



THE WEST COAST
REGIONAL COUNCIL

West Coast Regional Policy Statement

24 July 2020



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Regional Policy Statement

Approved: 14 July 2020



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Operative: 24 July 2020

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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 (RPS) 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 RPS 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 RPS 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 RPS does not contain rules to regulate activities, the West Coast Regional Council (WCRC) 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 WCRC and the Territorial Authorities are required to "...have regard to" relevant objectives and policies in the RPS when considering an application for a resource consent (section 104(1) of the Resource Management Act (RMA)).

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

1.2 Regional Policy Statement Guiding Principles

The WCRC has developed this RPS 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 RPS. All district and regional plans should have regard to people and communities and their need for a healthy environment, well managed infrastructure, employment, business opportunities and education for their wellbeing and long-term economic success.

ECONOMY AND ENVIRONMENT

The RPS seeks to give due consideration to economic and environmental factors in resource management decision-making. It recognises that a healthy West Coast economy needs a healthy environment. This RPS 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 RPS 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 NZCPS.

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 RPS 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.

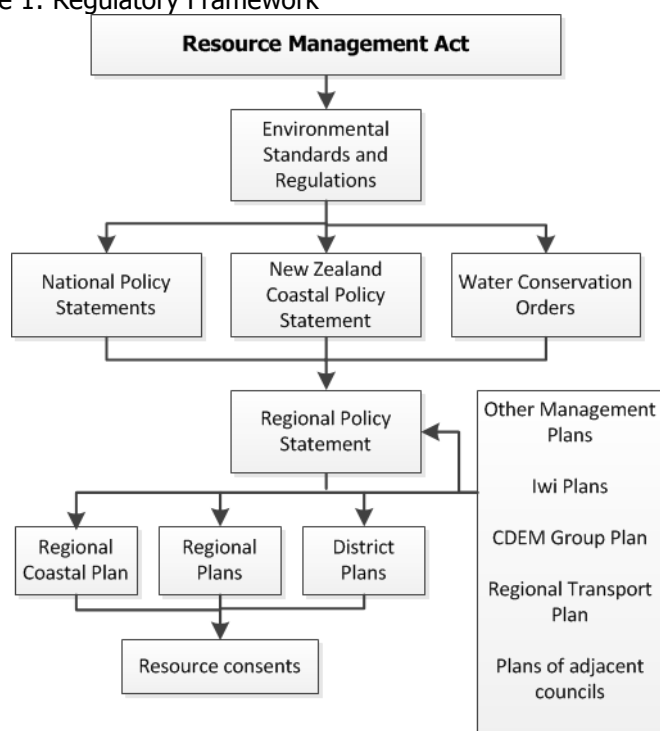
Regional coastal plan – Prepared by regional councils these are intended to assist the regional council, in conjunction with the Minister of Conservation, to manage the coastal marine area where each has specific functional responsibilities. The coastal marine area generally encompasses the foreshore, 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 RPS. 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



Duties in relation to Māori

The RMA recognises that the Principles of the Treaty of Waitangi are an integral part of promoting the sustainable management of natural and physical resources. Section 61 of the RMA requires that regional policy statements must be prepared in accordance with Part 2 matters, including the Treaty of Waitangi principles, and recognising and providing for the culture and traditions of Māori in the region, and their relationship with their ancestral lands, water, sites wāhi tapu and other taonga. Section 62 of the RMA requires a RPS to state the resource management issues of significance to iwi authorities in the region. Te Rūnanga o Ngāi Tahu is the iwi authority for the entire West Coast region. 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 papatipu rūnanga who represent the tangata whenua interests of Poutini Ngāi Tahu on the West Coast are Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio.

Section 220 of the Ngāi Tahu Claims Settlement Act 1998 recognises the mana held by Ngāi Tahu in relation to specific sites and resources, known as Statutory Acknowledgement Areas. These are acknowledgements by the Crown of the special relationships that Ngāi Tahu have with the Areas for cultural, spiritual, historical, and traditional reasons. On the West Coast the Statutory Acknowledgement Areas are: Ōkari Lagoon, Taramakau River, Kōtukuwhakaoka (Lake Brunner/Moana), Lake Kaniere, Pouerua-hāpua (Saltwater Lagoon), Ōkārīto Lagoon, Makaawhio (Jacob's River), Karangarua Lagoon, and Lake Paringa. The West Coast Councils will consider Te Rūnanga o Ngāi Tahu and the respective papatipu rūnanga to be affected parties where resource use may adversely affect Statutory Acknowledgement Areas.

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 WCRC 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);
- The maintenance and enhancement of ecosystems in waterbodies and coastal water;
- 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;
- The establishment, implementation and review of objectives, policies and methods for maintaining indigenous biological diversity; 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;
 - maintenance of indigenous biological diversity;
- 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 WCRC 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, and protection of any land which is of significance. The RPS has been developed to give effect to this responsibility.

1.3.3 STATEMENT OF REGIONAL AND DISTRICT COUNCIL RESPONSIBILITIES

The RPS 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 maintain indigenous biological diversity

This RPS has identified the management of indigenous biological diversity and natural hazards as significant resource management issues for the West Coast and consequently addresses the roles and responsibilities within Chapters 7, 8, 9, and 11, respectively.

1.4 User Guide to the RPS

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

Part B contains the significant resource management issues for the West Coast, including the issues of significance to Poutini Ngāi Tahu. It lists these issues in Chapters 3-11 and explains how the objectives, policies, methods and anticipated environmental results relate to them. This includes 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 Māori with ancestral lands, water, sites, wāhi tapu and other taonga. Chapter 3 provisions must be read together with all other relevant chapters.

The RPS must be read as a whole. If a matter relates to more than one chapter, then the relevant objectives and policies in those chapters must be read together. For example, municipal sewage effluent discharges into coastal water will involve the consideration of Chapter 3: Resource Management issues of Significance to Poutini Ngāi Tahu, and Chapter 9: Coastal Environment. Flood protection walls along rivers will involve the consideration of Chapter 3: Resource Management issues of Significance to Poutini Ngāi Tahu, Chapter 6: Regionally Significant Infrastructure (for Rating District stopbanks), Chapter 8: Land and Water, and Chapter 10: Natural Hazards.

Part C sets out the administrative procedures relating to the implementation of the RPS. They include the processes that the WCRC will use to promote integrated management and deal with issues that cross local authority boundaries, and the procedures to monitor the effectiveness of the RPS and for its review.

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

Part B
Significant resource management issues for the West
Coast

2. Significant Resource Management Issues for the West Coast

This Chapter brings together all the significant resource management issues for the West Coast region, including resource management issues of significance to Poutini Ngāi Tahu, and explains the RMA planning framework of objectives, policies and methods of implementation. The issues listed in Table 1, are taken directly from Chapters 3-11 of this RPS.

Table 1: Significant resource management issues for the West Coast

Issues	
Significant issues for Poutini Ngāi Tahu	<ol style="list-style-type: none"> 1. Expression of rangitiratanga through active involvement in resource management decision-making. 2. The need for integrated environmental management of and between all resources, reflecting ki uta ki tai. 3. It is important to Poutini Ngāi Tahu that the life-supporting capacity of the environment is safeguarded, and this capacity is restored where it has been impaired by use and development of resources. 4. The need to use resources, including mahinga kai resources, to sustain the community. 5. The obligation to protect wāhi tapu and other taonga for future generations. 6. 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.
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 enabling the appropriate use and development of natural and physical resources whilst promoting their sustainable management. 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, heritage and amenity values. 3. The implementation of the RMA by local authorities can, support economic growth and creation of employment in the region; whilst also avoiding, remedying or mitigating any associated adverse effects.
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 the conflicts arising from the use, development and protection of natural and physical resources.
Regionally Significant Infrastructure (RSI)	<ol style="list-style-type: none"> 1. Resilient RSI is essential for the social, economic and cultural wellbeing of the West Coast. 2. Strategically integrating infrastructure and land use.
Ecosystems and indigenous biological diversity	<ol style="list-style-type: none"> 1. Activities which contribute to people's wellbeing may adversely affect indigenous biological diversity. 2. In the context of extensive indigenous vegetation and habitats, much of which is on land managed by the Department of Conservation, an integrated management approach is required. 3. Councils, and Poutini Ngāi Tahu need to work together to identify opportunities to recognise and provide for Poutini Ngāi Tahu culture and traditions in relation to the use and protection of indigenous biological diversity under the RMA, to the extent practicably possible.
Natural Character	<ol style="list-style-type: none"> 1. Activities which contribute to people's wellbeing may adversely affect the natural character of the region's wetlands, and lakes and rivers and their margins.

Issues	
Natural Landscapes and Features	1. Activities which contribute to people's wellbeing may adversely affect outstanding natural features and outstanding natural landscapes.
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. Activities may adversely affect the significant values of wetlands and outstanding freshwater bodies. 4. 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. Protecting the values of the coastal environment whilst enabling sustainable use and development, to provide for the region's economic, social and cultural wellbeing. 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 winter time, emissions of particulate matter can potentially affect people's health. It is critical that people are able to keep warm in their homes while winter time particulate matter 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. 3. Subdivision, use and development can contribute to natural hazard risk.

Each of the resource management topic chapters (3-11) sets out:

- The background to the issues;
- The objectives to be achieved in response to the issues;
- The policies to achieve each 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 RPS the WCRC has recognised the fundamental purpose of the RMA, to promote the sustainable management of the natural and physical resources of the region. In preparing this RPS, 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 significant resource management issues may address the 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 outcomes for the region. These are high level goals to be aimed for. The WCRC recognises that some of these objectives may not be fully

achieved over the life of this RPS. 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 RPS 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 RPS are the specific actions to implement the policies.

Issues, objectives, policies or methods in this RPS 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. In some instances, it may be acceptable to allow residual effects to be addressed by biodiversity offset or environmental compensation proposals which provide an environmental benefit outside the application site. The degree and significance of effects, including the potential for cumulative effects, will need to be considered in the circumstances of each case, and assessed against the relevant RPS and plan provisions.

Other matters

The RMA, through sections 6 and 7, sets out a number of matters of national importance (section 6) that must 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, however, where relevant they are recognised, provided for and given regard to as necessary to achieve the RMA and ensure integrated management of natural and physical resources in the region. Regional and district plans provide more specific provisions to address these matters where required.

3. Resource Management Issues of Significance to Poutini Ngāi Tahu

POUTINI NGĀI TAHU AND THE MANAGEMENT OF NATURAL RESOURCES

There is a distinctive cultural context to the way that Poutini Ngāi Tahu think about and respond to resource management issues in their takiwā. This cultural context is a reflection of:

- The connection between the natural world and Poutini Ngāi Tahu through whakapapa, where people are descended from Papatūānuku, the ancestral earth mother and Ranginui the ancestral sky father;
- A body of knowledge about the land, water and resources that was developed over generations of collective Poutini Ngāi Tahu experience in Te Waipounamu;
- The relationship between tangata whenua and the environment, and a worldview that sees people as part of the world around them and not masters of it;
- An understanding that the care of natural resources is an act of whanaungatanga (caring for the family) which recognises that people are dependent on resources and have reciprocal obligations to care for, conserve and protect them; and
- The desire to protect key cultural values such as mauri and mahinga kai that are critical to identity, sense of place and cultural well-being.

A brief overview of key values, principles and practices is provided here:

1. KAITIAKITANGA

Traditionally, kaitiaki were the non-human guardians of the environment (e.g. birds, animals, fish and reptiles) which, in effect, communicated the relative health and vitality of their respective environments to local tohunga and rangatira who were responsible for interpreting the 'signs' and making decisions accordingly. Poutini Ngāi Tahu consider kaitiakitanga as a much wider cultural concept than pure guardianship. To Poutini Ngāi Tahu, kaitiakitanga entails an active exercise of responsibility in a manner beneficial to the resource. Kaitiaki, the people who practice kaitiakitanga, do so because they hold the authority and responsibility to do so. To Poutini Ngāi Tahu, kaitiakitanga is not a passive custodianship and they are required to play an active kaitiaki role in the day to day management of natural 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.

2. RANGATIRATANGA

Rangatiratanga involves having the mana or authority to exercise the relationship of Poutini Ngāi Tahu and their culture and traditions with the natural world. Article II of the Treaty of Waitangi and sections 6(e) and 8 of the RMA are concerned with this same relationship.

