

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

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

TUESDAY, 10 DECEMBER 2019

The programme for the day is:

10.30 a.m: Resource Management Committee Meeting

On completion of RMC Meeting: Council Meeting

Public Forum: Frida Inta

Councillor Workshop: Annual Plan

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, 10 December 2019**

S. CHALLENGER
CHAIRPERSON

M. MEEHAN
Chief Executive Officer

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THE WEST COAST REGIONAL COUNCIL**MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE
HELD ON 8 OCTOBER 2019, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL,
388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.30 A.M.****PRESENT:**

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

IN ATTENDANCE:

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

1. APOLOGIES

Moved (Clementson / Challenger) *That the apology from F. Tumahai be accepted.*

Carried

2. MINUTES

The Chairman asked the meeting if there were any changes to the minutes of the previous meeting. Cr Challenger was present.

Moved (Birchfield / Archer) *that the minutes of the previous Resource Management Committee meeting dated 10 September 2019, be confirmed as correct.*

Carried

Matters Arising

P. McDonnell apologised for not getting to two local meetings for the National Policy Statement for Freshwater Management. He stated that he will be putting in a submission on this. Cr Robb advised that he attended the meeting held at Shantytown. M. Meehan advised that senior officials from MfE will be visiting the West Coast in November. He stated that they will be taken to a sphagnum moss operation and the following day they will visit a farm in Ross, to view and discuss wetlands. Cr Robb stated that the West Coast is a good case study to show that water quality can be improved by having fences where they are currently.

3. PUBLIC FORUM

There was no public forum.

4. CHAIRMAN'S REPORT

Cr Clementson reported he attended the Kawatiri FMU meeting and the Westport 2100 meeting.

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

H. Mills spoke to his report and advised that the reconvened hearing for Plan Change 1 was held on 16 September and the Hearing Panel is now drafting recommendations to Council.

H. Mills reported that the final mediation sessions for the RPS was held on 1 & 2 October. He advised that agreement was reached and staff are hopeful that the appeal will be resolved.

H. Mills reported that an Envirolink grant has been approved for further work on gravel extraction which will enable assessments on how geomorphology affects gravel stocks.

H. Mills advised that the RMA Amendment Bill has now had its first reading in Parliament. He stated the Bill supports the establishment of new Freshwater Planning Processes which is in parallel with the central Freshwater package. H. Mills advised that part of this will be to have specific Freshwater Commissioners who will go around the country for each Freshwater Hearing, can sit on hearing panels and be Chairperson for these hearings. Cr Birchfield stated that they will be appointed by Government and this will be government control. M. Meehan advised there will have to be an independent person appointed who will need to have certain qualifications and experience, this is for Freshwater hearings. H. Mills advised this is a recommendation to Councils, not a decision. He stated there will also be an iwi representative appointed.

H. Mills stated that Council's submission on the Minerals and Petroleum strategy is strong. It supports the strategy in its high level intent and outlines importance of minerals on the New Zealand way of life and on the West Coast, it also encourages further work for mineral stock availability. The submission also outlines concerns regarding conflicting national policy, such as no new mining on conservation land, which conflicts with current central government policy. The submission also outlines Council's concern with a lack of protection of mineral resources, lack of direction on coal extraction and the need for a more long term view in the strategy.

H. Mills advised that there are three main parts to the Essential Freshwater Package around the changes to the current NPS, introduction of an NES, and the proposed stock exclusion regulations. H. Mills advised that staff are preparing a detailed submission. He stated that senior MfE staff will be visiting various areas of interest on the West Coast to outline the impact for the West Coast. M. Meehan advised that a weekly hui is being held with staff from impacted organisations and industries, iwi, councils and DWC to ensure that information is shared and that everyone is working together on this. M. Meehan stated that DWC are putting the economic picture together, with each organisation having a different role to play.

Cr Ewen asked if staff could provide him with the hectareage from each schedule of wetlands. M. Meehan agreed to send this to Councillors.

H. Mills answered questions from Councillors regarding the various submissions, and the Budget Support Package (who can get this and or can't). Cr Archer asked if the Budget Support Package is only for stock regulations. H. Mills advised that this is for \$230M, but there has not been much detail released to date. M. Meehan advised that no money will be coming to regional councils to offset some of the increased charges that will be associated with the Freshwater package. Cr Archer expressed concern that there is even more coming than what was originally planned. Cr Archer expressed his concern that government doesn't seem to have a mind to grasp this situation. Cr Archer noted that there is likely to be a requirement in the major metropolitan areas for those areas to plant out significant areas. Cr Archer stated that this land might need to be brought by the government. He stated that the landowner is being denied from having the lawful use of the land. Cr Archer expressed concern that legitimate landowners will have no rights, no compensation, and this is very concerning. Cr Archer stated that this is an area of gross unfairness by both governments. Cr Archer is concerned about new councillors coming in, with a significant number of new faces around this table, they need to prepare themselves for these new NPS, strategies and environmental standards, the cost to the ratepayer is going to skyrocket. Cr Archer stated this will require huge great planning input to develop new plans to satisfy the NPS's and NES's. he stated there is no money from government and no indication of costs. H. Mills drew attention to page 15 of his report. M. Meehan advised that the response from officials at the recent meeting at Shantytown when asked about costs, they stated that they were hoping the council would tell them what the costs would likely be. M. Meehan stated that there are extra requirements for both regulatory monitoring, but also physical monitoring with regard to water quality monitoring. He stated that this will be detailed in Council's submission.

Moved (Robb / Archer)

1. *That the report is received.*
2. *That the Council approves the submission on the proposed National Policy Statement for Highly Productive Land.*

Carried

52.1 CONSENTS MONTHLY REPORT

H. McKay spoke to this report and advised that three site visits were carried out, 14 non-notified resources consents were granted, and no variations or changes to and reviews of consent conditions were granted during the reporting period.

Moved (Archer / Challenger) *That the October 2019 report of the Consents Group be received.*

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

H. McKay spoke to this report and advised that 113 site visits were carried out during the reporting period. She reported that there were 28 complaints or incidents received with seven non-compliances occurring during the reporting period. H. McKay advised that a further 21 complaints or incidents are still under investigation.

H. McKay reported that one formal warning was issued during the reporting period and one abatement notice was issued.

H. McKay reported that ten mining work programmes were received during the reporting period, with nine being approved. Two bonds are recommended for release.

Cr Birchfield asked about fill being dumped in Grey Riverbed just up from Cobden Rail Bridge. H. McKay stated that she is unaware of this but advised that there is a consent for fill for this area. She agreed to follow up on the matter.

Cr Archer asked if gravel extraction at Hokitika is a consented or permitted activity. H. McKay stated that it is likely that this is related to a consented activity.

H. McKay answered further questions from councillors.

Moved (Archer / Birchfield)

1. *That the October 2019 report of the Compliance Group be received.*
2. *That the bonds for RC00084 of \$8,000 held by Phoenix Mining Ltd, and RC13082 of \$12,000 held by Eldon Holdings Ltd are released.*

Carried

GENERAL BUSINESS

J. Douglas wished everyone all the best for the Local Body Election. She also thanked departing Crs Archer, Clementson, McDonnell and Robb for their contributions over the past three years.

Cr Clementson reciprocated J. Douglas’s comments. He stated that she and F. Tumahai have been the iwi representatives on this committee. Cr Clementson stated that iwi’s knowledge and integrity has added value to the meetings. He stated that they have opened his eyes to the day to day needs and requirements and the issues that iwi is exposed to. Cr Clementson stated the strong iwi representation on Council is greatly needed moving forward. Cr Clementson thanked J. Douglas and F. Tumahai for their contributions and stated that iwi has a strong voice and hopes this continues.

Cr Clementson also thanked H. McKay and H. Mills for their contributions to the Resource Management Committee.

The meeting closed at 10.56 a.m.

.....
Chairman

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Date

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee – 10 December 2019
 Prepared by: Lillie Sadler – Planning Team Leader
 Date: 26 November 2019
Subject: Planning and Hydrology Report

Regional Policy Statement update

A short, final mediation session on appeals to the proposed Regional Policy Statement was held on 13 November in Greymouth to resolve background wording for the agreed changes to issues, objectives, policies and methods. Staff are aiming to lodge documents with the Environment Court outlining resolution of the appeals before Christmas.

Representatives for Freshwater Management Unit Groups

As background for the new Councillors, to give effect to the National Policy Statement for Freshwater Management (NPSFM), the Council is partway through establishing Freshwater Management Unit (FMU) Community Groups to identify freshwater values, objectives and limits for each FMU. Attached to this report as Appendix 1 is a map showing the four FMU's. A Regional Council representative is on each of the four FMU Groups, along with a District Council representative, iwi representatives, and eight selected community members. Each Group meets monthly for approximately 12 months, and the Terms of Reference require the Groups to make recommendations to the Council on objectives and limits to maintain or improve freshwater quality in each FMU, to be added to the Regional Land and Water Plan.

As a result of changes to elected representatives from the recent local elections, Regional Council representatives need to be appointed as follows:

- *Grey/Mawhera FMU Group*: a replacement from the central ward for Andrew Robb. This Group meets on the last Tuesday of the month in the WCRC Chambers from 6 – 8pm. The Group is nearing the end of the process, 12 meetings have been held, the most recent on 26 November. Meetings conclude in March 2020.
- *Kawatiri FMU Group*: a replacement from the northern ward for Neal Clementson. This Group meets on the second Tuesday or Wednesday (alternating) of the month at the Buller District Library in Westport, from 5.30 – 7.30pm. The fourth meeting will be held on 12 November 2019. Meetings conclude in May 2020.

Representatives also need to be appointed for the other two FMU's yet to commence:

- *Hokitika FMU*: a new representative is needed from the southern ward. The public information sessions will be held on 21 and 23 January in Hokitika and Hari Hari respectively. Community members will be selected, and Group meetings start in March 2020, going through to December 2020, or later if the Group wants to stop during calving. Meeting dates will be set by the Group. A representative can be appointed at this November Council meeting, or the December or February meetings.
- *South Westland FMU*: as with the Hokitika FMU, a new representative from the southern ward is needed. The public information session will be held in February 2021. Group meetings are likely to commence in April 2021.

RMA Amendment Bill

The Resource Management Amendment Bill was publicly notified for submissions in early October, and submissions closed on 7 November. Some of the changes to the enforcement provisions are relevant to the Council's enforcement work. The other relevant change is the proposal to remove the collaborative planning process that was added to the RMA by the Resource Legislation Amendment Act 2017, and replace it with a new freshwater planning process which seeks to speed up freshwater plan change processes, especially at the hearing and appeals stages. This new planning process is linked to the Government's recently released "Action for healthy waterways" Package which requires council plan changes that implement the national freshwater package to be notified for submissions by December 2023, and release decisions on submissions by December 2025.

As the closing date for submissions was before the December RMC meeting, a draft submission was circulated to Councillors and iwi representatives for their feedback. A copy of the final submission is included in this report as Appendix 2.

Action for Healthy Waterways Package

A comprehensive submission on the "Action for healthy waterways" Package was lodged on 31 October 2019 after it was approved by councillors in a special Council meeting that day. As Local Government New Zealand lodged a sector submission, the Council's submission focusses on the parts of the Package that will affect the West Coast.

The key points in the submission are:

- The holistic consideration of all government policy (current, under consultation and to be released in the coming months) is needed to avoid perverse outcomes arising from a lack of integration between the national direction.
- National requirements for freshwater management must ensure that there is an ability to apply regional variances to policy implementation.
- We seek that provision be made in the national directives to apply exemptions for areas (at a catchment level and a farm level) where there are no resource pressures, or where resource pressures have been effectively addressed.
- Wetlands on the West Coast are different to those of other regions and the provisions in this space need to reflect this difference.
- Stock exclusion should be regulated to a minimum setback of one metre, not five metres, from a water body.
- Measuring new water quality parameters will have little to no impact on improving water quality, but will cost the ratepayer considerably.

A copy of the final submission is attached as Appendix 3 to this report.

Conservation (Indigenous Freshwater Fish) Amendment Act 2019

This Act came into force on 22 October 2019. The Council lodged a submission on the Bill in October 2018. The parts of the Bill which the Council raised concerns about in its submission are retained in the new Act, namely:

- A permit must be obtained from the Department of Conservation (DoC) to take indigenous freshwater fish, including whitebait, from rivers within conservation areas;
- The Director-General can declare an area to be a spawning area, and anyone wanting to undertake an activity in a declared spawning area must obtain a permit from DoC;
- The Director-General may, by notice, close fishing for up to five years.

Any new authorisation process will not come into force earlier than two years after the Bill becomes law. There will be public consultation on any changes to the Whitebaiting Regulations.

Documents currently open for submissions

The following are currently open for submissions, their closing dates are:

- "Transforming the resource management system: Opportunities for Change – Issues and Options Paper" – 3 February 2020
- Crown Minerals Act Review – extended to 27 January 2020
- "National Policy Statement for Indigenous Biodiversity", and "He Kura Koiora i Hokia: Discussion Document" on the proposed NPS – 14 March 2020

Links to these documents are:

<https://www.mfe.govt.nz/sites/default/files/media/RMA/comprehensive-review-of-the-resource-management-system-opportunities-for-change-issues-and-options-paper.pdf>

<https://www.mbie.govt.nz/dmsdocument/7320-discussion-document-review-of-the-crown-minerals-act-1991>

<https://www.mfe.govt.nz/sites/default/files/media/Biodiversity/draft-npsib.pdf>

<https://www.mfe.govt.nz/sites/default/files/media/Biodiversity/he-kura-koiora-i-hokia-discussion-document.pdf>

Staff will draft feedback and submissions and circulate them to Committee members and iwi representatives in due course.

Hydrology

Flood Warning

There were several small flood alarms on the Hokitika River during the reporting period.

Site	Time of peak	Peak level	Warning Issued	Alarm threshold
Hokitika River at Gorge	08/11/2019 04:30	4246 mm	08/11/2019 02:05	3750 mm
Hokitika River at Gorge	10/11/2019 08:25	4049 mm	10/11/2019 01:55	3750 mm
Hokitika River at Gorge	14/11/2019 01:10	3820 mm	14/11/2019 00:55	3750 mm
Hokitika River at Gorge	16/11/2019 15:30	3962 mm	16/11/2019 12:35	3750 mm

RECOMMENDATIONS

1. *That the report is received.*
2. *That the Council appoints representatives for the Grey, Kawatiri, Hokitika and South Westland Freshwater Management Unit Groups.*

Hadley Mills

Planning, Science and Innovation Manager

Appendix 1 – Map of 4 Freshwater Management Units for the West Coast Region.

Red=Kawatiri FMU

Blue=Grey/Mawhera FMU

Green=Hokitika FMU

Crimson=South Westland FMU





Submission on the Resource Management Amendment Bill

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7 November 2019

Committee Secretariat
 Environment Committee
 Parliament Buildings
Wellington

Dear Sir/Madam

Submission on the Resource Management Amendment Bill

The West Coast Regional Council welcomes the opportunity to make a submission on the Resource Management Amendment Bill and generally supports the proposed amendments to the consenting and enforcement provisions. However, we do have some concerns about the new Freshwater Planning Process.

Attached is the Council's submission.

The Council does not wish to be heard at the hearing.

Our contact details for service are:

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 West Coast Regional Council
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 Greymouth 7840

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Yours faithfully

Hadley Mills
Planning, Science and Innovation Manager

West Coast Regional Council Submission on the Resource Management Amendment Bill

Introduction

The Council **generally supports** the Resource Management Amendment Bill's (the Bill) proposed changes to the Resource Management Act 1991 (RMA). We think that the proposed changes generally improve the consenting process and enforcement provisions. While the intent to 'speed up' the freshwater planning process under the NPSFM is well-meaning, we do not support some of the provisions and timeframes proposed to achieve this.

Our submission specifically focusses on the proposed provisions for reviewing conditions of multiple consents, the increases in infringement fees and the new freshwater planning process.

Improving resource consent processes and enforcement provisions

Changes to Section 128 - Enabling review of conditions of multiple resource consents concurrently

We **strongly support** amending the RMA to allow councils to review conditions of multiple resource consents relating to freshwater simultaneously. This will ensure that consent conditions reflect the National Policy Statement for Freshwater Management (NPSFM), and any changes made to freshwater provisions in regional plans as a result of the FMU process, especially where an issue at the catchment level involving multiple water users needs to be addressed.

Increasing maximum infringement fees under the Resource Management (Infringement Offences) Regulations 1999

We **support** the increase in fines up to \$2,000 for a natural person and \$4,000 for companies. However, the proposed changes trigger the need for an amendment to the Resource Management (Infringement Offences) Regulations 1999 (Infringement Regulations), to align with the proposed changes to the RMA.

The proposed amendments do not appear to allow for different levels of fines for different offences. For example, the current infringement regime results in a \$300 fine for a Section 9 offence and a \$750 fine for a Section 15 offence. It is not clear from the proposed amendments whether the increased fines will vary depending on offence, or whether the amounts proposed are maximums with some ability for discretion for lesser amounts.

We are concerned that a simple increase in the infringement rate to \$2,000 and \$4,000 could result in councils issuing more formal warnings for what may have previously been a \$300 infringement notice. We would support the Regulations having a two tier approach to infringement requirements. This would allow councils to infringe someone for an amount that is relevant to the scale of their offence. For example, where an offence has a minor adverse effect and there is very little negligence or deliberateness involved, a lower level fine may be more appropriate than a \$2,000 fine. Whereas significant offending that has an adverse effect and a high degree of negligence and deliberateness involved, but does not warrant prosecution action, a fine of \$2,000 for a natural and \$4,000 for a company is more appropriate. If a two tiered approach was to be implemented, the amount of the lower tier should also be set through the regulations. This would give councils some discretion over the level of the offence, but still allow for consistency in infringement amounts.

It is therefore our submission that the Infringement Regulations should have a two tiered approach for fines where councils can consider on a case by case basis the significance of the offending and infringe at an appropriate level.

Freshwater Planning Processes

We support the removal of the Collaborative Planning process from the Resource Management Act 1991, and replacing it with the proposed Freshwater Planning Process, subject to the changes we seek below.

New Section 80A Freshwater planning process

The timeframes stated in clause (4)(b) and new section 51, to publicly notify a freshwater plan change by 31 December 2023, and release decisions on submissions to the plan change by the end of December 2025, may not be achievable for small councils such as ours. Both the current and the proposed NPSFM require councils to make significant amendments to their regional plans, involving a number of staff members from various teams. Small councils may not have the staff capacity to undertake a comprehensive change to their relevant regional plan while undertaking their other business and usual workload. One option for councils is to outsource some of this work to consultants. However, this results in significant additional costs to small councils. The West Coast has a very small rating base, meaning that costs to undertake plan changes are spread over a limited number of ratepayers, making the cost per ratepayer disproportionately high. The shorter timeframe to prepare and notify plan changes, and have decisions released, may also affect the quality of provisions being added to the plan. The perverse outcome being that small councils only meet the bare minimum requirements of the NPSFM.

The proposed new timeframes, and other provisions, may not necessarily speed up the freshwater planning process. For example, we think that stakeholder submitters will make more comprehensive and detailed submissions and provide more detailed evidence at hearings, potentially prolonging the Summary of Submission and hearings stages.

We **support** the timeframe being extended out to 2030, as it is currently set out in the existing NPSFM. The current timeframe allows this Council the ability to undertake plan changes to the relevant regional plan where the costs can be spread out over an additional five years, and within timeframes that are achievable for us.

Schedule 1 - New Part 4 – Freshwater planning process

New Section 37 Regional Council must submit freshwater planning documents and give nominations to Chief Freshwater Commissioner

We have concerns that the six month timeframe specified in clause (4)(c) for notifying the proposed plan change, preparing the Summary of Submissions, notifying it for further submissions, adding further submissions to the Summary and forwarding these documents to the Chief Freshwater Commissioner, are too restrictive for our small planning team of two to meet if we receive a large number of detailed submissions. The initial submission period for a plan change is 20 working days. If we allow 6-8 weeks to prepare and notify the Summary of Submissions, then allow 10 working days for further submissions to be lodged, and another 10-20 working days to add the further submissions into the Summary, as well as time spent on administrative tasks such as preparing mailing lists, sorting out incomplete submission forms, and other unforeseen matters, plus the 20 working day period for giving notice to the Chief Freshwater Commissioner that the documents will be forwarded to - the six month timeframe is simply too tight. Planning staff still have other work streams to progress over this time.

We **seek** that the timeframe in clause (4)(c) being extended to 12 months, as this would allow councils additional time to work through the submissions, and further submission, stage without putting unreasonable pressure on planning staff.

New Section 38 Chief Freshwater Commissioner must convene freshwater hearings panel

This section implies that the hearing will be held within a few weeks after the Chief Freshwater Commissioner receives the documents under new Section 37. However, key stages of the planning process are omitted in the amendments, or do not allow sufficient time to assess submissions. This raises considerable uncertainty about whether this stage of the new planning process is robust and fair, and whether it can be undertaken in a shorter period of time.

Standard planning practice is for councils to complete a section 42A staff recommending report on submissions and further submissions. The purpose of this report is to assess submission points and make recommendations to accept, accept in part or reject them, and give reasons for the recommendations. As part of this assessment process, it is also standard planning practice to hold pre-hearing meetings with some submitters to try and resolve key issues in a collaborative way. Submitters and further submitters can then speak to their submission and respond to any recommendations made in the section 42A report at the hearing. A section 42A report can take months to complete depending on the number of submissions and further submissions received, their length and the complexity of the issues raised. Given how contentious water management is, we anticipate that the number of submissions and further submissions will be substantial, and any recommendations by the hearing panel will require extensive assessment of the submissions.

Therefore, we do not understand how the resolution of issues can be progressed at the hearing stage without a section 42A assessment undertaken prior to the hearing and circulated to submitters. Although the new section 45 provides for the hearing panel to request a report from council, a consultant or anyone during the hearing, the lack of requirement for a section 42A report means that submitters will not have the opportunity to consider and reply to any initial recommendations or solutions suggested by the council before the hearing. This seems contrary to the principle of consultation and could give an impression that all submissions may not be given due consideration. Solutions considered 'on the hoof' during a hearing may not necessarily be complete or best practice. If issues around fairness of the process arise during the hearing, it could potentially delay the length of the hearing.

For these reasons, we consider that new Section 38 needs to be amended to require the hearing panel to either complete a section 42A report, or direct the council to prepare such a report, and circulate it to submitters before the hearing commences.

See also our comments on sections 45 and 61 of the proposed changes on this matter.

New Section 40 Powers of freshwater hearings panel

We **strongly oppose** clause 40(2) permitting cross examination during a freshwater plan change hearing. We question the purpose of permitting cross examination and see this as potentially turning a council hearing into an Environment Court hearing, and likely prolonging the hearing. This could discourage lay submitters from making a submission and participating in the hearing if they are uncomfortable with being cross examined or cross examining others. It is important to have lay submitters involved in the process because they are often the ones who have to implement the provisions within the plan, as well as being the most impacted.

We **strongly seek** the removal of this clause from the new Section 40.

New Section 41 Council must attend hearings

We **support** this section clarifying that regional councils can make submissions themselves on the freshwater planning instrument and can be heard in respect of their submission. This provides an opportunity for councils to identify matters that were overlooked in the plan change drafting. Council staff also have local knowledge to draw on that an independent hearing commissioner from outside the region does not have. This will help to reduce the risk of the plan having gaps or inconsistencies between provisions, and/or having provisions that cannot be practically implemented.

New Section 43 Conference of experts

We **strongly support** section (6) which provides that the regional council may attend a conferencing of experts if authorised to do so by the hearing panel. This will enable council staff to keep fully

informed about the issues and options for resolution, especially when advising their council on the hearing panel's recommendations.

New Section 44 Alternative dispute resolution

We **support** including this section in the freshwater planning process. However, we do question whether there will be enough facilitators and mediators within New Zealand for alternative dispute resolution. We anticipate that many issues raised within submissions and further submissions will be complex and contentious, requiring a number of alternative dispute resolution processes to occur simultaneously during the hearing phase. It is likely that regional councils will be holding their freshwater hearings at similar times.

New Section 45 Freshwater hearings panel may commission reports

We generally **support** this section, however clause 1 of section 45 needs to be amended to allow the hearing panel to require reports prior to the hearing, as well as during the hearing. When reading the freshwater plan change and submissions and further submissions, the hearing panel may become aware of topics and issues that will require a report. So in some instances the hearing panel will be able to inform the relevant party that they need to write a report on a particular topic prior to commencing the hearing. The sooner a party is aware that they need to write a report, the sooner the party can start writing, which will likely lead to more thorough and robust reports being created. It could also avoid delays during the hearing process.

New Section 48 Freshwater hearings panel must make recommendations to regional council on freshwater planning instrument

We **strongly oppose** Clause (2)(b) of Section 48 giving the hearing panel the power to make recommendations that are out of scope of submissions. This goes against natural justice principles. Councils will have gone through a public consultation process in notifying their proposed RPS and plan changes, and the Hearing Panel has the power to disregard what's been put forward in the submission process. This means submitters do not have the opportunity to comment on the Panel's recommendations for changes that are outside the scope of submissions.

Under Schedule 1 of the RMA, if independent hearing panels for any other regional or district plan change want to recommend changes that are outside the scope of submissions, it would need to adjourn the hearing and seek that a variation be prepared and notified for submissions. Such processes would obviously take more time, and we assume that the reason for giving the hearing panel powers to recommend changes outside of submissions is so that all matters that need to be in the plan change can be put in place or corrected if anything substantive is omitted or erroneous. However, it is not appropriate to give greater priority to having a faster decision-making process above having a fair process.

The current RMA provisions provide for minor, non-substantive updating and correcting changes in a plan change process that may not be identified in submissions.

The hearing panel's ability to consider changes outside the scope of submission would only be useful if there are gaps or errors in the proposed plan changes and no one submits on them. However, although s48(2)(b) has qualifiers, there is too much uncertainty about how this provision will be used. The word "decisions" in clause (4)(b) needs to be changed to "recommendations". The hearing panel makes recommendations on submissions, whereas the Council makes the final decisions on submissions, based on the recommendations received from the hearing panel.

We also have concerns about how Section 48(2) relates to Section 51(1)(b)(2). Section 51(1)(b)(2) only permits regional councils to come up with alternative options that are within scope of submissions.

Whereas Section 48(2) allows the hearing panel to make recommendations outside the scope of submissions.

Based on our concerns, Section 48 needs to be reconsidered, including how it relates with Section 51. *New Section 51 Relevant regional council to consider recommendations and notify decisions on them* We **oppose** clause (4) of section 51 requiring regional councils to notify decisions no later than 20 working days after receiving the recommending report from the hearing panel. Recommendations from the hearing panel could be extensive, complex, and potentially contentious and so councillors will need time to comprehend the recommendations.

The 20 working day timeframe could be difficult to achieve in relation to the dates of council meetings and workshops. Most councils meet once a month to make decisions on various council matters, including planning matters such as making decisions on freshwater plan changes. Documents relevant to a Council meeting are sent out to the Councillors at least a week in advance to give the Councillors sufficient time to read and consider the documents, before making a decision at the Council meeting. For decisions on plan changes, we hold a workshop with Councillors to explain and clarify the hearing panels' recommendations. This is to ensure that Councillors understand what they are deciding on and the impact their decisions will have. Even if Council receives the hearing panel's recommendations at least four weeks before the next Council meeting, there may still be insufficient time to organise a workshop and take the recommendations to the Council meeting.

This section also provides for the Council to accept or reject the hearing panel's recommendations, including giving reasons for rejecting particular recommendations, and providing alternative solutions. While in most cases the Council will accept the recommendations made by the hearing panel, there may be some recommendations that the Council rejects. This level of consideration is beyond what Councillors usually have to decide on, so they will need sufficient time to consider the recommendations and come up with alternative solutions if they disagree with the hearing panel. This may mean planning staff will need to hold multiple workshops with Councillors. The timeframe for notifying decisions is likely to go beyond the 20 working days proposed in this clause.

Therefore, we **seek** that the timeframe for councils to notify decisions is extended out to a maximum of 60 working days from when the hearing panel recommendations are received.

New Section 54 Right of Appeal to Environment Court

We **strongly support** limiting appeals on freshwater plan changes. The appeal stage can add lengthy timeframes before a plan change becomes operative. However, there is a risk that with limited appeal options, the main stakeholders who often lodge appeals will put a greater emphasis on the hearing as potentially their last opportunity to advocate for their interests in changes to regional plans. Hearings may increase in scale and length of time, which will stretch the staff resources of smaller councils. Plan hearings are not cost recoverable like consent hearings, so the additional costs are borne by ratepayers.

