

19. INFORMATION REQUIREMENTS

19.1 Introduction

The Council recommends that prospective applicants should discuss their application with Council staff before submitting an application. However, in general, applications for resource consent for activities affecting the West Coasts resources will be required to demonstrate that:

- (a) The effects of the proposed activity comply with the relevant objectives, policies and rules;
- (b) Enough relevant information has been included to enable the consent authority to make an assessment of the effects of the proposed activity; and,
- (c) Where practicable, consultation has occurred with parties likely to be affected by the proposed activity.

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

Without limiting the requirements of Section 88 of the RMA, or of the Fourth Schedule to the Act, any application for any activity which this Plan specifies as being a discretionary activity will be required to include information, as specified in this Chapter.

Applications will also be assessed in terms of policies in the Regional Policy Statement for the West Coast. There may be additional information requirements once regard has been had to the Regional Policy Statement.

19.2 General Information Required

The following information must be supplied with all resource consent applications:

1. The name and address of the applicant.
2. A description of the activity, its nature, purpose, duration, and scale.
3. The location of the activity together with a site plan, legal description, and relevant map references.
4. A description of the physical nature of the site and surrounding area (including, where appropriate, landforms, geology, soils, stability of land slopes and riverbeds, climate etc).
5. A description of possible alternative locations or methods and the reasons for making the proposed choice.
6. An assessment of any actual or potential effects that the activity may have on the environment, and the ways in which any adverse effects may be avoided, remedied, or mitigated. This assessment shall be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment, and shall be prepared in accordance with the Fourth Schedule of the RMA. In particular, the assessment of environmental effects shall include coverage of:
 - a) Any adverse effects on:
 - The environment;
 - Human health;
 - The stability of land slopes riverbeds and river banks;
 - Potential effects on access to nearby or underlying mineral resources;
 - Landscape and amenity values;
 - Resources or values of significance to the tangata whenua;
 - Soil, plants, animals, and ecosystems;
 - Surface water and groundwater;
 - The coastal environment; and
 - A wetland.
 - b) Any cumulative effects which may arise over time or in combination with other effects;
 - c) Any effects of low probability but high potential impact;
 - d) The proposed monitoring provisions;
 - e) Any additional information that may be required in relation to applications for specific types of activities;
 - f) An assessment against the criteria in Schedule 3 undertaken by an appropriately qualified ecologist (where the application relates to a wetland in Schedule 1 or 2).

7. The nature of the discharge (contaminants, quantity, frequency, duration, hazardous properties etc).
8. A description of the measures to be undertaken to avoid, remedy or mitigate any adverse effect on the environment, and the extent to which environmental compensation, if any, has already been provided with respect to the activity.
9. An identification of those persons affected by the activity, any consultation undertaken, and any response to the views of those consulted.
10. A statement of whether any other resource consent is required from any other consent authority to undertake the activity and whether any such consent has been applied for, or obtained.

Notes:

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

Ecological significance criteria under Schedule 3

For activities in or affecting Schedule 1 or 2 wetlands the applicant is to provide an assessment of ecological significance under the criteria in Schedule 3 prepared by an appropriately qualified ecologist as part of the assessment of the effects of the activity on the environment.

An assessment of ecological significance under the criteria in Schedule 3 prepared by an appropriately qualified ecologist is also to be provided by an applicant for activities in or affecting a wetland not on Schedule 1 and 2 but which may contain an area of ecological significance.

19.3 Specific Information Requirements

In addition to the general information required by 19.2 above, where the proposed activity involves the following activities, the information listed will be required.

19.3.1 Earthworks or vegetation disturbance

1. Duration, timing, and area of bare ground;
2. Measures to address the effects of erosion, sedimentation, or increased surface runoff;
3. Measures to address adverse effects on affected persons;
4. Location, timing of disturbance, design, density of earthworks, including roads, tracks, or landings;
5. Adherence to a certified engineering plan;
6. Work programmes or management plans;
7. Measures to avoid or mitigate loss of, or damage to, soil;
8. Measures to avoid land subsidence, slumping, and erosion;
9. Measures to address effects on the stability of beds and banks of rivers and streams;
10. Setback distances from wetlands, lakes, rivers, and the coastal marine area;
11. Measures to avoid, remedy, or mitigate adverse effects on stream morphology;
12. Disposal and stabilisation of waste material, or fill (including backfill);
13. Effects on surface and subsurface water levels and flows;
14. Requirements for water tables, cutoffs and culverts;
15. Effects on aquatic habitats, riparian vegetation and habitats;
16. The relationship of Ngai Tahu and their culture and traditions with their ancestral lands, waters, sites, wahi tapu, and other taonga.

