



388 Main South Rd, Paroa
P.O. Box 66, Greymouth 7840
The West Coast, New Zealand
Telephone (03) 768 0466
Toll free 0508 800 118
Email info@wcr.govt.nz
www.wcr.govt.nz

3 March 2022

RM Reform
Ministry for the Environment
P O Box 10362
Wellington 6143

Dear Sir/Madam

Submission on discussion document: “Our future resource management system – materials for discussion”

Thank you for the opportunity to make a submission on the discussion document: “Our future resource management system – materials for discussion”. The West Coast Regional Council (WCRC or the Council) values this additional opportunity to have input into development of the Natural and Built Environments Bill (NBB) and the Strategic Planning Bill (SPB).

Please find the Council’s submission attached. Council consulted with its iwi partners, Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio (Poutini Ngāi Tahu or PNT), who are mana whenua on the West Coast/Tai Poutini, in the development of this submission. PNT have advised that they are working with Te Rūnanga o Ngāi Tahu on a tribal submission. The specific views of PNT will be advised in a submission from Te Runanga o Ngai Tahu.

The Council also invited feedback from the three West Coast District Councils and various stakeholders. Westland District Council supports the submission.

The Council submitted on the Exposure Draft of the NBB on 4th August 2021. We still hold the same view on some of these matters, for instance, the provisions relating to giving effect to the principles of the Treaty of Waitangi, and a joint planning committee for combining plans. This is already being implemented in the West Coast region via the Mana Whakahono ā Rohe Participation Arrangement between Council and Poutini Ngāi Tahu, and the current preparation of Te Tai o Poutini Plan (Combined District Plan - TTPP) for the three District Councils. The Te Tai o Poutini Plan Governance Committee (committee structure and membership) is working well, and we recommend that a similar joint committee model (excluding the mandated representation by mayors and chairs) be adopted in the new Bill.

Due to the high workload, Council has not had time to respond to all 33 of the questions in the discussion document, or read the Select Committee’s report on feedback on the Exposure Draft. We have, however, responded to a small number of questions in the latest discussion document.

We have a number of concerns and questions about parts of the proposed new system, mostly relating to the costs of the transition, providing for regional differences, erosion of local democratic input, and the structure of the joint committees for development of the Regional Spatial Strategy and the Natural and Built Environments plan.

Our contact details for service are:

Lillie Sadler
Planning Team Leader
West Coast Regional Council
PO Box 66
Greymouth 7840

Phone: 021 190 6676

Email: ls@wcr.govt.nz

We would be grateful for acknowledgement of receipt of our written submission.

Yours faithfully

A handwritten signature in black ink, appearing to read 'H Mabin', followed by a long horizontal line extending to the right.

Heather Mabin
Chief Executive Officer

Executive Summary

Recommendation 1

- a) Council supports the requirement to “give effect” to Te Tiriti (as opposed to “take it into account”). However, Tiriti partnership needs to be integrated throughout the Bill, including in the Purposes of the NBA and SPA; and
- b) Council supports the Mana Whakahono ā Rohe process being retained and improved in the new law, provided that any new requirements are not inconsistent with, Te Tai Poutini Mana Whakahono ā Rohe Participation Arrangement.

Recommendation 2

- a) The Government removes the potential to have two sets of environmental limits in the NBA and NPF, and focuses on only having one set;
- b) The Government should provide further clarification on how the two sets of environmental limits will work prior to releasing the NBB, so that councils have time to consider and provide informed feedback.

Recommendation 3

That indigenous biodiversity limits set at the national level will be flexible enough to allow for regionally appropriate limits.

Feedback 1

WCRC supports the following Select Committee recommendations:

- Clarify that the NPF and NBA plans are not limited to addressing the identified outcomes, and can also cover a range of matters to help achieve the purpose of the NBA.
- Provide further direction on how conflicts between outcomes are to be resolved, including the insertion of principles and other substantive decision-making requirements to assist decision-makers in resolving conflicts between outcomes.

Recommendation 4

- a) That clear direction is required in the NBA on how conflicts will be managed;
- b) A clear mechanism is provided for implementation of the proposal to carry over the RMA’s requirement to ‘avoid, remedy or mitigate’ adverse effects of activities on the environment;
- c) The NBA needs to ensure a management framework exists for all adverse effects, particularly where adverse effects are contrary to stated limits or outcomes.

Recommendation 5

- a) The NBA includes a clear process for establishing an NPF, such as requirements for public consultation and a board of inquiry process;**
- b) The NBA makes it mandatory for the Minister to consider a wide range of views and different regional contexts when developing the NPF;**
- c) The Government provides clarification on what will be in the NPF prior to releasing the NBB.**

Recommendation 6

That the NPF includes a process to allow local priorities to be set and local decision-making to resolve environmental conflicts.

Recommendation 7

- a) The Government clarifies the relationship between the NBA plans and the SPA, through guidance, and**
- b) provides guidance on the role of existing caselaw on issues with the hierarchy of planning instruments under the Resource Management Act.**

Recommendation 8

Include provision within the RSS process to set priorities within the context of each region and allow for an adaptive management approach rather than setting more rigid, separate areas for development and protection of regional council function-related activities.

Recommendation 9

- a) Clarify to regional councils what the role of their RPS will be in relation to RSSs under the new resource management system, prior to releasing the Strategic Planning Bill;**
- b) Reconsider the purpose and roles of RPSs and RSSs, and consider retaining RPSs and incorporating them and RSSs into one document.**

Recommendation 10

Clarify the legal status of an RSS, transitional provisions in relation to operative RPSs, and the status of the RSS in relation to the new resource management documents.

Recommendation 11

- a) The SPA provides for joint committees to design their own RSS development and engagement process;**

- b) The joint committee for developing a RSS does not have a central government representative on it, but government representatives can provide advice in an advisory capacity;
- c) The SPA provides for the following structure and composition of a RSS joint committee:
 - i. an independent chairperson with resource management experience;
 - ii. elected member/s from and appointed by the Regional Council;
 - iii. elected member/s from and appointed by each District Council;
 - iv. Mana Whenua representative/s appointed by each Mana Whenua.

Recommendation 12

That public consultation on a Draft NBA plan is made optional.

Recommendation 13

WCRC strongly suggest an alternative structure for the proposed NBA plan joint committee that has:

- a) An expert advisory panel who can provide advice to the joint committee on respective matters as and when needed, including a Department of Conservation (DoC) representative if the matter relates to the coastal marine area or indigenous biodiversity protection and management;
- b) No DoC representative on the NBA plan joint committee;
- c) Two representatives per council; and
- d) Representation is reflective of Mana Whenua as the Treaty Partner within their respective takiwā.

Recommendation 14

Local place-making plans must be optional in the NBA.

