

Council Members

Chairman Allan Birchfield
Cr Stuart Challenger (Deputy)
Cr Brett Cummings
Cr Peter Ewen

Cr Debra Magner
Cr Laura Coll McLaughlin
Cr John Hill

Iwi Representatives

Francois Tumahai (Ngati Waewae)
Jackie Douglas (Makaawhio)



Meeting of Council
(Te Huinga Tu)

Tuesday, 10 November 2020

**West Coast Regional Council Chambers, 388 Main South Road, Greymouth
and
via Council's Facebook Page**

10.30 am Resource Management Committee Meeting

On completion of RMC Meeting:

Council Meeting

Council Workshop:

Freshwater Commissioner

RESOURCE MANAGEMENT COMMITTEE

Resource Management Committee Meeting

(Te Huinga Tu)

A G E N D A

(Rarangī Take)

1. Welcome (*Haere mai*)
2. Apologies (*Nga Pa Pouri*)
3. Declarations of Interest
4. Public Forum, Petitions and Deputations (*He Huinga tuku korero*)
5. Confirmation of Minutes (*Whakau korero*)
6. Chairman's Report
7. **Planning and Operations Group**
 - Planning and Hydrology Report
 - Kawatiri Freshwater Management Group Recommendation
 - Essential Freshwater Package – Potential Regional Variations
 - Reefton Air Quality Summary
8. **Consents and Compliance Group**
 - Consents Report
 - Compliance Report
9. **General Business**

V M Smith
Chief Executive

THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD ON 13 OCTOBER 2020, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.30 A.M.

PRESENT:

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

IN ATTENDANCE:

R. Mallinson (Acting Chief Executive), H. Mills (Planning, Science & Innovation Manager), H. McKay (Consents & Compliance Manager), R. Beal (Operations Director), T. Jellyman (Minutes Clerk), M. Schumacher (IT Support), The Media (via Zoom)

Cr Birchfield read the prayer.

1. APOLOGIES

There were no apologies.

PRESENTATION

There was no presentation.

2. MINUTES

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

Moved (Birchfield / Cummings) *that the minutes of the previous Resource Management Committee meeting dated 8 September 2020, be confirmed as correct.*

Carried

Matters Arising

There were no matters arising

3. PUBLIC FORUM

There was no public forum.

4. CHAIRMAN'S REPORT

The Chairman advised that he attended the Hokitika drop in sessions relating to potential seawall and river protection works, which were well attended. He also attended a drop in session at Franz Josef and has dealt with a few phone calls and visits relating to the drop in sessions.

5. REPORTS

5.1 PLANNING AND OPERATIONS GROUP

5.1.1 PLANNING REPORT & HYDROLOGY REPORT

H. Mills spoke to his report and provided an update on the Plan Change 1 Appeal. He advised that an Ecologist has visited Lake Kini, and a meeting with Makaawhio is scheduled for tomorrow. H. Mills advised that wetland maps with changes have been removed. He offered clean copies of the maps to those present.

H. Mills advised that the rest of Plan Change 1 (outside of Lake Kini) can now be made operative as of 22 October. He stated that once the recommendation is carried, the Chairman will affix the Common Seal of the Council to the Plan

H. Mills reported that staff are seeking an extension of time through until July 2021, to release the decisions for the Coastal Plan due to a number of events that have occurred over the last year.

H. Mills advised FMU work is on track and progressing well.

H. Mills advised that any private plan changes made to the operative district plans are a regional council responsibility. He advised that initially there was some confusion and legal advice was sought to clarify this.

H. Mills advised that costs are passed on to the applicant, and a Consultant will be hired to guide the process.

H. Mills advised that a re-zoning proposal at Moana was the trigger for this process.

H. Mills reported that there were a number of weather events during the reporting period which triggered flood warning alarms across the region. He stated that overall winter was pretty quiet in terms of flood alarms which allowed staff to get quite a bit of maintenance done.

H. Mills answered questions from Cr Coll McLaughlin regarding how the Order in Council specified administering the District Plan. H. Mills advised that Council has not sought legal advice on this and the assumption is that the district councils administer the plan. It was agreed that H. Mills would seek legal advice on this for clarification purposes.

Cr Ewen stated that after the wetlands process was gone through and after consultation was closed, the Ministry snuck in further restrictions which could cause problems for industries such as mining. He asked if they is a way Council could make a submission on this as there was no consultation. H. Mills advised that there are a few regulations within the NES for freshwater that he would like to discuss with central government. He stated that he and H. McKay are seeking some influence on these. H. McKay advised that there is stated that there is no submission process open for this at the moment as the legislation is set and it has been gazetted.

Moved (Coll McLaughlin / Magner)

1. *That the report is received.*

2. *That the Resource Management Committee adopts the Plan Change 1 changes to the Land and Water Plan, and adopts the map document titled:*

"Plan Change 1: Schedule 1 and 2 wetland maps showing changes to wetland boundaries, excluding the Lake Kini wetlands KAGP008 on Maori reserved land under appeal", and approves that they be made operative on 22 October 2020.

3. *That the Resource Management Committee grant an extension of time for releasing decisions on submissions to the proposed Regional Coastal Plan, to 1 July 2021.*

Carried

5.1.2 REEFTON AIR QUALITY SUMMARY

H. Mills advised that there have been no breaches of the NES for air quality in Reefton over the reporting period. He spoke of the gaps in data that were due to a power outage and a malfunction to the air quality machine which required a part. H. Mills stated that there are still some issues being experienced with calibrating the new monitoring machine. He advised that a third machine is in use to try to rationalise the different readings.

Moved (Birchfield / Cummings) *That this report be received.*

Carried

5.2.1 CONSENTS MONTHLY REPORT

H. McKay spoke to this report and advised that four site visits were undertaken during the reporting period. She reported that 21 non notified resource consents were granted during the reporting period and two changes of conditions to consents were granted with one of these being the outstanding Rockies Mining Ltd consent. H. McKay answered questions from Councillors.

Moved (Coll McLaughlin / Ewen) *That the October 2020 report of the Consents Group be received.*
Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

H. McKay spoke to this report and advised that 44 site visits were carried out during the reporting period. She stated that 14 complaints or incidents were reported, six non-compliances were confirmed and eight complaints or incidents were investigated.

H. McKay reported that several enforcement notices have been issued in relation to the dumping of demolition materials at the Hokitika airport. She advised that compliance staff are following up on this to ensure that abatement notices are complied with.

H. McKay advised that two formal warnings, three infringement notices, and five abatement notices were issued during the reporting period.

H. McKay advised that ten work programmes for mining were received and all were approved during the reporting period. She reported that two bonds are recommended for release.

Cr Ewen commented that there is going to be a lot of plantation harvesting happening in the immediate future and he suggested that a flyer is sent to stakeholders advising them of what is required. Cr Ewen is mindful of what occurred at Tolaga Bay. H. McKay stated that forestry is an area where compliance is a lot more active than in the past following the NES for plantation forestry when came in during 2018. She agreed that it is worthwhile engaging in some education in this area.

H. McKay answered further questions regarding the dumping of demolition materials at Hokitika airport. She also answered questions relating to the disposal of deceased livestock. She advised that Council engage a contractor to remove these animals at very little cost.

H. McKay advised that the protection works at Maruia are in relation to NZTA work. She will be bringing a further update on this to next month's meeting.

Moved (Ewen / Cummings)

- 1. That the October 2020 report of the Compliance Group be received.*
- 2. That the bond of \$12,000 for RC-2016-0100 for Phillip Hampton and the bond of \$12,000 for RC-2019-0036 Elect Mining Limited are released.*

Carried

GENERAL BUSINESS

There was no general business.

The meeting closed at 10.53 am

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Chairman

.....
Date

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee – 10 November 2020
Prepared by: Lillie Sadler – Planning Team Leader
Date: 2 November 2020
Subject: Planning and Hydrology Report

Plan Change 1 appeal

Following the Environment Court meeting on 18 August to clarify the issues with the appeal on the Lake Kini wetlands on Māori reserved land, the Court requested information from the Council on the impacts of the Freshwater Package documents on the Council's planning documents, and the status of Lake Kini wetland areas.

Regarding the latter, Council contracted Ecologist Dr Vaughan Keesing to undertake an assessment to determine the full extent of the Lake Kini wetlands, and whether any areas meet the significance criteria in Schedule 3 of the L&WP. Dr Keesing assessed the Lake Kini wetlands in the week of 5 October 2020. Dr Keesing's report is still being finalised.

An informal meeting between the appeal parties was to be held on 14 October, however this was postponed until the parties had received Dr Keesing's finalised report.

Operative Plan Change 1

Plan Change 1 to the Regional Land and Water Plan (L&WP) became operative on 22 October, excluding the Lake Kini wetlands that are under appeal. A letter has been sent to all Schedule 1 and 2 wetland landowners where a correction was made to an error in the wetland boundary through the Plan Change 1 process, advising that the boundary correction process has concluded. A similar letter will be sent to sphagnum moss harvesting submitters.

Update on Plan Change 2

At the 20 April 2020 RMC meeting, as part of adopting the Plan Change 1 Decisions on Submissions to be publicly notified, the Committee agreed to two resolutions:

- 1. That Council agrees to address the issues raised by Poutini Ngāi Tahu, regarding the Lake Kini wetlands at the 20 February meeting, in another plan change process, or (Plan Change 2).*
- 2. That Council directs planning staff to create a project plan to map out the process of initiating Plan Change 2 to remove Schedule 2 wetland designation from private land.*

No work has been undertaken on Plan Change 2 as the National Policy Statement for Freshwater Management 2020 (NPSFM) requires "no further loss of extent of natural inland wetlands", which applies to the Schedule 1 and 2 wetlands, as well as non-significant wetlands meeting criteria in Part 3.22 of the NPSFM. The National Environmental Standard for Freshwater Management (NESFM) has rules for activities in a wetland which also apply to Schedule 2 wetlands, and are generally more stringent than the Land and Water Plan rules. This means that there is now no benefit to private landowners from seeking to remove the Schedule 2 wetland designation from wetlands on their land, as the NPSFM and NESFM mostly supersede the Plan policies and rules.

The issues regarding the Schedule 2 designation on Lake Kini wetlands on Maori reserved land are being considered through their Environment Court appeal.

Freshwater Management Unit (FMU) Groups' update

Grey: Now that the Kawatiri FMU Group has developed a long-term vision, the Grey Group will reconvene to consider their long-term vision for the Grey FMU.

Kawatiri: The Group had its final meeting on 21 October and developed their long-term vision for the FMU, as required by the new NPSFM. The Kawatiri FMU Groups' Recommendations Report will be presented to the November RMC meeting by Chairman Nathan Keoghan with support from some of the FMU members. The Recommendations Report is addressed in a separate RMC agenda report.

Hokitika: The fourth meeting was held on 20 October. Philippa Lynch (Poutini Environmental Ltd) and Jackie Douglas (Te Rūnanga o Makaawhio) presented on cultural values of fresh water.

South Westland: The public information meeting will be held in Fox Glacier on 3 November. Applications for Group membership close on 10 November. The public meeting and member applications have been widely advertised in South Westland.

District Private Plan Change Request matters

At the 13 October RMC meeting, two questions were raised about:

1. Whether the Regional Council has any functions for consent processing, compliance monitoring or enforcement of the currently operative West Coast District Plans, or the future Te Tai o Poutini Plan (TTOPP - One District Plan); and
2. Whether the Regional Council could delegate or transfer the function of processing district plan private plan change requests back to the three West Coast District Councils.

Legal advice has been obtained on those two matters as follows:

1. Consent processing, compliance monitoring or enforcement functions are not transferred to the Regional Council by the Reorganisation Order. However, if the relevant authorities agreed, these functions could be transferred for the currently operative District Plans under s33 of the RMA. For example, the Westland District Council has transferred its mining activity functions to the Regional Council. Note that the Tai Poutini Plan Committee has to monitor the implementation of the TTOPP and the need for any amendments.
2. Sections 34 and 34A of the RMA do not allow delegation to another local authority. Additionally, the transfer back of those functions to the three District Councils is also not contemplated by, and cuts across, the Local Government Commission's Reorganisation Order. It is therefore doubtful that a transfer back is lawful.

Hydrology

Flood Warning

Site	Time of peak	Peak level (mm)	Warning Issued	Alarm threshold (mm)
Waiho Rv @ SH6	11/10/2020 13:55	7755	11/10/2020 11:52	7500
Hokitika Rv @ Gorge	11/10/2020 17:15	4219	11/10/2020 12:11	3750
Hokitika Rv @ Gorge	26/10/2020 12:30	3791	26/10/2020 12:03	3750
Waiho Rv @ SH6	26/10/2020 15:35	7755	26/10/2020 05:49	7500
Mokihinui Rv @ Welcome Bay	27/10/2020 07:35	4853	27/10/2020 05:56	4500
Waiho Rv @ SH6	31/10/2020 17:25	8018	30/10/2020 18:40	7500

Monitoring Network

The Hydrology team and broader flood monitoring group was excited to receive news that the Buller River Flood Forecasting Model Project has been effectively given the go-ahead, pending final formal funding arrangements. The project will begin with the recommissioning and construction of two new monitoring sites in the Buller River catchment, with work on these sites scheduled to commence and continue throughout the warmer months ahead (Figure 1).

A new monitoring station is also scheduled to commence construction on the Hokitika River at Kaniere Bridge. Planning and procurement for this build is almost complete with work expected to begin soon.

During the past month, members of the Hydrology team spent a field day alongside their colleagues from NIWA moving and installing water level monitoring radars on the Waiho River Bridge. The data available to Council now are level traces from both the left and right main braids of the River as well as an additional mobile sensor which follows the present flow channel (Figure 2) and (Figure 3).

