



**AGENDA AND SUPPORTING PAPERS
FOR COUNCIL'S SEPTEMBER MEETINGS**

**TO BE HELD IN THE OFFICES OF THE WEST COAST REGIONAL COUNCIL
388 MAIN SOUTH ROAD, GREYMOUTH**

**LIVE STREAMED VIA COUNCIL'S FACEBOOK PAGE
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TUESDAY, 8 SEPTEMBER 2020

The programme for the day is:

10.30 a.m: Resource Management Committee Meeting

Followed by workshop: Mana Whakahono ā Rohe: Iwi participation arrangement

On completion of RMC Workshop: Council Meeting

Followed by workshop: CIP Consultation Documents

RESOURCE MANAGEMENT COMMITTEE

THE WEST COAST REGIONAL COUNCIL

Notice is hereby given that a meeting of the **RESOURCE MANAGEMENT COMMITTEE** will be held in the Offices of the West Coast Regional Council, 388 Main South Road, Paroa, Greymouth on **Tuesday, 8 September 2020**

S. CHALLENGER
CHAIRPERSON

R. MALLINSON
Acting Chief Executive Officer

<u>AGENDA</u> <u>NUMBERS</u>	<u>PAGE</u> <u>NUMBERS</u>	<u>BUSINESS</u>
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		PUBLIC FORUM
2.	3	MINUTES 2.1 Confirmation of Minutes of Resource Management Committee Meeting – 11 August 2020
3.		PRESENTATION
4.		CHAIRMAN'S REPORT
5.		REPORTS
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		6.0 GENERAL BUSINESS

2.1**THE WEST COAST REGIONAL COUNCIL****MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE
HELD ON 11 AUGUST 2020, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL,
388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.30 A.M.****PRESENT:**

S. Challenger (Chairman), A. Birchfield, P. Ewen, D. Magner, B. Cummings, J. Hill, L. Coll McLaughlin, J. Douglas, F. Tumahai

IN ATTENDANCE:

R. Mallinson (Acting Chief Executive), H. Mills (Planning, Science & Innovation Manager), H. McKay (Consents & Compliance Manager), N. Costley (Communications & Strategy Manager), T. Jellyman (Minutes Clerk), M. Schumacher (IT Support), The Media

Cr Birchfield read the prayer.

1. APOLOGIES

There were no apologies.

PRESENTATION

There was no presentation.

2. MINUTES

The Chairman asked the meeting if there were any changes to the minutes of the previous meeting.

Moved (Birchfield / Hill) *that the minutes of the previous Resource Management Committee meeting dated 14 July 2020, be confirmed as correct.*

Carried

Matters Arising

There were no matters arising.

3. PUBLIC FORUM

There was no public forum.

4. CHAIRMAN'S REPORT

Cr Challenger did not provide a report.

5. REPORTS**5.1 PLANNING AND OPERATIONS GROUP****5.1.1 PLANNING REPORT & HYDROLOGY REPORT**

H. Mills spoke to his report and advised that appeal on Plan Change 1 to the Land and Water Plan has been narrowed down to Lake Kini specifically. He stated this will allow work to move forward with all of the other

changes that came through in the Land and Water Plan. H. Mills stated that a consent memorandum has been lodged to go into mediation, instead of going directly to Court.

H. Mills advised that the Kawatiri FMU are currently finalising their recommendations and will then bring a report to the next meeting.

H. Mills advised that Mr Kees Van Beek has been elected Chair of the Hokitika FMU.

H. Mills advised that there has been a review of the Resource Review of resource management system and there may be some changes coming out of this. H. Mills answered questions from Councillors.

Moved (Cummings / Coll McLaughlin) *That the report is received.*

Carried

5.1.2 GREY FRESHWATER MANAGEMENT UNIT RECOMMENDATIONS

H. Mills spoke to this report and introduced Sonya Perkin, Stu Bland, and Murray Hay (Councillor GDC) to the meeting. H. Mills advised that all three were on the Grey FMU group. J. Horrox (Science Team Leader) was introduced to the meeting. Philippa Lynch from Ngai Tahu was also introduced as she is a member of the group. H. Mills advised that 18 meetings were held in total.

S. Perkin addressed the meeting. She advised that F. Tumahai and Cr Cummings were also members of the FMU. S. Perkin spoke of other members who are members of the group. S. Perkin stated that the group were supported by Council staff and was formed in October 2018. S. Perkin provided background information on the FMU and spoke of the values of the FMU. S. Perkin explained how the group worked through their values and attributes, objectives, limits and methods. She spoke extensively and explained each of the recommendations. S. Perkin offered to answer questions.

Cr Cummings asked S. Perkins what the feeling from farmers is regarding the changes to rules. S. Perkins responded that farmers are mainly happy, and are probably more concerned with cropping restrictions.

H. Mills advised that a full report on the freshwater package will be brought to next month's meeting. He stated that he is hopeful there will be a lot of funding coming for the West Coast.

S. Bland advised that he uses irrigation on his farm. He explained requirements for irrigation and stated that the 35 year criteria for water takes is too long, but 10 years could sometimes be too short. Cr Coll McLaughlin asked if the ten year requirement means going through the full consenting process again, or potentially an allocation could be jeopardized, or is there a reassessment of effect as the 10 years comes up. S. Perkins responded that the group feels that a review after 10 years would be good and if water allocations do need to be tightened up then this is more realistic.

It was agreed that the FMU supports the rules for the Lake Brunner catchment rule being included in the Land and Water Plan. H. Mills advised that the recommendations in the report will go through the LTP process.

H. Mills advised that extra funding will be required for the monitoring of more sites but this will go through the LTP pathway

H. Mills answered questions from Councilors and confirmed that the recommendations will be implemented where possible and practicable.

Cr Ewen drew attention to minor a mistake with regards to Mirfins Creek. H. Mills advised that he will amendment this.

H. Mills stated that a rigorous process will need to be gone through to put the recommendations into the Land and Water Plan. H. Mills and The Chairman thanked members for the Grey FMU for their attendance.

Moved (Coll McLaughlin / Cummings)

That the Council approves the Grey Freshwater Management Unit Group Recommendations, to be implemented as much as practicable, to give effect to National Policy Statement for Freshwater Management 2017.

Against Cr Birchfield

Carried

5.1.3 REEFTON AIR QUALITY SUMMARY

H. Mills spoke to this report and advised that there have been no breaches of the NES for air quality in Reefton during the reporting period.

Moved (Ewen / Cummings)

Carried

5.2.1 CONSENTS MONTHLY REPORT

H. McKay spoke to this report and advised that three consent site visits were carried out during the reporting period. She reported that six non-notified resources consents were granted, and nine changes to consent conditions were granted during the reporting period, along with one limited notified consent received. H. McKay answered questions from J. Douglas regarding the increase in herd numbers at Kokatahi and offered to follow up on this.

Moved (Magner / Ewen) *That the August 2020 report of the Consents Group be received.*

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

H. McKay spoke to this report and advised that 76 site visits were carried out during the reporting period, there were no dairy farm inspections during the reporting period due to this being the dry season. She stated that inspections will resume in October once the calving period has finished.

She advised 14 complaints or incidents were recorded and three non-compliances during the reporting period. H. McKay reported that as a result of previously reported incidents, two infringement notices and three abatement notices were issued during the reporting period.

H. McKay reported that two mining work programmes were received during the reporting period and both were approved. H. McKay advised that two bonds were received, and one bond is recommended for release.

J. Douglas requested further information on the Fitzherbert Investments Ltd gold mining activities at Kanierere. H. McKay responded that a variation for this consent is currently being processed but is not yet through but she will forward this information to J. Douglas once it is to hand.

Cr Ewen asked if the amount for the Oceana Gold Ltd bond is correct. H. McKay offered to follow up on this via email to councillors. She also agreed to follow up on the bond for Elect Mining Ltd.

Cr Birchfield noted that there have been three trips to Awatuna recently by Compliance staff, with the sites visited compliant each time. Cr Birchfield is concerned that this are serial complainants in this area. H. McKay acknowledged that there has been a flurry of complaints, but advised that these operations are in quite close proximity to residential addresses. She agreed that this is a balancing act but is also an area that staff pass through frequently, and is easy to check.

Moved (Birchfield / Cummings)

1. *That the August 2020 report of the Compliance Group be received.*

2. *That the bond of \$10,000 for RC09092 Mill Creek Mining Ltd be released.*

Carried

GENERAL BUSINESS

There was no general business.

The meeting closed at 11.12 a.m.