19.3.2 Structures or bed disturbance

1. Location and sensitivity of location to human or habitat values;
2. Extent of bed area disturbed;
3. Linear dimensions, shape, orientation, and gradient of any structure;
4. Effects on water flow;
5. Effects on flood carrying capacity, bed pattern, channel cross section, and profile;
6. Timing of the activity;
7. Measures to address effects of erosion or sedimentation;

8. Measures to address adverse effects on affected persons;
9. Effects on wildlife habitats including fish spawning areas;
10. Effects on fish passage;
11. Effects on bank and channel stability;
12. Effects of machinery in riverbeds;
13. Effects on public access;
14. Disposal of waste material;
15. The relationship of Ngai Tahu and their culture and traditions with their ancestral lands, waters, sites, wahi tapu, and other taonga;
16. Addressing assisting the spread of pest plants.

19.3.3 The taking of surface water or groundwater

1. A description of the quantity, rate and timing, including the 7-day take, of the proposed take and an assessment of the need for the take;
2. A statement of the intended use for which the water is to be taken;
3. A description of the means of the take, delivery, storage (if any) and application to be used;
4. With respect to an application for a new take, an assessment of the effect of the take on other users of the source water body;
5. In the case of the taking of groundwater, a description of the bore used or to be used and bore head management;
6. In the case of the taking of groundwater, a description of the likely adverse effect on the aquifer or any connected surface water body;
7. In the case of the taking of groundwater for irrigation purposes, a description of the quality of the groundwater where there is likely to be any adverse effect on soils;
8. In the case of any resource consent application for the taking of water under Policy 7.3.3, an assessment of the effects of the activity on:
 - (a) The values identified in Schedules 7A, 7B and 7C for any affected water body; and
 - (b) Significant indigenous vegetation and significant habitats of indigenous fauna; and
 - (c) Instream values; and
 - (d) The natural character of any affected water body; and
 - (e) The amenity values supported by any affected water body.

19.3.4 The taking of geothermal water

1. A description of the volume and of the proposed take and an assessment of the need for the take;
2. A statement of the intended use for which the water is to be taken;
3. A description of the means of the take, delivery, storage (if any) and application to be used.
4. With respect to an application for a new take, an assessment of the effect of the take on other users of the geothermal system and the geothermal system itself;
5. In the case of the taking of geothermal water, a description of the likely adverse effect on spring flows and the quality of waterbodies receiving wastewater.

19.3.5 The damming or diversion of water

1. An assessment of the effects of the activity on:
 - (a) The values set out in Schedules 7A, 7B and 7C for any affected water body; and
 - (b) Significant indigenous vegetation and significant habitats of indigenous fauna; and
 - (c) The natural character of any affected water body; and
 - (d) The amenity values supported by any affected water body; and
 - (e) Other users of any water or water body affected by the activity; and
 - (f) The movement of water and sediment; and
 - (g) Any defence against water;
 - (h) Adjacent land;
 - (i) Fish passage;
2. An assessment of the effect on upstream and downstream users of any affected water bodies, land or water, including any likely effect should a dam fail or be overtopped either during or after construction;
3. A description of the anticipated effect of the activity on public access to or along the water body including a description of:
 - (a) The extent to which members of the public would be excluded or restricted from the area; and

- (b) Where existing public access would be excluded or restricted as a result of the activity, a description of the methods, if any, proposed to bring about enhanced access in the area or elsewhere;
- 4. An assessment of the effect of the activity on any natural hazard, and the extent to which it is likely to create or exacerbate a natural hazard;
- 5. An assessment of the effects of the activity on heritage values in any district plan, any archaeological site, or any place with interim historic place registration including interim registration;
- 6. A description of the provisions made for the remediation of any adverse effect of the failure or overtopping of the dam;
- 7. In the case of a dam, the intended timing and duration of the filling of any reservoir and the proposed discharges from the dam;
- 8. A description of the flow regime intended to be maintained in the water body downstream of the dam or diversion;
- 9. In the case of a diversion, the total quantity or proportion of the flow that is intended to be diverted;
- 10. An assessment of any known contaminated land, for example a recognised "contaminated site" that may be flooded or inundated by the damming or diversion;
- 11. In the case of a flood detention dam, a description of the mechanism for releasing water;
- 12. An assessment of the effects on cultural values.

19.3.6 The discharge of water or contaminants

- 1. A description of the nature, method, volume, contents, rate and frequency of the proposed discharge;
- 2. A description of the treatment, if any, of the water or contaminant prior to the proposed discharge;
- 3. A description of any measures that may be in place to contain an emergency spill or discharge, should any occur;
- 4. An assessment of the ability of the receiving water to assimilate the discharge, in terms of both quantity and quality;
- 5. An assessment of the effects of the activity on:
 - (a) The values set out in Schedule 7A, 7B and 7C for any affected water body; and
 - (b) Significant indigenous vegetation and significant habitats of indigenous fauna; and
 - (c) The natural character of any affected water body; and
 - (d) The amenity values supported by any affected water body;
- 6. An assessment of the likely effect of the discharge on groundwater quality;
- 7. An assessment of the effect of the activity on any natural hazard, and the extent to which it is likely to create or exacerbate a natural hazard;
- 8. An assessment of the effects of the activity on heritage values, including those identified in any district plan, any archaeological site, or any place with interim historic place registration;
- 9. In the case of stormwater or drainage water discharge:
 - (a) A description of the nature of activities served by the system; and
 - (b) Details of the design of the system, in particular its capacity, its specifications and its maintenance regime;
- 10. In the case of human sewage or animal waste discharge, details of the design of the system, in particular its capacity, its specifications and its maintenance regime;
- 11. In the case of pesticide or fertiliser discharge, details of any manufacturer's directions for handling or application;
- 12. An assessment of the effects on cultural values.