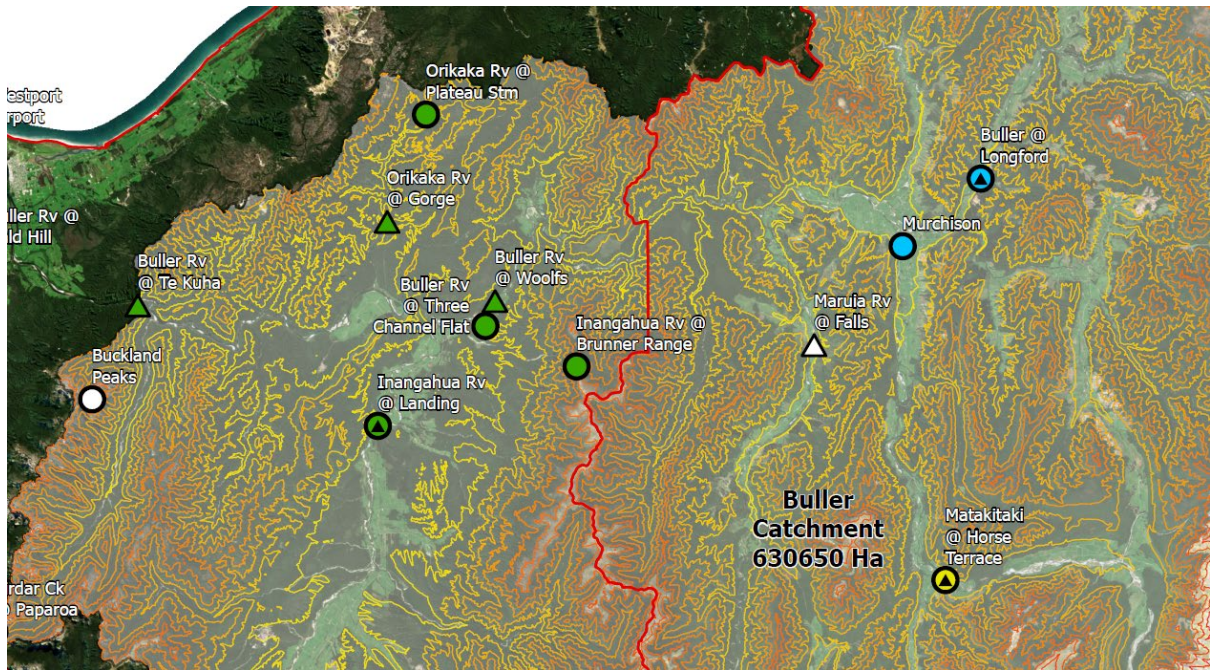


Figure 1: Contour map of the Buller River catchment showing scheduled new sites with white icons



Figure 2: The Waiho River view from the right bank while flow is confined to the left edge of the channel. Sensor locations marked with blue and orange arrows.



Figure 3: Radar sensors installed over the water of the Waiho River, one new owned by NIWA, one relocated and operated by WCRC.

RECOMMENDATIONS

1. *That the report is received.*
2. *That the following work stream be put on hold: map out the process of initiating Plan Change 2 to remove Schedule 2 wetland designation from private land is put on hold*

Hadley Mills
Planning, Science and Innovation Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee – 10 November 2020
Prepared by: Lillie Sadler – Planning Team Leader
Date: 30 October 2020
Subject: Kawatiri FMU Group Recommendations

Background

The National Policy Statement for Freshwater Management (NPSFM) 2020 requires regional councils to give effect to it, including by identifying freshwater management units (FMU's) across the whole region, establishing community representative groups for each FMU, and consequently making changes to freshwater regional plans.

In 2018 the Council identified six FMU's in the Region, three of these were in the Buller District. These three FMU's were combined into one in 2019, called the Kawatiri FMU.

A map showing the Kawatiri FMU catchment boundaries can be found on Page 5 of the Recommendations Report, attached as Appendix 1 to this report. The whole of the Kawatiri FMU is within the takiwā of Te Rūnanga o Ngāti Waewae.

The Kawatiri FMU Group members were: Nathan Keoghan (Chair), Douglas Phillips, Lisa Steenhauer, Colin Hope, Campbell Robertson, Mike Kingsbury, Di Rossiter, Caroline Jones, Francois Tumahai (Te Rūnanga o Ngāti Waewae rep), Philippa Lynch (Te Rūnanga o Ngāti Waewae rep), and John Hill (West Coast Regional Council rep). The Group was supported by WCRC Science, Planning and Compliance Staff. A Buller District Council rep was appointed to the Kawatiri FMU Group but did not attend any meetings.

The Group held 14 meetings in total, with the last 3-4 meetings focussing on drafting recommendations and developing a long-term vision. Meetings were delayed by the Covid-19 Level 4 lockdown. The final meeting was held in October 2020.

Recommendations Report

The Group's Recommendations Report is attached to this report as Appendix 1. The Recommendations are based on matters covered during the FMU meetings. The Report includes background explanation outlining why the Group has arrived at these recommendations.

The Recommendations include a mix of regulatory and non-regulatory measures. It is important to highlight to the RMC that the 2020 Freshwater Package includes mandatory actions and limits that will need to be adopted by the Council.

The NPSFM 2017 version is what has guided the Kawatiri FMU Group through their process. The NPSFM 2020 came into effect at the end of the process, and while it has been acknowledged, it has not been the primary guidance document.

RECOMMENDATION

That the Council approves the Kawatiri Freshwater Management Unit Group Recommendations, to be implemented as much as practicable, to give effect to the National Policy Statement for Freshwater Management 2020.

Hadley Mills
Planning, Science and Innovation Manager

Appendix 1



THE WEST COAST REGIONAL COUNCIL

To: Resource Management Committee Meeting, 10 November 2020
From: Kawatiri Freshwater Management Unit Group
Date: 30 October 2020
Subject: Recommendations from the Kawatiri Freshwater Management Unit Group

1. Executive summary

The National Policy Statement for Freshwater Management (NPSFM), versions 2014, 2017 and 2020, require regional councils to identify freshwater management units (FMU's), establish community representative groups for each FMU, and make changes to freshwater regional plans. Under the NPSFM, current water quality and stream health must be maintained or enhanced.

The Kawatiri FMU Group consisted of eight selected community members, two Te Rūnanga o Ngāti Waewae representatives, and Regional Council support staff. This Group worked through issues associated with water quality and quantity, from August 2019 to October 2020, and produced recommendations to the Regional Council.

The Group identified a range of values associated with freshwater that were important to the Kawatiri FMU community. These values, combined with water monitoring results and policy requirements, shaped discussions and subsequent recommendations. The Group was aware that Te Mana o te Wai was a fundamental concept in the NPSFM. Rangatiratanga and the needs of Ngāti Waewae will be at the forefront of policy development, and the concept of ki uta ki tai is imperative when managing freshwater. The Group acknowledged that there are waterbodies within the Kawatiri FMU that require improvement, particularly in regard to faecal contamination and sedimentation.

There are many difficulties associated with a small population and wet climate. Resourcing much of the work required under the NPSFM will be difficult without combined assistance from volunteers,

industry and central government. The small community depends heavily on primary industry for economic survival, so balanced approaches, utilising non-regulatory methods, were deemed favourable. While scarcity of water is currently not a widespread issue in the Kawatiri FMU, changes to the allocation and consenting of water takes were recommended in order to make things fairer and future proofed for both consumptive and non-consumptive use.

2. Long-term vision for freshwater

The Kawatiri Freshwater Management Unit group developed a long-term vision to sum up the Kawatiri FMU's aspirations:

In the Kawatiri FMU, freshwater is valued and will be managed utilising the ki uta ki tai (mountains to the sea) philosophy. The health and mauri of water is to be sustained for our community's future wellbeing.

3. Background

The original NPSFM came into effect in 2011, with amendments in 2014 and 2017. The 2017 version is what has guided the Kawatiri FMU Group through their process. The NPSFM 2020 came into effect at the end of the process, and while it has been acknowledged, it has not been the primary guidance document. The Group obtained an analysis of their draft Recommendations Report and were satisfied that none of their recommendations have contravened the NPSFM 2020.

The NPSFM allows regional councils flexibility in how they go about identifying FMUs. The guidance suggests that the scale of the FMU needs to be appropriate for objective and limit-setting, freshwater accounting, and monitoring. An FMU should not be so large that it prevents the setting of objectives that are specific enough to be effective. Equally, an FMU should not be so small that it results in undue complexity and cost in either the planning process or in the management of the FMU. The West Coast FMU's took into account existing monitoring sites and community boundaries, combined with catchment boundaries which have an overarching influence on the partial distribution of water and people. The whole of the Kawatiri FMU is within the takiwā of Te Rūnanga o Ngāti Waewae. It is important to note that upper sections of the Buller River catchment are in the Tasman Region and beyond the jurisdiction of the WCRC (Figure 1). A range of water resource monitoring is undertaken by the Council in the Kawatiri FMU (Figure 2).

Freshwater objectives stipulated in the NPSFM seek to ensure that what is valued about each FMU will be maintained or enhanced. To understand what is valued, and therefore what needs to be achieved in each FMU, there needed to be engagement with Te Rūnanga o Ngāti Waewae, and local communities.

The FMU community groups are established for each FMU. These groups consult with the local community and work together to understand the issues in that FMU, identify values and provide a package of recommendations to Council for consideration (including recommended objectives and limits where required). Those recommendations, if agreed, will influence the Regional Land and Water Plan. The FMU group's composition is tailored to suit the circumstances in each FMU.

The NPSFM – Regional Implementation Strategy was approved by Council in May 2018. In accordance with the Strategy, public information sessions were held in June 2019 for the Kawatiri FMU community. Following this, community member applications were considered and brought to the Resource Management Committee for approval. The Kawatiri FMU Group convened in August 2019 and consisted of eight community members: Nathan Keoghan (Chair), Douglas Phillips, Caroline Jones, Di Rossiter, Colin Hope, Campbell Robertson, Michael Kingsbury, and Lisa Steenhauer. Community members came from a range of backgrounds representing a broad array of professional and personal interests (Appendix 1). The Buller District Council (BDC) was approached to provide a representative, with a BDC Councillor nominated to attend by the BDC. However, they did not attend the meetings. The Te Rūnanga o Ngāti Waewae representatives on the FMU Group were Francois Tumahai and Philippa Lynch, and the Regional Council rep was John Hill. WCRC staff supported the group. The Kawatiri FMU Group held its final formal meeting in October 2020.

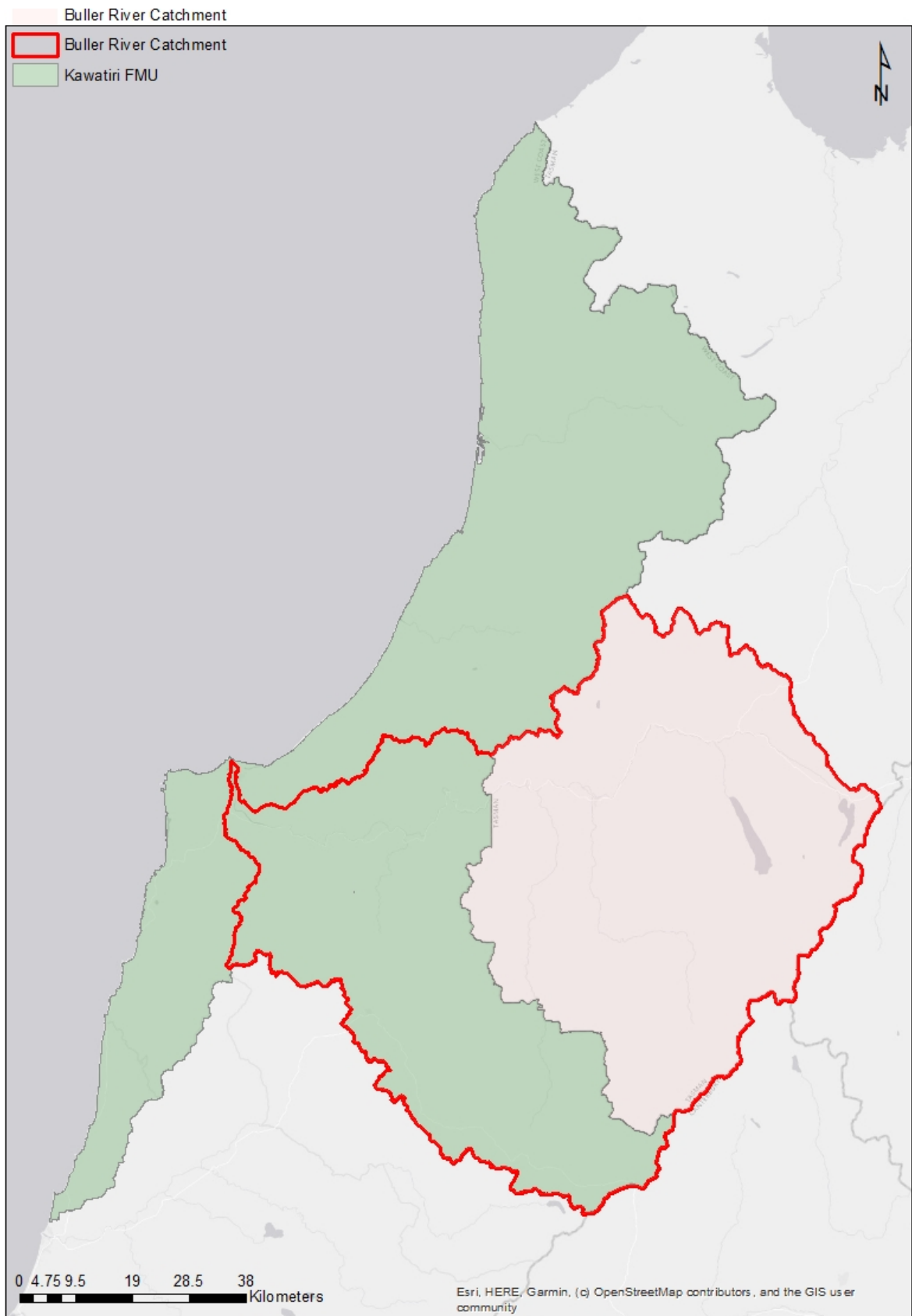


Figure 1: Location of Kawatiri FMU boundary and the entire Buller River catchment boundary