New Section 58 Composition of freshwater hearing panel

We **generally support** the proposal for expert hearing commissioners and Environment Court Judges being on the hearing panels for freshwater plan changes. However, we question whether this is practically achievable as all regional councils will want to hold hearings around similar times in order to release their decisions by December 2025.

We **strongly support** having two commissioners nominated by the regional council on the hearing panel. Having two local hearing commissioners will ensure that decisions are tailored to the local context.

New Section 61 Funding of freshwater hearings panel and related activities

We **strongly oppose** regional councils having to cover all costs incurred by the Ministry-appointed hearing chair and commissioner under the proposed freshwater planning process. We are a small rural Council with a very small rating base, and so the Council has limited revenue available to cover these costs. Given the complexity and contentiousness of freshwater management, the hearings could last for a number of weeks, especially if additional reports, and expert conferencing are required during the hearing rather than before it. The current lack of provision for s42A assessment and pre-hearing meetings with submitters to resolve issues prior to the hearing is likely to add to the hearing costs. If the proposed freshwater planning process provides for s42A submission assessment and pre-hearing meetings undertaken by council staff, the cost of these processes could be absorbed by staff time that is already budgeted for. The longer the hearing lasts, the more costly the hearing is for the Council.

We understand that Environment Court judges can be more expensive than other hearing panel commissioners. For example, we have received quotes ranging between \$190 and \$400 an hour for Environment Court judges to chair a hearing panel for one of our regional planning documents. We suggest that the Government sets a fixed remuneration rate for each Ministry-appointed hearing panel member for all freshwater hearings. Consultation with all regional councils on this fixed rate needs to occur before deciding on a rate.

In addition to the above, the cost of travel for the hearing panel could be significantly more for the West Coast than other regions. We are located a significant distance away from major cities and have limited flights in and out of Hokitika and Westport.

We **seek** the following:

That provision be made for the Hearing Panel to request that councils undertake section 42A assessments of submissions, and have pre-hearing meetings with submitters to resolve issues where practical, prior to a hearing, to reduce the length and costs of hearings for small councils.

That the Government sets a fixed remuneration rate for each Ministry-appointed hearing panel member for all freshwater hearings.

That the Chief Freshwater Commissioner and the Minister for the Environment consider local financial constraints when appointing hearing commissioners, to ensure that the process is as cost effective as possible for small regional councils. We also support the Ministry covering the costs of accommodation and travel for commissioners and Environment Court Judges appointed by the Ministry.

This ends our submission.

Appendix 3 – Submission on the “Action for healthy waterways” Package

31 October 2019

Freshwater submissions
Ministry for the Environment
PO Box 10362
Wellington

By email: consultation.freshwater@mfe.govt.nz

Submission on Action for healthy waterways: A discussion document on national direction for our essential freshwater

Thank you for the opportunity to provide feedback on the Action for healthy waterways discussion document. How we manage our freshwater influences our economic, social and cultural wellbeing throughout New Zealand. This Council supports, in principle, provisions to ensure that our waterways are ones whereby New Zealanders can swim, fish, gather mahinga kai and enjoy these freshwater resources.

This final submission has been endorsed at a Council meeting. I would like to thank you for extending the timeframe for feedback so our new Council could be briefed on these matters prior to finalising this submission.

We appreciate that there will be many submissions made on the proposals put forward, and as such, have focussed on those issues of most importance to the West Coast and particularly our Council. Except where we have noted otherwise, we generally support the submissions made by:

- Local Government New Zealand
- Westland Milk Products
- Development West Coast
- The Buller, Grey and Westland District Councils

Key points

In considering our submission, our key points are as follows:

- The holistic consideration of all government policy (current, under consultation and to be released in the coming months) to avoid perverse outcomes.
- Ensuring there is an ability to apply regional variances to policy implementation.
- Provision to apply exemptions for areas (at a catchment level and a farm level) where there are no resource pressures, or where resource pressures have been effectively addressed.
- Wetlands on the West Coast are different to those of other regions and the provisions in this space need to reflect this difference.
- Stock exclusion should be regulated to a minimum setback of one metre, not five metres.
- Measuring new water quality parameters will have little to no impact on improving water quality, but will cost the ratepayer considerably.

Please contact me if you have any questions regarding the content of our submission or require additional information.

Yours sincerely

Michael Meehan

Chief Executive

Structure of this submission

This submission has 12 parts:

- The West Coast Context
- General comments on policy development
- Section 1 – Overview
- Section 4 – Setting and clarifying policy direction
- Section 5 – Raising the bar on ecosystem health
- Sections 6 & 7 – Drinking, storm water and wastewater
- Section 8 – Improving farm practices
- Stock Exclusion Section 360 Regulations
- Section 9 – Support for improvement in catchments and on farms
- Section 10 – Impacts of proposals
- Section 11 – Aligning RMA
- West Coast wetlands
 - Appendix 1 – West Coast wetland planning process
 - Appendix 2 – Sphagnum moss harvesting
 - Appendix 3 – Draft permitted activity rule for sphagnum moss harvesting within a Schedule 2 wetland

The first two sections are general comments on the region and the national direction overall. The numbered sections of our submission respond to the questions in the Discussion Document “Action for healthy waterways” that are the most relevant for our region, and the Draft Stock Exclusion Section 360 Regulations.

The West Coast context

The West Coast natural environment is generally in good shape. While our land, water and ecosystems are healthy compared to other parts of the country, we recognise that there is still much to do.

The West Coast Regional Council is the smallest regional Council in New Zealand and manages the fifth largest area in the country. However, we are still required to deliver the same services and functions as the other regions. Resourcing is therefore one of our biggest challenges.

Traditionally, we have prioritised our resource management activities, including those regarding our freshwater, in the areas where the greatest resource pressures exist. We have found this to be very successful, as evidenced by our work with the landowners in the Lake Brunner Catchment.

The West Coast’s land cover is characterised by a predominance of forest cover (about two thirds of land area), of which most is indigenous forest. This is primarily an outcome of the nature of the land ownership of the region which is split 16% in private ownership and 84% under the administration of the Department of Conservation. The dichotomy in land ownership presents additional resourcing challenges for the Regional Council in not being able to rate this land, as well as limiting the productive capacity of the region. While there are some activities undertaken on land administered by the Department (grazing, mining, tourism) there is limited other opportunities for productive land development.

Agriculture, forestry and fishing, alongside mining, continue as the biggest contributors to economic growth. Ensuring that these activities can be enabled whilst providing for positive environmental outcomes is at the forefront of all of the work undertaken by the Council. While agriculture is a key industry, agricultural activity is undertaken on only 5% of the regions land area.

Freshwater is a key resource of the region. The region is renowned for its natural and physical attributes, including its lakes and rivers. Our water resources provide a range of benefits that support agriculture, industry, tourism and the health and well-being of our people and communities. The majority (88%) of waterways on the West Coast drain catchments with indigenous land cover (for example native bush and tussock).

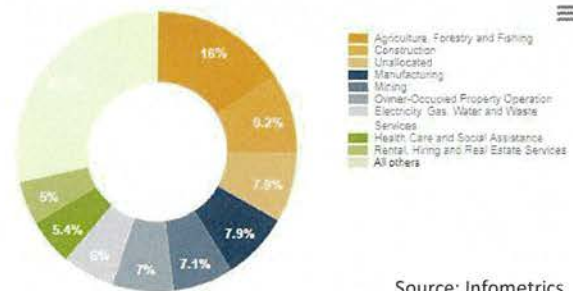
The West Coast is the wettest region in New Zealand with average yearly rainfall totals of between 1,746mm to 11,228mm¹. Across the region, there is generally very little pressure on water resources with only small percentages of the mean annual low flow allocated. The main areas where higher amounts of water are allocated are the driest of the region: the top of the Northern Grey River, Inangahua and Waimangaroa catchments.

The context of the region, and the challenges and pressures facing the Regional Council, have shaped the comments provided in regards to the Freshwater proposals. What we have found repeatedly, is that the West Coast differs to other parts of New Zealand. Central government, while having the best of intentions, does not take into account that there are these regional variations across the country. 'Cookie cutter' policy may achieve little in one region where there are limited or no pressures on that particular resource resulting in significant time and resource being required to address it. We recognise that it is challenging to apply workable policy across large areas but believe that it can be achieved.

Some key facts about the West Coast and the Regional Council include:

- Smallest regional economy at \$1.6billion (2018 GDP value)
- West Coast land area: 2,327,600 ha
- 84% of the West Coast land area is within DoC estate (1,955,184ha)
- Estimated agricultural area: 107,074 ha or 5% of the region
- The majority (88%) of waterways in the West Coast region drain catchments with indigenous land cover
- Wettest region with average yearly rainfall totals of between 1,746mm to 11,228mm
- The West Coast Regional Council (WCRC) is the smallest Regional Council in New Zealand with the smallest rating base
- WCRC manages the fifth largest land area in the country
- Climate change is predicted to make the West Coast generally wetter
- In 2015, the West Coast was the only region that had a population loss
- In 2018, the West Coast was the only Region that had an economic loss, approximately 1.4%

Proportion of GDP by ANZSIC 1-digit industries, 2018



Source: Infometrics

Biggest contributors to economic growth, 2008-2018

Agriculture, Forestry and Fishing	\$32m
Construction	\$29m
Retail Trade	\$16m
Rental, Hiring and Real Estate Services	\$14m
Transport, Postal and Warehousing	\$13m
All other industries	(\$86)m
Total increase in GDP	\$18m

¹ West Coast State of Environment Report 2018 - <https://www.wcrc.govt.nz/environment/state-of-environment>

General comments on policy development

Central Government is in the midst of the biggest legislative and policy reform we have seen for some time. We are concerned that potentially the freshwater proposals will not be well connected to the other national directives being considered, or how these impact a region overall.

There has also been a trend of poorly constructed, or non-existent, regulatory impact statements which have failed to capture the true impact that the proposed regulation will have on communities, businesses and local government. The drive towards decentralisation and a push for central government policy to be delivered by local government through 'unfunded mandates' is, in the case of the West Coast, impossible to deliver without significant rate increases. The increased cost to Council to implement the monitoring of the proposed new water quality parameters has been estimated at \$250,000 per year. This cost will be associated with our water quality monitoring programme. The increased cost to the consenting compliance programme relating to the proposed changes is estimated at \$230,000 per year which is not cost recoverable, and another \$240,000 per year which is mostly cost recoverable. This equates to an increase in non-recoverable costs to council, ratepayers of \$480,000 per year.

We seek that, as the freshwater proposals are refined, a truly robust regulatory impact assessment is developed that takes into effect the actual impact that the proposals will have nationally as well as regionally, recognising that some regions are substantially different in the way the proposals will affect them.

Government will be well aware that rural regions are already concerned about the potential impact of the various policy documents the Government is currently consulting on. Having relevant and robust regulatory impact assessments to quantify the social and economic cost would go some way towards alleviating this concern. In addition to this, being clear on what the proposal will achieve is paramount. Will the cost to achieve what is sought by Government justify the outcomes? This is particularly the case whereby extra monitoring of water quality will result in additional costs on Council monitoring programmes and landowner's budgets but return little, if any, benefit due to already good water quality.

Example – National Environmental Standard on Plantation Forestry

In the case of the Forestry National Environmental Standard (NES), which came into effect on 1 May 2018, it was developed over many years with the cost benefit analyses not 'stacking up' until central government shifted the major delivery costs onto local government. The NES delivers few gains for the West Coast region as its focus was addressing issues across the rest of the country, mainly in the North Island. The NES has simply created more bureaucracy in the West Coast region for forest owners with little environmental benefit.

We draw attention to the Rural Proofing Guide for policy development and service delivery planning² and question how this has been given effect to throughout the development of the proposals for healthy waterways. Is the effort required going to achieve the gains sought?

We are also concerned about the proposed Minerals Strategy (which will impact the review of the Crown Minerals Act and consultation on no new mines on conservation land), Biodiversity Strategy (which leads to the development of a National Policy Statement on Indigenous Biodiversity), historic landfill work and the Department of Conservation Stewardship Land discussion amongst other things, that are all up in the

² Ministry for Primary Industries 2018 - <https://www.mpi.govt.nz/about-us/our-work/rural-proofing/>

air at this time. Our District Councils are also concerned over the three waters discussion and work associated with this.

For the West Coast, we are seeing first hand the disconnect between what our region needs in regards to economic development, which is being stymied by bureaucratic red tape and poorly thought out policy at a central government level to address issues in other regions. The ability for local government and their communities to make decisions in their best interests are non-existent under this Government.

Section 1 – Overview

Question	Feedback
<p><i>Q5. What support or information could the Government provide to help you, your business, or your organisation to implement the proposals?</i></p>	<p>The cost of implementing the proposed amendments to the National Policy Statement Freshwater Management (NPSFM) could be significant.</p> <p>The West Coast has a small rating base and a small population. The costs associated with wider identification and monitoring requirements will be borne by the ratepayer. The West Coast Regional Council was one of several councils that had received an extension to implement the NPSFM to 2030. The removal of this extension compresses our Progressive Implementation Plan and as a result puts further pressure on our resources.</p> <p>Councils are accumulating an ever increasing load of responsibilities on behalf of central government. Additional revenue may need to be directed to assist small councils to carry out the mandates as required. One such revenue assistance approach should be compensation for councils that are unable to rate large areas of their regions/districts because the land is non-rateable, such as where the land is national park.</p> <p>Other support should include the following funding mechanisms:</p> <ul style="list-style-type: none"> • A fund that gives farmers the option for their property (or parts of their property) to be bought out at market rate for areas of their farm that are no longer usable for agriculture due to wetland regulations. • A fund that is accessible to regional councils and/or farmers that pays for the initial cost of creating a farm plan. • A fund that is accessible to regional councils and/or farmers that pays for fencing and revegetation required by the proposed changes. • A freshwater research fund available to councils for scientific research in the freshwater space, particularly for the NPSFM. One area that needs a lot more research is understanding the links between numerical freshwater objectives and resource limits. The key question is, how much of a particular resource do we need to limit to attain a numerical freshwater objective? Another area that needs more research on the West Coast is groundwater. For example, the link between groundwater and surface water

	<p>on the West Coast is poorly understood. Groundwater may be a much more sustainable source of water on the West Coast but there has been little research done in understanding the resource.</p> <p>The proposed package has tight timeframes, particularly around the stock exclusion regulations and the NPSFM related plan changes. Council's financial planning occurs annually and triennially (Long Term Plan) and we require a long lead time to budget for future work. We are unsure when the "Action for healthy waterways" Package will become operative, and therefore budgeting will be delayed, possibly for a year. The result may be that there is a huge lack of resourcing, and meeting specific timeframes in the Package may be impossible.</p> <p>We are very concerned about the increased cost to the West Coast Regional Council (estimated at \$480,000 per year) that the proposed changes will bring. We recommend that a freshwater fund be created with the sole purpose of providing financial support to smaller councils for monitoring and compliance costs.</p> <p>We strongly recommend that Government address this matter with urgency in order for local government to undertake the policy implementation required.</p>
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Section 4 – Setting and clarifying policy direction

Question	Feedback
<i>Te Mana o te Wai</i>	
Q9. Do you support the Te Mana o te Wai hierarchy of obligations, that the first priority is the health of the water, the second priority is providing for essential human health needs such as drinking water, and third is other consumption and use?	<p>We support this proposal.</p> <p>Through the work undertaken to date with the West Coast Freshwater Management Unit (FMU) Groups, drinking water has been identified as the highest value within the FMU's. Our iwi partner has shared the concept of Te Mana o te Wai as part of this process. We do not consider the concept of Te Mana o te Wai and safe drinking water to be mutually exclusive. If the health of the water is excellent then we believe that the water will also be suitable for drinking.</p>
<i>New Māori value</i>	
Q13. Do you think either or both of these proposals (elevating the status of mahinga kai and strengthening the priority given to tangata whenua freshwater values) will be effective in improving the incorporation of	<p>We support elevating the status of mahinga kai and strengthening the priority given to tangata whenua freshwater values.</p> <p>Water is a taonga. To give effect to our Treaty obligations, and our own iwi partnerships, appropriate elevation of the value of water to tangata whenua is required. This approach is consistent with our proposed Regional Policy Statement and current implementation process. Kai that is safe to harvest and eat is a strong indicator of</p>

Question	Feedback
<i>Māori values in regional freshwater planning?</i>	the health of the water. Mahinga kai provision will also enable materials for other customary uses to be available.
Q14. Do you see any implementation issues associated with either approach?	It is not clear who would undertake the monitoring of this value. Presumably, the mana whenua of the rohe would provide this information to the Council. The Rūnanga may require support in undertaking this monitoring.
<i>New planning process for freshwater</i>	
Q17. Do you support the proposal for a faster freshwater planning process?	<p>We support the proposal for a faster freshwater planning process in principle, particularly reducing the scope of appeals.</p> <p>The approach of specialist commissioners and restricted appeals may, or may not, reduce costs for councils and ratepayers and improve the speed of delivery and implementation.</p> <p>We strongly support limiting the appeal process. The appeal stage can add lengthy timeframes before a plan or plan change becomes operative. However, the parties who often lodge appeals are likely to put a greater emphasis on the hearing as potentially their last opportunity to advocate for changes to regional plans that support their interests. Hearings are likely to increase in scale and length of time, which will stretch the staff resources of smaller councils. Plan hearings are not cost recoverable as consent hearings are, so the additional costs are borne by ratepayers.</p> <p>We support the proposal for expert hearing commissioners and Environment Court Judges on hearing panels for freshwater plan changes. However, we question whether this is practicably achievable, as all regional councils will want to hold hearings around the same time in order to release their decisions by 2025 and there are a limited number of hearing commissioners available over the relatively short timeframe. We request MfE to provide councils with an assurance that there will be enough expertise available to achieve requirement should this proposal remain unchanged.</p> <p>We note that any planning process must allow sufficient time for Council to consult with their Papatipu Rūnanga. While the time that this would require will differ around the country, it is likely that it will place constraints on our two Rūnanga who have limited resources to participate.</p> <p>We look forward to the opportunity to comment on this proposal in further through the Select Committee process on the Resource Management Amendment Bill.</p>

Section 5 – Raising the bar on ecosystem health

(Note that we have provided comment in a separate section in regards to the wetland proposals.)

While we generally support the principle of monitoring new parameters, we question, particularly on the West Coast if the increased cost to monitor (at least \$250,000 per annum) will have any real positive impact on water quality. Many of the attributes that are proposed for compulsory monitoring are not a priority relative to the water quality issues that are the most problematic in the region, or deemed important by the community.

Question	Feedback
<i>Threatened indigenous species</i>	
Q22. Do you support the new compulsory national value? Why/why not?	<p>We support the new compulsory national value provided that the identification process, and protection, of threatened indigenous aquatic species is clear and will not impose additional cost on local government on behalf of the Crown.</p> <p>Clarity is required as to who would undertake the identification. The Department of Conservation manage a large estate on the West Coast. We propose that the Department would undertake the identification on that estate, with the regional council responsible for private land. There are significant potential costs associated with the identification regardless of who is responsible.</p>
<i>Fish passage</i>	
Q23. Do you support the proposed fish passage requirements? Why/why not?	<p>We generally support the proposed fish passage proposals.</p> <p>Fish passage is currently provided for in our Regional Land and Water Plan as conditions of permitted, controlled or restricted discretionary rules.</p> <p>Fish passage is also addressed in the proposed NES and while we consider that there are some drafting and enforceability issues that need addressing, such issues have been outlined in the submission from the Regional Sector.</p>
<i>New bottom line for nutrient pollution</i>	
Q30. Do you support introducing new bottom lines for nitrogen and phosphorus? Why/why not?	<p>We support the introduction of new bottom lines for nitrogen and phosphorus.</p> <p>Currently the NPSFM requires Council to set these measures. Comparisons of these new standards indicate few sites (1-2) that are below the bottom line in the West Coast. These sites are quite a bit lower than the rest so would likely not meet a standard created by the region. Having these prescribed reduces the investigative work required in determining where these should be set.</p>
Q31. If this proposal was implemented, what would you have to do differently?	<p>Having a bottom line standard prescribed means Council does not have to expend time and money on trying to determine what is appropriate.</p>

Question	Feedback
<i>Reducing sediment</i>	
<p>Q33. For deposited sediment, should there be a rule that if, after a period (say five years), the amount of sediment being deposited in an estuary is not significantly reducing, then the regional council must implement further measures each and every year? If so, what should the rule say?</p>	<p>We support this approach.</p> <p>A tiered approach within a rule allows for an adaptive planning process to be implemented enabling a level of responsiveness to issues. This can be undertaken without high levels of cost.</p>
<p>Q34. Do you have comments on the proposed suspended sediment attribute?</p>	<p>We support the proposed suspended sediment attribute.</p> <p>The attribute is nuanced in order to allow the consideration of different geologies. This is important. As drafted, it also provides for the various suspended sediment classes, allowing flexibility in applying the standards. The proposed attribute provides clear guidance.</p>
<p>Q35. If this proposal was implemented, what would you have to do differently?</p>	<p>No significant change in direction would have to be undertaken; it would simply become one part of the implementation process.</p>
<i>Higher standard for swimming</i>	
<p>Q36. Do you agree with the recommended approach to improving water quality at swimming sites using action plans that can be targeted at specific sources of faecal contamination?</p>	<p>We support the use of action plans to target specific sources of faecal contamination.</p> <p>This proposal is consistent within our existing water quality improvement work.</p> <p>Example 1: MARRS Shingle Beach Community Group A Working Group was formed in Westport to address the E.-coli contamination issues at two popular swimming beaches. Faecal tracking was undertaken and the source of the contamination identified. The Group, with expert input, are now looking at on-farm improvements to address these issues³. The final recommendations from the Group to council can be found on the Council website here:</p> <p>https://www.wcrc.govt.nz/repository/libraries/id:2459ikxi617q9ser65rr/hierarchy/Documents/Community/Community%20Groups/MARRS%20and%20Shingle%20Beach%20Working%20Group/MARRS%20and%20Shingle%20Beach%20Working%20Group%20report%20to%20RMG%20committee%20over%2006.docx</p>

³ For more information on the MARRS Shingle Beach Community Group
<https://www.wcrc.govt.nz/community/community-groups/marrs-and-shingle-beach-working-group>

Question	Feedback
	<p>Example 2: Grey Mawhera Freshwater Management Unit Group</p> <p>Within the Grey Mawhera Freshwater Management Unit Group, one urban waterway, Sawyers Creek, has long been identified with E. coli issues. The Group has a District Council representative who has been able to share the Action Plan for that catchment with the Group and indicate a clear way forward to address the issues.</p>
<i>Minimum flows</i>	
<p>Q37. Is any further direction, information or support needed for regional council management of ecological flows and levels?</p>	<p>There is an extensive amount of further information required for Council to effectively manage ecological flows and levels. The setting of an ecological flow is considerably more complex than establishing mean annual low flows. Research is required to understand the ground and surface water bodies and their interconnectedness. In addition to this, information on the rates of flow is needed for a variety of ecological parameters. Undertaking this investigate work would impose additional costs.</p>
<i>Reporting water use</i>	
<p>Q38. Do you have any comment on proposed telemetry requirements?</p>	<p>While improving the quality of data for water takes is paramount in understanding regional allocation use and needs, gathering this information is more problematic. Our current permitted activity water take rules allow for a variety of flow rates for different types of activities. The proposed reporting requirement would only apply to one of these rules (Rule 41. Water take and use or diversion for small scale hydro electricity generation), whereby Council is to be notified in writing. Outside of the permitted activity rules we do not currently require a telemetry reading as a condition of resource consent.</p> <p>Potentially, this requirement should be targeted at freshwater bodies with evidence of resource pressures.</p> <p>We support the Advisory Groups' comments in providing exceptions to this requirement where technology/transmission does not enable telemetry. The costs associated with the reporting may be significant for smaller water takes, especially as cell phone coverage can be unreliable on the West Coast.</p>
<i>Draft National Policy Statement Freshwater Management</i>	
<p>Q40. Are the purpose, requirements and process of the NOF clearer now? Are some components still unclear?</p>	<p>The proposed National Objectives Framework, Part 3.10, "Identifying limits on resource use and preparing action plans" is supported. It is extremely difficult to determine how much of an activity needs to be curbed to reach a specific numeric objective. Attempting to undertake this work under the existing NPSFM is outside the means of the West Coast Regional Council. Other methods could be used alongside the limit identification and action planning, such as best practice strategies via voluntary or compulsory rules, adaptive implementation, or a tiered planning approach. Worked examples of the limits would also be very valuable in aiding implementation. With the work done so far with</p>

Question	Feedback
	<p>our FMU groups, facilitating understanding of "limit setting" has been a challenge.</p> <p>The cost associated with it is a concern. A reduced programme may be possible with our current resourcing, with low frequency monitoring. The reduced programme could be basic biodiversity assessment and physical and chemical sampling (nutrients etc.). Undertaking complicated ecological assessments is both expensive, and requires skills beyond our expertise, depending on what aspects of ecological health are assessed.</p> <p>Compulsory monitoring of fish passage was a matter the resource science team intended to commence in the near future. The new tools will assist this.</p> <p>The new standard of weekly sampling for contact recreation is statistically desirable but will put pressure on resourcing. This may mean that the number of sites that are monitored has to be reduced.</p> <p>The Standard in 3.18 Primary contact sites, 3(a) of 260 cfu/100 mL is not practical in a wet environment. It is simply not that high, and exceedances in wet conditions are likely to be diffuse source and very hard to manage. Exceedances in dry conditions are more likely to be point source and easier to tackle. It would be a better use of funding to undertake faecal source tracking rather than daily sampling. Daily sampling doesn't identify the source. Even with daily sampling we have to wait several days for results to come from the lab, so the public are not really that well informed in terms of current information.</p> <p>The footnote for the NOF for suspended fine sediment is unclear. The footnote says that it does not apply to naturally coloured brown water streams. The brown colour is normally dissolved organic carbon (DOC) and has no particles associated with it. So it does not increase turbidity. For example, our dark brown stained reference site in Okarito has limited visibility due to DOC but turbidity is normally near detection limits < 1 FNU. In other words, DOC does not affect turbidity.</p> <p>Hypolimnetic oxygen: some lakes that have high DOC, derived from natural sources, can have low hypolimnetic dissolved oxygen (DO). It is possible that naturally high DOC contributes to oxygen depletion in these lakes. This has been observed in lakes with limited human activity upstream. Dark brown lakes have reduced potential for algal productivity due to high light attenuation. Therefore, less phytoplankton should reduce hypolimnetic DO depletion rates, yet DO depletion can be much higher than anticipated in these lakes.</p>

Question	Feedback
<p><i>Q41. What are your thoughts on the proposed technical definitions and parameters of the proposed regulations? Please refer to the specific policy in your response.</i></p>	<p>The improved clarity of the provisions is supported.</p> <p>The identification of outstanding waterbodies (3.6. (3) d) requires further clarity. The broad value groups are provided in the definition, however there is no guidance as to their criteria. Hawkes Bay and Taranaki Regional Councils are currently undertaking plan change processes using different sets of criteria. To provide clarity and consistency, as well as reducing potential litigation, it would be extremely beneficial to confirm appropriate criteria so our region does not have to replicate this work.</p>
<p><i>Q42. What are your thoughts on the timeframes incorporated in the proposed regulations? Please refer to the specific policy in your response.</i></p>	<p>See our response in relation to Question 17.</p>

Sections 6 and 7 – Drinking, storm water and wastewater

The provision of safe drinking water and the infrastructure required to manage storm water and wastewater are critical services for our communities. We **support** the submissions that have been made by the Buller, Grey and Westland District Councils on these matters.

We expect that there will be costs, plan changes and increased workload associated with any new proposals in these areas. However, there is limited information for us to provide feedback on at this time. We will provide further comment when the further consultation material is released in mid-2020.

Section 8 – Improving farming practices

Note - Questions from the Discussion Document are not specifically addressed in this section. Instead, the West Coast Regional Council has provided comment on the proposed NES/Stock Exclusion regulations of most interest and concern to the region.

General comments

The broad intent of the farming package is **supported**, particularly the use of Farm Environment Plans (FEPs) and clear requirements for stock exclusion. However, there must be provision for regional variance as well as clarity around exemptions to provide for unique situations. Some proposals are less relevant, or useful, in the West Coast context and allowing for these variances enables a pragmatic and practical way to incorporate local decision making within a national framework, provided the national outcome sought is achieved.

