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

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

TUESDAY, 11 SEPTEMBER 2018

The programme for the day is:

10.30 a.m: **Resource Management Committee Meeting**

On completion of RMC Meeting: **Council Meeting**

Presentation: **Local Government Commission (12 midday)**

Councillor Workshops: **Engineering Matters
Mana Whakahono ā Rohe
(Iwi Participation Arrangements)**

RESOURCE MANAGEMENT COMMITTEE

THE WEST COAST REGIONAL COUNCIL

Notice is hereby given that a meeting of the **RESOURCE MANAGEMENT COMMITTEE** will be held in the Offices of the West Coast Regional Council, 388 Main South Road, Paroa, Greymouth on **Tuesday, 11 September 2018**

N. CLEMENTSON
CHAIRPERSON

M. MEEHAN
Chief Executive Officer

<u>AGENDA</u> <u>NUMBERS</u>	<u>PAGE</u> <u>NUMBERS</u>	<u>BUSINESS</u>
1.		APOLOGIES
2.	1 – 4	MINUTES 2.1 Confirmation of Minutes of Resource Management Committee Meeting – 14 August 2018
3.		PRESENTATION
4.		CHAIRMAN'S REPORT
5.		REPORTS
		5.1 Planning and Operations Group
	5	5.1.1 Planning Report
	6 – 7	5.1.2 Civil Defence and Emergency Management Update
	8	5.1.3 Reefton Air Quality Summary
		5.2 Consents and Compliance Group
	9 – 10	5.2.1 Consents Monthly Report
	11 – 15	5.2.2 Compliance & Enforcement Monthly Report
		6.0 GENERAL BUSINESS

THE WEST COAST REGIONAL COUNCIL

**MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE
HELD ON 14 AUGUST 2018, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL,
388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.33 A.M.**

PRESENT:

N. Clementson (Chairman), A. Robb, T. Archer, P. Ewen, P. McDonnell, A. Birchfield, S. Challenger, J. Douglas

IN ATTENDANCE:

M. Meehan (Chief Executive Officer), R. Mallinson (Corporate Services Manager) R. Beal (Operations Manager), H. McKay (Consents & Compliance Manager), H. Mills (Planning Science & Innovation Manager), N. Costley (Strategy & Communications Manager), T. Jellyman (Minutes Clerk), The Media.

1. APOLOGY

There were no apologies.

2. MINUTES

Moved (Ewen / Archer) *that the minutes of the previous Resource Management Committee meeting dated 10 July 2018, be confirmed as correct.*

Carried

Matters Arising

There were no matters arising.

3. There was no presentation.**4. CHAIRMAN'S REPORT**

The Chairman spoke to his report and stated it has been a quiet month aside from last week's special meeting which all councillors attended.

5. REPORTS**5.1 PLANNING AND OPERATIONS GROUP****5.1.1 RPS HEARING PANEL RECOMMENDATIONS**

H. Mills requested that this report be moved to the Council meeting for administrative purposes. Cr Birchfield asked for more information as to why this matter needs to go to the Council meeting. Cr Archer advised that the Panel who consider the RPS can only make a recommendation to the Council, and there is no ability for the Council to actually transfer, or delegate the authority to make changes to Plans, as only Council can do this.

Moved (Archer / Robb)

1. That the report is received.

2. *That the Resource Management Committee accepts the Hearing Panel's Recommendations on submissions to the proposed Regional Policy Statement, and recommends that the Council adopts the recommendations.*
3. *That the Resource Management Committee recommends publicly notifying the Decisions on Submissions to the proposed Regional Policy Statement by 17 August 2018.*

Carried

5.1.2 PLANNING REPORT

H. Mills spoke to this report and stated that the key points of the Submission on Proposed National Planning Standards are questions around whether the standards will actually have a positive outcome of less time and costs for councils. He stated that there are also concerns about meeting the timeframes for implementing the Standards which are five years and is it supported where they make planning documents easier for plan readers and provide flexibility for districts and regions. H. Mills advised that Council opposed Standards where planning consequences are required to go through a Schedule 1 process.

H. Mills advised that staff have lodged a Request for extension of time to release Plan Change 1 Decisions because some landowners disputed the wetland boundaries on their farms. He stated that the Panel has now appointed an Assessor to undertake site visits to certain wetlands, the Assessors report is due at the end of August. H. Mills advised that this means that the two year timeframe will be exceeded and therefore the extension of time has been requested.

H. Mills stated that staff are in the process of seeking an Envirolink grant to assist with work on the Submission on the Zero Carbon Bill. He stated that will help with understanding the real net carbon emissions on the West Coast, and will also assist with future submissions and work in this area.

Cr McDonnell asked H. Mills how many landowners and to what extent are they affected by the Land and Water Plan request for extension of time. H. Mills responded that there are around 12 landowners affected but the boundary changes are only minor. It was agreed that the whole issue is not going to be completely resolved. Cr Birchfield stated that 4,500 hectares of privately owned land has been locked up. He stated that he would like the whole process started over again as he feels Council has run the whole process wrong as he feels DoC should have proved that the land was a wetland before they put it into a wetland as landowners were not notified. Cr Archer warned against this as the matter has already gone through the Environment Court and the High Court and if the boundaries are pushed too far Council will be hit with huge costs and there will still be no change. Cr Ewen expressed concern with privately owned land being confiscated as the landowners are still paying rates on this land that they cannot utilise. He suggested that compensation from Minister Jones's \$1B fund might be investigated. Cr Robb agreed with the comments from his fellow councillors but stated that the process was carried out by the Environment Court, not Council, and the only political pressure Council could pursue would be compensation to the landowners who have had land taken away from them.

Moved (Archer / Challenger)

1. *That the report is received.*
2. *That the Council approve the draft submission on the proposed National Planning Standards for lodging.*
3. *That a 12 month extension until 22 August 2019 is granted to allow time to release Decisions on the proposed Plan Change 1 to the Land and Water Plan.*

Discussion took place on the representative for the Grey Freshwater Management Group representative. H. Mills provided additional background information on what is involved in being part of this Group. He advised that the end goal for this group is to bring recommendations to Council, both statutory and non-statutory, which will lead onto maintaining and improving freshwater quality in the catchments. Discussion took place and it was agreed that Cr Robb would be the representative.

4. *That an elected representative from the West Coast Regional Council (from the Grey Constituency) be chosen to sit on the Grey Freshwater Management Unit (FMU) Group as per the Grey FMU Group Terms of Reference.*

Carried

5.1.3 PROPOSED LOCAL BILL: WEST COAST (IRREVERSIBLY DAMAGED TIMBER RECOVERY ON WEST COAST CONSERVATION LANDS) BILL

H. Mills spoke to this report. He explained that this Bill seeks to amend the Conservation Act for the West Coast region to allow for recovery of irreversibly damaged trees from Cyclones Fehi and Gita. He stated that in this case WCRC would be the promoter of the Bill and the member in charge would be Maureen Pugh. It was noted that the Bill has to comply with Standing Orders of the House. He outlined the steps to be taken to get this underway. M. Meehan advised that there have been discussions with Hon Damien O'Connor about whether he would introduce the Bill. Council is not recommending who the MP would be that does introduce the Bill as this is a mechanical matter. H. Mills advised that Maureen Pugh put the Bill in the ballot but it may not get drawn for five years therefore there is an opportunity via a local Bill to get this through Parliament. Cr Archer congratulated staff on the huge amount of work done on this Bill. Cr McDonnell stated that consideration needs to be given to which MP puts the Bill forward to ensure that it succeeds.

Moved (Archer / Robb)

1. *That a notice of intention is disseminated throughout the region to promote the proposed local bill: West Coast (Irreversibly Damaged Timber Recovery on West Coast Conservation Lands) Bill.*
2. *That notice be given to persons with direct interest including every member of a Māori or General electoral district whose constituents may be affected by the provisions of the Bill.*
3. *That following completion of the preliminary procedures a declaration to the Clerk of the House be made providing evidence of the completion of the preliminary procedures.*

Carried

5.1.4 REEFTON AIR QUALITY SUMMARY

H. Mills spoke to this report and advised that there have been no exceedances of the air quality NES this winter. H. Mills advised that there has been a further gap in the data due to the machine having a fault and being sent to Auckland for repair. He stated that a loan machine is now in place and a new machine will be purchased this financial year.

Moved (Birchfield / Challenger) *That the report is received.*

Carried

5.2.1 CONSENTS MONTHLY REPORT

H. McKay spoke to this report and advised that three site visits were carried out, ten non-notified resources consents were granted and four changes to and review of consents conditions were granted during the reporting period.

Moved (Ewen / Archer) *That the August 2018 report of the Consents Group be received.*

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

H. McKay spoke to this report. She advised that 41 site visits were carried out during the reporting period, 12 complaints / incidents reported with 11 resulting in site visits. H. McKay reported that there

were five identified non-compliances reported and nine complaints or incidents which are yet to be confirmed as to whether they were non-compliant or compliant.

H. McKay advised that WDC has met both of the milestone dates for the first two milestones under the enforcement order requiring Westland District Council (WDC) to put a new sewage system in place in Franz Josef by 30 April 2018. H. McKay stated that WDC did comply with the abatement notice issued in relation to the sewage discharge and enquires are ongoing but no further enforcement decision has been made as yet.

H. McKay answered questions from Councillors. She confirmed that there is a newly released NES on plantation forestry and part of Council's role is to monitor compliance in this area. Council staff are currently working through this alongside other councils as this is a huge piece of work.

H. McKay answered further questions from Councillors.

Moved (Robb / McDonnell) *That the August 2018 report of the Compliance Group be received.*

Carried

GENERAL BUSINESS

J. Douglas thanked Cr Archer and Robb, and staff, on behalf of rūnanga, for the extensive work that has gone into the RPS. Cr Archer suggested that J. Douglas be invited to stay for the Council meeting as she may have further questions on the RPS. M. Meehan advised that it was agreed to move the RPS moved to the Council meeting in order to protect the decisions on this matter. It was agreed that J. Douglas would stay for the Council meeting.

The meeting closed at 11.12 a.m.

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Chairman

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Date

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting - 11 September 2018
Prepared by: Hadley Mills – Planning, Science and Innovation Manager
Date: 3 September 2018
Subject: PLANNING MONTHLY REPORT

NPSFM – Grey FMU Group

The purpose of the Grey Freshwater Management Unit (FMU) Group is to engage with the community to identify their values for, and understand the issues with, freshwater quality and quantity in the Grey FMU. The Group will then make recommendations to the Council's Resource Management Committee for future plan provisions and work programmes to manage the land and water resources within the FMU.

A public information session has been scheduled for 13 September. This session is an opportunity for council staff to introduce the National Policy Statement for Freshwater Management (NPSFM) process, explain the purpose of the Grey FMU Group, who should get involved and how to apply to become one of the eight group members. The meeting will be facilitated by staff with the addition of a speaker from the Minister for the Environment (MfE). The meeting is in preparation for the first Grey FMU Group meeting on 30 October.

The agenda for the public information session is:

- Purpose of the session
- Introduction to the NPSFM implementation team
- Ministry for the Environment (MfE) to introduce the NPSFM - Jo Armstrong
- Science Information
- Purpose, structure and details of the Grey FMU group and how people can get involved, and
- Questions and Answers.