19.3.7 Acid mine drainage

- 1. A detailed description of the geology and geochemistry of the proposed area to be mined including the percentage and type of sulphitic minerals in various lithologies that will be affected by mining;
- 2. A detailed description of the geology and geochemistry of the proposed area to be mined;
- 3. A description of the testing regime undertaken to identify acid producing potential;
- 4. An assessment of the likely contaminants (including heavy metals) in any leachate; and
- 5. A description of the mitigation measures that will be employed to manage or prevent acid drainage.

19.3.8 Discharges to land

1. Provisions adopted to avoid, remedy or mitigate any adverse effects on surface water, groundwater, soil, human health and the health of plants, animals and ecosystems that may arise from the discharge of contaminants or any runoff, including the sensitivity of the receiving environment and the proximity of the discharge to waterbodies and the coastal marine area;
2. Operational and management procedures, including contingency provisions and maintenance programmes, and for accidental discharges;
3. Design and construction standards, including the provision of bunds and sealing as they relate to any actual or potential discharge of contaminants;
4. The location of the facility relative to sites of high natural or recreational value, registered under the Historic Places Act 1993, of significance to Poutini Ngai Tahu, or distance to any dwelling or public facility not on the site;
5. Monitoring provisions, charges for monitoring and inspections;
6. Review of conditions and duration of resource consents;
7. Establishment of a bond;
8. After-care and rehabilitation of the facility following closure;
9. Extent and location of discharge, including cumulative effects arising from proximity of other discharges to land;
10. The types of waste to be disposed of at the facility, or to be composted;
11. Provisions for the development of alternative waste disposal options and measures the applicant will take to implement waste minimisation procedures on site;
12. The storage and disposal of hazardous substances at the facility;
13. Effluent collection, disposal and treatment systems, including the method and rate of effluent application, extent of effluent distribution, and rate of nutrient loading;
14. Provisions for desludging the system and applying sludge to land;
15. Size and construction of treatment and storage facilities;
16. Identification of potential hazards and exposure pathways and the acceptability of any risks to the environment;
17. The characteristics, source, composition and volume of wastes being discharged and of any likely by-products occurring from the degradation of these wastes;
18. Method and timing of discharge in relation to weather conditions.

20. FINANCIAL CONTRIBUTIONS

20.1 Introduction

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

20.2 Financial Contributions

The term "financial contribution" is defined in Section 108(9) of the RMA as a contribution of:

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

Financial contributions will not be applied in addition to a bond unless it is to address a separate issue.

When deciding how financial contributions should be levied or allocated, consideration will be given to matters contained in public submissions on a resource consent application.

In deciding on any financial contribution, the Council will take into account that requiring a contribution may not be appropriate in every case, even where there are adverse effects. Every resource consent application needs to be considered on a case by case basis as to the nature and extent of any contribution that may be required. The actual amount of particular contributions will vary depending upon the circumstances.

20.2.1 Circumstances, Purpose, and Method of Determining Contribution Amount

A financial contribution condition may be imposed on any resource consent in the circumstances and for the purposes set out below.

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

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

Purposes: To offset such effects by providing for alternative legal public access.

Method of determining contribution amount: The amount of the contribution will be determined having regard to the criteria set out in 20.3, but will reflect the actual cost of providing legal public access sufficient to offset adverse effects on such access.

(b) To enhance amenity values of lakes and rivers.

Circumstances: Where the activity, for which a resource consent is granted, occupies or adversely affects any part of a lake or river or adjoining shoreline which contains facilities or space used by the public, and the effects cannot be avoided or sufficiently remedied or mitigated.

Purposes: To offset such effects by providing for public open space or public facilities at an alternative location directly within the affected area or as close as possible to where the adverse effect is occurring or serving the same general community (including a contribution to any public reserves).

Method of determining contribution amount: The amount of the contribution will be determined having regard to the criteria set out in 20.3, but will reflect the actual cost of providing land to provide public open space or public facilities of a reasonably equivalent standard or extent to those which are adversely affected by the granting of the resource consent.

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

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

Purposes: To offset the loss of vegetation by providing for transplanting or maintaining, new or existing vegetation directly within the affected area or as close as possible to where the adverse effect is occurring.