We have found significant issues with definitions and drafting throughout the proposals. These errors lead to a lack of clarity about the requirements and result in complicating compliance and enforcement activity. These issues are evident across the whole document, not just the farming section. We understand that there are several other submissions which will be outlining these issues and so have not commented on them here, except where it is particularly relevant to the West Coast.

Question	Feedback
Livestock control	
<i>Sacrifice paddocks</i>	The permitted activity status for sacrifice paddocks is supported , however, conditions would be difficult to adhere to on the West Coast, particularly condition 28(2) b): "...does not include any critical source area." This difficulty arises from the broad definition of "critical source area" and the challenge to find a paddock that does not have one. Therefore, a perverse outcome of this requirement will be a continual requirement to obtain an annual consent as the location of a sacrifice paddock changes from year to year.
<i>Intensive winter grazing</i>	The permitted activity status for intensive winter grazing is supported , however condition 30(1)(d) regarding critical source areas makes it impractical and would lead to perverse consenting outcomes as identified above. In addition to this, there is the difficulty in measuring and enforcing conditions 30(1) f) and (g).
<i>Other stock holding</i>	<p>The time periods identified in condition 29(1) are difficult and impractical to measure.</p> <p>However, we understand that there is no intent to require consent for stock holding areas that are only used for short periods of time. This is supported.</p> <p>Requiring consent for other stock holding areas could lead to multiple consenting requirements and we question both the practicality of this and whether it would achieve the outcome sought.</p>
<p>Alternative proposal</p> <p>We consider that the effects of sacrifice paddocks, intensive winter grazing and other stock holding practices could be addressed through the FEP which would allow for a farm by farm assessment of risks and associated controls rather than requiring individual, and/or potentially numerous, consents. Providing that the FEPs and audits are enforceable, these activities could be managed with a much greater degree of efficiency and effectiveness for farmers and councils.</p>	
<i>Intensification</i>	This section could lead to consenting requirements for land use change (for example, new dairy conversion, increasing the dairy platform or adding to the irrigated area). Given that nitrogen is not a big issue on the West Coast, we question the necessity of these regulations in the West Coast context.
<i>Freshwater module of farm plans</i>	We partially support the requirement for compulsory Farm Environment Plans (FEP). We propose that this be taken a step further by making the FEP a regulatory tool that can be enforced against. As currently worded this is not clearly provided for in the proposals.

Question	Feedback
	<p>As identified in other parts of our submission, some provisions that are currently proposed as rules would be more effective if they were included in a farm plan. Making the freshwater module farm plan (FW-FP) enforceable allows for risk assessments to be undertaken on a farm by farm basis. This approach results in the plan having a high value to the farmer due to its consequences, leading to a higher likelihood of implementation. Often these documents, because there is no recourse, are overlooked in the day-to-day running of the business. Redrafting the FW-FP provisions to tie the requirement to section 9 of the RMA for use of land, would provide for this.</p> <p>We strongly support the proposed management of rivers less than one metre wide, drains and critical source areas (which would include hollows in humped and hollowed areas) to be incorporated into the FEP as this allows for regional variation and the risk assessment to be applied. Again, ensuring regional councils have a strong role in farm planning (through having enforceable FEPs) will be paramount in driving real progress towards on-the-ground change. A provision requiring the regional council approval of the FW-FP would ensure that regional/catchment specific issues are addressed appropriately through the plan, removing the reliance on a farm planner paid by a farmer to arbitrarily determine what actions need to be taken.</p> <p>We recommend that the ability for exemptions from farm planning requirements to be granted, be considered. The purpose would be to provide for regional variation, giving regional councils the discretion to exempt low intensity farming operations (such as large scale, low intensity beef runs in South Westland) from the farm planning requirements.</p>
<p><i>Timeframes</i></p>	<p>We recommend that a review of the timeframes for requiring farm plans should be considered.</p> <p>For dairy farms and commercial beef/deer farms, 2025 appears reasonable.</p> <p>A longer period should be considered for small farms/non-commercial farms (lifestyle blocks), as many land owners of small blocks will not consider themselves farmers and will have little idea that these proposals will apply to them. Following the implementation of the dairy/commercial beef/deer farm plans, a review should be undertaken to determine whether there is significant benefit to require further farm planning for smaller blocks and non-commercial land as there may be little to be gained in comparison to the cost and enforcement of smaller/less intensive blocks being regulated in the same way.</p>

Question	Feedback
Nitrogen cap	<p>While this is not relevant to the West Coast as there are no catchments identified, we support the catchment-based approach as opposed to a blanket approach so that those areas not significantly affected can manage the issues in a regionally relevant manner through the NPS-FM & FMU processes.</p> <p>We recommend that this approach be applied more widely through the provisions to ensure pragmatic and efficient management of resource issues.</p>

Stock Exclusion Section 360 Regulations

The stock exclusion regulations, as proposed, are of particular interest to the West Coast Regional Council.

Generally, we **support** the intent of the stock exclusion proposals. However, there needs to be provision for regional variation as well as consideration of whether the setback distances proposed are actually required. We have provided specific commentary on a number of topics below for consideration.

As worded, it is unclear whether compliance monitoring against the stock exclusion regulations can be cost recovered. It also appears that the regulations as drafted apply to all properties, not only those over 20 ha. We **seek** further clarity from MfE around these issues.

As identified previously, there are a number of drafting issues, lack of clarity in provisions, and contradictory conditions through both the National Environmental Standard and the stock exclusion Regulations. This leads to an inability to be able to enforce the provisions. We understand that there are several other submissions which will be outlining these issues and so have not commented on them here, except where it is particularly relevant to the West Coast. Redrafting may rectify many of the issues identified.

The Council has reviewed the Stock exclusion 360 Regulation and have considered the potential impacts the Regulations could have on the West Coast.

- There are 1,203 km of waterways at least 1 metre wide^{*1} on agricultural land at or under 5 degrees^{*2}.
- Worst case scenario: this is 1,203 km of waterways^{*1} requiring fencing or re-fencing on both sides, therefore 2406 km of fencing.
- There is an estimated 107,074 ha of agricultural land on the West Coast^{*2}. At 5 metres either side, a further 995 ha^{*3} or 1% of agricultural land (equal or under 5 degrees slope) will be removed from production.
- Costs associated with fencing are estimated to be \$16-\$33 million. ^{*4}
- Implementation is likely to be spread evenly out to 2035, this represents \$1.2 million per annum, excluding maintenance costs.

Disclaimers for the above estimations:

^{*1}Used River Environment Classification New Zealand (2010) dataset – NIWA.

^{*2}Used ANZLIC MfE Low slope extent 2019 dataset - producing areas for West Coast.

³Due to insufficient information it has been assumed that all waterways over 1m wide (on agricultural land equal or under 5 degrees slope) on the West Coast are already fenced with a mean 1m setback.

⁴Fencing cost estimates are based on fencing needs relative to ratios of stock numbers and stock type. The low cost end is based on sole use of the cheapest fencing options, with the high end utilising the costliest fencing, based on estimates from MPI. If we assume a mean cost of \$24 million, spread evenly out to 2035, this represents \$1.2 million per annum, excluding maintenance costs. This example assumes hypothetically that all these streams require fencing or re-fencing, which may not be the case.

Topic	Feedback
Wetlands	<p>Note that this submission has a separate section addressing our concerns around the proposals affecting wetlands. A summary of our key points are included below for quick reference.</p> <p>We do not support the proposal for stock to be excluded from all wetlands. This is impractical for the West Coast and extremely problematic.</p> <p>Unless it can be demonstrated differently, the West Coast should be provided the ability to adopt a regional variance to allow for the current regional wetland planning provisions to apply.</p> <p>To provide greater certainty to landowners, and enforceability for Council, we recommend basing the exclusions on the application of significance criteria to achieve the outcomes being sought.</p>
Setback distance	<p>We question the science behind the blanket 5 metre average setback as the current explanatory information provided in the Regulatory Impact Statement is unclear.</p> <p>We have undertaken significant investigation and work with landowners in the Lake Brunner catchment as we worked together to improve the water quality of the Lake. Part of this work included investigation into what an appropriate setback distance would be. This work demonstrated that a smaller setback has the ability to provide as much benefit as the larger distance of 5 metre being proposed.</p> <p>We would support a 1 metre setback requirement as this will provide the most gains. Having a 1 metre setback will stop stock from entering the water, damaging the banks, and pugging up the edge of the waterway. The 1 metre will also allow riparian vegetation such as grass to grow, which will help reduce runoff from entering the waterway, without taking a large proportion of grazing land from the landowner. While a 5 metre setback will have the same benefits as a 1 metre setback, we question how much additional benefit a 5 metre setback will have compared to a 1m setback. Setting the distance at 1 metre would still require some farmers to move fences. We consider that there are reasonable timeframes in place to allow this to be undertaken.</p>

Topic	Feedback
	<p>We support having a minimum buffer of 5 metres from the edge of waterways when winter crops are being grazed. The 5 metre setback for cropping areas (opposed to one metre for general stock exclusion) is supported as cropping areas are generally more heavily grazed and have a greater potential for sediment runoff than general paddock grazing.</p>
<i>Slope criteria</i>	<p>The current proposed maps are inadequate. They have missed a number of areas that are known to be of “physically low slope”. Much of the area that has been missed appears to be land administered by the Department of Conservation, or LINZ land (over which there is a significant amount of grazing undertaken in the region), but there are also a number of other unexplained omissions.</p> <p>We seek that a more robust approach to defining low slope land is undertaken for this proposal to be included in any regulation.</p>
<i>Carrying capacity for non-low slope land</i>	<p>Currently, determining the carrying capacity for non-low slope land uses a highly complex method. To be effective, this process needs to be simple and understandable.</p> <p>We seek that this methodology is reviewed in order to be effective.</p>
<i>Exemptions</i>	<p>We strongly recommend that the ability to apply exemptions is provided for the West Coast. This is paramount for the region.</p> <p>The Regional Council must be the authority to determine the application of exemptions, and provisions must be included in the final policy framework for these to be granted both on a farm, or larger, scale as required. For example, on the West Coast there are many large river run blocks of hundreds of hectares making up a component of traditional beef farming. These occur largely on DOC administered land in areas such as the Landsborough, Mahitahi and Arawhata Rivers. They are very unique due to low stocking rates and huge expanses of land. These cattle operations would be highly impractical to fence due to the braided and untamed nature of the regions rivers and rainfall. There would be negligible benefit to exercise exclusion in these areas. Requiring fencing would exclude huge expanses of land from the economic contribution to farming operations. These river valleys have developed over the last 100 to 150 years with stock grazing at the current levels (e.g. it has not intensified). Any sudden removal of stock from the Valleys would cause serious ecological effects with weed infestation likely.</p> <p>Blanket exemptions at the catchment level would be preferable for some areas of the West Coast, for example, the Otira River Valley, and from Franz Josef south except for dairy farms. It may also be appropriate to apply these in catchments where work has already</p>

Topic	Feedback
	<p>been undertaken with the community to address water quality issues successfully (Lake Brunner catchment). Exemption criteria could include things like stocking rate/carrying capacity, vegetation cover, river type, rainfall etc.</p> <p>Farm specific exemptions could cover aspects such as low stocking rate or difficulty with fencing a particular river. Management options such as a temporary fence while cattle are in a paddock could be managed through a Farm Environment Plan.</p>
<i>Stock crossings</i>	<p>We generally support the bridging and culverting of stock crossings.</p> <p>As drafted, the Regulations provide for two crossings a month where they are not bridged or culverted. Policy in our Regional Land and Water Plan provides for 10 or 20 stock crossings a month dependent on herd size. Meeting the stock crossing requirements may be particularly difficult for beef cattle and deer farmers where there are a large number of unbridged waterbodies.</p> <p>This Regulation also refers to waterbodies, a term that is currently undefined. It is not linked to rivers >1m. We recommend that this be redrafted for clarity.</p> <p>The Regulation does not specify any timeframes in relation to this proposal. We recommend that stock crossing provisions should be, at a minimum, matched to the stock exclusion timeframes (or longer).</p> <p>Again, there is a case for the application of exemptions for stock crossings. We recommend the provision of exemption criteria as discussed above. This is a reasonable expectation and will assist in managing this activity on the West Coast.</p>
<i>Enforceability</i>	<p>There is currently no mandate for enforceability in the 360 Regulations. We recommend that this be rectified, otherwise they are meaningless.</p> <p>An alternative would be to include the provisions through the NES rather than having a separate set of Regulations. However, this complicates the provision of applying the exemptions under the NES for catchment/area scale. Farm scale exemptions would then be by way of a resource consent. Wider exemptions would need to be written into the NES as a point of regional difference.</p> <p>In considering both of these options, we support the enforceability to come under the 360 regulations.</p>

Section 9 – Support for improvement in catchments and on farms

We are extremely concerned at the timeframes proposed for both West Coast farmers to undertake on-farm changes, and the Regional Council to deliver on the Package.

From a regulatory perspective (notwithstanding enforceability issues with the current drafting), the NES/Stock Exclusion Regulations will increase both the consenting and compliance workload. There will also be corresponding additional administrative costs. For example, setting up a register of farms will be required and challenging in terms of locating all relevant farms under the proposals.

There will be additional consenting, and potential exemption processing, required as well as compliance monitoring. It is challenging to quantify what this might look like until the final rules and regulations are set, and drafting issues rectified. However, the timeframe from when these are enacted (March/April 2020 potentially) to when the proposals will be implemented (June/July) allows for little forward planning.

While we exercise a cost recovery approach to our consenting and compliance activity, this does not cover the required training of staff and development of systems. It is difficult to recruit experienced staff to the West Coast. This will be further compounded in competing with the rest of the regional sector who will be attempting to recruit at the same time, alongside consultancies and farm environment planners. It is highly likely that the regional sector will also lose staff to the private sector on the back of these changes.

We **strongly recommend** that the timeframes are discussed further with the regional sector to ensure that a practical pathway forward can be developed for smooth implementation of the final freshwater package.

Section 10 – Impacts of proposals

The impacts of these proposals have been addressed in relation to specific aspects of this submission.

The discussions held regionally have indicated that the costs of the proposals are unclear, both by the Ministry, who think that it will cost a whole lot less than it is, and the farming sector, who believe it is going to cost a whole lot more than potentially it may.

Again, **we reiterate** the need for a robust Regulatory Impact Statement to be undertaken to fully quantify the economic and social costs of the draft proposals. With a key focus of this Government on ‘wellbeing’, the wellbeing of our rural and provincial communities needs to be at the forefront of any proposals which may negatively impact them.

Section 11 – Aligning RMA national direction

As discussed in the general comments of our submission, local government is facing a tidal wave of reform and legislative change along with the development of new, and alterations to other, national direction tools. We are concerned that this legislation drive is not being considered in a holistic manner as the impacts of the different parts of the system under review have a flow on effect elsewhere. Policy and legislative change in isolation could lead to unintended consequences in that pulling one lever may undermine what is being sought in another area.

It is critically important to align these proposals with the other strategy and policy coming out of government, including, for example, the Biodiversity Strategy, Minerals and Petroleum Strategy, National Policy Statement on Indigenous Biodiversity, RMA reform, no new mines on conservation land, National Policy Statement for Highly Productive Land and National Policy Statement for Urban Development.

We **strongly recommend** that a Regulatory Impact Statement cover the interconnectedness of these policy frameworks to identify any perverse outcomes that may be effected.

West Coast Wetlands

The management of wetlands is a **key issue** of the proposed Package for the West Coast.

Our primary concerns with the proposals as drafted have been summarised in the table below.

A summary of the process the West Coast Regional Council has been through in regards to wetland management over the past 15 years is included as Appendix 1 to this submission.

The West Coast wetland context

Due to a climate of high rainfall, soil types, land use patterns and significantly large areas of undeveloped land under the administration of the Department of Conservation, the West Coast is in an enviable position of retaining a much greater proportion of wetlands than any other region.

Private land on the West Coast equates to 16% of the total land area.

In its current planning framework, the West Coast has:

23	206	229
Schedule 1 wetlands	Schedule 2 wetlands	Total Scheduled wetlands

In regards to land area this comprises:

	Land area	Schedule 1 & 2 wetland area	Privately owned land area	No. of private landowners
Buller	794,794 ha	4,542 ha	1,027 ha	161
Grey	351,530 ha	2,886 ha	1,618 ha	34
Westland	1,189,489 ha	50,404 ha	1,042 ha	97
West Coast	2,335,993 ha	57,832 ha	3,687 ha	229

The Council has been through a process of identifying and mapping significant wetlands, and wetlands likely to be significant, and protecting them through objectives, policies and rules in our Regional Land and Water Plan. This was a hugely expensive and lengthy process with a considerable amount of it directed through the Environment Court. It would be particularly onerous if the Council had to revisit this again to achieve, what we believe, would be very little as we now have a robust and tested wetland planning framework.

Through the Environment Court process, there was a paucity of consultation with landowners who had a significant wetland on their land. While wetland protection is a matter of national importance, there has been no compensation to landowners for the loss of the use of their land as the rules determined by the Court are quite restrictive on what activity can be undertaken in a significant wetland. Some West Coast wetlands cover up to 90% of a private property.

Question	Feedback
<p>Q25. Do you support the proposal to protect remaining wetlands? Why / why not?</p>	<p>We strongly oppose the proposed requirements in clauses 3.15(2) - (9) of the NPSFM that seek to protect wetlands, and how this would apply in practice on the West Coast.</p> <p>We understand why wetlands need to be recognised and protected nationally, and stress the importance that there are some significant differences to the status quo for this region.</p>
<p>Section 3.15(2) of NPSFM</p>	<p>The requirement to add the following statement to RPS's: <i>"The loss or degradation of all or any part of a significant natural inland wetland is avoided."</i></p> <p>While this may be appropriate and necessary for other regions with a higher level of development and more severely reduced extent of wetlands, it is potentially economically and socially unsustainable for the West Coast, and contrary to section 5 of the RMA.</p>
<p>Section 3.15(5) of NPSFM</p>	<p>We strongly oppose this section for the following reasons:</p> <p>As set out in Appendix 1, the Council has gone through an extensive process over the past 14 years to map wetland areas that are either significant or likely to be significant. This included adding provisions into our Regional Land and Water Plan to manage any effects on these areas. We are near the end of the process to finalise the boundaries of some wetland areas. This section of the proposed NPSFM changes effectively requires the Council to go back and identify any areas that have wetland values down to 500 square metres.</p> <p>The West Coast's high rainfall contributes to wetland vegetation being extensive throughout the region. We consider that 500 square metres is a small area, and could include the backyards of private landowners if wetland vegetation is present. This could lead to a considerable number of additional wetlands being added to our Regional Land and Water Plan, which may not necessarily be in good condition, fully functioning or have significant ecological values, creating difficulties with justifying their protection. From previous experience the process of identifying and mapping these areas will be time-consuming, resource intensive, and expensive, beyond the ability of our small Council.</p> <p>We are concerned that the number of additional wetlands that could be required to be identified, along with provisions limiting the activities that can occur within them, could potentially result in a loss of income for landowners who can no longer undertake a productive activity on their land, or a decrease in the value of their property.</p> <p>Our preference is for the NPSFM to be amended to acknowledge that some council's, including the West Coast, have already gone through</p>

Question	Feedback
	the process of identifying wetlands, and so are not required to repeat the process.
Section 3.15(9) of NPSFM	<p>We strongly oppose this section.</p> <p>The Council currently has over 200 scheduled wetlands, making monitoring of these areas time-consuming, resource intensive, and expensive beyond the ability of our Council. Many of these areas are on public conservation land managed by the Department of Conservation, and are unlikely to be impacted by development pressures. Even monitoring all of the scheduled wetlands on private land is potentially beyond the ability of our Council to undertake.</p>
Q26. <i>If this proposal was implemented, what would you have to do differently?</i>	See comments above.
Feedback on the proposed NPSFM wetland provisions	
<i>Inequity of policy approach</i>	<p>Implementing these new wetland requirements will potentially cost more for the West Coast to establish an inventory of all natural wetlands in the Region, map them, monitor, and update the inventory and maps, due to the high number of wetlands in the Region. These provisions exacerbate an uneven playing field.</p> <p>The new requirements will potentially result in a loss of income for landowners who can no longer undertake a productive activity on their land.</p> <p>The costs, and opportunity costs, of identifying and protecting wetlands on private land will be borne by landowners. This is unfair; since wetland protection is a matter of national importance, the nation should pay, through central government funding to purchase these wetlands.</p>
<i>Note at the end of the wetland provisions "The National Policy Statement on Indigenous Biodiversity 2020 contains additional relevant policies concerning the restoration and enhancement of wetlands."</i>	<p>We strongly oppose having provisions in both the NPSFM and the NPSIB to protect wetlands. This is 'over the top' over-regulation, and we have raised in this submission the issue of a lack of connectedness between different national policy documents.</p> <p>Requirements for wetlands should be either in the NPSFM or the NPSIB but not both. It is confusing and uncertain about which provisions apply.</p>
Proposed NES and stock exclusion regulations for wetlands	
<i>Blanket provisions</i>	We strongly oppose the application of blanket provisions for wetlands on the West Coast. This is both unnecessary and unreasonable.

Question	Feedback
	<p>The proposed NES and Stock Exclusion Regulations apply to all wetlands regardless of their size, significance or importance etc. Council has 229 scheduled wetlands identified and mapped. It is unclear how many more 'wetlands' (as per the definition put forward in the proposal), exist on the West Coast. It is highly likely that there would be many. The purpose of the original wetland identification and mapping process was to provide clarity and certainty to landowners.</p> <p>The West Coast is a region that is significantly different from the rest of the country in terms of its land cover, climate and remaining wetlands.</p> <p>We strongly recommend that some exemptions or criteria are provided in the Freshwater Package to recognise that there is already a considerable level of protection of wetlands in regions like the West Coast. Applying the proposed requirements in the Freshwater Package for the protection of wetlands may have perverse economic and social impacts for West Coast communities which must be avoided.</p> <p>We strongly recommend that the Government consider alternative options to ensure that the West Coast continues to be economically, socially, culturally and environmentally sustainable for future generations.</p>
<i>Stock exclusion from wetland boundaries</i>	<p>We strongly oppose the current proposals requiring stock to be excluded from all wetlands, as well as establishing a 5 metre setback from the wetland area.</p> <p>Our current rules allow for grazing within Schedule 2 wetlands as this activity is appropriate on the West Coast. This illustrates the difference between West Coast wetlands and those located elsewhere in the country, and the need to apply regional differences. Alternatively, this could be addressed through the application of exemptions.</p> <p>We strongly recommend that the Freshwater Package provides the ability to apply exemptions to recognise regional differences.</p>
<i>Sphagnum moss harvesting</i>	<p>As drafted, the proposed NES would limit the ability of sphagnum moss to be harvested from wetlands. Sphagnum moss harvesting is a unique industry on the West Coast, and has the potential to provide a natural alternative substance to synthetic materials in some manufacturing processes such as filters for industrial cooling towers. Under the current proposal, consent would be required as a non-complying activity. This would be a disincentive for an important and sustainable industry.</p>

Question	Feedback
	<p>We strongly recommend that the Regulations be redrafted to provide for the sustainable harvesting of sphagnum moss.</p> <p>Further information regarding the planning proposal for sphagnum moss harvesting in Schedule 2 wetlands is included in Appendices 2 and 3 of this submission. Additionally, below is a link to an Envirolink report supporting the proposed activity, in the section on Council's website on the Proposed Plan Change 1 to the Regional Land and Water Plan.</p> <p>https://www.wcrc.govt.nz/repository/libraries/id:2459ikxi617q9ser65rr/hierarchy/Documents/Publications/Regional%20Plans/Regional%20Land%20and%20Water%20Plan/WCRC%20Sphagnum%20Envirolink%20Report%202017.pdf</p>

Appendix 1 - West Coast wetland planning process

The following provides a summary of the planning process the West Coast Regional Council (the Council) has undertaken in regards to the management of wetlands.

Identifying the issue in managing wetland areas on the West Coast

In 2002 Council notified the Proposed Land and Riverbed Management Plan, which was prepared to establish a framework to promote the sustainable management of land and riverbeds in the region. Rules in the Plan that triggered the need for consent (for example, earthworks and humping and hollowing) excluded works in wetlands. This was problematic for the West Coast as the RMA definition for wetland is broad and could include swampy paddocks if they contained plants that had adapted to wet conditions.

One of the key points that had arisen at the hearings was the lack of certainty in relation to rules that controlled land use in wetlands. The main problem was that there were no maps in the Plan that defined the boundaries of these wetlands meaning there was no certainty for landowners as to what could be developed as of right and what would require a consent. The provisions in the Proposed Plan were based on theory and examples from other regions. It became clear that the abundance of wet land on the West Coast differed markedly to other regions.

Boffa Miskell was contracted to undertake investigation work into the significant wetlands on the West Coast. Eighty-two wetlands were identified as being 'potentially significant' in a desktop study using the ecological criteria being used at that time. In 2004, Council evaluated the report's 82 potentially significant wetlands and recommended 46 of these be included in an initial list of 'significant wetlands', and the rest be considered 'other wetlands' to be prioritised for protection through voluntary means.

In March 2005, consultation meetings were held around the region for landowners to learn about the variation process, the reasons for it, and their role in the process. Letters were sent to each of the affected landowners and individual meetings were organised to visit sites if requested. Some sites were unable to be visited, therefore aerial photos etc. were used. Site boundaries were assessed for accuracy but no ecological assessments were completed. In some cases sites were removed if they clearly no longer existed and others had boundary lines revised. A number of wetlands were removed through this process as they were found to no longer be a wetland, obviously have no significant values, or were located in the Coastal Marine Area and were thus protected by rules in the Coastal Plan.

The Council decided to review its approach regarding wetlands. Therefore, in June, the Council formally withdrew the sections relating to the management of wetlands from the Proposed Regional Land and Riverbed Management Plan Incorporating Decisions dated 4 September.

Schedule 1 and Schedule 2 wetlands

In 2005 the Council added approximately 20 Schedule 1 wetlands to the proposed Regional Land and Riverbed Management Plan (this Plan eventually became the Regional Land and Water Plan) by way of Variation 1 to the Plan. Following the release of Decisions, Variation 1 was appealed to the Environment Court.

The Department of Conservation provided evidence of an additional 200 wetlands to be included. Through the Environment Court these additional wetlands were added to the Plan as Schedule 2. Much of the analysis of these areas was completed using old soil maps.

The final Environment Court decision, released in 2012, determined Schedule 1 wetlands to be ecologically significant (proven by means of ecological assessment), and Schedule 2 wetlands were either significant or likely to be significant. The Court also accepted that the maps used to determine the Schedule 2 wetlands were out of date and directed the Council to work with the Department to review the boundaries and confirm whether they had wetland values or not.

There was no consultation, or involvement, of wetland landowners with the Environment Court proceedings due to the RMA Schedule 1 process. The Court was not in favour of involving them during this stage when asked by the Council. Landowners found out about the change to their land status and the new rules pertaining to these, following the release of the final Court decision.

Council review of the boundaries

In 2012, the Council employed a Wetland Co-ordinator to work with a Department of Conservation (DOC) Ecologist to review the boundaries of the Schedule 2 wetlands.

This process involved informing landowners that they had a wetland on their property and then undertaking site visits to areas where landowners questioned the boundary identified. This took three years.

The assessments undertaken were to confirm whether the areas had wetland values or not, rather than whether the area was significant, and establish where the boundaries of the wetland were in reality.

Plan Change 1 to the Regional Land and Water Plan

In August 2016, Council notified proposed Plan Change 1 p(PC1) to the Regional Land and Water Plan as required by Schedule 1 of the RMA. The purpose of the pPC1 was to amend the boundaries of 68 Schedule 2 wetlands where wetland values were not present.

In June 2018, the Council held the first hearing for pPC1 whereby several wetland landowners raised concerns about their wetlands. The Hearing Panel commissioned a report to assess the boundaries of 13 Schedule 2 wetlands using an appropriately qualified person (Wetland Assessor).

In January 2019, the hearing reconvened for a second time. DOC raised concerns about eight of these wetland areas. The Hearing Panel directed a DOC Ecologist and the Wetland Assessor to review these eight areas. This included site visits to three areas where they completed a Dominance and Prevalence test of the vegetation.

In September 2019, the Hearing was reconvened for the third and last time.

The Hearing Panel is intending to complete their recommendations on pPC1 by mid-October 2019 for Council to release the decision in November/December 2019.