Key dates for the Grey FMU process:

- 30 August 2018 - Applications open
- 13 September 2018 - Public Information Session
- 20 September 2018 - Applications close
- September – October 2018 - Interviews
- 9 October 2018 – FMU group members appointed and notified
- 30 October 2018 – First Grey FMU meeting - 6pm.

RECOMMENDATION

That the report is received.

Hadley Mills
Planning, Science and Innovation Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee – 11 September 2018
 Prepared by: Mark Crowe – Regional Director Emergency Management and Natural Hazards
 Date: 31 August 2018
 Subject: **Civil Defence and Emergency Management Update**

Purpose

To update Council on events, work progress and projects pertaining to West Coast Emergency Management Group over the past quarter.

Background

It has been identified that the EM Group has not taken the opportunity to report to Council on its sector on a regular basis. The CEO and CEG chair have requested a quarterly update to Council of which this shall be the first.

Iwi Representation on CEG

For some time we have been considering how to improve the connection of emergency management with Iwi / Maori, particularly for our region. A number of events have highlighted the vital need to be better connected with local iwi, for example the use of local marae during the Kaikoura earthquake response, and also Christchurch marae who assisted with housing displaced Kaikoura residents.

In the last six months Group staff have attended Runanga hui at both Makaawhio and Arahura maraes. We have worked alongside Te Rūnanga o Ngai Tahu, Te Puni Kokiri and Community and Public Health to provide support for their emergency preparedness, and improve the connection with our group especially during response. This is the start of our partnership with iwi in this space.

In January this year the Ministry of Civil Defence and Emergency Management published the 'Ministerial Review: Better responses to natural disasters and other emergencies in New Zealand' (18 January 2018). The recommendations included improving the connection with Iwi at all levels of emergency management. This involves "recognising the capability that iwi bring to emergency management" and increasing participation such as "appropriate iwi representative to be part of the group's CEG.

With this in mind at the last CEG meeting on 9 August the CEG considered and approved a recommendation to invite both Te Rūnanga o Makaawhio & Te Rūnanga o Ngati Waewae on West Coast Group CEG as full voting members.

Regional Controllers Forum

The first regional controller's forum was held in Greymouth in August. This was re-initiated to provide for many needs including:

- To meet our new MCDEM REMA, Allan Grigg
- For all Controllers to meet and get to know one another,
- To give Controllers the opportunity to provide feedback to the Group office in a "safe" environment
- Workshop any potential issues arising
- Identify, discuss and / or provide necessary training
- To encourage the "Regional team" Concept

CDEM Local Controller Appointment

At the Joint Committee meeting on 21 August, Sean Judd was appointed as a local controller for Buller District. Training will be provided in the first instance of a course becoming available from the Ministry.

Resilience fund application

Jo Paterson, our Natural Hazards analyst has prepared and submitted to the MCDEM Resilience fund an application for funding to complete more detailed modelling of West Coast tsunami risk/modelling. With the funding decisions recently being released we are pleased to inform we have been partially successful in our funding application. From here we will need to reshape the project from its original project timeline however the overall intent and milestones of the work remain unchanged.

With the Tsunami mapping work having been a shortcoming of the Group for some time, the completion of this project along with the associated education program and public signage will all represent a significant step forward in our preparedness activities.

Strategic Planning for Recovery

The amendment to the Civil Defence Emergency Management Amendment Act 2016 (the Act) requires CDEM Group plans to be amended to provide for strategic planning for recovery from hazards and risks in the CDEM Group area by 1 June 2018.

The Group office has completed the review of our current Group Plan, which included a workshop with MCDEM staff at Group office and the local team. The outcomes of this workshop led to a proposed Group plan being drafted and sent to the Ministry for comment. This feedback was then (mostly) incorporated into the proposed new Group Plan.

The Joint Committee meeting held on 21 August 2018 in Westport formally approved and adopted the amended Group Plan.

The 4R's newsletter

The Group recently initiated the 4R's newsletter. This initiative is designed to push out positive messaging to another sector of our communities. It will include updates on events, activities, public education and learning opportunities. It is designed to be a professional publication that can be circulated across councils and stakeholders as well as in the public space.

It is circulated by Group office to all Council staff (across the 4 councils) all stakeholders, community groups, agencies and via a small number of print copies at some locations. The feedback has been very positive and Nelson Tasman Group along with Marlborough Group are going to use the WC Group format, content and frequency, with their localised content, to push messaging on the same issue dates as ourselves.

RECOMMENDATION

That this report be received.

Mark Crowe

Regional Director Emergency Management and Natural Hazards

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting – 11 September 2018
 Prepared by: Emma Perrin-Smith, Senior Resource Science Technician
 Date: 29 August 2018
Subject: REEFTON AIR QUALITY WINTER SUMMARY

There have been no exceedances of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 for PM₁₀ in Reefton this winter (Figure 1).

The two gaps in the data record were due to machine faults. The latest fault required the air quality monitor to be sent back to Auckland for repair (requiring a new motherboard), a loan machine was installed at the Reefton site in the interim. The WCRC monitor has now been repaired and is due to be reinstated.

The maximum recorded 24 hr average PM₁₀ measured in Reefton this winter was 50 µg/m³. See Table 1 for comparison to previous years.

This has been the second winter monitoring at the new air quality site.

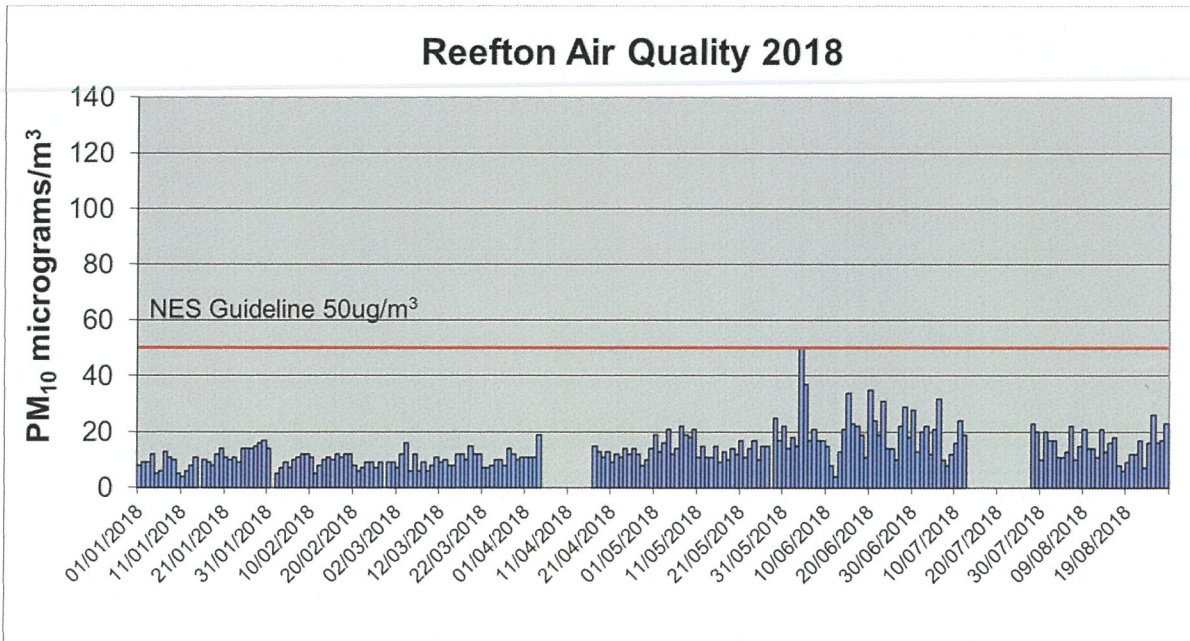


Figure 1. Reefton daily PM₁₀ for 2018.

Table 1. Reefton air quality exceedances and maximum 24 hr average PM10 since 2006.

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Number of exceedances (over whole year)	16	25	18	16	22	7	27	15	17	14	4	0	0
Maximum recorded 24hr average (µg/m ³)	86	129	78	91	99	68	115	87	82	91	70	43	50

This will be the last report for Reefton air quality for this winter.

RECOMMENDATION

That the report is received.

Hadley Mills
Planning, Science and Innovation Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting – 11 September 2018
 Prepared by: Cassidy Rae – Consents and Compliance Administrator
 Date: 29 August 2018
Subject: CONSENTS MONTHLY REPORT

3 Consents Site Visit were undertaken 31 July 2018 – 29 August 2018

03/08/2018	RC-2017-0067, Whyte Gold Limited, Alluvial Gold Mining, Dunganville	Assess mitigation for sediment discharge.
27/08/2018	RC12238 Westland District Council, Coastal Protection Works, Sunset Point, Hokitika	To investigate the proposed site for gravel take and protection works.
28/08/2018	RC-2018-0077 Hamish Roundhill and Rebecca Inwood, Creek Diversion and Extension of Mining Area, Reefton	To investigate proposed diversion of Landing Creek, Reefton.

8 Non-Notified Resource Consents were Granted 31 July 2018 – 29 August 2018

CONSENT NO. & HOLDER	PURPOSE OF CONSENT
RC07022 Francis Mining Limited Wellman Creek, Garvey Creek and the Inangahua River	To discharge sediment-laden water to land associated with coal mining within MP 41269 in circumstances where it may enter water, namely Wellman Creek, Garvey Creek and the Inangahua River.
RC-2017-0112 Buller Coal Limited V8 Creek, Cascade Creek	To disturb the bed of V8 Creek for the purposes of coal mining within MP51279. To divert water for the purposes of coal mining within MP51279. To discharge water containing contaminants to Cascade Creek and its tributaries, namely V8 Creek, for the purposes of Coal Mining within MP51279.
RC-2018-0036 Double H Mining Limited Kotuku	To undertake earthworks associated with alluvial gold mining activities within MP60440, Kotuku. To take and use surface water and groundwater via seepage into mining ponds for the purposes of alluvial gold mining activities within MP60440, Kotuku. To discharge water containing sediment to land in circumstances where it may enter water namely Deep Creek and/or its tributaries associated with alluvial gold mining within MP60440, Kotuku.
RC-2018-0059 Conservation Volunteers New Zealand Wadeson Island, Hokitika River	To disturb Wadeson Island in the bed of the Hokitika River to undertake works associated with the development of whitebait habitat and creation of channels. To permanently divert water into new channels, Wadeson Island, Hokitika River.

RC-2018-0066 New Creek Mining Limited New Creek Mine	To undertake earthworks including on slopes in excess of 25 degrees, New Creek Mine.
RC-2018-0069 Birchfield Coal Mines Seven Mile Creek	To discharge treated mine water from Spring Creek Mine and stormwater from mine facilities to Seven Mile Creek.
RC-2018-0070 New Zealand Transport Agency Ahaura River	To undertake earthworks and vegetation clearance for the purpose of geotechnical investigations, Ahaura River.
RC-2018-0076 Nathan Lee Cook Lake Brunner	To discharge treated sewage wastewater to land from a dwelling at Beechwater subdivision, Lake Brunner.