Recommendation 15

Central government assists with funding for small councils where needed, to cover costs of the NBA one plan public consultation and hearings process.

Recommendation 16

Remove the further submission stage from the planning process in the NBA.

Recommendation 17

Without seeing draft wording, Council supports in principle the proposed approach to limiting appeal rights. WCRC also reiterate our support for appeals on points of law only.

Recommendation 18

Retain the RMA controlled activity status in the NBA for existing activities authorised under the RMA controlled activity status.

Recommendation 19

That the process for decision making on consents be workshopped with consent authorities prior to release.

Recommendation 20

NBA and SPA transition times should, at a minimum, be for 10 years from where RPSs and plans are at in the RMA Schedule 1 process at the time the NBA and SPA come into effect.

Recommendation 21

Add provisions to the NBA for future reviews, monitoring of efficiency and effectiveness, maintenance of the NBA plan, and future plan changes.

Recommendation 22

Any additional monitoring and reporting of NBA plan implementation, or other council monitoring that is beyond what is currently required, and where it is for central government purposes, must be funded by central government.

Introduction

The West Coast Regional Council (the WCRC or Council) appreciates the opportunity to provide feedback on the discussion document: “Our future resource management system – materials for discussion”.

On 1 November the Parliament’s Environment Select Committee released their report on public submissions on the Exposure Draft of the Natural and Built Environments Bill (NBB), and the Committee’s reflections on the Draft. The Committee’s report advised the Government to proceed with the development of the NBB and the Strategic Planning Bill (SPB), with some redrafting and specific topics to consider.

The Government is now consulting on a discussion document titled “Our future resource management system: materials for discussion”. It presents a fuller view of the main components of the resource management system design to date, including the role of Māori and local government within the future system, from the national to the local level.

Unless specifically stated, the Council’s comments are about both the Bills and the Acts, for natural and built environments and strategic planning.

The Council’s key concern is the additional and full cost of transitioning from RMA planning documents to the Natural and Built Environments Act (NBA) and Strategic Planning Act (SPA) framework, which potentially could start by the end of 2023. This current financial year the Council has had to enact a 30% rates rise, including to cover the extra work required by national direction. This is a significant increase for West Coast ratepayers. A substantial proportion of our current and future increased planning and science costs is implementing the NPSFM and NESF, and there is more to come when the NPSIB is finalised.

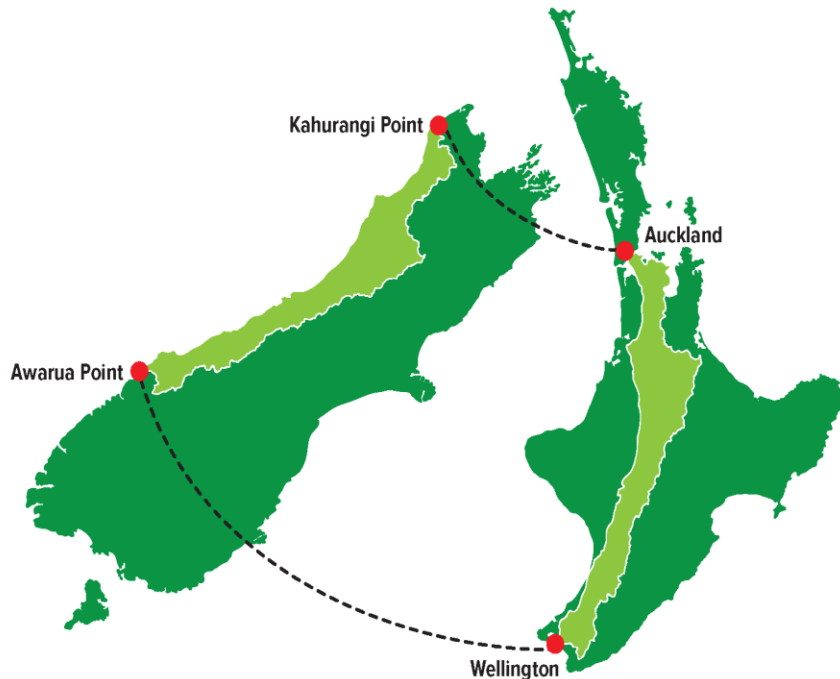
Our other main concern is that with a stronger central government role in the new resource management system, local views are not going to be reflected in plans and strategies for our Region, and local democracy will be diminished.

The discussion document is understandably broad at this stage, but raises numerous questions for us about how it will work in practice, and what effects/outcomes it will have for the West Coast Region. There remains uncertainty around what will be carried over from the RMA and effects-based plans into the future NBA and outcomes-based plans. Parts of our submission therefore explore the possible implications of the future reform system for our Region. We also comment on some matters that are not well covered in the discussion document. We support some aspects of the new system, and some we oppose.

About the Submitter

The West Coast Regional Council (WCRC) is the local authority for a region covering a vast area with a sparse population: it extends from Kahurangi Point in the north, and south to Awarua Point, a distance of 600 kilometres. This distance is the equivalent from Wellington to Auckland. The Region is predominantly rural.

Map of New Zealand to highlight 600km length of West Coast Region compared to distance between Auckland and Wellington



The West Coast region stretches the equivalent distance of that between Auckland and Wellington

The Conservation Estate comprises 84.17% of land area within the West Coast Region, with 1.55% under Land information New Zealand (LINZ) administration. This leaves 14.28% available for private ownership. The land in Conservation Estate and Crown ownership is not rateable by local authorities.

The West Coast Regional Council (WCRC or the Council) works closely with the regions' three territorial authorities (Buller, Grey and Westland District Councils). All four councils and iwi are working in partnership on developing a combined district plan for the three Districts, the Te Tai o Poutini Plan (TToPP).

As at June 2020, the Region had a relatively low population of 32,600. Outside of the main towns of Westport, Greymouth and Hokitika, the region's population is spread across smaller settlements and rural communities. It is important that reform decisions consider the social, economic, and cultural well-being of all West Coast communities and the natural environment.

Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio are Poutini Ngāi Tahu (PNT) - mana whenua of Te Tai o Poutini (the West Coast). Our Mana Whakahono ā Rohe (Resource Management Act - Iwi Participation Arrangement) captures the intent of the Council and Poutini Ngāi Tahu to continue to progress our strong relationship in accordance with the Treaty of Waitangi partnership between iwi and the Crown. We seek that the West Coast's Mana Whakahono ā Rohe Arrangement is provided for in the new Natural and Built Environments Bill (NBB).

Key Issues Raised by this Submission

Giving effect to Te Tiriti o Waitangi

The discussion document states that the NBA will “*improve recognition of te ao Māori and Te Tiriti o Waitangi*”, and decision-makers would be required “*to give effect to’ the principles of Te Tiriti*” rather than “*take into account’ those principles*”. Council supported this in our submission on the Exposure Draft, and we reiterate that support in this submission. It is a positive step towards Te Tiriti o Waitangi partnership and co-operation. However, it must be stressed that compliance with Te Tiriti cannot be achieved through one clause alone. Tiriti partnership needs to be integrated throughout the Bill.

