebrate this uniqueness as well as their heritage and identity. It is important that the region is able to retain the identity of not only the West Coast but of the many individual communities it is comprised of. Therefore planning decisions need to keep this front of mind, as well as incorporating a range of lifestyle and employment options, when looking at future potential subdivision, use and development.</p> <p>These new objectives are the most appropriate way to achieve the purpose of the Act as they reflect the economic, social and cultural issues currently facing the West Coast. They move away from focussing solely on the traditional sense of the environment, instead considering people as well. A different approach is needed through the development of this RPS to set up a regulatory framework on the West Coast which best reflects the interests of communities, businesses and the natural environment. The proposed objectives establish a high level principles approach, providing clear direction for the future of the West Coast which will be reflected through the Regional and District Plans. This approach is also reflective of the feedback received from the community when Council consulted on the RPS Discussion Document in 2013. This new RPS reflects the views of the community as a whole.</p>
<p>(1)(b) Are the policies and methods the most appropriate way to achieve the objectives, by:</p> <ul style="list-style-type: none"> (i) are there other reasonably practicable options for achieving the objectives? (ii) are they efficient and effective to achieve the objectives? (iii) what are the reasons for deciding on the policies 	<p>Yes. The policies and methods are the most appropriate way to achieve the objectives.</p> <ul style="list-style-type: none"> (i) In the consideration of the development of the policies and methods and whether there were other reasonably practicable options to achieve the objectives: <ul style="list-style-type: none"> Do nothing – The current RPS does not have a 'whole of environment' focus. Instead it narrowly focusses on the traditional 'environmental' issues (water, air, coastal etc.). This approach is considered

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Section 32 provision	Evaluation
<p>and methods?</p>	<p>inappropriate given the current issues facing the West Coast and our interpretation of the purpose of the RMA.</p> <p><u>Status quo</u> – As stated above, the current approach is out of date and does not reflect the regionally significant wellbeing issues that are relevant for the West Coast now. There is not currently a chapter in the RPS equivalent to the proposed Resilient and Sustainable Communities Chapter. New policies and methods are therefore required to address this recently identified regionally significant issue.</p> <p><u>Other options</u> - There is an increased emphasis on ‘resilience’ and ‘resilient communities’ throughout all levels of government. The rural decline in population with more people moving to larger urban centres is contributing to what some call ‘zombie towns’⁴. This decline in population affects many smaller provincial communities leading to vacated businesses and run down towns whose economic life-blood has all but dried up. It is important for all organisations within a region to work collaboratively to provide opportunities for economic growth and diversification. The approach set out in this Chapter’s policies and methods reflects this new thinking for the wellbeing of West Coast communities.</p> <p>The Taranaki RPS focusses on promoting sustainable urban development which is part of the issue for the West Coast, but this does not capture the whole situation as Taranaki has a more stable economy, than the West Coast.</p> <p>There were no other options considered practicable in order to achieve the objectives as set out.</p> <p>(ii) The five new proposed policies are considered to be efficient as they are clearly linked to the objectives and provide direction for the provision of a planning and regulatory framework which is user friendly and supportive of long term economic growth and industry diversification.</p> <p>Policy 1 clearly sets out that economic growth is welcomed in the region where it can contribute to employment as well as the long term sustainability of communities. It is important to note the use of the term ‘long term sustainability’. The key to growth for the region is attracting business and ensuring that they are here for the long term. In some industries and sectors, business has been particularly cyclical. It is undeniable that the West Coast is rich in natural resources. Growth in the region will be leveraged from these resources; as all provincial regions harness the natural resources available to them⁵, and Policy 1 identifies that management of these will be required to assist with economic growth. Note that this is not development and growth at any cost. This policy, as all the others in this document and the Regional and District Plans, need to be applied where relevant. Application of the full policy framework will in the future provide for both the human and natural components of the ‘environment’.</p>

⁴ This term was coined by Shamubeel Eaqub a NZIER economist.

⁵ Building Natural Resources, The Business Growth Agenda (December 2012).

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	<p>Policies 2 and 4 provide guidance for efficient and effective planning processes. Policy 2 provides guidance on the plan preparation / review process with the objective of having plans that are quick and easy to use, as well as being consistent across the region in terms of the District Plans. Policy 2 supports planning processes that result in documents that reduce 'red tape' bureaucracy and provide certainty to applicants whether they are individuals, small businesses or large organisations. Over-regulating for situations where there are no more than minor adverse effects, for activities which can be managed appropriately through the application of permitted activity rules, is efficient and effective for both business and communities. Where a more stringent approach is required, a more considered management regime can then be implemented through the consent process.</p> <p>Policy 4 encourages the transfer of functions between Councils. This approach further implements the shared services approach that the four West Coast Councils are currently successfully utilising. It will ensure that the Council that is best resourced to manage the function does so, reducing time and costs on consent applicants.</p> <p>It is the small communities of the West Coast that contribute to making it the unique and distinctive region it is. Policy 5 seeks to provide for these areas ensuring that amenity values are maintained and enhanced within these locations alongside sustainable development. Any potential subdivision, use and development needs to take into account the effect it will have on these communities into the future. For many communities this growth is likely needed to ensure that firstly they remain and survive as a town or community, and secondly that they are viable into the future. Population decline can result in the loss of essential services, and not having these key infrastructure and service provisions can provide a barrier to new people relocating to such areas in the future sparking a downward spiral for such areas.</p> <p>The proposed two methods set out how the objectives and policies are to be achieved – which is primarily through the Regional and District Plans, as well as the consent process. Method 1 refers to the preparation and review of Regional and District Plans and provides further guidance for these processes. Method 2 promotes a joint consent process which provides a more timely and cost effective approach for applicants. Both of these methods are efficient and effective in achieving the proposed objectives as well as providing benefits to the wider community.</p> <p>(iii) The reasons for proposing the new Policies 1 - 5 to provide for resilient and sustainable communities are outlined in the <i>Background to the Issues</i> in the Resilient and Sustainable Communities Chapter as well as through the problem definition process which identified the significant issues for the West Coast. These policies and methods are considered the most efficient and effective way in which to address the complicated issues of attaining and retaining resilient and sustainable communities on the West Coast and providing for their ongoing economic and social wellbeing.</p>

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<p>(2)(a) Identify and assess the costs and benefits of the environmental, economic, social, and cultural effects that are anticipated from implementing the provisions, including the opportunities for -</p> <ul style="list-style-type: none"> (i) economic growth that are anticipated to be provided or reduced; (ii) employment that are anticipated to be provided or reduced; 	<p>The inclusion of the provisions regarding resilient and sustainable communities are intended to provide for the opportunity of future economic growth and employment by enabling development through more efficient and effective planning and regulatory processes. For communities to be resilient they require, amongst other needs, economic opportunities and livelihood diversity.</p> <p>Benefits <u>Social and economic:</u> The new enabling objectives, supported by the policies and methods, will give direction for the Regional and District Plans to provide for future development <i>opportunities</i> on the West Coast. However, there is no guarantee that significant increases in economic growth or employment will occur. The scale and rate of growth will partly depend on the costs of development, market demand and conditions, and supportive central government policy. Nonetheless, promoting a 'business friendly' approach may encourage this investment. The new enabling provisions will require that the benefits of new development be explicitly recognised, and be subject to adverse effects being managed.</p> <p>Due to the dispersed nature of the West Coast, the establishment of a small number of new businesses can lead to significant benefits for individual communities. It may also result in the revitalisation of the host community. This is particularly important in retaining community identity.</p> <p>Having straightforward Regional and District Plans which are easy to interpret and apply will lead to reduced costs for applicants and improve administrative efficiency. The joint consent process can also provide an economic benefit to applicants.</p> <p><u>Environmental and cultural:</u> Due to the regulatory protection that is already in place for freshwater and areas of significant indigenous vegetation, significant habitat of native fauna and areas of outstanding natural features and landscapes (inside and out of the coastal marine area) it is not anticipated that there will be additional environmental impacts on these areas as they are managed closely through consent provisions and ongoing monitoring depending on the scale of activity. It is highly possible that future investment and development could lead to additional environmental protection as many large developments only occur with the provision of ongoing pest control or offsetting of ecological effects.</p> <p>The benefits of enabling future development opportunities will also accrue to iwi recognising that they have an active interest in maintaining the culture, identity and wellbeing of their communities.</p> <p>Costs Resource consent applicants will continue to be charged for processing applications for activities. The proposed RPS provisions do not place any additional cost requirements on consent applicants above what is already required in the consent process. Costs will vary on a case by case basis, depending on the level of risk and</p>

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	<p>actual and potential effects.</p> <p>It is not anticipated that there will be any significant environmental cost occurring through the implementation of this new policy framework. Instead, it is likely that there will be a positive benefit as identified above. This increased protection, rehabilitation, or offsetting is activity that is unlikely to be undertaken by any other party.</p>
(2)(b) Quantify if practicable the benefits and costs	<p>There is not expected to be any significant changes to cost. Quantifying the identified benefits and costs is not considered practical or useful, and does not add reasonable value to this section 32 assessment. The time and cost it would take to do a monetary benefit/cost analysis is considered to be unjustified.</p>
(2)(c) Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.	<p>This is a new regionally significant issue for which it is difficult to obtain qualitative data. Instead this Chapter is based on feedback from the community on what is important and identifying ways in which the Regional and District Councils can assist within their operational mandate. Providing clear direction that the West Coast welcomes investment, provided that environmental outcomes are met, and providing a streamlined planning and regulatory framework are steps towards achieving this.</p> <p>The new enabling provisions will not result in rampant or inappropriate development as they will be balanced with managing effects through other sections of this Proposed RPS and the Regional and District Plans. It is possible that if the new enabling provisions, or those intended to direct the preparation and review of the Regional and District Plans were not included, the West Coast may miss out on new development opportunities. Risk averseness can act as a disincentive for business growth and job creation.</p>

4.3 Use and Development of Resources

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<p>(1)(a) Are the objectives the <i>most appropriate</i> way to achieve the purpose of the Act?</p>	<p>Yes. The two new objectives in this section of the Proposed RPS provide overarching strategic guidance to the RMA planning framework on the West Coast. They recognise that utilising the resource wealth of the region is paramount to the future growth and development of the West Coast, enabling people and communities to provide for their wellbeing’s as identified in section 5 of the RMA.</p> <p>The West Coast has traditionally been reliant on natural resources for its prosperity. These have primarily been in the mining, farming (dairying) and, increasingly, tourism sectors. All of these sectors are susceptible to commodity fluctuations, changing markets and visitor desires. As a result, the West Coast needs to look more widely at its economic base and how to weather such events.</p> <p>The use and development of resources contributes to economic growth with flow on effects for the social, cultural and environmental wellbeing’s of communities throughout the region. Future growth is likely to be leveraged off the resource wealth of the West Coast. The objectives clearly focus on the economic advantage that resource use and development can provide to the region. The challenge is providing a regulatory and planning framework that is within the mandate of the Regional and District Councils and what the proposed RPS is able to influence.</p> <p>Choices relating to the location, supply of different land uses, the use of our natural resources and the quality of our natural environment will influence the economic strength and prosperity of the region and its contribution to the national economy. This requires consideration of how to balance resource use with ensuring the protection of environmental bottom lines. It is important to note that while these proposed objectives are welcoming of economic growth and diversification through the utilisation of resources, resource use is not to be undertaken at the expense of the environment. The high quality of the environment of the West Coast is recognised as one of the primary reasons people choose to live and do business here. Environmental outcomes are clearly identified throughout this Proposed RPS as well as the relevant Regional and District Plans. As such, it is important not to read or apply Chapters, and their relevant provisions, in isolation.</p> <p>These new objectives are the most appropriate way to achieve the purpose of the Act as they reflect the socio-economic issues currently facing the West Coast. This new Chapter for the proposed RPS highlights the importance of this for the region. Objective 1 recognises the role that resource use has in enabling communities to meet their wellbeing’s. Objective 2 raises the issue that some forms of resource use are incompatible and this needs to be managed by Councils through their decision making processes. The current RPS has Minerals Chapter, however the key to a regions success, and particularly for the West Coast, is diversification. This theme of diversification and the growth of new sectors are also reflective of the feedback received from the community when Council consulted on the RPS Discussion Document in 2013. Council believes that the RPS must reflect the views of the community as a whole, not the minority, and this approach addresses the interests of communities and businesses as well as the natural environment.</p>

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	<p>The objectives provide clear direction for the future of the West Coast which will be reflected through the Regional and District Plans.</p>
<p>(1)(b) Are the policies and methods the most appropriate way to achieve the objectives, by:</p> <ul style="list-style-type: none"> (i) are there other reasonably practicable options for achieving the objectives? (ii) are they efficient and effective to achieve the objectives? (iii) what are the reasons for deciding on the policies and methods? 	<p>Yes. The policies and methods are the most appropriate way to achieve the objectives. They clearly reflect the direction provided in the objectives as to how to address the regionally significant issues affecting the West Coast.</p> <p>(i) In the consideration of the development of the policies and methods and whether there were other reasonably practicable options to achieve the objectives:</p> <p><u>Do nothing</u> – discussions with the community and feedback received via the Discussion Document indicates that the current situation on the West Coast with business closures and downsizing, as well as loss of employment opportunities and people moving away is not favoured by the majority. Traditionally the RPS has focussed primarily on environmental matters with little consideration as to how to provide for the other wellbeing’s as set out in section 5 of the RMA. A ‘do nothing’ approach is likely to result in the West Coast economy continuing to experience downturns in its economic livelihood, also affecting the social fabric of the communities that reside here. Instead the intent is to send a clear signal that the West Coast welcomes investment, business development and growth, recognising that much of this will be leveraged off the resource wealth of the region.</p> <p><u>Status quo</u> – the current RPS applies a very narrow focus to the consideration of resource use limiting this only to ‘minerals’. Feedback received via the Discussion Document indicated a desire for diversification. Retaining the limited provisions that the current RPS contains would not provide for this and limits potential growth. Council was also keen not to ‘pick winners’ in regards to industry sectors as this would not provide for wider diversification of sector growth within the region. In addition, the current provisions were considered to be out of date and not clearly reflective of the regionally significant economic issues that are relevant for the West Coast now. New policies and methods are therefore required to more appropriately address this regionally significant issue.</p> <p><u>Other options</u> – Taranaki Regional Council also takes a similar approach in their RPS incorporating use and development of resources as a separate chapter. Northland Regional Council takes a different approach, but one that seeks natural and physical resources to be sustainably managed in a way that is attractive to business and investment that will improve the economic wellbeing of Northland and its communities. However throughout much of New Zealand the focus within the individual RPS’s is still very much on a limited ‘environmental focus’. This Council has adopted a wider concept of ‘environment’ to also include people. Providing for this requires the Proposed RPS to take a wider focus and seek additional means of trying to stimulate growth and development in the region to enable people and communities to improve their economic and social wellbeing. The approach set out in this Proposed RPS through the policies and methods reflects this new thinking for the wellbeing of West Coast communities.</p>

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	<p>There were no other options considered practicable in order to achieve the objectives as set out.</p> <p>(ii) The two new proposed policies are considered to be efficient and effective as they are clearly linked to the objectives and provide clear direction for the provision of a planning and regulatory framework that will recognise the importance of resource use and development for the benefit of the West Coast. They are designed to be able to provide high level strategic guidance for decisions makers as well as for the development of planning documents.</p> <p>There is a focus in this Chapter to recognise the positive effects of resource use and development which have been designed to enable and actively promote social, cultural and economic wellbeing. This is a fundamental change from the current RPS which had a very clear direction of preserving and protecting the environment, with little (if any) recognition of the need to enable and encourage positive effects and look to the future growth and development of the region. This thinking is no longer appropriate and is neither efficient nor effective in meeting the objectives as proposed. Instead the RPS should in the broadest sense, set out how the region will achieve sustainable management of the natural and physical resources. This proposed RPS does this. The Elected members of the Regional Council wish to demonstrate leadership by ensuring the policy framework for the region's resources reflects the desires of the community.</p> <p>The one proposed method sets out how the objectives and policies are to be achieved – which is primarily through the Regional and District Plans, as well as the consent process. This method is an efficient and effective means of achieving the proposed objectives and policies as it is through these documents and the resource consent process that positive outcomes in relation to resource use and development can accrue.</p> <p>(iii) The reasons for proposing the two new Policies to provide for the use and development of resources are outlined in the <i>Background to the Issues</i> in the Use and Development of Resources Chapter as well as through the problem definition process which identified the significant issues for the West Coast.</p> <p>Policy 1 clearly sets out that the role of resource use and development and its contribution to enabling people and communities to meet their wellbeing's is to be recognised through resource management processes. This is a very strong directive to encourage economic growth and diversification to contribute to the long term wellbeing of communities. The West Coast is rich in natural resources. Growth in the region will be leveraged from these resources; as all provincial regions harness the natural resources available to them. Note that this is not development and growth at any cost. This policy, as all the others in this document and the Regional and District Plans, need to be applied where relevant. Application of the full policy framework will in the future provide for both the human and natural components of the 'environment'.</p>

