

Further submission on the proposed West Coast Regional Policy Statement

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I am a person who has an interest in the proposed policy statement that is greater than the interest the general public has.

I could not gain an advantage in trade competition through this submission

I do wish to be heard in support of my further submission; and, if so,

I would be prepared to consider presenting my submission in a joint case with others making a similar submission at any Hearing

Original submission reference	Person, or organisation, making original submission	I <u>support</u> or <u>oppose</u> the relief sought in the original submission (please give reasons)
GS 17	15 DAVIY	Opposed. Tourism is compatible with mining as the West Coast demonstrates. There is no evidence that, long term, mining on the West Coast is doomed. Minerals are essential to modern society; therefore, mining will continue. The region is rich in mineral resources, and will continue, over time, to make an important contribution to the regional economy.
GS 18	15 DAVIY	Opposed. "Management" covers the use, development and protection of resources, and, therefore, its use in the RMA context is appropriate.
GS 20	18 EDS	Opposed. EDS has a vision of what an RMA RPS should look like. The fact is that there is a variety of approaches to drafting RPSs throughout NZ, e.g., proposed Otago RPS, and the Canterbury and Waikato RPS documents. The West Coast may take its own approach, provided it is consistent with the RMA and national policy statements.

GS 21	18 EDS	<p>Opposed. We disagree with the EDS view that the RPS has an “uninhibited focus” on economic development. Rather, it seeks to level the playing field for the use, development and protection of natural resources, to achieve sustainable management, in consideration of the implications of the <i>King Salmon</i> Supreme Court decision of 2014.</p> <p>As to the concern that the RPS has an anti-regulatory sentiment, development proponents will still need to apply for resource consents where appropriate. Any person exercising a permitted activity will still have conditions to meet, with associated reporting and monitoring requirements.</p> <p>(Note that, like EDS, Straterra does not support the proposals to orchestrate land swaps, as undesirable and unworkable (as submitted in our primary submission).)</p>
GS 22	19 ELWEP	<p>Opposed. We disagree with the unsubstantiated and objectionable assertion that the RPS is being driven mischievously by selected economic interests.</p> <p>Most resource consent applications are for the extension of the deck around the house and such like; therefore, the idea that most resource consent applications are granted is a meaningless piece of information in the context of developing this RPS.</p> <p>We reject the view that the RPS places economic development ahead of environmental protection. We see the RPS as seeking to level a playing field within the RMA system, in consideration of the implications of the <i>King Salmon</i> Supreme Court decision of 2014 (refer to other parts of this submission).</p>
GS 27	28, 33 INTAF, KMCT	<p>Opposed. Around 84% of land on the West Coast is conservation land where the Conservation Act 1987 applies, as well as the RMA. This is not about resource extraction at a “fire sale price”.</p> <p>Mining earns high wealth off a small footprint. It occupies currently 0.06% of the area of the West Coast, which is typical for New Zealand as a whole. That is because economic mineral deposits occur in very few places. Mining is a temporary use of land. Environmental management is increasingly best-practice as the guidance for site restoration on the West Coast Regional Council web site demonstrates. See also the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants. Managed well, mining is compatible with the environment, and other activities on the West Coast.</p> <p>New Zealand, including the West Coast, can have mining <u>and</u> the environment. This is not an either/or construct.</p> <p>The issue of climate change is regulated under the Climate Change Response Act 2002, not the RMA.</p> <p>Miners, and their contracted advisors, are the ones with the knowledge of the environmental impacts of mining, and how best to manage those impacts to meet the purpose of the RMA. Of course, the views of miners should be tested before granting consent to activities, and when monitoring compliance with conditions on activities.</p>
GS 34	38 MAITS	<p>Opposed. No evidence has been provided in support of the assertions made. Any mining proposal of beaches and lagoons would have to take into account the section 6 status of these places, and the NZ Coastal Policy Statement 2010.</p>

		<p>Mining is now a 21st Century industry, and the technology for discovering, proving up and mining continues to improve, as does the technology for environmental management. Refer to site restoration guidance on the West Coast Regional council web site, and the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants, who are due in 2018 to complete a life cycle guide to mining. This guide will provide for the prediction and management of the environmental effects of mining.</p> <p>It is inappropriate to lump in NZ with the rest of the world. Our country’s resource management legislation is world leading, and is the envy of many nations.</p> <p>Minerals are essential to modern society, and to the “green economy”, in NZ and globally. The West Coast can contribute to that requirement. Mining earns high wealth off a small footprint, and is a temporary use of land.</p>
GS 36	50 RF&B	<p>Opposed. We see the RPS as providing a level playing field for development on the West Coast, to provide appropriately for the use, development and protection of natural resources, to achieve sustainable management, in consideration of the implications of the <i>King Salmon</i> Supreme Court decision of 2014.</p> <p>The Heritage NZ Pouhere Taonga Act 2014 requires developers to apply for authorities to modify or destroy heritage. That is appropriate. Note that most mining today is done where mining was carried out in the past. The irony is that today mining companies must manage their effects on the environment, while the leavings of the old-timers have become heritage.</p> <p>Mining is by its very nature a boom/bust industry. That is not something that the RMA system can plan for or against, and nor would that be appropriate. NZ is not a centrally-planned economy.</p> <p>Mining produces materials that are essential to modern society, and the West Coast can contribute in this way to the “green economy”.</p>
GS 43	62, 72 VENAJ, YANNI	<p>Opposed. Regardless of how any RMA policy statement or plan is written, it must be consistent with the RMA. Section 6 provides for protection of matters of national importance against inappropriate development. No plan can contradict that. That said, this RPS can provide interpretation on what is and what is not appropriate development, and how appropriate development should be managed.</p> <p>Mining is an example of appropriate development because minerals are location-specific resources; you cannot mine wherever you like. Minerals have been placed in economic concentrations in very few places. For that reason, mining occupies only 0.06% of the West Coast’s land area. Mining earns high wealth off a small footprint. It is the highest-value use of land. It is also a temporary use of land. The environmental management of mining increasingly follows best-practice. Refer to the guidance for site restoration on the West Coast Regional Council web site, and to the work of the Centre for Minerals Environmental Research, , a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants.</p> <p>Access for mining to conservation land is managed under the Crown Minerals Act 1991, subject to criteria, including conservation-related criteria. For ancillary activities, Part IIIb of the Conservation Act 1987 applies. In such cases, mines will need a concession. Movement of any wildlife will require a permit under the</p>