Our submission on the Exposure Draft further states: “*...we disagree with the demotion of the Treaty of Waitangi and the exclusion of it from the fundamental purpose....*”. Our recommendation is that Tiriti partnership must be included in the Purposes of the NBA and SPA.

It is pleasing to see the discussion document (Pg 37) indicates that the Mana Whakahono ā Rohe process will be carried over into the NBA, and “*enhanced by better enabling Māori participation in the system through an integrated partnerships process that would integrate with the existing RMA tools for transfers of powers and joint management agreements.*” The Mana Whakahono ā Rohe Participation Arrangement between the Council and Poutini Ngāi Tahu has been in place since October 2020. Part of our partnership arrangement is that the WCRC's Resource Management Committee has a representative from each of the two West Coast Rūnanga (Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio), with decision-making roles. Council supports retaining and enhancing the Mana Whakahono ā Rohe process in the NBA, provided that any new

requirements are not inconsistent with, or require changes to, Te Tai Poutini Mana Whakahono ā Rohe Participation Arrangement.

Recommendation 1

- a) The Council supports the requirement to “give effect” to Te Tiriti (as opposed to “take it into account”). However, Tiriti partnership needs to be integrated throughout the Bill, including in the Purposes of the NBA and SPA;**
- b) The Council supports the Mana Whakahono ā Rohe process being retained and improved in the new law, provided that any new requirements are not inconsistent with, Te Tai Poutini Mana Whakahono ā Rohe Participation Arrangement.**

Environmental Limits

Two sets of environmental limits

Council understands that there will be the potential to set environmental limits in both the NBA and the National Planning Framework (NPF) (Pgs 20, 21, para 1, and Pg 23, para 6), which sits beneath the NBA. Without seeing draft wording, Council does not support the concept of having a hierarchy of environmental limits in the new system. This is unnecessarily onerous for implementation. If the limits in the NBA will be broader than those in the NPF, this could potentially open councils up to litigation over their interpretation. If both sets have detailed limits, this could lead to unnecessary duplication.

The relationship between environmental limits in the NBA and limits in the NPF is unclear. Presumably the latter will comprise the more detailed national environmental standards and other regulations, such as the National Environmental Standard for Freshwater (NESF), and the section 360 Stock Exclusion Regulations. However, the description on Pg 20, para 4 of the discussion document sounds like the NBA limits may be detailed. Council seeks that the Government reconsiders having two sets of environmental limits in the NBA and NPF.

The consultation document does not provide enough explanation about how the two sets of limits will work practically, to enable the Council to meaningfully comment on a preferred approach. It would be helpful if further clarification can be provided sooner on how the two sets of limits will work.

Recommendation 2

- a) The Government removes the potential to have two sets of environmental limits in the NBA and NPF, and focuses on only having one set;**

b) The Government should provide further clarification on how the two sets of environmental limits will work prior to releasing the NBB, so that councils have time to consider and provide informed feedback.

Environmental limits will have priority

WCRC are very concerned about the proposed approach to indigenous biodiversity protection, and whether nationally set environmental limits will be practically applicable in the West Coast Region. Council understands that environmental limits will have priority and are not subject to other goals related to wellbeing. Additionally, the Minister for the Environment will have powers to set environmental limits in the NPF for the six mandatory matters in the NBA - air, biodiversity, coastal waters, estuaries, fresh water, and soil.

Council's RPS Ecosystems and Indigenous Biological Diversity chapter has a policy with ecological limits or 'bottom lines' for protecting indigenous biodiversity from the adverse effects of development. The ecological limits are based on the Department of Conservation (DoC) Threatened Classification System Categories 1 – nationally critical, 2 – nationally endangered, and 3a – nationally vulnerable. A copy of Policy 2 is attached as Appendix 2. These limits were approved by the Environment Court following mediation of parties including, amongst others, WCRC, DoC, Forest and Bird, and Bathurst Resources. The provisions are specific to the West Coast, and may, or may not, be suitable for other regions, depending on their context. WCRC would be opposed to any nationally set ecological limits for protecting indigenous biodiversity that are impractical/unworkable for the West Coast, and are inconsistent with our RPS biodiversity Policy 2 limits.

Recommendation 3

That indigenous biodiversity limits set at the national level will be flexible enough to allow for regionally appropriate limits.

WCRC are aware that the Select Committee has recommended to include the use of transitional limits and environmental targets to provide an incentive to improve environmental health or quality, rather than viewing environmental limits as an acceptable environmental state in the long term. This sounds potentially appropriate to provide for regional differences. The Council supports this in principle, subject to seeing draft wording.

Outcomes

WCRC is aware that the Select Committee recommended to remove the differing qualifying or directive terms used in the Exposure Draft to refer to outcomes, such as "protect", "significant", "reduce", and "restore", and to specify that there is no hierarchy among the outcomes.

WCRC supports the proposal of no hierarchy among the outcomes. WCRC consider that clear direction is required in the NBA on how conflicts will be managed. Further, a clear mechanism needs to be provided for implementation of the proposal to carry over the RMA's requirement to 'avoid, remedy or mitigate' adverse effects of activities on the environment. The NBA needs to ensure a management framework exists for all adverse effects, particularly where adverse effects are contrary to stated limits or outcomes.

Feedback 1

WCRC supports the following Select Committee recommendations:

- **Clarify that the NPF and NBA plans are not limited to addressing the identified outcomes, and can also cover a range of matters to help achieve the purpose of the NBA.**
- **Provide further direction on how conflicts between outcomes are to be resolved, including the insertion of principles and other substantive decision-making requirements to assist decision-makers in resolving conflicts between outcomes.**

Furthermore, references in the Exposure Draft outcomes to activities being "positive", "generally positive" and "less appropriate" seems like a reversion to old land use planning approaches through district plans under the Town & Country Planning Act. There will be different interpretations of what these terms mean, and we question how they will achieve less litigation than the current RMA framework. For example, decision-makers must decide if the activity of landfills is "appropriate" or "less appropriate".

Recommendation 4

- a) That clear direction is required in the NBA on how conflicts will be managed;**
- b) A clear mechanism is provided for implementation of the proposal to carry over the RMA's requirement to 'avoid, remedy or mitigate' adverse effects of activities on the environment;**
- c) The NBA needs to ensure a management framework exists for all adverse effects, particularly where adverse effects are contrary to stated limits or outcomes.**

National Planning Framework (NPF)

Development of NPF

WCRC **strongly** recommends that the NBA includes a clear process for establishing an NPF, such as requirements for public consultation and a board of inquiry process. It is critical that councils have input into developing the NPF, to ensure that it provides for differences between regional contexts. The need for local input was highlighted last year in the Ministry for the Environment having to reconsider some of the freshwater regulations for agricultural activities, and activities affecting wetlands. WCRC acknowledge the work of the Ministry in listening to people with experience at the local level who can advise on what is workable and what is not.