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	<p>Reverse sensitivity occurs where new land use residents, often new to an area, complain about effects of an existing activity e.g. noise or smells. This can have the effect of imposing economic burdens or operational limits on the existing activity that reduces their viability. The sterilisation of land for future productive uses may arise through residential developments, but also through assignment of conservation classifications or the undertaking of other commercial activities. Policy 2 seeks to highlight the issues in the planning and decision making framework in order for the longer term repercussions of decisions to be considered. Choices relating to the location, supply of different land uses, the management of existing and future infrastructure and the use of natural resources such as water, minerals and the wider natural environment, will influence the economic strength and prosperity of the region and its contribution to the national economy. Natural resources are linked and interrelated and there can be a range of competing uses for, and users of, the same resource. There are also situations where the adverse effects of an activity may impact on an existing activity. Policy 2 highlights this for consideration.</p>
<p>(2)(a) Identify and assess the costs and benefits of the environmental, economic, social, and cultural effects that are anticipated from implementing the provisions, including the opportunities for -</p> <ul style="list-style-type: none"> (i) economic growth that are anticipated to be provided or reduced; (ii) employment that are anticipated to be provided or reduced; 	<p>The inclusion of the provisions regarding the use and development of resources provides a clear indication that the West Coast welcomes business and investment to stimulate growth and development within the region provided that environmental bottom lines continue to be met.</p> <p>Benefits <u>Social and economic:</u> The new enabling objectives, supported by the policies and methods, will give direction for the Regional and District Plans to provide for future development <i>opportunities</i> on the West Coast. However, there is no guarantee that significant increases in economic growth or employment will occur. The scale and rate of growth will partly depend on the costs of development, market demand and conditions, and central government policy. However, should future growth and development occur, this is likely to result in social and economic benefits for individual communities as well as the wider region. Due to the dispersed nature of the West Coast, the establishment of a small number of new businesses can lead to significant benefits for individual communities.</p> <p>Recognition that conflict between competing land uses, and users, can occur flags this for consideration in the preparation of planning documents and during consenting processes and may avoid situations where this will eventuate. Reducing this conflict at an early stage can reduce potential negative economic and social outcomes.</p> <p><u>Environmental and cultural:</u> While the provisions in this Chapter are enabling, as with any Chapter, it cannot be read in isolation from the remainder of the Proposed RPS or the Relevant Regional or District Plans. Due to the regulatory protection that is already in place for freshwater and areas of significant indigenous vegetation, significant habitat of native fauna and areas of outstanding natural features and landscapes (inside and out of the coastal marine area) it is not anticipated that there will be additional environmental impacts on these areas as they are managed closely</p>

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	<p>through consent provisions and ongoing monitoring depending on the scale of activity. It is highly possible that future investment and development could lead to additional environmental protection as many large developments only occur with the provision of ongoing pest control or offsetting of environmental effects.</p> <p>The benefits of enabling future development opportunities will also accrue to iwi recognising that they have an active interest in maintaining a reasonable standard of living for their communities.</p> <p>Costs Resource consent applicants will continue to be charged for processing applications for activities. The Proposed RPS provisions do not place any additional cost requirements on consent applicants above what is already required in the consent process. Costs will vary on a case by case basis, depending on the level of risk and actual and potential effects.</p> <p>It is not anticipated that there will be any significant environmental cost occurring through the implementation of this new policy framework. Instead, it is likely that there will be a positive benefit as identified above. Any increased protection, rehabilitation, or offsetting required by a consent is an activity that is unlikely to be undertaken by any other party.</p>
(2)(b) Quantify if practicable the benefits and costs	<p>There is not expected to be any significant changes to costs. Quantifying the identified benefits and costs is not considered practical or useful, and does not add reasonable value to this section 32 assessment. The time and cost it would take to do a monetary benefit/cost analysis is considered to be unjustified.</p>
(2)(c) Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.	<p>This is a mostly new regionally significant issue focusing on resource use more widely than just minerals as the current RPS does. There is a limitation on the amount of information currently available about some resources such as 'land with significant mineral resource' referred to in policy 2(b)(i). However Council believes that flagging such provisions for consideration means that potential wealth opportunities are not overlooked for the future and more robust decisions can be made in regional and district planning instruments or utilised through consenting processes. It is considered that acting with this level of information is appropriate in this situation.</p> <p>The new enabling provisions will not result in rampant or inappropriate development as they will be balanced with managing effects through other sections of this RPS and the Regional and District Plans. It is possible that if the new enabling provisions, or those intended to direct the preparation and review of the Regional and District Plans are not included, the West Coast may miss out on new development opportunities. Risk averseness can act as a disincentive for business growth and job creation.</p>

4.4 Regionally Significant Infrastructure

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<p>(1)(a) Are the objectives the <i>most appropriate</i> way to achieve the purpose of the Act?</p>	<p>Yes. The proposed new Objective 1 will give direction to decision makers in consent and plan processes to allow for regionally significant infrastructure, subject to managing environmental effects as per Regional and District Plan provisions. The Act allows for the sustainable use of physical resources so people can provide for their economic and social wellbeing. Although the West Coast is generally well serviced by most infrastructure sectors, further work can be done, for example, with broader telecommunication and internet coverage, and more locally generated hydro electricity to lower power prices and further guarantee supply. There are also challenges with providing good quality, cost effective water, wastewater, and solid waste services in a region with a limited income from rates.</p> <p>The West Coast has a small population spread out through a long, narrow region that needs servicing. Compared to other regions many communities are remote, so it is vital that infrastructure is available to enable these communities to remain connected either physically through the roading network or remotely via radio-telecommunications and internet links, in order to be resilient. The West Coast is the only region more than 150km from a major port or population centre and a move towards resupplying based on a 'just in time' philosophy for the majority of fast moving consumer goods (food and fuel) highlights the reliance of the region on the roading network for the movement of key goods⁶. Remoteness does not necessarily mean isolation, however a lack of good quality infrastructure may contribute to a perception of isolation and become a deterrent to growth and business investment.</p> <p>Infrastructure is critical to service the main economic activities of mining, dairying, and tourism, as well as other commercial and industrial operations. As 20% of the West Coast's GDP is derived from the direct use of natural resources⁷, good quality infrastructure is needed to take product from the farm gate to processing centres and on to markets. This is important for continued regional growth and development as outlined in the Resource Use and Development section of the Proposed RPS. The Proposed RPS also recognises the importance of diversification of industry. New development will attract people to the West Coast, adding to the economic and social wellbeing of the region. With increasing numbers of tourists attracted to the Region's natural features, reliable, efficient and effective infrastructure will be required to support growth into the future.</p>
<p>(1)(b) Are the policies and methods the most appropriate way to achieve the objectives, by: (i) are there other reasonably practicable options for achieving the objectives?</p>	<p>Yes. Several new policies and methods are proposed to be added to the RPS which will replace most of the existing ones. The new policies and methods provide clear direction on pertinent issues relating to enabling infrastructure development, maintenance, operation and upgrading. The new Infrastructure Chapter replaces the current Energy, and Network Utilities and Transport Systems Chapters to provide a more concise and cohesive policy framework.</p>

⁶ Draft West Coast Regional Land Transport Plan 2015-21

⁷ Draft West Coast Regional Land Transport Plan 2015-21

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<p>(ii) are they efficient and effective to achieve the objectives?</p> <p>(iii) what are the reasons for deciding on the policies and methods?</p>	<p>(i) In the consideration of the development of policies and methods and whether there were other reasonably practicable options to achieve the objectives:</p> <p><u>Do nothing</u> - having no high level policy direction on regionally significant infrastructure (RSI) is not a reasonably practicable option. An absence of policy direction in the RPS may give an impression that such physical resources have less value compared to the region’s natural resources and features, or that they make a lesser contribution to the sustainability of West Coast communities. This is not the case. Although the Regional Land and Water Plan has two policies that generally recognise the benefits of, and manage effects on, RSI, the RPS needs to give a broader, high-level message that RSI has an important role to help meet the current and desired growth and development needs of the West Coast region.</p> <p><u>Status quo</u> - most of the current provisions reflect the infrastructure issues of the late 1990’s. However the regional economy, the RMA, and our planning framework for managing effects of, and effects on, RSI has changed since then. This makes most of the current provisions no longer relevant. Further reasoning for deleting the current provisions are listed below under subclause (iii).</p> <p><u>Other policies and methods</u> - alternative infrastructure policies and methods in the Taranaki, Wellington and Northland RPS’s were considered, along with policies in the NPS’s for Electricity Transmission (NPSET) and Renewable Energy Generation (NPSREG), to avoid ‘reinventing the wheel’. The RMA requires that councils give effect to national policy statements. A number of the other Council’s provisions considered are similar in that they reflect the direction required in the NPS’s, which is generally relevant to all types of RSI. The common themes are incorporated into the new policies and methods in this proposed Chapter.</p> <p><u>Proposed policies</u> - the options proposed are considered to have the most suitable wording for the West Coast context. While Policy 5 comes from the NPSREG it is worded to apply to other types of RSI, as offsetting can be offered by a consent applicant for other types of medium or large-scale RSI proposal.</p> <p>(ii) The policies and methods are considered efficient and effective to achieve the objective for the following reasons:</p> <p>Only NPSREG policies which are relevant to this Region are proposed to be added in the RPS, as Policies 2 and 5. Despite the West Coast having potential for hydro electricity generation, the West Coast still imports electricity, adding to the cost of useage. Some larger-scale hydro generation consent applications in the past have not been progressed due to difficulties resolving conflicts over providing renewable energy infrastructure that adversely affects conservation values. The ensuing Environment Court appeals have placed a high cost burden on local ratepayers. Policy 5 makes it clear for decision-makers that offsetting can be factored in alongside other relevant considerations when evaluating whether an infrastructure proposal amounts to sustainable management.</p>

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	<p>New Policy 3 complements Policy 2 to give guidance to decision makers on consent applications for infrastructure not provided for by an NPS.</p> <p>New Policy 4 addresses Policy 10 in the NPS on Electricity Transmission. Reverse sensitivity is an issue for Transpower as many parts of the National Grid on the West Coast are not covered by an easement to protect Transpower’s access to pylons and poles for maintenance work. Issues can arise when land use activities encroach under power lines. Reverse sensitivity effects can cause delays and detract from the efficient operation of RSI. The Proposed RPS is worded to be consistent with Policy 2 of the Use and Development of Resources Chapter.</p> <p>Although none of the proposed policies specifically refer to avoiding, remedying, or mitigating adverse environmental effects of RSI, it is important to note that this does not promote infrastructure development at any cost. Methods 1 and 2 refer to Regional and District Plans having rules and methods to manage the effects of RSI, and this is the most efficient approach to address potential issues.</p> <p>New Method 1 reflects the current permitted rules in the Regional Land and Water Plan for micro and small hydro generation activities. Small-scale hydro generation is viable on the West Coast with a lot of rural properties being close to a waterway and sloping land. The Method provides flexibility for having similar rules in District Plans as these are not yet reviewed or publicly consulted on so there is uncertainty about what rules, if any, are appropriate.</p> <p>Given the limited resources of West Coast Councils, Method 2 reflects that plan and consent processes are the most efficient and effective means to achieve the objective.</p> <p>Council’s flood protection works and services are working well to protect people and property from flood hazards, and Method 3 recognises the need for this to continue.</p> <p>(iii) Most of the current RPS Energy and Network Utilities and Transport Systems policies and methods are proposed to be deleted for the following reasons:</p> <ul style="list-style-type: none"> ▪ Not one of Council’s core functions; ▪ The matter is not a current significant resource management issue for the Region; ▪ The issue is a District Council matter, or is appropriately dealt with in Regional Plans; ▪ Promoting efficient use of energy is more of a central government role; ▪ The provision is too broad, it repeats the Act, and does not give clear direction for decision makers; ▪ It does not reflect changes to the RMA, or requirements under new national policy direction; ▪ The provision has been implemented and is no longer necessary; ▪ The Method is implemented through other documents and does not need to be in the RPS; ▪ The Methods have not been implemented and are unlikely to be, or they are not relevant now the policies have changed;

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	<ul style="list-style-type: none"> ▪ The Method is undertaken as part of routine practice, and is implemented in the consent process.
<p>(2)(a) Identify and assess the costs and benefits of the environmental, economic, social, and cultural effects that are anticipated from implementing the provisions, including the opportunities for-</p> <p>(i) economic growth that are anticipated to be provided or reduced;</p> <p>(ii) employment that are anticipated to be provided or reduced;</p>	<p>The new enabling infrastructure objective, policies and methods may provide increased future <i>opportunities</i> for infrastructure development, upgrading, and maintenance. It is difficult to estimate the level of new or upgraded infrastructure that will actually occur over the life of this RPS, or any economic growth or employment arising from it. Infrastructure provision tends to be driven by population and demand to ensure it is economically feasible. Existing, essential 'lifeline' services will continue to be maintained or upgraded, while other non-essential infrastructure may or may not be developed. The new enabling provisions will explicitly require that the benefits of infrastructure be adequately recognised in consent processes, subject to adverse effects being managed.</p> <p>Benefits</p> <p><u>Social and economic:</u></p> <p>Businesses, public and emergency services, and individuals will benefit from improved telecommunication and internet coverage, facilities, and services.</p> <p>Maintenance and operation, including reinstatement of network services, will be efficiently resumed under emergency works provisions and retrospective consents where they are interrupted by severe weather events or natural hazards.</p> <p>Costs of damage to, and loss of, property can be reduced by the ongoing provision of flood control works and services.</p> <p>Death and serious injury crashes may be reduced by upgrading known risk sections of the roading network.</p> <p>Further hydro electricity generation may occur to supply the West Coast and the National Grid, potentially lowering the electricity price for consumers. Electricity sold to the National Grid will provide income for generators.</p> <p>Electricity costs can be reduced for the likes of farms, tourist ventures, and households who can generate their own electricity from micro and small-scale hydro schemes.</p> <p>Reducing the perception of the risk of isolation may encourage more business to locate and invest in the Region.</p> <p><u>Environmental and cultural:</u></p> <p>Development, maintenance and upgrading of roads will provide access to the Region's natural scenic attractions. Visitors and locals can benefit from the amenity values that are experienced with being able to access the natural environment.</p>

Section 32 provision	Evaluation
	<p>Public health and water quality will be maintained and improved as water and waste services are upgraded.</p> <p>Iwi business ventures will generally benefit from improvements to infrastructure such as the roading and radio-telecommunication and internet networks. Iwi values will continue to be recognised through treatment of municipal sewage effluent prior to discharging into rivers and the sea, and separation of sewer and stormwater reticulation.</p> <p>Costs Resource consent applicants will continue to be charged for processing applications for infrastructure activities. The Proposed RPS provisions do not place any additional cost requirements on consent applicants above what is already required in the consent process. Costs will vary on a case by case basis, depending on the nature and scale of environmental effects.</p> <p>Financial costs of necessary maintenance and upgrading of municipal water and waste services, as well as flood protection works via Rating Districts, will be borne by the ratepayers who benefit from the services.</p>
(2)(b) Quantify if practicable the benefits and costs	<p>There is not expected to be any significant changes to costs from the status quo. The costs and benefits are described in general terms for the whole Region, and the effects of the proposed provisions are not anticipated to be vastly different compared to what currently happens with infrastructure provision. Quantifying benefits and costs is not considered practical or useful, and does not add reasonable value to this section 32 assessment. The time and cost it would take to do it is considered to be unjustified.</p>
(2)(c) Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.	<p>The consent process allows Councils to obtain sufficient information to assess effects of medium to large-scale infrastructure activities and make a decision on the proposed activity. The consent process also allows for adaptive management approaches to be taken in consent conditions to address any uncertainty of effects.</p> <p>The new enabling provisions will not result in rampant, inappropriate infrastructure development. Proposed Policy 5 directs decision makers to "have regard to" offsetting measures, it does not require that such measures must be used. There are sufficient other provisions in the Proposed RPS and Regional Plans to enable effects to be assessed and managed.</p> <p>It is possible that if the new enabling provisions are not included, the West Coast may miss out on new or improved infrastructure, thus limiting the community's ability to realise economic growth or employment opportunities.</p>

4.5 Biodiversity and Landscape Values

Section 32 provision	Evaluation
<p>(1)(a) Are the objectives the <i>most appropriate</i> way to achieve the purpose of the Act?</p>	<p>Yes. New Objectives 1, 2 and 3 are the most appropriate means of protecting significant indigenous vegetation and significant habitat of native fauna as well as providing for natural character and areas of outstanding natural features and landscapes. The objectives are considered to meet the requirements of Section 6 of the Act as well as being consistent with the direction given in the overarching Resilient and Sustainable Communities, and Use and Development chapters. The objectives clearly state the outcomes that are desired for the region.</p> <p>Given the current economic downturn and low population on the West Coast, Objective 1 in particular, recognises the importance of allowing appropriate development in order to meet the social and economic needs of West Coast communities. Objective 1 reflects the balance of providing for development while managing effects on natural values. The economy of the West Coast is reliant on natural resources. The challenge is providing for appropriate development whilst ensuring that environmental bottom lines, including those relating to biodiversity and landscape values, are maintained. The planning framework proposed in this RPS, as well as that already established within the Regional and District Plans, will provide for this.</p> <p>The West Coast is recognised as having an abundance of biodiversity. With a significant proportion of the region under the administration of the Department of Conservation, encouraging the Crown to exchange areas of low conservation value for areas of significant fauna or vegetation on private land is considered the most appropriate way to ensure protection for the most significant areas, while allowing for low-value land to be used productively to provide for the economic and social wellbeing of West Coast communities. This 'exchange' will not always be able to occur and the objective continues to recognise and provide for areas with significant biodiversity or outstanding landscape values regardless.</p> <p>Due to the land tenure of the West Coast, many areas with outstanding natural features and landscapes are located on Crown conservation lands and are already afforded a level of protection due to this. Objective 3 recognises and provides for such areas taking into account the direction provided in Objective 1.</p> <p>These new objectives are the most appropriate way to achieve the purpose of the Act as they reflect the issues regarding the management of biodiversity and landscape values in a region where they are plentiful. It moves away from the traditional planning approach to the management of such areas, as set up in the current RPS, and carefully considers how this region is to manage these resources into the future. They establish a high level principles approach whilst setting up a regulatory framework which manages the protection of environmental bottom lines. These objectives provide a clear direction for the management of such areas which will be reflected through the Regional and District Plans.</p>
<p>(1)(b) Are the policies and methods the most appropriate way to achieve the objectives, by:</p>	<p>Yes. The policies and methods clearly set the direction for the ongoing management of these resources.</p>