		<p>Wildlife Act 1953. In some cases, movement of wildlife will also require approval under the Animal Welfare Act 1999. Any disturbance or management of heritage will require approval under the Heritage NZ Pouhere Taonga Act 2014. This is to illustrate that mining in New Zealand is a highly regulated activity.</p> <p>It is inherent to the mining industry that the industry goes in business cycles. This is not something that the RMA system can plan for or against, and nor should it. NZ is not a centrally-planned economy.</p> <p>The Stockton mine contains significant coal resources. The area has been mined on and off since the late 1800s. Mining will occur there again. That is the nature of the mining industry.</p> <p>The climate change issue is managed under the Climate Change Response Act 2002, not the RMA.</p> <p>Mining is an essential industry because minerals are essential to modern society, in NZ and globally. In this way, the West Coast makes an important contribution to the “green economy”.</p> <p>Mining is compatible with tourism, as the West Coast demonstrates.</p> <p>For all of these reasons, mining should be encouraged, subject to mining being carried out safely and in an environmentally-responsible way, consistent with the purpose of the RMA.</p>
1.9	19 ELWELP	Opposed. To be “holistic”, any RMA policy statement or plan needs to include people, by definition.
1.12	28, 33 INTAF, KMCT	Opposed. It goes without saying that science must inform policy and decision-making.
1.23	38 MAITS	Opposed. NZ is a market-based economy, while being highly regulated, not a centrally-planned economy. Mining goes in cycles; the market is enabled to decide how to allocate financial resources to mining. Minerals are essential to modern society, and the West Coast is well placed to contribute to the “green economy”.
1.32	38 MAITS	Opposed. Mining permits are issued under the Crown Minerals Act 1991, subject to criteria, and not under the RMA.
4.2	3 BACKC	<p>Opposed. Mining goes in cycles; that is inherent to the mining industry. This is not something that the RMA planning system can plan for or against. It is properly left to the market to deal with.</p> <p>The future of Stockton is not something that the council can control; NZ is not a centrally-planned economy. Long term, mining at Stockton has a future. Note also that Stockton produces world-class coking coal for steel-making.</p> <p>Coal is not an industry in decline. In fact, the global demand for coal, for thermal energy and steel-making, will continue to increase (International Energy Agency). Arguably, the coal industry is an industry in transition, however, that is a matter to be managed under the Climate Change Response Act 2002, not the RMA.</p> <p>China is forecast to plateau in its demand for coal (IEA). Note that China currently produces more than half the world’s annual greenhouse gas emissions (noting that estimates for China vary widely).</p>

4.3	8 BROWK	<p>Opposed. Mining goes in cycles; that is inherent to the mining industry. This is not something that the RMA planning system can plan for or against. It is properly left to the market to deal with.</p> <p>The West Coast has made a valuable contribution to domestic and global demand for minerals. The region will continue to make a contribution because minerals are essential to modern society; minerals are essential to the “green economy”.</p>
4.35	19 ELWEP	<p>Opposed. Mining can be, and is managed to avoid, remedy and mitigate environmental effects, as required under the RMA. Mining is a temporary use of land. We borrow the land, mine it, and return it: to a former use, a new use, or an enhanced use, as per appropriate conditions. Environmental management is increasingly best-practice. Refer to the guidance for site restoration on the West Coast Regional Council web site, and to the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants. Mining earns high wealth off a small footprint.</p> <p>It is correct that mining goes in cycles; that is inherent to mining. It has made a contribution to the West Coast for many years. Mining will continue to make a contribution. It is an activity that is part of any economic diversification that the West Coast might pursue.</p>
4.46	28, 33 INTAF, KMCT	<p>Opposed. Mining can be, and is managed to avoid, remedy and mitigate environmental effects, as required under the RMA. Mining is a temporary use of land. We borrow the land, mine it, and return it: to a former use, a new use, or an enhanced use, as per appropriate conditions. Environmental management is increasingly best-practice. Refer to the guidance for site restoration on the West Coast Regional Council web site, and to the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants. Mining earns high wealth off a small footprint.</p>
4.159	5 BRL	<p>Supported. For the reasons stated by Bathurst Resources.</p>
5.2	8 BROWK	<p>Opposed. The climate change issue is managed under the Climate Change Response Act 2002, not the RMA.</p> <p>It is not certain that China is decreasing their use of coal. The facts are difficult to determine with accuracy.</p> <p>Globally, demand for coal will continue to increase, certainly over the short and medium term (International Energy Agency).</p> <p>The West Coast is home to a range of mineral resources, where there are many active exploration and mining permits being exercised.</p> <p>Mining can never be the complete solution to a sustainable economy. It is, nonetheless, an important part of the West Coast’s economy, and should be encouraged.</p>
5.4	14 CPHWC	<p>Opposed. This is an inappropriate construct. NZ does not need to know now where all the future mines are going to be. As an analogy, no person needs to know today</p>

		<p>their future clothing requirements for the rest of their life. The market should be enabled to allocate investment in exploration and mining. With the passage of time this will occur.</p>
5.5	18 EDS	<p>Opposed. An RPS cannot derogate from the RMA; that is a given.</p> <p>Our sense is that the council is seeking to level the playing field for fair and proper consideration of applications for development.</p> <p>The <i>King Salmon</i> decision has significant implications for how the RMA is to be interpreted; therefore, corrective measures are arguably required in RMA policy statements and plans, to ensure that the sustainable management purpose of the RMA is met.</p>
5.8	37 MAITG	<p>Opposed. It is a fact that resources can never run out because when the cost of extraction rises to that of the next best alternative, that alternate will be chosen. (The Stone Age did not end because the world ran out of stones.) So, this is an inappropriate construct.</p> <p>It is not economic to determine today where all the economic mineral deposits are. That is a matter for the market to decide. In the same way, no person needs to know today their future clothing requirements for the rest of their life. The market should be enabled to allocate investment in exploration and mining. With the passage of time this will occur.</p>
5.9	37 MAITG	<p>Opposed. We suggest the submitter discuss this idea with local iwi, and the Government. The minerals industry already pays royalties to the Crown. The rates are set to be internationally competitive, and industry considers the Government has got the settings about right. That is because the minerals industry is a global industry, and NZ needs to be globally competitive to attract that investment.</p> <p>Regardless, the matter of royalties lies outside the scope of the RMA, and is addressed under the Crown Minerals Act 1991.</p>
5.12	38 MAITS	<p>Opposed. Mining is compatible with New Zealand’s clean, green image. The West Coast is the prime example, with both tourism and mining occurring in quantity.</p> <p>Mining produces materials that are essential to modern society, and the “green economy”. For that reason alone, mining is compatible with clean and green.</p> <p>Mining is a temporary use of land. We borrow the land, mine it, and return it: to a former use, a new use, or an enhanced use, as per appropriate conditions. Environmental management is increasingly best-practice. Refer to the guidance for site restoration on the West Coast Regional Council web site, and to the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants.</p> <p>Mining earns high wealth off a small footprint. Mining occupies 0.06% of the land area of the West Coast. That is one reason tourism is compatible with mining.</p> <p>Minerals investors take the risk on whether or not they can find economic mineral deposits, and then mine minerals in an economically-viable way, as well as safely and responsibly. That is appropriate. Mining is a high-risk, high-reward activity, from a financial point of view. Given the importance of minerals to modern society, it is fortunate that interests exist who have the appetite to meet these business challenges.</p>

