

Proposed Regional Land and Riverbed Management Plan



THE WEST COAST
REGIONAL COUNCIL

December 2008

QUICK REFERENCE GUIDE

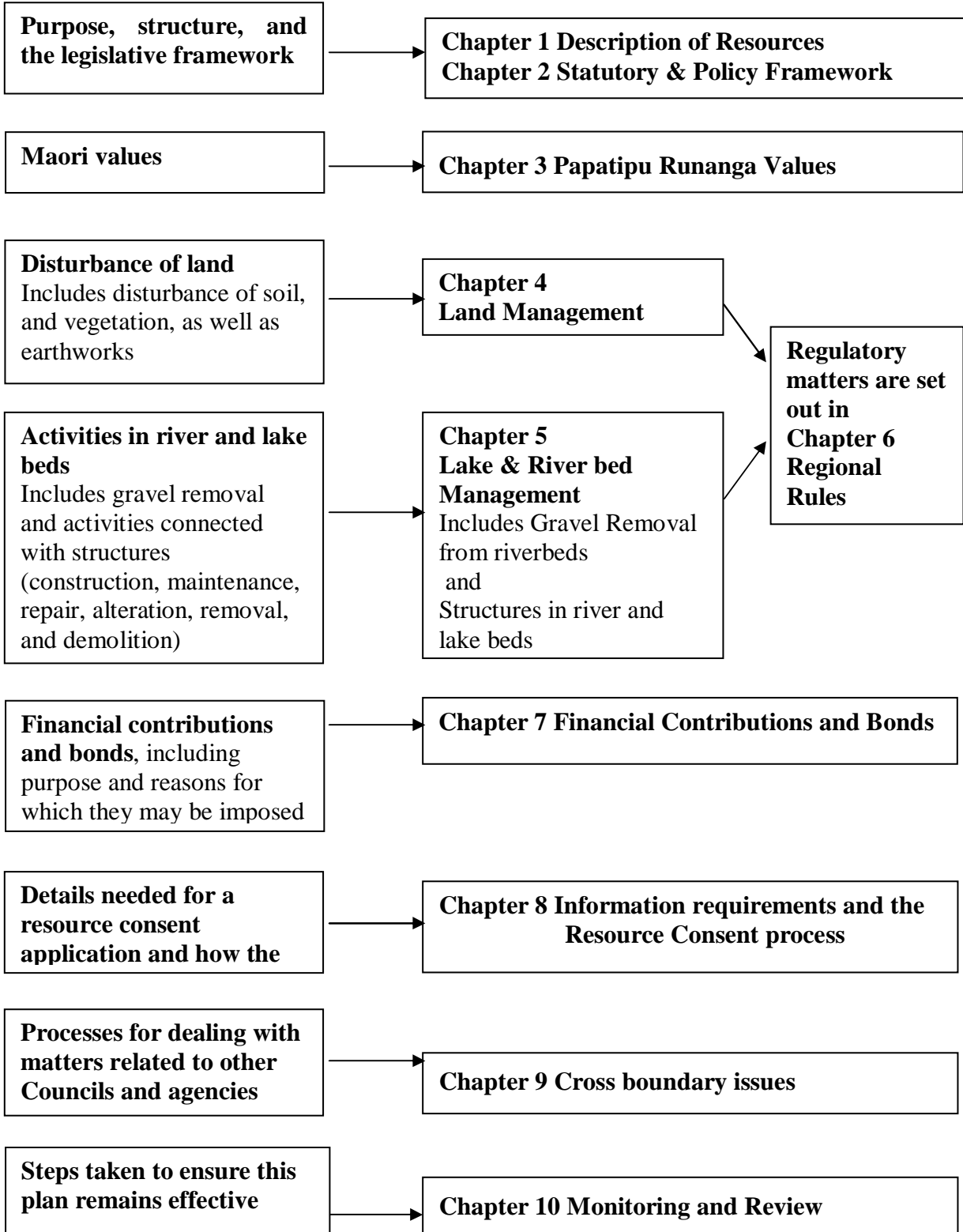


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Chapter 1

DESCRIPTION OF RESOURCES

Geomorphology and Minerals

The West Coast has been described as a region of mountains, rainfall, and rivers. These features combined with the processes of uplift and erosion - have resulted in a landscape of unique character, two thirds of which is mountainous.

The Alpine Fault runs most of the length of the region. East of the fault are deeply dissected mountain ranges. To the west, rivers and streams are steeply graded - the distance from source to sea seldom exceeding 50 km. Towards the coast alluvial and beach deposits occupy a 10-15 km wide strip which extends inland along river systems. Plains areas are, with some exceptions, generally localised and composed of outwash silts and gravels. They are subject to periodic flooding.

The West Coast is composed of a variety of rock types of variable age. The old resistant granites and gneisses form the bulk of the mountainous terrain to the north of Greymouth. Younger Mesozoic schist and greywacke form the alpine sequences to the east. Outcrops of granite occur at isolated locations further south and west of the Alpine Fault.

Tertiary sedimentary rocks found throughout the region are comprised of sandstones, siltstones, limestones, and mudstones. These form scenic attractions including the rock formations at Punakaiki, limestone caves, and other karst landscapes.

Slope stability problems occur on a wide variety of formations throughout the region. Failures, sometimes catastrophic, may be induced by intense rainfall or earthquakes or a combination of both.

Gold reef mineralisation occurs in the very old greywackes where they have come into contact with adjacent granitic rocks. The Reefton goldfield, where the second largest gold mine in the country operated for over half a century, is the most significant example of this.

Placer gold, which remains as a lag deposit in outwash gravels after glacial retreat, is an important resource which has sustained mining in the region for over a century. Today, the scale of commercial operations varies from large bucket ladder dredges to small digger and trommel units.

Extensive bituminous and sub-bituminous coalfields exist north of Greymouth. Currently extraction accounts for a significant amount of the national coal production. The low ash and low sulphur bituminous coal deposits offer future long term export opportunities.

Reserves of ilmenite are spread throughout the region in coastal beach sands. Potentially commercially viable deposits are concentrated near Barrytown and around Cape

Foulwind. The mineral originates from widely dispersed plutonic and metamorphic rocks within the region.

Pounamu, or greenstone, is found principally in two major wahi pounamu (pounamu areas) in the West Coast region. The Tai Poutini ke te Raki or Central/Northern Westland pounamu area centres on Hokitika extending northwards to Punakaiki, southwards to the Poerua River and inland to the main divide. The Tai Poutini ki te Toka or South Westland pounamu area centres on Tahutahi/Cascade Point extending northwards past the Awarua/Haast River to Paringa, southwards beyond the regional boundary at Awarua Point, and inland to the main divide. These areas are shown on the map in Appendix 1.

Pounamu (including nephrite, semi-nephrite, bowenite and specific serpentine resources) was vested in Te Runanga o Ngai Tahu by the Ngai Tahu (Pounamu Vesting) Act 1997 as part of the overall Ngai Tahu claim settlement. All deposits are managed in accordance with the Te Runanga o Ngai Tahu Pounamu Resource Management Plan. It has traditionally featured as a tradeable commodity. Pounamu is considered by Poutini Ngai Tahu to be a taonga or treasure protected by the taniwha Poutini. It is prominent in their oral tradition and lore. Regional pounamu resources contribute significantly to the mana of Poutini Ngai Tahu.

A number of industrial minerals are found throughout the region. These include rock, gravel, and sand for road formation, railway ballast and the construction industry, limestone for cement and agricultural uses, and clay for pottery and ceramics.

Climate

By national and international standards the region receives a generous and reliable rainfall. Near the Main Divide this exceeds 8000 mm annually - declining to 2000 mm at the coast. At high altitudes there are snowfalls all year round. In the region's southern parts this contributes to glaciers that reach to within a few hundred metres above sea level.

Soils

With most of the region being mountainous or hilly and forested, soils are generally leached podsolised yellow brown earths or gley podsoles, which are shallow in depth and low in fertility. The combination of steep slopes, high rainfall and seismic activity commonly result in high erosion rates. At high altitudes the crests of the ranges are frequently bare. In the valley floors the soils are recent gley or organic soils. On higher terraces these are the poorly drained and badly leached *pakihi* soils. On lower lying sites closer to valley floors, the soils are more freely drained and have a higher natural fertility. These soils are more productive and form an essential element in the region's agricultural economy. Susceptibility to flooding and bank erosion can, however, be a constraint on their use.

Water Bodies

Rivers

The region has 40,400 km of rivers and streams, and approximately 600 kilometres of coastline. West Coast rivers, mostly rise in mountainous areas or hill land and are characterised by headwaters flanked by steep sided valleys and narrow gorges. These

ivers, often fed by snow and/or the regions high rainfall, are subject to rapid flooding after rain in the catchment areas, and this coupled with steep bed gradients is responsible for the large amount of transported material carried to, and deposited in, the vicinity of the river mouth.

Flooding, within the region is a significant hazard, with a number of the rivers having recorded the highest mean and flood flows on a national basis. As a reflection of this there are approximately 220 km of stopbank and 2000 km of drains in the region.

Physical disturbance of stream riparian zones, banks, or beds often results in adverse effects on sensitive native fish, such as Banded, Giant, and Shortjaw Kokopu, and Koaro. These fish are generally found in low numbers in streams which have been moderately to highly disturbed. Such disturbance is often associated with removal of riparian vegetation, river/flood protection works, drainage works, channel realignment, or diversions.

Lakes and Wetlands

Lakes and wetlands can make a significant contribution to water quality and natural hazard mitigation through their ability to trap both sediment and floodwaters. Despite the ability of wetlands to improve water quality and reduce flood severity, they continue to be vulnerable to changes in hydrologic regimes and to the effects of stock grazing and further land development.

Fauna

Many of the regions waterways have some of the greatest diversity of species living in them and most unique habitats of all New Zealand waters. Some native species, such as the Giant and Shortjaw Kokopu, tuna (eels), and whio (blue duck), are common in many places on the West Coast but are rare in other regions of New Zealand.

Introduced fish such as brown trout are widespread. A few rivers host rainbow trout and/or salmon.

Description of Activities

The West Coast economy has historically been based on the utilisation of the region's natural resources: notably minerals, forestry, and tourism. While this continues to be the case, today the activities have diversified to the point where the aspects of one may impact on another. This Plan is designed to address these issues by targeting the effects of differing activities in order to contribute to an integrated framework for the management of West Coast resources.

Over the last century dairy farming has intensified as technology enabled both the clearing and shaping of land and greater carrying capacity on existing farms has helped them to be economically viable. The number of dairy farms on the West Coast has continued to increase.

Forestry has been a steady industry on the West Coast over the last few decades. The intensity of forestry operations is speculated to increase with many forests reaching maturity and entering the harvest stages.

Mining, both gold and coal, has been a traditional West Coast activity. While no longer as intensive as in years gone by, advances in mining technology have enabled differing extraction techniques to become economically viable and exploration ranges to increase.

Tourism, long established at places such as Punakaiki, Franz Josef/Waiau and Fox Glacier/Te Moeka o Tuawe has now expanded rapidly throughout the region. Over the last decade, this rapid expansion, has reached the point where tourism is the region's main economic provider. Furthermore, tourism is expected to continue to grow within the region.

Other activities include sphagnum moss harvesting, commercial hunting, and the extraction of industrial minerals (including limestone, rock, gravel, and sand).

Tangata Whenua have also utilised and continue to gather a wide range of cultural materials and make use of mahinga kai areas.

Chapter 2

STATUTORY & POLICY FRAMEWORK

Purpose of the Plan

The purpose of this Plan is to assist the West Coast Regional Council to promote the sustainable management of land, lakebed, and riverbed resources on the West Coast. The preparation of this Plan will assist the Council to:

- o Achieve the purpose of the Resource Management Act (RMA) - the sustainable management of natural and physical resources;
- o Implement its policy and regulatory functions under the RMA;
- o Achieve the objectives and implement the policies relating to the following; disturbance of land, extraction of material from riverbeds, and structures in riverbeds, as outlined in the Regional Policy Statement.

In addition this Plan will give territorial authorities, industry, and the public directions on how land and riverbeds should be managed.

Although preparation of this plan is not mandatory, increasing competition between users and public concerns over land use and riverbed management have identified a need for such issues to be addressed.

Plan Area Coverage

This Management Plan covers the land, lakebed, and riverbed resources of the West Coast region (Te Kaunihera Whakakotahi o Te Tai Poutini). The region extends over a distance of 600 km from Kahurangi Point in the north to Awarua Point in the south. It is bounded in the west by the Tasman Sea, extending inland from Mean High Water Springs and the agreed river boundaries identified in the Regional Coastal Plan to the alpine divide of the Southern Alps. The region has a land area of 23,000 square kilometres, or 8.5% of New Zealand's land area - making the West Coast the fifth largest region in New Zealand.

Within the region there are three district councils: the Buller District Council, the Grey District Council, and Westland District Council.

Resource Management Act

The purpose of the Resource Management Act 1991 is stated in section 5 as follows:

- 1. The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- 2. In this Act, "sustainable management" means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while -*

- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

This Plan has been prepared to enable the West Coast Regional Council to carry out its functions under the RMA with respect to management of the effects of activities on land and riverbeds.

Regional councils have primary responsibility for soil conservation and riverbed management. The RMA allows regional councils to prepare a regional plan for this purpose.

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Land, Lakebed, and Riverbed Management

Part III of the RMA outlines duties and restrictions under the RMA, relating to land and riverbed management.

- No person may use land, in a manner that contravenes a rule in a regional plan or proposed regional plan unless allowed by a resource consent or it is an existing lawful use (section 20) - *Section 9(3)*.
- No person may, in relation to river and lake beds:
 - Use, erect, reconstruct, place, alter, extend, remove, or demolish any structure unless allowed by a rule in a regional plan, or a resource consent - *Section 13(1)(a)*.
 - Excavate, drill, tunnel or disturb the bed, introduce or plant plants, deposit any substances in, on or under, nor reclaim or drain such beds, unless allowed by a rule in a regional plan, or a resource consent - *Section 13(1)(b), (c), (d), (e)*.
 - Enter or pass across beds of rivers or lakes, disturb, remove, damage or destroy flora and fauna, in a manner that contravenes a rule in a regional plan unless allowed by a resource consent or section 20 of the RMA- *Section 13(2)*

Consultation With Tangata Whenua

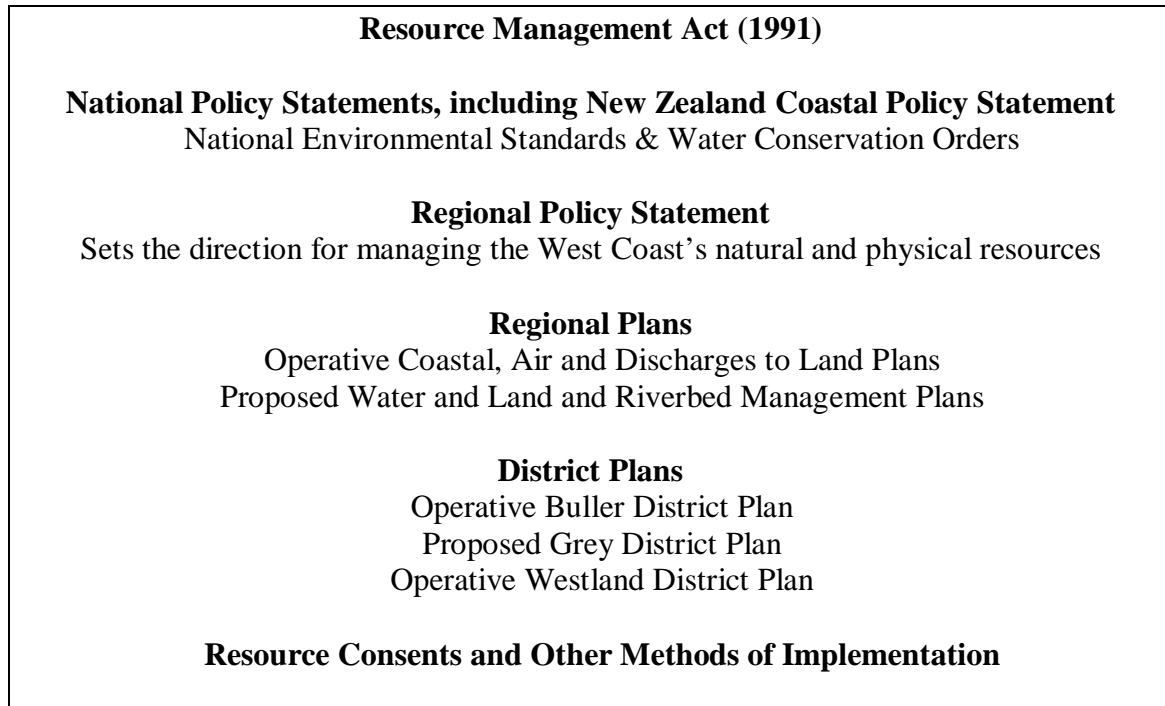
Part II of the RMA requires that regional councils provide for the relationship of Maori and their culture and traditions with their ancestral land, water, sites, wahi tapu, and other taonga as a matter of national importance (s6). In addition they must have regard to kaitiakitanga (s7) and take into account the principles of the Treaty of Waitangi (s8). These matters are discussed in detail in Chapter 3. Sites of significance to Ngai tahu include burial sites, pounamu working sites, battle sites, traditional trails, pa, kainga, tauranga waka (canoe landing areas), nohoanga areas and the statutory acknowledgement areas in Appendix 1.

The iwi authority is Te Runanga o Ngai Tahu and the tribal Runanga are Te Runanga o Makaawhio and Te Runanga o Ngati Waewae.

Relationship of this Plan with other Plans and Documents

This Regional Plan replaces the Proposed Soil Conservation and Erosion Control Plan Part 1, Disturbance of the Land Surface and Earthworks. It covers the entire West Coast Region land-ward of the coastal marine area.

This Regional plan fits within a combination of national, regional and local resource management plans and other documents as shown below:



New Zealand Coastal Policy Statement

Under the Resource Management Act, the Minister of Conservation is required to prepare a New Zealand Coastal Policy Statement (NZCPS). The purpose of a NZCPS is:

To state policies in order to achieve the purpose of this Act in relation to the coastal environment of New Zealand.

The NZCPS sets the national framework for managing the natural and physical resources in the coastal environment. The RMA requires that there must at all times be at least one recommended New Zealand Coastal Policy Statement, and that the Regional Coastal Plan and any other regional plans, district plans, and policy statements must not be inconsistent with it.

The NZCPS influences the Regional Land and Riverbed Management Plan as the Coastal Environment is broader than the Coastal Marine Area.

Water Conservation Orders

A water conservation order is made for the purpose of preserving or protecting a water body when its natural state, characteristics, amenity value, or intrinsic value is considered to be outstanding.

There are currently two orders operative within the West Coast Region; Water Conservation (Buller River) Order 2001, and the National Water Conservation (Grey

River) Order 1991. The orders identify the ‘outstanding’ elements of certain water bodies that must be taken into account when an activity is proposed for an area that is specified in either of these two Water Conservation Orders. The orders are limited to the areas specified and shall not:

“...affect or restrict any resource consent granted or any lawful use established in respect of the water body before the order is made.”

In accordance with s67(2)(b) of the RMA this Regional Land and Riverbed Management Plan has addressed and developed rules that are not inconsistent with these water conservation orders.

Regional Policy Statement

The West Coast Regional Policy Statement (RPS) was made operative in December 2000 and provides both the overview and the means for achieving integrated sustainable management of the region’s natural and physical resources. It is a statement of intent as to how regional resource management issues can be addressed, and while it has statutory power it only describes, rather than prescribes methods, which could be used to attain the stated objectives.

Objectives and policies relevant to this Regional Plan are contained in the RPS, mainly in Chapter 7 - Soils and Rivers, Chapter 9 - Water, and Chapter 12 - Natural Hazards. The objectives, policies, methods, and regional rules outlined in this Plan set out in more detail, the direction of the RPS.

Regional plans and district plans must not be inconsistent with the RPS and when processing resource consents regard must be had by the consent authority to the relevant objectives and policies in the RPS as well as the provisions within the relevant regional or district plan.

Other Regional Plans

In addition to preparing this Regional Plan, the West Coast Regional Council also has a Regional Air Quality Plan, a Regional Plan for Discharges to Land, and a Regional Coastal Plan. A Proposed Water Management Plan has recently been released. The policies and rules within these plans must not be inconsistent with each other.

Territorial Authorities

The functions of territorial authorities relevant to land and riverbed management under Section 31 of the RMA include:

- (a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
- (b) The control of any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards...:*
- (c) The control of subdivision of land:...;*

The control of the use of the land for the avoidance or mitigation of natural hazards is within the powers of both regional councils and territorial authorities. However, management of the effects of structures in the beds or banks of rivers for the purpose of avoiding flooding and erosion is a Regional Council function under Section 13 of the RMA. That section states that uses are subject to rules in a regional plan, proposed regional plan, or resource consent granted by a regional council.

Although regional councils have primary responsibility for soil conservation and management of use of river beds, the RMA gives territorial authorities responsibility for a number of closely related matters, for example, activities on the surface of lakes and rivers, and activities on adjoining land. There is potential for overlap of responsibilities. Cross boundary issues are further covered in Chapter 9.

Related Legislation

There is other legislation prepared under other Acts that relate to land, lakebed, and riverbed management. The RMA, the RPS and the Land and Riverbed Management Plan do not replace, but rather complement other legislation, which includes:

- The Crown Minerals Act 1991 places requirements on persons proposing to carry out mineral prospecting, exploration, and mining to obtain the appropriate minerals permits from the Minister of Energy, for those minerals owned by the Crown. Any land use consents issued since 1 October 1991 for gravel removal from riverbeds are not subject to that Act. Thus a permit under the Crown Minerals Act is not required to prospect, explore or mine Crown owned sand or shingle in the bed of a river, or lake, or in the coastal marine area. However such a permit will be required in those areas where a person is seeking to prospect, explore, or mine metallic or non metallic minerals that exist as a component of the sand or shingle, for example, gold.
- Soil Conservation and Rivers Control Act 1941 gives regional councils functions for minimising and preventing damage by floods and erosion, and powers to carry out flood protection and soil conservation works.
- Ngai Tahu (Pounamu Vesting) Act 1997 returned all pounamu (greenstone) in its natural condition within Ngai Tahu's tribal area, that was the property of the Crown, to Te Runanga o Ngai Tahu. The pounamu within the Arahura River catchment is vested in the Mawhera Incorporation.
- Transit New Zealand Act 1989 has requirements relating to the removal of rocks or stones from riverbeds within certain distances of Transit-managed structures.

Other examples of legislation to which land and riverbed activities may relate include the Forests Amendment Act 1994, Historic Places Act 1993, the Civil Defence Emergency Management Act 2002, the Reserves Act 1977, the National Parks Act 1980 and the Conservation Act 1987.

Iwi Management Plans

Iwi management plans include the Te Runanga o Ngai Tahu Pounamu Management Plan (which has objectives and policies for dealing with protection, fossicking, cultural collection, extraction and accidental discovery of greenstone) and the Te Runanga o Ngai Tahu Freshwater Policy.

Chapter 3

PAPATIPU RUNANGA VALUES

Introduction

Te Runanga o Ngai Tahu (TRONT) is a body corporate established on 24 April 1996 under section 6 of the Te Runanga o Ngai Tahu Act 1996 for the benefit of and representative of the Ngai Tahu Whanui.

Section 15(1) of that Act states:

Te Runanga o Ngai Tahu shall be recognised for all purposes as the representative of Ngai Tahu Whanui.

Section 15(2) of that Act states:

Where any enactment requires consultation with any iwi or with any iwi authority, that consultation shall, with respect to matters affecting Ngai Tahu Whanui, be held with Te Runanga o Ngai Tahu.

The Te Runanga o Ngai Tahu (TRONT) Act therefore makes TRONT the people with whom consultation will occur for all relevant resource management matters arising from the Land and Riverbed Management Plan and the Resource Management Act 1991. The TRONT Act also describes the takiwa (area) of Ngai Tahu Whanui, which includes the entire West Coast region.

The takiwa of Te Runanga o Makaawhio is centred at Makaawhio and extends from the south bank of the Poerua River to Piopiotahi and inland to the main divide together with a shared interest with Te Runanga o Ngati Waewae in the area situated between the north bank of the Poerua River and the south bank of the Hokitika River.

The takiwa of Te Runanga o Ngati Waewae is centred on Arahura and Hokitika and extends from the North bank of the Hokitika River to Kahurangi Point and inland to the main divide together with a shared interest with Te Runanga o Makaawhio in the area situated between the north bank of the Poerua River and the south bank of the Hokitika River.

Resource Management Act

With respect to Papatipu Runanga values the relevant sections or subsections of Part II of the RMA, as described in Chapter 1 of this plan, are sections 5(2), 6, 7, and 8 - in particular:

Section 5(2):

“In this Act “sustainable management” means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being...”

Section 6:

“Matters of national importance – In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

...(e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga”.

Section 7:

Other matters – In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to-

(a) Kaitiakitanga

Section 8:

... “Treaty of Waitangi – In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti O Waitangi)”.

All these are to be construed and applied together, in achieving the purpose of the RMA. The Regional Council, in its planning and consent roles, must have full regard to them, as they are a means to achieving the overriding purpose of the RMA contained in section 5. They may in some cases need to be weighed against other matters listed in sections 6 and 7 of the RMA.

The Regional Council recognises that, in carrying out its functions under the RMA, it has a statutory responsibility to protect the rangatiratanga of Papatipu Runanga. In this context, the Regional Council also recognises that the Treaty of Waitangi (Te Tiriti O Waitangi) affords Papatipu Runanga a status distinct from other interest groups or members of the public. Arising from this is the Regional Council’s commitment to consult with Tangata Whenua through the two papatipu runanga, which are Te Runanga o Ngati Waewae and Te Runanga o Makaawhio.

Principles of the Treaty of Waitangi

Under section 8 of the RMA, the Regional Council is required to take into account the principles of the Treaty of Waitangi.

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. With the passage of time the principles which underlie the Treaty will continue to evolve.

Although specific implementation of Treaty principles has to be enunciated through legislation, it is generally accepted that the Treaty is the founding document of New Zealand.

The judicial statements on which the principles are based have been gradually identified and with the passage of time the list continues to grow. The Regional Council's responsibility is to take into account the principles of the Treaty as defined by the Courts and statute. It must also take into account the principles, which have been identified by the courts, including:

- Act reasonably and in good faith;
- Make informed decisions;
- Consider whether active steps are needed to protect Maori interests;
- Not take actions which would prevent the redress of claims;
- Recognise that the government must be able to govern.

The Regional Council recognises that this exposition of Treaty Principles is not exhaustive. However, one of the ways in which the Regional Council will take the Treaty into account concerns the Crown's settlement of the Treaty of Waitangi claims with Ngai Tahu. This is described in the next section.

Papatipu Runanga Values and the Crown Settlement of Treaty Of Waitangi Claims

Two matters concerning land and river management priorities in relation to Papatipu Runanga apply. The first of these is the Crown's settlement of Treaty claims with Ngai Tahu. The second matter concerns Section 6(e) of the RMA, which requires the Regional Council to recognise and provide for the relationship of Papatipu Runanga and their culture with their ancestral lands, water, sites, wahi tapu, and other taonga as a matter of national importance.

The Ngai Tahu Settlement Claims Act 1998 is the culmination of Ngai Tahu's historical claims against the Crown, dating back to the previous century (Ngai Tahu Negotiating Group 1998). It has a direct bearing on how resources of significance to Papatipu Runanga will be managed.

The Crown has made settlement with Ngai Tahu in recognition of a number of historical issues. Of special relevance to this plan is "cultural" redress, which recognises that Ngai Tahu's ability to express its traditional relationships with the natural environment and to exercise kaitiaki responsibilities have been eroded over the last 150 years. Cultural redress also provides opportunities to recognise iwi mana over taonga and areas of land, and to give practical effect in the day-to-day management of these resources. For example nohoanga will provide enhanced access to mahinga kai, while dual Maori/English place names will again stamp Ngai Tahu's presence on the landscape.

Cultural redress gives ownership and/or control of various resources and land significant to Ngai Tahu. The ownership of pounamu was returned to the tribe through the passage of the Ngai Tahu (Pounamu Vesting) Act 1997.

Pounamu is a taonga of the utmost importance to Ngai Tahu culture, identity and tradition. It is pounamu that in essence fed the whanau and hapu associated with the taonga, where it was traded for kai and resources from from other regions. The traditions and customs involved in the collection, working and trading of pounamu remain important. The Mawhera corporation owns the bed of the Arahura River and any pounamu it contains. The Settlement Act also includes the creation of the Waitaiki Historic Reserve that comprises the whole of the upper Arahura catchment, with control and management also vested in the Mawhera Incorporation. The Arahura River bed from its source at Lake Browning to the sea is Maori freehold land with ownership vested in the Mawhera Incorporation.

Ownership and/or management and control of four additional sites on the West Coast is included under cultural redress. These represent opportunities for Ngai Tahu to reassert their mana and rangatiratanga over these significant sites. They are Otukoro Historic Reserve, Motutapu, Lake Mahinapua, and Lake Moeraki.

Recognition of Ngai Tahu's mana of specific sites/resources is also provided by section 220 of the Ngai Tahu Claims Settlement Act 1998 in relation to a number of additional areas known as *statutory acknowledgements*. These are acknowledgements by the Crown of Ngai Tahu's special relationships with identified areas for cultural, spiritual, historical, and traditional reasons. Their purposes are:

- To ensure that Papatipu Runanga's association with areas of significance is identified in the RPS, regional plans, and district plans, meaning that people who apply for resource consents, likely to affect them are made aware of their significance to Papatipu Runanga.
- That Papatipu Runanga and Te Runanga o Ngai Tahu are informed when a resource consent application may affect a statutory acknowledgment so that they can participate more effectively in resource management decision-making.
- That when councils, the Environment Court, and the Historic Places Trust make decisions about who has the right to comment on or be listened to, they must have regard to the statutory acknowledgment.
- To enable Te Runanga o Ngai Tahu and Papatipu Runanga to use them in any proceedings under the RMA or Historic Places Act as evidence of their relationship with the particular area.

Statutory acknowledgments significantly enhance Ngai Tahu's ability to use the RMA as a tool for incorporating Maori values into environmental management (Crown Settlement Offer 1998).

On the West Coast, the places comprising statutory acknowledgments are: Okari Lagoon, Taramakau River, Kotuku-Whakaoho (Lake Brunner/Moana), Lake Kaniere, Pouerua (Saltwater Lagoon), Okarito Lagoon, Makaawhio (Jacob's River), Karangarua Lagoon, and Lake Paringa. These are shown in Appendix 1.

The West Coast is rich in places that are of value to Papatipu Runanga. These are wahi tapu and wahi taonga. Wahi tapu have spiritual significance and wahi taonga include resources and areas that are known through historical and emotional links provided by past events. At certain times of the year, particular plants and animals became available for use as food in particular locations. Some of these foods were preserved for use

during seasons when they were scarce. Certain locations became established food gathering areas (mahinga kai) and were occupied during the productive time of the year. Such sites are part of Papatipu Runanga 's cultural heritage. These are the Wahi tapu and Wahi taonga. Wahi tapu encompass sites of spiritual, historical, and cultural links provided by past and present events. At certain times of the year, particular plants and animals become available for use for a wide range of cultural materials, which includes kai, weaving materials, and rongoa. Such sites have become established cultural material gathering areas and remain an important part of the cultural heritage of Papatipu Runanga.

In recognition of wahi taonga the Crown Settlement Offer includes *nohoanga*, which are temporary camp sites to facilitate customary fishing and gathering of other natural resources. Such sites, up to 1 hectare in size, are entitlements for temporary and exclusive occupation for up to 210 days a year between mid August and the end of April. Public access to associated rivers and streams is preserved by marginal strips.

Papatipu Runanga do not wish to disclose the exact location of many wahi tapu, which are sites in addition to those discussed. Nonetheless, it wishes to be involved in resource consent and planning processes that may affect these areas.

The Relationship of Papatipu Runanga Values with the Regional Land and Riverbed Management Plan – Implementation Methods

Papatipu Runanga values and the Crown settlement interrelate closely with the provisions within this Plan. These provisions establish the manner in which the Regional Council will incorporate Papatipu Runanga values, and include the following:

- Continuing to refer all applications for resource consents in areas covered by wahi tapu, wahi taonga, statutory acknowledgments, and nohoanga sites to Papatipu Runanga and Te Runanga o Ngai Tahu prior to decision-making.
- Encouraging consultation with Papatipu Runanga prior to lodging resource consent applications, for proposals that may affect statutory acknowledgement areas, nohoanga sites, pounamu areas, mahinga kai areas or other areas of cultural significance;
- Continued representation on Council committees by the two papatipu runanga.
- The Regional Council will work with Papatipu Runanga to identify opportunities for raising landowner awareness of the importance of wahi tapu.
- When exercising its functions and powers under the RMA, the Regional Council will use dual place names.
- Monitor the effectiveness of the planning and resource consent processes in order to determine whether considerations relating to wahi tapu, wahi taonga, statutory acknowledgments, and nohoanga sites are adequately catered for.
- Consider the implementation of heritage orders.
- Having regard to the Pounamu Management Plan, Freshwater Policy and other iwi management plans.
- Raising the awareness of accidental discovery protocols for pounamu.

Incorporation of Papatipu Runanga values as per the above points is provided for through policies within this Plan that cater for matters of national importance under section 6(e) of the RMA.

Ngai Tahu have Nohoanga sites on the following water bodies:

<i>Cascade river</i>	<i>Lake Kaniere</i>	<i>Punakaiki River</i>
<i>Karangarua River & Estuary</i>	<i>Mahitahi River</i>	<i>Taramakau River</i>
<i>Lady Lake</i>	<i>Mikonui River</i>	<i>Waita River and Maori Lakes</i>
<i>Lake Brunner/Moana</i>	<i>Okarito Lagoon and River</i>	<i>Waiatoto Lagoon</i>
<i>Lake Haupiri</i>	<i>Okuru River</i>	

Ngai Tahu use the following Maori place names:

Alpine Lake – Ata Puai	Lake Browning – Whakarewa
Cave Creek – Kotohotiho	Lake Ianthe – Matahi
Cook River – Weheka	Mahinapua Creek – Tuwharewhare
Fox Glacier – Te Moeka o Tuawe	New River – Kaimata
Franz Josef Glacier – Ka Roimata o Hine Hukatere	Nine Mile Creek – Kotorepi
Greenstone River or Big Hohonu River – Hokonui	Seven Mile Creek – Waimatuku
Grey River – Mawheranui	Ten Mile Creek – Waianiwaniwa

Chapter 4

LAND MANAGEMENT

4.1 BACKGROUND

For the purpose of the provisions in this Plan, unless the context indicates otherwise, “land disturbance” refers only to activities on land beyond river, lake, or wetland beds, i.e. above their fullest flow/highest level. Activities in the bed of lakes, rivers, and wetlands are covered in other sections of the Plan.

The West Coast’s geology, landforms, incidence of earthquakes, and high rainfall predispose some parts of the region toward high rates of natural erosion. An intact vegetation cover, particularly in areas that are characterised by unstable slopes, is the principal way erosion is avoided or mitigated. Due to these predisposing factors, particular care needs to be exercised in respect of disturbance of the land and earthworks to ensure that activities do not accelerate erosion rates.

The appropriate management of the effect of land disturbance activities is important to ensure erosion and soil loss within the West Coast Region is minimised. The likelihood of erosion and soil loss depends on factors such as geology, drainage, the frequency and intensity of earthquakes, as well as the scale and type of activity. However, it is impractical and inefficient to require all land users to assess these components prior to commencement of any land use activity. Therefore, for the purpose of this Plan the Regional Council has utilised the NZ Land Resource Inventory ‘Dominant Erosion Form’ data for the West Coast region.

Utilising the NZLRI erosion severity index, this Plan establishes areas of Erosion Prone Land in order to differentiate between activities that are permitted and those requiring resource consent. This approach is based on a general acceptance that the risks of adverse effects arising from land disturbance is increased in Erosion Prone Areas and that different activities may produce different levels of erosion potential. The use of Erosion Prone Areas, applied through the use of land slope angles, and the definition of the Greymouth Earthworks Control Area, within this Plan provides a set of environmentally justified thresholds from which Plan users and practitioners alike can draw certainty.

The Greymouth Earthworks Control Area incorporates special controls which cover land on the inland fringes of Cobden, Greymouth and Karoro. Disturbance of land in these areas is a discretionary activity due to a predisposition to slope failure and the hazards associated with any failure in the urban environment.

4.2 ISSUE

4.2.1 Land disturbance can have adverse effects on:

- (a) Soil conservation and land stability;
- (b) Water quality and instream values;
- (c) Water quantity, either through a reduction or augmentation of flow;
- (d) Natural character, ecosystem values, cultural and historic sites, and public access;
- (e) The relationship of papatipu runanga and their culture and traditions with their taonga;
- (f) Property and infrastructure.

4.3 OBJECTIVE

4.3.1 To avoid or reduce adverse effects from land disturbance so that the region's water and soil resources are sustainably managed.

Explanation

Land disturbance can cause adverse effects on both the land and water environments, as identified in (a) to (f) of issue 4.2.1. The objective seeks to ensure that the provisions within this Plan minimise the likelihood of significant impact on water quality and quantity, soil conservation, property, and infrastructure.

Land disturbance activities can impact on the water quality of adjacent water bodies due to the input of sediments and/or nutrients and will be managed in such a way to avoid or mitigate these effects. Sediment and/or nutrient inputs can cause changes to the characteristics of the receiving water which render the water body unusable and potentially allow harmful pathogens to reach levels where they affect human health.

Stock access to the coastal environment, wetlands, lakes and rivers and their margins can have significant adverse effects on soil conservation, land stability, water quality, instream values and the health and function of margins.

4.4 POLICIES

4.4.1 To manage the disturbance of land and vegetation in order to avoid remedy or mitigate any adverse effects on:

- (a) The stability of land (eg. slumping, subsidence, or erosion), river banks, and riverbeds and coastal margins;
- (b) Water quality, including clarity, turbidity, and temperature changes, and instream values;
- (c) Changes in water level including water table;
- (d) Public access to rivers, lakes, and their margins and the coast;
- (e) Natural character, and aquatic ecosystems;
- (f) Soil depth and soil fertility;
- (g) The integrity of property or structures;
- (h) Cultural and recreational values; and
- (i) Significant indigenous vegetation and significant habitats of indigenous fauna.

Explanation

This policy covers the range of factors or values that will be considered when assessing resource consent applications. This policy is an overarching policy which should be applied in conjunction with other policies in this Chapter.

