

Committee Members
Chair: Brett Cummings
Cr Allan Birchfield
Cr Andy Campbell

Cr Frank Dooley
Cr Peter Ewen
Cr Peter Haddock
Cr Mark McIntyre

Iwi Representatives
Francois Tumahai (Ngāti Waewae)
Jackie Douglas (Makaawhio)



THE WEST COAST
REGIONAL COUNCIL

PUBLIC COPY

Meeting of the Resource Management Committee
(Te Huinga Tu)

Tuesday, 8 August 2023

10.30 am

West Coast Regional Council Chambers, 388 Main South Road, Greymouth
and

Live Streamed via Council's Facebook Page:

<https://www.facebook.com/WestCoastRegionalCouncil>

RESOURCE MANAGEMENT COMMITTEE

Resource Management Committee Meeting

(Te Huinga Tu)

A G E N D A

(Rarangī Take)

1. **Welcome** *(Haere mai)*
 2. **Apologies** *(Ngā Pa Pouri)*
 3. **Declarations of Interest**
 4. **Public Forum, Petitions and Deputations** *(He Huinga tuku korero)*
 5. **Chairs Report** (verbal update)
 6. **Confirmation of Minutes**
 - 6.1 Minutes of RMC meeting 11 July 2023**Matters Arising**
 7. **Planning and Resource Science Group**
 - 7.1 Planning and TTP RMC Report August 2023
 - 7.2 RMC Resource Science Report August 2023
 8. **Consents and Compliance Group**
 - 8.1 RMC Consents Report August 2023
 9. **General Business**
- Move to Public Excluded**
10. **Confirmation of Public-Excluded Minutes**
 - 10.1 Minutes of RMC meeting 11 July 2023

D. Lew
Chief Executive

Purpose of Local Government

The reports contained in this agenda address the requirements of the Local Government Act 2002 in relation to decision making. Unless otherwise stated, the recommended option promotes the social, economic, environmental and cultural well-being of communities in the present and for the future.

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THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE RESOURCE MANAGEMENT COMMITTEE MEETING HELD ON 11 JULY 2023 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH COMMENCING AT 10:37AM

PRESENT:

B. Cummings (Chair), A. Birchfield, A. Campbell, P. Ewen, M. McIntyre, P. Haddock, J Douglas.

IN ATTENDANCE:

D. Lew (CEO), C Mills (Acting Corporate Services Manager), F Thomson (Planning and Science Manager), R Clark (Acting Consents & Compliance Manager), S Morgan (Operations Manager), S Scott (Infrastructure Manager), K Hibbs (People and Capability Manager), Paul Finlay (Member of the public), B. McMahon (Media), K Sims (Business Support Officer).

1. WELCOME

Chair Cummings opened the meeting and read the prayer.

2. APOLOGIES

The Chair called for apologies. There was an apology from Francois Tumahai.

Moved: (Haddock/Douglas) *that the apology from F Tumahai be accepted.*

Carried

3. DECLARATIONS OF INTEREST

Cr McIntyre noted his connection to West Coast Mineral Sands.

4. PUBLIC FORUM, PETITIONS AND DEPUTATIONS

Paul Finlay presented a video clip on earthquake early warning systems, and outlined risks to West Coast residents from the Alpine Fault. He asked the Council to consider such a system for the West Coast. In response to a question from Cr Dooley, he advised he had not been in a position to cost such a system, and further work would be needed to assess the systems that are in use overseas. Cr Dooley asked him to outline his expertise in this field, and Mr Finlay advised the committee his mentor was Rod Cameron, leader of earthquake recovery for Christchurch, and he himself was the leader of earthquake recovery for the previous earthquake event in the Island of Bohol, Philippines. He said that leadership must now be about the earthquake that is coming, and how to mitigate and prepare for it.

Cr Cummings thanked Mr Finlay for his presentation.

5. CHAIR'S REPORT

Chair Cummings gave the meeting an overview on what he had attended over the last month. This included site visits to the Wanganui and Tatare, and Westport.

Moved (Campbell/McIntyre) *that the Chair's report for June 2023 be received.*

6. CONFIRMATION OF MINUTES

The Chair asked whether there were any corrections to the minutes from 13 June 2023.

Moved (McIntyre/Haddock) *that the minutes from the Resource Management Committee meeting of 13 June 2023 are a true and correct record.*

Carried

Matters Arising

Cr Ewen noted the section in the minutes where staff were to have brought back a report about the Taylorville/Coal Creek resource consent and whether iwi were an affected party. Ms Thomson confirmed that iwi were not notified of the resource consent, as they should have been. This forms part of the reason for the audit review of the consent process. In response to a further question from Cr Ewen, F Thomson and R Clark clarified that two abatement notices were issued; one for air/odour discharge and one for water discharge. The odour discharge matter is still being investigated by the consent holder and is not yet resolved. Ms Clark advised that if it continues to occur then enforcement action will be considered.

Cr Dooley suggested an amendment to the previous minutes to clarify that it was the water discharges that have been resolved, and not the air discharges. This was agreed.

Cr Ewen also asked whether any confirmation had been obtained as to whether the cleanfill dump at Omoto was within boundaries. R Clark advised that this had been done, and the site had been GPS'd and confirmed as being within its boundaries. She was unsure if the boundary had been marked with pegs. Cr Ewen felt that GPS may not always be accurate. He discussed the possibility of consent reviews and consents being reassessed where for example parties had not been identified correctly, and was clear in his view that the cleanfill dump should never have been allowed on a floodplain in a riverbed.

Cr Campbell raised a matter regarding a Harihari farmer being prevented by the District Council from undertaking gravel works to protect his property. He noted that the farmer was happy with the approach of the Regional Council. There was some discussion on the jurisdiction of the District Council in relation to such works.

Cr Haddock noted that he is still regularly fielding complaints about the Coal Creek resource park. R Clark advised that the odour issues occur during certain weather conditions, and by the time staff go out to investigate the weather may have changed and they are often unable to verify. She said that the consent holder is trying to resolve the matter, and while they have identified the cause (the breaking down of gib board waste) they have been unable as yet to come up with a solution. The consent holder is taking advice from experts. R Clark noted that there is the possibility of an enforcement process if they cannot resolve the matter.

7. PLANNING AND RESOURCE SCIENCE GROUP

7.1 RESOURCE SCIENCE REPORT

F Thomson spoke to the report and took it as read. She advised the committee that the Council had employed a new Hydrology Team Leader, Samwell Warren, who has already identified areas that can be strengthened and where delivery can be improved. D Lew noted Mr Warren's strengths in technical areas and in leadership. F Thomson advised the committee of the proposal to install rain gauges at

South Westland Area School and in the upper Wanganui catchment. The committee agreed that working with the school to install and maintain the gauge was a great initiative.

Moved (Haddock/McIntyre) *that the Committee accept the Resource Science Report for information purposes.*

Carried

7.2 PLANNING REPORT

Ms Thomson took the report as read. She updated the committee about a submission lodged on seabed mining, noting that Ngāti Waewae do not support seabed mining. She advised the committee of upcoming consultations that staff would be collating feedback on, including the review of the emissions trading scheme. Cr Dooley asked for further analysis of the sustainability factor for urban and rural areas, and how Council can use that factor to benefit its submissions on these matters. Ms Thomson agreed to discuss that further with Council.

There was some discussion on new farm regulations and freshwater farm plans, the Council's role in compliance, and the coordinator employed by MPI to support farmers and roll out freshwater farm plans in the region. Cr Dooley was concerned about additional costs to farmers of imposing these systems, and felt the funds should filter down to the farmers so they can do their farm plans. Ms Thomson concurred but noted that the funding for the programme was at a higher level than that. There was further discussion on these requirements and the work required in the catchments behind the scenes, as part of this process.

F Thomson noted the issues with the software for the submissions on the TTPP, and the resulting extension of time for further submissions. She thought that all the submissions tables had been updated. Cr Dooley said that the process had been frustrating for submitters, and the software issues had caused a lot of additional work and cost, which was unacceptable. There was some discussion on the hearing commissioners.

D Lew advised the committee that no new policy initiatives will come out of central government after 14 July. This was why the NPS on Indigenous Biodiversity came out in a rush on Friday. He said it remains to be seen what else is far enough advanced enough to be released. Cr Dooley reiterated that the Climate Change Adaptation Bill will be crucial for the region. Appendices 2 and 3 were not appended to the report, and he asked that they be circulated. F Thomson undertook to do this.

Cr Dooley asked for an update on the application to DWC for funding for the TTPP. D Lew responded that he had met with Heath Milne yesterday and had initial discussions on an application, in preparation for the application being made.

8. CONSENTS AND COMPLIANCE GROUP

Referencing the earlier conversation, R Clark advised the committee that her understanding was that the District Council's requirement for a consent for riverworks at Harihari came from the TTPP. There was discussion on the overlap between Regional and District Council consenting requirements.

8.1 Consents Report

Cr Dooley asked about the Christmas Creek consents in the report, whether this would resolve the issues of flooding on the Fairdown straight, between the pines and Smith's corner, and how the decision was arrived at that the application should be non-notified. Ms Clark advised that she had not assessed the full application as yet but would forward the application and information including the

notification assessment to Cr Dooley. She outlined the non-notification tests and the requirement to identify affected persons.

Moved (Birchfield/Ewen) *that the July 2023 Consents report is received.*

Carried

8.2 Compliance and Enforcement Report

R Clark took the report as read, saying it was another busy month. She noted a number of complaints in relation to Waimea Creek and the situations around monitoring compliance at the creek.

The committee discussed compliance requirements for on-site sewage discharges, and Ms Clark outlined the different regimes and roles of the District Council and the Regional Council.

Cr Dooley asked whether there are timeframes that should be met for the resolution of complaints. Ms Clark responded that some investigations take time as input is required from other parties, or further information is needed from the parties involved. D Lew advised that some Councils had KPIs around requirements for initial responses or site visits and initial acknowledgement of complaints, but not usually for resolution of complaints as this differed for each circumstance. He said that these and other KPIs could be reviewed at the time the upcoming Long Term Plan is developed.