		<p>In light of this submitter’s concerns around mining, following are a few examples of the importance of minerals: renewable electricity generation/transmission and all other infrastructure; electric vehicles and other methods of transport; cellphones, tablets, laptops, and other electronic devices; and the aeroplanes that tourists use to fly to New Zealand.</p>
5.14	38 MAITS	<p>Opposed. The underpinning principle that guides economic policy in New Zealand is the concept of “comparative advantage”. That is what free trade is all about. We export what we are good at. Other countries export what they are good at. In some cases around the world, that includes cheap labour. That is why New Zealand imports affordable computers and cellphones, and does not manufacture these items. If it was economic for New Zealand to process raw materials, that is what we would do.</p> <p>In the case of gold, all gold produced in New Zealand is flown to Perth, West Australia, where it is refined to 9999 fine, and then becomes a global commodity, entering the global market. In the case of other minerals, partial processing already occurs; e.g., export coal for steel-making is blended from multiple domestic sources to meet the client’s specifications. That is a value-add.</p>
5.15	49 RODGJ	<p>Opposed. Possums are by far the major contributor to the destruction of mistletoe in New Zealand. It is a fact that pest control using 1080 poison (among other methods), is an effective way of carrying out mistletoe conservation.</p> <p>No evidence has been provided that gold mining contributes to mistletoe decline.</p> <p>The climate change issue is addressed under the Climate Change Response Act 2002, not the RMA.</p>
5.22	63 WCCB	<p>Opposed. Mining is consistent with the protection of the natural environment.</p> <p>Mining is a temporary use of land. We borrow the land, mine it, and return it: to a former use, a new use, or an enhanced use, as per appropriate conditions. Environmental management is increasingly best-practice. Refer to the guidance for site restoration on the West Coast Regional Council web site, and to the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants.</p> <p>Mining earns high wealth off a small footprint. Mining occupies 0.06% of the land area of the West coast.</p> <p>Mining provides a significant percentage of household income on the West Coast, even in the current downturn. Mining goes in cycles; that is inherent to the mining industry. Mining has made an important contribution to the West Coast. It will continue to make an important contribution over time.</p>
5.32	28, 33 INTAF, KMCT	<p>Opposed. It is not true that mining is environmentally destructive.</p> <p>Mining is a temporary use of land. We borrow the land, mine it, and return it: to a former use, a new use, or an enhanced use, as per appropriate conditions. Environmental management is increasingly best-practice. Refer to the guidance for site restoration on the West Coast Regional Council web site, and to the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants.</p>

		<p>Mining earns high wealth off a small footprint. Mining occupies 0.06% of the land area of the West Coast.</p> <p>Mining is, therefore, compatible with New Zealand’s clean, green image. To go further, minerals are essential to the “green economy”.</p> <p>There is already a high level of stewardship applied to mining activities on the West Coast, under the RMA, and under several other pieces of resource management legislation, namely, the Conservation Act 1987, Crown Minerals Act 1991 (access to Crown land), Wildlife Act 1953, and, on occasion, the Animal Welfare Act 1999.</p>
5.86	16 DOC	<p>Opposed. The submitter presents a narrow view of the RMA, as seen through the lens of section 6 (b) of the Conservation Act 1987. How land should be managed depends on context, and the RMA provides for that discussion to occur. For example, where development would increase flood risk, then it should not go ahead. Where that risk can be managed to meet the purpose of the RMA, then it should be consented. That is consistent with the letter and spirit of the RMA.</p>
5.87	19 ELWEP	<p>Opposed. We oppose this view because it demonstrates a lack of understanding of the RMA. How land should be managed depends on context, and the RMA provides for that discussion to occur. Developers do not have “carte blanche” under the RMA, and nor should they.</p>
5.96	50 RF&B	<p>Opposed. We oppose this view because it demonstrates a lack of understanding of the RMA. How land should be managed depends on context, and the RMA provides for that discussion to occur. In areas covered under section 6, development proposals would have to meet a higher hurdle in respect of environmental management, and that is appropriate.</p>
5.117	5 BRL	<p>Supported, with a qualification. In practical terms, it is not possible or desirable to find out <u>now</u> where all the mineable resources are that will be mined in the future - except in the notable case of coal where very good information already exists.</p>
5.119	68 WDC	<p>Supported, with a qualification. In practical terms, however, it is not possible or desirable to find out now where all the mineable resources are. That is a matter for the market to decide. In the same way, no person needs to know today their future clothing requirements for the rest of their life. The market should be enabled to allocate investment in exploration and mining. With the passage of time this will occur.</p>
6.11	28, 33 INTAF, KMCT	<p>Opposed. The climate change issue is addressed under the Climate Change Response Act 2002, not the RMA.</p>
6.81	28, 33 INTAF, KMCT	<p>Opposed. We oppose the mandatory introduction of biodiversity offsets.</p> <p>The Department of Conservation guidance is unworkable in our view for a number of reasons, including: the guidance is not integrated into NZ’s legislation; some of the international principles are already incorporated into the RMA, so developers would needlessly have to comply twice with the same requirements; and the multipliers built into the offset model would make offsets uneconomic, in the NZ context.</p> <p>Straterra and others have communicated this view to DOC and we were ignored. National-level policy on this tool for managing the residual effects of development on biodiversity is a solution to this problem, and the proposal to revisit the national</p>

