

## **PART 4**

# **SIGNIFICANT RESOURCE MANAGEMENT ISSUES, OBJECTIVES AND POLICIES**

### **4.1. Introduction**

- 4.1.1. The important resources and the major activities which utilise or impact on the natural and physical resources of the Buller are identified and discussed in Part Three of the Plan. The effects of these activities on the natural and physical environment differ in both scale and magnitude depending on the characteristics of the resource, including its vulnerability or resilience to change. Issues arise when the different demands which people and communities place on resources conflict and/or where there are major environmental effects arising from a particular activity.
- 4.1.2. Resource management issues significant to the Buller District are identified and discussed, followed by specific objectives and policies which relate to each issue. The methods of implementing these objectives and policies are then outlined.
- 4.1.3. Accordingly Part 4 takes the following form:

#### **4.1.3.1. Key Resource Management Issue**

The issue, as it relates to a natural or physical resource, is stated and explained together with reasons for its significance in the Buller District.

#### **4.1.3.2. Objectives**

Objectives relate directly to the issues and reflect the specific outcomes desired by the community.

#### **4.1.3.3. Policies**

Policies identify specific areas in which the Council intends to take action in working towards objectives.

#### **4.1.3.4. Methods of Implementation**

The main methods for the implementation of objectives and policies are identified. These include both regulatory, that is rules and regulations, and non-regulatory methods such as economic instruments, information, consultation, advocacy and works and services. A monitoring strategy will be introduced by the Council addressing its responsibilities under Section 35 of the Act.

#### **4.1.3.5. Explanation/Reasons**

Objectives and policies are explained as being necessary in terms of promoting sustainable management and fulfilling the Council's functions and responsibilities under the Act.

#### **4.1.3.6. Intended Environmental Outcomes**

These state the environmental outcomes relating to an issue which the Council intends to achieve or work towards through implementation of the stated objectives and policies. Outcomes are based on community expectations with regard to the environment, and the expected result from the policies and methods in the Plan. They are also intended to form a measurable basis for monitoring the effectiveness of the District Plan in achieving the overall goal of sustainable management.

#### **4.1.3.7. Monitoring**

The monitoring which the Council will undertake is based on the intended environmental outcomes.

## **4.2. Infrastructure**

### **4.2.1. Key Issue**

4.2.1.1. The need to provide for the efficient development, use and maintenance of infrastructure, in a manner which has regard to the avoidance, remediation, or mitigation of adverse effects, and the need to protect infrastructure services from the adverse effects of other activities.
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4.2.2. Transport, water supply, electricity, telecommunications, stormwater, sewage and waste disposal are all key services required for the efficient functioning of the District. While not all of these activities are the Council's responsibility, each can have adverse effects on the environment, which in turn can be controlled through the District Plan process. The significance and ease of mitigation of effects will be part of the criteria used to assess the urgency or priority of works and services.

4.2.3. Waste disposal especially at landfills is also of concern, especially where leachate enters rivers or other water bodies. Other services such as transmission towers and roading, can have an adverse effect on scenic landscape and/or visual amenities.

4.2.4. Infrastructure, service and communications resources represent a significant financial investment and are also highly valued by the community, and business and industry. Activities which impact on this resource in a detrimental manner should therefore be controlled.

#### 4.2.5. Objectives

- 4.2.5.1. To provide for the efficient development, operation and maintenance of infrastructure throughout the District, while avoiding, remedying or mitigating adverse effects.**
- 4.2.5.2. To protect infrastructure resources from the adverse effects of activities located adjacent to, or in association with, the facility.**

#### 4.2.6. Policies

- 4.2.6.1. *Development in areas which, due to physical characteristics, are difficult to service shall be permitted where appropriate technical solutions are provided to avoid, remedy or mitigate against adverse effects.*
- 4.2.6.2. *To ensure that services are provided in a manner which does not have adverse effects on the environment, and which enables communities to provide for their health and safety.*
- 4.2.6.3. *To utilise a roading hierarchy which enables the effects of activities on the roading resource to be avoided, remedied or mitigated depending on the status of the road in the hierarchy.*
- 4.2.6.4. *The importance of Westport Airport, the Port of Westport and the railway network as communications links shall be recognised by ensuring the safe and efficient operation of these resources is not jeopardised by the effects of surrounding land use activities.*

#### 4.2.7. Methods of Implementation

- 4.2.7.1. Support Regional Council initiatives and policies on waste management.
- 4.2.7.2. Support the development of a regional facility for the collection, recycling, storage, treatment or disposal of hazardous substances.
- 4.2.7.3. Promote the concept and benefits of waste minimisation, energy conservation and recycling and encourage community participation in any programme.
- 4.2.7.4. Programme works and service maintenance and construction into the annual budget.
- 4.2.7.5. Liaise with New Zealand Transport Agency on matters related to the state highway network.
- 4.2.7.6. Provide information on technical aspects of service provision, in particular for on-site sewage disposal and water supply.

- 4.2.7.7. Include rules in the District Plan to ensure the safe and efficient operation of Westport Airport.
- 4.2.7.8. Rules and performance standards.
- 4.2.7.9. Recognition of appropriate industry Codes of Practice.
- 4.2.7.10. Liaison with infrastructure service providers, in particular New Zealand Transport Agency, Tranz Rail, Westport Airport, Westport Harbour Committee, Telecom New Zealand and Transpower New Zealand.

#### **4.2.8. Explanation/Reasons**

- 4.2.8.1. The Council's annual budget identifies and prioritises the further provision (and/or upgrading) of services, taking into account human health and safety, environmental effects and financial criteria. Appropriate servicing is critical to ensuring that development does not have adverse environmental effects. In this respect, the Council will require that an approved sewage disposal system is installed with any new residential or commercial development, that an adequate potable water supply is available to the site and that stormwater flows are channelled off-site (unless otherwise specified) in a manner which does not cause scouring or flooding on neighbouring properties. These aims shall be achieved through the enforcement of a number of regulations, which together will ensure that an effective and appropriate level of servicing is provided to a site.
- 4.2.8.2. The provision and maintenance of services and infrastructure in the District is addressed throughout Section 5 of the Plan, in particular in Sections 5.2 to 5.5, Part 6, Part 7 and Part 8.

#### **4.2.9. Intended Environmental Outcomes**

- 4.2.9.1. Development of areas where services can be provided easily, in terms of cost and environmental effects.
- 4.2.9.2. The efficient use of existing resources where services are not utilised to their full capacity.
- 4.2.9.3. Protection of existing infrastructure from damage or destruction by other activities.

#### **Monitoring**

- 4.2.10.1. Council staff will prepare reports to Council at appropriate intervals identifying areas where services are not utilised to their full capacity and reviewing the cost and effects of new services provided by the Council.

4.2.10.2. A register will be kept of damage to infrastructure as a result of land use activities in order to assess whether further controls are needed to protect infrastructure resources.

## **4.3. The Built Environment**

### **4.3.1. Key Issue**

4.3.1.1	Avoidance, remediation, or mitigation of the adverse effects of inappropriate development on the distinctive character and heritage values of Buller settlements.
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4.3.2. The District's largest settlements are Westport (5,006 people) and Reefton (1,046 people) (1996 Census).

4.3.3. Both Westport and Reefton are historic towns and have retained much of their original historic character, particularly in relation to commercial main street character. The two main street commercial centres act as focal points for the towns and exhibit considerable harmony in terms of their commercial architecture. Generally speaking, in Reefton it is the character of the town that is important rather than individual buildings. In Westport, however, particular buildings are also significant. The main street commercial centre in Westport is defined as those blocks on Palmerston Street from Rintoul to Henley Streets, and in Reefton as those blocks on Broadway from Bridge to Sinnamon Streets.

4.3.4. The northern-most part of Buller District is serviced by Karamea, approximately 95km north of Westport. In addition to its rural servicing functions, Karamea is the Buller base for the north-west Nelson region and is the last settlement before the Heaphy Track and Oparara River cave system. The town is increasing in importance as a base for adventure and nature tourism.

4.3.5. Other settlements in the District include the belt of coastal settlements north of Westport which have a rich mining history. These include Waimangaroa, Ngakawau, Hector and Granity. Inland mining towns include Millerton, Stockton, Denniston and Seddonville. Coastal holiday/retirement settlements in Buller are principally Punakaiki, Ross Subdivision, Charleston, Little Wanganui, Tauranga Bay and Carters Beach. Carters Beach is located close to Westport, and also provides an alternative permanent residential living opportunity to persons working in Westport.