Section 32 provision	Evaluation
<p>(i) are there other reasonably practicable options for achieving the objectives?</p> <p>(ii) are they efficient and effective to achieve the objectives?</p> <p>(iii) what are the reasons for deciding on the policies and methods?</p>	<p>(i) In the consideration of the development of the policies and methods and whether there were other reasonably practicable options to achieve the objectives:</p> <p><u>Do nothing</u> – section 30 of the RMA sets out the functions of regional councils. “Every Regional Council shall have the following functions for the purpose of giving effect to this Act in its region... (ga) the establishment, implementation, and review of objectives, policies, and methods for maintaining indigenous biological diversity.”</p> <p>This means that the Regional Council has a planning role for biodiversity. In addition to this, section 62(1)(i)(iii) requires that the RPS must state the local authority responsible for objectives, policies and methods for the control of the use of land to maintain indigenous biological diversity. In this case the function is to be undertaken by the District Councils of the region except where the control of the use of land relates to the Regional Council’s functions regarding the coastal marine area, the beds of rivers and lakes, and scheduled wetlands. Due to the complexity of the management of biodiversity on the West Coast, and the requirements under the RMA, a ‘do nothing’ approach in regards to this issue is not appropriate. Clear direction is required to provide certainty to the community.</p> <p><u>Status quo</u> – the current approach is out of date and does not reflect the regionally significant issues affecting the West Coast now. It was therefore considered impracticable to keep the current policies and methods. Further reasons for their deletion is included under (iii) below.</p> <p>While <u>other approaches</u> to the management of biodiversity and landscape values adopted around the country were reviewed and considered, the West Coast is unique in its relative abundance of such resources. The development of the Regional and District Plans, since the adoption of the current RPS in 2000, has resulted in a significant amount of specific detail being developed to manage these resources. The management of such areas is a complex issue for New Zealand as a whole and it is important that an approach that is relevant to this region is adopted to address what is regionally significant to this region. Feedback garnered from the community during consultation on the Discussion Document, as well as through other forums, supported a change in the management regime. There were no other options considered practicable in order to achieve the objectives as set out.</p> <p>(ii) The three new proposed policies are considered to be efficient as they provide direction for the Regional and District Plans without going into the same level of detail found within those documents. The existing eight policies are currently too detailed and replicate that which is found within the Plans themselves. The new policies are clearly linked to the objectives, and provide sound direction for decision-makers in the consents process particularly Policy 3 in regards to outstanding natural features and landscapes. Supported by the Regional and District Plans this policy framework addresses the issues around balancing the enablement of development with the protection of natural values. Where regulatory tools are to be applied, these are to be <u>targeted to significant and/or outstanding values so as to not prevent</u></p>

Section 32 provision	Evaluation
	<p>appropriate use and development and the objective of protecting ecosystem values does not come at the cost of choking the economic wellbeing of the region. It is considered that this practical and pragmatic approach is more likely to result in community acceptance and support for biodiversity and landscape protection in the region.</p> <p>The proposed three methods set out how the objectives and policies are to be achieved – which is primarily through the Regional and District Plans, as well as the consent process. Method 2 promotes the theme of the exchange of land with significant values for that with lower conservation values held by the Department of Conservation. Most of the existing 11 methods in the Habitats and Landscapes Chapter of the RPS are outdated as they do not reflect current best practice, have already been implemented, or are not considered to be the most appropriate way to achieve the current objectives (refer to (iii) below for further detail on their deletion).</p> <p>(iii) Reasons for proposing the new Policies 1 - 3 to manage biodiversity and landscape values are outlined in the <i>Background to the Issues</i> in the Biodiversity and Landscape Values Chapter as well as the problem definition process identified in significant issues for the West Coast. These policies and methods are considered the most efficient and effective way in which to address the complicated concept of managing biodiversity and landscape values while providing for the economic and social wellbeing of communities throughout the West Coast region.</p> <p>The current policies are proposed to be deleted for the following reasons:</p> <ul style="list-style-type: none"> ▪ They provide detail which is of a level suitable for Regional or District Plans e.g. they are too specific and do not provide overarching guidance; ▪ They do not accurately reflect the issues that are currently facing the West Coast; ▪ Criteria and identification of areas is better placed within regional and district plans. This has already occurred in some cases e.g. Schedule 1 and 2 wetlands; ▪ New reports i.e. the Brown Reports, or Environment Court processes, have provided new frameworks for determining values or significance criteria and the current policies are now out of date; ▪ Repeats requirements of the Resource Management Act e.g. protection of the habitat of trout and salmon, which provides no additional direction or guidance to decision makers; ▪ The task is not one of Council’s core functions. <p>All current methods are proposed to be deleted for the following reasons:</p> <ul style="list-style-type: none"> ▪ They have not been implemented and/or are unlikely to be; ▪ They are now obsolete; ▪ The task is done as routine practice in the consent process; ▪ The task is not one of Council’s core functions; ▪ The method is provided for in the RMA and does not need to be repeated in the Draft RPS; ▪ Not reflective of a regional issue.

Section 32 provision	Evaluation
<p>(2)(a) Identify and assess the costs and benefits of the environmental, economic, social, and cultural effects that are anticipated from implementing the provisions, including the opportunities for -</p> <ul style="list-style-type: none"> (i) economic growth that are anticipated to be provided or reduced; (ii) employment that are anticipated to be provided or reduced; 	<p>The proposed changes to the Biodiversity and Landscape Values Chapter are intended to provide for the opportunity of future economic growth and employment through enabling development whilst ensuring the protection of environmental bottom lines.</p> <p>Benefits <u>Social and economic:</u> The new enabling objectives, policies, and methods will give direction for the Regional and District Plans to provide for future development <i>opportunities</i> on the West Coast. However, there is no guarantee that significant increases in economic growth or employment will occur. The scale and rate of growth will partly depend on the costs of development, market demand and conditions, and central government policy. The new enabling provisions will at least require that the benefits of new development be explicitly recognised, subject to adverse effects being managed.</p> <p>There may be further opportunities for different types of commercial eco-tourism, adventure or nature tourism to utilise the protected habitat, vegetation and rivers in the region, as well as providing employment and income. Development, such as mining in conservation areas can provide employment and income as well as species protection through establishing alternative habitat locations and pest eradication.</p> <p>The exchange of low environmental value land which can be used for production purposes will provide for increased economic and social benefit. Wider social, or public, benefit will also accrue through the Department of Conservation taking ownership of land with significant values into perpetuity. It also provides a practical and pragmatic approach of the spending of public money by protecting areas with significant values instead of the cost associated with administering areas with low conservation value. The creation of new production land through exchange processes is likely to contribute to increased economic growth and employment as well as contributing to the social wellbeing of those communities.</p> <p><u>Environmental and cultural:</u> Areas of significant indigenous vegetation, significant habitat of native fauna and areas of outstanding natural features and landscapes will be managed to avoid, remedy or mitigate adverse effects. Long term environmental gains will result from any land exchanges occurring which will see further protection of the most significant areas on the West Coast. The proposed objectives, policies and methods focus on those areas that are the most important i.e. are significant or outstanding according to robust technical assessment.</p> <p>The benefits of managing areas of significant indigenous vegetation, significant habitat of native fauna and areas of outstanding natural features and landscapes will also accrue to iwi recognising that some resources, places or things are of special significance to Maori.</p> <p>Costs Resource consent applicants will continue to be charged for processing applications for activities within, or</p>

Section 32 provision	Evaluation
	<p>affecting, such areas which may or may not be granted depending on the scale of effects. The proposed RPS provisions do not place any additional cost requirements on consent applicants above what is already required in the consent process. Costs will vary on a case by case basis, depending on the level of risk and actual and potential effects.</p> <p>It is not anticipated that there will be any environmental cost through the implementation of this new policy framework. Instead, it is likely that there will be a positive benefit through the encouragement of land exchange which will provide further protection to those areas with the most significant values within the region, while also providing for increased production land to become available.</p>
(2)(b) Quantify if practicable the benefits and costs	<p>There is not expected to be any significant changes to costs at this time. Such an exercise is not considered practical or useful, and does not add reasonable value to this section 32 assessment. The time and cost it would take to do a monetary benefit/cost analysis is unjustified. This analysis is more appropriate in future Plan changes which may impinge on individual property rights should additional areas be identified as requiring a management approach to be applied.</p>
(2)(c) Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.	<p>There has been a considerable amount of work done over the past several years which has identified wetland areas that are, or are likely to be significant within the Regional Land and Water Plan, as well as the work identifying outstanding natural features and landscapes. Further work is ongoing in the identification of significant natural areas at the district level. This work lends confidence to the approach taken within this RPS for the management of biodiversity and landscape values. The new enabling provisions will not result in rampant, inappropriate development as they will be balanced with managing effects through the Regional and District Plans.</p> <p>It is possible that if the new enabling provisions are not included, the West Coast may miss out on new development opportunities. Risk averseness can act as a disincentive for business growth and job creation.</p>

4.6 Land and Water

Section 32 provision	Evaluation
<p>(1)(a) Are the objectives the <i>most appropriate</i> way to achieve the purpose of the Act?</p>	<p>Yes. New Objectives 1, 2 and 3 are the most appropriate means of protecting water quality and quantity values as well as providing for the ecological health of these resources. The objectives are considered to meet the requirements of Section 7 of the Act, the National Policy Statement (NPS) for Freshwater, as well as being consistent with the direction given in the overarching Resilient and Sustainable Communities, and Use and Development chapters. The objectives clearly state the outcomes that are desired for the region.</p> <p>Land and water has been incorporated into the one Chapter with combined objectives, policies and methods recognising that the activities that occur on land directly, or indirectly, affect the quantity and quality of water throughout the region.</p> <p>Council's most recent State of Environment Report contains an assessment made against the National Objectives Framework (NOF) introduced by the NPS on Freshwater. This NOF has been applied to a range of lake and river water quality attributes throughout the region with these sites generally scoring well (e.g. A) which is well above the national bottom-line (e.g. D). Recognising that the West Coast has generally high water quality, the focus will continue to be on maintaining, or improving where there are lower scores in a small number of catchments, whilst recognising the importance of enabling a range of land and water uses in order to meet the social and economic needs of West Coast communities. Objective 1 reflects the balance that needs to be applied with this enabling perspective while avoiding, remedying or mitigating adverse effects. It is important to note that this objective does not promote development at any cost. Water quality is an important attribute for West Coast communities and businesses alike. The planning framework proposed in this RPS, as well as that already established within the Regional and District Plans recognises and provides for this.</p> <p>With frequent and high rainfall, water quantity is generally not an issue for the West Coast. However, the drought between November 2012 and March 2013 highlighted issues regarding water quantity in the upper Grey Valley catchment. With potential additional development, and increased water requirements in other areas, water quantity may become an issue elsewhere in the region. Objective 2 seeks to take a proactive approach to the management of such impacts and signals that this is an area that the Regional Council is potentially concerned about with possible implications for the provisions of the current Regional Land and Water Plan.</p> <p>Objective 3 highlights the need for integration between what happens on land and the freshwater present within those catchments. This proposed objective is the only one of the three objectives in the RPS that is new in concept from the current RPS and reflects the provisions of the NPS on Freshwater.</p> <p>These new objectives are the most appropriate way to achieve the purpose of the Act as they reflect the issues regarding the management of freshwater in a region that enjoys relatively abundant rainfall and generally high water quality. It is notably different from both the current RPS, and that taken by other regional councils as it</p>

Section 32 provision	Evaluation
	<p>proposes a streamlined and high level strategic approach to the management of this resource focussing on the key issues for this region. It not only considers those issues facing the region now, but potential trends into the future with water quantity. The objectives establish a high level approach whilst setting up a regulatory framework which will continue to manage for the protection of environmental bottom lines. These objectives provide a clear direction for the management of freshwater which will be reflected through the Regional and District Plans.</p>
<p>(1)(b) Are the policies and methods the most appropriate way to achieve the objectives, by:</p> <ul style="list-style-type: none"> (i) are there other reasonably practicable options for achieving the objectives? (ii) are they efficient and effective to achieve the objectives? (iii) what are the reasons for deciding on the policies and methods? 	<p>Yes. The policies and methods clearly set the direction for the ongoing management of freshwater resources.</p> <p>(i) In the consideration of the development of the policies and methods and whether there were other reasonably practicable options to achieve the objectives:</p> <p><u>Do nothing</u> – freshwater quality is a national issue and in order to achieve the purpose of the RMA the Crown issued a NPS in 2011 to set a national direction for the management of this resource. As stated previously, water quality is generally good on the West Coast. This is a standard that the Regional Council wants to see retained. As such, a policy framework which reflects the requirements of both the NPS for Freshwater, and the aspirations of the Regional Council on behalf of its community is required, and a ‘do nothing’ approach would not be appropriate in this case.</p> <p><u>Status quo</u> – retaining the current policies and methods would not achieve the implementation of the proposed objectives. The current approach is out of date and does not reflect the regionally significant issues affecting the West Coast now. In addition, the current policies and methods are far too detailed and specific in nature for inclusion within this Proposed RPS. Any such detail should be included within the Regional and District Plans. Further reasoning for their deletion is included under (iii) below.</p> <p>While <u>other approaches</u> to the management of land and water adopted around the country were reviewed and considered, the West Coast is unique in its generally good water quality and high rainfall. The development of the Regional and District Plans, since the adoption of the current RPS in 2000, has resulted in a significant amount of specific detail being developed to manage activities which can result in discharges to water affecting water quality as well as the impact water takes may have on ecosystem values.</p> <p>The management of freshwater, whether it is for quality or quantity, can be complex and have significant impacts on landowners, water users and communities generally. While there is a substantial rollout of national documentation for the management of this resource, it is important that an approach that is relevant to the West Coast is adopted to address what is regionally significant to this region, while still meeting national targets and legislative requirements. In reviewing the Proposed RPS there were no other policies or methods considered practicable in order to achieve the objectives as set out.</p>

Section 32 provision	Evaluation
	<p>(ii) The three new proposed policies are considered to be the most efficient and effective way to meet the proposed objectives. The existing 10 policies are currently too detailed and replicate much of what is found within the Regional and District Plans. Redrafted, they now address the most pertinent issues facing the region in regards to water quality, providing a sound framework for further policy on how this is to be implemented. They closely mirror the proposed objectives but provide further detail on how they are to be achieved as well as high level strategic direction for decision-makers in the consents process. This approach is practical and pragmatic and reflects the issues that the region faces for freshwater management.</p> <p>The proposed four methods set out how the objectives and policies are to be achieved – which is primarily through the Regional and District Plans. The existing 28 methods in the Water Chapter of the RPS are outdated as they do not reflect current best practice, have already been implemented, or are not considered to be the most appropriate way to achieve the current objectives (refer to (iii) below for further detail on their deletion). The Regional Land and Water Plan was made operative on 27 May 2014, and is a robust Plan for efficiently and effectively managing water use, and land uses such as earthworks which can affect water quality. The District Plans are being reviewed and this process will seek to improve their efficiency and effectiveness in regards to the integration of land use (as per section 31 of the Act) affecting water.</p> <p>(iii) Reasons for proposing the new Policies 1 - 3 to manage land and water and their values is outlined in the <i>Background to the Issues</i> in the Land and Water Chapter as well as the problem definition process identified in the significant issues for the West Coast. These policies and methods are considered the most efficient and effective way in which to address the complex issue of freshwater management while providing for the economic and social wellbeing of communities throughout the West Coast region. The proposed policies also reflect the provisions of the NPS on Freshwater while applying it to a West Coast context.</p> <p>The current policies are proposed to be deleted for the following reasons:</p> <ul style="list-style-type: none"> ▪ They provide detail which is of a level suitable for Regional or District Plans e.g. they are too specific and do not provide overarching guidance; ▪ They do not accurately reflect the regionally significant resource management issues that are currently facing the West Coast; ▪ Repeats requirements of the Resource Management Act e.g. protection of the habitat of trout and salmon, which provides no additional direction or guidance to decision makers; ▪ Are policies that address areas not considered to be regionally significant resource management issues for the region at this time e.g. geothermal water. <p>All current methods are proposed to be deleted for the following reasons:</p> <ul style="list-style-type: none"> ▪ They have not been implemented and/or are unlikely to be;

Section 32 provision	Evaluation
	<ul style="list-style-type: none"> ▪ They are too detailed and specific for inclusion within this document; ▪ They are now obsolete; ▪ The task is done as routine practice in the consent process; ▪ The task is not one of Council's core functions; ▪ The method is provided for in the RMA and does not need to be repeated in the Proposed RPS; ▪ Not reflective of a regional issue.
<p>(2)(a) Identify and assess the costs and benefits of the environmental, economic, social, and cultural effects that are anticipated from implementing the provisions, including the opportunities for -</p> <p>(i) economic growth that are anticipated to be provided or reduced;</p> <p>(ii) employment that are anticipated to be provided or reduced;</p>	<p>The review of the RPS and the changes proposed for the Land and Water Chapter are not anticipated to result in major changes to the management of freshwater resources in terms of protecting ecological values or increasing economic growth or employment from what is currently experienced.</p> <p>Benefits</p> <p><u>Social and economic:</u> The new objectives, policies and methods will give direction for the Regional and District Plans. The ongoing protection of the quality and quantity of freshwater is paramount. Ensuring this will provide both social and economic benefits as many businesses rely on both of these factors to undertake their core activity, with communities also relying on this resource for their drinking water and recreational pursuits. Good quality freshwater, rivers and lakes will continue to contribute to visitors' recreational and scenic enjoyment.</p> <p><u>Environmental and cultural:</u> The management of land and water through the Proposed RPS will continue to provide environmental benefits for the region. As stated earlier, the new provisions do not lessen the protection afforded to this resource, instead it brings it up to date with the policy framework adopted in the Regional Land and Water Plan. Aquatic ecosystems will continue to benefit from having their habitats maintained or improved.</p> <p>Iwi have a special relationship with many of the waterbodies on the West Coast. The Proposed Land and Water provisions will continue to provide protection to freshwater recognising that this resource, and where it is located, can be of special significance to Maori.</p> <p>Costs</p> <p>The proposed provisions are not anticipated to result in any new costs. Resource consent applicants will continue to be charged for processing applications for activities affecting this resource which may or may not be granted depending on the scale of effects. The Proposed RPS provisions do not place any additional cost requirements on consent applicants above what is already required in the consent process. Costs will vary on a case by case basis, depending on the level of risk and actual and potential effects.</p> <p>It is not anticipated that the new provisions will result in any environmental costs with the protective elements still in effect within the policy framework.</p>