D Lew advised the committee that he would be initiating an analysis/review of compliance effort/areas and trends in compliance, and how Council could incentivise compliance for example using reduced frequency of monitoring for compliant operations. Annual monitoring may no longer be required for some operations, and there may be other activities that have persistent non-compliances or that require further monitoring. The reporting to the committee may in future include reporting on and analysis of these trends rather than reporting on individual consent issues.

Moved (Campbell/Douglas) *that the Compliance Report for July 2023 be received.*

Carried

9. REGIONAL LAND TRANSPORT REPORT

F Thomson took the report as read, noting the additional subsidy from Waka Kotahi was to remain in place for Total Mobility.

Cr Haddock advised the committee of the Regional Land Transport Plan review process underway. In response to a question from Cr Dooley, Ms Thomson undertook to provide the timeline for the review of that Plan to Cr Dooley. Cr Ewen felt there would be an opportunity to get a bit of leverage from Waka Kotahi and increase the subsidy, on the basis that the region does not have public transport. Cr Haddock undertook to raise that in their meeting in Christchurch on Tuesday.

D Lew said that he was aware the decision to continue the 75% subsidy by Waka Kotahi had not been well publicised. He felt it would be good to put a press release out, to ensure consumers of the service such as the elderly were aware of the ongoing subsidy.

Moved (Ewen/Birchfield) *that the report is received for information purposes.*

Carried

10. BIOSECURITY MONTHLY REPORT

Ms Morgan spoke to her report. She advised that it was an overview of the activities undertaken in biosecurity and noted that the progress reports the committee would receive throughout the financial year would build on this plan. She highlighted some of the activities from the annual operational plan. Cr Dooley commended Ms Morgan on her report and said he appreciated the information provided.

Ms Morgan advised that recruitment was currently underway for a second biosecurity coordinator role in Council. In response to a question from Cr Cummings, she confirmed that feral cats are controlled in an ad hoc manor by landowner request within the Te Kinga project, and that the community was on board with that.

D Lew reminded the committee of the need to think separately about the VCS business unit for contracting, as this has a focus on business operations and returning a dividend to Council. He reiterated that Ms Morgan’s report is for a separate function, that of biodiversity and biosecurity management. Mr Lew signalled his intention to ensure that the reporting to the committee on this function, including its regulatory and compliance aspects, was kept separate and distinct from the business unit activity.

Cr Dooley commended S Morgan for introducing opportunities such as external funding opportunities, and he identified adequate resourcing as a potential risk. J Douglas noted the long-held concerns of the Rūnanga about the use of toxins in aquatic areas, saying that they instead favour manual extraction. Ms Morgan responded that the only programme for this at present was for removal of parrots feather, and that manual removal would be too costly in this case. She said manual removal could be looked at in future, and noted the example of LINZ in Canterbury who had a progressive programme of looking at this for aquatic pest plants. She said that her team was wanting to engage more with iwi on how projects are carried out. J Douglas was very supportive of this.

Cr Campbell felt that exotic pests should be looked at as a commercial resource, not as pests, which he said would be self-funding. D Lew advised that he and Ms Morgan were in the process of reviewing the business services that VCS might be able to offer, in terms of commercial and environmental opportunities for the Council.

Moved (Ewen/Birchfield) *that the Committee:*

- 1) *Receive the report; and*
- 2) *Endorse the biosecurity annual operational plan.*

Carried

11. GENERAL BUSINESS

There was no general business.

12. PUBLIC EXCLUDED ITEMS

Moved (Cummings) *that the public be excluded from the following parts of the proceedings of the meeting; namely, item 12.1.*

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
10.1	Confidential Minutes RMC Meeting – 13 June 2023	The item contains information relating to	To protect commercial and private information and to

		commercial, privacy and security matters	prevent disclosure of information for improper gain or advantage (s7(2)(a), s7(2)(b), and s7(2)(j)).
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and that:

- *Darryl Lew, Chantel Mills, Fiona Thomson, Rachel Clark, Shanti Morgan, Sam Scott, and Kim Hibbs be permitted to remain at this meeting after the public has been excluded, because of their knowledge on these subjects. This knowledge will be of assistance in relation to the matters to be discussed; and*
- *Business Support Officer K Sims also be permitted to remain at the meeting.*

Carried

The meeting continued in a public-excluded session at 12:09pm.

.....
Chair

.....
Date

Unconfirmed

Report to: Resource Management Committee	Meeting Date: 8 August 2023
Title of Item: Planning Report	
Report by: Lillie Sadler, Planning Team Leader and Rachel Vaughan, TTPP Project Manager	
Reviewed by: Fiona Thomson, Planning and Science Manager	
Public excluded? No	

Report Purpose

To update the Committee on Planning developments over the last month and seek their agreement on the updated staff advice in Appendix 1.

Draft Recommendations

It is recommended that Committee resolve to:

1. *Receive the report.*
2. *Agree with the updated staff advice in Appendix 1 about which national and other documents to submit on.*
3. *Approve commencement of the full review of the Regional Land and Water Plan under Schedule 1 of the Resource Management Act 1991.*

Issues and Discussion

Planning Department

Mana Whakahono a Rohe

Poutini Ngai Tahu's Lead Planner and the Planning and Science Manager are meeting monthly to progress the review of the Mana Whakahono a Rohe Arrangement. Through discussion it was identified that there was a lack of understanding of the partnership that the arrangement instigates within Council's RMA staff. Poutini Ngai Tahu Planners spent a day with Consents and Compliance and Policy Planning on 26th July to explain the difference between consultation and partnership and outline who should be contacted for different activities. This marks the beginning of a wider educational programme and further detailing within the Mana Whakahono a Rohe schedules.

Anticipated documents to be notified for submissions

The Table in Appendix 1 is updated based on recent updates from the Ministry for the Environment, the local government sector or the regional sector. Updated information is shown with underline.

Submissions lodged

The Council's further submission on the proposed TTPP was lodged on 17 July. A submission was lodged on 18 July on the changes being considered to the Stock Exclusion Regulations to provide for low intensity farming. Copies of these submissions are attached as Appendices 2 and 3.

Biodiversity credit system – discussion document

The Government is seeking feedback on how a biodiversity credit system (BCS) might be best tailored to Aotearoa's unique circumstances. It will need to give effect to te Tiriti o Waitangi, and will also need to consider what are appropriate principles to lay the foundation for a credible, high-integrity BCS in Aotearoa. Using the market is the main option being considered:

- Market enablement – where the government seeks to influence the outcomes and operation of the market, using non-regulatory tools (such as good practice guidance for the development and uptake of voluntary schemes), and potentially funding system development as the market is established;

- Market administration – where the government establishes a regulatory framework, with tools to direct the outcomes and the operation of the market.

A blend of these options may be appropriate, with non-regulatory and regulatory tools applied to different components of a BCS, as experience with the market beds in. Regulatory choices may also be informed by international frameworks if credits are to be traded internationally.

Submissions close on 3 November. Staff recommend to make a submission as Council has previously advocated for economic incentives for landowners with a wetland on their land, as an incentive to maintain the wetland, and to recognise the contribution wetlands make as carbon sinks in absorbing carbon emissions. A workshop regarding this submission will be held at a later date.

Below are links to the full discussion document and a summary of it:

<https://environment.govt.nz/assets/publications/biodiversity/Biodiversity-credit-system-discussion-document.pdf>

<https://environment.govt.nz/assets/publications/biodiversity/Biodiversity-credit-system-snapshot.pdf>

National Policy Statement on Greenhouse Gas Emissions

The National Policy Statement (NPS) and National Environmental Standards (NES) for Greenhouse Gas Emissions from Industrial Process Heat came into effect from 27 July 2023. This national direction enables local authorities to consider the effects of greenhouse gas emissions on climate change. Specifically, they NPS and NES will:

- Prohibit discharges of greenhouse gases from new low to medium temperature coal boiler immediately and from existing coal boilers after 2037 (no further consents can be issued after this day);
- Require resource consent to be held for new and existing fossil fuel boilers that emit 500 tonnes and above of CO₂-e per year, per site;
- Require resource consent applicants to prepare and implement green house gas emission plans that set out emission reduction actions.

Below are links to the NPS and NES:

<https://environment.govt.nz/assets/publications/climate-change/National-Policy-Statement-for-Greenhouse-Gas-Emissions-from-Industrial-Process-Heat-2023.pdf>

<https://www.legislation.govt.nz/regulation/public/2023/0165/latest/LMS605249.html?src=qs>

National Policy Statement on Indigenous Biodiversity

The National Policy Statement for Indigenous Biodiversity (NPSIB or NPS) will have legal effect from 3 August. Clause 1.7, and Objective 2.1(b)(iii) have an overall direction to protect and restore IB as necessary to achieve the overall maintenance of IB, including at least no overall reduction of various ecological parameters, such as the size of populations of indigenous species. These directives have the potential to incur considerable financial cost to the Council and West Coast communities through implementation, or legal challenges if the Council is not meeting these requirements.

Council lodged submissions in March 2020 on a Draft NPSIB, and in July 2022 on an Exposure Draft of the NPSIB. One of the Council's main concerns raised in submissions is the potential economic, social and psycho-social effects on private landowners with an SNA on their land, as the NPSIB would place protective restrictions on what activities could be undertaken within or near an SNA, potentially resulting in a loss of income from

not being able to use the land. Attached for information as Appendices 4 and 5 are the submissions on the Draft, and Exposure Draft, of the NPSIB.

The 2022 submission advocated for the Government to provide economic incentives for private landowners to maintain the SNA or native forest/bush on their land, to recognise the contribution that SNAs and native forests make to emissions reductions as carbon sinks. (This issue also applies to private landowners with wetlands on their land under the freshwater NPS and NES.) The Government appears to have listened as the discussion document on a biodiversity credit system is currently out for consultation.

The other main concern in both submissions is the potential cost of implementing a number of the requirements. There are several policy and regulatory directions for local authorities in Subparts 1 and 2 of the NPS for:

- involving mana whenua in IB protection and management,
- taking an integrated approach to managing IB,
- considering social, economic and cultural wellbeing,
- resilience to climate change,
- precautionary approach, and
- managing adverse effects on SNAs of new subdivision, use and development.

Some of the costs of implementing these may be absorbed into existing ‘business as usual’ budgets, although additional consents and compliance staff or contractors may be needed if the NPS requirements result in more consents being sought. There may also be additional plan resourcing costs if substantial changes need to be made to the RPS and regional plans. New workstreams for non-regulatory activities may, or may not, require extra staffing.