### **Objective**

<b>4.3.6.1. To recognise, and where possible, protect the distinctive character and heritage values of Buller settlements from the adverse effects of inappropriate development.</b>
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#### **4.3.7. Policies**

- 4.3.7.1. *The main street commercial centres shall be defined in order to ensure a readily discernible community focal point and commercial heart to the main towns of the District.*
- 4.3.7.2. *Retention of the main street character of the Buller commercial centres shall be encouraged by rules in the District Plan.*
- 4.3.7.3. *Historic buildings and trees as appropriate shall be listed in Council records as protected items as these come to the attention of Council.*
- 4.3.7.4. *The design and height of residential buildings within the Paparoa Character Area and Punakaiki and Ross Subdivision (located within the Urban Character Area) shall be controlled with criteria for assessment designed to ensure that the landscape setting rather than the building remains the dominant visual perspective, in this scenically spectacular location.*
- 4.3.7.5. *Commercial advertising shall be controlled in order to ensure that it harmonises with the architecture of buildings and the streetscape.*
- 4.3.7.6. *All land and building shall be maintained so as to preserve the amenities of the environment in which they are situated.*

#### **4.3.8. Methods of Implementation**

- 4.3.8.1. Develop and include rules and standards in the Plan which recognise and protect the character of settlements in Buller District.
- 4.3.8.2. Develop and include rules to protect the main street character of Westport and Reefton including:
  - 4.3.8.2.1. Requiring building frontages to have an entrance on the main street and have a commercial activity at ground floor level.
  - 4.3.8.2.2. Requiring verandahs on all commercial buildings with a main street frontage when building work is undertaken or resource consent is required.
  - 4.3.8.2.3. Requiring new buildings and alterations to existing buildings to be built up to the street frontage.
- 4.3.8.3. Develop and include rules to protect the character of the Paparoa area including:
  - 4.3.8.3.1. Controls with respect to the design and appearance of new buildings and alteration to existing buildings.

- 4.3.8.3.2. Subdivisions for rural-residential, residential or urban purposes shall be discretionary with criteria for assessment to ensure integration with the landscape form and pattern.
- 4.3.8.4. Promote and provide information on appropriate design techniques for the main streets of settlements.
- 4.3.8.5. Investigate the relevance and potential of "Main Street" programmes within Buller settlements.
- 4.3.8.6. Investigation of the use of design guidelines for the Westport and Reefton main street areas, the Paparoa Character Area, Punakaiki and the Ross Subdivision.
- 4.3.8.7. Encourage the incorporation of historic features into new developments.
- 4.3.8.8. Provide information to landowners on protection options for historic places in settlements.

#### **4.3.9. Explanation/Reasons**

- 4.3.9.1. Securing settlement character is important in maximising the variety of residential opportunities and encouraging local identity and a sense of place. It adds to the attractiveness of settlements to residents and visitors alike and is important in developing a tourist image, for example the coal mining heritage of a number of the Buller settlements.
- 4.3.9.2. The settlements of the Buller District are of varied character, in most cases with strong historical associations and are located in areas of varying degrees of scenic significance. Scenic significance depends both on the quality of the landscape setting and also its visibility. The policies aim to maintain and enhance the distinctive character of the Buller settlements and are complementary to other non-regulatory measures, including, for example, the "Main Street" concept. This project involves planting appropriate trees and shrubs in strategic locations, painting shops in heritage colours and the display of historic relics.
- 4.3.9.3. Development within the coastal settlements located within the Paparoa Character Area is given special attention in terms of the design and appearance of buildings and the control of subdivision in order to ensure compatibility and harmony with the landscape setting.
- 4.3.9.4. Rules and other methods aimed at implementing the above objectives and policies are contained in Part 5.2 for the Urban Character Area and Part 5.4 for the Paparoa Character Area.

**4.3.10. Intended Environmental Outcomes**

4.3.10.1. Protection and enhancement of the distinctive character of the Buller settlements.

4.3.10.2. Improved environmental quality and amenities.

**4.3.11. Monitoring**

4.3.11.1. The Council may require, as a condition on any resource consent involving erecting new large buildings with the potential to detrimentally affect the character of a settlement, the provision of monitoring information such as photos to use in the assessment of other applications for resource consents on similar activities and to assess whether the rules in the District Plan are sufficiently effective at protecting and enhancing the character of the Buller settlements.

4.3.11.2. The Council will keep a register of any complaints concerning environmental quality and amenity.

**4.3.12. Key Issue 2**

4.3.12.1. How to accommodate future settlement growth while avoiding, remedying or mitigating against the adverse effects of such growth on the environment.
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4.3.13. Population growth in the District is not expected to be great over the next 20 years. Between the 1986-1991 Census periods, overall the District's population declined by 2% or 275 people, the largest percentage loss being at Reefton (9.6%). Since 1991 however, it appears that the population has grown by 0.5% and if this continues as expected, the District will grow by 1,600 people by 2011, and there will be a consequent growth in the number of new households. The population structure is expected to alter significantly with a decline in the population of those in the under 40 age group and significant percentage growth in the 40-60 age group. The trends reflect high emigration of the younger working groups and a general nation-wide trend towards an ageing population.

4.3.14. If the population declines, either overall or in specific areas, it would affect the viability of community facilities and services and the economic and social wellbeing of people, particularly smaller communities.

4.3.15. Population change has been uneven across the District, despite the overall static situation. There is likely to be further demand for certain types of residential accommodation, including rural-residential, particularly in areas close to Westport; holiday, retirement and alternative lifestyle houses in scenically attractive areas; residential development on the periphery of the townships; and houses on small lots, particularly for the elderly. Based on a 0.5% growth rate, it appears that generally the areas for land zoned residential in the existing Transitional District Plan are sufficient to meet the

projected demands over at least the next ten years with the exception of Waimangaroa and Inangahua where minor zoning changes have added residential land. Additional land has been zoned for commercial purposes at Punakaiki near the Pancake Rocks and at Westport for commercial and industrial purposes.

4.3.16. The Act is concerned with controlling the effects of activities on the environment, rather than directing development. However, controls on the direction of settlement may be necessary in some instances to control effects. For example, although resources to overcome servicing constraints can be programmed into the Annual Plan there can be sufficient justification for limiting, through the District Plan, further settlement growth. Similarly, if alternative locations are available, development should not prejudice the long-term sustainable use of high quality versatile soils. The form of urban growth can also impact on the character of settlements and adjoining rural areas. Ribbon or sporadic growth can dilute the contrast between the urban and rural landscape. Existing bach settlements on road reserve, for example at Fox River, cannot grow. Such settlements may constrain public access to the margins of rivers, lakes and streams, and may have adverse effects on landscape values and natural character. There are also potential adverse effects arising from effluent disposal.

#### **4.3.17. Objective**

**4.3.17.1. To ensure that further settlement growth takes place in a manner and location which does not have significant adverse environmental effects.**

#### **4.3.18. Policies**

4.3.18.1. *Existing settlements will be defined as zoned urban and their outer edges defined accordingly.*

4.3.18.2. *Further development of existing bach settlements on unformed parts of roads will not occur.*

4.3.18.3. *To ensure that rural-residential development is either adequately serviced or capable of meeting its own requirements.*

#### **Methods of Implementation**

4.3.19.1. Develop and include rules and standards in the Plan which ensure that settlement growth does not have significant adverse environmental effects.

4.3.19.2. Enforce the provisions of the Building Act, in particular, Sections 71-74 of that Act.

#### **4.3.20. Explanation/Reasons**

4.3.20.1. Further settlement growth can, without controls, have a number of potential adverse effects, contrary to the Act's purpose of promoting the sustainable management of natural and physical resources. Effects may arise in relation to natural hazard risks; protection of the productive potential of high quality, versatile soils; maintenance of the visual contrast between, and character of, the rural and urban landscapes; and efficient and economic servicing. Accordingly, growth beyond areas defined in the District Plan will require a resource consent or Plan Change application. Containing the outer edges of settlements in this manner will also maintain and enhance the visual character and contrast between the rural and urban environments.

4.3.20.2. Rural-residential developments will generally be located on the outskirts of existing settlements or as separate entities within the Rural Character Area. As such it is unreasonable to expect a standard of servicing equivalent to that of full residential development for these areas and accordingly the Council, while encouraging such development, will ensure that an appropriate level of servicing is provided for each site by the developer.

#### **4.3.21. Intended Environmental Outcomes**

4.3.21.1. Clear definition of the edge of towns, and the distinction between urban and rural settings.

4.3.21.2. Where alternative locations for multiple lot residential development are available, protection of the productive potential of high quality soils.

#### **4.3.22. Monitoring**

4.3.22.1. The Council will keep a record of all resource consents given for urban activities beyond the boundaries of settlements to use in assessing whether there is a need to change the zoning boundaries of the settlements.

