

Te Tai o Poutini Plan – Section 32
Evaluation
Report Fourteen Mineral Extraction
Incorporating
Buller Coalfield Zone
– Te Takiwā Waro o Kawatiri
Mineral Extraction Zone
– Te Takiwā Kohuke
And
Mineral Extraction Provisions in the Rural
Zones and Open Space Zones



Te Tai o Poutini
P L A N

A combined district plan for the West Coast

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Executive Summary

Section 32 of the Act requires objectives in district plan proposals to be examined for their appropriateness in achieving the purpose of the Resource Management Act 1991 (RMA), and the policies and methods of those proposals to be examined for their costs, benefits, efficiency, effectiveness and risk in achieving the objectives.

The analysis set out in this report is to fulfil the obligations of the Council under s32 of the RMA. This section 32 evaluation report relates to the evaluation of options for the management of Mineral Extraction through the combined district plan for the West Coast – Te Tai o Poutini Plan.

This s32 report looks at the Mineral Extraction topic – and covers the provisions in relation to:

- Buller Coalfield Special Purpose Zone
- Mineral Extraction Special Purpose Zone
- Rural Zones – Mineral Extraction Provisions
- Open Space and Recreation Zones – Mineral Extraction Provisions

The Strategic Objectives within Te Tai o Poutini Plan (TTPP) of particular relevance to this topic are:

MIN – O1 To ensure provision for the use and development of the West Coast/Te Tai o Poutini's mineral resources while also avoiding duplication of regulation across agencies

MIN – O2 To enable mineral extraction and ancillary activities which support it, including specifically within the Buller Coalfield Zone, Mineral Extraction Zone, Rural Zones and Open Space Zone

MIN – O3 To recognise that mineral resources are widespread and fixed in location throughout the West Coast/Te Tai o Poutini and that provided adverse effects are managed, mineral extraction activities can be appropriate in a range of locations outside specified zones and precincts.

MIN – O4 To ensure that new subdivision, use and development does not compromise existing mineral extraction activities, including through reverse sensitivity to effects such as dust, noise and traffic generation

MIN – O5 To support Poutini Ngāi Tahu to manage their pounamu and aotea stone resources through the use of Pounamu and Aotea Management Area Overlays

MIN – O5 To:

- a. Avoid, remedy or mitigate the adverse effects of mineral extraction activities on the West Coast/Te Tai o Poutini's significant natural and cultural features, sites and heritage, and amenity values, including:*
 - i. Poutini Ngāi Tahu cultural resources and taonga including sites and areas of significant to Māori identified in Schedule Three;*
 - ii. Areas of significant indigenous vegetation, significant indigenous fauna habitat and protected native fauna;*
 - iii. Outstanding natural landscapes and features;*
 - iv. Waterways and waterbodies;*
 - v. The coastal environment;*
 - vi. The wellbeing of people and communities; and*
- b. Allow adverse effects to be addressed by alternative mitigation measures such as biodiversity offsetting and environmental compensation*

The West Coast/Te Tai o Poutini has a wide range of minerals located across the region and the mineral extraction industry is a key industry and employer on the West Coast/Te Tai o Poutini. It is arguably the most mineral rich region in New Zealand/Aotearoa me Te Waipounamu. Minerals found on the West Coast/Te Tai o Poutini in economic quantities include coal, gold, garnets, ilmenite and a wide range of alluvial and outwash deposited minerals as well as rock materials used for road construction, and engineered hazard protection works.

Mineral extraction has a functional need to occur where the mineral resource is located.

The three Operative District Plans had a varying approach to mineral extraction, with the Buller and Westland District Plans having specific provisions, while the Grey District Plan does not. The

Operative Plans' provisions for mineral extraction have remained unchanged since the Plans were made operative.

The proposed TTPP approach to Mineral Extraction filters down from the strategic importance of this activity to the West Coast.

A specific Buller Coalfield Zone is proposed (encompassing the hard coking coal mines on the Stockton and Denniston Plateaux) as well as a region-wide Mineral Extraction Zone encompassing specific spatial locations of mining and quarrying activity across the West Coast.

Alongside this, provisions for mineral extraction are provided in other parts of TTPP – most specifically in the Rural Zones and the the Open Space and Recreation Zones. This recognises that some mineral resources of the West Coast are widespread and not confined to a small number of locations.

The provisions for mineral extraction are intended to ensure that this strategically important activity continues to be able to be undertaken on the West Coast while also managing the adverse effects of these activities on the amenity, character and quality of the environment.

1.0 Overview and Purpose

This s32 evaluation report should be read in conjunction with the s32 'Overview Report', which also includes an overview of the s32 legislative requirements, the methodology and approach to the s32 evaluations and the process that the TTPP Committee has undertaken to date through the development of Te Tai o Poutini Plan, including consultation and engagement.

This report sets out the statutory and policy context for mineral extraction, the key resource management issues, specific consultation and approach to evaluation on this topic to decide on the proposed provisions. The report also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act (RMA) in relation to the Mineral Extraction topic.

1.1 Introduction to the Resource Management Issue

The West Coast/Te Tai o Poutini has a wide range of minerals located across the region and the mineral extraction industry is a key industry and employer on the West Coast/Te Tai o Poutini. It is arguably the most mineral rich region in New Zealand/Aotearoa me Te Waipounamu. Minerals found on the West Coast/Te Tai o Poutini in economic quantities include coal, gold, garnets, ilmenite and a wide range of alluvial and outwash deposited minerals as well as rock materials used for road construction, and engineered hazard protection works.

The West Coast contains mineral deposits that are of considerable social and economic importance to the districts, region and the nation, but in some cases can be constrained by conflicting land uses.

Mineral development and associated land restoration can provide an opportunity to enhance the land resource and landscape, and has done so in the past. However, the development of mineral resources has the potential to have significant adverse effects upon soil, water and air resources, and landscape, biodiversity and historic heritage values if not appropriately controlled.

Mineral extraction also includes quarrying for materials such as lime, sand, gravel and roading materials, as well as rock for protection works.

Mineral extraction involves many different activities during the prospecting, exploration, development, operation and closure phases.

Alongside a complexity of activity, the development, operation and closure phases have a complex range of environmental effects in relation to district plan matters- effects on amenity such as noise, dust, traffic generation, visual effects on sensitive landscapes, ecological effects from vegetation disturbance and earthworks.

In addition, because of the nature of the geology of areas high in desirable minerals, mineral extraction sites are often located in areas with unique ecosystems and species.

1.2 Regulatory and Policy Direction

1.2.1 Part 2 of the RMA

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA. Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

Sustainable management includes managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety.

In achieving this purpose, authorities need also to recognise and provide for the matters of national importance identified in s6, have particular regard to other matters referred to in s7 and take into account the principles of the Treaty of Waitangi referred to in s8.

Minerals are expressly excluded from 'sustainability' in section 5(2)(a) of the RMA in terms of sustaining the potential of natural and physical resources to meet the needs of future generations. However, minerals are included in 'sustainability' as it applies (in section (2)(c)) to avoiding, remedying or mitigating any adverse effects of activities on the environment. To this extent, the

activity of exploration, quarrying, mining and any other disturbance of land is covered by the RMA and addressed and regulated in district plans.

Mineral extraction has a functional need to occur where the mineral resource is located. This means that matters of national importance in s6 are all relevant to the mineral extraction topic, as are also matters identified in s7.

It is important to note that the extraction of pounamu and aotea stone by Poutini Ngāi Tahu is considered by them to be a key cultural tradition in relation to a significant taonga in relation to Section 6(e), 6 (g) and 7 (a) of the RMA.

1.2.3 National Instruments

New Zealand Coastal Policy Statement

2010 Under section 75(3)(b) of the RMA, TTPP must give effect to any New Zealand Coastal Policy Statement (NZCPS).

While some of the facilities identified in Section 2 of this report are unaffected by the policies in the NZCPS, Port Westport, Port Greymouth, the Westport Airport, Greymouth Airport and the Westland Recreation Centre are all located within the Coastal Environment.

In the case of mineral extraction, there are some minerals and types of mining located in the landward part of coastal environment, as is regulated through district plans, for example:

- Blacksand gold mining – mainly in Westland
- Quarrying of beach gravel for roading materials
- Mineral sands mining – potential widespread across the West Coast
- Quarrying of limestone and hard rock deposits to support roading, construction and protection works.

Of particular relevance to the mineral extraction activity are the following policies:

Policy 6: Activities in the coastal environment

(1) In relation to the coastal environment:

(a) recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities;....

2(b) Recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area

2(c) Recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places

National Policy Statement for Freshwater Management (NPS – FM 2020)

The NPS-FM sets out an objective and policies that focus on:

- Managing freshwater in a way that 'gives effect' to Te Mana o te Wai: (the integrated and holistic well-being of a freshwater body) in the management of fresh water;
- Prioritising the health and wellbeing of water bodies and freshwater ecosystems, followed by the health needs of people, followed by the ability of people and communities to provide for their social, economic and cultural well-being, now and in the future;
- Avoiding overallocation, improving and maximising efficient allocation and use of water and safeguarding its life-supporting capacity;
- Improving integrated management of fresh water and the use and development of land;
- Establishing a national objectives framework, monitoring progress, and accounting for freshwater takes and contaminants; and
- Providing for the active involvement of tangata whenua in freshwater management and that Māori freshwater values are identified and provided for.

While many of the objectives and policies relate to the functions of regional councils, those covering integrated management, and tangata whenua roles and interests are of relevance to the district

councils and TTPP Committee. Provisions relating to the management of the use and development of land to safeguard water will also be relevant to the Proposed TTPP, but will need to be implemented in close coordination with West Coast Regional Council in order to avoid overlap and duplication.

1.2.4 National Planning Standards and/or Guidance Documents

Gazetted in April 2019, the purpose of the National Planning Standards is to improve consistency in plan and policy statement structure, format and content. The standards were introduced as part of the 2017 amendments to the RMA. Their development is enabled by sections 58B–58J of the RMA. They support implementation of other national direction such as national policy statements and help people to comply with the procedural principles of the RMA.