Issues identified in a desktop analysis process

The desktop analysis of the Schedule 1 and 2 wetlands raised a number of issues which have taken considerable time and cost to resolve. This has also been extremely frustrating for landowners as well.

The issues experienced are:

- Aerial photography is generally undertaken every four to five years. Depending on when the analysis is undertaken, this can easily become out of date. In many cases, areas that had recently been developed were not captured.
- A key characteristic of a wetland is its hydrology. In many instances, the hydrology of an area cannot be determined from maps or aerial photos alone.
- While an indication of the vegetation type can be obtained, it will not show the level of detail for specific species, or small species such as types of moss, that is needed to confirm if it is wetland.
- There is not the level of detail available to accurately identify where the boundary of the wetland is.
- Desktop analysis, especially for the West Coast, often identifies vegetation as being wetland vegetation when it is actually rough pasture.

- Some areas may have consent to be developed which are yet to be exercised, while some areas may have been developed under permitted activity rules.

Ground-Truthing

The wetland identification process has highlighted the importance of ground-truthing areas to be included within a planning framework and to provide certainty to landowners. It can be a time consuming and resource hungry process. Ground-truthing will identify specific species and the location of these species. The natural hydrology of the area can also be identified. Having this information means that the boundary of the wetland area can be accurately identified.

The process followed for ground-truthing wetlands in the pPC1 process was:

- For small areas (2ha or less), establish a representative plot in each major vegetation type and record the plot vegetation in three strata: tree, sapling/shrub, herb.
- For larger areas, establish representative plots along transects and sample the vegetation in three strata: tree, sampling/shrub, herb. The suggested minimum number of transects ranges from three for wetlands up to 1.5 km in length, to 8+ in wetlands longer than 6.5 km long.
- For both areas, refine the wetland boundary on the ground, by using visual clues such as changes in topography (e.g. flat – hillslope interface), vegetation or soils, and/or establish paired sample plots (wetland/upland) located close enough to either side of the wetland boundary to substantiate boundary location.
- It is estimated that each plot takes between 1 – 1.5 hours to complete (not including analysis or time to get between plots).
- Once data is gathered, a hydrophytic vegetation determination can be conducted (Dominance and Prevalence Test) which will determine whether the area assessed is wetland or not.

The steps involved in the Dominance and Prevalence test have not been included here. Note that this can take a few hours per site to complete.

Appendix 2 – Sphagnum moss harvesting

The final Environment Court decision on Schedule 1 and 2 wetlands resulted in the perverse outcome of requiring consent for sphagnum moss harvesting within these areas. This was certainly an unintended outcome as, when undertaken correctly, the activity has no more than minor effects on the wetland, and contributes to the wetland area remaining wet through regular harvesting.

Through the proposed Plan Change 1 to the Land and Water Plan process, Council proposed to amend the definition of vegetation disturbance to exclude the harvesting of sphagnum moss. This would effectively make harvesting sphagnum moss within Schedule 2 wetlands a permitted activity.

Several submitters raised concerns that harvesting techniques could damage the wetland. Council commissioned a report through EnviroLink to assess the effects harvesting would have on these wetlands. The report can be found on the Councils website via this link:

<https://www.wcrc.govt.nz/repository/libraries/id:2459ikxj617q9ser65rr/hierarchy/Documents/Publications/Regional%20Plans/Regional%20Land%20and%20Water%20Plan/WCRC%20Sphagnum%20Envirolink%20Report%202017.pdf>

The EnviroLink Report concluded that harvesting moss using sustainable methods, such as crushing and leaving a proportion of moss, would not damage the wetland. The Report also concluded that moss harvesting helps to maintain the area as wetland. If moss is not harvested then the natural life cycle of some wetlands will eventually see woody vegetation establish and the area dry out, resulting in the wetland becoming a forest.

At the first hearing for Plan Change 1 in June 2018, staff recommended the addition of a permitted activity rule to permit the harvesting of sphagnum moss within Schedule 2 wetlands. This was to acknowledge that harvesting had little impact on the wetlands.

The Hearing Panel is intending to complete their recommendations on Plan Change 1 by mid-October 2019 for Council to release the decision in November/December 2019.

Appendix 3 – Draft permitted activity rule for sphagnum moss harvesting within a Schedule 2 wetland

Draft Permitted Activity Rule for the Harvesting of Sphagnum Moss within Schedule 2 wetlands

(from the Section 32AA Report in the Section 42A Staff Recommending Report for the June 2018 Hearing on proposed Plan Change 1 to the Regional Land and Water Plan)

Rule 7a. Harvesting of Sphagnum Moss within Schedule 2 wetlands

The harvesting of Sphagnum Moss within a Schedule 2 wetland is a **permitted activity** if all of the following conditions are met:

- (a) The Council is notified in writing of the location of the activity and the area to be harvested at least seven working days prior to the activity taking place;
- (b) Photographs are provided to the Council of the area to be harvested at least seven working days prior to the activity taking place;
- (c) The post-harvest moss surface is at or above mean water level;
- (d) Drainage of the area is not altered in any way;
- (e) Only existing formed access to the harvesting area is used;
- (f) Drains and weirs are not used to manipulate water levels;
- (g) The weight of machinery used for harvesting is spread by either:
 - a. Widening the tracks on track-driven vehicles, or
 - b. Using platforms for machinery to drive on;
- (h) Only the living portion (acrotelm) of the moss is removed;
- (i) Crushing of vegetation, to maintain sphagnum dominance, is undertaken either during harvesting, as a component of harvesting, or post-harvest, to rehabilitate the sphagnum moss in the wetland area;
- (j) Machinery and equipment are cleaned prior to entering the scheduled wetland to avoid the introduction of pest, or exotic, plants;
- (k) No harvesting of sphagnum moss or removal of plants is to occur within riparian margins;
- (l) No refuelling of machinery or equipment from bulk fuel tankers (i.e. containers greater than 20 litres in capacity) takes place in the scheduled wetland;
- (m) No fertilisers are dispersed in the scheduled wetland;
- (n) The site is left tidy at the completion of harvesting;
- (o) The activity does not disturb any breeding, roosting or nesting sites of indigenous birds;
- (p) Disturbance of the area is limited to the extent necessary to undertake harvesting;
- (q) Harvesters must:
 - a. Monitor the harvesting operation throughout harvesting;
 - b. Record the information on the prescribed form;
 - c. Provide the prescribed form to Council within 20 working days of the completion of harvesting.

Explanation

Where one or more of the conditions are not met, a resource consent under Rule 17 will be required.

The conditions of Rule 7A are based on best practice processes to manage the effects of harvesting sphagnum moss, and ensure the ecological values of the potentially significant Schedule 2 wetlands are maintained. If the harvesting activity is not undertaken in accordance with good practice, effects such as dryland plants establishing can modify these wetlands and impact on their significant values.

Describe how the machinery used for harvesting spreads the weight over the harvested area (include photos of described machinery): _____

Please provide any other information you feel is relevant: _____

Attach photos showing the site before harvesting has occurred, while harvesting is occurring and post-harvest. (Note photos need to show the date they were taken)

Once compliance staff have received this form, they will organise a site visit to the site to assess the information contained within the form.

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting – 10 December 2019
Prepared by: Emma Perrin-Smith, Senior Surface Water Quality Technician
Date: 28 November 2019
Subject: CONTACT RECREATION WATER QUALITY SAMPLING UPDATE

The West Coast Regional Council carries out regular sampling for faecal indicator bacteria (*E.coli* or Enterococci) at popular contact recreation sites over the summer period, from November through to March. Faecal indicator bacteria are used to assess potential risk to swimmers from pathogens (such as campylobacter, giardia, and cryptosporidium) associated with faecal contamination from warm blooded animals such as ruminants (cows, sheep, and deer), birds and humans. The risk categories used in the tables below are taken from the MfE 2003 microbial water quality guidelines for marine and freshwater areas.

The table below presents the results of sampling so far this season. Most sites are sampled fortnightly, five sites are sampled weekly. These five sites were selected for more frequent sampling due to historically having more occurrences of elevated *E. coli*.

There was heavy rainfall in the week prior to sampling for all sites that were in the low or moderate to high risk categories. Faecal indicator bacteria can be elevated at sites, following heavy rainfall, due to contamination from diffuse and/or point sources such as drains and surface run-off. Some sites will be more susceptible to post-rainfall contamination due to the nature of their catchment land-use. Council recommends people avoid swimming after heavy rainfall due to the increased risk to human health. Sediment may also be associated with rainfall run-off however this is not a cause of *E. coli* contamination.

Where sites have ongoing issues with intermittent elevated *E. coli* Council may undertake further investigation. Marrs and Shingle Beaches in Westport are an example of this. These sites have historically had intermittent samples over the moderate to high risk threshold for contact recreation. Council established a working group at the end of 2017 to determine community values of these beaches and investigate the potential cause/s of contamination. The group consisted of 8 community members, representing a range of backgrounds and interests, as well as representatives from the district and regional councils. The group met monthly until June 2019 at which time they provided their findings and draft recommendations to Council for next steps. Through this process additional sampling was carried out to determine what parts of the catchment were contributing the highest levels of contamination, dye tracing work was undertaken to assess movement of water currents and faecal source tracking (FST) analysis was carried out on samples to determine what animal source the contamination was coming from. Results of the FST analysis showed us that contamination at Marrs Beach was mostly from ruminant animals. We are now looking at how to reduce *E. coli* run-off to waterways in the catchment by engaging with landowners and investigating voluntary management options.

Last summer Hokitika Beach had three exceedances of both the low risk category and the moderate to high risk category. Samples for this site are taken behind the Beachfront Hotel. Most of these higher results have occurred after rainfall in the previous week. The elevated results may have been influenced by rainfall, other reasons for these higher results are unknown at this stage. If this site continues to have further exceedances further investigation may be required.

SITE	Nov	Nov	Nov
Carters Beach at campground beach access	😊*●		😊*●
North Beach at tip head road steps	😊*●		😊*●
Buller River at Shingle Beach	😊*●	😐*●	😊*●
Buller River at Marrs Beach	😊*●	😐*●	😐*●
Orowati Lagoon at Picnic Area	😊*●		😞*●
Rapahoe Beach at end of Statham St	😊*●		😊*●
Seven Mile Creek at SH6 Rapahoe	😊*●		😊*●
Nelson Ck at Swimming Hole Reserve	😊*●	😊*●	😊*●
Grey River at Taylorville Swimming Hole	😊*●	😊*●	😊*●
Cobden Beach at Bright Street West end	😊*●		😐*●
Blaketown Beach at South Tiphead	😊*●		😊*●
Lake Brunner at Cashmere Bay Boat Ramp	😊*●		😊*●
Lake Brunner at Iveagh Bay	😊*●		😊*●
Lake Brunner at Moana	😊*●	😐*●	😊*●
Karoro Beach at Surf Club	😊*●		😊*●
Hokitika Beach at Hokitika	😊*●		😞*●
Kaniere River at Kaniere Kokatahi Rd	😊*●		😊*●
Lake Mahinapua at Shanghai Bay	😊*●		😊*●
Arahura Rv @ SH6	😊*●		😊*●

Rainfall past 24hrs	Rainfall past week		Category
*	●	0-10 mm	minimal
●	●	10-30 mm	light
*●	●	30-60 mm	moderate
*●	●	>60 mm	high
😊	< 260 E. coli; < 140 Ent		very low risk
😐	260-550 E. coli; 140-280 Ent		low risk
😞	> 550 E. coli; > 280 Ent		moderate to high risk

RECOMMENDATION

That the report is received.

Hadley Mills
Planning, Science and Innovation Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee – 10 December 2019
 Prepared by: Jorja Hunt – Consents and Compliance Administration Officer
 Date: 26 November 2019
Subject: CONSENTS MONTHLY REPORT

Nine Consents Sites Visit were undertaken 26 September to 26 November 2019

01/10/2019	RC-2018-0049-V1 Aureon Limited, Stafford/Goldsborough. Variation to mining location.	Visited site with compliance officer, and mine manager. Observed current operations and rehab and area they want to move into and the potential effects of doing so.
3/10/2019	RC-2019-0114 ANZCO Foods Limited, Mossy Creek, Discharge to land from winter grazing.	Visited site with compliance officer and farm managers. Observed works to be put in place to mitigate discharges and areas to be excluded alongside the creek.
13/10/2019	RC-2019-0058, N & L King, investigate soils and localities of water bodies and drains, Beechwater Estates	To assess application against the receiving environment
21/10/2019	PA-2019-9039, KF McIver, Lake Brunner Road, investigate soils and localities of water bodies and drains	To assess application against the receiving environment
24/10/2019	RC-2019-0097, Westland District Council, Sunset Point, Hokitika, Deposition of material in the Coastal Marine Area	To assess site for clean fill application
29/10/2019	RC-2019-0070, Birchfields Ross Mining Limited, Ross	Pre-hearing site visit with the Commissioner and applicant at Ross.
21/11/2019	RC-2019-0040, Hokitika Gold, Houhou Creek	Site Visit at Houhou Creek application area.
26/11/2019	PA-2019-9045, D McCann, Rutherglen	Assess site for discharge wastewater to land
26/11/2019	PA-2019-9044, D McCann, Rutherglen	Assess site for discharge wastewater to land

29 Non-Notified Resource Consents were Granted 26 September to 26 November 2019

CONSENT NO. & HOLDER	PURPOSE OF CONSENT
RC-2019-0098 Global Sanctuaries Limited Lake Mahinapua Hotel	To discharge onsite sewage wastewater from a commercial property to land at the Lake Mahinapua Hotel, Ruatapu Road.
RC-2019-0099 Department of Conservation Franz Josef Glacier Access Road	To undertake earthworks in the riparian margins of the Waiho River, Franz Josef Glacier. To disturb the bed of the Waiho River to undertake protection and road reinstatement works, Franz Josef Glacier To permanently divert water in the Waiho River from protection structures and road reinstatement works, Franz Josef Glacier.
RC-2019-0104 Lake Brunner Contracting Limited Crooked River	To disturb the dry bed of the Crooked River for the purpose of gravel extraction.
RC-2019-0116 D Brown and MJ Clark Rutherglen Road, Greymouth	To discharge treated onsite sewage wastewater from a domestic dwelling to land at 525 Rutherglen Road, Greymouth.
RC-2019-0112 New Zealand Transport Agency Evans Creek, Harihari	To disturb the dry bed of Evans Creek to relocate gravel as a result of creek training works. To disturb the bed of Evans Creek to undertake creek training and protection works and remove old bridge piles. To permanently divert water in Evans Creek as a result of creek training and protection works. To temporarily discharge sediment to water associated with creek works, Evans Creek.
RC-2019-0056 Titan Resources Limited Bell Hill Road	To undertake earthworks associated with alluvial gold mining within Minerals Permit (MP) 51535 at Bell Hill. To take and use water for alluvial gold mining activities within MP 51535 at Bell Hill. To discharge sediment-laden water to water, namely Deep Creek and Roche Creek and their tributaries, associated with alluvial gold mining within MP 51535. To discharge sediment-laden water to land associated with alluvial gold mining within MP 51535 in circumstances where it may enter water, namely Deep Creek and Roche Creek and their tributaries.

<p>RC-2019-0120 Department of Conservation - Franz Josef Glacier Field Base Fox River, Fox Glacier</p>	<p>To disturb the dry bed of the Fox River to extract/relocate gravel for river protection works.</p>
	<p>To disturb the bed of the Fox River to undertake river diversion works, protection works and rock removal.</p>
	<p>To divert water in the Fox River to undertake river protection works.</p>
<p>RC-2019-0118 MJ Kerr and M Atkinson-Kerr Discharge sewage wastewater Haydens Road</p>	<p>To discharge treated onsite sewage wastewater from a domestic dwelling at Welshmans.</p>
<p>RC-2019-0121 Department of Conservation - Franz Josef Glacier Field Base Lake Gault</p>	<p>To disturb the dry bed of Lake Gault for the purpose of removing gravel.</p>
<p>RC-2019-0123 Weststone 2012 Limited Grey River at Beynons Beach</p>	<p>To disturb the dry bed of the Grey River at Beynons Beach for the purpose of removing gravel.</p>
<p>RC-2019-0115 NJ King and LE King Beechwater Drive, Kokiri</p>	<p>To discharge treated onsite sewage wastewater from a domestic dwelling at Beechwater Estate, Moana.</p>
<p>RC-2019-0113 DC McMahon Clifton Road, Kaiata</p>	<p>To discharge onsite wastewater from a domestic dwelling to land at 133b Clifton Road, Kaiata.</p>
<p>RC-2019-0106 Trust Power Limited Wainihinihi Creek</p>	<p>To undertake earthworks within riparian margins, Wainihinihi Creek.</p>
	<p>To disturb the dry bed of Wainihinihi Creek to extract gravel for bridge reinstatement purposes.</p>
	<p>To disturb the bed of Wainihinihi Creek to extract gravel from the wet bed and to re-construct the riverbank and bridge approaches and structure.</p>
	<p>To discharge sediment to water as a result of undertaking bridge reconstruction works, Wainihinihi Creek.</p>
<p>RC-2019-0122 Department of Conservation Fox River</p>	<p>To disturb the dry bed of the Fox River to extract gravel.</p>
	<p>To disturb the bed of the Fox River to undertake river diversion works.</p>
	<p>To temporarily divert water in the Fox River to undertake gravel extraction in the dry bed.</p>

<p>RC-2019-0045 Westland District Council Carters Creek, Fox Glacier</p>	<p>To take and use surface water from Carters Creek for the purpose of a community water supply, Fox Glacier.</p>
<p>RC-2019-0095 PNJ McHugh & MA Court Twelve Mile</p>	<p>To alter the Coastal Marine Area (CMA), at Twelve Mile. To deposit rock into the CMA, at Twelve Mile. To occupy space in the CMA associated with coastal protection works, at Twelve Mile.</p>
<p>RC-2019-0119 DJ Hindman Wanganui Flat Road, Harihari</p>	<p>To discharge treated sewage effluent from a domestic dwelling to land at 327 Wanganui Flat Road, Harihari.</p>
<p>WDC-RC130024-01 Henry Adams Contracting Limited Humphreys Gully Road, Arahura</p>	<p>To undertake alluvial gold mining within Minerals Permit (MP) 53133, at Humphreys.</p>
<p>RC13071-01 Henry Adams Contracting Limited Humphreys Gully Road, Arahura</p>	<p>To undertake earthworks associated with alluvial gold mining within MP 53133, at Humphreys. To take and use ground water for alluvial gold mining activities within MP 53133, at Humphreys. To discharge sediment-laden water to land in circumstances where it may enter water, namely the Arahura River and its tributaries, associated with alluvial gold mining within MP 53133, at Humphreys.</p>
<p>RC-2019-0110 Waimaunga Salmon Limited Hukarere, Ikamatua</p>	<p>To take surface water for the purpose of salmon farming, Hukarere. To discharge water containing contaminants to water from a salmon farm (dredge) ponds).</p>
<p>RC-2019-0114 Anzco Foods Limited Ikamatua</p>	<p>To discharge contaminants to land and where it may enter water associated with winter grazing, Ikamatua.</p>
<p>RC-2019-0129 Goldcarter Family Trust Nine Mile, Coast Road</p>	<p>To discharge treated onsite sewage wastewater from a domestic dwelling to land at Nine Mile, Coast Road.</p>
<p>RC-2019-0130 T Croft Limited Kiwi Point, Grey River</p>	<p>To disturb the dry bed of the Grey River at Kiwi Point for the purpose of removing gravel.</p>
<p>RC-2019-0134 TNB Trust Franz Josef</p>	<p>To discharge dairy effluent to land where it may enter surface and groundwater near DS013, Franz Josef.</p>

RC-2018-0106 Westland District Council Hannah's Clearing, Haast- Jacksons Bay road	To undertake earthworks within 50 metres of the Coastal Marine Area (CMA), Hannah's Clearing. To alter the foreshore/seabed to construct a rock wall, Hannah's Clearing. To occupy space in the CMA with a rock wall, Hannah's Clearing. To construct a structure (rock wall) in the CMA, Hannah's Clearing. To deposit material (rock) in the CMA, Hannah's Clearing.
RC-2019-0125 Paul Smith Earthmoving 2002 Limited Taramakau River, Inchbonnie	To disturb the dry bed of the Taramakau River near Inchbonnie for the purpose of removing gravel.
RC-2019-0097 Westland District Council Sunset Point, Hokitika	To deposit cleanfill within 50 metres of the Coastal Marine Area at Sunset Point, Hokitika.
RC-2019-0088 Westland Milk Products Hokitika River	To disturb the bed of the Hokitika River to clear out a side channel. To divert water into a side channel, Hokitika River.
WDC-RC130072 John Dunbier McLeod's Road, Mikonui	To use land, described as Section 1 Survey Office Plan 455415, for the purpose of undertaking mining under Mining Permit 50125, and to undertake clearance of approximately 30ha of indigenous vegetation. To use land, described as Part Rural Section 4071, Lots 1 and 2 DP 2927, Lots 6, 7 and 8 DP 377632, and legal road reserve, for the purpose of activities associated with the mining including vegetation buffer areas, a haul road and an overburden backfilling area. The land use referred to above is detailed in the application and plans received 3 September 2013, and further information received 23 October 2013 and 26 November 2013.

12 Changes to and No Reviews of Consent Conditions were granted in the period 26 September to 26 November 2019

RC-2018-0022-V1 Buller District Council Carters Beach	To allow cleanfill to be deposited as part of bund construction, Carters Beach.
RC05200-V1 Department of Conservation - Franz Josef Glacier Field Base Waiho River	To change the quantity of rock extracted from the Waiho River.

RC08068-V1 West Coast Regional Council Inchbonnie	Increase volume of rock to be quarried, Inchbonnie.
RC-2019-0012-V1 AJ Gillman Lake Kaniere Road	To decrease the maximum disturbed gold mining area, Lake Kaniere Road.
RC09084-V5 Gold Stone Mining Group Limited MacDonalds Creek, Humphreys Gully	To allow for a mixing zone in MacDonalds Creek and other receiving waterbodies, associated with gold mining at Humphreys Gully.
RC-2019-0064-V1 Grey District Council & Department of Conservation Croesus Road & Roa Road	To alter the location and extend the area of cleanfill disposals and change the location and dimensions of two culverts.
RC12105-V1 Westland Excavation Limited Hokitika River	To vary the extraction sites to reflect the gravel bar movement, Hokitika River
RC00323-V24 Oceana Gold (New Zealand) Ltd Devils Creek, Reefton	To allow pit lake water to be discharged direct to Devils Creek associated with gold mining, Reefton.
RC-2015-0147-V3 Westland Milk Products Hokitika	To increase the number and length of disposal trenches and increase the discharge volume associated with the milk factory, Hokitika.
RC12132-V1 Buller District Council Carters Beach	To extend the length of the coastal protection seawall, Carters Beach.
RC-2018-0083-V1 Westland Mining Limited Old Christchurch Road	To increase the disturbed gold mining area, Old Christchurch Road.
WDC-RC150027-V1 Butlers Mining Company Limited McLeods Road, Mikonui	Changes to roading and traffic conditions at a gold mine, McLeods Road, Mikonui.
RC12233-V1 J Dunbier Ross	To change conditions relating to the processing site of the auriferous paydirt, ross

One Limited Notified and no Notified Resource Consents were granted in the period 26 September to 26 November 2019

RC-2019-0071
TS Mining Limited
Duganville

To undertake earthworks associated with alluvial gold mining within Minerals Permits MP 60480 & MP 41871, at Duganville.

To take and use water for alluvial gold mining activities within MP 60480 & MP 41871, at Duganville.

To discharge sediment-laden water to land in circumstances where it may enter water, namely Maori Creek and its tributaries, associated with alluvial gold mining within MP 60480 & MP 41871.

Public Enquiries

119 written public enquiries were responded to during the reporting period. 101 (85%) were answered on the same day, and the remaining 18 (15%) within the next ten days.

RECOMMENDATION

That the December 2019 report of the Consents Group be received.

Heather McKay
Consents & Compliance Manager

5.2.2

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee – 10 December 2019
 Prepared by: Heather McKay – Consents & Compliance Manager
 Date: 27 November 2019
 Subject: **COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

Site Visits

A total of 151 site visits were undertaken during the reporting period, which consisted of:

Activity	Number of Visits
Resource consent monitoring	31
Mining compliance & bond release	32
Complaints	23
Dairy farm	65

- A total of 40 complaints and incidents were recorded.

Non-Compliances

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

A total of 14 non-compliances occurred during the reporting period.