While this chapter of the plan concerns land that is outside riverbeds, it is important that the effects of disturbance of land on rivers are considered. Land use activities can cause accelerated erosion to occur. Productivity of eroded land is diminished and significant flow on effects may be produced. Policy 4.4.1 therefore, seeks to avoid or minimise soil losses and erosion from land use activities on land prone to erosion. It also covers activities in the Greymouth Earthworks Control Area (Appendix Three).

The West Coast Regional Council has as one of its functions the establishment, review and implementation of objectives, policies and other methods to maintain indigenous biological diversity. It is the function of the District Councils to control the use, subdivision and development of land to maintain indigenous biological diversity.

In this Plan, the maintenance and enhancement of water quality, instream values and the retention of riparian vegetation contributes to maintaining indigenous biological diversity of the coastal environment, wetlands, lakes and rivers and their margins.

Policy 9.2 of the Regional Policy Statement for the West Coast will be applied when deciding whether indigenous vegetation or habitat of indigenous fauna are significant for the purposes of 4.4.1(i).

4.4.2 To manage earthworks (for example, mining)

to avoid effects on the environment where the activity may produce any of the following geochemical processes, above background levels:

- (a) Release of acid rock drainage**
- (b) Precipitation of Iron Oxides**
- (c) Release of Heavy Metals**

Explanation

The potential environmental effect of hard rock mining is predetermined by the geology of the material being excavated or disturbed. This may be overburden, tailings, or product. High concentrations of sulphur often occur in geological units such as Brunner Coal Measures and can result in acid rock drainage which lowers the pH enabling the solubilisation of heavy metals or metalloids such as aluminium, arsenic, copper, lead, and zinc.

The acid and heavy metals released into surface waters can cause adverse effects on aquatic life either by direct toxic response, contact with acidic water (usually less than pH 4.0), or by removal of habitat due to metal precipitation, in particular iron flocs. Hard rock mining associated with both gold and coal mining can result in acid rock drainage and the release of heavy metals or metalloids such as arsenic or antimony into the environment if the waste rock is not managed to avoid this.

4.4.3 To manage the disturbance of riparian margins to:

- (a) Maintain or enhance water quality (including clarity, turbidity, and temperature), and in-stream values, (including aquatic ecosystems).**

- (b) **Promote soil conservation.**
- (c) **Ensure that existing public access to water bodies is maintained or enhanced.**
- (d) **Protect the natural character of the coastal environment, wetlands, and lakes and rivers and their margins, from inappropriate use and development.**

Explanation

Riparian margins enable management of activities within a defined area and they are different to esplanade reserves or esplanade strips. They are areas where controls on land use activities are in place, primarily for soil conservation, water quality control, erosion control, natural hazard avoidance, and the protection of the beds of rivers, lakes, and wetlands. Unlike esplanade reserves or strips they do not affect land ownership or create public access or other interests in the land.

Managing the margins of water bodies (Policy 4.4.3) is an effective tool in reducing adverse effects on water bodies because the margins can be used to filter nutrients and microbes, and trap fine sediment. It may maintain and enhance amenity values. Inappropriate use of land in close proximity to water bodies can contribute to sediment loading, bank erosion, and increased runoff.

Land and vegetation disturbance which causes the loss of riparian vegetation can adversely affect the healthy functioning of rivers and aquatic habitats. Maintaining and enhancing aquatic ecosystems contributes to maintaining indigenous biological diversity.

4.4.4 To manage the maintenance of existing land drainage activity to avoid, remedy, or mitigate adverse effects on receiving water bodies or property.

Explanation

Existing land drainage activities should be managed so that any adverse effects on people and their properties are avoided, remedied, or mitigated. Adverse environmental effects from further drainage activities or inadvertent over drainage should also be avoided.

While landowners are required under the Land Drainage Act 1908 to maintain watercourses on their property so that the water can flow through unimpeded from upstream properties, their duties under the Resource Management Act still apply. Any adverse effects must still be avoided, remedied, or mitigated.

4.4.5 Manage the development of new land drainage activities (including humping and hollowing) to ensure that:

- (a) **Bed and bank stability of the receiving water body is maintained;**
- (b) **Long-term water quality (including clarity, turbidity, and temperature changes) in the receiving water and instream values (including aquatic ecosystems) are maintained;**
- (c) **Sediment deposition is minimised and sediment armouring of the bed of any water body is avoided;**

- (d) **The activity does not increase the flood flow carried by the receiving waters, so that it exceeds the carrying capacity of existing drainage structures, or result in inundation of any other persons property;**
- (e) **The activity does not reduce the flow in the receiving water body by more than 10%;**
- (f) **The natural character of the coastal environment, wetlands, lakes and rivers and their margins, is protected from inappropriate use and development.**

Explanation

Policy 4.4.5 recognises that where the resulting discharge into the natural watercourse can also have an impact on the water quality and flood carrying capacity of the receiving waters. In some cases flows have been reduced, in others flows are increased. This can also cause adverse effects on other properties if the existing infrastructure, such as culverts, are unable to cope with larger volumes of water.

4.4.6 To Recognise the National Water Conservation (Grey River) Order 1991 and the Water Conservation (Buller River) Order 2001.

Explanation

The management of the waters protected under national water conservation orders must be provided for under this Plan. The two water conservation orders are reproduced in Appendix 4 and 5 of this Plan.

4.4.7 To promote the exclusion of farm stock where appropriate from estuaries, wetlands, lakes and rivers and their margins by actively encouraging:

- (a) **The establishment, maintenance and enhancement of vegetated riparian buffers;**
- (b) **Land and riparian management to be undertaken in accordance with industry best practice;**
- (c) **Fencing of waterways to prevent stock access; and**
- (d) **Construction of bridges or culverts over regular stock crossing points.**

Explanation

In more intensively farmed areas stock access to water bodies and grazing of riparian vegetation is more likely to cause adverse effects such as faecal contamination, destabilisation and erosion of stream banks, deposition of fine sediment, trampling of riparian and aquatic habitats and loss of natural character and amenity values.

4.4.8 To monitor stock access to estuaries, wetlands, lakes and rivers and their margins and to introduce new rules and other methods to control stock access if monitoring shows that the standards for water quality classifications for affected water bodies adjacent to and downstream of farmed land are not being met and/or the condition of riparian margins and stream habitat is declining as a result of stock access.

Explanation

Council will review the effectiveness of Plan provisions by March 2012. If monitoring shows deterioration in water quality, such that the water quality class for the affected water body is not being met, and the condition of riparian margins and stream habitat is declining as a result of stock access it will introduce regulatory and other methods to control stock access to waterways.

The water quality classes are those set out in policy 7.4.1 of the Water Management Plan.

4.4.9 To promote land management being undertaken in accordance with industry best practice, so that leaching of faecal material and nutrients, and loss of sediment to water is avoided, remedied or mitigated.

Explanation

Earthworks, land disturbance, and tracking can disturb the land so that soil is washed away by rainfall and ends up as sediment in surface water bodies. Suspended sediment reduces light penetration and water clarity. It can affect both water river ecosystems (e.g. by smothering the habitat for benthic invertebrates) and recreational uses.

Best practices in land management, including adopting good soil conservation practices, managing stock rates, establishing or maintaining a dense ground cover in the riparian margin, undertaking appropriate track placement and construction, implementing measures to reduce erosion before undertaking earthworks or forestry activities, and following industry Codes of Practice, where they exist.

Application of fertiliser or agricultural effluent can, if poorly managed, result in large quantities of nutrients leaching into ground water or washing directly into surface water bodies. The current Code of Practice for Fertiliser Use provides advice and guidelines that can reduce adverse effects on water bodies. Nutrient budgeting tools are also available.

4.4.10 To encourage the retention, maintenance or planting of appropriate riparian vegetation.

Explanation

Riparian vegetation can have significant benefits in maintaining and enhancing water quality by stabilising the banks against erosion and by filtering and trapping the overland flow of sediment, phosphorous and faecal matter. Riparian vegetation also contributes to the maintenance of indigenous biological diversity by providing shade and keeping water cool and providing a source of food for aquatic life.

It is recognised that the establishment of riparian vegetation is not always appropriate if it enables the establishment or introduction of pest plants and animals, impedes public access or reduces the flood carrying capacity or causes adverse effects on the stability and performance of infrastructure.

Information is available from the Council regarding guidelines and industry best practice for managing riparian vegetation.

4.5 METHODS

- 4.5.1 Develop, or support the development of memoranda of understanding covering areas for which prior agreement has been reached with affected persons.
- 4.5.2 Provide information on techniques for managing water body margins, including soil conservation, land rehabilitation and revegetation through this plan, pamphlets on best practice guidelines, and press releases.
- 4.5.3 In conjunction with resource users and other interested persons (e.g. Landcare groups, industry organisations, etc), the Regional Council will encourage the development of codes of practice and environmental management systems in order to support sustainable land management practices. Existing codes of practice will be recognised if they meet the requirements of the RMA.
- 4.5.4 In conjunction with resource users and interested parties develop a code of practice to reduce the risk of the spread of pest plants within the region. For example, the spreading of pest plants through earth moving machinery.
- 4.5.5 Consider instituting appropriate awards to landowners, organisations, companies, or schools that demonstrate initiatives and works (including publications and essays) that promote the sustainable management of land in the region.
- 4.5.6 The use of rates relief may be considered
- 4.5.7 Seek government funding to undertake further investigation in relation to riparian margins.

Principal Reasons for Adopting Methods other than Rules

Memoranda of understanding may also be used in order to simplify resource consent processing covering areas for which prior agreement has been reached with affected persons. This should help simplify the resource consent process for any applications over such areas. Non-regulatory methods, such as the provision of information to the general public as well as targeting specific user groups, can be an effective way of helping people understand the effects of their activities.

4.6 ANTICIPATED ENVIRONMENTAL RESULTS

- 4.6.1 Reduction in adverse effects attributable to the disturbance of land, on:
- (a) Property and infrastructure;
 - (b) Land stability;
 - (c) Soil Conservation;
 - (d) Water quality and instream values;
 - (e) Water quantity;

- (f) Water body bed and bank stability;
- (g) Where it exists, public access is maintained and enhanced.

Chapter 5

LAKE & RIVER BED MANAGEMENT**5.1 BACKGROUND**

The West Coast has a dense network streams and rivers. Many of the rivers are relatively short, with small catchment areas.

Activities in riverbeds that involve riverbed disturbance or structures include:

- Alluvial gold mining;
- Gravel extraction
- Flood protection and erosion protection works
- Erection and maintenance of bridges and culverts,
- Whitebait stands and port structures (Grey/Buller rivermouth)
- Other structures

Where the effects of these activities are no more than minor the Plan makes them a permitted activity so that no resource consent is needed. For larger scale activities where more significant effects might occur, a resource consent is needed.

Removal of gravel and debris from riverbeds is necessary and important for people and communities of the West Coast. Council records show that on the basis of past allocations, there is little to suggest that resource depletion has been, or is an issue, except for a few small rivers where natural transportation rates are low. This Plan therefore allows as a permitted activity the removal of debris obstructing riverbeds and low volume extraction of gravel from most riverbeds.

5.2 ISSUES**5.2.1 Activities in, on, under or over the beds of lakes and rivers, unless carefully managed, can cause adverse effects****Explanation**

Poorly managed activities can increase the rate of erosion of riverbeds and banks, change the alignment of river channels, cause loss of land, undermine stopbanks, and increase maintenance costs.

There is a need to ensure that when activities are undertaken the integrity of structures is retained, particularly those pertaining to network utilities (roads, railway bridges, telecommunications, and electricity). In some cases this will require the removal of accumulated debris away from structures in order to retain their integrity, whereas in others, controls on activities, such as the rate of gravel extraction may be required to ensure that excess or inappropriate activity does not cause scouring or erosion of structures. Care is required to ensure that the integrity of structures and riverbanks are sustained.

Effects on ecosystems need to be carefully managed to avoid significant impact on fish habitat and other values. In accordance with section 6 and 7 of the RMA, the Land and Riverbed Management Plan will recognise and provide for these values to ensure that they are adequately protected.

5.2.2 Flooding, erosion, aggradation, and river channel changes can affect the integrity of structures on the beds or banks of rivers and can affect the safety of communities.

Explanation

Flooding, erosion, aggradation, and river channel changes affect the integrity of critical infrastructure such as roads and bridges. This plan provides for gravel extraction, the removal of flood debris and the maintenance of floodbanks, river banks and the timely repair of in stream structures provided any potential environmental effects are addressed. The use of structures to protect land from flooding is important for communities and the maintenance, repair, or reinstatement of flood protection works to desired degrees of safety is also provided for in this plan.

5.3 OBJECTIVE

5.3.1 To avoid, remedy or mitigate the adverse effects of lake and riverbed activities on:

- (a) The stability of beds, banks and structures;**
- (b) The flood carrying capacity of rivers;**
- (c) The natural character of wetlands, lakes and rivers and their margins;**
- (d) Indigenous biodiversity and ecological values, including fish passage;**
- (e) Amenity, heritage and cultural values;**
- (f) Sports fish habitat values;**
- (g) Water quality;**
- (h) Navigation.**

Explanation

The construction, maintenance, alteration, or removal of instream structures and bed disturbance activities can cause adverse effects on the West Coast environment, existing infrastructure and other lawful uses. The objective seeks to ensure that the provisions within this Plan minimise the likelihood of significant impacts while meeting the requirements of Section 5 of the RMA, which stipulates that natural and physical resources be sustainably managed and the requirements of section 6 which require matters of national importance to be recognised and provided for.

5.4 POLICIES

5.4.1 To provide for appropriate use and development in lakes and rivers and recognise the benefit to the community of maintaining existing structures and infrastructure

Explanation

There are existing structures located in the beds of West Coast lakes and rivers that have significant positive effects for West Coast communities and visitors. Reliable transport

links and network utility infrastructure provides essential lifelines for community health and safety. These benefits need to be given due weight when considering the avoidance, remedy or mitigation of adverse effects.

5.4.2 To manage bed disturbance, reclamation, deposition and the use, erection, extension, reconstruction, maintenance, alteration, demolition, or removal of structures in, on, under, or over the bed of any lake or river, so that the activity does not cause or contribute to significant adverse effects on:

- (a) **The stability of beds and banks;**
- (b) **The capacity of rivers to carry flood flow;**
- (c) **Heritage, amenity or cultural values;**
- (d) **Water quality;**
- (e) **Existing structures or existing uses;**
- (f) **Navigational safety;**
- (g) **Aquatic ecosystem values (including habitat values and fish passage);**
- (h) **The natural character of the coastal environment, wetlands, rivers and lakes and their margins;**
- (i) **Significant indigenous vegetation and significant habitats of indigenous fauna.**

Explanation

This policy recognises the need for controls by way of regional rules to ensure that stability of riverbeds and banks is safeguarded, the capability of rivers to carry water is not impeded when in flood, and that other adverse effects are addressed appropriately.

Policy 9.2 of the Regional Policy Statement for the West Coast will be applied when deciding whether indigenous vegetation or of habitat indigenous fauna are significant for the purposes of 5.4.2(i).

5.4.3 To manage the construction and use of whitebait stands in a manner that avoids, remedies or mitigates adverse effects on riverbanks and beds and is consistent with Council Policy on whitebait structures.

Explanation

This policy is specifically intended to address the effects of erosion associated with whitebait stands, which are generally temporary structures, erected no earlier than 2 weeks prior to the commencement of the whitebait season and dismantled no later than 2 weeks after the season closes. This policy only applies to stands upstream of the coastal marine area (CMA) because the Regional Coastal Plan contains corresponding provisions for the CMA.

5.4.4 In addition to the requirements of Policy 5.4.2, when considering an application to excavate gravel from a river or lake bed, to consider:

- (a) **The sustainable yield of the lake or river system;**
- (b) **Adverse effects on bed levels and channel location;**
- (c) **Potential spread of pest plants.**

Explanation

Removing material from riverbeds has the potential to impact on Policy 5.4.2 matters plus (a) to (c) above. However, the significance of this impact will depend on numerous

activity and site specific elements. Excessive build up of gravel due to natural processes may contribute to flooding or impacts on infrastructure (eg. bridges and culverts) that may be mitigated by removal of those materials. Gravel removal from islands can have the benefit of reducing flow against riverbanks, thereby reducing the likelihood of erosion. Adverse effects of extraction activities can include dust and the spread of pest plants. It may be possible to prevent the spread of particular pest plants by not transporting material between some catchments and by high pressure cleaning of trucks and machinery between jobs.

5.4.5 To Recognise the National Water Conservation (Grey River) Order 1991 and the National Water Conservation (Buller River) Order 2001.

Explanation

The management of the waters protected under national water conservation orders must be provided for under this Plan. The two water conservation orders are reproduced in Appendix 4 and 5 of this Plan.

5.4.6 Council will promote the use of bridges, culverts, and other methods to avoid regular stock crossings of river beds in intensively farmed areas.

Explanation

Council will monitor the extent to which bridges, culverts and other mechanisms are being used to avoid regular stock crossings of river beds. Before March 2012 Council will review the effectiveness of these mechanisms and existing plan provisions and introduce regulatory or other methods if landholders are not adopting such mechanisms on a voluntary basis.

A regular stock crossing is where a farmer causes a herd of cattle to cross any river or permanently flowing creek, at any farm raceway crossing, more than ten times in any month for herds larger than 500 cattle, or more than 20 times in any month for herds less than 500 cattle. A crossing is one-way only.

5.5 METHODS

- 5.5.1** Support development of memoranda of understanding covering areas for which prior agreement has been reached with affected persons to simplify consent processes.
- 5.5.2** Provide information to resource users of issues associated with gravel extraction and other riverbed issues through, for example, Plan provisions, publicity, displays, press releases, and liaison meetings with stakeholders.
- 5.5.3** Encourage resource users to adopt environmentally sensitive practices through liaison meetings or site visits.
- 5.5.4** In conjunction with resource users and other interested persons, the Regional Council will encourage development of codes of practice and environmental management systems in order to promote sustainable management practices. Where appropriate the development of nationally consistent approaches will be advocated.

5.5.5 Review the current regulatory regime for gravel extraction and investigate the feasibility of the Regional Council holding global or region-wide resource consents.

5.5.6 Provide information to people on issues associated with construction, maintenance, and repair of structures and hold liaison meetings with industry and network utility representatives.

Principal Reasons for adopting

Non-regulatory methods are often a more efficient means of achieving the plan's objectives than rules. Providing information and advice assists understanding of potential effects and how these can be avoided. By promoting best practice methods of resource use, the council will be meeting the purpose of the Act.

5.6 ANTICIPATED ENVIRONMENTAL RESULTS

5.6.1 Reduced adverse effects as a result of structures and bed disturbance on:

- (a) The stability of riverbeds and riverbanks;
- (b) Natural character, habitat, heritage, amenity or cultural values;
- (c) The stability of existing structures;
- (d) Water quality, fish passage and navigational safety.

Chapter 5A

WETLAND MANAGEMENT

5A.1 Introduction

The management of wetlands is a critical biodiversity issue in many parts of New Zealand. Some regions have only 10-15% of their natural wetlands remaining, compared to wetland extent during pre-human times. On the West Coast there are over 60% of natural wetlands remaining, so the critical issue of wetland management on the West Coast is one of protecting wetland types that are scarce in the region, and those critical for the survival of threatened species, rather than all wetlands.

Because a large proportion of land in the region is protected land under Department of Conservation jurisdiction, it was initially assumed that most wetland types would be well protected on the West Coast. It turns out that while that is the case for some wetland types, it is not the case for all wetland types in all parts of the region. The types that are not well represented are organic bogs, saltmarsh and swamps on gley or recent soils in the Grey and Buller Districts. Pakihi wetlands, and podzol bogs and fens are well represented in protected areas throughout the region and all wetland types in the Westland district are well represented. However, there are some wetlands in Westland that may be important for threatened species survival.

The research identified and prioritised two types of wetland, called Type A and Type B wetlands. Type A wetlands are those of a type with less than 30%¹ remaining on the West Coast compared to pre-human extent, plus any that have recorded threatened species present. Type B wetlands include any types with between 30% and 50% remaining compared to pre-human extent, plus habitat expected to support threatened species but with no recorded presence.

Wetlands on conservation land have not generally been assessed nor identified through the Council's Variation process and have not been mapped in Schedule 1 as they are already subject to protection under the Conservation Act. However, the policies apply to areas on conservation land that support Type A values.

5A.2 Objective

5A.2.1 To recognise and provide for the protection of the natural character and biodiversity values of the significant wetlands identified in Schedule 1 and other wetlands in the region.

Principal Reasons for Adopting

This objective reflects Section 6(a) and 6(c) of the RMA, by recognising that managing scarce wetlands with high natural character and those with significant habitat values is a matter of national importance. Other wetlands in the region also may have value and a non-regulatory approach is considered more appropriate for those areas.

¹ Note that the percentage figures used in this chapter refer to the Boffa Miskell 2004 methodology, used to assess representativeness of wetlands on the West Coast. See the Background Technical Report: Significant Wetlands on the West Coast.

5A.3 Policies

5A.3.1 To recognise in Schedule 1 the Type A significant wetlands in the region, that retain a high to pristine level of natural character and are either:

1. A wetland type scarce in the region, represented at the ecological region or West Coast region scale at less than 30% of pre-human estimates; or
2. Are known to support threatened species that depend on the wetland remaining unmodified for species survival; or
3. Of a size that should they be developed, the remaining wetland type would become less than 30%;

and to protect the values of those wetlands by controlling land drainage, humping and hollowing, flipping and v-blading, earthworks and vegetation clearance activities to ensure their natural character and habitat values are sustained.

Explanation

This policy reflects Section 6(a) and 6(c) of the RMA, by recognising and providing for the management of scarce wetlands with high natural character and those with significant habitat values, as a matter of national importance, using regional rules. It also identifies those wetlands of a size that should they be developed, then remaining areas would become underrepresented therefore meeting the Type A criteria.

5A.3.2 To identify the Type B significant wetlands in the region, that retain at least a medium to high level of natural character and are large enough to be self-sustaining, and are either:

1. Represented at the ecological district, ecological region or West Coast region scale at between 30% and 50% of pre-human estimates; or
 2. Are likely to support threatened species dependant on wetland habitat for survival, even though no recent records confirm this; or
 3. Are wetlands critical for flood mitigation or water quality outcomes;
- and to actively promote the protection of the values of those wetlands.**

Explanation

This policy reflects Section 6(a) and 6(c) and other parts of the RMA, by recognising and providing for the management of wetlands with medium natural character and possible significant habitat values as a matter of national importance, using non-regulatory management as specified in methods 5A.4.1 to 5A.4.3. Other values relating to water quality and flood mitigation are also considered significant and are managed under this policy and subsequent methods. The Type B list will sit outside the plan and be used to inform Council during the consenting process in order to monitor the level of development of wetland types.

5A.3.3 To recognise and provide for other natural wetlands on the West Coast that do not meet the Type A or Type B criteria by providing advice and assistance to landowners on wetland protection methods, and to generally promote the maintenance and enhancement of wetlands for local biodiversity, aesthetics or amenity values, where appropriate.

Explanation

This policy reflects Section 6 and Section 7 of the RMA by recognising and providing for the management of wetlands with less significant values, in order to promote locally

important biodiversity or amenity values. Method 5A.4.5 provides information on planting or otherwise enhancing wetland areas to improve their amenity or aesthetic value.

5A.3.4 To recognise the significance of wetlands managed by the Department of Conservation.

Explanation

This policy reflects Section 6 and 7 of the RMA by recognising the importance of wetlands located on the Conservation Estate. While they have not been assessed through the Council's significance criteria and Variation process, some of these may have significant values.

5A.4 Methods

5A.4.1 To promote the enhancement and remediation of wetlands, particularly those identified as Type A or Type B wetlands, by encouraging land-owners to remove stock from these areas, control any weed growth, or manage any other activities that adversely affects their natural character.

5A.4.2 To work with the Department of Conservation to facilitate land purchase or land swap deals that will enable protection of high value wetlands, while also providing access to lower biodiversity value land administered by the Department of Conservation for private sector use and development.

5A.4.3 To assist land owners of wetland areas to gain funding for enhancement or remediation works by facilitating access to funding sources (eg biodiversity funds) and by liaising with the QEII National Trust and other agencies to assist landowners to formally covenant wetlands so their values are protected in perpetuity.

5A.4.4 To liaise with District Councils to facilitate rates relief for any Type A wetland, or any Type B wetland the landowner has placed under formal protection.

5A.4.5 To provide advice to landowners who are interested in enhancing wetlands. This advice covers preparing planting plans, advice on funding sources, contacts for covenanting, identification and advice on pest and weed management, and advice on consents needed.

5A.4.6 The Council will work with the Department of Conservation to include other wetlands that are demonstrated to meet the criteria in the 2005 Boffa Miskell Report as part of a second Variation process.

Chapter 6

REGIONAL RULES

This section sets out the rules which apply to:

- (a) Land disturbance activities for the purposes of soil conservation and the maintenance and enhancement of water quality, water quantity, and the avoidance or mitigation of natural hazards.
- (b) Activities associated with the beds of rivers and lakes, such as structures and excavation.

Each rule specifies activities which are permitted, controlled, restricted discretionary, or discretionary.

6.1 Activities on Land

“Land”, for the purposes of section 6.1 of the Plan, means land covered by section 9(3) of the RMA. Land that forms part of the bed of a lake or river is managed under the rules in section 6.2.

Land Rules Summary Table

<i>Activity</i>	<i>Permitted rule</i>	<i>Controlled, discretionary, or non-complying rule*</i>
Humping and Hollowing, Flipping, or V Blading outside riparian margins	6.1.1.1	6.1.5.1 or 6.1.7.3
Grazing and Livestock Access in riparian margins	6.1.2.1	6.1.6.1
Earthworks in riparian margins	6.1.2.2	6.1.6.1
Vegetation Disturbance in riparian margins	6.1.2.3	6.1.6.1
Vegetation Disturbance in Erosion Prone Area One, Erosion Prone Area Two, or the Greymouth Earthworks Control Area, and outside any riparian margin	6.1.3.1	6.1.6.1 or 6.1.7.2
Earthworks in Non Erosion Prone Area (less than 12 ⁰ Slope), outside riparian margins	6.1.3.2	6.1.4.1, 6.1.6.1, or 6.1.7.1
Earthworks in Erosion Prone Area One (between 12 ⁰ and 25 ⁰ Slope inclusive), outside riparian margins	6.1.3.3	6.1.4.1
Earthworks in Erosion Prone Area Two (Slope exceeds 25 ⁰) and the Greymouth Earthworks Control Area, outside riparian margins	6.1.3.4	6.1.6.1

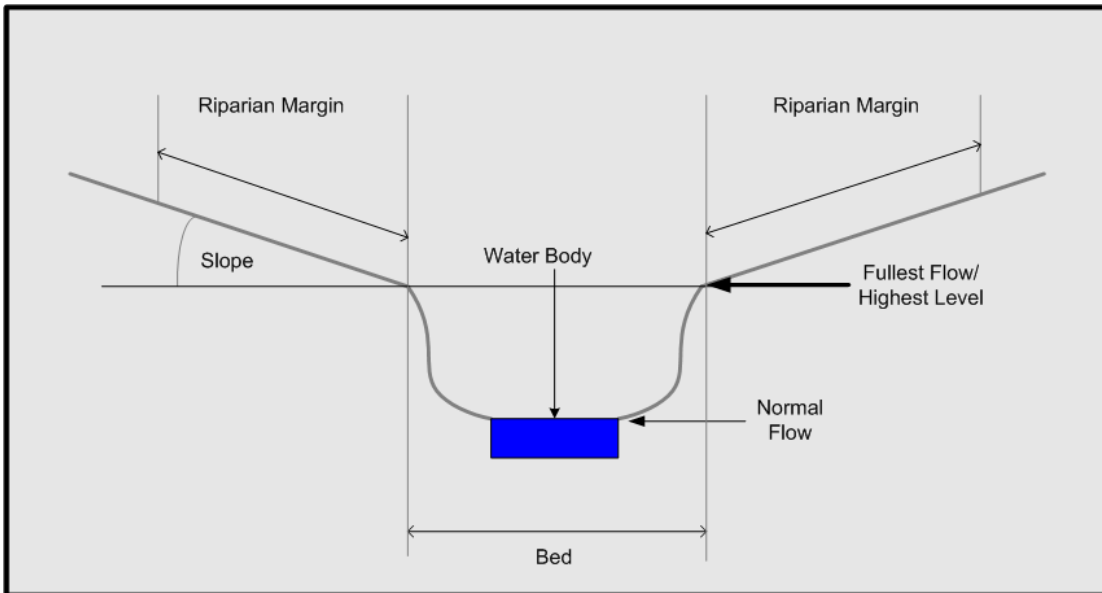
The maintenance or repair of an existing road, track, landing, drilling pad, stand off pad, firebreak, or network utility line, pipe, or cable	6.1.3.5	6.1.4.1
The planting of exotic trees for subsequent harvest within 5 metres of any river with a bed width greater than 3 metres or lake		6.1.5.2

* This rule applies if the conditions of the permitted activity rule cannot be met. A consent will be required in this situation.

DEFINITIONS

A. Riparian Margins

The following diagram shows how buffer margins are determined for land adjacent to water bodies. The diagram is not to scale.



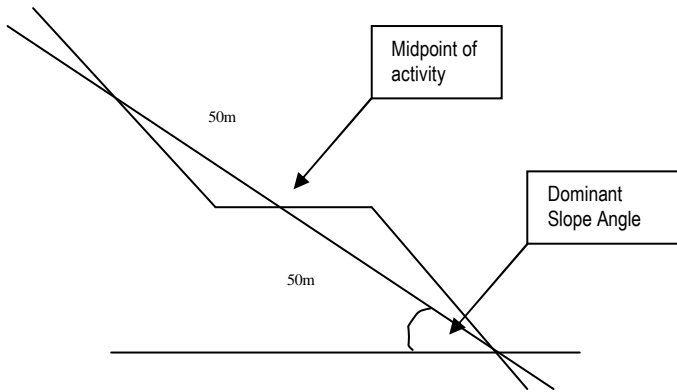
B. Dominant Slope Angle

For Vegetation disturbance and earthworks

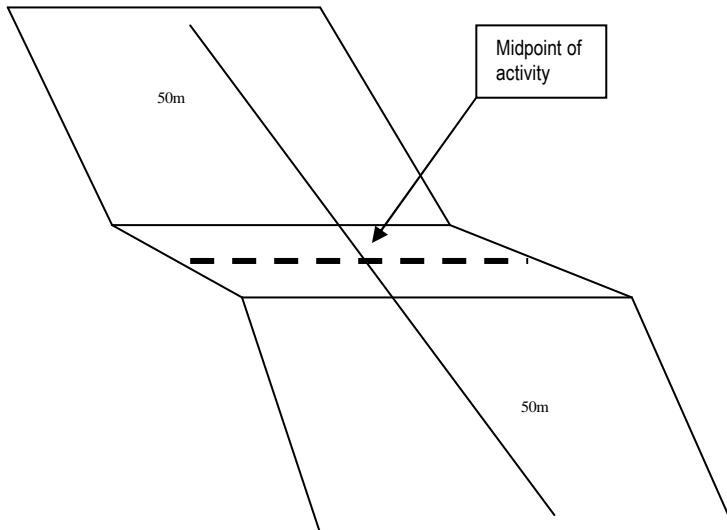
- The dominant slope angle is the angle between a point 50 metres upslope of the activity and a point 50 metres downslope of the activity.

For Riparian margins

- The dominant slope angle is the angle between a point 50 metres upslope of the activity and the point of fullest flow/highest level of the bed of the river or lake.



Note: These diagrams are an example of how slope angle is measured on a benched slope.



Summary Table of Riparian Margin widths

Land cover or activity	Dominant slope angle	Rivers		Lakes
		1-3 metres wide	>3 metres wide	
Existing pasture or pest plants	<12°	3 metres	3 metres	20 metres
	>12°	10 metres	10 metres	20 metres
Indigenous vegetation	<12°	5 metres	10 metres	20 metres
	>12°	10 metres	10 metres	20 metres
Humping & Hollowing	Any slope	10 metres	10 metres	20 metres

Advisory note: Where there is a mixture of pest plants and indigenous vegetation, more than 65% of the vegetation cover must be pest plants for the narrower setback to apply.

Where the bank is not easily defined, the boundary of the 'bed' and 'land' is identified by the terrestrial vegetation immediately adjacent to the water body

C. Proneness to Erosion

For the purpose of the following rules, land is categorised in accordance with its proneness to erosion in the following manner:	
Greymouth Earthworks Control Area	Land defined by maps in Appendix 3.
Non Erosion Prone Area	Land not in the Greymouth Earthworks Control Area with a dominant slope angle less than 12 Degrees
Erosion Prone Area 1	Land not in the Greymouth Earthworks Control Area with a dominant slope angle between 12 and 25 Degrees (inclusive)
Erosion Prone Area 2	Land not in the Greymouth Earthworks Control Area with a dominant slope angle above 25 Degrees

Permitted Activities on land

6.1.1 Humping and Hollowing, Flipping, or V Blading Outside of Riparian Margins

6.1.1.1 Humping and Hollowing, Flipping, or V Blading in the Non-Erosion Prone Area (less than 12° slope) outside of riparian margins are *permitted activities* if **all** of the following conditions are met:

- (a) (1) For Humping & Hollowing and Flipping, the area of the activity does not exceed 5 Hectares per landholding in any continuous 12 month period; and
 - (2) For V-blading **either**:
 - (i) The land area for new works does not exceed 10 Hectares per landholding in any 12 month period; **or**
 - (ii) The activity is undertaken on land that has previously been V-bladed; and
- (b) The activity must not cause the visual clarity of any receiving water to decrease by more than 40%, as measured by black disc beyond 12 times the river's width or 200 metres of the activity, whichever is the lesser; and
- (c) No soil or debris is placed directly in any river or lake bed; and
- (d) There is no conspicuous deposition of sediment on the bed of any water body; and
- (e) The activity does not affect any surface water take; and
- (f) The activity is not within:
 - (1) 50 metres of the Coastal Marine Area on the open coast line; or
 - (2) 20 metres of the Coastal Marine Area elsewhere; or
 - (3) Any wetland identified in Schedule 1; and
- (g) When operating alongside a riverbed and there is an iron pan or hard pan layer below the surface of the land then the iron pan or hard pan is not to be disturbed or broken within a distance of 20 metres from the edge of the riverbank; and
- (h) Any culverts or cut and fill batters are designed, and constructed or installed to prevent their failure and avoid causing erosion; and
- (i) The Council is notified in writing of the location and extent of the activity, at least seven working days prior to the works commencing; and
- (j) All areas disturbed by humping and hollowing and flipping are re-vegetated as soon as practicable; and
- (k) All drainage from land subject to the activity is directed through sediment control devices or traps prior to entry to any waterway; and
- (l) Where the humping and hollowing, flipping or v-blading is undertaken to create pasture for grazing by stock, rivers and streams shall be fenced to exclude stock access.

Note: Condition (g) will ensure that low permeability strata within 20 metres of a waterway is maintained to ensure continuity of flow in the waterway. The land within the 20 metres buffer can still be contoured, in accordance with other conditions/rules provided the iron pan or hard pan is not broken.

Ngai Tahu own all pounamu (greenstone) previously vested in the Crown. Appendix 2 contains the accidental discovery protocols of the pounamu management plan and they should be taken into account when undertaking any earthworks.

Refer to Definitions A-C at the beginning of Chapter 6 for an explanation of Riparian Margins, Dominant Slope, and Proneness to Erosion slope categories.

Principal Reasons for Adopting

This rule is intended to address the range of Land Contouring Activities, which can be carried out with minor adverse effects on the environment if all of the above conditions are complied with.

6.1.2 Activities Within Riparian Margins

6.1.2.1 Grazing and Livestock Access to Riparian Margins are a *permitted activity* provided that:

- (a) The activity does not cause or induce conspicuous slumping, or pugging, or erosion.

6.1.2.2 Earthworks within riparian margins are a *permitted activity* if **all** of the following conditions are met:

- (a) The volume of earthworks in the riparian margin must not exceed 25m³ and must not involve the cumulative disturbance of more than 20 linear metres in any 200 metre length of riparian margin; and
- (b) Sufficient sediment control is constructed so that the activity does not cause the visual clarity of any receiving water to decrease by more than 40%, as measured by black disc beyond 12 times the river's width or 200 metres of the activity, whichever is the lesser; and
- (c) No soil or debris is placed directly in any river or lake bed; and
- (d) There is no conspicuous deposition of sediment on the bed of any water body; and
- (e) The activity does not affect any surface water take; and
- (f) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Appendix Six during the months of December to May inclusive; and
- (g) Earthworks are carried out such that:
 - (1) Formed surfaces with an inward cross fall must have a constructed form of drainage control such as a water table, kerb and channel, swale, channel/ditch, or sumps and pipes, to avoid causing erosion; and
 - (2) Any culverts or cut and fill batters are designed and constructed or installed to prevent their failure and avoid causing erosion; and
 - (3) Trenches for the purpose of installing pipes, lines, or cables are backfilled and compacted within 48 hours of excavation; and
- (h) No refuelling of equipment takes place on any area of a riverbed; and

- (i) The activity does not cause or contribute to any slope or land instability, including subsidence or other erosion; and
- (j) All areas of bare ground created by the activity are protected from soil erosion as soon as practicable, and
- (k) No earthworks occur within any wetland identified in Schedule 1.

Note: These rules do not apply to works on river and lake beds – refer to rules on River and Lake Bed Activities in 6.2.

Refer to Definitions A-C at the beginning of Chapter 6 for an explanation of Riparian Margins, Dominant Slope, and Proneness to Erosion slope categories.

Ngai Tahu own all pounamu (greenstone) previously vested in the Crown. Appendix 2 contains the accidental discovery protocols of the pounamu management plan and they should be taken into account when undertaking any earthworks.

It is important that sediment traps are maintained so that they continue to work efficiently. The traps should be of a size or number that is relative to the amount of work being undertaken.

6.1.2.3 Vegetation Disturbance within riparian margins is a **permitted activity** if **all** of the following conditions are met:

- (a) Native Vegetation is only removed where:
 - (1) It is causing bank erosion; or
 - (2) It is toxic to livestock; or
 - (3) The activity is undertaken in conjunction with permitted activity rule 6.1.2.2; and
- (b) There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Appendix Six during the months of December to May inclusive; and
- (c) The activity does not cause or contribute to land instability or erosion; and
- (d) All areas of bare ground created by the activity are protected from soil erosion as soon as practicable; and
- (e) No debris is placed directly in any river or lake bed.

Note: These rules do not apply to works on river and lake beds – refer to rules on River and Lake Bed Activities in 6.2.