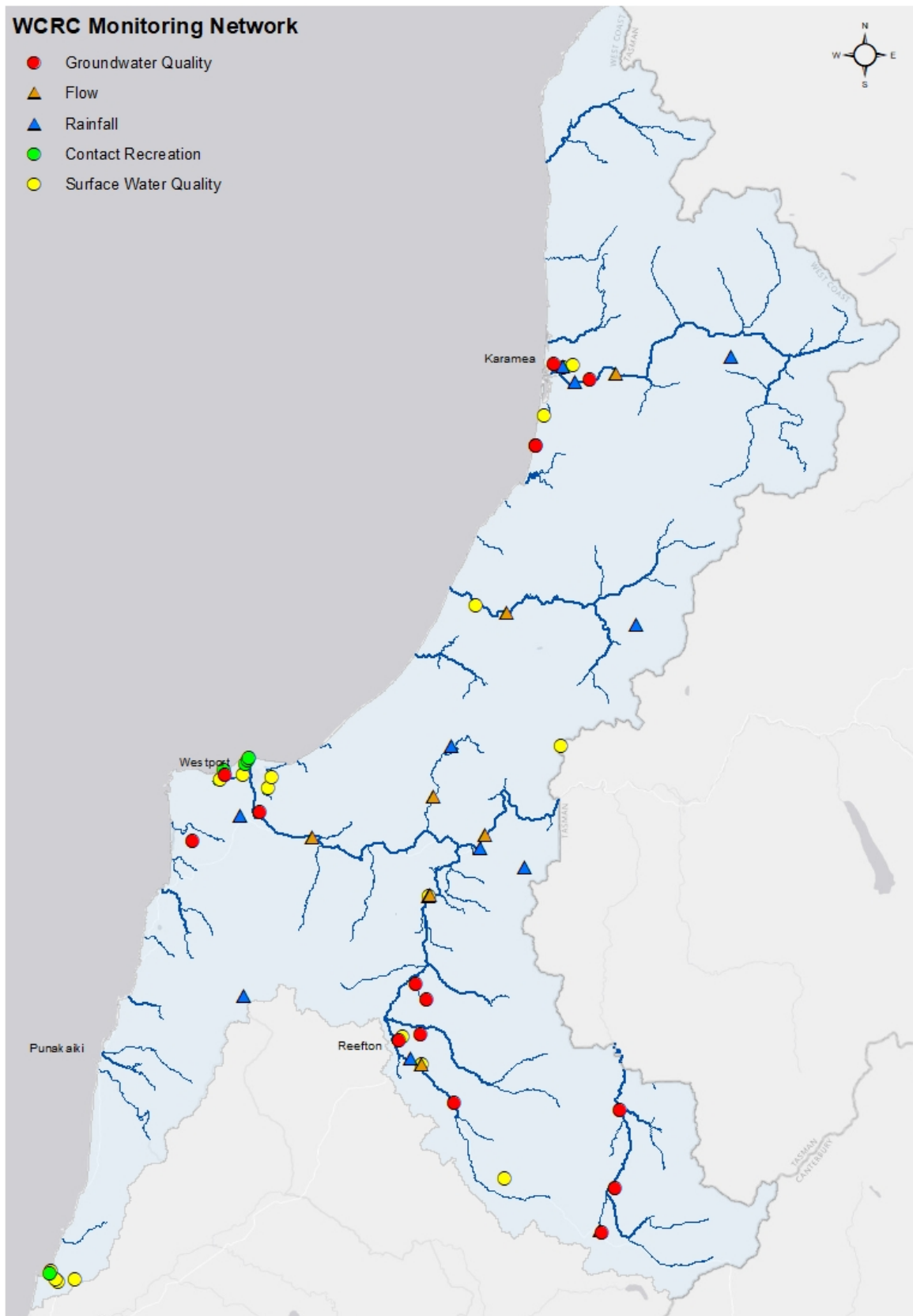


Figure 2: Location of Kawatiri FMU boundary and monitoring locations within the FMU

3.1 Kawatiri FMU meetings

During the 14 months which this Group has met on a monthly basis, they have covered a variety of topics. Through this process, and in accordance with the NPSFM, the Group has identified values that are important to the community, and which are affected by water quantity and quality. The state or condition of these values can be measured using attributes, and objectives can be set for appropriate water quality and/or quantity using limits for the attributes (Figure 3).

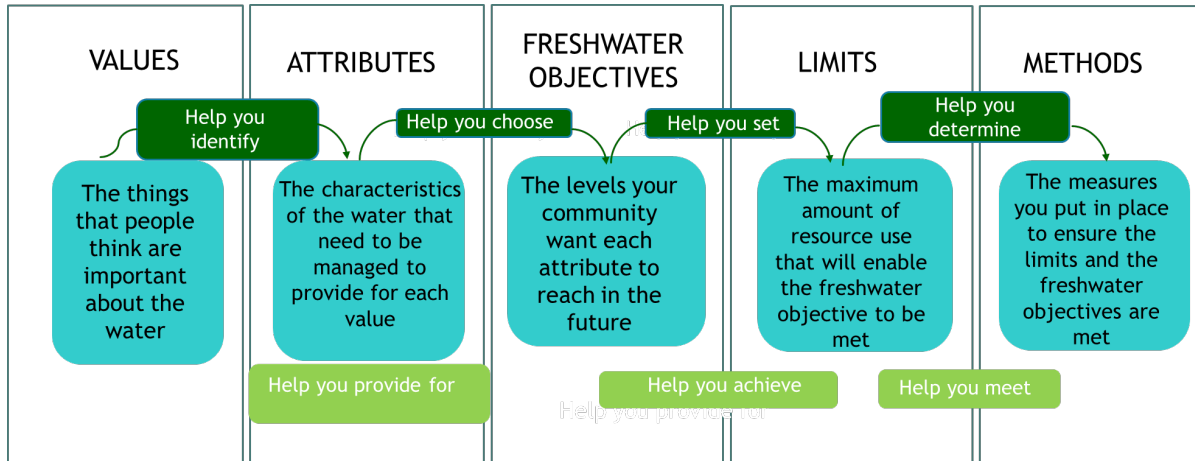


Figure 3: The process for achieving objectives for freshwater as outlined in the NPSFM 2017

Regular updates have been posted on the WCRC website and on Facebook. Updates have also been provided to the West Coast Regional Council (WCRC) Resource Management Committee. Recommendations on measures that will assist with Council's efforts to meet the requirements of the NPSFM follow.

Note that there are mandatory actions and limits in the NPSFM 2020, which regional councils must undertake and adopt. This report recommends some measures which may already be required by the 2020 NPSFM. Other measures are recommended that are specific to the Kawatiri FMU. The 2020 NPSFM was not finalised during the Group's main period of activity, so these recommendations have been made under the 2017 NPSFM requirements. However, a final review of these recommendations has been made in context with the NPSFM 2020 to ensure there is no conflicting information.

4. Values

An important part of the process was to identify community values pertaining to freshwater environments. The Group provided a range of values that they considered were important to the Kawatiri FMU community. These are listed in the chart below (Figure 4), using the original categories and grouping used by the Group participants.

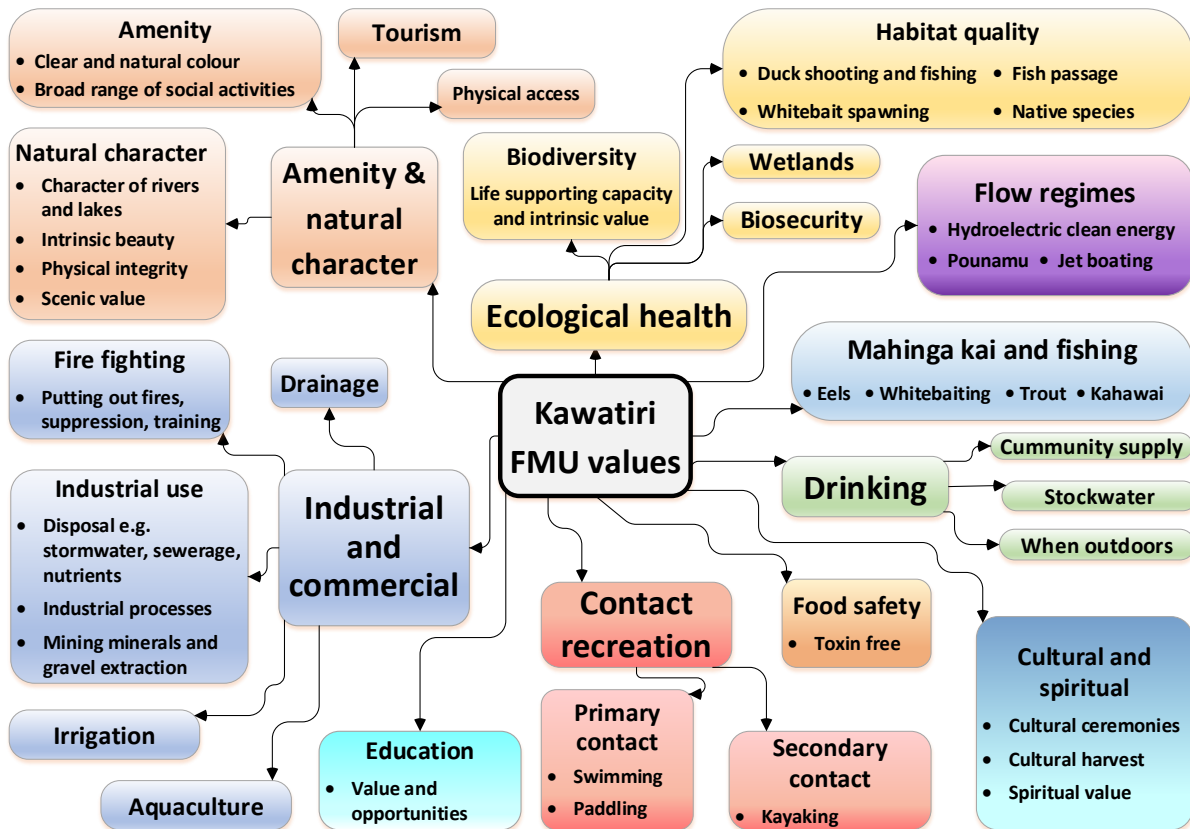


Figure 4: Value categories and grouping created collectively by the Kawatiri FMU Group. The original list of values has been categorised into primary groups, sometimes with secondary groups to accommodate a higher degree of diversity within each group.

5. Attributes and objectives

An attribute is a measurable characteristic (numeric, narrative, or both) that can be used to assess the extent to which a particular value is provided for. For example, the NPSFM has an objective around maintaining/improving swimmability. The attribute measured for this is the bacteria *Escherichia coli* (*E. coli*), and the objective sets a number of numerical limits for *E. coli* levels in certain waterways.

Attributes represent measurable characteristics relevant to an aspect of the compulsory values. Some key attributes have been set out in tables within the NPSFM with defined 'attribute states' (A–D). The attribute states are to help councils (and communities) set numeric freshwater objectives. Numeric freshwater objectives are the basis for defining limits and management actions (Figure 3). Collectively the freshwater attributes, limits and methods ensure that what is valued about a water body is maintained (or improved).

The Group became familiar with the relationship between community values (which included Ngāti Waewae values) and the attributes/objectives required to safeguard these values (Figure 5). The Group is supportive of the attributes prescribed under the current NPSFM, where they are relevant to the West Coast community and environment, as long as they do not create an impractical burden for members of the community.

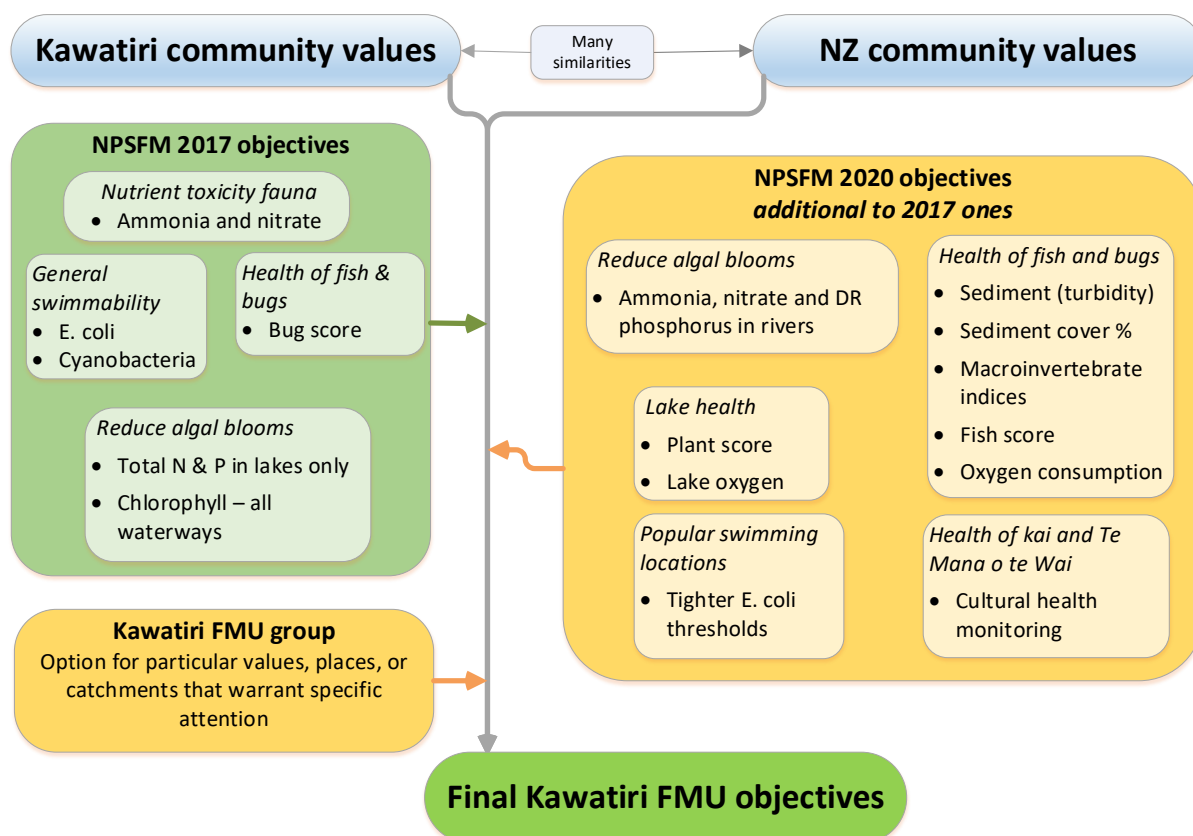


Figure 5: The chart above illustrates the links between values and currently mandatory, proposed mandatory, and community derived attributes/objectives. Compulsory attributes/objectives in the NPSFM 2020 are close to those that were proposed in the 2019 Freshwater Package, which were considered by the Group.

6. Recommendations framework

The recommendations are listed throughout the remainder of this report as it goes through the various topics covered by the Group. All recommendations are numbered from one onwards.

The Group was aware of the Council’s limited ability to resource measuring, and modelling complicated environmental processes, given our small rating population. This work is needed to create and maintain the tools required to underpin sophisticated regulatory measures and monitoring programmes. Large investment in science is required to robustly estimate what impact land management changes can have on water quality. If this is unaffordable for the small West Coast community then it will be hard to develop robust, defensible objectives, methods and limits. We need to be realistic about what we can achieve.

Current water quality related objectives and policies in Council plans apply over the entire region, except for the Lake Brunner catchment (in the Grey FMU) where there have been concerns over aspects of lake health. There was discussion over setting unique objectives and methods for a specific area within the Kawatiri FMU but it was determined that this was not warranted.