Regarding the NPSIB requirements for Council to work with our mana whenua on a range of IB protection and management areas, Council staff can provide a list of these for the September Committee meeting. If these requirements entail significant additional time and resourcing, it will potentially be a cost to both Poutini Ngāi Tahu and Council. This needs to be discussed with Poutini Ngāi Tahu.

The table below outlines the type of work that the WCRC must do to implement the NPS, and cost areas. Many of the provisions have multiple requirements for Council to include both provisions in plans, and undertake other actions. The March 2020 submission includes some estimated costs of implementing the Draft NPSIB, these may, or may not, still be relevant. Further work will be done in the coming months to identify implementation costs of these workstreams.

From our reading so far of the NPS, the following requirements in Subparts 2 and 3 will, or may, incur a cost to Council, mainly in terms of resourcing:

NPSIB provision	Work involved to achieve requirement
3.8 and 3.13 Significant natural areas (SNAs), and geothermal SNAs	<p>SNA identification in the Buller and Westland Districts will need an ecologist, admin support for recording assessments, liaising with landowners, organising site visits etc, and science/ecology staff or contractor to undertake longer term monitoring. Council may need advice from an ecologist specialising in geothermal SNAs to identify if there are any, and identification must be completed within five years from 4/8/23.</p> <p>It is unclear at this stage if WCRC or the District Councils will carry this cost, but if District Councils request it, the WCRC must assist with the assessment.</p>

3.9 Identify SNAs in district plans	Identified SNAs must be added to the TTPP by either a plan change before the operative Plan is 10 years old, or when the TTPP is due for its 10-yearly full review (subject to this RMA provision being carried over into the new Natural and Built Environments Act). As the WCRC has the function of maintaining the TTPP once it becomes operative, the Council will need to cover the costs of the plan change/full plan review arising from the drafting, submission processing, hearings and admin work involved in a public consultation process.
3.13 Geothermal SNAs 3.14 Plantation forestry activities 3.15 Managing adverse effects of established activities on SNAs 3.16 Indigenous biodiversity outside SNAs 3.18 Specified Māori land 3.19 Acknowledged and identified taonga 3.20 Highly mobile fauna 3.21 Restoration 3.22 Increasing indigenous vegetation cover 3.24 Information requirements (for consents)	These NPS clauses require, amongst other things, changes to be made to regional policy statements and plans to include objectives, policies and methods to protect IB, or so that RPSs and plans are consistent with the requirements of the clause. This may need to be contracted out if there is no in-house capacity due to other freshwater, land use and coastal planning commitments.
3.18 Specified Māori land	It is unclear what will be involved for the Council to consider and realise the opportunities to provide incentives for the protection and maintenance of IB, and the protection of SNAs and identified taonga, on Specified Māori land. This needs to be discussed with Poutini Ngāi Tahu.
3.20 Highly mobile fauna	Until we receive further guidance on implementing this clause, it is unclear what level of resourcing Council will need to record areas outside SNAs that are highly mobile fauna (HMF) areas, and provide information to communities about such IB.
3.21 Restoration	It is unclear what will be involved for the Council to promote restoration of IB, but the Council must consider providing incentives for restoration in priority areas listed in clause (2) of 3.21; and must consider the matters in subclauses (3) and (4).
3.23 Regional biodiversity strategies	Developing a regional biodiversity strategy may need to be contracted out if there is insufficient in-house capacity due to other freshwater, land use and coastal planning commitments..
3.25 Monitoring by regional councils	It is unclear what level of resourcing Council will need to develop a monitoring plan which includes the matters specified in the NPS. Costs will depend on whether monitoring of maintenance of IB and the physical extent of SNAs, plus other IB can be done

	as a desktop exercise, or how much field work will be needed. The latter increases costs considerably. Monitoring long-term trends is also expensive.
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Estimated costs will need to be worked through in the next Long Term Plan process.

Below is a link to the gazetted NPSIB:

<https://environment.govt.nz/assets/publications/biodiversity/National-Policy-Statement-for-Indigenous-Biodiversity.pdf>

Main points in Final Reports on Spatial Planning and Natural and Built Environment Bills

In the July planning report, staff advised that a summary of the key points in the Select Committee’s Final Reports on the Spatial Planning Bill, and the Natural and Built Environments Bill, would be provided for the August meeting. The key points are:

Te Tiriti o Waitangi

- The requirement to ‘give effect to the principles of Te Tiriti of Waitangi’ remains in the Bills unchanged.

Regional Planning Committees

- No significant changes to the composition, balance, roles and responsibilities of the Regional Planning Committees.
- Each region will have 12 months to set up their Committees.
- The appointment of a host authority must occur “no later than” eight months after councils receive the notification from the Local Government Commission about timeframes for setting up the Committee. The regional council remains the default host if no agreement is reached.
- Funding arrangements for the RPC remain unchanged (local authorities to contribute funding), however RPCs would need to prepare a statement of intent that addresses, amongst other things), the overall funding for an RPC.
- Local authorities retain final responsibility for the level of funding provided for the RPC.
- While changes have been made there are still concerns surrounding the accountability of RPCs back to councils and communities.

Purpose of the Bills

- The Purpose has been simplified to a single Purpose which is to “uphold te Oranga o te Taiao”. That Purpose is to be achieved in a way that protects the health of the natural environment, and subject to this being achieved, enables uses and development in a way that promotes present and future wellbeing.

System Outcomes

- System outcomes are generally as per the notified Bill (subject to a few additions e.g., protection of trout and salmon habitat).
- Connections between climate change outcomes and greenhouse gas emission targets in the Climate Change Response Act have been strengthened.
- The list of system outcomes has not been prioritised but amendments are made which clarify how these outcomes are to be provided for. These clarify that when providing for outcomes, the health of the natural environment and capacity to sustain life must be protected; and that not all outcomes must be achieved in all places or at all times.

Environmental Limits and Targets, Effects Management Framework, Exemptions

- The concept of “interim limits” is removed.
- Exemptions to limits remain in the Bill, however exemptions to the application of the Effects Management Framework have been narrowed.

Regional Spatial Strategies

- A Regional Spatial Strategy (RSS) must be adopted within three years of the establishment of the Committee, although extensions to this timeframe of up to six months are allowed.
- Funding to implement RSSs has been a concern.

Natural and Built Environment plans

- Enduring submissions and secondary submissions remain.
- The phased approach using tranches to implement RSSs and one plans has been retained. The 10-year transition period is still envisaged.

Consents & Consent Durations

- Clarifications made on how permitted activity notices (PANs) are used.
- Consent provisions remain largely the same as notified in the Bill, however changes clarify the notification requirements.
- Staff understand that consent durations for water storage and hydro schemes and infrastructure projects during the transition period can now be granted for up to 35 years (up from 10 years), but this needs to be confirmed.

Compliance Monitoring and Enforcement

- Maximum penalties are increased.
- Changes have been made to provisions proposing a ban on insurance.

Local voice

- Re concerns about losing local voice, the Bills provide for statements of community outcomes and statements of regional environmental outcomes, and Committees “must have particular regard to” them.
- The statements remain optional and many councils have raised concerns about whether they will be worth doing.

Ministerial powers

- The Minister’s powers remain very wide ranging and directive.

The amended Bills had their Second Reading at Parliament on 18 July. The Government aims to release the final Acts before the general election.

Commencement of Land and Water Plan full review (excluding freshwater provisions)

The Resource Management Act (RMA) requires regional plans to be fully reviewed no later than 10 years from when they became operative. The Regional Land and Water Plan (L&WP) became operative on 27 May 2014, so it will be 10 years old next year. The full review of the L&WP, excluding freshwater provisions, needs to start now, as it would be efficient if any changes arising from the full review can be notified for submissions at the same time as the freshwater plan change, which must occur by 24 December 2024. Staff seek the Committee’s approval to commence the full plan review under Schedule 1 of the RMA.

Te Tai o Poutini Plan

The Project Manager for Te Tai o Poutini Plan has resigned with a final day of 1 September 2023. A Business Support Officer position for committee support during the hearing process has been filled and will allow the Planners and Commissioners to focus on the Hearing content.

The Hearings schedule will be finalised during the week ending 4 August.

Considerations

Implications/Risks

There are no implications or risks arising from other items in this report.

Significance and Engagement Policy Assessment

There are no other issues within this report which trigger matters in the significance policy.

Poutini Ngāi Tahu views

Poutini Ngāi Tahu were consulted on the draft further submission on the proposed TTPP, and the draft submission on the Stock Exclusion Regulations amendments' discussion document.

Views of affected parties

No parties will be affected by the remaining subject matter of this report.

Financial implications

There are no current financial implications arising from other items in this report.

Legal implications

There are no legal implications arising from other items in this report.

Attachments

Appendix 1: Anticipated documents to be notified for submissions in 2023

Appendix 2: Further submission on proposed TTPP

Appendix 3: Submission on changes to the Stock Exclusion Regulations re low intensity farming

Appendix 1: Anticipated documents to be notified for submissions in 2022/23

Document	Main points	Closing date, or approximate period, for submissions	Recommendation to submit or not
<u>Review of the Emissions Trading Scheme</u>	<u>Four main options proposed, including to use existing ETS levers to strengthen incentives for net and gross emissions reductions, increase demand for removal of emissions, and create separate incentives for gross emissions reductions and removals.</u>	<u>11 August</u>	<u>Recommend to submit</u>
<u>Review of permanent forestry in the Emissions Trading Scheme</u>	<u>Govt is seeking feedback on proposals to manage afforestation by redesigning the NZ ETS permanent forest category.</u>	<u>11 August</u>	<u>Recommend to submit</u>
<u>Biodiversity credit system – discussion document</u>	<u>Government is considering how a biodiversity credit system could be developed to best suit Aotearoa’s unique circumstances. Market options are considered, with non-regulatory and regulatory tools applied to different components of a BCS.</u>	<u>3 November</u>	<u>Recommend to submit</u>
Climate Change Adaptation Bill	This is the third new piece of legislation as part of the Resource Management Reform suite. It will focus on the necessary steps to address effects of climate change and natural hazards. Will deal with complex legal and technical issues (e.g. liability and compensation) around managed retreat.	Consultation in <u>mid</u> 2023	To be advised in due course.
National Planning Framework	The NPF is part of the Natural and Built Environments Bill, and will comprise existing National Policy Statements, National Environmental Standards and resource management Regulations. These national direction instruments may stay the same, or may be changed. The NPF will have environmental limits, or directions to have environmental limits in plans.	Consultation <u>mid</u> -2023	Recommend to make a submission, this will affect the West Coast Region.