The Select Committee recommended that Government do more policy work to establish what regulations should be contained in the NPF and include the types of provisions and functions currently provided for by national policy statements and national environmental standards under the RMA. Council assumes that the current suite of NPSs, NESs and other resource management regulations will form the bulk of the NPF. If any of these are substantively amended to be consistent with the NBA, this will potentially mean that councils must make further changes to their regional policy statements and regional and district plans. There is considerable uncertainty about the extent of changes to existing national policies, standards and regulations which could be added to the NPF. This uncertainty could be alleviated by the Government providing clarification on what will be in the NPF before the NBB is released for consultation.

Recommendation 5

- a) The NBA includes a clear process for establishing an NPF, such as requirements for public consultation and a board of inquiry process.**
- b) The NBA makes it mandatory for the Minister to consider a wide range of views and different regional contexts when developing the NPF;**
- c) The Government provides clarification on what will be in the NPF prior to releasing the NBB.**

NPF role in resolving conflicts

The explanation of the NPF on Pg 23 of the discussion document says: *“It will play a role in resolving conflicts between outcomes in the system”....that are the most appropriate to resolve at the national level.”*

And on Pg 28, para 2 of the discussion document: *“If there are conflicts between different directions or outcomes shaping an RSS (Regional Spatial Strategy) that cannot be resolved through the spatial strategy process, it is proposed that the NPF direction will take priority.”*

WCRC are aware that the Select Committee recommended to strengthen the conflict resolution provisions in the NPF, including by requiring the Minister to have regard to the extent to which it is appropriate for conflicts to be resolved at a national level by the NPF, or at a regional level by NBA plans.

If NPSs and NESs are within the proposed NPF, then the conflicts are resolved at the national level already, for example, with mining and indigenous forest removal. Council has concerns around what types and scale of environmental conflicts will be determined at the national level. WCRC seeks that councils retain the ability to use local decision-making including Community health and wellbeing, to resolve environmental conflicts.

Recommendation 6

That the NPF includes a process to allow local priorities to be set and local decision-making to resolve environmental conflicts.

Strategic Planning Act

The diagram on Page 19 of the discussion document (see Appendix 1 in this submission) shows an arrow indicating a flow path that looks like the Strategic Planning Act will develop from the NBA. However, the explanatory text states that *“The SPA will integrate with the NBA and other legislation relevant to land, urban development, and the coastal marine area.”* Some guidance about how the two pieces of legislation would integrate will be useful for implementation.

The diagram also indicates that NBA plans (one plan) will derive from RSSs and must be consistent. While WCRC understands that the diagram intends to avoid any hierarchy and takes a more integrated approach, the RSS must be developed first, and the NBA plan must be consistent with it, which suggests a form of hierarchy. To avoid the potential for litigation of the hierarchy, it is considered that guidance should be provided on the proposed integrated approach of the new resource management system. This will avoid RMA caselaw decisions on issues of hierarchy becoming redundant and avoid the need for new litigation on the integrated approach.

Recommendation 7

- a) The Government clarifies the relationship between the NBA plans and the SPA, through guidance, and**
- b) provides guidance on the role of existing caselaw on issues with the hierarchy of planning instruments under the Resource Management Act.**

Regional Spatial Strategy (RSS)

Identifying development and protection areas

The RSS will identify, amongst other things, areas that are suitable for development, and areas that need to be protected (discussion document, Pg 19, para 1). This approach fits well with district plan zoning where various zones and precincts indicate what is appropriate development within each zone. WCRC anticipates that Significant Natural Areas (for indigenous biodiversity) (SNAs), and outstanding natural landscapes, natural features and natural character areas will indicate where these values need protecting. However, it is unclear how activities managed by regional council functions will ‘fit’ into these areas, for example, freshwater use and mining, as they are often located where the resource is, and can be spread throughout the region. There are

many situations on the West Coast where enabling development and protecting important values is not so black and white as the intent of RSSs suggests.

The large proportion of DOC land on the West Coast has a level of protection under the Conservation Act, but also has, for example, freshwater and hills which are suitable for small-scale 'run of the river' hydro electricity generation schemes that could support West Coast communities' wellbeing and resilience. Another example of where development can exist on protected land is the number of flood protection stopbanks along rivers in public conservation land, for example on the Waiho River near Franz Josef township, and on the Waitangitona and Wanganui Rivers.

A RSS for the West Coast is likely to have more areas of protection for SNAs, wetlands, landscapes, natural features, natural character and natural hazards, than areas for development, based on the percentages of conservation land and private land.

If the intent of the RSS is to ensure protection of the much smaller indigenous biodiversity areas in regions with a higher proportion of development, this is not the case for the West Coast. WCRC wish to retain the flexibility within the RSS structure to allow for key development and protection areas to be identified and resolved at the regional level, as implied in the discussion document. WCRC seek that potential perverse outcomes for the region's communities are avoided as a result of the flow-on effect of national prioritisation through environmental limits for indigenous biodiversity in the NBA and NPF.

WCRC support the RSS direction to help groups to identify areas of mutual benefit and potential conflict earlier on. This will support planning interactions that have already occurred and allow outcomes to be managed in a more strategic way, for example, by designating areas for development or for protection.

Recommendation 8

Include provision within the RSS process to set priorities within the context of each region and allow for an adaptive management approach rather than setting more rigid, separate areas for development and protection of regional council function-related activities.

Resolving conflict in the RSS

The discussion document (Pg 24) explains that where conflict arises, for example, between development and environmental protection, trade-offs can be resolved at the regional level in the RSS, reducing the need for these to be relitigated in plans. However, WCRC questions if the RSS will realistically be able to address all resource use conflicts. Not all proposed development or conflicts fit neatly into the 'boxes' of areas of development and areas of protection. It is likely to have both in the same area in the West Coast given the

higher proportion of indigenous biodiversity spread throughout the region. Conflicts tend to arise on a case by case basis and are site-specific.

If agreement cannot be reached between development and environmental protection stakeholder groups during preparation and implementation of the RSS, this will likely carry over into plan development. Council has experienced this over the last 21 years where development and environmental protection stakeholders have been regular submitters and appellants on Council's Regional Policy Statement and Regional Plans.

If the Government accepts the Council's Recommendations 3, 4, 6 and 8, this will go some way towards achieving better environmental, economic, social and cultural outcomes for the West Coast.