#### **Key Issue 3**

4.3.23.1 The extent to which activities within the urban environment can be "intermingled" rather than segregated, without adversely affecting amenity values and environmental quality particularly of predominantly residential areas.
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4.3.24. Under the Act, the emphasis is on controlling the effects of activities rather than directing and controlling development as such. It is on this basis only that segregation of land use activities is justified. For example, residential living in commercial areas affords greater security, with people in the area on

a 24 hour basis, and also gives local residents ready pedestrian access to facilities and services. Conversely, greater opportunities for commercial and industrial activity within residential environments enables people to work close to their home, with lifestyle and transport energy saving benefits, and avoids the monotony of suburbia.

4.3.25. Intermingling of activities must be handled carefully, in order to protect residential amenities, and ensure that commercial and industrial operations are not unduly restricted because of the concerns of residential neighbours. The limits of acceptability of "intermingling of activities", can differ from one community to the next.

4.3.26. The commercial centres of settlements have traditionally been tightly contained by zoning. The co-location of commercial services and facilities is convenient for customers and acts as a focal and reference point for a town. The tight containment policy has been favoured by commercial operators for purely commercial reasons, effectively restricting business competition and ensuring an "even playing field" (all businesses pay comparable commercial rates and rentals). The latter is not a valid concern under the Resource Management Act, except to the extent that the wellbeing of business and hence employment opportunities is affected by the locational opportunities for setting up business (that is how the built resource is managed) and this in turn assists in meeting people's social and economic needs. Also, unrestrained ad hoc development outside existing commercial centres can affect the overall viability and sustainability of the existing area, which represents a substantial investment in land, buildings, and supporting infrastructure. Such a laissez-faire approach may conflict with the requirement under Section 7 of the Act to have regard to the efficient use and development of natural and physical resources.

**4.3.27. Objective**

**4.3.27.1. To facilitate the "intermingling" of land use activities within the District's settlements and towns to the extent that this is compatible with protection of amenity values and the sustainability of existing natural and physical resources in urban areas.**

**Policies**

4.3.28.1. *A distinct central commercial core to the District's main settlements shall be provided for the convenience of customers and to act as a town reference and focal point.*

4.3.28.2. *The adverse effects of industrial and commercial operations, including noise, traffic, glare, shading, vibration, odour, effluent and waste emissions shall be minimised.*

4.3.28.3. *Industries with the potential for significant adverse effects shall be segregated from sensitive activities, for example, residential uses, health and educational institutes.*

4.3.28.4. *A wide range of business activities shall be permitted to establish within residential activity areas, provided that the scale of activity is appropriate and does not cause conflict with adjoining activities or the sustainability of existing centres.*

4.3.28.5. *A diversity of residential living opportunities shall be provided for in residential activity areas.*

4.3.28.6. *Performance standards shall be set that protect the environmental quality of residential living environments.*

4.3.28.7. *To achieve integrated development within Sergeants Hill Industrial Area, including addressing the effects of development through compliance with specific rules in Part 5.2.6 and the Concept Plan in Part 5.2.6.7.*

#### **4.3.29. Methods of Implementation**

4.3.29.1. Develop rules in the Plan to control the effects of activities with potential to have significant adverse impacts and to ensure that intermingling of activities does not detrimentally affect neighbours or the character of settlements.

#### **4.3.30. Explanation/Reasons**

4.3.30.1. Segregation of activities can generally only be justified on the grounds of avoiding, remedying or mitigating environmental effects. The District Plan aims to identify the character of different activity areas within the settlements, and include policies and rules to ensure protection of the associated environmental qualities.

4.3.30.2. The District Plan policies aim to achieve maximum flexibility in the location and operation of the full range of urban activities whilst protecting and enhancing environmental quality.

4.3.30.3. Implementation of the objectives and policies for this issue involves the use of zones or activity areas. Specific rules for these zones are contained in Part 5.2 of the Plan.

#### **4.3.31. Intended Environmental Outcomes**

4.3.31.1. Protection and improvement in environmental quality of settlements within Buller District.

### 4.3.32. Monitoring

- 4.3.32.1. The Council will keep a register of complaints regarding amenity within settlements in order to assess whether the Plan rules or conditions on resource consents are effective at protecting and improving environmental quality.

## 4.4. Rural Land And Water Resource

### 4.4.1. Key Issue

4.4.1.1. Managing the adverse effects of activities on the rural land resource in a manner which ensures the long-term productive value of the soil resource but which encourages increased population within the rural environment and maintenance of viable rural communities.

- 4.4.2. Development in rural areas can compromise the natural, scenic and amenity values of an area. Similarly some types of rural development can affect the operation of activities on neighbouring land and use of that land. Depopulation of rural areas has occurred. Alternative uses to traditional agricultural activities are one way of increasing rural population.

- 4.4.3. There is demand for rural-residential development opportunities in the rural area and for other activities which do not rely on soil quality. Permanent or irreversible loss of productive land may occur by allowing such uses into rural areas. However, these activities may make a significant contribution to a community's social or economic wellbeing, including supporting rural services. A balance is required between the benefits of increased population and the impacts on traditional rural activities in order to sustainably manage the rural land resource.

### 4.4.4. Objective

**4.4.4.1. To ensure that the overall integrity and character of the rural environment and productivity of rural land resources is protected while enabling rural communities to provide for their social, economic and cultural wellbeing.**

### Policies

- 4.4.5.1. *A wide range of compatible activities which do not individually or cumulatively adversely affect the sustainability of rural land resources shall be generally permitted to locate in the rural area.*
- 4.4.5.2. *Sustainable land management practices which maintain and/or enhance the productive values of soils and amenities and character of the rural area shall be encouraged and promoted.*

#### **4.4.6. Methods of Implementation**

- 4.4.6.1. Encourage other interested and appropriate agencies to carry out research on soil and land use issues relevant to Buller District.
- 4.4.6.2. Encourage and support the provision and co-ordination of information on rural land management by the relevant agencies in Buller District.
- 4.4.6.3. Liaise with the Ministry of Agriculture and Forestry and the Regional Council on the provision of guidelines/information to rural industry.
- 4.4.6.4. Support Regional Council initiatives and policies aimed at combating soil erosion and loss of good quality soils.
- 4.4.6.5. Develop and include rules in the District Plan which avoid or mitigate adverse effects of activities on soil resources, including erosion arising from the subdivision, use and development of land.

#### **4.4.7. Explanation/Reasons**

- 4.4.7.1. The rural land resource is capable of supporting a range of activities. Generally activities should not be restricted unless they compromise the sustainability of rural land, (that is, the ability of further activities to utilise the resource after the current activity has ceased) or have other actual or potential adverse effects on the environment. Controlling the environmental effects of activities, including aspects of location and scale, is an effective means of ensuring that this aim is achieved.
- 4.4.7.2. High quality soils are a limited resource in the Buller District. The wellbeing of people and communities in rural areas is to a considerable extent dependent upon activities such as farming and forestry, dependent on this resource. Therefore it is consistent with the Act to control the effects of activities which jeopardise the ability of the soil resource to meet the needs of future generations. While some activities rely specifically on high quality soils, for example, dairying and cropping, others do not, such as factory farming, mining, rural-residential living and processing industries. The Act promotes the efficient use and development of natural and physical resources. Given this directive, the Council believes it is justified in ensuring that activities which rely directly on higher quality soils should be permitted unless there are significant adverse environmental effects arising from that activity. The Council also recognises that in some instances activities which do not rely on soil quality such as mining and rural-residential living should also be allowed. This is provided such activities do not give rise to significant adverse environmental effects that cannot be mitigated.

4.4.7.3. The approach to management of the rural land resource has arisen through the process of consultation with local communities. It was determined that providing flexibility to accommodate a diversity of employment and residential living opportunities, will encourage people to come and stay in the Buller District, enhance population growth and better enable people and communities to provide for their social, and economic wellbeing rather than limiting activities to primary production only.

4.4.7.4. Implementation of the objectives and policies for the rural land resource through rules is in Part 5.3 of the Plan.

#### **4.4.8. Intended Environmental Outcomes**

4.4.8.1. Maintenance and enhancement of the biophysical character of soils, that is, soil quality.

4.4.8.2. Protection of rural character and amenities.

4.4.8.3. Efficient and realistic servicing and provision of infrastructure for rural activities.

#### **4.4.9. Monitoring**

4.4.9.1. The Council may require, as a condition on any resource consent with the potential to detrimentally affect the character or amenities of the rural environment, the provision of monitoring information such as photos to provide information to use for other applications for resource consents on similar activities and to assess whether the rules in the District Plan are sufficiently effective.

4.4.9.2. The Council will liaise with the Regional Council to ensure that there is no overlap in monitoring undertakings.