5 Change to and Reviews of Consent Conditions were Granted 31 July 2018 – 29 August 2018

CONSENT NO. & HOLDER	PURPOSE OF CHANGE/REVIEW
RC06206-V7 BT Mining Limited Mangatini Stream	Changes relating to discharges to the Mangatini Stream.
RC10137-V4 Boatman's Coal Limited Boatman's	Extend overburden disposal area, Boatman's.
RC11201-V1 West Coast Regional Council Mokihinui	Additional rock spurs for erosion protection, Mokihinui
RC-2015-0106-V1 TS Mining Limited Italian Gully, Dunganville	Change to disturbed Gold mining areas, Italian Gully, Dunganville (MP41865).
RC-2016-0072-V1 Peter Dennis Reedy Fox River, Buller	Amended location for Gravel extraction, Fox River, Buller.

0 Limited Notified and Notified Resource Consents were granted 31 July 2018 – 29 August

Public Enquiries

39 written public enquiries were responded to during the reporting period. 37 (95%) were answered on the same day, and the remaining 2 (5%) within the next ten days.

RECOMMENDATION

That the September 2018 report of the Consents Group be received.

Heather McKay
Consents & Compliance Manager

Prepared for: Resource Management Committee – 11 September 2018
 Prepared by: Heather McKay – Consents & Compliance Manager
 Date: 31 August 2018
 Subject: **COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

Site Visits

A total of 126 site visits were undertaken during the reporting period, which consisted of:

Activity	Number of Visits
Resource consent monitoring	98
Mining compliance & bond release	10
Complaint/Incident related	18
Dairy farm	0

- A total of 24 complaints/reported incidents were received, with 18 resulting in site visits.

Non-Compliances

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

A total of 7 non-compliances occurred during the reporting period.

Activity	Description	Location	Action/Outcome	INC/Comp
Gold mining	Complaint received that a creek was discoloured with sediment from a gold mining operation	Maori Gully	The site was investigated and established that the operation was discharging sediment laden water which had significantly discoloured a creek. An abatement notice and an infringement notice was issued.	Complaint
Dairy farming	Complaint received that a farmer has irrigated effluent from a slurry tanker too close to a dwelling.	Hari Hari	The site was investigated and established that dairy effluent had been discharged within twenty metres of a property boundary and adjacent to a dwelling. There were also ponded areas of effluent sludge. The farmer was issued with an abatement notice to undertake remedial work and an infringement notice.	Complaint
Dumped Burnt out vehicle	A Buller District Council staff member reported that someone had dumped and burnt out a vehicle on the beach north of Hector.	Hector	The BDC arranged for the removal of the vehicle. No follow up enquires are able to be made as there was no identification on the vehicle.	Incident

WWTP Discharge to land	A compliance inspection was undertaken at the Haast waste water treatment plant operated by the Westland District Council. On site it was discovered that the discharge from the WWTP had ponded on the Haast River bed in contravention of resource consent conditions.	Haast	Samples of the discharge were obtained and enquiries are ongoing.	Incident
Gold Mining	Compliance staff saw that Flowery Creek was discoloured from sediment. Enquiries established that the discharge was from a gold mining operation located in the Arahura Valley.	Arahura Valley	The site was inspected and established that a sediment retention holding pond was overflowing into the upper catchment of Flowery Creek. An abatement notice and infringement notice was issued.	Incident
Gold mining	Complaint received that the discharge from a gold mining operation has discoloured Sunday Creek.	Waimea	The site was investigated and found that sediment laden water was escaping from the sediment retention ponds and had significantly discoloured the creek. Enquiries are ongoing as the Council is awaiting the results of the samples obtained during the inspection.	Complaint
Gold mining	Complaint received that the discharge from a gold mining operation has discoloured Waimea Creek.	Waimea	The site was investigated and found that sediment laden water discharged from the operation had significantly discoloured the creek. An abatement notice was issued to cease the discharge. Enquiries are ongoing as the Council is awaiting the results of the samples obtained during the inspection.	Complaint

Other Complaints/Incidents

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

Activity	Description	Location	Action/Outcome	INC/Comp
Gravel extraction	Complaint received that a contractor has removed large volumes of gravel from the river bed and alleges it must exceed their consented take.	Hokitika	Enquiries are ongoing	Complaint
Discharge to water	Person complains that people have been drinking from an acidic tasting creek.	Granity	The Council advised the person that the creek is affected by historic acid mine drainage and should not drink from it.	Complaint

Activity	Description	Location	Action/Outcome	INC/Comp
Discharge to water	Complaint received that the discharge of fuel from a truck refueling station was contaminating storm water.	Springs Junction	The site has been investigated and enquiries are ongoing.	Complaint
Discharge to water	Complaint received that there was the smell of fuel in the vicinity of the Blaketown Lagoon and the person suspected that diesel or oil was in the water.	Greymouth	The site was investigated and the complaint was unable to be substantiated.	Complaint
Discharge to air	Complaint received that a person was burning rubbish at their address and the smoke was causing a nuisance.	Greymouth	The person was contacted and asked to be more considerate of the impact to the neighbouring properties. Burning rubbish from a domestic property does not breach the Regional Air Quality Plan.	Complaint
Discharge to air	Complaint received that a person was burning rubbish at their address and the smoke was causing a nuisance.	Taylorville	The site was investigated and established that there was no breach of the Regional Air Quality Plan. The person was asked to be more considerate of the impact to the neighbouring properties.	Complaint
Gold Mining	Complaint received that the discharge from a gold mining operation was discolouring Maori Creek.	Marsden	The site was investigated and the complaint was unsubstantiated.	Complaint
Damming of water	Complainant suspected that someone had dammed Waimea Creek as the river level had dropped.	Waimea	The site was investigated and established that the water level had dropped as a new mouth had opened up where normally the mouth is restricted.	Complaint
Gold Mining	Complaint received that a gold miner was outside of their consented boundary	Waimangaroa	The site was investigated and the complaint was unsubstantiated.	Complaint
Discharge to land	Complaint received that a septic tank has been exposed by erosion and is discharging onto land.	Hector	Enquiries are ongoing	Complaint
Discharge to air	Complaint received that a person is burning tyres on occasion at their property.	Hector	Enquiries are ongoing	Complaint

Activity	Description	Location	Action/Outcome	INC/Comp
Building demolition	Complaint received that a demolished building in Westport contains asbestos.	Westport	Enquiries have been made with the building owner. The owner is trying to arrange the appropriate disposal of the demolished material. The site has sprinklers on it to prevent the discharge of dust.	Complaint
Dumping of material	Complaint received that a person is dumping clean fill and demolition materials on their property.	Greymouth	The site was investigated and the operator is separating out the clean fill and demolition material. There was no breach of the relevant regional rule for clean fills.	Complaint
Discharge to water	Complaint received that Little Houhou creek was discoloured with sediment.	3 Mile Hokitika	The site was investigated and unable to locate the source of the discharge.	Complaint
Flood protection	Complaint received that a person is undertaking work in a creek.	Fairdown	Enquires established that the person was undertaking maintenance on consented flood protection structures.	Complaint
Gold Mining	Complaint received that a person was suction dredging under the Saltwater Creek State Highway Bridge. The complainant was concerned the person may cause damage to the banks.	Paroa	The site was investigated and established that the person was using a shovel and riffle box. There was no damage to the banks and no breach of the rules.	Complaint
Discharge to air	Complaint received that a person has been burning rubbish from a domestic property and the smoke has been a nuisance.	Hector	The complaint has been passed onto the BDC to investigate as it does not breach the Regional Air Quality Plan	Complaint

Formal Enforcement Action

Abatement Notices: The following four abatement notices were issued during the reporting period.

Activity	Location
Gold Mining – cease the discharge of sediment	Maori Gully
Dairy Farming – undertake remedial work to remove effluent	Hari Hari
Gold Mining – cease the discharge of sediment	Arahura Valley
Gold Mining – cease the discharge of sediment	Waimea

Infringement Notices: There were four infringement notices issued during the reporting period.

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Activity	Location
Gold Mining – sediment discharge	Kaniere
Dairy Farming – discharge of diary effluent	Hari Hari
Gold Mining – discharge of sediment	Arahura Valley
Gold Mining – discharge of sediment	Maori Gully

Mining Work Programmes and Bonds

The Council received the following six work programmes during the reporting period. Five work programmes have been approved. The remaining work programme requires a site visit prior to approval.

Date	Mining Authorisation	Holder	Location	Approved
06/08/18	CML37160	Birchfield Coal Mines Ltd	Island Block	Yes
06/08/18	RC09053	Westco Lagan Ltd	Ruatapu	Yes
07/08/18	RC10273	Blacktopp Mining Limited	Marsden	Yes
08/08/18	RC-2014-0174	Iron River Company Ltd	Camerons	Yes
10/08/18	CML37159	Birchfield Coal Mines Ltd	Strongman	Yes
13/08/18	RC09059	P and R Mining Ltd	Blackwater	In progress

One bond was received during the reporting period

Mining Authorisation	Holder	Location	Amount
RC-2014-0174	Iron River Company	Camerons	\$6000

The following bond is recommended for release

Mining Authorisation	Holder	Location	Amount	Reason
RC10009	Barret, Barret & Mathieson	Maori Gully	\$20,000	Consent expired and replaced by a new consent and bond.

RECOMMENDATIONS

1. That the September 2018 report of the Compliance Group be received.
2. That the \$20,000 bond held by Barret, Barret & Mathieson under RC10009 is released.

Heather McKay
Consents and Compliance Manager

COUNCIL MEETING

THE WEST COAST REGIONAL COUNCIL

Notice is hereby given that an **ORDINARY MEETING** of the West Coast Regional Council will be held in the Offices of the West Coast Regional Council, 388 Main South Road, Greymouth on **Tuesday, 11 September 2018** commencing on completion of the Resource Management Committee Meeting

A.J. ROBB
CHAIRPERSON

M. MEEHAN
CHIEF EXECUTIVE OFFICER

<u>AGENDA NUMBERS</u>	<u>PAGE NUMBERS</u>	<u>BUSINESS</u>
1.		APOLOGIES
2.		PUBLIC FORUM
3.		MINUTES
	1 – 8	3.1 Minutes of Council Meeting 14 August 2018
4.		REPORTS
	9 – 12	4.1 Engineering Operations Report
	13	4.2 Corporate Services Manager’s Monthly Report
	14 - 34	4.3 Minor Changes to Delegations Manual
5.	35	CHAIRMAN’S REPORT
6.	36	CHIEF EXECUTIVE’S REPORT
6.1	37	Proposed Mining Ban Engagement Work
7.		GENERAL BUSINESS

THE WEST COAST REGIONAL COUNCIL**MINUTES OF THE MEETING OF THE COUNCIL HELD ON 14 AUGUST 2018,
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH,
COMMENCING AT 11.12 A.M.****PRESENT:**

A. Robb (Chairman), N. Clementson, T. Archer, P. Ewen, P. McDonnell, A. Birchfield,
S. Challenger

IN ATTENDANCE:

M. Meehan (Chief Executive Officer) R. Beal (Operations Manager), H. McKay (Consents & Compliance Manager), H. Mills (Planning Science and Innovation Manager), N. Costley (Strategy & Communications Manager), T. Jellyman (Minutes Clerk), The Media.

1. APOLOGY:

There were no apologies.

2. PUBLIC FORUM

There was no public forum.