Method of determining contribution amount: The amount of the contribution will be determined having regard to the criteria set out in 20.3, but will reflect the actual costs of the works and of providing land to provide for planting, transplanting or maintaining new or existing vegetation.

(d) To enable landscaping or planting.

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

Purposes: To offset the adverse effects of land clearance, land disturbance and structures in a lake or river or its marginal area by providing for the purposes of landscaping or planting directly within the affected area or as close as possible to where the adverse effect is occurring.

Method of determining contribution amount: The amount of the contribution will be determined having regard to the criteria set out in 20.3, but will reflect the actual costs of carrying out such works and of providing land sufficient to offset the adverse effects of the activity.

(e) To protect aquatic ecosystems or their habitat, including the quantity and/or quality of wetland habitat.

Circumstances: Where the activity for which a resource consent is granted is likely to cause or contribute to adverse effects on any ecosystem values, the natural character of the wetland or the habitat values supported by it, particularly those identified in Schedule 1 or 5A of this Plan, and the effects cannot be avoided or sufficiently remedied or mitigated.

Purposes: To offset the adverse effects of the activity by providing for the protection, reinstatement, purchase or enhancement of ecosystem values or habitats of a similar type directly within the affected area where the adverse effect is occurring, or where this cannot occur beyond the area occupied by, or immediately affected by, the activity.

Method of determining contribution amount: The amount of the contribution will be determined having regard to the criteria set out in 20.3, but will reflect the actual costs of works and of providing land and habitat sufficient to offset such effects.

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

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

Purposes: To offset such effects by providing for the replacement or reinstatement of soil or riverbank or riverbed resources at the same location, or provide an alternative location in the same general locality.

Method of determining contribution amount: The amount of the contribution will be determined having regard to the criteria set out in 20.3, but will reflect the actual cost of replacing soil, riverbank or riverbed resources of a reasonably equivalent standard or extent to those which are adversely affected by the granting of the resource consent.

20.3 Matters to be Considered for Financial Contribution

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

1. The significance of the effects attributable to the activity;
2. Where such adverse effects are likely to occur notwithstanding the activity, or are contributed to by other activities, the extent to which those effects can be reasonably attributed to the activity for which consent is granted;

3. The extent to which any positive effects offset any adverse effects;
4. Whether a contribution for the same purpose has been required by another regulatory agency;
5. The adverse effects for which a contribution is imposed cannot be avoided, remedied, or mitigated directly by project design or adoption of the best practicable option for preventing or minimising the effects;
6. Granting a resource consent and requiring a financial contribution would be more effective in achieving the purpose of the RMA (including recognition of the economic and social benefits of the activity) and the objectives and policies of this plan than declining consent or granting a consent without a condition requiring a financial contribution.

In deciding the actual value of the financial contribution required, the Council will have particular regard to:

1. Any contribution sought shall be in reasonable proportion to the significance of adverse effects caused or contributed to by the activity;
2. The actual amount of particular contributions will vary depending on the circumstances and the application of the guidelines and criteria outlined above;
3. The Council does not intend that adverse environmental effects must be fully mitigated or fully compensated in every case by way of financial contributions;
4. Any financial contribution required shall be reasonable, consistent with the purpose of the RMA, and reasonably relate to the effects of the activity for which the resource consent has been granted.

20.4 Financial Contributions General Provisions

1. All financial contributions shall be GST inclusive;
2. Where the financial contribution is, or includes, a payment of money, the Council may specify in the condition:
 - (a) The amount to be paid by the consent holder or the methods by which the amount of the payment shall be determined;
 - (b) How payment is to be made, including whether payment may be made by instalments;
 - (c) When payment shall be made;
 - (d) Whether the amount of the payment is to bear interest and, if so, the rate of interest;
 - (e) If the amount of the payment is to be adjusted to take account of inflation and, if so, how the amount is to be adjusted;
 - (f) Whether any penalty is to be imposed for default in payment and, if so, the amount of the penalty or formula by which the penalty is to be calculated;
3. Where the financial contribution is, or includes, land, the value of the land shall be determined by the Council. In granting a consent the Council shall give reasons in its decision for its assessment of the value of the land;
4. Where the financial contribution is, or includes, land the Council may specify:
 - (a) The location and the area of the land;
 - (b) When and how the land is to be transferred to, or vested in, the Council.

20.5 Bonds

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

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

- Adverse effects can and should be avoided, remedied, or mitigated;
- Other forms of compensation that have been, or are being, provided;
- The activity can offset adverse environmental effects;
- It is required to achieve the objectives and policies of this Plan.

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

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

21. MONITORING AND REVIEW

21.1 Introduction

Subject to the funding available in its Annual Plan, the Council will monitor the elements of the West Coast's resources, and the effects of their use and development on the environment, as necessary to assess the efficiency and effectiveness of the Objectives and Policies within this Plan.

