

Chapter 1

THE RESOURCE MANAGEMENT FRAMEWORK

INTRODUCTION

This West Coast Regional Policy Statement (RPS) has been prepared by the West Coast Regional Council (the Regional Council) as required under the Resource Management Act 1991 (the Act). The Act provides a basis for integrating the management of the natural and physical resources of the whole region, which section 2 of the Act defines as including:

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

PURPOSE OF THE REGIONAL POLICY STATEMENT

The Regional Council is required under section 60(1) of the Act to prepare this RPS. Section 59 states:

The purpose of a regional policy statement is to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region.

The purpose of the Act as set out in section 5(1) is:

...to promote the sustainable management of natural and physical resources.

Sustainable management in section 5(2):

...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 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.

Sustainable management implies a long term approach, enabling people and communities to meet their social, economic and cultural needs, within a

sustainable management framework (See Appendix 1). The RPS does this through the identification of issues, objectives, policies, methods and indicators of achievement in Chapters 5 to 17. The objectives and policies in these chapters are intended to provide guidance and certainty for all people and organisations, including the Regional Council, who have interests, functions and powers under the Act on the West Coast.

Sustainable management means that decision-making about the use, development or protection of natural or physical resources should take into account the likely effects on other resources. If controls are tightened on one resource they could put pressure on others.

As well as requiring the Regional Council to consider the interconnections between different resources, the Act requires integration of functions between different agencies – particularly the Regional Council and territorial authorities. If this is not done, the response to resource management issues will be unco-ordinated and *ad hoc*, without clear reference to the effects on other resources. This matter is covered in more detail in Chapter 4 (Cross Boundary Issues and Integrated Management).

Sections 6 to 8 of the Act outline a number of matters which must be considered in achieving its purpose (See Appendix 1).

Section 6 relates to the recognition of, and provision for, matters of national importance. Subsections (a) - (c) relate to lakes, rivers, wetlands and their margins and the coastal environment, natural features and indigenous flora and fauna where the key words are *preservation* and *protection*; subsection (d) relates to the maintenance and enhancement of public access to the coastal marine area, lakes and rivers; and subsection (e) specifies *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga*.

Section 7 specifies matters to which *particular regard* shall be given. Some of these matters concern the maintenance, enhancement and, in some cases, protection of natural and physical features but subsection (a) refers, specifically, to *Kaitiakitanga* and subsection (b) to the *efficient use and development of natural and physical resources*.

Section 8 states that all persons exercising functions and powers under the Act shall *take into account the principles of the Treaty of Waitangi (Te Tiriti O Waitangi)*.

PROCESS OF PREPARING THE REGIONAL POLICY STATEMENT

This RPS has been prepared in accordance with the requirements contained in the First Schedule of the Act. In summary, the process has involved:

1. Consultation with the Minister for the Environment, other Ministers of the Crown who may be affected; local authorities, Poutini Ngai Tahu, who are the tangata whenua of the region and other individuals and organisations selected by the Regional Council.
2. Public notification of an earlier version of the *Proposed Regional Policy*

Statement and receipt of submissions.

3. Public notification of the receipt of the submissions on the RPS and the availability of a summary of them.
4. Receipt of further submissions in support of, or in opposition to, the earlier submissions.
5. Public hearings.

The *Proposed Regional Policy Statement* was originally notified in August 1993. It was redrafted following submissions, further submissions and public hearings. It was subsequently withdrawn due to the comprehensive changes that were required. As a result this new RPS has been publicly notified by the Regional Council in its place, with steps 3 to 5 having been repeated. Later steps included resolution of references to the Environment Court, final approval and public notification of this operative RPS.

Further details of consultation already carried out and the process followed in preparing this document are in Appendix 2.