Principal Reasons for Adopting

Grazing in buffer zones can reduce the effectiveness of the vegetation in them to trap sediments and reduce runoff. Livestock trampling can cause considerable disturbance to the banks of rivers and streams and the margins of lakes contributing to sediment loading, bank erosion, and increased runoff.

Due to the dynamic nature of West Coast hydrology and geomorphology, there is a need to ensure that the integrity of the region's riparian margins are

maintained. Careful management of grazing, stock access, earthworks, and vegetation disturbance within the riparian margin will help ensure that soil loss is minimised, water quality is maintained, a rivers ability to carry water is not impeded when in flood, and that other adverse effects are addressed appropriately.

6.1.3 Vegetation Disturbance or Earthworks outside any Riparian Margin

6.1.3.1 Vegetation Disturbance in Erosion Prone Area One, Erosion Prone Area Two, or the Greymouth Earthworks Control Area, and outside any riparian margin or wetland identified in Schedule 1, is a *permitted activity* if **all** of the following conditions are met:

- (a) The area disturbed is less than 20m² if undertaken within Erosion Prone Area Two or the Greymouth Earthworks Control Area; and
- (b) Sufficient sediment control is constructed so that the activity does not cause the visual clarity of any receiving water to decrease by more than 40%, as measured by black disc beyond 12 times the river's width or 200 metres from the activity, whichever is the lesser; and
- (c) No soil or debris is placed directly in any river or lake bed; and
- (d) There is no conspicuous deposition of sediment on the bed of any water body; and
- (e) The activity does not affect any surface water take; and
- (f) All areas of bare ground created by the activity are protected from soil erosion as soon as practicable; and
- (g) The activity does not cause or contribute toward any slope or land surface instability, including subsidence or other erosion.

Note: Additional provisions on disturbance of indigenous vegetation, wetlands, significant natural areas, and cultural/historic areas may apply. It will be necessary to refer to relevant district plans.

Refer to Definitions A-C at the beginning of Chapter 6 for an explanation of Riparian Margins, Dominant Slope, and Proneness to Erosion slope categories.

It is important that sediment traps are maintained so that they continue to work efficiently. The traps should be of a size or number that is relative to the amount of work being undertaken.

6.1.3.2 Earthworks in the Non Erosion Prone Area (less than 12⁰ slope), and outside any riparian margin is a *permitted activity* if **all** of the following conditions are met:

- (a) Earthworks **either**:
 - (1) Are for the formation, construction, or reconstruction of roads, tracks, railway lines, landings, firebreaks, and network utility lines, pipes, or cables; **or**

- (2) Do not exceed an annual volume of 5000m³ per landholding or hectare, whichever is the smaller; and
- (b) Sufficient sediment control is constructed so that the activity does not cause the visual clarity of any receiving water to decrease by more than 40%, as measured by black disc beyond 12 times the river's width or 200 metres from the activity, whichever is the lesser; and
- (c) No soil or debris is placed directly in any river or lake bed; and
- (d) There is no conspicuous deposition of sediment on the bed of any water body; and
- (e) The activity does not affect any surface water take; and
- (f) The activity is not within:
- (1) 50 metres of the Coastal Marine Area on the open coast line; or
 - (2) 20 metres of the Coastal Marine Area elsewhere; or
 - (3) Any wetland identified in Schedule 1; and
- (g) Where earthworks are for the formation, construction, or reconstruction of any road, track, firebreak, landing, line, pipe, or cable:
- (1) Formed surfaces with an inward cross fall must have a constructed form of drainage control such as a water table, kerb and channel, swale, channel/ditch, or sumps and pipes to avoid causing erosion; and
 - (2) Any culverts, or cut and fill batters are designed and constructed or installed so as to prevent their failure and avoid causing erosion; and
 - (3) Trenches for the purpose of installing lines, pipes, or cables are backfilled and compacted within 48 hours of excavation; and
- (h) The activity does not cause or contribute toward any slope or land surface instability, including subsidence or other erosion; and
- (i) All areas of bare ground created by the activity and any stockpiles of material are protected from soil erosion as soon as practicable; and
- (j) Where earthworks are for the purpose of forming a drain:
- (1) There is no erosion of the bed or banks of the receiving water body; and
 - (2) The drainage does not increase the flow in the receiving water body to the extent that it exceeds the carrying capacity of existing infrastructure; and
 - (3) The activity does not occur within 25m of any wetland identified in Schedule 1.
- (k) Where the earthworks are for the purpose of constructing a water supply bore the Council must be notified within five working days of the location depth and purpose of the bore.

Note: For condition (j) the quality of any discharged drainage water must comply with the conditions of the permitted activity rule in the Water Management Plan.

Ngai Tahu own all pounamu (greenstone) previously vested in the Crown. Appendix 2 contains the accidental discovery protocols of the pounamu management plan and they should be taken into account when undertaking any earthworks.

It is important that sediment traps are maintained so that they continue to work efficiently. The traps should be of a size or number that is relative to the amount of work being undertaken.

6.1.3.3 Earthworks in Erosion Prone Area One (between 12⁰ and 25⁰ slope inclusive), and outside any riparian margin is a **permitted activity** if **all** of the following conditions are met:

- (a) Earthworks **either**:
 - (1) Are for the formation, construction, or reconstruction of roads, tracks, railway lines, landings, firebreaks, and network utility lines, pipes, or cables; **or**
 - (2) Do not exceed an annual volume of 500m³ per landholding or hectare, whichever is the smaller; and
- (b) Sufficient sediment control must be constructed so that the activity does not cause the visual clarity of any receiving water to decrease by more than 40%, as measured by black disc beyond 12 times the river's width or 200 metres from the activity, whichever is the lesser; and
- (c) No soil or debris is placed directly in any river or lake bed; and
- (d) There is no conspicuous deposition of sediment on the bed of any water body; and
- (e) The activity does not affect any surface water take; and
- (f) The activity does not cause or contribute toward any slope or land surface instability, including subsidence or other erosion; and
- (g) Where earthworks are for the formation or construction of any road, track, firebreak, landing, line, pipe, or cable:
 - (1) Formed surfaces with an inward cross fall must have a constructed form of drainage control such as a water table, kerb and channel, swale, channel/ditch, or sumps and pipes to avoid causing erosion; and
 - (2) Any culverts or cut and fill batters are designed and constructed or installed so as to prevent their failure and avoid causing erosion; and
 - (3) Trenches for the purpose of installing lines, pipes, or cables are backfilled and compacted within 48 hours of excavation; and
- (h) No refuelling of equipment takes place on any area of a riverbed; and
- (i) All areas of bare ground created by the activity and any stockpiles of material are protected from soil erosion as soon as practicable; and
- (j) The activity is not within:
 - (1) 50 metres of the Coastal Marine Area on the open coast line; or
 - (2) 20 metres of the Coastal Marine Area elsewhere.

Note: *Additional provisions on disturbance of indigenous vegetation, wetlands, significant natural areas, and cultural/historic areas may apply. It will be necessary to refer to relevant district plans.*

Ngai Tahu own all pounamu (greenstone) previously vested in the Crown. Appendix 2 contains the accidental discovery protocols of the pounamu management plan and they should be taken into account when undertaking any earthworks.

Refer to Definitions A-C at the beginning of Chapter 6 for an explanation of Riparian Margins, Dominant Slope, and Proneness to Erosion slope categories.

It is important that sediment traps are maintained so that they continue to work efficiently. The traps should be of a size or number that is relative to the amount of work being undertaken.

6.1.3.4 Earthworks in Erosion Prone Area Two (slope exceeds 25⁰) and the Greymouth Earthworks Control Area, and outside any riparian margin where:

- (i) The volume of Earthworks is less than 10m³ per land holding in any 12 month period; or
- (ii) The activity is for the purpose of laying underground network utility lines, pipes, or cables; or
- (iii) The earthworks are for upgrading network utility operations and do not exceed a volume of 50m³ in any 100 metres length of the utility operation.

are a ***permitted activity*** if **all** of the following conditions are met:

- (a) The activity does not cause or contribute toward any slope or land surface instability, including subsidence or other erosion; and
- (b) Sufficient sediment control must be constructed so that the activity does not cause the visual clarity of any receiving water to decrease by more than 40%, as measured by black disc beyond 12 times the river's width from 200 metres of the activity, whichever is the lesser; and
- (c) No soil or debris is placed directly in any river or lake bed; and
- (d) There is no conspicuous deposition of sediment on the bed of any water body; and
- (e) The activity does not affect any surface water take; and
- (f) All areas of bare ground created by the activity and any stockpiles of material are protected from soil erosion as soon as practicable; and
- (g) The activity is not within:
 - (1) 50 metres of the Coastal Marine Area on the open coast line; or
 - (2) 20 metres of the Coastal Marine Area elsewhere.

Note: *It is important that sediment traps are maintained so that they continue to work efficiently. The traps should be of a size or number that is relative to the amount of work being undertaken.*

6.1.3.5 Earthworks for the purpose of maintaining or repairing a road, track, railway line, landing, drilling pad, stand off pad, firebreak, or network utility line, pipe, or cable is a ***permitted activity*** if **all** of the following conditions are met:

- (a) Formed surfaces with an inward cross fall must have a constructed form of drainage control such as a water table, kerb and channel, swale, channel/ditch, or sumps and pipes to avoid causing erosion; and
- (b) Sufficient sediment control must be constructed so that the activity does not cause the visual clarity of any receiving water to decrease by more than

- 40%, as measured by black disc beyond 12 times the river's width or 200 metres from the activity, whichever is the lesser; and
- (c) No soil or debris is placed directly in any river or lake bed; and
 - (d) There is no conspicuous deposition of sediment on the bed of any water body; and
 - (e) The activity does not affect any surface water take or any wetland in Schedule 1; and
 - (f) Any culverts or cut and fill batters are maintained so as to prevent their failure and avoid causing erosion; and
 - (g) Trenches for the purpose of maintaining lines, pipes, or cables are backfilled and compacted within 48 hours of excavation; and
 - (h) Any activity does not cause or contribute to any slope or land surface instability, including subsidence or other erosion; and
 - (i) No refuelling of equipment takes place on any area of a riverbed; and
 - (j) All areas of bare ground created by the activity and any stockpiles of material are protected from soil erosion as soon as practicable.

Note: Additional provisions on disturbance of indigenous vegetation, wetlands, significant natural areas, and cultural/historic areas may apply. It will be necessary to refer to relevant district plans.

It is important that sediment traps are maintained so that they continue to work efficiently. The traps should be of a size or number that is relative to the amount of work being undertaken.

Principal Reasons for Adopting

The rules in this section allow vegetation disturbance and earthworks activities of a scale that will have no more than minor adverse effects.

Condition (j) of rule 6.1.3.2 considers the effects on existing infrastructure such as culverts and bridges, from land drainage activities as those structures have generally been designed to manage a given flow based on the environment at the time of their construction. The condition ensures that plan users must take into account the effects of land drainage on the existing environment including the capacity of existing infrastructure to ensure that it is no more than minor. This is because the Resource Management Act is based on the premise of 'first come first served' therefore all subsequent activities must take into account their effects on pre-existing activities.

6.1.4 Controlled Activities on Land

6.1.4.1 Any earthworks outside of a wetland identified in Schedule 1 that contravene any one of the conditions of the relevant permitted rules 6.1.3.2, or 6.1.3.5 of this Plan, and are less than 20,000 cubic metres per land holding, are a controlled activity if:

- (i) The area of land disturbed does not exceed five hectares per landholding in any 12 month period; and

- (ii) The activity does not occur within 50 metres of the coastal marine area; and
- (iii) The area disturbed is in the Non Erosion Prone Area; and
- (iv) The area is outside any riparian margin; and
- (v) Sufficient sediment control is constructed so that the activity does not cause visual clarity of any receiving water to decrease by more than 40%, as measured by black disc, beyond 12 times the river's width or 200 metres of the activity, whichever is the lesser; and
- (vi) All areas of bare ground and any stockpiles of material created by the activity are protected from soil erosion as soon as practicable; and
- (vii) The area is not within any wetland identified in Schedule 1.

A resource consent is required and must be granted, however, the Regional Council reserves control over the following:

- (a) The location, design, surface area, and timing of earthworks;
- (b) Requirements to address the effects of erosion, subsidence, sedimentation, and increased surface runoff;
- (c) Measures to avoid, remedy, or mitigate adverse effects on the stability of beds and banks of rivers and streams;
- (d) Adherence to a certified engineering plan;
- (e) Volume of earthworks and the extent of the area disturbed and / or rehabilitated at any time;
- (f) The disposal and stabilisation of excavated material or fill, including location of dump sites;
- (g) Loss of or damage to soil;
- (h) Effects on indigenous biological diversity and ecological values;
- (i) Effects on water quality;
- (j) Effects on surface or subsurface water levels and flows;
- (k) Requirements for stormwater controls, batters, water tables, cutoffs, swales, sediment control and culverts;
- (l) Effects on natural character of the coastal environment, wetlands, and lakes and rivers and their margins;
- (m) Setback distances from wetlands, lakes, rivers, and the coastal marine area;
- (n) Potential damage to any cultural heritage site or area;
- (o) The relationship of Ngai Tahu and their culture and traditions with their ancestral lands, waters, sites, wahi tapu, and other taonga;
- (p) Monitoring provisions;
- (q) The duration of the resource consent;
- (r) Bonds and financial contributions;
- (s) Review conditions of the resource consent.

An application for resource consent under this rule does not need to be served on persons who may be adversely affected by the activity.

Note: A discharge permit is required for any discharges of a contaminant to water or to land where it may enter the water.

Performance standard (vii) is still subject to an appeal and may change once Variation 1 to the Proposed Land & Riverbed Management Plan has been fully resolved.

Principal Reasons for Adopting

Provided the conditions of the rule are met, including having regard to matters such as erosion control, the placement of fill, soil loss, water quality and riparian management, the effects of these activities can be sustainably managed.

6.1.5 Restricted Discretionary Activities on Land

6.1.5.1 Humping & Hollowing, Flipping, and V-Blading outside of a wetland identified in Schedule 1 that cannot meet any one of the conditions of permitted activity rule 6.1.1.1, or that occurs within a riparian margin is a *restricted discretionary activity*.

In considering any resource consent under this rule, the council will restrict the exercise of its discretion to the following:

- (a) The effects of erosion, sedimentation of waterways, changes in surface runoff, and measures to avoid, remedy, or mitigate adverse effects on affected persons and infrastructure located downstream;
- (b) Effects on the stability of beds and banks of rivers and streams;
- (c) Adherence to a certified engineering plan;
- (d) Setback distances from wetlands, lakes, rivers, and the coastal marine area;
- (e) Timing of the activity;
- (f) Damage to riparian vegetation, soil, natural habitats and features, and significant sites;
- (g) Effects on surface and sub surface water levels, flows, and quality;
- (h) Erosion and sediment control methods;
- (i) Measures to avoid, remedy, or mitigate adverse effects on stream morphology and substrate composition;
- (j) Cumulative effects;
- (k) Potential damage to any cultural or heritage site/area;
- (l) The relationship of Ngai Tahu and their culture and traditions with their ancestral lands, waters, sites, wahi tapu, and other taonga;
- (m) Monitoring provisions;
- (n) The duration of the resource consent;
- (o) Bonds and financial contributions;
- (p) Review conditions of the resource consent.

Note: Ngai Tahu own all pounamu (greenstone) previously vested in the Crown. Appendix 2 contains the accidental discovery protocols of the pounamu management plan and they should be taken into account when undertaking any earthworks.

Principal Reasons for Adopting

V blading and humping and hollowing are forms of land drainage commonly employed on the West Coast for reshaping the ground surface, and along with flipping, alter the structure of the soil substrate. This may result in change in the hydrology of the catchment. Depending on the soil structure, it may result in an increase in surface runoff due to an increase in the land surface gradient, or a reduction in surface runoff due to significantly increased drainage to groundwater.

During heavy rainfall an increase in surface runoff could significantly increase the flow and velocity of receiving rivers and streams, and can lead to scouring and erosion, ponding of water beyond the subject property boundary, as well as causing damage and destruction of aquatic habitats, including trout fisheries. Such adverse effects are likely to be more significant in the catchments of smaller streams, depending on the scale and type of land drainage carried out.

Elevated levels of surface runoff can also result in adverse effects on downstream landowners and network utility operators. It may be necessary for those who carry out land drainage to address adverse effects. There is also a need to consider whether cumulative effects may arise because of other areas in the same catchment that have been already been drained. Furthermore, a significantly increased drainage to groundwater from the developed pasture may result in an effect on groundwater quality and level.

- 6.1.5.2** The planting of exotic trees for subsequent harvest within 5 metres of any river with a bed width greater than 3 metres or lake is a *restricted discretionary activity*.

In considering any resource consent under this rule, the council will restrict the exercise of its discretion to the following:

- (a) The effects of erosion, sedimentation of waterways, changes in surface runoff, and measures to avoid, remedy, or mitigate adverse effects on affected persons and infrastructure located downstream;
- (b) The management of those trees on the edge of the plantation closest to the water body to reduce the potential for adverse effects through techniques such as pruning and reducing the number of stems per hectare;
- (c) Effects on the stability of beds and banks of rivers and streams;
- (d) Damage to riparian vegetation, soil, natural habitats and features, and significant wetlands;
- (e) Effects on surface and sub surface water levels, flows, and quality;
- (f) Effects on in-stream values including habitat;
- (g) The relationship of Ngai Tahu and their culture and traditions with their ancestral lands, waters, sites, wahi tapu, and other taonga.

An application for resource consent under this rule does not need to be notified and does not need to be served on persons who may be adversely affected by the activity unless either the applicant requests notification or the council

considers that because of special circumstances the application should be publicly notified.

Principal Reasons for Adopting

Exotic plantation forests can cause adverse effects on the in-stream values of water bodies and on the ability of banks and riparian margins to withstand erosion. Furthermore, there are associated adverse effects that can be caused during harvesting which are exacerbated where trees have been planted too close to water bodies. This rule ensures that these matters will be taken into account at the time of processing the application.

- 6.1.5.3** Any earthworks that are not a permitted activity under Rules 6.1.3.2, 6.1.3.3, or 6.1.3.5, or managed by Rules 6.1.4.1, 6.1.6.2, or 6.1.6.3 of this Plan are a discretionary activity.

6.1.6 Discretionary Activities

- 6.1.6.1** Any Vegetation Disturbance or Earthworks activities outside of a wetland identified in Schedule 1 that contravene any one of the conditions of the relevant permitted rules 6.1.2.1, 6.1.2.2, 6.1.2.3, 6.1.3.1 or 6.1.3.4 of this Plan, are a *discretionary activity*.

Principal Reasons for Adopting

Both vegetation disturbance and earthworks have the potential to result in significant adverse effects as the erosion potential of the land or the volumes of material disturbed increases. In order to ensure that these effects are controlled, vegetation disturbance and earthworks that cannot meet the requirements of the permitted or controlled activity rules within this section are discretionary.

This rule also covers activities that may impact on the aquatic environment such as those in close proximity to the margins of lakes or rivers.

6.1.7 Non-Complying Activities

- 6.1.7.1** The excavation of any new drain, or the deepening of any existing drain excavated prior to the notification of this Plan Variation, within any wetland identified in Schedule 1 of this Plan is a *non-complying activity*.

Note: It is not the intent of this rule to capture the maintenance of drains. The maintenance of drains includes removing the build-up of sediment provided that this is only removed to the depth the drain had been previously constructed to.

- 6.1.7.2** Any Vegetation Disturbance within a wetland identified in Schedule 1 of this Plan, or any activity that cannot meet condition (f)(3) of 6.1.1.1 or 6.1.3.2, (j)(3) of 6.1.3.2, (k) of 6.1.2.2, or (e) of 6.1.3.5 is a *non-complying activity*.

To avoid duplication of process, resource consent for indigenous vegetation clearance of Schedule 1 wetlands is not required from the Regional Council where the Territorial Authority has granted resource consent to an application that addresses an issue which is common to the functions of both Councils.

6.1.7.3 Any humping and hollowing, flipping, or v-blading within a wetland identified in Schedule 1 of this Plan is a *non-complying activity*.

6.2 Riverbed and Lakebed Activities

This section covers activities in the beds of lakes and rivers, as controlled by s13 of the RMA. Note that S13(1)(a) controls structures in riverbeds, while S13(1)(b) controls riverbed disturbance, including excavation. The damming or diversion of water may require separate consent, or may be permitted, under the Water Management Plan.

Riverbed Rules Summary table

<i>Activity</i>	<i>Permitted rule</i>	<i>Discretionary rule*</i>
The erection or placement of any fence, pipe, line or cable over the bed of a lake or river	6.2.1.1	6.2.6.1
The placement of any pipe, line, or cable on or under the bed of a lake or river	6.2.1.2	6.2.6.1
The erection or placement, of a culvert, ford or bridge, in, on, under, or over the bed of a river	6.2.1.3	6.2.6.1
The erection or placement of a structure for the damming of water that is fixed in or on the bed of any lake or river	6.2.1.4	6.2.6.1
The erection or placement of any flow or level recording device, outfall or intake structure or navigational aid structure that is fixed in, on or under the bed of any lake or river	6.2.1.5	6.2.6.1
The use, extension, alteration, maintenance, repair, reconstruction, removal or demolition of any structure in, on under, or over any river or lake bed	6.2.2.1	6.2.6.1
The disturbance of the bed or the reclamation or deposition of material on the bed of any lake or river associated with permitted structure activities, or clearing debris or gravel from within & around a riverbed structure	6.2.3.1	6.2.6.1
The disturbance of the bed of any river for the purpose of clearing flood debris, excluding gravel, from any riverbed	6.2.3.2	6.2.6.1
The disturbance or reclamation of, or the deposition of any substance in or on, the bed of any lake or river, for the purpose of the reinstatement of any bank of a lake or river which has been eroded by a flood event	6.2.3.3	6.2.6.1
Gravel extraction from the bed of a river	6.2.3.4	6.2.5.1 (for dry bed), or 6.2.6.1
Riverbed disturbance: <ul style="list-style-type: none"> • Undertaken without motorised assistance, or • Temporary geotechnical testing • Small scale suction dredging • Recovering vegetation felled into a river under a permitted rule 	6.2.3.5	6.2.6.1
The removal of selected rock and stone for non-commercial purposes or personal use	6.2.3.6	6.2.6.1

The introduction or planting of any plant in or on the bed of any lake or river and any associated disturbance of the bed	6.2.4.1	6.2.6.1
The erection of whitebait stands		6.2.5.2

* This rule applies if the conditions of the permitted activity rule cannot be met, or if there is no permitted rule that allows the activity in the riverbed and it contravenes S13 RMA.

Permitted Activities

6.2.1 The Erection or Placement of Structures

6.2.1.1 The erection or placement of any fence, pipe, line or cable over the bed of a lake or river, is a *permitted activity*, provided the following conditions are met:

- (a) No part of the fence, pipe, line or cable is fixed to the bed of the lake or river; and
- (b) No part of any pipe, line or cable is less than two metres above the banks, unless it is attached to a structure; and
- (c) Where it is attached to a structure, no part of any pipe, line or cable extends below the underside of the structure; and
- (d) Any fence over the bed of a lake or river does not impede the flow of flood water or debris, or is installed and maintained so it results in no flooding or erosion of the bed or banks of the lake or river; and
- (e) The fence, pipe, line or cable does not interfere with navigation; and
- (f) The fence, pipe, line or cable is maintained in good repair.

6.2.1.2 The placement of any pipe, line, or cable on or under the bed of a lake or river, is a *permitted activity*, provided the following conditions are met:

- (a) The pipe, line, or cable does not impede the flow of water or debris, or is installed and maintained so it results in no flooding, erosion or sedimentation; and
- (b) The location of the pipe, line, or cable is identified by markers on the banks of the river or lake; and
- (c) The pipe, line, or cable is maintained in good repair.

6.2.1.3 The erection or placement, of a culvert, ford or bridge, in, on, under, or over the bed of a river is a *permitted activity* provided the following conditions are met:

- (a) For a culvert, the riverbed at the point of crossing does not exceed 5 metres in width and the base of the culvert is installed and maintained flush with the bed level; and
- (b) Any culvert is designed to pass the river's fullest flow, and is constructed with sufficient bank armouring to prevent scour or erosion of abutting river banks; and

- (c) Any ford does not raise the bed of a river by more than 300 mm (compared with average bed level of the 50m reach centred on the crossing); and
- (d) The underside of any bridge is at least 600mm above the level of the river's natural bank level; and
- (e) For bridges, there are no piers in the riverbed; and
- (f) Any bridge does not interfere with navigation; and
- (g) Activities do not result in or contribute to:
 - (1) The impedance of fish passage;
 - (2) Erosion or scouring of any riverbed;
 - (3) Reduction of channel capacity to carry flood flows; and
- (h) No refuelling of equipment takes place on any area of a riverbed; and
- (i) The structure is maintained in good repair; and
- (j) The site is left tidy following the erection or placement.

Note: Culverts include cylinders or boxes and may be arched or stacked. If multiple barrels are used then at least one is to be positioned to allow fish passage during low flows.

Note: In erecting or maintaining a structure, the conditions of rule 6.2.3.1 must also be met for any associated bed disturbance.

6.2.1.4 The erection or placement of a structure for the damming of water that is fixed in or on the bed of any lake or river is a ***permitted activity***, provided the following conditions are met:

- (a) The size of the catchment upstream of the dam does not exceed 50 hectares; and
- (b) The depth of water at the dam face does not exceed 3 metres and the total volume of water stored by the dam does not exceed 20,000 cubic metres; and
- (c) The damming does not cause or exacerbate flooding or damage to another person's property, erosion, land instability or sedimentation; and
- (d) The dam is not located in the Ohikanui River or its tributaries, Rahu river, Station Creek, Wooley River, or Blue Grey River or its tributaries; and
- (e) The dam is not located less than 20 metres above mean sea level; and
- (f) If constructed in permanently flowing streams, the dam allows residual flow of 75% or the instantaneous flow whichever is the lesser; and
- (g) The Council is notified in writing of the location and nature of the dam, at least seven working days prior to commencing the erection or placement; and
- (h) A spillway is constructed, designed to pass the maximum probable flood; and
- (i) The structure is maintained in good repair; and
- (j) The site is left tidy following the erection or placement; and
- (k) For sites where fish are present, effective fish passage is provided for.

Advisory Note: Council will check the sites where a dam is to be constructed and undertake fish surveys to ensure that the person undertaking this activity has complied with condition (k).

Council staff may also be available to assist with fish surveys prior to the dam's construction, if requested.

- 6.2.1.5** The erection or placement of any flow or level recording device, outfall or intake structure or navigational aid structure that is fixed in, on or under the bed of any lake or river is a ***permitted activity***, provided the following conditions are met:
- (a) The base of the structure does not exceed 2 square metres in area; and
 - (b) The structure does not cause any flooding or erosion; and
 - (c) The Council is notified in writing of the location and nature of the structure, at least seven working days prior to commencing the erection or placement; and
 - (d) Except in the case of a navigational aid or the sight board of any gauge, any visible part of the structure is of a colour to blend in with the surroundings; and
 - (e) The structure is maintained in good repair; and
 - (f) The site is left tidy following the erection or placement.
- 6.2.2 The Use, Extension, Alteration, Maintenance, Repair, Reconstruction, Removal or Demolition of Structures**
- 6.2.2.1** (i) The use, maintenance, repair, removal or demolition of any structure in, on under, or over any river or lake bed; and
- (ii) The extension, alteration or reconstruction, of any structure in, on under, or over any river or lake bed other than a whitebait stand, is a ***permitted activity*** provided the following conditions are met:
- (a) Any change in the use of a structure does not result in effects that are greater in character, scale or intensity compared to effects occurring under the previous use; and
 - (b) No reconstruction, extension or alteration of any structure in the bed results in a change of more than 10% to the overall dimensions, orientation, or outline of any structure in the bed; and
 - (c) The extension, alteration, maintenance, repair, reconstruction, removal or demolition does not result in:
 - (1) Blocking or damming of any river, or impedance of fish passage;
 - (2) Scouring of any riverbed or bank erosion;
 - (3) Reduction of channel capacity to carry flood flows; and
 - (d) No explosives are used in water; and
 - (e) No refuelling of equipment takes place on any area of a river or lake bed; and
 - (f) The site is left tidy on completion of the work; and
 - (g) Except for demolition or removal, the structure is maintained in good repair.

<p>Note: In erecting or maintaining a structure, the conditions of rule 6.2.3.1 must also be met for any associated bed disturbance.</p>

Principal reasons for adopting

The first five rules in section 6.2.1 allow for erection and placement of new structures while ensuring these have no more than minor effect. Rule 6.2.2.1 provides for the maintenance and repair of structures. It also provides for ongoing use of structures, extension or alteration, demolition and removal of structures and provided the conditions are met the effects will be no more than minor.

6.2.3 Alteration of the Bed (Disturbance, Reclamation or Deposition)

6.2.3.1 The disturbance of the bed or the reclamation or deposition of material on the bed of any lake or river associated with:

- (i) The erection, placement, extension, alteration, replacement, reconstruction, repair, maintenance, demolition or removal of any structure carried out under rules 6.2.1.1 to 6.2.2.1 inclusive; or
- (ii) The clearance of debris or gravel from within, or immediately surrounding, any structure in order to safeguard the function or structural integrity of the structure

is a *permitted activity*, provided the following conditions are met:

- (a) The bed disturbance is limited to the extent necessary to undertake the work; and
- (b) The bed disturbance does not damage any riverbank or cause any flooding or erosion; and
- (c) All reasonable steps are taken to minimise the release of sediment to the lake or river during the disturbance; and
- (d) In the case of any reclamation or deposition, only cleanfill is used and no pest plant is introduced; and
- (e) No refuelling of equipment takes place on any area of a river or lake bed; and
- (f) The site is left tidy following completion of the activity.

6.2.3.2 The disturbance of the bed of any river for the purpose of clearing debris, excluding gravel, is a *permitted activity*, provided the following conditions are met:

- (a) The bed disturbance is limited to the extent necessary to clear the debris; and
- (b) The bed disturbance does not damage any riverbank or cause any flooding or erosion; and
- (c) The debris removal is carried out within twelve months of the flood event that deposited the debris; and
- (d) All reasonable steps are taken to minimise the release of sediment to the lake or river during the activity; and
- (e) No refuelling of equipment takes place on any area of a river or lake bed; and
- (f) The site is left tidy following completion of the activity.

Note: Ngai Tahu own all pounamu (greenstone) previously vested in the Crown. Appendix 2 contains the accidental discovery protocols of the pounamu management plan.

6.2.3.3 The disturbance or reclamation of, or the deposition of any substance in or on, the bed of any lake or river, for the purpose of the reinstatement of any bank of a lake or river which has been eroded by a flood event is a *permitted activity* provided the following conditions are met:

- (a) The work does not extend the bank dimensions beyond what existed prior to the flood event; and
- (b) The activity is carried out within twelve months of the flood event that caused the erosion and the work is commenced and completed within a 5 day period; and
- (c) The work does not cause bank erosion elsewhere in the river; and
- (d) All reasonable steps are taken to minimise the release of sediment to the lake or river during the activity; and
- (e) In the case of reclamation or deposition, only cleanfill is used and no pest plant is introduced; and
- (f) No refuelling of equipment takes place on any area of a river or lake bed; and
- (g) The site is left tidy following completion of the activity.

6.2.3.4 Gravel extraction from the bed of a river is a permitted activity provided the following conditions are met:

Either:

- (1) The gravel is extracted from the bed for use in reasonable domestic or agricultural purposes on a landholding adjacent to the extraction site, and the quantity does not exceed 1000 cubic metres in any 12 month period from rivers listed under Schedule A or 500 cubic metres in any 12 month period from rivers listed in Schedule B; or
- (2) The gravel is extracted from one of the sites listed in Appendix 7 and the quantity extracted from each site does not exceed 300 cubic metres per person in any 12 month period; or
- (3) If 6.2.3.4 (1) or (2) do not apply, the quantity extracted per person from any river does not exceed 10 cubic metres per month.

And:

- (a) Persons wishing to remove gravel must notify the Regional Council in writing of the location, size and timing of the take prior to the take occurring; and
- (b) No refuelling of equipment, or fuel storage, is to occur on any area of a riverbed; and
- (c) Extraction takes place:
 - Only on the dry bed of the river and;
 - At least 5 metres from any river bank; and
 - No deeper than the level of water in the river and;

- (d) Activities do not result in diversion of floodwater, or erosion of any banks, or damage to or scouring of structures and no pest plant is introduced; and
- (e) The area from which the material is taken is smoothed over and the site is left tidy on completion of the work; and
- (f) The activity is not undertaken within 50 metres upstream or downstream of any structure including whitebait stands, culverts, bridges and structures used for flood and river protection; and
- (g) No more than 1 m³ per person per year may be taken within 50 metres of the Coastal Marine Area.
- (h) Vehicle and machinery movement in the wet bed of the river shall be avoided where possible and minimised where not able to be avoided; and
- (i) Vehicles and equipment must be appropriately cleaned before moving between waterways.

SCHEDULE A (1000m³)	SCHEDULE B (500 m³)
Arawhata River	Waiatoto River
Turnbull River	Havelock Creek
Okuru River	Ohinetamatea River (Saltwater)
Haast River	Clearwater River
Waita River above SH 6 Bridge	Docherty Creek (Franz Joseph)
Boulder Creek, near Moeraki	Little Man River (above SH6)
Paringa River	Mikonui River
Bullock Creek, near Karangarua	Donnelly Creek (Ross)
Karangarua River	Kawhaka Creek
Cook River below SH 6	New River
Fox River, South Westland, below SH 6	Slaty Creek, Rotomanu (above Station Road)
Waiho River between SH 6 Bridge and the line from the oxidation ponds to the end of refuse tip road	Blackball Creek
Waitangitaona River (reach draining into L Wahapo)	Craigieburn Creek
Whataroa River	Canoe Creek (Barrytown)
Poerua River (South Westland)	Inangahua River, below Reefton rail bridge
Harold Creek (Hari Hari)	Devil's Creek (Reefton)
Wanganui River	Mokihinui River, below bridge
Waitaha River	Little Wanganui River
Kakapotahi River	Tidal Creek, Karamea
Totara River (Ross)	Oparara River, below limeworks
Hokitika River above 1km upstream of SH 6 bridge	
Kokatahi River	
Vine Creek (Kowhitirangi)	
Taramakau River (see note) above 1 km upstream of SH 6 Bridge	

Crooked River downstream of NZMS map reference K32 934 415	
Haupiri River	
Nelson Creek	
Ahaura River, below Nancy River confluence	
Grey River, between the Arnold River confluence and the Waipuna Creek confluence	
Big River (Atarau)	
Rough River	
Mawheraiti River, below Cassoli Creek	
Buller River, below Te Kuha	
Granite Creek, Kongahu	
Karamea River	

Notes: Ngai Tahu own all pounamu (greenstone) previously vested in the Crown. Appendix 2 contains the accidental discovery protocols of the pounamu management plan.

Under Conditions 2 and 3 the meaning of “person” includes The Crown, a corporation sole, and also a body of persons, whether corporate or unincorporate. This means that a corporation comprised of a group of people or a number of employees is one person. The same applies to an unincorporated group or a family. Individuals who operate together with others, as an incorporated or unincorporated body cannot collectively extract more gravel than what is permitted under this rule.

Condition (i) is intended to require vehicles to be cleaned so that they do not spread pest organisms. In particular, to avoid the spread Didymo, no equipment should be used that has been used previously to undertake activities in any water body known to contain Didymo, unless that equipment has been thoroughly cleaned in accordance with the Biosecurity New Zealand document titled “Cleaning Methods for Freshwater Activities” dated 13 October 2005.

This rule applies only to the activity of removal of gravel. Persons exercising it should be aware that permission may need to be obtained, at their own expense, from the:

- (a) Legal owner or administering body of the bed of the river and of the resource; concession is required from the Department of Conservation if gravel extraction occurs on any riverbed that it administers;
- (b) The owner of land via which access to the riverbed is obtained;
- (c) Holder of any mining licence for gravel extraction who has prior rights to the resource.

Persons wishing to extract gravel from riverbeds between 1 August and 1 February should be aware that a number of threatened bird species are nesting during this time. Where possible, gravel extraction should occur outside this

time to avoid disturbing these nesting birds. If this is not possible, then operators should avoid working within 100 metres of nest sites.

If the effects, including cumulative, of permitted and / or consented gravel extraction activities at any of the sites result in adverse effects on the environment, the Council will review the application of Rule 6.2.3.4, and if necessary, undertake a plan change to address any issues.

6.2.3.5 The disturbance of a riverbed for the following purposes

- (i) Any activity undertaken without motorised assistance, or
- (ii) Temporary geotechnical testing which returns the riverbed to its previous state once testing is completed, or
- (iii) Suction dredging using a motor less than or equal to 7 kilowatts in power, or
- (iv) Recovering vegetation felled into a river under a permitted rule in section 6.1.2

is a ***permitted activity*** provided the following conditions are met:

- (a) The activity does not cause or contribute to the following:
 - (1) Diversion of the natural course of a river;
 - (2) Blocking or damming of any river, or the impedance of fish passage;
 - (3) Erosion or scouring of any riverbed or bank erosion; and
- (b) No refuelling takes place on any area of the riverbed; and
- (c) Disturbance does not conspicuously change the visual clarity of water beyond 12 times the river's width or 200 metres, whichever is the lesser; and
- (d) Suction dredging is not undertaken within 20 metres of any structure, or in the Ohikanui River or its tributaries, Blackwater River, Ohikaiti River, Te Wharau Ck (Stony R), Buller River above TeKuha, Maruia River, Alfred River, Rahu river, Station Creek, Wooley River, Blue Grey River or its tributaries or Ahaura River above Hamers Flat.

6.2.3.6 The removal of selected rock and stone for non-commercial purposes or personal use is a ***permitted activity*** provided that:

- (a) The quantity extracted per person is no greater than 1m³ per annum; and
- (b) The activity does not cause or contribute to the following:
 - (1) Diversion of the natural course of a river;
 - (2) Blocking or damming of any river, or the impedance of fish passage;
 - (3) Scouring of any riverbed or bank erosion; and
- (c) The activity does not take place within 20 metres of a structure in the bed.

Note: *Ngai Tahu own all pounamu (greenstone) previously vested in the Crown. Appendix 2 contains the accidental discovery protocols of the pounamu management plan.*

6.2.4 Introduction or Planting of Plants in the Bed

6.2.4.1 The introduction or planting of any plant in or on the bed of any lake or river and any associated disturbance of the bed, is a *permitted activity* provided the following conditions are met

- (a) Any bed disturbance is limited to the extent necessary to undertake the work; and
- (b) The planting does not reduce the flood carrying capacity of any river or cause any bank erosion; and
- (c) No pest plants are introduced or planted; and
- (d) The site is left tidy following completion of the activity.