The following aspects of the National Planning Standards are relevant to this topic:

- 8. Zone Framework Standard

The standards seek that any additional special purpose zone must only be created when the proposed land use activities or anticipated outcomes of the additional zone meet all of the following criteria:

- a. are significant to the district, region or country
- b. are impractical to be managed through another zone
- c. are impractical to be managed through a combination of spatial layers.

As the West Coast location within New Zealand with the greatest range and volume of mineral resources, mineral extraction is undoubtedly significant to the district, region and country.

Two special purpose zones are proposed in relation to Mineral Extraction - the Mineral Extraction Zone and the Buller Coalfield Zone.

The Mineral Extraction Zone contains a range of different types of Mineral Extraction Sites which are locationally fixed. These include:

- significant coal mines across Buller and Grey Districts
- rock quarries across the Buller, Grey and Westland Districts
- gold mines in the Buller and Westland Districts

The Buller Coalfield Zone is a separate Mineral Extraction Zone. This zone covers a discrete geographic area with the largest high quality coal resource for steel making in New Zealand. This includes the Stockton Mine which is the largest mine in New Zealand and a complex site of over 1000 ha with a range of mineral extraction and rehabilitation activities occurring across it.

These mines meet the national planning standards requirements as they are fixed in location (due to the location of the mineral resource) and it is impractical they be managed through another zone and have a distinct set of objectives and policies.

1.2.5 Regional Policy and Plans

West Coast Regional Council Policy Statement (RPS)

Section 5 of the RPS relates to the Use and Development of Resources.

This section recognises the important role that mineral resources play in the social and economic wellbeing of the West Coast.

Relevant provisions are:

Objective 5.1. To recognise the role of resource use and development on the West Coast and its contribution to enabling people and communities to provide for their social, economic and cultural wellbeing.

Policy 5.1 Enabling sustainable resource use and development on the West Coast to contribute to the economic, social and cultural wellbeing of the region's people and communities.

Policy 5.2 To recognise that natural and physical resources important for the West Coast's economy need to be protected from significant negative impacts of new subdivision, use and development by:

- a. *Avoiding, remedying or mitigating reverse sensitivity effects arising from new activities located near existing:*
 - i. *Primary production activities;*
 - ii. *Industrial and commercial activities;*
 - iii. *Minerals extraction;*
 - iv. *Significant tourism infrastructure;*
 - v. *Regionally significant infrastructure; and*
- b. *Managing new activities to retain the potential future use of:*
 - i. *Land with significant mineral resources; or*
 - ii. *Land which is likely to be needed for regionally significant infrastructure.*

The implementation of Policy 5.1 recognises the importance of the role of resource use and development on the West Coast and its contribution to the social, economic and cultural wellbeing of people and communities. Use and development of resources may be of regional and national importance providing benefits to people and communities on the West Coast and to New Zealand as a whole. The use and development of resources must be undertaken in a way which promotes the sustainable management purpose of the RMA. This will mean enabling people and communities to provide for their economic, social and cultural wellbeing and for their health and safety while meeting the requirements of section 5(2)(a), (b) and (c) of the RMA to meet the reasonably foreseeable needs of future generations, safeguard life-supporting capacity of resources, and avoid, remedy or mitigate adverse effects on the environment.

Policy 5.2 aims to create a framework for getting the right development in the right place at the right time. It is a strategic and proactive policy, designed to give effect to section 30(1)(g)(b) of the RMA which gives regional councils the function of strategically integrating infrastructure with land use. The policy seeks to ensure that there is a planned and coordinated approach to developing the built environment. Well-designed development also provides for the wellbeing of people and communities now and into the future. It also recognises that some types of development are incompatible when in close proximity to each other and that some activities can only occur in certain places because of the functional needs of that activity. Should other development occur there, then this can lead to a lost opportunity for a higher value use of that land.

1.2.6 Poutini Ngāi Tahu Iwi Management Plans

The RMA requires that when preparing a District Plan, the territorial authority must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district (section 74(2A)). There are three iwi management plans on the West Coast/Te Tai o Poutini – the Te Rūnanga o Makaawhio Pounamu Management Plan, the Te Rūnanga o Ngāti Waewae Pounamu Management Plan and the Lake Māhinapua Management Plan.

The Te Rūnanga o Makaawhio and Te Rūnanga o Ngāti Waewae Pounamu Management Plans are key documents that relate to mineral extraction of pounamu. All Pounamu on the West Coast is owned by Ngāi Tahu under the Pounamu Vesting Act. Te Rūnanga o Ngāi Tahu has recognised the kaitiaki rights of Poutini Ngāi Tahu in relation to pounamu on the West Coast.

These two iwi management plans set out the objectives and policies and management approach for the pounamu resource.

1.2.7 Other Relevant Regulation

Crown Minerals Act 1991

The Crown Minerals Act 1991 sets out the broad legislative framework for the issuing of permits to prospect, explore and mine Crown-owned minerals within New Zealand. On the West Coast, with the exception of pounamu which is owned by Ngāi Tahu, all minerals are owned by the Crown – whether they lie on public or private land. Accordingly a Minerals Mining Permit is required from NZ Petroleum and Minerals in order for any mineral extraction to occur, including quarrying for rock. Under the Crown Minerals Act no mineral extraction is allowed within National Parks or other land identified in Schedule Four.

Ngāi Tahu (Pounamu Vesting) Act 1997

The Ngāi Tahu (Pounamu Vesting) Act 1997 returns the ownership of all pounamu resource in the South Island to Ngāi Tahu. Under this Act, while fossicking for pounamu on beaches is allowed, all other pounamu on the West Coast is owned by Ngāi Tahu. Within the West Coast/Te Tai o Poutini Takiwā Poutini Ngāi Tahu are the kaitiaki of this resource. Poutini Ngāi Tahu do not allow mineral extraction of Pounamu by any other person than Poutini Ngāi Tahu whanui.

Conservation Act 1987

The Conservation Act established the Department of Conservation (DOC), and land under its control is generally managed under this Act. Where mineral extraction is undertaken on public conservation land, DOC issues an access arrangement and concession for this activity. This will contain a range of conditions around the site including addressing matters such as protection of wildlife and biodiversity values.

2.0 Resource Management Issue and Analysis

2.1 Background

The West Coast contains mineral deposits that are of considerable social and economic importance to the districts, region and the nation, but in some cases can be constrained by conflicting land uses.

Mineral extraction also includes quarrying for materials such as lime, sand, gravel and roading materials, as well as rock for protection works.

Minerals extraction involves many different activities during the prospecting, exploration, development, operation and closure phases.

Alongside a complexity of activity, the development, operation and closure phases have a complex range of environmental effects in relation to district plan matters - effects on amenity such as noise, dust, traffic generation, visual effects on sensitive landscapes, ecological effects from vegetation disturbance and earthworks.

In addition, because of the nature of the geology of areas high in desirable minerals, minerals extraction sites are often located in areas with unique ecosystems and species.

The West Coast Regional Land and Water Plan, and Regional Air Quality Plan, regulates many aspects of mineral extraction activities, including their effects in relation to air quality, water quality and quantity and soil conservation.

The West Coast Regional Council also administers quarrying/gravel extraction in the beds of rivers.

As a consequence many mineral extraction activities will require regional consents.

In developing an approach to mineral extraction within Te Tai o Poutini Plan it is therefore important to keep the scope of the work focused around matters that relate specifically to the District functions of the RMA. Ideally this would also, as much as possible, avoid duplication with the functions of other statutory bodies and authorities.

The general feedback from consultation with the Councils and the minerals sector is that the provisions in each of the district plans are working well. In particular in Grey District – where few resource consents are required, there was strong concern at the possibility of a more restrictive regime. However consultation with the community has identified that there are significant concerns around amenity impacts of mineral extraction on adjacent neighbours in particular.

Essentially this is an issue of reverse sensitivity. Many minerals are fixed in location – the mining and quarrying activity can only occur where the resource exists.

Key locations of minerals are outlined in the table below:

Mineral	Location
Coal -bituminous	Stockton Plateau
	Denniston Plateau
	Paparoa Coalfield

	Garvey Creek
Coal – sub-bituminous	Inangahua
	Reefton
	Charleston
Gold (rock)	Reefton, Lyell Goldfield, Mt Greenland
Gold (placer)	Ross to Reefton
Zinc, Copper, Lead and Nickel in stream sediments	Karamea, Reefton, Jackson Bay
Titanium – beach deposits	Haast to Karamea at a range of locations – Carters Beach, Barrytown Flats, Nine Mile Beach, Saltwater Lagoon and Hunts Beach have higher percentages
Other Metals	Karamea (molybdenum) Reefton (antimony, molybdenum) Red Mountains (chromium, nickel) Wilberg Range, Newton Range, Waiahio Creek, Mt Greenland (Copper) Waimangaroa, Farmer Creek, Falls Creek (Tin) Ngakawau, Reefton (Tungston) Uranium (Buller Gorge, Fox River)
Zirconium	Westport, Charleston, Barrytown
Garnets	Most West Coast beaches
Pounamu	Rivers from Fox River to Harihari and from the Haast River to Big Bay
Aotea Stone	Makaawhio River, Hunts Beach
Rare Earth Elements	Haast River
Rip rap	Range of beach and river deposits from Eight Mile to Bruce Bay and inland from Big Hohonu to the Waiho River
Gravel aggregate	Widespread availability in beach, glacier and river deposits as well as inland quarries
Rock for Protection works	Various quarries operated by the West Coast Regional Council and private operators. Rock for protection works is currently more difficult to access in South Westland
Limestone	Karamea, Cape Foulwind, Ikamatua, Ross, Kowhiterangi

Expiring Coal Mining Licences

Many of the former Solid Energy Crown Mining Licences will expire within the life of Te Tai o Poutini Plan, including the Stockton Mine.

The regime set up in the licences grants “existing privileges” as part of the transitional regime under the Crown Minerals Act, but following the expiry of these licences any change in scale or location of the activity will require an assessment against Te Tai o Poutini Plan.