While the focus in the Kawatiri FMU discussions has been on improving a number of key attributes (*E. coli* and sediment), NPSFM national bottom line numerical objectives need to be observed for all attributes consistent with the NPSFM concept of “maintain or improve”.

Recommendation

1. **The Group recommends targeted regulation for specific areas in the future where required, providing there is thorough consultation with local iwi and stakeholders prior to development of policy.**
2. **NPSFM national bottom line numerical objectives should be observed for all attributes consistent with the NPSFM concept of “maintain or improve”.**

7. Cultural considerations

The NPSFM recognises that tangata whenua are to be actively involved in freshwater management (including decision making processes), and that cultural values are identified and provided for.

To Ngāti Waewae, water is a treasure (taonga) and having the ability to exercise rangatiratanga over water within their takiwā is of upmost importance to them. The representatives of Te Rūnanga o Ngāti Waewae on the FMU Group explained that ki uta ki tai (from the mountains to the sea) is the concept used by Ngāti Waewae to describe their overall approach to water management. Ngāti Waewae consider that water and land are interconnected and so need to be managed using a holistic approach. Land and water are interconnected and are not separate entities, because what happens on the land affects water. The representatives highlighted that all water is important and valued by Ngāti Waewae whether it is groundwater, coastal water or water flowing in rivers or ‘drains’.

The representatives of Ngāti Waewae explained the importance of maintaining the mauri - the life-giving essence – of water. If water is degraded it impacts mana as it reduces the ability for Ngāti Waewae to collect mahinga kai and manaaki their visitors. The representatives explained that mana whenua as kaitiaki, have an inherited responsibility to pass healthy water onto future generations.

Ngāti Waewae consider that cultural and public health uses of water and the ecological values of water need to be recognised and provided for before consumptive uses of water are provided for.

Ngāti Waewae values and uses of water include:

- Role in creation stories
- Role in identity
- Connections through historical accounts
- Navigational routes – traditional travel routes
- Water is a taonga
- Wāhi tapu – scared places, sites and areas
- Cultural purposes e.g. ceremonies
- Mahinga kai
- Cultural materials e.g. weaving and medicines
- Gathering of pounamu - it is not taken from areas with poor water quality.

Mahinga kai is not just the gathering of food. It includes a range of natural materials along with the places that they are gathered from, and the practices used for collection. Sometimes water quality issues have reduced mahinga kai abundance which has meant that harvests are not possible and intergenerational traditional knowledge can consequently be lost.

Western science uses particular measures to determine water quality. These can be useful for informing the cultural health of a waterway but they don't fully determine the cultural health of a waterway for Ngāti Waewae. The Ngāti Waewae representatives explained the Cultural Health Index (CHI) which is a cultural method for determining the health of a waterway. Traditional knowledge is required to utilise this method, so only Ngāti Waewae are able to undertake cultural health monitoring in the Kawatiri FMU.

The FMU Group have provided recommendations to ensure the interests, rights and responsibilities of Ngāti Waewae are provided for.

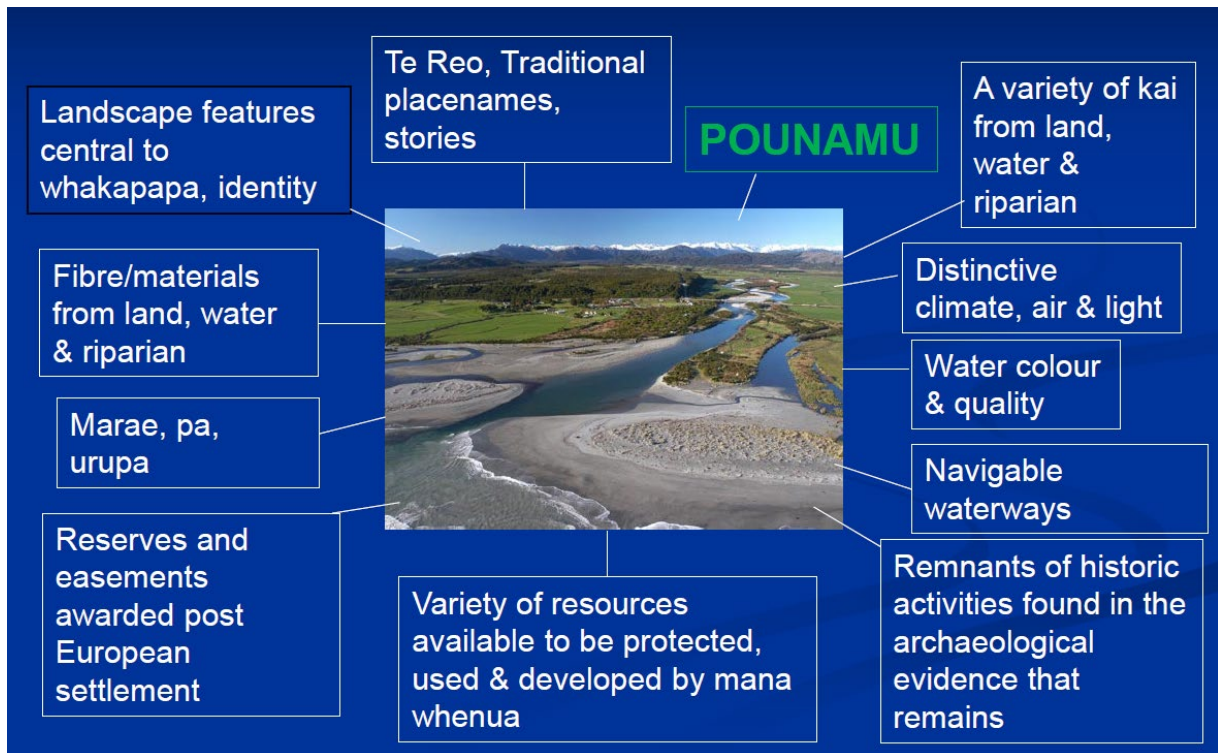


Figure 6: An overview of some of the eco-cultural attributes of a catchment

Recommendations

3. Include provisions in the Regional Land and Water Plan to ensure freshwater is managed so that:
 - a) Mahinga kai is safe to harvest and eat;
 - b) Species are plentiful enough for long term harvest; and
 - c) The range of species is present across all life stages.
- 3A. Include provisions in the Regional Land and Water Plan to protect the mauri of freshwater, and ensure that fresh waterbodies are available and able to be used for customary use.
4. Include provisions in the Regional Land and Water Plan that ensure a cultural allocation for the values of Te Rūnanga o Ngāti Waewae is provided for in the allocation of water.

8. Water quantity

Community values are underpinned by a range of attributes as diverse as the selection of values themselves. The Group considered water quantity as fundamental, interacting with other attributes and underpinning all values.

While the West Coast has a reputation for abundant water, low flows and droughts can come about relatively quickly in the region. Agricultural issues associated with climate in the Kawatiri FMU are unique. Droughts come on quickly and are short-lived, relative to Canterbury. Given a higher frequency and quantity of rain, the depth and energy stored within grass roots are less than grass in other drier areas of the country. Therefore, West Coast grass can be more susceptible to dry periods. Grass, and subsequently stock productivity, can be retarded for the remaining growing season once interrupted by a drought. Therefore, solutions such as irrigation can be required for relatively short, dry periods in order to ensure continuity of production. Existing land use practices may need alteration to future proof them in the face of climate change.

The Group discussed potential allocation issues in the Kawatiri FMU and acknowledged that there are not significant issues in this area. Future changes in climate, land use practices, and commercial activity may lead to an increase in demand for water. While there may only be 'hotspots' where allocation becomes an issue, it is important to get the allocation framework right so that pressures, current and future, can be managed fairly.

Some key points about water use in the Kawatiri FMU are:

- There are some significant water takes in the Kawatiri FMU (Figure 7).
- There are 'hotspots' in certain areas, notably a cluster of takes in the Inangahua River Valley.
- The Kawatiri FMU climate/land use combination are unique to this area of the country.
- Climate and land use are predicted to change in response to global warming, new technology, and commodity trends.

There is potential pressure on water resource availability in the upper Grey catchment. Hot, dry summer conditions, with low river levels, can combine with a need for pasture irrigation. Irrigation is the main consumptive use of water in the Grey FMU (Figure x). There are potential problems for water allocation under the current planning framework. This was one of the key issues within this FMU that needed to be addressed.

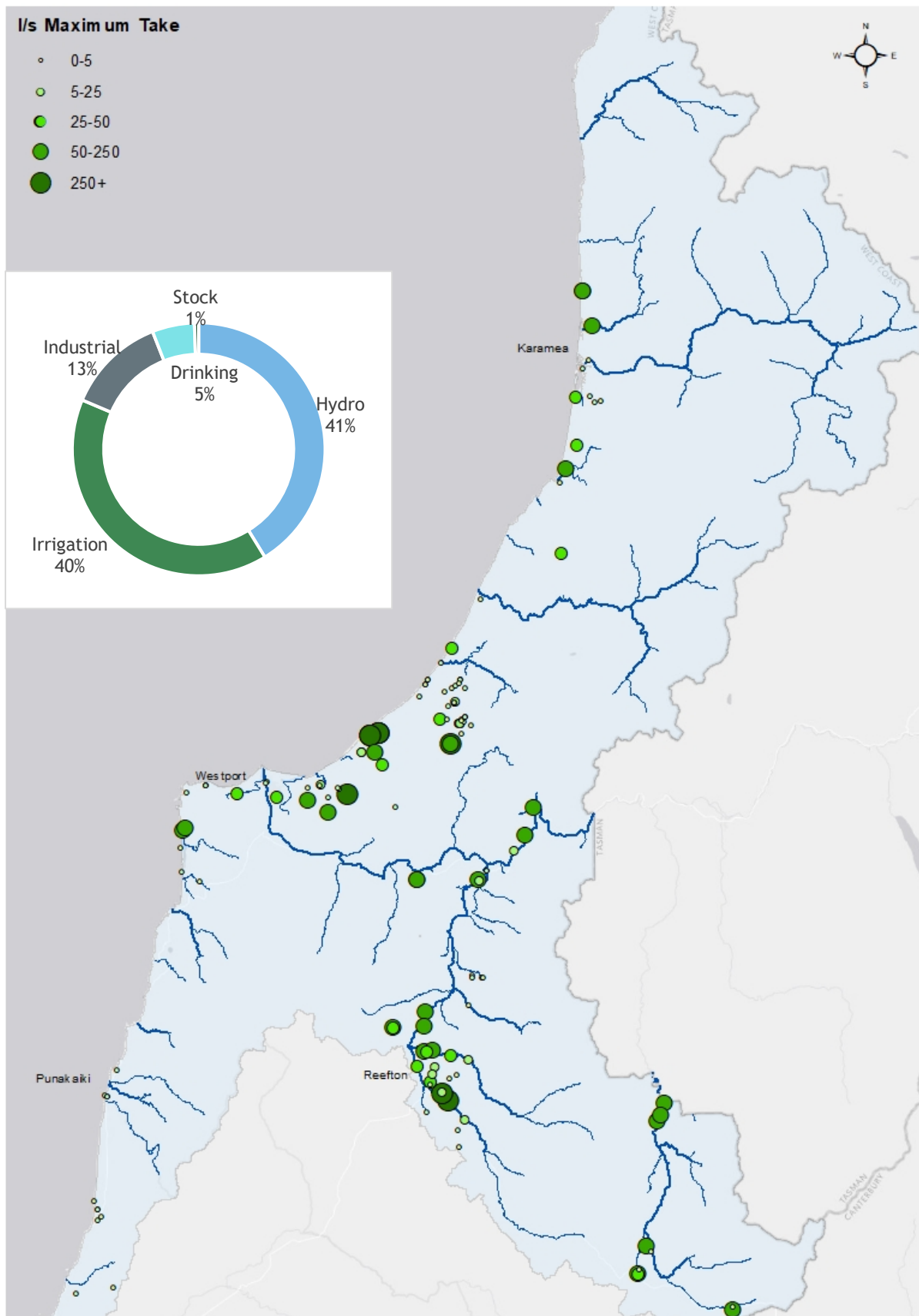


Figure 7: Current allocation framework within the Kawatiri FMU, based on consented water takes as of 2019 (excluding hydroelectric takes).

8.1 Consumptive and non-consumptive takes

Water takes fall into two categories: consumptive and non-consumptive. A consumptive water take occurs when the water is consumed, or it is removed from the immediate catchment without being returned. Examples of this would be irrigation where water is lost to the atmosphere via evapotranspiration, or a water bottling plant. Non-consumptive takes are those where all, or almost all, of the water is kept within the immediate system. An example of this would be a 'run of the river' hydro scheme, where water might be diverted over a short distance before re-entering the natural channel. For example, in Reefton, water gets diverted from the Inangahua River for power generation but gets diverted back into its natural catchment.

8.2 Rules and allocation pressure

8.2.1. Consents and permitted activity rules

Most consumptive water take permits currently issued by the WCRC are granted for 35 years. The Group considered a national review of timeframes allocated to water take consents. Reducing the timeframes as much as some other regions may not be necessary in certain areas due to the consistent rainfall received, and investment that hinges on water permit continuity. However, the Group concluded from the review that, in some catchments, the current lifespan of permits on the West Coast could be too great to respond to changes in resource use and climate variability.

It is often claimed that longer durations are not prohibitive because consents can be reviewed on the anniversary of their approval. However this is difficult and rarely done so it should not be considered a viable option. Shorter consent tenures make it easier and fairer to manage the resource for others not yet part of any allocation structure.

The Group suggested that the Council considers using an adaptive approach for reducing consent timeframes for water takes. Although the details of how this would work are unclear, consideration should be given to resource availability and how adaptive the resource is.

Recommendations

5. **Amend timeframes of water permits to 10 years from 35 years.**
6. **Permitted takes need to be recorded in a schedule which ensures their continuity is periodically confirmed to Council so Council are aware how much is being taken, and where these takes occur.**

Community drinking water supply permit durations are not recommended to be reduced as they are a critical public service.

8.2.2. Allocation

The Buller River is the main catchment within the Kawatiri FMU. Because it is a large system it is difficult to determine suitable allocations for small tributaries that will provide adequate flows in larger downstream sections, so a sensible allocation framework is required.

The Group considered a formal requirement to assemble 'catchment groups' where there is resource pressure, for example, where more than 20% of the Mean Annual Low Flow (MALF) is allocated and taken (ie. reducing MALF below 80%). These groups, consisting of a representative spectrum of the local community, would work through the issues, and could be given authority to make decisions. This may or may not be part of a different framework to the consenting process.