Principal Reasons for Adopting

The first two rules in section 6.2.3 allow for minor bed disturbance associated with existing or permitted structures, and for removing flood debris to prevent flooding. The third rule allows small scale bank repair. Rule 6.2.3.4 provides for minor gravel extraction operations from the dry bed of most rivers, and larger takes from specified rivers. Rule 6.2.3.5 covers hand mining, other non-motorised bed disturbance, small scale suction dredging and other minor activities. Rule 6.2.3.6 allows removal of decorative stone for non-commercial purposes. Rule 6.2.4.1 covers planting in the bed, which includes restoration planting. Provided they meet the conditions of these rules, these small-scale disturbance activities will have an effect on the riverbed environment that is no more than minor. They are permitted in order to avoid unnecessary costs and to enable efficient use of natural and physical resources.

6.2.5 Restricted Discretionary Activities

6.2.5.1 The extraction of gravel from the dry part of a riverbed is a *restricted discretionary activity* unless permitted under Rule 6.2.3.1 or 6.2.3.4.

In considering any resource consent under this rule the council will restrict the exercise of its discretion to the following:

- (a) The amount to be taken, the removal method and the location and timing of the take;
- (b) The resource available at the proposed extraction site;
- (c) The resource already allocated from that river;
- (d) Any adverse or beneficial environmental effects;
- (e) Any potential effects on existing river users or existing structures;
- (f) Any potential effects on statutory acknowledgement areas or pounamu resources;
- (g) The duration of the resource consent;
- (h) The information and monitoring requirements;
- (i) Any bond; and
- (j) The review of conditions of the resource consent.

An application for resource consent under this rule does not need to be notified and does not need to be served on persons who may be adversely affected by the

activity unless either the applicant requests public notification or the Council considers that because of special circumstances the application should be publicly notified.

6.2.5.2 The erection of whitebait stands is a *restricted discretionary activity*.

In considering any resource consent under this rule the council will restrict the exercise of its discretion to the following:

- (a) The location of the stand and the timing of its construction and dismantling;
- (b) Any potential for the stand to cause or contribute to bed or bank erosion from construction or operation during the season;
- (c) The dimensions and appearance of the structure;
- (d) Provision for public use and access;
- (e) Any effects on the flood carrying capacity of the river;
- (f) The information and monitoring requirements;
- (g) The duration of the resource consent;
- (h) Any administrative charges, bond or financial contribution; and
- (i) The review of conditions of the resource consent.

An application for resource consent under this rule does not need to be notified and does not need to be served on persons who may be adversely affected by the activity unless either the applicant requests public notification or the Council considers that because of special circumstances the application should be publicly notified.

Principal reasons for adopting

There are over 600 registered whitebait stands on the West Coast. These are generally temporary structures, which may be erected immediately prior to the commencement of the season and must be dismantled immediately after the season. Provided simple precautions are followed there is little likelihood of adverse effects

This rule applies to fixed or mobile stands and any nets raised or lowered by the use of fulcrums, pulleys, or other mechanical means of leverage.

The whitebait fishery is a significant resource in rivers. Whitebait stands require controls to avoid, remedy, or mitigate any adverse effects on stability of riverbeds and riverbanks arising from their construction and use.

6.2.6 *Discretionary Activities*

6.2.6.1 Any:

- (i) Use, erection, placement, repair, maintenance, extension, alteration, replacement, reconstruction, demolition or removal of any structure in the bed of any lake or river; or
- (ii) Any excavation or bed disturbance, reclamation or deposition; or
- (iii) Any introduction or planting of any plant; in, on, over, or under the bed of any lake or river that contravenes any one of the conditions of the relevant permitted activity rule in sections 6.2.1, 6.2.2, 6.2.3, or 6.2.4 of this Plan, and is not provided for by rule 6.2.5.1 or 6.2.5.2, is a *discretionary activity*.

Principal reasons for adopting

Unless a rule in a regional plan provides to the contrary, certain uses of riverbeds require resource consent. This rule applies to all activities covered by section 13(1) that do not come within the scope of the preceding rules of this Plan.

By classifying the uses under section 13(1) as discretionary, the Regional Council retains the ability to grant or decline resource consent in accordance with the policies and objectives in this Plan.

Chapter 7

FINANCIAL CONTRIBUTIONS AND BONDS

7.1 Introduction

This chapter describes the circumstances, purposes, manner, and matters the Regional Council will have regard to when deciding to impose financial contributions and bonds.

7.2 Financial Contributions

The term “financial contribution” is defined in section 108(9) of the RMA to mean “...a contribution of:

- (a) Money; or
- (b) Land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent), but excluding Maori land within the meaning of the Maori Land Act 1993 unless that Act provides otherwise; or
- (c) A combination of money and land”.

Further matters relating to financial contributions are contained in section 108(10) of the RMA. That section states that “a consent authority must not include a condition in a resource consent requiring a financial contribution unless-

- (a) The condition is imposed in accordance with the purpose specified in the Plan (including the purpose of ensuring positive effects on the environment to offset any adverse effect); and
- (b) The level of contribution is determined in the manner described in the Plan.”

Financial contributions may be required for various purposes, including for the purposes of ensuring positive effects on the environment to offset adverse effects, and to mitigate adverse effects on the environment of use and development (environmental compensation) where adverse effects cannot be avoided, remedied or mitigated by other means. Financial contributions will not be applied in addition to a bond unless it is to address a separate issue.

All monies collected under this regime by the Regional Council will be used in such a manner as to avoid, remedy, mitigate, or offset the adverse effects on the environment of the activity that the financial contribution is levied on. When deciding how those contributions should be levied or allocated, consideration will be given to matters contained in public submissions on a resource consent application.

Clause 5 of Part I of the Second Schedule of the RMA further requires the Regional Council to specify in this Plan the circumstances when a financial contribution may be imposed, the maximum amount of the contribution that may be imposed, or the formula by which the contribution may be calculated and the general purposes for which the contribution may be used.

The provisions which follow reflect the requirements of the RMA and set out:

1. The circumstances when such contributions may be imposed.
2. The purposes for which such contributions may be required and used.
3. The manner in which the amount of the contribution will be determined.
4. Matters which the Regional Council will have regard to when deciding to impose a financial contribution, the type or types of contribution, and the amount of any contribution.

7.2.1 Circumstances, Purpose, and Amount

Financial contributions may be imposed on any resource consent in the circumstances and for the purposes set out below. Contributions may be in the form of money, land, or a combination of the two. Contributions of money to the Regional Council must be used for the general purpose for which the contributions were taken.

The following provisions set out the circumstances and purposes for which financial contributions may be imposed and used, and the manner in which the amount of the contribution will be determined is also set out.

(a) To enable legal public access to and along any lake or river or their margin.

Circumstances: Where legal public access to or along any lake or river or their margin will be restricted by the activity for which a resource consent is granted, and the effects cannot be avoided.

Purposes: To offset such effects by providing money, land, or a combination of both for alternative legal public access.

Method of determining contribution amount: The amount of the contribution will be determined having regard to the criteria set out in 7.2.2, but will reflect the actual cost of providing legal public access sufficient to offset adverse effects on such access.

(b) To maintain or enhance the stability of land, riverbanks, and riverbeds.

Circumstances: Where the activity, for which a resource consent is granted, adversely affects soil quality or quantity or the integrity of riverbanks and riverbeds, and the effects cannot be avoided.

Purposes: To offset such effects by providing money, land, or a combination of both to replace or reinstate soil or riverbank or riverbed resources at the same location, or provide an alternative location in the same general locality.

Method of determining contribution amount: The amount of the contribution will be determined having regard to the criteria set out in 7.2.2, but will reflect the actual cost of replacing soil, riverbank or riverbed resources of a reasonably equivalent standard or extent to those which are adversely affected by the granting of the resource consent.

(c) To maintain or enhance riparian vegetation or riparian habitat.

Circumstances: Where the activity for which a resource consent is granted will, or is likely to, result in destruction or damage to riparian vegetation or habitats, and the effects cannot be avoided.

Purposes: To offset the loss of vegetation by providing money, land, or a combination of both to plant, transplant or maintain, new or existing vegetation elsewhere in the same general locality.

Method of determining contribution amount: The amount of the contribution will be determined having regard to the criteria set out in 7.2.2, but will reflect the actual costs of the works and of providing land to provide for planting, transplanting or maintaining new or existing vegetation.

(d) To enable landscaping or planting.

Circumstances: Where the activity for which a resource consent is granted is likely to cause or contribute to adverse effects on the natural character of the lake or river and their margins, or the amenity values supported by it, and the effects cannot be avoided.

Purposes: To offset the adverse effects of land clearance, land disturbance and structures in a lake or river or its marginal area by providing money, land, or a combination of both for the purposes of landscaping or planting elsewhere in the same general locality.

Method of determining contribution amount: The amount of the contribution will be determined having regard to the criteria set out in 7.2.2, but will reflect the actual costs of carrying out such works and of providing land sufficient to offset the adverse effects of the activity.

(e) To provide for quantity and/or quality of wetland habitat.

Circumstances: Where the activity for which a resource consent is granted will, or is likely to, cause or contribute to adverse effects on the natural character of the wetland or the habitat values supported by it, and the effects cannot be avoided.

Purposes: To offset such effects by providing money, land, or a combination of both to reinstate, purchase, or enhance wetland habitat and natural character of a similar type at the same location or an alternative in the same general locality.

Method of determining contribution amount: The actual amount of the contribution will be determined having regard to the criteria set out in 7.2.2, but will reflect the actual costs of carrying out such works and of providing land and habitat sufficient to offset such effects.

7.2.2 Matters to be Considered

In deciding whether or not to impose financial contributions, the types of contribution, and their value, the Regional Council will have particular regard to the following matters:

1. The purpose of the financial contribution is to avoid, remedy, mitigate, offset, or compensate the community or the environment for adverse effects caused or contributed to by the activity and not otherwise avoided, remedied, or mitigated by the resource consent holder.

2. Whether adverse effects are likely to occur not withstanding any avoidance, remediation, or mitigation undertaken.
3. The adverse effects for which a contribution is imposed cannot be avoided, remedied, or mitigated directly by project design or adoption of the best practicable option for preventing or minimising the effects.
4. Granting a resource consent and requiring a financial contribution would be more effective in achieving the purpose of the RMA (including recognition of the economic and social benefits of the activity) and the objectives and policies of this plan than declining consent or granting a consent without a condition requiring a financial contribution.
5. In deciding the actual value of the financial contribution required, the Regional Council will have particular regard to:
 6. The significance of the adverse effects attributable to the activity;
 7. Where such adverse effects are contributed to by other activities, the extent to which those adverse effects can be reasonably attributed to the activity for which consent is granted; and
 8. The extent to which any positive effects offset any adverse effects.
 9. Financial contributions shall relate to the effects of the activity for which consent is granted and be in reasonable proportion to the significance of any adverse effects caused or contributed to by the activity.
 10. Financial contributions may not be appropriate in every case, even where there are adverse effects.
 11. The actual amount of particular contributions will vary depending on the circumstances and the application of the guidelines and criteria outlined above.
 12. The Regional Council does not intend that adverse environmental effects must be fully mitigated or fully compensated in every case by way of financial contributions.
 13. Any financial contribution required shall be reasonable, consistent with the purpose of the RMA, and reasonably relate to the effects of the activity for which the resource consent has been granted.

7.3 Bonds

Bonds may be imposed on a resource consent, to ensure that one or more of its conditions are complied with. These could apply where the Regional Council considers that an adverse effect may continue, or arise, during the period of, or at any time after the expiry of, a resource consent. In such cases it may require a bond. Such a bond will endure for an appropriate time, as considered necessary, to ensure that any adverse effect is avoided, remedied, or mitigated.

In deciding whether or not to impose bonds, matters that the Regional Council will consider include the extent to which:

- Adverse effects can and should be avoided, remedied, or mitigated;
- Other forms of compensation that have been, or are being, provided;
- The activity can offset adverse environmental effects;
- It is required to achieve the objectives and policies of this Plan;
- People and communities, most directly affected by the activity, are likely to benefit from any positive effects that may arise;
- It is reasonable and consistent with the purposes of the RMA;

In determining the amount of a bond, matters that the Regional Council will consider include what the actual cost would be to the Regional Council to meet resource consent conditions itself, in order to avoid, remedy, or mitigate adverse effects in the event that a consent holder becomes unable to do so itself, or defaults from their resource consent conditions.

It should be noted that bonds will not be appropriate, or imposed, in every case, even if there are adverse effects.

Chapter 8

INFORMATION REQUIREMENTS AND THE RESOURCE CONSENT PROCESS

8.1 Introduction

This chapter applies to proposed activities that require resource consent.

Applications for resource consent must be made in accordance with section 88 of the RMA. The RMA further requires that where an assessment of the effects of the proposed activity is required, that the assessment be prepared in accordance with the Fourth Schedule.

Prospective applicants should discuss their application with Regional Council staff before submitting an application.

8.2 Information to be Submitted with a Resource Consent Application

In addition to the requirements of the RMA, and specific information requirements required by the specific rules in the Plan, the applicant shall, when applying for consent, provide:

1. A description of the activity for which consent is sought, and its location.
2. A description of the physical nature of the site and surrounding area (including, where appropriate, landforms, geology, soils, stability of land slopes and riverbeds, climate etc).
3. Where practicable or necessary, demonstrate that consultation has occurred with persons likely to be affected by the proposed activity. This should include the results of any consultation, the comments of those consulted with, and the applicant's response to those comments.
4. An assessment of any actual or potential effects that the activity may have on the environment, and the ways in which any adverse effects may be avoided, remedied, or mitigated. This assessment shall be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment, and shall be prepared in accordance with the Fourth Schedule of the RMA, in particular, the assessment of environmental effects shall include coverage of:
 - a) Any adverse effects on:
 - (i) The environment
 - (ii) The stability of land slopes riverbeds and river banks
 - (iii) Potential effects on access to nearby or underlying mineral resources;
 - (iv) Landscape and amenity values;
 - (v) Resources or values of significance to the tangata whenua;
 - (vi) Soil, plants, animals, and ecosystems;
 - (vii) The coastal environment.

- b) Any cumulative effects which may arise over time or in combination with other effects;
- c) Any effects of low probability but high potential impact;
- d) The proposed monitoring provisions; and
- e) Any additional information that may be required in relation to applications for specific types of activities.

Notes:

1. If the application is for resource consent for a controlled activity, then the assessment of environmental effects need only address those matters over which the Regional Council has retained control (specified in the relevant rule).
2. Provisions in other regional plans may apply in addition to those in this Plan. This will be the case if the activity includes discharges of contaminants to land or into the air. The Regional Coastal Plan should also be referred to if activities involving land and riverbeds occur close to the coast. Council staff will be able to provide information on this.

8.3 Circumstances in which the Regional Council may Require Further Information

The Regional Council may require further information and explanations, may require an applicant to consider alternatives, and may commission reports before the hearing of an application for resource consent. Such information may only be sought if it is necessary to enable the Regional Council to better understand the nature of the activity proposed, the effect it will have on the environment, or the way adverse effects may be mitigated. Pending receipt of further information, the Council may postpone the notification, or if there is no hearing the determination, of an application. The information is to be made available for public inspection, and any reports commissioned are to be supplied to the applicant at least 15 working days before the hearing.

8.4 General Matters for Assessing Earthworks or Vegetation Disturbance Applications

The matters which the Council will take account in considering an application for resource consent for earthworks or vegetation disturbance include, but are not limited to:

1. Duration, timing, and area of bare ground;
2. Measures to address the effects of erosion, sedimentation, or increased surface runoff;
3. Measures to address adverse effects on affected persons;
4. Location, timing of disturbance, design, density of earthworks, including roads, tracks, or landings;
5. Adherence to a certified engineering plan;
6. Work programmes or management plans
7. Measures to avoid or mitigate loss of, or damage to, soil;
8. Measures to avoid land subsidence, slumping, and erosion;
9. Measures to address effects on the stability of beds and banks of rivers and streams;
10. Setback distances from wetlands, lakes, rivers, and the coastal marine area;
11. Measures to avoid, remedy, or mitigate adverse effects on stream morphology;
12. Disposal and stabilisation of waste material, or fill (including backfill);

13. Effects on surface and subsurface water levels and flows
14. Requirements for water tables, cutoffs and culverts;
15. Effects on aquatic habitats, riparian vegetation and habitats;
16. The relationship of Ngai Tahu and their culture and traditions with their ancestral lands, waters, sites, wahi tapu, and other taonga;

8.5 General Matters for Assessing Structures or Bed disturbance applications

The matters which the Council will take account in considering an application for resource consent for structures or bed disturbance include, but are not limited to:

1. Location and sensitivity of location to human or habitat values;
2. Extent of bed area disturbed;
3. Linear dimensions, shape, orientation, and gradient of any structure;
4. Effects on water flow;
5. Effects on flood carrying capacity, bed pattern, channel cross section, and profile;
6. Timing of the activity;
7. Measures to address effects of erosion or sedimentation;
8. Measures to address adverse effects on affected persons;
9. Effects on wildlife habitats including fish spawning areas;
10. Effects on fish passage;
11. Effects on bank and channel stability;
12. Effects of machinery in riverbeds;
13. Effects on public access
14. Disposal of waste material;
15. The relationship of Ngai Tahu and their culture and traditions with their ancestral lands, waters, sites, wahi tapu, and other taonga;
16. Addressing assisting the spread of pest plants.

Chapter 9

CROSS BOUNDARY ISSUES

Integrated management of air, land, and water resources is one of the aims of the Resource Management Act. To achieve this, requires recognition that in addressing fresh water and land-based issues, consideration of the inter-relationships between land, water, the coastal environment, and air may be required.

To effectively address these 'cross-boundary' issues, there needs to be a close linkage between the policy statements and plans produced under the Resource Management Act. Therefore, it is considered vital that a good working relationship is established and maintained between the West Coast Regional Council and other local government agencies in and around the region.

The West Coast Regional Council works in conjunction with three territorial authorities:

- o Buller District Council;
- o Grey District Council; and
- o Westland District Council.

In addition the West Coast Regional Council is bounded by:

- o Southland Regional Council;
- o Canterbury Regional Council;
- o Otago Regional Council; and
- o Tasman District Council (a unitary authority).

Under Section 67 of the RMA, this Plan must state how the Regional Council intends to deal with issues which cross local authority boundaries, and issues between territorial authorities and between regions. The following is a discussion of the processes the Regional Council will adopt to deal with these issues.

9.1 Processes for Dealing with Issues that Cross Regional Boundaries

The Regional Council will:

- o Exchange information on issues which cross regional boundaries
- o Work with representatives of other regional councils on forums to address issues which cross regional boundaries
- o Conduct joint hearings where applicable
- o Work with other regional councils and prepare submissions on regional plans on cross-boundary issues

9.2 Processes for Dealing with Issues that Cross Territorial Authority Boundaries

The Regional Council will:

- o Exchange natural hazard e.g. flood and erosion information with territorial authorities
- o Work with territorial authorities to develop appropriate provisions for managing the use of land in order to avoid, remedy, or mitigate any effects on the beds of rivers, lakes, and wetlands.
- o Conduct joint hearings where applicable
- o Consider using the transfer of power provisions in section 33 of the RMA in situations where both authorities agree that the authority to which the power is being transferred represents the appropriate community of interest, that the transfer would result in more efficiency, and that it is desirable due to technical or special capability or expertise
- o Exchange and share information on issues which cross district boundaries
- o Promote and facilitate pre-hearing meetings between parties in order to clarify, mediate, or facilitate the resolution of any cross district issues relating to applications for resource consents
- o Work with territorial authorities and prepare submissions on district plans on issues which cross territorial authority boundaries

Chapter 10

MONITORING AND REVIEW

10.1 Monitoring

Under Section 35 of the RMA the Regional Council is required to monitor:

- o The state of the environment to enable the Regional Council to effectively carry out its functions under the RMA;
- o The suitability and effectiveness of this Plan;
- o The exercise of any functions or powers transferred by the Regional Council;
- o Compliance with resource consents;

and to take appropriate action where this is shown to be necessary.

In addition the RMA requires the Council to include in any Regional Plan, the procedures that will be used to monitor the effectiveness of the Plan in achieving the stated objectives and environmental results.

The following will be monitored to measure the effectiveness of this Plan:

Plan Effectiveness Monitoring	<ul style="list-style-type: none"> • Level of policy and method implementation. • Effectiveness of the policies and methods contained within the Plan.
State Of The Environment Monitoring: Pressure	<ul style="list-style-type: none"> • The incidence of unauthorised activities pertaining to land disturbance or works in the beds of rivers.
State Of The Environment Monitoring: State	<ul style="list-style-type: none"> • Soil quality at selected sites, if required. • Changes in land and riverbank areas susceptible to erosion. • Change in riparian protected areas in farmland • Change in extent of various classes of wetlands and the condition of selected wetlands.
State Of The Environment Monitoring: Response	<ul style="list-style-type: none"> • The number of approved resource consents for land disturbance, earthworks, and works in the beds of rivers • The number of occasions when enforcement procedures are used in relation to these consents/activities.
Exercise Of Resource Consent Monitoring	<ul style="list-style-type: none"> • Effect of whitebait stands on riverbank and bed stability. • Relationship between the removal of material from riverbeds and the integrity of authorised structures. • Effect of land disturbance on slope stability, or sediment or water runoff rates. • Effect of humping and hollowing on changing hydrological regimes and aquatic habitat. • Effect of dams or diversions on riverbeds, aquatic life or bank stability. • Effect of other activities in riverbeds on bed and channel stability.

10.2 Review

The Regional Council will review this plan no later than 10 years after it becomes operative as provided by Section 79 of the RMA. Having completed the review, the Regional Council will change or replace the Plan in accordance with the requirements set out in the First Schedule of the RMA.

As changes occur to the environment, to law or to relevancy, it may prove necessary to make amendments to this Plan in order to respond to new issues and conditions. This can be done either in part by introducing a change to the document, or in full by way of a total review. Any person may apply for a change to a regional plan, or the Council itself may initiate a change to this Plan. Situations which may give rise to the Council initiating a change to this Plan include:

- o Changes to the law
- o The results of monitoring the environment;
- o The results of monitoring the effectiveness of this plan;
- o Greater knowledge of natural processes and the effects of activities on these.

The Regional Council has prepared other Regional Plans, namely the Regional Coastal Plan, the Regional Plan for Discharges to Land, the Regional Air Quality Plan, and the Proposed Water Management Plan. It is possible that matters yet to arise from these plans, and other regional plans that may be prepared, will result in the need to amend some of the provisions of this Plan. Where assessment indicates that alterations are required to the document this will be achieved by introducing a formal change, and adopting the consultative procedures set out in the First Schedule of the RMA.

GLOSSARY

Affected Person	Someone who the Regional Council believes may be adversely affected by the granting of a resource consent application and whose written approval is sought prior to granting a non-notified consent application. See definition of “person”.
Aggradation	The building up the level of riverbeds due to deposition of gravel or sediment
Bed	<p>Defined in the RMA as, <i>in relation to any river-</i></p> <p>(i) <i>For the purpose of esplanade reserves, esplanade strips, and subdivision, the space of land which waters of the river cover at its annual fullest flow without overtopping its banks:</i></p> <p>(ii) <i>In all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its bank.</i></p> <p><i>In relation to any lake, except a lake controlled by artificial means,—</i></p> <p>(i) <i>For the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin:</i></p> <p>(ii) <i>In all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin</i></p> <p><i>In relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level.</i></p>
Bedload	Consists of gravel and finer particle sizes on the bed of a river.
Best Management Practice	One of a range of possible methods of meeting a stated environmental goal.
Code of Practice	A document assembled by an industry or association outlining what kinds of environmental practice are expected of people who carry out the particular resource use it relates to. While these may be voluntary, some resource user associations who have developed codes of practice expect members to comply with them.
Dissolved Load	The load carried by a river which is chemically dissolved, for example calcium carbonate, resulting from a river flowing through limestone

- Drain** A drain is a channel constructed for the purpose of either:
- Collecting surface runoff (excluding water that is in a river or creek), or
 - Intercepting groundwater in order to lower the water table,
- and directing it to a receiving water body.
The channel must not incorporate the bed of an existing river or creek, or the water from the wet bed of an existing river or creek.
- Earthworks** The disturbance of soil or earth by any means including excavation (including subsurface), tunneling, drilling, infilling, land rehabilitation or restoration, stockpiling, dumping of soil or sand, and the construction/reconstruction of any track, embankment, or drainage channel.
- Earthworks does not include:
- Disturbing the topsoil for domestic gardening
 - Vegetation disturbance that does not affect the topsoil or the root plate of trees.
 - V-blading, flipping, humping and hollowing.
- Effect** *includes—*
- (a) *Any positive or adverse effect; and*
 (b) *Any temporary or permanent effect; and*
 (c) *Any past, present, or future effect; and*
 (d) *Any cumulative effect which arises over time or in combination with other effects— regardless of the scale, intensity, duration, or frequency of the effect, and also includes—*
 (e) *Any potential effect of high probability; and*
 (f) *Any potential effect of low probability which has a high potential impact.*
- Environmental Management System** A method for achieving continual improvement in environmental performance, measured by internationally defined criteria.
- Ephemeral Water Body** A water body that dries up periodically, typically holding water for only a few days to months, or stormwater flowpaths which only carry water during storm events or for short periods thereafter.
- Flipping** Is the turning over of the soil horizons, usually to a depth of 1-2 metres in order to improve the drainage characteristics of land without altering its natural contour.
- Fullest flow** The maximum amount of flow or highest water level that can occur without the river water overtopping the banks and beginning to flow over the flood plain.

Gravel	A mix of Stones (up to 250mm in diameter), pebbles and finer material such as silt and sand.
Highest level	The highest water level that can occur without the lake water exceeding its margin.
Humping and Hollowing	An activity that results in excavation of parallel undulating mounds and hollows in order to improve land drainage for grazing farm stock.
Kaitiakitanga	<i>Means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship.</i>
Land	<p>Section 2 of the RMA defines land as including “<i>land covered by water and the air space above land.</i>”</p> <p>“Land” for the purposes of Section 6.1 of this plan, means land covered by s9(3) of the RMA, and does not apply to the bed of any lake or river.</p> <p>“Land” for the purposes of Section 6.2 of this plan, has the same meaning as s2 of the RMA.</p>
Landholding	<p>For land subject to the Land Transfer Act 1952, land in</p> <ul style="list-style-type: none"> (i) A single certificate of title; or (ii) Two or more adjoining certificates of title, with a common occupier. <p>For land not subject to the Land Transfer Act 1952, all contiguous land last acquired under one instrument of conveyance and occupied by a common occupier.</p>
Line	does not include any pole or other support structure (this definition only applies to section 6.2 of the Plan.
Mahinga kai	Places associated with traditional food gathering.

Maintenance	To keep in existing or working order, to prevent loss or deterioration, to restore an authorised structure to working order, while not exceeding the general scale and effects, form, orientation, or outline of the structure.
Minor upgrading	<p>Works resulting in an increase in the carrying capacity, efficiency or security of electricity transmission lines utilising existing support structures or structures with effects of a similar scale and character, and includes:</p> <ul style="list-style-type: none"> (i) the addition of circuits and conductors; (ii) the reconductoring of the line with higher capacity conductors; (iii) the resagging of conductors; (iv) the addition of longer and/or more efficient insulators; (v) the addition of earthwires, which may contain telecommunication lines, earthpeaks, and lightning rods; (vi) the strengthening or replacement of support structures with structures of the same or similar scale and character provided that the replacement structures are installed in the same location, or where this is not practicable, at a location adjacent to the existing structure. <p>Minor upgrading shall not include: An increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage and/or existing support structures are used and there will be no physical change to the line (other than the type of activities described in (i) to (v) and any necessary tower or foundation strengthening).</p>
Network utilities	Includes telecommunication, electricity operation and distribution, water supply, drainage and sewage systems, roads, railways and airports.
Network Utility Operator	<p><i>Means a person who—</i></p> <ul style="list-style-type: none"> (a) <i>Undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, or geothermal energy; or</i> (b) <i>Operates or proposes to operate a network for the purpose of—</i> <ul style="list-style-type: none"> (i) <i>Telecommunication as defined in section 5 of the Telecommunications Act 2001; or</i> (ii) <i>Radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989; or</i> (c) <i>Is an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section; or</i> (d) <i>Undertakes or proposes to undertake the distribution of water for supply (including irrigation); or</i> (e) <i>Undertakes or proposes to undertake a drainage or</i>

- sewerage system; or*
- (f) *Constructs, operates, or proposes to construct or operate, a road or railway line; or*
- (g) *Is an airport authority as defined by the Airport Authorities Act 1966 for the purposes of operating an airport as defined by that Act; or*
- (h) *Is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or*
- (i) *Undertakes or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under this Act.*

Nohoanga	Sites for exclusive use by Ngai Tahu for seasonal occupation
Open coast line	<p>The part of the coastal marine area that is subject to the influence of open coastal water wave action.</p> <p>The ‘open coast line’ does not extend up rivers from the mouth but is determined by a straight line extending between the mean high water spring marks on the headlands on either side of the mouth. The above also applies for situations where there are multiple channels forming the river mouth.</p>
Papatipu runanga	The traditional marae-based runanga, these being at Makaawhio (Jacobs River-Bruce Bay) and Arahura.
Permitted Activity	<i>Means an activity that is allowed by a plan without resource consent if it complies in all respects with any conditions (including any conditions in relation to any matter described in section 108 or section 220) specified in the Plan.</i>
Pest Plant	An introduced plant which has the potential to impact upon natural ecosystems, agricultural productivity, or other human activity, or a native plant toxic to stock.
Person	<p><i>Includes the Crown, a corporation sole, and also a body of persons whether corporate or unincorporate.</i></p> <p>Note: The meaning of “person” includes The Crown, a corporation sole, and also a body of persons, whether corporate or unincorporated. This means that a corporation comprised of a group of people or a number of employees is one person. The same applies to an unincorporated group or a family.</p>
Potable Drinking Water	Means water that does not contain or exhibit any determinand to an extent above its maximum acceptable value specified in the Ministry of Health’s Guidelines for Drinking Water Management for New Zealand 1995.

Railway line Includes the actual railway lines/tracks, as well as the railway embankment/formation and structures physically supporting, protecting or carrying the lines/track and embankment formation.

Rehabilitation Disturbance/work undertaken at the completion of an activity, the purpose of which is to place land into a state or condition that allows for its post activity use. It includes restoration of land after mining to enable other land uses to occur, as well as reinstatement of a river channel, following damming or diversion.

Riparian Margins The land area within a certain distance (see table below) of
 (i) any lake,
 (ii) any river other than an ephemeral water body (defined above).
 Does not apply to any artificial watercourse (including race, electricity canal or farm drain, artificial pond or water hole).

Land cover or activity	Dominant slope angle	Rivers		Lakes
		1-3 metres wide	>3 metres wide	
Existing pasture or pest plants	<12°	3 metres	3 metres	20
	>12°	10 metres	10 metres	20
Indigenous vegetation	<12°	5 metres	10 metres	20
	>12°	10 metres	10 metres	20
Humping & Hollowing	Any slope	10 metres	10 metres	20

Where there is a mixture of pest plants and indigenous vegetation, more than 65% of the vegetation cover must be pest plants for the narrower setback to apply.

Noting that a riparian margin may remain grassed and unfenced except where Rule 6.1.1.1(l) applies.

River *A continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include an artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal). A storm flowpath that carries flow only for a short period after heavy rain is not considered to be a river.*

Rocks	Stones greater than 250mm in diameter.
Sediment Armouring	The long term filling of interstitial spaces in the riverbed.
Stopbanks	These are embankments, normally constructed from materials such as gravel and earth, but not necessarily confined to those materials. They are built higher than the normal flood flows. Most of these structures protect the region's most intensely used agricultural land or urban centres from flooding.
Structure	<p>Structure is defined in the RMA as: <i>any building, equipment, device, or other facility made by people and which is fixed to land [; and includes any raft]:</i></p> <p>Therefore, structures in river beds include:</p> <ol style="list-style-type: none"> 1. Flood or erosion protection works, which are intended to avoid or mitigate flooding or erosion to land adjacent to rivers, by confining rivers within channels or diverting water. 2. Structures that are not used for avoiding or mitigating flooding such as bridges, pylons, culverts, dams, weirs, jetties, and whitebait stands. 3. Any other facility made by people, fixed to land.
Subsidence	A form of land instability which causes the falling, sinking, or settling of the ground surface. This may be the result of land disturbance activities such as tunnelling and land filling.
Tangata Whenua	<p><i>The iwi or hapu that holds mana whenua (customary authority or rangatiratanga) over an area.</i></p> <p>In terms of the West Coast Region the Tangata Whenua is Ngai Tahu, through Te Runanga o Ngai Tahu, Te Runanga o Makaawhio, and Te Runanga o Ngati Waewae.</p>
Track	A constructed pathway or trail where the formation or construction is at least to a standard capable of carrying a crawler, tractor, or other motor vehicle and includes any road. Tracks of a lesser capability do not constitute an issue for the purposes of this Plan.
V blading	A technique of land preparation commonly used by the forest industry to provide for tree seedling growth in wet areas. A V-shaped blade mounted on a crawler tractor is used to plough furrows and create raised mounds through wet areas, improving soil drainage and providing more suitable conditions for plantation tree seedling growth.

**Vegetation
Disturbance**

Includes the cutting, felling, harvesting, clearing, burning, or spraying of vegetation but excludes tree pruning, silviculture, pest plant control, grazing or mowing, clearance for fencing, maintenance of a structure, or maintenance and/or minor upgrading by network utility operators.

Water Body

Means fresh water or geothermal water in a river, lake, stream, pond, wetland or aquifer, or any part thereof that is not located in the coastal marine area.

Wetland

Includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of native plants and animals that are adapted to wet conditions and excludes areas of pasture where water ponds after rain.

SCHEDULE 1

Note: Schedule 1 has been inserted into the Plan as a result of Variation 1. Decisions were released on 12 December 2008

Significant Wetlands of the West Coast Region

These wetlands support significant values in terms of Section 6(a) and/or 6(c) of the Resource Management Act. Although most wetlands on Conservation land have not been mapped, they may also support significant wetland values. The Objectives and Policies in Chapter 5A explain the approach to managing wetlands. Rules 6.1.7.1, 6.1.7.2, and 6.1.7.3 require a resource consent before any land drainage, vegetation disturbance, humping and hollowing, flipping, or v-blading can occur in the wetland areas identified in this Schedule.

Abbreviations:

ED = Ecological District

ER = Ecological Region

WCR = West Coast Region

1. Heaphy River

Location

On the true left of the Heaphy River at the river mouth.

Description

A fertile dune-slack wetland containing rushes, sedges and raupo. There is ponded water at the southern end of the wetland. Trees and coastal shrubs surround the wetland.

Representativeness

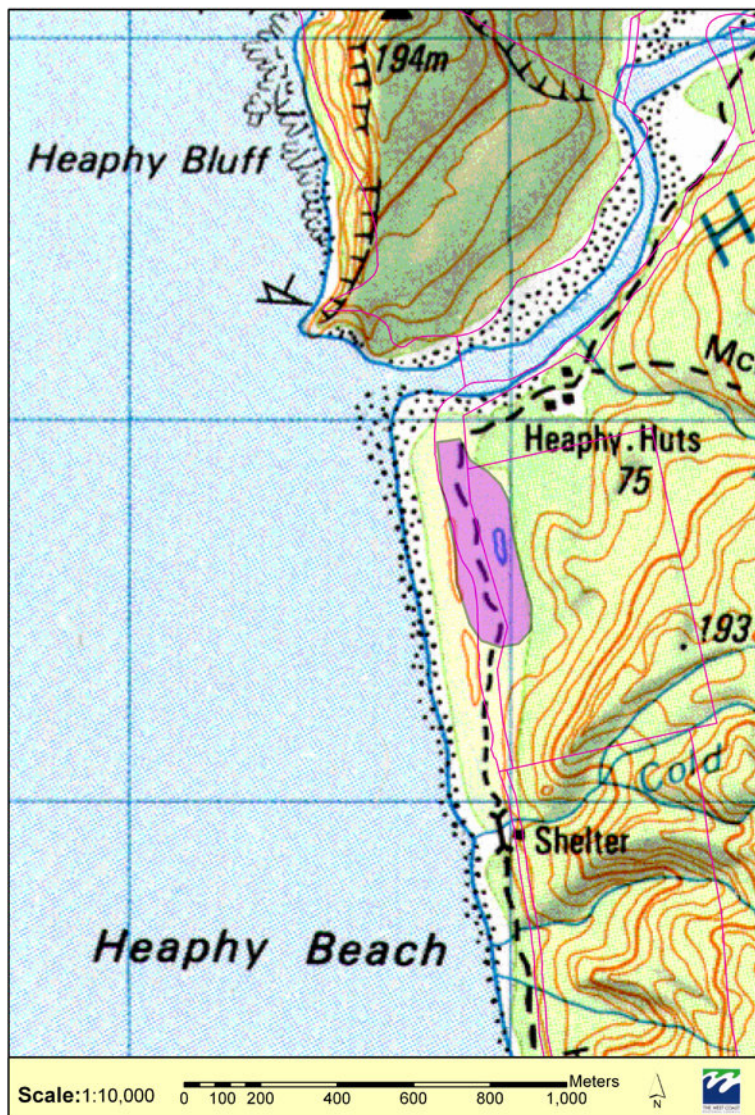
This wetland resides on soil type 70b (57% ER, 56% WCR).

Rarity/Distinctiveness

This is the only example of this wetland type in the Heaphy ED.

Sustainability

This site is large enough to be sustainable in the long-term.



2. Otumahana Estuary Margin

Location

3km South of Karamea.

Description

The estuary supports extensive areas of saltmarsh, grading into fertile wetland dominated by flax up tributary streams. It is the third largest estuary on the West Coast providing habitat for banded dotterel, banded rail, bittern, fernbird and giant kokopu.

Representativeness

The wetland areas reside primarily on soil type 70b (40%ED, 70%ER, 56%WCR). Localised organically derived soils are present and may support wetland.