#### **Key Issue 2**

4.4.10.1. Managing the adverse effects of rural land activities and activities on the surface of water in a manner which protects and enhances the life supporting capacity of the water resource and takes account of the reasonable expectations of water users, and instream values.
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4.4.11. The effects of land use activities and activities on the surface of water can adversely affect the ecological values associated with water resources and their present and future use and value to the Buller community. Localised impacts have the potential to be quite detrimental to ecological values located in the immediate vicinity. Some water resources in the Buller District are substantial and have the capacity, in some cases, through dilution to mitigate adverse effects.

4.4.12. Degraded water quality is of particular concern to tangata whenua. Water is an essential component of Maori culture and lifestyle and is an important source of mahinga kai.

**4.4.13. Objective**

**4.4.13.1. Promote land use activities which maintain or improve the water quality of the District's rivers and do not adversely affect water quantity, in order to safeguard the life supporting capacity of water.**

**4.4.14. Policies**

4.4.14.1. *Consultation and liaison with relevant interested parties contained in a non statutory register shall continue on matters relating to the land/water quality management interface within Buller District.*

4.4.14.2. *Significant ecological, cultural and heritage sites related to the water resource shall be recognised and wherever possible protected through the encouragement of integrated land management practices.*

4.4.14.3. *To control the modification of significant natural wetlands to protect their natural character, landscape values, and their significance as areas of indigenous vegetation and habitats for indigenous fauna, and to sustain their life supporting capacity as indigenous ecosystems.*

4.4.14.4. *The protection of water resources from adverse effects of land based activities shall be encouraged and promoted.*

4.4.14.5. *The establishment of buffers for example, in the form of esplanade reserves or strips along the margins of lakes, rivers and the Coastal Marine Area shall be promoted and encouraged as a means of maintaining and enhancing water quality.*

4.4.14.6. *Council has identified the following lakes, coastal estuaries and other waterways as places where the use of motorised craft is inappropriate because of the disturbance to wildlife, conflict with other users, degradation of natural character and disruption of natural quiet*

- 4.4.14.6.1. *There be no provision for motorised craft use on:*
- *Lake Christobel*
  - *Lake Hanlon*
  - *Kohaihai River*

4.4.14.6.2. *In the following water bodies, the use of motorised water craft with an engine capacity of less than 5 horse power is permitted:*

- *Lake Daniells*
- *Punakaiki River: upstream of the road bridge.*
- *Pororari River: upstream of the road bridge.*
- *Otomahana Lagoon*
- *Orowaiti River: upstream of the rail bridge.*
- *Okari: upstream of the road bridge.*

4.4.14.7. *To protect and enhance riparian margins adjacent to rivers, streams, lakes, wetlands and the coast for the purposes of:*

- (i) Maintenance of the natural character of waterways, natural habitats and water quality including the mitigation of adverse effects of contaminant discharges and other natural and aesthetic and amenity values associated with the adjacent waterway.*
- (ii) Public recreation.*
- (iii) Public access.*
- (iv) Maintenance of bank stability and reduction in sedimentation.*

*Refer also to policies in 4.8*

#### **4.4.15. Methods of Implementation**

4.4.15.1. Liaise with the Regional Council and generally support and encourage joint hearings particularly where this facilitates integrated land water and air management.

4.4.15.2. Provide information to landowners on the benefits of buffer/riparian management in conjunction with the Regional Council.

4.4.15.3. Limit access by motorised craft and vehicles to lakes and rivers where these are not appropriate.

4.4.15.4. Encourage and support the preparation of integrated management plans for water resources in Buller District.

4.4.15.5. Develop and include in the Plan rules and standards to avoid, remedy or mitigate the adverse effects of land use activities on natural and physical resources, including water.

4.4.15.6. Resource consent applications will be assessed in terms of recognising and providing for the active protection of:

- *ecologically important areas*
- *significant indigenous vegetation and habitats*
- *popular open spaces*
- *significant cultural, recreational or scientific values.*

4.4.15.7. Identify a riparian margin adjacent to the beds of rivers and streams, lakes, wetlands and the coast.

4.4.15.8. To recognise and provide for the protection of natural wetlands through plan rules, decisions on resource consent applications, and public education.

#### **4.4.16. Explanation/Reasons**

4.4.16.1. The quality of water resources is intricately linked to land use activities in the surrounding catchment such as mining, farming, forestry and settlements. While the Regional Council has responsibility for setting rules directly relating to the quality and quantity of the water resource, the District Council through controls on land use, especially activities adjacent to waterways, can also improve and protect water quality.

4.4.16.2. The policies recognise that other agencies also have a role in water quality management. An integrated and cost effective approach to addressing water quality issues which reflects community desires can only be achieved through liaison and co-operation with these agencies.

4.4.16.3. Improved management of the riparian areas adjacent to water bodies can significantly reduce the impacts of surrounding land use on water quality and increases the compatibility of the land and water resource uses. Promoting improved management of riparian margins is an area where the Council can have a positive effect on water quality management.

4.4.16.4. Some activities have the potential to affect water quality to a far greater extent than others and should therefore be controlled. Lakes, rivers and streams also have important natural, scenic and cultural values and represent a valuable amenity to the community. In some cases it may be appropriate for the Council to control the activities carried out on the surface waters of such lakes, waters and streams. Coastal waters, including wetlands and estuaries are particularly vulnerable to degradation. These areas can support major whitebait spawning habitat. Estuaries are also major fish and bird habitats important for feeding and breeding activities. While some of these areas may be within the Coastal Marine Area controlled by the Department of Conservation and the Regional Council, the land adjoining the Coastal Marine Area is controlled by the District Council. Special consideration must therefore be given to the land adjoining this sensitive area.

4.4.16.5. Rules for the implementation of the objectives and policies for water resource management are found throughout the Plan. See particularly Parts 5 and 7.

#### **4.4.17. Intended Environmental Outcomes**

4.4.17.1. In the event of localised pollution problems due to the effects of land-based activities, improvement in the quality of the water resources in those areas.

4.4.17.2. Integrated and co-ordinated management of the District's water resources.

#### **4.4.18. Monitoring**

4.4.18.1. The Council may require, as a condition on any resource consent with the potential to detrimentally affect the quality of water resources, the provision of monitoring information such as water quality samples in order to provide information to use for other applications for resource consents on similar activities and to assess whether the rules in the District Plan are sufficiently effective.

### **4.5. Mineral Resources**

#### **4.5.1. Key Issue**

<p>4.5.1.1. Mineral resource investigation and utilisation is important to community wellbeing and viability, but must be carried out in a manner consistent with the Resource Management Act, in particular, safeguarding the life supporting capacity of air, water, soil and ecosystems and avoiding, remedying and mitigating adverse effects.</p>
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4.5.2. Buller District is relatively well endowed with a variety of mineral resources. They include substantial reserves of bituminous, sub-bituminous and lignite coal, relatively widespread alluvial gold and hard rock gold and mineral sand deposits, the latter containing magnetite, ilmenite, zircon and monazite. Smaller quantities of uranium, copper, molybdenum and lead have also been located within the District. Industrial minerals, in particular limestone, are currently extracted in economic quantities. The existing Cape Foulwind quarry has assessed reserves of limestone totalling 60 million tonnes. Reserves have also been identified at Waggon and Alpha Creeks. Marl (used in the manufacture of cement) and aggregate rock (used to make roads) are also plentiful.

4.5.3. Coal and gold are both commercially mined in Buller with the number of gold mining licences generally increasing over recent years. Access to mineral resources is a significant concern in Buller, in particular, the difficulties associated with land ownership, and therefore the availability of the resource. A high percentage of land managed under a conservation mandate, has high scenic values, or is utilised for food production. Mining activities do have the potential to significantly impact on water and land resources. However in

some cases, mined land can be rehabilitated and used for other productive purposes such as grazing.