CONTENTS OF THE REGIONAL POLICY STATEMENT

Section 62(1) of the Act provides:

A regional policy statement shall make provision for such of the matters set out in Part I of the Second Schedule (and such matters set out in Part II of that Schedule as are of regional significance), that are appropriate to the circumstances of the region and shall state:

- (a) The significant resource management issues of the region; and*
- (b) Matters of resource management significance to iwi authorities; and*
- and*
- (c) The objectives sought to be achieved by the statement; and*
- (d) The policies in regard to those significant issues and objectives, and*
an explanation of those policies; and
- (e) The methods used or to be used to implement the policies; and*
- (f) The principal reasons for adopting the objectives, policies, and methods of implementation set out in the statement; and*
- (g) The environmental results anticipated from implementation of those policies and methods; and*
- (h) The processes to be used to deal with issues which cross local authority boundaries, and issues between territorial authorities or between regions; and*
- (ha) For the region or any part of the region, which local authority shall have responsibility within its own area for developing objectives, policies, and rules relating to the control of the use of the land for-*
 - (i) The avoidance or mitigation of natural hazards:*
 - (ii) The prevention or mitigation of any adverse effects of the storage, use, disposal or transportation of hazardous substances-*
and may state particular responsibilities for particular

hazards or hazardous substances or groups of hazards or hazardous substances; but if no responsibilities for a hazard or hazardous substance are identified in the policy statement, the regional council shall retain primary responsibility for the hazard or hazardous substance; and

- (i) The procedures to be used to review the matters set out in paragraphs (a) to (ha), and to monitor the effectiveness of the statement as a means of achieving its objectives and policies; and*
- (j) Any other information that the regional council considers appropriate; and*
- (k) Such additional matters as may be appropriate for the purpose of fulfilling the regional council's functions, powers, and duties under this Act.*

FUNCTIONS OF THE WEST COAST REGIONAL COUNCIL

The main functions of the Regional Council are:

1. Integrated management of the natural and physical resources of the region. This includes the preparation, review and implementation of policies to achieve integrated management of the Region's natural and physical resources, as well as co-ordination and co-operation between agencies.
2. The control of certain aspects of land and water use, coastal areas, and the discharge of contaminants. Essentially, this entails the provision of a framework within which the effects of activities can be controlled where the sustainability of resource use may be in question.
3. The preparation of objectives, policies and methods for the use, development and protection of resources which are of regional significance.

The full range of Regional Council functions is set out in section 30 of the Act.

FUNCTIONS OF TERRITORIAL AUTHORITIES

All resource management issues which are the responsibility of the Regional Council are addressed in this RPS. However, there are many resource management issues that require no direct Regional Council involvement. Section 31 of the Act provides that they shall be administered by the appropriate territorial authority, (however any territorial authority function which is of regional significance is also a Regional Council function). This includes control of land subdivision, noise emissions and activities on the surface of lakes and rivers. However, there are functions which, under the Act, are overlapping functions of the Regional Council and territorial authorities. The RPS is an appropriate means of rationalising the administration of these overlapping functions.

REGIONAL PLANS

The RPS identifies resource management issues, the objectives of managing each issue, the policies to achieve these objectives and the general approach to be adopted in implementing the policies. Regional plans will, however, be prepared to cover the specific means of implementing policies - including requirements for assessments of effects on the environment, resource consent monitoring requirements and rules which will effectively detail performance standards. The advantage to resource users, the public and the Regional Council of having regional plans are that they remove *ad hoc* decision-making when considering resource consent applications and give greater clarity as to performance standards.

The Regional Council is currently in the process of preparing a number of regional plans.

Section 67(2)(c) of the Act states that regional plans shall not be inconsistent with the RPS or any other regional plan of the region concerned. Similarly section 75(2)(c) states that district plans shall not be inconsistent with the RPS and regional plans in regard to any matter of regional significance or for which the regional council has primary responsibility under Part IV of the Act. Therefore this RPS, regional plans and district plans enable a co-ordinated approach to resource management and it has a direct influence as to the content and approach to resource management issues, as articulated herein.