21.2 Elements to be monitored

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

General:

- Analysis of complaints received and responses to complaints;
- Analysis of consents issued, including numbers and types of consents granted;
- Number and type of unauthorised activities and their outcomes;
- Effectiveness of the policies, **rules**, and methods contained within the Plan;
- Information from Council staff and staff in other agencies;
- Any relevant reports or research undertaken.

Water:

- Information pertaining to the quality and quantity of the West Coast's surface and groundwater water resources, **and in particular the State of Environment Report.**

Land and Riverbed Activities:

- The incidence of unauthorised activities pertaining to land disturbance or works in the beds of rivers or wetlands;
- Effect of whitebait stands on riverbank and bed stability;
- Relationship between the removal of material from riverbeds and the integrity of authorised structures;
- Change in extent of various classes of wetlands and the condition of selected wetlands identified in Schedule 1 and 2.

21.3 Review

This Plan, once approved, could be in force for a period no longer than 10 years, unless reviewed earlier. In considering the need to review this Plan, the Council will have regard to the extent to which any of the following matters significantly affect the framework established by, and the contents of the Plan:

- Changes in legislation dealing with any aspect of the management of **resources**;
- The results of monitoring the environment and the improved knowledge and understanding of the West Coast's resources;
- Greater knowledge of natural processes and the effects of activities on these;
- Issues identified by the monitoring of the efficiency and effectiveness of the objectives and policies within this Plan;
- The development, implementation and review of the Regional Policy Statement and other Regional Plans by the Council;
- Requests for a plan change or review made by any person in accordance with Part II of the First Schedule of the RMA.

GLOSSARY

Note: Definitions in italics are from Section 2 of the RMA.

Affected person means someone who the Council believes may be adversely affected by the granting of a resource consent application and whose written approval is sought prior to granting a non-notified consent application. See definition of "person".

Agrichemical means any substance, whether inorganic or organic, manufactured or naturally occurring, modified or in its original state, that is used in any agriculture, horticulture, forestry management, or public amenity areas, or related activity, to eradicate, modify, or control flora or fauna, and excludes fertiliser and organisms used for biological control.

Agricultural effluent means effluent from livestock which is collected or otherwise managed and disposed of as a point source discharge to land, and includes sludge and whey. The term does not include effluent discharges from individual animals direct to land.

Amenity values means the natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

Bed in relation to any river- the space of land which the waters of the river cover at its fullest flow without overtopping its bank.

In relation to any lake - the space of land which the waters of the lake cover at its highest level without exceeding its margin.

In relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level.

Fullest flow refers to the maximum amount of flow or highest water level that can occur without the river water overtopping the banks and beginning to flow over the flood plain. **Highest level** refers to the highest water level that can occur without the lake water exceeding its margin.

Cleanfill is material that when buried will have no adverse effect on people or the environment. Cleanfill material includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of:

- (a) combustible, putrescible, degradable or leachable components
- (b) hazardous substances
- (c) products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices
- (d) materials that may present a risk to human or animal health such as medical and veterinary waste, asbestos or radioactive substances
- (e) liquid waste
- (f) Protruding reinforcing, any reinforcing must be cut off from the concrete face.

Code of practice refers to a document assembled by an industry or association outlining what kinds of environmental practice are expected of people who carry out the particular resource use it relates to. While these may be voluntary, some resource user associations who have developed codes of practice expect members to comply with them.

Contact recreation refers to recreational activities involving contact with water; either primary (full immersion) or secondary (that which may result in some form of contact with water).

Contaminant includes any substance (including gases, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar or other substances, energy or heat -

- (a) when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or
- (b) when discharged into or onto land or into air, changes or is likely to change the physical, chemical or biological condition of the land or air onto or into which it is discharged.

Contaminated land means land that has a hazardous substance in or on it that;

- (a) Has significant adverse effects on the environment; or
- (b) Is reasonably likely to have significant adverse effects on the environment.

Dairy sheds includes all hard surfaces (e.g. holding yards) from which effluent is collected.

Dam means a structure used or to be used for the damming of any water, or water body. 'To dam', in relation to the damming of water, is the process of impounding the water for any purpose and for any period of time, as in a reservoir.

Deposition means the deposit of any substance, other than water or water borne contaminants (discharge), or fill material (reclamation).

Discharge includes emit, deposit, and allow to escape.

Divert in relation to the diversion of water, is the process of redirecting the flow of water.

Domestic property means a property used primarily as a place of residence, whether occupied or not, where no agricultural/horticultural commercial gain is generated from the property.

Drain refers to an artificial channel or subsurface conduit (e.g. mole drain, tile drain or drainage tunnel, or roadside swale) constructed for the purpose of:

- Collecting and diverting surface runoff, but also includes water collected from sealed surfaces with no associated reticulated stormwater system such as roadside swales and concrete dish swales, or
- Intercepting groundwater in order to lower the water table or divert water (excluding a water race), and directing it to a receiving water body.

The channel must not incorporate the bed of an existing river or creek, or the water from the bed of an existing river or creek. The hollows of humped and hollowed land are considered drains.