Traditionally, rangatiratanga incorporates the right to make, alter and enforce decisions pertaining to how a resource is to be used and managed, and by whom. Today, it is similar to the functions of the WCRC and is expressed through the relationship between Poutini Ngāi Tahu and the Council. A practical expression of rangatiratanga is the active involvement of Poutini Ngāi Tahu in resource management decision-making processes. The Regional Council has long recognised the need to consult with Poutini Ngāi Tahu - and to provide opportunities for their active involvement 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. Poutini Ngāi Tahu will continue to have a voice in all resource management decision making.

3. MAURI

For Poutini Ngāi Tahu, mauri is the life force that comes from wairua – the spirit, or source of existence and all life. Mauri is the life force in the physical world. As a life principle, mauri implies health and spirit. In the environment, mauri can be used to describe the intrinsic values of all resources and of the total ecosystem. In the natural environment, mauri is of paramount importance to the wellbeing of the people. Mauri can be harmed by the actions of humans but is unaffected by natural processes such as natural disasters.

The preservation of the mauri of all natural resources is paramount to Poutini Ngāi Tahu to ensure that natural and physical resources may be used sustainably by present and future generations. The overall purpose of resource management for Poutini Ngāi Tahu is the maintenance of the mauri of natural and physical resources, and to enhance mauri where it has been degraded.

There are indicators within the environment, both physical and spiritual, that Poutini Ngāi Tahu use to measure mauri. These include the presence of healthy mahinga kai and healthy flora and fauna, the presence of resources fit for cultural use, and the aesthetic qualities of resources such as the visibility of important landmarks. Spiritual indicators are those from the atua (gods), which can take many forms and are recalled in the kōrero pūrūkau (stories) of whānau and hapū.

4. MAHINGA KAI

Mahinga kai refers to Poutini Ngāi Tahu cultural values in association with food and other natural resources and includes such resources as those used for weaving, carving, and rongoā Māori or Māori medicine. It also includes the places where such resources are gathered such as rivers and coastal waters. The term mahinga kai encompasses social and educational elements as well as the process of gathering cultural materials/natural resources. It includes the way such resources are gathered, the place where they are gathered from, and the actual resource itself.

5. KI UTA KI TAI

The principle of Ki Uta Ki Tai (“the mountains to the sea”) reflects the holistic nature of traditional resource management, particularly the interdependent nature and function of the various elements of the environment within a catchment. This principle requires an integrated management approach across the land and water boundary.

6. WĀHI TAPU

Wāhi tapu are places of particular significance that have been imbued with an element of sacredness or restriction (tapu) following a certain event or circumstance. Wāhi tapu sites are treated according to tikanga and kawa that seek to ensure that the tapu nature of those sites is respected. Wāhi tapu include kōiwi (human remains), urupā (burial sites), waiwhakaheke tūpāpaku (water burial sites), historic pa, buried whakairo (carvings) tuhituhi o neherā (archaeological and rock art sites), tohu (“markers” such as landmarks, mountains, mountain ranges, and some trees), ana (caves), and tauranga waka (canoe landing sites).

7. TAONGA

All natural resources – air, land, water and indigenous biological diversity are taonga. Taonga are treasures, things highly prized and important to Poutini Ngāi Tahu, derived from the Atua (Gods) and left by the tīpuna (ancestors) to provide and sustain life. Taonga include sites and resources such as wāhi tapu, tauranga waka, and mahinga mātaītai, other sites for gathering food and cultural resources, tribally significant landforms, and features. The term cultural landscapes is an inclusive expression for taonga sites and areas.

Pounamu is a taonga of utmost importance to Poutini Ngāi Tahu/Ngāi Tahu culture and tradition, and the two papatipu rūnanga have each prepared a pounamu 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.

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

1. Expression of rangitiratanga through active involvement in resource management decision-making.
2. The need for integrated environmental management of and between all resources, reflecting ki uta ki tai.
3. It is important to Poutini Ngāi Tahu that the life-supporting capacity of the environment is safeguarded, and this capacity is restored where it has been impaired by use and development of resources.
4. The need to use resources, including mahinga kai resources, to sustain the community.
5. The obligation to protect wāhi tapu and other taonga for future generations.

6. The wise and efficient allocation and use of non-mineral resources within their capacity to regenerate, having regard to the effects of the use.

Note: Some of these issues are dealt with in other chapters of this RPS.

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 and District Councils will continue to provide opportunities for active involvement of tangata whenua 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 papakāinga housing on Poutini Ngāi Tahu land will be recognised and supported.

EXPLANATION TO THE POLICIES

Policy 1 is intended to reflect Treaty principles and gives effect to section 8 of the RMA. 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 and District Councils’ responsibilities are to take into account the principles of the Treaty as defined by the Act and clarified by the courts.

The ways in which active involvement should be provided will need to be determined in consultation between the Councils and Poutini Ngāi Tahu. As well as consultation on specific matters, active involvement could be implemented by methods including, but not limited to, information sharing, development of Mana Whakahono a Rohe iwi participation arrangements or other relationship agreements, support for Poutini Ngāi Tahu environmental initiatives, and representation on hearing panels.

The Regional and District Councils will endeavour to:

- a) Ensure that their 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 Māori interests;
 - not take actions which would prevent the redress of claims; and
 - recognise that the government must be able to govern.

Policy 2 gives effect to section 6(e) of the RMA by recognising that some resources, places or things are of special significance to Māori. These include wāhi tapu sites, archaeological sites, other historic sites or places and natural landscapes or features of cultural or traditional importance to Māori. Natural landscapes may have cultural values such as pā, kāinga, ara tawhito (traditional trails), pounamu, mahinga kai, and wāhi ingoa (place names). The traditions of Ngāi Tahu tūpuna (ancestors) are embedded in the landscape. The policies aim to protect such sites and values from the adverse effects of resource use and development as far as is practicable.

Policy 3: Policy 3 gives effect to section 6(e) of the RMA, and also to Section 7(a), which requires that particular regard be given to kaitiakitanga. 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. Poutini Ngāi Tahu already have input into identifying and assessing adverse effects on their economic, cultural, and spiritual values through RMA planning and consent processes. Further consultation may be undertaken in the future between the Regional and District Councils and Poutini Ngāi Tahu, about how their kaitiakitanga role can be enabled.

Policy 4 also gives effect to section 6(e) of the RMA by seeking to ensure that tangata whenua face no unnecessary barriers in the development of Poutini Ngāi Tahu lands.

APPLICATION OF PROVISIONS ACROSS THE RPS

The objectives and policies in this chapter of the RPS must be read together with other relevant chapters, including Chapter 6, which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

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. Councils must consult with Poutini Ngāi Tahu about the appropriate form of their involvement in:
 - a) Plan development, and resource consent processes;
 - b) Other council RMA decision-making processes; and
 - c) Enabling the kaitiakitanga role of Poutini Ngāi Tahu.
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. Add conditions to resource consents incorporating iwi protocols to protect ancestral lands, water, sites, wāhi tapu and other taonga where appropriate to avoid, remedy or mitigate adverse effects on iwi values.
6. In preparing regional and district policies and plans, and when making decisions relating to resource consents, have regard to Statutory Acknowledgements Areas, and mataitai reserves, and take into account iwi management plans.
7. District councils must consult with Poutini Ngāi Tahu to determine how papakāinga housing can be provided for in the District Plans.

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 active involvement 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. This is important to sustaining Poutini Ngāi Tahu identity and wellbeing.

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.

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, 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.

Due to a historical reliance on the export of commodities from the region, 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 a skilled workforce in more consistent and reliable employment, a decent household income and local access to modern health, education and recreation services. Our regional community cannot grow and prosper without new economic development that is driven by infrastructure, innovation, capital, international connections and a skilled workforce. Without this, there is a very real risk that this region will start to experience population decline and the loss of core services.

The emergence of the dairy and tourism sectors have provided income sources additional to the mineral extraction industries. But the future of the region cannot rely on these three sectors alone. Further diversification of the West Coast economy is crucial - to counteract fluctuations caused by external influences such as 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, learn, innovate and do business, inviting diversification of the key industries and providing alternatives from, and added value to, the cornerstones of the traditional earners. Achieving diversification can be assisted by enabling reliable access to the natural and physical resources of the region, promoting an availability of quality living environments, and ensuring sound, consistent and reliable regulatory processes.

The high quality living environment on the West Coast is made up of many things that our communities value. The long proud history of the West Coast remains visible in the numerous historic buildings, places, monuments and landscapes, including our rivers, lakes and coastal environments. It is from these resources that a sense of place and identity are derived. To ensure our communities prosper, we must protect the significant values of these resources as far as practicably possible whilst encouraging opportunities for growth and development that do not undermine those values.

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 RPS does not seek to drive economic development of itself, it can establish the importance of developing an enabling 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.

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 enabling the appropriate use and development of natural and physical resources whilst promoting their sustainable management.
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, heritage and amenity values.
3. The implementation of the RMA by local authorities can support economic growth and creation of employment in the region; whilst also avoiding, remedying or mitigating any associated adverse effects.

OBJECTIVES

1. To enable sustainable and resilient communities on the West Coast.
2. This region's planning framework enables existing and new economic use, development and employment opportunities while ensuring sustainable environmental outcomes are achieved.
3. To ensure that the West Coast has physical 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.
4. The significant values of historic heritage are appropriately managed to contribute to the economic, social and cultural wellbeing of the West Coast.
5. To recognise and provide for the relationships of Poutini Ngāi Tahu with cultural landscapes.

POLICIES

1. To sustainably manage the West Coast's natural and physical resources in a way that enables a range of existing and new economic activities to occur, including activities likely to provide substantial employment that benefits the long term sustainability of the region's communities.
2. Regional and district plans must:
 - a) Contain regulation that 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 gives effect to relevant national and regional policy direction; and
 - g) Focus on effects and, where suitable, use performance standards.
3. 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.
4. To promote:
 - a) The sustainable management of urban areas and small settlements, along with the maintenance and enhancement of amenity values in these places; and
 - b) The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers where it contributes to the economic, social and cultural wellbeing of people and communities.
5. Promote the sustainable management of historic heritage, through:
 - a) Identification of significant values associated with historic heritage;
 - b) Ensuring that subdivision, use and development does not detract from the significant values of historic heritage; and
 - c) Encouraging the adaptive reuse of historic heritage where appropriate and practicable.
6. Cultural landscapes are appropriately identified, and effects of activities are managed in a way that provides for the cultural relationships of Poutini Ngāi Tahu.

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 managing natural and physical resources in a sustainable way is acknowledged, recognising that it is through the protection, use or development of those resources that our communities' economic and social wellbeing will be provided for in the future. Enabling 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. Enabling growth will also provide incentives for 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 outcomes. There will be circumstances whereby specific constraints are justified. However, plans should provide the ability to innovate and adapt where possible.

Policy 3 seeks to achieve efficiency and consistency in the management of Council functions particularly where one Council may have expertise.

The implementation of Policy 4(a) 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. In reference to Policy 4(b), it is important that public access to these natural environments is maintained where possible (except, for example, where it is unsafe) so that people and communities can provide for their wellbeing.

Policy 5 promotes the sustainable management of historic heritage. This requires regional and district plans to include schedules of significant historic heritage; and that the effects of any subdivision, use and development on those identified values are appropriately recognised and managed. This approach also encourages consideration to be given to the economic viability of proposals involving historic heritage.

Policy 6 recognises that the traditions of Poutini Ngāi Tahu tūpuna (ancestors) are embedded in the landscape. Indicators of these intergenerational landscapes include pā and kainga, ara tawhito (traditional trails), pounamu, mahinga kai, wāhi tapu and wāhi ingoa (place names). Protection of Poutini Ngāi Tahu cultural landscapes from inappropriate use, development and subdivision is important to Poutini Ngāi Tahu culture, identity and wellbeing, and consultation with Poutini Ngāi Tahu is required to determine appropriate means of addressing this in particular locations.

APPLICATION OF PROVISIONS ACROSS THE RPS

The objectives and policies in this chapter of the RPS must be read together with Chapter 3 and other relevant chapters, including Chapter 6, which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

METHODS

1. The Regional and District Councils, when reviewing their plans, considering options for plan changes, or replacement of an entire plan, must:
 - 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; and
 - c) Consider the use of good management practices (including environmental best practice guidelines, and codes of practice).
2. Undertake joint consent processes where appropriate.
3. Assess and identify in regional and district plans significant historic heritage according to criteria based on the following matters: (a) Historic (b) Cultural (c) Architectural (d) Archaeological (e) Technological (f) Scientific (g) Social (h) Spiritual (i) Traditional (j) Contextual (k) Aesthetic.
4. Use regional and district plans, and the resource consent process, to recognise and protect significant historic heritage from inappropriate subdivision, use and development.
5. Use regional and district plans, and the resource consent process, to recognise the contribution of public access to the economic, social and cultural wellbeing of people and communities, and to manage adverse effects on this and other amenity values.
6. Regional and district councils will consult with Poutini Ngāi Tahu about appropriate provision for cultural landscapes in regional and district plans.