Role of Regional Policy Statement (RPS)

It is unclear from the discussion document what the role of RPSs will be in relation to RSSs under the new resource management system. Council understands that parts of the West Coast RPS may be transferred into the RSS for the Region. The WCRC support using the historical RPS work for the new RSS.

The West Coast RPS became operative in July 2020. WCRC are concerned about the cost of having to change the RPS in the event that some provisions need to be removed and added to the RSS. There may also be additional costs of revising what is left of the RPS, if it means adding the remaining RPS provisions to the NBA plan, and withdrawing the operative RPS.

The RPS is the overarching document that lends guidance to all the hierarchy of regional planning documents and was prepared to undertake this function. The RPS also helps to align the Regional and District Council directions. It sets the tone for what the Community think is important in the region and sets out the directives such as preserve, protect, remediate etc. It is addressed in each and every staff report, S.42A report and is even setting the direction for Environment Court proceedings for the Te Kuha consent appeal¹.

During the preparation of the RPS, WCRC spent considerable time and resources on pre-hearing meetings with most key submitter stakeholders, and a 2.5-day workshop with a range of these stakeholders so they could better understand each other's views. WCRC also spent a year in mediation with 15 stakeholders and reached agreement on all appeal points so that a Court hearing was avoided. This was a cost to ratepayers, but less than what a Court hearing would cost. We are concerned with the potential cost of NBA and SPA transitional changes to our RPS having to be done so soon after the RMA review process has been completed. WCRC recommend that the Government reconsider the purpose and roles of the RPS and RSS, and consider retaining RPS provisions and incorporating them and the RSS into one document.

¹ See ENV-2017-CHC-000090 Royal Forest and Bird Protection Society of New Zealand Incorporated v Buller District Council & West Coast Regional Council
Applicant: Stevenson Mining Limited

Recommendation 9

- a) Clarify to regional councils what the role of their RPS will be in relation to the RSS under the new resource management system, prior to releasing the Strategic Planning Bill;**
- b) Reconsider the purpose and roles of RPSs and RSSs, and consider retaining RPSs and incorporating them and RSSs into one document.**

Legal status and position of RSS

Council understands that the RSS won't have operative status, but it will be a strategy. This makes its legal status unclear. If the RSS is not an operative document, WCRC question how the NBA plan can legally give effect to it without challenge. NBA plans must be consistent with the RSS. Clear direction needs to be given on the status of the RSS, transitional provisions in relation to operative RPSs and the integration of the NPF and RSS.

Recommendation 10

Clarify the legal status of an RSS, transitional provisions in relation to operative RPSs, and the status of the RSS in relation to the new resource management documents.

Joint committees

The discussion document outlines that there will be one planning committee for the RSS, and another for the NBA plan. Council supports one joint committee being able to design its own RSS development and engagement process.

The joint committees will have representatives from PNT, local government and central government on both committees (Pg 28 of discussion document). Council supports having mana whenua and local government representatives on the RSS joint committee, especially having a decision-making role on the RSS.

The WCRC raised concerns on the Exposure Draft about having a central government Department of Conservation (DoC) representative on the NBA plan joint committee. These issues are reiterated in the section on NBA plans. Any DoC representation needs to have their role clearly defined in the joint committee process, that is whether their role is that of land administrator, technical expert or conservation advocate.

With respect to a joint committee for developing the RSS, the Council does not support having a central government representative on it, as it could undermine local decision-making. No explanation is given for why a central government representative should be on the RSS joint committee, or which section of central government the person will be representing. Nor is it clear who would appoint them, what their contribution to the process will be, and how their involvement on the joint committee will benefit the West Coast region. WCRC

think it will be difficult to find a central government representative who knows and understands the nuances of resource management strategic spatial planning for the West Coast region. A central government representative could mean that national interests will dominate the process, the RSS will lose its local flavour, and the West Coast Council representatives will lose local decision-making and democracy.

Council is also concerned about who will pay the costs of having a central government representative on the joint committee. If national interests will benefit by having a representative on the joint committee, then central government should pay the costs, not West Coast ratepayers. If the main purpose (and benefit) is to be a conduit for central government funding, then this can be done in an advisory role rather than having a voting right on the committee.

Council reiterates its concern from our submission on the Exposure Draft, that the draft provisions appeared to erode the West Coast's local democracy on joint committees. The local process has been established by our Mana Whakahono ā Rohe Participation Arrangement, the provision in the Exposure Draft appeared to be taking decision-making away from democratically elected Regional Councillors and our Poutini Ngāi Tahu partners and giving it to others. In our view, this approach is inconsistent with the Treaty of Waitangi and therefore erodes fundamental principles of the Treaty.

Recommendation 11

- a) The SPA provides for joint committees to design their own RSS development and engagement process;**
- b) The joint committee for developing a RSS does not have a central government representative on it, but government representatives can provide advice in an advisory capacity;**
- c) The SPA provides for the following structure and composition of a RSS joint committee:**
 - i. an independent chairperson with resource management experience.**
 - ii. elected member/s from and appointed by the Regional Council;**
 - iii. elected member/s from and appointed by each District Council;**
 - iv. Mana Whenua representative/s appointed by each Mana Whenua.**

One NBA plan per region

Early consultation on NBA plan

The NBA plan will require early engagement during policy and plan development, including with iwi and the public (discussion document, Pg 21, para 4). Council must seek a wide range of views in the preparation of the NBA plan. If early public consultation is mandatory, it is unclear whether the intent is for early engagement prior to completing the Draft plan, or whether it means there will be a requirement to consult on the Draft plan. If it is the latter, this will be additional costs for small councils.

WCRC questions the benefits of public consultation at an early stage such as on the Draft plan. While some positive gains and agreements could be made by working with individual stakeholders, WCRC are aware of situations where stakeholders retreat to their old positions when the Draft plan is notified, and the gains are lost.

Recommendation 12

That public consultation on a Draft NBA plan is made optional.

Joint committee for NBA plan

There will be one joint committee for the NBA plan, with representatives from PNT, local government and possibly a central government Department of Conservation (DOC) representative. Council supports having mana whenua and local government representatives on the NBA plan joint committee, especially having a decision-making and drafting role on the plan.

Having a DOC representative on the NBA plan joint committee is not supported by the Council. The Council raised concerns in its submission on the Exposure Draft about having a DOC representative on the West Coast joint committee for the one NBA plan. These concerns are reiterated below.

The inclusion of DOC on the joint committee requires a clear definition of the role to ensure a conflict of interest does not arise. As DOC are regular submitters and appellants on Council's RPS and plans, they cannot be on the joint committee. If they are to be on the joint committee, then they cannot submit on the NBA plan. It is extremely unfair if they are given the opportunity to do both.

DOC operates under an entirely different mandate - the Conservation Act. WCRC question how DOC will be able to understand the issues for councils and ratepayers under resource management legislation that provides, amongst other, for sustainable resource use and protection.