In order for this mining activity to continue, resource consents will be required. Currently these mines are located in the Rural Zones of the respective districts. However these zones do not anticipate the scale of some mining activities – in particular the Stockton Mine, which is the single largest mine in New Zealand, and has a wide range of activities and scale.

When considering how these areas and mines should be managed, it is important to note that these activities all already hold resource consents for regional matters (e.g. land disturbance, discharges to water, land and air) and that it is in relation to the district matters that these coal mining licences will expire. In considering this matter there was a strong view from the three district councils and West Coast Regional Council representatives that enabling the smooth transition of the Coal Mining Licenced sites into the TTPP process is a high priority to support social and economic wellbeing on the West Coast.

New Mineral Extraction Activity

There are multiple stages to the mineral extraction process, and there is a complex layer of regulation associated with it. Before mineral extraction occurs, mineral prospecting and exploration will be undertaken to identify if there is a commercially viable resource.

Once commercial viability is identified, work will be undertaken to seek the necessary approvals for the activity. This includes:

- Crown Minerals Mining Licence
- Landowner Access Agreement - if the land is public conservation land then this will involve gaining a concession from DOC.
- Any necessary wildlife permits from DOC
- Regional resource consents for land disturbance and discharges
- Any district council consents.

While recognising that mineral extraction activities can have significant adverse effects that must be carefully considered and managed, many of these matters are specifically managed through regional functions (e.g. earthworks, discharges to water) and the focus of TTPP needs to be the matters that fall within the ambit of district councils – primarily matters of amenity, landscape, ecosystem health and natural character.

The overlay chapters of the plan cover the matters outlined in Section 6 of the RMA, and where any mineral extraction is proposed in an overlay area then those provisions will apply. Therefore the key matters that the core mineral extraction provisions need to focus on are similar to those in relation to other earthworks – noise, dust, visual amenity, traffic generation being particularly significant.

2.2 Evidence Base - Research, Consultation, Information and Analysis undertaken

2.2.1 Research

The current District Plans have been reviewed, technical advice and assistance from various internal and external experts has been commissioned and utilised, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. This advice includes the following:

Mineral Extraction

Title	Mining Activities on Public Conservation Land
Author	Department of Conservation
Brief Synopsis	Outlines the process and information required where a concession is sought for mineral extraction on public conservation land.
Link to Document	https://tpp.nz/wp-content/uploads/2022/07/applicant-guide-mining-activities-conservation-land.pdf

Title	Buller Resource Consent Application for Mining and Quarrying
Author	Buller District Council
Brief Synopsis	Template for operative plan resource consent applications for mineral extraction
Link to Document	https://tpp.nz/wp-content/uploads/2022/07/Buller-Resource-Consent-Application-Mining.pdf

Title	Westland District Council Land Use Resource Consent Application for Mining
Author	Westland District Council

Brief Synopsis	Template for operative plan resource consent applications for mineral extraction
Link to Document	https://tppp.nz/wp-content/uploads/2022/07/Westland-Land-Use-Consent-Application-for-Mining-Activities-Within-Westland-District-Council-Territorial-Area.pdf

Buller Coalfield Zone

Title	Notified Concession Final Report to Decision Maker – Buller Coal Limited Permission Record Number: 34684-OTH
Author	Department of Conservation
Brief Synopsis	Analysis of the application within the context of the legislation, the statutory planning framework and actual and potential effects of the proposal to upgrade, maintain and use the Whareatea Road located on public conservation land for the purposes of access to and transport of coal from Buller Coal Ltd's Escarpment Mine, Denniston Plateau.
Link to Document	https://tppp.nz/wp-content/uploads/2022/07/buller-coal-final-report-to-decision-maker.pdf

Title	Permissions Mining Report Access Arrangement Application Mining Permit 51279 Escarpment Mine Proposal, Buller Coal Limited 6 May 2013
Author	Department of Conservation
Brief Synopsis	Analysis of the of the application within the context of the legislation, the statutory planning framework and actual and potential effects of the proposal to establish the Escarpment Mine at Denniston Plateau.
Link to Document	https://tppp.nz/wp-content/uploads/2022/07/doc-report-escarpment-mine-proposal-buller-coal.pdf

Title	Cultural Impact Assessment of Escarpment Mine Project 2013
Author	Francois Tumahai
Brief Synopsis	Cultural impact assessment for Escarpment Mine Proposal. Outlines Ngāi Tahu associations with the area and the impact of the proposal on cultural values
Link to Document	https://tppp.nz/wp-content/uploads/2022/07/Escarpment-Mine-Cultural-Impact-Assessment.pdf

Title	Escarpment Mine –Landscape Assessment
Author	Chris Glasson Landscape Architects Ltd
Brief Synopsis	Landscape assessment of proposed Escarpment Mine Denniston Plateau. Includes assessment that the area is not an outstanding landscape.
Link to Document	https://tppp.nz/wp-content/uploads/2022/07/Escarpment-Mine-Landscape-Assessment.pdf

Title	Escarpment Mine – Coal Load Out Landscape Assessment
Author	Chris Glasson Landscape Architects Ltd

Brief Synopsis	Landscape assessment of proposed Escarpment Mine Coal Load Out Denniston Plateau
Link to Document	https://tppp.nz/wp-content/uploads/2022/07/Escarpment-Mine-Coal-Load-Out-Landscape-Assessment.pdf

Title	Vegetation and Flora Baseline Survey L & M Coal Ltd Escarpment Mine Project Denniston Plateau October 2008
Author	Richard Nichol and Fred Overmars
Brief Synopsis	Ecological survey of vegetation found at the proposed Escarpment Mine location, Denniston Plateau
Link to Document	https://tppp.nz/wp-content/uploads/2022/07/Escarpment-Mine-Vegetation-and-Flora.pdf

Title	An Investigation of Terrestrial Ecosystems for the L&M Coal Ltd Escarpment Mine Project: Avifauna and Powelliphanta snails October 2008
Author	Rhys Buckingham
Brief Synopsis	Ecological survey of bird and snail fauna at the proposed Escarpment Mine location, Denniston Plateau
Link to Document	https://tppp.nz/wp-content/uploads/2022/07/Escarpment-Mine-Terrestrial-Ecosystems.pdf

Title	Soils and Indicative Land Rehabilitation, Escarpment Mine, Denniston Plateau, Buller. Landcare Research Contract Report: LC0809/020 September 2008
Author	Rhys Buckingham
Brief Synopsis	Description of soils, assessment of land rehabilitation options and mine closure plans for the Escarpment Mine, Denniston Plateau.
Link to Document	https://tppp.nz/wp-content/uploads/2022/07/Escarpment-Mine-Land-Rehabilitation.pdf

Title	Escarpment Mine – Decisions of Commissioners 26 August 2011
Author	Terry Archer, Sharon McGarry and Warwick Heal
Brief Synopsis	Commissioners decision report on joint hearing of Escarpment Mine resource consent application to West Coast Regional Council and Buller District Council
Link to Document	https://tppp.nz/wp-content/uploads/2022/07/Escarpment-Mine-BCL-Final-Decision-26-Aug.pdf

Title	Escarpment Mine – Consent Conditions
Author	Terry Archer, Sharon McGarry and Warwick Heal
Brief Synopsis	Consent conditions for West Coast Regional Council and Buller District Council resource consents for Escarpment Mine
Link to Document	https://tppp.nz/wp-content/uploads/2022/07/Escarpment-Mine-BCL-Final-Decision-26-Aug.pdf

Title	Stockton Revisted – The Mine and the Regulatory Minefield
Author	Parliamentary Commissioner for the Environment
Brief Synopsis	Assessment of the progress towards improved environmental management and performance at Stockton Mine. An examination of the regulatory regime having effect under the transitional provisions of the Crown Minerals Act 1991 and the RMA 1991.
Link to Document	https://tpp.nz/wp-content/uploads/2022/07/Stockton-Mine-PCE-Report.pdf

Title	Te Kuha Mine – Resource Consent Decision
Author	Retired Judge RG Whiting, John Hudson, Terry Archer 21 November 2017
Brief Synopsis	Commissioners decision report on joint hearing of Te Kuha Mine resource consent application to West Coast Regional Council and Buller District Council
Link to Document	https://tpp.nz/wp-content/uploads/2022/07/Te-Kuha-Decision-21-Nov-2017-with-Appendices.pdf

Title	Stockton Coal Mining Licence and Ancillary Coal Mining Licences, Sullivan Coal Mining Licence and Ancillary Mining Licences Upper Waimangaroa Access Arrangements Mar 2022
Author	BT Mining Ltd
Brief Synopsis	Summary of the environmental conditions in the Stockton and Sullivan licences that relate to environmental matters (other than those which solely relate to regional council functions).
Link to Document	https://tpp.nz/wp-content/uploads/2022/07/STOCKTON-COAL-MINING-LICENCE-and-ANCILLARY-COAL-MINING-LICENCES11-1.docx

Title	Buller Plateau Mining Precinct – Information from Bathurst Resources Limited December 2020
Author	BT Mining Ltd
Brief Synopsis	Information regarding the draft Buller Plateau Strategy/Buller Plateau Special Area Bill that had previously been developed.
Link to Document	https://tpp.nz/wp-content/uploads/2022/07/BRL-Information-to-Support-Mining-Precincts.pdf

Planning

Title	Te Tai o Poutini Plan Technical Update Mineral Extraction Strategic Objectives October 2020
Author	Lois Easton
Brief Synopsis	Identifies the significance of the minerals sector to the West Coast and recommends strategic objectives supporting mineral extraction.
Link to Document	https://tpp.nz/wp-content/uploads/2020/10/TTPPC-Meeting-Agenda-October-2020.pdf

Title	Te Tai o Poutini Plan Technical Update – Approach to Minerals and Mining May 2020
Author	Lois Easton
Brief Synopsis	Reviews the operative district plan provisions around mineral extraction, discusses mineral extraction issues and how these can be managed within Te Tai o Poutini Plan.
Link to Document	https://tpp.nz/wp-content/uploads/2020/05/TTPP-Agenda-28-May-2020-Final-1.pdf

Title	Te Tai o Poutini Plan Technical Update – Mineral Extraction Rules and Approach May 2021
Author	Lois Easton
Brief Synopsis	Discusses the approach to mineral extraction and draft Rules including within the Rural Zones
Link to Document	https://tpp.nz/wp-content/uploads/2021/05/Agenda-TTPP-Committee-25-May-2021.pdf

Title	Te Tai o Poutini Plan Technical Update – Mineral Extraction Rules Update and Overlays October 2021
Author	Lois Easton
Brief Synopsis	Discusses the draft Rules for mineral extraction including within the Rural Zones
Link to Document	https://tpp.nz/wp-content/uploads/2022/01/Agenda-29-October-2021.pdf

2.2.2 Consultation and Engagement

Te Tai o Poutini Plan has been the subject of significant consultation and community engagement. Within that, the mineral extraction provisions have been the subject of targeted consultation alongside the overall TTPP consultation and engagement process.