388 Main South Rd, Paroa
P.O. Box 66, Greymouth 7840
The West Coast, New Zealand
Telephone (03) 768 0466
Toll free 0508 800 118
Facsimile (03) 768 7133
Email info@wcrc.govt.nz
www.wcrc.govt.nz

17 July 2023

Stock Exclusion Regulations: exception from the low slope map
Ministry for the Environment
P O Box 10362
Wellington 6143

stockexclusion@mfe.govt.nz

Dear Sir/Madam

Amendments to Stock Exclusion Regulations

Thank you for the opportunity to submit on the Discussion Document for amending the Stock Exclusion Regulations. The West Coast Regional Council's (WCRC or the Council) submission is attached.

The Council consulted with their iwi partners, Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio (Poutini Ngāi Tahu or PNT), who are mana whenua on the West Coast/Tai Poutini, in the development of this submission.

Our contact details for service are:

Lillie Sadler
Planning Team Leader
West Coast Regional Council
PO Box 66
Greymouth 7840

Phone: 021 190 6676
Email: ls@wcrc.govt.nz

We would be grateful for acknowledgement of receipt of our submission.

The Council consents to their submission being released to the public under the Official Information Act 1982.

Yours faithfully

Fiona Thomson
Planning and Science Manager

West Coast Regional Council Submission on

Introduction

The West Coast Regional Council (the WCRC or the Council) appreciates the opportunity to submit on the Discussion Document's options for providing an exception for lower-intensity farming to not have to exclude stock from waterways, under the Stock Exclusion Regulations 2020.

Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio (Poutini Ngāi Tahu – PNT) are mana whenua of Te Tai o Poutini (the West Coast). The WCRC's Mana Whakahono ā Rohe (Resource Management Act – Iwi Participation Arrangement) captures the intent of the WCRC and Poutini Ngāi Tahu to progress our relationship in accordance with the Treaty of Waitangi partnership between iwi and the Crown. Poutini Ngāi Tahu were invited to provide input into this submission.

Due to resourcing constraints and our high workload, this submission does not answer all the questions in the Discussion Document. This submission covers the most important points for the WCRC.

In summary, Council supports several of the changes proposed to ensure that low intensity farming is not unnecessarily caught by the low slope map. However, Council considers that low intensity cattle and deer farming should be excluded from grazing in sensitive sites and wetlands, due to the potential damage these stock can cause to the important values. Council is open to considering if there are options to provide appropriate mitigations in farm plans that can protect important values and allow stock to access waterways, subject to consulting with mana whenua.

In the preparation of this submission, the Council consulted with four West Coast farmers, including farmers who have 'run of the river' low intensity farmed blocks, and Council's Compliance staff. A number of their comments are incorporated into this submission.

The Council provided feedback to the Te Uru Kahika regional sector submission on some of the Discussion Document questions. At the time of providing our feedback to Te Uru Kahika, the Council had a different view to Te Uru Kahika on the matter of providing an exception for low intensity grazing access to water ways.

Having further considered the matters being proposed in the Discussion Document and the feedback received from farmers and our Compliance staff, this Council submission provides further explanation and feedback than some of our responses in the Te Uru Kahika submission.

Summary List of Feedback

Feedback 1: Q1: Council supports using a stocking rate per hectare to exempt low intensity beef and deer grazing on the West Coast from being captured by the low slope map.

Feedback 2: Q2: The stocking rate should be calculated by the size of the landholding being less intensively grazed, and the number of beef cattle and/or deer being less intensively farmed. When calculating the size of the low intensity grazed area, it should exclude areas of bush and forest.

Feedback 3: Q3: Council supports having one stocking rate formula for setting a threshold for low intensity beef cattle and deer farming, only calculated for low intensity grazed parts of a farm, and not based on an annual average but using a stocking rate at any time.

Feedback 4: Q5: Council does not support a blanket exception for low intensity cattle and deer to have access to sensitive freshwater areas such as inanga spawning sites, habitats of threatened freshwater species, and culturally significant areas. Council is open to considering if appropriate and effective mitigations to protect high wetland values can be put in farm plans on a case by case basis for low intensity access to sensitive and significant areas in waterways, subject to consulting with mana whenua.

Feedback 5: Q6: Sensitive sites such as Inanga spawning sites and culturally significant areas can be identified in farm plans, and in regional plans.

Feedback 6: Q8: Council supports using farm plans instead of the low slope map, to provide an exception for low intensity beef cattle and deer farming from the Stock Exclusion Regulations' restrictions on access to waterways. Council would support removing the low slope map requirement altogether for low intensity farming if it is a practical option.

Feedback 7: Q9: Council supports adding a provision to the Regulations that the low slope map does not apply to DOC or LINZ land where a stocking rate is already set in a grazing licence, lease or other authorisation. This will avoid duplicating protective restrictions, and avoid potential inconsistencies between stocking rates for the same area of land.

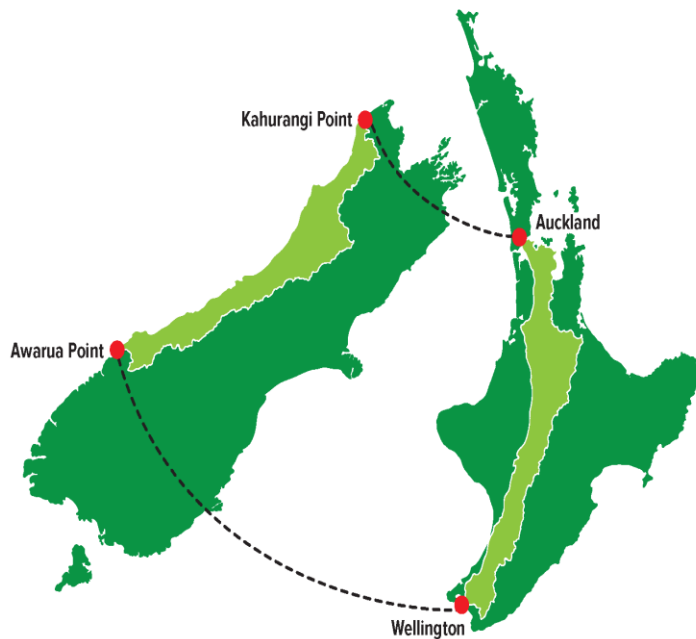
Feedback 8: Q10: Council does not agree with having an exception for lower intensity farmed cattle and deer to have access to wetlands with high values, but the perimeters of natural inland wetlands need to be clearly defined, and identifying and mapping them will take considerable time. Council is open to considering if appropriate and effective mitigations to protect high wetland values can be put in farm plans on a case by case basis for low intensity access to wetlands, subject to consulting with mana whenua.

Feedback 9: Q12: An economic incentive for maintaining wetlands as carbon sinks could also work as an incentive for the landowner to undertake weed control, given that weed growth is an issue with excluding stock from wetlands. There should be consistency and integration between the Stock Exclusion Regulations regarding stock grazing and weed control in wetlands, and the Government's recently released Discussion Document on "Exploring a biodiversity credit system for Aotearoa New Zealand".

Feedback 10: Q13: The Council supports the Regulation for fencing type being amended to provide a more flexible exclusion clause, that any means can be used if it achieves the purpose of effectively excluding stock from a waterway.

About the Submitter

The West Coast Regional Council (WCRC) is the local authority for a region covering a vast area with a sparse population. The distance from Kahurangi Point in the north to Awarua Point in the south is the approximate distance from Auckland to Wellington.



The West Coast region stretches the equivalent distance of that between Auckland and Wellington

Figure 1: Map of New Zealand to highlight the 600km length of the West Coast Region compared to the distance between Auckland and Wellington.

The West Coast Regional Council works closely with the regions' three territorial authorities (the Buller, Grey, and Westland District Councils). The main towns are Westport, Greymouth, Reefton, and Hokitika. The region's relatively low population of approximately 32,600 is spread across small towns, settlements, and rural communities.

Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio (of Poutini Ngāi Tahu – PNT) are mana whenua of Te Tai o Poutini (the West Coast). The 'Paetae Kotahitanga ki Te Tai Poutini Partnership Protocol, Mana Whakahono ā Rohe Resource Management Act Iwi Participation Arrangement; A Protocol and Arrangement between Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio, Te Rūnanga o Ngāi Tahu and the West Coast Regional Council of October 2020' captures the intent of WCRC and its partners to progress our relationship in accordance with the Treaty of Waitangi partnership between iwi and the Crown.

The West Coast is predominantly rural.

The Conservation Estate comprises 84.17% of the West Coast land area, with an additional 1.55% administered by Land Information New Zealand (LINZ). This leaves 14.28% of land available for private ownership. The land in the Conservation estate and Crown ownership is not rateable by local authorities.

As to the structure of the West Coast Region’s Economy, and according to Infometrics ‘Filled jobs by 54 industry categories list’, the percentage contribution of various sectors to the regional economy, as at 2022, was:

- Health Care and Social Assistance - 11.1%;
- Accommodation and Food Services - 9%;
- Dairy Cattle Farming - 6.1% (and dairy product manufacturing 3%);
- Education and Training - 6.1%; and
- Construction Services - 4.4%.¹

Infometrics ‘Contribution to employment by broad sector, 2022’ data shows the following sectors contribution to the West Coast Region’s economy:

- ‘Other services’ accounted for 40%;
- ‘High value services’ 23.2%;
- ‘Goods-producing industries’ 22.1%; and
- ‘Primary industries’ made a 14.8% contribution.

Submission Points

Questions 1-4 – Defining lower intensity farming for the purpose of an exception	
	Q1. Do you consider stocking rate (ie, SU/ha) is an appropriate measure to define lower intensity farming or do you recommend a different approach? Why?