Recommendations

7. **The review of water take consents and the allocation management structure, within a catchment, are triggered once flow goes below 80% of MALF. If this does not occur via a trigger, then a review of the consent or the allocation management structure will be undertaken every 10 years.**
8. **If a waterway goes below 80% of MALF as a result of water takes this would trigger an ecological assessment undertaken by the Council with costs recovered from water users. The results from the ecological assessment should be used to guide further management actions.**

The Group considered that the storage of water, taken during periods of adequate supply, has potential to support consumptive takes, such as irrigation, when water resources are under pressure from dry conditions.

8.2.3. Rule 55 within the existing Regional Land and Water Plan

Rule 55 within the existing Regional Land and Water Plan contains an error. The conjunction between (i) and (ii) should be "and", not "or". The Group proposes that Rule 55 should read as follows:

18.3.3 Restricted Discretionary Takes, Uses, and Diversions of Water

Rule 55. Take and use of surface water

Unless permitted by Rules 39, 40, or 42, or controlled by Rules 52 or 53, the taking and use of surface water where:

- (i) The total volume of water allocated from the river is less than 20% of the mean annual low flow (MALF) of the river; ~~or~~ and*
- ((ii) The applicant accepts a minimum flow based on 75% of the mean annual low flow (MALF) of the river; is a **restricted discretionary** activity.*

In considering any resource consent under this rule the council will restrict the exercise of its discretion to the following:

- (a) The amount of water to be taken;*
- (b) The flow available in the source water body;*
- (c) The current allocation from the source water body;*
- (d) The minimum flow to be applied to the take, if required;*

- (e) Any adverse effect on any existing lawful take of water, if consent is granted;*
- (f) The instream values supported by the source water body and related waterbodies, and any potential adverse effect of the taking on those values, if consent is granted;*
- (g) Any need to prevent fish and eel entering the intake;*
- (h) The means and timing of the take, and the rate of take;*
- (i) The quantity of water required for the intended use;*
- (j) The duration of the resource consent;*
- (k) The information and monitoring requirements; and*
- (l) The review of conditions of the resource consent.*

An application for resource consent under this Rule does not need to be notified.

For smaller streams with high instream values the location and rate of take and the seasonal timing of the take can be controlled by conditions on the consent as set out in the explanation to Policy 7.3.1.

Part (ii) of Rule 55 does not state that takes will be stopped at < 75% MALF, rather, that the Council has discretion. The Group mooted that takes should cease at < 75% MALF, so they may be looking for more definitive rules on this.

8.3 Ground water and surface takes

Ground water and surface water are linked but often treated separately from a regulatory perspective. They should be treated as coming from the same allocation if a catchment is under quantity pressure from consumptive takes. Most regions bundle surface and ground water takes together in terms of allocation. If there are more permissive rules for ground water, then as surface water allocation runs low, ground water resources become more popular. The demand for water has increased significantly over time with 13 times more consented takes in the region since 1997. Industry and irrigation are currently the largest users in the Kawatiri FMU.

8.4 Water metering

Resource Management (Measurement and Reporting of Water Takes) Regulations 2020 require that water takes of 5 litres/sec or more need to be measured and reported. The link below is to the Regulations:

<http://www.legislation.govt.nz/regulation/public/2020/0176/latest/LMS351161.html>

Council and community are still yet to accomplish this.

Having this information is an important part of understanding and managing water resources. Metering is required under this compulsory legislation, but Council receives inconsistent data formats which makes collation difficult. There is a need for those submitting data to do so via a consistent format. Water metering is a challenge and a cost, but it is required under law, and feeds into better commercial practice. Costs associated with managing the data needs to be borne by resource users and not the general rate payer. Council has computer systems and expertise to store and analyse this data, but chasing up data and compiling it is time consuming and will require resourcing beyond what is currently available.

Recommendations

9. **All owners of takes that require metering under the Resource Management (Measurement and Reporting of Water Takes) Regulations 2020 submit their results according to the requirements of these regulations. The format the data is supplied in should be consistent with that stipulated by these regulations or a format specified by the Council that allows the Council to efficiently compile this data.**
10. **Telemetry is utilised for takes, as specified under the Resource Management (Measurement and Reporting of Water Takes) Regulations 2020 so Council can ensure that data collection is occurring, takes are compliant, and there is real time knowledge of resource use.**
11. **Water take consents are to stipulate that suitable data needs to be supplied to Council, as per regulation requirements, in order for the consent to remain valid.**

9. Water quality

WCRC stream monitoring data was used as a baseline to investigate state and trends for water quality within the Kawatiri FMU (Figure 8 and Figure 9). These results, in conjunction with the communities' priorities and NPSFM objectives, were instrumental in determining which objective/attribute combinations were the highest priority to address in the Kawatiri FMU (Figure 10).

Site	Nutrient toxicity		Algal blooms		Faecal contamination	Fauna health	Sediment	
	Nitrate toxicity	Ammonia toxicity	Dissolved reactive phosphorus	Chlorophyll	<i>E. coli</i>	SQMCI	Clarity	Turbidity
Baker Ck @ Baker Ck Rd	A	A	A	B	B	B	C	C
Baker Ck @ Oparara Rd	A	B	A	B	E	B	C	C
Blackwater Ck @ Farm 846	A	B	A		E		D	D
Bradshaws Ck @ Bradshaw Rd	A	A	A	B	E	D	C	A
Bradshaws Ck @ Martins Rd	A	A	A		E		B	C
Buller Rv @ Longford	A	A	A		A	B	A	B
Buller Rv @ Te Kuha	A	A	A		B	B	C	C
Burkes Ck @ SH69	A	A	A	B	E	B	C	D
Orowaiti Rv @ Excelsior Rd	A	A	A	B	E	B	B	C
Orowaiti Rv @ Keoghans Rd	A	A	A	B	A	A	A	A
Page Stm @ Chasm Ck Walkway	A	A	A	B	A	A	C	C
Seven Mile Ck @ 300m d/s Raleigh Ck	A	A	A	B	B	B	B	C
Seven Mile Ck @ Dunollie 400m u/s Ox Pd	A	B	A	A	A	B	B	C
Seven Mile Ck @ SH6 Rapahoe	A	A	B		E		C	C
Seven Mile Ck @ u/s Tillers Mine Ck	A	B	B	A	A	B	B	C

Figure 8: Attribute states for monitored streams in the Kawatiri FMU. Any site/attribute combinations that are an 'E' are below the bottom line and require intervention under the NPSFM. Blanks exist where there is no data for that site.

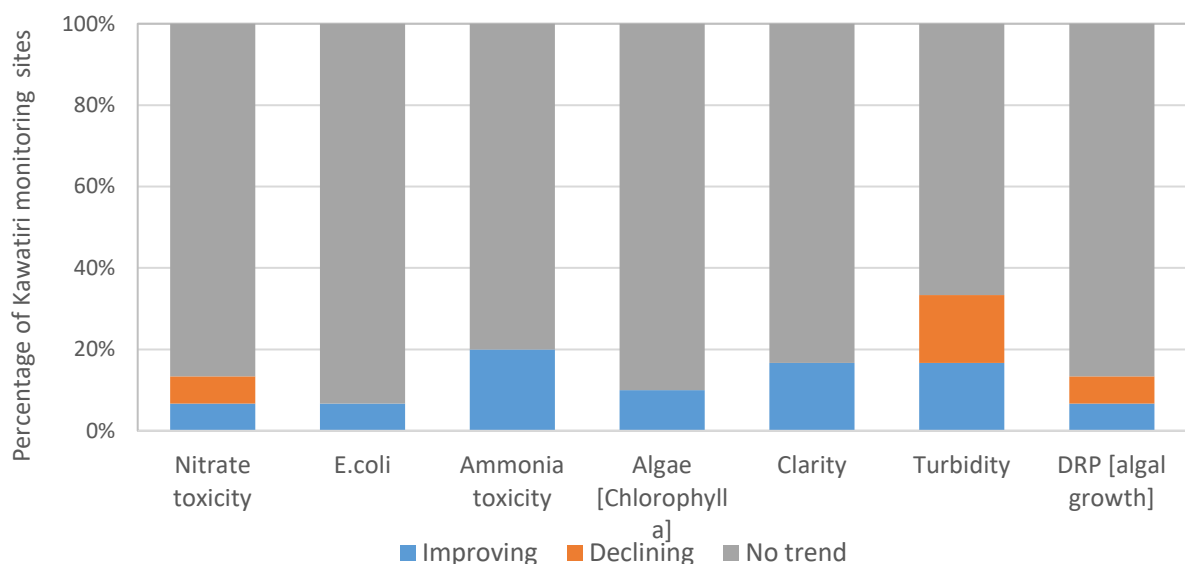


Figure 9: Attribute trends for monitored streams in the Kawatiri FMU. Any site/attribute combinations that are declining require intervention under the NPSFM.

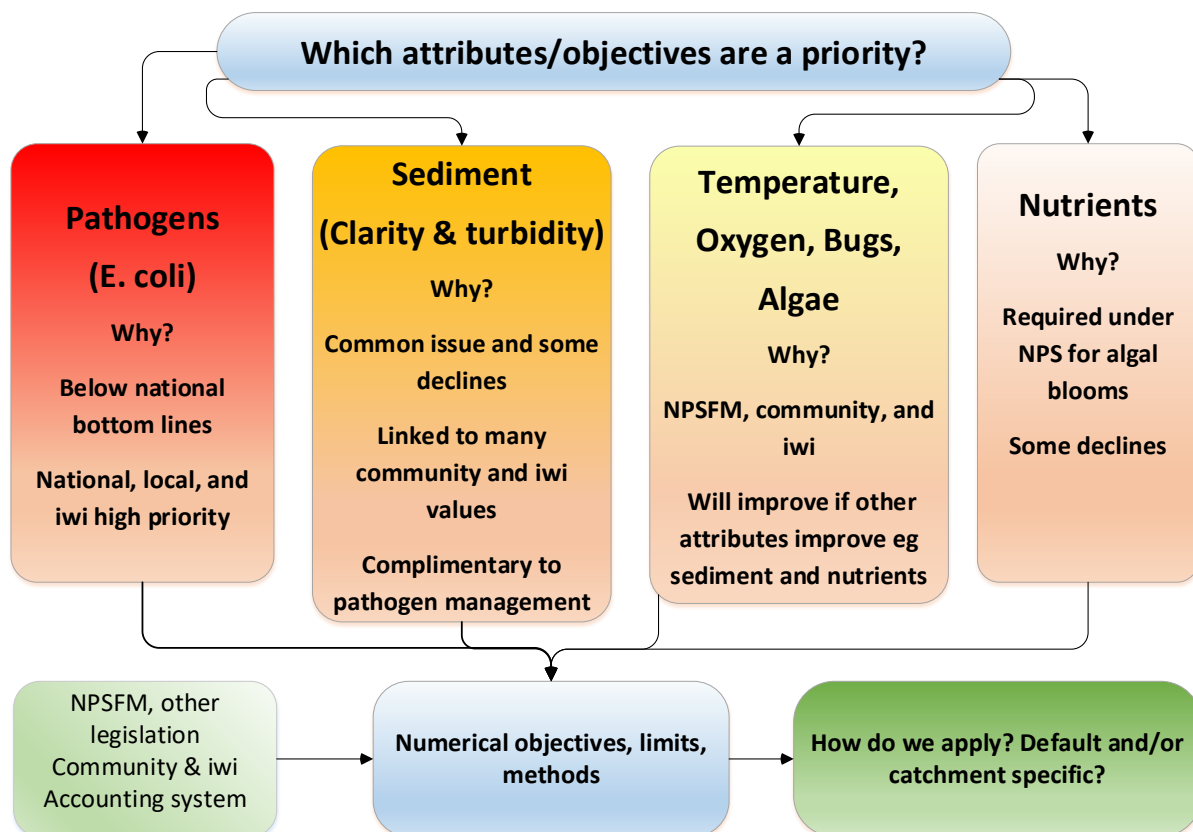


Figure 10: Attributes have been broadly prioritised based on community values, prevalence of issues, and national policy requirements. Priority increases towards the right-hand side.

9.1 Faecal contamination and *E. coli*

The Group discussed at length whether they were happy with the NPSFM 2020 *E. coli* thresholds, were there any additional locations within the FMU that require special consideration, and were there any values that require special consideration. Recent analysis indicated no declining trend for *E. coli* at Kawatiri sites but several were below the national bottom line. For example, some sites within the FMU have “E” ratings, which under the NPSFM requires intervention. The Group endorses the implementation of the proposed NPSFM 2020 national objectives for *E. coli*.

9.1.1. Mitigating on-farm sources of faecal contamination to waterways

There are many sources of faecal contamination on a farm that can enter waterways. Some are of a point source nature, for example, farm dairy shed effluent (FDE). Others can comprise of many smaller sources that add up to what can be referred to as ‘diffuse sources’, all of which accumulate. Many of these can be tackled by drainage management strategies. The Group participated in a field trip looking at the Bradshaws Creek catchment, and discussed the issues leading to faecal contamination in this catchment (Figure 11). AgResearch has suggested a range of mitigation options to reduce *E. coli* in Bradshaws Creek and we compared these to rules in the Land and Water Plan. Currently, only the Lake Brunner catchment has specific mitigation regulations that go beyond those which are standard in the rest of the region, none of which include strategies outlined by AgResearch for Bradshaws Creek.



Figure 11: Kawatiri FMU group members investigating macroinvertebrate fauna, measuring water clarity with a black disk, and assessing stream habitat (from left to right).

Treating effluent contaminated water involves retention or slowing down the flow in order to encourage settling, filtration through vegetation, or soil (vertical percolation). Large sources of effluent, for example, dairy shed effluent, require significant strategies and infrastructure to manage. An example of this is low rate application of FDE to land, as required in the Lake Brunner catchment, which is effective for FDE disposal and improving grass growth. However, the combination of many smaller sources can accumulate to form a significant contribution. It is important to tackle these sources locally where they arise. There is a wealth of guidance on how to achieve this provided by the likes of Dairy NZ, AgResearch, and many regional councils.

Group members outlined the issue of high rainfall on the West Coast causing problems on farms, for example, in Karamea where there are many drains installed to divert water, reduce flooding and reduce soil saturation. This illustrates conflicting needs – rapid drainage for flood mitigation and drier pasture (reduced pugging, higher growth) versus reducing drainage to improve contaminant assimilation.

Recommendations

12. Council initiates catchment groups to address significant water quality issues within affected areas.
13. The Group supports the Council amending regional rules to make discharging faecal contaminants directly to water more restrictive than discharging to land. They also support the use of treatment systems such as constructed wetlands, providing they are effective.