#### 4.5.4. Objective

- 4.5.4.1. To enable people and communities to provide for their economic and social wellbeing through the efficient utilisation and development of mineral resources.**
- 4.5.4.2. To safeguard the life supporting capacity of air, water, soil and ecosystems and avoid, remedy or mitigate adverse effects from the use and development of mineral resources.**

#### 4.5.5. Policies

- 4.5.5.1. *The adverse effects of activities related to the utilisation of mineral resources shall be avoided, remedied or mitigated.*
- 4.5.5.2. *The rehabilitation of mining sites shall be required where practicable.*
- 4.5.5.3. *Co-ordination and liaison with the West Coast Regional Council shall be maintained on matters relating to mining activities where water resources and soil conservation are affected.*
- 4.5.5.4. *To enable the investigation of the District's known mineral potential and the utilisation of mineral resources of regional significance while safeguarding the life supporting capacity of air, water, soil and ecosystems and ensuring the adverse effects of activities related to the investigation and utilisation of mineral resources are avoided, remedied or mitigated.*
- 4.5.5.5. *To require mineral resource related activities to incorporate measures to protect water quality and ecosystems, and provide for the rehabilitation of disturbed areas to generally their original condition or another suitable condition as approved by Council.*
- 4.5.5.6. *When rehabilitation plantings are carried out pursuant to a resource consent, preference should be given to the use of indigenous species where appropriate, with a further preference for local genetic stock where indigenous species are to be used.*
- 4.5.5.7. *To ensure that in locations where there are known mineral resources of regional significance that the presence of minerals is a relevant consideration in decision making by encouraging other land use or subdivision activities which would have the effect of rendering unusable known mineral resources of regional significance and which have the ability to locate elsewhere to do so.*

#### **4.5.6. Methods of Implementation**

- 4.5.6.1. Ensure that significant adverse effects of mineral related activities are avoided, remedied or mitigated with regard to the matters contained in Part II of the Resource Management Act 1991.
- 4.5.6.2. Liaison with the Regional Council, and the Energy and Resources Division of the Ministry of Commerce on the implementation of policies and procedures prepared by the Council and these organisations.

#### **4.5.7. Explanation/Reasons**

- 4.5.7.1. The objectives recognise that mineral resources within the District represent resources of significance to the District, the utilisation and management of these representing a key issue that has been addressed in the District Plan. The policies reflect the need to ensure that the impact of mineral related activities on environmental quality, including land and water resources, is avoided, remedied or mitigated. The Council is particularly concerned about long-term effects on resources while recognising that mining, by its very nature, will generally have some short term effects.
- 4.5.7.2. In addition to immediate effects on resources, mining may jeopardise future use of that resource, for example, through contamination or removal of topsoil. Rehabilitation does provide an alternative where appropriate technology and expertise allow for the effective mitigation of adverse environmental effects.
- 4.5.7.3. Mining activities, particularly those on a large scale, can have significant impacts on local rural communities, in particular on social and economic factors. Increased population, employment opportunities and support of local facilities can be benefits in the short term. However mineral resources are finite and in the long-term the continued sustainability of the community and local natural and physical resources must be taken into account.

#### **4.5.8. Intended Environmental Outcomes**

- 4.5.8.1. Maintenance and protection of environmental quality in the long-term on mineral extraction sites.
- 4.5.8.2. Utilisation of mineral resources in a way which avoids, remedies or mitigates significant adverse effects on natural character, outstanding landscapes and natural features, significant indigenous vegetation, significant habitats of indigenous fauna and the life supporting capacity of ecosystems.
- 4.5.8.3. Rehabilitation of mined areas to standards which take into account what is practically achievable, desired by the community and environmentally appropriate.

#### **4.5.9. Monitoring**

- 4.5.9.1. The Council will keep a record of all mined and rehabilitated areas that have been granted resource consent, and will visit each active area at least once every two years to assess the effects of the activity on the environment.
- 4.5.9.2. The Council may require, as a condition on any resource consent for a new mine, the provision of monitoring information including yearly reports on the environment mitigation measures undertaken, in order to provide information to assess whether the rules in the District Plan and conditions of resource consents are sufficiently effective in remedying adverse effects.
- 4.5.9.3. The Council will keep a register of any complaints concerning mines and will ensure that these are investigated where appropriate.

### **4.6. Cultural/Historic Resources**

#### **4.6.1. Key Issue**

4.6.1.1. Access to, or development near, cultural and historic sites may adversely impact on their cultural and historic values.
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- 4.6.2. The history of both Maori and European settlement of Buller has resulted in a rich cultural and historic heritage. Both natural and physical resources were heavily relied upon for food, shelter, medicines and fibre. Te Tai Poutini (the West Coast) is renowned for its minerals, including pounamu, and natural resources which exist within wetlands, lagoons, swamps and mountains.
- 4.6.3. Areas and sites of importance occur largely around the coast, wetlands and rivers and in forested areas. Historic resources dating from the time of European settlement are largely concentrated in the existing settlements (see 4.3 - The Built Environment) although significant areas associated with mining and forestry activities still remain. These sites include old coal shafts and railways, for example the Denniston incline, abandoned settlements and sites where important events took place, for example at Cannibal Gorge and the Buller Gorge.
- 4.6.4. In the past, sites of historical or cultural significance have been destroyed by insensitive development or land use. The Historic Places Trust maintains a register of historic places, areas, and waahi tapu which it supplies to the Council. However, final registration under the Historic Places Act does not prevent demolition or damage to an historic place. That form of protection can be achieved by the Historic Places Trust or the Council by using the heritage order procedures under the Resource Management Act. The District Plan provisions also provide a measure of protection and in particular allow for proposals which might affect historic places to be scrutinised through the resource consent process.

4.6.5. The Council has a good record of historic sites within the District, which include a number of sites or places of Maori cultural value. However there are other cultural sites, including waahi tapu, the location of which tangata whenua do not wish to make public. Waahi tapu are sacred places of spiritual and cultural significance to Maori and relate to their association with tupuna (or ancestors) and historical events. Waahi tapu can include urupa (burial grounds), tuhituhi nehera (rock drawing sites), maunga (mountains), waahi rua (food storage areas), waiwera (hot water for healing purposes and recreation) and waipuna (important fresh water springs). Of all waahi tapu it is most important to ensure that the urupa are protected. By protecting the urupa, the mana of the ancestors and their descendants are remembered.

4.6.6. Tangata whenua are concerned that their urupa are not disturbed and that appropriate mechanisms and procedures are put in place which guarantees their protection and ensures that when accidental disturbance occurs tangata whenua are consulted.

#### 4.6.7. Objective

**4.6.7.1. To protect places and sites of historical and cultural value from the adverse effects of land use activities and to ensure where appropriate, access to historic and cultural sites is maintained and enhanced.**

#### 4.6.8. Policies

4.6.8.1. *A close and on-going relationship with tangata whenua and the Council shall be maintained, including the maintenance of confidential records in ways which accord with the tikanga of tangata whenua of known waahi tapu.*

4.6.8.2. *Evaluate and protect heritage resources by identifying those resources of historic, cultural or architectural value or of special significance to the District.*

4.6.8.3. *As and when cultural and/or historical sites of importance to tangata whenua are identified by respective Kaitiaki in Buller District, the Council shall facilitate the recording of such sites in ways which accord with the tikanga of local iwi.*

4.6.8.4. *4.6.8.4. Assessment of resource consent applications shall include their potential impact on known places of historic and/or cultural value.*

4.6.8.5. *Continued access to sites of special cultural significance to tangata whenua shall be supported.*

4.6.8.6. *Upon accidental discovery of urupa or skeletal remains, consultation with the tangata whenua shall be required.*

#### **4.6.9. Methods of Implementation**

- 4.6.9.1. Provide information and/or guidelines to the public on the process and protocol for tangata whenua consultation including appropriate contacts.
- 4.6.9.2. Support tangata whenua in developing silent and/or confidential files on waahi tapu within the Buller District, and where necessary and appropriate, inform landowners of the general area of any known waahi tapu or historic sites on their land so that accidental damage is prevented.
- 4.6.9.3. Support the Historic Places Trust in registering historical and cultural sites or places within Buller District.
- 4.6.9.4. Encourage the use of heritage orders for the protection of significant cultural and/or historical resources and sites.
- 4.6.9.5. Develop and include as rules in the Plan methods to protect cultural/historic sites.
- 4.6.9.6. Encourage and facilitate liaison between landowners and relevant agencies on heritage protection, including the New Zealand Historic Places Trust and tangata whenua.

#### **4.6.10. Explanation/Reasons**

- 4.6.10.1. The objective and policies recognise the importance and value of historical and cultural sites in Buller District and aim to ensure that as far as possible places of significance are identified ahead of any development taking place. For this reason historic and cultural sites are identified on the planning maps where they are known to Council. Methods of implementation contained in Part 5 and 6 of the Plan aim to ensure that the impact of activities on historic and cultural sites is assessed. Where accidental disturbance occurs to sites previously unknown, the Council aims to ensure appropriate action is then undertaken.
- 4.6.10.2. The policies recognise that while it may be appropriate to identify some waahi tapu sites, for others it may not. The establishment and maintenance of "silent" or confidential files by tangata whenua is encouraged and supported by the Council. The land, water and living resources of a particular area are representative of the people who reside there. As such they are closely linked to the mana of those people. Managed access to these resources, and the maintenance of this access are central to traditional Maori resource management. Regular and meaningful consultation with tangata whenua forms an integral part of ensuring that the management of the District's resources gives appropriate recognition of Maori concerns.