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 within a framework of sustainable management 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 Coasters' social and cultural wellbeing, strengthen our sense of place, enhance our ability to access services and connect with our wider community. This includes, for example, provision for protecting significant heritage values, and maintaining public access to natural resources.

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.
3. The amenity values of urban areas and small settlements, as well as public access to the coastal marine area, lakes and rivers, are maintained and enhanced, where possible.
4. The significant values of historic heritage are protected as much as practicably possible, and contribute to the economic, social and cultural wellbeing of the West Coast.
5. The traditional and ongoing relationships of Poutini Ngāi Tahu with cultural landscapes are sustained for the benefit of future generations.

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 RMA.

The state and availability of natural resources is relatively more important for the West Coast's economy than for many other regions in New Zealand. The unique geological and climatic conditions of the region have resulted in creating a landscape unlike any other in New Zealand. This environment not only provides opportunity for economic growth, but is also treasured by its many visitors as well as those who live here. Hence, the West Coast is extremely reliant on the natural and physical resources of the region for its economic, social and cultural wellbeing.

Traditionally mining (coal and gold) has been the primary employer in the region. Farming also a significant contributor, particularly through the dairy industry. 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, and related value-added activities, creates the demand for their products and services. Tourism has also had a long history on the West Coast, starting in the mid-1800's with local guiding of early European explorers by Poutini Ngāi Tahu. The tourism sector continues to play an increasingly important role in the West Coast economy. The region is rich in natural landscapes, coastal environments, rivers and lakes, and with world renowned attractions such as World Heritage Parks, the region is gaining traction in international markets. The West Coast has a high rate of tourism growth.

Aside from these three mainstays of the economy, other industries based on natural resources include forestry, fishing (including for whitebait), extraction of other minerals such as ironsands and garnets, horticulture, sphagnum moss harvesting, and food production as well as a thriving arts industry using pounamu, gold, wood, stone and copper. Aggregate extraction and production is important for the construction, operation, and maintenance and upgrading of infrastructure and for broader economic activity across the West Coast within 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.

The West Coast has a significant proportion of public land administered by the Department of Conservation. The use and protection of public conservation land, is central to the long term sustainability of West Coast communities. Development of new tourism related infrastructure within public conservation land will provide incentives for growth and investment in the wider region. There are also a number of other activities that occur on land administered by the Department including grazing licences, mining and sphagnum moss harvesting.

The Department issues concessions under the Conservation Act, or access arrangements under the Crown Minerals Act in the case of mining, for activities to occur. While this includes consideration of environmental effects under the Conservation Act, regional and district council functions under the RMA still apply on public conservation land. While large portions of land are not freehold in the region, appropriate use and development can occur, generating growth opportunities while still protecting the values of natural resources and the wider environment.

Some land and resource use activities may be incompatible with others, for example mining near residential areas. Planning for and managing potentially conflicting activities are essential to ensure that the cultural, economic and social wellbeing of communities is looked after. There are also instances where mutually beneficial outcomes can be achieved, for example, where ecological values are protected whilst development occurs. Where these situations arise on public conservation land, they will not only be managed by regional and district plans, but also through the Department's Conservation Management Strategy.

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 due to the unique and special nature of the region and its natural resources. On the West Coast, most conflicts arise from the desire of some parties to use resources and the desire of others to protect them. Use, development and protection of the region's natural and physical resources are therefore significant resource management issues for the West Coast.

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 the conflicts arising from the use, development and protection of natural and physical 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. Incompatible use and development of natural and physical resources are managed to avoid or minimise conflict.

POLICIES

1. Enabling sustainable resource use and development on the West Coast to contribute to the economic, social and cultural wellbeing of the region's people and communities.
 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 by:
 - a) Avoiding, remedying or mitigating reverse sensitivity effects arising from new activities located near existing:
 - i) Primary production activities;
 - ii) Industrial and commercial activities;
 - iii) Minerals extraction*;
 - iv) Significant tourism infrastructure;
 - v) Regionally significant infrastructure; and
 - b) Managing new activities to retain the potential future use of:
 - i) Land with significant mineral resources; 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)(g)(b) 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 and that some activities can only occur in certain places because of the functional needs of that activity. Should other development occur there, then this can lead to a lost opportunity for a higher value use of that land.

APPLICATION OF PROVISIONS ACROSS THE RPS

The objectives and policies in this chapter of the RPS must be read together with Chapter 3 and other relevant chapters, including Chapter 6, which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

METHODS

1. Provide for the sustainable use and development of natural resources through regional and district plan provisions and resource consents.
2. Encourage discussion and co-operation between existing resource users (including land used for primary production) and those proposing new use and development of natural and physical resources (including the provision of infrastructure), to resolve conflicts and achieve integration of these activities.

Note: Method 2 relates to Policy 4 in Chapter 6 Regionally Significant Infrastructure.

PRINCIPAL REASONS FOR ADOPTING OBJECTIVES, POLICIES AND METHODS

The objectives, policies and methods of implementation have been adopted to ensure that the role of sustainable 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 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 (RSI)

BACKGROUND TO THE ISSUES

There is a need to recognise the social, economic, and environmental benefits that accrue locally, regionally and nationally from the establishment and continued operation of RSI. 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 every day 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 infrastructure 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 RMA processes that are required for this infrastructure therefore need to be simple, quick and low cost.

Section 30(1)(gb) 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 the National Grid are matters 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 (NESETA); and
- National Policy Statement for Renewable Electricity Generation 2011 (NPSREG).

For the purposes of Chapter 6 of the RPS, electricity generation, transmission and distribution infrastructure that is recognised as nationally significant is also identified as regionally significant in the Glossary. 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. The NPSREG and NPSET require that some matters be addressed in RPS's. The potential for certain activities to disrupt, or risk disrupting, the safe and efficient operation of RSI needs to be managed. Additionally, practical constraints associated with RSI can limit their ability to avoid, remedy or mitigate adverse effects. For instance, infrastructure facilities are often located on public conservation land, as 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.

RSI can have adverse environmental effects depending on its scale and location, amongst other factors. This Chapter generally does not contain provisions for managing the adverse effects of RSI on the environment. There are two exceptions. One is a policy for the National Grid. The other is a policy recognising the scope for offsets and compensation for non-biodiversity adverse effects that cannot be avoided, remedied or mitigated. All relevant provisions in this RPS must be considered in managing the adverse effects of RSI activities.

For RSI activities in the coastal environment, Chapters 6 and 9 must be considered.

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

1. Resilient RSI is essential for the social, economic and cultural wellbeing of the West Coast.
2. Strategically integrating infrastructure and land use.

OBJECTIVE

1. Enable the safe, efficient and integrated development, operation, maintenance, and upgrading of regionally and nationally significant infrastructure.

POLICIES

1. Provide for a secure supply of energy 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 RSI including renewable electricity generation activities and National Grid infrastructure.
3. When considering regional and district plan development and resource consent applications for regionally and nationally significant electricity transmission, distribution and renewable electricity generation infrastructure, have particular regard to the constraints imposed by the locational, technical and operational requirements of the infrastructure, including within areas of natural character (including outstanding natural character), outstanding natural features or landscapes, or areas of significant indigenous vegetation and significant habitats of indigenous fauna.
4. Recognise that RSI important to the West Coast's wellbeing needs to be protected from the reverse sensitivity effects arising from incompatible new subdivision, use and development, and the adverse effects of other activities, which would compromise the effective operation, maintenance, upgrading, or development of the infrastructure.
5. When considering any adverse environmental effects of RSI that cannot be avoided, remedied or mitigated, other than effects on indigenous biological diversity, decision-makers must have regard to any offsets and compensation proposed which benefit the natural environment or the community affected.
6. Provide for the operation, maintenance and upgrading of existing renewable electricity generation activities and electricity distribution and transmission networks in areas of natural character of wetlands, and lakes and rivers and their margins (including outstanding natural character), outstanding natural features or natural landscapes, or areas of significant indigenous vegetation and significant habitats of indigenous fauna including within the coastal environment.
7. (1) In the case of the National Grid, operation, maintenance or minor upgrading of existing National Grid infrastructure shall be enabled.
(2) In the case of the National Grid, following a route, site and method selection process and having regard to the technical and operational constraints of the network, new development or major upgrades of the National Grid shall seek to avoid adverse effects, and otherwise remedy or mitigate adverse effects, on areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and natural landscapes, and the natural character of wetlands, and lakes and rivers and their margins outside the Coastal Environment.
8. Land use and infrastructure should be integrated to avoid as much as practicably possible:
 - a) Constraints through the lack of supporting infrastructure;
 - b) Unsustainable demands being placed on infrastructure to meet new growth;
 - c) Significant adverse effects on existing land uses.

Note: Policy 4 relates to Method 2 in Chapter 5 Use and Development of Resources.

EXPLANATION TO THE POLICIES

Policy 1 seeks to ensure that the West Coast has a secure 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 seeks to ensure that RSI are provided for to meet the needs of the people and communities of the West Coast. RSI is defined in the Glossary. Policy 2 also gives effect to Policies E1-E4 of the NPSREG which requires provision for renewable electricity generation, and Policy 2 of the NPSET which requires recognition of the National Grid.

Policy 3 gives effect to Policy C1 of the NPSREG, and Policy 3 of the NPSET. Electricity generation infrastructure needs to be located where the resource is and the electricity needs to be conveyed to users. The location of the necessary infrastructure can sometimes be physically, technically or operationally constrained. Those constraints can also apply to other forms of RSI. Such infrastructure may need to be located within areas containing high, outstanding or significant natural values.

Policy 4: The operation, maintenance and future development of RSI can be significantly constrained by the adverse environmental impact of encroaching activities and development, also known as reverse sensitivity, or by the effects of existing resource use. Policy 4 gives effect to Policies 10 and 11 of the NPSET for managing reverse sensitivity effects on RSI including the National Grid.

Policy 5: The linear nature of many infrastructure networks determines its form, shape and location. Technical and operational 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 and the appropriateness of offsets and compensation need to be determined on a case by case basis having regard to relevant case law, national policy and good practice guidelines on offsets and compensation, and expert advice. Chapter 7 applies to offsetting and compensating adverse effects on indigenous biological diversity. Policy 5 applies to other adverse effects.

Policy 6 gives effect to the NPSREG and provides for existing renewable electricity generation activities and electricity distribution and transmission networks in areas of natural character or containing significant or outstanding values throughout the region.

Policy 7 provides a specific management approach for the National Grid. 'Seek to avoid' means that the operator must make every possible effort to avoid adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes, and natural character. Policy 7 sets the policy framework for the effects of the National Grid to be assessed in a considered manner, taking into account the technical and operational constraints of the network and the route, site and method selection process. It enables a case by case merits assessment of specific National Grid projects, taking into account the nature of the adverse effects and the values adversely affected.

Policy 8 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.

APPLICATION OF PROVISIONS ACROSS THE RPS

The objectives and policies in this chapter of the RPS must be read together with Chapter 3 and other relevant chapters which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

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:
 - a) Recognise the positive benefits of RSI;
 - b) Recognise the constraints imposed by the locational, technical and operational requirements of RSI, including electricity transmission, distribution and renewable electricity generation infrastructure; and
 - c) Manage adverse environmental effects on the safe and efficient operation of RSI.
3. As part of regional and district plan development or review processes, regional and district councils must consult with the National Grid operator about identifying appropriate buffer corridors to manage the adverse effects of subdivision, use and development on the National Grid.
4. Maintain river control and flood protection works and services.

Notes:

Method 1: Policy F of the NPSREG requires that RPSs 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

RSI is important for the economic and social wellbeing of people and communities on the West Coast, and plays 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, and to ensure that they are effectively integrated with land use.