It is also unclear whether the DOC representative would be acting on behalf of national conservation interests, or local interests. The promotion of national conservation interests may not necessarily reflect local conservation matters and could diminish autonomous decision-making. DOC's ecological input into the NBA plan needs to be from the local and regional level in an advisory capacity to the joint committee.

WCRC suggest that instead of having a DOC representative on the joint committee, that a DOC representative be on an expert advisory panel, with other experts who can provide advice to the committee on respective matters as and when needed. WCRC consider that it is not appropriate to have DOC at the decision-making level on regional and district resource management matters (with the potential exception of their role in the

coastal marine area under the New Zealand Coastal Policy Statement). Their role in an advisory capacity would be much more appropriate.

In the view of Council, the Te Tai o Poutini Plan (One District Plan) Governance Committee set up by an Order in Council to develop one district plan for the three West Coast District Councils has proven to be an effective model for the West Coast. The Governance Committee has two members per council, one mana whenua representative for each of the two mana whenua - Poutini Ngāi Tahu Rūnanga, and an independent chair. Council recommends that having two members per council is beneficial if one of them is overloaded with other work, and where one representative might understand an issue better than the other representative. The Governance Committee's mandate also importantly provides for one proxy to stand in for a Committee member if the original member cannot attend a meeting. This helps to spread the workload.

Developing a combined District Plan is a big piece of work, and it places heavy demands on the Governance Committee. Our experience is that having two representatives per Council in this structure is working well.

The discussion document (Pg 29) outlines several options for the structure and composition of a NBA plan joint committee. WCRC have previously advocated for one joint committee to undertake all planning processes, with the option to co-opt technical expertise in the form of advisory committees as required.

Recommendation 13

WCRC strongly suggest an alternative structure for the proposed NBA plan joint committee that has:

- a) An expert advisory panel who can provide advice to the joint committee on respective matters as and when needed, including a Department of Conservation (DoC) representative if the matter relates to the coastal marine area or indigenous biodiversity protection and management;**
- b) No DoC representative on the NBA plan joint committee;**
- c) Two representatives per council; and**
- d) Representation is reflective of Mana Whenua as the Treaty Partner within their respective takiwā.**

In the experience of the Tai Poutini Plan Committee created under Local Government Reorganisation Scheme (West Coast Region) Order 2019², having representation from each council has meant that local input has continued and has also meant the Committee has ended up with more diverse perspectives. For example, when discussing mining, issues and benefits from the different districts for different types of mining has meant we have ended up with a robust set of provisions.

² See: <https://gazette.govt.nz/notice/id/2019-go2872>

The Committee have worked well together, it is useful to have standing orders or other methods to ensure that strong differences are respected, and everyone gets the opportunity to contribute. WCRC would strongly support an independent chair; having a non-political hand on the helm is beneficial.

The Chair should be appointed by councils and iwi but there should be no requirement for re-election through the election cycle; this provides some consistency, as well as independence. Each council needs to adopt a process on how the rest of their council are kept up to speed.

Examples include:

- A briefing from their planning manager so other council members can have input, and the council representatives are part of that discussion and can then take it forward.
- A similar process where a senior planner, team leader or other, for example, consents or compliance manager will go through the papers with council members and the council representatives.
- An update during council meetings may also be a way to keep all councillors informed.
- For iwi representatives, planning staff can help the appointees with any queries.

The WCRC Order in Council specifies that the Mayors (and WCRC Chair) have to be on the Governance Committee. This is not always ideal as they have a huge number of other commitments, and the district plan is not always their area of expertise.

Local place-making plans

Council considers that local place-making plans must be optional in the NBA. These would need to be justifiable as they would be an additional cost. There needs to be discretion for both Council and a specific community to accept or decline developing a local plan. Where there is agreement for such a plan, the community who will benefit from it will need to pay for it through a targeted rate, for example. It would be unfair to expect that all other ratepayers in the region pay for it.

Recommendation 14

Local place-making plans must be optional in the NBA.

Costs of NBA plan

The NBA plan will be a joint regional and district plan, so the RPS and regional plans will need to be both amended as per the new NBA framework and merged with the TTPP. This will be a significant cost over a relatively short period of time, whereas the cost of reviewing operative plans and holding hearings is usually spread out over several years and can be more feasibly managed. Central government will likely need to assist with funding for smaller councils to meet the NBA requirements. The Westland District Council is a case in point; 88% of their District is non-rateable public conservation land. This means on a land ownership basis,

12% of landowners have paid for the District Council's share of the Te Tai o Poutini Plan (One District Plan), and they will also pay for the District's share of the combined NBA plan.

Recommendation 15

Central government assists with funding for small councils where needed, to cover costs of the NBA one plan public consultation and hearings process.

Remove further submissions stage

Council is aware that a more refined approach will be taken with NBA provisions for the submissions process, although WCRC are unclear what this will mean in practice. If it means that the further submission stage will be dropped, Council will support this. Removing the further submission stage from the RMA has been considered in the past during RMA reviews, and the Council has submitted in the past seeking its removal. In our experience, further submissions do not add substantial value or useful information to the process, and it delays the Schedule 1 process because WCRC have to do it. The more submissions that are lodged, the longer it takes to prepare the Summary of (original) Submissions and publicly notify this for further submissions. If the Government wants to make planning processes more efficient, removing the further submissions stage would certainly achieve this.

Recommendation 16

Remove the further submission stage from the planning process in the NBA.

Environment Court appeals

It is proposed in the discussion document that the NBA will limit appeal rights on plans by not allowing appeals that seek to rehear any independent hearing panel recommendations that are accepted by the joint committee. Appeals seeking judicial review will also be allowed. This is the model used for the Auckland Council Unitary Plan. It is unclear if this is consistent with the freshwater plan process which limits appeals to points of law.

The current RMA appeals provisions have been used by some submitter stakeholders in a way that generates extra costs to the WCRC. Under the current RMA appeals provisions, submitters can lodge a submission and then not engage in the rest of the process until the appeals stage, where the Environment Court mediation process makes appellants 'knuckle down' and work towards reaching agreed resolutions. Limiting appeal rights should have the effect of making submitter stakeholders put more effort into resolving issues at the pre-hearing and hearings stage. Hopefully this will avoid the situation WCRC had with our proposed RPS, where one of the main submitter stakeholders did not engage with us in pre-hearing meetings, did not attend the hearing, and then lodged an appeal.