Rarity/Distinctiveness

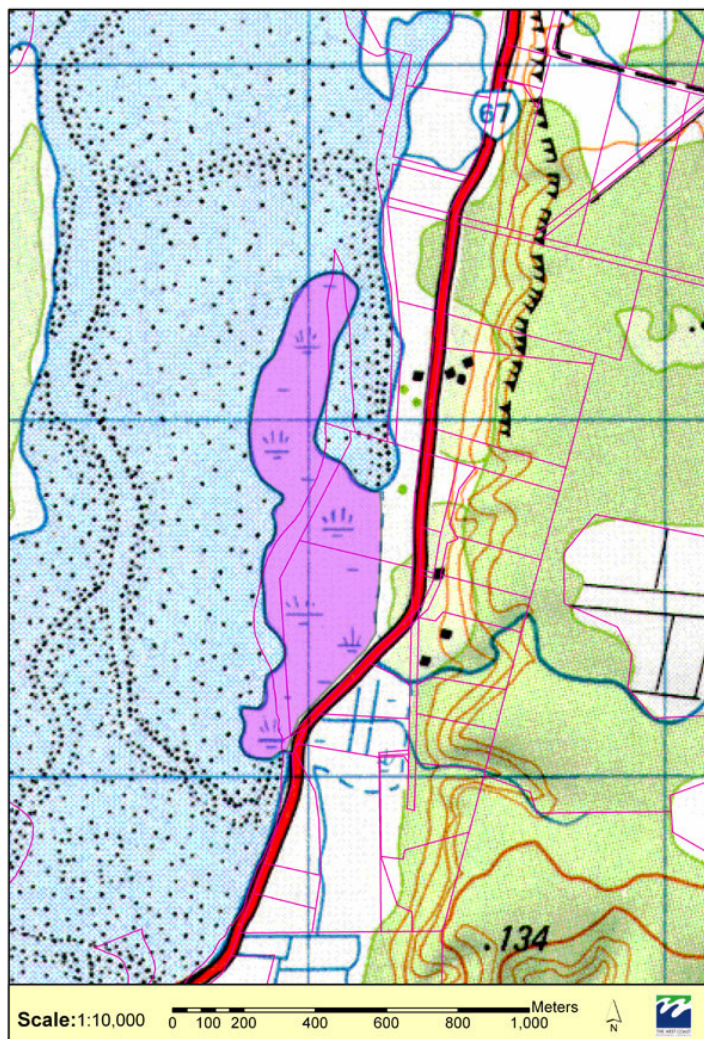
This wetland supports bittern and giant kokopu.

Sustainability

This site is large enough to be sustainable in the long-term.

Note: Most of the Otumahana estuary is managed under the Regional Coastal Plan as a Coastal Protection Area. The area shown below is immediately adjacent to that Coastal Protection Area and is protected under this Plan in the interests of integrated management.

There is wetland administered by the Department of Conservation across the road that is also likely to have significant values.



3. Kongahu Swamp Northern Remnant

Location

One km south of the southern end of the Otumahana Estuary, east of the Karamea Highway.

Description

Riparian flaxland within a kahikatea wetland forest remnant.

Representativeness

The best remaining example of indigenous vegetation on peat soil (87a; 11%ED, 11%ER, 64%WCR) of the northern ER. Most of the previous swamp has been highly modified by development for agriculture.

Rarity/Distinctiveness

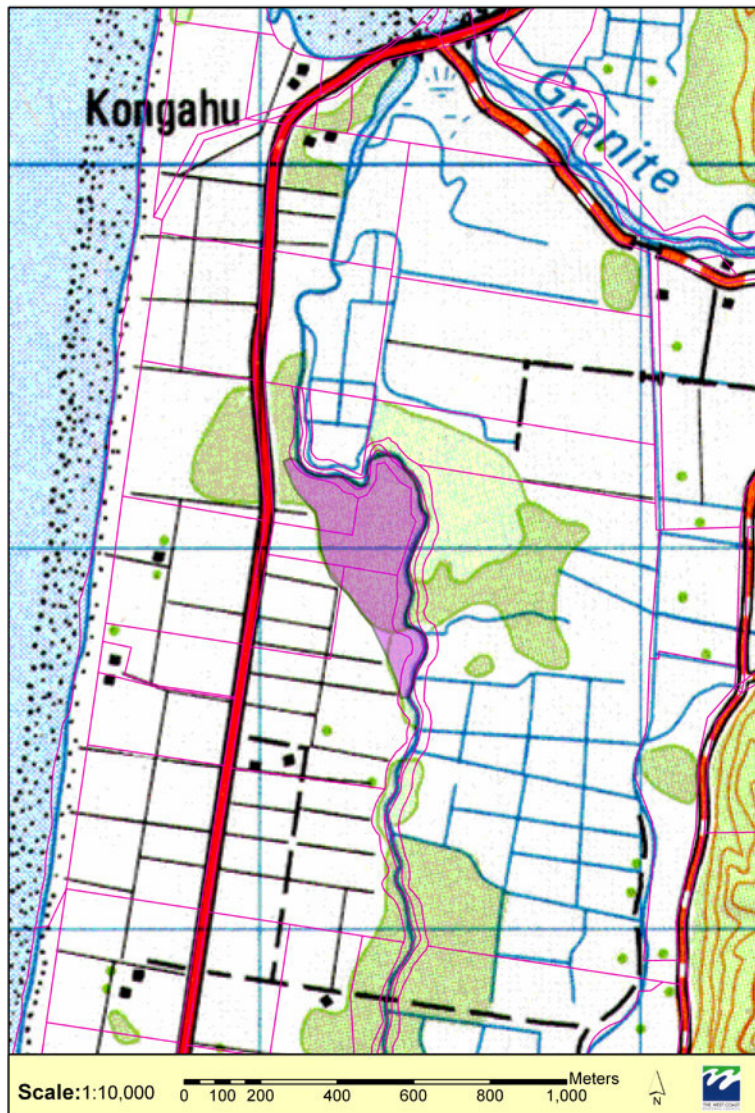
Brown mudfish are present and there are records of *Myriophyllum robustum* from Blackwater Creek nearby.

Hydrology

Some draining has occurred.

Sustainability

The site is large enough to be sustainable in the long-term.



4. Kongahu Swamp Southern Remnant

Location

At the southern tip of the old Kongahu Swamp.

Description

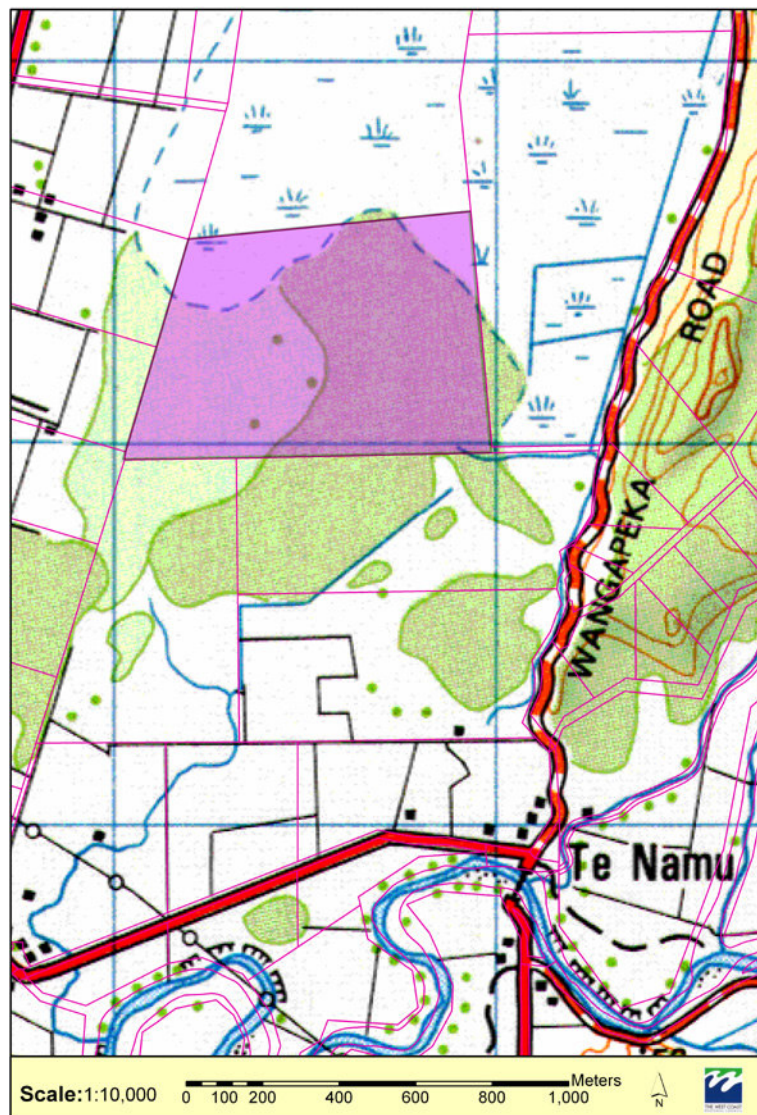
This wetland is managed by the Department of Conservation and supports remnant kahikatea forest with remnant wetland margins on the northern edges.

Representativeness

This wetland occurs on the under-represented soil type 87a (11%ED, 11%ER, 64%WCR).

Sustainability

This site is large enough to be sustainable in the long-term.



5. Birchfield Swamp

Location

At Birchfield on the eastern side of State Highway 67. For the avoidance of doubt, the wetland does not include any area covered by rail designation.

Description

Flax dominated wetland with some raupo. The central area is managed by the Department of Conservation, with private land at the northern and southern ends. The water weed Lagarosiphon is present in the outlet at the southern end of the wetland.

Representativeness

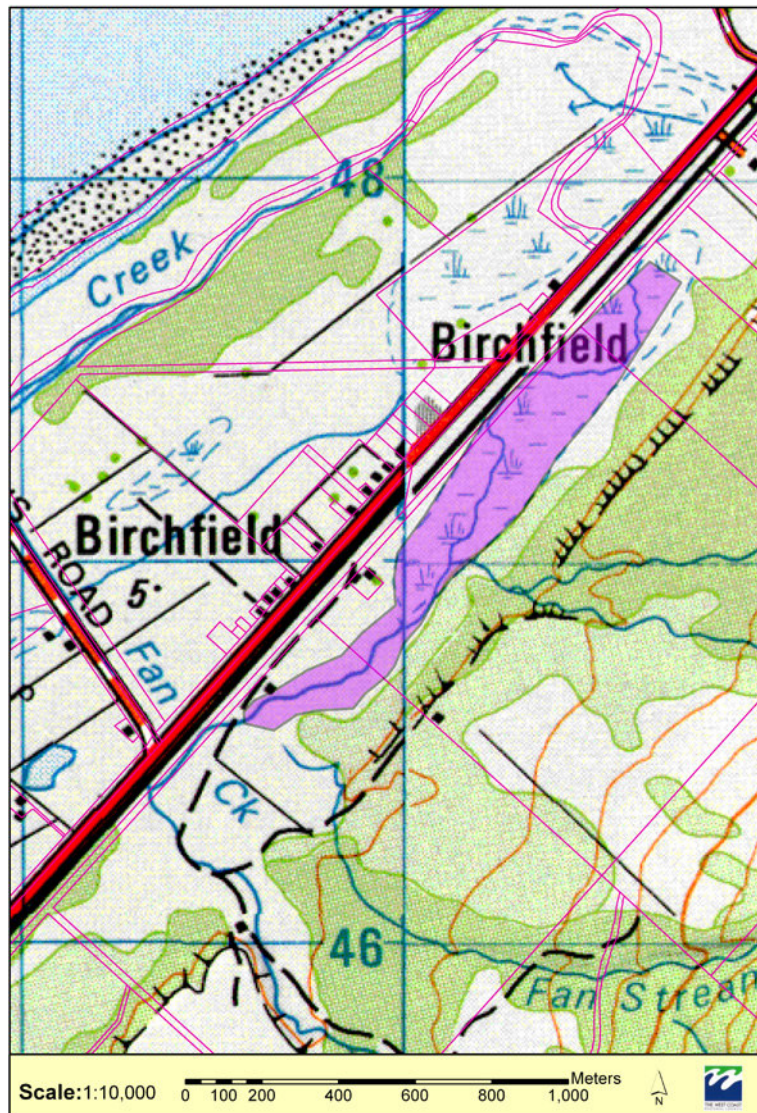
The wetland resides on soil type 91a (7%ED, 11%ER, 45%WCR).

Rarity/Distinctiveness

Bittern, brown mudfish and *Myriophyllum robustum* are present.

Sustainability

The wetland as a whole is large enough to be sustainable in the long-term.



6. Waimangaroa Swamp

Location

A small area of wetland on the east of the railway line, to the southwest of Waimangaroa. For the avoidance of doubt, the wetland does not include any area covered by rail designation.

Description

Flax dominated wetland buffered with forest and scrub.

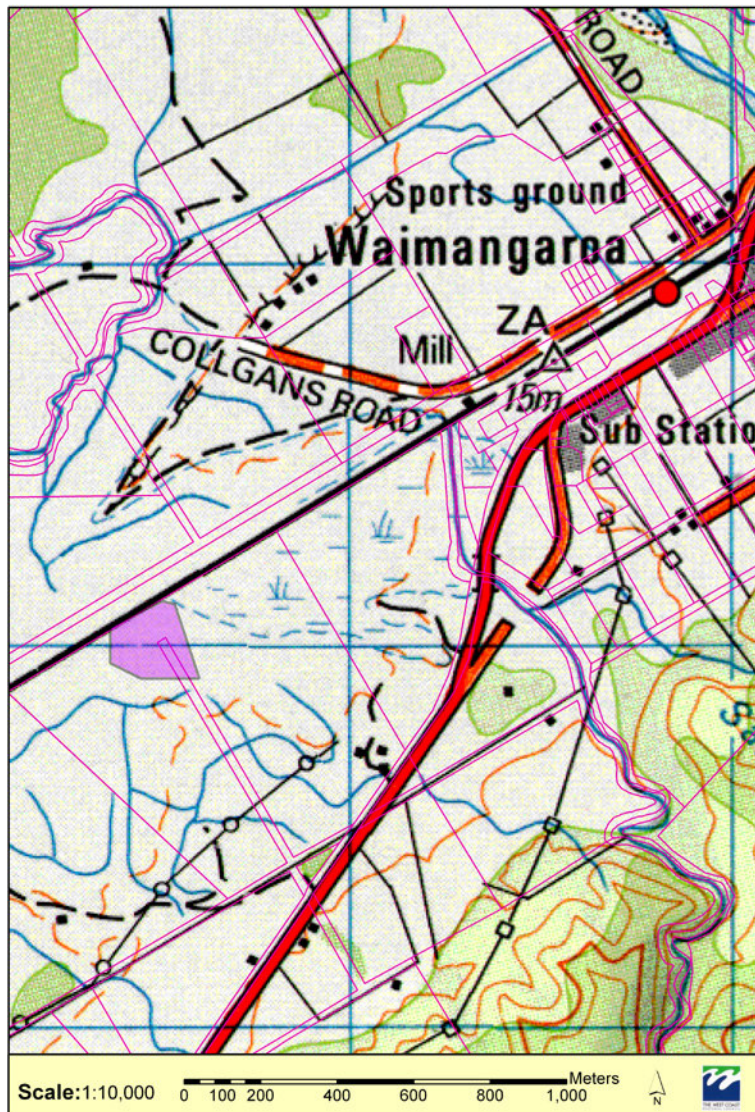
Representativeness

The wetland occurs on the under-represented soil type 91a (7%ED, 11%ER, 45%WCR).

Sustainability

The site, though small, is expected to be sustainable.

Note: There is a much larger wetland also to the east of the railway line, 2.5km southwest of this site (closer to Fairdown) that is managed by the Department of Conservation.



7. Buller River Mouth Saltmarsh

Location

Near the mouth of the Buller River on the true left.

Description

An extensive area of saltmarsh vegetation with flax on the fringes.

Representativeness

The wetland resides on soil types 70b (72%ED, 57%ER, 56%WCR) and 99b (144%ED, 106%ER, 45%WCR).

Rarity/Distinctiveness

Provides habitat for brown mudfish, giant kokopu and bittern.

Sustainability

This site is large enough to be sustainable in the long-term.



8. Bradshaws Lagoon

Location

Six km to the west of Westport, south of Cape Foulwind road.

Description

This wetland includes swampy and open water areas and is dominated by flax and rushes. The inland half is conservation land while the part closer to the coast is private land.

Representativeness

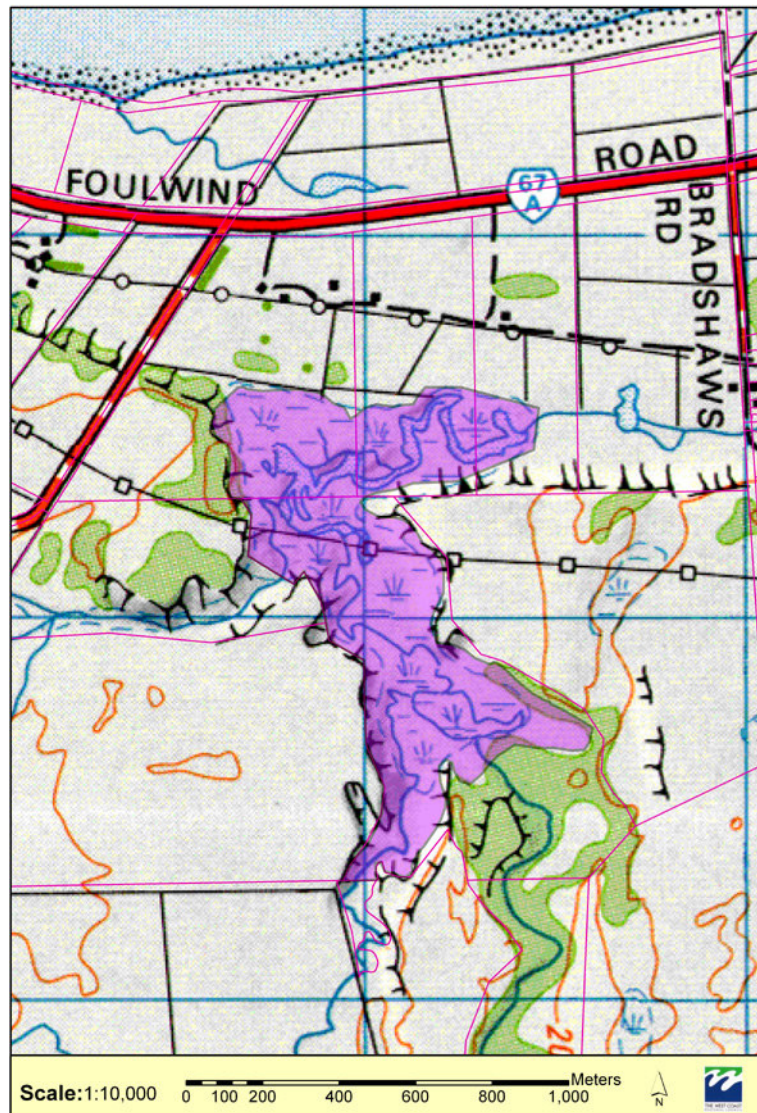
This wetland resides on the soil type 63 (67%ED, 67%ER, 67% WCR), but may also contain organically derived soils (87a, 11%ER, 64% WCR).

Rarity/Distinctiveness

This wetland provides habitat for brown mudfish, giant kokopu and bittern.

Sustainability

This site is large enough to be sustainable in the long-term.



9. Barrytown Flats, Maher Swamp

Location

West of State Highway 6, Barrytown Flats, just south of Lawson Creek.

Description

This wetland is dominated by flax and sedges and is bordered by kahikatea forest and grassland. Most of Maher Swamp is Conservation land, but the north-eastern areas are private land. Some of these parts are grazed occasionally.

Representativeness

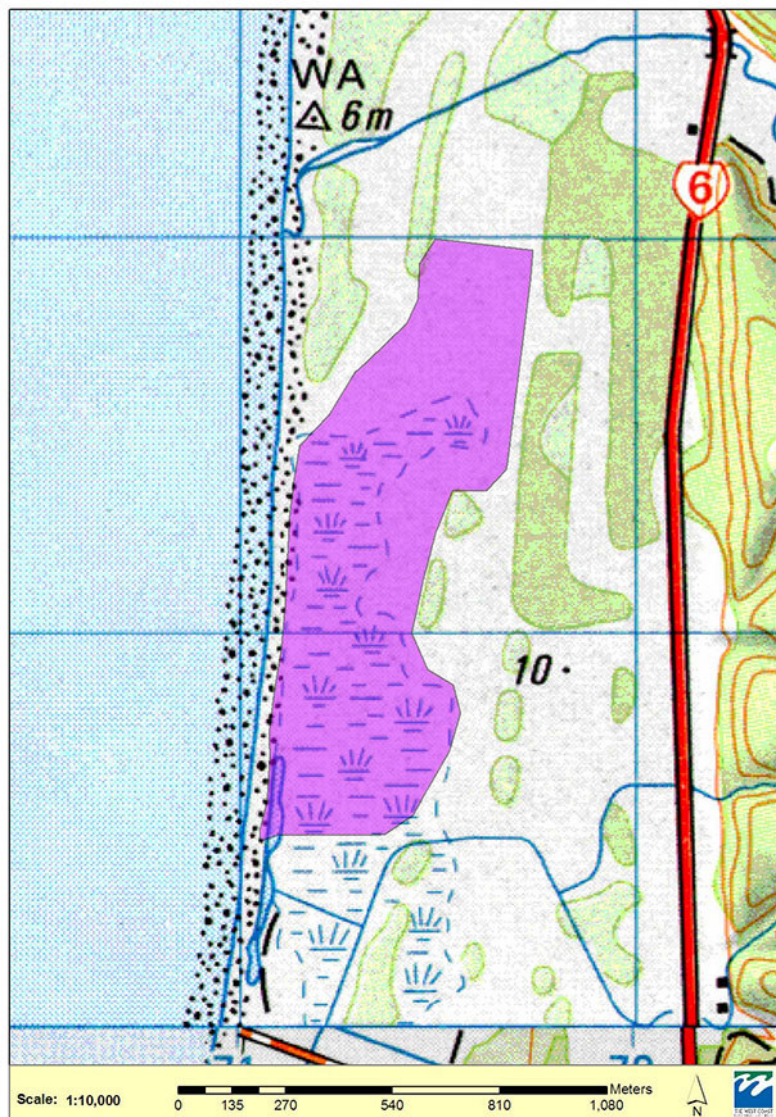
The wetland resides on the mixed soil type 91a + 70b. It is likely that the wetland in question occurs predominately on 70b (57%ER, 56%WCR), given its proximity to the coast. It may also occur on soil type 91a (23%ED, 11%ER, 45%WCR).

Rarity/Distinctiveness

The Maher Swamp complex contains threatened plant species *Myriophyllum robustum*, *Crassula ruahamanga* and *Amphibromus fluitans*, and may potentially contain some threatened native fish species as well.

Sustainability

This site is large enough to be sustainable in the long-term.



10. Saltwater Creek Lagoon

Location

West of the main road, Gladstone, to the south of the Paroa Hotel.

Description

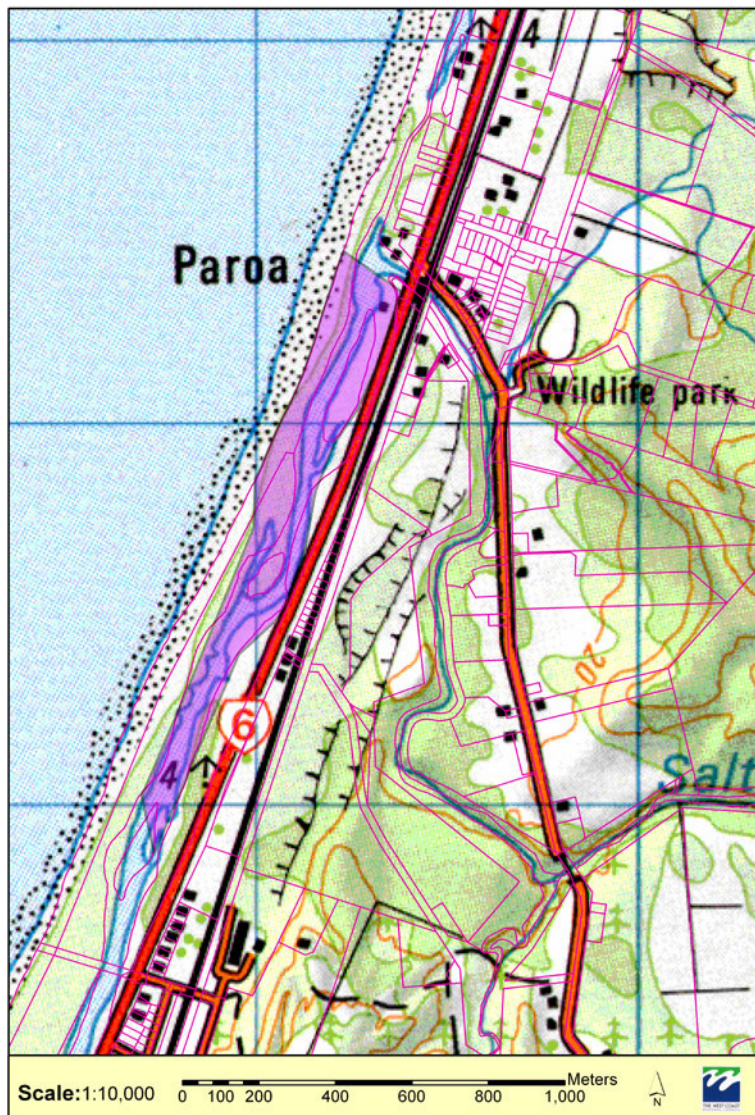
This lagoon has flax and cabbage tree margins, mamaku and mahoe bush margins to the north and mahoe/kahikatea bush margins to the south. The lagoon and wetland provide habitat for numerous species of bird, including bittern, and also provides excellent habitat for indigenous fish.

Representativeness

This is by far the most extensive example of a wetland on soil type 70b (34%ED, 21%ER, 56%WCR).

Rarity/Distinctiveness

The site supports bittern.



11. Lake Haupiri Southern Margin

Location

On the southern shore of Lake Haupiri.

Description

This large area is comprised of flax dominated and rush/sedge dominated wetland, with high quality habitat for numerous native bird and fish species. The lake margin and the wetland is conservation land, with a neighbouring private wetland to the south used for moss harvesting.

Representativeness

The general soil survey indicates that the majority of the wetland occurs on 91a (139%ED, 33%ER, 45%WCR). The soil may be partially peat derived (87a; 7%ER, 64%WCR).

Rarity/Distinctiveness

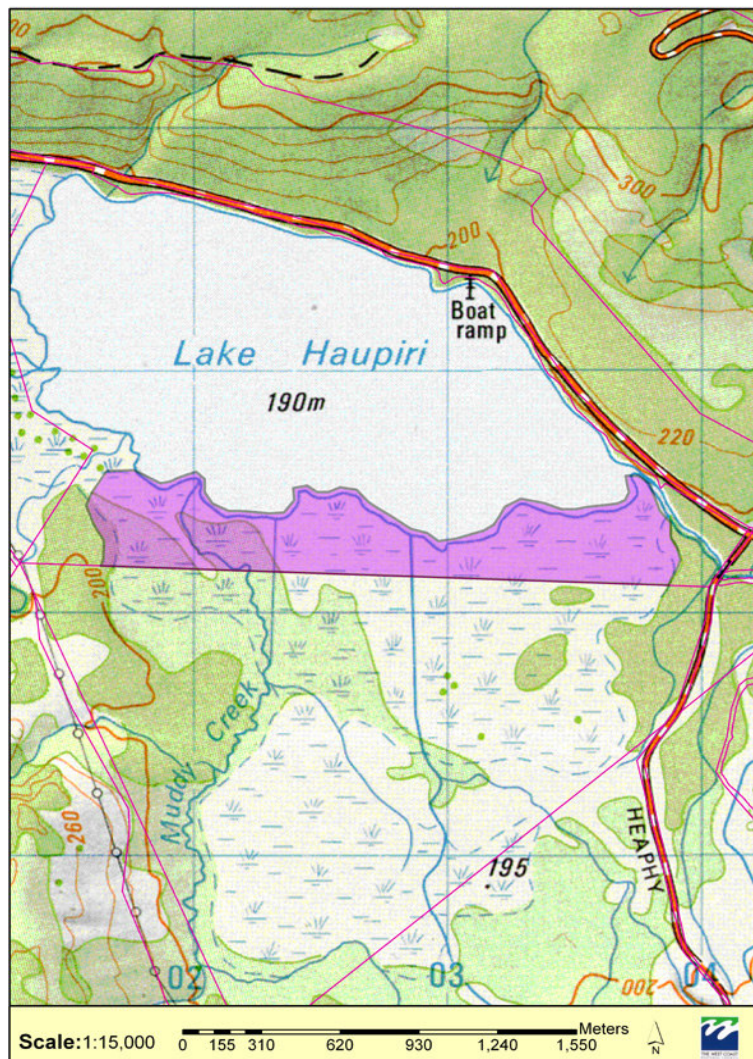
Bittern, giant kokopu, and threatened plants *Carex tenuiculmis* and *Deschampsia cespitosa*.

Hydrology

There are two major drains crossing through the wetland.

Sustainability

The site is large enough to be sustainable in the long-term, and is well buffered by the moss harvesting wetland adjacent.



12. Springs Junction, Palmers Road Pakihi

Location

Approximately 6km down Palmers Road on the eastern side of the road.

Description

Red/silver beech forest surround a good example of alpine pakahi supporting wire rush, *Dracophyllum* spp., manuka and bog pine. Has very good natural character.

Representativeness

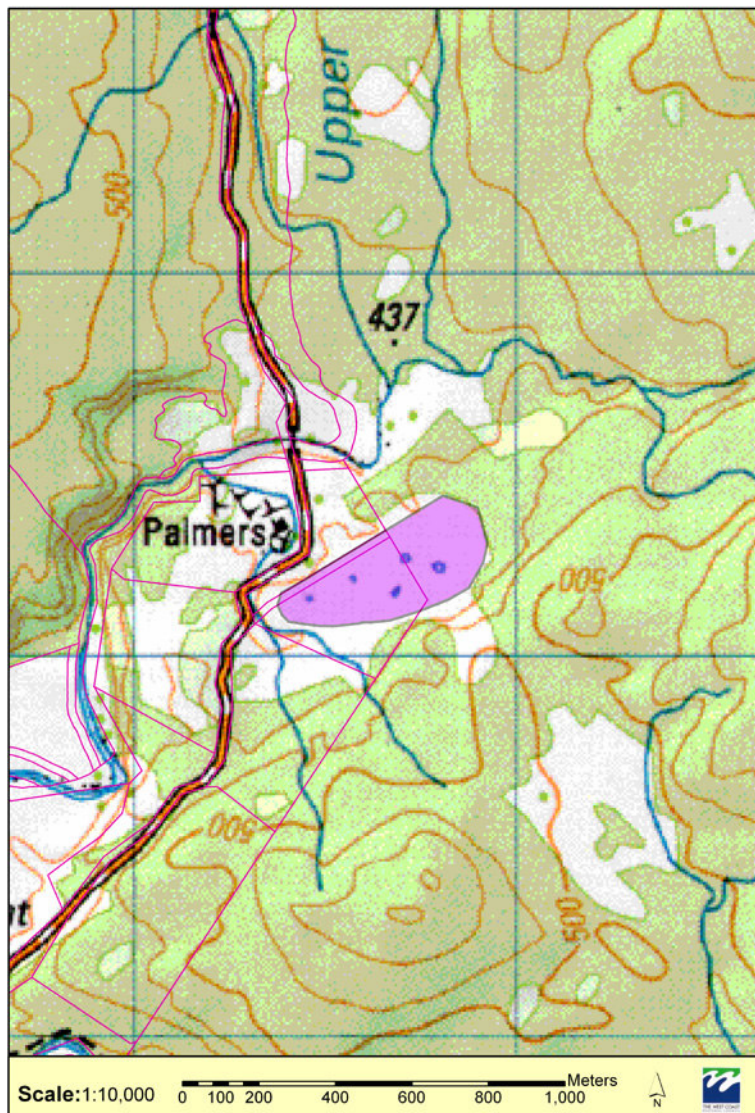
Resides on soil type 60, which is under-represented in the Totara Flat ED (8%ED, 49%ER, 67%WCR).

Hydrology

The hydrology is largely unmodified, despite one drain into the wetland.

Sustainability

This wetland is likely to be sustainable in the long-term, as it is reasonably large and is surrounded by forest or scrub for 75% of its periphery.



13. Kangaroo Lake

Location

Six km southeast of Moana at the northern end of Kangaroo Lake.

Description

Swamp with some fen character. Well buffered by forest and scrub.

Representativeness

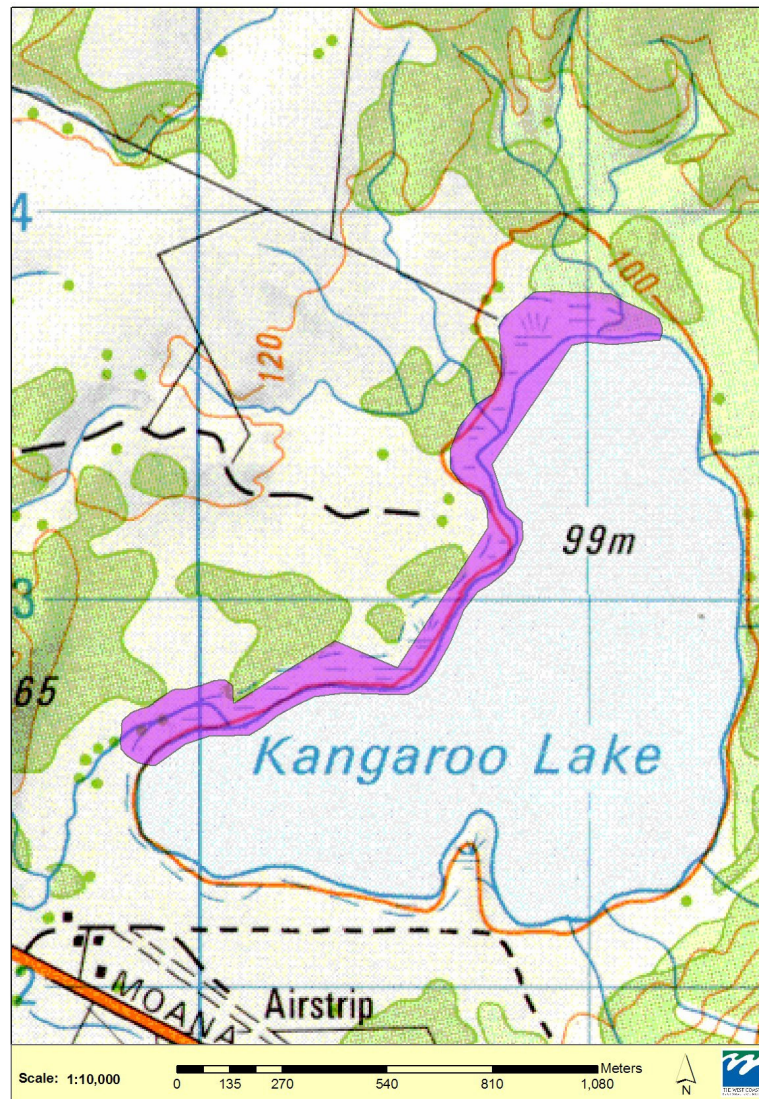
This wetland resides on soil type 87a (7%ED, 7%ER, 64% WCR).

Rarity/Distinctiveness

Bittern are likely to be present.

Sustainability

This site is large enough and well buffered enough to be sustainable in the long-term.



14. Lake Brunner, Te Kinga

Location

Southeast of Moana, on the margins of Lake Brunner.

Description

Fertile wetland with flax and sedges, but also willow in places.

Representativeness

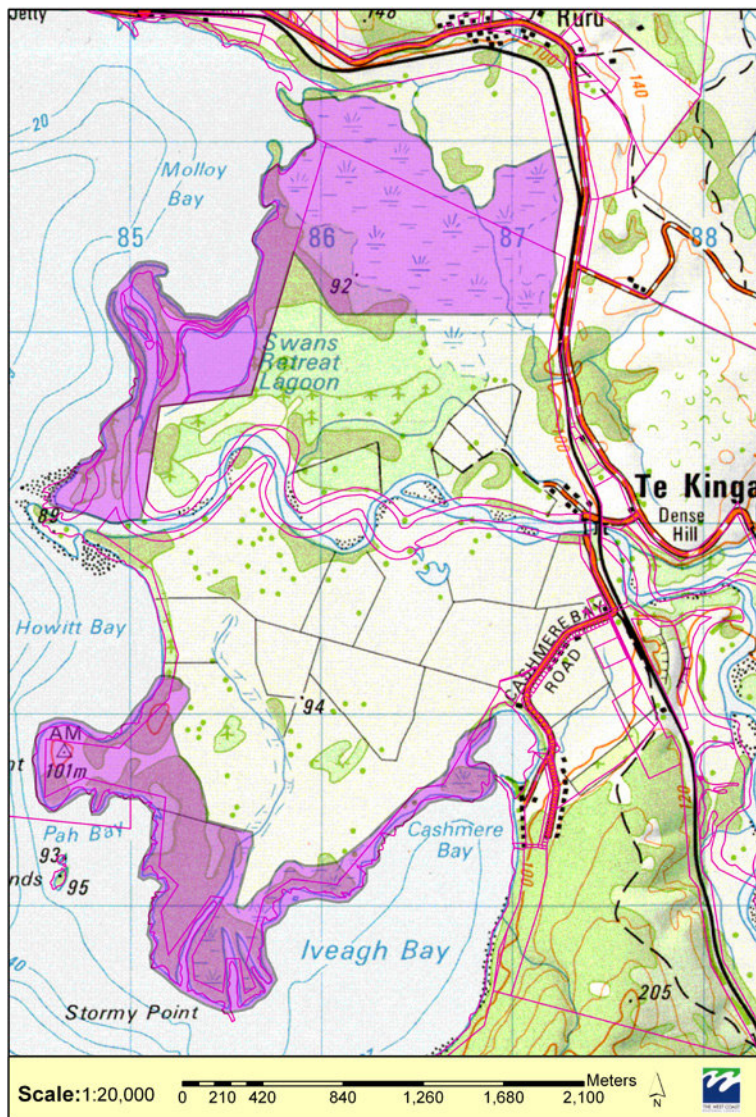
The wetland resides on soil type 91a (25%ED, 33%ER, 45%WCR).

Rarity/Distinctiveness

Bittern are likely to be present.

Sustainability

This site is large enough to be sustainable in the long-term.



15. Lake Brunner, Mitchells

Location

Along the lake edge from 500 m north of Mitchells into Carew Bay.

Description

This wetland has a strong kahikatea element along the shoreline of Lake Brunner.