.....
Chairman

.....
Date

5.1.1

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee – 8 September 2020
 Prepared by: Lillie Sadler – Planning Team Leader and Hadley Mills Planning, Science and Innovation Manager
 Date: 20 August 2020
Subject: PLANNING AND HYDROLOGY REPORT

Plan Change 1 appeal

Te Rūnanga o Makaawhio have filed an amended appeal with the Environment Court, narrowing the scope to only the Decision on the Lake Kini wetlands on their land. The Department of Conservation (DOC) and Te Rūnanga o Ngāti Waewae have both lodged an interest in the proceedings under s274 of the RMA. The parties are interested to undertake informal mediation amongst themselves, and Court-assisted mediation. The Environment Court Judge presiding over the case called a meeting on 18 August to clarify the issues. The parties advised that there is no urgency for the Court to progress the case, which will allow time for informal mediation.

Freshwater Management Unit (FMU) Groups' update

Grey: Although this FMU Group completed their process by providing the RMC with the Groups' Recommendations Report, the Group will need to reconvene for a short period to develop a long-term vision for the FMU. This is a new requirement in the 2020 National Policy Statement for Freshwater Management (NPSFM)

Kawatiri: The Group met on 11 August to edit their draft Recommendations Report. They will meet again on 1 September to continue editing. As the NPSFFM, National Environmental Standard for Freshwater, and s360 Regulations for stock crossing come into effect on 3 September, the Group requested an analysis of whether there are any new provisions in the Freshwater Package they need to consider in their recommendations, and whether any of their recommendations are now inconsistent with the national direction.

Hokitika: The third meeting was held on 25 August. The Group discussed collation of the community values identified at the second meeting, and the Freshwater Package. Staff also presented on water quality issues in the FMU.

Work required to implement the Freshwater Package

Staff have undertaken an assessment of what work will be needed to implement the Freshwater Package. This is a separate report in the Resource Management Committee's agenda papers.

National Climate Change Risk Assessment

The first "National Climate Change Risk Assessment for New Zealand" was released by the Ministry for the Environment (MFE) on 3 August. The risk assessment is a national overview of how New Zealand may be affected by climate change-related hazards, and is required every six years under the Climate Change Response (Zero Carbon) Amendment Act 2019. 43 priority risks are identified over five value domains: human domain, natural environment domain, economy domain, built environment domain and governance domain. The two most urgent risks in each of the five domains were then identified (in Table 1 of the Report). Table 2 of the Report sets out the consequence and urgency ratings for the priority risks.

The risk assessment enables the Government to prioritise action, including through the national adaptation plan, which must be published within two years of the release of the risk assessment. The Resource Management Amendment Act 2020 requires regional councils to consider national adaptation, and emissions reduction, when preparing regional policy statements and regional plans.

Below is a link to the summary of the assessment. The full report is on the MFE website.

<https://www.mfe.govt.nz/sites/default/files/media/Climate%20Change/national-climate-change-risk-assessment-new-zealand-snapshot.pdf>

Hydrology

There were no flood alarms or warnings issued during the reporting period.

The Hydrology Team regularly maintain and upgrade hydrometric sites throughout the region. Photo 1 shows a recently replaced 'catwalk' leading to the river level and flow gauge on the Inangahua River at Inangahua Landing. This site reports river level and flow data back to council in real time using radio telemetry.



Photo 1 - Inangahua River Site at Inangahua Landing

Recommendation

That the report is received.

Hadley Mills
Planning, Science and Innovation Manager

5.1.2

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting September 2020
 Prepared by: Millie Taylor, Senior Science Technician
 Date: 25/08/2020
Subject: REEFTON AIR QUALITY SUMMARY

The Council monitors continuously the airborne concentrations of 10 micron particulate matter (PM₁₀) in Reefton. Winter meteorological traits and Reefton's topography, combined with smoke from solid fuel burners, can lead to high PM₁₀ concentrations. Prolonged exposure to high levels of PM₁₀ has been proven to exacerbate respiratory illnesses.

There have been no further breaches of the National Environmental Standards for Air Quality, 2004 (NESAQ 2004) since June (Table 1 and Figure 1). The NESAQ (2004) allows one 24-hour average PM₁₀ concentration over 50 micrograms/m³ per year. This 24-hour average has been exceeded twice this winter hence the standards have not been met for Reefton in 2020.

Council have been waiting for central government to finalise a revised version of the NESAQ. Uncertainty around the nature of these revisions has made it difficult for Council to establish clear goals for monitoring and management of Reefton's air quality. Similarly, proposed changes to the NESAQ have cast doubt on the future acceptability of aftermarket devices that would improve individual burner emissions.

This winter the science team are managing \$60,000 of government funded projects that will help us better understand the Reefton air quality issue, as well as maintaining and developing our regular monitoring program.

Table 1 Reefton air quality exceedances of the NES

<i>Date</i>	<i>Micrograms/m³ PM₁₀</i>	
<i>21/06/2020</i>	51	Allowable exceedance
<i>25/06/2020</i>	52	Breach of NESAQ 2004

Reefton Air Quality 2020

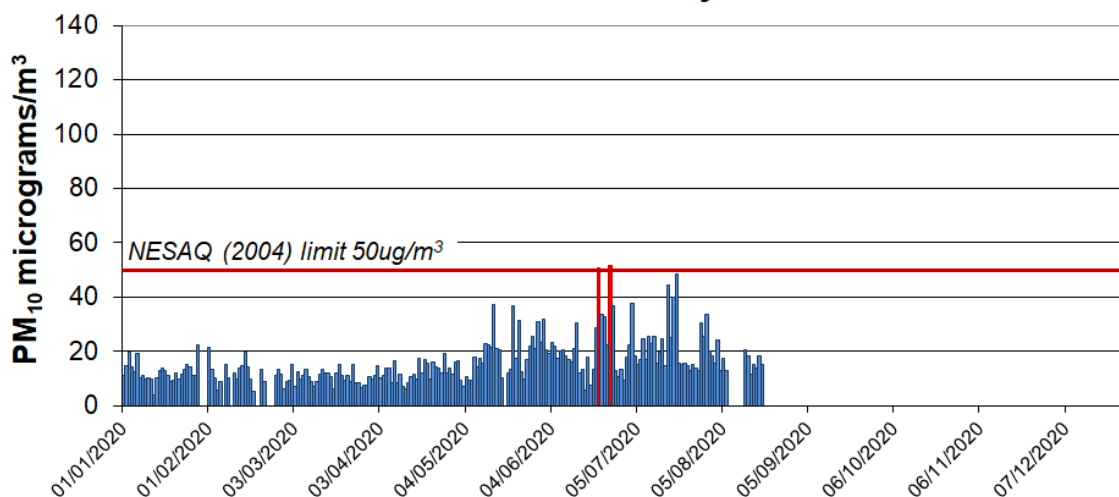


Figure 1. Reefton 24 hour average PM₁₀ for 2020. Between 7 August and 11 August 2020, we experienced technical issues which meant no data was recorded during this time. This issue has now been resolved.

RECOMMENDATION

That the report is received.

Hadley Mills
Planning, Science and Innovation Manager

5.2.1**THE WEST COAST REGIONAL COUNCIL**

Prepared for: Resource Management Committee
 Prepared by: Leah Templeman – Consents and Compliance Business Support Officer
 Date: 28 August 2020
Subject: CONSENTS MONTHLY REPORT

2 Consents Sites Visit were undertaken 1 August 2020 to 28 August 2020

05/08/20	RC-2017-0003-V1 Elect Mining Ltd, Increase an area for alluvial gold mining, Stafford	Visited site with Compliance Officer and the applicant to undertake an assessment of the application.
06/08/20	RC-2020-0075 Glen Lewis Terraces, Dairy effluent, Inangahua River	To visit the application site to determine new sampling points for dairy discharge to water.

10 Non-Notified Resource Consents were Granted 01 August 2020 to 28 August 2020

CONSENT NO. & HOLDER	PURPOSE OF CONSENT
RC-2019-0078 Michael Gerard Sullivan Makawhio (Jacobs) River	To disturb the Coastal Marine Area (CMA) for the purpose of removing gravel.
RC-2020-0036 Fahey Contracting Limited Nelson Creek	To disturb the dry bed of the Nelson Creek below State Highway 7 for the purpose of gravel extraction. To disturb the dry bed of the Nelson Creek above State Highway 7 for the purpose of gravel extraction.
RC-2020-0043 Mossburn Enterprises Limited Saltwater Creek, Gladstone	To take and use surface water from an unnamed tributary of Saltwater Creek for the purposes of holding eels in an eel holding facility. To discharge contaminants or water into water associated with an eel holding facility at Saltwater Creek, Gladstone.
RC-2020-0060 Arawhata Cattle Company Ltd Waipara	To disturb the dry bed of the Waipara River to extract gravel for river protection purposes. To disturb the dry bed of the Waipara River to undertake river protection works.
RC-2020-0062 Premier Group NZ Ltd Waitaha River	To disturb the dry bed of the Waitaha River for the purpose of selected stone removal.
RC-2020-0065 Department of Conservation Punakaiki River	To disturb the bed and banks of the Punakaiki River to undertake river protection works.