		<p>policy statement on biodiversity would be an appropriate forum. (That is not a concern for the West Coast Regional Council, at this stage.)</p> <p>Secondly, even if a workable biodiversity offsets framework were developed, it would not always be cost-effective or practicable to apply. Offsets should always be one option available among a number of tools for managing biodiversity, within the rubrik of environmental mitigation, and in the context of the RMA.</p>
7.1	3 BACKC	<p>Opposed. The Conservation Act 1987 provides for business activities on conservation land (Part IIIb of the Act), and the Crown Minerals Act 1991 provides for access for mining to conservation land, subject to criteria, including conservation criteria. Movement of wildlife requires a permit under the Wildlife Act 1953, and in some cases, that will also require Animal Welfare Act 1999 approval. Heritage matters are addressed under the Heritage NZ Pouhere Taonga Act 2014. Miners are also regulated under the RMA. (This is a legislative labyrinth, incidentally, that is expensive and time consuming to navigate with no benefit for anyone.)</p> <p>There are legacy environmental issues on the West Coast caused by historic mining, e.g., “orphan” discharges of acid mine drainage. These predate the RMA. The Stockton mine is an example of a mining operation that dates from the late 1800s when environmental management was very different to that practised today. In managing the site, Solid Energy must manage a number of legacy issues, as best they can under their resource consents. This is leading to a great deal of innovation in environmental management, in particular, to deal with biodiversity and freshwater quality.</p>
7.3	8 BROWK	<p>Opposed. It is a fact that tourism and mining on the West Coast are compatible because there are lots of both activities. That consideration extends to other activities.</p>
7.4	10 BURTW	<p>Opposed. The council will always have to implement the RMA. We see this RPS as providing a level playing field for development, in consideration of the implications of the <i>King Salmon</i> Supreme Court decision of 2014. The council is required to review the RPS periodically, as per the ambient version of the RMA.</p>
7.5	14 CPHWC	<p>Opposed. Mining occupies 0.06% of the footprint of the West Coast. Even if activity trebled, the footprint would still be less than 0.2%. For this reason mining and the environment are compatible activities and values.</p>
7.6	14 CPHWC	<p>Supported, with a qualification. Mining is compatible with this objective. Note that mining is a temporary use of land. We borrow the land, mine it, and return it: to a former use, a new use, or an enhanced use, as per appropriate conditions. Environmental management is increasingly best-practice. Refer to the guidance for site restoration on the West Coast Regional Council web site, and to the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants.</p> <p>Mining earns high wealth off a small footprint.</p> <p>Workers in the mining industry earn on average more than double the national average wage.</p>
7.9	18 EDS	<p>Opposed. The <i>King Salmon</i> decision has implications for the interpretation of RMA regional policy statement and plans, with particular reference to aquaculture. It has</p>

		<p>nothing to say about how plans should be written; therefore, the mention of <i>King Salmon</i> in this context is inappropriate.</p> <p>Section 6 provides for the protection of matters of national importance from, among other things, inappropriate development. Mining is an example of appropriate development because economic mineral deposits are location specific (and the NZ Coastal Policy Statement goes to this issue in Policy 6). Mining has a “functional need” to occur where economic mineral deposits are located, and these are fixed by nature.</p> <p>The question then is: how is development in such cases to be managed. In spatial overlays in district plans where section 6 matters apply, the environmental hurdles would be appropriately high. The mining company would have to meet that challenge to gain consents, and that is appropriate. The point is that the company should have the opportunity to put forward a proposal for consideration by decision-makers under the RMA. The intent of section 6 spatial overlays was never to create a new set of national parks.</p>
7.10	18 EDS	Opposed. It is not the case that protection from inappropriate development equates to the avoidance of all effects of development. Appropriate development must be provided for, in an appropriate way. The <i>King Salmon</i> decision is about interpreting plans, and not on how plans should be written. It pertained to aquaculture, not mining.
7.11	18 EDS	Opposed. District councils have the role of mapping spatial overlays for matters of national importance, including outstanding natural landscapes. It is not the role of the regional council, and not in the RPS context. Certainly, the RPS can provide direction around mapping these areas.
7.12	18 EDS	Opposed. The EDS is incorrect, as a matter of legal interpretation. The <i>King Salmon</i> decision has implications for the interpretation of RMA plans and regional policy statements. It has nothing to say about how plans should be written; therefore, the mention of <i>King Salmon</i> in this context is inappropriate. Note also Policy 6 of the NZCPS 2010.
7.14	23 GRAHG	Opposed. The argument presented is incorrect, in relation to the meaning of section 6 of the RMA, and its impact.
7.21	12 CAYGJ	Supported , with a qualification. In answer to the submitter’s question, one can have mining and the environment. Note that mining occupies 0.06% of the West Coast region.
7.33	38 MAITS	Opposed. The answer to the submitter’s concerns is, surely, that it depends. Development proposals should be considered on their merits, their likely environmental impacts, and proposals for their management. In some places development will not be consented; in other places it will be.
7.35	16 DOC	<p>Opposed. The Department of Conservation is viewing the RMA through the narrow lens of section 6 (b) of the Conservation Act 1987. The concept of protection include provision for appropriate development.</p> <p>As an example, under the Heritage NZ Pouhere Taonga Act 2014, developers can apply for authorities to modify or destroy heritage, subject to criteria. This is very important in the context of mining because most mining is done today where mining was done in the past. The irony is that today mining companies must</p>

		<p>manage their effects on the environment, while the leavings of the old-timers has become heritage.</p> <p>Within the World Heritage area, where this lies outside of land listed in schedule 4 of the Crown Minerals Act 1991, there is a need to be able to source aggregate, e.g., for local flood protection works. That is an example of appropriate development in a World Heritage area.</p>
7.39	38 MAITS	<p>Opposed. The word “significant” was left deliberately undefined in the RMA. District councils will provide in their plans for the identification of significant vegetation. We agree that such designations are less than transparent.</p>
7.45	16 DOC	<p>Opposed. DOC is viewing the RMA through the narrow lens of section 6 (b) of the Conservation Act 1987. The concept of protection can include provision for appropriate development.</p> <p>As an example, under the Heritage NZ Pouhere Taonga Act 2014, developers can apply for authorities to modify or destroy heritage, subject to criteria. This is very important in the context of mining because most mining is done today where mining was done in the past. The irony is that today mining companies must manage their effects on the environment, while the leavings of the old-timers has become heritage.</p> <p>Within the World Heritage area, where this lies outside of land listed in schedule 4 of the Crown Minerals Act 1991, there is a need to be able to source aggregate, e.g., for local flood protection works. That is an example of appropriate development in a World Heritage area.</p>
7.49	38 MAITS	<p>Opposed. The assertion that “mining Gillespies Beach would be like mining Franz Josef” makes no sense. Mining Franz Josef would never occur because it is on schedule 4 land (Crown Minerals Act 1991). Mining on a beach, on the other hand, could be a very good way of meeting the purpose of the RMA. That is because the task of rehabilitating a mined beach is relatively straightforward.</p> <p>(We agree with the submitter that the West Coast is not largely unmodified because, as just one example, the moa is extinct.)</p> <p>The submitter is not being asked whether or not they trust the council to do its job. The premise has to be to submit on this RPS in the expectation that the council will do what is required of it under the RMA.</p>
7.54	16 DOC	<p>Supported, with a qualification. Mining in an area of mining heritage is an example of appropriate development because most mining today is done where mining was done in the past. As well, the Heritage NZ Pouhere Taonga Act 2014 provides for authorities to modify or destroy heritage, subject to criteria.</p> <p>(As a footnote, Straterra deplores the unnecessary regulatory duplication which occurs under the RMA and the HNZPTA.)</p>
7.55	16 DOC	<p>Opposed, with qualifications. As to whether or not the removal of biodiversity via development is inappropriate, surely that depends on the development proposed, and the nature of the environmental and biodiversity values present in the land, including non-indigenous biodiversity.</p>
7.57	2 ANDB	<p>Opposed. As far as we are aware, there are no mohua/yellowhead on the West Coast.</p>