This commenced in 2019 with the identification of minerals and quarrying stakeholders on the West Coast/Te Tai o Poutini – local mining companies and individuals, Straterra, Minerals West Coast, Tai Poutini Resources, and the key agency stakeholder the Department of Conservation.

Numerous one-on-one meetings were held with these individual stakeholders during the Plan drafting, with multi-stakeholder workshops also held on 28 July 2020, 7 April 2021, 13 May 2021 and 9 September 2021.

The draft TTPP was released for public feedback in January 2022 and there was substantial feedback provided on the Mineral Extraction provisions. A sector workshop was held on 21 February 2022 and written feedback was also provided by a range of people and organisations.

This was the subject of a detailed report to the Committee on 29 April 2022.

Title	Te Tai o Poutini Plan Technical Reprt – Mineral Extraction. Report to Te Tai o Poutini Plan Committee 29 April 2022
Author	Lois Easton
Brief Synopsis	Discusses the feedback received on the draft Plan in relation to the mineral extraction topic. Makes recommendations in response to this feedback

Only some of the recommendations made in this report were accepted by the Committee. The draft Plan was amended in accordance with the direction provided by the Committee.

RMA Schedule 1 Consultation

The RMA requires councils to undertake pre-notification consultation with those parties identified in Schedule 1, clause 3, during the preparation of a proposed district plan. These parties include:

- the Minister for the Environment;
- those other Ministers of the Crown who may be affected by the proposed plan;
- local authorities who may be so affected; and
- the tangata whenua of the area who may be so affected, through iwi authorities.

As a result of this consultation, written feedback was received from Department of Conservation, Department of Internal Affairs, Te Rūnanga o Ngāi Tahu and the Ministry for the Environment.

No specific feedback was provided on the Mineral Extraction topic.

2.2.3 Iwi Authority Advice

Pounamu

Poutini Ngāi Tahu are participants in the minerals sector with the Ngāi Tahu (Pounamu Vesting) Act 1997 placing the ownership of all pounamu in its natural conditions within the takiwā of Ngāi Tahu Whānui.

Pounamu is managed in accordance with the Te Rūnanga o Ngāi Tahu Pounamu Resource Management Plan, Te Rūnanga o Ngāti Waewae Pounamu Management Plan and Te Rūnanga o Makaawhio Pounamu Management Plan.

These plans ensure the long-term protection, collection, extraction and supply of pounamu and that the kaitiaki rūnanga are at the heart of managing these processes.

Where any pounamu is discovered within the takiwā of Poutini Ngāi Tahu the occurrence should be notified to Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio. The two hapu have negotiated a Finders Fee agreement with mining companies which encourages stone to be returned to the hapu when it is discovered as part of other mining operations.

Ngāti Waewae's takiwā stretches north of the Hokitika River to Kahurangi Point and inland to the Southern Alps. The land between the south bank of the Hokitika River and north bank of the Poerua River is jointly managed by both rūnanga, and Makaawhio's takiwā extends from the Poerua River to Piopiotāhi.

Aotea

Ngāti Mahaki o Makaawhio regard Aotea as a stone of similar cultural significance as pounamu, however it was not included in the Pounamu Vesting Act. Therefore Te Rūnanga o Makaawhio has taken out a Mining Permit with the Crown for Aotea within their Takiwā in order to ensure that they retain control over this significant cultural resource. No mining of Aotea is currently occurring – it is a very scarce taonga and Te Rūnanga o Makaawhio are still developing their approach to how this resource will be managed over time.

Poutini Ngāi Tahu recognise the positive economic and employment benefits of mineral extraction. They are principally focussed on ensuring that mining is not undertaken in culturally inappropriate locations and that there is appropriate management of effects.

Poutini Ngāi Tahu are also concerned that where pounamu or Aotea is discovered during other mineral extraction activity that this resource is returned to its Ngāi Tahu owners. There is currently a very substantial pounamu black market whereby pounamu discovered during other activities is being illegally sold.

There are provisions within the Sites and Areas of Significance to Māori chapter which specifically refer to the Pounamu and Aotea Management Overlays which address this matter and that is discussed further in the Historic and Cultural Values s32 Report.

2.3 Operative District Plan Provisions

Both Westland and Buller District Plans have specific Mineral Resources sections in their district plans. There are specific issues, objectives and policies. The Grey District Plan with its effects based focus does not specifically mention mining or quarrying at all.

2.3.1 Buller District Plan

There are two objectives:

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.

Objective 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

There are seven policies in relation to mineral extraction that cover mining and management of environmental effects, rehabilitation of sites, co-ordination with the regional council and protection of mineral resources from activities which might compromise their future exploitation.

Rules in relation to Mineral Extraction are:

Permitted Activities

- Mineral Prospecting in the Rural Zone
- Mining, quarrying and associated activities within the Cement Production Zone

Controlled Activities

- Advanced Mineral Exploration in the Rural Zone

Restricted Discretionary Activities

- Mineral Extraction in the Rural Zone

Discretionary Activities

- Mining, quarrying and associated activities within the Cement Production Zone not meeting Permitted Activity standards

Non-complying Activities

- Mineral extraction outside of the Rural Zone and Cement Production Zone

Buller Plan Change 137

The Buller District Council released Plan Change 137 in 2016 as part of a package of plan changes relating to the rolling review of the Buller District Plan. This Plan Change was not progressed beyond the notification stage, as by that time it was clear that the district plans on the West Coast/Te Tai o Poutini were going to be combined as a result of recommendations from the Local Government Commission. The plan change proposed to replace the two Objectives and seven policies with one Objective and four policies as follow:

Objective: To enable mineral extraction activities that provide economic and social benefits to the community, in a manner that avoids, remedies or mitigates adverse effects on the environment.

Policy 1: To acknowledge the importance of known mineral resources in the district by, where appropriate, discouraging the establishment of activities or developments that are likely to compromise access to these mineral deposits.

Policy 2: To manage mineral extraction activities in order to ensure that operations avoid, remedy or mitigate adverse effects on the ecological, landscape, heritage and amenity values of surrounding areas and on the amenity values of existing residential areas.

Policy 3: to manage conflicts between the effects of mineral extraction activities and other land uses by ensuring that activities that are incompatible with the effects of mineral extraction activities are not established close to existing extractive industries.

Policy 4: To ensure that during and after mineral exploration and extraction activities, sites are progressively rehabilitated to enable the establishment of a land use appropriate to the area.

2.3.2 Grey District Plan

The Grey District Plan has no specific provisions for mineral extraction or earthworks. Where consent is required this would be triggered by a specific effects based performance standard. Assessment of typical mineral extraction activities indicates that:

- Prospecting and Advanced mineral exploration activities will generally be Permitted in the Rural and Industrial Environmental Area – with the main limits around noise (where the activity is closer to a township or residential area) provided the activity is not in an SNA.
- Mining and quarrying would most often be a Permitted Activity in the Rural Environmental Area with the main limits around noise, heavy traffic generation, building height (e.g. for crushing plants) work in SNAs and outstanding landscapes.
- Mining and quarrying would be more likely to breach the Permitted Activity standards in Township and Urban areas – though potentially it could be a Permitted Activity in the Industrial Environmental Area.
- If mineral extraction activities breached the Performance standards then they would require a Discretionary Activity consent.

2.3.3 Westland District Plan

There are three objectives and three policies:

Objective 3.6.1 To enable people and communities to provide for their economic and social wellbeing through the efficient utilisation and development of mineral resources.

Objective 3.6.2 To safeguard the life supporting capacity of air, water, solid and ecosystems and avoid, remedy or mitigate adverse effects from the use and development of mineral resources.

Objective 3.6.3 To avoid, remedy or mitigate mining's adverse effects on natural environments, landscapes and waterways.

Policy 4.13.A. The establishment of mineral related activities should incorporate, as an integral component, measures to protect water quality and ecosystems, and appropriate rehabilitation of disturbed areas.

Policy 4.13.B. To require active rehabilitation of areas disturbed by mining activity to generally their original condition or another suitable condition as approved by the Council.

Policy 4.13.C. Ensure that the life supporting capacity of ecosystems is safeguarded and adverse effects of mineral related activities and associated earthworks on natural features and landscapes, indigenous vegetation and habitat, the natural character of the coast, waterways and their margins, historic and cultural sites, public access and amenity values are avoided, remedied or mitigated.

Rules in relation to Mineral Extraction are:

Permitted Activities

- Mineral Prospecting in the Rural Zone

Controlled Activities

- Advanced Mineral Exploration in the Rural Zone

Restricted Discretionary Activities

- Mineral Extraction in the Rural Zone

Non-complying Activities

- Mineral extraction outside of the Rural Zone

2.4 Analysis of Best Practice – How Other Councils are Addressing the Same Issue

While the West Coast is one of the most significant locations nationally for mineral extraction, there are also significant mining activities in Otago, Southland, Waikato, Coromandel and Northland. Quarrying activity is widespread nationally. A review of other councils approaches to mineral extraction and use of special zones for this purpose was undertaken.