RC-2020-0066
M J K Mining Limited
Goldsborough

To undertake alluvial gold mining in the Westland District, near Duffers Creek Road within MP 41713.

To undertake earthworks associated with alluvial gold mining, near Duffers Creek Road within MP 41713.

To take surface water and groundwater via seepage associated with alluvial gold mining, near Duffers Creek Road within MP 41713.

To discharge contaminants to land within MP 41713 where it may enter water associated with alluvial gold mining, Duffers Creek.

RC-2020-0082
Martin Hill
Hector

To alter the foreshore/seabed to construct a sea wall, Hector.

To occupy space in the Coastal Marine area (CMA) with a sea wall, Hector.

To construct a structure (sea wall) in the CMA, Hector.

To deposit material (engineered concrete blocks and natural fill) in the CMA, Hector.

RC-2020-0085
Westland Excavation Limited
Kokatahi River

To disturb the dry bed of the Kokatahi River for the purpose of gravel extraction.

RC-2020-0092
Kokiri Lime Company Ltd
Karangarua

To undertake mining (quarrying) activities including earthworks and vegetation clearance within the Westland District, Karangarua.

To undertake earthworks and vegetation clearance associated with quarrying activities, Karangarua.

To disturb the bed of Border Creek associated with the installation of a culvert and protection works.

To disturb the dry bed of the Karangarua River to undertake gravel extraction.

To discharge dust to air associated with quarrying activities, Karangarua.

To discharge contaminants to land where it may enter water associated with quarrying activities, Karangarua.

0 Changes to and No Reviews of Consent Conditions were granted in the period 1 August 2020 to 28 August 2020

0 Limited Notified and no Notified Resource Consents were granted in the period 1 August 2020 to 28 August 2020

RECOMMENDATION

That the August 2020 report of the Consents Group be received.

Heather McKay
Consents & Compliance Manager

5.2.2**THE WEST COAST REGIONAL COUNCIL**

Prepared for: Resource Management Committee – 8 September 2020
 Prepared by: Colin Helem – Compliance Team Leader
 Date: 27 August 2020
 Subject: **COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

Site Visits

A total of 142 site visits were undertaken during the reporting period, which consisted of:

Activity	Number of Visits
Resource consent monitoring	117
Mining compliance & bond release	19
Complaints	6
Dairy farm	0

This report covers the period of 31 July 2020 to 27 August 2020.

- A total of 14 complaints and incidents were recorded.

Non-Compliances

Note: These are the activities that have been assessed as non-compliant during the reporting period.

A total of 8 non-compliances occurred during the reporting period.

Activity	Description	Location	Action/Outcome	INC/Comp
Rubbish dumping	Complaint received that someone has dumped rubbish off the edge of the Coast Road.	Rapahoe	The site was investigated. There was no evidence amongst the rubbish that could identify the offender. A contractor was engaged to remove the rubbish.	Complaint
Gravel Extraction	Compliance staff found that gravel had been extracted from a riverbed without a resource consent. The site had also been left un-remediated.	Landing Creek	Enquires established the person responsible. An infringement notice has been issued and the person has been required to remediate the site.	Incident
Works in the bed of a river	Complaint received that a person had done some protection work in the bed of a river and within the Coastal Marine Area.	Westport	The site was investigated and established that the work was minor and was not authorised by a resource consent. The person has been required to obtain a resource consent to authorise the work. No further action is required to be undertaken.	Complaint

Activity	Description	Location	Action/Outcome	INC/Comp
Black Sand Mining	Complaint received that a black sand miner was stockpiling sand and damaging vegetation.	Charleston	The site was investigated and established a minor breach of the consent conditions which does not allow for stockpiles to be left on the beach. The consent holder was reminded of their obligations. No further action was required to be undertaken.	Complaint
Rubbish dumping	Complaint received that a large number of used tyres has been dumped at the State Highway layby at Jacksons.	Jackson's	The site has been investigated and confirmed there are approx. 100 used tyres and part of a paling fence dumped over the edge of the layby. Some of the tyres have gone into the river. There is nothing on site to identify the offender. A contractor will have to be engaged to remove the tyres.	Complaint
Clean fill operation	Complaint received that a consented clean fill operation contains non clean fill material including glass.	Hokitika	The site has been inspected and established that the operation was outside of their consented area and non-compliant with consent conditions. Enquiries are ongoing.	Complaint
Rubbish dumping	Complaint received that building demolition material is being dumped at the Hokitika airport.	Hokitika	The site was investigated and established that a contractor has been demolishing a building in Hokitika and trucking the material to an old gravel extraction pit at the airport. Some of the materials being dumped were not classed as clean fill. The operator has been required to cease dumping non clean fill material. Enquiries are ongoing.	Complaint
Forestry	Compliance staff carried out an inspection at a forestry operation and established a minor non-compliance with the National Environmental Standards for Forestry Plantation. Some slash had been deposited into a creek.	Humphreys Gully	Enquires are ongoing as the site will be revisited with the forester.	Incident

Other Complaints/Incidents

Note: These are the other complaints/incidents assessed during the reporting period whereby the activity was not found to be non-compliant or compliance is not yet established at the time of reporting.

Activity	Description	Location	Action/Outcome	INC/Comp
Water Take	Two community groups take water for residential properties from the same creek. The complainant alleges that one of the groups is exceeding their consented take.	Granity	At the time of the inspection the water take rate was compliant with consent conditions as a restrictor had been placed on the intake pipe.	Complaint
Rubbish dumping	Complaint received that wire fencing has been dumped onto a riverbed.	Inangahua	Enquiries are ongoing	Complaint
Gravel Extraction	Complaint received that a gravel extraction operation may affect a whitebaiters stand location.	Hokitika	The site was inspected and established that the contractor was working to their consent conditions.	Complaint
Discharge to water	Complaint that a dairy farm may be polluting a creek.	Cronadun	The site was investigated and there was no evidence of discharges to the creek.	Complaint
Discharge to water	Complaint that a miner was pumping out a settling pond directly into a creek.	Stafford	The site was investigated and established that the miner was decanting treated water from the settling pond which was not a breach of their consent conditions.	Complaint
Gravel Extraction	Complaint received that recent gravel extraction has changed the course of the river.	Punakaiki	Enquiries are ongoing.	Complaint

Update on Previously Reported Ongoing Complaints/Incidents

Activity	Description	Location	Action/Outcome	INC/Comp
Works in the bed of a river	Complaint received that at the location of two whitebait stands on the Arawhata River there has been work done on the riverbank to extend the bank.	Arawhata River South Westland	The site has been investigated and established that one whitebait stand location has had the bank extended. A second site visit has now been undertaken with the stand holder present. The consent conditions for whitebait stands was explained to the person. They have since removed the extension. No further action is required to be undertaken.	Complaint

Activity	Description	Location	Action/Outcome	INC/Comp
Earthworks within a schedule 2 wetland	Complaint received that a person was undertaking earthworks within a schedule 2 wetland.	Haast	The site has been investigated and established that significant earthworks had been undertaken within the schedule 2 wetland in breach of the regional rules and the RMA 1991. An abatement notice has now been issued to cease any further unauthorised earthworks. Enquiries are ongoing.	Complaint

Formal Enforcement Action

Infringement Notice: There was one infringement notice issued during the reporting period.

Activity	Location
Gravel Extraction: Unauthorised disturbance of the riverbed.	Landing Creek

Abatement Notice: There was one abatement notice issued during the reporting period.

Activity	Location
Earthworks within schedule 2 wetland: Cease any further unauthorised earthworks.	Haast

Mining Work Programmes and Bonds

The Council received the following five work programmes during the reporting period. All of the programmes have been approved.

Date	Mining Authorisation	Holder	Location	Approved
03 Aug 2020	RC-2016-0073	Agri Partners Limited	Stafford	Yes
04 Aug 2020	RC-2015-0031	Waipuna Lime Limited	Waipuna	Yes
07 Aug 2020	RC06163	Steve Grant Excavating Limited	Blue Spur	Yes
10 Aug 2020	RC-2017-0051	Bathurst Coal Limited	Denniston	Yes
17 Aug 2020	RC-2016-0109	BBC Excavation Limited	Waimangaroa	Yes

Three bonds have been received during the reporting period

Date	Mining Authorisation	Holder	Location	Amount
3 Aug 2020	RC00300	MBD Contracting Limited	Paringa	\$12,000
21 Aug 2020	RC-2018-0092	Elect Mining Limited	Chesterfield	\$12,000
24 Aug 2020	RC-2018-0090	Clegg & Palmer	Marsden Road	\$12,000

One bond is recommended for release

Mining Authorisation	Holder	Location	Amount	Reason For Release
RC07077	Keown & Cain	Aorangi Reserve	\$6,000	Mining has concluded, rehabilitation completed.