Representativeness

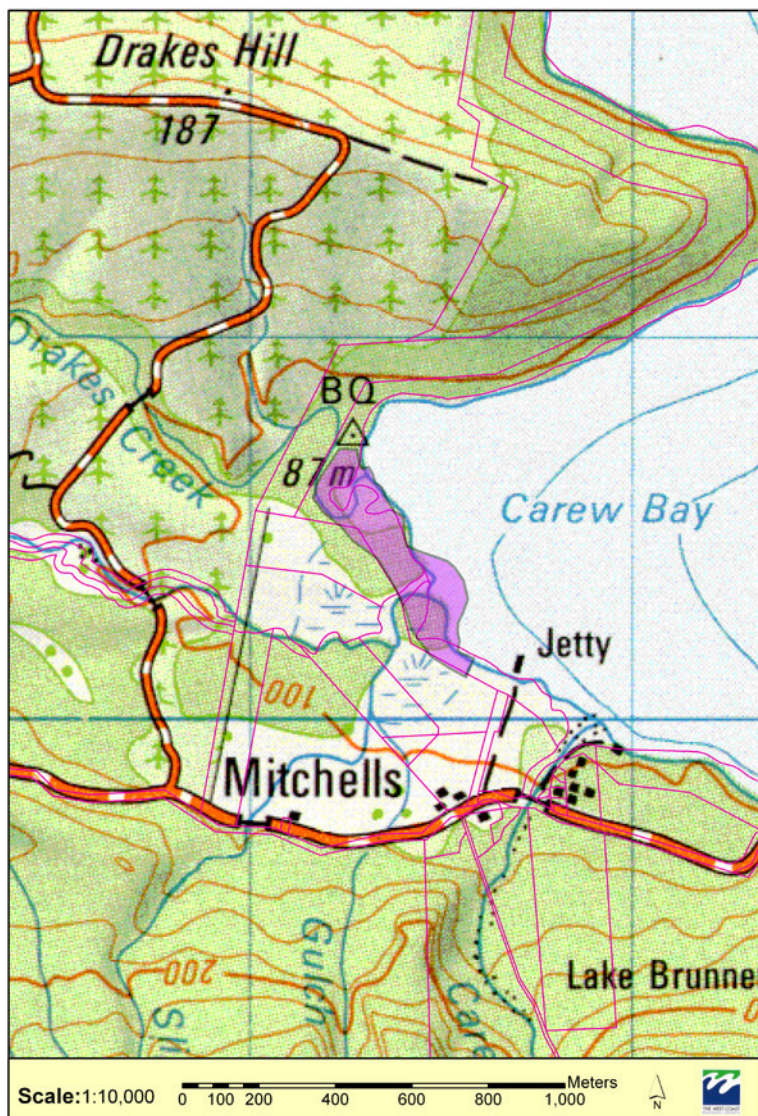
The wetland resides on soil type 43c (146%, ED 48% ER, 73% WCR).

Rarity/Distinctiveness

A variety of wetland birds use the sheltered waters of this wetland. Bittern are likely to be present at times.

Sustainability

This site is large enough to be sustainable in the long-term.



16. Paynes Gully Swamp, Taramakau River

Location

Three km east of Kumara on the true right of the Taramakau River.

Description

Fertile wetland in an old loop of the Taramakau River, with island in the middle. Part of the wetland is Conservation land. Willow is present.

Representativeness

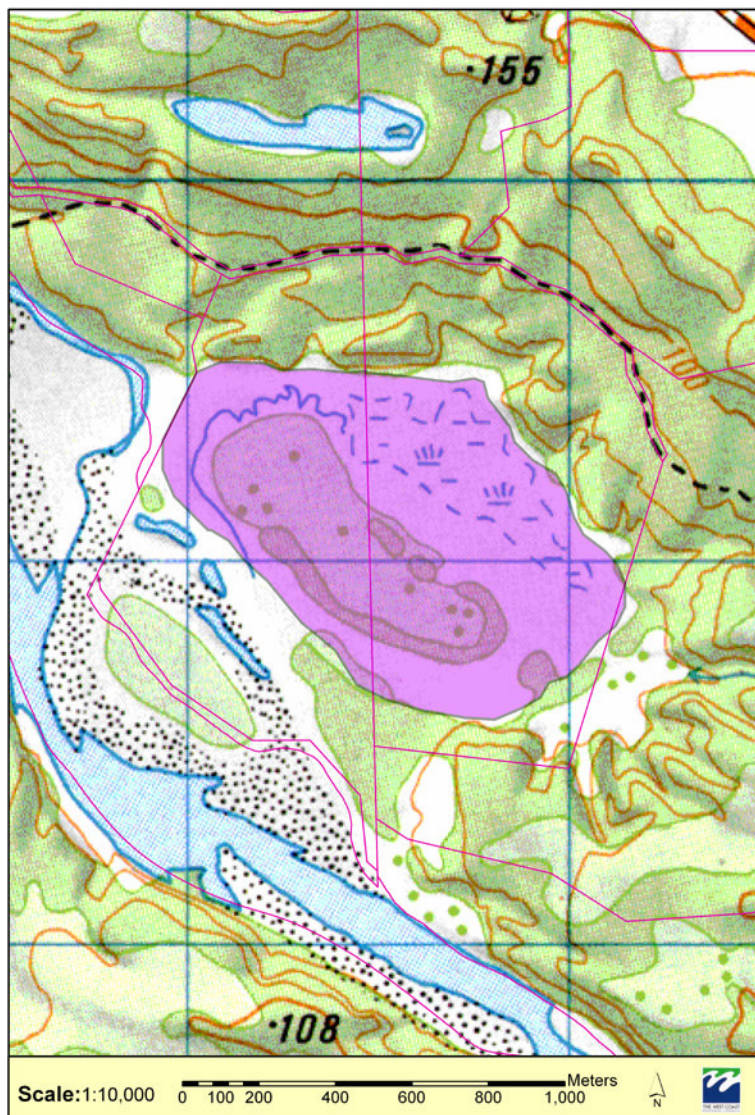
The wetland resides on soil type 91a (25%ED, 33%ER, 45%WCR).

Rarity/Distinctiveness

Bittern, giant kokopu, marsh crake and fernbird are present in this wetland. Mudfish are present on the island.

Sustainability

This site is large enough to be sustainable in the long-term.



17. Mahinapua Creek and Lake Tarleton

Location

Approx. 7km south of Hokitika.

Descriptions

Mahinapua Creek is a riparian wetland comprised of flax, sedges, rushes and raupo. The most extensive area occurs at the outlet, yet there is also considerable wetland along the margins of Mahinapua Creek. Lake Tarleton is comprised of flax, sedges, rushes and raupo margins surrounding the Lake. The wetland vegetation extends nearly one km to the east alongside Lake Tarleton's tributary streams. It is well buffered by surrounding forest and scrub.

Representativeness

Mahinapua Creek resides on a mix of soil types 70c (75%ED, 71%ER, 71%WCR) and 91 (91%ED, 63%ER, 55%WCR). Lake Tarleton wetland resides on soil type 62 (80%ED, 62%ER, 80%WCR)

Rarity/Distinctiveness

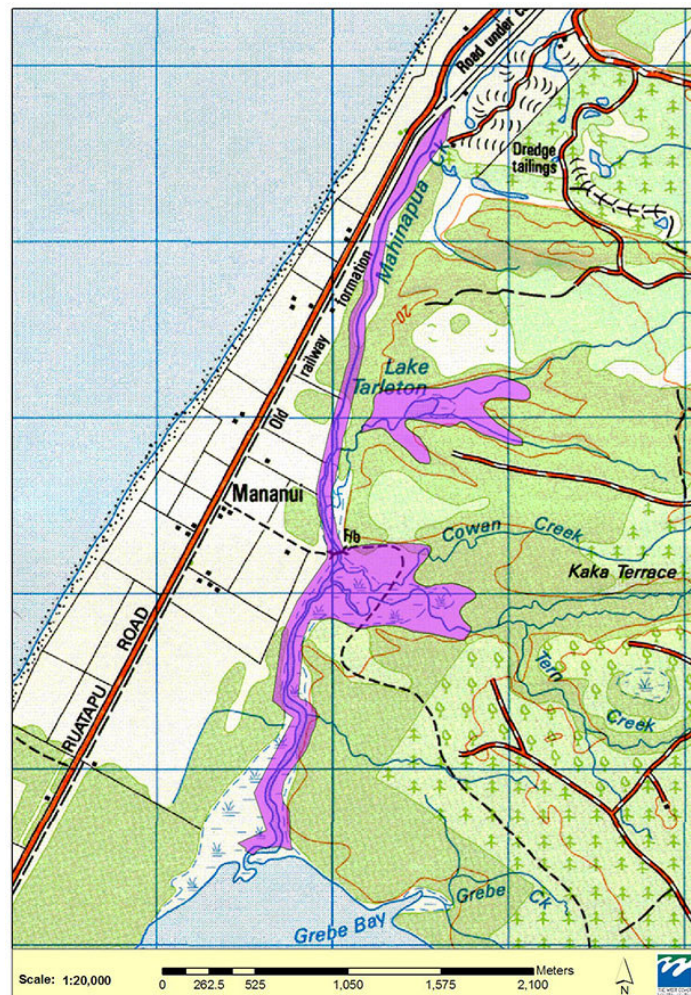
Bittern have been recorded as using both areas. Mahinapua Creek is an important spawning area for whitebait species.

Ecological context

Mahinapua Creek provides a riparian corridor.

Sustainability

This sites are both large enough to be sustainable in the long-term.



18. Waitangirotto Swamp

Location

Rotokino, 9 km from Whataroa between the Waitangirotto and Waitangitaona Rivers.

Description

This large fertile wetland is dominated by flax, but contains abundant raupo also. The wetland is bordered by kahikatea forest around most of its periphery.

Representativeness

This wetland primarily resides on soil type 91a (32%ED, 53%ER, 45%WCR), but also type 91 (45%ED, 63%ER, 55%WCR) on lower lying areas.

Rarity/Distinctiveness

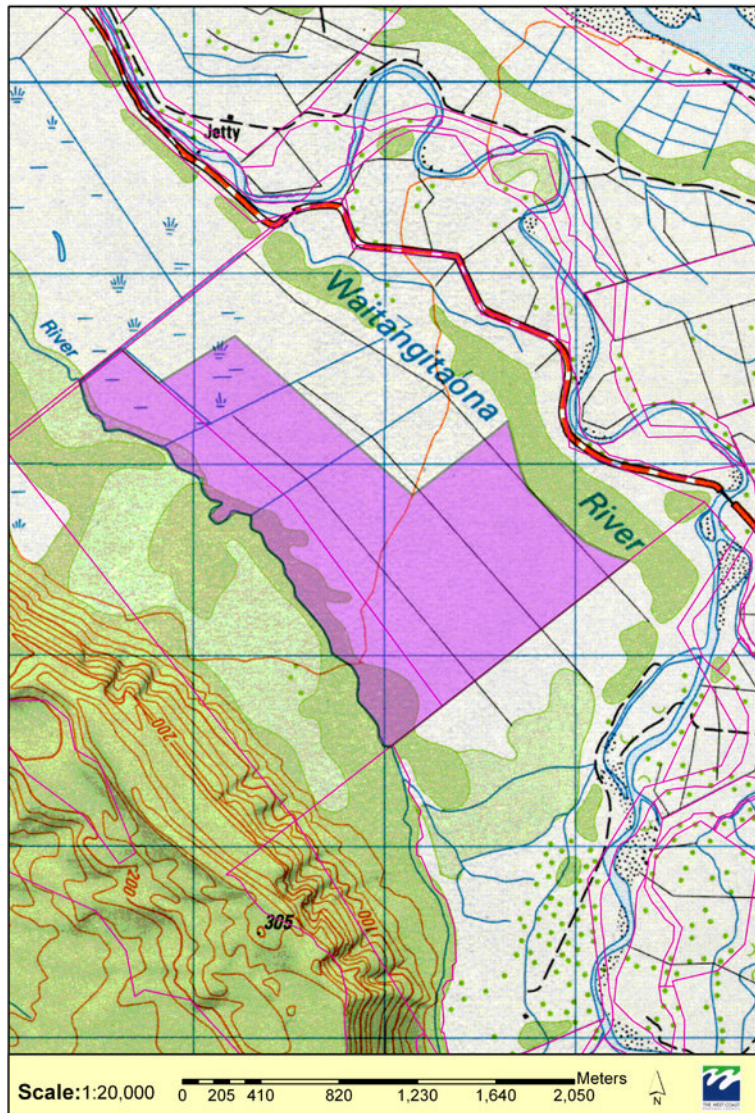
Bitterns occur in this wetland.

Hydrology

The wetland was drained and farmed in the past and fences and farm tracks are present in some places, though the natural character in most areas is high.

Sustainability

This site is large enough to be sustainable in the long-term.



19. Quinlin Creek/Waikowhai Stream

Location

Sixteen km from Fox Glacier on Gillespies Beach Road at Gillespies Point.

Description

Flax and rush dominated wetland and saltmarsh.

Representativeness

These wetlands reside on soil type 91a (71%ED, 53%ER, 45%WCR).

Rarity/Distinctiveness

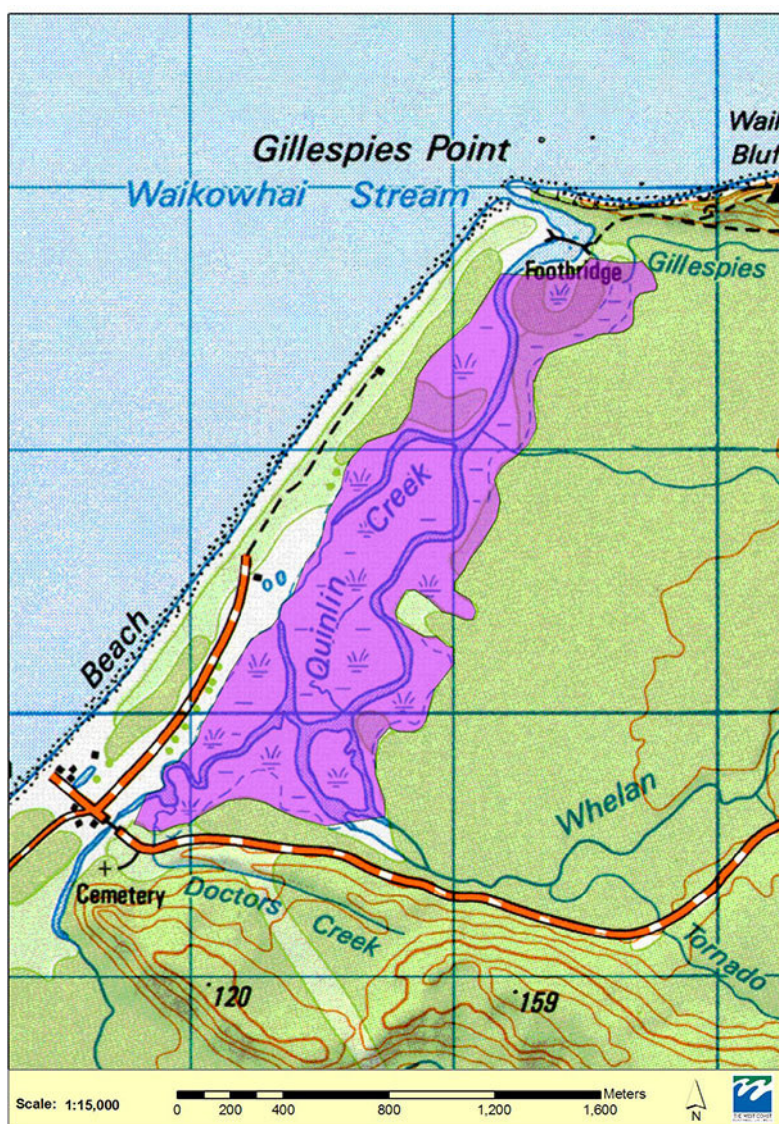
Bitterns have been recorded in the area.

Ecological context

Provides a riparian corridor.

Sustainability

This site is large enough to be sustainable in the long-term.



20. Sandfly Beach Wetlands

Location

Fifteen km northwest of Franz Josef behind Sandfly Beach between the Waikukupa and Omeoroa Rivers.

Description

Saltmarsh and fertile wetlands including flax, rushes and sedges. The majority of this wetland is on conservation land but most of the saltmarsh areas are legal road.

Representativeness

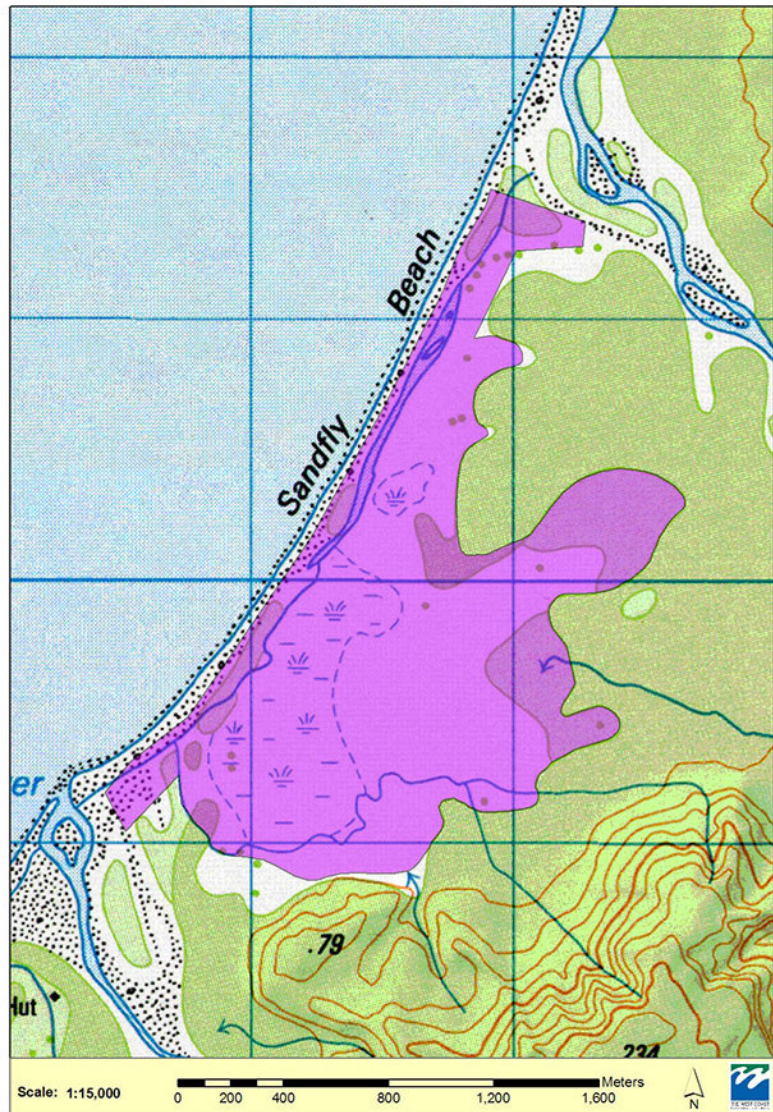
These wetlands reside on soil type 91a (71%ED, 53%ER, 45%WCR).

Rarity/Distinctiveness

Bittern are present.

Sustainability

This site is large enough to be sustainable in the long-term

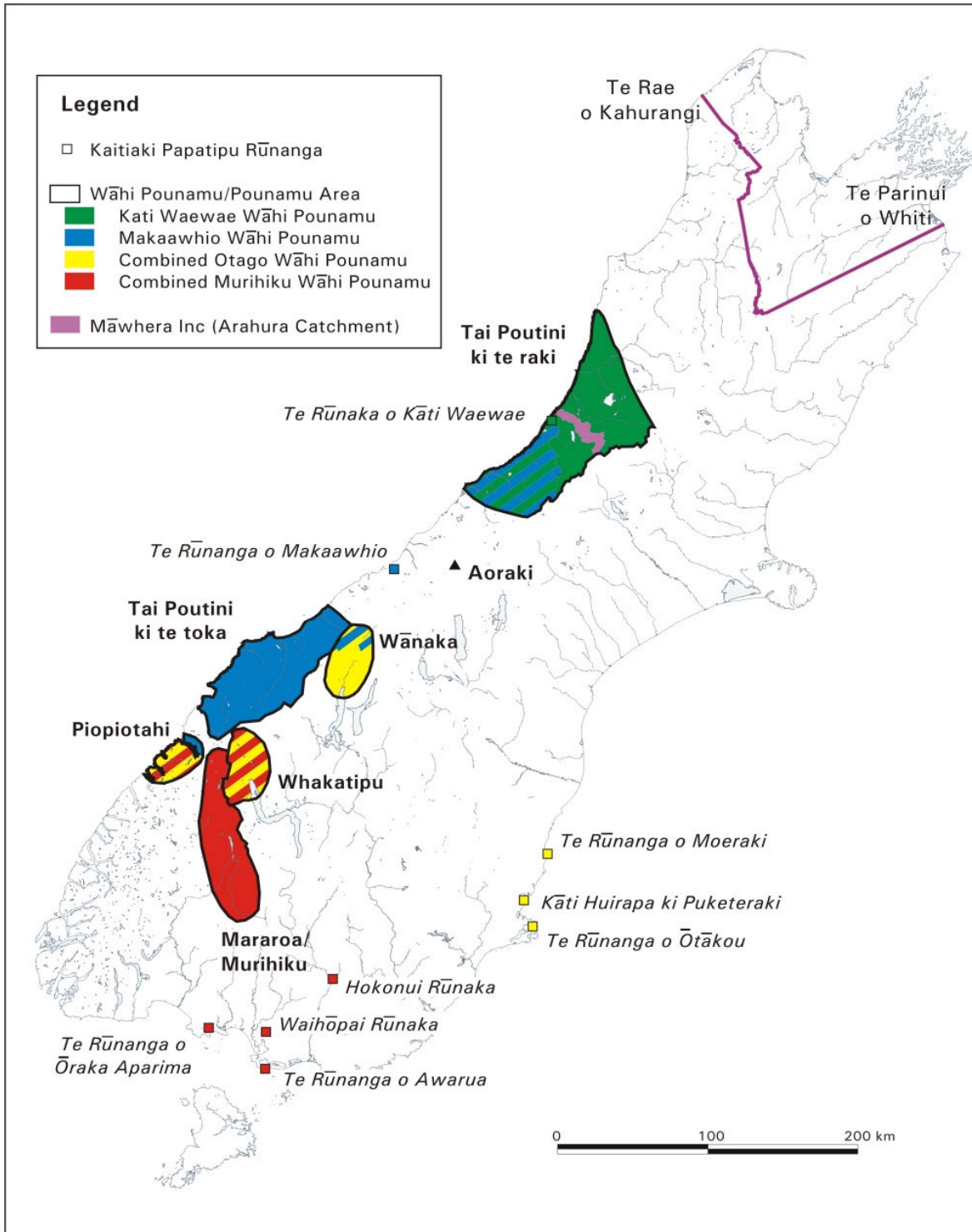


APPENDICES

APPENDIX ONE (A)

Nga Wahi Pounamu and Nga Kaitiaki Runanga

(Te Runanga o Ngai Tahu, Pounamu Resource Management Plan. October 2002)



APPENDIX ONE (B)

Statutory Acknowledgement Areas

In the Ngai Tahu Claims Settlement Act 1998, the Crown acknowledged statements by Te Runanga o Ngai Tahu of the particular cultural, spiritual, historic, and traditional association of Ngai Tahu with areas described in that Act. The statements, which are called “statutory acknowledgements”, are set out in schedules in the Act. The areas to which the statutory acknowledgements relate are known as statutory areas and include the following Sites relevant to this Plan:

Kotuku-Whakaoho (Lake Brunner/Moana)

Okari Lagoon

Taramakau River

Pouerua (Saltwater Lagoon)

Lake Kaniere

Karangarua Lagoon

Makaawhio (Jacobs) River

Okarito Lagoon

Lake Paringa

Note: This section is attached for public information purposes only, in accordance with Section 220(2) of the Ngai Tahu Claims Settlement Act 1998. This information is neither part of the Plan, nor subject to the provisions of the First Schedule of the Resource Management Act 1991.

The Regional Council must include in the regional plan information recording all statutory acknowledgements affecting statutory areas covered wholly or partly by that regional plan. Nine statutory areas in the West Coast region are covered by this Plan. The Ngai Tahu associations with these nine areas, taken from the Ngai Tahu Claims Settlement Act, are reproduced below.

The significance of statutory acknowledgements is:

- (1) The Regional Council must forward to Te Runanga o Ngai Tahu a summary of every application for a resource consent for activities within, adjacent to, or impacting directly on a statutory area before the application is notified, and before the regional council makes a decision to dispense with notification [refer section 207 Ngai Tahu Claims Settlement Act and to the Ngai Tahu Claims Settlement (Resource Management Consent Notification) Regulations 1999].
- (2) The Regional Council must have regard to statutory acknowledgements in deciding, under section 93 of the Resource Management Act, whether Te Runanga o Ngai Tahu is likely to be directly affected by an application for a resource consent for activities within, adjacent to, or impacting directly on a statutory area.
- (3) The Regional Council must have regard to the statutory acknowledgements in deciding whether Te Runanga o Ngai Tahu is a person who may be adversely affected by the granting of a resource consent for an activity within, adjacent to, or impacting directly on the statutory area, and whose written approval must be

given before the application for a resource consent for that activity can be dealt with on a non-notified basis.

- (4) Te Runanga o Ngai Tahu, and any member of the Ngai Tahu Whanui, may cite the statutory acknowledgement as evidence of the association of Ngai Tahu with the statutory area in submissions to, and at any hearing held by, the regional council on a resource consent application, a policy statement, or a plan.

Further information on the statutory acknowledgements for the nine statutory areas can be found in Schedules 24, 25, 31, 33, 38, 47, 48, 53, and 56 of the Ngai Tahu Claims Settlement Act 1998. Maps showing the location of the Statutory Acknowledgement areas are held at Regional Council offices.

The associations for the nine statutory areas within the West Coast region covered by this Plan, as set out in the Ngai Tahu Claims Settlement Act, are:

Ngai Tahu Association with Kotuku - Whakaoho (Lake Brunner/Moana)

The name Kotuku-Whakaoho relates to a husband and wife called Kotuku and Mawhera. Both were killed at this site which led to one (Kotuku) having their name applied to the lake and the other (Mawhera) lending their name to the Grey River. As with most lakes, there is also a tradition of a taniwha connected with Kotuku-Whakaoho. The story tells how two taniwha were killed by a chief because they had killed his father and sister. On their deaths, the taniwha became islands which now lie in the lake.

For Ngai Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations, these histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngai Tahu as an iwi. Kotuku-Whakaoho holds an important place in Ngai Tahu history as the site of the tribe's battle with Ngati Wairaki. Victory in this battle saw Ngai Tahu gain manawhenua in the area. Besides being a famous battle ground, Kotuku-Whakaoho was important as the site of a permanent settlement, acting as a focal point for food-gathering parties. The principal food taken from the lake was tuna (eel). Waterfowl and forest fowl were also important mahinga kai in this area.

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai, and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today. The importance of the area to Ngai Tahu was recognised by the Crown in the setting aside of a reserve at the lake for Ihaia, Tainui, and Waipapara.

The mauri of Kotuku-Whakaoho represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the lake.

Ngai Tahu Association with the Taramakau River

“Manawhenua (tribal authority over the area) was gained through Ngai Tahu's defeat of Ngati Wairaki, Tumatakokiri, and Ngai Toa. For Ngai Tahu, histories such as this reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped Ngai Tahu as an iwi.

The Taramakau River was, and still is, a significant indigenous fishery and source of manu (birds). The river remains a source of rich and abundant harvests. The area is noted particularly for its tuna (eel) and inaka (whitebait) fisheries.

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai, and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today. There was a pa at the mouth of the river, and kainga nohoanga (temporary settlements) were established along the length of the river which were related to the taking of mahinga kai and, in particular, the retrieval of pounamu. The river itself was, therefore, a significant part of the pounamu trail, via which the taonga was transported from its source to be traded up and down the country.

The tupuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the river. The river was an integral part of a network of trails which were used in order to ensure the safest journey, and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whanau and hapu and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the river.

The mauri of Taramakau represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the river.”

Ngai Tahu Association with Lake Kaniere

Kaniere is noted in Ngai Tahu tradition as a lake occupied by the Ngati Wairaki explorer, Raureka. According to tradition, Raureka was the first to cross Ka Tiritiri o te Moana (the Southern Alps) from her village at Arahura. Apparently she left the village after an argument with her Ngati Wairaki whanaunga (relatives). Raureka was accompanied by her slave as she wandered up to Kaniere and eventually came across a pass which took her to the Rakaia Valley and eventually the Canterbury Plains.

This route came to be later known as Noti Raureka (Brownings Pass). On the east coast, Raureka fell in with a number of Ngai Tahu in the Temuka region who were felling timber with adzes. Raureka showed them her pounamu (greenstone) adze and proceeded to fell the ti tree. The Ngai Tahu agreed that her pounamu was a better stone for an adze. Raureka eventually led a Ngai Tahu party across the Alps to show them the source of pounamu.

For Ngai Tahu, histories such as this reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped Ngai Tahu as an iwi.

Kaniere was also an important mahinga kai used by parties crossing between the coasts. Tuna (eels) and weka were the main foods taken in this area. The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today. Because of its importance as a mahinga kai, the Crown set aside a reserve at the lake for Ngai Tahu last century.

The mauri of Kaniere represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the lake.

Ngai Tahu Association with the Makaawhio (Jacobs River)

According to legend, the Makaawhio River is associated with the Patupaiarehe (flute playing fairies) and Maeroero (ogres of the forest). It is said that Tikitiki o Rehua was slain in the Makaawhio River by the Maeroero. The name 'Tikitiki o Rehua' is now attached to the ridge of hills (sometimes called Jacobs Ridge) on the north bank of the Makaawhio River. For Ngai Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations, these histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngai Tahu as an iwi.

Manawhenua (tribal authority over the area) was gained through Ngai Tahu's defeat of Ngati Wairaki and Tumatakokiri. That manawhenua was cemented by the establishment of kainga nohoanga (permanent settlements) at the mouth and on both banks of the river because of the plentiful supply of mahinga kai from the river and its estuary and surrounds. A northern settlement strategically sited on Tahekeakai (Jacobs Bluff) acted as a sentry lookout that warned of approaching visitors.

As a result of this pattern of occupation, there are a number of urupa and wahi tapu along the river. Urupa are the resting places of Ngai Tahu tupuna and, as such, are the focus for whanau traditions. Urupa and wahi tapu are places holding the memories, traditions, victories and defeats of Ngai Tahu tupuna, and are frequently protected by secret locations.

The Makaawhio was and still is the source of a range of mahinga kai. Rocks at the mouth of the river still provide an abundance of kaimoana (seafood). The estuary of the river itself still provides an abundance of kaiawa (freshwater fisheries), including tuna (eels), patiki (flounders) and inaka (whitebait) and remains a significant kohanga (nursery) for a variety of fish species.

The area is still a significant manu (bird) breeding area, once yielding a rich harvest. The flora of the area provided not only food, but also the raw materials for raranga (weaving), rongoa (medicines) and the building of waka (canoes) and whare (houses). In addition to its bounty of mahinga kai resources, the Makaawhio is a source of the mineral kyanite (Aotea).

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today. Because of the kainga nohoanga, reserves were set aside on the river for Ngai Tahu at the time of the 1860 Arahura Deed of Sale. One of these was an urupa, where notable Ngai Tahu tupuna Te Koeti Turanga and Wi Katau Te Naihi are buried, among others.

The mauri of the Makaawhio represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the river.

Ngai Tahu Association with Lake Paringa

Manawhenua (tribal authority over the area) was gained by Ngai Tahu's defeat of Ngati Wairaki, Tumatakokiri and Ngati Toa. For Ngai Tahu, histories such as this reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped Ngai Tahu as an iwi.

Seasonal kainga nohoanga (settlements) were established for the taking of mahinga kai. Paringa was and still is a noted tuna (eel) fishery, significant spawning ground and kohanga (nursery) for a variety of fish species and significant breeding area for manu (birds), including ducks, kukupa (kereru/ wood pigeon) and weka (now extinct in this area). The lake was therefore a source of rich and abundant harvests. The area also provided plants utilised in raranga (weaving) and other practices.

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka (landing places), places for gathering kai and other taonga, ways in which to use the resources of the lake, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today. Because of the kainga nohoanga, a reserve was set aside for Ngai Tahu in this area at the time of the 1860 Arahura Deed of Sale.

The lake also is a wahi tapu. Wahi tapu are places holding the memories, traditions, victories, and defeats of Ngai Tahu tupuna, and are frequently protected by secret locations.

The mauri of Lake Paringa represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the lake.

Ngai Tahu Association with Okari Lagoon

Manawhenua (tribal authority over the area) was gained through Ngai Tahu's defeat of Ngati Wairaki, Tumatakokiri and Ngati Toa. For Ngai Tahu, histories such as this reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped Ngai Tahu as an iwi.

This hapua (estuary) once supported a number of significant kainga nohoanga (settlements) including Tauraka, Omau, Oweka, Orowaiti, Te Kuha, Orikaka, Waimakaroa and Whareatea. As a result of this pattern of occupation, there are a number of recorded and unrecorded archaeological sites associated with the Okari, including middens. Such sites are a focus for memories of Ngai Tahu tupuna, and as such are wahi taonga to the descendants of those tupuna. Okari was and still is a significant spawning ground and kohanga (nursery) for a variety of fish species and a significant breeding area for manu (birds). The lagoon remains a source of rich and abundant harvests.

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lagoon, the relationship of people with the lagoon and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today. As a mark of the significance of the area as a mahinga kai and because of the kainga nohoanga, a reserve was set aside for Ngai Tahu in this area at the time of the 1860 Arahura Deed of Sale.

The mauri of Okari represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the lagoon.

Ngai Tahu Association with Pouerua

Manawhenua (tribal authority over the area) was gained through Ngai Tahu's defeat of Ngati Wairaki, Tumatakokiri and Ngati Toa. For Ngai Tahu, histories such as this reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped Ngai Tahu as an iwi.

Pouerua once supported a number of significant kainga nohoanga (settlements) including one on the lagoon itself, and others at the mouths of the Waitangi Taona, Waitangi Roto, Whataroa and Poherua Rivers. As a result of this pattern of occupation, there are urupa and archaeological sites associated with Pouerua. Urupa are the resting places of Ngai Tahu tupuna and, as such, are the focus for whanau traditions. These are places holding the memories, traditions, victories and defeats of Ngai Tahu tupuna, and are frequently protected by secret locations. Pouerua was and still is a significant spawning ground and kohanga (nursery) for a variety of fish species and a significant breeding area for manu (birds). The Lagoon remains a source of rich and abundant harvests.

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lagoon, the relationship of people with the lagoon and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today. As a mark of the significance of the area as a mahinga kai and because of the kainga nohoanga, reserves were set aside for Ngai Tahu in this area at the time of the 1860 Arahura Deed of Sale. It was at Pouerua in 1860 that the Crown agent James Mackay sealed the purchase of Te Tai Poutini (the West Coast)

from the chiefs of Poutini Ngai Tahu, although the Arahura Deed giving effect to this purchase was actually signed at Mawhera.

The mauri of Pouerua represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the lagoon.

Ngai Tahu Association with Karangarua Lagoon

Manawhenua (tribal authority over the area) was gained through Ngai Tahu's defeat of Ngati Wairaki, Tumatakokiri and Ngati Toa. For Ngai Tahu, histories such as this reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped Ngai Tahu as an iwi.

Seasonal kainga nohoanga (settlements) were established at the mouth of the Karangarua Lagoon for the taking of kai-awa (river-sourced foods) and manu (birds). Karangarua Lagoon was and still is a significant spawning ground and kohanga (nursery) for a variety of fish species and a significant breeding area for manu. The Lagoon remains a source of rich and abundant harvests. Pokorotutu and Otehautumua were and are notable mahinga kai areas at the north and south ends respectively of the Karangarua. The area is noted particularly for its tuna (eel) and inaka (whitebait) fisheries, as a source of raranga (weaving) materials and other useful plants including raupo, wiwi and harakeke. The traditional practice of collecting seagull eggs from the lagoon during spring is still carried out by local Ngai Tahu.

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lagoon, the relationship of people with the lagoon and their dependence on it and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today. As a mark of the significance of the lagoon as a mahinga kai, reserves were set aside for Ngai Tahu in this area at the time of the 1860 Arahura Deed of Sale, and subsequently under the South Island Landless Natives Act 1906.

The mauri of Karangarua represents the essence that binds the physical and spiritual elements of all things together, generating and upholding; all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the lagoon.

Ngai Tahu Association with Okarito Lagoon

The Okarito Lagoon area was traditionally occupied by the Ngati Wairaki and Rapuwai hapu before Ngai Tahu gained manawhenua (tribal authority over the area). The area was important as the site of the Ngati Wairaki Whare Wananga. It was to this wananga that the Ngai Tahu rangatira (chiefs) went so as to learn the whakapapa to the South Island. For Ngai Tahu, histories such as this reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Ngai Tahu as an iwi.

Okarito is well known as the place occupied by the kotuku (white heron) and there are many Ngai Tahu waiata (songs) that tell the tale of the kotuku. The lagoon was also a

rich mahinga kai. The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga wake, places for gathering kai and other taonga, ways in which to use the resources of the Lagoon, the relationship of people with the lagoon and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today. The mauri of Okarito represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the area.

APPENDIX TWO

Extracts from the Pounamu Resource Management Plan (TRONT, 2002)

In-situ (natural state) pounamu/greenstone accidental discovery

Pursuant to the Ngai Tahu (Pounamu Vesting) Act 1997, all natural state pounamu/greenstone in the Ngai Tahu tribal area is owned by Te Runanga o Ngai Tahu. The Ngai Tahu Pounamu Resource Management Plan provides for the following measures:

Policy 4 (p 62):

Any pounamu (greenstone) accidentally discovered should be reported to the Pounamu Management Officer of Te Runanga o Ngai Tahu as soon as is practicable. (policy 4)

Policy 6 (p 65):

Any artefact made of pounamu discovered or found within the Ngai Tahu takiwa should be left untouched and notified immediately to the local regional museum who will in turn notify Ngai Tahu. If the artefact happens to be collected it should be handed directly to the appropriate regional museum along with all information about the find

Method iv, p 67)

In the event that the finder considers the pounamu is at immediate risk of loss such as erosion, animal damage to the site or theft, the pounamu/greenstone should be carefully covered over and/or relocated to the nearest safe ground. The find should then be notified immediately to the Pounamu Management Officer.

Policy 29 (p 101):

All pounamu discovered, other than through authorised collection, regardless of size is the property of Te Runanga o Ngai Tahu and cannot be removed without consultation with Te Runanga o Ngai Tahu and authorisation from the appropriate Kaitiaki Runanga.