This found that:

- It was a relatively common approach to include quarry and/or mineral extraction areas in a special zone – recognising the very specific nature of the activity meant that rules could be very tailored to the zone in a similar way as is often undertaken with other special purpose zones. Examples are:
 - Whangarei District Plan Quarrying Resource Areas
 - Wellington District Plan – Kiwi Point Quarry (operates as a Permitted Activity within the Business 2 Zone with Specific Controls)
 - Auckland Unitary Plan Quarry Zone
 - Christchurch District Plan Quarry Zone
 - Waitaki District Plan – Macraes Mining Zone

Where quarries and mineral extraction occur within a specified zone, then plan rules are less restrictive than for mining/quarrying activity that occurs in a rural or other zone. It is common for there to be a range of Permitted Activities for work within a certain footprint, and for controlled or restricted discretionary activities where the active work area would expand.

Where mineral extraction beyond the small scale (e.g. farm quarry) occurs on general rural land, most plans reviewed did require a resource consent for the activity.

2.5 Summary of Issues Analysis

The West Coast is relatively unique in the extent of high value mineral resources and the role that mineral extraction plays in terms of providing for social and economic wellbeing. Mineral extraction activities are widespread across the West Coast, however some, higher value and more significant activities are more limited in their locations.

Because of this, a mixed approach of managing mineral extraction activities through a combination of Special Zones and general provisions is considered necessary. While the operative plans approach to mineral extraction is at the more enabling end of the spectrum (particularly the Grey District Plan) the provisions generally appear to be working reasonably well – except in the matters of managing some amenity effects for adjacent neighbours. Where possible the inclusion of mineral extraction activity within a specified zone is considered to be a particularly useful tool to help manage issues of reverse sensitivity.

Recognising the strong strategic direction for support of the minerals sector and the importance of mineral extraction to the West Coast and from the work done through consultation and development of the draft Plan, the following key issues were identified for the Mineral Extraction Topic.

Issue 1: How to protect mineral resources for ongoing extraction and manage issues of reverse sensitivity particularly where residential and rural lifestyle development has already occurred.

Issue 2: How to avoid unnecessary duplication of matters between the Regional Council, District Councils and Department of Conservation and minimise the complexity of the consenting process.

Issue 3: How to deliver a higher degree of certainty of outcome and continuity of operations for mineral extraction, given the often high cost of resource consent processes.

Issue 4: How to ensure continuity of mineral extraction activity where Crown Mining Licences expire and activity beyond existing use rights is desired.

2.6 Description of Proposed Provisions

The proposed TTPP approach to Mineral Extraction filters down from the strategic importance of this activity to the West Coast.

A specific Buller Coalfield Zone is proposed (encompassing the hard coking coal mines on the Stockton and Denniston Plateaux) as well as a region-wide Mineral Extraction Zone encompassing specific spatial locations of mining and quarrying activity across the West Coast.

Alongside this, provisions for mineral extraction are provided in other parts of TTPP – most specifically in the Rural Zones and the the Open Space and Recreation Zones. This recognises that some mineral resources of the West Coast are widespread and not confined to a small number of locations.

Strategic Objectives

The applicability/relevance of all the proposed Strategic Objectives will need to be considered for all development proposals requiring resource consent under the Proposed TTPP. Of particular relevance to the Mineral Extraction provisions are the following proposed Strategic Objectives.

MIN – O1 To ensure provision for the use and development of the West Coast/Te Tai o Poutini's mineral resources while also avoiding duplication of regulation across agencies

MIN – O2 To enable mineral extraction and ancillary activities which support it, including specifically within the Buller Coalfield Zone, Mineral Extraction Zone, Rural Zones and Open Space Zone

MIN – O3 To recognise that mineral resources are widespread and fixed in location throughout the West Coast/Te Tai o Poutini and that provided adverse effects are managed, mineral extraction activities can be appropriate in a range of locations outside specified zones and precincts.

MIN – O4 To ensure that new subdivision, use and development does not compromise existing mineral extraction activities, including through reverse sensitivity to effects such as dust, noise and traffic generation

MIN – O5 To support Poutini Ngāi Tahu to manage their pounamu and aotea stone resources through the use of Pounamu and Aotea Management Area Overlays

MIN – O5 To:

- a. Avoid, remedy or mitigate the adverse effects of mineral extraction activities on the West Coast/Te Tai o Poutini's significant natural and cultural features, sites and heritage, and amenity values, including:
 - i. Poutini Ngāi Tahu cultural resources and taonga including sites and areas of significant to Māori identified in Schedule Three;*
 - ii. Areas of significant indigenous vegetation, significant indigenous fauna habitat and protected native fauna;*
 - iii. Outstanding natural landscapes and features;*
 - iv. Waterways and waterbodies;*
 - v. The coastal environment;*
 - vi. The wellbeing of people and communities; and**
- b. Allow adverse effects to be addressed by alternative mitigation measures such as biodiversity offsetting and environmental compensation*

2.6.1 Buller Coalfield Zone

The BCZ - Buller Coalfield Zone covers the area of the Buller Coalfield where coal mining is currently authorised. The authorisation is from three different mechanisms and includes:

1. Coal mining licences under the Coal Mines Act (1979);
2. Ancillary coal mining licences under the Coal Mines Act (1979); and
3. Resource consents issued under the Resource Management Act (1991).

The Zone includes as its core the Stockton Mine, which is the single largest mine in New Zealand as well as smaller consented or licensed areas on the Stockton Plateau, Denniston Plateau and at Te Kuha.

There are a range of activities occurring in the zone including mineral extraction, processing of coal, site rehabilitation and ancillary works such as roads, workshops, storage of materials, carparking, coal loadout and transport activities.

The intent of the zone is to enable the existing authorised activity to continue, including further development of the mines and coal processing within the zone. It also allows for other mineral extraction to occur within the zone, for example rock quarrying.

Extent of the Zone

The Buller Coalfield Zone encompasses the following areas:

- Stockton and its associated mines (Cypress Mine, Mt William North Mine) and ancillary activities such as roads, powerlines, aerial ropeway, haul road and load out areas. The Stockton Coal Mining Licence covers an area of 2335ha and a further 860ha is covered by the associated mines and ancillary activities.
- Denniston Plateau Mines – Cascade Mine (187ha), Escarpment Mine (153ha), Sullivan Coal Mining Licence (317ha) and ancillary activities (171ha).
- Te Kuha Mine (144ha) on the Te Kuha escarpment adjacent to the Denniston Plateau

Objectives and Policies

There are two objectives for the zone:

BCZ – O1 Mineral extraction activities in the BCZ - Buller Coalfield Zone are enabled by inclusion of a special purpose zone that recognises its national and regional significance, the scale and operational characteristics and the contribution that these activities make to the economic and social wellbeing of the region and Buller District

BCZ – O2 To ensure that exploration, extraction and processing of minerals within the BCZ - Buller Coalfield Zone minimises adverse effects on the environment, the community and the relationship of Ngāti Waewae with their ancestral lands, sites, water, wāhi tapu and other taonga

There are five policies that:

- Support the ongoing lawfully established mineral extraction and processing activities while also providing for reasonable growth and expansion
- Acknowledge the importance of the mineral deposits and preventing reverse sensitivity issues occurring in the future
- Seek rehabilitation of sites post mineral extraction to best practice standards
- Seek to maintain the quality of amenity and environmental values around the zone
- Specifically provide for offsetting or compensation if mineral extraction activities occur in an area of significant indigenous vegetation and fauna habitat.

Rules

Permitted Activities are:

- Mineral Prospecting and Exploration
- Mineral Extraction and Processing
- Activities ancillary to lawfully established mineral extraction and processing
- Conservation, recreation and research activities

Key Permitted Activity performance standards are:

- Permitted mineral extraction is that which is lawfully established at the date of the Plan becoming operative
- A Mineral Extraction Management Plan must be provided to accompany the activity – and this will provide details around how key environmental effects will be managed. Appendix Seven of TTPP outlines the required content of this plan
- Annual monitoring reports and an annual work plan is required to be submitted to the Buller District Council until the Council certifies that rehabilitation is complete
- A stakeholder liaison group must be formed and meet annually
- Progression rehabilitation of all disturbed sites must be undertaken in accordance with the Mineral Extraction Management Plan
- A Mine Closure Plan must be implemented upon ceasing of mineral extraction activity.

Controlled Activities are:

- Mineral Prospecting and Exploration, Mineral Extraction and Processing and Ancillary Activities not meeting Permitted Activity standards.

Restricted Discretionary Activities are:

- Mineral Prospecting and Exploration, Mineral Extraction and Processing and Ancillary Activities not meeting Controlled Activity standards.

Non-complying Activities are:

- Residential Activities, Commercial Activities or any activity not provided for in another rule in the zone.