Activity	Description	Location	Action/Outcome	INC/Comp
Gold Mining	Complaint received that a discharge from a gold mining operation was discolouring a creek.	Atarau	The site was investigated and found that the creek was significantly discoloured in breach of consent conditions. Samples were obtained and established that the limits had been breached. Enforcement action is pending.	Complaint
Gold Mining	Complaint received regarding the noise from a gold mining operation.	Hokitika	The site was investigated and established that the operator did not hold a resource consent for gold mining. It was observed on site that several small creeks had been excavated. An abatement notice and two infringement notices have been issued.	Complaint
Gold Mining	Complaint received that a creek was running discoloured with sediment laden water.	Notown	The site was investigated and established that a gold mining operation was discharging sediment laden water into a small creek from a leak in a pond wall. An abatement notice has been issued and a decision on further enforcement action is pending.	Complaint

Activity	Description	Location	Action/Outcome	INC/Comp
Gold Mining	While attending the complaint described above it was observed that the creek was also discoloured further upstream of the first mining operation investigated.	Notown	The second site was investigated and established that a gold mining operation was discharging sediment laden water from a pond system which significantly discoloured the creek. An abatement notice has been issued and an Infringement notice has been issued for the discharge.	Complaint
Gravel Extraction	A site visit was undertaken at a gravel extraction site and it was established that the operator was not complying with their consent conditions by leaving stock piles on the river bed.	Hokitika	An abatement notice and an infringement notice have been issued.	Incident
Forestry	A site visit was undertaken at a forestry operation and established that the operation had left slash in a waterbody.	Atarau	The deposition of the slash in the water body is a breach of the National Environmental Standards for Forestry Plantation. The operator has been contacted and intends to undertake further work. Enquiries are ongoing.	Incident
Dairy Farming	A site inspection was undertaken on a dairy farm and established a minor non-compliant discharge from an effluent pond.	Franz Josef	A formal warning has been issued to the farm manager and to the company.	Incident
Gravel Extraction	Complaint received regarding a gravel extraction operation and the discharge of dust from the operation.	Hokitika	Enquiries were made with the operator and it was established that they had exceeded the volume of gravel allowed to be extracted under their resource consent. They were required to cease the operation. An infringement notice was issued.	Complaint
Gold Mining	A compliance officer saw that a creek was discoloured with sediment which resulted in an inspection of a gold mining operation. As the discharge continued for several days a complaint was also received from the public.	German Gully	An inspection was undertaken of a gold mining operation which established the site had discharged significant amounts of sediment to the creek. An abatement notice was issued and further enforcement action is pending.	Incident / complaint

Activity	Description	Location	Action/Outcome	INC/Comp
Gold Mining	A second complaint received regarding the discharge of sediment from the mining operation noted above at Atarau	Atarau	The site was investigated and established that the discharge was compliant with the discharge limits in the resource consent. However other breaches of the consent relating to water management were observed namely preventing clean water from entering the settling pond system. Enforcement action is pending.	Complaint
Gold Mining	Complaint received that the discharge from a mining operation was significantly discolouring a creek.	Camerons	The site was investigated and established that sediment laden water discharging from the site has discoloured a creek. An abatement notice to cease the discharge and an infringement notice has been issued.	Complaint
Gold Mining	A compliance inspection was undertaken to check compliance with an abatement notice.	Notown	During the site visit it was established that the discharge of sediment from the operation breached the discharge limits in the resource consent and therefore also breached the abatement notice. An infringement notice has been issued for the discharge and a second notice for the breach of the abatement notice.	Incident
Dairy Farming	A compliance inspection was undertaken at a dairy farm and it was found that an effluent storage pond had no storage capacity for when wet weather did not allow for irrigation.	Whataroa	As there was no discharge from the storage pond a letter of direction was sent requesting that the pond is emptied.	Incident
Dairy Farming	A compliance inspection was undertaken and established that the irrigator used to irrigate the dairy shed wash down was in need of repairs. Significant ponding of effluent had occurred around the irrigator.	Springs Junction	The discharge is a breach of the permitted activity rule and section 15 of the RMA. Enforcement action is pending.	Incident

Other Complaints/Incidents

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

Activity	Description	Location	Action/Outcome	INC/Comp
Works within the CMA	Complaint regarding the removal of stone from the Okarito beach front. The complainant is concerned that residents have been removing flat stones for landscaping purposes and that this may cause erosion.	Okarito	The activity is not covered by permitted activity rule as it is within a coastal hazard area. The complainant has been advised to phone the Council at the time it is occurring.	Complaint
Unauthorised structure	Complaint received that a whitebait stand has been constructed in the wrong location.	Paringa River	The river was visited and established that the stand is in its approximate authorised location.	Complaint
Discharge to water	Complaint received alleging that the water quality of the Ngakawau River has degraded over recent times due to a mining operation.	Ngakawau	The complaint was investigated and a review of previous monitoring results was undertaken. The complaint was unsubstantiated.	Complaint
Discharge to water	A minor oil sheen was seen in the lagoon at Water Walk Road.	Greymouth	The site was investigated and established that a minor amount of oil on the road had entered a storm water drain. The source is unknown, a local contractor carried out mitigation work. No further action was required.	Complaint
Gravel Extraction	Complaint regarding the discharge of sediment laden water coming off the back of trucks onto the public road.	Hokitika	The site was investigated and established that the operation was compliant.	Complaint
Discharge within the CMA	Complaint received that there was a blue granular substance on the Cobden Beach	Cobden	The site was investigated and it appeared that someone had dumped a small amount of fertiliser. The material was disposed of by compliance staff.	Complaint
Dead Stock within the CMA	Complaint received that there was a dead cow on the beach at Nine Mile.	Coast Road	A contractor was engaged to dispose of the carcass.	Complaint
Dead Stock within the CMA	Complaint received that there was a dead cow on the beach at Barrytown.	Coast Road	A local person was contacted and disposed of the carcass.	Complaint
Unauthorised structure	A further complaint received that a whitebait stand has been constructed in the wrong location after a flood event.	Paringa River	The river was visited and established that the stand is in its approximate authorised location.	Complaint

Activity	Description	Location	Action/Outcome	INC/Comp
Discharge to water	Complaint received regarding the discharge of water from a contaminated site.	Hokitika	Enquiries are ongoing	Complaint
Works within the CMA	Complaint that a black sand miner has blocked a drain.	Barrytown	The site was investigated and the complaint was not substantiated.	Complaint
Dead stock within the CMA	Complaint received that there was a dead sheep on the beach at 3 mile.	Hokitika	Compliance staff found a dead lamb and disposed of it.	Complaint
Discharge to water	Westland Milk Products report that a minor amount of diesel is visible in a stormwater drain. The source is unknown but may have been one of the various contractor's trucks visiting the WMP site.	Hokitika	The site was investigated and at the time of the inspection no diesel was visible in the drain water.	Incident
Discharge to water	A company reported that they have had an incident while doing work for DOC on the Charming Creek Walkway. The work involved water blasting loose slip material that was above the public walkway due to safety concerns. While undertaking the work it was observed that the slip face was giving way so the area was cleared of staff. A large slip then took out the walk track and equipment being used on the site. The slip has gone into the Ngakawau River and buried water pumps and a small digger in the process. This has resulted in discharges of diesel into the river.	Ngakawau	The site was investigated and established that remedial work to recover the machinery was not possible due to the ongoing danger of the slip face. It was also established that diesel was discharging from the site. Spill mitigation was unable to be undertaken due to the flow in the river. The river was monitored and established that the diesel had dissipated quickly and appeared not to be discharging the following day. The equipment is still buried at the base of the slip and is unlikely to be recovered. Enquiries are ongoing as awaiting investigation reports.	Incident
Discharge to water	Westland Milk Products report that they have had a discharge of cream into a stormwater drain and the Hokitika River.	Hokitika	It was reported that the cream was no longer visible in the drain or the river at the time of the reporting. Enquiries are ongoing.	Incident
Discharge to water	Complaint received that the 10 Mile River was discoloured with sediment.	10 Mile, Coast Road	As the complaint was received late in the evening it was attended the following morning at which time the river was running clean.	Complaint
Earthworks	Complaint received concerning the dumping of earth on a property may cause flooding.	Kaiata	The site was investigated and established that there was no breach of the regional rules.	Complaint

Activity	Description	Location	Action/Outcome	INC/Comp
Forestry	Complaint received that logs from a forestry operation is blocking drains on the neighbouring property.	Hokitika	The forestry operation was inspected and found to be compliant.	Complaint
Discharge to water	Complaint received that Kapitea Creek was discoloured with sediment	Kapitea	The site was investigated and established that the creek was running clean at the time of the inspection.	Complaint
Discharge to land	Complaint received that a septic tank has a surface discharge.	Karamea	Enquiries are ongoing.	Complaint
Dead rats within the CMA	The Department of Conservation reported that hundreds of dead rats have washed up on the beach at Westport. DOC initiated the clean-up and sent some of the rats away for testing to see if it is a result of a 1080 aerial operation.	Westport	There are no breaches of the regional rules. The matter was reported for Councils information only.	Incident
Earthworks	Complaint received regarding a neighbour doing earthworks to build up their property. Complainant is concerned that it may cause stormwater issues to his property.	Ngakawau	Enquiries are ongoing	Complaint
Stormwater	Complaint received that a stormwater pipe is causing erosion.	Kaniere	The site was investigated and found that there was no breach of the relevant regional rule.	Complaint
Discharge to water	Complaint received that there are old tyres in a creek.	Runanga	Enquiries are ongoing.	Complaint
Rubbish dump.	Complaint received that there is an unauthorised rubbish dump on private land.	Greymouth	The matter has been referred to the GDC to investigate under the Litter Act	Complaint
Earthworks	A complaint was received that a gold miner had caused a slip and as a result sediment entered a road side drain.	Kumara	The site was investigated and established that there are other slips in the area from recent heavy rain. There was no breach of the resource consent.	Complaint

Update on Previously Reported Ongoing Complaints/Incidents

Activity	Description	Location	Action/Outcome	INC/Comp
Gold Mining	Complaint received that the New River was discoloured with sediment	Camerons	The site was investigated and established that the miner's sediment retention pond was leaking through its wall. The discharge went to a road side drain then into the New River. An abatement notice was issued to cease the discharge. As the discharge to the New River was minor a formal warning has now been issued.	Complaint
Noise Complaint	Complaint received regarding the discharge of noise from a gold mining operation.	Stafford	Noise monitoring has been carried out by a specialist and established that the operation is compliant.	Complaint
Earthworks	A complaint was received about the dumping of demolition waste and other materials at Sunset Point.	Hokitika	The site has been investigated and established that the area was being built up by depositing demolition waste and other materials then capped with soil. It has been established that the works undertaken are unauthorised. The operator has now applied for a resource consent to continue the operation and has now received an infringement notice for the unauthorised earthworks.	Complaint
Gold Mining	Complaint received that Waimea Creek was discoloured with sediment.	Goldsborough	The site has been investigated and established that the operation was discharging sediment laden water into Waimea Creek. Four infringement notices have now been issued. Two notices each to the company and the director for the discharges of sediment and contravention of an abatement notice.	Complaint

Formal Enforcement Action

Formal Warning: There were three formal warnings issued during the reporting period.

Activity	Location
Gold mining - discharge of sediment laden water	Camerons
Dairy farming – two notices issued, one to the manager and one to the company For the discharge of dairy effluent.	Franz Josef

Infringement Notice: There were thirteen infringement notices issued during the reporting period.

Activity	Location
Gold Mining – two notices to the same operator. One notice for disturbance of a water body. A second notice for the diversion of water.	Hokitika
Earthworks/clean fill operation – Unauthorised earthworks	Hokitika
Gravel Extraction- 2 notices issued to the same operator for unauthorised disturbance of the river bed on two different dates.	Hokitika
Gold Mining – discharge of sediment	Camerons
Gold Mining – 4 notices to the same operator. Two notices each to the company and the director for discharge of sediment and for contravention of an abatement notice.	Goldsborough
Gold Mining – 3 notices to the same operator. Two notices issued for discharges of sediment on two dates and one notice for contravention of an abatement notice.	Notown

Abatement Notices: There were six abatement notices issued during the reporting period.

Activity	Location
Gold Mining – cease the discharge of sediment laden water	Notown
Gold Mining – cease the discharge of sediment laden water	Notown
Gravel Extraction – cease the unauthorised disturbance of the river bed.	Hokitika
Gold Mining – cease unauthorised gold mining	Hokitika
Gold Mining – cease the discharge of sediment	Camerons
Gold mining – cease the discharge of sediment and the disturbance of waterbodies.	German Gully

Mining Work Programmes and Bonds

The Council received the following 12 work programmes during the reporting period. All of the work programmes have been approved.

Date	Mining Authorisation	Holder	Location	Approved
02-10-2019	RC-2015-0134	NZG Limited	Mikonui	Yes
03-10-2019	RC00023	Heaphy Mining	Berlins	Yes
08-10-2019	RC-2017-004	Red Jack Resources	Arahura Valley	Yes
08-10-2019	RC-2018-0083	Westland Mining Limited	Arahura Valley	Yes
16-10-2019	RC-2015-0109	Dempster Limited and Phoenix Minerals Limited	Callaghans	Yes
04-11-2019	RC10174	Birchfields Minerals Limited	Payne's Gully	Yes
05-11-2019	RC-2014-0040	Wayne Hassan	Boatman's	Yes
06-11-2019	RC-2015-0133	Griffiths Mining Limited	Sergeants Hill	Yes
06-11-2019	RC-2015-0132	Phoenix Minerals Limited	Callaghans	Yes
11-11-2019	RC-2014-0174	M & M Aggregates	Camerons	Yes
27-11-2019	RCN99232	MBD Contracting Limited	Paringa	Yes
27-11-2019	RC00300	MBD Contracting Limited	Haast	Yes

Three bonds were received during the reporting period

Date	Mining Authorisation	Holder	Location	Amount
27-10-2019	RC-2017-0051	Bathurst Coal Limited	Denniston	\$97,000
07-10-2019	RC-2017-0092	Fitzherbert Investments	Arthurstown	\$42,000
14-10-2019	RC-2019-0012	AJ Gillman	Kaniere	\$10,000

Four bonds are recommended for release

Mining Authorisation	Holder	Location	Amount	Reason For Release
RC-2015-0043	Granville Mining Limited	Totara Flat	\$6,000	Mining and rehabilitation has been completed. Land owner approval obtained.
RC02239	Buller Coal Limited	Denniston	\$160,000	Mining has concluded under this consent and for the consent listed below (RC97014). A replacement consent has been granted RC-2017-0051 and a bond quantum assessment done for \$97,000 which has been received as noted in the section above.
RC97014	Cascade Coal Limited	Denniston	\$40,000	See above
RC-2015-0134	NZG Limited	Mikonui	\$30,000	Mining and rehabilitation has been completed. Land owner approval obtained.

RECOMMENDATIONS

1. That the November – December 2019 report of the Compliance Group be received.
2. That the bonds for RC-2015-0043 of \$6,000 held by Granville Mining Ltd, RC02239 of \$160,000 held by Buller Coal Limited, RC97014 held by Cascade Coal Limited of \$40,000 and the \$30,000 held by NZG Limited are 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, 10 December 2019** commencing on completion of the Resource Management Committee Meeting

A.J. BIRCHFIELD
CHAIRPERSON

M. MEEHAN
CHIEF EXECUTIVE OFFICER

<u>AGENDA NUMBERS</u>	<u>PAGE NUMBERS</u>	<u>BUSINESS</u>
1.		APOLOGIES
2.		PUBLIC FORUM Frida Inta (via telephone) – Mokihinui Catchment
3.		MINUTES
	1 – 4	3.1 Minutes of Council Meeting 8 October 2019
	5 – 9	3.1.1 Minutes of the Triennial Meeting 25 October 2019
4.		REPORTS
	10 – 14	4.1 Engineering Operations Report
	15 – 27	4.1.2 Westport 2100 – Recommendations of the Working Group
	28 – 30	4.2 Corporate Services Manager’s Monthly Report
	31 – 47	4.2.1 Elected Member Remuneration
	48 – 49	4.2.2 Schedule of Meeting Dates for 2020
	50 - 53	4.2.3 Triennial Agreement
5.	54	CHAIRMAN’S REPORT
6.	55	CHIEF EXECUTIVE’S REPORT
7.		GENERAL BUSINESS

THE WEST COAST REGIONAL COUNCIL**MINUTES OF THE MEETING OF THE COUNCIL HELD ON 8 OCTOBER 2019,
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH,
COMMENCING AT 10.56 A.M.****PRESENT:**

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

IN ATTENDANCE:

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

1. APOLOGY:

There were no apologies.

2. PUBLIC FORUM

There was no public forum.

3.1 CONFIRMATION OF MINUTES

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

Moved (Archer / Ewen) that *the minutes of the Council meeting dated 10 September 2019, be confirmed as correct.*

Carried

Matters arising

Cr Ewen asked about the Notice of Direction for Kiwi Quarry. M. Meehan advised that there is no Stop Work Notice in place. He advised that a Notice of Direction is in place but there is no intention to reopen Kiwi Quarry, he advised that if Council did want to reopen the quarry all that it required is to comply with the normal obligations of health and safety including make safe work. M. Meehan stated that R. Beal has advised that there is nothing stopping Council from working in the quarry as long as best management practices are followed.

Cr Archer asked for an update on funding related to the Westport 2100 project. M. Meehan advised that Westport 2100 has held off with recommendations, as Council is currently working with R. Beal on a package to take to the new Council.

REPORTS:**4.1 OPERATIONS REPORT**

M. Meehan spoke to this report in R. Beal's absence. M. Meehan advised that a meeting of the Hokitika Joint Seawall Committee will be held on Thursday and will discuss what to do about the Tudor Street groyne as there is a three metre drop in this area. Cr McDonnell implored that the new Council looks at the rating classifications for the Hokitika seawall rating district.

M. Meehan advised that section of the heliport stopbank at Franz Josef that is owned by the rating district is being upgraded and will be paid for by the rating district. He advised that there is an agreement in place with Destination Westland for the rest of the stopbank which is owned by them.

M. Meehan reported that the Lower Waiho stopbank, Milton & Others, is now complete. He stated that 66,000 tonnes of rock was recovered from the riverbed, and used for the reinstatement of the stopbank. M. Meehan stated that this was a monumental effort by staff and contractors, opening of the stopbank will take place on Thursday. M. Meehan stated that Council made the decision in early April to rebuild the stopbank and the effort with this is a credit to the contractors involved and to B. Russ, R. Mallinson and R. Beal. It is hoped that there will be a very minimal loan for the Lower Waiho rating district. M. Meehan advised that work with Council's insurer and MCDEM will continue. Cr Archer endorsed M. Meehan's comments and stated that this project has been a great effort from staff. Cr Archer asked if there has been any community feedback and he asked what are the final costs. Cr McDonnell stated that he has not yet received any feedback, Cr Challenger stated that he has heard positive things from the rating district and they seem very pleased. Cr Challenger stated that minimal cost to ratepayers is what everyone is happy about. Cr Ewen stated that this has been a good way to utilise the Catastrophe Fund to get work up and running, prior to insurance payments being received.

Cr Birchfield commented that a very good job has been done in Franz Josef. He agreed with Cr Ewen's comments regarding the Catastrophe Fund. R. Mallinson answered questions relating to costs and advised that final payments are yet to be received but the net cost to Council to date is \$2.45M. R. Mallinson advised that B. Russ is monitoring costs on a weekly basis.

Discussion took place on the groynes and the affect they are having. M. Meehan advised that an Engineer form OCEL has been engaged to advice on the groynes. Cr Archer stated that it is appropriate that Council passes on its appreciation to management and staff on work down for the Lower Waiho rating district. Cr Archer stated that this has been a good job which was well done by all involved. M. Meehan advised that B. Russ has been engaging with community the whole way through. M. Meehan advised that the community is keen to extend the stopbank and are looking at protection work upstream. M. Meehan stated that it has been good to recover rock from the river rather than quarrying rock and transporting rock from Whataroa to Franz Josef. M. Meehan advised that the contractors have gone 10 kms down river to recover rock. He stated this has been a massive effort to get this rock. M. Meehan advised that B. Russ originally thought that they might retrieve 20,000 tonne of rock from the river but to get 66,000 tonnes is a huge effort from those involved. Cr Ewen stated that should the stopbank be extended this would be new capital work. Cr Birchfield agreed that it is it is a good idea to extend the stopbank up to Rata Knoll. M. Meehan confirmed that the rating district is looking at increasing height of compacted bank. Cr Robb stated that Council deserves some praise for the way it reacted to the situation as Council took a bit of heat in a very difficult situation. Cr Robb stated Council took on board what community was looking at and was able to change direction at fairly short notice. Cr Robb stated that on behalf of Council, formal recognition should go to B. Russ, R. Beal and R. Mallinson for the extra work done in ensuring that this was a successful and well run project. Cr Robb stated that Council's finances are well looked after by R. Mallinson.

Moved (Clementson / Archer)

1. *That the report is received.*
2. *That B. Russ, R. Beal and R. Mallinson are formally thanked for their work with the Milton & Others Stopbank reinstatement.*

Carried

4.2 CORPORATE SERVICES MANAGER'S MONTHLY REPORT

R. Mallinson spoke to his report and advised that the surplus amounted to \$856,000 compared to the budgeted surplus for the two months of \$74,000. He advised that revenue includes \$865,000 in Crown payments regarding the March flood event. R. Mallinson advised Council is getting income form the Crown on revenue account which is not matched by any expenditure on operating account because the rebuild is going straight through to the balance sheet as capital work. R. Mallinson reported that total revenue for the two month period amounted to \$3.315M and includes \$865,000 from the Crown. Total expenditure amounted to \$2.458M. R. Mallinson reported that VCS income is running below budget as well as investment income for the two month period.

R. Mallinson spoke to the rest of his report and answered questions from Councillors. He stated that the remedial fix for the Greymouth Floodwall did not happen in the 2018/19 year. R. Mallinson advised that this work is yet to be done and will go into this current year's financial budget.

R. Mallinson answered questions relating to the Catastrophe Fund. He confirmed that just the excess of \$250,000 from the Crown and the insurer. The \$750,000 will be reinstated and built up as quickly as possible to the \$1M. Cr Archer asked if there has been any indication as to how much we will receive from insurers for Lower Waiho claim. R. Mallinson stated that he is still awaiting a response from the insurer. M. Mallinson stated he is optimistic that the claim will be accepted in full and is in regular contact with the Broker, Anon. R. Mallinson advised that the Lower Waiho and other rating districts affected by the March weather event will get the benefit from the excess as there is only one claim for the whole region. M. Meehan advised that a review of all asset management plans will be done to ensure that the right amount of coverage is in place for any future events. Cr Birchfield good to get a breakdown of all costs associated with the claim for Lower Waiho. R. Mallinson advised that Council has good clarity on what will be received from the Crown but less clarity with regard to what will be received from the insurer at this stage. He stated that the insurer is expected here in a few days' time. M. Meehan explained the insurance process to the meeting. R. Mallinson explained the valuation process to the meeting. M. Meehan advised that Council holds just under \$60M in assets across the rating districts and it is important that Council gets this right across the 26 rating districts that are insured by Council.

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

Carried

5.0 CHAIRMANS REPORT

The Chairman asked if any councilor would like to say a few words. Cr Clementson stated that he was approached to run for Council six years ago. He thanked staff and management for their support over the years. Cr Clementson stated that he is not seeking re-election due to his father's recent accident, but stated that he may consider standing for Council again in the future.

Cr Archer endorsed what has been said. He stated that today is his last formal meeting, he has been attending various Council meetings for over 35 years, albeit the last 12 years on this Council. Cr Archer stated that he has been heartened that Council can debate quite vociferously and everyone is accorded their right to speak. He stated that nobody has ever been held in disregard because of their opinion. Cr Archer stated that unfortunately New Zealand has now become the conservation conscious of New Zealand and the recent policies and NPS's and the cost to community and cost to those of fixed incomes is growing exponentially. Cr Archer wished everyone all the best and thanked all present for their camaraderie and support. He thanked Council management and staff and wished Councillors well for the elections.

Cr McDonnell agreed with Crs Clementson and Archer's comments. Cr McDonnell stated that the regional council is blessed with its quality of staff and management. He wished staff well with the changes coming from central government. Cr McDonnell wished the three Councillors seeking re-election well and stated that it is important Council has some continuity.

Cr Challenger wished those Councillors leaving well, he wished the three Councillors re-standing good luck. Cr Challenger stated that he hopes that the new Council is a balanced Council as they are here representing different pockets of the community.

Cr Birchfield agreed with previous comments and stated that it is a very well run Council with good staff. He stated that he will miss the Councillors who are going.

Cr Ewen echoed the comments said and stated that there are some difficult times ahead. He stated this Council has strived for excellence and is not one of mediocracy. Cr Ewen stated that the wetlands issue was the beginning of challenges and he feels that pakahe could be the next challenge. Cr Ewen stated that he has enjoyed the company of Crs Archer, McDonnell and Robb and they have contributed well to the debate.

The Chairman stated that this is his last council meeting, he thanked senior management team and their staff. He stated that a lot of their work is not always noticed or appreciated by the wider public, he thanked them for their dedication and effort for community. The Chairman thanked N. Costley for her high quality of work, he thanked M. Meehan and stated that he can be proud of the team and where the organisation is at.

The Chairman stated that the minutes are always accurate with not many additions or changes. The Chairman thanked R. Mallinson for his work with audits and stated that his advice is always sound. The Chairman thanked his fellow Councillors and stated there they have had some good lively debates, they haven't always agreed, but they always come to a decision and move forward. Hold heads high here for right reasons. The Chairman wished Crs Ewen, Birchfield and Challenger well for the election. He thanked Crs Clementson, McDonnell and Archer as they are not seeking re-election. He stated they can leave knowing they have served their communities well, with the decisions they have made have had the community's best interests at heart. The Chairman thanked Cr Clementson for his support as Deputy Chairman, and Cr Ewen for his term as Deputy Chairman. The Chairman thanked Cr Archer and stated that they came onto Council at the same time, along with Cr Birchfield. He stated that Cr Archer's wise words and wisdom have been well received. The Chairman stated that Cr Archer's contribution to his community has been outstanding.

The Chairman reflected on achievements during his tenure on Council and noted that Council's investment fund has been looked after and grown. The Chairman stated that WCRC is often the glue within the three districts in terms of joint services. He stated that Civil Defence is a great joint service for the community. The Chairman spoke of the huge amount of work Council does on behalf of the region in providing information, bringing people together, making submissions on central government policies. The Chairman stated that he has been part of a Council that has always acted in the best interests of its community. He stated that in his six years as Chairman Council has made so bold and tough decisions that might not have always been politically easy to make but they have been made on good governance principles and were the right thing for the community. The Chairman wished staff and Councillors well in future endeavours.

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

Carried

6.1 CHIEF EXECUTIVE'S REPORT

M. Meehan spoke to his report and advised that the MfE staff will be on the West Coast for a field visit on 23 October. M. Meehan stated that there is a lot of work in this area at the moment, with weekly meetings to work through the impacts of the freshwater packaged.

M. Meehan advised that he is preparing work for the biodiversity NPS along with a response to the huge amount of work coming out of Wellington during the next six months.

M. Meehan answered questions from Cr Archer regarding the scope of work with regard to the commercial viability of ports, and the resilience of them.

M. Meehan thanked Councillors for this service. He stated that he has found that they have been prepared to have a debate, and prepared to disagree, but disagree on good terms. M. Meehan stated this has allowed for clear direction for staff which is appreciated. M. Meehan wished the four departing Councillor well and stated that they will be missed around the Council.

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

Carried

GENERAL BUSINESS

M. Meehan provided Cr Ewen with an update on Kiwi Quarry. M. Meehan advised that a Notice of Inspection is in place and there is an understanding between WorkSafe and Council's Quarry Manager, where make safe work can be done.

The meeting closed at 11.48 a.m.

.....
Chairman

.....
Date

THE WEST COAST REGIONAL COUNCIL**MINUTES OF THE FIRST MEETING OF THE WEST COAST REGIONAL COUNCIL FOLLOWING
THE 2019 TRIENNIAL ELECTION HELD
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH,
COMMENCING AT 10.30 A.M. ON 25 OCTOBER 2019****PRESENT:**

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

IN ATTENDANCE:

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

The Chief Executive Officer chaired the meeting until a Chairperson was elected.

1. WELCOME AND APOLOGIES:

M. Meehan welcomed Councillors to the meeting and congratulated them on being elected. He called for apologies. There were no apologies.

2. INTRODUCTIONS AND DECLARATIONS:

M. Meehan commenced the meeting. Each Councillor then read aloud and signed their declaration.

3. ELECTION OF CHAIRPERSON, DEPUTY CHAIRPERSON AND CHAIRPERSON OF RESOURCE MANAGEMENT COMMITTEE:

M. Meehan called for nominations for Chairperson.

Cr Ewen nominated Cr Birchfield as Chairperson. Cr Cummings seconded the nomination.

Cr Challenger nominated Cr Magner as Chairperson. Cr Coll McLaughlin seconded the nomination.

M. Meehan invited Crs Birchfield and Magner to speak to their nomination.

Cr Birchfield stated that this is his 6th term on Council. He stated that he is a good advocate for the industry and is well aware that there is a difference in the role between being a Councillor and being Chairman. He stated as Chairman you need to speak for and represent the whole Council and consider everybody's views.

Cr Magner stated that she has the skills and attributes as well as the experience for the Chair role. She believes that the Chair has to have integrity, honesty, reliability and commitment to the role. The Chair has to have the ability to influence others without dominating, effectively gaining contribution from all Councillors. Personal strength and resilience to tough times and situations, vision and a passion for the organisation and its work, emotional intelligence and the ability to build effective team and external relationships. Intellect and experience, decisiveness and courage, the ability to chair meetings and focus, and the ability to prioritise. Cr Magner stated that if given support, she will demonstrate all of these things. Cr Magner stated that in the present challenging environment Council needs someone who can present the views of the whole Council in a manner that that will be accepted and heard and someone who can cooperate effectively with others to achieve a goal. Cr Magner stated that she has a calm manner, organised approach and an agile mind which she wants to use to best represent our position and options to outside parties. Cr Magner stated that she is used to dealing with a variety of people in business and has good skills in presenting a situation and arguing a case. Cr Magner has previous experience in other leadership positions, in bringing a team together and creating a unified positive direction. Cr Magner has completed governance training through the West Coast Leadership and Governance Course in 2015 and this provided a good basis for understanding the complexities of the role. Cr Magner stated she wishes to stand for the Chair position to use her communication skills to ensure that Council

can have effective and open dialogue with government representatives and others, so that our West Coast voice is heard. Cr Magner will offer an inclusive style of leadership where all Councillors views are valued and can be discussed. She stated she will be a very strong advocate for West Coast businesses.

M. Meehan thanked Crs Birchfield and Magner and asked Councillors if they had any questions for the Chair candidates. There were no questions.

M. Meehan asked for a show of hands for Cr Birchfield's nomination. There were four votes in favour, Crs Ewen, Cummings, Hill and Birchfield.

M. Meehan congratulated both candidates for putting their names forward.

M. Meehan declared Cr Birchfield elected as Chairperson.

Cr Birchfield took the Chair. He read and signed his declaration as Chairman. Cr Birchfield thanked Councillors for their support.

The Chairman called for nominations for Deputy Chairperson.

Cr Ewen nominated Cr Challenger as deputy chair. Cr Magner seconded the nomination.

The Chairman called for further nominations.

Cr Cummings nominated Cr Magner. There was no seconder. The motion was lost. There were no further nominations.

Cr Birchfield declared Cr Challenger elected as Deputy Chairman. M. Meehan explained that the Deputy Chairman chairs the Resource Management Committee meeting which is held prior to the Council meeting, which Cr Birchfield as Chairman will chair.

4. GENERAL EXPLANATIONS PURSUANT TO CLAUSE 21 OF SCHEDULE 7 OF THE LOCAL GOVERNMENT ACT 2002

R. Mallinson drew attention to this report and advised that this is requirement by statute. He drew Councillors attention to the Local Government Official Information and Meetings Act 1987, Local Authorities (Members Interests) Act 1968, Secret Commissions Act 1910, Crimes Act 1961, and Securities Act 1978.

Moved (Cumming / Hill) *that this report be received.*

Carried

5. DECLARATION OF MEMBERS INTERESTS

The Chairman spoke briefly to this report. Each member was asked to complete the form and return it to the Corporate Services Manager prior to the next meeting.