Without seeing draft wording, Council supports in principle the proposed approach to limiting appeal rights. WCRC also reiterate our support for appeals on points of law only. The right to appeal decisions on plan reviews is often expensive and lengthy. This was our experience with appeals on adding significant wetlands to our proposed Regional Plan in 2010, which took around two years to resolve in the Environment Court at a high cost to Council. It does not make sense financially to have endless appeals. The public, including stakeholders, have plenty of opportunities to have their say in the plan development process, informally and formally at the early investigation, drafting, submission, pre-hearing and hearing stages. Limiting appeals should reduce costs to councils as it will help to retain decision-making on plans at the local level, rather than being decided on by the Environment Court.

Recommendation 17

Without seeing draft wording, Council supports in principle the proposed approach to limiting appeal rights. WCRC also reiterate our support for appeals on points of law only.

Consents and compliance

Consents

The discussion document (Pg 30) explains that consent activity classes will be standardised and reduced, with key requirements set out in NBA plans rather than assessed on a case-by-case basis. The document believes that this will increase certainty and efficiency and drive a reduction in the volume of resource consents.

Four activity categories will apply, with non-complying activity status being discarded:

- Permitted – activities are “positive” and adverse effects, including cumulative effects, “are known”.
- Controlled – activities are “generally positive” and adverse effects are “generally known”. Consent is required for “tailored management of effects” and there is a limited ability to decline. This is more like the current Restricted Discretionary Activity status.
- Discretionary – activities are “less appropriate” and “unanticipated” by the plan. Effects are “less known” or go beyond boundaries. Councils have broad discretion to seek further information and either grant or decline the consent. This is akin to a combination of the current Discretionary Activity and a Non-Complying Activity.
- Prohibited – can’t do, can’t apply.

The limited ability to decline a controlled activity is a change from the RMA controlled status which requires that the consent be granted, with conditions limited to matters that council reserves their control over being listed in the regional or district plan. WCRC have not seen a good rationale for this change.

Council would support the changes to the NBA controlled activity status for proposed new activities seeking approval as a controlled activity, and strongly support retaining the RMA controlled status for existing activities authorised under RMA controlled activity status. WCRC has more than 600 controlled activity resource consents granted for whitebait stands. These activities are low impact, temporary, the activity is actively compliance-monitored during the whitebait fishing season, and the consents have been regularly renewed every 5-7-10 years since the late 1990's. The controlled activity status for whitebait stands is appropriate because the activity is supported by other policy restrictions in a Schedule in the Regional Land and Water Plan. The number of stands will not be increased, so there is no cumulative effect that would justify treating them as a discretionary activity. Permitted status is not appropriate as some conditions may need to be varied where the stand has to be relocated to a different site on the river, and/or the stand design changes, so specific conditions may be needed to manage effects on the river bed or bank. Provision for declining any new activities can be outlined in the plan, but controlled activity consent renewals granted under the RMA should continue to be treated under the RMA controlled rule status.

Recommendation 18

Retain the RMA controlled activity status in the NBA for existing activities authorised under the RMA controlled activity status.

A key theme in the discussion document around rules is that things will be clearer, more directive, with greater use of permitted and prohibited status, thus giving everyone more certainty about what's ok and what's not. "Discretionary" activity status will be used much more sparingly because plans will identify (as "controlled" activities) those activities that are "positive" or "appropriate", where effects are "generally known" and the consent process for controlled activities will generally be required only to "tailor" the conditions to manage effects (although there will also be "limited discretion to decline"). Furthermore, controlled activity rules will generally identify who should be consulted (including which Iwi/hapu), and whether or not the application should be notified or not. "Discretionary" will only apply to activities which are "less appropriate", and have effects that are "less well known" or were "unanticipated" at the time of the plan development. Somehow, all of this is going to make the consenting system more certain, more streamlined and will "drive down the volume of consents".

Reducing the number of consents lodged may, or may not, achieve the desired environmental and economic wellbeing outcomes sought. Council is not convinced that this will happen or is desirable. Government should not ignore the fact that consenting pathways are a crucial tool to achieve biodiversity (including wetland) gains through the consent process. Management, restoration and maintenance of wetlands requires substantial funds and long-term ownership. Modern plans and processes such as the recognition of the offset process are now a main leverage tool to require active management and restoration of indigenous habitats where they are adversely affected by development. While there are sceptics (Brown et al. 2013), and in some cases rightly so, the biodiversity gains made over the last 10 years on the West Coast because of a consenting pathway that

had mitigation and offset tools, that were sufficiently compliance checked, has been substantial. This includes, for example, the Holcim Quarry Rehabilitation at Cape Foulwind³, and the Rio Tinto bauxite mining restoration at Barrytown on the West Coast⁴.

The discussion document explains that NBA plans will “*provide direction on what level of notification is required.*” The RMA already enables plans to do this, but it is clear that MfE intends plans to be far more directive than is presently the case in practice. Realistically, this applies only to controlled activity rules but is part and parcel of the theme of providing greater certainty of process and outcome than plans presently provide. The existing case by case decision-making about notification appears to be seen as contributing to inefficiency of process, uncertainty of outcome, and is regarded as avoidable. However, “greater certainty” of process is often achieved at the expense of flexibility and the appropriate exercise of discretion. Pre-determining the need for notification across the raft of controlled activity rules envisaged under the conceptual model seems unrealistic. Assuming that the need or otherwise for notification will swing on some assessment of effects on the environment or persons, rules will need to be very specific and “ring-fenced” as regards the activity concerned and its effects. It suggests a level of detail and sophistication in the design of rules that may be difficult to achieve.

Requiring plans to “*provide direction on what level of notification is required*” will also require plans to capture every consent scenario and parties to effectively litigate at the plan making process. Council experience in RMA plans shows that it is very difficult to capture unforeseen land uses. In the past this has resulted in a permissive activity model with unforeseen adverse effects arising, or the flip side is that the process makes it more difficult for developers to apply for things not allowed for in the plan.

The categorisations are based, at least in part, on whether effects “are known” and seems to imply that, as long as effects are “known”, then permitted activity status is appropriate. This is also illogical. We “know” that heavy discharges of boron rich mine water to waterways will adversely affect aquatic plants, so should that be permitted? Suggested wording is that “effects which are known, are relatively minor and are appropriately managed by clear and legally robust conditions.”

References to the effects of activities which will be permitted being known, “including cumulative effects”, presupposes that the extent/frequency of the permitted activities concerned across the region is known. For example, we “know” the effects of a single, small scale water take from a stream. Knowing the cumulative effects of multiple small scale takes from that same stream is a different matter. While decisions about the appropriateness of rules can be made based on reasonable assumptions, it is simplistic to think that councils

³ Phibbs, H. L., *Assessing the Success of Restoration Plantings at Cape Foulwind, New Zealand*. (M.Sc Forestry Science thesis, University of Canterbury, 2003)

⁴ See: <https://www.sciencedirect.com/science/article/abs/pii/S0341816215300783>

can always know the likely cumulative effects, because that depends on knowing something in advance that may not be knowable.