RECOMMENDATIONS

- 1. That the September 2020 report of the Compliance Group be received.*
- 2. That the bond of \$6,000 for RC07077 Keown & Cain be released.*

Heather McKay
Consents and Compliance Manager

5.2.3

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting – 08 September 2020
 Prepared by: Heather McKay – Consents & Compliance Manager
 Hadley Mills – Planning, Science & Innovation Manager
 Date: 28 September 2020
 Subject: **Freshwater Legislation – NPS, NES, Stock Exclusion, Water Take Reporting**

Background

In September/October 2019 the Government undertook consultation on a policy package relating to freshwater. WCRC staff engaged strongly in the consultation process, including hosting senior officials for two days on the West Coast outlining West Coast issues. The Council made an extensive submission on the package, and staff have continued to engage with central Government officials wherever possible as the policies have gone through the consideration and drafting stages.

On 03 August 2020 the final policies and regulations forming part of the package were released and these come into force from 03 September 2020. The West Coast Regional Council must now implement the new requirements.

National Policy Statement – Freshwater Management

The updated National Policy Statement for Freshwater Management 2020 (NPS-FM 2020) gives regional councils a revised direction on how they should manage freshwater under the Resource Management Act 1991 (RMA). Council must give effect to the NPSFM 2020 in our regional planning documents including the RPS and the Land and Water Plan. The key changes to the NPSFM are as follows:

- Must give effect to the principle of Te Mana o te Wai (the integrated and holistic well-being of the water)
- Two new compulsory values - threatened species and mahinga kai (food gathering),
- Six new water quality attributes to monitor - fish, sediment, macroinvertebrates (MCI and QMCI), dissolved oxygen, ecosystem metabolism and submerged plants in lakes,
- tougher national bottom lines for some water quality measures,
- Avoid any further loss or degradation of wetlands and streams, map existing wetlands and encourage their restoration,
- Identify fish abundance, diversity and passage targets,
- Set an aquatic life objective in plans; and
- Monitor and report annually on freshwater (including the data used); publish a synthesis report every five years containing a single ecosystem health score and respond to any deterioration.

Another key change is when councils must give effect to the NPSFM through our regional plans. Previously we were required to implement the NPSFM by 2030, but that date has now changed. Councils must now notify new or amended regional plans that implement the new NPS-FM by 31 December 2024. These will be progressed using the new freshwater planning process.

The changes will require staff to revisit our progress with the Freshwater Management Unit (FMU) Groups, as they will need to provide some additional recommendations on some of the new requirements.

National Environmental Standard – Freshwater Management & Stock Exclusion Regulations

The National Environmental Standard Freshwater Management (NES-FM) and the Stock Exclusion Regulations are rules that apply nationally, and must be enforced by regional councils. Many of these new rules will supersede those in current regional plans, or introduce new rules for the region.

It is noted that some parts of the NES-FM and Stock Exclusion Regulations will be able to be readily complied with, some will provide useful certainty (i.e. fencing setback distances) and others will mean additional restrictions on land use or necessity for resource consent. As well as processing additional consent applications under the new legislation, Council will need to set a compliance regime for the new regulations, and will likely receive increased complaints in relation to the new rules.

There is a significant amount of information that is required to be provided, both as part of permitted activity rules and resource consents, and systems will be needed to handle this large volume of information. Data will need to be readily accessed and reported on, as it is highly likely data will need to be reported to central Government. In addition, compliance will need to be able to be assessed in relation to required data, and it is anticipated that there will be a number of LGOIMA requests in relation to the data provided.

It is anticipated that guidance and interpretation material will be developed centrally in relation to the provisions, and it is hoped that this will assist with some of the interpretation issues with some aspects of the package.

Measurement and Reporting Water Takes

The Resource Management (Measuring and Reporting of Water Takes) Regulations 2010 have been amended to introduce a staged timeline requiring holders of consents (consumptive takes) that take more than 5L/s to:

- measure their water use every 15 minutes,
- store their records, and
- electronically submit their records to council every day.

As with the NES-FM and Stock Exclusion Regulations, this change will require a significant amount of data capture and reporting by council. There is a likelihood that Central Government data requests and LGOIMA requests will increase too, further compounding the pressure on council.

Implications

A detailed summary of the policies/regulations is attached to this report and includes commentary on the effects for the region. Council staff are working through potential resource requirements, both in terms of staff numbers and systems. It is clear that significant resources will be required to fully implement the policies and regulations, and further detail of this will be presented to Council as part of the Long Term Plan process.

RECOMMENDATIONS

1. *That Council receives this report.*

Heather McKay & Hadley Mills

Consents and Compliance Manager/ Planning, Science and Innovation Manager

Summary of Freshwater Policy and Regulations

	2020-21	2021-22	2022-23	2023	2024	2025 (and beyond)	Regional commentary	
NPS-FM regional council freshwater planning						<p>The National Policy Statement for Freshwater Management (NPS-FM) requires regional councils to engage with communities and tangata whenua to determine local understandings of Te Mana o Te Wai as applied to fresh waterbodies in the region. This will form the basis for a long-term vision in their regional policy statements that gives expression to Te Mana o Te Wai. Councils will review their plans and ensure they give effect to the new NPS-FM, including new requirements for the National Objectives Framework and in relation to wetlands, fish passage and stream reclamation. By 31 December 2024, councils notify new or amended regional plans that implement the new NPS-FM. These will be progressed using the new freshwater planning process. Natural inland wetlands > 0.05 ha, and any others that are naturally smaller or are known to contain threatened species, must be mapped within 10 years of the NPS-FM coming into force.</p>	<p>By 2026 (or 2027 if extension granted) regional plans are in place, including the rules needed to work towards long-term objectives for ecosystem health and other community</p>	<p>Grey Freshwater Management Unit (FMU) Group will need to reconvene on parts of the new NPSFM. The Kawatiri, Hokitika and South Westland FMU groups programs will increase.</p> <p>The new water quality monitoring requirements including fish, sediment, macroinvertebrates (MCI and QMCI), dissolved oxygen, ecosystem metabolism and submerged plants in lakes, will significantly increase resourcing and capacity requirements of the Science Team.</p> <p>Mapping all wetlands on the West Coast will be problematic due to the sheer volume, particularly considering just significant and potentially significant wetlands took almost a decade to map. This will also require a significant amount of resourcing.</p> <p>A plan change to the West Coast Regional Land and Water Plan to give effect to the NPSFM was previously planned to be completed by 2030 but that timeframe is now 2026. This will significantly increase resourcing and capacity requirements of the Planning Team.</p> <p>The wetland protection provisions in the NPSFM are likely to receive</p>

	2020-21	2021-22	2022-23	2023	2024	2025 (and beyond)	Regional commentary
							significant opposition from private land owners and other parts of the community, similar to that experienced through the Regional Land and Water Plan Change 1 process.
Wetlands							
Wetland regulations – NES overview						<ul style="list-style-type: none"> - Regulations apply from 03 September 2020 - Regulations apply to 'natural wetlands' – excludes artificial and geothermal wetlands and wet pasture (with some caveats) - Does not apply to customary harvest in accordance with tikanga Māori. 	A significant number of sites on the West Coast are likely to be affected by these rules (over and above those wetlands currently scheduled in the Land and Water Plan).
Wetland regulations – NES rules						<ul style="list-style-type: none"> - Permitted activity rules relate to minor activities (restoration, scientific research, maintenance of wetland utility structures) subject to conditions that that the effects are no more than minor. - Resource consents are required for most earthworks, vegetation clearance, drainage or taking, damming or diverting water within or around (10 and 100m setbacks apply for different provisions) wetlands, and consents granted will need conditions to minimise and offset damage. - The current sustainable sphagnum harvesting is permitted subject to conditions that the effects are no more than minor. - Resource consent is required for new sphagnum moss harvesting. 	<p>There will potentially be an increase in resource consent applications for activities within and around wetlands.</p> <p>Permitted activities require notification of a number things to Council.</p>
Wetland regulations – stock exclusion regulations						<p>From 03 September 2020, all cattle, deer and pigs in a new pastoral system, must be excluded from wetlands.</p>	<p>Provisions broadly link to wetlands identified in regional and district plans or that are larger than 0.05 ha on low slope land (low slope land has been identified through maps linked to the regulations).</p> <p>This overrides existing permitted activity rules relating to stock grazing of currently scheduled wetlands and will apply to additional wetlands which are not scheduled currently in the Land and Water Plan.</p> <p>There is no ability to apply for resource consent to breach the regulations.</p>
						<p>By 1 July 2023, all cattle, deer and pigs must be excluded from wetlands identified in a regional or district plan when the regulations are gazetted.</p>	
						<p>By 1 July 2025, all cattle, deer and pigs must be excluded from wetlands identified in a regional plan that gives effect to the new NPS-FM.</p>	