Public fossicking policy 19 (p 89):

Fossicking for pounamu by the public is only allowed on beaches along the West Coast and is limited to what an individual can carry by hand or bag/backpack and is limited to one such take per 24 hour period.

Other policies include:

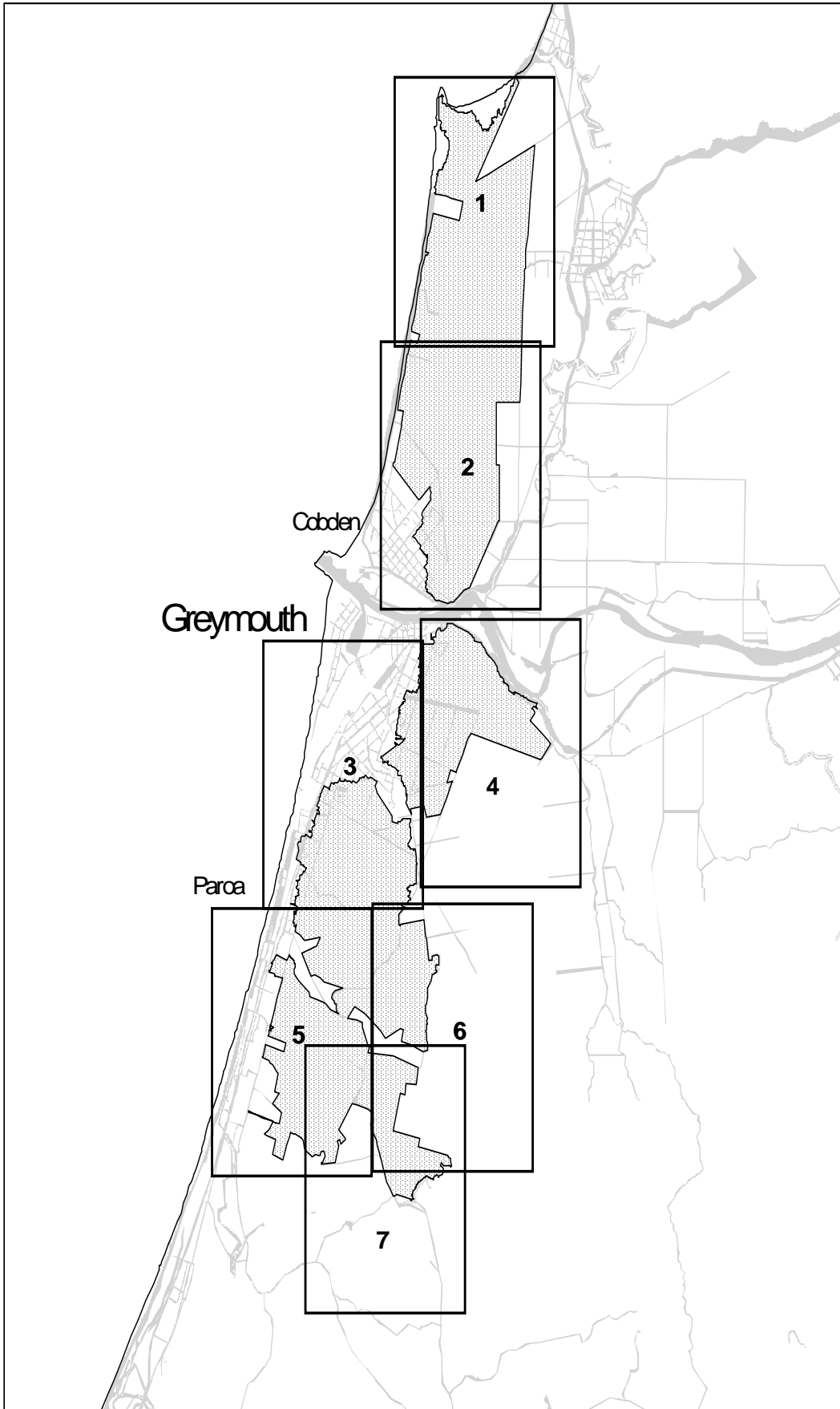
Kaupapa 20 & 21 – Customary and Cultural Collection Policies (pg 92)

Kaupapa 25 Extraction Policy for Te Runaka o Kati Waewae Takiwa (Pg 99)

Kaupapa 26 Extraction Policy for Te Runanga o Makaawhio Takiwa (Pg99)

APPENDIX THREE**Greymouth Earthworks Control Area Maps**

The areas indicated by the black border and shading on the following maps are those in the rules of Chapter Eight that refer to the Greymouth Earthworks Control Area. They are Rules Rule 6.1.3.1 and 6.1.3.4. General areas were identified as hazard areas in the research “Landslide Investigation and Hazard Zonation in the Greymouth Urban Area” (Metcalf, 1993). This was due to their slope angle, stability of the soil profile, and past history of slope failure. In order to have legal certainty those general areas have been aligned to the legal title boundaries of the properties in which they occur.



Greymouth Earthworks Control Area
Index Sheet

West Coast Regional Council
November 1, 2002



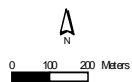
□ Greymouth Earthworks Control Boundary
▨ Greymouth Earthworks Control Area





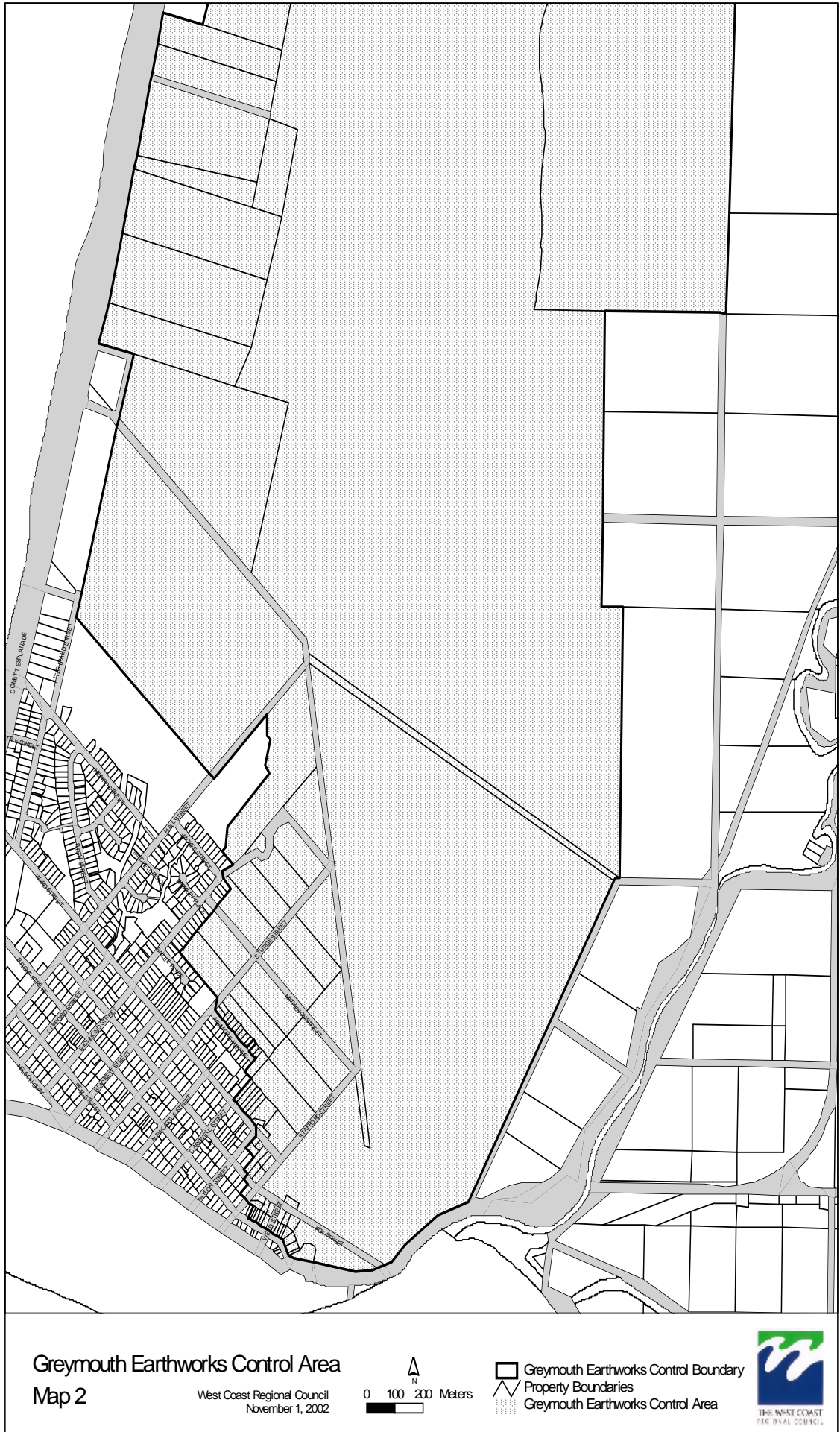
Greymouth Earthworks Control Area
Map 1

West Coast Regional Council
November 1, 2002



-  Greymouth Earthworks Control Boundary
-  Property Boundaries
-  Greymouth Earthworks Control Area

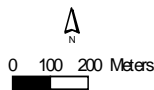






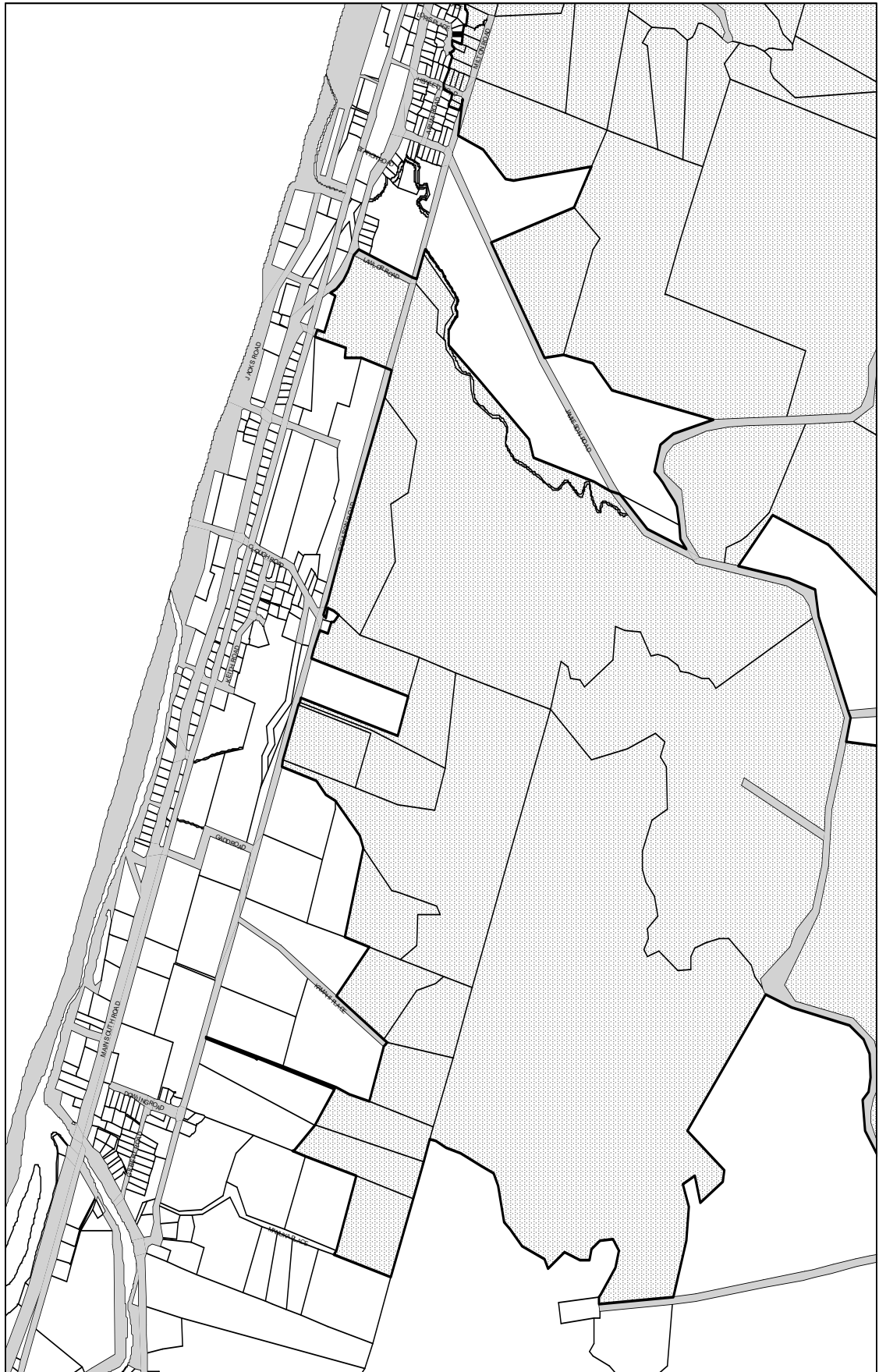
Greymouth Earthworks Control Area
Map 3

West Coast Regional Council
November 1, 2002



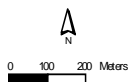
- Thick black line: Greymouth Earthworks Control Boundary
- Thin black line: Property Boundaries
- Stippled area: Greymouth Earthworks Control Area





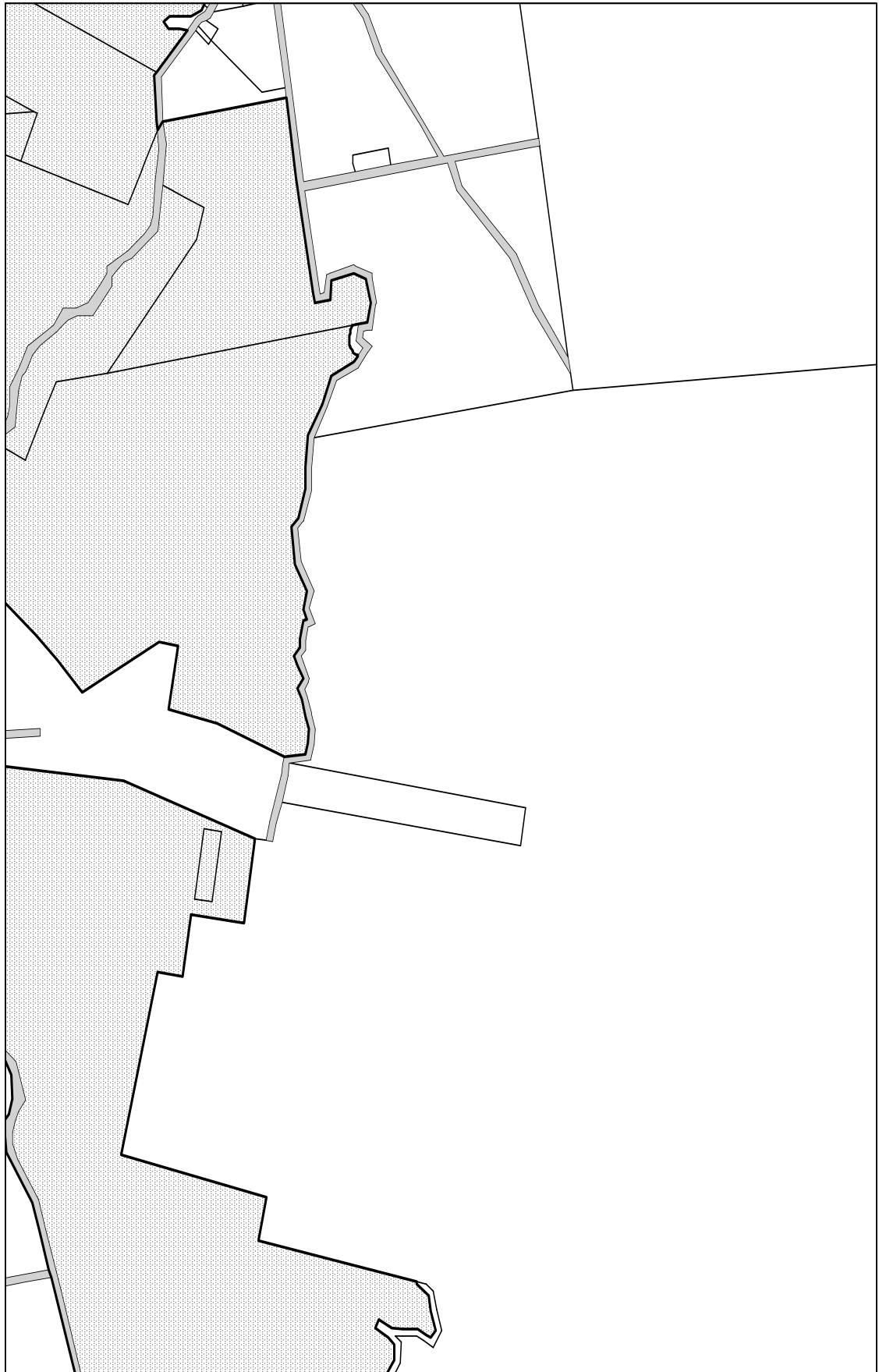
Greymouth Earthworks Control Area
Map 5

West Coast Regional Council
November 1, 2002



- Greymouth Earthworks Control Boundary
- Property Boundaries
- Greymouth Earthworks Control Area





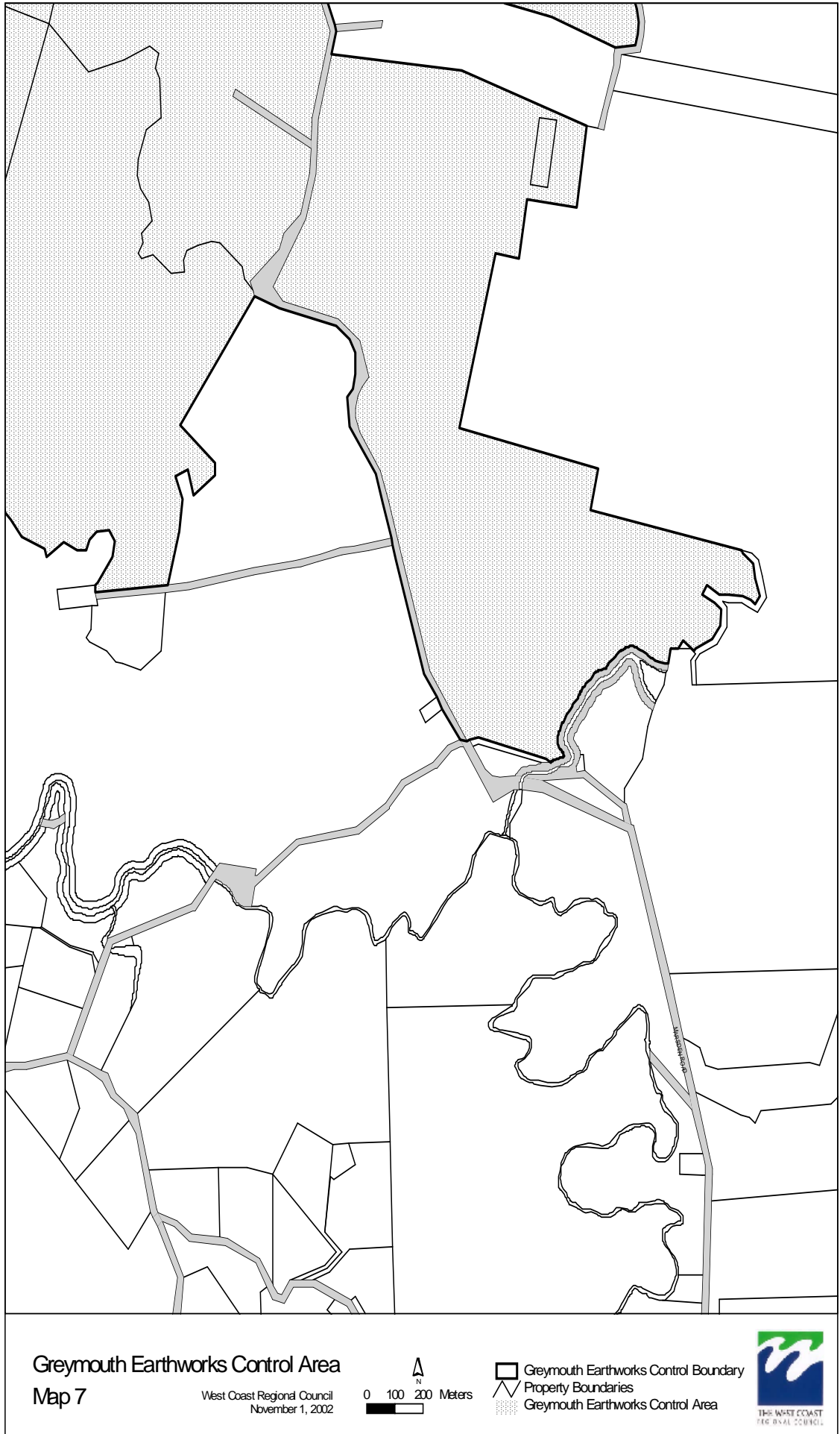
Greymouth Earthworks Control Area
Map 6

West Coast Regional Council
November 1, 2002



-  Greymouth Earthworks Control Boundary
-  Property Boundaries
-  Greymouth Earthworks Control Area





APPENDIX FOUR

National Water Conservation (Grey River) Order 1991

SR 1991/133

PURSUANT to section 20D of the Water and Soil Conservation Act 1967, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

CONTENTS

1. Title and commencement
2. Interpretation
3. Outstanding characteristic and features
4. Retention of natural waters in natural state
5. Partial retention of natural waters
6. Scope

ORDERS

1. Title and commencement
 - (1) This order may be cited as the National Water Conservation (Grey River) Order 1991.
 - (2) This order shall come into force on the 28th day after the date of its notification in the Gazette.
2. Interpretation

In this order, “Act” means the Water and Soil Conservation Act 1967.
3. Outstanding characteristic and features

It is hereby declared that the Ahaura River from Hamers Flat (NZMS 260 K31/064616 to NZMS 260 K31/973681) includes and provides—

 - (a) An outstanding natural characteristic in the form of an incised river gorge with a meandering pattern; and
 - (b) Outstanding scenic features.
4. Retention of natural waters in natural state

The waters of the Blue Grey River (from NZMS 260 L31/382656 upstream), its tributaries, and Lake Cristabel shall be preserved as far as possible in their natural state.
5. Partial retention of natural waters

Because of the outstanding characteristic and features specified in clause 3 of this order—

 - (a) No water right under section 21 of the Act shall be granted in respect of the Ahaura River upstream from Hamers Flat for the purposes of hydro-

electric power generation or other works if the effect of granting the right would detract from the outstanding characteristic and features specified in clause 3 of this order:

- (b) No right to dam the waters of the Ahaura Gorge shall be granted under section 21 of the Act:
- (c) No right under section 21 of the Act shall be granted for the purposes of damming the rivers downstream of the Ahaura Gorge if the effect of granting the right would be to change the rate of flow or water levels in that gorge:
- (d) Any water right may be granted under section 21 of the Act and any general authorisation may be given under section 22 of the Act, for mining and other water uses in the Ahaura Gorge, unless the effect of granting the right or authorisation would detract from the outstanding characteristic and features specified in clause 3 of this order:
- (e) Any water right may be granted under section 21 of the Act and any general authorisation may be given under section 22 of the Act, in respect of the waters specified in clause 3 of this order, for the purposes of—
 - (i) The construction, maintenance, or protection of roads, bridges, pylons, or other necessary public utilities:
 - (ii) Soil conservation, river protection, or other activities undertaken pursuant to the Soil Conservation and Rivers Control Act 1941.

6. Scope

Nothing in this order shall be construed as limiting the effect of the second proviso to section 21(1) of the Act relating to the use of water for domestic needs, for the needs of animals, and for or in connection with fire-fighting purposes.

MARIE SHROFF,

Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force 28 days after its notification in the Gazette, declares the waters of the Ahaura Gorge downstream of Hamers Flat—

- (a) To be an outstanding natural characteristic in the form of an incised river gorge with a meandering pattern; and
- (b) To have outstanding scenic features.

The order also includes various provisions to preserve and protect the waters of the Grey River.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in Gazette: 25 July 1991.

This order is administered in the Ministry for the Environment.

APPENDIX FIVE

National Water Conservation (Buller River) Order 2001

The following are sections of the Water Conservation (Buller River) Order 2001 that are relevant to the West Coast region:

WATER CONSERVATION (BULLER RIVER) ORDER 2001

SR 2001/139

Pursuant to sections 214 and 423 of the Resource Management Act 1991, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

CONTENTS

1. Title
2. Commencement
3. Interpretation
4. Outstanding characteristics and features
5. Waters to be retained in natural state
6. Waters to be protected
7. Restrictions on damming of waters
8. Restrictions on alterations of river flows and form
9. Restrictions on alteration of lake levels
10. Requirement to maintain fish passage
11. Restrictions on alteration of water quality
13. Scope of order
14. Exemptions

SCHEDULE 1

SCHEDULE 2

ORDERS

1. Title
This order is the Water Conservation (Buller River) Order 2001.

2. Commencement
This order comes into force on the 28th day after the date of its notification in the Gazette.
3. Interpretation
In this order, unless the context otherwise requires,—
Act means the Resource Management Act 1991
NTU means Nephelometric Turbidity Unit
reasonable mixing means the mixing that occurs—
 - (a) within a maximum radius of 200 metres from a discharge into a still water body; or
 - (b) within a maximum distance of 200 metres downstream from a discharge into a river
 river means the main stem of the waters specified in Schedule 1, 2, or 3; and includes any unnamed naturally occurring still water bodies that lie along the main stem
 tributaries means all the tributaries of the rivers or sections of rivers identified in Schedule 1, 2, or 3.
4. Outstanding characteristics and features
The waters specified in any of Schedule 1, 2, or 3 include, to the extent identified in Schedule 1, 2, or 3, the following outstanding characteristics, features, and values:
 - (a) outstanding recreational characteristics:
 - (b) outstanding wild and scenic characteristics:
 - (c) outstanding fisheries or wildlife habitat features:
 - (d) outstanding scientific values.
5. Waters to be retained in natural state
Because of the outstanding characteristics, features, and values identified in clause 4, the quality, quantity, level, and rate of flow of the waters specified in Schedule 1 are to be retained in their natural state.
6. Waters to be protected
Because of the outstanding characteristics, features, and values identified in clause 4,—
 - (a) the waters specified in Schedule 2 are to be protected in accordance with the restrictions and prohibitions in clauses 7 to 11, as specified in Schedule 2:
7. Restrictions on damming of waters
 - (1) For the purposes of this clause, damming does not include any intake or deflection structure that does not—
 - (a) harm any salmonid fish spawning or prevent the passage of any fish; or
 - (b) prevent the use of the waters for rafting or canoeing; or
 - (c) reduce the wildlife habitat; or
 - (d) intrude visually to the extent that it reduces wild and scenic values.

- (2) No resource consent may be granted or rule included in a regional plan permitting the damming of the waters specified in Schedule 2 whenever any of the characteristics in subclause (1) are listed as outstanding in Schedule 2 and that schedule refers to this clause.
8. Restrictions on alterations of river flows and form
- (1) No resource consent may be granted or rule included in a regional plan—
- (a) if the effect of the resource consent or rule would not generally maintain the channel cross-section, meandering pattern, and braided river channel characteristics of the form of any river specified in Schedule 2;
- (b) if the effect of the resource consent or rule would alter the naturally occurring instantaneous flow of the water in any river specified in Schedule 2 by more than 5%.
- (2) The restriction in subclause (1)(a) does not apply in respect of dams, weirs, roads, fords, bridges, access ways, or fish passes lawfully existing on the date this order comes into force.
9. Restrictions on alteration of lake levels
- No resource consent may be granted or rule included in a regional plan for the waters of Lake Rahuī, item 22 of Schedule 2 (this may be an error – see item 20 in Schedule 20), if the effect of that resource consent or rule would alter the mean natural level of the lake or allow a daily fluctuation that exceeds—
- (a) 10% of the natural annual fluctuation; or
- (b) the natural limits of fluctuation.
10. Requirement to maintain fish passage
- No resource consent may be granted or rule included in a regional plan for the waters specified in Schedule 2 unless that resource consent or rule maintains—
- (a) adequate natural or artificial passage for trout through those waters where Schedule 2 identifies trout as an outstanding characteristic; and
- (b) adequate natural or artificial passage through those waters for those native fish that require such passage where Schedule 2 identifies native fish as an outstanding characteristic.
11. Restrictions on alteration of water quality
- (1) No resource consent may be granted or rule included in a regional plan permitting a discharge into any of the waters specified in Schedule 2 if, after allowing for reasonable mixing of the discharge with the receiving waters, the discharge would—
- (a) alter the concentration of suspended solids or turbidity in the receiving waters by more than 1 milligram per litre or 1 NTU where the ambient concentration of suspended solids or turbidity is less than or equal to 10 milligrams per litre or 10 NTU respectively; or
- (b) alter the ambient concentration of suspended solids or turbidity in the receiving waters by more than 10 milligrams per litre or 10 NTU where the concentration of suspended solids or turbidity is more than 10 milligrams per litre or 10 NTU respectively; or
- (c) alter the visual clarity of the waters by more than 20%; or
- (d) alter the natural temperature of the receiving waters—
- (i) by more than 3 degrees Celsius; or

- (ii) by increasing the water temperature to more than 20 degrees Celsius; or
 - (iii) so as to adversely affect, during their spawning season, the spawning of—
 - (A) rainbow and brown trout:
 - (B) inanga:
 - (C) koaro:
 - (D) giant, banded, and short-jawed kokopu:
 - (E) alpine, long-jawed, dwarf, and common galaxias.
 - (2) No resource consent may be granted or rule included in a regional plan permitting the discharge into any of the waters specified in Schedule 2 unless, after allowing for reasonable mixing of the discharge with the receiving waters,—
 - (a) any change in the acidity or alkalinity in the receiving waters, as measured by the pH and attributable to that discharge, would either—
 - (i) maintain the pH within the range of 6 to 9 units; or
 - (ii) not allow a change by more than 0.5 units when the natural pH lies outside the range of 6 to 9 units; and
 - (b) there would be no undesirable biological growths attributable to the discharge, including—
 - (i) bacterial or fungal slime growths that are visible to the naked eye; or
 - (ii) seasonal maximum covers of streams or river beds by—
 - (A) periphyton as filamentous growth or mats (larger than 3 millimetres thick) exceeding 40%; or
 - (B) biomass exceeding 100 milligrams of chlorophyll-a per square metre; or
 - (C) 40 grams ash-free dry weight per square metre of exposed surface area; and
 - (c) aquatic organisms are not made unsuitable for human consumption through the accumulation of excessive concentrations of contaminants; and
 - (d) the water is not made unsuitable for recreation by the presence of contaminants, or the median bacterial level of 5 samples or more taken over a period of 30 days would not exceed 126 E coli per 100 millilitres.
 - (3) No resource consent may be granted or rule included in a regional plan permitting a discharge into any of the waters specified in Schedule 2 if, after allowing for reasonable mixing of the discharge with the receiving waters, the discharge would reduce the concentration of dissolved oxygen below 80% of saturation.
 - (4) For the purposes of subclause (3), if the natural concentration is less than 80% of saturation, the natural level must be maintained or increased.
13. Scope of order
- (1) This order does not limit section 14(3)(b) and (e) of the Act, which relates to the use of water for domestic needs, for the needs of animals, and for, or in connection with, fire-fighting purposes.
 - (2) This order does not restrict or prevent the grant of resource consents to the Department of Conservation or rules being included in a regional plan that

- would permit minor water uses if those minor uses are necessary for the management of land administered by the Department.
- (3) This order does not restrict or prevent the grant of resource consents for the purpose of—
- (a) research into, and enhancement of, fisheries and wildlife habitats; or
 - (b) hydrological or water quality investigations; or
 - (c) the construction, maintenance, or protection of any road or bridge, or the maintenance or protection of any other network utility operation (as defined in section 166 of the Act); or
 - (d) the construction or maintenance of soil conservation and river protection works undertaken in accordance with the Soil Conservation and Rivers Control Act 1941.
- (4) This order does not prevent the granting of further resource consents for the Maruia Springs Thermal Resort on similar terms and conditions to those imposed on the resource consents held on the date this order comes into force.
14. Exemptions
- Nothing in this order prevents the grant of a resource consent that would otherwise contravene the conditions set out in clauses 7 to 12 if—
- (a) a consent authority is satisfied that—
 - (i) there are exceptional circumstances to justify the grant of the resource consent; or
 - (ii) any discharge is of a temporary nature; or
 - (iii) any discharge is associated with necessary construction and maintenance work for works and structures not otherwise prohibited by this order; and
 - (b) a consent authority is satisfied that the exercise of any such resource consent would not compromise the preservation and protection of the outstanding characteristics and features identified for the waters specified in the Schedules.

SCHEDULE 1

cl 5

WATERS TO BE RETAINED IN NATURAL STATE

<i>Item</i>	<i>Waters</i>	<i>Outstanding characteristics or features</i>
13	Lake Daniels	Rainbow trout fishery, Wild and scenic Native fishery
15	Te Wharau Creek (Stony River)	Headwater trout fishery
16	Blackwater River and Ohikaiti River	Wild and scenic, Blue duck, Native fishery
17	Ohikanui River and all its tributaries	Headwater trout fishery, Wild and scenic Native fishery, Blue duck

SCHEDULE 2
cl 6
PROTECTED WATERS

<i>Item</i>	<i>Waters</i>	<i>Outstanding characteristics or features</i>	<i>Restrictions and prohibitions</i>
4	Buller River from Maruia confluence to Iron Bridge	Canoeing, Rafting, Wild and scenic	cls 7, 8(1), 8(2), 10, and 11
5	Buller River from Iron Bridge to Te Kuha	Rafting Wild and scenic	cls 7, 8(1), 8(2), 10, and 11
16	Maruia River downstream of Alfred River confluence and including the Alfred River to the upper end of the Mainstem Gorge at the Jones Creek confluence (map reference L30 434 017)	Headwater trout fishery Wild and scenic	cls 7, 8(1), 8(2), 10, and 11
19	Rappahannock River, Station Creek, Woolley River, and Rahu River	Headwater trout fishery Trout spawning habitat Native fishery	cls 7, 8(1), 8(2), 10, and 11
20	Lake Rahu	Wildlife habitat	cls 9, 10, and 11

Marie Shroff,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on the 28th day after the date of its notification in the Gazette, declares that—

(a) the waters described in Schedule 1 are to be retained in their natural state because of the outstanding characteristics, features, and values of the waters:

(b) the waters described in Schedule 2 are waters to be protected because of the outstanding characteristics, features, and values of the waters:

The order specifies how the waters are to be preserved and protected. The order also specifies the limitations of the preservations and protections.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in Gazette: 21 June 2001.

This order is administered in the Ministry for the Environment.

APPENDIX SIX

Inanga (Whitebait) Spawning Sites*

River	Area description	Grid Reference
Un-named creek entering Northeast corner of the Karamea estuary	Downstream of the point approximately 700m upstream of the point where it crosses the Karamea Kohaihai Road.	At or about L27 355.5 006.4
Oparara River	Downstream of the point 1km upstream of the Karamea Kohaihai Road bridge	At or about L27 362 991
Baker Creek (Karamea)	Downstream of the point opposite the end of Quinlans Road	At or about L27 361 959.5
Karamea River	Downstream of SH 67 bridge	At or about L27 372 936
Granite Creek	Downstream of the point opposite the junction of Granite Creek Road and Kongahu Swamp Road	At or about L27 354 897.5
Blackwater Creek	Downstream of the point approximately 400m upstream of the bridge on Granite Creek Road	At or about L27 350.5 893.5
Little Wanganui	Downstream of SH 67 bridge	At or about L27 340.5 808.5
Stony Stream	Downstream of the point where it crosses SH 67	At or about K29 089 460
Jones Creek (Birchfield)	Downstream of the point where it crosses SH 67	At or about K29 093 465
Waimangaroa Catchment	Downstream of the respective points where two un-named streams cross Collins Road	At or about K29 061.5 450.5 and 062.5 449.5

Whareatea River and un-named tributaries	Southern tributary downstream of the point approximately 400m upstream of its confluence with Whareatea River Whareatea River downstream of the point where it crosses the Railway line Northern tributary downstream of the point approximately 300m upstream of its confluence with Whareatea River	At or about K29 040 416.5, 045 415, 047.5 422.5
Black Creek	Downstream of the point 1.2 km upstream of the confluence with Deadman's Creek.	At or about K29 010 405
Orowaiti River	Downstream of the end of McKennas Road	At or about K29 953 361.5
Beaton Creek	Downstream of where it crosses Utopia Road	At or about K29 976.5 389.5
Salt marsh (also known as the Mississippi) on north side of the Buller river	Downstream of the point where the channel forms.	At or about K29 934.7 396
Buller River	Downstream of the point where the transmission lines cross the river upstream of the SH 67 bridge.	At or about K29 935.5 362
Martin Creek	Downstream from where it rises	At or about K29 928 377.5
Bradshaws Creek	Downstream of where it crosses the old road bridge just upstream of the bridge on Cape Foulwind Road	At or about K29 921.5 381.5
Un-named creek flowing into the south side of the Buller estuary	Downstream of where it crosses Seaton Road	At or about K29 907 386.5
Un-named Creek flowing into the south end of Tauranga Bay	Downstream of where it rises	At or about K29 819 355
Okari River	Downstream of the point approximately 1km upstream from where it enters the lagoon	At or about K29 840 301.5
Pororari River	Downstream of the SH 6 bridge	At or about 726.6987.5

Punakaiki River	Downstream of a point determined by the extension of the track that is perpendicular to the river on the south side	At or about 723.5 966.5
Grey River including the Cobden lagoon	Downstream of SH 6 bridge	At or about J31 633 607
Saltwater Creek	Downstream of SH 6 bridge	At or about J32 594 534
Taramakau River Mouth – Un-named creek flowing into the south side of the estuary	Downstream of the point approximately 800m upstream from where it enters the estuary	At or about J32 554 464
Sunday Creek	Downstream of the confluence of Sunday Creek and an un-named tributary	At or about J32 521 394
Hokitika River	Downstream of the SH 6 bridge	At or about J33 431 294
Mahinapua Creek	Downstream of the old SH bridge at Takutai	At or about J33 412.5 279.5
Waitaha River	Ounatai Lagoon approximately 1km from the mouth	At or about I33 183 020
Oneone River	Downstream of the footbridge	At or about I34 001 913.5
Poerua River and unnamed tributary	Downstream of the point approximately 1km upstream from the mouth	At or about I34 respectively 995 916 992 913.5
Hikimutu Lagoon	Downstream of the point approximately 1.5km from the mouth	At or about I34 980 910
Watangitaona River	Downstream of the point approximately 800m upstream from the Wardens Hut	At or about H34 869.5 822.5

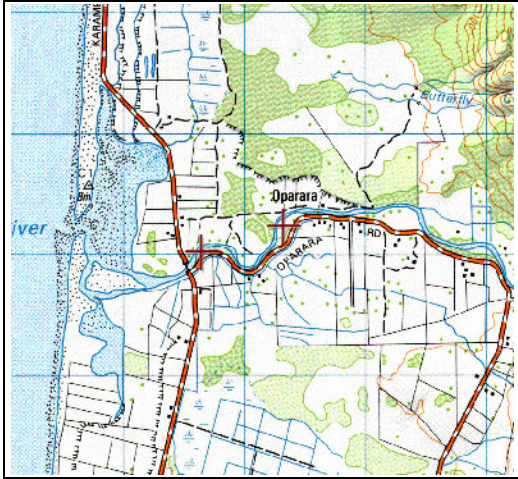
Gordon Creek – Ohinetamatea catchment	Downstream of the point approximately 350m upstream of the point where it enters the Saltwater lagoon	At or about H35 490 451
Moeraki River (Blue River) and un-named tributaries	Downstream of the point approximately 1.5km upstream from the mouth	At or about F36 086 140
Sam Creek	Downstream of the ford.	At or about G36 425 342.5
Hunt Creek	Downstream of the point approximately 300 metres upstream from the confluence with Farm Creek	At or about G36 433 345
Makawhio River (Jacobs)	Downstream of a point opposite the yards	At or about G36 397 319
Papakeri Creek	Downstream of SH 6 bridge	At or about G36 387 309
Waita River Lagoon	Downstream of the SH 6 bridge	At or about F37 980 057.5
Turnbull River catchment	Downstream of the confluence of Collyer Creek and Macs Lagoon	At or about F37 822.5 905

- Information supplied by the Department of Conservation – Whitebait spawning areas, November 1999; and Michael Hickford, University of Canterbury.