3.1 CONFIRMATION OF MINUTES

Moved (Ewen / Challenger) *that the minutes of the Council Meeting dated 10 July 2018, be confirmed as correct.*

Carried

Matters arising

There were no matters arising.

3.1.2 CONFIRMATION OF MINUTES OF SPECIAL MEETING – 7 AUGUST 2018

Moved (Clementson / Archer) *that the minutes of the Special Council Meeting dated 7 August 2018, be confirmed as correct.*

Carried

Matters arising

There were no matters arising.

REPORTS:**4.1 ENGINEERING OPERATIONS REPORT**

R. Beal spoke to this report. He stated that there are two resource consents in place for work at Rapahoe, one for beach nourishment and the other for a sacrificial bund, but this is yet to be applied for. R. Beal stated that the community has been informed that a resource consent is required for the work that was done by the Domain Board. R. Beal reported that staff will be supporting the Carters Beach community with a Provincial Growth Fund (PGF) application incorporating the airport, Maori tourism strategy and the Kawatiri Trail. R. Beal advised

that if this work goes ahead, a rating district will be required to maintain the works. M. Meehan advised that a PGF application will look at feasibility, and community consultation will be required. If the feasibility study is successful then the PGF would fund the seawall but the community would be required to fund the maintenance of the structure.

Cr Ewen stated that the community group at Rapahoe does not represent all of the community as there are several absentee landlords in this area. M. Meehan advised to date there has not been any community consultation regarding the formation of a rating district at Rapahoe.

R. Beal answered questions from Councillors relating to the works in the Kaniere rating district and Kiwi Quarry.

Moved (Archer / Challenger) *That the report is received.*

Carried

4.2 CORPORATE SERVICES MANAGER'S MONTHLY REPORT

R. Mallinson tabled an updated report and advised that this is the interim end of year financial statement to 30 June. He reported that the deficit is \$770,000 which has increased from the previously reported deficit of \$280,000 for the period to May. R. Mallinson reported that the quarry rehabilitation costs have increased by \$100,000, and this may not be the final figure. R. Mallinson stated that this is not a good financial result for Council. R. Mallinson advised that the investment portfolio performed well during June. He answered questions from Councillors.

Moved (Birchfield / Archer) *That the report, and the supplementary report be received.*

Carried

4.3 TWELVE MONTH REVIEW – 1 JULY 2017 – 30 JUNE 2018

M. Meehan spoke to this report. He spoke in detail to the state of environment section and provided further information on each section of the report. M. Meehan advised that Council has initiated an audit of district and regional resource consents over the next 12 months. He stated that there is good news in the Lake Brunner catchment with the TLI still trending satisfactorily. M. Meehan stated that the planning area has been very busy this year. Discussion took place on fuel storage and the need for bulk storage of fuel in the event of a major civil defence disaster. It was agreed that an application to the Provincial Growth Fund for fuel storage would be investigated. Discussion took place on the decline of water quality in some catchments. H. Mills advised that the State of Environment report will be released later in the year which will reveal state and trends for water quality in our region. Discussion took place with questions being answered by the relevant managers.

Moved (Archer / Clementson) *That the report be received.*

Carried

RPS HEARING PANEL RECOMMENDATIONS

H. Mills spoke to this report and advised that following the hearings which were held in May, the Panel have now made their recommendations. He stated that if Council accepts the recommendations then staff will notify the decisions by 17 August. Cr Archer spoke of various sections of the report, and stated that he is fairly satisfied that original outcomes have been met. The Chairman asked J. Douglas if she would like to comment. She stated that she is happy with how the hearing has gone. H. Mills confirmed that the appeal period is 30 working days, therefore the closing date for appeals is 28 September. Cr Archer stated that he is heartened by the staff level of input into the further submission process and engaging with the submitters to achieve a better outcome which has achieved a better consensus of agreement for Ngāi Tahu, iwi and tangata whenua. He stated that the staff input has also been colossal and is to be applauded. The Chairman agreed and stated that the Chair of the hearing committee was very complimentary to staff for their work.

Moved (Archer / Birchfield)

1. *That the report is received.*

2. *That the Council accepts the Hearing Panel's Recommendations on submissions to the proposed Regional Policy Statement as the Council's Decisions.*
3. *That the Council approves publicly notifying the Decisions on Submissions to the proposed Regional Policy Statement by 17 August 2018.*

Carried

5.0 CHAIRMANS REPORT

The Chairman spoke to his report and stated that he attended the final meeting of the Governance Group. He stated this group has now been disbanded due to the different approach now being taken with economic development.

The Chairman advised that the pre-conference tour was very interesting with ECAN taking participants on a tour of their region to show some of the environmental issues that they are facing and how they are addressing these matters.

The Chairman reported that he was a guest speaker at the Taramakau Bridge opening, he stated this was a big day for the Coast with a massive amount of people in attendance. He stated this was a celebration but also a demonstration of support for our region.

The Chairman spoke of the National Party roadshow on Climate Change that he attended. He stated that Todd Muller is the Climate Change spokesperson. The Chairman stated that cross party collaboration was discussed with the National Party having bottom lines in this area. He stated that a strong stance is going to be taken on this. Cr Birchfield also attended and stated that the roadshow was very much focused on trade and the competition involved with trade.

Moved (Robb / Archer) *That this report is received.*

Carried

6.0 CHIEF EXECUTIVE'S REPORT

M. Meehan spoke to his report and advised that some progress has been made with the One Window work.

M. Meehan reported that Minister Sage is very supportive the work being done with the Lake Brunner predator control project.

M. Meehan spoke of the proposed mining ban meeting he hosted in Westport on 24 July. The Mayors, Chairs and iwi forum members attended, along with industry, Straterra, Minerals West Coast, Go West Coast, Birchfields mining, Bathurst and Stevenson's Group. He spoke of working being done to look at the legal aspects of this, and to work through the key issues in order to prepare a submission for consultation in September. M. Meehan spoke extensively on what can be expected in this area. A further meeting is scheduled for 21 August.

M. Meehan spoke of the Provincial Growth Fund (PGF), and advised that this is \$1B for three years, \$3B in total with all monies being accounted for by the middle of next year. He stated that there is a huge opportunity for the West Coast to put good applications forward as there is an opportunity for WCRC to apply for feasibility work which could lead to future PGF applications. M. Meehan asked Councillors if they are happy for this work to be progressed, he suggested sending out a list of potential projects that applications could be applied for. Cr Birchfield suggested that an application is put forward for fuel storage.

M. Meehan explained the One Window initiative and advised this is an action that came out of the original Growth Study, which is to look at a One Window approach to mining applications. He stated that originally it was called "One Stop Shop" but central government did not like this term therefore it was changed to One Window.

Moved (Archer / Challenger) *that this report is received.*

Carried

4.2.1 STAFF REPORT ON 2018 / 28 LTP CONSULTATION DOCUMENT SUBMISSION

R. Mallinson spoke to this report. He reported that 14 matters were consulted on with a total of 73 submissions received.

Moved (Archer / Birchfield)

That all submitters be thanked for their submissions.

Carried

Moved (Clementson / Challenger)

That Submitter Number 1, G Rzesniowiecki be advised that:

- (a) Human rights principles are not the role of local government.*
- (b) That Council declines to endorse the Trade & Investment process petition as this isn't the role of local government.*
- (c) Council notes that the government has signalled the reintroduction of the 4 well-beings and we note that Local Government NZ supports this approach.*

Carried

Moved (McDonnell / Challenger)

That Submitter Numbers 5, 14, 15, 16, 17, 22, 23, 24, 25, 26, 28, 29, 30, 33, 61, 65, 68, 69, 70, 71 72, 73 A Hocken, P Elwell-Sutton, F Inta, J Boyle, WDC, T Skinner, A eaves, C Backes, I Perkins, Blue Penguin Trust, J Caygill, L Burke, A Wright, A Kremer, W Costello, Scenic Hotel Group, D Hawes, P Berry, C Robins, P Dennehy, I Mulholland, P Perrott be advised that their responses to the various issues have been considered together with other submitter responses to the Consultative Document issues.

Carried

Moved (Archer / Clementson)

That Submitter Number 7 L Grammer be advised that:

- (a) Council has noted her views on various matters but that it has made no changes to the Long Term Plan.*
- (b) Council believes that other agencies are better placed to manager GE/GMO issues. Council does not have the expertise to consider these matters. If there are issues with regulation it should be taken up with the current regulators rather than adding layers of regulation.*

Carried

Moved (McDonnell / Challenger)

That Submitter Number 3 A Woods be advised that with regard to wasp eradication, Council will advocate with MPI and DOC for them to provide funding and resources to address this issue.

Carried

Moved (Archer / Clementson)

That submitter Number 8 GDC be advised that their request is declined. Submitter's attention to be drawn to the economic development wording in the CD.

Carried

Moved (Birchfield / Challenger)

That Submitter Number 9 Tourism Industry Aotearoa be advised that:

- (a) Council notes their advice under the general headings of "things Council could do".*
- (b) That submitter be referred to the economic development wording in the CD.*

Carried

Moved (Challenger / Archer)

That Submitter Number 10 Physicians and Scientists for Global Responsibility be advised that:

- (a) Fluoride in drinking water is a District Council responsibility.*

(b) With regard to GE and Glyphosate based herbicides, Council believes that other agencies are better placed to manage these issues.

Carried

Moved (Clementson / Archer)

That Submitter Number 11 Community & Public Health West Coast, be advised that:

- (a) Council declines to expand air quality monitoring as requested. Currently air quality is monitored in the Reefton airshed. The results of this monitoring indicates compliance with the NES for Air Quality. Government has indicated that it will notify changes to this standard in early 2019 which may require a change to monitoring requirements.*
- (b) With regard to protection of public and community drinking water supplies, Council will implement changes and recommendations from the various inquiries/reviews where practical.*
- (c) Council declines to reactivate the Warm West Coast Scheme due to the impact on Council debt levels and concerns with regard to quality control of installations.*

Carried

Moved (Birchfield / Clementson)

That Submitter Number 12 Waikato Regional Council be advised that Council declines their request for funding. Council acknowledges and supports this work, but cannot however allocate funding towards this project.

Carried

Moved (McDonnell / Birchfield)

That Submitter Number 13 Active West Coast be advised that Council declines to reactivate the Warm West Coast Scheme due to the impact on Council debt levels and concerns with regard to quality control of installations.

Carried

Moved (Ewen / McDonnell)

That Submitter Number 14 P Elwell-Sutton be advised that Council believes that other agencies are better placed to manage GE/GMO issues.

Carried

Moved (Clementson / Ewen)

That Submitter Number 19 PSA Submitter to be advised that:

- (a) Council adopts best practice HR policies, including payment of market related salaries, and that it believes its pay practices to be fair and reasonable.*
- (b) Council needs to be a good and fair employer with regards to pay practices in order to be able to attract and retain staff.*
- (c) Council does not intend to sign up to particular pay agreements with third parties.*
- (c) Council collective agreements are subject to negotiation between the two parties (and agents) and Council therefore declines to make agreements with third parties outside of the bargaining cycle.*

Carried

Moved (Clementson / Challenger)

That Submitter Number 20 Toimata Foundation be advised that Council supports the work that the Foundation undertakes however cannot make the funding grant sought.