2020-21		2021-22	2022-23	2024	2025 (and beyond)	Regional commentary
Farming Activities						
Farming activity regulations – NES overview	<ul style="list-style-type: none"> - Regulations apply to pastoral or arable farms 20ha or over, or to horticultural farms 5ha or over (unless specific provisions relate to smaller areas such as intensification rules) - Provisions largely apply from the date the regulations come into force (03 September 2020) although several have later application dates - Some of the provisions are interim, and will be revoked with the notification of regional plans that give effect to the new NPS-FM 					These regulations will apply to a far greater number of farms (including small farms/large lifestyle properties) than current Land and Water Plan rules capture. Many regulations will override current Land and Water Plan rules or introduce new rules.
Stock-holding areas (eg, feed pads, winter pads, standoff pads, loafing pads)	<p>From 03 September 2020 resource consents are required for all feedlots.</p> <p>From 01 July 2021, resource consents are required for stock-holding areas that do not comply with permitted activity standards related to contaminant losses. Permitted activity standards include sealed surfaces, effluent collection and dispersal and 50m setbacks from waterbodies, bores, drains and the coastal marine area.</p>					It is anticipated that there will be a large number of stock holding facilities (largely standoff pads and areas) existing that will not comply with the new regulations. Farmers will need to either cease using these facilities or obtain resource consent by 01 July 2021. This will put significant pressure on consenting resources in the current financial year.
Interim restrictions on major agricultural intensification	<ul style="list-style-type: none"> - From when the NES freshwater comes into force, resource consent are required for: <ul style="list-style-type: none"> - land-use change of more than 10 hectares (total from 02 September 2020) from any form of farming to dairy farming - land-use change of more than 10 hectares (total from 02 September 2020) from woody vegetation or forestry to any form of pastoral farming - increases in irrigated pasture for dairy farming above 10 hectares (total from 02 September 2020) - increases in area in winter forage cropping above the annual highest amount in 2014/15– 2018/19 - increases in dairy support activities above the highest annual amount in 2014/15– 2018/19. 	<p>National restrictions removed on 31 December 2024 at the latest.</p> <p>Regional councils must have notified regional plans that give effect to the new NPS-FM by this date.</p>	<p>National restrictions on major agricultural intensification end.</p>	<p>Increases to winter forage cropping and dairy support land are capped to 2014-2019 levels rather than having a 10ha permitted increase. This may result in consent requirements in a small number of cases.</p>	<p>There are currently no known feedlots within the region and this regulation is expected to have negligible impact on the Coast.</p> <p>It is anticipated that there will be a small number of resource consent applications under these rules.</p>	
	Intensive Winter Grazing	<p>From 1 May 2021, resource consents are required for intensive winter grazing that does not meet the permitted activity standards. Permitted activity standards include:</p>				It is anticipated that some farmers will attempt to comply with the permitted activity rules, however

	2020-21	2021-22	2022-23	2023	2024	2025 (and beyond)	Regional commentary
Synthetic nitrogen fertiliser		<ul style="list-style-type: none"> - By 1 July 2021 consent is required for synthetic nitrogen fertiliser use of more than 190 kg N/ha/year (on all farms, not just dairy farms). Consents are non-complying with stringent condition requirements. There is provision for temporary consents until 2023 to provide for reductions over two years to meet the 190 kg N/ha/year target. 	<ul style="list-style-type: none"> - From 31 July 2022 dairy farmers must report synthetic fertiliser use for the previous year to regional councils. 	<ul style="list-style-type: none"> - Government will review the synthetic fertiliser nitrogen cap. 	<ul style="list-style-type: none"> - Requirements will depend on the outcome of the 2023 review. 	<ul style="list-style-type: none"> - In future, synthetic nitrogen fertiliser use may be part of freshwater modules 	<p>there may be a number of consent applications where these will be breached.</p> <p>The permitted activity rules are somewhat difficult to assess compliance with, and may be difficult to comply with, particularly in relation to re-sowing dates (if a wet season), setbacks from drains and percentage of paddock plugged.</p> <p>The 190 kg nitrogen cap is likely to require substantial on farm changes for many dairy farmers to meet.</p> <p>There may be a number of temporary consent applications to cover the next several years while nitrogen use is reduced.</p> <p>It is anticipated there may be a small number of consent applications for ongoing breaches of the rules, however it is noted that the non-complying consent status and stringent conditions required will make obtaining such consents difficult.</p> <p>Dairy farmers are required to report nitrogen use, and land area used for cropping, to the Council annually from July 2022 (for the previous season).</p>
Farming activity regulations – stock exclusion overview	<ul style="list-style-type: none"> - Regulations apply to all cattle, pigs and deer with varying requirements depending on slope and intensity. - Regulations apply to lakes and rivers with a bed width over 1m anywhere in the land parcel - Stock must not be allowed closer than 3m from the edge of the river or lake (3 metre setback) (low slope land and some more intensive use on any terrain). 						<p>These regulations provide certainty of fencing and setback requirements.</p>

	2020-21	2021-22	2022-23	2023	2024	2025 (and beyond)	Regional commentary
	<ul style="list-style-type: none"> - Existing permanent fences (as at 03 September 2020) do not need to be moved - Stock must cross lakes or rivers by a dedicated bridge or culvert, except deer (low slope land and some more intensive use on any terrain). - Stock (except deer) may only cross any lake or river twice in any month, and they must be actively driven across - There is an exemption clause for rivers where it is too difficult to install a bridge or culvert and stock are actively driven across. - There are varying timeframes requirements for achieving compliance. 			<p>By 1 July 2023:</p> <ul style="list-style-type: none"> - All dairy cattle (except dairy support cattle) and pigs must be excluded regardless of land slope, and - All cattle and deer must be excluded from lakes and rivers, on land used for fodder-cropping, break-feeding, or grazing, and on irrigated pasture regardless of land slope. 	<p>By 1 July 2025, all beef cattle and deer must be excluded when the land is less than or equal to 10 degrees. By 1 July 2025, all dairy support cattle must be excluded regardless of land slope.</p>	<p>A significant amount of fencing will be needed, particularly on non-dairy farms.</p> <p>These regulations do not have a minimum land holding they apply to, so all lifestyle blocks with rivers over 1m wide will be affected.</p> <p>There is no exemption clause for large scale river run type properties and these will be affected where they are on low slope land. (Low slope land has been identified through maps linked to the regulations).</p> <p>There is no ability to apply for resource consent for breaches of the regulations.</p>	<p>FWFPs are likely to be required in the future on the West Coast but are not an immediate requirement.</p>
Other River Protection/Maintenance							
River protections and maintenance – NES overview	<ul style="list-style-type: none"> - Regulations apply from 03 September 2020 - Applies to reclamation of any river bed, and to structures (culvert, weir, flap gate, dam, ford) in, over or under the bed of any river - Does not apply to existing structures at 02 September 2020 or to a weir that is used for the purpose of practicing tikanga Māori. 						<p>There may be some consents required under these rules.</p>
River protection and maintenance – regulations	<ul style="list-style-type: none"> - Permitted activity rules are in place for culverts and weirs with a number of required conditions. - Resource consents are required for some structures in rivers that do not comply with permitted activity standards for fish passage and there are some required conditions that must be included should consent be granted. - Resource consents are required for reclaiming rivers, and applications must demonstrate there is no other option. - For both permitted activities, and consented activities there is a substantial amount of information that must be reported to Council. 						<p>Some regulations will supersede current Land and Water Plan rules.</p> <p>Information relating to structures is required to be provided to Council within 20 working days after the activity has finished, for both permitted and consented activities.</p>

2020-21	2021-22	2022-23	2023	2024	2025 (and beyond)	Regional commentary
Measure and report consented water take over 5 litres per second		Water permit holders must provide councils with electronic records of water takes more than 20 litres per second.	Water Take Reporting	Water permit holders must provide councils with electronic records of water takes between 10 and 20 litres per second.	By 2026, water permit holders must provide councils with electronic records of water takes between 5–10 litres per second.	<p>Consumptive water takes over 5 litres per second will need to be metered in real time with data telemetered to council daily. Staff will need to implement an electronic system for receiving and displaying data that comes to council.</p> <p>Water quantity is generally not an issue on the West Coast due to our wet climate. This means the change to the regulation will have little (if any) environmental benefit for the West Coast.</p> <p>This will come at significant cost to all water take consent holders and council.</p>