		<p>It is not possible that all of the biodiversity on the West Coast is in crisis.</p> <p>No evidence has been provided that mining has led to biodiversity loss. The fact is that mining occupies 0.06% of the land area of the West Coast; it is not possible that mining could contribute to biodiversity decline. On the contrary, under the conditions of resource consents and other regulatory approvals, mining can lead to improvements in biodiversity through the implementation of compensatory measures such as pest control schemes to protect, e.g., whio/blue duck and kiwi.</p> <p>That said, historically, mining at places would have compromised freshwater ecosystems because of acid mine drainage. Such “orphan” discharges were generated at a time prior to the RMA. Today it is possible to manage freshwater values in the context of mining. A consortium of researchers from Landcare Research, CRL Energy, the Universities of Canterbury and Otago, and O’Kane Consultants are due in 2018 to compete a life cycle guide to mining. This guide is aimed at companies predicting and managing the impacts of mining on the environment to the standards required under the RMA.</p> <p>The environmental impacts of mining on conservation land are regulated under the RMA, Conservation Act 1987, Crown Minerals Act 1991, at times, the Wildlife Act 1953 and, in some cases, the Animal Welfare Act 1999.</p> <p>Introduced predators and pests are by far the largest cause of biodiversity degradation on the West Coast.</p>
7.67	16 DOC	Opposed. We are concerned that DOC’s proposal could lead to the majority of the West Coast being classified as areas of significant vegetation or habitats of significant native fauna. The RPS as notified provides appropriately for the requirements of the RMA and section 6 matters. Existing processes provide adequate direction and scope.
7.68	18 EDS	Supported. Land swaps, as envisaged by the council, should continue to occur on an <i>ad hoc</i> basis and where applicable, under section 16A of the Conservation Act 1987.
7.69	21 FFNZ	Supported , with a qualification. We also note that some stewardship land is suitable for mining.
7.90	50 RF&B	<p>Opposed. The submitter has misinterpreted the <i>King Salmon</i> decision. This decision has nothing to say about how plans should be written. What <i>King Salmon</i> does is provide direction on how plans – once they have been written – are to be interpreted, in particular, in relation to the NZCPS 2010, and, within that, aquaculture.</p> <p>It is important that the RPS is written in a way that provides a level playing field for development, in consideration of the implications of the <i>King Salmon</i> decision. It is a subtle point but an important one.</p>
7.118	16 DOC	Opposed. We are concerned that DOC’s proposal could lead to the majority of the West Coast being classified as areas of significant vegetation or habitats of significant native fauna. The RPS as notified provides appropriately for the requirements of the RMA and section 6 matters. Existing processes provide adequate direction and scope.

7.119	16 DOC	<p>Opposed. The Department of Conservation guidance on biodiversity offsets is unworkable. Straterra and others have explained our reasons to DOC, and we have been ignored. These include: the guidance is not integrated into New Zealand’s legislation; some of the international principles are already incorporated into the RMA, so developers would needlessly have to comply twice with the same requirements; and the multipliers built into the offset model would make offsets uneconomic, in the New Zealand context.</p> <p>National-level policy on this tool for managing the residual effects of development on biodiversity is a solution to this problem, and the proposal to revisit the national policy statement on biodiversity would be an appropriate forum. (That is not a concern for the West Coast Regional council, at this stage.)</p> <p>In addition, even if a workable biodiversity offsets framework were developed, it would not always be cost-effective or practicable to apply. Offsets should always be one option available among a number of tools for managing biodiversity, within the rubrik of environmental compensation.</p>
7.120	16 DOC	<p>Supported, with qualifications. Under the Heritage NZ Pouhere Taonga Act 2014, developers can apply for authorities to modify or destroy heritage, subject to criteria. This is very important in the context of mining because most mining is done today where mining was done in the past. The irony is that today mining companies must manage their effects on the environment, while the leavings of the old-timers have become heritage.</p> <p>We agree that district plans should contain spatial overlays designating heritage, noting that mining is appropriate in areas of mining heritage, on the rationale provide above.</p>
7.121	16 DOC	<p>Opposed, with a qualification. Non-indigenous vegetation can also have a role in reducing erosion, and mitigating flood risk.</p>
7.122	19 ELWEP	<p>Opposed. The difficulty in implementing the submitter’s proposal is one of cost on the council.</p>
7.138	16 DOC	<p>Opposed. This chapter of the RPS is about significant biodiversity, and, therefore, the focus should stay on significant biodiversity, and not all biodiversity.</p>
7.143	16 DOC	<p>Opposed. The purpose of the RMA is not to create national parks in areas covered under section 6. It is important to provide for developers to be able to make proposals, identify the likely effects on the environment, and then propose ways of avoiding, remedying and mitigating those effects, and, where appropriate, propose compensatory or other mitigation measures to address residual effects. The latter could include biodiversity offsets, as one option, once a workable framework is available in New Zealand.</p> <p>Obviously, in areas covered under section 6, the environmental management bar will be set particularly high, and that will be particularly the case for matters covered under the NZCPS 2010 (Policies 6, 13 and 15). Note that the <i>King Salmon</i> decision applies to aquaculture, and that the nature of mining is significantly different to that of aquaculture, in particular, mining is location specific, and mining is a temporary use of land.</p> <p>Applicants should be able to assess whether or not they can meet the purpose of the RMA, and then have the opportunity to put their case to decision-makers,</p>

		including in areas covered under section 6 and/or the NZCPS. That is in the letter and spirit of the RMA.
7.151	16 DOC	Opposed. This chapter of the RPS is about significant biodiversity, and, therefore, the focus should stay on significant biodiversity, and not all biodiversity.
8.44	16 DOC	<p>Supported, with qualifications. Note that the purpose of the RMA is not to create national parks in areas covered under section 6. It is important to provide for developers to be able to make proposals, identify the likely effects on the environment, and then propose ways of avoiding, remedying and mitigating those effects, and, in the case of residual effects, propose compensatory measures. The latter could include biodiversity offsets, once a workable framework is available in New Zealand. Obviously, in areas covered under section 6, e.g., outstanding water bodies, the environmental management bar will be set particularly high.</p> <p>Nonetheless, applicants should be able to assess whether or not they can meet the purpose of the RMA, and then have the opportunity to put their case to decision-makers. That is in the letter and spirit of the RMA.</p> <p>The case law created by Ngati Kahungunu v. Hawke’s Bay Regional Council in the Environment Court is noted, as is the reference to the NZ Coastal Policy Statement 2010.</p>
8.54	16 DOC	<p>Supported, with qualifications. Note that the purpose of the RMA is not to create national parks in areas covered under section 6. It is important to provide for developers to be able to make proposals, identify the likely effects on the environment, and then propose ways of avoiding, remedying and mitigating those effects, and, in the case of residual effects, propose compensatory measures. The latter could include biodiversity offsets, once a workable framework is available in New Zealand. Obviously, in areas covered under section 6, e.g., outstanding water bodies, the environmental management bar will be set particularly high.</p> <p>Nonetheless, applicants should be able to assess whether or not they can meet the purpose of the RMA, and then have the opportunity to put their case to decision-makers. That is in the letter and spirit of the RMA.</p> <p>The case law created by Ngati Kahungunu v. Hawke’s Bay Regional Council in the Environment Court is noted, as is the reference to the NZ Coastal Policy Statement 2010.</p>
8.73	16 DOC	<p>Opposed. DOC’s proposal for the avoidance of all effects is extremely restrictive and could prevent all development all over the West Coast. The approach taken in the NPS-FM 2014 is more subtle and workable.</p> <p>It is noted that the Environment Court decision of 2015 on Ngati Kahungunu v. Hawke’s Bay Regional Council could make it impossible for regional councils to meet the requirements of the RMA under section 30 (1) (c) of the RMA.</p>
8.75	19 ELWEP	Note that today discharges into water from mining are managed to meet the requirements of the RMA. This management increasingly follows best-practice. Refer to the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants.