West Coast Regional Council	<p>Yes, Council supports a stocking rate per hectare as an appropriate tool to exempt low intensity beef and deer farming on the West Coast from being captured by the low slope map. The West Coast Region differs from other Regions in that the water quality in the Region overall is very good, and our stocking rates are lower than those in, for example, the Waikato and Taranaki Regions.</p> <p>Feedback received from a Te Rūnanga o Makaawhio representative is that they would like to see the waterways in their takiwa kept free of stock. They are aware of the fencing issues for the South Westland ‘run of the river’ low intensity farmers, and recognise that the very low intensity grazing is low impact.</p> <p>Using a stocking rate to define low intensity farming is also supported by the farmers that were interviewed for their input into this submission.</p> <p>The exception will make the Regulations practical for the ‘run of the river’ low intensity farm blocks in South Westland and other parts of the Region where large river valley flats are grazed. The cost of fencing these rivers would be exorbitant due to the long lengths of the rivers, the fencing would be washed away in each high flow event, and stock could potentially be caught up in fencing and drowned. South Westland has a median annual rainfall as measured at Roaring Billy Creek in the Haast valley of 6000 mm, and in Haast township, the median annual rainfall is 3200mm.</p>
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¹ Structure of West Coast Region’s Economy; Source Infometrics at <https://ecoprofile.infometrics.co.nz/West%20Coast%20Region/Employment/Structure>, last viewed 15 May 2023.

	<p>A stocking rate per hectare is an even measure, it will even out different classes of animals. Farmers should be able to identify low intensity areas for grazing exemptions.</p> <p>Some 'run of the river' low intensity farm blocks are on Department of Conservation land, or LINZ land. The licences or leases for grazing these blocks already stipulate a stocking rate or limit on the number of beef cattle that can be grazed on a specified area on the river flats. On some South Westland blocks, the stocking rate per hectare is 0.5.</p>
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Feedback 1: Q1: Council supports using a stocking rate per hectare to exempt low intensity beef and deer grazing on the West Coast from being captured by the low slope map.

Q2. If you do agree with basing the exception on stocking rate, what do you think is the appropriate stocking rate threshold (in SU/ha) for the definition of lower intensity farming and how do you think it should be calculated (eg, 2 SU/ha, per year, over the whole farm)? Why?

West Coast Regional Council	<p>Council considers that the stocking rate should be calculated by the size of the landholding being less intensively farmed, and the number of beef cattle and/or deer being less intensively grazed. There are large landholdings that only have smaller areas of low intensity grazing land, so if the total stocking rate is calculated over the entire land holding, this would artificially lower the stocking rate. If the stocking rate is calculated on actual low intensity grazing area, this gives a true representation of the stocking rate.</p> <p>The stocking rate can be added to the farm plan for each farm.</p> <p>One farmer suggested that when calculating the size of the low intensity grazed area, it should exclude areas of bush and forest. In the Haast River valley, for example, the native bush is growing back over the River flats.</p>
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Feedback 2: Q2: The stocking rate should be calculated by the size of the landholding being less intensively grazed, and the number of beef cattle and/or deer being less intensively farmed. When calculating the size of the low intensity grazed area, it should exclude areas of bush and forest.

Q3. Do you think there should be different stocking rate thresholds for beef cattle and deer, or one threshold for all stock types? Why?

West Coast Regional Council	<p>Council does not support having different formulas for determining stocking rate thresholds for beef cattle and deer, this could make monitoring too complicated. Only one formula should be used, otherwise we will end up with multiple stocking rates.</p> <p>Council has concerns about using an annual average stocking rate. This could be difficult to monitor. Staff understand that farmers do not hold information on their stocking rates per day, week or month for each paddock that adjoins a waterway, so annualising it will be difficult. It would make compliance work more straightforward to have a stocking rate that applies at any time, so when a compliance officer does a site visit, they can see how many stock are in a paddock on that day.</p>
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	The calculation for determining the stocking rate should not include the whole farm if there is both low and higher intensity grazing carried out on a farm. A number of West Coast 'run of the river' farms have both low and higher intensity grazing in different parts of the farm. Calculating the low intensity stocking rate must only count the area being grazed at a low intensity. This can be managed in farm plans.
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Feedback 3: Q3: Council supports having one stocking rate formula for setting a threshold for low intensity beef cattle and deer farming, only calculated for low intensity grazed parts of a farm, and not based on an annual average but using a stocking rate at any time.

Questions 5-6 – Situations where an exception may not be appropriate	
	Q5. Do you consider that there are any situations where an exception for lower intensity farming should not apply, and the map should continue to apply (eg, where specific sensitive water bodies are present)? If yes, what do you consider these to be and why? If no, why not?

West Coast Regional Council	<p>Council considers that there should not be an exception for low intensity cattle and deer to have access to sensitive freshwater areas such as inanga spawning sites, habitats of threatened freshwater species, and culturally significant areas. Cattle can damage sensitive areas.</p> <p>There were mixed views amongst the farmers interviewed about allowing low intensity farmed stock access to sensitive sites in water bodies. Some farmers believed that low intensity grazing would not impact sensitive sites, but high intensity grazing could. If grazing has a high impact on important values, then stock should be excluded. Other farmers had the view that where threatened freshwater species such as short-finned eels are present, the waterway should be protected. Staff understand that there are freshwater threatened species in South Westland rivers that have low intensity grazing along them, and the freshwater species have co-existed for many years.</p> <p>This could potentially be a matter that is assessed on a case by case basis through farm plans, where sensitive and significant sites can be identified, and mitigations put in place if they are appropriate and effective to protect the significant values, and subject to consultation with mana whenua.</p>
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Feedback 4: Q5: Council does not support a blanket exception for low intensity cattle and deer to have access to sensitive freshwater areas such as inanga spawning sites, habitats of threatened freshwater species, and culturally significant areas. Council is open to considering if appropriate and effective mitigations to protect high wetland values can be put in farm plans on a case by case basis for low intensity access to sensitive and significant areas in waterways, subject to consulting with mana whenua.

	Q6. If you do agree that there are situations where an exception may not be appropriate, do you have any views on how those specific situations should be identified?
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West Coast Regional Council	See our comments above on Question 5. Inanga spawning sites and culturally significant areas can be identified in farm plans, and they are already identified
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	in our Regional Land and Water Plan. The sites will be reviewed and updated in our freshwater plan change.
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Feedback 5: Q6: Sensitive sites such as Inanga spawning sites and culturally significant areas can be identified in farm plans, and in regional plans.

Questions 8-9: Using certified freshwater farm plans	
	Q8. Do you consider that certified freshwater farm plans should be used as the basis for an exception, or an alternative, to the map and associated requirements to exclude stock? Why/why not?

West Coast Regional Council	<p>Council supports using farm plans to implement an exception for low intensity grazing and access to rivers, as farm plans are about managing environmental risks, and will be a better tool than the low slope map. Farm plans will be a key tool in compliance work, and good farm plans will negate a lot of problems with implementing the Stock Exclusion Regulations. Compliance staff should be able to identify a low slope on a site visit.</p> <p>All the farmers spoken to also support using farm plans to manage low intensity grazing and access to waterways. There will be more flexibility with using farm plans compared to the wording in the Regulations for managing stock around waterways. Staff understand that some farmers are still finding the low slope map difficult to use, and it is not accurate. Some farmers would like to see the low slope map requirement removed altogether for low intensity farming. Council would support this if it is a practical option.</p> <p>If a low intensity farm joins herds together over winter, increasing the stocking rate, this is a different practice and the stock should be kept out of the river. This can be addressed in the farm plan.</p> <p>Farm plans should also be able to provide for variances between very low and low stocking rates. For example, on one South Westland 'run of the river' block, on one side of the river cattle are grazed at 6 stock units, and on the other side of the river they are grazed at 0.5 stock units.</p>
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Feedback 6: Q8: Council supports using farm plans instead of the low slope map, to provide an exception for low intensity beef cattle and deer farming from the Stock Exclusion Regulations' restrictions on access to waterways. Council would support removing the low slope map requirement altogether for low intensity farming if it is a practical option.

	Q9. Is there any other information that you think we should consider?
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Many 'run of the river' farm blocks have licences or leases with DOC and LINZ as the land administrators, and a stocking rate is set in the authorisation. Having two layers of protection for these waterways via stocking rates on both the lease and in the Regulations is unnecessary, and there is potential for the two stocking rates to be inconsistent.

If the low slope map continues to capture these ‘run of the river’ blocks on DOC and LINZ land, this will mean that these organisations will not be able to afford to fence off rivers in these large river valley flats. Low intensity herds may have to be removed from the river flats, incurring a substantial loss of income to farmers. Alternatively, herds will be confined to a smaller area, increasing the intensity of the farming.

‘Run of the river’ farmers need certainty that the exception will apply to the low intensity river blocks in their farm plans, and that this land will not be caught by the low slope map. Certainty can be provided by adding a provision to the Regulations that the low slope map does not apply to DOC or LINZ land where a stocking rate is already set in a grazing licence, lease or other authorisation.

Feedback 7: Q9: Council supports adding a provision to the Regulations that the low slope map does not apply to DOC or LINZ land where a stocking rate is already set in a grazing licence, lease or other authorisation. This will avoid duplicating protective restrictions, and avoid potential inconsistencies between stocking rates for the same area of land.