Section 32 provision	Evaluation
(2)(b) Quantify if practicable the benefits and costs	<p>There is not expected to be any significant changes to costs. Quantifying the identified benefits and costs is not considered practical or useful, and does not add reasonable value to this section 32 assessment. The time and cost it would take to do a monetary benefit/cost analysis is unjustified. This analysis is more appropriate if future Plan changes impinge on individual property owners.</p>
(2)(c) Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.	<p>Through 3-yearly State of Environment reporting and monitoring of complaints the Regional Council has sufficient information to adopt the policy approach proposed for this RPS. In regards to water quantity and potential issues of water allocation, the policy framework in this RPS, supported by provisions in the Regional Plan, are appropriate to address any potential future issues that may arise.</p> <p>The proposed provisions in this Chapter will continue to provide for the management of freshwater throughout the region. The Council is confident that the proposed new enabling provisions throughout the RPS will not result in a decline to freshwater bottom lines as the provisions to manage effects will continue to be applied through the Regional and District Plans as well as conditions on resource consents.</p> <p>Note also the performance management framework in the Long Term Plan also monitors and reports on trends in water quality, indicating the fundamental importance Council places on achieving positive trends in environmental quality in the region.</p>

4.7 Coastal Environment

Section 32 provision	Evaluation
(1)(a) Are the objectives the <i>most appropriate</i> way to achieve the purpose of the Act?	<p>Yes. The objectives are the most appropriate means of enabling subdivision, use and development in the coastal environment to continue whilst protecting significant natural values from the adverse effects of development. Recreational and commercial whitebait fishing is a vital coastal activity bringing in food and income for local communities. Extraction of gold, gravel, sand, stone, and driftwood also contributes to the economic, social and cultural fabric of the West Coast. A proportion of the narrow strip of flat, productive land in the Region lies in the coastal environment, and is valuable for dairy and livestock farming. Residential sections and lifestyle blocks with coastal views have been in demand, and visitors are drawn to the Region for the spectacular coastal views. Given the current economic downturn on the West Coast, coastal resource use and development should be appropriately enabled to provide for current and future opportunities to utilise the natural resources of the coastal environment.</p> <p>New Objective 1 meets the requirements of section 6 of the RMA, and the New Zealand Coastal Policy Statement 2010 (NZCPS) to recognise and provide for the protection of significant and outstanding natural values in the coastal environment. At least 50% of the West Coast coastal environment above the Mean High Water Spring line is either protected as conservation estate or is remote with little or no development. Newly gazetted marine reserves ensure protection of marine habitat, and through the current Coastal Plan review process, Council has identified outstanding areas of coastal natural character and landscapes where new development may be restricted to avoid adversely affecting these values. Challenges arise around balancing environmental protection and enabling development, to meet legislative requirements. However, in the West Coast coastal environment there is an abundance of natural values, and plenty of space for new activities so environmental bottom lines are unlikely to be threatened.</p> <p>Regarding new Objectives 3 and 4, people must be able to provide for their social and economic wellbeing, however this needs to be balanced against the risk to people, property and infrastructure from coastal hazard events. The risk-based approach to managing hazard effects is appropriate given the complexities and uncertainty inherent with coastal processes. In the last 15 years there has been increased demand for coastal rural-residential subdivision. While this demand appears to have eased off in recent years, there are now numerous coastal sections available for development, which may or may not be at risk of being affected by coastal hazards. Sea level is predicted to rise in the future along with more frequent, high intensity, short duration rainfall events potentially raising water levels around river mouths where most of the population is located. Objectives 3 and 4 will be reflected in Regional and District Plan provisions to manage the hazard risk for existing and new development in the coastal environment.</p>
(1)(b) Are the policies and methods the most appropriate way to achieve the objectives, by: (i) are there other reasonably practicable options for achieving the objectives?	<p>Yes. The policies and methods are the most appropriate way to achieve the objectives.</p> <p>(i) In the consideration of the development of policies and methods and whether there were other reasonably practicable options to achieve the objectives:</p>

Section 32 provision	Evaluation
<p>(ii) are they efficient and effective to achieve the objectives?</p> <p>(iii) what are the reasons for deciding on the policies and methods?</p>	<p><u>Do nothing</u> - although the NZCPS gives high-level policy direction for managing the effects of activities in the coastal environment not all the policies are relevant for the West Coast, and those policies which are relevant need to reflect the nature of the particular resource management issues in the West Coast coastal environment. Allowing use and development while protecting significant natural values, and managing coastal hazard risk are the most common issues occurring in many parts of the coastal environment, making them a significant resource management issues.</p> <p>If no high-level policy direction is given in the RPS, resource managers must rely on either the NZCPS policies which may not be the most appropriate for the West Coast as mentioned above, or the Coastal and District Plan policies which are somewhat out of date and are being reviewed. High-level policy direction in the RPS is needed to direct the new Coastal Plan and District Plans.</p> <p><u>Status quo</u> - retaining the current policies is inappropriate as they were developed prior to the first Coastal Plan, and these matters are now dealt with in the current Coastal Plan, and any future Coastal Plan. They also focus primarily on the environment, and give virtually no recognition of enabling resource use. The existing 19 policies are excessive for the relatively small number and scale of current issues in the coastal environment. Specific reasons for deleting current provisions are listed below under clause (iii).</p> <p><u>Other policies</u> - other policies on various matters were suggested by parties consulted with through the RMA First Schedule section 3 process. However, most of these matters are addressed in the Coastal Plan, or are not considered to be significant resource management issues. The abundance of natural values, limited coastal development, and the Department of Conservation's role in coastal protection, means there is no need to include other policies and methods for further protection of natural values.</p> <p>Other regional councils' RPS provisions for the coastal environment were considered, however they are not altogether relevant to the West Coast context.</p> <p>A specific test is required by the NZCPS Policies 11, 13, and 15, to avoid adverse effects on significant biodiversity and natural character, and outstanding landscape values, and this must be given effect to.</p> <p>(ii) The policies and methods are considered efficient and effective to achieve the objective for the following reasons:</p> <p>The five new proposed policies will provide clear direction for the new Regional Coastal and District Plans without going into the level of detail which can be found in the Plans. The proposed policies address the most pertinent issues of enabling development whilst balancing this with the protection of significant natural values and managing coastal hazard risk. The new policies are clearly linked to the objectives, and give sound direction for decision-makers in the consents process. They also give effect to the relevant NZCPS policies.</p>

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	<p>The 19 coastal policies in the current RPS are excessive for the level of development in this part of the Region, and are no longer efficient for giving direction for the new Coastal Plan.</p> <p>The risk-based management approach reflected in the proposed Policies 3-5 is an efficient and effective way to ensure that the level of hazard management is appropriate for the identified risk. The West Coast coastline is an exposed environment subject to natural hazard processes. The three largest towns and several smaller towns and settlements are located in the coastal environment. A number of these urban areas are also next to river mouths, or adjoin sections of coastline subject to erosion. Existing and potential future development may or may not be at risk from coastal hazards. While Council has information on some known coastal hazard areas, hazard risks may arise at new sites in the future, and erosion cycles and rates may vary. A risk management approach based on latest information and guidelines is practical and pragmatic for avoiding excessive restrictions on development where it is not warranted, and ensuring sufficient precautions are taken to protect people, property and infrastructure when needed.</p> <p>The proposed four new Methods reflect current practice which is working well. Most of the existing 49 methods in the Coastal Environment Chapter of the current RPS are outdated as they have been included in the Coastal Plan which is more efficient and effective given the level of detail they provide.</p> <p>(iii) Reasons for proposing the new Policies 1 and 2 to manage effects on natural values, and provide for appropriate development, are generally outlined in the Background to the Issues in the Coastal Environment Chapter.</p> <p>The current policies are proposed to be deleted for the following reasons:</p> <ul style="list-style-type: none"> ▪ Whitebait habitat and stands, and coastal water quality are not significant resource management issues; ▪ Regarding the current Habitat Policies 9.1 and 9.2 referred to in the Coastal Environment Policies 10.1.1 and 10.1.2, criteria and identification of areas is better placed within Regional and District Plans; ▪ New reports have provided new frameworks for determining criteria for outstanding natural character and landscapes, and the current policies are now out of date; ▪ Reference to the 1994 New Zealand Coastal Policy Statement is obsolete; ▪ Some provisions are provided for in the RMA or the NZCPS 2010 and do not need to be repeated in the RPS; ▪ The Regional Land and Water Plan has provisions to manage land use which may have effects on whitebait habitats in the coastal environment. Similar provisions will be added to the new Coastal Plan. <p>In addition to removing the methods directing development of the first Coastal Plan, all other current methods are proposed to be deleted for the following reasons:</p> <ul style="list-style-type: none"> ▪ They have not been implemented and/or are unlikely to be; ▪ They are now obsolete;

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	<ul style="list-style-type: none"> ▪ The task is undertaken as routine practice in the consent process; ▪ They reflect NZCPS 1994 provisions which are now obsolete; ▪ The task is not one of Council’s core functions; ▪ The method is provided for in the RMA; ▪ Information is provided as and when needed; ▪ The use of economic instruments is unnecessarily duplicated for each of the five issue sections in the Chapter; ▪ Not reflective of a regional issue.
<p>(2)(a) Identify and assess the costs and benefits of the environmental, economic, social, and cultural effects that are anticipated from implementing the provisions, including the opportunities for-</p> <p>(i) economic growth that are anticipated to be provided or reduced;</p> <p>(ii) employment that are anticipated to be provided or reduced;</p>	<p>The proposed changes to the Coastal Environment Chapter are not expected to result in large-scale changes in the coastal environment in terms of protecting significant natural values, increases in economic growth or employment, or the management of coastal hazards. The whole coastline is exposed to rough climatic conditions. The northern and southern parts are also remote, not accessible by road, and are protected as conservation estate so inshore development is already limited in these areas. Economic growth and development may occur in the central part of the West Coast coastline through an increase in existing coastal activities or new resource use.</p> <p>It is not anticipated that management of coastal hazard risk will generate many opportunities for economic growth and employment. Construction and maintenance of hazard protection works will generate work for contractors but this will be on a temporary, ad hoc basis as and when needed. Likewise investigation and analysis of coastal hazard risk may provide short-term contract work for coastal hazard experts but will not result in permanent employment.</p> <p>Benefits <u>Social and economic:</u> The new enabling objective, policy, and method will give direction for the new Coastal Plan to provide for future development opportunities in the coastal environment. It is difficult to estimate the number, type, or scale of economic growth or employment that will occur as this will partly depend on the costs of development, market demand and conditions, and central government policy. The new enabling provisions will at least require that the benefits of new development be explicitly recognised, subject to adverse effects being managed.</p> <p>Existing resource uses such as whitebait fishing, decorative stone collection, natural material removal, and mining can continue to gain financial, cultural, and social benefits from these activities.</p> <p>New coastal development above the coastal marine area, mainly houses and baches, which are not affected by coastal hazards can enjoy the amenity values experienced from living by the sea. Tourists can continue to enjoy the coastal scenery, and local communities can gain financially from visitor accommodation and services.</p>

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	<p>The new provisions for managing hazard risk will continue to help protect people and property, and reduce the risk of damage or loss of property and infrastructure, and associated costs.</p> <p><u>Environmental and cultural:</u> Significant and outstanding coastal biodiversity, natural character and landscapes will be retained, while allowing small-scale development where it does not detract from these values.</p> <p>It is anticipated that West Coast iwi will continue to gain financial, cultural and social benefits from using coastal resources, as well as having their taonga protected from the adverse environmental effects of resource use.</p> <p>The benefits of managing coastal hazard risk will also accrue to iwi communities and their property in the coastal environment.</p> <p>Costs Resource consent applicants will continue to be charged for consent processing, including an assessment of coastal hazard risk where a proposed new development may be adversely affected by a coastal hazard, or may contribute to causing or exacerbating a coastal hazard. Costs will vary on a case by case basis, depending on the level of risk and actual and potential effects. In some situations, landowners of hazard prone land may encounter additional costs with developing land or buildings as they will need to demonstrate that their development will have sufficient mitigation measures factored in. However this is not expected to have a significant economic or social cost and instead provide wider benefits to the communities in general.</p> <p>Ratepayers with coastal land affected by erosion or inundation will likely pay for any resulting work necessary to reduce the hazard risk, for example, through Rating District protection work. This cost will depend on the scale of the hazard and the level of protection required.</p> <p>Both the above are not new costs arising from the new proposed provisions. It is routine practice for those who exacerbate hazard risk, or benefit from hazard reduction work, to pay the cost as per Council's user pays policy.</p>
(2)(b) Quantify if practicable the benefits and costs	<p>There is not expected to be any significant changes to costs. Quantifying the identified benefits and costs is not considered practical or useful, and does not add reasonable value to this section 32 assessment. The time and cost it would take to quantify the benefits and costs is considered to be unjustified. The effect of the new provisions is likely to be small-scale, and there are no new or large costs arising from implementation.</p>
(2)(c) Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.	<p>Councils have sufficient information on resource use in the coastal environment to be confident that the proposed new provisions will enable appropriate resource use and development to continue while providing for the protection of significant natural values. Much of the West Coast coastal environment is undeveloped. The</p>

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	<p>new enabling provisions will not result in rampant, inappropriate coastal development as they are balanced with managing effects through the RPS, and Regional and District Plans.</p> <p>It is possible that if the new enabling provisions are not included, the West Coast may miss out on new development opportunities in the coastal environment. Risk averseness can act as a disincentive for business growth and job creation.</p> <p>The risk-based approach proposed for managing coastal hazard risk is appropriate as there are national guidelines and scientific data available for Councils to utilise to assess the risk and make informed decisions on what is appropriate coastal development. The current Coastal Plan identifies Coastal Hazard Areas (CHA's) where there is a recognised risk of erosion or inundation to adjoining property and infrastructure. These have been reviewed as part of the Coastal Plan review and given a priority ranking of low, medium, or high risk. The reviewed CHA's with the priority ranking will assist West Coast Councils with decision-making on managing hazard risk for existing and new coastal development in the future. It is preferable that a risk-based approach is spelled out in the new policies in this Chapter rather than retaining the current policies and assuming that it will be used.</p> <p>The proposed coastal hazard provisions are based on the information that is available at this time. Ongoing work is being done at a national level on hazard management as well as the RMA reforms, so further guidance may be released which could be either statutory or non-statutory. Should further information on coastal hazards come to light then these will be implemented as required. Understanding risk as best as can, and with proper planning, the potential impact on communities from coastal hazard events can be reduced.</p>

4.8 Air Quality

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<p>(1)(a) Are the objectives the <i>most appropriate</i> way to achieve the purpose of the Act?</p>	<p>Yes. The new Objectives are the most appropriate as they are reflective of current West Coast air quality issues while meeting central government legislative requirements. Objective 1 allows Council to work towards meeting the National Environmental Standard for Air Quality (NESAQ) for PM₁₀ levels while also ensuring people are not living in cold, damp and unhealthy home environments. The latter outcome would defeat the purpose of reducing PM₁₀ to improve people’s health. The social and economic impacts of any requirement to reduce PM₁₀ levels must be taken into account. Wood and coal are relatively cheap heating sources and cost is particularly critical for healthy warm homes for those on below average incomes.</p> <p>New Objective 2 gives general direction for managing effects of discharges to air in the current and future Regional Air Quality Plans (except for domestic fires outside the Reefton Airshed). The Objective is appropriate given that there are relatively few commercial, industrial, recreational or institutional discharges on the West Coast compared to other regions with more development. New development involving discharges to air is encouraged and enabled provided adverse effects are managed.</p> <p>The current RPS Objectives are no longer appropriate as they do not reflect current West Coast issues for managing air quality. Objective 13.1 is to avoid or mitigate natural hazards that may result from possible global warming, however this is not an air quality matter for regional councils to deal with, rather it is dealt with in the Proposed Natural Hazards Chapter in relation to managing natural hazards resulting from climate change events. Objective 13.2 does not provide clear direction for enabling individual air discharges, subject to managing effects, as part of resource use and development activities, consistent with the proposed Resource Use and Development Chapter and underlying principles of the Proposed RPS.</p>
<p>(1)(b) Are the policies and methods the most appropriate way to achieve the objectives, by:</p> <ul style="list-style-type: none"> (i) are there other reasonably practicable options for achieving the objectives? (ii) are they efficient and effective to achieve the objectives? (iii) what are the reasons for deciding on the policies and methods? 	<p>Yes. The proposed policies and methods are the most appropriate way to achieve the objectives.</p> <ul style="list-style-type: none"> (i) In the consideration of the development of policies and methods and whether there were other reasonably practicable options to achieve the objectives: <p><u>Do nothing</u> - Although non-domestic discharges to air are well managed by the Regional Air Quality Plan and Winter-time air quality issues are limited to some of the main urban centres, reduced air quality is considered to be a significant resource management issue as it affects the health of people with respiratory conditions. One in seven West Coast children under the age of 15 use asthma medication,⁸ and such respiratory conditions are affected by PM₁₀. To not address air quality in the RPS is inappropriate as Council needs a ‘springboard’ to be able to manage air quality in the future if further problems arise. The RPS must also recognise and implement the NESAQ.</p>