Carried

Moved (Archer / Clementson)

That Submitter Number 21 WMP be advised that:

- (a) Council is aware of these key infrastructure issues and will continue to work proactively with network providers where possible to support and encourage the strengthening of these networks.
- (b) With regard to the provision of funding to DWC, their attention is directed to the economic development wording in the CD.

Carried

Moved (McDonnell / Challenger)

That Submitter Number 32 Fortuna Trust be advised that 1080 is only used by Council in accordance with best practice and strict regulatory controls.

Carried

Moved (Birchfield / Clementson)

That Submitter Number 70 C Robins be advised that her submission has been considered but that Council cannot agree to close down the Blackball Quarry. Currently there is limited availability of hard rock for the community, and this will potentially become worse under the government policy of no new mines on conservation land. Council appreciates the concerns of the Blackball community, however it needs to balance this important resource and the needs of the wider community. Any new Quarry operator would be required to comply with all the relevant legislation that applies to this activity.

Carried

Moved (Clementson / Birchfield)

That Submitter Number 72 I Mulholland be advised that with regard GE/GMO issues, Council believes that other agencies are better placed to manage GE/GMO issues.

Carried

Discussion took place on the UAGC and civil defence funding. R. Mallinson advised that the revised figure combining both is \$72.50 + GST. It was noted that Council has not had a rates rise in over 20 years. R. Mallinson confirmed that the UAGC is a completely new charge. M. Meehan clarified that the \$72.50 will cover the original intent of the \$50 UAGC plus the increase to civil defence funding. Cr Birchfield stated that he is not in favour of the \$72.50 as he does not want to spend the extra money on civil defence. Cr Birchfield stated that he would like to see some cost savings made internally. Cr Ewen agreed with cost saving measures. Cr Archer asked where these cost savings would be made. M. Meehan stated that he would need to consider cutting staff as he would not be able to deliver all services with the current resources in place. Extensive discussion took place on budgets. Cr Birchfield stated that he is not happy putting a rates increase onto households. The Chairman stated that Council has been struggling for funding and has been dipping into its investment fund, and had Council increased rates a little bit each year, then this problem could have been alleviated. He feels Council is taking a responsible approach and is making sure Council can commit to providing the services our community wants. The Chairman asked each Councillor for their opinions for the UAGC and the \$22.50 extra Civil Defence rate going onto the UAGC. Crs McDonnell, Challenger is in support of both, Cr Birchfield is not in support, Cr Ewen supports the UAGC but not Civil Defence rate, Cr Archer supports both UAGC and Civil Defence as the original proposal was to levy \$36.14 so the outcome currently proposed is less as the \$22.50 is being shifted into the UAGC rate to make it fairer across the board. Cr Clementson is in support of UAGC and civil defence rate. Cr Birchfield stated that he would go with both UAGC and civil defence for the sake of unity. Cr Ewen expressed concern about the use of PR consultants. The Chairman responded that there is a lot happening in the region at the moment and it is necessary to use outside agencies at times, especially with regard to media releases and media statements. M. Meehan stated that he is happy to provide more information on this.

Further discussion took place on the UAGC. Cr Ewen agreed to go with the UAGC and the civil defence rate. Cr Archer suggested minor wording changes to the resolutions, as two components are now being merged with regard to the UAGC and the civil defence rate. Discussion took place on recommendation (c) as it was noted that restoration liabilities for quarries will not be necessary if some quarries are sold.

Moved (Archer / Clementson)

That Submitter Number 2 Buller District Council be advised that:
 (a) *That Council is proceeding with introduction of a UAGC.*

- (b) That Council will proceed with budgeted funding of \$25,000 for "One District Plan".
- (c) With regard to Climate Change, Council is reallocating funding from Quarries and is investing in more engineering support to address coastal erosion matters. Council is also working on a natural hazards / climate change strategy for the region.

Carried

Moved (McDonnell / Ewen)

That Submitter Number 4 Federated farmers of NZ be advised that part of the cost of the CDEM capacity expansion will be funded from an additional UAGC \$22.50 + GST, and that Council will consider further funding changes during the 2019/20 Annual Plan process.

Carried

Moved (Birchfield / McDonnell)

That Submitter Number 18 R Arlidge be advised that with regard to Climate Change, Council is reallocating funding from Quarries and is investing in more engineering support to address coastal erosion matters. Council is also working on a natural hazards / climate change strategy for the region.

Carried

Moved (Archer / Birchfield)

That Submitter Number 31 C May be advised that her submission has been considered but that Council is proceeding with the introduction of a Uniform Annual General Charge.

Carried

Whole of Waiho Proposal

M. Meehan advised he and R. Beal have circulated a lot of information on this matter. He advised that Council recognised the tough decision this is, but the feedback over a long period of time is that the community wants the rating district joined up in a holistic way. M. Meehan stated that under the current structure it is very hard to move forward and get work done. R. Beal stated that the northern extension was rejected by the existing committee. This would have included the Scenic Circle Hotel and the Westland District Council sewage ponds. Extensive discussion took place. Cr Archer stated that generally Council looks for 70% of ratepayers in favour for the establishment or expansion of a rating district. In this case with 55 against and eight in favour, it is a pretty overwhelming refusal. Cr Archer expressed concern with the concept of rating for a reserve fund. Cr Archer stated that more work with the community might be required in order to get buy in. Cr McDonnell agreed with Cr Archer's comments. Cr McDonnell stated that with the revised proposal and NZTA matching dollar for dollar that suggests that they may not know what their costs are to maintain their assets. Extensive discussion took place, Cr Ewen and Cr Challenger spoke of the importance of community buy in, work done by rating districts and what is expected with the final plans for Franz Josef. M. Meehan confirmed that the recent work done by WDC would come into the scheme and all other work would be included for maintenance. Cr Archer asked if the \$150,000 offer from NZTA is a one off. M. Meehan stated that NZTA do not assist with other rating districts. R. Beal advised that the budget put forward is based on maintenance only and there is no planned works at the moment. Cr Challenger stated that work cannot be planned until the final plan for Franz Josef is made. M. Meehan answered various questions from Councillors. It was agreed that striking a rate would be delayed until the next Annual Plan, a meeting in Franz Josef would be arranged with an independent facilitator in attendance and that a commitment to outcomes would be sought. R. Mallinson advised that if Council decides to defer the decision on the rate strike for Lower Waiho, then Council would need to revert to the status quo for rating for 2018 / 19 year. This would mean a rate strike of \$50,000 each for the Franz Josef and Lower Waiho rating districts.

Cr McDonnell suggested that rather than having separate rating district meetings this year, a combined meeting is held and a comprehensive proposal is prepared for this meeting.

Moved (Clementson / McDonnell)

That Submitter Numbers 6, 27, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63, 64, 66, 67 NZTA, T Barke, C Brooks, N McKone, R Richards, G Berry, N Frendrup, T Bruning, J Meldrum, S Tinirau, H Tinirau, R Sharp, C Goodall, N Hende, M Warren, O Morgan, M Nicholson, M Nolan, B & T Morris, D Burrows, J O'Loughlin, J Goodall, B Burrows, P York, D Ferguson, L Skinner, P Cumming, I & K Hartshorne, A Haugh, C Lin, CMR Jones Trust, M Morris, R McLennan, be advised that;

(a) That Council defers changes to the Whole of Waiho proposal until the next Annual Plan, and that the status quo for rating remains (\$50,000 for Lower Waiho and \$50,000 for Franz Josef) for the 2018 / 19 year.

(b) That Council will continue discussions with the communities involved.

Carried

GENERAL BUSINESS

There was no general business.

The meeting closed at 1.18 pm.

.....
Chairman

.....
Date

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 11 September 2018
Prepared by: Paulette Birchfield – Engineer, Brendon Russ - Engineer
Date: 27 August 2018
Subject: **ENGINEERING OPERATIONS REPORT**

WORKS COMPLETED AND WORKS TENDERED FORMokihinui Rating District

Work involving the placement of 3 coastal spurs and the top-up of an existing rock groyne has been awarded to SM Lowe Contracting at a price of \$33,325 (GST Exclusive).



Existing rock groyne at Mokihinui, looking north.

Nelson Creek Rating District

Work involving the top-up of a rock groyne below the State Highway Bridge was awarded to GH Foster Contracting for a price of \$9,000 (GST Exclusive).



Scour behind rock groyne, Nelson Creek.

Greymouth Rating District

Equip Engineering have fabricated the cover plate for the Cobden Cut culvert outlet, price to be confirmed.

Inchbonnie Rating District

GH Foster Contracting have completed placing the initial 1,200 tonnes of rock into multiple locations on the scheme at a cost of \$31,500 (GST Exclusive).

1,050 tonne of additional rock was added to this contract at a cost of \$27,300 (GST Exclusive). This rock was used in areas where the current main river channel is located to obtain the required toe depth for the rock works.

This brought the total completed cost for the contract at \$58,500 (GST Exclusive).



Completed rock Riprap between existing Groynes



Completed Rock Riprap – Where large hole had formed

ONGOING WORKS

Rapahoe Resource Consent

The resource consent application has been submitted to council with affected party approval now being sought.

Buller River Flood Consultation

Ongoing

Carters Beach

Workshop to follow.

Okarito

Workshop to follow.

QUARRIES

Rock movements 1 July 2018 – 31 July 2018

Quarry		Opening Stockpile Balance	Rock Sold	Rock Produced	Closing Stockpile Balance
Camelback	Small/medium	11,943	0	0	11,943
	Large	3,673	0	0	3,673
Whataroa	Small/medium	6,016	0	0	6,016
	Large	11,302	0	0	11,302
Blackball		850	0	0	850
Inchbonnie		26,300	2,649	0	23,651
Kiwi		497	0	0	497
Miedema		0	0	0	0
Okuru		1,000	0	0	1,000
Whitehorse		1,334	0	0	1,334
Totals		62,915	2,649	0	60,266

RECOMMENDATION*That the report is received.*

Randal Beal
Operations Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting - 11 September 2018
 Prepared by: Robert Mallinson – Corporate Services Manager
 Date: 3 September 2018
Subject: Corporate Services Manager’s Monthly Report

1. Financial Report 1 July 2018 to 31 July 2018

As in previous years, we do not prepare a financial report for the single month of July. This is to enable Council staff to focus on completing the Annual Report for the year to 30 June 2018 and the associated detailed Financial Statements and Note disclosures.

Also, my time has been heavily committed to LTP work, to enable Council to be in a position to adopt the audited LTP at a special meeting on 18 September.

2. Investment Portfolio

31 July 2018	Catastrophe Fund	Major Portfolio	TOTAL
Opening balance 1 July 2018	\$ 1,040,130	\$ 10,871,064	\$ 11,911,194
Income	\$ 7,407	\$ 102,729	\$ 110,136
Deposit			
Withdrawal		\$ -	\$ -
Closing balance 31 July 2018	\$ 1,047,537	\$ 10,973,793	\$ 12,021,330
Total income year to date to 31 July 2018	\$ 7,407	\$ 102,729	\$ 110,136

This was a good result for the Portfolio in July and I am expecting equally good results for August.