9.1.2. Farm plans/environmental plans

The Group considered it important to identify sources and problem areas across a farm, which can be referred to on a map, indicating what should be done and where. This approach is used in Britain and in New Zealand. The Group support the concept of Farm Plans as per the NES for Freshwater 2020, and strongly supported the Council organising financial and practical support for creating and implementing Farm Plans on the West Coast. The concept of catchment groups was put forward as a means to support the farm planning process and make it more integrated within the catchment.

Farm plans need to be practical, and farmers may require assistance with developing them (technical expertise). A regionally specific template, for example, one that includes humped and hollowed land, and accommodates regional characteristics such as Ngāti Waewae values and mahinga kai enhancement, would be better than a more generic template that fits local conditions poorly. The Group acknowledge the value of farm planning as a concept, and the cost to farms and communities.

Farm plans as a concept, renamed as Environmental Plans, could be expanded to encompass additional activities and industries that affect water quality. This would further benefit water quality and spread responsibility across a wider range of stakeholders responsible for direct and indirect discharges to water.

Recommendations

- 14. The Council assists with financial and practical support for implementing Farm Plans on the West Coast.**
- 15. The Group would like Central Government to support the development of farm plan templates that can be adjusted to the West Coast context e.g. climate and geology.**
- 16. The Council works with Poutini Ngāi Tahu and organisations such as Westland Milk Products to help create farm plans.**
- 17. The Council promotes the use of Environmental Plans for industries other than commercial farming e.g. lifestyle blocks, water bottling plants, gold and coal mines, forestry.**

9.1.3. Septic tanks and combined reticulated systems

Septic tanks can discharge faecal contamination to water bodies if they are incorrectly installed, inadequately maintained, and situated in locations where drainage is poor. Another anthropogenic problem occurs where urban dwellings are connected to historic municipal systems that combine sewerage and stormwater. The Group strongly supports facilitation of connections from mixed sewerage and stormwater to separated services when upgraded facilities are available. They also support further efforts that ensure septic tanks are legal, and that they meet the criteria under the Regional Land and Water Plan and the RMA.

Recommendations

- 18. The Council ensures septic tank effluent discharges are compliant with regional rules and the RMA and do not cause pathogen contamination of waterways.**
- 19. The Council works collaboratively with District Council's for the maintenance, upgrading, and connection of properties to separate reticulated sewage and stormwater systems.**

9.1.4. Cultural considerations around faecal contamination of freshwater

Faecal matter entering waterways from livestock, while less offensive than human sources, is still culturally unacceptable to Poutini Ngāi Tahu if it is not adequately treated on land first. Many wetland systems are used to polish treated effluent discharges prior to entering a waterway, but these need to be effective at reducing contaminants that affect both human health and ecology. 'Token' wetland treatment is not adequate for cultural purposes. We should be working towards no direct discharges to water from effluent – human or animal, because it is culturally unacceptable.

There is significant cultural emphasis on Mahinga kai when it comes to faecal contamination, and concerns were raised by the Group regarding shellfish edibility. Commonly consumed shellfish live in

coastal environments that are periodically or entirely saline. The NPSFM does not specify monitoring or attributes for saline or coastal environments, or typical shellfish waters, but the NPSFM requires that activities which affect freshwater must have no downstream adverse effects on the coastal environment. This philosophy is in line with ki uta ki tai.

The WCRC does not have relevant data to assess stream bacterial monitoring results against shellfish quality assurance guidelines, but attempts were made to roughly assess this using proxy attributes and locations. Some conclusions included the following:

- Open coastal marine environments have lower pathogen indicator bacteria compared to rivers and estuarine environments. On reaching the ocean there is additional dilution and increased pathogen mortality. Lakes and lake outlets usually have low levels of indicator bacteria.
- It seems likely that most coastal areas meet the median shellfish guidelines, but often exceed the top 10% guideline threshold. What this means is that most of the time bacteria levels are satisfactory, but the magnitude of occasional spikes are larger than what is allowed under the guidelines.
- Few estuarine environments on the West Coast met the guidelines. Like marine environments, more estuarine environments met the median opposed to the top 10% criteria.
- Applying shellfish quality assurance guidelines to freshwater environments may not be appropriate. Many freshwater sites did not comply with shellfish quality assurance guidelines. This indicates the significant role of the region's heavy and frequent rainfall, which generates run-off from surrounding land. Undisturbed catchments still have sources of E. coli from the likes of wild animals, but these levels are nearly always a lot lower than levels observed in catchments with urban or agricultural land use.
- The guidelines apply to shellfish, not to other edible freshwater or marine species like fish. And the vast majority of areas covered by the NPSFM don't have shellfish.
- Adding faecal coliform testing to some sites where shellfish are present or nearby would help us assess against the shellfish guidelines.

9.2 Sediment

The Group discussed how sources of sediment can originate from both natural events like slips, and anthropogenic activities like earthworks. If streams have high sediment loads, then it will be important to differentiate between sources. The NPSFM 2020 has compulsory numerical objectives for clarity (a proxy for suspended sediment), and deposited sediment. The numerical objectives are broken down into groups based on geology types, so that intrinsic characteristics are in part considered when these sediment objectives are applied to specific water ways. This means that less stringent clarity standards will be applied in catchments with erodible geologies.

The National Environmental Standard for Plantation Forestry (NESPF) has web tools that allow people to calculate erosion risk and potential impacts on fish, based on geology and slope. These tools and approaches could have direct relevance to managing sediment loss and meeting the requirements of the NPSFM.

The Group supported the use of farm plans to manage activities that lead to problematic additions of sediment to waterways. The Group does not, as a majority, support prescriptive measures to achieve these goals.

As has been discussed previously, the Group suggested that there are incentives to assist with the implementation of mitigation measures used to reduce the impact from sediment on freshwater values in the Kawatiri FMU.

Possible support that was suggested by the Group included:

- Education/farm extension officers
- More relevant information for stakeholders on how they can mitigate impacts in order to improve water quality.

Catchment care groups have the potential to disseminate and share information. The scope of topics and support they provide is potentially very broad and could cover whatever the participants require. They could tie in with farm planning or could be independent of this if desired.

Recommendations

20. **When managing sediment effects on freshwater, there needs to be efforts made to differentiate between what is erosion exacerbated by human activity, and what is natural.**
21. **Council should promote best practice for managing sediment. Part of this should include web-based links to a range of information that covers the good practice measures required to meet the NPSFM.**
22. **Council approaches central government for assistance to meet the NPSFM.**
23. **Council should help facilitate applications made by parties that seek support for implementing NPSFM requirements.**

9.3 Nutrient and macroinvertebrate attributes

NIWA have provided a report to Council on how Council should further evaluate the relationship between nutrients and periphyton growth in a West Coast context. Council monitoring to date has indicated that nuisance periphyton growth is neither frequent nor widespread. This stands to reason considering the predominantly cool, wet climate we have. Therefore, nutrient enrichment is of lower priority than issues such as faecal contamination and sediment/habitat degradation.

Macroinvertebrates are good bioindicators. The NPSFM 2020 provides a bottom line for macroinvertebrates, setting a minimum MCI and QMCI score of 90 and 4.5, respectively. There is also a 'Macroinvertebrate Average Score Per Metric' (ASPM, which is calculated from a group of several metrics), with a bottom line of 0.3. Like other attributes, the NPSFM 2020 stipulates that these macroinvertebrate attributes shall not deteriorate beyond their current state. The Group considers that the constituents of the NPSFM 2020, other government policy and rules, and recommendations made by the Group will provide good protection for ecological values.

9.4 Pest plants and pest fish

Undesirable pest plants and animals pose a significant risk to aquatic biodiversity and amenity values. Examples of this include the incursion of the weed *Lagarosiphon aquaticum* into Lake Paringa. The vigorous growth of this weed will choke the lake making it difficult to swim, fish, and use boats. Many

native species will be permanently displaced. The regional council and DOC both have initiatives underway to monitor and manage the spread of freshwater aquatic pest organisms.

Recommendation

- 24. Council facilitates an audit of aquatic biosecurity/pests, and Council considers increasing the resourcing of aquatic biosecurity monitoring in the Kawatiri FMU.**

9.5 Fish passage and habitat

As part of the topic on ecological health, the Group considered some potentially important factors previously overlooked in earlier meetings and workshops, that pertain to fish health and spawning success. One recommendation arose out of discussion about the importance of accommodating fish access around artificial instream structures.

Recommendations

- 25. Council monitors indigenous fish passage across the FMU. This includes surveying structures and undertaking fish population surveys. Council will continue to collaborate with Poutini Ngāi Tahu and other agencies who have shared responsibility for maintaining fish passage.**

9.6 Cost effective data collection and utilisation: Volunteers, web platforms, and use of consent/compliance data

It is widely recognised that there is currently a significant burden upon Council to meet the requirements of many new policies and standards. All of these add to the list of environmental monitoring that needs to be undertaken by Council, yet Council's ability to resource this work does not increase. The use of voluntary input from the community has been increasingly important around New Zealand to fill gaps in government capacity. An example of this is the predator control programmes and track/hut maintenance undertaken by volunteers. A certain degree of expertise and supervision is required when completing much of the water quality monitoring conducted by the WCRC. However, there is definite scope to increase the use of volunteers for collecting environmental data. These volunteers are often near a waterbody that requires monitoring; therefore they often have a vested interest in its welfare, and it is convenient for them to undertake sampling. Training, equipment, and mentoring can be provided to volunteers who wish to commit time to useful monitoring programmes.

A fast developing area, involving voluntary effort, exists around web-based data and information sharing platforms. One example is iNaturalistNZ, which facilitates knowledge transfer and data collection for NZ plants and animals. Another platform is the Australian Government's 'Eye on the Reef' programme, where people are able to contribute observations to a database from the Great Barrier Reef. These initiatives provide significant value for public education, engagement and awareness.

Recommendation

- 26. The Council investigates some different models that increase utilisation of volunteer assistance with water quality monitoring.**

Further on the topic of cost-effective data collection, the Group expressed their desire for those who utilise water resources, particularly for profit, to adequately contribute to the monitoring required for gauging their impact on resource quality. Members of the Group expressed concern that Council is not adequately utilising data submitted as part of consent conditions and compliance monitoring.

Recommendations

27. The Council ensures that those who utilise water resources contribute a fair amount to the monitoring required to manage the resource, relative to their actual and potential impact on that resource.

28. The Council better utilises datasets collected as part of consenting and compliance work.

9.7 Considerations around some specific key industries and water users: Aquaculture, hydroelectricity, and water bottling

The West Coast has abundant water resources available for freshwater aquaculture. Fish farming has potential to generate pollution in the form of excessive organic enrichment and nutrients. Additionally, pathogens that develop in domesticated species can spread to wild counterparts. Therefore, proper controls are required to manage pollution, pests and pathogens. Ideally the quality of water discharged from a freshwater aquaculture venture should be free of pathogens and have similar quality to the water that entered the system. Using smart systems that recycle and utilise nutrients are ideal. The Group supported the development of sustainable aquaculture on the West Coast provided that the correct processes are adhered to, that is, those processes stipulated under the RMA, Regional Plans, and other government policy.

Broad discussion was had within the Group around the impact of large-scale commercial water bottling, touching on ethical and economic considerations. There was discussion around who owns fresh water and where do royalties go for its abstraction. Also, the ethics around people who have made their water unpotable putting pressure on resources elsewhere instead of better managing their own. Many of these concerns are on the fringes of what is within the scope of the NPSFM. It was agreed that rather than worrying about what the water is being used for once removed (via a consumptive take), that the focus should be on the impacts of removing that water.

Hydroelectric power generation was discussed in the wake of the Government's decision to stop the Waitaha hydroelectric power scheme. The Group deemed hydroelectric power generation desirable in that it is non-consumptive but acknowledged its potential to impact ecology and amenity. The magnitude of these impacts depends a lot on a scheme's design, and the West Coast climate is inherently ideal, being wet in winter when electricity demand is at its peak. The Group considered that there needs to be alternatives for local generation if viable schemes are stopped.

Recommendation

29. The Council supports hydroelectric power generation as long as there are controls in place to maintain existing ecological integrity and add value for as many additional uses as possible.

9.8 Outstanding freshwater bodies (OFWBs)

Outstanding freshwater bodies (OFWB's) have outstanding values including ecological, landscape, recreational, cultural and spiritual values. The Group devoted a session on considering which waterbodies might be considered as OFWB's.

Criteria for selecting OFWB's is thus far not specific, so there is broad scope for determining which waterbodies qualify. For example, particular land use criteria is not critical and waterways can be in or out of the DOC estate. The Group considered several waterbodies for inclusion as OFWB's but decided that it was unwise to include sites as potential OFWB's in these recommendations without having utilised a more structured, rigorous process.

10. Conclusions

The Kawatiri FMU Group have made recommendations that reflect the intent of the wider community they represent. The process has included familiarising the Group with the content and expectations of the NPSFM, and the health of waterbodies within their FMU. A broad range of values associated with freshwater were identified including those relating to recreation and amenity, Ngāti Waewae cultural value, mahinga kai, drinking, ecological health and commercial/industrial applications.

In the Kawatiri FMU, Te Rūnanga o Ngāti Waewae are partners with Council regarding water resource management, as underpinned by multiple NPSFM objectives. As per Te Mana o te Wai, all water has value regardless of its location, for a range of purposes. It is important to consider the broad interconnectivity of factors affecting water quality under the ki uta ki tai philosophy. The current generation need to pass healthy water onto future generations.

The Kawatiri FMU and West Coast is a large area with a small population, heavily dependent on a narrow range of industries, with tourism, agriculture, and mining being the main ones. All of these industries have potential to impinge on values that have been identified as important by the community. It is important to note that many of the values identified relate to the role water has for supporting people's livelihoods. So a balanced approach was at the forefront of the Group's collective consciousness when considering recommendations.

Another key consideration, associated with a small population/large area, is the Council's and Kawatiri communities' limited means to develop and maintain extensive accounting and regulatory frameworks. Full implementation of the NPSFM won't be possible without gaining resources and/or assistance from industry, central government, and volunteers. The need for balance combined with limited means have played a large part in shaping the nature and extent of the recommendations made.

The extent of emphasis the Group placed on attributes and objectives was influenced by the nature of water state and trends within the FMU, the values of Ngāti Waewae and the community, and the extent of emphasis placed on objectives in the NPSFM itself. Reducing faecal contamination was one of the highest priorities, along with reducing impacts from sediment. Frequent and heavy rainfall is a fact of life in the Kawatiri FMU, and the Group wanted to ensure that intrinsic factors were considered when regulating activities. In saying that, while future climate forecasts are for wetter spring/winters, summer/autumn conditions are predicted to become drier, with more extremes both dry and wet. Wet conditions present traditional issues with pathogen run-off and sediment erosion, which the Group have addressed with a number of recommendations, but they have also proposed changes to water allocation given that demand is likely to increase in certain areas.