⁸ Asthma Facts – Asthma Foundation 2014

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	<p>Furthermore, clear and up-to-date policy is needed in the Proposed RPS to direct the review of the current Regional Air Quality Plan, which needs to be amended to incorporate the NESAQ requirements.</p> <p><u>Status quo</u> - the current policies and methods are no longer appropriate as they reflect the issues identified in the 1990's, and these are no longer relevant for the West Coast. Greenhouse gas emissions are national and international issues for central government to deal with. National Ambient Air Quality Guidelines are mostly replaced by the National Environmental Standard for Air Quality (NESAQ), particularly for PM₁₀ which is the main air contaminant for Council to manage.</p> <p><u>Other policies and methods</u> - provisions in the Otago RPS were considered however they do not specifically reflect the West Coast context, they are not consistent with the general theme of the RPS, and are similar to the Air Plan policies addressing adverse effects. A number of the Otago methods are beyond the resources of this Council.</p> <p>(ii) The policies and methods are considered efficient and effective to achieve the objective for the following reasons:</p> <p>Policy 1 and Method 1 allow flexibility to consider what ambient air quality management needs to be done where, when, and how. Reducing PM₁₀ in the Reefton Airshed is Council's priority at present, and the future Regional Air Quality Plan as a regulatory tool will be the most efficient and effective means to achieve these reductions. The current Air Plan is being reviewed, and a more detailed assessment of PM₁₀ management in the Reefton Airshed will be done for the section 32 evaluation of any future Air Quality Plan.</p> <p>In tandem with the Regional Air Quality Plan, non-regulatory methods are the most appropriate way of encouraging people in non-Airshed urban areas with lower wintertime air quality to reduce their household smoke emissions. It is inefficient to manage PM₁₀ emissions from domestic fires in other urban centres by Air Plan rules, and Council has no information to indicate such rules are necessary. Policy 1 and Method 1 therefore provide for alternative methods to be used such as articles in local newspapers about burning dry wood and operating burners properly. These messages can assist with changing people's behaviour over time regarding the use of domestic fires. When considered alongside Council's other resource management priorities, the extent of providing education will be dependent on available funding at the time.</p> <p>Council is continuing its' Warm Homes loans scheme to Reefton residents to improve home insulation and heating, to make homes more efficiently heated and generate fewer PM₁₀ emissions.</p> <p>In relation to new Policy 2 and Method 2, the Regional Air Quality Plan, resource consent process, and compliance and enforcement functions are efficient and effective tools for managing adverse environmental effects of commercial discharges to air. These have generally worked well over the past 12 years, and this</p>

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	<p>will continue as Council builds on its knowledge and experience.</p> <p>(iii) Most of the current Methods are proposed to be deleted for the following reasons:</p> <ul style="list-style-type: none"> ▪ Out of date; ▪ Not Council's core function but a central government role; ▪ Not related to a significant resource management issue in the Region; ▪ Have been implemented and are no longer necessary in the RPS.
<p>(2)(a) Identify and assess the costs and benefits of the environmental, economic, social, and cultural effects that are anticipated from implementing the provisions, including the opportunities for -</p> <p>(i) economic growth that are anticipated to be provided or reduced;</p> <p>(ii) employment that are anticipated to be provided or reduced;</p>	<p>The proposed changes to the Air Quality chapter are not expected to result in large-scale increases in economic growth or employment.</p> <p>Benefits</p> <p><u>Social and economic:</u> People will be able to continue to keep their homes warm during Winter.</p> <p>The Reefton Airshed community will have improved health from reduced PM₁₀ levels, with a flow-on effect of reduced costs to the public health system.</p> <p>Employment and income can continue to be derived from activities involving authorised discharges to air.</p> <p><u>Environmental and cultural:</u> Non-Airshed communities with reduced Wintertime air quality from PM₁₀ emissions may become more aware of the need to lessen their burner emissions, potentially resulting in a reduction in PM₁₀ levels, improved air quality, and subsequent health benefits.</p> <p>Apart from seasonal variations in some urban centres, the generally good standard of air quality is maintained.</p> <p>Costs</p> <p>There are likely to be costs to Reefton Airshed homeowners to reduce their domestic burner emissions to meet the NES for PM₁₀ when the new Air Plan provisions come into effect. A more detailed analysis of the costs and benefits of proposed provisions in the new Air Plan will be done through the RMA plan development process for this Plan when it is progressed. Council will consider all feasible options to keep the costs as low as possible.</p> <p>Some individuals in other urban areas may incur ongoing financial costs of treating their health effects from wintertime PM₁₀ levels. This already occurs under the current RPS, and implementing the provisions of the new RPS will not impose any new or additional costs on these people. The degree of voluntary reduction of domestic smoke emissions may have a flow-on effect of reducing health costs.</p> <p>Resource consent applicants will continue to be charged for processing applications for discharges to air. The</p>

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	Proposed RPS provisions do not place any additional cost requirements on consent applicants above what is already required in the consent process. Costs will vary on a case by case basis, depending on the level of risk and actual and potential effects.
(2)(b) Quantify if practicable the benefits and costs	There is not expected to be any significant changes to costs. Quantifying the identified benefits and costs is not considered practical or useful, and does not add reasonable value to this section 32 assessment. The time and cost it would take to do it is unjustified. Quantifying the benefits and costs of the new Air Plan requirements for the Reefton Airshed will be considered in that plan development process.
(2)(c) Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.	<p>There is some uncertainty about whether wintertime PM₁₀ levels need to be reduced in other towns. Wintertime monitoring done in 2001-2003 in several centres indicated PM₁₀ levels were generally not breaching the 50 microgram standard. Council may use the monitoring device from Reefton at other locations, once the Reefton issue has been resolved.</p> <p>The risk of Council not acting in the near future to monitor or reduce PM₁₀ in other towns is considered to be low. The Ministry for the Environment has advised Council to prioritise working with the Reefton community as the meteorological conditions in Reefton differ to those in the other towns that were monitored that have sea-breezes. Health authorities have not indicated to Council that reducing PM₁₀ emissions in other towns should be given increased priority.</p>

4.9 Natural Hazards

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<p>(1)(a) Are the objectives the <i>most appropriate</i> way to achieve the purpose of the Act?</p>	<p>Yes. The objective has been updated and reworded but retains a similar intent to that in the current RPS. The objective is considered to be the most appropriate way to achieve the purpose of the Act for the following reasons:</p> <p>There are potentially high economic and social costs which can occur as a result of the impacts of natural hazards with significant consequences for public health and safety, agriculture, housing and infrastructure. The West Coast is susceptible to a wide range of natural hazard events including those that arise from high rainfall, earthquake and high winds. Natural hazards only become hazards when they have the potential to affect people, property and other valued aspects of the environment.</p> <p>Under the RMA, people must be able to provide for their social and economic wellbeing, however this needs to be balanced against the risk to people, property and infrastructure from natural hazard events. There is also existing development within hazard-prone areas and enabling appropriate hazard mitigation measures to be created will help minimise the risks and impacts on these vulnerable communities. In carrying out its functions under the Act, the Council is required to have regard to the effects of climate change (s7(i)). This relates to the design of infrastructure and development projects to ensure it will cope with future sea levels and weather events. The Courts have made it very clear that this does not mean that councils should have regard to those activities that may contribute to climate change, for example the burning of fossil fuels. The West Coast is expected to have both more severe and frequent extreme weather events in future decades; for example an increase in high intensity short duration rainfall events.</p> <p>This objective seeks to ensure that the risk posed by natural hazard events does not increase as a result of human activity. Without the direction this objective provides, people may develop land in hazard-prone areas which would lead to greater risk to people (e.g. tenants and future homeowners) and potential damage to property and infrastructure. Leaving people to build at their own risk is inappropriate because the cost and risk is often passed onto subsequent owners of property and councils.</p> <p>Under sections 30 and 31 of the Act, both regional and district councils have functions to control the use of land for the avoidance or mitigation of natural hazard effects. Additionally, s62(1)(i)(i) of the Act directs that an RPS must state the regional and district council responsible in the whole or part of the West Coast for specifying the objectives, policies and methods for the control of the use of land to avoid or mitigate natural hazards. The objective provides direction on how Councils are to implement their roles through the policies and methods.</p> <p>This new objective is the most appropriate way to achieve the purpose of the Act. It reflects the goal of avoiding or minimising impacts from natural hazard events on people, communities, property, infrastructure and the regional economy. Achieving this, the economic, social, cultural and environmental wellbeings of</p>

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	<p>the West Coast's communities will continue to be met and contribute to communities becoming more resilient to the effects of natural hazards.</p> <p>Unlike other regionally significant issues identified on the West Coast, there are several other pieces of legislation that also contribute to the management of natural hazards, and to various degrees, the protection of people, infrastructure and property from such events. These include the Building Act 2004, Civil Defence Emergency Management Act 2002, Local Government and Official Information and Meetings Act (for the provision of Land Information Memoranda), and the Local Government Act 2002. The management of natural hazards is also under review with a significant piece of work developed in <i>Managing Natural Hazards in New Zealand – Towards more resilient communities</i> (Local Government New Zealand 2014) and potential inclusion in section 6 of the RMA through the RMA reforms. How natural hazards are best managed may change in the future but at this stage the approach taken in the Proposed RPS is considered the most appropriate to address the issues facing the region.</p>
<p>(1)(b) Are the policies and methods the most appropriate way to achieve the objectives, by:</p> <ul style="list-style-type: none"> (i) are there other reasonably practicable options for achieving the objectives? (ii) are they efficient and effective to achieve the objectives? (iii) what are the reasons for deciding on the policies and methods? 	<p>Yes.</p> <ul style="list-style-type: none"> (i) In the consideration of the development of the policies and methods and whether there were other reasonably practicable options to achieve the objectives: <p><u>Do nothing</u> – section 30 of the RMA sets out the functions of regional councils. <i>“Every Regional Council shall have the following functions for the purpose of giving effect to this Act in its region... (c) the control of the use of land for the purpose of – (iv) the avoidance or mitigation of natural hazards.”</i></p> <p>The RPS must specify the objectives, policies and methods for the control of the use of land to avoid or mitigate natural hazards. The RPS must also state the local authority responsible for objectives, policies and methods for the control of the use of land to avoid or mitigate natural hazards or any group of hazards. In this case this is to be undertaken by the District Councils of the region except where the control of the use of land relates to the Regional Councils functions regarding the coastal marine area and the beds of rivers and lakes. Due to the complexity of the management of natural hazards on the West Coast, the risk to people and communities and the requirements under the RMA, a do nothing approach in regards to this issue was not considered appropriate.</p> <p>Direction in this RPS allows each District Council to determine the risks that affect their communities and plan with those communities to avoid or minimise natural hazards as appropriate.</p> <p>The Regional Council has an operational role in regards to natural hazards with the management of the 26 rating schemes throughout the region. With development having traditionally occurred on river flats a number of communities are at risk from flooding. Where are new hazard risk arises, or an</p>

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	<p>existing one increases, potentially affecting a wider number of people and properties, the Regional and respective District Council may liaise to consider options for managing the hazard risk. Recent examples of this occurring include the Hokitika Beach seawall and the Waiho River protection works. Managing these areas in conjunction with the affected community ensures pragmatic and practical approaches are undertaken that are funded on a 'user pays' basis. Other complementary operational components include the Regional Councils flood warning and civil defence emergency management functions. The District Councils are also part of the West Coast Civil Defence Emergency Management Group, and this reflects the wide range of responsibilities in regards to the management of natural hazards.</p> <p><u>Status quo</u> – the wording of the majority of the current policies is out of date and does not accurately reflect the role that the Regional and District Councils have in the management of natural hazards. The Civil Defence Emergency Management Group Plan 2010, and Local Arrangements, also address a number of these policy provisions. This is more appropriate as they are response oriented plans as opposed to the high level strategic document which is the Proposed RPS. It was therefore considered impracticable to keep the majority of the policies and methods in their current form though minor updating and amendments to the wording used has made the policies consistent and practical for today's use, retaining the general intent that was in the current RPS. Further reasons for their deletion and amendment are included under (iii) below.</p> <p>While <u>other approaches</u> to the management of natural hazards adopted around the country were reviewed and considered, the approach taken in this Proposed RPS is considered appropriate due to the range and nature of hazards faced, and the population at risk. The West Coast has a number of high risk areas where further controls are warranted and the District Councils have the ability to initiate a tighter management regime where appropriate e.g. Franz Josef Fault Avoidance Zone Plan Change. There is ongoing research and information coming to light which may provide more certainty as to potential risk and also ways in which to mitigate or avoid the effects of natural hazard events. Amendments in the future, as part of the reforms to the RMA, may necessitate further change for the Proposed RPS and Regional and District Plans, however the current drafting of the new policies are considered the most reasonably practicable option for achieving both the objective as well as the purpose of the Act at this time. There were no other options considered practicable in order to achieve the objective as drafted.</p> <p>(ii) The three new, and one amended, proposed policies are considered to be efficient and effective as they provide direction for the Regional and District Plans, as well as the West Coast Civil Defence Emergency Management Group Plan and Local Arrangements. The existing four policies are currently too detailed and do not provide the high level strategic guidance that the RPS should be promoting. This detail is better placed within the response oriented documents as outlined above.</p>

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	<p>The policies are clearly linked to the objective and provide clear direction for decision-makers in the consents process, particularly Policy 3 for the location and design of new subdivision and other use and development. The policies provide the scope for enabling people to provide for their social and economic wellbeing whilst also managing and protecting the safety of communities, property and infrastructure. It adopts a user pays approach through Policy 4 recognising that those who develop and reside in areas threatened by natural hazards are those that are responsible financially for their protection work construction and upkeep which is employed through the provision of the rating district scheme. Making these policies more applicable to the West Coast context ensures their efficiency and effectiveness.</p> <p>The proposed 7 methods set out how the objective and policies are to be achieved. For the most part they reflect current practice and are generally implemented already via the Regional and District Plans, and the West Coast CDEM Group Plan, as well as operational response documents such as Flood Action Plans and Local Civil Defence Arrangements. While they may have been implemented to a degree, they need to be included in the RPS as these are particularly important in the ongoing management of natural hazards and providing sound direction at both the district and regional level in contributing to communities who are resilient to natural hazards. They are based on the current methods but have been updated for the RPS review. In some cases they are more detailed, for example method 3 which provides additional guidance than the current method 11.5 it was based on. These methods are considered the most appropriate means to achieve the proposed objective.</p> <p>(iii) Reasons for proposing the new Policies 1 - 4 to manage natural hazards are outlined in the <i>Background to the Issues</i> in the Natural Hazards Chapter as well as the problem definition process identified in significant issues for the West Coast. These policies and methods are considered the most efficient and effective way in which to address the complicated concept of managing natural hazards while providing for the economic and social wellbeing of communities, and the protection of these communities and their property and infrastructure, throughout the West Coast.</p> <p>The current policies are proposed to be deleted, or amended, for the following reasons:</p> <ul style="list-style-type: none"> ▪ They provide detail which is too specific and which would be better included within the relevant operational response document; ▪ They do not provide the overarching strategic direction setting required by the RPS; ▪ The wording used is out of date; ▪ The policy has not been implemented or is obsolete; ▪ They do not accurately reflect the issues that are currently facing the West Coast. <p>All current methods are proposed to be either updated or deleted for the following reasons:</p> <ul style="list-style-type: none"> ▪ They use wording that is out of date; ▪ They do not accurately relate to the revised objective and policies.

Section 32 provision	Evaluation
<p>(2)(a) Identify and assess the costs and benefits of the environmental, economic, social, and cultural effects that are anticipated from implementing the provisions, including the opportunities for -</p> <ul style="list-style-type: none"> (i) economic growth that are anticipated to be provided or reduced; (ii) employment that are anticipated to be provided or reduced; 	<p>The proposed amendments to this Chapter will assist with the management of natural hazards, to contribute to providing for communities who are resilient and able to withstand the effects of such events. It is noted that the provisions in this Proposed RPS are complemented by other pieces of legislation.</p> <p>Benefits</p> <p><u>Social and economic:</u></p> <p>The implementation of the proposed policies is not anticipated to initiate significant change from the current RPS. The general intent is the same: ensuring that the health and safety of West Coast communities, as well as the infrastructure that supports them, is at the forefront of planning considerations. The restriction on development in hazard-prone areas referred to in policy 2 is taken from the current RPS. While this may result in some form of economic cost, the cost risk ratio will determine if this is appropriate and practical. Any decisions of this kind will be undertaken in consultation with the community.</p> <p>Having communities that are more resilient and able to withstand the effects of natural hazards, or able to return quickly to 'normal' following events, ensures that disruptions to the economic and social wellbeing of such areas is minimised. This can be achieved through good warning procedures, communities being aware of the hazards that they face and being prepared for such events, protective measures such as upgraded and maintained flood protection schemes, and subdivision, use and development located or built to take into account the hazards of that particular area.</p> <p>A heightened sense of preparedness, and security, contributes to greater wellbeing.</p> <p><u>Environmental and cultural:</u></p> <p>The provisions for managing natural hazards are focused primarily on people, property and infrastructure as opposed to the protection of the environment.</p> <p>The benefits of managing natural hazards also accrue to iwi recognising that being able to withstand such events and return to normal as quickly as possible has positive economic and social benefits to Maori.</p> <p>Costs</p> <p>Resource consent applicants will continue to be charged for processing applications for activities within, or affecting, areas which are susceptible to hazards, which may or may not be granted depending on the scale of effects or risk. The Proposed RPS provisions do not place any additional cost requirements on general consent applicants above what is already required in the consent process. Costs will vary on a case by case basis, depending on the level of risk and actual and potential effects. In some situations, landowners of hazard prone land may encounter additional costs with developing land or buildings as they will need to demonstrate that their development will have sufficient mitigation measures factored in. However this is not expected to have a significant economic or social cost and instead provide wider benefits to the communities in general.</p>

Section 32 provision	Evaluation
	<p>Continuing with a user pays approach to the development and maintenance of rating schemes ensures that those communities who enjoy benefits from such structures fund them avoiding a wider rate burden on those unaffected.</p> <p>The planning for and siting of infrastructure can have a significant impact on the wellbeing of a region. Not having resilient and robust infrastructure to withstand the effects of natural hazards can result in significant economic and social disruption. These impacts can be tangible (such as the number of hours or days businesses cannot operate at full potential) or intangible. Intangible impacts include social and cultural impacts that can have an immediate and sometimes ongoing effect on people's lives, including their willingness to continue to live in areas subject to hazards. This perception of potential risk and isolation can result in people and businesses either moving away or deciding not to come and live or invest on the West Coast in the first place. This outcome is at odds with what the Proposed RPS is trying to achieve through its approach to sustainable and resilient communities as outlined in Chapter 4 of the Proposed RPS.</p> <p>It is not expected that there will be any environmental cost through the implementation of this policy framework that is different to that experienced now as there is limited change to the intent of the policy direction.</p>
(2)(b) Quantify if practicable the benefits and costs	<p>There is not expected to be any significant changes to costs. Quantifying the identified benefits and costs is not considered practical or useful, and does not add reasonable value to this section 32 assessment. The time and cost it would take to do a monetary benefit/cost analysis is considered to be unjustified.</p>
(2)(c) Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.	<p>Information on the effect of natural hazards, both within the region and nationally, continues to be produced. The proposed provisions are based on the information that is available at this time. There is also a substantial amount of work being done at a national level considering the management of natural hazards through Local Government New Zealand as well as the RMA reforms.</p> <p>It is uncertain what will occur as a result of the RMA reforms. The Bill is likely to be introduced to the House in the first half of 2015. The proposals suggest that the management of natural hazards would be added to section 6 of the RMA with a possible amendment to section 106 (subdivision consents) to reflect an all hazards and risk management approach. Further guidance may be released which could be either statutory or non-statutory.</p> <p>However not progressing with the Proposed RPS provisions for natural hazards is not an option due to the significant impact that can occur from these. Should further information on natural hazards come to light, or changes to the RMA necessitate change to the draft RPS, then these will be implemented as required. Understanding risk as best as can, and with proper planning, the potential impact on communities from natural hazard events can be reduced.</p>

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting March 2015
 Prepared by: Emma Chaney, Senior Resource Science Technician
 Date: 26th February 2015
Subject: BATHING BEACH WATER QUALITY SAMPLING UPDATE

The West Coast Regional Council carries out regular sampling for faecal indicator bacteria (*E.coli* or Enterococci) at popular contact recreation sites over the summer period, from November through to March. Sampling is currently undertaken at 20 locations, twice per month in the Grey district and weekly in the Buller and Westland districts. The table below presents the results of sampling carried so far this summer with the most up to date results available.