#### **4.6.11. Intended Environmental Outcomes**

- 4.6.11.1. Increased recognition and protection of sites/areas of historic/cultural significance.
- 4.6.11.2. Improved opportunities for use and access to traditional Maori sites by tangata whenua.
- 4.6.11.3. Incorporation and recognition of cultural and historic values and increased participation of tangata whenua in resource management decision making.

#### **4.6.12. Monitoring**

- 4.6.12.1. The Council will formally consult with local runanga at least once a year in order to receive their views on whether use and access to traditional Maori sites is improved and whether their values are being incorporated and recognised in resource management decision making.
- 4.6.12.2. The Council will inspect listed sites and areas at appropriate intervals in order to assess whether they are being protected.

### **4.7. The Coastal Environment**

#### **4.7.1. Key Issue**

4.7.1.1. Some land use activities require a coastal location, but such land use may adversely affect the maintenance and enhancement of the natural character of the coastal environment and people's enjoyment of it.
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- 4.7.2. The small distance between the sea and mountains in Buller means that the coastal environment exerts a significant influence over the landscape, character and amenities of the District. The District Council's jurisdiction within the coastal environment extends down to Mean High Water Springs (MHWS). Within the Coastal Marine Area, most resource management responsibilities are held by either the Regional Council or the Minister of Conservation.
- 4.7.3. Tourism, especially nature-based tourism, and the demand for residential opportunities, could potentially conflict with the need to preserve the natural values and character of the coast. The major tourist route within the District, that is the Paparoa highway, runs through the coastal environment and as such has a higher profile than other less visited parts of the Buller.
- 4.7.4. Activities which could result in significant adverse effects on the coastal environment, include discharges of contaminants to the sea and rivers from coastal settlements (including raw sewage, run-off and landfill leachate), the erection of buildings along the coast, mining, marine farming, reclamations

and development of port facilities. Excessive recreational use can deplete marram grass as a dune stabiliser, and contribute to sand dune erosion. However, many of these activities require a coastal location and appropriate locations within the coastal environment are possible. Coastline most suited for development is mostly under Council jurisdiction, although development in these areas will need to consider the effects on surrounding public conservation land and the coastal marine area. This factor offsets the development of some coastal areas, while some change to the natural character is anticipated and accepted as appropriate.

#### 4.7.5. Objective

**4.7.5.1. To maintain or enhance the natural character of the coastal environment by avoiding, remedying or mitigating the adverse effects of land use activities and subdivision requiring a coastal location.**

#### 4.7.6. Policies

- 4.7.6.1. *The subdivision, use and development of land in the coastal environment shall be tightly controlled within the Paparoa Character Area.*
- 4.7.6.2. *Sensitive coastal environments including areas of importance for mahinga kai shall be protected from the adverse effects of land use activities.*
- 4.7.6.3. *The protection and enhancement of whitebait spawning habitats shall be encouraged in conjunction with the other regulatory agencies.*
- 4.7.6.4. *The maintenance and enhancement of public access to and along the coastline shall be encouraged except where restrictions are necessary to ensure public safety or to avoid the potential adverse effects of people and/or vehicles on the coastal environment.*
- 4.7.6.5. *Alternative methods of refuse and sewage disposal for settlements within the coastal environment shall be investigated where landfill discharges enter waterways and/or where raw sewage is discharged directly to the sea.*
- 4.7.6.6. *Co-operation and co-ordination with the West Coast Regional Council in noise management within the Coastal Marine Area.*
- 4.7.6.7. *The needs of existing and future activities requiring a coastal location shall be recognised.*

#### **4.7.7. Methods of Implementation**

- 4.7.7.1. Continue liaison and consultation with the Regional Council, Poutini Ngai Tahu and the Department of Conservation on matters related to the coastal environment particularly issues related to the protection of whitebait spawning areas and wetlands.
- 4.7.7.2. Develop a works programme within the Council's Corporate Plan annual budget which sets a timetable for the upgrading and provision of sewage treatment facilities.
- 4.7.7.3. Include rules and standards within the Plan which require development proposals to take into account the natural character of the coastal environment and generally protect against inappropriate subdivision, use and development of the coastal environment.
- 4.7.7.4. Promote and encourage landowners and interested/affected parties to arrive at negotiated agreements for access to the coast.
- 4.7.7.5. Include a rule to require esplanade strips on land adjoining the Coastal Marine Area.
- 4.7.7.6. Co-operation and co-ordination with the West Coast Regional Council in noise management within the Coastal Marine Area.
- 4.7.7.7. Have regard to the New Zealand Coastal Policy Statement where appropriate.

#### **4.7.8. Explanation/Reasons**

- 4.7.8.1. The preservation of the natural character of the coastal environment is listed as a matter of national importance in Section 6 of the Act. The Council is also required to protect this area from inappropriate subdivision, use and development, to provide for public access and to recognise and protect Maori values associated with the coastal environment. The coastal areas of Buller have great importance for mahinga kai and contain a number of significant archaeological cultural sites.
- 4.7.8.2. The objective and policies focus on ensuring that activities carried out in the sensitive areas of the coast, for example the Paparoa Character Area and wetlands, have the greatest degree of control over the effects of that activity. More modified areas, for example around the settlements or agricultural land will generally exhibit a greater resilience to change compared with more sensitive areas. Large two storey buildings, for example, may be appropriate within the Urban or even Rural Character Area but less so within the Paparoa Character Area. Therefore a different management approach is required.

4.7.8.3. The policies acknowledge both the emphasis placed on public access to the coast and the importance of securing coastal access for recreational and tourist activities in Buller.

4.7.8.4. The Paparoa Character Area (identified on the Planning Maps) extends from Dolomite Point to Needle Point. Part 5.4 of the Plan sets out specific rules and standards in this area. Outside of this zone rules for the Rural or Natural Environments Character Areas (see Part 5.3 and 5.5) apply except in coastal settlements where rules for the Urban Character Area (see Part 5.2) should be referred to.

#### **4.7.9. Intended Environmental Outcomes**

4.7.9.1. Siting and development of activities in a manner and scale which is in harmony with and/or enhances the character of the coastal environment.

4.7.9.2. Improved quality of the coastal environment.

4.7.9.3. Improved access to, and public appreciation of, the coastal environment.

#### **4.7.10. Monitoring**

4.7.10.1. The Council may require, as a condition on any resource consent with the potential to detrimentally affect the character of the coastal environment, the provision of monitoring information such as photos to provide information to use for other applications for resource consents on similar activities and to assess whether the rules in the District Plan are sufficiently effective.

4.7.10.2. The Council will keep a register of any new accesses to the coast created for public use and any existing accesses which are closed to assess whether access is improved.

4.7.10.3. The Council may send out a questionnaire to a sample of ratepayers at appropriate intervals asking for comments on the Council's environmental performance. This questionnaire will include a question on whether access to the coast is perceived as being sufficient.

### **4.8. Ecosystems And Natural Habitats**

#### **4.8.1. Key Issue**

<p>4.8.1.1. Recognising the importance of ecosystems and natural habitats and their contribution to the character and quality of the natural and physical environment, and to the wellbeing of the people and communities of Buller.</p>
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- 4.8.2. Buller District is particularly well endowed with a range of natural habitats and ecosystems, much of which is managed by the Department of Conservation. Areas of significant wetland and forest may also be present on private land.
- 4.8.3. The key considerations are:
- 4.8.3.1. The preservation of the natural character of wetlands and coastal and freshwater ecosystems and habitats.
  - 4.8.3.2. The protection of such ecosystems and natural habitats from inappropriate use, subdivision and development.
  - 4.8.3.3. The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna contained in those ecosystems.
- 4.8.4. Natural areas hold a number of different values; economic, aesthetic, ecological, recreational and visual for people and communities in Buller and for visitors from other parts of New Zealand and overseas. While some of these values or uses may be complementary, others conflict. For example introduced wild and domestic plant and animal species and activities which modify the land can potentially have an adverse effect on indigenous bird species, regenerating forest, lowland riparian vegetation, wetlands and estuaries.
- 4.8.5. The natural "untouched" character of much of the District represents a significant tourist asset. Tourism as an activity, particularly nature-based tourism, is recognised as having significant growth potential for Buller. Other potential and actual users of the resource include forestry, sphagnum moss harvesting, recreation and primary industry.