2.6.2 Mineral Extraction Zone

Extent of the Zone

The following mines and quarries are included within the Mineral Extraction Zone

Name	Location	Size
Buller District		
Echo Mine	Reefton	467ha
New Creek Mine	Reefton	517ha
Giles Creek Mine	Reefton	239 ha
Island Block Mine	Reefton	654ha
Snowy River Gold Mine	Reefton	4518ha
Globe Progress Mine	Reefton	550ha
Karamea Quarry	Karamea	20ha
Karamea Lime Quarry	Karamea	2.45ha
Grey District		
Roa Mine	Paparoa Coalfield, Blackball	483 ha
Rajah Mine	Paparoa Coalfield, Blackball	330ha
Strongman Mine	Paparoa Coalfield, Rapahoe	886ha
Kiwi Quarry	Grey Valley	6ha
Blackball Quarry	Blackball	3.6ha
Dunganville Mineral Extraction Area	Dunganville	1763ha
Barrytown Mineral Sands Mineral Extraction Area	Barrytown	111ha
Westland		
Okuru Quarry	Okuru	6.7ha
Rimu Channel Mineral Extraction Area	Hokitika	3147ha
Ianthe Forest Mine	Harihari	720ha
Ianthe Forest Mineral Extraction Area	Harihari	1473ha
Birchfields Ross Mine	Ross	350ha

Ross Township Mine	Ross	345ha
Kumara Mineral Extraction Area	Kumara	78.8ha
Greenstone Mineral Extraction Area	Kumara	568ha
Westland Schist Quarry	Kowhitirangi	10.7ha

In addition the following key mineral extraction ancillary infrastructure is included within the zone:

- Mai Mai Siding
- Reefton Distribution Centre
- Rapahoe coal yard
- Rocky Creek coal washery
- Kaiata yard

Objectives and Policies

There are two objectives for the zone:

MINZ – O1 Mineral extraction activities in the MINZ - Mineral Extraction Zone are enabled recognising the scale and operational characteristics and the contribution that these activities make to the economic and social wellbeing of the region and districts

MINZ – O2 To ensure that exploration, extraction and processing of minerals within the MINZ - Mineral Extraction Zone minimises adverse effects on the environment, the community and the relationship of Poutini Ngāi Tahu with their ancestral lands, sites, water, wāhi tapu and other taonga

There are eight policies that:

- Seek to identify and provide for the mineral extraction zone to facilitate mineral extraction activities
- Acknowledge the importance of the mineral deposits and preventing reverse sensitivity issues occurring in the future
- Seek rehabilitation of sites post mineral extraction to best practice standards
- Seek to maintain the quality of amenity and environmental values around the zone
- Specifically provide for offsetting or compensation if mineral extraction activities occur in an area of significant indigenous vegetation and fauna habitat.
- Protect the relationship and mana of Poutini Ngāi Tahu with the mineral extraction zone lands
- Detail how conflicts between mineral extraction activities and other land uses will be managed
- Seek to co-ordinate consenting with the West Coast Regional Council

Rules

Permitted Activities are:

- Mineral Prospecting and Exploration
- Mineral Extraction and Processing
- Activities ancillary to lawfully established mineral extraction and processing
- Conservation, recreation and research activities
- Grazing of Animals

Key Permitted Activity performance standards are:

- Permitted mineral extraction is that which is lawfully established at the date of the Plan becoming operative
- A Mineral Extraction Management Plan must be provided to accompany the activity – and this will provide details around how key environmental effects will be managed. Appendix Seven of TTPP outlines the required content of this plan
- Annual monitoring reports and an annual work plan is required to be submitted to the Buller District Council until the Council certifies that rehabilitation is complete

- Progression rehabilitation of all disturbed sites must be undertaken in accordance with the Mineral Extraction Management Plan
- A Mine Closure Plan must be implemented upon ceasing of mineral extraction activity.

Controlled Activities are:

- Mineral Prospecting and Exploration, Mineral Extraction and Processing and Ancillary Activities not meeting Permitted Activity standards.

Restricted Discretionary Activities are:

- Mineral Extraction and Processing and Ancillary Activities not meeting Controlled Activity standards.

Discretionary Activities are:

- Conservation, research and recreation activities not meeting Permitted Activity Standards

Non-complying Activities are:

- Residential Activities, or any activity not provided for in another rule in the zone.

2.6.3 Mineral Extraction Provisions in the Rural and Open Space and Recreation Zones

The Rural Zones and Open Space and Recreation Zones are the main other locations where mineral extraction is expected.

Objectives and Policies

Relevant Objectives are:

RURZ – O5 To support the use and extraction of mineral resources located within the rural environment; recognising that mineral resources are widespread, and that provided adverse effects are minimised and rehabilitation of land occurs following mineral extraction, mineral extraction can be appropriate in a range of locations.

OSRZ – O1 Development and activities should complement and not conflict with the functions and values of the particular open space and the surrounding environment. Where appropriate open space accommodates a range of functions

There are eight relevant policies in the rural zones and one policies in the open space and recreation zones.

The policies:

- Recognise that mineral reserves are fixed in location and enable mineral extraction
- Manage conflicts between mineral extraction activities and other land uses
- Provide for farm quarries
- Ensure the rehabilitation of sites used for mineral extraction
- Co-ordinate consenting with the West Coast Regional Council
- Seek to maintain the quality of amenity and environmental values around mineral extraction sites
- Provide for mineral extraction within the Open Space Zone in certain circumstances

Rules

The rules for mineral extraction activities in the Rural and Open Space and Recreation Zones are outlined in the table below:

Activity	General Rural Zone	Rural Lifestyle Zone	Settlement Zone	Open Space Zone	Natural Open Space Zone
Mineral Prospecting and Exploration	Permitted	Permitted	Permitted	Permitted	Non-complying

Mineral Extraction	Permitted – maximum 3ha Controlled – previously mined site in Schedule Ten Otherwise Restricted Discretionary	Restricted Discretionary	Restricted Discretionary	Restricted Discretionary	Non-complying
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2.6.4 Relevant Definitions

Mineral Prospecting, Mineral Exporation, Mineral Extraction and Lawfully established mineral extraction are all definitions that support the mineral extraction provisions.

3.0 Scale and Significance Evaluation

The level of detail undertaken for the evaluation of the Proposed District Plan provisions has been determined by an assessment of the scale and significance of the implementation of these provisions. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions. In making this assessment regard has been had to the following, namely whether the provisions:

	Minor	Low	Medium	High
Degree of change from the Operative Plans			x	
Effects on matters of national importance (s6 RMA)			x	
Scale of effects – geographically (local, district wide, regional, national)			x	
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)				x
Scale of effects on those with particular interests, e.g. Tangata Whenua			x	
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/ commonly accepted best practice?			x	
Likelihood of increased costs or restrictions on individuals, businesses or communities			x	

3.1 Explanation Summary

In summary:

- The degree of change from the operative plans is moderate – considering there are new special zones for specified mineral extraction locations. The provisions are somewhat more enabling than the Buller and Westland District Plans, but probably a similar level of restriction to the Grey Plan in terms of size of mineral extraction operation likely to require a resource consent.
- The geographic scale of effects is moderate – mineral resources are scattered throughout the West Coast
- The scale of effects on individual landowners – either within the new special zones or adjacent to them is high
- The degree of policy risk is moderate – in that it is acknowledged that mineral extraction is a contentious issue, but there are a wider range of regulations managing this activity and standards for commonly accepted best practice.

Overall, it is considered that the scale and significance of the proposal is medium - high. The level of detail in this report corresponds with the scale and significance of the environmental, economic and cultural effects that are anticipated from the implementation of the Mineral Extraction provisions.

4.0 Evaluation

4.1 Evaluation of Objectives

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

Objectives	Appropriateness to Achieve the Purpose of the Act
<p>Existing Objectives</p> <p>Buller District Plan Objective Plan Change 137</p> <p><i>To enable mineral extraction activities that provide economic and social benefits to the community, in a manner that avoids, remedies or mitigates adverse effects on the environment.</i></p>	<p>The existing objectives do not address the resource management issues identified for mineral extraction across the West Coast.</p> <p>In particular they do not specifically recognise or address the existing mineral extraction activities operating under the previous coal mining licence framework.</p>
<p>Grey District Plan Objectives: No specific objectives</p>	<p>The current framework of objectives provides insufficient direction and guidance to decision makers regarding the intended outcomes and specific activities and effects to be managed in relation to mineral extraction in rural and open space zones.</p>
<p>Westland District Plan Objectives:</p> <p><i>Objective 3.6.1 To enable people and communities to provide for their economic and social wellbeing through the efficient utilisation and development of mineral resources.</i></p> <p><i>Objective 3.6.2 To safeguard the life supporting capacity of air, water, solid and ecosystems and avoid, remedy or mitigate adverse effects from the use and development of mineral resources.</i></p> <p><i>Objective 3.6.3 To avoid, remedy or mitigate mining's adverse effects on natural environments, landscapes and waterways</i></p>	<p>The purpose of the RMA is to promote the sustainable management of natural and physical</p>
<p>Proposed TPP Objectives:</p>	<p>The purpose of the RMA is to promote the sustainable management of natural and physical</p>

Buller Coalfield Zone *BCZ – 01 Mineral extraction activities in the BCZ - Buller Coalfield Zone are enabled by inclusion of a special purpose zone that recognises its national and regional significance, the scale and operational characteristics and the contribution that these activities make to the economic and social wellbeing of the region and Buller District*

BCZ – 02 To ensure that exploration, extraction and processing of minerals within the BCZ - Buller Coalfield Zone minimises adverse effects on the environment, the community and the relationship of Ngāti Waewae with their ancestral lands, sites, water, wāhi tapu and other taonga

Mineral Extraction Zone *MINZ – 01 Mineral extraction activities in the MINZ - Mineral Extraction Zone are enabled recognising the scale and operational characteristics and the contribution that these activities make to the economic and social wellbeing of the region and districts*

MINZ – 02 To ensure that exploration, extraction and processing of minerals within the MINZ - Mineral Extraction Zone minimises adverse effects on the environment, the community and the relationship of Poutini Ngāi Tahu with their ancestral lands, sites, water, wāhi tapu and other taonga

Rural Zones *RURZ – 05 To support the use and extraction of mineral resources located within the rural environment, recognising that mineral resources are widespread, and that provided adverse effects are minimised and rehabilitation of land occurs following mineral extraction, mineral extraction can be appropriate in a range of locations*

Open Space and Recreation Zones

OSRZ – 01 Development and activities should complement and not conflict with the functions and values of the particular open space and the surrounding environment. Where appropriate open space accommodates a range of functions

resources by managing the use, development and protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural well-being.

Under section 7(b), (c) and (f) of the RMA, this includes the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values and the maintenance and enhancement of the quality of the environment.

Minerals are significant resources on the West Coast. Specific zoning and associated provisions for these resources will enable them to be used efficiently.

These efficiencies will contribute to economic well-being. Ensuring that these resources are used in a way that respects their surrounding environments, will help to maintain and enhance amenity values and the quality of the environment. In turn this will help people and communities to provide for their social and cultural well-being.

The objectives specifically and clearly set out the outcomes anticipated for the respective Zones, and address the resource management issues identified by specifically recognising the national, regional and local contribution they make to social and economic well-being, and that they have unique locational requirements.