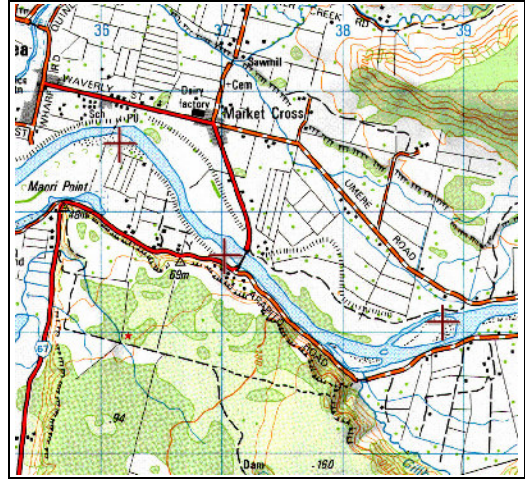
APPENDIX 7

Gravel Extraction Sites for Rule 6.2.3.4(2)

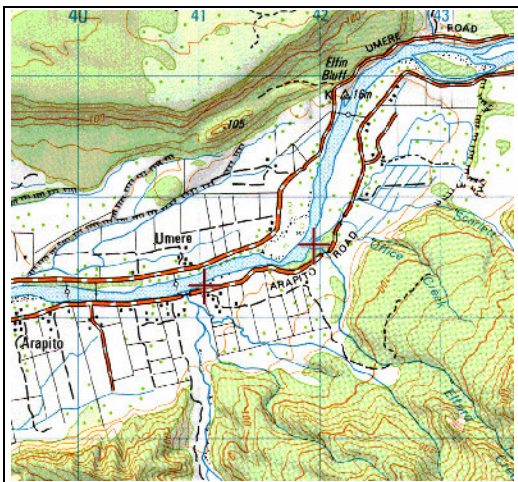
BULLER DISTRICT



OPARARA RIVER



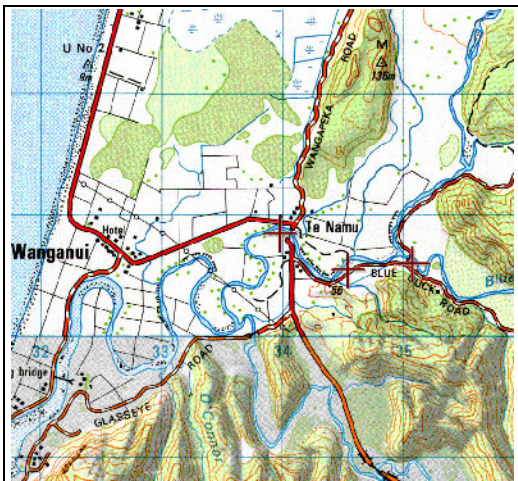
KARAMEA RIVER



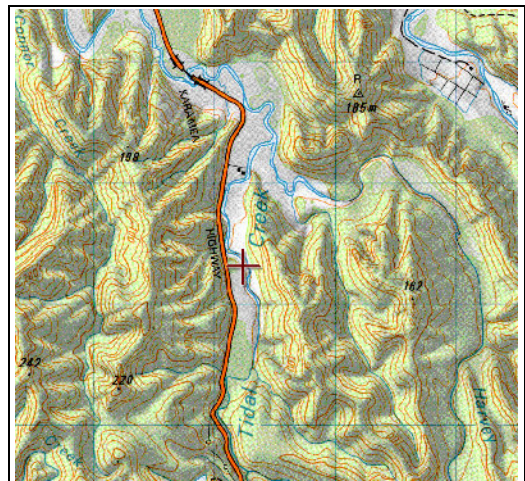
KARAMEA RIVER



GRANITE CREEK

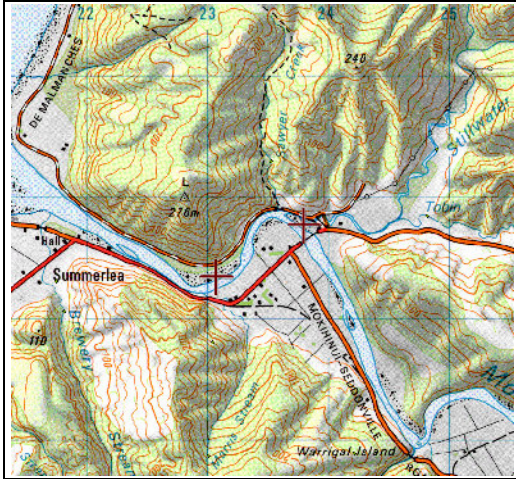


LITTLE WANGANUI RIVER

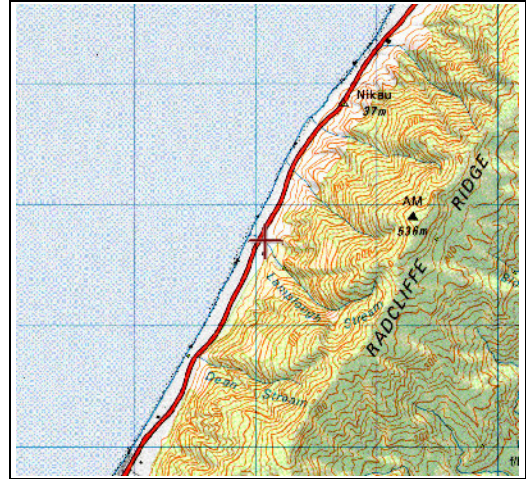


TIDAL CREEK

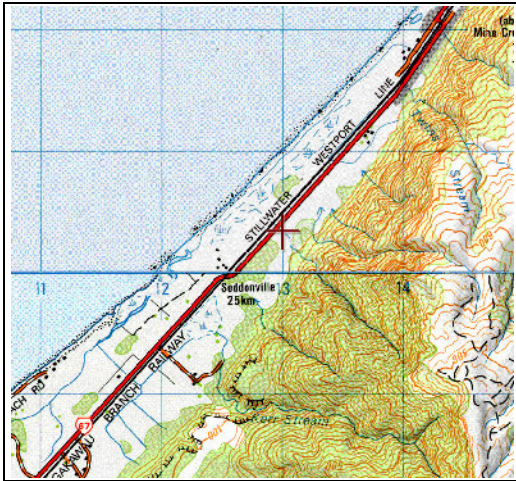
BULLER DISTRICT



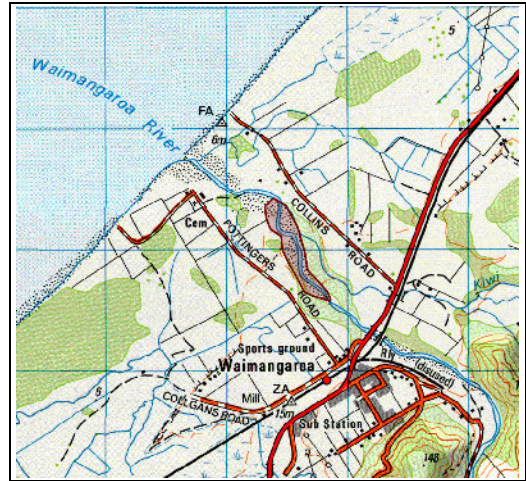
MOKIHIUI RIVER



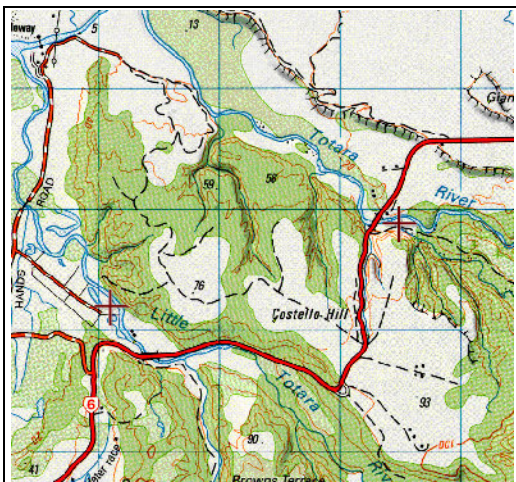
LAMPLOUGH STREAM



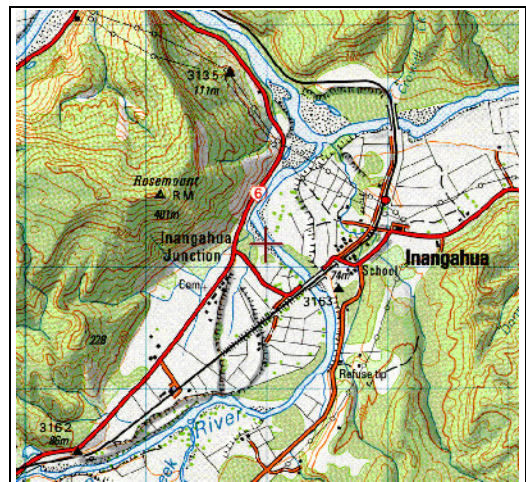
UNNAMED CREEK



WAIMANGAROA RIVER

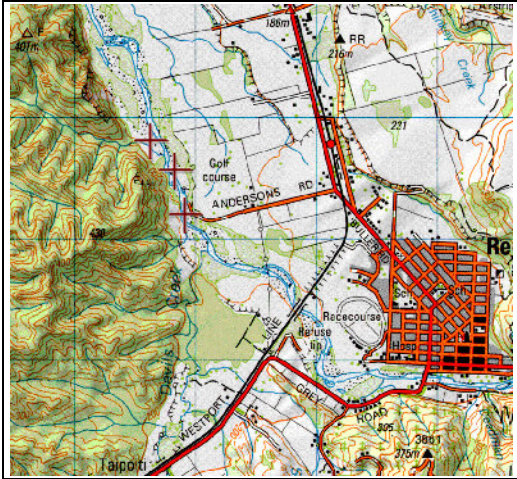


TOTARA RIVER

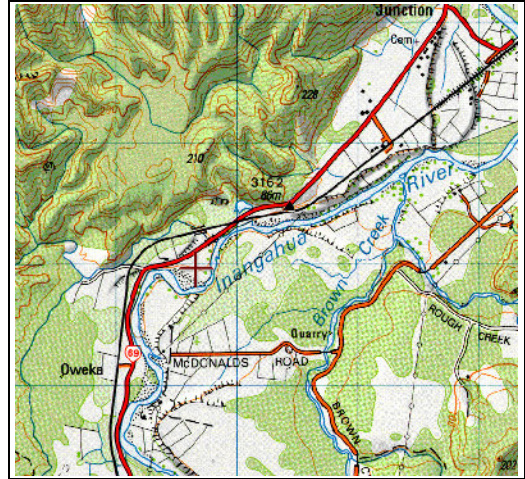


INANGAHUA RIVER

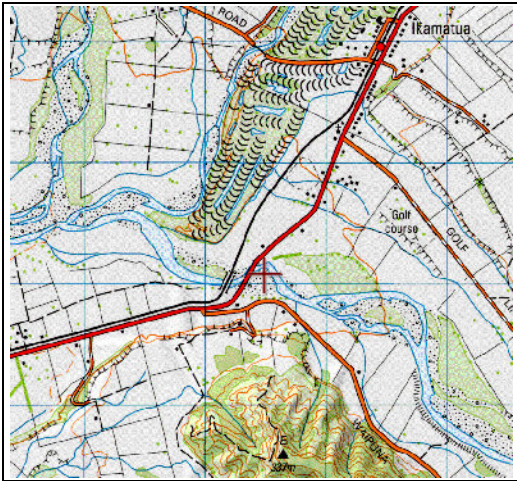
BULLER DISTRICT



INANGAHUA RIVER

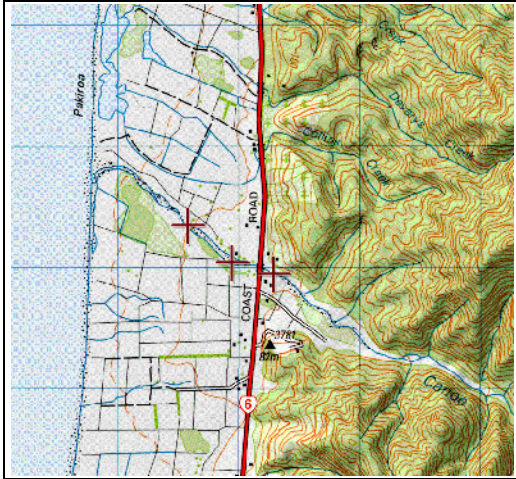


INANGAHUA RIVER

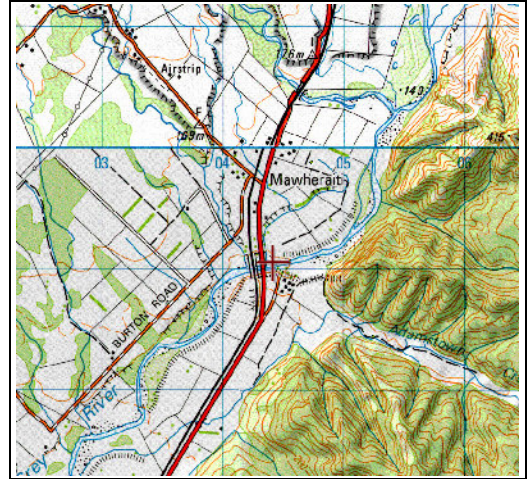


GREY RIVER

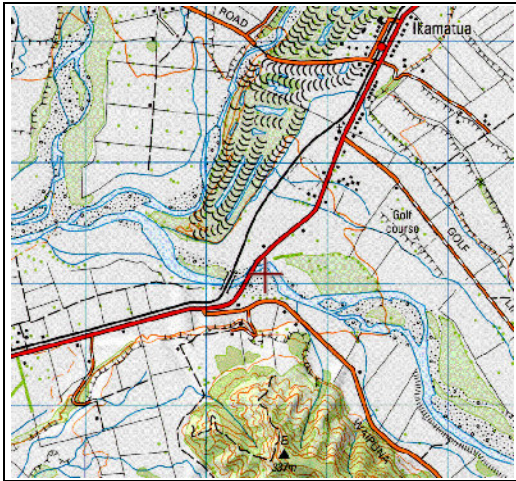
GREY DISTRICT



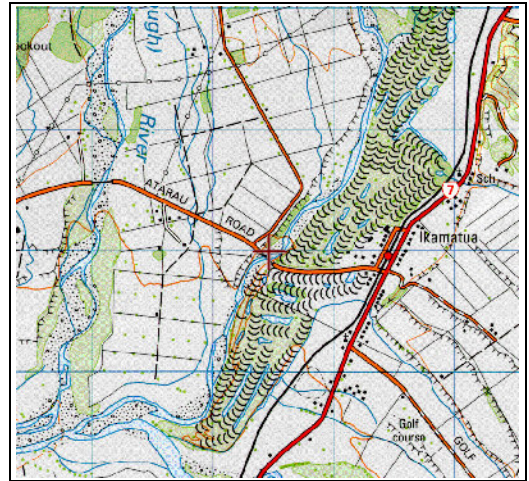
CANOE CREEK



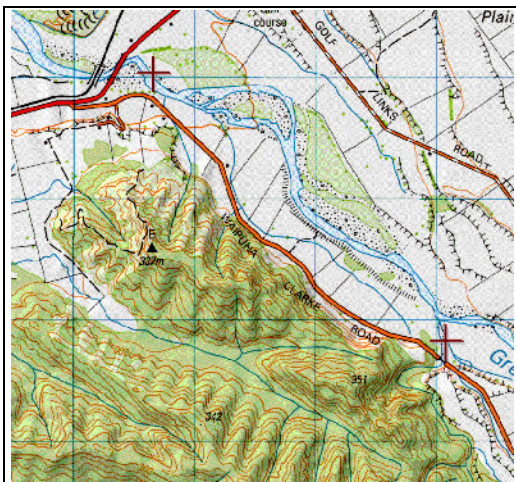
MAWHERAITI RIVER



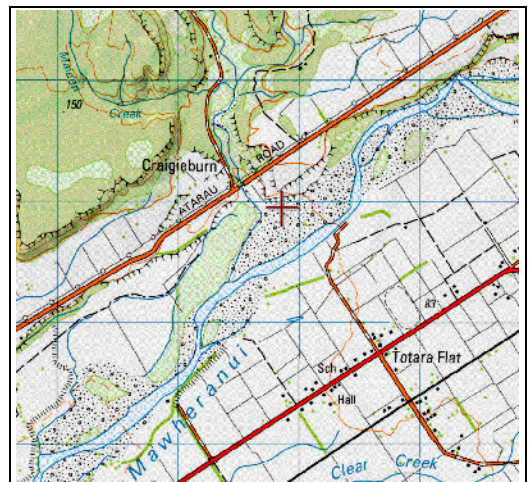
GREY RIVER



MAWHERAITI RIVER



GREY RIVER

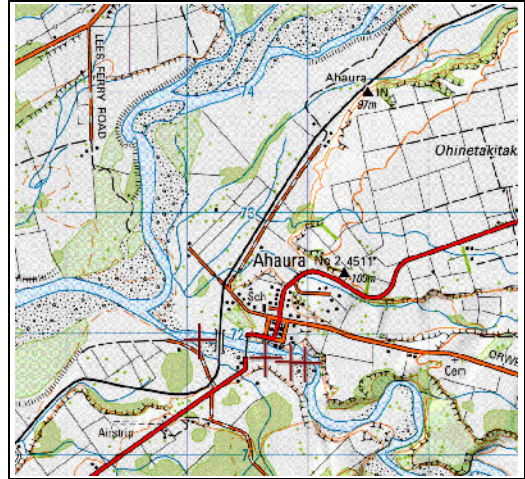


GREY RIVER

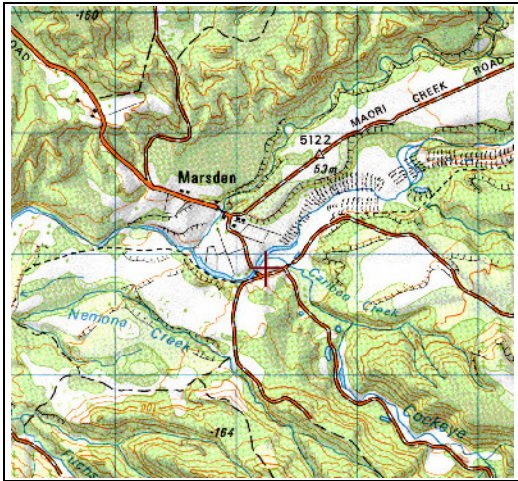
GREY DISTRICT



SLATY CREEK

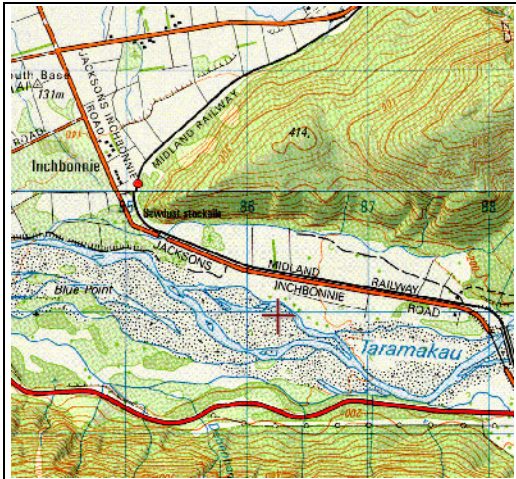


AHAURA RIVER



NEW CREEK

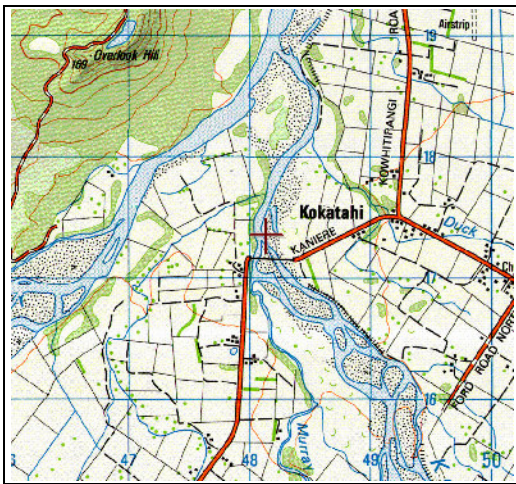
WESTLAND DISTRICT



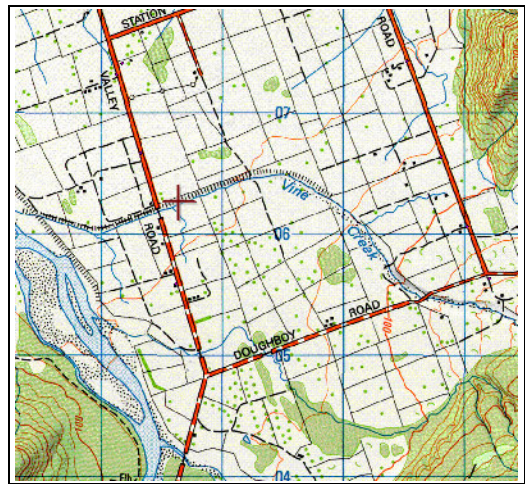
TARAMAKAU RIVER



TARAMAKAU RIVER



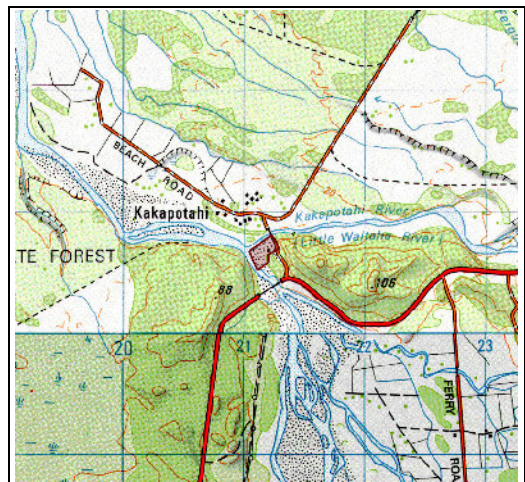
KOKATAHI RIVER



VINE CREEK

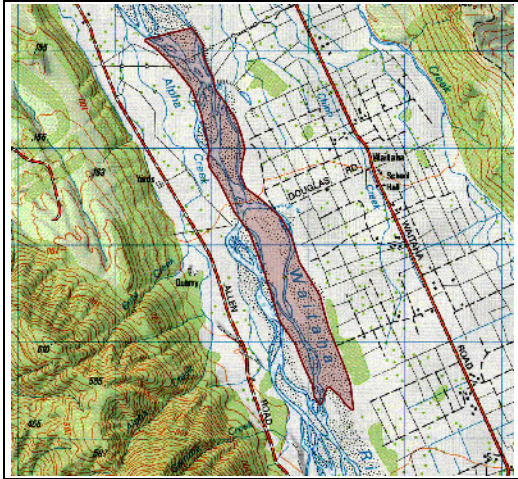


MIKONUUI RIVER



KAKAPOTAHI RIVER

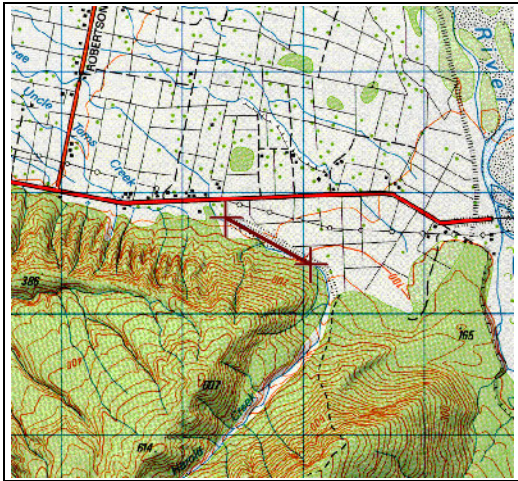
WESTLAND DISTRICT



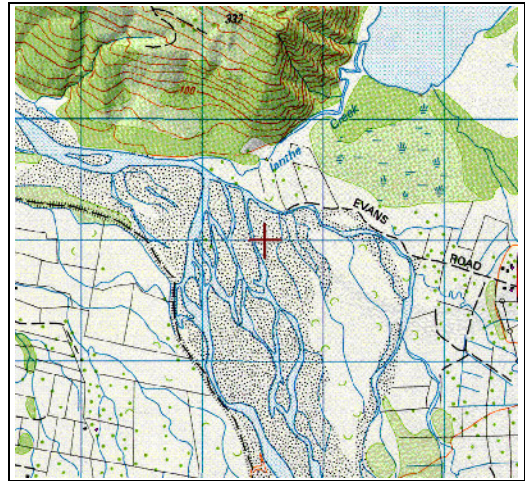
WAITAHA RIVER



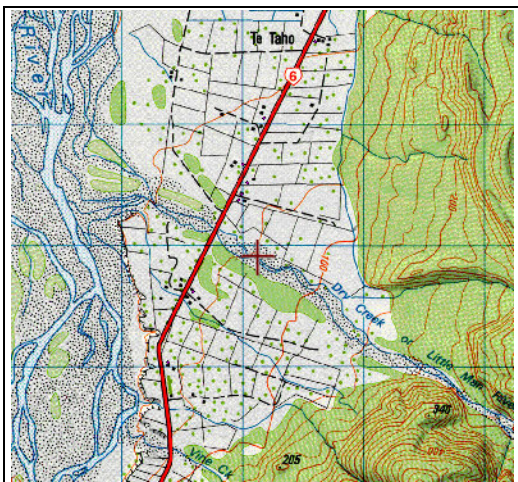
DONNELLY CREEK



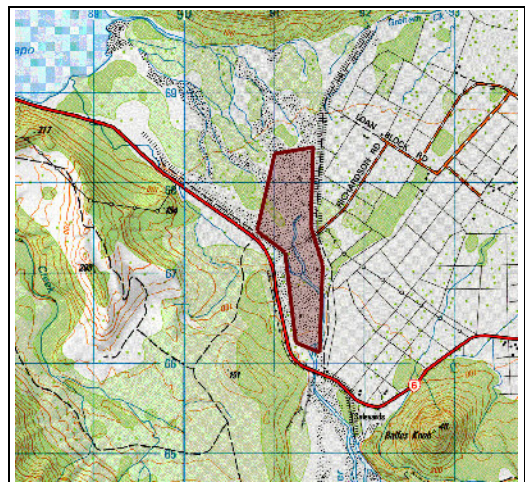
HAROLD CREEK



WANGANUI RIVER

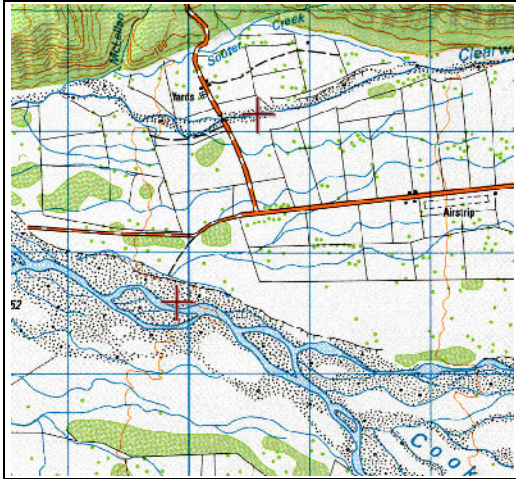


DRY OR LITTLE MAN CREEK

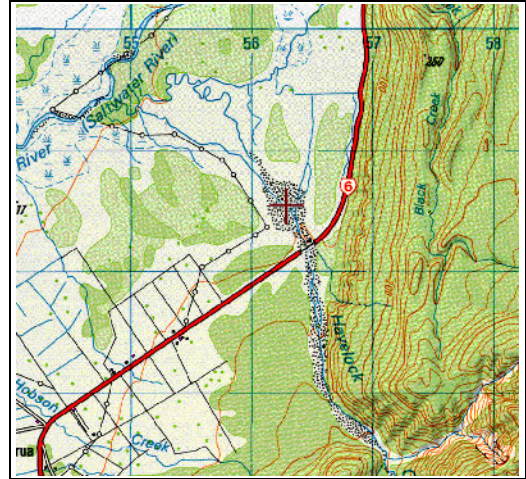


WAITANGITONA RIVER

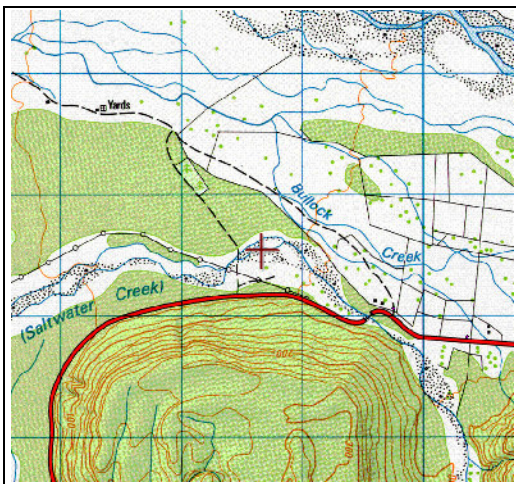
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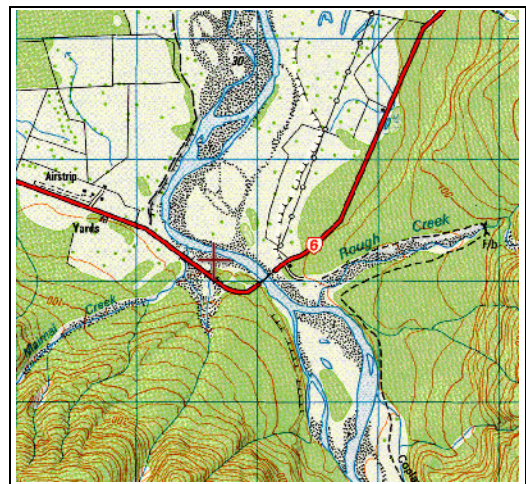
**CLEARWATER CREEK AND
FOX RIVER**



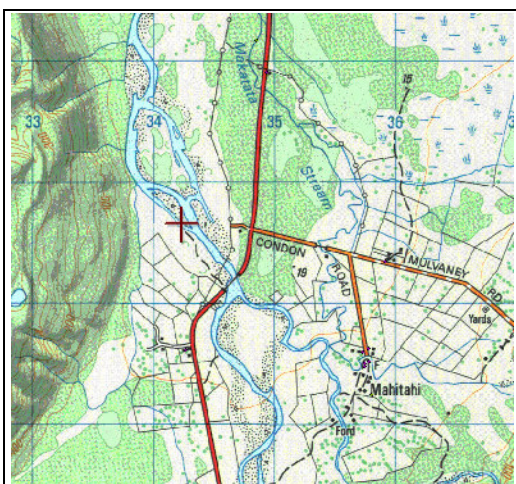
HAVELOCK CREEK



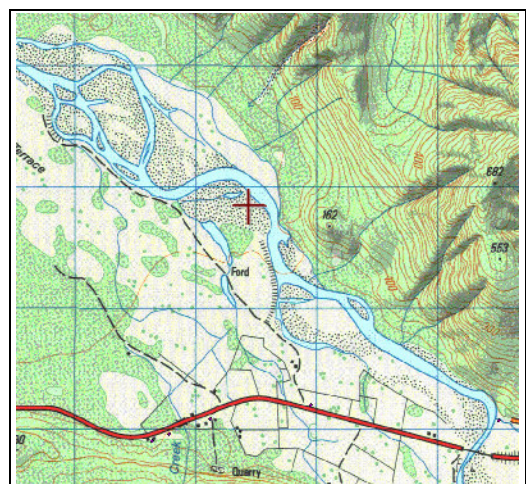
OHINETAMATEA CREEK



KARANGARUA RIVER

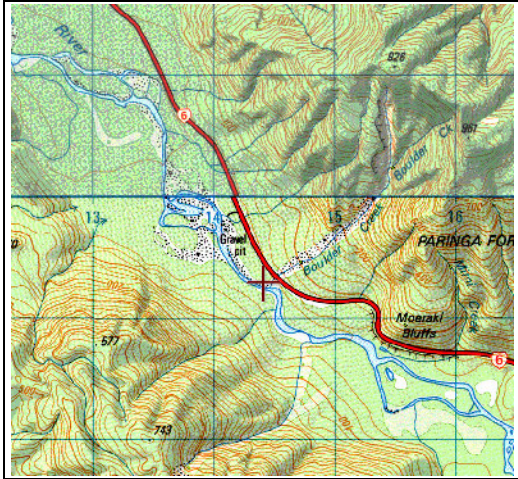


MAHITAHI RIVER

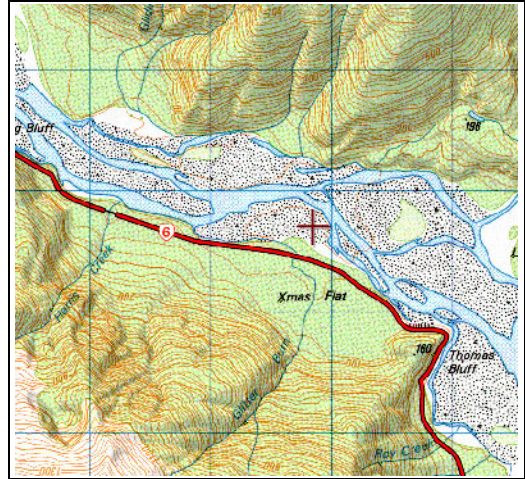


PARINGA RIVER

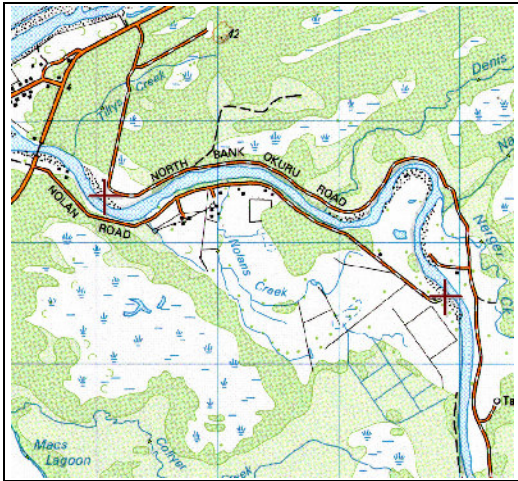
WESTLAND DISTRICT



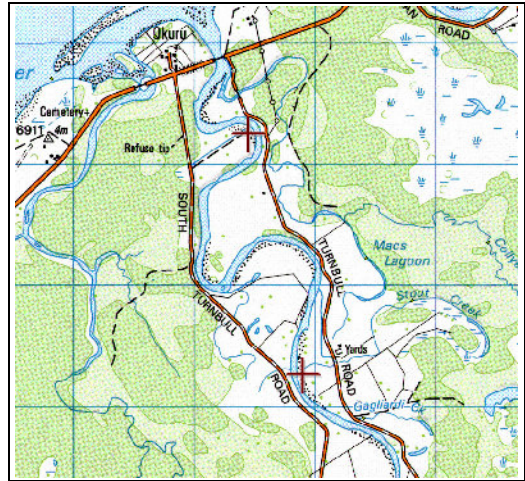
MOERAKI RIVER



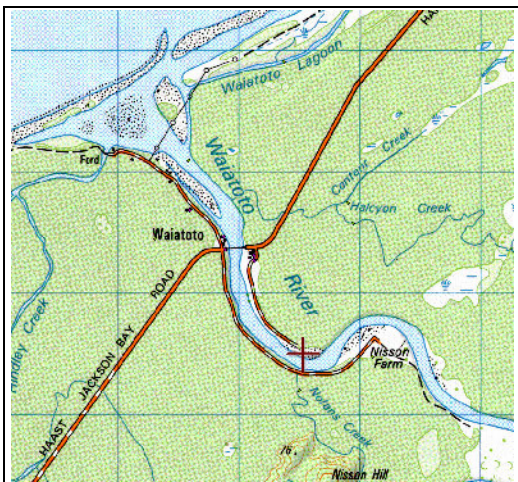
HAAST RIVER



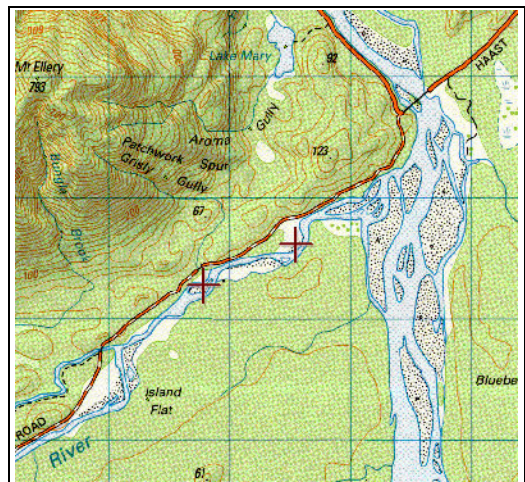
OKURU RIVER



TURNBULL RIVER



WAIATOTO RIVER



JACKSON RIVER