**4.8.6. Objective**

**4.8.6.1. To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and to recognise their importance to the character and quality of the natural and physical environment and to the wellbeing of the people and communities in Buller.**

**Policies**

- 4.8.7.1. *The adverse effects of land use activities on natural habitats and ecosystems shall be taken into account when considering development proposals which impact on these areas.*
- 4.8.7.2. *The protection and enhancement of the natural values of wetlands, estuarine habitats, whitebait spawning areas, significant indigenous vegetation and significant habitats of indigenous fauna shall be encouraged.*

- 4.8.7.3. *To control the modification of significant natural wetlands to protect their natural character, landscape values, and their significance as areas of indigenous vegetation and habitats of indigenous fauna, and to sustain their life supporting capacity as indigenous ecosystems.*
- 4.8.7.4. *For the purposes of Section 6(c) of the Resource Management Act 1991, the following criteria will be used as guidelines to identify areas of significant indigenous vegetation and significant habitats of indigenous fauna.*
1. **Representativeness:** *The area is one of the best examples of an association of species which is typical of the ecological district.*
  2. **Distinctiveness:** *The area has indigenous species or an association of indigenous species which is unusual or rare in the ecological district, or endemic, or reaches its distribution limit.*
  3. **Intactness:** *The area has a cover of predominantly indigenous vegetation, is little modified by human activity, and is not affected in a major way by weed or pest species.*
  4. **Size:** *The area of indigenous vegetation or habitat is 5ha or more in size or together with adjacent indigenous habitat is larger than 5ha; or in the case of natural wetlands is larger than 1ha in size.*
  5. **Protected Status:** *The area has been set aside by statute or covenant for protection or preservation.*
  6. **Connectivity:** *The area is connected to one or more other significant areas in a way (through ecological processes) which make a major contribution to the overall functioning of those areas.*
  7. **Threat:** *The area supports an indigenous species or community of species which is threatened within the ecological district or ecological region or threatened nationally.*
  8. **Migratory Habitat:** *The area is important as habitat for significant migratory species or for feeding, breeding or other vulnerable stages of indigenous species, including indigenous freshwater fish.*
  9. **Scientific or Cultural Value:** *The area is a scientific reference area, is listed as a geopreservation site, or has significant amenity value.*
- 4.8.7.5. *Using the significance criteria identified above as a guideline for forming a schedule, Council will compile a schedule of significant natural areas.*
- 4.8.7.6. *In the interim the Council will make decisions on resource consent applications which recognise and provide for the protection of:*
1. *Significant indigenous vegetation and indigenous habitat;*
  2. *Natural values associated with riparian margins.*

4.8.7.7. *To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna from inappropriate use, subdivision and development.*

4.8.7.8. *To encourage the retention of existing indigenous vegetation on the margins of waterways, wetlands and the coast and the enhancement of these areas through the use of indigenous vegetation where rehabilitation plantings are to be carried out.*

4.8.7.9. *For the purpose of Rule 7.9.8, the following criteria will be used for identifying Notable Trees:*

1. *Historic significance to the community*
2. *Scientific or botanical importance*
3. *Cultural or spiritual significance*
4. *Recreational significance*
5. *Landscape significance*
6. *Functional value*
7. *Size or age*

*A tree may be notable for a combination of these factors or because it is outstanding in one respect.*

#### **4.8.8. Methods of Implementation**

4.8.8.1. Rules and performance standards.

4.8.8.2. Land acquisition, land swaps, voluntary covenants, and applications to the Forest Heritage Fund and Nga Whenua Rahui.

4.8.8.3. Decisions on resource consent applications and imposition of conditions of consent.

4.8.8.4. Promotion of appropriate land management techniques.

4.8.8.5. Public education.

4.8.8.6. Identification of priority riparian margins, significant areas of indigenous vegetation and significant indigenous fauna on a GIS database freely accessible to the public, including sites or features identified as being of significance through the resource consent process.

4.8.8.7. Cost sharing of applications.

4.8.8.8. To recognise and provide for the protection of natural wetlands through plan rules, decisions on resource consent applications, and public education.

#### **4.8.9. Explanation/Reasons**

- 4.8.9.1. The District is comprised of large and varied habitat. Many of these areas have significant wildlife values and represent unique vegetation associations.
- 4.8.9.2. The objectives and policies outlined above ensure that these values are taken into account when considering resource consent applications. This is particularly important when considering the effects of activities located adjacent to significant natural areas managed by the Department of Conservation and also for habitats and natural areas under-represented in the reserve system, for example wetlands.
- 4.8.9.3. The Council has little direct management control over many natural areas. Primary management responsibility rests with the Department of Conservation. Any activity carried out on public conservation land requires a concession, licence, permit or lease from the Department. The process requires an assessment of effects on the environment. Given the Department's conservation/advocacy role and statutory responsibilities it is unlikely that any permission would be granted for an activity that was considered to generate significant adverse effects on ecosystems and natural habitats. A considerable proportion of natural areas has protected status under Department of Conservation management.
- 4.8.9.4. Except where there are very high conservation values present, a wide range of activities can be accommodated, with appropriate standards to ensure that the effects of these activities are avoided, remedied or mitigated.
- 4.8.9.5. There are a number of management tools which enable the protection of natural areas without resulting in an undue financial loss or burden to the land owner. These include private and public covenanting and purchase, for example via the Forest Heritage Trust and Nga Whenua Rahui, the provision of information on sites of importance, rates relief, and land swaps.
- 4.8.9.6. Land currently managed by the Department of Conservation includes stewardship land which may not have had its conservation value assessed.
- 4.8.9.7. Parts 5.2, 5.3, 5.4 and 5.5 include specific rules for the implementation of the policies and objectives stated above.

#### **4.8.10. Intended Environmental Outcomes**

- 4.8.10.1. Protection and improvement in the management of natural habitats and ecosystems.

4.8.10.2. Practical recognition of natural areas and their importance to the community as potential sources of revenue and income.

4.8.10.3. Protection of environmental quality and amenities.

#### **4.8.11. Monitoring**

4.8.11.1. A register will be kept of agreements to protect habitat sites outside of conservation areas to assess the use of non-statutory methods.

4.8.11.2. Liaison meetings will be held with the Department of Conservation concerning any questions of common concern regarding the management of natural habitat sites.

4.8.11.3. The Council may require, as a condition on any resource consent with the potential to detrimentally affect scheduled sites of significant natural vegetation or habitat, the provision of monitoring information such as photos to assess those sites and to provide information to use for other applications for resource consents for similar activities.

### **4.9. Landscapes And Natural Features**

#### **4.9.1. Key Issue**

4.9.1.1. Protection of the outstanding landscape values and natural features of Buller District from the adverse effects of inappropriate subdivision, use and development.
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4.9.2. The Buller District has a distinctive character which owes much to the landscape pattern and outstanding natural features. Rugged mountains grade to forested foothills, river valleys and terraces, down to the coast, with estuaries, rocky outcrops, cliffs and sandy beaches. The climate, topography and soils of the District mean the effects of inappropriate development may be quite pronounced or lack harmony with the surrounding environment. Outstanding natural features and landscapes represent an important tourist attraction and recreation asset and contribute to a sense of District identity. Particular features include karst areas, wetland systems, the Buller Gorge, the Paparoa and Karamea landscapes, the Buller coal measures and coastal dune systems.

#### **4.9.3. Objective**

<b>4.9.3.1. To protect the distinctive character and unique values of outstanding landscapes and natural features.</b>
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#### **4.9.4. Policies**

4.9.4.1. *To discourage activities which would significantly alter the character of outstanding landscapes.*

4.9.4.2. *Character areas shall be identified in the Plan and shall reflect the distinctive landscape elements and natural values held for each region.*

#### **4.9.5. Methods of Implementation**

4.9.5.1. Rules and performance standards and assessment of resource consent applications.

4.9.5.2. In consultation with the community, develop an inventory of outstanding landscapes and natural features in the District by December 2002.

#### **4.9.6. Explanation/Reasons**

4.9.6.1. The Act requires that outstanding natural features and landscapes be protected from the effects of inappropriate subdivision, use and development. This is particularly important in Buller where the value of these features to the tourism industry and to the District's identity is significant.

4.9.6.2. Other natural features are also of importance within the District, usually on a local level. However, the policies and objectives give particular emphasis to outstanding features in recognition of their inclusion as a Matter of National Importance in Section 6 of the Act.

4.9.6.3. Some areas of the District make a greater contribution than others to the District's character. Rules in the Plan aim to implement stricter controls and standards for activities in these areas. While individual outstanding sites are recognised, on a broader level the District has been divided into four "character areas" based on the natural and physical landscape and on the degree of susceptibility to change within each area (see Parts 5.2, 5.3, 5.4 and 5.5).

#### **4.9.7. Intended Environmental Outcomes**

4.9.7.1. Identification and recognition of important landscapes and natural features.

4.9.7.2. Protection and enhancement of the character of different landscapes.

#### **4.9.8. Monitoring**

4.9.8.1. The Council may require, as a condition on any resource consent with the potential to adversely affect important landscapes or natural features, the provision of monitoring information such as photos in order to assess whether the Plan or practice of granting resource consents for similar activities needs to be changed.