RECOMMENDATION

1. *That the report be received.*
2. *That Council agrees to a Special Meeting on 18 September 2018 to adopt the audited Long Term Plan and to strike the 2018 / 19 Rate.*

Robert Mallinson
Corporate Services Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 11 September 2018
Prepared by: Hadley Mills, Planning, Science and Innovation Manager
Date: 31 August 2018
Subject: MINOR CHANGE TO DELEGATIONS MANUAL

The West Coast Regional Council (WCRC) Delegations Manual is a document that outlines authorities delegated by the Council, and authorities delegated by management staff to other officers.

The document was last reviewed and amended in May 2016. Since then there have been a number of changes to the organisational structure and the Resource Management Act 1991 (RMA) necessitating some minor changes to the WCRC Delegations Manual. The proposed changes can be seen as 'tracked changes' within the attached document.

RMA based changes

As mentioned above, there have been some recent changes to the RMA as a result of the Resource Legislation Amendment Act 2017. These changes are reflected in the attached WCRC Delegations Manual in Part 4 (3) - Delegations – Resource Management Act 1991.

Organisational restructure based changes

As a result of the recent restructure in organisational groups, namely the Operations, Planning, Resource Science and ICT/innovation, a number of manager's titles have change and this is reflected in the attached document.

Other Changes

Other changes not relating to the abovementioned have also been proposed, including:

- All team leaders have delegated authority for purchases and contracts up to \$10,000,
- All team leaders have delegated authority to approve, annual leave and time in lieu for their team; and
- All team leaders have delegated authority to sign time sheets for their team.

These proposed changes are practical and allow for team leaders to take responsibility at the team level. This is especially useful for managers who have multiple team leaders reporting to them, and it is inefficient to be signing off purchases, leave, timesheets etc. for all team members within the group, which in some cases is up to 16 employees.

RECOMMENDATIONS

1. *That the report is received.*
2. *That Council adopt the proposed changes to the West Coast Regional Council's Delegations Manual.*

Hadley Mills
Planning, Science and Innovation Manager



THE WEST COAST
REGIONAL COUNCIL

DELEGATIONS MANUAL

Approved by Resolution of Council 14 March 2006.

Reviewed and amended August 2011 and May 2016

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Part One - Introduction

1. Scope of the Document

This document sets out all authorities delegated by the Council, and authorities delegated by management staff to other officers.

In this manual, delegation means the assignment of a duty or power of action from one person or entity to another, together with the authority to carry out the duty or complete the action, with responsibility for the outcome.

2. Sub-Delegation

At times it will be necessary for the performance of assigned duties for a staff member to have delegated authority additional to those specifically set out in this manual. Such sub-delegations will be recorded in writing, in the job description of the individual where possible, or on a more temporary basis in the form of a memo signed by the person granting the delegation and a copy appended to this manual. With the exception of delegations by the Chief Executive Officer, the supervisor of the person granting the sub-delegation should also sign to indicate their approval of the sub-delegation.

Staff with delegated authority under this manual are empowered to delegate (in the above manner) to the appropriate staff member any authority, which has been delegated to them except the power to delegate, unless otherwise constrained by legislation or the terms of their delegation.

3. General

All delegations under this manual should be in writing, and should define clearly their nature and extent. Generally, any delegation continues until it is specifically revoked or withdrawn.

In some circumstances decisions made under authority delegated in this manual may be reversed, reviewed or revoked. Such an action would only occur when the decision was wrong or otherwise inappropriate to the extent that it reflected poorly on the Council. The opportunity to review, or reverse a decision made under delegation would not apply where circumstances made it either impracticable or unlawful to do so. A reversal or variation of a decision made under delegation does not amount to a withdrawal of the delegation itself. Situations where a reversal or variation of a decision occurs should be infrequent, and the reasons for doing so should be explained to the person concerned.

Part Two – Delegation to Committees and Sub-Committees

1. Standing Committees

(a) To the extent it is permitted to do so by law, the West Coast Regional Council delegates to its Standing Committees all the powers, functions and duties granted to the Council in accordance with the broad functions allocated to that Committee and those boards from time to time, EXCEPT:

- The Power to make a rate.
- The power to make a bylaw.
- The power to institute any proceedings in the High Court that are not injunctive proceedings.
- The power to borrow money.
- The power to enter into a contact otherwise than in accordance with the provisions of Section 4 of the Public Bodies Contracts Act 1959.
- The power to do anything, which is required by law to be done by resolution of the Council.
- The power to appoint or dismiss the Chief Executive Officer.
- The power to appoint Council representation on any body.
- The appointment of Standing Committees and the Deputy Chairman.
- The remuneration of the Chairman and members of the Council.
- The power to sell, purchase or lease land.
- The powers or duties conferred or imposed upon the Council by the Public Works Act 1981.
- Expenditure where no provision is made in the Council's budget for that year (except to the extent permitted in this manual in regard to variations in the departmental budget or as covered in the next clause below.)
- Expenditure of Council's funds where the budget has not been finalised for the relevant year unless the expenditure relates to maintenance of an existing work or progress on a committed work or is in regard to any existing service for which provision is likely to be made in that budget once finalised.

- Proposed over-expenditure of the total budget within the jurisdiction of the Committee.
 - The cessation of any existing function or commencement of any function.
 - Formulation or amendment of Council's corporate goals and objectives.
- (b) No officer may exercise the power listed in the clauses listed in Part 2, 1(a) above.

2. Subcommittees

A Subcommittee shall exercise only such delegated authority as is granted to it from time to time by the Council or the relevant Standing Committee or Special Committee.

The primary purposes of Subcommittees are:

- To dispose of matters which have been delegated to it.
- To investigate and report, with recommendations if appropriate, on matters referred from the Standing Committee.
- To act as a forum for communication between elected representatives, officers, and interested parties.

3. Resource Management Committee

(a) Purpose

To guide and monitor the resource management, biosecurity, transport, environmental monitoring, mining and emergency management functions of the West Coast Regional Council.

(b) Meetings

The Resource Management Committee will have ordinary meetings as required.

(c) Delegations

1. To formulate and recommend to Council (unless otherwise stated in this section) all policies, plans and strategies on resource management, and to review such policies, plans and strategies as necessary.
2. To set and review policy in respect of resource consent processing, compliance monitoring, mining responsibilities, environmental monitoring and enforcement.
3. To make submissions and representations on matters relating to resource management, on District and Regional plans, national policies and programmes, and on legislation and regulations affecting the Council's interests.

4. To formulate, approve and review biosecurity plans and policies.
5. To formulate, approve and review all transport plans and policies and to manage transport issues.
6. To formulate, approve and review strategies for activities related to natural hazards and contaminated sites.
7. To formulate, approve and review flood warning manuals and procedures.

The Resource Management Committee may appoint sub-committees or working parties as appropriate provided they are limited to a time duration consistent with performance of their specified tasks.

(d) Membership

The Resource Management Committee shall be a committee of the whole Council. All elected members of the West Coast Regional Council shall be members of the Resource Management Committee and in addition, a representative appointed by each of the tribal Runanga on the West Coast, namely Te Runanga o Ngati Waewae and Te Runanga o Makawhio.

A quorum of the Resource Management Committee shall be four members.

(e) Explanatory Comment

The Resource Management Committee will be responsible for establishing and reviewing the statutory and legal policy instruments of Council. This will particularly include Resource Management Act Policies and Plans, Regional Land Transport and Passenger Transport Plans, and Pest Management Plans.

Part Three – Financial Delegations

1. Cheque Signatories

Signing authority on cheques is delegated to the Chairperson of the Council, the Chief Executive Officer, the Corporate Services Manager, the Consents & Compliance Manager, the Planning, [Science and Innovation Manager](#) and [the Operations Manager](#), ~~the IT/IS Manager~~ and the Executive Assistant (any two jointly). This authority also includes payments transmitted electronically.

2. Purchase of Goods and Services

The following officers of the Council have the authority to enter into contracts for the purchase of goods and services required by the Council (up to the **limits** shown in the appropriate annual plan). This authority includes signing of orders and approval of payment of invoices.

Chief Executive and one other Manager jointly for all contracts & services	\$300,000
Chief Executive Officer alone	\$200,000
Vector Control Services Manager	\$150,000
Corporate Services, Planning, Science & Innovation , & Operations , and Consents & Compliance Managers	\$100,000
Other Regional Council Managers	\$25,000
Regional On-Scene Commander (Oil Spills) and Group Controllers (CDEM)	\$100,000
Team Leader Planning and Engineering All Team Leaders	\$10,000
Resource Scientists	\$10,000
Vector Control Services Supervisors	\$5,000
Executive Assistant	\$5,000

Note: General procedures for obtaining prices, including tenders are set out in Appendix I.

3. Variation of Contracts

- 3.1 The Chief Executive, appropriate managers or appropriate officers are empowered to approve variations during the period of a contract, approved by them under delegated authority, to an amount in total not exceeding their own delegated authority.
- 3.2 Any variation of greater than 15% of any quantity, scheduled item or fixed price must be fully documented as to the reasons why this has happened and if it is acceptable.
- 3.3 The officer exercising the power to approve variations (under the above clauses 3.1 and 3.2) must report those to the next level up for confirmation before the contractor can act upon the variation (ie. an officer must have the variation

confirmed by their manager and a manager must have the variation confirmed by the CEO. Any exercise of this power by the CEO must be reported to the Council).

4. Approval of Timesheets

Timesheets are to be signed by employees' managers or team leaders (for the teams they lead only). Any overtime payment and time in lieu claimed must receive prior approval by the manager.

Any leave must be supported by a separate leave application, and signed off by the person indicated below:

Type of Leave	Minimum Signoff
Annual leave	Manager <u>Team Leader</u>
Time In Lieu	Manager <u>Team Leader</u>
Domestic leave, jury duty, bereavement leave	Manager
Long Service Leave	Chief Executive Officer
Leave without pay	Chief Executive Officer
Special leave (including study leave)	Chief Executive Officer
Examination leave	Chief Executive Officer
ACC	Chief Executive Officer

5. Write-Off or Reduction of Debts

- (a) Approval of write-off or write-down of general debtor invoices up to \$2,000 is delegated to the Corporate Services Manager. For sums greater than \$2,000, approval is reserved to the Chief Executive Officer.
- (b) Approval of write-off or write-down of rate debtor invoices or penalties up to \$2,000 is delegated to the Corporate Services manager. For sums greater than \$2,000 this is delegated to the Chief Executive Officer. Rate debtor invoices will only be written off or written down to correct errors. Write-off of rate debtors due to hardship reasons as outlined in the Local Government (Rating) Act 2002 is reserved to the Chief Executive Officer and must be reported to Council.

6. Variation of Budget Between Activities

The Chief Executive Officer may reallocate budgets between activities provided Annual Plan outputs are not compromised.

In situations where variations are anticipated to affect Annual Plan outputs these must be brought before Council for its agreement before any management action is possible.

Any such allocations are to be subsequently reported to the Council.

Part Four – Regulatory Delegations

1. Council Hearing Commissioners

The Council appoints all Councillors, who are appropriately accredited, as Hearing Commissioners.

2. Hearing Committees and Commissioners

The Council delegates to the Chairperson of the Resource Management Committee and the Council Chairperson power to appoint Resource Hearing Committees or Commissioners from time to time to hear (if necessary) and decide resource consent applications or objections comprising:

- (a) Between one and three members of the Council, one of who shall be appointed Chairperson; or
- (b) An independent Commissioner or Commissioners.