6. SALARIES, MILEAGE AND ALLOWANCES PAYABLE TO COUNCILLORS

R. Mallinson presented this report to the meeting. He advised that on and from 18 October 2019 all elected members (returning and newly elected) will be paid at the "minimum rate" prescribed in the Remuneration Authority determination 20 June 2019. He advised that the Chair remuneration of \$83,500 takes effect on and from the date the Chair is elected at today's meeting. He advised that all other members will be paid at the minimum rate of \$35,733. R. Mallinson stated that he will bring further recommendations to the November Council meeting with regard to the Remuneration Pool prescribed by the Remuneration Authority as this deals with how the prescribed pool of \$317,737 is allocated to the Deputy Chair and Councillor salaries. He advised that mileage involved in attending Council meetings and other Council business is reimbursed at 77c/km.

Moved (Cummings / Hill) *that this report be received.*

Carried

7. ESTABLISHING COUNCIL COMMITTEES

M. Meehan advised that this report shows how Council is structured. He advised that he has outlined how Council traditionally has structured its committees. M. Meehan stated that traditionally Council has had a single Standing Committee, the Resource Management Committee. He stated that each council meeting starts off with the Resource Management Committee meeting which includes elected members plus appointees from Ngati Waewae and Makaawhio and is traditionally chaired by the deputy chairman. The Council meets after this meeting. M. Meehan explained the function of the Regional Transport Committee and the West Coast Emergency Management Group which is a joint committee of the four councils and is a requirement under the Civil Defence Emergency Management Act. He advised that included is the Greymouth Joint Floodwall Committee along with the Hokitika Seawall Joint Committee.

Cr Challenger asked if the One District Plan Committee (Te Tai O Poutini Committee) is included in this report. M. Meehan advised that this is a joint committee but was formed under an Order of Council through the Local Government Commission, and does not need to be formally constituted as it has gone through the Order of Council, but there will be two appointees required. It was noted that there is no floodwall committee for Buller as there is no flood structure works that Council oversees on the Buller River but in view of the Westport 2100 work, potentially this is something that Council might wish to look at in this term.

Moved (Ewen / Challenger) *That Council re-constitute the above Committees, for the three year term of the new Council.*

Carried

8. APPOINTMENT OF COUNCIL REPRESENTATIVES TO OTHER COMMITTEES

M. Meehan advised the tradition with the Resource Management Committee is that the Deputy Chairman chairs this committee and all elected members are appointed to this committee. This was agreed to.

9. WEST COAST CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP

M. Meehan advised that he has attached the constitution of the West Coast Civil Defence Group to this report. He stated that this group meets quarterly, prior to the commencement of the Mayors and Chairs forum and traditionally the Chair and Deputy Chair is appointed to this group. M. Meehan advised that the Chair and Deputy Chair have the power to declare a state of emergency within our region. Cr Challenger stated that he is interested in Civil Defence as this is part of his work as an engineer. It was agreed that the appointees would be the Chairman and Deputy Chairman.

REGIONAL TRANSPORT COMMITTEE

M. Meehan advised that this is a statutory requirement under the Land Transport Act. Traditionally the Council Chair and Deputy Chair have to be appointed to this committee.

Cr Ewen stated that he has been a member of this committee for two terms previously and would be happy to be appointed. It was therefore agreed that the Chairman and Cr Ewen would be appointed to this committee.

GREYMOUTH FLOODWALL JOINT COMMITTEE

M. Meehan advised that traditionally the three Councillors that live in the Grey constituency are elected to this committee. It was agreed that Crs Birchfield, Ewen and Cummings would be on this committee.

Carried

HOKITIKA SEAWALL JOINT COMMITTEE

M. Meehan recommended the two Councillors that live in the Westland constituency and the Council Chairman be appointed to this committee. It was agreed that Crs Magner and Challenger would be on this committee.

REGIONAL ANIMAL HEALTH COMMITTEE

8

M. Meehan advised this committee is organised by Ospri and meets regularly to manage Bovine Tb disease management and to give policy advice and feedback to the Ospri Board. He stated that in the past a Councillor with farming knowledge has been appointed to this committee. It was agreed that Cr Magner would be appointed to this committee.

DEVELOPMENT WEST COAST

M. Meehan advised that the four West Coast councils are responsible for jointly appointing one trustee to Development West Coast with the appointment process set out in the Trust Deed. He stated that Dame Julie Christie is the current appointee. M. Meehan advised that the Mayors and the Council Chair traditionally make up this Appointments Panel for Development West Coast.

M. Meehan advised that the One District Plan Committee (Te Tai O Poutini Plan Committee) is a joint committee of the four councils, Makaawhio, Ngati Waewae, with Rex Williams as the independent Chair. He advised that there is discretion around who the other Councillor appointee is and this can be made at the special council meeting scheduled for next week.

Moved (Coll McLaughlin / Challenger) *That Council agrees to the committee appointments for the three year term.*

Carried

10. STANDING ORDERS

R. Mallinson advised that Council is required to adopt a set of Standing Orders. He advised that Council used to use the model standing orders produced by the New Zealand Standards Association but they no longer maintain these. R. Mallinson advised that LGNZ produces a model template and it would be appropriate for Council to consider adopting these. R. Mallinson advised that previous Council's have voted not to provide a casting vote to the Chairman in the event of a tied vote. R. Mallinson stated that if the current Council wishes to continue this approach it would be necessary to exclude clause 19.3 of the Model Template. Cr Birchfield clarified that at the moment this means that the Chair does not have the casting vote but because there are seven members on Council there cannot be a tied vote. It was agreed that the status quo would remain. M. Meehan advised that there are rules in place should a tie happen.

Moved (Coll McLaughlin / Cummings) *that Council adopt the Template Model Set of Standing Orders produced by Local Government NZ, and that Clause 19.3 is excluded.*

Carried

11. COUNCILLORS CODE OF CONDUCT

R. Mallinson advised that this is a requirement of the Local Government Act and stated that this was first adopted by Council in 2003. R. Mallinson advised that any amendment or adoption of a new Code requires a vote of not less than 75% of the members present. R. Mallinson advised that LGNZ has developed a new Code of Conduct, he offered to circulate this electronically to Councillors and suggested this could be workshopped prior to adoption. Councillors agreed with this.

Moved (Ewen / Hill) *that the report be received.*

Carried

12. DELEGATIONS MANUAL

R. Mallinson advised that the existing Delegations Manual has been circulated, and Councillors may wish to workshop this document prior to considering any changes. M. Meehan advised that this should be workshopped within the next month or so. It was noted that this document was amended in 2018.

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

Carried

13. SCHEDULE OF ORDINARY AND COMMITTEE MEETINGS:

R. Mallinson advised that traditionally Council has held its monthly meeting on the second Tuesday of each month, excluding January. R. Mallinson stated that the recommendation is to confirm the November and December Council meeting dates, Tuesday 12 November and Tuesday 10 December. M. Meehan advised that there is a clash with the 12 November with the LGNZ training which is being held in Hokitika.

M. Meehan stated that a special meeting will need to be held next week to adopt the Audited Annual Report and to discuss the Submission on Action for healthy waterways: A discussion document on national direction for our essential freshwater. R. Mallinson advised that special meeting would need to be held before 31 October in order to adopt the Audited Annual Report on the last possible statutory day which is 31 October. M. Meehan advised that there is the opportunity for Councillors to dial in to special meetings as Standing Orders can be suspended to allow for remote participation. R. Mallinson advised that there would need to be four people in the room to agree to suspend Standing Orders. Cr Coll McLaughlin asked if those not present can still vote. R. Mallinson confirmed this.

Moved (Cummings / Magner) *that Council holds a Special Meeting on 31 October.*

Carried

14. GENERAL BUSINESS

There was no general business.

The meeting closed at 11.12 a.m.

.....
Chairman

.....
Date

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 10 December 2019
Prepared by: Paulette Birchfield – Engineer, Brendon Russ - Engineer
Date: 30 November 2019
Subject: **ENGINEERING OPERATIONS REPORT**

WORKS COMPLETED AND WORKS TENDERED FOR

Tenders for the Greymouth Floodwall joint repair and the Karamea stopbank upgrade have been released and close in early December.

Hokitika Seawall Rating District

Erosion from the northern end of the seawall to Hampden Street is being closely monitored, with temporary rock likely to be required in the near future.



View from Hampden Street Groyne looking south towards the Hokitika CBD

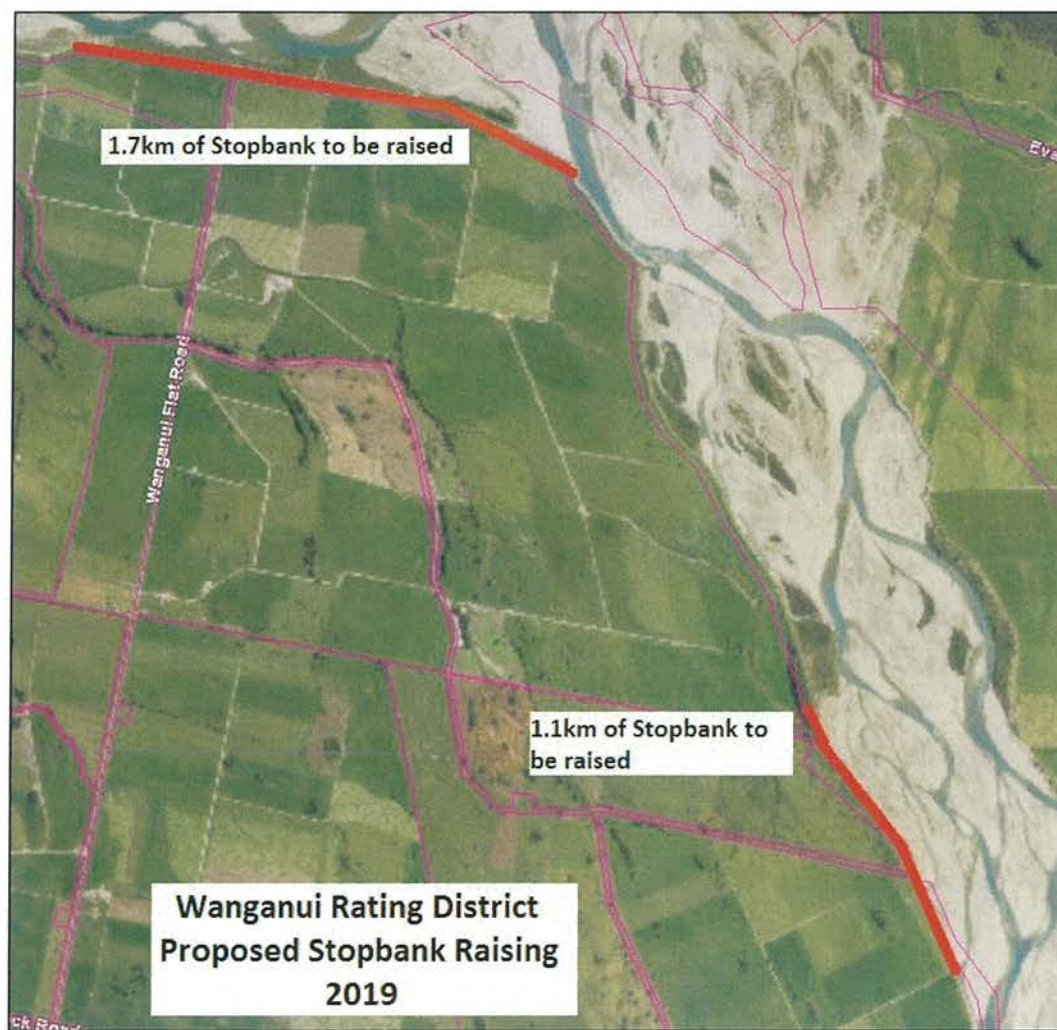
Wanganui Rating District

Emergency rock work has been carried out on Raymond's stopbank on the true right of the Wanganui River. Approximately 700t of rock was needed to urgently repair multiple sections of slumped rock riprap.



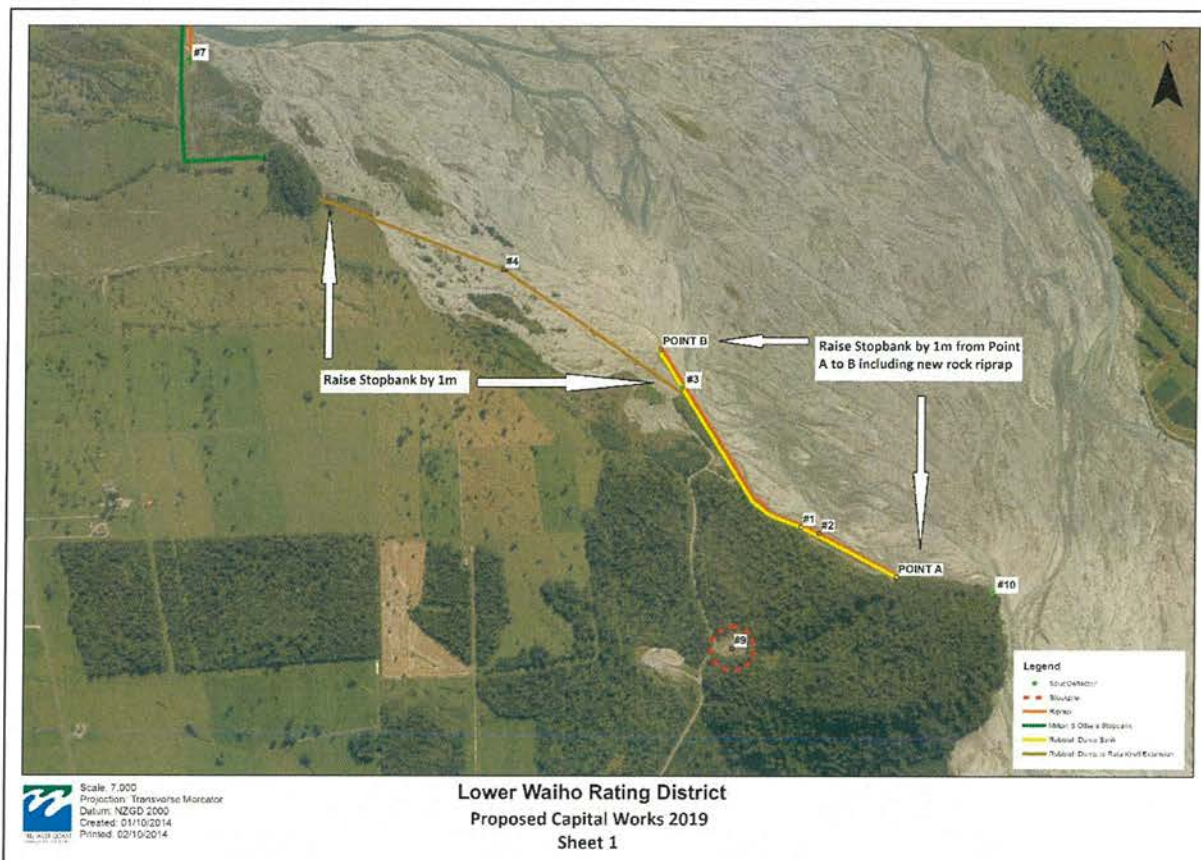
View of repair of stopbank underway

Surveying and preparation of tender documents is underway for the raising of the stopbanks shown below on the Wanganui River.



Lower Waiho Rating District

Surveying and preparation of tender documents is underway for the raising of the stopbanks from Canavans Knob to the Rata Knoll.



Proposed Stopbanks to be Raised

**Quarry Rock Movements for the period 1 July 2019 to 31 October 2019
(excluding Royalty Arrangements)**

Quarry		Opening Stockpile Balance	Rock Sold	Rock Produced	Closing Stockpile Balance
Camelback	Large	2,000	6823	4823	0
Whataroa	Small/medium	9,056	0	0	9,056
	Large	1,500	0	0	1,500
Blackball		670	0	0	670
Inchbonnie		0	0	0	0
Kiwi		0	0	0	0
Miedema		0	0	0	0
Okuru		1,000	0	0	1,000
Whitehorse		1,334	0	0	1,334
Totals		15,560	0	0	13,560

Rock Requested

Quarry	Contractor	Amount	Permit Start	Permit Finish
Camelback	Rosco Contractors	4823	Produced	July 2019
Camelback	Henry Adams	1899	09.07.19	31.07.19
Camelback	Henry Adams	2558	19.08.19	06.09.19
Camelback	Henry Adams	1182	17.10.19	31.10.19
Camelback	Henry Adams	1184	01.09.19	25.10.19

RECOMMENDATION

That the report is received.

Randal Beal
Director of Operations

THE WEST COAST REGIONAL COUNCIL

Prepared for: West Coast Regional Council & Buller District Council – 10 December 2019
 Prepared by: Nichola Costley – Manager Strategy and Communications & Westport 2100 Group
 Date: 28 September 2019
 Subject: **Westport 2100 – Recommendations of the Working Group**

Purpose

To present the phase one recommendations of the Westport 2100 Working Group to Council to be included in future work programmes.

Background

The Westport 2100 Working Group was formed at the end of 2018 and met for the first time in March 2019.

The purpose of the Westport 2100 Working Group has been to engage with the Westport community and work together, with Council staff, to identify a pathway forward for the town for the benefit of future generations. This project has a long term focus and is to result in recommendations to the Buller District Council and West Coast Regional Council for future work programmes for civil defence, hydrology and operations.

The Group has also been required to:

- identify the work required to enhance the resilience, and protect, the Westport community;
- prioritise the projects within the work programme to deliver on this; and
- determine how this work could be funded and resourced.

Review of the Westport 2100 hazardscape

The Group has met monthly to review the hazardscape of the Westport 2100 area. This has included the risks associated with:

- fluvial flooding from the Buller River;
- coastal inundation;
- sea level rise and the increase in severe weather events;
- earthquake risk; and
- threat of tsunamis.

There has also been discussion undertaken around:

- the Orowaiti overflow;
- build up of gravel and shingle bars in the Buller River;
- telemetry and warning systems;
- planning and zoning; and
- robustness of transport routes and other critical infrastructure.

Over this time the Group has drafted a series of short, medium and long term recommendations for the Councils to consider adopting into their future work programmes for civil defence, hydrology and operations. However, the Group also recommends that these be split into two phases as further investigative work is required on some matters to fully quantify the risk and to identify robust options for the medium to long term. Once this work has been completed, the Group can reconvene and provide further detailed recommendations around the management of risks associated with fluvial flooding, sea level rise and more severe and frequent weather events, potentially in the form of hard protection structures.

This two phased approach will ensure that those actions that can be undertaken quickly, or can commence now, can get underway and the Westport area can grow its resilience to hazards now.

Budget for future work

A specific budget was not established for the Westport 2100 Group as it was unknown what the Group may have required at the start of this process. Now that the recommendations have been identified, the costs of the various work streams can be calculated and funding of these considered.

The Group is proposing that several of the recommendations be funded through a targeted rate due to their importance in being accelerated to address immediate concerns. These include:

1. As per the NIWA flood forecasting roadmap, completion of the early warning system for the Buller River catchment to be operational by mid-2020

2. Modelling of above from mid 2020.
3. Completion of a study of islands and gravel bars from Martins Island to Organs Island with recommendations for gravel/aggregate management.
4. Development of a scheme which would provide protection from inundation by 1% exceedance flooding, taking into account the effects of sea level rise and the more frequent and severe weather events predicted.

Other work can be implemented through current work streams, dealt with through future Annual or Long Term processes, or considered by the rating district for funding.

Note that any future potential protection scheme would be consulted on with the community.

Recommendations of the Westport 2100 Group

Throughout the course of the Westport 2100 meetings, aspirations for the future of the wider Westport area that came through identified:

- Westport as a thriving and resilient town, knowledgeable about the hazards it faces with a community who is prepared in case of an event.
- Critical infrastructure is able to continue to undertake business as usual (BAU) in the case of an event
- In the short term, actions will seek to defend against flood risk, move towards adapting in the medium term, with a view towards providing for relocation through planning provisions in the long term.
- Local government, health, civil defence, the community and other stakeholders will work together to plan for their responses to an event at a community, organisational and individual level.
- Development of the Te Tai o Poutini Plan (TTPP) will incorporate clear direction for hazard mitigation and options for the future for the economic, social and cultural wellbeing of the wider Westport community.

To achieve these aspirations, the Westport 2100 Group have identified the following recommendations and highlighted whether they are to be undertaken during a phase 1 or phase 2 workstream.

The Westport 2100 Group has defined the timeframes as follows:

- Short term 18 months
- Medium term 18 months to 5 years
- Long term 5+ years

Table 1: Recommendations of the Westport 2100 Group

Timeframe	Action	Responsible agency	Potentially funded via	Phase
Evacuation plans and community preparedness				
Short	Complete the development of an evacuation plan for the Westport community, including robust triggers for evacuation and the process for warning dissemination.	CDEM	BAU budget	1
Short	As part of the evacuation planning process, confirm evacuation sites and the preparedness of those to receive evacuees.	CDEM	BAU budget	1
Short	Review and test health facility evacuation planning.	WCDHB		1
Short-medium	Evacuation plans are to be socialised and tested with the community.	CDEM	BAU budget	1
Medium - long	Evacuation plans are to be reviewed and updated following testing, implementation during an event, or when infrastructure upgrades or new information will result in changing timing of evacuation actions.	CDEM	BAU budget	1
Short – Medium - Long	Work with the community to build awareness and knowledge of the hazardscape and develop the resources to better prepare, and respond, to events.	CDEM	BAU budget	1
Forecasting and modelling				
Short	Accelerate the installation of the telemetry system for the Buller catchment (one outstanding asset)	WCRC	Rating district	1

Timeframe	Action	Responsible agency	Potentially funded via	Phase
Short-medium	Adopt the recommendations on the NIWA report –Flood forecasting roadmap for evacuation warnings and see that these are implemented in order to have the system operational within a year of commencing these.	WCRC	Rating district	1
Short - Medium	Recognising that accurate forecasting and impacts of rainfall accumulations can take several (5+) years, commence modelling as soon as possible to gain certainty of key information in the future.	WCRC	Rating district	1
Medium - Long	Review modelling data following the implementation of other mitigations (such as hard structures) as required.	WCRC	Rating district	2
Flood protection structures				
Short	<p>Obtain expert advice as to the development of a scheme which would provide protection from inundation by 1% exceedance flooding, taking into account the effects of sea level rise and the more frequent and severe weather events predicted.</p> <p>This assessment would include:</p> <ul style="list-style-type: none"> - the ability to utilise the current structures in place; - potential weak points in current structures and the feasibility to strengthen these in the short to medium term; - confirmation of the flow path of flood water and potential impact on Carters Beach - confirmation of the severity of flood that would impact the airport and its access routes. <p>Advice would also include:</p> <ul style="list-style-type: none"> - the viability of using the Orowaiti for flood mitigation. 	WCRC	Rating district	1
Medium	Present an option to the Westport community for a flood protection scheme to defend against flood hazard.	WCRC	Rating district	2
Medium	Undertake development of flood protection scheme as per outcomes of community consultation.		Rating district	2
<p>Note: The development of hard protection structures for Westport is complicated and any protection proposal will need to take into consideration the effects of both river flooding, sea level rise and coastal inundation to ensure the effects of another hazard are not exacerbated when defending against another.</p>				
Other flood management – infrastructure, river and gravel				
Long	<p>As part of the recommendation to obtain expert advice on the development of a flood protection scheme above, the assessment is to also recognise that flood management is more than just hard protection structures. Advice would also review options for alternative flood management infrastructure, such as:</p> <ul style="list-style-type: none"> - establishing the viability, location and type of pump stations. For example diesel powered may be more advisable than electrical pump systems - upgrading the combined stormwater/sewerage systems - identifying other infrastructure upgrades that may assist. 	WCRC/BDC	Rating district and BDC	2
Short	As part of the recommendation to obtain expert advice on the development of a flood protection scheme above, the assessment will also include a study of the gravel islands and bars from Martins Island to Organs Island with recommendations for gravel/aggregate management. The assessment will also review:	WCRC	Rating district	1

Timeframe	Action	Responsible agency	Potentially funded via	Phase
	<ul style="list-style-type: none"> - whether gravel is moving through the river - if there is a requirement for gravel extraction - whether the removal of gravel from Organ's Island would provide beneficial effects downstream - the effects of the gravel alongside the half tide wall - the requirement of any form of maintenance programme for the control of river gravel. 			
Short – Medium	Outcomes of the recommendations identified above are to be built into the consideration of hard protection structures and river flow modelling for evacuation.	WCRC	Rating district	2
Critical infrastructure				
Ongoing	<p>Advocate that new critical infrastructure is:</p> <ul style="list-style-type: none"> - Fit for purpose - Sited in an appropriate location recognising risks of the area and their role and function within their community - Accessible to communities, and the vulnerable, during peacetime and adverse events. 	Multi-agency		1
Medium-Long	Appropriate building standards are included within the TTPP recognising the various effects of the wider hazardscape. and the long term time frame anticipated before the One District Plan is operational	WCRC / BDC	BAU budget	1
Ongoing	Advocate for robust internal plans to be developed and maintained for all critical infrastructure facilities	Multi-agency		1
<p>Notes:</p> <p>Critical infrastructure, such as health facilities, must be located within their community in order to provide services to the vulnerable, as well as being accessible to both its ancillary services such as pharmacies, and its workforce.</p> <p>The IFHC is anticipated to have a 50-year lifespan. At this time, there may be sufficient population elsewhere in Westport which could lead to a future relocation or upgraded protection measures..</p>				
Protecting transport routes				
Short	<p>Egress points and routes (road and rail) will be assessed, and if necessary surveyed, to check that they will be available and intact in the event of a major flood. This would also include:</p> <ul style="list-style-type: none"> - The identification of low spots on the access routes, and the water levels whereby it becomes unpassable/unsafe. - Whether the bridge, and its approaches, are high enough, looking at potential flood modelling scenarios. - Review the effect river flows over the bridge approaches would have. 	NZTA / BDC		1
Medium	<p>Address any deficiencies, or work identified by the above action. Until these have been identified, budgeting and planning for these cannot be determined. However, these are a priority for the future.</p> <p>Note - Projects undertaken to address potential deficiencies would be assessed as part of any proposal to ensure that it would not exacerbate issues in other areas (e.g. would building up bridge approaches on each side create a "dam" forcing water into the town on the eastern side?</p>	NZTA/BDC		1/2
Short	Current status of egress routes (point at which the route is compromised) is built into response and evacuation plans. Expected that this will change over time as they are improved	CDEM	BAU budget	1

Timeframe	Action	Responsible agency	Potentially funded via	Phase
	or heights raised.			
Planning provisions and hazard information				
Short	Support the undertaking of LiDAR for the West Coast and particularly Westport and surrounding areas.	BDC / WCRC		1
Short – Medium – Long	Up to date hazard information is used to inform the development of the TTPP. This information is also to be recognised and adopted by the Buller District Council for inclusion on LIMs.	BDC / WCRC	BAU budget	1/2
Short – Medium	Recommend to the Buller District Council and West Coast Regional Council to be very considered in the decisions that are made around planning provisions for the future to take into account the effect and impact of hazards (bearing in mind the 2100 Group ceases to exist after 2020.)	2100 Group		1
Long	TTPP development to include: - zoning within the wider Westport area to avoid new development in hazard prone areas and provide more suitable areas for residential development - more stringent building restrictions within hazard areas to encourage organic relocation over time.	BDC / WCRC	BAU budget	1/2
Medium - Long	Consider location and development of community assets (including Reserves and Recreational assets) in areas not affected or threatened by climate change.	BDC	Future LTP/Annual Plans	2
Medium- Long	Recommend that the TTPP be clear on the decision making to be undertaken post-event in regards to declaring areas uninhabitable.	BDC / WCRC	BAU budget	1/2
Short – Medium – Long	Hazard information is conveyed to the community in easy to understand formats e.g. sliding scale of sea level rise see Greater Wellington example.	WCRC/BDC/ CDEM	BAU budget	1/2
Relocation				
Short – Medium – Long	It is possible that parts of Westport may not be able to remain in their current location in the future recognising the unpredictable effects of natural hazards, including climate change. The development of the TTPP provides an opportunity to start discussing options for the future as well as in other high level documentation for the District.	BDC/WCRC	BAU budget	1/2
Long	Consider the relocation of Westport as a long term outcome recognising that this may not occur for 50, 80, 100 or more years.	BDC / WCRC	BAU budget	1/2
Short	Update the cost estimates from the 2017 assessment report to potentially support the review for any form of partial or full relocation, as these cost figures did not reflect the effect of sea level rise and climate change. These figures should be spread over a long enough time frame that future generations will share in the financial burden and benefits.	WCRC	Rating district	2

Limitations

The Westport 2100 Group acknowledges that there are limitations to the recommendations they have put forward. It is likely that these will form many of the questions and concerns of the public. These include:

- *How do you implement a plan when you do not know with complete certainty what will happen?*

The Group appreciates that they are reliant on the best information that is available at the time when decisions, or in this case recommendations, are made. There is no data available to inform when the next significant flood, earthquake or storm surge will occur. There is no precise data on sea level rise, how much by when. As a result, it is critical that the CDEM planning, community preparedness and evacuation route protection be prioritised.