The objectives also balance the requirements of mineral extraction activities with the need to ensure that any corresponding adverse effects on the environment are appropriately managed and, conversely, that their operation is not unduly compromised by incompatible activities or those that might generate reverse sensitivity effects.

Evaluation of Alternative Options	Appropriateness to Achieve the Purpose of the Act
Do not define expectations for mineral extraction	This option would hinder decision makers when assessing resource consent applications as they would have little guidance on what outcomes are expected. It would also fail to properly recognise the regionally important role of these resources and the contribution that mineral extraction makes to the economic and social well-being of the districts and region. This option would also fail to properly cater for the special operational and functional needs of mineral extraction activities.
<p>Summary</p> <p>The proposed objectives achieve the purpose of the RMA as they recognise the social and economic contribution that mineral extraction makes at a national/regional/local level and reflect clear statements of intent regarding ongoing mineral resource use and development. They align with the direction set in the National Planning Standards. The proposed objectives also provide certainty as to the outcomes anticipated under the Proposed TTPP provisions and align with contemporary planning practice applied elsewhere throughout New Zealand.</p>	

4.2 Evaluation of Policies, Rules and Zones

4.2.1 Evaluation of Provisions for Special Purpose Buller Coalfield Zone

Option	Benefits	Costs	Efficiency and Effectiveness	Risk of acting / not acting
<p>Option A: status quo</p> <p>Buller Coalfield included within the Rural Zone.</p>	<ul style="list-style-type: none"> Although not locational specific provisions, the current plan provisions enable the effects associated with the operation and development of this major resource to be generically managed. Council staff are familiar with current provisions, resulting in reduced administrative costs. 	<p>Will require a substantial and significant resource consent process for the existing activity to continue to operate once the Coal Mining Licences expire.</p> <p>Rules and standards developed for the Rural Zone are inappropriate for mineral extraction operations of this scale</p> <p>Potential for less efficient use of the existing developed infrastructure associated with the current lawfully established activity</p> <p>Significant economic and employment risk to Buller District if there are delays in the consenting process or downsizing of the operation due to retention of provisions that are unresponsive to the current and future operational and development needs of activity owners/operators</p>	<p>The existing rules and standards do not sufficiently recognise and explicitly respond to the operational needs of mineral extraction operations of this scale and complexity</p> <p>They provide reduced clarity and certainty for the activity operators as well as the community more generally about the long term future of the hard coking coal resource on the Buller Plateau</p> <p>The provisions insufficiently recognise the important economic contribution this activity, in this location makes to the district</p> <p>This option is also an inefficient method of achieving the objectives as it is likely to result in less efficient use and development of the mineral resource and more operational and development related compliance costs than the proposed approach.</p>	<p>The risk of acting is that the resource management issues relating to the Buller Coalfield would continue to be inadequately addressed by this option, potentially resulting in the economic and employment risk associated with the uncertainty of the consenting process for the existing operations.</p>

<p>Option B: Proposed Plan</p>	<ul style="list-style-type: none"> • Aligns with the zoning framework specified in the recently gazetted National Planning Standards (8 Zoning Framework Standard). • Facilitates the policy outcomes sought by the RPS regarding enabling the sustainable use and development of the West Coast's mineral resources. • Directly recognises and enables the continued, use of the Buller Coalfield for this significant economic use. • Provides the existing facilities with increased flexibility to develop and adapt, thereby leading to improved efficiencies in land use. • Enables standard and ongoing operational activities to be undertaken without the need to obtain resource consent. • Provides increased certainty and clarity to facilities regarding the nature and scale of onsite activity and development anticipated. 	<p>Environmental interest groups and stakeholders may be unreceptive due to the perceived adequacy of the approach to manage adverse effects.</p> <p>Developmental cost to facility operators of preparing site specific Mineral Extraction Management Plans and Annual reporting requirements.</p>	<ul style="list-style-type: none"> • The proposed rules and standards are effective as they recognise the important functional contribution these facilities make to the district and explicitly respond to the operational and development requirements of each facility, including clearly identifying activities that are permitted as of right along with relevant thresholds that trigger the need for resource consent. This, in turn, offers increased clarity and certainty to facilities as well as the community more generally, and provides flexibility to enable these facilities to develop and adapt while ensuring that any impacts on adjacent areas are minimised. • The proposed option is also an efficient method of achieving the objectives as the activity specific nature of the associated provisions could result in reduced operational and development related compliance costs. 	<ul style="list-style-type: none"> • It is considered that there is sufficient information on which to base the proposed policies and methods. • The risk of not acting is that the operation and development of this major economic activity might be unduly restricted or additional compliance costs may be incurred
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	<ul style="list-style-type: none"> • Provides economic and employment certainty to the Buller District about the continuance of this critical economic activity. • Tailored rules, performance standards and assessment matters provide a clear framework to manage the activities and facilities and seek to strike a balance between efficient site development and avoiding or minimising adverse effects on neighbouring rural and settlement zoned properties • Potential reduction in time/cost to facility owners/operators and Council of preparing and processing resource consent applications. • Potential to increase economic growth and employment opportunities through enabling managed facility expansion, including associated infrastructure construction activities. • Assists in ensuring ongoing viability of the rail line to Westport/Buller 			
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	<ul style="list-style-type: none"> • Requirement for Mineral Extracton Management Plan, Mine Closure Plan and annual reporting and monitoring will ensure that environmental management on site meets current best practice. • Formation of stakeholder liason group means local community and key stakeholders will have visibility over performance of the operations and a mechanism to address concerns/issues on an ongoing basis. 			
<p>Status quo + targeted regulatory refinements</p> <ul style="list-style-type: none"> • Retention of the existing rural zoning framework and introduction of specific standards that reflect and align with the operational and development requirements of the mine facilities 	<ul style="list-style-type: none"> • Implicitly recognises the functional use of sites currently occupied by significant mineral extraction facilities • Offers potential to provide existing activities with an enhanced level of flexibility to develop and adapt relative to the status quo, thereby leading to improved operational and land use efficiencies. • Could enable typical operational activities to be undertaken without 	<ul style="list-style-type: none"> • May give insufficient effect to the policy outcomes sought by the RPS regarding enabling the sustainable use and development of the West Coast’s mineral resources • Provides an inadequate level of clarity and certainty to the community and activity owners/ operators • Potential limitations on economic growth and employment opportunities as reliance on the existing 	<ul style="list-style-type: none"> • This option would be partially effective in enabling facility owners/ operators to respond to their operational and development requirements through more clearly identifying activities that are permitted as of right along with relevant thresholds that trigger the need for consent. This, in turn, has the potential to offer facility owners/ operators and the community more generally, with greater clarity and certainty, as well as 	<p>The risk of acting is that the resource management issues relating to the Buller Coalfield would continue to be inadequately addressed by this option, potentially resulting in the economic and employment risk associated with the uncertainty of the consenting process for the existing operations.</p>

	<p>the need to obtain resource consent.</p> <ul style="list-style-type: none"> Tailored rules, performance standards and assessment matters would provide a clearer framework to manage facilities and seek to strike a balance between efficient site development and avoiding or minimising adverse effects on neighbouring areas, particularly residential or rurally zoned properties. 	<p>zoning framework with more targeted standards may be insufficient to meet the current and future operational and development needs/ demands of facility owners/operators</p> <ul style="list-style-type: none"> Environmental interest groups and stakeholders may be unreceptive due to the perceived adequacy of the approach to manage adverse effects relative to the status quo 	<p>flexibility for these facilities to develop and adapt.</p> <ul style="list-style-type: none"> It is also partially effective in recognising the important economic, social and employment contribution these facilities make to the district and region. 	
<p>Quantification Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable. Instead, this report identifies more generally where any additional costs may lie.</p>				
<p>Summary:</p> <p>The above table demonstrates that Option B is the most appropriate method to achieve the objectives relating to the Buller Coalfield and associated mines. The existing regulatory approach to managing these locations, facilities and resource in the operative plan is generic and lacks sufficient specificity and clarity to effectively and efficiently address the specific resource management issues identified. Consequently, an alternative approach is proposed that more explicitly recognises the unique nature of the hard coking coal resource, the existing mineral extraction operations and their contribution to the district and wider regional/national economy, and enables more flexible use and development of existing facilities and associated activities while ensuring that any associated effects are appropriately managed. It is also one that gives clear effect to the RPS, particularly objective 5.1 and associated policies 5.1 and 5.2 as well as the Strategic Objectives.</p>				

4.2.2 Evaluation of Provisions for Special Purpose Mineral Extraction Zone

Option	Benefits	Costs	Efficiency and Effectiveness	Risk of acting/not acting
<p>Option A: status quo</p> <p>Rural Zone for all sites.</p> <p>No specific provisions for mineral extraction in Grey</p>	<ul style="list-style-type: none"> Although not locational specific provisions, the current plan provisions enable the effects associated with the operation and development of this major resource to be generically managed. Council staff are familiar with current provisions, resulting in reduced administrative costs. 	<p>Will require a substantial and significant resource consent process for those sites operating under Coal Mining Licences when these expire.</p> <p>Rules and standards developed for the Rural Zone are inappropriate for mineral extraction operations of this scale – in particular does not protect these sites from reverse sensitivity issues</p> <p>Potential for less efficient use of the existing developed infrastructure associated with the current lawfully established activities</p> <p>Significant economic and employment risk to the West Coast if there are delays in the consenting process or downsizing of mineral extraction operations due to retention of provisions that are unresponsive to the current and future operational and development needs of activity owners/operators</p>	<p>The existing rules and standards do not sufficiently recognise and explicitly respond to the operational needs of the range and types of mineral extraction operations</p> <p>They provide reduced clarity and certainty for the activity operators as well as the community more generally about the long term future of coal mineral extraction operations in particular</p> <p>The provisions insufficiently recognise the important economic contribution this activity, in this location makes to the West Coast</p> <p>This option is also an inefficient method of achieving the objectives as it is likely to result in less efficient use and development of the mineral resource and more operational and development related compliance costs than the proposed approach.</p>	<p>The risk of acting is that the resource management issues relating to known and existing mineral extraction operations would continue to be inadequately addressed by this option, potentially resulting in the economic and employment risk associated with the uncertainty of the consenting process for the existing operations.</p>