COUNCIL MEETING

THE WEST COAST REGIONAL COUNCIL

Notice is hereby given that an **ORDINARY MEETING** of the West Coast Regional Council will be held in the Offices of the West Coast Regional Council, 388 Main South Road, Greymouth on **Tuesday, 8 September 2020** commencing on completion of the Resource Management Committee Meeting

A.J. BIRCHFIELD
CHAIRPERSON

R. MALLINSON
ACTING CHIEF EXECUTIVE OFFICER

<u>AGENDA</u> <u>NUMBERS</u>	<u>PAGE</u> <u>NUMBER</u>	<u>BUSINESS</u>
1.		APOLOGIES
2.		PUBLIC FORUM
3.		MINUTES
	28	3.1 Minutes of Council Meeting 11 August 2020
4.		REPORTS
	33	4.1 Engineering Operations Report
	36	4.2 Corporate Services Manager's Monthly Report
5.	39	CHAIRMAN'S REPORT
6.		CHIEF EXECUTIVE'S REPORT
7.		GENERAL BUSINESS
	40	7.1 West Coast LiDAR Project Update

3.1THE WEST COAST REGIONAL COUNCIL

**MINUTES OF THE MEETING OF THE COUNCIL HELD ON 11 AUGUST 2020,
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH,
COMMENCING AT 11.14 A.M.**

PRESENT:

A. Birchfield (Chairman), S. Challenger, P. Ewen, D. Magner, B. Cummings, J. Hill, L. Coll McLaughlin

IN ATTENDANCE:

R. Mallinson (Acting Chief Executive), H. McKay (Consents & Compliance Manager), H. Mills (Planning, Science & Innovation Manager), N. Costley (Strategy & Communications Manager), T. Jellyman (Minutes Clerk), M. Schumacher (IT Support), The Media

1. APOLOGY:

There were no apologies.

2. PUBLIC FORUM

There was no public forum.

LATE ITEM**PROPOSED DELEGATION OF INDEPENDENT COMMISSIONER FOR RC -2020-0042**

H. McKay spoke to this matter and requested that Council considers delegating an independent commissioner to consider a resource consent application in which Council is the applicant. She stated that the resource consent is for works relating to the raising and construction of stopbanks in the Waiho River.

H. McKay advised that the urgency is because a decision may be required before the next Council meeting.

MOVED (Birchfield / Challenger) *That the late item be accepted.*

Carried

3.1 CONFIRMATION OF MINUTES

The Chairman asked the meeting if there were any changes to the minutes of the previous meeting.

Cr Coll McLaughlin requested that a correction is made to item 4.1.2, she had stated that co-funding requirements are not required for flood warning telemetry work.

Moved (Ewen / Challenger) *that the minutes of the Council meeting dated 9 June 2020, be confirmed as correct, with the correction above made.*

Carried

Matters arising

Cr Ewen expressed concern with the lack of confirmation on when the funding from the Crown Infrastructure Projects is likely to be allocated and received. Cr Ewen stated that he is very concerned that expectations have been built up for flood protection schemes that communities are counting on. Cr Ewen stated that this has been seen as a once in a lifetime opportunity to get some projects completed. The Chairman stated that he is also yet to hear of any funding confirmation.

Cr Ewen is concerned that if National come into power, they are going to pull the plug on this funding. Cr Coll McLaughlin asked if other regions are also waiting on final announcements. R. Mallinson stated he does not have any further information. He agreed to follow up on this matter.

N. Costley advised that Council is supposed to be finding out this week, she stated that R. Beal has been liaising with Provincial Development Unit staff who are based on the West Coast.

3.1.1 CONFIRMATION OF MINUTES OF A SPECIAL COUNCIL MEETING HELD 20 JULY 2020

The Chairman asked the meeting if there were any changes to the minutes. There were no changes requested.

Cr Challenger drew attention to the second page of the minutes relating to the Hokitika Racecourse. He advised that it is his understanding that the intention is to maybe make this a public area.

Moved (Magner / Challenger) that *the minutes of the Special Meeting dated 20 July 2020, be confirmed as correct, with the correction requested by Cr Challenger made.*

Carried

Matters arising

There were no matters arising.

REPORTS:

4.1 OPERATIONS REPORT

R. Mallinson spoke to this report in R. Beal's absence, the report was taken as read.

Cr Ewen drew attention to the quarry tally which is incorrect. R. Mallinson stated it is likely this error is related to rock volumes in the Whataroa Quarry, which was sold as at 30 June.

Moved (Magner / Ewen) *That the report is received.*

Carried

4.2. CORPORATE SERVICES MANAGERS MONTHLY REPORT

R. Mallinson spoke to his report and stated he was unable to finalise the interim end of year financials due to technical issues. R. Mallinson advised that he will circulate the information as soon as it is available.

R. Mallinson advised that the surplus for nine months to 31 March is \$1.38M. He reported that the investment portfolio increased to \$954,000. R. Mallinson advised that the closing balance of the investment portfolio was \$10.191M, with total income amounting to just under \$445,000 which is a good return under the circumstances.

Moved (Cummings / Magner) *That the report be received.*

Carried

4.2.1 TWELVE MONTH REVIEW – 1 JULY 2019 – JUNE 2020

R. Mallinson spoke to this report and stated that it is important for Councillors to understand whether or not performance targets are being met as this is as important as financial reporting. He offered to answer questions. Discussion took place on water quality performance targets in areas that are not achieving the performance target. J. Horrox advised that results are fairly consistent and there is nothing drastically new over the past few years. H. Mills advised that work that is being done with FMU groups will help to alleviate problems in certain areas. He advised that the new freshwater package will potentially go a long way to improve some areas but a wait and see approach is required. H. Mills stated that if specific work is requested then this could be put into the LTP.

Cr Challenger stated that sufficient stockpiles of rock are a performance target and with this in mind should there be an increase in demand for rock, is there going to be sufficient supply. The Chairman stated that once the funding comes through from government there will be a huge demand for rock.

Moved (Magner / Challenger) *That the report be received.*

Carried

4.2.2 SETTING OF RATES FOR 2020 / 21

R. Mallinson spoke to this report and drew attention to some minor corrections in his report. R. Mallinson answered questions from Cr Coll McLaughlin regarding differentials and rateable land.

R. Mallinson advised that penalties for late payments of rates have not been charged due to the impact of Covid 19. He stated that if the impact of Covid-19 continues, penalties may be waived again in the future and Council will use discretion if required.

Further discussion took place on rating differentials. R. Mallinson advised that these work well and are well understood in rural areas, but not so well understood in the urban situation.

Moved (Magner / Cummings)

That Council adopt the attached proposed rates strike and penalty setting resolutions numbered

1. *Setting of various rates as per 1 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), (v), (w), (x), (y), (z), (aa), (bb), (cc), (dd), (ee), (ff), (gg), (hh), (ii) pursuant to section 23 (1) and (2) of the Local Government (Rating) Act 2002.*
2. *Adopting due dates for payment of 20 October 2020 and 20 April 2021 as per 2 and pursuant to section 24 of the Local Government (Rating) Act 2002.*
3. *Setting Penalties as per 3 pursuant to section 57 of the Local Government (Rating) Act 2002.*

Carried

4.2.3 IT SECURITY BREACH

H. Mills spoke to this report. He introduced M. Schumacher (IT Team Leader) to the meeting. H. Mills detailed the incident and confirmed that there is no ongoing threat to Council as IT took decisive action on the day of the breach. H. Mills advised that a targeted campaign of education for phishing schemes is to be carried out. H. Mills offered to answer questions from Councillors.

Moved (Coll McLaughlin / Cummings) *That the report is received.*

Carried

4.3 BUILDING ACT FUNCTIONS IN RELATION TO DAMS

H. McKay spoke to this report and provided extensive background information for the benefit of the newer Councillors. She advised that a special consultative procedure may be required, along with a hearing, and a subcommittee would then be required.

H. McKay explained the size of dams in relation to the Building Act and stated that the final recommendation will come back to Council for approval in either October or November. Discussion took place and it was agreed that Crs Ewen, Challenger and Cummings offered to be on the subcommittee. H. McKay advised that the final recommendation will still come back to the full council for approval. H. McKay answered questions relating to what constitutes a dam from Councillors. Cr Challenger provided information on dams. H. McKay advised that staff are currently working on a definitive list of dams on the West Coast as the majority are for mining and hydroelectric purposes. Following discussion, it was agreed that H. McKay would amend the Statement of Proposal to include reference to where people can look at the Building Act should they require additional information relating to dams, as suggested by Cr Magner.