- *When considering hard protection structures, such as floodwalls, how much should be put in place, or spent on it, before the community decides no more?*

There will come a point where the cost is too high that the community will decide that they can no longer pay for protection. Alternatively, the hazard risk may increase to a level that the community can no longer live with. However, what those points will be are unknown at this stage. It would be wise to adopt an adaptive planning approach allowing us to change our actions as key environmental triggers occur.

- *Previous consultation work had been completed in 2017 on protection measures and nothing happened. Why do we have to do this again?*

This is a fair question. Several options were presented and the feedback received indicated a desire to do something, however there was no clear final outcome as to what sort of protection works should proceed. This was then followed by the storm surge from Ex-tropical Cyclone Fehi. Further work is required to take into effect the risk from flooding, storm surge and predicted sea level rise.

Next steps

The next steps of the Westport 2100 process are:

- Prior to the report being submitted for inclusion in Council meeting papers a summary document will be prepared for the public to outline where the Group has got to and the next steps.
- Report presented to the West Coast Regional Council and Buller District Council.
- Recommendations for phase 1 are implemented, including the further investigative work required to inform the recommendations in phase 2.

Review the Westport 2100 Working Group membership recognising that there will be new elected members and that some current community representatives may wish to step down.

Note some elected members who are standing down have indicated they would like to remain on the group. This would be beneficial in the retention of information gathered and help ensure continuity of the project.

The Westport 2100 Working Group will continue to have a role ensuring that the recommendations from phase 1 are put into place, advocating for various actions to take place and reviewing the further investigative work to take place and making recommendations for the phase 2 work.

RECOMMENDATIONS

That the West Coast Regional Council:

1. *Receives this report;*
2. *Adopts the phase 1 recommendations as identified in Table 1: Recommendations of the Westport 2100 Group, for inclusion in the Long Term Plan 2020-2023 and subsequent Annual Plans, unless they can be prioritised earlier in current business as usual budgets;*
3. *Establishes a rating district for the wider Westport area to accelerate recommendations to improve the resilience of the Westport community and to undertake the further investigative work required to inform the phase 2 work.*

Chris Coll

Chairman, Westport 2100 Group

Westport 2100 Working Group

Terms of Reference

Purpose and function

The purpose of the Westport 2100 Working Group is to engage with the Westport community and work together, with Council staff, to identify a pathway forward for the town for the benefit of future generations. This project has a long term focus and will result in recommendations to the Buller District Council and West Coast Regional Council for future work programmes for civil defence, hydrology and operations.

The West Coast Regional Council, while working closely with the Buller District Council, will be the lead organisation for this project.

Group objectives

The Westport 2100 Working Group will engage with the community and work together, with Council staff, to identify:

- the work required to enhance the resilience, and protect, the Westport community
- prioritise the projects within the work programme to deliver on this
- how this work could be funded and resourced.

All recommendations must take into account current statutory requirements including the New Zealand Coastal Policy Statement focus on planning for a 100 year timeframe.

Establishment and status

The Westport 2100 Working Group is established under the Local Government Act 2002. It has the status of an Advisory Committee of the Buller District Council and West Coast Regional Council with no decision-making powers.

Council consideration of Westport 2100 Group recommendations

The Councils will consider the Group's recommendations. If any recommendations are inconsistent with the Council's views or statutory requirements, these elements will be referred back to the Group for further consideration. The recommendations will be built into the respective Council work programmes as appropriate.

Group membership

The Westport 2100 Working Group will be appointed by the Buller District Council and will have the following membership:

- Two members appointed by the Regional Council, who shall be elected members
- Two members appointed by the Buller District Council, who shall be elected members
- One member appointed by Te Rūnanga o Ngāti Waewae
- One member appointed by the Ministry of Health
- One member appointed by the New Zealand Transport Agency
- Up to 6 members from the community with a range of backgrounds to ensure a cross section of values, understanding and perspectives in the community. The Council(s) may approve additional members if it determines their necessity to ensure appropriate representation of the community.

To be eligible for consideration for appointment to the Westport 2100 Working Group, a community applicant must live in, or be able to demonstrate a close connection with, the Westport area.

Chairperson

The Chairperson has additional responsibilities, including ensuring that the Group functions properly, there is full participation during meetings, all relevant matters are discussed and that effective decisions are made and carried out in a timely manner as per the Terms of Reference.

West Coast Regional Council and Buller District Council staff will provide the chairperson and the group with administrative support including direction on civil defence, operations, hydrology and communications. The Chairperson must provide leadership and ensure that the goals and objectives of the Group are met. The Chairperson may need to work between meetings to liaise with technical experts, and represent the Group at external meetings when required.

The Chairperson is to be determined by the full Westport 2100 Group when all members have been appointed. The Group will be chaired by a Councillor from the Buller District Council in the interim.

Quorum

A quorum consists of:

- i. Half of the members if the number of members (including vacancies) is even; or
- ii. A majority of members if the number of members (including vacancies) is odd.

Proxies or alternates are not permitted to vote or provide input into group deliberations on behalf of a group member or organisation. The Group will at all times operate in accordance with the requirements of the Standing Orders of Council adopted by the West Coast Regional Council, under the Local Government Act (2002), and the Local Government Official Information and Meetings Act.

Reporting

The Group will provide updates to the Buller District Council, West Coast Regional Council and the community via the Regional Council website, at least quarterly.

Meetings and workshops

The Group will meet monthly, with additional workshops and meetings as required. Meetings will be held in Westport with meeting times to be set by the Working Group

Some meetings will be open to the public to attend as observers with an allocated time slot for public questions. The public can request a speaking opportunity for any meeting but the meeting may go into committee following the public session.

Meeting protocols

General meeting protocols are to be agreed upon by the Group.

Duration of the Westport 2100 Working Group

The Westport 2100 Working Group shall exist for the duration of the development and implementation of the plan for Westport 2100, and shall cease to exist once this has been completed.

The Working Group may potentially provide a staged series of recommendations back to the Councils for implementation as the work progresses in this space. The final suite of recommendations will be presented to the Councils by December 2019.

General operating principles

The Group is expected to:

1. Work in a collaborative and co-operative manner using its best endeavours to reach solutions that take account of the interests of all sectors of the community
2. Seek consensus in its decision-making where possible
3. Seek assistance and exhaust all avenues to resolve matters where the Group encounters fundamental disagreements
4. Report to the Councils the matters where agreement has been achieved and also matters where disagreement has not been resolved, including whether there is a consensus or majority view on each matter.

Group support

The Group will be supported by the Buller District Council and West Coast Regional Council, with the primary contact being Mark Crowe, Director Emergency Management and Natural Hazards.

A minimum of two Council staff (from either Council) will attend each meeting and will provide administrative support, minute taking, technical advice and information. Any additional investigation or data collection requested by the Group will require Council approval. Staff from various council departments will be invited to attend meetings, and provide technical advice and information where appropriate.

Hazard planning for future generations

It's a fact that our community will be more at risk from hazards in the future. We need to do the work now to prepare over time for that future.

Over the past eight months, the Westport 2100 Working Group has been meeting monthly to work through the information on the various hazards facing our community to determine how to manage these. There is no one answer, or straightforward approach, to deal with these issues.

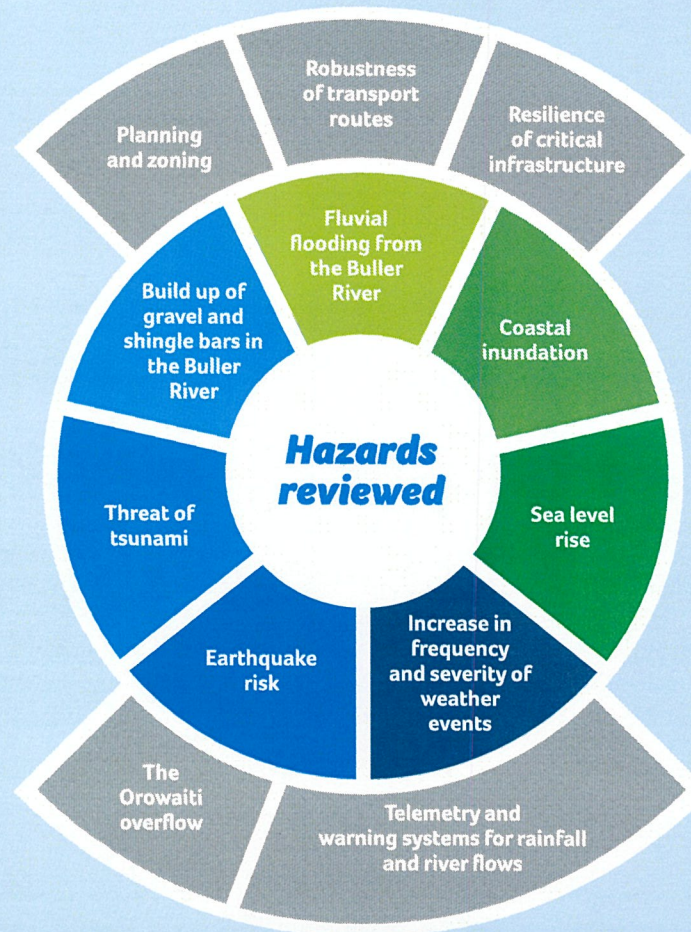
We've identified recommendations across a number of areas which will all play a part in enhancing the resilience, and protecting, the wider Westport community. These are broken up into short, medium and long term actions and are targeted at the Buller District Council, West Coast Regional Council, West Coast Civil Defence, New Zealand Transport Agency, West Coast District Health Board, and us as a community. **We all have a role to play.**

Westport 2100 Rating District

In order to progress some of the short term actions we need funding. While some of this would become available in the future, we don't want to wait. We are recommending that the Regional Council establish a rating district to raise the funding required to do this work now. Once the full set of recommendations have been adopted the costs for the work will be established and consulted on with the new rating district.

Why are there two phases of work recommended?

There is a lot of work that can begin now and we want to see this happen. There is also some further investigative work required to fully quantify the risk and to identify robust options for medium to long-term actions around flood protection options. Once this investigative work is completed, we can reconvene and provide further detailed recommendations around the management of risks associated with fluvial flooding, sea level rise and more severe and frequent weather events as identified for phase 2. **We also need to be ready to change direction with our planning as events occur or new information becomes available.**



Recommendations

We are making 32 recommendations to the Buller District Council and West Coast Regional Council to manage the hazard risk facing the wider Westport area. A summary of these are shown here. A full list of the recommendations can be found at www.wcrc.govt.nz/westport2100

- Evacuation plans and community preparedness
- Forecasting and modelling
- Flood protection structures
- Other flood management – infrastructure, river and gravel
- Critical infrastructure
- Protecting transport routes
- Planning provisions and hazard information
- Relocation

What next?

December 2018	Project establishment
March - August 2019	Hazard evaluation and risk assessments
September 2019	Recommendations developed
November 2019	Recommendations presented to Buller District Council and West Coast Regional Council
November 2019 onwards	Start implementation of the phase 1 recommendation, including further investigative work to inform phase 2
January - February 2020	Westport 2100 Group refresh
March 2020	Reconvene to review recommendations for phase 2 work

WE ARE HERE

How do I find out more?

- ▶ Visit: wcrc.govt.nz/westport2100
- ▶ Talk to: **Chris Coll**, Chair of the Westport 2100 Group,
Other community representatives:
Dan Moloney, Grant Weston, Simone Hoodhills or Jodi Murray
Buller District Council representatives:
Phil Rutherford or Sharon Roche or former Councillor Shayne Barry
Former West Coast Regional Council representatives:
Terry Archer or Neal Clementson

wcrc.govt.nz/westport2100



Westport 2100

Hazard Planning for Future Generations

MEDIA RELEASE – Monday 11th November 2019

Westport 2100 recommendations

Thirty two recommendations have been drafted by the Westport 2100 Group to manage the hazard risk facing the wider Westport area. These recommendations will be presented to the Buller District Council meeting on 13 November and the West Coast Regional Council meeting on 10 December.

Over the past seven months the Westport 2100 Group has been meeting monthly to review the local hazardscape and identify short, medium and long term options.

Recommendations are proposed for the West Coast Regional Council, Buller District Council, West Coast Civil Defence, New Zealand Transport Agency, West Coast District Health Board and the community.

“We all have a role to play,” said Chris Coll, Chair of the Westport 2100 Group. “It’s a fact that our community will be more at risk from hazards in the future. We need to do the work now to prepare over time for that future.”

Mr Coll said that the Group is pushing forward with two phases of work recognising a need for further investigation to inform decision making around medium and long-term action for flood protection options and river management.

“However, there is a lot of work that can begin now and we want to see this happen while we get the information needed to make the other recommendations.”

The Westport 2100 Group is also recommending the West Coast Regional Council establish a special rating district for the wider Westport area to accelerate the work they have identified.

“In order to progress some of the short term actions we need funding”, said Mr Coll. “While some of this would become available in the future through the Regional Council’s Annual Plans and Long Term Plans we don’t want to wait.”

Recommendations proposed by the Group focus on evacuation planning and community preparedness, forecasting and modelling of rainfall and river flows, flood protection structures and infrastructure, river and gravel management, critical infrastructure, protection of transport routes, planning provisions, hazard information and relocation.

Mr Coll said that the Group had spent a lot of time discussing whether parts of Westport may need to relocate.

“It is possible that parts of Westport may not be able to remain in their current location in the future recognising the unpredictable effects of natural hazards, including climate change. While it is unlikely to be tomorrow, next year, 10, 20 or 50 years’ time, it makes sense that we take small steps now to help those to come with these issues.”

Following the submission of the report to the respective Councils, the Westport 2100 Group will be undergoing a refresh recognising changes as a result of local elections and the loss of a current group member.

A complete list of the recommendations, and the report to the Councils, is available at www.wcrc.govt.nz/westport2100

The public can also reach out to the elected and community members of the Westport 2100 Group for more information.

ENDS

Media contact

Chris Coll | Chair – Westport 2100 Working Group | 027 431 1002

Background

The purpose of the working group is to engage with the Westport community and work together, with the Councils, to identify a pathway forward for the town for the benefit of future generations. It will consider how to manage natural hazards and what the town needs to do as it looks towards the future. This project has a long term focus and will result in recommendations to both the Buller District Council and West Coast Regional Council for future work programmes for civil defence, hydrology and operations.

The Westport 2100 Working Group Members are:

Chris Coll (Chair)	Community Member	
Clr Neal Clementson	West Coast Regional Council	
Clr Terry Archer	West Coast Regional Council	
Clr Phil Rutherford	Buller District Council	(standing in for Clr Sharon Roche)
Clr Shayne Barry	Buller District Council	
Phil Wheble	West Coast District Health Board	
Ned Tauwhare	Te Rūnanga o Ngāti Waewae	
Colin Hey	New Zealand Transport Agency	
Grant Weston	Community Member	
Jodi Murray	Community Member	
Dan Moloney	Community Member	
Simone Hoodhills	Community Member	

Stood down due to relocation

Mark Stephens	Community Member
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Back row: Dan Moloney, Terry Archer, Phil Wheble, Mark Crowe (West Coast Civil Defence), Mark Stephens, Chris Coll (Chair), Shayne Barry
Front row: Jodi Murray, Simone Hoodhills, Sharon Roche, Neal Clementson, Grant Weston

Absent: Ned Tauwhare, Colin Hey

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 10 December 2019
 Prepared by: Robert Mallinson – Corporate Services Manager
 Date: 29 November 2019
 Subject: **Financial Report 1 July 2019 to 31 October 2019**

SUMMARY OF COUNCIL ACTIVITIES

FOR THE FOUR MONTHS ENDED 31 OCTOBER 2019

	ACTUAL Year to Date	BUDGET	BUDGET Annual	% ACTUAL vs BUDGET
REVENUES				
General Rates and Penalties	1,174,163	1,160,000	3,480,000	34%
Investment Income	273,758	498,993	1,496,980	18%
Resource Management	495,083	611,979	1,835,938	27%
Regional Land Transport	27,417	27,667	83,000	33%
Emergency Management	408,910	391,667	1,175,000	35%
River, Drainage, Coastal Protection	1,612,479	540,633	1,621,898	99%
Warm West Coast	24,783	4,960	14,879	167%
VCS Business Unit	1,781,579	1,342,000	4,026,000	44%
	5,798,173	4,577,898	13,733,695	
EXPENDITURE				
Governance	169,716	197,992	593,976	29%
Resource Management	1,402,588	1,436,736	4,310,207	33%
Regional Land Transport	59,023	63,597	190,790	31%
Hydrology & Floodwarning Services	264,888	304,215	912,645	29%
Emergency Management	362,706	407,481	1,222,442	30%
River, Drainage, Coastal Protection	909,162	829,277	2,487,831	42%
VCS Business Unit	1,612,939	1,175,333	3,526,000	46%
Other	8,524	12,180	36,540	23%
Warm West Coast	1,331	2,757	8,270	
	4,790,876	4,429,567	13,288,701	
OPERATING SURPLUS/(DEFICIT)	1,007,296	148,331	444,994	

	Net Variance ACTUAL vs BUDGETED Year to Date	ACTUAL	BUDGET Year to Date	ANNUAL BUDGET
BREAKDOWN OF SURPLUS / (DEFICIT)				
Rating Districts	907,557	1,014,733	107,176	321,527
Quarries	38,126	22,262	15,864	47,592
Investment Income	- 225,235	273,758	498,993	1,496,980
VCS Business Unit	1,974	168,640	166,667	500,000
General Rates Funded Activities	111,638	487,025	598,663	1,795,990
Warm West Coast	21,249	23,452	2,203	6,609
Other	3,656	8,524	12,180	36,540
TOTAL	858,965	1,007,296	148,331	444,994

Net Contributors to General Rates Funded Surplus /(Deficit)	Net Variance ACTUAL vs BUDGETED Year to Date	ACTUAL	BUDGET Year to Date	ANNUAL BUDGET
Rates	14,163	1,174,163	1,160,000	3,480,000
Representation	28,276	169,716	197,992	593,976
Resource Management	- 82,748	907,504	824,756	2,474,269
Transport Activity	4,324	31,606	35,930	107,790
River, Drainage, Coastal Protection	46,277	333,679	379,956	1,139,868
Hydrology & Floodwarning	39,327	264,888	304,215	912,645
Emergency Management	62,019	46,205	15,814	47,442
TOTAL	111,638	487,025	598,663	1,795,990

STATEMENT OF FINANCIAL POSITION AS AT 31 OCTOBER 2019

<u>CURRENT ASSETS</u>	
Cash	2,218,724
Deposit - Westpac	1,784
Accounts Receivable - General	366,899
Accounts Receivable - Rates	3,307,708
Prepayments	179,666
GST Refund Due	
Stock	339,976
Accrued Income	2,180,420
	<hr/>
	8,595,177
<u>NON CURRENT ASSETS</u>	
Investments	10,731,178
Strategic Investments PCR LP	943,174
Strategic Investments RSHL	207,947
Strategic Investments LGFA Borrower	89,600
Term Deposit - PRCC Bond	50,000
MBIE & DOC Bonds	24,642
Warm West Coast Loans	261,162
Commerical Property Investment	1,600,000
Fixed Assets	4,709,615
Infrastructural Assets	73,317,672
	<hr/>
	91,934,992
<u>TOTAL ASSETS</u>	<u>100,530,169</u>
<u>CURRENT LIABILITIES</u>	
Bank Short Term Loan	- 510,000
Accounts Payable	- 807,629
GST	- 848,277
Deposits & Bonds	- 1,662,206
Sundry Payables	- 18,644
Revenue in Advance	- 4,656,891
Accrued Annual Leave, Payroll	- 377,223
	<hr/>
	8,880,871
<u>NON CURRENT LIABILITIES</u>	
Future Quarry Restoration	- 404,000
LGFA & Westpac Borrowing	- 9,082,993
	<hr/>
	9,486,993
<u>TOTAL LIABILITIES</u>	<u>18,367,864</u>
<u>EQUITY</u>	
Ratepayers Equity	- 19,390,608
Surplus Transferred	- 1,007,296
Rating District Equity	- 883,850
Revaluation	- 49,912,171
Catastrophe Fund	- 1,059,380
Investment Growth Reserve	- 9,909,000
TOTAL EQUITY	<hr/>
	82,162,305
<u>LIABILITIES & EQUITY</u>	<u>100,530,169</u>

Commentary

Operating surplus for the two months amounted to \$1,007,000. This includes \$960,000 in Crown payments with regard to the 26 March floods.

The payments by Council regarding the Milton stop-bank rebuild are on capital account but the receipts from the Crown (and eventually the Insurer) are on revenue account.

Revenue

\$5.798 million actual compared to budgeted \$4.578 million. Main difference is in River, Drainage & Coastal income which includes the \$960,000 of Crown contributions referred to above.

VCS revenue year to date depends on timing of execution of large aerial contracts.

Expenditure

\$4.791 million actual compared to \$4.430 million budgeted.

Main difference was River, Drainage, Coastal Activity which includes expenditure regarding RDs Kaniere, Waitangi-taona and Kowhitirangi on operating account but relating to 26 March 2019 event.

VCS expenditure year to date also depends on timing of execution of large scale aerial contracts.

30

Other Comments

VCS and Investment income running below budget.

RECOMMENDATION

That the report be received.

Robert Mallinson
Corporate Services Manager

Prepared for: Council Meeting - 10 December 2019
 Prepared by: Robert Mallinson – Corporate Services Manager
 Date: 28 November 2019
 Subject: Elected Member Remuneration

Background

Please refer attached memorandum from the remuneration Authority which discusses Councillor Remuneration after the October 2019 elections. The official results were declared by the Returning Officer on 17 October 2019.

On and from the date following the declaration of the official results all Councillors are paid at the minimum rate of **\$35,733** (refer paragraph 3 of the memorandum and page 44 of the determination).

The Remuneration Authority has already identified that the Chairperson will be paid **\$83,500** following the election and a pool of WCRC funds of **\$317,737** must be allocated (and fully utilised) to the other six positions. These six positions include a Deputy Chair/Chair of Resource management + 5 other Councillors. The total cost of Chair/Councillor remuneration as set by the remuneration Authority is the **\$83,500 + \$317,737 = \$401,237**. Council budgeted for that amount in its 19/20 Annual Plan.

Council is required to make recommendations to the Remuneration Authority as per paragraph 4 of the memorandum.

The key variable which will affect the salary outcomes for the six elected members is what amount is paid to the Deputy Chair/Chair of the Resource Management Committee.

The existing relativity is $\$42,381/\$80,613 = 52.50\%$ but that won't work with a Pool of $\$317,737$. I recommend that Councillors adopt a % relativity approach for the Deputy Chair/Resource Management Committee Chair position. Councillors would want to ensure an appropriate margin to reflect the additional responsibilities of the Deputy Chair/Chair of Resource Management Committee, which would include:

- Chairing of monthly Resource Management committee meeting.
- Representing Council on other Committees such as Civil Defence Emergency Management Group, Regional Land Transport Committee,
- Standing in when the Chair is unavailable.

Various scenarios are summarised in the attached table

	65% relativity	70% relativity	75% relativity	80% relativity
Deputy Chair	\$54,277	\$58,452	\$62,627	\$66,802
Councillor	\$52,692	\$51,857	\$51,022	\$50,187
Councillor	\$52,692	\$51,857	\$51,022	\$50,187
Councillor	\$52,692	\$51,857	\$51,022	\$50,187
Councillor	\$52,692	\$51,857	\$51,022	\$50,187
Councillor	\$52,692	\$51,857	\$51,022	\$50,187
Total	\$317,737	\$317,737	\$317,737	\$317,737

The new salaries for the other six positions will take effect only after the new determinations are issued, but will be backdated to the day after Council makes this decision.

RECOMMENDATION

That Councillors adopt one of the above scenarios.

Robert Mallinson
 Corporate Services Manager

Robert Mallinson

From: Michael Meehan
Sent: Monday, 2 September 2019 16:23
To: Robert Mallinson
Subject: FW: Setting Elected Members' Remuneration Following the October 2019 Local Elections [UNCLASSIFIED]
Attachments: Process and Timeline Following 2019 Local Elections.docx; Form Important Dates & Positions of Responsibility.docx; West Coast RC Rem Allocation Tool.xlsx

From: Fran WILDE [mailto:Fran.Wilde@remauthority.govt.nz]
Sent: Monday, 2 September 2019 10:40 AM
To: Michael Meehan <mm@wrc.govt.nz>
Subject: Setting Elected Members' Remuneration Following the October 2019 Local Elections [UNCLASSIFIED]

Greetings Chief Executive

I am writing prior to the local government election to remind you of the change of approach that the Remuneration Authority has introduced for your elected members' pay, cutting in after the election. An explanation is in the latest local government determination (<http://www.legislation.govt.nz/regulation/public/2019/0135/latest/LMS211368.html>) issued on 20 June 2019. The attachments to this letter give you the details of the process and timeline your council will need to follow, as well as a form to fill in and an Excel workbook to complete and return to us when the new council has made decisions regarding positions of responsibility.

It is important that I remind you of the following matters.

1. The remuneration of mayors, regional council chairs, Auckland local board members and community board members was set by the Authority in schedule 2 of the above determination and these new pay rates will all cut in on and from the day following the day that your council's official results are declared.
2. The current elected members remain in office until the official results are declared. This means that all current elected members will continue on current rates of pay till midnight on the day that the official results are declared. This applies to returning members, whether they were elected unopposed or in a contest, and to members who are defeated or did not contest the election.
3. On the day after the day your official results are declared, all elected councillors will be paid the minimum rate that is prescribed in the determination.
4. The new council will need to make decisions regarding positions of responsibility and consequent remuneration, including the base remuneration for councillors with no positions of responsibility. If this is done in a timely way and submitted to the Authority by Wednesday 20 November, we will be able to make decisions and include your new rates in the pre-Christmas determination. If not submitted on time, the decisions will be included in the next determination which will be issued sometime early in 2020. Regardless of the determination date, all remuneration rates for positions decided by councils will be back-dated to take effect from the day following the day that the Council makes a formal decision on those roles.
5. If your incoming council formally delegates to your community boards significant other responsibilities than they currently hold, any extra remuneration you wish them to have will need to come from your council pool. If you are going to do this, you will need to let us know what you are proposing and how

this could impact on your council pool. The Authority will need to agree to that. Thus any such proposal 33
around community boards will need to get to the Authority as early as possible.

6. Given the steps that need to be taken this year to institute the new system, you may want to think carefully about your post-election meeting schedule.

Please could you ensure that the team or staff in your organisation responsible for democratic services (or whatever you call that section of your staff) are provided with copies of this correspondence and are all fully briefed on these changes.

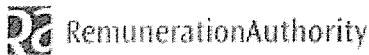
You may wish to brief your incoming council about this as soon as practicable after the election results for your council are declared.

Many thanks

Regards

Fran

Hon Dame Fran Wilde
CHAIR



fran.wilde@remauthority.govt.nz | Telephone: +64 (04) 499 3068 | Mobile: +64 (021) 888 075

PO Box 10084, Level 11, Midland Chambers, 45 Johnston St, Wellington 6011, New Zealand

www.govt.nz - your guide to finding and using New Zealand government services

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Process and Timeline for Setting Elected Members' Remuneration following the October 2019 Local Elections

Please familiarise yourself with the **Local Government Members (2019/20) Determination 2019** specifically:

- **Clause 7(2)** – remuneration on and from the day after the date on which the official result of the 2019 election is declared under section 86 of the Local Electoral Act 2001 in relation to your local authority;
- **Schedule 2** – remuneration from 2019 election of members; and the
- **Explanatory memorandum** attached to the determination, which includes the governance remuneration pool for your council.

Mayors, Regional Chairs, Auckland Local Board Members and Community Board Members

Note the governance remuneration pool does not apply to mayors, regional chairs, Auckland local board members and community board members. Their remuneration **must** be paid according to the provisions set out in the above determination on and from the day after the date on which the official results for your council are declared.