Earthworks means the disturbance of soil or earth by any means including excavation (including subsurface), tunneling, drilling, infilling, land rehabilitation or restoration, stockpiling, dumping of soil or sand, and the construction/reconstruction of any track, embankment, or drainage channel.

Earthworks does not include:

- Disturbing the topsoil for domestic gardening
- Vegetation disturbance that does not affect the topsoil or the root plate of trees.
- V-blading, flipping, humping and hollowing.

Effect includes—

- (a) Any positive or adverse effect; and
- (b) Any temporary or permanent effect; and
- (c) Any past, present, or future effect; and
- (d) Any cumulative effect which arises over time or in combination with other effects— regardless of the scale, intensity, duration, or frequency of the effect, and also includes—
- (e) Any potential effect of high probability; and
- (f) Any potential effect of low probability which has a high potential impact.

Ephemeral water body a water body, which has the physical characteristics of the bed of a river, that dries up periodically, typically holding water for only a few days to months.

Feed lot, wintering/stand-off pad means an area where stock are confined in order to avoid damage to pasture, and for feeding out during periods when soils are saturated. These areas can be located either indoors or outdoors, and can include sacrifice lots but exclude piggeries.

Fertiliser means any proprietary substance specifically manufactured for use in increasing the nutrient status of land.

Flipping is the turning over of the soil horizons, usually to a depth of 1-2 metres in order to improve the drainage characteristics of land without altering its natural contour.

Geothermal energy is energy derived or derivable from and produced within the earth by natural heat phenomena; and includes all geothermal water.

Geothermal water is water heated within the earth by natural phenomena to a temperature of 30 degrees Celsius or more; and includes all steam, water, and water vapour, and every mixture of all or any of them that has been heated by natural phenomena.

Green waste means organic material including:

- vegetative material;
- vegetable peelings or trimmings but no other kitchen wastes;
- soil attached to plant roots;

that may be physically modified, but is otherwise in its natural state, but not including animal products (e.g. manure, feathers, carcasses).

Grey water means human waste water, excluding human excreta, and including, for example, laundry, kitchen and bathroom waste water.

Groundwater is water that occupies or moves through openings, cavities or spaces in geological formations under the ground. Groundwater does not include geothermal water, for the purpose of the Rules.

Gravel is a mix of stones (up to 250mm in diameter), pebbles and finer material such as silt and sand.

Hazardous substance is, unless expressly provided otherwise by regulations, any substance--

(a) With one or more of the following intrinsic properties:

- (i) Explosiveness:
- (ii) Flammability:
- (iii) A capacity to oxidise:
- (iv) Corrosiveness:
- (v) Toxicity (including chronic toxicity):
- (vi) Ecotoxicity, with or without bioaccumulation; or

(b) Which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a) of this definition.

Hazardous waste means any waste which has any of the properties of a hazardous substance. This includes:

- (a) a hazardous substance which has not been used and requires disposal, or
- (b) the residue of a hazardous substance which has been used and requires disposal, or waste material containing a hazardous substance.

Herbicide means a substance toxic to plants and used to kill or control plants.

Humping and hollowing means an activity that results in excavation of parallel undulating mounds and hollows in order to improve land drainage for grazing farm stock.

Industrial or trade premises means-

- (a) any premises used for any industrial or trade purposes; or
 - (b) any premises used for the storage, transfer, treatment, or disposal of waste materials for other waste management purposes, or used for composting organic materials; or
 - (c) any other premises from which a contaminant is discharged in connection with any industrial or trade process-
- but does not include any production land.

Industrial or trade process includes every part of a process from the receipt of raw material to the dispatch or use in another process or disposal of any product or waste material, and any intervening storage of the raw material, partly processed matter or product.

Instream values means any values associated with water in streams.

Kaitiaki means a person or agent who cares for taonga; may be spiritual or physical. A guardian, steward, but the meaning of kaitiaki in practical application may vary between different hapu and iwi.

Kaitiakitanga means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship.

Land as Section 2 of the RMA defines land as including "land covered by water and the air space above land."

"Land" for the purposes of Section 18.1 and 18.5 of this plan, means land covered by s9(3) of the RMA, and does not apply to the bed of any lake or river.

"Land" for the purposes of Section 18.2 of this plan means the bed of any lake or river.

Landfill means any premises used for the lawful deposit or disposal of waste materials into or onto land. (Source: Hazardous Substances and New Organisms Act 1996).

Landholder refers to the occupier.

Landholding means for land subject to the Land Transfer Act 1952, land in

- (i) A single certificate of title; or
- (ii) Two or more adjoining certificates of title, with a common occupier.

For land not subject to the Land Transfer Act 1952, all contiguous land last acquired under one instrument of conveyance and occupied by a common occupier.

Line does not include any pole or other support structure (this definition only applies to Section 18.2 of the Plan).