Moved (Coll McLaughlin / Cummings)

1. *That Council receives this report; and*

2. *That Council approves the Statement of Proposal and directs staff to enter into the Special Consultative Procedure as outlined in this report; and*
3. *That Council appoint three Councillors (Crs Ewen, Challenger and Cummings) to form a subcommittee to hear submissions at a hearing on 29 September 2020 (if a hearing is required); and*
4. *That Council endorses the letter to the Minister as attached to this report and directs it to be sent as per this report.*

Carried

5.0 CHAIRMANS REPORT

The Chairman advised that he attended the TTPPC meeting and attended a Zoom meeting with Audit NZ. He offered to answer questions from Councillors.

Moved (Challenger / Ewen) *That this report is received.*

Carried

6.0 ACTING CHIEF EXECUTIVE'S UPDATE

R. Mallinson advised that he attended the West Coast CEO's meeting, and the TTPC Committee meeting. R. Mallinson stated that the meeting he attending with Audit NZ, which was routine and is standard practice.

R. Mallinson attended a meeting at the Arahura Marae which was hosted by MSD. He stated that the proposed West Coast Alliance was discussed at this meeting. R. Mallinson stated that Council's leadership team is keen to see that the Alliance works well.

R. Mallinson answered questions on staffing requirements. He agreed to set up a meeting to progress the setting up of the Audit and Risk Committee before the new Chief Executive starts.

Moved (Ewen / Cummings) *that this report is received.*

Carried

LATE ITEM

PROPOSED DELEGATION OF INDEPENDENT COMMISSIONER FOR RC -2020-0042

H. McKay spoke to this report and stated that WCRC is the applicant and consenting authority. H. McKay advised that a hearing may not be required but it is appropriate for Council to appoint an Independent Commissioner due to the application being a limited notified consent application. She advised that she is recommending Dr Brent Cowie be appointed as Independent Commissioner due to his experience and the recommendation from several other regional councils who have used Dr Cowie in the past.

Cr Ewen asked if it would be possible for Councillors to be part of this process for experience, in view of all Councillors recently taking part in the Making Good Decision course. H. McKay responded that this is possible as Council can appoint a panel should they wish to. She advised that if this option is taken it could potentially increase costs if Dr Cowie is training a Councillor, as this may take more time. H. McKay advised that Councillors are able to sit in on future hearings. Cr Coll McLaughlin stated she would be very keen to sit in on any hearings. It was agreed that the Delegations Manual would be reviewed in the future as there could be further cases similar to this that could arise.

Moved (Challenger / Cummings)

1. *That the report is received.*
2. *That Council delegate under Section 34A(1) for the Resource Management Act 1001 to Dr Brent Cowie as hearings commissioner all the powers, functions and duties of a local authority and / or consent authority under the Resource Management Act to hear and decide the application RC-2020-0042 made by West Coast Regional Council, and authorise the Council Chairperson to sign the letter of delegation as attached.*

Carried

GENERAL BUSINESS

There was no general business.

The meeting closed at 12.02 p.m.

.....
Chairman

.....
Date

4.1

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 8 September 2020
Prepared by: Paulette Birchfield – Engineer, Brendon Russ - Engineer
Date: 29 July 2020
Subject: **ENGINEERING OPERATIONS REPORT**

Works Report – August 2020

Hokitika

Work has begun at the northern end of the Hokitika Sea Wall to add temporary rock protection along the shoreline erosion scarp. This temporary rock protection will span from the north end of the Sea Wall at Stafford Street to the first groyne at Hampden Street. Rock will be supplied from WCRC Camelback Quarry and work carried out by Henry Adams Contracting.



Henry Adams Contracting placing rock on 24/08/2020 (first day of works). Hampden Street groyne is visible in the distance.

Coal Creek

GH Foster Contracting has added 230T of rock to the spur on the true right of the Grey River at Omoto. This rock was added to extend the spur further out into the river to direct the flow away from the eroding bank, as well as bulk up the spur to be able to withstand more significant flood waters. There is an estimated 60T stockpile left onsite.

GH Foster Contracting has also made an alteration at the upstream end of the realigned diversion cut to allow increased water flow.



Extended spur directly upstream of the diversion cut at Omoto.

Quarry Rock Movements for the period July 2020
(excluding Royalty Arrangements)

Quarry		Opening Stockpile Balance	Rock Sold	Rock Produced	Closing Stockpile Balance
Camelback	Large	0	0	0	0
Blackball		670	0	0	670
Inchbonnie		5,000	0	0	5,000
Kiwi		0	0	0	0
Miedema		0	0	0	0
Okuru		450	0	0	450
Whitehorse		1,334	0	0	1,334
Totals		24,010			24,010

Rock Requested

Quarry	Contractor	Amount	Permit Start	Permit Finish

RECOMMENDATION

That the report is received

Randal Beal
Director of Operations

4.2

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 8 September 2020
 Prepared by: Robert Mallinson – Corporate Services Manager
 Date: 31 August 2020

1. Financial Report

Attached are the provisional unaudited Financial results for the 12 months to 30 June 2020
SUMMARY OF COUNCIL ACTIVITIES

FOR THE TWELVE MONTHS ENDED 30 JUNE 2020

	ACTUAL Year to Date	BUDGET	BUDGET Annual	% ACTUAL vs BUDGET
REVENUES				
General Rates and Penalties	3,486,621	3,480,000	3,480,000	100%
Investment Income	676,798	1,496,980	1,496,980	45%
Resource Management	1,288,782	1,835,938	1,835,938	73%
Hydrology	17,000	-	-	
Regional Land Transport	111,215	83,000	83,000	134%
Emergency Management	1,505,434	1,175,000	1,175,000	128%
River, Drainage, Coastal Protection	4,784,271	1,621,898	1,621,898	295%
Warm West Coast	9,824	14,879	14,879	66%
VCS Business Unit	7,435,710	4,026,000	4,026,000	185%
Commercial Property Revaluation	-	-	-	
	19,315,655	13,733,695	13,733,695	
EXPENDITURE				
Governance	634,965	593,976	593,976	107%
Resource Management	4,495,784	4,450,849	4,450,849	104%
Regional Land Transport	196,639	190,790	190,790	103%
Hydrology & Floodwarning Services	778,807	912,645	912,645	85%
Emergency Management	1,559,389	1,222,442	1,222,442	128%
River, Drainage, Coastal Protection	3,310,943	2,487,831	2,487,831	146%
VCS Business Unit	5,921,625	3,526,000	3,526,000	168%
Other	69,124	36,540	36,540	189%
Warm West Coast	4,101	8,270	8,270	
	16,971,377	13,429,343	13,429,343	
OPERATING SURPLUS/(DEFICIT)	2,344,278	304,352	304,352	

	Net Variance ACTUAL vs BUDGETED Year to Date	ACTUAL	BUDGET Year to Date	ANNUAL BUDGET
BREAKDOWN OF SURPLUS / (DEFICIT)				
Rating Districts	2,055,300	2,376,827	321,527	321,527
Quarries	143,991	96,399	47,592	47,592
Investment Income	- 820,182	676,798	1,496,980	1,496,980
VCS Business Unit	1,014,085	1,514,085	500,000	500,000
General Rates Funded Activities	- 319,798	2,256,430	1,936,632	1,936,632
Warm West Coast	- 886	5,723	6,609	6,609
Revaluation Investment Property	-	-	-	-
Other	- 32,584	69,124	36,540	36,540
TOTAL	2,039,926	2,344,278	304,352	304,352

Net Contributors to General Rates Funded Surplus /(Deficit)	Net Variance ACTUAL vs BUDGETED Year to Date	ACTUAL	BUDGET Year to Date	ANNUAL BUDGET
Rates	6,621	3,486,621	3,480,000	3,480,000
Representation	- 40,989	634,965	593,976	593,976
Resource Management	- 592,090	3,207,001	2,614,911	2,614,911
Transport Activity	22,366	85,424	107,790	107,790
River, Drainage, Coastal Protection	139,970	999,898	1,139,868	1,139,868
Hydrology & Floodwarning	150,838	761,807	912,645	912,645
Emergency Management	- 6,513	53,955	47,442	47,442
TOTAL	- 319,798	2,256,430	1,936,632	1,936,632

Operating surplus amounts to \$2.344 million.

Key matters relating to the 12 months interim end of year financials are;

- a. Investment income is below budget due to impact of March 2020 market downturns (even though mostly recovered during April – June 2020).

Also share of income from PCR LP for year to 31 March 2020 was less than budgeted.