All exceedances occurred following moderate to heavy rainfall in the week prior to sampling.

SITE	Nov	Nov	Nov	Nov	Dec	Dec	Dec	Dec	Jan	Jan	Jan	Jan	Feb	Feb	Feb
Carters Beach at campground beach access	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*
North Beach at tip head road steps	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*
Buller River at Shingle Beach	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*
Buller River at Marrs Beach	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*
Rapahoe Beach at end of Statham St	😊*		😊*		😊*		😊*		😊*		😊*		😊*		😊*
Seven Mile Creek at SH6 Rapahoe	😊*		😊*		😊*		😊*		😊*		😊*		😊*		😊*
Nelson Ck at Swimming Hole Reserve	😊*		😊*		😊*		😊*		😊*		😊*		😊*		😊*
Grey River at Taylorville Swimming Hole	😊*		😊*		😊*		😊*		😊*		😊*		😊*		😊*
Cobden Beach at Bright Street West end	😊*		😊*		😊*		😊*		😊*		😊*		😊*		😊*
Blaketown Beach at South Tiphead	😊*		😊*		😊*		😊*		😊*		😊*		😊*		😊*
Lake Brunner at Cashmere Bay Boat Ramp	😊*		😊*		😊*		😊*		😊*		😊*		😊*		😊*
Lake Brunner at Iveagh Bay	😊*		😊*		😊*		😊*		😊*		😊*		😊*		😊*
Lake Brunner at Moana	😊*		😊*		😊*		😊*		😊*		😊*		😊*		😊*
Karoro Beach at Surf Club	😊*		😊*		😊*		😊*		😊*		😊*		😊*		😊*
Hokitika Beach at Hokitika	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*
Kaniere River at Kaniere Kokatahi Rd	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*
Lake Mahinapua at Shanghai Bay	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*
L. Kaniere @ Sunny Bight jetty	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*
L. Kaniere @ Hans Bay boat ramp	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*
L. Kaniere @ Hans Bay jetty	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*	😊*

Rainfall past 24hrs	Rainfall past week		E. coli / Ent results	
😊*	😊*	0-10 mm	😊*	< 260 E. coli; < 140 Ent
😊*	😊*	10-30 mm	😊*	260-550 E. coli; 140-280 Ent
😊*	😊*	30-60 mm	😊*	> 550 E. coli; > 280 Ent
😊*	😊*	>60 mm	😊*	Not sampled.

RECOMMENDATION

That the report is received

Michael Meehan
Planning and Environment Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee
 Prepared by: Jackie Adams - Consents & Compliance Manager
 Date: 26 February 2015
 Subject: **CONSENTS MONTHLY REPORT**

CONSENTS**Consents Site Visits 24 January – 25 February 2015**

DATE	NAME, ACTIVITY & LOCATION	PURPOSE
04/02/15	RC-2015-0014 - R & C Oliver, Creek Mouth Opening, Houhou Creek	Site visit with applicant to comprehend the consent.
11/02/15	RC-2015-0017 - Wealthy Land Mining Ltd, Gold Mining, Waimea-Awatuna	Site visit with the applicant's consultant to better understand the situation.
16/02/15	RC-2015-0003 - GF & JA Friend, Gravel Extraction, New River & Cariboo Creek	Site visit with applicant to make sure there is enough gravel resource available.
19/02/15	RC-2015-0018 - SGA & ME Berendt, Quarry, Charleston	Visited site with applicant and Consultant to view site of proposed new quarry and fertiliser plant to help with identification of affected parties.

Non-Notified Resource Consents Granted 24 January – 25 February 2015

CONSENT NO. & HOLDER	PURPOSE OF CONSENT
RC13223 WJ & MJ Gault Ltd	To discharge (irrigate liquid) effluent generated at a dairy shed to land near DS338 at Inchbonnie. To discharge (solid) effluent generated at a dairy shed to land near DS338 at Inchbonnie.
RC13224 Rellek Ltd	To discharge (irrigate liquid) dairy effluent to land near DS369 at Rotomanu. To discharge (solid) dairy effluent to land near DS369 at Rotomanu.
RC-2014-0138 JPV & T Kersten	To disturb the bed of the Grey River to construct river protection works (stopbank and groynes). To disturb the bed of the Grey River to undertake dry bed gravel extraction/relocation. To divert water from a flood channel in the Grey River as a result of river protection works.
RC-2014-0173 GM Fahey	To disturb the Coastal Marine Area through non-mechanical methods within Mining Permit 41181 at Punakaiki, for the purpose of removing selected stones.
RC-2014-0192 DA & RD Waghorn	To undertake earthworks associated with alluvial gold mining adjacent to the Little Grey River (Mawheraiti) and Burton Creek and within MP 52343.

	To disturb the bed of unnamed tributaries of the Little Grey River (Mawheraiti) and of Burton Creek within MP 52343 associated with water diversion.
	To divert unnamed tributaries of the Little Grey River (Mawheraiti) and Burton Creek associated with alluvial gold mining within MP 52343.
	To take and use water for alluvial gold mining activities adjacent to the Little Grey River and Burton Creek associated with alluvial gold mining within MP 52343.
	To discharge sediment-laden water to land associated with gold mining within MP 52343 in circumstances where it may enter water, namely the Little Grey River, Burton Creek and their tributaries.
	To discharge sediment-laden water to water associated with gold mining within MP 52343 namely the Little Grey River, Burton Creek and their tributaries.
RC-2014-0197 LJC Acker	To disturb the bed of Austrians Creek associated with alluvial gold mining.
	To divert water within Austrians Creek.
RC-2014-0208 Sylands Ltd	To disturb the bed of a river to enable the construction of a stopbank on the Whataroa River.
	To disturb the riparian margins of a river to enable the construction of a stopbank on the Whataroa River.
	To extract gravel to enable the construction of a stopbank on the Whataroa River.
	To divert flow of the Whataroa River associated with the construction of a stopbank.
	To authorise the incidental discharge of sediment to water from the construction of a stopbank.
RC-2014-0215 MP Nolan	To disturb the bed of the Kokatahi River to construct river protection works (stopbank/rip-rap).
RC-2015-0007 The Mokihinui-Lyell Backcountry Trust	To disturb the dry bed of Stern Creek, Mokihinui for the purpose of gravel extraction.
RC-2015-0009 Racecourse Terraces Ltd	To undertake earthworks and vegetation clearance to form a subdivision, Hokitika.
RC-2015-0010 Avery Bros Ltd	To disturb the dry bed of the Britannia Creek for the purpose of gravel extraction.
RC-2015-0011 Avery Bros Ltd	To disturb the dry bed of the Mokihinui River for the purpose of gravel extraction.
RC-2015-0012 Dymac Farms Ltd	To undertake earthworks associated with humping and hollowing of land, Taramakau Settlement.
RC-2015-0015 Buller District Council	To undertake earthworks on slopes greater than 25 degrees, Karamea Bluffs.
	To divert water in an unnamed creek, Karamea Bluffs.
RC-2015-0016 E J & M D Colligan Family Trust	To discharge treated sewage effluent to land at Lot 2 DP 476158, Utopia Road, Westport.

RC-2015-0019 MA & TM Dale	To discharge treated sewage effluent to land at Lot 3 DP 356863, 1902 Coast Road, 12 Mile.
RC-2015-0020 S Stewart & J Croft	To discharge treated sewage effluent to land at Lot 10 DP436059, 24 Craig Road, Arthurstown, Hokitika.

Changes to and Reviews of Consent Conditions granted 24 January – 25 February 2015

CONSENT NO, HOLDER & LOCATION	PURPOSE OF CHANGE
RC09084-V4 Xinxin Mining Ltd	To increase the maximum permissible area of un-rehabilitated land at any one time and increase the bond value, Humphreys Gully.
RC10217-V7 Solid Energy New Zealand Ltd	To delete conditions relating to water monitoring, Reddale Mine.
RC10256-V3 Solid Energy New Zealand Ltd	To amend the monitoring conditions, McCabe's Block, Stockton Mine.
RC12100-V1 DJ & WJ Kennedy	To increase the number of cows and to move the dairy discharge sampling point, Atarau.
RC-2014-0188-V1 SJ & KL Woodcock	To change the design of the onsite wastewater system, Hokitika.
RC-2014-0194-V1 SJ Gleeson & JA Hooper	To change the design of the onsite wastewater system, Boddytown.

No Notified or Limited Notified Resource Consents were granted between 24 January and 25 February 2015.

Public Enquiries

44 written public enquiries were responded to during the reporting period. 36 were answered on the same day, 6 the following day, and the remaining 2 no more than 10 working days later. 2 LGOIMA requests were responded to, all within the required timeframe.

RECOMMENDATION

That the March 2015 report of the Consents Group be received.

Jackie Adams
Consents & Compliance Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee
 Prepared by: Jackie Adams – Consents & Compliance Manager
 Date: 26 February 2015
 Subject: **COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

Site Visits

A total of 111 site visits were undertaken during the reporting period, which consisted of:

Activity	Number of Visits
Resource consent monitoring	19
Mining compliance & bond release	34
Complaint Related	7
Dairy Farm Inspections	51

Out of the 111 total site visits for the reporting period 94 visits were compliant, 17 visits were non-compliant.

Specific Issues**Gold Mining:**

- A complaint had been received about an alluvial gold mining discharge at Marsden. This was followed up and resulted in enforcement action being undertaken.

Coal Mining:

- Seven coal mine site visits were carried out.

Dairy inspections:

- 51 farm effluent systems have been inspected over the past month. 2 of these are non-compliant and 1 was non-compliant at the time of inspection but has undertaken remedial actions to become compliant.

Complaints/Incidents between 26 January 2015 & 26 February 2015

The following seven complaints/incidents were received during the reporting period:

Activity	Description	Location	Action/Outcome	INC/Comp
Flood protection	Complaint received that recent flood protection work undertaken may cause an issue to a neighbouring property.	Rotomanu	Site visit undertaken – complaint was unsubstantiated.	Complaint
Coal Mining	Complaint received that a coal mining operation has stock piled overburden outside of their consented area.	Boatman's	Site visit undertaken and the miner was required to gain a variation to their resource consent for the work undertaken.	Complaint

Activity	Description	Location	Action/Outcome	INC/Comp
Discharge to air	A complaint was received regarding the discharge of odour from a dairy farm.	Waitaha	No odour detected on site during visit –however neighbours have commented that at times there is an offensive odour – possibly due to the feeding of whey permeate to stock during milking.	Complaint
Vegetation clearance	Complaint received that Willows removed from a river bank has caused erosion.	Rotomanu	ongoing	Complaint
Discharge to water	Complaint received that the New River was discoloured with sediment	Marsden	A site visit was undertaken and found that the discharge was from an alluvial gold mining operation. Enforcement action was undertaken.	Complaint
Discharge to land	Complaint received that a culvert contained dairy effluent	Kowhitirangi	Investigation on going	Complaint
Gold mining	Council staff undertaking an inspection found that a miner was working outside of his consented area.	Rimu	The miner was required to obtain resource consent for the work undertaken.	Incident

Formal Enforcement Action

Two infringement notices were issued during the reporting period

Activity	Location
Discharge of oil to water	Waimea
Discharge of gold mining sediment	Marsden

One formal warning was issued during the reporting period

Activity	Location
Discharge of gold mining sediment	Blue Spur

One abatement notice was issued during the reporting period:

Activity	Location
Discharge of gold mining sediment	Marsden

MINING

Work Programmes

The Council received the following 5 work programmes during the last reporting period and one programme was approved in the 20 day timeframe. The remaining work programmes have only been recently received, are not yet operational, are awaiting bonds to be lodged or require site visits prior to approval.

Date	Mining Authorisation	Holder	Location
23-Jan-15	RC10253	Blacktopp Mining Ltd	Waimea
02- Feb-15	RC11212	Phoenix Mining Ltd	Marsden
17 Feb-15	RC05078	Dempster Ltd	Goldsborough
05-Feb-15	RC2014-0109	Roa Mining Company	Roa
22-Feb-15	RC10193	Buller Coal Ltd	Denniston

The Council received the following bonds during the reporting period:

Mining Authorisation	Holder	Location	Amount
RC2014-0110	Peter Savage	Ahaura	\$5,000
RC2014-0109	Roa Mining Company	Roa	\$5,000

The following bond is recommended for release:

Mining Authorisation	Holder	Location	Amount
RC13069	Paramount Mining Ltd	Rimu	\$12,000

RECOMMENDATION

1. That the March 2015 report of the Compliance Group be received.
2. That the bond held by Paramount Mining RC13069 is released.

Jackie Adams
Consents & Compliance Manager

COUNCIL MEETING

THE WEST COAST REGIONAL COUNCIL

Notice is hereby given that an **ORDINARY MEETING** of the West Coast Regional Council will be held in the Offices of the West Coast Regional Council, 388 Main South Road, Greymouth on **Tuesday, 10 March, 2015** commencing on completion of the Resource Management Committee Meeting

A.J. ROBB
CHAIRPERSON

C. INGLE
CHIEF EXECUTIVE OFFICER

<u>AGENDA NUMBERS</u>	<u>PAGE NUMBERS</u>	<u>BUSINESS</u>
1.		APOLOGIES
2.		PUBLIC FORUM
3.		MINUTES
	1 – 3	3.1 Minutes of Council Meeting 5 February 2015
4.		REPORTS
	4 – 5	4.1 Report on Engineering Operations
	6 – 10	4.1.1 Greymouth Floodwall Joint Agreement
	11 – 15	4.1.2 Hokitika Seawall Joint Agreement
	16 – 18	4.2 Corporate Services Manager's Report
5.	19 – 20	CHAIRMAN'S REPORT
6.	21 – 25	CHIEF EXECUTIVE'S REPORT
7.		GENERAL BUSINESS

THE WEST COAST REGIONAL COUNCIL

**MINUTES OF THE MEETING OF THE COUNCIL HELD ON 9 FEBRUARY 2015,
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD,
GREYMOUTH, COMMENCING AT 11.47 A.M.**

PRESENT:

A. Robb (Chairman), P. Ewen, A. Birchfield, P. McDonnell, T. Archer, S. Challenger, N. Clementson

IN ATTENDANCE:

C. Ingle (Chief Executive Officer), R. Mallinson (Corporate Services Manager), M. Meehan (Planning & Environmental Manager), J. Adams (Consents and Compliance Manager), T. Jellyman (Minutes Clerk)

1. APOLOGIES:

There were no apologies.

2. PUBLIC FORUM

There was no public forum.

3. CONFIRMATION OF MINUTES

Moved (Clementson / Archer) *that the minutes of the Council Meeting dated 9 December 2014, be confirmed as correct.*

Carried

Matters arising

There were no matters arising.

REPORTS:

4.1 ENGINEERING OPERATIONS REPORT

M. Meehan spoke to this report and advised minor works were carried out in the Taramakau, Coal Creek and Waitangitaona rating districts during the reporting period.

M. Meehan reported that the mouth of the Karamea River was opened on the 14th of November. He stated that this work was completed just before a heavy rainfall event and the mouth is now where it should be.

M. Meehan stated that work is progressing well with the Buller flood modelling working group. He advised that options were run through and the Engineer has been asked to look into one more option and to investigate costs for the various options. M. Meehan advised that the Council's flood warning staff are working closely with Civil Defence staff on this matter to develop a strong flood action plan and to develop community response plans. He advised that the next meeting is scheduled for the 9th of March and estimated costs and an update from Civil Defence will be discussed at this meeting.