8.97	16 DOC	Opposed. In considering whether or not it is better to discharge to land rather than water, surely, it depends on each situation.
8.108	16 DOC	Opposed. In considering whether or not it is better to discharge to land rather than water, surely, it depends on each situation.
9.9	18 EDS	<p>Opposed in part, supported in part. The <i>King Salmon</i> decision has nothing to say about how plans are to be written; rather, it provides direction on how plans are to be interpreted.</p> <p>We agree that the RPS must give effect to the NZ Coastal Policy Statement 2010, and EDS has helpfully referred elsewhere in its submission to the interplay between Policy 6 and Policies 13 and 15 of the NZCPS, as determined in <i>King Salmon</i> - in relation to aquaculture.</p> <p>It is noted that appropriate development includes mining because mining can only be done where economic minerals deposits are located. That could include, for example, mining of garnets on beaches, including in areas covered under section 6 of the RMA. That is one substantive difference between aquaculture and mining.</p> <p>As well, mining is a temporary use of land. Environmental management is increasingly best-practice as the guidance for site restoration on the West Coast Regional Council web site demonstrates. See also the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants. Managed well, mining is compatible with the environment, and other activities on the West Coast.</p>
9.20	63 WCCB	Opposed. To the best of our knowledge, the resource consents in relation to ilmenite at Barrytown – if there are any active - relate to proposed operations on land, and not in the coastal environment.
9.25	16 DOC	Opposed. DOC has misinterpreted Policy 5 of the NZCPS 2010. In particular, the Fisheries Act 1996 is not a piece of conservation or protection legislation, and, therefore, is not relevant under Policy 5.
9.26	16 DOC	<p>Supported, with a qualification. It is a given that any RMA plan and policy statement would have to be consistent with the NZCPS. Policies 6, 13 and 15 are relevant, in this context, with particular reference to aquaculture.</p> <p>Mining is substantively different to aquaculture because it is a location-specific activity – mining can be done only where economic mineral deposits occur. As well, mining is a temporary use of land.</p> <p>On that basis, there could be many situations where mining is appropriate, where effects on the environment can be avoided, remedied and mitigated, and in the case of residual effects, compensatory or other mitigation measures could be undertaken, including biodiversity offsets as one option, once a workable framework is available.</p> <p>Mining on beaches could still occur in places covered under section 6 and the NZCPS because of the nature of the activity and of the receiving environment. An example would be mining garnets on beaches.</p>
9.46	50 RF&B	Opposed. Whether or not development is appropriate or inappropriate is best determined on a case-by-case basis, to be consistent with the letter and spirit of

		<p>the RMA. Policy 6 (1) (a), and Policy 6 (2) (c) of the NZCPS 2010 provide for mining as an appropriate activity in places where mining has a “functional need” to be undertaken in the coastal environment, e.g., mining for garnets on beaches.</p> <p>We note the finding in <i>King Salmon</i> that Policy 6 needs to be read in conjunction with Policies 13 and 15 of the NZCPS, when interpreting a plan, noting that this applies to aquaculture.</p> <p>It is a fact that mining is substantively different from aquaculture because mining is a location-specific activity – mining can only be done where there are economic minerals deposits - and mining is a temporary use of land. Environmental management is increasingly best-practice as the guidance for site restoration on the West Coast Regional Council web site demonstrates. See also the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants.</p> <p>On that basis, there could be many situations where mining is appropriate, where effects on the environment can be avoided, remedied and mitigated, and in the case of residual effects, compensatory and other mitigation measures could be undertaken, including biodiversity offsets as one option, once a workable framework is available.</p> <p>Mining on beaches could still occur in places covered under section 6 and the NZCPS because of the nature of the activity and of the receiving environment. An example would be mining garnets on beaches.</p>
9.48	16 DOC	<p>Opposed. Note that protection from adverse effects, includes the concept of avoiding, remedying and mitigating the effects of appropriate development in the coastal environment. That could include mining because this activity may have a “functional need” to be located in this environment, e.g., mining of garnets on beaches.</p>
9.52	50 RF&B	<p>Opposed. Whether or not development is appropriate or inappropriate needs to be determined on a case-by-case basis, to be consistent with the letter and spirit of the RMA. Policy 6 (1) (a), and Policy 6 (2) (c) of the NZCPS 2010 provide for mining as an appropriate activity in places where mining has a functional need to be undertaken in the coastal environment, e.g., mining for garnets on beaches.</p> <p>We note the finding in <i>King Salmon</i> that Policy 6 needs to be read in conjunction with Policies 13 and 15 of the NZCPS, when interpreting a plan, noting that this applies to aquaculture.</p> <p>It is a fact that mining is substantively different from aquaculture because mining is a location-specific activity – mining can only be done where there are economic minerals deposits - and mining is a temporary use of land. Environmental management is increasingly best-practice as the guidance for site restoration on the West Coast Regional Council web site demonstrates. See also the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants.</p> <p>On that basis, there could be many situations where mining is appropriate, where effects on the environment can be avoided, remedied and mitigated, and in the case of residual effects, compensatory and other mitigation measures could be undertaken, including biodiversity offsets as one option, once a workable framework is available.</p>