- b. Revenue recoveries in the Resource Management area are substantially less than originally budgeted.
- c. Emergency Management revenue includes recoveries related to COVID-19 and subsidies relating to a large capital purchase (inflatable structures).
- d. Rating District revenue includes substantial insurance recoveries and NEMA subsidies relating to 26 March 2019 flood event.
- e. VCS Business Unit income (and expenditure) is substantially in excess of budget. VCS net surplus amounts to \$1,514,000; \$1,000,000 better than expected.
- f. Emergency Management expenditure includes COVID-19 related expenditure.
- g. River, Drainage & Coastal protection infrastructure expenditure includes other works relating to 26 March 2019 that are not on capital account.

2. Annual Audit.

Due to previously mentioned COVID-19 impacts on Council these end of year financials were only recently finalised.

Audit NZ will commence the annual audit work in a limited way on 14 September 2020.

Legislation has been passed by Government extending the statutory deadline for Councils to adopt their audited annual reports from 31 October 2020 to 31 December 2020.

I am confident that Councillors and staff will not be recalled from their Christmas breaks for a Special meeting on 31 December 2020!

3. JBWere Portfolio Performance One Month to 31 July 2020

31 July 2020		Major Portfolio	
Opening balance	1 July 2020	\$	10,191,604
Income	July 2020	\$	141,708
Deposit	\$ -	\$	-
Withdrawal	\$ -	\$	-
Closing balance	31 July 2020	\$	10,333,312

Total income year to date to	\$	141,708
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	Actual	Benchmark
Performance 1 July 2020 - 31 July 2020	1.43%	1.10%

Recommendation

That the report be received.

Robert Mallinson
Corporate Services Manager

5.0

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting- 8 September 2020
Prepared by: Allan Birchfield – Chairman
Date: 28 August 2020
Subject: **CHAIRMAN'S REPORT**

Meetings Attended:

- I attended the Mayors, Chairs and iwi forum on 12 August.
- I attended two meetings of the Te Tai o Poutini Plan Committee on 13 and 25 August.
- I attended the Joint Committee meeting for Civil Defence on 18 August.
- I met with Bryan Wilson, Senior Official from MBIE on 27 August.

I attended to various constituency matters, and took a number of phone calls during the reporting period.

RECOMMENDATION

That this report be received.

Allan Birchfield
Chairman

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting - September 2020
Prepared by: Les Gibbs, Innovation Manager
Date: 25/05/2020
Subject: WEST COAST LIDAR PROJECT UPDATE – AUGUST 2020

Background

A project to create a digital terrain dataset of the West Coast is now well underway. The project uses aerial light detection and ranging (LiDAR) to accurately capture the elevation across the landscape. This elevation data is a valuable resource that can generate substantial economic value in applications such as forestry and natural resource management, natural hazard management, infrastructure design, agriculture, land management, and urban planning.

The project is largely funded by the Provincial Growth Fund through LINZ with local funding coming from the district councils, NZTA, utility companies and private enterprise.

Current Situation

Due to initial restrictions during Covid-19 lockdown work on the data capture did not get underway until May. There was good weather conditions for capture in May/June but capture has slowed in July/August. Aerial capture of Lidar data has now been completed for around 5,750 square kilometres or 24% of the region. This has been concentrated on the areas where there is more economic activity or specific areas of interest.

Work has begun on the ground survey of the control points required to be able to ensure the aerial data is accurately mapped to points on the ground.

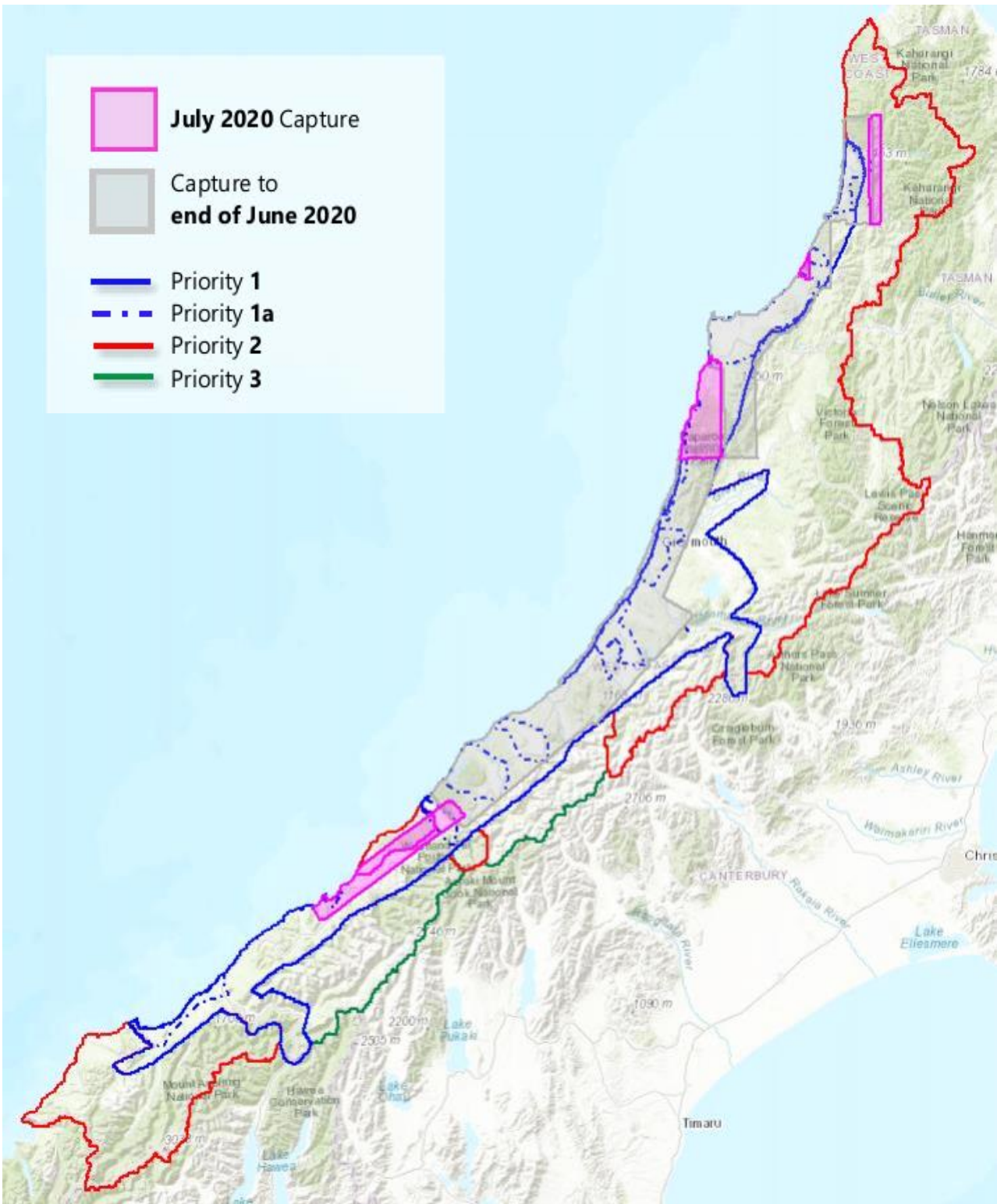
What Happens Next

The captured data needs to be processed and quality checking carried out.

The processed data will then be supplied to us in a number of formats that can be used for different purposes and made publicly available for download.

Promotion of Use

While LiDAR elevation data can generate significant potential economic value, this value will only be realised to the extent that the data is used. Maximising the use of the LiDAR elevation data once it is published will require that potential users are aware this data exists and understand how it can be applied to the issues that they face.



The map shows the extent of Lidar data captured up until the end of July.

Recommendation

That the report is received.

Hadley Mills

Planning, Science and Innovation Manager

CONFIDENTIAL COUNCIL MEETING

THE WEST COAST REGIONAL COUNCIL

To: Chairperson
West Coast Regional Council

I move that the public be excluded from the following parts of the proceedings of this meeting, namely, -

Agenda Item No. 8.

- 8.1 Confirmation of Confidential Minutes 11 August 2020
- 8.2
- 8.3 Response to Presentation (if any)
- 8.4 In Committee Items to be Released to Media

Item No.	General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 7 of LGOIMA for the passing of this resolution.
8.			
8.1	Confirmation of Confidential Minutes 14 July 2020		Clause 7 subclause 2 (a)
8.2			Commercial Sensitivity
8.3	Response to Presentation (if any)		Clause 7 subclause 2 (a)
8.4	In Committee Items to be Released to Media		Clause 7 subclause 2 (i)

I also move that:

- Robert Mallinson
- Randal Beal
- Hadley Mills
- Heather McKay
- Nichola Costley

be permitted to remain at this meeting after the public has been excluded, because of their knowledge on the subject. This knowledge, which will be of assistance in relation to the matter to be discussed.

The Minutes Clerk also be permitted to remain at the meeting.