## 4.10. Natural Hazards

### 4.10.1. Key Issue

4.10.1.1. Risks to human life and natural and physical resources within natural hazard prone areas and means of avoiding or mitigating any actual or potential effects of activities which increase the likelihood of natural hazards occurring.

- 4.10.2. Significant areas of the District are potentially at risk from natural hazards. Existing settlement patterns exacerbate the potential effects of these hazards, for example, Westport's location on the banks of the Buller River makes it particularly susceptible to severe flooding. The dredging or gravel extraction from the bed of the river reduces the risk of flooding. The coastline between Hector and Miko is affected by debris flow. Aside from the risk to individual safety, natural hazards can also result in damage to natural and physical resources, including the rural land resource, infrastructure and the built environment.
- 4.10.3. Significant natural hazard risks occur along the Buller Coast. Mokihiui is susceptible to flooding, and active coastal erosion is occurring along most of the coast. In addition, there is the risk of impacts from rising sea levels or inundation from storm events in coastal locations.
- 4.10.4. Faultlines which cross the Buller District make it susceptible to earthquakes. While earthquakes are not predictable, the impacts on property or health can be reduced by directing development away from locating on faultlines, and requiring buildings to meet earthquake standards.
- 4.10.5. Buildings and infrastructure elements are also affected by slope stability. Many areas of the District could be affected by slumping or falling rocks especially if the land surface was disturbed by building works. Two settlements are particularly affected in this regard; Punakaiki where some of the settlement is threatened by rock fall and Little Wanganui Subdivision which is affected by rock fall and debris flow. In the case of Little Wanganui Subdivision, existing residents and landowners have indicated a willingness to accept the risks associated with continued residence in a hazard prone area.

### 4.10.6. Objective

**4.10.6.1. Taking into account community views, to reduce the risks to people and communities from natural hazards, and to avoid the establishment of activities which increase the likelihood of natural hazards occurring.**

### 4.10.7. Policies

- 4.10.7.1. *Areas where natural hazards represent a significant threat to the health and safety of individuals and communities and/or to buildings*

*or structures shall be identified as information becomes available and used in the consideration of applications for resource consent.*

4.10.7.2. *An assessment of natural hazard risk shall be provided where appropriate with all applications for resource consents.*

4.10.7.3. *Increased public awareness of causes of natural hazards and their potential impacts in specific areas of the District shall be promoted.*

4.10.7.4. *Mitigation works to minimise the risks of natural hazards to the safety of people and communities shall be assessed according to the degree of risk.*

4.10.7.5. *Subject to the relevant statutory provisions in the Resource Management Act and Building Act, further development in identified hazard prone locations will be restricted.*

#### **4.10.8. Methods of Implementation**

4.10.8.1. Include known hazard areas including coastal hazard zones identified in the Regional Coastal Plan in the GIS database.

4.10.8.2. Enforce Sections 71-74 of the Building Act 2004 relating to hazard prone land.

4.10.8.3. Encourage the Regional Council to produce and update detailed hazard risk maps.

4.10.8.4. Encourage and support Regional Council monitoring and research on natural hazards in the District.

4.10.8.5. Maintain and test civil defence procedures.

4.10.8.6. Encourage the maintenance and improvement of the District's flood warning systems by making provision where practicable for preventative works regarding flood hazards.

4.10.8.7. Promote public awareness of potential hazard areas, through the provision of information and advice, especially where there is a potential risk to buildings and human life.

4.10.8.8. Develop criteria for identifying hazard prone areas and assessing the degree of hazard risk through consultation with the Regional Council.

#### **4.10.9. Explanation/Reasons**

4.10.9.1. The policies and implementation methods for natural hazards aim to minimise, avoid and mitigate where practical the impacts of natural hazards by managing activities within hazard prone areas and managing activities which increase the likelihood of natural hazards

occurring. Applications for development must include full details and assessment of hazard risk. In some situations where a resource consent is required, it may be that particular land use activities are unsuitable. Even in the case of permitted activities, any proposal to erect a building will need to be assessed in terms of Sections 71-74 of the Building Act and the building code.

4.10.9.2. Policies and other management tools aim at controlling the siting, extent and type of activities permitted in hazard prone areas. Specific hazard areas have been identified at Punakaiki (rock fall), Little Wanganui Subdivision (rock fall and debris flow), Mokihiui (flooding) and Hector-Miko coastline (debris flow). These areas are to be identified on the planning maps because development proposals are likely in these areas and it is necessary to make it clear that they are particularly susceptible to natural hazards. It is acknowledged however, that there are many other areas in the District which are susceptible to natural hazards and therefore any resource consent application, including outside identified hazard areas, must provide to Council an assessment of the hazard risk for the site.

4.10.9.3. The Council will gather information on natural hazards in conjunction with the Regional Council which also has a responsibility for natural hazard management. It is envisaged that public information, public works and civil defence testing will play a significant role in making people aware of natural hazards in the area and will help to encourage development to locate away from particularly hazard prone areas.

#### **4.10.10. Intended Environmental Outcomes**

4.10.10.1. Increased public awareness of natural hazard risks and their impacts.

4.10.10.2. A reduction in the magnitude and scale of the impacts of natural hazards on people and on natural and physical resources.

#### **4.10.11. Monitoring**

4.10.11.1. The Council will keep a record of reported instances where natural hazards detrimentally affect property or health, and mutually exchange such information with the Regional Council.

4.10.11.2. The Council may send out a questionnaire to a sample of ratepayers at appropriate intervals asking for comments on the Council's environmental performance. This questionnaire will include a question on awareness of natural hazard risks and their impacts.

## 4.11. Hazardous Substances

### 4.11.1. Key Issue

4.11.1.1. Management of the potentially adverse effects of hazardous substances on natural and physical resources.

- 4.11.2. The storage, use and transport of hazardous substances is an integral part of some land use activities in Buller. Control is undertaken under various legislation and by both the Regional Council and the District Council. The Regional Council has implemented recommendations for the upgrading and closure of landfill sites which are identified as contaminated in co-operation with the District Council. The District Council is primarily concerned with preventing or mitigating any adverse effects of any use of land involving these substances. Emphasis in management should concentrate on safety and prevention of accidents or spills but also provide appropriate contingency planning.
- 4.11.3. The disposal of hazardous substances on the West Coast is of particular concern. Current disposal practices are inadequate in Buller. Hazardous substances cannot be disposed of in landfills. The public are advised to store wastes privately until a regional hazardous substance management strategy and collection or treatment facility is developed. It is acknowledged that private storage of hazardous waste is an unsatisfactory short-term measure, and creates the potential for adverse environmental effects to occur from illegal dumping of hazardous wastes.
- 4.11.4. Poor siting and lack of leachate containment are particular problems with old refuse disposal sites.

### Objective

**4.11.5.1. To encourage and promote the safe and efficient handling and disposal of hazardous substances throughout the District.**

### 4.11.6. Policies

- 4.11.6.1. *Compliance with approved codes of practice and national guidelines and standards shall be required for all activities involving the use, storage and transport of hazardous substances.*
- 4.11.6.2. *Appropriate contingency planning shall be required for all operators of hazardous facilities, including disposal sites.*
- 4.11.6.3. *Assistance with and support in the establishment of a regional hazardous waste disposal site.*

#### **4.11.7. Methods of Implementation**

- 4.11.7.1. Develop and implement rules in the Plan where appropriate relating to the use, storage, disposal and transport of hazardous substances.
- 4.11.7.2. Support Regional Council initiatives on matters related to hazardous substance management.
- 4.11.7.3. Promote the adherence to, and use of, national guidelines and standards of practice dealing with hazardous substances management.
- 4.11.7.4. Encourage the development of contingency planning, and site rehabilitation schemes for activities which involve hazardous substances.

#### **4.11.8. Explanation/Reasons**

- 4.11.8.1. The management of hazardous substances is controlled by a number of specific industry guidelines and codes of practices. The District Plan rules (see Section 6) reflect and refer to these guidelines and are considered the most appropriate means of controlling the handling of hazardous substances and facilities in Buller in conjunction with the Regional Council. The risk some hazardous substances pose to people and communities can be significant. Even if this is perceived risk only, it still has the potential to adversely affect the health of people and communities.

#### **4.11.9. Intended Environmental Outcomes**

- 4.11.9.1. Management and disposal of hazardous wastes in environmentally safe and acceptable ways.
- 4.11.9.2. A reduction in the number of accidents and incidents of deliberate misuse involving hazardous substances.

#### **4.11.10. Monitoring**

- 4.11.10.1. A register will be kept of any accidents or incidents involving hazardous substances in order to assess whether the methods of control are sufficient.