Questions 10-12 – Stock exclusion for natural wetlands	
	Q10. Do you consider that an exception for lower intensity farming systems, or the alternative approach using certified freshwater farm plans, should apply more broadly to natural wetlands? Why/why not?
West Coast Regional Council	<p>Council does not agree with having an exception for lower intensity farmed cattle and deer to have access to wetlands with high values. This includes wetlands identified as significant. Staff understand that farmed cattle and deer can damage native wetland plants so they should be excluded from wetlands that meet the definition of a natural inland wetland. Having said that, the perimeters of natural inland wetlands need to be clearly defined, and identifying and mapping them will take some time as there is a lot of wet land on the West Coast. These will need to be carefully identified to ensure they do not capture land that is not actually wetland.</p> <p>Some of the farmers interviewed believed that low intensity farming in a natural wetland would not negatively impact the wetland, and can help control weeds. Beef cattle are less likely to enter a wetland as they may get stuck in the boggy soil. Some farmers also pointed out that feral grazers such as deer and possums do more damage to wetland vegetation than beef cattle, as these pest species can travel further into a wetland. Deer numbers have increased substantially in recent years in the West Coast Region. In the Waiatoto River valley, for example, there are 50 beef cattle, compared to 150 deer observed by locals.</p> <p>Council’s Compliance staff advised that allowing low intensity numbers of beef cattle and deer to graze wetlands could cause conflict where a low intensity farmer is allowed to have their stock in wetlands, and a neighbour with a higher stocking rate is not allowed stock in a wetland. This could be hard to police, and will increase the workload for compliance staff.</p> <p>As with sensitive and significant sites, low intensity grazing in wetlands could potentially be a matter that is assessed on a case by case basis through farm plans, to determine if mitigations that are appropriate and effective to protect</p>

	the significant values can be put in place, and subject to consultation with mana whenua.
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Feedback 8: Q10: Council does not agree with having an exception for lower intensity farmed cattle and deer to have access to wetlands with high values, but the perimeters of natural inland wetlands need to be clearly defined, and identifying and mapping them will take considerable time. Council is open to considering if appropriate and effective mitigations to protect high wetland values can be put in farm plans on a case by case basis for low intensity access to wetlands, subject to consulting with mana whenua.

	Q12. Is there any other information that you think we should we consider in relation to wetlands within lower intensity farming systems?
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West Coast Regional Council	As there are a large number of wetlands on the West Coast, and protecting them under the NPSFM and NESF will potentially have economic and social impacts on landowners, we have advocated to Government to provide economic incentives to private landowners to recognise the contribution of their wetlands towards reducing emissions as carbon sinks. While this is outside the scope of the Stock Exclusion Regulations, an economic incentive for maintaining wetlands as carbon sinks could also work as an incentive for the landowner to undertake weed control, given that weed growth is an issue with excluding stock from wetlands. There should be consistency and integration between the Stock Exclusion Regulations regarding stock grazing and weed control in wetlands, and the Government’s recently released Discussion Document on “Exploring a biodiversity credit system for Aotearoa New Zealand”.
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Feedback 9: Q12: An economic incentive for maintaining wetlands as carbon sinks could also work as an incentive for the landowner to undertake weed control, given that weed growth is an issue with excluding stock from wetlands. There should be consistency and integration between the Stock Exclusion Regulations regarding stock grazing and weed control in wetlands, and the Government’s recently released Discussion Document on “Exploring a biodiversity credit system for Aotearoa New Zealand”.

Question 13 – Definition of a permanent fence	
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	Q13. Do you consider the definition of a permanent fence is too prescriptive, and that other fence types should be included? Why/why not?
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West Coast Regional Council	<p>Yes, the Council considers the current Regulation for fencing is too prescriptive. Post and wire fencing can be swept away in a high flow, creating added costs for farmers.</p> <p>All the farmers interviewed agreed that the fencing Regulation needs to provide for more options in the future to exclude stock from waterways. This includes the use of technology such as the cow collars which are currently being trialled.</p> <p>It would be helpful if the Regulations can include a more flexible exclusion clause, that any means can be used if it achieves the purpose of excluding stock from a waterway.</p>
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Feedback 10: Q13: The Council supports the Regulation for fencing type being amended to provide a more flexible exclusion clause, that any means can be used if it achieves the purpose of effectively excluding stock from a waterway.

This ends our submission.



388 Main South Rd, Paroa
PO Box 66, Greymouth 7840
New Zealand
Telephone (03) 768 0466
Toll free 0508 800 118
www.wcrc.govt.nz

11 July 2023

Te Tai o Poutini Plan Committee
PO Box 66
Greymouth 7840

Att: Rex Williams

Dear Rex

Further submission on proposed Te Tai o Poutini Plan - TTPP

Thank you for the opportunity to further submit on the proposed Te Tai o Poutini Plan – pTTPP – combined District Plan for the West Coast.

Attached is the West Coast Regional Council's (WCRC or the Council) submission.

The Council consulted with their iwi partners, Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio (Poutini Ngāi Tahu or PNT), who are mana whenua on the West Coast/Tai Poutini, in the development of this submission. Poutini Ngāi Tahu advised that they will prepare their own further submission to the proposed TTPP.

In summary, the Council further submits on other submissions:

- which raise concerns about the Highly Productive Land (HPL) Precinct over private property, and on HPL-related objectives, policies and rules;
- that seek strengthening of provisions for aerial biodiversity and biosecurity activities; and
- on the Natural Open Space Zone Non-complying Rule 16 for mineral extraction.

Our contact details for service are:

Lillie Sadler
Planning Team Leader
West Coast Regional Council
PO Box 66
Greymouth 7840

Phone: 021 190 6676
Email: ls@wcrc.govt.nz

We would be grateful for acknowledgement of receipt of our further submission.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Darryl Lew', with a long horizontal flourish extending to the right.

Darryl Lew
Chief Executive Officer

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>	The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
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West Coast Regional Council further submission on Highly Productive Land Precinct

	Sub No. / Point No.	Support / Oppose	Provision		
S601 Birchfield Coal Mines Ltd	S601.084	Neutral	RURZ -01	Council is unsure what changes should be made to Objectives, Policies and Rules regarding Highly Productive Land in the Rural Zone until we have gone through a more thorough process of identifying and mapping the NPSHPL Class 3 soil areas to meet the requirements of the National Policy Statement for Highly Productive Land.	
S604 Birchfield Ross Mining Limited	S604.074	Neutral	RURZ -01	Council is unsure what changes should be made to Objectives, Policies and Rules regarding Highly Productive Land in the Rural Zone until we have gone through a more thorough process of identifying and mapping the NPSHPL Class 3 soil areas to meet the requirements of the National Policy Statement for Highly Productive Land.	

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
	Sub No. / Point No.	Support / Oppose	Provision		
S526 BP & CA JONES	S526.001	Neutral	Rezoning request	<p>Council staff viewed the Landcare Research Land Use Capability maps. Our initial view is it appears that most of the Jones' property does not have Class 1 to 3 soils, which are the soils that the National Policy Statement for Highly Productive Land 2022 aims to protect.</p> <p>The area in the blue line of the Jones' map which was inundated appears to be partly Class 8 and partly Class 3. It is not clear if the Class 3 soils can be highly productive in the future. We understand that it partly depends on if the site is inundated again, and the extent to which rainfall can dilute the salt from the sea water. We note that the Jones' land is in a Coastal Hazard Area as shown on the Coastal Hazard overlays.</p> <p>The small area of Class 3 soils needs to be more thoroughly assessed against the National Policy Statement for Highly Productive Land policies, which refer to "large and geographically cohesive" soil areas being a priority for protection.</p>	The Highly Productive Land Precinct over the Class 3 soils on the Jones' land needs to be further investigated through a more thorough community consultation process undertaken by the District and Regional Councils.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
	Sub No. / Point No.	Support / Oppose	Provision		
S40 David Pugh	S40.001	Neutral	Rezoning request (Highly productive Land)	Council staff viewed the Landcare Research Land Use Capability maps. It appears that the land identified by the submitter is not Class 1 to 3 soils which the National Policy Statement for Highly Productive Land 2022 aims to protect. However, our initial identification needs to be confirmed through a more thorough community consultation process undertaken by the District and Regional Councils.	The Highly Productive Land Precinct over Mr Pugh's land needs to be further investigated through a more thorough community consultation process undertaken by the District and Regional Councils.
S524 Federated Farmers of New Zealand	S524.027	Support	GRUZ - PREC 5 - Highly Productive Land Precinct Policy	The Council agrees that a definition of Highly Productive Land should be consistent with the National Policy Statement for HPL. The National Policy Statement for Highly Productive Land 2022 does not use the term "versatile soils", so this term should not be used in the TTPP.	Make the definition of Highly Productive Land in the TTPP consistent with the definition in the National Policy Statement for Highly Productive Land 2022. Remove the term "versatile soils" from the TTPP.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
	Sub No. / Point No.	Support / Oppose	Provision		
S608 Grey District Council	S608.002	Support	How the Plan works - Precincts	The Highly Productive Land Precinct is not included in the list of precincts or overlays in the Section "Relationships between special layers". This appears to be an omission.	Add the Highly Productive Land Precinct to the list of precincts or overlays in the Section "Relationships between special layers", once the HPL Class 3 soil areas have been reviewed and mapped as required in the National Policy Statement for Highly Productive Land.
S608 Grey District Council	S608.484	Support	How the Plan works - Precincts	From discussion with the Grey District Council planning staff, WCRC staff understand that the purpose of the HPL Precinct in the TTPP is slightly different to the National Policy Statement for Highly Productive Land's focus on protection of highly productive soils Classes 1-3.	<p>Either remove or change the current "Highly Productive Land Precinct" Overlay in the TTPP, including removing or changing the name of the Precinct and Overlay.</p> <p>Add a revised Highly Productive Land Precinct Overlay to the TTPP once a more thorough community consultation process is undertaken by the District and Regional Councils, and the HPL Class 3 soil areas have been reviewed and mapped to meet the requirements of the National Policy Statement for HPL.</p>

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
	Sub No. / Point No.	Support / Oppose	Provision		
S486 Horticulture New Zealand	S486.007	Support	GRUZ - PREC 5 - Highly Productive Land Precinct Policy	<p>The Council agrees that a definition of Highly Productive Land should be consistent with the National Policy Statement for HPL.</p> <p>The National Policy Statement for Highly Productive Land 2022 does not use the term "versatile soils", so this term should not be used in the TTPP.</p>	<p>Make the definition of HPL in the TTPP consistent with the National Policy Statement for Highly Productive Land 2022.</p> <p>Remove the term "versatile soils" from the TTPP.</p>
S486 Horticulture New Zealand	S486.008	Support	Strategic Direction AG 01	<p>The National Policy Statement for Highly Productive Land 2022 does not use the term "versatile soils", so this term should not be used in the TTPP.</p>	<p>Remove the term "versatile soils" from Strategic Direction AG – 01.</p>

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
S486 Horticulture New Zealand	Sub No. / Point No. S486.062	Support / Neutral	Provision Rural Zones Objectives	The suggestion to add a new objective to give effect to the National Policy Statement for HPL may have merit. However, Council is unsure what changes should be made to Objectives, Policies and Rules in the Rural Zone until we have gone through a more thorough process of identifying and mapping the NPSHPL Class 3 soil areas to meet the requirements of the National Policy Statement for Highly Productive Land.	
S486 Horticulture NZ	Sub No. / Point No. S486.068	Support / Oppose Neutral	Provision RURZ - P5	The suggestion to add a new policy to give effect to the National Policy Statement for HPL may have merit. However, Council is unsure what changes should be made to Objectives, Policies and Rules in the Rural Zone until we have gone through a more thorough process of identifying and mapping the NPSHPL Class 3 soil areas to meet the requirements of the National Policy Statement for Highly Productive Land.	