		<p>Mining on beaches could still occur in places covered under section 6 and the NZCPS because of the nature of the activity and of the receiving environment. An example would be mining garnets on beaches.</p>
9.62	16 DOC	<p>Opposed. The inclusion of a management focus on the significant values of lands and water managed under other legislation is inappropriate because those values are managed under other legislation. Unnecessary regulatory duplication is to be strenuously avoided, as providing no benefits to anyone.</p> <p>In addition, the specification of “avoidance of adverse effects” is inappropriate, and <i>ultra vires</i> in respect of section 6 of the RMA. The concept of protection from inappropriate development can include provision for avoiding, remedying and mitigating the effects of appropriate development. Mining is an example of appropriate development because mining is location specific; economic mineral deposits are fixed by nature. Mining is also a temporary use of land.</p>
9.65	16 DOC	<p>Opposed. Policy 6 (1) (a), and Policy 6 (2) (c) of the NZCPS 2010 provide for mining as an appropriate activity in places where mining has a “functional need” to be undertaken in the coastal environment, e.g., mining for garnets on beaches.</p> <p>The appropriate approach is to provide for developers to avoid, remedy and mitigate effects, as appropriate to the environment in which development is proposed.</p> <p>We note the finding in <i>King Salmon</i> that Policy 6 needs to be read in conjunction with Policies 13 and 15 of the NZCPS, when interpreting a plan, noting that this applies to aquaculture.</p> <p>It is a fact that mining is substantively different from aquaculture because mining is a location-specific activity – mining can only be done where there are economic minerals deposits - and mining is a temporary use of land. Environmental management is increasingly best-practice as the guidance for site restoration on the West Coast Regional Council web site demonstrates. See also the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants.</p> <p>On that basis, there could be many situations - including in areas covered under section 6 and the NZCPS - where mining would be appropriate, where effects on the environment can be avoided, remedied and mitigated, and in the case of residual effects, compensatory or mitigation measures could be undertaken, including biodiversity offsets as one option, once a workable framework is available.</p>
9.73	69 WESTP	<p>Opposed. Policy 6 (1) (a), and Policy 6 (2) (c) of the NZCPS 2010 provide for mining as an appropriate activity in places where mining has a functional need to be undertaken in the coastal environment, e.g., mining for garnets on beaches. The appropriate approach is to provide for developers to avoid, remedy and mitigate effects, as appropriate to the environment in which development is proposed.</p> <p>We note the finding in <i>King Salmon</i> that Policy 6 needs to be read in conjunction with Policies 13 and 15 of the NZCPS, when interpreting a plan, noting that this applies to aquaculture.</p> <p>It is a fact that mining is substantively different from aquaculture because mining is a location-specific activity – mining can only be done where there are economic minerals deposits - and mining is a temporary use of land. Environmental</p>

		<p>management is increasingly best-practice as the guidance for site restoration on the West Coast Regional Council web site demonstrates. See also the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants.</p> <p>On that basis, there could be many situations where mining is appropriate, where effects on the environment can be avoided, remedied and mitigated, and in the case of residual effects, compensatory and other mitigation measures could be undertaken, including biodiversity offsets as one option, once a workable framework is available.</p> <p>Mining on beaches could still occur in places covered under section 6 and the NZCPS because of the nature of the activity and of the receiving environment. An example would be mining garnets on beaches.</p>
9.75	18 EDS	<p>Opposed. Policies 6, 13 and 15 of the NZCPS provide direction when interpreting a plan – in relation to aquaculture.</p> <p>It is a fact that mining is substantively different from aquaculture because mining is a location-specific activity – mining can only be done where there are economic minerals deposits - and mining is a temporary use of land. Environmental management is increasingly best-practice as the guidance for site restoration on the West Coast Regional Council web site demonstrates. See also the work of the Centre for Minerals Environmental Research, a consortium of Landcare Research, the Universities of Canterbury and Otago, CRL Energy, and O’Kane Consultants.</p> <p>On that basis, there could be many situations where mining is appropriate, where effects on the environment can be avoided, remedied and mitigated, and in the case of residual effects, compensatory and other mitigation measures could be undertaken, including biodiversity offsets as one option, once a workable framework is available.</p> <p>Mining on beaches could still occur in places covered under section 6 and the NZCPS because of the nature of the activity and of the receiving environment. An example would be mining garnets on beaches.</p>
9.99	16 DOC	<p>Opposed. The proposal to avoid adverse effects on conservation land goes beyond conservation legislation, and is inappropriate in that context, as well as under the RMA, so is <i>ultra vires</i>, in both contexts.</p> <p>For example, under the Conservation Act 1987, section 17U (c) provides for concession applicants to avoid, remedy and mitigate the effects of development, in relation to conservation values.</p> <p>(Of course, lands and waters listed on schedule 4 of the Crown Minerals Act 1991 are off-limits to mining.)</p>
9.107	16 DOC	<p>Opposed.</p> <p>Everything is unique; consequently, appealing to “uniqueness” is not an argument in favour of anything, other than to take a case-by-case approach to everything.</p> <p>It is a fact that the largest temperate rainforest in the world is in southern Chile, not in Westland.</p>

		<p>DOC has misinterpreted <i>King Salmon</i>. This case law has nothing to say about how a plan or regional policy statement is to be written; rather, it provides direction on how that plan or RPS is to be interpreted.</p> <p>A key policy of the NZCPS 2010 is Policy 6 (2) (c), which provides for development at places where there is a “functional need” for that development. Mining is an example because this activity can only be done where economic minerals deposits occur. Note also that mining is a temporary use of the environment.</p> <p>Mining is, therefore, substantively different to aquaculture, which was the focus of the <i>King Salmon</i> decision. Care needs to be exercised in interpreting the direction given in relation to Policies 6, 13 and 15 of the NZCPS, insofar as mining is concerned.</p>
9.112	16 DOC	<p>Opposed. DOC is misreading Policy 5 of the NZCPS 2010. “Mataitai” are not reserves held for the purposes of conservation or protection, and, therefore, do not apply under Policy 5 (1) (b).</p>
9.123	16 DOC	<p>Opposed. DOC is misapplying Policy 5 (1) (b) of the NZCPS when proposing the avoidance of adverse effects under this heading. The Fisheries Act 1996 is not a piece of conservation or protection legislation.</p> <p>DOC is also going beyond the provisions of the Conservation Act 1987, namely, section 17U (c), which provides for the avoiding, remedying and mitigating of effects in relation to concession applications.</p> <p>We remind DOC that the RPS is an RMA instrument, not an instrument under other legislation.</p>
10.9	28, 33 INTAF, KMCT	<p>Opposed. Smoke, generally, can cause adverse health effects if unmanaged. The issue is not restricted to coal smoke. For example, burning wet wood will have a far greater effect on air quality than burning coal.</p>
10.20	14 CPHWC	<p>Opposed. Under sections 70A and 104E of the RMA, councils are prevented from addressing greenhouse gas emissions directly, That is because this matter is addressed under the Climate Change Response Act 2002.</p>
10.24	28, 33 INTAF, KMCT	<p>Opposed. This submission point contains numerous errors of fact and innuendo as far as New Zealand coal, and weather conditions in New Zealand, are concerned. For example, NZ coals are not radioactive, and they contain negligible levels of mercury. The West Coast is not like London, in 1662 or 1952. Emissions of PM₁₀ depend significantly on the design, installation and operation of burners, as well as the type of fuel used. For example, wet wood will produce a great deal of PM₁₀ emissions. As to the contribution of coal, PM₁₀ levels depend on the foregoing factors as well as the moisture content and grade of the coal.</p>
11.2	14 CPHWC	<p>Opposed. The climate change issue, insofar as New Zealand’s contribution to the global response is concerned, is addressed under the Climate Change Response Act 2002, and not under the RMA.</p>
11.3	14 CPHWC	<p>Opposed, with a qualification. The climate change issue, insofar as New Zealand’s contribution to the global response is concerned, is addressed under the Climate Change Response Act 2002, and not under the RMA.</p> <p>There is no harm in education on the fossil fuels issue, provided the information is accurate and relevant.</p>