The provisions in this Chapter 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 secure supply of energy to meet the needs of people, communities and industry on the West Coast.
2. Increased use and development of renewable electricity resources.
3. Continued development, operation, maintenance and upgrading of RSI.
4. Effective management of resource management conflicts arising from reverse sensitivity effects on existing RSI, or between the provision of RSI and existing resource use.
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. Ecosystems and Indigenous Biological Diversity

BACKGROUND TO THE ISSUES

Under section 6(c) of the RMA councils have responsibilities to recognise and provide for the protection of significant indigenous vegetation and significant habitats of indigenous fauna, also referred to as Significant Natural Areas (SNAs). Sections 30 and 31 of the Act also give regional and district councils the functions to develop objectives, policies, and methods for maintaining indigenous biological diversity. It is important to recognise the roles of other organisations and groups on the West Coast involved in the sustainable management of indigenous biological diversity and ecosystems. While the Department of Conservation has a key role in this, regional and district council functions under the RMA still apply across the region.

Indigenous biological diversity in the coastal environment is addressed in the Coastal Environment Chapter, as the New Zealand Coastal Policy Statement (NZCPS) provides specific direction on these matters. This Chapter covers the rest of the Region inland from the landward coastal environment boundary.

This Chapter applies to sustainably managing terrestrial and freshwater indigenous biological diversity. Additionally, the National Policy Statement for Freshwater Management (NPSFM) provides direction to, amongst other things, safeguard the life-supporting capacity of fresh water ecosystem processes and indigenous species, and protect the significant values of wetlands and outstanding freshwater bodies. Both this Chapter and Chapter 8 Land and Water may need to be considered for any proposed activities affecting fresh water ecosystems and habitats.

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 land¹ leaving approximately 388,000 ha (16%) of land on the West Coast not under their control. In addition, there is roughly 40,647 km of streams and rivers in the region, of which 33,094 km (81%) are in Department of Conservation managed lands. In a national context, one quarter of New Zealand's protected land, and 10% of the total length of rivers in New Zealand, is located on the West Coast. Compared to other regions, the West Coast is rich in its level of remaining indigenous biological diversity. The extent of indigenous vegetation provides other benefits and positive effects including, for example, well-vegetated upper catchments that reduce flooding, erosion and sedimentation downstream.

Poutini Ngāi Tahu as kaitiaki have a responsibility to manage and protect indigenous biological diversity. The ability of mana whenua to engage with indigenous species is important to enable Poutini Ngāi Tahu to maintain their identity and cultural traditions into the future. This is further detailed in Chapter 3.

This Chapter sets the objectives and policies to be given effect to in district and regional plans, including through the use of rules, to achieve the protection of SNAs, and to maintain indigenous biological diversity. The Chapter also states the responsibilities of the region's local authorities to maintain indigenous biological diversity.

The region's terrestrial and fresh water indigenous biological diversity must be maintained. In some circumstances, adverse effects are unacceptable and must be avoided. In other circumstances, adverse effects may be able to be managed through the mitigation hierarchy. The West Coast councils and Department of Conservation are committed to using both regulatory and non-regulatory measures to ensure that significant indigenous vegetation and significant habitats of indigenous fauna are sustainably managed and protected.

Statement of Local Authority Responsibilities

Section 62(1)(i)(iii) of the Act requires a regional policy statement to state the local authority responsible, in the whole or any part of the region, for specifying the objectives, policies and methods for the control of the use of land to maintain indigenous biological diversity.

¹ West Coast Conservation Management Strategy 2010 – 2020 Volume I.

The West Coast Regional Council will be responsible for specifying the objectives, policies and methods to maintain indigenous biological biodiversity by controlling activities:

1. in the CMA;
2. affecting water bodies, including significant wetlands;
3. affecting the beds of lakes and rivers.

Control of the use of land to maintain indigenous biological biodiversity in lake and river margins, and for earthworks and vegetation clearance activities, is a shared responsibility between Regional and District Councils.

Territorial authorities will be responsible for specifying the objectives, policies and methods for the control of the use of land for the maintenance of indigenous biological biodiversity for all other activities.

The significant issues in relation to the management of indigenous biological diversity values on the West Coast are:

1. Activities which contribute to people's wellbeing may adversely affect indigenous biological diversity.
2. In the context of extensive indigenous vegetation and habitats, much of which is on land managed by the Department of Conservation, an integrated management approach is required.
3. Councils, and Poutini Ngāi Tahu need to work together to identify opportunities to recognise and provide for Poutini Ngāi Tahu culture and traditions in relation to the use and protection of indigenous biological diversity under the RMA, to the extent practicably possible.

OBJECTIVES

1. Identify in regional and district plans, and through the resource consent process, areas of significant indigenous vegetation and significant habitats of indigenous fauna in a regionally consistent manner.
2. Protect significant indigenous vegetation and significant habitats of indigenous fauna.
3. Provide for sustainable subdivision, use and development to enable people and communities to maintain or enhance their economic, social, and cultural wellbeing in areas of significant indigenous vegetation and significant habitats of indigenous fauna.
4. Maintain the region's terrestrial and freshwater indigenous biological diversity.

POLICIES

1. a) Areas of significant indigenous vegetation and significant habitats of indigenous fauna will be identified using the criteria in Appendix 1; they will be known as Significant Natural Areas (SNAs), and will be mapped in the relevant regional plan and district plans.
b) Significant wetlands will be identified using the criteria in Appendix 2; they will be known as Significant Natural Areas (SNAs), and will be mapped in the relevant regional plan.
2. Activities shall be designed and undertaken in a way that does not cause:
 - a) The prevention of an indigenous species' or a community's ability to persist in their habitats within their natural range in the Ecological District, or
 - b) A change of the Threatened Environment Classification to category two or below at the Ecological District Level;² or
 - c) Further measurable reduction in the proportion of indigenous cover on those land environments in category one or two of the Threatened Environment Classification at the Ecological District Level;³ or

2 The Threatened Environment Classification system is managed by Landcare Research. (Walker S. et al 2007. Guide for users of the Threatened Environment Classification. [Lincoln, Canterbury], Landcare Research New Zealand. 1 – 35 p.)

3 *ibid*

- d) A reasonably measurable reduction in the local population of threatened taxa in the Department of Conservation Threat Classification Categories 1 – nationally critical, 2 – nationally endangered, and 3a – nationally vulnerable⁴.
3. Provided that Policy 2 is met, when managing the adverse effects of activities on indigenous biological diversity within SNAs:
 - a) Adverse effects shall be avoided where possible; and
 - b) Adverse effects that cannot be avoided shall be remedied where possible; and
 - c) Adverse effects that cannot be remedied shall be mitigated.
 - d) In relation to adverse effects that cannot be avoided, remedied or mitigated, biodiversity offsetting in accordance with Policy 4 is considered; and
 - e) If biodiversity offsetting in accordance with Policy 4 is not achievable for any indigenous biological diversity attribute on which there are residual adverse effects, biodiversity compensation in accordance with Policy 5 is considered.
 4. Provided that Policy 2 is met, and the adverse effects on a SNA cannot be avoided, remedied or mitigated, in accordance with Policy 3, then consider biodiversity offsetting if the following criteria are met:
 - a) Irreplaceable or significant indigenous biological diversity is maintained; and
 - b) There must be a high degree of certainty that the offset can be successfully delivered; and
 - c) The offset must be shown to be in accordance with the six key principles of:
 - i. **Additionality:** the offset will achieve indigenous biological diversity outcomes beyond results that would have occurred if the offset was not proposed;
 - ii. **Permanence:** the positive ecological outcomes of the offset last at least as long as the impact of the activity, preferably in perpetuity;
 - iii. **No-net-loss:** the offset achieves no net loss and preferably a net gain in indigenous biological diversity;
 - iv. **Equivalence:** the offset is applied so that the ecological values being achieved are the same or similar to those being lost;
 - v. **Landscape context:** the offset is close to the location of the development⁵; and
 - vi. The delay between the loss of indigenous biological diversity through the proposal and the gain or maturation of the offset's indigenous biological diversity outcomes is minimised.
 - d) The offset maintains the values of the SNA.
 5. Provided that Policy 2 is met, in the absence of being able to satisfy Policies 3 and 4, consider the use of biodiversity compensation provided that it meets the following:
 - a) Irreplaceable or significant indigenous biological diversity is maintained; and
 - b) The compensation is at least proportionate to the adverse effect; and
 - c) The compensation is undertaken where it will result in the best practicable ecological outcome, and is preferably:
 - i. Close to the location of development; or
 - ii. Within the same Ecological District; and
 - d) The compensation will achieve positive indigenous biological diversity outcomes that would not have occurred without that compensation; and
 - e) The positive ecological outcomes of the compensation last for at least as long as the adverse effects of the activity; and
 - f) The delay between the loss of indigenous biological diversity through the proposal and the gain or maturation of the compensation's indigenous biological diversity outcomes is minimised.
 6. Allow for subdivision, use or development within SNAs, including by:
 - a) Allowing existing lawfully established activities to continue provided the adverse effects are the same or similar in scale, character or intensity;
 - b) Allowing activities with no more than minor adverse effects provided that the values of the SNA are maintained.

⁴ Department of Conservation threat classification: Townsend, A, de Lange, P; Clinton, A; Duffy, A; Miskelly, C; Molly, J; Norton, D. 2008. New Zealand Threat Classification System Manual

⁵ Maseyk, F., Ussher, G., Kessels, G., Christensen, M., Brown, M., for the Biodiversity Working Group on behalf of the BioManagers Group, September 2018. Biodiversity Offsetting under the Resource Management Act: A guidance document. Pages 4, 5, 25.

7. Provide for subdivision, use or development within land areas or water bodies containing indigenous biological diversity that does not meet any of the significance criteria in Appendix 1 or 2, by:
 - a) Allowing activities with no more than minor adverse effects;
 - b) Avoiding, remedying or mitigating more than minor adverse effects;
 - c) Where there are significant residual adverse effects, considering any proposal for indigenous biological diversity offsetting or compensation.
8. Maintain indigenous biological diversity, ecosystems and habitats in the region by:
 - a) Recognising that it is more efficient to maintain rather than to restore indigenous biological diversity;
 - b) Encouraging restoration or enhancement of indigenous biological diversity and/or habitats, where practicable; and
 - c) Advocating for a co-ordinated and integrated approach to reducing the threat status of indigenous biological diversity.
9. Give effect to Objective 2 of Chapter 3 by:
 - a) Providing for the kaitiakitanga role of Poutini Ngāi Tahu in the management of indigenous biological diversity;
 - b) Provided that Policy 2 is met, recognising and providing for subdivision, use and development in a SNA where it is for the purpose of papakainga, cultural harvest or mahinga kai gathering by papatipu rūnanga in a manner that accords with tikanga and kaitiakitanga;
 - c) Where practicable, provide for Poutini Ngāi Tahu customary use of indigenous species in a manner that accords with tikanga and kaitiakitanga, within the framework of the regional and district council's RMA functions.

EXPLANATION TO THE POLICIES

Policies 1-6 and 9 give effect to sections 5, 6(c), and 6(e) of the RMA by providing a framework to protect significant indigenous vegetation and significant habitats of indigenous fauna from the adverse effects of activities, and enable activities, including cultural activities, in or near areas with these values to be undertaken where the significant values can be maintained. All of the Chapter 7 Policies also contribute to maintaining indigenous biological diversity in the region, to give effect to sections 30 and 31 of the RMA.

The ecological criteria referred to in Appendices 1 and 2 of Policy 1 will be used to determine whether terrestrial or aquatic areas of indigenous vegetation, as well as habitats of indigenous fauna, are ecologically significant or not. Significant terrestrial indigenous biological diversity will be mapped in district plans once identified.

It is intended that SNAs will be identified and mapped in the preparation of district and regional plans. They may also be identified during resource consent processes, for example in the preparation of an Assessment of Environmental Effects (AEE). If an area is identified as meeting the criteria in Appendix 1 or 2 it is to be managed as an SNA, whether or not it has been mapped in the relevant plan at that time. Additional SNAs identified through the resource consent process will be identified and mapped in regional and district plans when proposed plan, or plan change, processes are undertaken.

Policy 1 recognises that using regionally consistent criteria for determining and identifying Significant Natural Areas (SNAs) assists with achieving sustainable management. It is best practice to map SNAs in plans, so that when a subdivision, use or development proposal is put forward, robust decisions can be made regarding its appropriateness.

Policy 2 does not preclude activities from being undertaken provided that they meet the 'bottom lines' identified. In making this assessment, decision-makers need to take into account any measure, (except indigenous biological diversity offsetting or biodiversity compensation) proposed to prevent the effects in Policy 2 from occurring.

Policies 3-5 provide a cascading framework to give direction to regional or district plan development and consideration of consent applications for activities in a SNA. The cascade follows the mitigation hierarchy recognised in resource management practice.