Attempts have been made to make allocation fairer for a broader range of stakeholders, and to create greater adaptability if allocation needs change. There are already policies in place and data being collected that, with better implementation and refinement, could add value to our ability to monitor and manage water takes.

The Group acknowledged that more needs to be done to reduce contamination of waterways (faecal and sediment contamination in particular), but they favoured non-regulatory measures as a means to achieve this. The use of education and environmental plans as a tool to advance environmental mitigation have potentially wider use beyond their traditional role with agriculture.

Consideration was given to nominating Outstanding Fresh Waterbodies, but no recommendations were made regarding these.

11. List of Recommendations

- 1 The Group recommends targeted regulation for specific areas in the future where required, providing there is thorough consultation with local iwi and stakeholders prior to development of policy.
- 2 NPSFM national bottom line numerical objectives should be observed for all attributes consistent with the NPSFM concept of “maintain or improve”.
- 3 Include provisions in the Regional Land and Water Plan to ensure freshwater is managed so that:
 - a) Mahinga kai is safe to harvest and eat;
 - b) Species are plentiful enough for long term harvest; and
 - c) The range of species is present across all life stages.
- 3A. Include provisions in the Regional Land and Water Plan to protect the mauri of freshwater, and ensure that fresh waterbodies are available and able to be used for customary **use**.
- 4 Include provisions in the Regional Land and Water Plan that ensure a cultural allocation for the values of Te Rūnanga o Ngāti Waewae is provided for in the allocation of water.
- 5 Amend timeframes of water permits to 10 years from 35 years.
- 6 Permitted takes need to be recorded in a schedule which ensures their continuity is periodically confirmed to Council so Council are aware how much is being taken, and where these takes occur.
- 7 The review of water take consents and the allocation management structure, within a catchment, are triggered once flow goes below 80% of MALF. If this does not occur via a trigger, then a review of the consent or the allocation management structure will be undertaken every 10 years.
- 8 If a waterway goes below 80% of MALF as a result of water takes this would trigger an ecological assessment undertaken by the Council with costs recovered from water users. The results from the ecological assessment should be used to guide further management actions.
- 9 All owners of takes that require metering under the Resource Management (Measurement and Reporting of Water Takes) Regulations 2020 submit their results according to the requirements of these regulations. The format the data is supplied in should be consistent with that stipulated by these regulations or a format specified by the Council that allows the Council to efficiently compile this data.
- 10 Telemetry is utilised for takes, as specified under the Resource Management (Measurement and Reporting of Water Takes) Regulations 2020 so Council can ensure that data collection is occurring, takes are compliant, and there is real time knowledge of resource use.
- 11 Water take consents are to stipulate that suitable data needs to be supplied to Council, as per regulation requirements, in order for the consent to remain valid.
- 12 Council initiates catchment groups to address significant water quality issues within affected areas.

- 13 The Group supports the Council amending regional rules to make discharging faecal contaminants directly to water more restrictive than discharging to land. They also support the use of treatment systems such as constructed wetlands, providing they are effective.
- 14 The Council assists with financial and practical support for implementing Farm Plans on the West Coast.
- 15 The Group would like Central Government to support the development of farm plan templates that can be adjusted to the West Coast context e.g. climate and geology.
- 16 The Council works with Poutini Ngāi Tahu and organisations such as Westland Milk Products to help create farm plans.
- 17 The Council promotes the use of Environmental Plans for industries other than commercial farming e.g. lifestyle blocks, water bottling plants, gold and coal mines, forestry.
- 18 The Council ensures septic tank effluent discharges are compliant with regional rules and the RMA and do not cause pathogen contamination of waterways.
- 19 The Council works collaboratively with District Council's for the maintenance, upgrading, and connection of properties to separate reticulated sewage and stormwater systems.
- 20 When managing sediment effects on freshwater, there needs to be efforts made to differentiate between what is erosion exacerbated by human activity, and what is natural.
- 21 Council should promote best practice for managing sediment. Part of this should include web-based links to a range of information that covers the good practice measures required to meet the NPSFM.
- 22 Council approaches central government for assistance to meet the NPSFM.
- 23 Council should help facilitate applications made by parties that seek support for implementing NPSFM requirements.
- 24 Council facilitates an audit of aquatic biosecurity/pests, and Council considers increasing the resourcing of aquatic biosecurity monitoring in the Kawatiri FMU.
- 25 Council monitors indigenous fish passage across the FMU. This includes surveying structures and undertaking fish population surveys. Council will continue to collaborate with Poutini Ngāi Tahu and other agencies who have shared responsibility for maintaining fish passage.
- 26 The Council investigates some different models that increase utilisation of volunteer assistance with water quality monitoring.
- 27 The Council ensures that those who utilise water resources contribute a fair amount to the monitoring required to manage the resource, relative to their actual and potential impact on that resource.
- 28 The Council better utilises datasets collected as part of consenting and compliance work.
- 29 The Council supports hydroelectric power generation as long as there are controls in place to maintain existing ecological integrity and add value for as many additional uses as possible.

12. Appendices

12.1 Kawatiri FMU Community Group biographies

John Hill

John Hill graduated with a degree in chemistry (1971) and went on to complete a post graduate research project leading to Licentiate of the Royal Institute of Chemistry (LRIC, now the Royal Chemical Society).

John spent several years in Research and Development with large international companies. He has been involved in the development of several technologies such as Superglue, wipeless hard surface cleaners and residual efficacy hard surface disinfection.

Following emigration to New Zealand he has been involved with water and environmental industries. He operated and owned SAFE NZ, which manufactured filter systems for commercial air conditioners. During this period John was a leader in research relating to 'sick building syndrome'. John has also been involved with water treatment systems for healthcare, beverage and food sectors. He is currently on the governance board of Clean Streams Karamea.

Colin Hope

Colin has worked as an Electrical Design Engineer on power stations, involving electrical design, construction, commissioning and maintenance. He has undertaken this work in both the North and South Islands of New Zealand, including the Bay of Plenty, Central Otago, and Manapouri. Colin currently works as a line design engineer with Buller Electricity Ltd.

For Colin, water is one of the most important elements required for our survival, and the health of the environment in which we live, therefore, any human activity that impacts on the quantity and quality of water needs to be managed carefully. We do not own water or have exclusive rights to it, yet we are its guardians -we should exercise that responsibility wisely.

Caroline Jones

Caroline has lived in Karamea for 30 years and is part of a family that has farmed in the area since the late eighteenth century. Caroline's children, and generations of their family, have swum in nearby Granite Creek, as well as utilising the recreational opportunities provided by the surrounding rivers and estuaries. Caroline is acutely aware of the challenges involved in maintaining sustainable farming communities in the face of a dynamic environment and ever-changing environmental policy. Her family wish for surrounding communities to remain sustainable and to enjoy the benefits of the area.

Nathan Keoghan

Nathan has multiple interests in freshwater management and comes from a sixth-generation dairy farming family. Nathan grew up swimming, boating and fishing in his Awa the Orowaiti River.

A career in forestry and rural fire fighting has exposed him to different freshwater management issues. In 2006 Nathan and his wife Rebecca returned to manage, and later purchase, the family farm. This involved two specific water related activities; firstly, the Buller District Council's backup water supply weir on the farm, and the development of a commercial gold mine on the property. Nathan has an MBA from Massey University, extensive governance and leadership training, and experience having chaired the West Coast Focus Farm Trust. He is currently deputy chair of the Livestock Improvement Corporation's Shareholders Council.

For fun Nathan is Musical Director of the Westport Municipal Band where he is joined with members of his family, his wife Rebecca, and two children Amelie and Spencer.

Michael Kingsbury

Michael has an interest in water quality through his recreational interests, including rowing, kayaking and whitebaiting. His employment history includes managing environmental impacts from land use activities, specialising in rehabilitation of mine sites, and in particular site revegetation. Michael has tertiary qualifications in geology, geography, engineering geology and natural resource engineering.

Douglas Phillips

Douglas has a degree in Agriculture and a Masters degree from the University of Cambridge in Land Economics. Douglas is also a Member of The Institute of Agricultural Management. Before coming to New Zealand, Douglas worked for a number of years as an Agricultural Advisor in the United Kingdom and was also Operations Director for the Tyne Rivers Trust in England – a charity responsible for monitoring, maintaining and improving the Tyne Catchment.

Douglas is an avid fly fisherman and has a passion for utilising "green engineering" as a low cost, environmentally responsible method for improving water quality and reducing flood risk.

Campbell Robertson

Campbell Robertson is currently the Environmental Manager with Bathurst Resources, based in Westport. He holds a BSc (Zoology), and MSc (Hons) in Resource Management. Campbell has a passion for outdoor recreation and values opportunities to enjoy the Buller District's natural resources. This includes fishing, swimming, and boating in Buller's waterbodies, as well as appreciating their overall intrinsic value. Campbell is actively involved with a range of community interest groups via his work duties and personal interests.

Di Rossiter

Di Rossiter holds an MSc from Canterbury University and tries to make use of this by thinking analytically in both her professional and personal life. Di is interested primarily in being useful and kind. She thinks that recognising the Te Mana o te Wai - freshwater's intrinsic value - in the NPS for Freshwater Management, represents a paradigm shift in the way we think about our place in the world that is long overdue.

Lisa Steenhauer

Lisa is a biology and science teacher at Buller High School. She has a MSc and a PhD in freshwater ecology, specialising in the effects of land use and environmental change on microbes (viruses, bacteria, algae and zooplankton), in lakes and wetlands. Lisa has worked in a commercial lab in Australia counting harmful algae in drinking water supplies, studied lakes, and the North Sea Ocean in the Netherlands. Lisa grew up on the West Coast.

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee – 10 November 2020
Prepared by: Hadley Mills and Heather McKay
Date: 29 October 2020
Subject: Essential Freshwater Package – Potential Regional Variations.

In October 2019 the Government undertook consultation on the Essential Freshwater Package of policy. The Essential Freshwater Package is made up of four key parts including:

- National policy Statement for Freshwater Management 2020 (NPSFM)
- National Environmental Standard for Freshwater 2020 (NESFW)
- Stock exclusion Regulations
- Water take Regulations

WCRC staff engaged strongly in the consultation process, including hosting senior officials for two days on the West Coast outlining West Coast issues. The Council made an extensive submission on the package, and staff have continued to engage with central Government officials wherever possible as the policies have gone through the consideration and drafting stages. On 03 August 2020 the final policies and regulations forming the package were released and these came into force from 03 September 2020.

Staff have identified four key parts of the package we consider to be particularly problematic in the context of the West Coast and recommend regional variations. They are:

- Refuelling of machinery in wetlands associated with sphagnum moss harvesting
- Earthworks in wetlands
- Temporary extension for replanting on farms after intensive winter grazing
- Stock exclusion for river run farms

Refuelling of Sphagnum moss harvesting in wetlands

Sphagnum moss harvesting in natural wetlands is an activity that has been allowed for in the NESFW through a specific set of provisions. The provisions were generally modelled off the West Coast Regional Land and Water Plan, except in the NESFW refuelling machinery within the wetland is not allowed. This is problematic for two reasons:

1. The environmental effects on a natural wetlands values caused by moving equipment/machinery (e.g. brush cutters, bulldozers and excavators) in and out of the wetland are likely to be greater than if the machinery can be refuelled within the wetland.
2. West Coast natural wetlands can be huge, some (that are likely to meet the NESFW definition) are over 120ha on private land. Therefore, if machinery cannot be refuelled within a natural wetland there may be significant inefficiencies to harvesting operations.

Through Plan Change 1 to the West Coast Regional Land and Water Plan it was considered that by limiting refuelling associated with sphagnum moss harvesting to a 20L container, it would mitigate any potential impact of a fuel spill, should it occur. This condition went through a rigorous consultation process and the formal RMA schedule 1 process taking into account all of the relevant matters and was not appealed.

Staff recommend entering discussions with central government to ask that item 7, in Schedule 4 (Checklist of conditions for harvesting) of the NESFW, be changed to: *Only containers of 20 litres or less were used to refuel machinery, vehicles, and equipment within the natural wetland.*

Earthworks in Wetlands

Regulations 52, 53 and 54 in the NESFW and Clause 3.22 in the NPSFM together, make earthworks and vegetation clearance within or adjacent to a natural wetlands either prohibited or non-complying unless associated with a small number of activities. These activities include scientific research, restoration of natural wetlands and construction of specified infrastructure.

A considerable number of West Coast private properties are likely to have large areas of natural wetlands within their boundaries, some (that are likely to meet the NESFW definition) are over 120ha. The NPS and NES make activities like building a road access or building a house pad prohibited within

a natural wetland. In some circumstances, particularly in the context of the West Coast, conducting these types of activities in a natural wetland, when the effects management hierarchy is applied can be appropriate.

Staff recommend entering discussions with central government to ask that Regulations 52, 53 and 54 in the NESFW, for the West Coast region only, have an activity status of discretionary rather than prohibited and non-complying. This will ensure wetland values are protected while enabling appropriate use and development.

In order to allow for this the NPSFM, Clause 3.22 (Natural inland wetlands), sub clause (1), (2) and (3) would also need to be modified to allow West Coast (only) to use an effects management hierarchy for all activities within natural wetlands.

Temporary extension for replanting on farms

Clause 26 subpart (4)(e) of the NESFM requires the replanting of land used for intensive winter grazing by 01 October. Clause 26 subpart (7) allows this date to be extended to 01 November for Otago and Southland only.

Due to the climatic conditions on the West Coast, pasture growing conditions in October are much slower and more comparable to Otago and Southland than Northern regions. Wet spring conditions that are generally experienced on the West Coast also make getting heavy machinery onto paddocks for re-sowing prior to October often difficult and potentially damaging to soil structure.

Staff recommend entering discussions with central government to ask that the West Coast be added to *Clause 26 subpart (7) - Temporary extension for replanting on farms in Otago and Southland*.

Stock Exclusion for River Run Farms

The Stock Exclusion regulations require that all cattle, deer and pigs are excluded from wide rivers (over one metre wide at any point in the land parcel) at varying dates between now and 01 July 2025. Stock must be excluded from the bed of the river and to a three metre setback.

There are a number of large river run type farms on the West Coast (primarily in South Westland) for which compliance with these exclusions will be very difficult, if not impossible. These farms operate at low stocking rates, on a mixture of private and often leased public land (DoC, LINZ) in river valleys where rivers have very wide beds (including grassy flats which are currently grazed) with highly variable flows.