<p>Option B: Proposed Plan Overlays</p>	<ul style="list-style-type: none"> • Aligns with the zoning framework specified in the recently gazetted National Planning Standards (8 Zoning Framework Standard). • Facilitates the policy outcomes sought by the RPS regarding enabling the sustainable use and development of the West Coast’s mineral resources. • Directly recognises and enables the continued use of the lawfully established mineral extraction operations for this significant economic use. • Ensures that rock for protection works, and gravel for road construction and maintenance and building work is available on an ongoing basis to meet the West Coast’s needs. • Provides the existing activities with increased flexibility to develop and adapt, thereby leading to improved efficiencies in land use. • Enables standard and ongoing operational activities to be 	<p>Environmental interest groups and stakeholders may be unreceptive due to the perceived adequacy of the approach to manage adverse effects.</p> <p>Developmental cost to facility operators of preparing site specific Mineral Extraction Management Plans and Annual reporting requirements.</p>	<p>The proposed rules and standards are effective as they recognise the important functional contribution these facilities make to the West Coast and explicitly respond to the operational and development requirements of each facility, including clearly identifying activities that are permitted as of right along with relevant thresholds that trigger the need for resource consent. This, in turn, offers increased clarity and certainty to facilities as well as the community more generally, and provides flexibility to enable these facilities to develop and adapt while ensuring that any impacts on adjacent areas are minimised.</p> <p>The proposed option is also an efficient method of achieving the objectives as the activity specific nature of the associated provisions could result in reduced operational and development related compliance costs.</p>	<ul style="list-style-type: none"> • It is considered that there is sufficient information on which to base the proposed policies and rules. • The risk of not acting is that the operation and development of this major economic activity might be unduly restricted or additional compliance costs may be incurred
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	<p>undertaken without the need to obtain resource consent.</p> <ul style="list-style-type: none"> • Provides increased certainty and clarity to facilities regarding the nature and scale of onsite activity and development anticipated. • Provides economic and employment certainty to the West Coast about the continuance of this critical economic activity. • Tailored rules, performance standards and assessment matters provide a clear framework to manage the activities and facilities and seek to strike a balance between efficient site development and avoiding or minimising adverse effects on neighbouring rural and settlement zoned properties • Potential reduction in time/cost to facility owners/operators and Council of preparing and processing resource consent applications. • Potential to increase economic growth and employment 			
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	<p>opportunities through enabling managed facility expansion, including associated infrastructure construction activities.</p> <ul style="list-style-type: none"> • Assists in ensuring ongoing viability of key infrastructure such as the railway and ports • Requirement for Mineral Extraction Management Plan, Mine Closure Plan and annual reporting and monitoring will ensure that environmental management on site meets current best practice. • Reduces risk of reverse sensitivity problems arising as the scale and ongoing nature of the mineral extraction activity will be clear and known 			
<p>Do not include a Mineral Extraction Zone – Sites managed within the proposed Plan General Rural Zone mineral extraction framework</p>	<p>Does not pick “winners” all types and locations of mineral extraction activity on the West Coast treated in the same manner</p>	<p>Does not recognise the large scale of some of the sites – will be significant resource consent development requirements and costs for some sites if these activities were in the General Rural Zone</p> <p>Significant costs to the Councils to co-ordinate and process a large number of</p>	<p>This option would not be effective in managing a key identified resource management issue in the expiry of coal mining licences for a number of existing mines.</p> <p>This option would also not be effective in recognising the economic importance of retaining existing mineral extraction operations on the West Coast, and the sunk costs</p>	<p>The risk of acting is that the resource management issues relating to mineral extraction would continue to be inadequately addressed by this option, potentially resulting in the economic and employment risk associated with the uncertainty of the consenting process for the existing operations.</p>

		<p>large consents when coal mining licences expire</p> <p>Does not enable reverse sensitivity matters to be adequately managed</p> <p>May give insufficient effect to the policy outcomes sought by the RPS regarding enabling the sustainable use and development of the West Coast's mineral resources</p> <p>May place at risk some critical rock quarry operations that provide rock at short notice to provide for protection works.</p>	<p>of infrastructure that supports these activities</p>	
<p>Quantification</p> <p>Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable. Instead, this report identifies more generally where any additional costs may lie.</p>				
<p>Summary:</p> <ul style="list-style-type: none"> - The above table demonstrates that Option B is the most appropriate method to achieve the objectives relating to the Mineral Extraction Zone and associated mines. The existing regulatory approach to managing these locations, facilities and resource in the operative plans is generic and lacks sufficient specificity and clarity to effectively and efficiently address the specific resource management issues identified. Consequently, an alternative approach is proposed that more explicitly recognises the significance of mineral resources, the existing mineral extraction operations and their contribution to the district and wider regional/national economy, and enables more flexible use and development of existing facilities and associated activities while ensuring that any associated effects are appropriately managed. It is also one that gives clear effect to the RPS, particularly objective 5.1 and associated policies 5.1 and 5.2 as well as the Strategic Objectives. 				

4.2.3 Evaluation of Provisions for Rural and Open Space Zones

Option	Benefits	Costs	Efficiency and Effectiveness	Risk of acting/not acting
<p>Option A: status quo</p>	<ul style="list-style-type: none"> Council staff are familiar with current provisions, resulting in reduced administrative costs. 	<ul style="list-style-type: none"> Some types of mineral prospecting and exploration with very minor environmental effects require resource consents in Buller and Westland Small scale mining activity (including for example hand operated methods of black sand mining) require a significant resource consent In Grey, the lack of mineral extraction specific provisions means the community is unclear when and why resource consent is required. In Grey the lack of specific mineral extraction provisions does not recognise or support the economic significance and importance of the activity when consent is required. Where consent is required, current provisions do not provide the range of appropriate assessment criteria of environmental effects 	<p>Having three different regimes on the West Coast for the same activity does not deliver the efficiencies expected from a Combined Plan</p> <p>The existing approach is not effectively or efficiently achieving the proposed objectives</p>	<p>The risk of acting on this option is known.</p> <p>The resource management issues relating to mineral extraction would continue to be inadequately addressed by this option</p> <p>The current policy framework lacks detail and specific direction on management of effects of mineral extraction activities. It is considered that the risk of acting on these provisions outweighs the risk of not acting. There is sufficient information not to act on this approach.</p>

<p>Option B: Proposed Plan</p>	<ul style="list-style-type: none"> • Provides a standard set of provisions for the industry across the West Coast • Clear direction in the policy framework as to how the outcomes expected in respect of amenity and character each zone will be managed • Recognises the different functions of the different Rural and Open Space and Recreation Zones and tailors the rules to reflect the amenity, character and function of each of the zones. • Recognises the economic importance of mineral extraction and supports the Strategic Objectives and RPS direction to enable mineral extraction activity. • Recognises that some essential mineral resources are located within Open Space and Rural Zones – in particular rock suitable for protection works which is needed on an increasing basis as a result of severe weather events in South Westland is mainly 	<p>Initial uncertainty through change in the Proposed TTPP structure and policy framework, may result in higher compliance costs and associated time for a short period of time until familiarity is achieved.</p>	<p>The costs of the approach are outweighed by the benefits. Overall the policy and method approaches are efficient. This approach addresses current issues, in particular providing appropriate assessment criteria to enable a complete assessment of possible environmental effects based on experience. The approach achieves the proposed objectives in an efficient and effective manner by providing a balance between management of adverse effects and enabling appropriate activities to occur.</p> <ul style="list-style-type: none"> • The policy direction will be implemented primarily through the RPROZ rules/standards designed to provide for rural activities and industry as the predominant use in the RPROZ. • This approach will be effective in that it clearly defines the purpose and uses provided for in the RPROZ for decisions makers, investors and residents and enables appropriate assessment of environmental effects of the proposal. 	<p>The risk of acting on these provisions is that whilst the Committee has identified the key issues for mineral extraction and considers that this approach is most effective to achieve the objectives it has received very mixed feedback from the community and mineral extraction industry on this matter.</p> <p>The Committee has a clear understanding of significance of mineral resource to the West Coast and the need to ensure that TTPP has provisions which support this important industry. Without these there is a significant economic and employment risk to the West Coast. The risk of not acting is therefore high.</p> <p>Overall, it is considered that there is sufficient information to act. The risks of not acting are outweighed by the benefits of acting.</p>
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	<p>located within Open Space Zones.</p> <ul style="list-style-type: none"> • Most gravel abstraction also is located within waterbodies open space zones. While the activity within the riverbed is regulated by the WCRC, access, stockpiling and crushing operations are undertaken on the adjacent land which can often be open space zone • Allows for gravel abstraction that also benefits infrastructure protection – for example build up of gravel around bridges 			
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Quantification

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.

Summary:

- The above table demonstrates that Option B is the most appropriate method to achieve the objectives relating to mineral extraction in the Rural and Open Space and Recreation Zones. The existing regulatory approach to managing these location, facilities and resource in the operative plans is generic and lacks sufficient specificity and clarity to effectively and efficiently address the specific resource management issues identified. Consequently, an alternative approach is proposed that more explicitly recognises the significance of mineral resources and their contribution to the district and wider regional/national economy, while ensuring that any associated effects of mineral extraction are appropriately managed. It is also one that gives clear effect to the RPS, particularly objective 5.1 and associated policies 5.1 and 5.2 as well as the Strategic Objectives.

5.0 Summary

This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as:

- The approach of having two special purpose zones along with general provisions for mineral extraction in the Rural and Open Space and Recreation Zones supports the direction of the Strategic Objectives and the RPS
- The objectives and policies provide direction and certainty to plan users on the outcomes expected for mineral extraction activity
- The provisions have been updated in accordance with current best practice and put in place an appropriate framework for management of locally, regionally and nationally significant mineral resources.

Overall, it is considered that the set of preferred provisions is the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions. The risks of acting are also clearly identifiable and limited in their extent.