Policy 6 recognises that there are existing activities in SNAs, and there are circumstances when new activities can occur within SNAs which will maintain the values of the SNA.

Policy 7 sets out the management approach to adverse effects in locations which do not contain significant indigenous vegetation or significant habitats of indigenous fauna.

Policy 8 gives effect to sections 30 and 31 of the Act requiring councils to develop, implement and review objectives, policies and methods to maintain indigenous biological diversity. It recognises that West Coast councils cannot single-handedly maintain indigenous biological diversity in the region. Work undertaken by the Department of Conservation, community groups, landowners and through the Biosecurity Act to control vertebrate and plant pests, for example, will contribute substantially to maintaining indigenous biological diversity, by taking an integrated and co-ordinated approach.

Policy 9 links to Objective 2, and Policies 2 and 3 of Chapter 3 Resource Management Issues of Significance to Poutini Ngāi Tahu. To give effect to kaitiakitanga it is important that regional and district councils engage meaningfully with Poutini Ngāi Tahu. Regional and district councils should recognise that the exercise of kaitiakitanga, and the continuing ability to carry out cultural practices in accordance with tikanga, including within SNAs, by papatipu rūnanga are important to sustaining Poutini Ngāi Tahu identity and wellbeing. In developing regional and district plan provisions for management of indigenous biological diversity, regional and district councils need to work with Poutini Ngāi Tahu and have regard to how the kaitiakitanga role of mana whenua can be enabled and how customary use can be provided for within the framework of the RMA.

APPLICATION OF PROVISIONS ACROSS THE RPS

The objectives and policies in this chapter of the RPS must be read together with Chapter 3 and other relevant chapters, including Chapter 6, which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

METHODS

1. Use the ecological criteria in Appendices 1 and 2 for identifying significant indigenous vegetation and significant habitats of indigenous fauna, and significant wetlands respectively, and the areas identified using the criteria will be mapped in district and regional plans.
2. Use regional and district plans and nationally recognised guidance to protect SNAs and maintain the region's indigenous biological diversity.
3. Maintain indigenous biological diversity by using non-regulatory means, including liaising/working with the Department of Conservation, Poutini Ngāi Tahu, affected landowners and other organisations and community groups.
4. Regional and district councils will work together with Poutini Ngāi Tahu to identify opportunities to enable their kaitiakitanga role in relation to the use and protection of indigenous biological diversity under the RMA, including managing adverse effects of subdivision, use and development on the customary use of indigenous biological diversity.

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 the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, as a matter of national importance. The Objectives, Policies and Methods in this Chapter implement these statutory requirements in a pragmatic, efficient and effective way to ensure that both the protection of SNAs, and provision for the economic, social and cultural wellbeing of the West Coast, are achieved.

Regard must also be had to the role given to councils by Sections 30 and 31 of the Act in maintaining indigenous biological diversity, and how this can be woven in with the regional and district council's regulatory functions and non-regulatory obligations to work together with Poutini Ngāi Tahu given their kaitiakitanga role, as well as the Department of Conservation and other organisations, community groups and landowners.

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. Non-regulatory measures also have an important role to play in the maintenance of indigenous biological diversity on the West Coast. These measures could include, but are not limited to, covenants, land swaps or exchanges in ownership between private land owners and the Department of Conservation, and vertebrate and plant pest control. Using non-regulatory tools also encourages cross sector collaboration. This overall approach is more likely to result in community acceptance and support for indigenous biological diversity protection.

ANTICIPATED ENVIRONMENTAL RESULTS

1. Maintenance and enhancement of areas with significant indigenous biological diversity values in the West Coast region.
2. Appropriate subdivision, use and development is able to occur, and regulatory processes do not unduly delay appropriate resource use and development taking place.
3. Non-regulatory work to maintain indigenous biological diversity is undertaken in an integrated, collaborative and co-ordinated way.
4. Opportunities are provided for Poutini Ngāi Tahu to exercise their kaitiakitanga role in relation to the use and protection of indigenous biological diversity where this is consistent with the West Coast Councils' RMA roles.

7A. Natural Character

BACKGROUND TO THE ISSUES

Under section 6(a) of the RMA, councils must recognise and provide for the preservation of the natural character of the coastal environment, wetlands, and lakes and rivers and their margins, and protect them from inappropriate subdivision, use and development as a matter of national importance. Natural character preservation in the coastal environment is addressed in the Coastal Environment chapter, as the New Zealand Coastal Policy Statement provides specific direction on these matters. This Chapter covers the rest of the region inland from the landward coastal environment boundary.

Natural character is the expression of natural elements, patterns and processes. The level of naturalness is affected by the degree of human modification.

Internationally recognised for its natural character, the West Coast is attracting large numbers of tourists seeking natural experiences. As a result, tourism is currently one of the top economic contributors to the region. The natural character of the region's wetlands, and lakes and rivers and their margins and their associated amenity values are enjoyed by both residents and visitors.

Ensuring that the region retains those aspects that are attractive to visitors and our own communities requires management of potential adverse effects on these natural character values. For example, activities such as flood and erosion control are recognised as important for people's wellbeing, however they can affect the natural character of wetlands, and lakes and rivers and their margins.

The significant issues in relation to the natural character for the West Coast are:

1. Activities which contribute to people's wellbeing may adversely affect the natural character of the region's wetlands, and lakes and rivers and their margins.

OBJECTIVES

1. Protect the natural character of the region's wetlands, and lakes and rivers and their margins, from inappropriate subdivision, use and development.
2. Provide for appropriate subdivision, use and development to enable people and communities to maintain or enhance their economic, social and cultural wellbeing.

POLICIES

1. Use regionally consistent criteria to identify the elements, patterns, processes and qualities of the natural character of wetlands, and lakes and rivers and their margins.
2. Protect the elements, patterns, processes and qualities that together contribute to the natural character of wetlands, and lakes and rivers and their margins from inappropriate subdivision, use and development.
3. When determining if an activity is appropriate, the following matters must be considered:
 - a) The degree and significance of actual or potential adverse effects on the elements, patterns, processes and qualities that contribute to natural character;
 - b) The value, importance or significance of the natural character at the local, or regional level;
 - c) The degree of naturalness;
 - d) The potential for cumulative effects to diminish natural character, and the efficacy of measures proposed to avoid, remedy or mitigate such effects; and
 - e) The vulnerability of the natural character to change, and its capacity to accommodate change, without compromising its values.
4. Allow activities which have no more than minor adverse effects on natural character.

POLICY EXPLANATION

Policy 1 recognises that using regionally consistent criteria to identify the natural character of wetlands, and lakes and rivers and their margins assists with achieving sustainable management. These criteria will be used in both planning and consent processes to determine the characteristics, and their significance, of the natural character present.

Policy 2 seeks to protect the elements, patterns, processes and qualities of the natural character of wetlands, and lakes and rivers and their margins from adverse effects arising from inappropriate subdivision, use and development. What is "inappropriate" is assessed by reference to what is to be "protected".

Policy 3 is to assist decision-makers to determine whether a proposed subdivision, use or development is appropriate.

Policy 4 recognises that some activities will result in effects that are no more than minor and provides for these to take place as a permitted activity, or in accordance with a resource consent.

APPLICATION OF PROVISIONS ACROSS THE RPS

The objectives and policies in this chapter of the RPS must be read together with Chapter 3 and other relevant chapters, including Chapter 6, which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

METHODS

1. Include a regionally consistent set of criteria for the identification of the natural character of wetlands, and lakes and rivers and their margins in the regional and district plans.
2. Identify the natural character of wetlands, and lakes and rivers and their margins through the resource consent process.
3. Use provisions in the regional and district plans, and the resource consent process to protect the natural character of wetlands, and lakes and rivers and their margins from inappropriate subdivision, use and development.

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 the preservation of the natural character of wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate development as a matter of national importance. The Objectives, Policies and Methods in this Chapter implement these statutory requirements in a pragmatic, efficient and effective way to ensure that the protection and preservation of the natural character, and provision for the economic, social and cultural wellbeing of the West Coast, are achieved.

ANTICIPATED ENVIRONMENTAL RESULTS

1. Preservation of the natural character of wetlands, and lakes and rivers and their margins.
2. Appropriate subdivision, use and development is able to occur.

7B. Natural features and landscapes

BACKGROUND TO THE ISSUES

Under section 6(b) of the RMA councils must recognise and provide for the protection of outstanding natural landscapes and outstanding natural features from inappropriate subdivision, use and development as a matter of national importance. Protection of these areas in the coastal environment is addressed in the Coastal Environment chapter, as the New Zealand Coastal Policy Statement (NZCPS) provides specific direction on these matters. This Chapter covers the area inland from the landward coastal environment boundary. The landscape provisions in this Chapter may apply to both terrestrial and fresh water areas, as terrestrial and aquatic landscape values are often closely interlinked.

Chapter 8 Land and Water has provisions for identifying and protecting the significant values of wetlands and outstanding freshwater bodies under the National Policy Statement for Freshwater Management (NPSFM), which can include landscape values. Any proposed activities potentially adversely affecting fresh water landscapes should consider both this Chapter and Chapter 8.

Internationally recognised for its outstanding natural landscapes and outstanding natural features, the West Coast is attracting large numbers of tourists seeking natural experiences. As a result, tourism is currently one of the top economic contributors to the region. The amenity value of these outstanding natural features and outstanding natural landscapes, such as the Franz Josef and Fox Glaciers, make an important contribution to the wellbeing of West Coast communities and visitors.

Ensuring that the region retains those aspects that are attractive to visitors and our own communities requires management of potential adverse effects on these outstanding natural feature and landscape values. For example, activities such as roads are recognised as important for people's wellbeing, however they can affect outstanding natural features and landscapes.

The significant issues in relation to the natural features and landscapes for the West Coast are:

1. Activities which contribute to people's wellbeing may adversely affect outstanding natural features and outstanding natural landscapes.

OBJECTIVES

1. Protect the region's outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development.
2. Provide for appropriate subdivision, use and development on, in or adjacent to outstanding natural features and outstanding natural landscapes to enable people and communities to maintain or enhance their economic, social and cultural wellbeing.

POLICIES

1. Use regionally consistent criteria to identify outstanding natural features and outstanding natural landscapes.
2. Protect the values which together contribute to a natural feature or landscape being outstanding, from inappropriate subdivision, use and development.
3. When determining if an activity is appropriate, the following matters must be considered:
 - a) Whether the activity will cause the loss of those values that contribute to making the natural feature or landscape outstanding;
 - b) The extent to which the outstanding natural feature or landscape will be modified or damaged including the duration, frequency, magnitude or scale of any effect;
 - c) The irreversibility of any adverse effects on the values that contribute to making the natural feature or landscape outstanding;
 - d) The resilience of the outstanding natural feature or landscape to change;
 - e) Whether the activity will lead to cumulative adverse effects on the outstanding natural feature or landscape;

4. Allow activities in outstanding natural features and outstanding natural landscapes which have no more than minor adverse effects.

POLICY EXPLANATION

Policy 1 recognises that it is best practice to use regionally consistent criteria for identifying-outstanding natural features and landscapes, to contribute to an integrated management framework across the region. Outstanding natural landscapes and features may cross district boundaries. It needs to be evident where outstanding areas are located, so that when a subdivision, use or development proposal is put forward, robust decisions can be made regarding its appropriateness.

Policy 2 seeks to protect the values of outstanding natural features and landscapes from inappropriate subdivision, use and development. What is "inappropriate" is assessed by reference to what is to be "protected".

Policy 3 is to assist decision-makers to determine whether a proposed subdivision, use or development is appropriate.

Policy 4 recognises that some activities will result in effects that are no more than minor and provides for these to take place as a permitted activity, or in accordance with a resource consent.

APPLICATION OF PROVISIONS ACROSS THE RPS

The objectives and policies in this chapter of the RPS must be read together with Chapter 3 and other relevant chapters, including Chapter 6, which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

METHODS

1. Develop a regionally consistent set of criteria for the identification of outstanding natural features and outstanding natural landscapes and their values, and include the criteria in the regional and district plans.
2. Identify outstanding natural features and outstanding natural landscapes in regional and district plans, and through the resource consent process.
3. Use provisions including maps in the regional and district plans, and the resource consent process to protect outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development.

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 the protection of outstanding natural features and outstanding natural landscapes, from inappropriate development as a matter of national importance. The Objectives, Policies and Methods in this Chapter implement these statutory requirements in a pragmatic, efficient and effective way to ensure that both the protection of outstanding natural features and outstanding natural landscapes, and provision for the economic, social and cultural wellbeing of the West Coast, are achieved.