Moved (Archer / Ewen) *that this report be received.*

Carried

4.1.2 RATING DISTRICT LIAISON MEETINGS REPORT

M. Meehan spoke to this report and advised that of the 25 rating districts eleven had meetings. He advised that corrections need to be made to pages 10, 14 and 18 as the dates for the rate strike should be for the 15 / 16 year and not 14 / 15. Cr Archer requested that when the staff recommendation for the rate strike is different to what is recommended by the rating district meeting, that this well flagged so Council can debate this.

Moved (Archer / Birchfield)

1. *That this report be received.*
2. *That the subheadings for the rate strikes on pages 10, 14 and 18 of the agenda are amended to reflect the correct dates for the rate strike.*

Carried

4.1.3 RED JACKS RATING DISTRICT REPORT

M. Meehan spoke to this report. He advised that generally Red Jacks rating district are rated \$5,000 per year but following the December 2010 flood event more money was needed to be spent to repair flood damage. M. Meehan advised that the maintenance rate was increased to \$10,000 to cover this cost. He advised that following Council's application to the Ministry of Civil Defence, Red Jacks rating district received just under \$15,000 which covered some of the cost of the works. There has also been discussed with Grey District Council and NZTA regarding contributions to the rating district. M. Meehan advised at the annual meeting members of the rating district raised concerns about the maintenance rate being too high at \$10,000. They made a submission at the meeting to have the rate strike cut back down to \$5,000. M. Meehan advised there is no major maintenance or capital works expected. He stated that NZTA via Grey District Council are looking at making a contribution to the rating district. M. Meehan suggested that the rate for the current year, 2014 / 15 year, of \$10,000 is cut to \$5,000. M. Meehan stated that the rating district will still have a positive account balance and once the contribution from Grey District Council is in the account this will increase the balance as well. Cr Birchfield stated that Grey District Council need to get onto getting this money to the rating district. R. Mallinson advised that he will remit the second installment on the basis of this decision.

Moved (Archer / Birchfield)

1. *That this report be received.*
2. *That Council reduces the Red Jacks Rating District rate for the 2014 / 15 year from \$10,000 to \$5,000.*

Carried

4.2 CORPORATE SERVICES MANAGER'S REPORT

R. Mallinson spoke to this report and advised that he would be bringing a more detailed report to the March meeting. He stated that he has been spending a significant amount of time on budgeting and long term plan work. R. Mallinson requested that Council agrees to a workshop following the conclusion of the March meeting to discuss this recent work. R. Mallinson reported that the total income from the two Westpac portfolios for the six months is just over \$550,000. Councillors agreed to the workshop following the March Council meeting.

Moved (Ewen / Archer) *That this report is received.*

Carried

5.0 CHAIRMANS REPORT (VERBAL)

Cr Robb reported that he attended the meeting with the Australian High Commissioner.

The Chairman advised that he chaired the special meeting relating to the south side motels on the Waiho River on the 12th of December.

Moved (Robb / Archer) *That this report be received.*

Carried

6.0 CHIEF EXECUTIVE'S REPORT

C. Ingle spoke to his report and offered to answer questions relating to the meetings he attended during the reporting period.

C. Ingle reported that the amendments to the Triennial Agreement have already been signed off by the Mayors and the agreement now needs to be adopted by each Council. C. Ingle stated that there is no policy change as it is documenting what is already in place.

Moved (Birchfield / Archer)

1. *That this report is received.*
2. *That Council adopts the new version of the Triennial Agreement, as attached.*

Carried

GENERAL BUSINESS

There was no general business.

The meeting closed at 12.04 p.m.

.....
Chairman

.....
Date

4.1

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 10 March 2015
Prepared by: Wayne Moen – Senior River Engineer & Paulette Birchfield – Engineer
Date: 24 February 2015
Subject: **ENGINEERING OPERATIONS REPORT**

WORKS COMPLETED AND WORKS TENDERED FORGreymouth Rating District – Emergency Maintenance

This emergency maintenance work involved the placing of approximately 50 tonnes of rock to repair a section of stopbank at the south end of Fisherman's Wharf. The work was completed by GH Foster at an estimated cost of \$2,400.



Quarries

Rock in Quarry as at 20 February 2015

Quarry	Rock Available	Emergency Stockpile
Blackball	2,300	-
Camelback	5,534	2,000
Inchbonnie	8,000	-
Kiwi	8,000	-
Whataroa	1,808	2,500
Okuru	500	-

RECOMMENDATION

That the report is received

Michael Meehan
Planning and Environment Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting March 2015
Prepared by: Chris Ingle – Chief Executive
Date: 26 February 2015
Subject: **Greymouth Floodwalls Joint Agreement**

Background

The Local Government Act ((Schedule 7, Clause 30) has always allowed joint committees to be formed. Council has two such committees: the Greymouth Floodwalls Committee and the Hokitika Seawall Committee. The Council's Regional Transport Committee and Civil Defence Group are also joint committees but these are mandated under transport and civil defence legislation, respectively, and the new amendments to the Local Government Act below, do not apply.

These joint committees are committees of the regional council and also a committee of each relevant district council.

New Local Government Act Requirements

Clause 30A has been inserted into Schedule 7 of the Act during the recent amendments. It provides a specific statutory code for joint committees. It requires councils to enter into an agreement and specifies key aspects of that agreement:

- (a) The number of members each local authority or public body may appoint to the committee;
- (b) How the chairperson and deputy chairperson of the committee are to be appointed;
- (c) The terms of reference of the committee;
- (d) What responsibilities (if any) are to be delegated to the committee by each local authority or public body; and
- (e) How the agreement may be varied.

Changes recommended to the Greymouth Floodwalls Joint Agreement

The attached new version of the Greymouth Floodwalls Joint Agreement contains tracked changes that are considered to satisfy the new requirements (a) – (e) above. This proposed new version is also being considered by the District Council for adoption.

RECOMMENDATION

That Council adopts the new version of the Greymouth Floodwalls Joint Agreement, as attached.

Chris Ingle
Chief Executive

THE GREY DISTRICT COUNCIL

THE WEST COAST REGIONAL COUNCIL

Greymouth Floodwalls Joint Agreement

THIS DEED is made the day of

2015

Deleted: 20152014

PARTIES

THE GREY DISTRICT COUNCIL
("GDC")

THE WEST COAST REGIONAL COUNCIL
("WCRC")

BACKGROUND

- A. The GDC is empowered by Sections 12 and 130 of the local Government Act 2002 to manage stormwater and amenity issues within its district; and
- B. The WCRC is empowered by Section 126 of the Soil Conservation and Rivers Control Act 1941 to take such steps as are necessary for the prevention of damage by floods; and
- C. Both Councils are empowered by the Local Government (Rating) Act 2002 to raise the funds necessary to carry out their respective functions; and
- D. Both Councils are empowered by Sections 12 and 137 of the Local Government Act 2002 [\(also clause 30 and 30A of schedule 7\)](#) to enter into joint agreements and form a joint committee in order to co-ordinate the management of overlapping functions; and
- E. The Greymouth Floodwalls (the floodwalls) require ongoing maintenance. The Regional Council maintains an asset management Plan for the floodwalls, which were designed to protect against a 1 in 50 year flood; and
- F. The Greymouth Floodwall structures are owned by the GDC. The land the floodwalls are on are under various ownership; and
- G. Both Councils wish to record the terms of their agreement to jointly manage the maintenance of the Greymouth Floodwalls, via a joint committee of the two councils; and
- H. Both Councils [have extended the joint committee's mandate to also include oversight of the management of the mouth of New River/Saltwater Creek at Paroa, which is currently being managed by both Councils.](#)

Deleted: now wish to

Deleted: at

DEED/AGREEMENT

1. The Greymouth Floodwalls Joint Committee (the committee) comprises of three Persons representing each of the two Councils with the function of co-ordinating the WCRC Greymouth floodwall maintenance activities with GDC activities, and the Saltwater Creek/New River rivermouth activities of each council.
2. The committee shall have its membership appointed from time to time as each parent Council may determine, and shall meet and regulate the conduct of its own business as it sees fit.
3. The committee shall not have any funding or rate setting authority. Such decisions shall be the responsibility of the two Councils.

4. The Chair shall alternate one year to the next being a GDC elected representative one year and a WCRC elected representative the next.
5. The Committee shall use the current standing orders of the West Coast Regional Council, noting that the committee wishes to achieve consensus decisions wherever possible.
6. This agreement may be amended at any time, at the request of either council, but such amendment will only take effect once both parent councils have formally received and adopted those changes sought.
7. Each year the Committee shall ascertain what the work and budget requirements will be for the coming year and make a recommendation to each parent Council for annual planning and action.
8. Without limiting the ability of the committee to recommend the most appropriate arrangements for works and funding, in relation to the Greymouth floodwalls the GDC shall be responsible for all works and funding relating to:
 - 8.1 Amenity management, including grass mowing, gardening, beautification, and public access management;
 - 8.2 Stormwater management, including any pump station operation and maintenance and floodgates on drainpipes and their operation and maintenance (but excluding the Cobden cut);
 - 8.3 Flood emergency management, including the maintenance and operation of concrete flood barriers over road and rail, any sandbagging requirements, and all and any Civil Defence evacuation planning and execution;
 - 8.4 Ownership of the floodwalls and the land occupied by them, including ownership of all infrastructural assets comprised by the floodwalls and their associated structures;
9. Without limiting the ability of the committee to recommend the most appropriate arrangements for works and funding, in relation to the Greymouth floodwalls the WCRC shall be responsible for all works and funding relating to:
 - 9.1 The maintenance and repair of the structural integrity of the floodwalls;
 - 9.2 The provision of flood warning advice to GDC for the Grey River in accordance with the Grey River Flood Management Plan;
 - 9.3 Management of the Cobden cut outlet to the sea, to prevent backup of water from the lagoon causing surface flooding.
10. The WCRC has constituted a "Greymouth Floodwalls Separate Rating District" and reserves the right to raise such funds as it may need to carry out its functions under clause 6 above from this source.
11. The GDC will fund the performance of its functions under clause 5 above from such sources that are available that it may determine.
12. The WCRC has constituted a "New River/Saltwater Creek Rating District" and will use funding from this source for managing the New River/Saltwater Creek rivermouth.

- 13. The GDC will fund its New River/Saltwater Creek rivermouth activities from such sources that are available that it may determine.

SIGNATURES

SIGNED by)
THE GREY DISTRICT COUNCIL) _____
by its authorised signatory) Authorised Signatory
in the presence of:)

Witness signature

Witness name

Witness Occupation

Witness Town of Residence

SIGNED by)
THE WEST COAST REGIONAL COUNCIL) _____
by its authorised signatory) Authorised Signatory
in the presence of:)

Witness signature

Witness name

Witness Occupation

Witness Town of Residence

4.1.2

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting March 2015
 Prepared by: Chris Ingle – Chief Executive
 Date: 26 February 2015
 Subject: **Joint Hokitika Seawall Agreement**

Background

The Local Government Act ((Schedule 7, Clause 30) has always allowed joint committees to be formed. Council has two such committees: the Greymouth Floodwalls Committee and the Hokitika Seawall Committee. The Council's Regional Transport Committee and Civil Defence Group are also joint committees but these are mandated under transport and civil defence legislation, respectively, and these new amendments to the Local Government Act do not apply.

These joint committees are committees of the regional council and also a committee of each relevant district council.

New Local Government Act Requirements

Clause 30A has been inserted into Schedule 7 of the Act during the recent amendments. It provides a specific statutory code for joint committees. It requires councils to enter into an agreement and specifies key aspects of that agreement:

- (a) The number of members each local authority or public body may appoint to the committee;
- (b) How the chairperson and deputy chairperson of the committee are to be appointed;
- (c) The terms of reference of the committee;
- (d) What responsibilities (if any) are to be delegated to the committee by each local authority or public body; and
- (e) How the agreement may be varied.

Changes recommended to the Hokitika Seawall Joint Agreement

The attached new version of the Hokitika Seawall Joint Agreement contains changes that are considered to satisfy the new requirements (a) – (e) above. This proposed new version is also being considered by the District Council for adoption, next month.

The Hokitika Seawall Agreement has also been amended to reflect the latest Joint Seawall Committee meeting recommendations:

- The groyne north of the seawall are to be transferred by the District Council to the Regional Council. Their ongoing maintenance from 2015 will be managed by the regional council.
- If new erosion were to occur between the river mouth and the seawall, the management of the foreshore between the seawall and the Hokitika River will be a joint responsibility of the two councils.

The Joint Committee has also recommended that the Regional Council consider an expanded rating area for the seawall rating district. This proposal is being included for consultation in the Council's Long Term Plan.

RECOMMENDATION

That Council adopts the new version of the Hokitika Seawall Joint Agreement, as attached.

Chris Ingle
Chief Executive

THE WESTLAND DISTRICT COUNCIL

THE WEST COAST REGIONAL COUNCIL

Hokitika Seawall Joint Agreement



THIS DEED is made this ___ day of _____ 2015

PARTIES

THE WESTLAND DISTRICT COUNCIL ("WDC")

THE WEST COAST REGIONAL COUNCIL ("WCRC")

BACKGROUND

- A. The WDC is empowered by Sections 12 and 130 of the local Government Act 2002 to manage stormwater and amenity issues within its district; and
- B. The WCRC is empowered by Section 126 of the Soil Conservation and Rivers Control Act 1941 to take such steps as are necessary for the prevention of damage by floods; and
- C. Both Councils are empowered by the Local Government (Rating) Act 2002 to raise the funds necessary to carry out their respective functions; and
- D. Both Councils are empowered by Section 12 and Section 30 of Schedule 7 of the Local Government Act 2002 (also clause 30 and 30A of schedule 7) to enter into joint agreements and form a joint committee in order to co-ordinate the management of overlapping functions.
- E. The 650m Hokitika Seawall, constructed in 2013, will require ongoing maintenance. The WCRC has prepared an asset management plan to maintain the seawall structure and groynes.
- F. The Seawall structure is located on legal road, being land administered by WDC.
- G. The groynes north of the seawall are being transferred by the District Council to the Regional Council. Their ongoing maintenance from 2015 will be managed by the regional council.
- H. Both Councils wish to record the terms of this agreement to jointly manage the maintenance of the Hokitika foreshore area and its sea protection works.

DEED/AGREEMENT

1. The Hokitika Seawall Joint Committee (the committee) comprises of three Persons representing each of the two Councils, with the function of co-ordinating the WCRC seawall maintenance and groyne maintenance activities, with WDC activities.
2. The committee shall have its membership appointed from time to time as each parent Council may determine, and shall meet and regulate the conduct of its own business as it sees fit.
3. The Chair shall be the most senior WCRC elected representative present.
4. The committee shall use the current standing orders of the West Coast Regional Council, noting that the committee wishes to achieve consensus decisions, wherever possible.

5. This agreement may be amended at any time, on request by either council, but such amendments will only take effect once both parent councils have formally received and adopted those changes sought.
6. The committee shall not have any funding or rate setting authority. Such decisions shall be the responsibility of the two parent Councils.
7. Each year the committee shall ascertain what the work and budget requirements will be for the coming year and make a recommendation to each parent Council for annual planning and action.
8. Without limiting the ability of the committee to recommend the most appropriate arrangements for works and funding, the WDC shall be responsible for all works and funding relating to:
 - 8.1 Amenity management, including grass sowing & mowing, any gardening, beautification, and public access management;
 - 8.2 Stormwater management, including maintenance of drainpipes and their operation.
9. Without limiting the ability of the committee to recommend the most appropriate arrangements for works and funding, the WCRC shall be responsible for all works and funding relating to:
 - 9.1 The maintenance and repair of the structural integrity of the 650m seawall;
 - 9.2 Management of the groyne field to the north of the seawall.
10. If new erosion were to occur between the river mouth and the seawall, the management of the foreshore between the seawall and the Hokitika River will be a joint responsibility of the two councils.
11. The WCRC has constituted a Hokitika Seawall Rating District and reserves the right to raise such funds as it may need to carry out its functions under clause 9 and 10 above from this source.
12. The WDC will fund the performance of its functions under clause 8 above from such sources that are available that it may determine.