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
	Sub No. / Point No.	Support / Oppose	Provision		
S192 Ken and Robyn Ferguson	192.002	Neutral	Rezoning request	Council staff viewed the Landcare Research Land Use Capability maps. It appears that the land identified by the submitter is not Class 1 to 3 soils which the National Policy Statement for Highly Productive Land aims to protect. However, our initial identification needs to be confirmed through a more thorough community consultation process undertaken by the District and Regional Councils.	The Highly Productive Land Precinct over the Ferguson's land needs to be further investigated through a more thorough community consultation process undertaken by the District and Regional Councils.
S545 Martin & Lisa Kennedy	S545.002	Neutral	Subdivision/ Rezoning request	Council staff viewed the Landcare Research Land Use Capability maps. It appears that the land identified by the submitter is not Class 1 to 3 soils which the National Policy Statement for Highly Productive Land aims to protect. However, our initial identification needs to be confirmed through a more thorough community consultation process undertaken by the District and Regional Councils.	The Highly Productive Land Precinct over the Kennedy's land needs to be further investigated through a more thorough community consultation process undertaken by the District and Regional Councils.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
	Sub No. / Point No.	Support / Oppose	Provision		
S545 Martin & Lisa Kennedy	S545.003	Neutral	RURZ - O1	Council is unsure what changes should be made to Objectives, Policies and Rules in the Rural Zone regarding the protection of Highly Productive Land until we have gone through a more thorough process of identifying and mapping the NPSHPL Class 3 soil areas to meet the requirements of the National Policy Statement for Highly Productive Land.	
S545 Martin & Lisa Kennedy	S545.004	Neutral	GRUZ - PREC 5 - Highly Productive Land Precinct Policy	Council is unsure what changes should be made to Objectives, Policies and Rules in the Rural Zone regarding the protection of Highly Productive Land until we have gone through a more thorough process of identifying and mapping the NPSHPL Class 3 soil areas to meet the requirements of the National Policy Statement for Highly Productive Land.	

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
	Sub No. / Point No.	Support / Oppose	Provision		
S217 Murray Stewart	S217.002	Neutral	Rezoning request	Council staff viewed the Landcare Research Land Use Capability maps. It appears that the land identified by the submitter is not Class 1 to 3 soils which the National Policy Statement for Highly Productive Land aims to protect. However, our initial identification needs to be confirmed through a more thorough community consultation process undertaken by the District and Regional Councils.	The Highly Productive Land Precinct over Mr Stewart's land needs to be further investigated through a more thorough community consultation process undertaken by the District and Regional Councils.
S546 Nick Pupich Sandy Jefferies	S546.001	Neutral	Rezoning request	Council staff viewed the Landcare Research Land Use Capability maps. It appears that the land identified by the submitter is not Class 1 to 3 soils which the National Policy Statement for Highly Productive Land aims to protect. However, our initial identification needs to be confirmed through a more thorough community consultation process undertaken by the District and Regional Councils.	The Highly Productive Land Precinct over the Jefferies' land needs to be further investigated through a more thorough community consultation process undertaken by the District and Regional Councils.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
S544 Peter Jefferies	Sub No. / Point No. 544.001	Support / Oppose Neutral	Provision Rezoning request	Council staff viewed the Landcare Research Land Use Capability maps. It appears that the land identified by the submitter is not Class 1 to 3 soils which the National Policy Statement for Highly Productive Land requires to be protected. However, our initial identification needs to be confirmed through a more thorough community consultation process undertaken by the District and Regional Councils.	The Highly Productive Land Precinct over Mr Jefferies' land needs to be further investigated through a more thorough community consultation process undertaken by the District and Regional Councils.
S606 Phoenix Minerals Limited	Sub No. / Point No. S606.059	Support / Oppose Neutral	Provision RURZ - O1	Council is unsure what changes should be made to Objectives, Policies and Rules regarding Highly Productive Land in the Rural Zone until we have gone through a more thorough process of identifying and mapping the NPSHPL Class 3 soil areas to meet the requirements of the National Policy Statement for Highly Productive Land.	

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
	Sub No. / Point No.	Support / Oppose	Provision		
S285 Richard Henschel	S285.002	Neutral	Rezoning Requests	<p>Council staff viewed the Landcare Research Land Use Capability maps. It appears that some of the submitter's property has Class 3 soils, which the National Policy Statement for Highly Productive Land (NPSHPL) 2022 aims to protect. However, the NPS has qualifiers, including that 'large and geographically cohesive' HPL is a priority to protect, although these terms are not defined.</p> <p>Our initial identification needs to be confirmed through a more thorough community consultation process undertaken by the District and Regional Councils.</p>	<p>The Highly Productive Land Precinct over the Henschel's land needs to be further investigated through a more thorough community consultation process undertaken by the District and Regional Councils.</p>
S539 Rosalie Sampson	S539.003	Neutral	Rezoning request	<p>Staff viewed the Landcare Research Land Use Capability maps. A number of residential, commercial and farming properties identified by the submitter along the north bank of the Karamea River upstream from the mouth, and to the north of the River have Class 3 soils on them, which the National Policy Statement for Highly Productive Land (NPSHPL) 2022 aims to protect. However, there is no requirement in the NPS for residential and commercial properties to be mapped as</p>	<p>The Highly Productive Land Precinct over Karamea River land needs to be further investigated through a more thorough community consultation process undertaken by the District and Regional Councils.</p>

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
				<p>highly productive land. The NPS also has qualifiers, including that 'large and geographically cohesive' HPL is a priority to protect although these terms are not defined. Additionally, lawfully established existing development has existing use rights under the RMA if any future new development does not increase the scale or intensity of adverse effects.</p> <p>WCRC staff have discussed the issue with BDC planning staff. The West Coast Regional Council will work with the BDC to undertake a more thorough community consultation process for identifying and mapping highly productive land as required by the NPSHPL.</p>	

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
	Sub No. / Point No.	Support / Oppose	Provision		
S190 Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora	S190.966	Neutral	GRUZ - PREC5 - P5	<p>Council agrees in principle that Highly Productive Land should be retained and prioritised for productive land use. However, the National Policy Statement for Highly Productive Land (NPSHPL) emphasizes that Class 1 to 3 soils should be protected. This is subject to qualifiers including that 'large and geographically cohesive' HPL is a priority to protect, although these terms are not defined. Regional and Districts Councils must give effect to the National Policy Statement.</p> <p>Some of the HPL Precincts shown in the Proposed TTPP apply to other classes of soils, but it is not required in the NPS to have the same level of protection for Classes 4-8 soils.</p>	Amend the Highly Productive Land Precinct Overlay in the TTPP when land with highly productive soils is identified and mapped through a more thorough community consultation process, and in accordance with the National Policy Statement for Highly Productive Land requirements.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TPPP to make)</i>
	Sub No. / Point No.	Support / Oppose	Provision		
S620 Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio	S620.017	Neutral	Planning Maps and Overlays	Council staff viewed the Landcare Research Land Use Capability maps. It appears that the land identified by the submitter does not have Class 3 soils which the National Policy Statement for Highly Productive Land aims to protect. However, our initial identification needs to be confirmed through a more thorough consultation process with mana whenua, undertaken by the District and Regional Councils.	The Highly Productive Land Precinct over Poutini Ngāi Tahu land needs to be further investigated through a more thorough consultation process with mana whenua, undertaken by the District and Regional Councils, and in accordance with the National Policy Statement for Highly Productive Land requirements.
S493 TiGa Minerals and Metals Limited	S493.090	Neutral	RURZ -O1	Council is unsure what changes should be made to Objectives, Policies and Rules regarding Highly Productive Land in the Rural Zone until we have gone through a more thorough process of identifying and mapping the NPSHPL Class 3 soil areas to meet the requirements of the National Policy Statement for Highly Productive Land.	

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
	Sub No. / Point No.	Support / Oppose	Provision		
S607 Whyte Gold Limited	S607.059	Neutral	RURZ -01	Council is unsure what changes should be made to Objectives, Policies and Rules regarding Highly Productive Land in the Rural Zone until we have gone through a more thorough process of identifying and mapping the NPSHPL Class 3 soil areas to meet the requirements of the National Policy Statement for Highly Productive Land.	
S599 WMS Group (HQ) Limited and WMS Land Co. Limited	S599.105	Neutral	RURZ - 01	Council is unsure what changes should be made to Objectives, Policies and Rules regarding Highly Productive Land in the Rural Zone until we have gone through a more thorough process of identifying and mapping the NPSHPL Class 3 soil areas to meet the requirements of the National Policy Statement for Highly Productive Land.	

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>	The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
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West Coast Regional Council further submission on permitted Noise R2

	Sub No. / Point No.	Support / Oppose	Provision		
S602 Department of Conservation	S602.180	Support	Permitted NOISE -R2	The change to the permitted NOISE - R2 Condition 12 that is sought by DOC is similar to a change requested by the Regional Council to Condition 12. The Council supports the suggested DOC wording.	Add the wording sought by DOC.
S166 New Zealand Agricultural Aviation Association	S166.024	Support	Permitted NOISE - R2 12)	The NZAAA suggested wording incorporates the wording sought by WCRC and DOC, and provides for aerial biosecurity and biodiversity operations.	Add the wording sought by NZAAA.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>	The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want TTPP to make)</i>
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West Coast Regional Council further submission on NOSZ Non-complying Rule 16

	Sub No. / Point No.	Support / Oppose	Provision		
S601 Birchfield Coal Mines Ltd	S601.080	Partly support	NOSZ - R16 Non-complying for Mineral extraction	Non-complying rule status is unreasonably onerous for extraction of quarry rock from public conservation land for Rating District flood protection works, especially in emergency situations. Given the predicted increase in frequency and intensity of rainfall events in the future, it may be necessary to source quarry rock from locations other than the four existing Council-managed Quarries at Karamea, Inchbonnie, Camelback and Okuru. A recent example was with the breaching of Rating District flood protection structures on the Wanganui River, and subsequent flooding of adjoining farmland. While people and homes were not at risk on this occasion, it could happen in the future. It would be preferable to obtain quarry rock from a location near the River to promptly undertake repairs, but much of the surrounding land is DOC land. If suitable quarry rock is found on DOC land, discretionary status is appropriate for assessing all environmental effects.	Change the rule status from non-complying to discretionary for extraction of quarry rock from new locations not identified in a Mineral Extraction Zone in the TTPP.