ANTICIPATED ENVIRONMENTAL RESULTS

1. Protection of outstanding natural features and landscapes.
2. Appropriate subdivision, use and development is able to occur.

8. Land and Water

BACKGROUND TO THE ISSUES

The West Coast has high rainfall and water is generally abundant in most areas. Given the development pressures facing other regions, West Coast experiences of the natural environment are being keenly sought, with many of these experiences centred around coastal and freshwater environments. The region's natural beauty and resulting popularity with tourists is, in no small measure, due to the pristine nature of most water bodies. Management of these resources needs to take into account the high recreational and habitat values these water bodies provide.

To Poutini Ngāi Tahu, wai māori (freshwater) and moana (coastal waters) are taonga. The life-giving and life-sustaining properties of water are intrinsically linked to the spiritual, cultural, economic, environmental and social wellbeing, survival and identity of Poutini Ngāi Tahu whānui. Poor water quality and activities such as abstraction, damming or diversion of water can have adverse effects on the relationship of Poutini Ngāi Tahu to fresh and coastal waters, including on their culture and traditions. This is because the life-supporting capacity and/or mauri of the resource can be affected, including its ability to support healthy habitat for mahinga kai and to provide for the harvest of kaimoana and other customary uses. The life supporting capacity of water is not just of importance for cultural values, but also has relevance for trout, salmon and other species.

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 focused 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 will 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 success.

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 drinking water and in-stream uses (for example fish habitat/aquatic ecology and other in-stream needs).

The National Policy Statement for Freshwater Management (NPSFM) was gazetted in 2017, and recognises the importance of freshwater resources. It gives councils direction for both providing for water use and protecting the values of freshwater, including aquatic ecosystems and wetlands. Protection of freshwater indigenous biological diversity is addressed in Chapter 7 Ecosystems and Indigenous biological diversity as section 6(c) of the RMA also gives direction on these matters.

To give effect to the NPSFM, the Regional Council has a Progressive Implementation Plan (PIP) identifying Freshwater Management Units (FMU's) in the region, and outlining when it will set up FMU community groups to identify values, objectives and limits for each FMU. This work will result in changes to the Regional Land and Water Plan under Schedule 1 of the RMA.

This Chapter of the RPS provides overarching and high level policy direction to give effect to the NPSFM throughout the region. It also provides for integrated management with the water-related provisions of the New Zealand Coastal Policy Statement 2010 (NZCPS), by managing effects of land and fresh water use that originate from outside the coastal environment, on inshore coastal water. It also gives effect to the relevant provisions of the National Policy Statement for Renewable Electricity Generation (NPSREG).

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. Activities may adversely affect the significant values of wetlands and outstanding freshwater bodies.
4. Integrating the management of subdivision, use and development activities on land with the potential effects on water quality.

OBJECTIVES

1. The life-supporting capacity of freshwater is maintained or improved.
2. Provide for a range of land and water uses to enable the economic, social and cultural wellbeing of West Coast communities while maintaining or improving water quality and aquatic ecosystems⁶.
3. Determine allocation of water within environmental controls.
4. Identify and protect the significant values of wetlands and outstanding freshwater bodies.
5. Achieve the integrated management of water and the subdivision, use and development of land within catchments, recognising the interconnections between land, fresh water, and coastal water, including by managing adverse effects of land and water use on coastal water quality.

POLICIES

1. Adverse effects on fresh and coastal water quality and aquatic ecosystems arising from:
 - a) Subdivision, use or development of land;
 - b) Discharges of contaminants to water and to land in circumstances which may result in contaminants entering water;
 - c) Water use and take; and
 - d) Activities in, or on, water including damming and diversion, will be avoided, remedied or mitigated, to ensure that water quality and aquatic ecosystems are maintained or improved.
2. To give effect to Objective 2 of Chapter 3, the adverse effects of subdivision, use and development on Poutini Ngāi Tahu cultural values will be avoided, remedied or mitigated taking into account the following matters:
 - a) A preference by Poutini Ngāi Tahu for discharges to land over water where practicable;
 - b) The value of riparian margin vegetation for water quality and aquatic ecosystems; and
 - c) Effects on the sustainability of mahinga kai, and protection of taonga areas.
3. To give effect to Objective 2 of Chapter 3, manage land and water use in a way that avoids significant adverse effects (other than those arising from the development, operation, maintenance, or upgrading of RSI and local roads) and avoids, remedies or mitigates other adverse water quality effects on sites that are significant to Poutini Ngāi Tahu, including the following:
 - a) Estuaries, hāpua lagoons, and other coastal wetlands; and
 - b) Shellfish beds and fishing areas.
4. Until priority frameworks for water take and use are developed through the FMU processes and added to a regional plan, consent applications will be processed on a "first-come, first served" basis, and in making decisions, the following matters must be considered:
 - a) The reasonably foreseeable future requirements for domestic and community water supply needs, stock drinking, and firefighting;
 - b) The degree of community, regional or national benefit from the take, use, damming or diversion of water;
 - c) Any adverse environmental effects from the take, use, damming or diversion of water will be avoided, remedied or mitigated including where applicable by applying provisions of the regional plan;
 - d) Applying rates of take, volume limits and residual flows at the point of take to ensure that there is enough water for the purpose of the take, and to maintain or improve water quality and aquatic ecosystems;
 - e) The extent to which the proposal maximises the efficient allocation and efficient use of water; and
 - f) The reasonable needs of other water users.
5. Maintain or improve water quality within freshwater management units.

⁶ Including the habitat of trout and salmon.

6. Identify the significant values of wetlands and outstanding freshwater bodies in regional plans and protect those values.
7. Encourage the coordination of urban growth, land use and development including the provision of infrastructure to achieve integrated management of effects on fresh and coastal water.
8. Provide for the social, economic and cultural wellbeing derived from the use and development of land and water resources, while maintaining or improving water quality and aquatic ecosystems.
9. Implement the National Policy Statement for Freshwater Management including the National Objectives Framework.

EXPLANATION TO THE POLICIES

Policy 1 gives effect to the NPSFM and Objective 1 above by requiring that subdivision, use and development activities on land, discharges of contaminants, water takes and uses, and activities in, or on, water are managed in a way that reduces the adverse effects of those activities. Explicit detail on how this will be achieved will be 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.

Regarding Policies 2 and 3, the discharge of contaminants to water is a significant environmental and cultural concern to Poutini Ngāi Tahu because of its impact on the health and mauri of water bodies, including adverse effects on coastal shellfish beds and fishing areas. To achieve the sustainability of mahinga kai, the health of these taonga must be maintained to provide for the needs of future generations. Discharge of sewage effluent to water is particularly offensive to Poutini Ngāi Tahu. Discharges to land are preferred where practicable, and where the effects are less than for discharges to water. Where possible, Poutini Ngāi Tahu encourage land-based treatment of stormwater, acknowledging that this may not be feasible in all situations on the West Coast given the high rainfall and soil types. Poutini Ngāi Tahu also promote the maintenance and enhancement of riparian vegetation to protect water quality and aquatic ecosystems.

The regional and district councils need to have regard to the downstream effects of land and water use on coastal mahinga kai areas. Adverse effects on cultural values can be assessed and managed in consultation with tangata whenua through the resource consent and plan development processes. Mahinga kai and other taonga areas of significance to Poutini Ngāi Tahu are, or will be, identified in the regional and district plans.

Policy 4 applies to the taking, use, damming and diversion of water. Until Freshwater Management Unit (FMU) provisions are established in regional plans, the Council will allocate water on a 'first-come, first-served basis'. Policy 4 establishes that allocations are made after considering the matters listed, and in accordance with any relevant provisions in the operative regional plans to safeguard the life-supporting capacity of water.

Policy 5 is to implement the NPSFM by establishing FMUs and, subsequently through plan changes, developing a framework with freshwater objectives and environmental limits for each FMU.

Policy 6 reflects the NPSFM Objectives A2 and B4 which require the protection of the significant values of wetlands and outstanding freshwater bodies. While indigenous biological diversity, natural character and landscape values of wetlands are addressed in Chapters 7, 7A and 7B, wetlands can have other values, for example, cultural, recreational and hydrological values, and the provisions of this Chapter apply to all significant wetland values.

The NPSFM requires the RPS to provide for the integrated management of the effects of the use and development of land and water on fresh and coastal water. This includes encouraging the co-ordination and sequencing of regional and/or urban growth, land use and development and the provision of infrastructure. Policy 7 recognises the connectivity between activities on land and their effects on water. These must be managed through both the regional and district plans. Activities upstream can also affect coastal water quality. An example of where integrated management is necessary includes ensuring sufficient infrastructure capacity is provided for stormwater disposal and discharge from new subdivision

and land development, in order to avoid stormwater overflows flooding adjoining land, eroding riverbanks, or causing sedimentation of water bodies.

Policy 7 also gives effect to the NZCPS policies for integrated management of activities that affect the coastal environment, including effects on coastal water from upstream land uses.

Policy 8: The NPSFM recognises the importance to people of using water within environmental limits to ensure water quality and aquatic ecosystem outcomes are achieved. The use of water is necessary for a variety of activities that contribute to people's economic, social and cultural wellbeing.

Policy 9 gives effect to the Regional Council's obligation to fully implement the NPSFM.

APPLICATION OF PROVISIONS ACROSS THE RPS

The objectives and policies in this chapter of the RPS must be read together with Chapter 3 and other relevant chapters, including Chapter 6, which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

METHODS

1. Include in regional plans objectives, policies, rules and methods 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 or improved in accordance with relevant national policy statements.
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. Regional and district councils, in their plan development and resource consent processes, will consult with Poutini Ngāi Tahu about avoiding, remedying or mitigating adverse effects originating from land and freshwater use on their cultural values associated with fresh and coastal water, including by identifying significant mahinga kai and other taonga areas.
4. Develop with stakeholders regionally consistent criteria to identify the significant values of wetlands and outstanding freshwater bodies.
5. Identify the significant values of wetlands and outstanding freshwater bodies in a regional plan.
6. Regional plans are integrated across land and water resources (including coastal water), and regional and district plans are integrated across statutory functions to manage the effects of urban growth, development, and infrastructure on fresh and coastal water.
7. In accordance with the WCRC's Progressive Implementation Programme, establish Freshwater Management Units (FMUs), and set freshwater objectives and limits through provisions in regional plans.

PRINCIPAL REASONS FOR ADOPTING OBJECTIVES, POLICIES AND METHODS

Maintaining or improving fresh water quality on the West Coast will be achieved principally through the implementation of the NPSFM. This will require the establishment of the FMU's, and their own fresh water objectives and environmental limits in a regional plans.

Water takes and uses will also be managed in accordance with the NPSFM. The aim is to provide for the many uses of land and water giving effect to Objective B1 for water quantity in the NPSFM. Through the regional and district plans, councils can provide for the use of these resources for the economic, social and cultural wellbeing of our communities while managing any adverse effects. There is a framework to provide for water take and use on an interim basis until FMUs are established in a regional plan.

Integrated management of the effects of land and fresh water use on coastal water is important for maintaining coastal water quality in areas with significant cultural values. These values include shellfish beds, fishing areas, and other mahinga kai and taonga areas, that are sensitive to water contamination.

ANTICIPATED ENVIRONMENTAL RESULTS

1. Water quality is maintained or improved on the West Coast.

2. West Coast communities can use and develop land and water resources to provide for their economic, cultural and social wellbeing.
3. Water allocations are managed within limits to maintain or improve water quality and water quantity.
4. Significant values of wetlands and outstanding fresh water bodies are protected from the adverse effects of activities that compromise these values.
5. Regional and district plans are integrated to effectively manage land and water effects on fresh and coastal water.
6. Life supporting capacity and ecosystem processes of freshwater are safeguarded.

9. Coastal Environment

BACKGROUND TO THE ISSUES

This Chapter 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 environment from mean high water springs (MHWS) out to the 12 nautical mile limit at sea is the coastal marine area (CMA), wherein the Regional Council has the primary function to manage the effects of occupation and other activities through the Regional Coastal Plan;
- b) The coastal environment also extends inland from MHWS to the extent of "where coastal processes, influences, or qualities are significant" (Policy 1(2)(c), NZCPS). The three district councils manage effects of land use, development and subdivision in this part of the coastal environment in their respective districts via the district plans. The Regional Council manages the effects of activities such as earthworks and discharges in this part of the coastal environment through its regional plan.