SIGNATURES

SIGNED by)
THE WESTLAND DISTRICT COUNCIL) _____
 by its authorised signatory) Authorised Signatory
 in the presence of:)

Witness signature

Witness name

Witness Occupation

Witness Town of Residence

SIGNED by)
THE WEST COAST REGIONAL COUNCIL) _____
 by its authorised signatory) Authorised Signatory
 in the presence of:)

Witness signature

Witness name

Witness Occupation

Witness Town of Residence

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 10 March 2015
 Prepared by: Robert Mallinson – Corporate Services Manager
 Date: 3 March 2015

1. Financial Report

FOR THE SIX MONTHS ENDED 31 DECEMBER 2014				
	ACTUAL	YEAR TO DATE BUDGET	ACTUAL % ANNUAL BUDGET	ANNUAL BUDGET
REVENUES				
General Rates	1,058,334	1,050,000	50%	2,100,000
Rates Penalties	24,386	30,000	41%	60,000
Investment Income	643,790	547,705	59%	1,095,409
Resource Management	506,147	619,967	41%	1,238,000
Regional Land Transport	47,261	44,300	53%	88,600
Emergency Management	164,320	108,000	76%	216,000
River, Drainage, Coastal Protection	688,988	768,368	45%	1,536,736
Regional % Share Controls	330,236	325,000	51%	650,000
Warm West Coast	20,866	0	0%	
VCS Business Unit	3,058,085	1,672,931	91%	3,345,861
Other	9,866			
	6,552,279	5,166,270		10,330,606
EXPENDITURE				
Governance	199,029	215,970	46%	431,939
Resource Management	1,687,697	1,455,490	58%	2,910,979
Regional land Transport	100,355	84,275	60%	168,549
Hydrology & Floodw arning Services	212,823	235,469	45%	470,938
Emergency Management	164,388	157,799	52%	315,597
River, Drainage, Coastal Protection	882,689	762,712	58%	1,525,423
Regional % Share Controls	379,979	343,286	55%	686,571
VCS Business Unit	2,581,979	1,397,931	92%	2,795,861
Other Investments	78,446	0		104,172
Warm West Coast	17,809	0		
	6,305,194	4,652,929		9,410,029
SURPLUS / (DEFICIT)	247,085	513,342		920,577

BREAKDOWN OF SURPLUS (-DEFICIT)	Variance Actual V Budgeted YTD	ACTUAL	BUDGET Year to date	ANNUAL BUDGET
Rating Districts	-108,378	21,969	130,347	260,693
Quarries	-50,474	-51,533	-1,060	-2,119
Regional % Share of AHB Programmes	-31,458	-49,743	-18,286	-36,571
Investment Income	96,086	643,790	547,705	1,095,409
VCS Business Unit	201,106	476,106	275,000	550,000
General Rates Funded Activities	-307,616	-727,981	-420,365	-842,663
Warm West Coast	3,057	3,057	0	0
Other	-68,580	-68,580	0	-104,172
TOTAL	-266,257	247,085	513,342	920,577

Net Contributors to General Rates Funded Surplus (-Deficit)	Net Variance Actual V YTD	Actual	Budet ytd	Annual Plan
Rates	8,334	1,058,334	1,050,000	2,100,000
Rates Penalties	-5,614	24,386	30,000	60,000
Representation	16,941	-199,029	-215,970	-431,939
Resource Management	-346,028	-1,181,550	-835,523	-1,672,979
Planning Activities	-13,120	-53,094	-39,975	-79,949
River, Drainage, Coastal Protection	-40,507	-164,137	-123,631	-247,261
Hydrology & Floodw arning	22,646	-212,823	-235,469	-470,938
Emergency Management	49,730	-68	-49,799	-99,597
	-307,616	-727,981	-420,365	-842,663

STATEMENT OF FINANCIAL POSITION @ 31 DECEMBER 2014

	@ 31/12/14
<u>CURRENT ASSETS</u>	
Cash	-276,276
Deposit - Westpac	7,254
Accounts Receivable - General	1,145,964
Accounts Receivable - Rates	-306,554
Prepayments	139,142
Sundry Receivables	606,275
GST Refund due	0
Stock - VCS	26,487
Stock - Rock	763,332
Stock - Office Supplies	22,116
Accrued Rates Revenue	0
	2,127,740
<u>NON CURRENT ASSETS</u>	
Investments	11,143,739
Strategic Investments	902,476
Term Deposit - PRCC bond	50,000
MBIE & DOC Bonds	14,636
Investments-Catastrophe Fund	815,833
Warm West Coast Loans	762,424
Commercial Property Investment	1,352,561
Fixed Assets	4,854,121
Infrastructural Assets	54,061,958
	73,957,747
TOTAL ASSETS	76,085,486

<u>CURRENT LIABILITIES</u>	
Bank Short Term Loan	300,000
Accounts Payable	418,200
GST	113,852
Deposits and Bonds	765,814
Sundry Payables	274,131
Accrued Annual Leave, Payroll	331,447
Other Revenue in Advance	0
Rates Revenue in Advance	0
	2,203,444
<u>NON CURRENT LIABILITIES</u>	
Future Quarry restoration	70,000
Interest Rate Hedge Position	98,130
Lower Waiho	248,700
Greymouth Floodwall	1,839,294
Inchbonnie	12,265
Hokitika Seawall	1,425,000
Punakaiki Loan	48,997
Strategic Investments	1,290,286
Warm West Coast	760,000
Office Equipment Leases	31,008
	5,823,680
TOTAL LIABILITIES	8,027,124

<u>EQUITY</u>	
Ratepayers Equity	19,027,468
Surplus transferred	247,085
Rating Districts Equity	1,747,385
Tb Special Rate Balance	226,336
Revaluation	35,299,357
Quarry Account	-11,751
Catastrophe Fund	779,482
Investment Growth Reserve	10,743,000
TOTAL EQUITY	68,058,362
LIABILITIES & EQUITY	76,085,486

2. Investment Income

Westpac Portfolios

January 2015	Catastrophe Fund	Major Portfolio	TOTAL
Opening balance 1 January 2015	\$ 815,833	\$ 11,143,738	\$ 11,959,571
Income January 2015	\$ 15,762	\$ 225,697	\$ 241,459
Deposit	\$ 50,000		\$ 50,000
Withdrawal		\$ -	\$ -
Closing balance 31 January 2015	\$ 881,595	\$ 11,369,435	\$ 12,251,030
Total income year to date to 31 January	\$ 52,114	\$ 744,922	\$ 797,036

3. Comments

The surplus for the six months to 31 December 2014 was \$247,000 and is in line with previous results reports.

RECOMMENDATION

That this report be received.

Robert Mallinson
Corporate Services Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 10 March 2015
Prepared by: Andrew Robb – Chairman
Date: 27 February 2015
Subject: **CHAIRMAN'S REPORT**

Meetings Attended

- I attended the Mayors and Chairs on 9 February.
- I attended the Regional Sector Group meeting on 13 February in Wellington.
- I chaired the Hokitika Joint Seawall Committee meeting on 16 February.

RECOMMENDATION

That this report be received.

Andrew Robb
Chairman

Trish Jellyman

Subject: Meetings with your Council: Local government reputation and initiatives to lift performance and tell our story

Location: Council Chambers, West Coast Regional Council, Greymouth

Start: Wed 01/04/2015 14:00

End: Wed 01/04/2015 16:00

Recurrence: (none)

Meeting Status: Accepted

Organizer: Patrick Walsh

Sent on behalf of Lawrence Yule, President, LGNZ:

Dear Mayor or Chair, Councillors, Chief Executive, Senior Management and Communications contacts

Further to our recent communication, this is a personalised invitation to a meeting with your Council to present our recent Reputation Research, and discuss the initiatives we will collectively take as a sector to build our reputation. This feeds off the recent research presentations by LGNZ Chief Executive Malcolm Alexander at our Zone and Sector meetings.

We are scheduling individual visits with each council. We hope to present to all elected members of your council, along with senior management and communications personnel – and we would ask for full attendance where possible so that we can have a robust discussion on this.

Please kindly invite other senior communications people who may not be included on this invitation.

Either myself or LGNZ Vice President Brendan Duffy will attend each workshop, along with your National Council Zone or Sector representative. LGNZ Chief Executive Malcolm Alexander or Director of Advocacy Helen Mexted will also attend as many meetings as possible. During the workshops, we will cover the recent Reputation Research by Colmar Brunton on perceptions of how we are viewed by public and business, what actions we need to take to address this, and a possible campaign and communications programme to lift the value of local government. The sector will benefit widely from a nationwide, strategic approach that communicates our collective focus on the issues that matter to our communities.

Thank you for your support.

Warm Regards

Lawrence Yule
President
 Local Government New Zealand
 DDI 04 924 1200
 W www.lgnz.co.nz



THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 10 March 2015
Prepared by: Chris Ingle – Chief Executive
Date: 26 February 2015
Subject: **CHIEF EXECUTIVE'S REPORT**

Meetings Attended

- The Chairman and I hosted the Mayors and Chairs forum on 9 February.
- The Chairman and I attended the Regional Sector Group dinner meeting on the evening of 12 February in Wellington.
- I chaired the SOLGM Planning and Accountability Working Party meeting in Wellington on 13 February.
- I attended the Joint Hokitika Seawall Committee meeting in Hokitika on 16 February.
- I attended the Regional Chief Executive's forum in Wellington on 17 February and attended another meeting later that day with the CEOs of MfE and DoC.
- I attended the Chief Executive's Environmental Forum in Wellington on 18 February.
- I will be attending the Investment Logic Mapping Training on 4 March.
- I will be attending the Science Advisory Group Futures workshop in Wellington on 5 March.

Long Term Plan 2015 - 2025

The Council's annual budget workshop is scheduled to occur following the Council meeting. At the time of writing this report the Council's management team and I have been working hard to develop a ten year set of budgets that are realistic and fund the Council's commitments. We can discuss these in more detail at the workshop.

As well as preparing ten years of budget information, I have been developing the Long Term Plan document itself. As previously discussed this document needs to be crafted in a manner that we can derive a consultation document from it that prompts an informed debate with our community over what the Council's priorities are for the coming decade, and particularly the next three year period. My suggestion is that Council high level focus be on three key matters:

- Consultation on the proposed new Regional Policy Statement for the West Coast;
- Implementing the Regional Economic Development Plan, with the District Councils and DWC;
- Further development and refinement of river and sea protection infrastructure in the region.

Finally, the Local Government Act now requires the Revenue and Financing Policy to be adopted prior to the rest of the Long term Plan document. I have therefore amended the Policy and would like to recommend that Council adopt it.

RECOMMENDATIONS

1. *That this report be received.*
2. *That the Council approves the attached Revenue and Financing Policy.*

Chris Ingle
Chief Executive

Draft Revenue and Financing Policy

This policy is required by the Local Government Act 2002, in particular sections 101, 102 and 103.

The purpose of the revenue and financing policy is to provide and explain the policy of the West Coast Regional Council for the funding of operating and capital expenditure from the following sources:

- General Rates, including information regarding choice of valuation system or differential rating.
- Targeted Rates
- Fees and Charges
- Income from Investments
- Borrowing
- Proceeds from Asset Sales
- Financial contributions under the Resource Management Act 1991
- Grants and Subsidies
- Other Sources

Available Funding Sources/Mechanisms

Investment Income

Council at present has funds of over \$11M under management with its Fund Manager. Council policy is that at least 30% of the interest earned from the managed fund portfolio must be re-invested into the fund so that the fund grows for the benefit of future generations.

Council also has a Catastrophe fund of over \$800,000 invested with its Fund Manager. Interest earned on this fund is retained 100% within the Catastrophe Fund.

Environment Court appeals for RMA planning, enforcement and resource consent are unpredictable. If significant legal expenses are likely to be incurred, Council may consider allocating an additional unbudgeted funding allocation from the investment fund to cover legal fees.

General Rates and Choice of Rating System for General Rate.

Council may make and levy a General Rate either,

- Across the Region, or
- Within each constituent District within the Region, so that the rate made or levied may vary across the three Districts (Westland, Buller and Grey) within the Region.

Council does not propose to use a Uniform Annual General Charge.

Council implemented a differential general rate in 2005/06, which fixed the percentage (%) of the general rate to be collected from each of the three District areas within the region. The differentials decided were:

- Buller District Area 31%
- Grey District Area 39%
- Westland District Area 30%

Since its creation in 1989, the Council has made and levied its General Rate using the Capital Value system. The nature of the Council's business has not altered significantly in that time. Council concludes that the system of making and levying its General Rate should continue to use the Capital Value system.

General rates are used to fund activities where Council believes there is a general benefit to all ratepayers and it is not possible to identify or charge the cost directly to the beneficiaries.

Targeted Rates

Council may make and levy targeted rates for the purpose of undertaking specific services or work for the benefit of all or part of the Region. Council will be making and levying targeted rates to fund the following types of expenditure:

1. Various river, drainage and coastal protection schemes. These rates are only made and levied over properties that have a direct beneficiary or cause/effect relationship with the service being provided.
2. The Tb Pest Management rate, which is made and levied over all rural properties greater than or equal to two (2) hectares, to fund part of the regional share of Vector Control Work undertaken by TB Free. An equal 1/3 share is collected from each of the three Districts. 2015/16 is the final year this rate will be applied.
3. A Civil Defence Emergency Management rate is made and levied across the region to fund Emergency Management responsibilities.
4. The Warm West Coast targeted rate scheme requires homeowners who 'borrowed' money from the Council to improve their home heating and insulation, pay this amount back via regional rates.

Rating District Balances

Various river, drainage and coastal protection rating districts have credit balances carried forward from year to year. At various times these credit balances will be utilised to fund works required in those rating districts.

Fees and Charges

Council may directly charge the beneficiary for a service, where the beneficiary is identifiable and there is a lawful mechanism to enable the Council to collect such fees and charges. Fees and Charges are detailed at the end of this LTP document.

Borrowing

The Council's LTP only envisages borrowing to fund scheme works where a clear majority of the contributing community (of those who reply to a postal opinion survey) want Council to carry out river, drainage or sea protection works.

Council borrows the funds required to carry out the project and normally rates the properties identified as benefiting to repay the loan for up to a 20 year period.

Capital Expenditure

Apart from protection works carried out at community request, Council's capital expenditure usually involves continual upgrading of flood warning sites, vehicles, office furniture and office equipment replacements, and purchase of specialised technical equipment.

Council policy with regard to funding of capital expenditure is that it is funded from the annual depreciation charge.

Revenue and Financing Sources and Mechanisms for the Council's Activities

Group of Activities	Activity	Funding Source
The cost of Governance; elections and the democratic process yields regional benefits that are appropriately funded from general rates.	<ul style="list-style-type: none"> • Democracy • Community Consultation • Maori Capacity 	100% General Rate

Group of Activities	Activity	Funding Source
Regional Policies & Plans involve completing the plan process for various plans under the Resource Management Act & the Biosecurity Act. These plans yield region wide benefits and are funded 100% by the General Rate.	<ul style="list-style-type: none"> • Plan changes and reviews • Policy analysis reports • Responses 	100% General Rate
Monitoring the State of the Environment documents trends in environmental quality, and helps indicates effectiveness of policies & plans. This activity is assessed as yielding regional benefits and it is 100% funded by the General Rate.	<ul style="list-style-type: none"> • Water quality monitoring • Hazardous substances sites • Air quality monitoring • Ground water monitoring 	100% General Rate
Resource consents are required under the Resource Management Act to allow activities that otherwise are restricted. Consent processing and Peer Review/ Quality Assurance are funded 75% by user charges and 25% by general rates, which represents a fair assessment of private and public benefit.	<ul style="list-style-type: none"> • Consent Processing • Consent Peer Review & Quality Assurance 	70%-80% user charges 20%-30% General rate
Consent Appeals and Enquiries costs are not recoverable from any particular applicant and are therefore funded 100% by the General rate.	<ul style="list-style-type: none"> • Consent Appeals • Consent Enquiries 	100% General rate
The monitoring of resource consents and mining licences ensures compliance with resource consent and mining licence conditions and is a duty of the Council under section 35 of the RMA.	<ul style="list-style-type: none"> • Compliance monitoring 	70%-80% User charges 20%-30% General Rate
Compliance Enquiries, Complaints and Enforcement Appeals costs are not recoverable from any specific persons and are therefore General Rate funded.	<ul style="list-style-type: none"> • Compliance enquiries • Incident complaints • Enforcement 	100% General Rate (less recoveries from fines etc)
Oil Spill Response planning and capability is funded 100% by User Charges from Maritime NZ	<ul style="list-style-type: none"> • Oil spill response capability and planning 	100% User Charges (MNZ)
Civil Defence & Emergency Management response activities include Civil Defence Plan review and implementation activities funded by targeted rate. Hazard research is funded by general rate.	<ul style="list-style-type: none"> • Civil Defence Response • Hazards Research 	100% Targeted Rate 100% General Rate
Transport activities involve various transport related responsibilities which the Council receives either 50% or higher subsidy from NZTA.	<ul style="list-style-type: none"> • Total Mobility • Transport Planning • Road Safety Promotion • Passenger Transport 	50% NZTA Subsidy 50% General Rate 33% General rate 67% subsidy from NZTA ¹
The Council administers 26 special rating districts under the Soil Conservation and Rivers Control Act. Expenditure on works directly attributable to a specific rating district is funded on a user pays basis by way of targeted rates onto those communities that benefit.	<ul style="list-style-type: none"> • Rating Districts 	100% Targeted Rates
Other expenditure is funded by the General rate recognising indirect benefits to the wider community.	<ul style="list-style-type: none"> • Rating District Management 	100% General Rate
River cross-sections work is paid 50-50.	<ul style="list-style-type: none"> • River Cross section Studies 	50% targeted rate 50% general rate

¹ The 67% subsidy is reducing by 1% per year till it reaches 58%. The general rate contribution will need to rise annually to compensate for the declining NZTA contribution.

Group of Activities	Activity	Funding Source
<p>Council operates a number of hard rock quarries throughout the region for the purpose of supplying good quality durable rock for river protection works. The quarries are operated on a fully cost recoverable basis from rock users.</p>	<ul style="list-style-type: none"> • Quarry Operations 	<p>100% User Charges (rock sales)</p>
<p>TB Free Vector Control work has traditionally been 10% funded by regional councils. TB Free's funding review last year recommended the regional council share be discontinued, though one final year's funding has been requested, in 2015/16 only. This cost is 100% met by targeted ratepayers who reside on rural properties of 2 ha or greater.</p>	<ul style="list-style-type: none"> • 10% Regional share of cost of Tb vector control work 	<p>100% Targeted Rate</p>

THE WEST COAST REGIONAL COUNCIL

To: Chairperson
West Coast Regional Council

I move that the public be excluded from the following parts of the proceedings of this meeting, namely, -

Agenda Item No. 8.

- | | | |
|---------|-----|--|
| 26 – 29 | 8.1 | Confirmation of Confidential Minutes 5 February 2015 |
| 30 | 8.2 | Insurance Review |
| | 8.3 | Overdue Debtors Report (to be tabled) |
| | 8.4 | Response to Presentation (if any) |
| | 8.5 | In Committee Items to be Released to Media |

Item No.	General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution.
8.			
8.1	Confirmation of Confidential Minutes 5 February 2015		Section 48(1)(a) and in particular Section 9 of 2nd Schedule Local Government Official Information and Meetings Act 1987.
8.2	Insurance Review		
8.3	Overdue Debtors Report		
8.4	Response to Presentation (if any)		
8.5	In Committee Items to be Released to Media		

I also move that:

- Chris Ingle
- Robert Mallinson
- Michael Meehan
- Jackie Adams

be permitted to remain at this meeting after the public has been excluded, because of their knowledge on the subject. This knowledge, which will be of assistance in relation to the matter to be discussed.

The Minutes Clerk also be permitted to remain at the meeting.