Report to: Resource Management Committee	Meeting Date: 8 August 2023
Title of Item: Resource Science Report	
Report by: Samwell Warren, Hydrology Team Leader	
Reviewed by: Fiona Thomson, Planning and Science Manager	
Public excluded? No	

Report Purpose

To update the Committee on Resource Science developments over the last month.

Report Summary

This report summarises activities being undertaken within the Resource Science team over the period of the last month and highlights any milestones or interest points within the monitoring programmes for the Committees information.

Draft Recommendations

It is recommended that Council resolve to:

Accept the report for information purposes.

Issues and Discussion

Hydrology

- Site inspections for this three-month cycle have been completed (in record time).
- The new Mawheraiti River at Atarau bridge stage and water quality site has been designed by staff and is being installed so this site will be back up and running by 4th August.
- Our very own Hydrology Team Leader was a guest judge at the Grey High Science fair. WCRC ran an interactive exhibit for the kids to learn from run by hydrology staff.
- The team has conducted and are finalising a complete hydrometric site audit. This audit is the first of its kind for the network and covers:
 - Site access and health and safety issues;
 - Site resilience (including telemetry);
 - Site redundancy (including telemetry);
 - Current vs targeted data quality requirements, against national standards and associated site changes; and
 - Reviews of site benchmarks.

This audit provides us with a comprehensive, and holistic list of “must do’s “ and “nice to do’s”.

- A consultant has been engaged to conduct an audit of our processes and procedures for processing and archiving hydrometric data. This will identify any gaps in our processes and procedures, for us to fix before a future, comprehensive data audit (tentatively planned for 2024).
- Our Hydrology Team Leader has begun to review the rating curves for a number of sites critical to current modelling projects (Grey River at Dobson, Hokitika River at Gorge, Buller River at Te Kuha). This work feeds into wider project reviews being conducted and managed by a consultant.
- Historic flood events are being compiled by staff as part of a review to be conducted by our Hydrology Team Leader on design flood estimates for the above rivers.

- A site asset register is being set up by staff as part of a gap analysis conducted on our internal hydrometric systems and processes.
- Our Hydrology Team Leader has visited Moana School to assess site suitability for a rain gauge – the current Moana rain gauge has been identified as being poorly sited and needs to be moved. The local school was considered to be a good option, with a similar arrangement being considered as has occurred at Hari Hari School.
- Low flow gauging's have been conducted in the Hokitika River and associated tributaries to identify low flow catchment yields to inform possible future site installations that would be of significant benefit to future models and flood forecasting.
- We are in discussion with the hydrology team at Otago Regional Council (ORC) to work out some cross training. At present the WCRC field staff are still relatively new to the game, and so exposing them to more experienced field staff, at other council agencies has been identified as an effective training opportunity. ORC conduct a lot of flow gauging work using methodologies that don't require accessing the river, and have a network of camera that record flooding events for high flow gauging analysis. Both of these have been identified as applicable to our environment.
- We have largely completed a targeted programme for low flow gauging's. These gauging's have been required to 'peg' the lower end of our rating curves (not as critical as the high flows, but still required).

Considerations

Implications/Risks

There are no implications or potential risks within this report.

Significance and Engagement Policy Assessment

There are no issues within this report which trigger matters in this policy.

Tangata whenua views

Poutini Ngāi Tahu are involved in freshwater management policies.

Views of affected parties

No parties will be affected by the subject matter of this report.

Financial implications

There are no financial implications arising from this report.

Legal implications

The monitoring program and outcomes of that monitoring meet WCRC legal obligations under the Resource Management Act 1991, National Planning Standard for Freshwater Management .

Report to: RMC Committee	Meeting Date: August 2023
Title of Item: Consents Monthly Report	
Report by: Leah Templeman, Consents & Compliance Business Support Officer	
Reviewed by: Rachel Clark, Acting Consents & Compliance Manager	
Public excluded? No	

Purpose

For the Resource Management Committee to be kept informed of activities in the Consents department, and to provide an update on current matters.

Summary

This is the Consents report for July 2023 activities.

Actions

A copy of the consent application and staff report for the Christmas Creek consent were supplied to Councillor Dooley.

RECOMMENDATION

It is recommended that the Committee resolve to:

Receive the July 2023 report of the Consents Group.

Site Visits

07/07/2023	RC-2023-0058 BL Group 2013 Limited	Site visit with Consent Officer and representative of applicant regarding a subdivision on Tindale Road, Greymouth. Looking at site and discussing potential issues and further consents that may need to be applied for.
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Non-notified Resource Consents Granted

Six non-notified resource consent applications were granted between 01 July 2023 to 30 July 2023

RC-2023-0080 Jonathan and Josephine Hill Paroa	To discharge treated onsite sewage wastewater from a domestic dwelling, Paroa.
RC-2023-0070 West Coast Regional Council Hokitika Stopbank, Stage 1A	<p>To remove vegetation and undertake earthworks within the riparian margin of the Hokitika River associated with upgrading and reinforcement of a section of the existing Hokitika flood protection stopbank.</p> <p>To disturb the bed and true right bank of the Hokitika River to undertake diversion works in a contiguous stretch of the Hokitika River in conjunction with the stopbank upgrade.</p> <p>To extract gravel from the bed of the Hokitika River for the purpose of using the rock and gravel for stopbank construction.</p> <p>Temporary diversion of water within the bed of the Hokitika River associated with the stopbank upgrade.</p> <p>Permanent diversion of Hokitika River flood flows from the increased height of the stopbank.</p> <p>Incidental discharge of sediment to the Hokitika River associated with bed disturbance.</p>

RC-2023-0064
Buller District Council
Rough Creek, Inangahua.

To undertake earthworks in the bed of the Rough Creek associated with bridge maintenance and river protection works, Rough Creek, Inangahua.

To undertake earthworks in the riparian margin associated with bridge maintenance and river protection works, Rough Creek, Inangahua.

The diversion of water associated with river protection works, Rough Creek, Inangahua.

The incidental discharge of contaminants into the Rough Creek associated with proposed river protection and bridge maintenance work.

RC-2023-0086
Gregory & Suzanne Peterson
Awatuna

To discharge treated onsite sewage wastewater from a domestic dwelling, Awatuna.

RC-2023-0087
Nigel Nixon
Rimu

To discharge treated onsite sewage wastewater from a domestic dwelling, Rimu.

RC-2023-0088
William & Lauren Hassall
Paroa

To discharge treated onsite sewage wastewater from a domestic dwelling, Paroa.

Changes to Consent Conditions

No applications to change consent conditions were granted in the period 01 July 2023 to 30 July 2023

Consents processed and granted on behalf of Westland District Council

No consents granted for the period 01 July 2023 to 30 July 2023

One Consent application lodged still yet to be finalised on behalf of Westland District Council

RC-2018-0049-V3
Aureon Limited
Stafford Loop, Westland District

Variation to extend mining area.

Waiho River Protection Works Consent Hearing

The hearing to determine the consent application for the Waiho River protection works was held on Friday 28 July at the Grey District Council. This application was processed by and heard by independent parties. Evidence was presented by the applicant and submitter and an addendum supplied by the processing officer in regard to

previously unidentified native vegetation clearance and the need to consider the newly activated National Policy Statement for Biodiversity.

The commissioner, Peter Callendar, adjourned the hearing and directed that parties confer on the draft consent conditions presented at the hearing by the submitter and try to reach agreement where possible. The commissioner also directed that the applicant's right of reply be supplied in writing. Once the commissioner is satisfied with the information he will close the hearing and will then have 15 working days to release his decision. That decision can then potentially be appealed by either party which would instigate Environment Court proceedings.

Implications/Risks

There are no implications/risks associated with this report.

Significance and Engagement Policy Assessment

There are no issues within this report which trigger matters in this policy.

Tangata whenua views

In line with the implementation of Paetae Kotahitanga ki Te Tai Poutini Partnership Protocol in the Mana whakahono ā Rohe Resource Management Act Iwi Participation Arrangement, Poutini Ngāi Tahu are provided with the weekly consent applications received report.

This provides opportunity to alert Council of any resource consent applications received in the weekly table that are of particular interest to them. Iwi do alert Council of their interest in applications and are provided a copy of applications and made affected parties where appropriate.

Financial implications

There are no financial implications associated with this report.

Legal implications

All consents are prepared in accordance with the Resource Management Act and appropriate staff reports compiled to show the reasoning towards granting the consent.

Legal implications for all consents are a risk of judicial review by any party. A judicial review would involve the court reviewing a decision made by the Council and determining if correct process was followed or not. Should a review find that the correct process was not followed then the Court would recommend the process be revisited and reassessed. The main implications would be additional cost to the Council and reputational damage.

No judicial reviews have been instigated to date.

WEST COAST REGIONAL COUNCIL

To: Chair, West Coast Resource Management Committee

I move that the public be excluded from the following parts of the proceedings of this meeting, namely – item 10.1 due to privacy and commercial sensitivity reasons and that:

- 1. Darryl Lew be permitted to remain at this meeting after the public have been excluded due to their knowledge of the subjects. This knowledge will be of assistance in relation to the matters to be discussed; and*
- 2. That the minutes clerk also be permitted to remain.*

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
10.1	Confidential Minutes Council Meeting – 11 July 2023	The item contains information relating to commercial, privacy and security matters	To protect commercial and private information and to prevent disclosure of information for improper gain or advantage (s7(2)(a), s7(2)(b), and s7(2)(j)).