Section 62(3) of the RMA requires that this RPS must, among other things, give effect to the NZCPS. The Minister of Conservation prepared and approved a revised NZCPS in 2010 covering a range of coastal matters. The NZCPS policies of particular relevance to this chapter of the 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 set out requirements for the protection of indigenous biological diversity, natural character, and natural features and landscapes; and
- Policies 24, 25, 26 and 27 which provide direction on managing coastal hazard risk.

The RPS must give effect to the National Policy Statements for Electricity Transmission (NPSET for the National Grid) and Renewable Electricity Generation (NPSREG), where activities covered by these NPS's occur in the coastal environment. This Chapter provides policy direction when considering the specific requirements of the electricity NPSs and the NZCPS. The provisions of Chapter 6 Regionally Significant Infrastructure (RSI) also need to be considered for electricity and other RSI in the coastal environment. Some provisions in other chapters of this RPS also apply in the coastal environment. For example, Poutini Ngāi Tahu provisions in Chapter 3, heritage provisions in Chapter 4 and the effects of land and freshwater use above Mean High Water Spring on coastal water in Chapter 8.

The West Coast has a dramatic coastline with extensive areas of high scenic and natural values in a largely unmodified state. Tourists are attracted to the West Coast to view iconic coastal scenic areas such as the Pancake Rocks at Punakaiki.

A large proportion of the development and land use activities including subdivision in the region is located in, or traverses through, the coastal environment. RSI may also need to be located within the coastal environment of the region. While there is currently a relatively low level of development pressure for new activities, particularly in the coastal marine area, there is the potential for further resource use and development in the coastal environment. Natural materials such as sand, gravel, driftwood, and minerals such as ilmenite and garnets can be used to provide for people's social and economic wellbeing.

Climate change can potentially affect the coastal environment via sea level rise, and changes to the intensity and frequency of storm surges and waves. This can affect river mouth migration and lagoon flood levels. The coast is a highly dynamic environment because of a combination of marine, terrestrial and tectonic environments, and this, combined with climate change, means that 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 Chapter proposes guidance on allowing appropriate development in the coastal environment while managing inappropriate development that increases the risk of hazards that affect people and communities. A risk-based approach to assessing coastal hazard risk includes taking a precautionary

approach as required by the NZCPS 2010. Chapter 11 Natural Hazards also has provisions that are relevant to the coastal environment.

Statement of Local Authority Responsibilities

Section 62(1)(i)(iii) of the Act requires a regional policy statement to state the local authority responsible, in the whole or any part of the region, for specifying the objectives, policies and methods for the control of the use of land to maintain indigenous biological diversity.

The West Coast Regional Council will be responsible for specifying the objectives, policies and methods to maintain indigenous biological diversity by controlling activities:

1. in the CMA;
2. affecting water bodies, including significant wetlands;
3. affecting the beds of lakes and rivers.

Control of the use of land to maintain indigenous biological diversity in lake and river margins, and for earthworks and vegetation clearance activities, is a shared responsibility between Regional and District Councils.

Territorial authorities will be responsible for specifying the objectives, policies and methods for the control of the use of land for the maintenance of indigenous biological diversity for all other activities.

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

1. Protecting the values of the coastal environment whilst enabling sustainable use and development, to provide for the region's economic, social and cultural wellbeing.
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. Within the coastal environment:
 - a) Protect indigenous biological diversity;
 - b) Preserve natural character, and protect it from inappropriate subdivision, use and development; and
 - c) Protect natural features and natural landscapes from inappropriate subdivision, use and development.
2. Provide for appropriate subdivision, use and development in the coastal environment to enable people and communities to maintain or enhance their economic, social, and cultural wellbeing.
3. Ensure that any new subdivision, use or development 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. Within the coastal environment protect indigenous biological diversity, and natural character, natural features and natural landscapes from inappropriate subdivision, use and development by:
 - a) Identifying in regional and district plans areas of significant indigenous biological diversity, outstanding and high natural character and outstanding natural features and landscapes, recognising the matters set out in Policies 11, 13 and 15 of the NZCPS;
 - b) Avoiding adverse effects on significant indigenous biological diversity, areas of outstanding natural character and outstanding natural landscapes and features; and
 - c) Avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on indigenous biological diversity, natural character, natural features and natural landscapes;
2. (1) In the case of the National Grid, operation, maintenance or minor upgrading of existing National Grid infrastructure shall be enabled.

- (2) In the case of the National Grid, following a route, site and method selection process and having regard to the technical and operational constraints of the network, new development or major upgrades of the National Grid shall seek to avoid adverse effects, and otherwise remedy or mitigate adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes, and areas of high and outstanding natural character located within the coastal environment. In some circumstances, adverse effects on the values of those areas must be avoided.
3. Provide for subdivision, use or development in the coastal environment:
 - a) Which maintains or enhances the social, economic and cultural well-being of people and communities;
 - b) Which:
 - i) Requires the use of the natural and physical resources in the coastal environment; or
 - ii) Has a technical, functional or operational requirement to be located within the coastal environment;
 - c) Recognising that minor or transitory effects associated with subdivision, use and development may not be an adverse effect within those areas described in Policy 1.b).
 - d) By allowing subdivision, use and development where the adverse effects are no more than minor within those areas described in Policy 1.c).
 - e) By allowing lawfully established activities to continue provided the adverse effects are the same or similar in scale, character or intensity.
 4. Provide for new and existing renewable electricity generation activities in the coastal environment, including by having particular regard to:
 - a) The need to be located where the renewable energy resource is available;
 - b) The technical, functional or operational needs of renewable electricity generation activities.
 5. To give effect to Objective 2 of Chapter 3 of this RPS, manage land and water use in the coastal environment in a way that avoids significant adverse effects (other than those arising from the development, operation, maintenance, or upgrading of RSI and local roads) and avoids, remedies or mitigates other adverse water quality effects on sites that are significant to Poutini Ngāi Tahu, including the following:
 - a) Estuaries, hāpua lagoons, and other coastal wetlands; and
 - b) Shellfish beds and fishing areas.
 6. 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 type and life-cycle of the proposed development, including whether it is short-term, long term, or 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 there are suitable options to avoid increasing the risk of harm from coastal hazards, and whether future adaptation options are feasible.
 7. Coastal hazard risks should be assessed over at least a 100 year timeframe.
 8. 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.
 9. Consider opportunities for the restoration or rehabilitation of natural character.

EXPLANATION TO THE POLICIES

Policy 1 gives effect to Policies 11, 13, and 15 of the NZCPS 2010 to protect indigenous biological diversity, landscape and natural character values, for example, bush clad cliffs and ravines or marine reserves. These NZCPS policies set levels of protection from adverse effects of activities on significant and outstanding indigenous biological diversity, landscape and natural character values, and on natural values that are not significant or outstanding, and are reflected in Policy 1.

Policy 2 provides a specific management approach for the National Grid. 'Seek to avoid' means that the operator must make every possible effort to avoid adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes, and high or outstanding natural character. The circumstances in which adverse effects must be avoided will be dependent on the nature of the adverse effects and values adversely affected, taking into

account the technical and operational constraints of the network and the route, site and method selection process.

Policy 3 gives effect to Policies 6, 7, 8 and 9 of the NZCPS to recognise that the provision of certain activities in the coastal environment is important to the social, economic and cultural wellbeing of West Coast people. The NZCPS does not preclude appropriate use and development in the coastal environment, including in areas with significant, high or outstanding indigenous biological diversity, natural character and natural features and landscapes provided that potential adverse effects are appropriately managed. Policy 3 recognises the constraints in the NZCPS on activities in the coastal environment.

In applying Policy 3, case law indicates that it may be acceptable to allow activities that have minor or transitory adverse effects on significant indigenous biological diversity 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. 'New' use or development may be more likely to have more than minor or transitory adverse effects. Existing infrastructure and other activities that have been in place for many years are likely to have adverse effects that are no more than minor.

Policy 4 gives effect to the National Policy Statement for Renewable Electricity Generation (NPSREG) for activities within the coastal environment.

Policy 5 recognises that some coastal environments important to Poutini Ngāi Tahu are particularly sensitive to elevated levels of contaminants in coastal water. Regional and district councils need to have regard to the effects of coastal development on coastal mahinga kai areas such as estuaries, lagoons, coastal wetlands, shellfish beds, and fishing areas including mataitai reserves. Significant coastal mahinga kai areas for Poutini Ngāi Tahu are, or will be, identified in the regional and district plans. Policy 5 includes an exception for the development, operation, maintenance, or upgrading of RSI and local roads in recognition of the fact that there are several places in the coastal environment where important lifeline infrastructure exists in or near to the areas listed in clauses a) and b).

Policy 6: The potential impacts of climate change on coastal processes (and thus natural 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 25 of the NZCPS 2010 requires that in areas potentially affected by coastal hazards over at least the next 100 years, increased risk of harm from such hazards must be avoided. There are a range of preventive tools that may be considered in terms of their effectiveness for avoiding increasing the risk of harm. Determining their effectiveness will depend on factors such as the level of risk, whether the risk may change over time and by how much.

Policy 7: 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 Chapter are specific to resource management-related hazard issues in the coastal environment. The Natural Hazards Chapter has provisions which may also apply in the coastal environment.

Policy 8: 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. 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.

Policy 9 gives effect to Policy 14 of the NZCPS which directs the promotion of restoration or rehabilitation of natural character in the coastal environment, including by provisions in the RPS and plans, and conditions in resource consents and designations.

APPLICATION OF PROVISIONS ACROSS THE RPS

The objectives and policies in this chapter of the RPS must be read together with Chapter 3 and other relevant chapters, including Chapter 6, which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

METHODS

1. Regional and District Councils to identify areas of significant indigenous biological diversity, outstanding and high natural character areas and outstanding natural features and landscapes of the coastal environment, set out the characteristics and qualities of each area in a plan schedule, and show areas on maps where practicable.
2. Manage adverse effects of subdivision, use and development in the coastal environment through provisions in the Regional Coastal Plan, the Land and Water Plan, and district plans, including identification of significant coastal mahinga kai areas.
3. Use the regional and district plans, resource consent, building consent, rating district processes, and community consultation to assess and manage the risk of coastal hazards affecting development in the coastal environment.
4. Continue to review and include the Coastal Hazard Areas in the Regional Coastal Plan and in district plans and identify whether these Areas have a low, medium or high risk of being affected by a coastal hazard.
5. 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 Chapter give effect to the NZCPS, NPSET and NPSREG in the coastal environment. The provisions for managing coastal hazard risk 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. The NZCPS also puts obligations on councils to manage coastal 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 RESULTS

1. Natural character, and the values that make natural landscapes and natural features outstanding, are protected from inappropriate subdivision, use and development in the coastal environment.
2. Indigenous biological diversity in the coastal environment is protected.
3. West Coast communities can continue to appropriately use and develop resources to provide for their economic, social, and cultural wellbeing.
4. Appropriate subdivision, use and development occurs in the coastal environment, with ways of reducing coastal hazard risk incorporated into their design and location.
5. 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 which are the very small particles measured in micrometres 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 particulate matter 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 the particulate matter 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 RPS 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 Chapter 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 winter time, emissions of particulate matter can potentially affect people's health. It is critical that people are able to keep warm in their homes while winter time particulate matter 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 winter time particulate matter 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.

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 winter time particulate matter 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 must include consideration of the following:
 - a) Reverse sensitivity, including the siting of new, incompatible development in proximity to activities that discharge contaminants to air;
 - b) Use of technology, codes of practice, and industry standards; and,
 - c) The best practicable option to minimise the adverse effects of the discharge.

EXPLANATION TO THE POLICIES

Policy 1: The Regional Council has worked with the Reefton community to identify a range of options for reducing particulate matter 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 Regional Air Quality Plan to reduce particulate matter emissions in the Reefton 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 RPS, including affordability, when considering what other regulatory and non-regulatory action will or may be taken, to meet the NESAQ for particulate matter.

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 new 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 Chapter, 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 RMA.

APPLICATION OF PROVISIONS ACROSS THE RPS

The objectives and policies in this chapter of the RPS must be read together with Chapter 3 and other relevant chapters, including Chapter 6, which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

METHODS

1. Provide education and advice on how particulate matter emissions can be reduced from domestic solid fuel burners.
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 particulate matter reflect appropriate management approaches for the West Coast region. Councils are required under the NESAQ to reduce particulate matter 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 particulate matter 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 RPS on managing discharges to air.