Where Chairs are not available, the appointment of independent Commissioner/s may also be carried out by another Councillor (refer to Appendix II).

Delegations for all Hearing Commissioners:

(Refer Appendix II for policy for engagement of independent Commissioners)

All delegations can be exercised by Commissioners acting jointly or independently.

Section 37(1)	Power to extend or refuse an application for extension of the time limits within which the Council or any person must do something in relation to the Council's function and to waive compliance with any requirement.
Section 42A(4)	<p>Authority to waive compliance to supply copy of reports 5 days prior to Hearing.</p> <p>Authority to hear and decide notified and non-notified resource consent applications requiring a hearing.</p> <p>Authority to decide notified resource consent applications not requiring a hearing.</p> <p>Authority to decide any applications for change or cancellation of resource consent conditions where the application has been notified, irrespective of whether a hearing is required.</p> <p>Authority to decide any applications for change or cancellation of resource consent conditions where a hearing is required.</p>
Section 104	<p>Authority to hear and decide resource consent applications for which the Council is obliged to hold a hearing.</p> <p>Authority to hear and decide resource consent applications to which submissions were received and where there are no requests to be heard or any requests to be</p>

	<p>heard have been withdrawn.</p> <p>Authority to decide resource consent applications for notified non-complying activities irrespective of whether the Council is obliged to hold a hearing.</p> <p>Authority to decide notified resource consent applications to which no submissions were received and whether the applicant has not requested to be heard.</p> <p>Authority to decide non-notified resource consent applications.</p>
Section 132(4)	Authority to decide on a review of consent conditions where the review was notified, or to cancel a resource consent where on review, the application was found to contain inaccuracies that influenced the decision and there are significant adverse effects on the environment.
Section 325A(5)	Authority to consider applications for change or cancellation of abatement notices.
Section 357C(3)	Authority to consider and hear (if necessary) and determine objections made under Section 357 or Section 357A.
Section 357C(4)	Authority to consider and hear (if necessary) and determine objections made under Section 357B.

3. Delegations to Chief Executive Officer and Other Council Staff

CEO The Chief Executive Officer

MGR Either the Consents & Compliance Manager or the Planning, Science and Innovation & Operations Manager

Delegations – Resource Management Act 1991		CEO	MGR
Section 36(3)	Power to require payment of additional charges to those fixed to enable the recovery of actual and reasonable costs.	X	X
Section 36(3)A	Power to approve an estimate of any additional charges likely to be imposed where requested by a person liable to pay an additional charge under Section 36(3).	X	X
Section 36(5)	Power to remit the whole or any part of any charge fixed in accordance with Section 36 of the Act	X	X
Section 37(1)	Power to extend or refuse an application for extension of the time limits within which the Council or any person must do something in relation to the Council's function and to waive compliance with any requirement.	X	X
Section 37(2)	Power to direct the terms on which the omission or inaccuracy of any information required under the Resource Management Act, regulation or plan, or a procedural requirement that was omitted, shall be rectified.	X	X
Section 37A(2)(b)	Power to extend (at the request of or with the consent of the applicant) the period within which any person must do something in connection with an application for a resource consent.	X	X
Section 38	Power to appoint enforcement officers with powers under Sections 22, 322, 332, 333 and 343C	X	
Section 42A(1)	Power to require an officer of the local authority, or to commission a consultant or any other person employed for that purpose, to prepare a report on information provided on any matter described in S39(1).	X	X

Delegations – Resource Management Act 1991		CEO	MGR
Section 42A(4)	Power to waive compliance to supply copy of a Section 42A(1) report 5 days prior to a hearing.	X	X
Section 88(3), (3A)	Power to determine that an application for resource consent is incomplete and return the application, with written reasons for that determination, to the applicant.	X	X
<u>Section 88BB</u>	<u>Power to determine that an activity is a permitted activity where it meets the requirements of section 88BB.</u>	<u>X</u>	<u>X</u>
Section 91	Power to defer the notification or hearing of an application for a resource consent if it is considered other consents are also required.	X	X
Section 92	Power to request an applicant to provide further information and to commission a report on any matters raised in relation to an application or to postpone the notification or hearing of an application pending receipt of the further information.	X	X
Section 92A(2)	Power to set the time within which an applicant must provide information requested under S92 and to notify the applicant of that.	X	X
Section 92A(3)	Power to decline a resource consent application if the applicant does not respond to a request made under Section 92(1) within the time limit specified in Section 92A(1); or the applicant responds under Section 92A(1)(b) but does not comply with the time limit set under 92A(2); or the applicant responds under Section 92A(1)(c); and the consent authority considers that it has insufficient information to enable it to determine the application.	X	X
Section 92B	Power to decline a resource consent application if the applicant does not respond to a request made under Section 92(2) within the time limit specified in Section 92B(1); or the applicant gives written notice refusing to agree to the commissioning of the report requested under Section 92(2); and the consent authority considers that it has insufficient information to enable it to determine the application.	X	X
<u>95A</u>	<u>Power to determine whether to publicly notify a consent application in accordance with the steps set out in Section 95A.</u>	<u>X</u>	<u>X</u>
<u>95B</u>	<u>Power to determine whether to limited notify a consent application, where it is not publicly notified under Section 95A.</u>	<u>X</u>	<u>X</u>
<u>95C</u>	<u>Power to publicly notify a consent application after request for further information or report.</u>		
Section 95D	Power to determine whether the adverse effects of an activity on the environment will be minor.	X	X
Section 95E	Power to form an opinion for the purposes of Section <u>95B(4) and (9)94(1)</u> as to who may be adversely affected by a consent application activity.	X	X
<u>Section 95A (4)</u>	<u>Power to notify an application if special circumstances exist in relation to the application.</u>	<u>X</u>	<u>X</u>
<u>Section 95A (3)</u>	<u>Power to dispense with notification of a resource consent application for a controlled or restricted discretionary activity if a rule in a plan or proposed plan expressly provides that such an application does not need to be notified.</u>	<u>X</u>	<u>X</u>
Section 94F & G	Power to determine if the grant of a resource consent may adversely affect a recognised customary activity carried out in accordance with Section 17A(2)	X	X
Section 96	Power to lodge a submission by the Council to a resource consent application	X	X
Section 99(1)	Power to arrange pre-hearing meetings of parties to an application and other persons for the purpose of clarifying or facilitating resolution of any matter or issue.	X	X

Delegations – Resource Management Act 1991		CEO	MGR
Section 99(8)	Power to decline to process a person's application or to consider a person's submission if that person was required to attend a pre-hearing meeting and failed to do so.	X	X
Section 99A	Power to refer to mediation a person who has made a resource consent application and some or all of the persons who have made submissions on the application.	X	X
Section 100	Power to determine that a hearing of an application is not necessary.	X	X
Section 101	Power to fix the commencement date, time and place of a hearing and to give appropriate notice thereof.	X	X
Section 102	Power to determine that applications to two or more consent authorities for the same proposal are sufficiently unrelated that a joint hearing is unnecessary.	X	X
Section 114(1)	Power to determine the most appropriate manner by which notice of a decision on a resource consent shall be given.	X	X
Section 114(2) (b)	Authority to determine what other authorities and persons are considered appropriate to be notified of a decision on a resource consent application.	X	X
Section 120	Power to lodge an appeal by the Council to the Environment Court on a decision of another consent authority.	X	X
Section 124	Authority to exercise the Council's discretion to allow the holder of a resource consent which is due to expire and who has applied for a new consent for the same consent not earlier than 6 months and not later than 3 months before expiry of the original consent to continue to operate under the original consent until the new application and any appeals are determined.	X	X
Section 125	Power to determine an application for extension of the time limit of 5 years or otherwise specified within which a consent must be exercised before it lapses.	X	X
Section 126(1)	Power to give written notice to cancel a resource consent, which has been exercised in the past but has not been exercised during the preceding 5 years unless otherwise expressly provided by the resource consent.	X	X
Section 126(2)	Power to revoke a notice of cancellation of a resource consent.	X	X
Section 127(1)	Power to determine applications by the holder of a resource consent for a change or cancellation of any condition of the consent where the effect will be minor and the application for change does not require notification.	X	X
Section 128(1)(a) & (1)(c)	Power to serve notice of intention to review the conditions of a resource consent and to propose new conditions.	X	X
Section 128(b)	Power to review all or any water, coastal or discharge permit as required when a relevant regional plan becomes operative.	X	X
Section 128(ba)	Power to review all or any water, coastal or discharge permit/s as required by regulation when relevant national environmental standards have been made under Section 43.	X	X
Section 133A	Power to issue an amended consent that corrects minor mistakes or defects in the consent.	X	X
Section 136	Power to consider and decide the transfer of a water permit in whole or in part to another person or to another site.	X	X

Delegations – Resource Management Act 1991		CEO	MGR
Section 137	Power to consider and decide the transfer of a discharge permit in whole or in part to another person or to another site.	X	X
Section 138(2)	Power to refuse acceptance of a surrender of a consent in whole or in part and to direct that the holder need not complete any work to give effect to the consent.	X	X
Section 138(4)	Power to issue notice of acceptance of surrender of permit.	X	X
Section 139	Power to determine requests for Certificates of Compliance.	X	X
Section 139A	Power to issue and revoke Existing Use Certificates	X	X
Section 274	Power to give notice or to decide not to give notice to the Environment Court under Section 274 of the Resource Management Act that the Council wishes to be a party to an appeal, reference or inquiry hearing on a decision on a matter to which the Council made a submission.	X	X
Section 281	Power to apply to the Environment Court to waive a requirement of the Resource Management Act or another Act or regulation about the matters listed in Section 281(1)(a)(i) to (iv).	X	X
First Schedule & 95D	Authority to lodge a submission or a further submission or to withdraw a submission designation, a heritage order, a proposed regional or district plan change or variation or a water conservation order.	X	X
First Schedule & Section 120	Power to appeal to the Environment Court on a Proposed Policy Statement, Plan or a resource consent. Power to sign a consent order for lodgement with the Environment Court, with respect to appeals on a resource consent or plan.	X X	X
Section 290AA	Power to reply to appeal to the Environment Court.	X	X
Sections 316 & 320	Power to apply to the Environment Court for an enforcement order or an interim enforcement order.	X	X
Section 317	Power to serve notice of an application for an enforcement order or an interim enforcement order.	X	X
Section 321	Power to apply to the Environment Court to change or cancel an enforcement order or an interim enforcement order.	X	X
Section 325A(2)	Power to cancel an abatement notice.	X	X
Section 325A(5)	Power to consider applications for change or cancellation of abatement notices ¹ .	X	X
S329	Power to issue notices during periods of serious water shortages.	X	
Section 330	Power to action emergency works and/or other preventative measures to contain or minimise adverse effects on the environment.	X	X
Section 334	Power to apply for warrant for entry for search.	X	X
Section 338	The CEO and relevant manager, together, have the power to initiate or withdraw a prosecution for an offence, provided that decision must be unanimous, recorded in writing and reported promptly to council.	X	

¹ This delegation is limited according to Council's Enforcement Policy to applications not related to the circumstances surrounding the issuing of the notice

Delegations – Resource Management Act 1991		CEO	MGR
Section 338(4)	Power to lay an information for a prosecution.	X	X
Section 357C(3)	Power to consider and determine objections made under Section 357 or Section 357A if no hearing is required.	X	X
Section 357C(4)	Power to consider and determine objections made under Section 357B if no hearing is required.	X	X

Delegations – Soil Conservation and Rivers Control Act 1941		CEO
Section 30A	Authority to determine requests for consents and approvals as a consequence of the Council having an interest in land by virtue of a Land Improvement Agreement registered under Section 30A of the Soil Conservation and Rivers Control Act 1941.	X

Delegations – Marine Pollution Act 1974		CEO
General	Authority to institute proceedings for offences against the Marine Pollution Act 1974 or any related regulations made under that Act in respect of discharges of oil into the Coastal Marine Area and to seek recovery of costs or damages from vessel owners.	X

Delegations – Marine Transport Act 1994		CEO
Sections 318/320.	Power to appoint Regional On-Scene Commanders for the West Coast region.	X
Section 231	Power (with power of sub-delegation) to inform the Director of Maritime Safety of notices as required.	