Liquid contaminant means liquid residue of domestic, industrial, commercial and agricultural waste, including but not limited to, water, leachate, detergents, human and animal effluent/by-products.

Low application rate system is a system which is capable of applying a depth of less than 5mm/hour when necessary.

Major farm drain refers to the primary drain that:

- (a) Collects water from humped, hollowed, and flipped pasture;
- (b) Has a defined channel;
- (c) Carries water the majority of the time.

Mahinga kai refers to places associated with traditional food gathering.

Maintenance means to keep in existing or working order, to prevent loss or deterioration, to restore an authorised structure to working order, while not exceeding the general scale and effects, form, orientation, or outline of the structure.

Main stem refers to the principal course of a river (i.e., does not include tributaries).

Mean Annual Low Flow (MALF) (Seven Day) means the seven-day low flow in any year is determined by calculating the average flow over seven consecutive days for every seven consecutive day period in the year, and choosing the lowest. When this is done for every year of record, the seven-day mean annual low flow can be determined by adding the lowest seven-day low flows for every year of record and dividing by the number of years in the record. The MALF is "naturalised" by including an estimate of upstream takes on the flow.

Minimum flow is the flow below which the holder of any resource consent to take water must cease taking water from that river.

Minor upgrading are works resulting in an increase in the carrying capacity, efficiency or security of electricity transmission lines utilising existing support structures or structures with effects of a similar scale and character, and includes:

- (i) the addition of circuits and conductors;
- (ii) the reconductoring of the line with higher capacity conductors;
- (iii) the resagging of conductors;
- (iv) the addition of longer and/or more efficient insulators;
- (v) the addition of earthwires, which may contain telecommunication lines, earthpeaks, and lightning rods;
- (vi) the strengthening or replacement of support structures with structures of the same or similar scale and character provided that the replacement structures are installed in the same location, or where this is not practicable, at a location adjacent to the existing structure.

Minor upgrading shall not include:

An increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage and/or existing support structures are used and there will be no physical change to the line (other than the type of activities described in (i) to (v) and any necessary tower or foundation strengthening).

Mixing zone refers to an area of water associated with a discharge within which any standards or requirements relating to water quality are set aside to enable reasonable mixing to occur.

Network utilities includes telecommunication, electricity operation distribution, and generation water supply, drainage and sewage systems, roads, railways and airports.

Nohoanga refers to sites for exclusive use by Ngai Tahu for seasonal occupation.

Non-metal for the purpose of Policy 8.3.2 of this Plan, is restricted to the elements arsenic, boron, sulphur, selenium and their compounds.

Non-point discharge means a discharge of contaminants to air, water or land where the point of discharge is not clearly defined or identifiable.

Offal means waste comprised only of animal matter, and does not include agricultural effluent.

Offal pit means a hole excavated in the ground for the purposes of disposing of offal.

Open coast line refers to the part of the coastal marine area that is subject to the influence of open coastal water wave action. The 'open coast line' does not extend up rivers from the mouth but is determined by a straight line extending between the mean high water spring marks on the headlands on either side of the mouth. The above also applies for situations where there are multiple channels forming the river mouth.

Organic waste means waste material of plant (including green waste), animal or microbiological origin.

Person includes The Crown, a corporation sole, and also a body of persons, whether corporate or unincorporated. This means that a corporation comprised of a group of people or a number of employees is one person. The same applies to an unincorporated group or a family.

Pest plant means an introduced plant which has the potential to impact upon natural ecosystems, agricultural productivity, or other human activity, or a native plant toxic to stock.

Point source discharge means a discharge of water or contaminant that enters a water body at a definable point, often through a pipe or drain.

Potable Drinking Water means water that does not contain or exhibit any determinand~~z~~ to an extent above its maximum acceptable value specified in the Ministry of Health's Draft Guidelines for Drinking Water Management for New Zealand 2005.

Production land

- (a) means any land and auxiliary buildings used for the production (but not processing) of primary products (including agricultural, pastoral, horticultural, and forestry products);
- (b) does not include land or auxiliary buildings used or associated with prospecting, exploration, or mining for minerals.

Public amenity areas means those areas to which the public have right of access under any statute, regulation, law or bylaw.

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

Regionally significant infrastructure means:

- i) facilities for the generation of more than 1 MW of electricity and its supporting infrastructure where the electricity generated is supplied to the electricity distribution and transmission networks;
- ii) the National Grid and electricity distribution and transmission networks defined as the system of transmission lines, sub transmission and distribution feeders and all associated substations and other works to convey electricity;
- iii) pipelines and gas facilities used for the transmission and distribution of natural and manufactured gas;
- iv) the road and rail networks as mapped in the Regional Land Transport Strategy;
- v) the Westport, Greymouth, and Hokitika airports;
- vi) the Regional Council stopbanks;
- vii) telecommunications and radio communications facilities;
- viii) public or community sewage treatment plants and associated reticulation and disposal systems;
- ix) public water supply intakes, treatment plants and distribution systems;
- x) public or community drainage systems, including stormwater systems; and
- xi) the ports of Westport and Greymouth.