No provisions are included for managing emissions of greenhouse gases because under section 70A of the RMA the WCRC must not have regard to the effects of discharges to air on climate change, except to the extent that the use and development of renewable energy enables a reduction in the discharge into air of greenhouse gases.

ANTICIPATED ENVIRONMENTAL RESULTS

1. Reduced particulate matter levels in winter in some urban areas.
2. Odour, dust, smoke, and other contaminant emissions are discharged at acceptable levels in accordance with nationally recognised guidelines and standards for levels of contaminants

discharged to air, 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 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, earthquakes 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. Managing natural hazards requires a collaborative effort from a range of organisations including central government, local government, crown agencies, infrastructure providers, businesses and local communities. Management of natural hazards should be undertaken in an integrated manner within catchments.

The effects of climate change are addressed in this Chapter. 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 (CDEMA) and the plans and local arrangements developed under this framework by the West Coast Civil Defence Emergency Management Group.

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 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 significant risk from natural hazards has recently been elevated to a matter of national importance under section 6 of the RMA, and is likely to be supported by a National Policy Statement in future. 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.
3. Subdivision, use and development can contribute to natural hazard risk.

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 or development should be located and designed so that the need for hazard protection works is avoided or minimised. Where necessary and practicable, 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

Hazards within the coastal environment are also addressed in Chapter 9: Coastal Environment, and these chapters should be read together when considering coastal hazards.

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 and Emergency Management Act (CDEMA) 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. However, avoiding development in hazard prone areas may not be practicable in all instances, as some types of development are limited in where they can be located to function effectively.

Subdivision, use and development that may cause or contribute to a natural hazard should be avoided. In some cases activities in an area may cause or contribute to a natural hazard affecting another area. For example, an upstream or inland land or river use can have downstream or downgradient hazard effects on other development. The risk of subdivision, use and development affecting or exacerbating a hazard risk elsewhere needs to be assessed in plan and consent processes.

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.

APPLICATION OF PROVISIONS ACROSS THE RPS

The objectives and policies in this chapter of the RPS must be read together with Chapter 3 and other relevant chapters, including Chapter 6, which set out the direction for the sustainable management of natural and physical resources in more specific contexts.

METHODS

1. Increase understanding and public awareness of natural hazards, including the potential influence of climate change on natural hazard events.
2. Further development of a natural hazards knowledge base and continued use of the most up to date and accurate information available in areas potentially affected by natural hazards.
3. The Regional Council and District Councils will support an integrated and collaborative approach between relevant agencies, the community and local businesses to manage significant natural hazard risks and effects.
4. 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;
 - e) Information requirements to assist consent processing; and
 - f) Integrated catchment management.
5. Take into account the location, nature and potential extent of natural hazards when providing and planning for the provision of essential lifeline utilities.
6. 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.
7. 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.
8. 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 WCRC'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 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, and will assist communities in building resilience to the effects of natural hazards.

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, natural hazard avoidance and mitigation.
4. Appropriate development within areas subject to natural hazards provided for in regional and district plans.

Part C

Administrative procedures

12. Administrative Procedures

The RMA requires that a RPS states:

- 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 RPS (section 62(1)(j)); and
- c) Any other information required for the purpose of the WCRC's functions, powers and duties under the RMA (section 62(1)(k)).

This Chapter of the RPS covers these matters and other related administrative procedures.

12.1 Integrated Management and Cross Boundary Processes

This RPS 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 including the Department of Conservation, 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 RPS, the WCRC 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 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 WCRC and the region's territorial authorities (including those under other legislation e.g. Biosecurity Act and the CDEMA), and the extent to which this RPS 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 RPS.

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 WCRC 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 their efficiency and effectiveness as a means of achieving the objectives and policies of the RPS;
- 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 RPS.

12.3 Review of the Regional Policy Statement

The RMA requires that the WCRC commence a full review of this RPS 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 RPS becomes operative. The internal review will determine whether the direction taken in it continues to be relevant. A review of the relevant parts or provisions of the RPS may be carried out if a new issue arises or regional monitoring shows that a review would be appropriate.

Glossary

Terms used in the RPS that are defined in the RMA, but not contained in this Glossary, have the same meaning as the RMA defined terms. This includes:

- Amenity values
- Best practicable option
- Biological diversity
- Coastal marine area
- Discharge
- Effect
- Environment
- Kaitiakitanga
- Land
- National policy statement
- Natural and physical resources
- Natural hazard
- Sustainable management

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

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

Cultural landscape means a geographical area that holds significant value to Poutini Ngāi Tahu due to the concentration of wāhi tapu or taonga values, or the importance of the area to Poutini Ngāi Tahu cultural traditions, history or identity. Cultural landscapes provide current and future generations of Poutini Ngāi Tahu the opportunity to experience and engage with the landscape as their tīpuna once did.

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

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 RPS.

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 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 RPS 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.

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) The National Grid (as defined by the Electricity Industry Act 2010);
- b) Other 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) 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;
- d) Pipelines and gas facilities used for the transmission and distribution of natural and manufactured gas;
- e) The State Highway network, and road networks classified in the One Network Road Classification Sub-category as strategic;
- f) The regional rail networks
- g) The Westport, Greymouth, and Hokitika airports;
- h) The Regional Council seawalls, stopbanks and erosion protection works;
- i) Telecommunications and radio communications facilities;
- j) Public or community sewage treatment plants and associated reticulation and disposal systems;
- k) Public water supply intakes, treatment plants and distribution systems;
- l) Public or community drainage systems, including stormwater systems;
- m) The ports of Westport, Greymouth and Jackson Bay; and
- n) Public or community solid waste storage and disposal facilities.

Significant indigenous biological diversity, when used in Chapter 9 Coastal Environment, means the biodiversity described in Policy 11 of the New Zealand Coastal Policy Statement 2010.

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 Natural Area, or SNA means an area of significant indigenous vegetation, and/or significant habitats of indigenous fauna which has been identified using the criteria listed in Appendix 1 or 2 and included on maps in a regional or district plan as a SNA, or an area which although not included as a SNA in a regional or district plan nevertheless meets one or more of those criteria listed in Appendix 1 or 2.

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

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. wāhi tapu, waterways and mountains.

Tapu means under spiritual protection or restriction.

Values in the context of landscape assessment includes characteristics, attributes and qualities.

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

Appendix 1: Ecological criteria for identifying significant terrestrial and freshwater indigenous biological diversity

Indigenous vegetation or habitat(s) of indigenous fauna is significant if it meets any one or more of the following criteria:

Note: These criteria are intended to be applied by suitably qualified and experienced ecologists with a good understanding of the local and national context and its associated ecological tools.

1. Representativeness

- a) Indigenous vegetation or habitat of indigenous fauna that is representative, typical or characteristic of the indigenous biological diversity of the relevant ecological district. This can include degraded examples where they are some of the best remaining examples of their type, or represent all that remains of indigenous biological diversity in some areas.
- b) Indigenous vegetation or habitat of indigenous fauna that is a relatively large example of its type within the relevant ecological district.

2. Rarity/Distinctiveness

- a) Indigenous vegetation or habitat of indigenous fauna that has been reduced to less than 20% of its former extent in the region, or relevant land environment, ecological district, or freshwater environment.
- b) Indigenous vegetation or habitat of indigenous fauna that supports an indigenous species that is threatened, at risk, or uncommon, nationally or within the relevant ecological district.
- c) The site contains indigenous vegetation or an indigenous species at its distribution limit within the West Coast region or nationally.
- d) Indigenous vegetation or an association of indigenous species that is distinctive, of restricted occurrence, occurs within an originally rare ecosystem, or has developed as a result of an unusual environmental factor or combinations of factors.

3. Diversity and Pattern

- a) Indigenous vegetation or habitat of indigenous fauna that contains a high diversity of indigenous ecosystem or habitat types, indigenous taxa, or has changes in species composition reflecting the existence of diverse biological and physical features or ecological gradients.

4. Ecological Context

- a) Vegetation or habitat of indigenous fauna that provides or contributes to an important ecological linkage or network, or provides an important buffering function.
- b) Indigenous vegetation or habitat of indigenous fauna that provides important habitat (including refuges from predation, or key habitat for feeding, breeding, or resting) for indigenous species, either seasonally or permanently.

Appendix 2: Ecological criteria for identifying significant wetlands

A wetland is ecologically significant if it meets one or more of the following criteria:

Ecological Context

1. The **ecological context** of the wetland has one or more of the following functions or attributes:
 - (a) It plays an important role in protecting adjacent ecological values, including adjacent and downstream ecological and hydrological processes, indigenous vegetation, habitats or species populations; or
 - (b) Is an important habitat for critical life history stages of indigenous fauna including breeding/spawning, roosting, nesting, resting, feeding, moulting, refugia, or migration staging points (as used seasonally, temporarily or permanently); or
 - (c) It makes an important contribution to ecological networks (such as connectivity and corridors for movement of indigenous fauna); or
 - (d) It makes an important contribution to the ecological functions and processes within the wetland.

Representative wetlands

2. A **representative wetland** is one that contains indigenous wetland vegetation types or indigenous fauna assemblages that were typical for, and has the attributes of, the relevant class of wetland as it would have existed circa 1840.
3. This criterion will be satisfied if the wetland (not including pakihi wetlands) contains either:
 - (a) Indigenous wetland vegetation types that have the following attributes:
 - (i) The **indigenous wetland vegetation types** that are typical in plant species composition and structure; and
 - (ii) The condition of the wetland is typical of what would have existed circa 1840 in that:
 - Indigenous species dominate; and
 - Most of the expected species and tiers of the wetland vegetation type(s) are present for the relevant class of wetland; or
 - (b) (i) The wetland contains **indigenous fauna assemblages** that:
 - Are typical of the wetland class; and
 - Indigenous species are present in most of the guilds expected for the wetland habitat type.
4. A pakihi wetland is a representative wetland where:
 - (a) It is greater than 40 hectares in area; and
 - (b) It is dominated by a mixture of sedges, ferns, restiads, rushes, mosses and manuka (*Leptospermum scoparium*) of which *Baumea* spp, *Sphagnum* spp, *Gleichenia dicarpa*, and *Empodisma minus* are the main species.
5. The representative wetland criterion applies to the whole or part of the wetland irrespective of land tenure;
6. Each wetland is to be assessed at the ecological district and freshwater bio-geographic unit scale.

Rarity

7. The wetland satisfies this criterion if:
 - (a) Nationally threatened species⁷ are present⁸; or
 - (b) Nationally at risk species or uncommon communities or habitats are present and either:
 - The population at this site provides an important contribution to the national population and its distribution;
 - There are a number of at risk species present; or

⁷ The Threatened and At Risk categories are defined in the current version of the New Zealand threat classification system (Townsend et al 2008). Species are reassessed according to these categories approximately every three years.

⁸ For mobile species such as kotuku, this requires some assessment of the importance of the site for the species i.e. the intention is not to include areas such as wet pasture where these birds are foraging.

- The wetland provides an important contribution to the national distribution and extent of uncommon communities or habitats;
- (c) Regionally uncommon species are present; or
- (d) Is a member of a wetland class that is now less than 30% of its original extent as assessed at the ecological district and the freshwater bio-geographic unit scales; or
- (e) Excluding pakihi, it contains lake margins, cushion bogs, ephemeral wetlands, damp sand plains, dune slacks, string mires, tarns, seepages and flushes or snow banks which are wetland classes or forms identified as historically rare by Williams et al (2007).

Distinctiveness

8. The wetland satisfies the **distinctiveness criterion** if it has special ecological features of importance at the international, national, freshwater bio-geographic unit or ecological district scale including:
 - (a) Intact ecological sequences such as estuarine wetland systems adjoining tall forest; or
 - (b) An unusual characteristic (for example an unusual combination of species, wetland classes, wetland structural forms, or wetland landforms); or
 - (c) It contains species dependent on the presence of that wetland and at their distribution limit or beyond known limits.

Explanation

9. The **wetland classes** may be determined in a number of ways including the classification index of Johnson and Gerbeaux (2004).
10. **Wetland indigenous vegetation types** are identified with reference to the dominant plant species that are present, the structural class, wetland class and hydrosystem (see for example Johnson and Gerbeaux (2004) or similar method).
11. The three **freshwater bio-geographic** units in the West Coast region are the Northwest Nelson-Paparoa, Grey-Buller and Westland units (Leathwick et al 2000).
12. **Ecological districts** are described and mapped in McEwen (1987). The maps of the ecological districts on the West Coast region have been refined by David Norton and Fred Overmars for use at the 1:50,000 scale and are available from the Department of Conservation (West Coast Conservancy).