Delegations – Building Act 1991		CEO
Section 24	That the Council delegate to the Chief Executive pursuant to the powers of delegation under Section 78 of the Building Act 1991, the functions and duties of the Council under Section 24 of the Building Act 1991 <ul style="list-style-type: none"> • The administration of this Act and the regulations. • To receive and consider applications for building consents. • To approve or refuse any application for a building consent with the prescribed time limits. • To determine whether an application for a waiver or modification of the building code, or any document for use in establishing compliance with the provisions of the building code and regulations. • To enforce the provisions of the building code and regulations. • To issue project information memoranda, code compliance certificates, and compliance schedules. • Any other function specified in this Act. 	X

Part Five – Authority to Sign Correspondence

The following details the delegation for staff to sign outward correspondence. This applies to all formal correspondence by letter, fax or electronic mail.

1. Correspondence to Members of Parliament, Ministers of the Crown and the Ombudsman

- Chief Executive.

2. Other Correspondence

- Chief Executive.
- Managers for matters relating to their areas of responsibility.
- Managers may sub-delegate signing authority to individual staff, but this must be limited to matters which are directly within the staff member's area of work. Correspondence concerning matters of council policy, issues of political sensitivity, financial commitments, and any other aspects of contractual arrangements should only be signed by the CEO or managers.
- Managers are directly responsible for the standard of correspondence within their areas.

Part Six – Authority to Carry out Inspections, Surveys and Investigations

1. Grant of Authority

A number of Council staff require warrants to enable them to enter properties for the purposes of carrying out their duties. This authority empowers the staff to inspect land, or to undertake investigations, in accordance with S332(1) and S333(1) of the Resource Management Act.

Part Seven – Use of the Common Seal

1. Use of the Common Seal

The authority for the use of the Council's Common Seal is contained in the Council's Resolutions of 12 February 2002.

Use of the Common Seal:

- *The Chief Executive Officer shall hold the common seal of the local authority and be responsible for the use of the same.*
- *The seal shall not be affixed to any document unless by resolution of the local authority but the Chief Executive Officer and one other Council manager may affix the seal in an urgent case, in which case, such action shall be reported to the local authority.*
- *Every sealing shall be made and done by the Chief Executive Officer and the Chairperson, or such Council managers as may be authorised from time to time, according to the procedure prescribed by the local authority and shall be reported to the local authority.*

1. Procedures for obtaining tenders/quotes

The following are the general procedures to be observed for obtaining tender prices/quotes for the purchase of goods and supply of services.

Estimated Cost of Work	Tender Process
Less than \$5,001	<p>Obtain a verbal price. Ensure price is endorsed on the order sent to the firm (and on other copies) and clearly marked whether GST exclusive or inclusive.</p> <p>In some circumstances it may be impracticable to obtain a verbal price. This should only apply when minor purchases are involved. Office copies should be endorsed with an estimated cost.</p>
\$5,001 - \$75,000	<p>Obtain competitive quotes, e.g. from three firms² or tender procedure if it is felt this would be advantageous.</p> <p>Normally, it would be expected that written prices be obtained, but if special circumstances dictated that verbal prices were obtained, e.g. urgency, the intended successful tenderer must be asked to confirm the price in writing.</p> <p>Ensure price is endorsed on the order sent to the firm (an on other copies) and clearly marked whether GST exclusive or inclusive.</p>
\$75,001 or more	<p>Formal tender procedures are to be used unless there are special circumstances existing, e.g.</p> <p>Whether the work intended is specialised. Type of work carried out. Number of contractors available to do the particular work is restricted.</p> <p>In most cases, however, open tender procedures are to be used and where ever possible, all contactors given the opportunity to quote.</p> <p>If it is not intended to use open tender procedures, the approval of the Chief Executive is required.</p> <p>In all cases, justification for selecting a particular contractor must be retained and full documented.</p> <p>Where a decision is made not to put out to tender a contract for goods and services to an amount greater than \$75,000, the reasons for the decision shall be recorded in writing and reported to Council.</p> <p>All tenders for goods and services to the value of \$75,000 shall be accepted by the initiating officer where the value of the goods and services concerned is less than the limits of his/her contractual authority,</p>

² If urgent work is needed, an attempt should be made to get three quotes, at minimum verbally. If contractors are not available at short notice then quotes from those that are available will suffice.

Estimated Cost of Work	Tender Process
	<p>or where this is not the case by the appropriate member of the management team.</p> <p>All tenders for goods and services of a value of more than \$300,000 shall be accepted by the full Council meeting having regard to the appropriate officer's recommendation.</p> <p>All tenders regardless of the amount shall be opened in the presence of one manager and a Councillor.</p> <p>The time and date of tender opening shall be noted on the tender documents and shall be not more than a week after the closing of tenders.</p>

Notes:

- If it was thought that more competitive prices might be obtained there is nothing to prevent open tender procedures to be used for work estimated to cost less than \$75,000.
- It is not necessary to accept the lowest or any tender, but if it is not intended to accept the lowest, reasons for making that decision should be detailed and retained on file.
- A weighted attributes contract approach can be used where it is important to ensure the outcome is of suitable quality.
- The above procedures do not apply to work or services to be carried out by named organisations as a requirement of legislation e.g. Audit New Zealand, Quotable Value.
- New Zealand Transport Agency funding, as per the Competitive Pricing Procedures (CPP). For example, Road Safety Coordinator tenders must follow the Price Quality Method for Professional Services as outlined in the CPP.
- To overcome the practical problems caused by the requirement of the Public Bodies Contracts Act 1959, all successful tenders will be reported to the next Council meeting.

Appendix II

1. Policy for Engagement of Independent Commissioners

There will be occasions where it may not be appropriate that the Council as Consent Authority makes decisions on resource consent applications or enforcement matters, for example, those which involve the Council itself, either as applicant or with some other type of interest in the application.

The Delegations Manual allows for either the Chair of the Resource Management Committee, the Council Chair, or if the preceding are unavailable, another Councillor, to appoint independent commissioners.

Independent Commissioners will be appointed in the following circumstances:

1. (a) Where the Council:
 - Is the applicant; or
 - Is a party to the application; or
 - Has a beneficial interest in the decision; and

(b) Where the resource consent application is publicly notified.

An independent commissioner/commissioners will be appointed to hear and decide any applications for resource consents. Independent commissioners will be used whether or not a hearing of submissions is required.

2. (a) Where the resource consent application is publicly notified, and
(b) Where the Council Hearing Commissioners have pecuniary interest in the application;

An independent commissioner/commissioners will be appointed to hear and decide any applications for resource consents, where a hearing is required, or where no hearing is required, to consider and decide the application.

3. Independent commissioners will also be appointed to consider and decide on submissions with regard to infringement notices and abatement notices where:
 - The Council Hearing Commissioner/s have a pecuniary interest in the matter; or
 - The Council Hearing Commissioner/s have a conflict of interest; or
 - The enforcement action in question is against the Council.

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting- 11 September 2018
Prepared by: Andrew Robb – Chairman
Date: 3 September 2018
Subject: **CHAIRMAN'S REPORT**

Meetings Attended:

- I attended the meeting of the Joint Committee on 21 August in Westport. The Mayors, Chairs and Iwi forum followed.
- The Chief Executive and I attended the proposed mining ban on conservation land meeting on the afternoon of 21 August.
- I attended the Regional Sector Group forum in Wellington on Friday 31 August.

RECOMMENDATION

That this report be received.

Andrew Robb
Chairman

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 11 September 2018
Prepared by: Michael Meehan – Chief Executive
Date: 3 September 2018
Subject: **CHIEF EXECUTIVE'S REPORT**

Meetings attended:

- I attended the South Island CEO's meeting on the weekend of 18 & 19 August.
- I attended the meeting of the Joint Committee, Mayors, Chairs and Iwi forum and the proposed mining ban on conservation land meeting on 21 August.
- I met with the Chief Executive of Westland District Council on Wednesday 29 August to discuss matters relating to Franz Josef and other local issues.
- I attended the Regional Sector Group forum in Wellington on 31 August.

RECOMMENDATION

That this report be received.

Michael Meehan
Chief Executive

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 11 September 2018
 Prepared by: Michael Meehan – Chief Executive
 Date: 3 September 2018
 Subject: **Proposed Mining Ban Engagement Work**

Background

Following the 2017 General Election the Minister for Conservation announced in their speech from the throne that it was their intention to ban mining on the conservation estate. Since this announcement the government confirmed it will consult on the proposed ban in September 2018. Council has a strong interest in this intention on behalf of the community to ensure any decisions are informed by good quality information and the community's voice is heard.

Proposed engagement

Council has coordinated two meetings comprising industry, Councils and iwi to discuss the proposed ban. These meetings have been informed by legal advice from Councils legal counsel. It is proposed that these meetings will continue into the future as the consultation commences.

The purpose of these meetings is to ensure that information is shared and that the participants are aware of what work is being undertaken to avoid any potential duplication.

Each of the four Councils is proposing to contribute up to \$20,000 towards the collective Council response to the proposed ban. This covers legal and other costs associated with the eventual submission and engagement on this matter.

On behalf of the four Councils the Regional Council will lead this work and undertake a coordination role compiling the submission on behalf of the region.

RECOMMENDATIONS

1. *That the report is received.*
2. *Council coordinates the formal submission to the governments proposed ban on mining on conservation estate on behalf of the four Councils.*
3. *Council commits up to \$20,000 towards legal and other costs associated with the formal submission to the governments proposed mining ban.*

Michael Meehan
Chief Executive

THE WEST COAST REGIONAL COUNCIL

To: Chairperson
West Coast Regional Council

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

Agenda Item No. 8.

- 38 – 39 8.1 Confirmation of Confidential Minutes 14 August 2018
- 8.2 Overdue Debtors Report (to be tabled)
- 8.3 Response to Presentation (if any)
- 8.4 In Committee Items to be Released to Media

Item No.	General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 7 of LGOIMA for the passing of this resolution.
8.			
8.1	Confirmation of Confidential Minutes 14 August 2018		Clause 7 subclause 2 (a)
8.2	Overdue Debtors Report (to be tabled)		Clause 7 subclause 2 (a)
8.3	Response to Presentation (if any)	Privacy of natural person	Clause 7 subclause 2 (i)
8.4	In Committee Items to be Released to Media		Clause 7 subclause 2 (i)

I also move that:

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

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

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