Registered organic farm means any property registered or certified provided that this registration or certification was established before any discharge activity is commenced.

Rehabilitation means any disturbance/work undertaken at the completion of an activity, the purpose of which is to return land and/or water into a state or condition that allows for its post activity use.

Reticulated stormwater system means any system that collects water from impervious surfaces such as roofs, buildings and other structures (incl. kerb and channel).

Riparian margin refer to Section 17.3 for definition.

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

Rocks are stones greater than 250mm in diameter.

Sediment Armouring the long term filling of interstitial spaces in the riverbed.

Septage means the total solid and liquid contents of septic tank systems or aerated wastewater treatment systems which are periodically collected during desludging operations.

Septic tank means a single or multiple chambered tank specifically designed for the treatment of sewage and/or sullage by retention of solids, combined with a subsoil soakage system for disposal.

Sewage means any human faecal matter, urine, wastewater containing human waste, and grey water, prior to any treatment.

Sewerage means the pipes and infrastructure through which sewage flows.

Slope dewatering are works to control naturally occurring groundwater flows from cut batter slopes.

Sludge means the semi-liquid solids which accumulate in septic tanks or agricultural effluent treatment systems.

Solid waste means the solid residue of domestic, industrial and commercial waste that excludes green waste, hazardous waste, and organic waste.

Stopbanks are embankments, normally constructed from materials such as gravel and earth, but not necessarily confined to those materials. They are built higher than the normal flood flows. Most of these structures protect the region's most intensely used agricultural land or urban centres from flooding.

Stormwater flowpath is a channel that does not have the physical characteristics of the bed of a river, and carries water only during storm events or for short periods thereafter.

Stormwater runoff refers to the overland flow of rainwater not contained within or forming part of a water body.

Structure refers to any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft.

Subsidence refers to a form of land instability which causes the falling, sinking, or settling of the ground surface. This may be the result of land disturbance activities such as tunnelling and land filling.

Surface water does not include geothermal water, for the purpose of the Rules.

Tangata whenua refers to The iwi or hapu that holds mana whenua (customary authority or rangatiratanga) over an area. In terms of the West Coast Region the Tangata Whenua is Ngai Tahu, through Te Runanga o Ngai Tahu, Te Runanga o Makaawhio, and Te Runanga o Ngati Waewae.

Trace Concentrations in terms of Rule 64 means the presence of a contaminant in concentrations that will not alter the background concentration in receiving waters by more than 20 percent or exceed the ANZECC aquatic ecosystem guidelines. Note: The Australian and New Zealand Guidelines for Freshwater Quality are produced by the Australian and New Zealand Environmental and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand.

Track means a constructed pathway or trail where the formation or construction is at least to a standard capable of carrying a crawler, tractor, or other motor vehicle and includes any road. Tracks of a lesser capability do not constitute an issue for the purposes of this Plan unless located in a Schedule 1 or 2 wetland.

Trophic level index The Trophic Level Index (TLI) is used to measure changes in the nutrient (trophic) status of lakes in New Zealand. This index considers phosphorus and nitrogen levels, as well as visual clarity and algal biomass. These four factors are combined to generate a single TLI number (score). Higher TLI scores indicate greater enrichment and higher lake trophic status.

V blading is a technique of land preparation commonly used by the forest industry to provide for tree seedling growth in wet areas. A V-shaped blade mounted on a crawler tractor is used to plough furrows and create raised mounds through wet areas, improving soil drainage and providing more suitable conditions for plantation tree seedling growth.

Vegetation disturbance includes the cutting, felling, harvesting, clearing, burning, or spraying of vegetation. Unless expressly managed by a rule in relation to a Schedule 1 or 2 wetland, vegetation disturbance excludes tree pruning, silviculture, pest plant control, grazing or mowing, clearance for fencing, maintenance of a structure, or maintenance and/or minor upgrading by network utility operators.

Note that the harvesting of sphagnum moss within Schedule 2 wetlands is a permitted activity under Rule 7a and harvesting within Schedule 1 wetlands is a non-complying activity under Rules 9 and 10.

Waahi tapu means a place which is particularly sacred or spiritually meaningful to tangata whenua. It includes burial grounds and places where significant events have taken place.

Water means water in all its physical forms whether flowing or not and whether over or under the ground. Includes fresh water, coastal water and geothermal water; but does not include water in any form while in any pipe, tank or cistern.

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

Waste minimisation means the modification of existing processes or behaviours to reduce waste production to a minimum.

Waste oil means any oil refined from crude oil, or any synthetic oil, which has been used or which is unwanted, and which is contaminated by physical or chemical impurities, or by the breakdown of its original properties. It does not include oils derived from animal or vegetable fats and oils.

Well is defined as being less than 20 metres deep as measured from ground level, while a bore is defined as being greater than 20 metres deep as measured from ground level.

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