Discretionary activities are stated to be “*unanticipated by the Plan*”. It is not clear what this actually means. It could mean “frowned upon”, that is, discouraged by the Plan, or simply that the Plan does not specifically address that activity, or both. The explanation in the discussion document for the categories proposed as a whole, is unclear. MfE expects that relatively few activities will fall into the discretionary activity category which, as noted above, infers a level of coverage and sophistication in the rules that may not be able to be implemented in practice.

The document further states that plans will “*provide clear processes for decision-making on consents*”. There is no indication what these processes will be. WCRC are concerned that the proposed new activity status moves activity litigation into the plan making stage, rather than giving the opportunity to assess adverse effects at the consent application stage. This forecloses the opportunity for positive effects and may not take new technology and economic opportunities into account. Given the changing climate of our times, WCRC does not support taking away the flexibility of the current consent application process which may result from the proposals in the NBA. That is, rigid nationally set outcomes, rigid activity status and planning processes that do not allow for innovation.

Recommendation 19

That the process for decision making on consents be workshopped with consent authorities prior to release.

Compliance

Regarding compliance, the discussion document states that the system could explicitly enable permitted activities to require third party certification, thus allowing a more proportional and efficient approach. This comment seems to be based on the false premise that, currently, all instances of activities carried out under a permitted activity rule, are not only visible to, but also “checked off” by, the consent authority. This is not the case and, to an extent, would defeat the purpose of permitted activities (that is, to regulate generally small scale activities in a way that avoids unnecessary bureaucracy where that is justified by the expected level of effects). Under the West Coast Regional Plans, there are many activities identified as “permitted”. With a few exceptions, none of these rules require persons operating in accordance with them, to advise or notify the Council, or to provide any information to the Council. With the exception of a few specific rules, there is generally no ‘checking’ process to monitor compliance. So, for the West Coast situation at least, the idea that a general requirement for persons operating under similar future permitted activity rules to get third party certification, will result in any greater efficiency or “proportionality”, is simply wrong.

Transition, plan maintenance and implementation provisions

It is critical that sufficient time is allowed for councils to transition from RMA RPSs and plans to the RSSs and NBA plans. Council's RPS became operative in July 2020, and the NBA and SPA transition times should, at a minimum, be for 10 years from where RPSs and plans are up to in the RMA Schedule 1 process at the time the NBA and SPA come into effect. This will enable the WCRC to get value for money from our RPS. Timeframes should also include sufficient time for councils to do meaningful consultation with iwi, taking into account that tikanga can involve consultation with multiple runanga..

Recommendation 20

NBA and SPA transition times should, at a minimum, be for 10 years from where RPSs and plans are at in the RMA Schedule 1 process at the time the NBA and SPA come into effect.

Future reviews, RMA s35 monitoring of efficiency and effectiveness, maintenance of the Te Tai o Poutini Plan (TToPP - One District Plan), and future plan changes, have not been addressed in the Order of Council for the TToPP, and is largely ignored in the discussion document for the NBA one plan for the region. Provisions should be added to the NBA for these.

Recommendation 21

Add provisions to the NBA for future reviews, monitoring of efficiency and effectiveness, maintenance of the NBA plan, and future plan changes.

Central government monitoring of NBA plan implementation

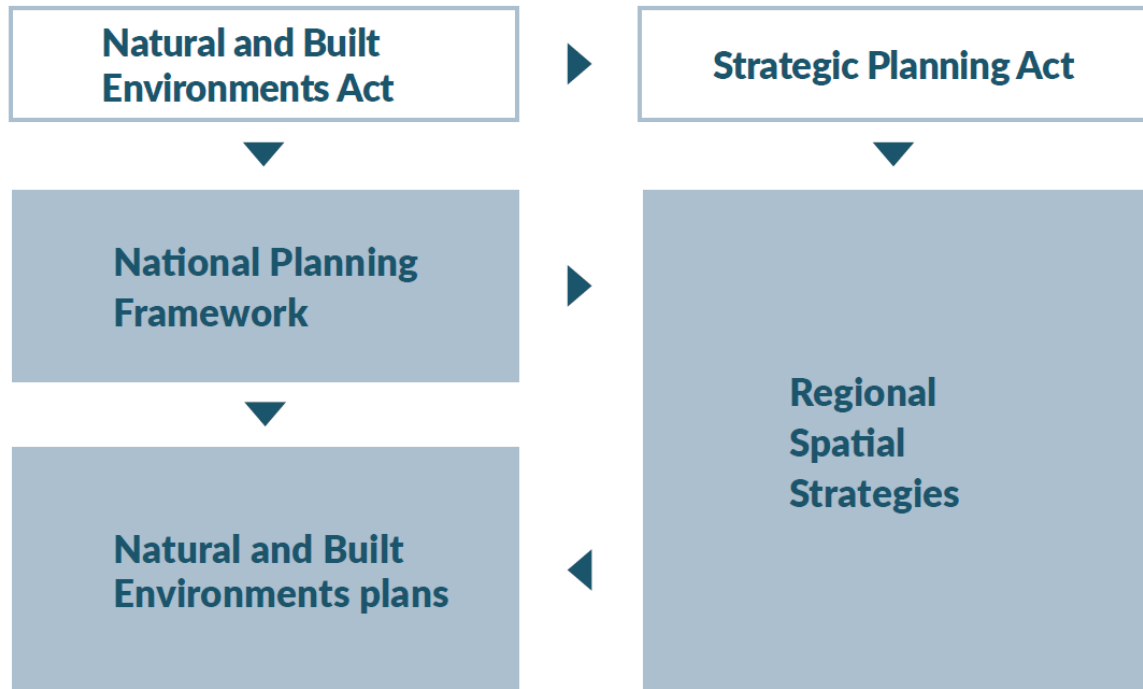
The discussion document outlines the proposed approach to monitoring, which will include "...*consistent and regular local-level environmental monitoring and reporting...*" (Pg 32). The RMA currently requires efficiency and effectiveness monitoring of RPSs and plans within five years from when they are made operative, as well as three-yearly State of the Environment reporting. If the new NBA and SPA will require additional monitoring and reporting beyond what is currently required, this will incur further costs for the Council. Additional monitoring will need to be robustly justified. Council has submitted in the past on the Environmental Reporting Bill, that if regional councils are required to undertake additional monitoring and reporting for central government purposes, then central government must pay for it, not local ratepayers.

Recommendation 22

Any additional monitoring and reporting of NBA plan implementation, or other council monitoring that is beyond what is currently required, and where it is for central government purposes, must be funded by central government.

This ends our submission.

How the future system will work



Appendix 2: West Coast Regional Council Regional Policy Statement 2020, Chapter 7 Ecosystems and Indigenous Biological Diversity, Policy 2

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
 - 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.
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
- 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

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

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