11.6	28, 33 INTAF, KMCT	Opposed. The climate change issue, insofar as New Zealand’s contribution to the global response is concerned, is addressed under the Climate Change Response Act 2002, and not under the RMA.
11.11	28, 33 INTAF, KMCT	Opposed. There is no scientific evidence to suggest that the West Coast is in fact experiencing “more severe and frequent extreme weather events” as a consequence of human-caused climate change. To be clear, Straterra agrees that human-caused climate change is occurring, and that good forecasts can be made as to trends. At issue is that the current effects of climate change, insofar as weather is concerned, are unknown or unclear.
11.12	31 KAYEB	Opposed. Coal is not a “sunset industry”. As matters stand West Coast coals will continue to be exported for steel-making, and will continue to be supplied for a wide range of domestic uses, e.g., the Universities of Canterbury and Otago for heating, and similarly for schools and hospitals in the South Island, dairy and other food processing, and many other industries in the South Island, e.g., wood, leather, wool processing, and hothouse horticulture.
9.99	16 DOC	Opposed. The proposal to avoid adverse effects on conservation land goes beyond conservation legislation, and is inappropriate in that context, as well as under the RMA, so is <i>ultra vires</i> , in both contexts. For example, under the Conservation Act 1987, section 17U (c) provides for concession applicants to avoid, remedy and mitigate the effects of development, in relation to conservation values. (Of course, lands and waters listed on schedule 4 of the Crown Minerals Act 1991 are off-limits to mining.)
14.1	16 DOC	Opposed. We are concerned that DOC’s proposal could lead to the majority of the West Coast being classified as areas of significant vegetation or habitats of significant native fauna. The RPS as notified provides appropriately for the requirements of the RMA and section 6 matters. Existing processes provide adequate direction and scope.
15.1	10 BURTW	Supported, with a qualification. Note that heritage matters are also provided for under the Heritage NZ Pouhere Taonga Act 2014.
15.2	15 DAVIY	Opposed. Note that heritage matters are also provided for under the Heritage NZ Pouhere Taonga Act 2014. It is the case that most mining today is done where mining was done in the past. The irony is that today mining companies must manage their effects on the environment, while the leavings of the old-timers have become heritage. The HNZPTA provides for miners to apply for authorities to modify and destroy heritage, subject to criteria, and that is appropriate. Mining causes environmental effects during mining; however, mining is a temporary use of land. We borrow the land, mine it, and return it to a former use, a new use or an enhanced use depending on resource consent conditions. For instance, alluvial gold mining on the West Coast returns farmland used for mining back into farmland, often more productive farmland than it was to begin with. It is accepted that the Stockton mine presents a lot of exposed ground on site that will take time to rehabilitate back into native vegetation, because of the climate.

		The term “vested interests” is rejected as meaningless. In explanation, mining produces materials that are essential to modern society; arguably, every human being has a vested interest in minerals.
15.3	26 HNZ	Supported , with a qualification. It is noted that heritage matters are also provided for under the Heritage NZ Pouhere Taonga Act 2014 (mentioned elsewhere in HNZ’s submission).
15.7	27 HWC	Supported , with a qualification. It is noted that the Heritage NZ Pouhere Taonga Act 2014 provides for authorities to modify and destroy heritage subject to criteria. This is very important because most mining today is done where mining was done in the past. The irony is that today mining companies must manage their effects on the environment, while the leavings of the old-timers have become heritage. Certainly, there is scope for protecting significant mining heritage on the West Coast, and there are many sites where that is the case.
15.15	26 HNZ	Supported , with a qualification. It is a concern to the minerals and mining industry that there appears to be little or no integration between the RMA and the Heritage NZ Pouhere Taonga Act 2014 in respect of heritage management and protection.
15.16	68 WDC	Supported , with a qualification. It is noted that in some cases, modification and damage to heritage is not inappropriate, and is provided for under the Heritage NZ Pouhere Taonga Act 2014.
15.32	68 WDC	Supported , with a qualification. It is noted that in the context of mining heritage that mining is a form of appropriate development because most mining today is done where mining was undertaken in the past.
16.3	9 BRUNC	Opposed . It is the case that mining goes in cycles, and that cycles are inherent to the nature of the mining industry. That is a risk that the industry must manage, noting that mining produces materials that are essential to modern society, in NZ and globally. There are many local mining companies operating on the West Coast, as well as companies listed on the NZ stock exchange or owned by New Zealanders - hundreds of permit holders all told. Any company needs to have freedom to make its own business decisions, consistent with regulatory requirements. Mining is no different. Some mining product is used in the region, e.g., aggregates and coal. Other materials are exported, as part of NZ’s export-led economy. Much of the income from mining is spent in NZ as taxes, royalties, rates, fees and other charges, compliance with regulation, payments to suppliers of goods and services, as well as wages to staff and contractors. That is much like any other business in the region and New Zealand.
16.6	28, 33 INTAF, KMCT	Opposed . For the information of the submitter, environmental bonds are inherent to most, if not all mining operations in New Zealand.
16.9	38 MAITS	Opposed . No evidence has been provided that a problem exists in relation to compliance with the RMA by mining companies. There are sanctions in the RMA in the event of failure to comply with conditions on activities.

16.10	49 RODGJ	Opposed. Refer to the report by the Parliamentary Commissioner for the Environment who found in favour of the continued use of 1080 as a pest control tool. Pests are the most serious threat to biodiversity in New Zealand, including the West Coast. The results show that populations of native birds benefit greatly in areas where 1080 is applied. Anyone who has any doubts is encouraged to walk the Heaphy Track, which is full of native wildlife, thanks to the use of 1080. The use of 1080 is a useful tool for mining companies when compensating for the adverse effects of mining on the environment.
17.8	28, 33 INTAF, KMCT	In relation to the concern on soils, rehabilitation of alluvial gold mining operations, and other types of mines, is returning land into pasture, including with a soil profile.
19.2	28, 33 INTAF, KMCT	Opposed. Mining goes in cycles; that is inherent to the nature of mining. This entails risks that the industry needs to manage as best it can. There is still plenty of mining occurring on the West Coast, and there will be in the future.