However, if your council delegates significant other responsibilities than they currently hold to its community board(s) and as a consequence proposes an increase to the remuneration of its community board members, the additional funds will come out of the governance remuneration pool for your council. If this is the case please contact the Authority for further information on the process to be followed.

Remuneration for Councillors

Schedule 2 of the above determination provides the minimum allowable remuneration rate payable to councillors on and from the day after the date on which the official result of the 2019 election is declared for your council. Your councillors cannot be paid below that rate.

The governance remuneration pool shown in the explanatory memorandum to the above determination covers the remuneration payable to your councillors. Your council's pool includes the remuneration for your base councillor position and the remuneration for your councillors who hold positions of additional responsibility (eg: deputy mayor, chair of a council committee).

Following the 2019 local elections, your council is invited to provide the Authority with proposals/recommendations on how the pool should be distributed among the council members. The council's recommendations **must** include a remuneration rate for the base councillor position and rates for all positions that hold additional responsibility. The entire pool must be allocated. The Authority will then consider the council's proposals before determining the remuneration payable to councillors.

An Excel workbook has been prepared for each council to complete their remuneration proposals and return to the Authority. Attached to the email containing this guidance is your council's workbook.

The workbook contains three main worksheets:

- **Instructions** for calculating the distribution of the pool;
- **Worksheet 1** – either use this worksheet to enter the dollar amounts to calculate your councillor's remuneration; or alternately use
- **Worksheet 2** – to enter the ratios to calculate the remuneration of your councillors.

Note in both cases the entire remuneration pool must be allocated.

On opening your workbook, please read the instructions and check that the base information is correct ie:

- number of councillors (excluding mayor or regional chair);
- your council's remuneration pool (ie: it matches the amount shown in the determination);
- your councillor's minimum remuneration rate (see schedule 2 of the determination).

If the base information is incorrect let us know and we will issue a revised workbook.

Please let us know if your council proposes an increase to the remuneration of its community board members as a result of delegating significant other responsibilities than they currently hold to them. In this case, the Authority will need to be advised and a revised workbook reflecting the reduced remuneration pool will be issued.

Return to the Authority (info@remauthority.govt.nz) the attached form (*information about important dates and positions of responsibility*) and your completed workbook together with a brief description of each position of additional responsibility and their effective date (day after the date that the council confirms the recommendation) by either of the dates shown below (shaded boxes).

Timeline

Action	By Whom	Date
Familiarisation by elected members and staff with the new regime and process	Councils	Up till remuneration proposals submitted
Incoming councils formally decide remuneration attached to different roles within allocated pool and forward proposals to Remuneration Authority (round 1)	Councils	Proposals submitted by <u>Wednesday 20 November 2019</u> to meet deadline for the first amending determination
Remuneration Authority consider councils' proposals	Remuneration Authority	From 13 October to 22 November 2019
Drafting of first amending determination	Parliamentary Counsel Office	From 24 November to 11 December 2019
First amending determination is gazetted	Remuneration Authority	Thursday 19 December 2019
Incoming councils formally decide remuneration attached to different roles within allocated pool and forward proposals to Remuneration Authority (round 2)	Councils	Proposals submitted by <u>Friday 24 January 2020</u> to meet deadline for second amending determination

Remuneration Authority consider councils' proposals	Remuneration Authority	From 13 January to 29 January 2020
Drafting of second amending determination	Parliamentary Counsel Office	From 3 February to 21 February 2020
Second amending determination is gazetted	Remuneration Authority	Late February/early March 2020

Your council will need to wait until the amending determination which contains its new remuneration rates is gazetted by the Authority before it can pay the new remuneration rates for positions of responsibility and the new base councillor rate. However, it is important to note that councillors' remuneration will be backdated.

The new base remuneration rate approved by the Authority for a councillor will take effect from the day after the date on which the official results for the council were declared by public notice. Approved remuneration rates for the positions of responsibility will be backdated to the day after the council formally voted to confirm its recommendation(s).

If you have any questions about the process or the timeline please send an email to info@remauthority.govt.nz.



Local Government Members (2019/20) Determination 2019

Pursuant to the Remuneration Authority Act 1977 and to clauses 6 and 7A(1) and (5) of Schedule 7 of the Local Government Act 2002, the Remuneration Authority, after having regard to the matters specified in clause 7 of that schedule, makes the following determination (to which is appended an explanatory memorandum).

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	Remuneration before 2019 election of members	

Schedule 1
Remuneration before 2019 election of members

cl 7(1)

Part 1
Remuneration of members of regional councils

Bay of Plenty Regional Council

Office	Annual remuneration (\$)
Chairperson	144,661
Deputy Chairperson	81,011
Regional Direction and Delivery Committee Chairperson	79,984
Committee Chairperson (5)	67,662
Councillor	57,395

Canterbury Regional Council

Office	Annual remuneration (\$)
Chairperson	173,344
Deputy Chairperson	93,681
Chairperson, Audit and Risk Committee	83,645
Chairperson, Regulation Hearing Committee	80,655
Canterbury Water Management Strategy Zone Committee Member (9)	75,296
Councillor	66,916

Hawke's Bay Regional Council

Office	Annual remuneration (\$)
Chairperson	127,436
Deputy Chairperson	66,287
Committee Chairperson (5)	66,287
Councillor	53,030

Manawatu–Wanganui Regional Council

Office	Annual remuneration (\$)
Chairperson	137,703
Catchment Operations Committee Chairperson	69,253
Deputy Chairperson	62,088
Environment Committee Chairperson	62,088
Audit, Risk and Investment Committee Chairperson	57,313
Passenger Transport Committee Chairperson	57,313
Regional Transport Committee Chairperson	57,313
Catchment Operations Committee Deputy Chairperson	50,150
Environment Committee Deputy Chairperson	50,150

Waikato Regional Council

Office	Annual remuneration (\$)
Chairperson	159,205
Deputy Chairperson	87,035
Committee Chairperson A and B	74,380
Committee Chairperson A (6)	74,380
Councillor	61,726

Wellington Regional Council

Office	Annual remuneration (\$)
Chairperson	170,291
Deputy Chairperson/Committee Chairperson	90,990
Committee Chairperson (3)	80,961
Portfolio Leader (1)	77,569
Chairperson, Hutt Valley Flood Management Subcommittee and Portfolio Leader	80,961
Committee Chairperson, Chief Executive Employment Review Committee	77,569
Chairperson, Wairarapa Committee	77,569
Councillor	64,755

West Coast Regional Council

Office	Annual remuneration (\$)
Chairperson	80,613
Deputy Chairperson and Chairperson of Resource Management Committee	42,381
Councillor	37,614

Part 2

Remuneration of members of territorial authorities and their community or local boards

Ashburton District Council

Office	Annual remuneration (\$)
Mayor	112,976
Deputy Mayor	36,910
Standing Committee Chairperson (3)	32,955
Councillor	26,365

Methven Community Board

Office	Annual remuneration (\$)
Chairperson	5,396
Member	2,698

Schedule 2
Remuneration from 2019 election of members

cl 7(2)

Part 1
Remuneration of members of regional councils

Bay of Plenty Regional Council

Office	Annual remuneration (\$)
Chairperson	146,500
Councillor (Minimum Allowable Remuneration)	54,525

Canterbury Regional Council

Office	Annual remuneration (\$)
Chairperson	180,000
Councillor (Minimum Allowable Remuneration)	63,570

Hawke's Bay Regional Council

Office	Annual remuneration (\$)
Chairperson	136,000
Councillor (Minimum Allowable Remuneration)	50,378

Manawatu–Wanganui Regional Council

Office	Annual remuneration (\$)
Chairperson	143,000
Councillor (Minimum Allowable Remuneration)	45,373

Northland Regional Council

Office	Annual remuneration (\$)
Chairperson	126,500
Councillor (Minimum Allowable Remuneration)	53,710

Otago Regional Council

Office	Annual remuneration (\$)
Chairperson	147,000
Councillor (Minimum Allowable Remuneration)	48,670

Southland Regional Council

Office	Annual remuneration (\$)
Chairperson	122,500

Schedule 2 **Local Government Members (2019/20) Determination** 2019 2019/135

Office	Annual remuneration (\$)
Councillor (Minimum Allowable Remuneration)	37,788

Taranaki Regional Council

Office	Annual remuneration (\$)
Chairperson	102,550
Councillor (Minimum Allowable Remuneration)	36,939

Waikato Regional Council

Office	Annual remuneration (\$)
Chairperson	161,000
Councillor (Minimum Allowable Remuneration)	58,640

Wellington Regional Council

Office	Annual remuneration (\$)
Chairperson	174,000
Councillor (Minimum Allowable Remuneration)	61,517

West Coast Regional Council

Office	Annual remuneration (\$)
Chairperson	83,500
Councillor (Minimum Allowable Remuneration)	35,733

Part 2

Remuneration of members of territorial authorities and their community or local boards

Ashburton District Council

Office	Annual remuneration (\$)
Mayor	121,500
Councillor (Minimum Allowable Remuneration)	25,047

Methven Community Board

Office	Annual remuneration (\$)
Chairperson	5,396
Member	2,698

Auckland Council

Office	Annual remuneration (\$)
Mayor	296,000
Councillor (Minimum Allowable Remuneration)	106,306

Dated at Wellington this 14th day of June 2019.

Fran Wilde,
Chairperson.

Geoff Summers,
Member.

Explanatory memorandum

This memorandum is not part of the determination, but is intended to indicate its general effect.

This determination comes into force on 1 July 2019 and expires on the close of 30 June 2020.

Over the past 2 years, the Remuneration Authority (the **Authority**) has conducted a major review of the local government sector remuneration, which included extensive consultation. As a result of the review, the Authority decided to make 2 changes to the way in which local government remuneration is set. First, it adopted a set of revised and updated council size indices (one each for territorial authorities, unitary authorities, and regional councils); and, secondly, it decided to introduce a more locally responsive way of setting members' remuneration. It should be noted that the remuneration of mayors, regional council chairpersons, and community board and Auckland local board members is not included in the second change.

First change: revised and updated council size indices

The first alteration, revised and updated council size indices, resulted in changes to council rankings on their relevant index. The new sizes relate to the size of the governance role of each council, based on a number of indicators. The size rankings are not related to the number of councillors on any council and will not be affected if councillor numbers increase or decrease in future. As well as changes to the size indices, the Authority has created a local government pay scale, generally using parliamentary remuneration as a comparator. Christchurch City Council (the largest council aside from Auckland) sits at the top of the council pay scale. For smaller councils, the bottom of the pay scale is set by a pro rata proportion of the average annual wage. Because of their extreme sizes, Auckland and Chatham Islands councils will sit outside the range of the pay scale.

The Authority began introducing the changes to the index rankings in the Local Government Members (2018/19) (Local Authorities) Determination 2018 (the **2018 Determination**), which are continued in this determination. The changes will be fully completed following the 2019 local election, when the second part of the new

approach will also be applied. These changes involve a major reassessment of the existing rates paid to councillors. Implementation of the new approach over a period means that, between 1 July 2018 and October 2019, changes to remuneration for elected local government members will have varied to a considerable degree between councils, rather than being an overall consistent percentage increase. For some, there will be no movement over this time, whereas for others there will be a substantial increase, reflecting the Authority's new assessment of the size of councils' responsibilities.

Second change: how the Authority sets councillor remuneration

The second alteration is in the way that the Authority sets councillor remuneration.

Under the system used for the past several years, the Authority has set a base councillor rate for each council, then for each council a sum equivalent to the base pay of 2 councillors has been set aside to pay extra remuneration to those undertaking positions of responsibility, such as deputy mayors or chairpersons of committees. In each case, the councils themselves make recommendations to the Authority on how the pool should be allocated, and those recommendations are then considered by the Authority before making its determination. This is how remuneration has been determined in *Schedule 1* of this determination, which applies from 1 July 2019 until the end of the day on which the official result is declared for each new council following the local government election on 12 October 2019.

Under the new approach, the Authority has created a total "governance remuneration pool" for each council, reflecting the ranking of that council on the index (*see* the table at the foot of this explanatory memorandum). The size of each pool does not correspond to the number of councillors on each council, which ranges from 6 to 16 (excluding Auckland). The governance pool is the total amount of money that the Authority has determined is available to pay councillor remuneration per annum. When each new council takes office following the 2019 local election, the council will be invited to give the Authority recommendations for how its pool should be distributed among the council members. The recommendations will include a rate for base councillor remuneration and rates for all positions of responsibility. The Authority will then consider the councils' recommendations before determining the remuneration payable to members.

Mayors, regional council chairpersons, Auckland local board members, and community board members

The second change to local government remuneration (ie, the introduction of the governance remuneration pool) does not apply to mayors, regional council chairpersons, Auckland local board members, or community board members. Remuneration for mayors and regional council chairpersons will continue to be set individually by the Authority and will reflect each council's ranking on the relevant size index. The largest role in local government (the Mayor of Auckland) has been generally benchmarked around the remuneration of a Cabinet minister and will not exceed that level.

The Authority has developed a separate size index for Auckland local boards that is not the same as the indices for territorial, unitary, or regional authorities. It takes into account the singular characteristics and accountabilities of Auckland local boards, including their representational responsibilities for (in many cases) large populations. The Authority contemplated a pool system for Auckland local boards, but ultimately did not implement this because the Auckland local boards have no formal positions of responsibility aside from their deputy chairpersons. For that reason, the Authority will continue to set remuneration for Auckland local board chairpersons, deputy chairpersons, and members. Based on the new local board size index, there are some differences between boards in the level of remuneration increases of local board members in this determination as the new system is phased in.

The Authority reviewed the position of community board members as one of the final parts of its overall review of local government remuneration. The Authority's original thesis was that, because community boards are part of the governance apparatus of councils, their costs should be included in the governance pool for each council, which would be the same size pool regardless of whether or not a council had any community boards.

However, the data the Authority examined indicated such massive variances in roles and powers, in per capita representation, and in cost that it was unable to rank community boards in any sensible order. As a result, the Authority decided that, for the time being, it would have significant difficulty creating a robust index that could be incorporated into the overall approach to the remuneration of councillors. In this determination, the Authority has applied an across-the-board increase of 2% to most community board members, reflecting the Labour Cost Index for the public sector for the year ended 30 March 2019. A small number of community boards have received no increase because their remuneration costs per capita are significantly higher than those of most other community boards.

Despite the above approaches, the Authority has applied a minimum level of remuneration even for smaller community boards representing tiny populations. Members of those boards need fair payment, even if it were just considered a meeting attendance fee, so the Authority has increased their remuneration to the minimum level of \$2,000 before tax.

For the time being, if a council delegates significant powers and functions to 1 or more community boards and, as a consequence, recommends that the Authority increases the remuneration of their community board members, the additional funds will come out of the council's governance remuneration pool.

Where the numbers and relative size of community boards within a territorial authority have changed as a result of a representation review that will apply from the date of the 2019 local elections, the remuneration of community board members has been specifically assessed to reflect the changes.

Motor vehicles

The annual remuneration for a mayor or regional chairperson, shown in *Schedule 1* and *Schedule 2*, is their total remuneration and it includes the annual value of their motor vehicle entitlement. If a council provides its mayor or regional chairperson with a motor vehicle, there is a consequent salary reduction. The rules for the calculation of the benefit are in *clause 9* of this determination and also on the Authority's website.

Upper limits on the purchase prices of petrol/diesel and electric/hybrid motor vehicles (including on-road costs and goods and services tax paid) were set by the Authority in the 2018 Determination and have not been changed. These upper limits take account of the vehicle being fit for purpose, the safety of the driver, and fairness to the rate-payers. For this determination, the Authority reviewed the maximum purchase rate for motor vehicles and decided to retain the current levels. However, it recommends that all councils utilise the All of Government procurement process to optimise the value of their purchases. The new purchase price limits do not apply to existing motor vehicles currently provided to mayors and regional chairpersons. In those cases, the actual purchase prices are grandparented until the existing vehicles are replaced.

Allowances

The vehicle mileage allowance rates (*clause 11*) have been updated to reflect the new kilometre rates for self-employed people and employees published by the Inland Revenue Department on its website as at 7 June 2019.

The communications and travel time allowances for members have not been changed this year and the details are in *clauses 12 and 13* and on the Authority's website.

This year, for the first time, the Authority has introduced a childcare allowance for members who have responsibility for caring for children under the age of 14 years. The allowance is a contribution towards expenses incurred by the member for the provision of childcare while the member is engaged on local authority business. The allowance is capped and is subject to certain conditions outlined in *clause 14* of this determination.

Payment of any or all of the allowances is at the discretion of each council. All the allowances included in this determination are reviewed annually.

Governance remuneration pool table

The table below sets out the local government governance remuneration pools for councillors that will apply on and after the day after the date on which the official result of the 2019 local election of members for an individual council is declared, for the purpose described above.

**Part 1
Remuneration pools for councillors of regional councils**

Council	Governance remuneration pool (\$)
Bay of Plenty Regional Council	869,154
Canterbury Regional Council	964,061
Hawke’s Bay Regional Council	557,483
Manawatu–Wanganui Regional Council	638,974
Northland Regional Council	580,951
Otago Regional Council	703,598
Southland Regional Council	555,828
Taranaki Regional Council	466,596
Waikato Regional Council	933,748
Wellington Regional Council	921,454
West Coast Regional Council	317,737

**Part 2
Remuneration pools for councillors of territorial authorities**

Territorial authority	Governance remuneration pool (\$)
Auckland Council	2,556,478
Ashburton District Council	377,856
Buller District Council	264,396
Carterton District Council	220,330
Central Hawke’s Bay District Council	267,264
Central Otago District Council	276,480
Chatham Islands Council	147,488
Christchurch City Council	1,843,200
Clutha District Council	352,528
Dunedin City Council	1,105,920
Far North District Council	707,201
Gisborne District Council	631,530
Gore District Council	286,429
Grey District Council	248,832
Hamilton City Council	1,194,394
Hastings District Council	790,733
Hauraki District Council	350,208
Horowhenua District Council	433,152
Hurunui District Council	248,832
Hutt City Council	827,228
Invercargill City Council	506,880
Kaikōura District Council	198,297
Kaipara District Council	359,424
Kāpiti Coast District Council	497,664

Note: The above remuneration pools do not apply to mayors, regional chairpersons, Auckland local board members, or community board members.

However, if a council has delegated significant powers and functions to its community board(s) and as a consequence proposes an increase to the remuneration of community board members, the additional funds will come out of the council's governance remuneration pool.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 20 June 2019.

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 10 December 2019
Prepared by: Robert Mallinson – Corporate Services Manager
Date: 28 November 2019
Subject: **SCHEDULE OF MEETING DATES FOR 2020**

Attached is a proposed meeting date schedule for 2020.

All dates are the second Tuesday of the month.

RECOMMENDATION

That Council adopts the 2020 Schedule of Meeting Dates.

Robert Mallinson
Corporate Services Manager

THE WEST COAST REGIONAL COUNCIL**SCHEDULE OF MEETING DATES FOR 2020****ORDINARY MEETING AND RESOURCE MANAGEMENT MEETINGS****(Starting with RMC meeting: Commencing at 10.30 am)**

MEETING MONTH	DATE
January	No Meeting
February	11 February
March	10 March
April	14 April
May	12 May
June	9 June
July	14 July
August	11 August
September	8 September
October	13 October
November	10 November
December	8 December

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 10 December 2019
Prepared by: Nichola Costley – Manager Strategy and Communications
Date: 25 November 2019
Subject: **Triennial Agreement**

Purpose

To endorse the Triennial Agreement between the four West Coast Councils.

Background

As part of the requirements of sections 14, 15 and 16 of the Local Government Act 2002, the four West Coast Councils have prepared a triennial agreement.

The triennial agreement is built on the principle of the four Councils agreeing to commit to working together for the good governance of their towns, districts and the region, by acting collaboratively and ensuring that issues in common are determined in a manner that is inclusive and avoids unnecessary duplication.

The agreement will also ensure appropriate levels of consultation and coordination are maintained between the local authorities of the West Coast.

Each of the Mayors, and Chair of the Regional Council, are now seeking endorsement of the triennial agreement from their respective Councils. Once endorsement has been received the Mayors and Chair will sign the agreement at their next meeting.

A copy of the Agreement is attached to this report.

RECOMMENDATION

That Council endorse the Triennial Agreement for Councillor Birchfield to sign on behalf of the West Coast Regional Council.

Nichola Costley
Manager Strategy and Communications



2019 – 2022 West Coast Triennial Agreement

Our purpose

This triennial agreement has been prepared in accordance with, and to satisfy, the requirements of sections 14, 15 and 16 of the Local Government Act 2002.

The parties to this agreement commit to working together for the good governance of their towns, districts and the region, by acting collaboratively and ensuring that issues in common are determined in a manner that is inclusive and avoids unnecessary duplication.

This agreement will ensure appropriate levels of consultation and coordination are maintained between the local authorities of the West Coast, and between individual local authorities as might be notified.

The Agreement

The parties:

- Buller District Council;
- Grey District Council;
- Westland District Council; and
- West Coast Regional Council,

agree to work in good faith together for the good governance of their localities and the region.

As signatories to this agreement, each local authority will ensure:

- Early notification to affected local authorities, through the distribution of draft documentation, of major policy discussions which may have implications beyond the boundaries of the decision making authority;
- The application of a 'no surprises' policy whereby early notice will be given over disagreements between local authorities concerning policy or programmes before key public announcements are made;
- The parties agree to refrain from expressing criticism of each other publicly, through the media or any other form. While it is accepted that disagreements will occur from time to time, it is preferable to deal with the issues by open discussion between the parties rather than via the media;
- Support opportunities for involvement by affected local authorities in the development of policies or plans that have inter-jurisdictional or cross boundary implications, including the identification of outcomes and priorities;
- That where practicable, processes for engaging with communities and agencies in order to identify community outcomes, and prioritise these outcomes, are undertaken jointly or in a collaborative manner which avoids unnecessary duplication; and
- Support opportunities for other local authorities, whether party to this agreement or not, to work jointly on the development of strategies and plans for the achievement of identified outcomes and priorities.

Scope and Issues

The parties agree that, in addition to the general obligations under this agreement to consult, the local authorities will meet together to develop common approaches on the following issues identified as priorities for the region:

- Economic development
- Windblown timber legislation
- Stewardship land review
- Energy opportunities
- Buller Plateau proposal
- Natural hazards
- Legislation reform
- Shared services

A commitment to working together collaboratively

The parties agree to work together collaboratively and cooperatively, through the Mayors and Chairs forum, as a means to improve effectiveness and efficiency, and to, in particular:

- Identify, deliver and fund facilities or services that benefit more than one district;
- Develop and implement joint governance arrangements and associated terms of reference;
- Maintain this commitment, and in the event of one of the parties making a decision that is inconsistent with this commitment, the party will advise the other parties of the inconsistent decision and the reasons for it.

This commitment to working together collaboratively reflects section 15 of the Local Government Act and all parties will, through the Mayors and Chairs forum, annually review their compliance with these provisions.

Significant new activities proposed by the West Coast Regional Council

The parties agree that should the West Coast Regional Council, or its Council Controlled Organisations, wish to undertake a significant new activity, or undertake an activity currently undertaken or proposed to be undertaken by one or more of the other parties, the West Coast Regional Council will consult with the other parties as required by section 16 of the Local Government Act.

Form of consultation

Consultation in relation to this agreement will take the following forms:

- A forum comprising the Mayors, Chair of the West Coast Regional Council, Chair of Development West Coast, Chair of Te Rūnanga o Ngāti Waewae and Chair of Te Rūnanga o Makaawhio, and their Chief Executives, will occur at least once every three months to review performance of the agreement and discuss any other topical issues where a collaborative approach may add value.
- Meetings between staff will occur as necessary to achieve communication and coordination on issues identified in the agreement.

Servicing

The parties agree that responsibility for servicing this agreement will be undertaken by the West Coast Regional Council. This includes providing those secretarial services as required, including but not limited to:

- Coordination of meeting dates, agendas and meeting papers;
- Drafting of communications material including media releases; and,
- Development of strategic documentation.

Chairing of the forum will pass from local authority to local authority following the triennial election.

Delegations

The meeting will act as a collective and no member will have the delegation to act on behalf of the Group unless specifically mandated to do so by the meeting on a case-by-case basis.

Submissions, or other correspondence, will be on the letterhead displaying the logos of the four Councils, and where appropriate, those of Development West Coast, Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio. They are to be signed by the Mayors and Chairs.

Agreement to review

The parties agree to review the term of this agreement within four (4) weeks of a request by one of the parties made in writing to the local authority delegated responsibility to service this Agreement.

Resolving disagreement

In the event of a disagreement over the terms of this agreement, the parties agree to refer the issue to a mediator appointment by the President of Local Government New Zealand.

Authority

This agreement is signed on this day of 20....., by the following on behalf of their respective authorities.

Council

Signature

Buller District Council

.....
Jamie Cleine
Mayor

Grey District Council

.....
Tania Gibson
Mayor

Westland District Council

.....
Bruce Smith
Mayor

West Coast Regional Council

.....
Allan Birchfield
Chair

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting- 10 December 2019
Prepared by: Allan Birchfield – Chairman
Date: 3 December 2019
Subject: **CHAIRMAN'S REPORT**

Meetings Attended:

- I attended the annual meeting of the Greymouth Joint Floodwall Committee on 8 October.
- I attended Hon Damien O'Connor's visit on 25 October.
- The Chief Executive and I met with Hon David Parker on the afternoon of 7 November.
- I attended the Regional Sector Group meeting on 8 November, in Wellington.
- I attended the Port Study briefing meeting on 12 November.
- I attended the Civil Defence Joint Committee and the Mayors, Chairs and Iwi Forum on 13 November in Westport.
- I met with Hon Peeni Henare, Minister of Civil Defence, on 15 November.
- The CEO and I met Hon Eugenie Sage on 29 November.

RECOMMENDATION

That this report be received.

Allan Birchfield
Chairman

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 10 December 2019
Prepared by: Michael Meehan – Chief Executive
Date: 28 November 2019
Subject: **CHIEF EXECUTIVE'S REPORT**

Meetings Attended:

- I attended the annual meeting of the Greymouth Joint Floodwall Committee on 8 October.
- I met with representatives from the sphagnum moss industry on 15 October.
- I attended the Minerals West Coast annual meeting on 17 October.
- I hosted the Ministry for the Environment Freshwater focussed field trip on 23 October.
- The Triennial Meeting was held on 25 October.
- I attended a meeting with Hon Damien O'Connor on 25 October.
- I met with Janine Smith, Director of Climate Change for the Ministry for the Environment on 30 October.
- I chaired the CEG meeting on 1 November.
- I hosted the West Coast Chief Executive's forum on 5 November.
- I attended the Regional Chief Executive's meeting in Wellington, on 7 November.
- The Chairman and I met with Hon David Parker on the afternoon of 7 November.
- I attended the NZ Rivers Award on the evening of 7 November.
- I attended the Regional Sector Group meeting on 8 November, in Wellington.
- I attended a Port Study briefing meeting on 12 November.
- I attended the Civil Defence Joint Committee and the Mayors, Chairs and Iwi Forum on 13 November in Westport.
- The Chairman and I met with Hon Peeni Henare, Minister of Civil Defence, on 15 November.
- I hosted field trips for Councillors on 19 and 27 November.
- The Chairman, Operations Director and I met Hon Eugenie Sage on 29 November.
- I will be meeting with staff from Ministry for the Environment on 4 December.

Coming up

The next reporting period will crossover the Christmas and New Year break, however it will be busy with engagement on national consultation relating to the Crown Minerals Act Review and Proposed National Policy Statement for Biodiversity. I will also be facilitating workshops with elected members on the upcoming Annual Plan.

RECOMMENDATION

That this report be received.

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.

- | | | |
|---------|-----|-----------------------------------------------------|
| 56 – 57 | 8.1 | Confirmation of Confidential Minutes 8 October 2019 |
| 58 - 69 | 8.2 | Insurance Renewals |
| | 8.3 | Overdue Debtors Report (to be tabled) |
| | 8.4 | Response to Presentation (if any) |
| | 8.5 | 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 8 October 2019		Clause 7 subclause 2 (a)
8.2	Insurance Renewals		Clause 7 subclause 2 (a)
8.3	Overdue Debtors Report (to be tabled)		Clause 7 subclause 2 (a)
8.4	Response to Presentation (if any)		Clause 7 subclause 2 (i)
8.5	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.