Water quality in these areas is typically very high, and low stocking rate farming has been operating for generations with negligible impact.

Staff recommend entering discussions with central government about the exclusion of low impact river run properties from the stock exclusion regulations. This could readily be done through the removal of these properties from the slope maps associated with the regulations rather than amendments to the regulations themselves.

RECOMMENDATION

- 1. That the report is received.*
- 2. That staff prepare a letter for the purpose of engaging with Central Government departments and Ministers.*

Hadley Mills
Planning, Science and Innovation Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting – 10 November 2020
 Prepared by: Millie Taylor, Environmental Science Technical Coordinator
 Date: 28 October 2020
Subject: REEFTON AIR QUALITY SUMMARY

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

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

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

Over winter the science team were managing \$60,000 of government funded projects to help better understand the Reefton air quality issue, as well as maintaining and developing our regular monitoring program.

Reefton Air Quality 2020

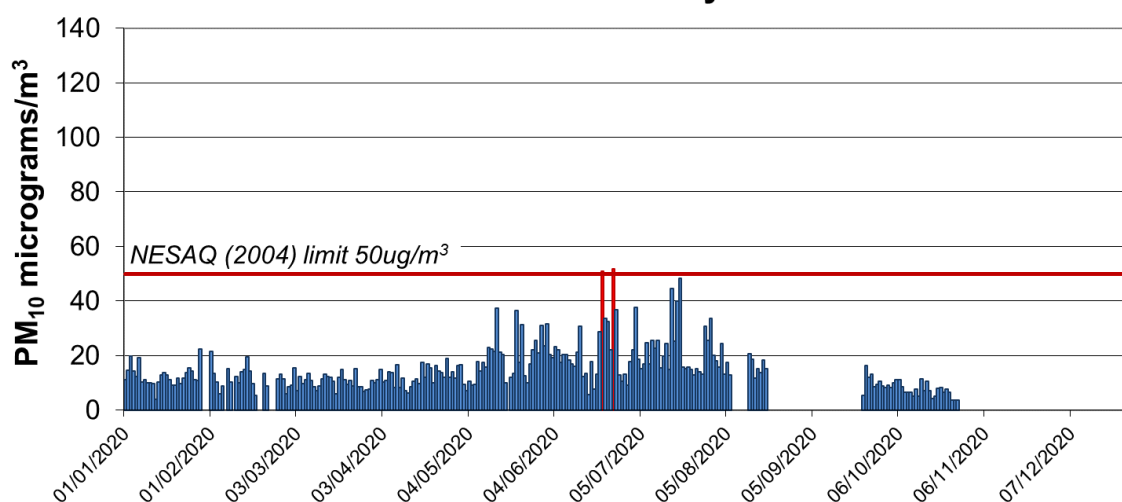


Figure 1. Reefton 24 hour average PM₁₀ for 2020. Gaps in the data due to technical issues.

Table 1 Reefton air quality exceedances of the NES

Date	Micrograms/m ³ PM ₁₀	
21/06/2020	51	Allowable exceedance
25/06/2020	52	Breach of NESAQ 2004

In 2016 the BAM was moved to its current location at Reefton Area School due to the sale of the previous property. In June 2019 the T640x was installed with the intention of eventually retiring the BAM. To help better understand the relationship between the BAM and the T640x, the Partisol reference device was borrowed from NIWA and installed directly between the two existing instruments, as seen below in Figure 2. The data collected over winter is currently with NIWA for analysis and funded by an Envirolink grant.



Figure 2. Reefton air quality monitoring instruments. From left to right; BAM, Partisol, and T640X.

RECOMMENDATION

That the report is received.

Hadley Mills

Planning, Science and Innovation Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee
Prepared by: Leah Templeman – Consents and Compliance Business Support Officer
Date: 30 October 2020
Subject: CONSENTS MONTHLY REPORT

Two Consents Sites Visit were undertaken 1 October 2020 to 30 October 2020

29/09/2020	Department of Conservation, Dolomite Point Visitors Centre, Punakaiki	Met on site with consultants developing the project and staff from Buller District Council to view the proposed site if the new visitors centre and potential consenting requirements.
12/10/2020	RC-2020-0114 Cargill Rd Barrytown Limited, Flood protection works, Fagan Creek	Site visit to assess the application against the works which have already been carried out and the potential impacts future works it may have on the environment.

Four Non-Notified Resource Consents were Granted 01 October 2020 to 30 October 2020

RC-2020-0049 Humphreys Mining Limited Rocklands, Buller	To undertake earthworks associated with alluvial gold mining, Rocklands. To take and use groundwater via seepage, Rocklands. Take and use surface water from the Buller River, Rocklands. To discharge contaminants to land where it may enter water associated with alluvial gold mining, Rocklands. To intermittently discharge contaminants to the Buller River via settling ponds associated with alluvial gold mining, Rocklands.
RC-2020-0103 Arnold Contracting Limited Poerua River	To disturb the bed of the Poerua River to construct a protection structure.
RC-2019-0109 Daniel Morrison Potters Creek, Franz Josef	To disturb the riparian margins of Potters Creek to construct a stopbank. To disturb the bed of Potters Creek to relocate gravel to form a stopbank. To disturb the bed and banks of Potters Creek to widen the channel and form a stopbank.
RC-2020-0118 New Zealand Transport Agency Willis Croft Bridge, Maruia River, McConnochie's Creek and Inangahua River	To disturb the bed of the Maruia and Inangahua Rivers to undertake river protection and stream training works To permanently divert water in the Maruia and Inangahua Rivers from river protection structures and stream training works. To temporarily discharge sediment to water associated with protection works and stream training, Maruia and Inangahua Rivers.

Three Changes to and No Reviews of Consent Conditions were granted in the period 1 October 2020 to 30 October 2020

RC-2019-0074-V1 To allow an additional excavator to be used in mining operation.
Western Dynasty Holdings
Limited, Cnr Stafford and Stafford
Loop Roads, Stafford

RC-2017-0003-V1 To add additional area for mining.
Elect Mining Limited,
German Gully, Waimea

RC-2019-0093-V1 To change the design of the seawall.
New Zealand Transport Agency,
Bruce Bay

No Limited Notified or Notified Resource Consents were granted in the period 1 October 2020 to 30 October 2020

RECOMMENDATION

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

Heather McKay
Consents & Compliance Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee – 10 November 2020
Prepared by: Colin Helem – Compliance Team Leader
Date: 30 October 2020
Subject: **COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

Site Visits

A total of 102 site visits were undertaken during the reporting period, which consisted of:

Activity	Number of Visits
Resource consent monitoring	66
Mining compliance & bond release	11
Complaints	4
Dairy farm	21

This report covers the period of 2 October 2020 to 30 October 2020.

- A total of 13 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 3 non-compliances occurred during the reporting period.

Activity	Description	Location	Action/Outcome	INC/Comp
Gold Mining	A compliance officer located a small unauthorised gold mining operation on private land. The miner did not hold a resource consent for the operation.	Kumara	Enquires are ongoing	Incident
Dumping of demolition material	A compliance inspection at a site that was consented to accept clean fill materials established that non clean fill materials had been disposed of at the site.	Taylorville	An abatement notice was issued to the contractor and the consent holder to cease any further dumping of unauthorised materials. A formal warning was also issued to both parties.	Incident
Waste water discharge	A compliance inspection was undertaken at the Haast waste water treatment plant and found that the discharge was not subsurface as required by the consent conditions.	Haast	A sample has been sent for analysis and enquiries are ongoing.	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
Earthworks/ Stormwater	Complaint received that recent land development has caused stormwater issues on the neighbouring property.	Kakapotahi	The site was investigated and established that no recent earthworks or development had taken place which may cause a stormwater issue.	Complaint
Earthworks	Complaint received that a goldminer had created an access road on a property neighbouring the gold mining operation.	Rimu	Enquiries established that the miner originally had permission from the landowner to place gravel down to form the track which is still within the consented area. The miner agreed to remove the gravel and tidy up the site. No breach of the regional rules or consent conditions.	Complaint
Discharge to water	Complaint received from a whitebaiter that there was milk factory waste visible in the Hokitika River.	Hokitika River	The site was investigated and at the time of the inspection there were no issues with the consented discharge from the milk factory.	Complaint
Structure in the bed of a river	Complaint that a whitebaiter was breaching their resource consent conditions for their stand.	Orowaiti River	The site was investigated and established that the person was compliant with their resource consent. Advice was given regarding complying with the fishing regulations.	Complaint
Gold Mining	Complaint received that a goldminer had discoloured a small creek with sediment.	Stafford	The site was investigated, and it was compliant at the time of the inspection. The miner explained that they had moved some heavy machinery across the creek which may have discoloured it for a short duration.	Complaint
Structure within the CMA	Complaint received that a person was about to construct a retaining wall within the bed of a river which was also within the Coastal Marine Area	Westport	The property owner was contacted and advised that the structure will require a resource consent. A consent application has since been lodged with the Council.	Complaint
Discharge to air	Complaint received that the discharge from a truck which was irrigating wey protein onto pasture has caused an objectionable odour.	Stafford	As the complaint was received after the event the site was not attended. The operator has been contacted and been given advice.	Complaint
Discharge to air	Complaint received regarding the discharge to air of black smoke from an outside fire at a trade and industrial premises.	Gladstone	The site has been investigated and enquiries are ongoing.	Complaint

Activity	Description	Location	Action/Outcome	INC/Comp
Flood protection structure	Complaint received that a weir is causing erosion of a property.	Waimangaroa	The site has been investigated and enquiries are ongoing.	Complaint
Gold Mining	Complaint regarding the noise from a gold mining operation.	Stafford	The site was investigated and at the time of the inspection the noise did not appear to be excessive.	Complaint

Update on Previously Reported Ongoing Complaints/Incidents

Activity	Description	Location	Action/Outcome	INC/Comp
Gold Mining	A compliance officer saw that a creek was discoloured with sediment. The source was tracked to a gold mining operation. Samples obtained established that the discharge was in breach of their consented compliance limits.	Sergeants Hill	An abatement notice had been issued to cease the discharge. An infringement notice has now been issued for the unconsented discharge of sediment laden water.	Incident

Formal Enforcement Action

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

Activity	Location
Dumping of waste: two warnings issued for the dumping of non-clean fill material. One notice issued to the consent holder and a second notice issued to the contractor.	Taylorville

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

Activity	Location
Gold mining: discharge of sediment laden water	Sergeants Hill

Abatement Notice: There were two abatement notices issued during the reporting period.

Activity	Location
Dumping of waste: Two notices issued to cease the dumping of non-clean fill material. One notice issued to the consent holder and a second notice issued to the contractor.	Taylorville

Mining Work Programmes and Bonds

The Council received the following six work programmes during the reporting period. Five of the programmes have been approved.

Date	Mining Authorisation	Holder	Location	Approved
01/10/2020	RC-2015-0132	Phoenix Minerals Ltd	Callaghan's	Yes
06/10/2020	RC-2018-0103	Tomlinson Brothers	Atarau	Yes

12/10/2020	RC-2019-0058	Alan Fowlie	Houhou Creek	Yes
16/10/2020	RC10055	Rockies Mining Limited	Stockton Plateau	In progress
19/10/2020	RC00023	Heaphy Mining Limited	Berlins	Yes
22/10/2020	RC-2016-0138	BrownsGold Limited	Stafford	Yes

No bonds were received during the reporting period

No bonds are recommended for release

RECOMMENDATIONS

That the November 2020 report of the Compliance Group be received.

Heather McKay
Consents and Compliance Manager

COUNCIL MEETING

Council Meeting

(Te Huinga Tu)

A G E N D A

(Rarangi Take)

Purpose of Local Government The reports contained in this agenda address the requirements of the Local Government Act 2002 in relation to decision making. Unless otherwise stated, the recommended option outlined in each report meets the purpose of local government and:

- Promote the social, economic, environmental and cultural well-being of communities in the present and for the future.
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

1. Welcome (*Haere mai*)
2. Apologies (*Nga Pa Pouri*)
3. Declarations of Interest
4. Public Forum, Petitions and Deputations (*He Huinga tuku korero*)
5. Confirmation of Minutes (*Whakau korero*)
 - Council Meeting 13 October 2020
 - Special Council Meeting 22 October 2020
 - Inaugural Meeting of Audit & Risk Committee 20 October 2020
6. Chairman's Report
7. Chief Executive's Report
8. **Reports**
 - Engineering Operations Report
 - Corporate Services Managers Report
9. General Business

Health and Safety Emergency Procedure

In the event of an emergency, please exit through the emergency door in the Council Chambers.

If you require assistance to exit, please see a staff member. Once you reach the bottom of the stairs make your way to the assembly point at the grassed area at the front of the building. Staff will guide you to an alternative route if necessary.

Earthquake

If there is an earthquake - drop, cover and hold where possible. Please remain where you are until further instruction is given.

THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL HELD ON 13 OCTOBER 2020, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.52 AM

PRESENT:

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

IN ATTENDANCE:

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

1. APOLOGIES

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 (Challenger / Magner) *that the minutes of the Council meeting dated 8 September 2020, be confirmed as correct.*

Carried

Matters arising

There were no matters arising.

REPORTS:

4.1 OPERATIONS REPORT

R. Beal spoke to his report. He advised work carried out at Neil's Beach was done in conjunction with Westland District Council (WDC).

He reported that WDC purchased 11,000 tonne of rubble from the Okuru quarry to strengthen erosion which was threatening the road at Okuru.

R. Beal advised that stockpiles of rock are being built up in the Inchbonnie, Camelback and Whataroa quarries in anticipation of future work.

R. Beal updated Council on the recent community consultation drop in sessions. He advised that the sessions for Hokitika and Westport are now complete with interim results revealing that over 60% in support. A report will be prepared and written responses will be collated and provided to Council with recommended changes presented to a Council workshop next week. R. Beal advised that the signed funding agreement will be returned to the Provincial Development Unit by the end of the month. R. Beal advised that he has circulated a petition from Hokitika residents to Councillors this morning. He stated that not all signatories are ratepayers, and the consultation is not a poll.

Cr Cummings asked R. Beal if the drop in session in Franz Josef was well received. R. Beal responded that in general this was positive, but there is a consistent theme of wanting a differential placed on the proposed extension in the Lake Mapourika area as it is felt that this area does not benefit from future works as much as the town and the south side of the town. He stated that the community is very keen to have a representative on the committee.

Cr Ewen spoke of the slip material on the road at Neil's Beach. R. Beal confirmed that WDC contributed \$10,000 to this work. R. Beal commented that ratepayers were appreciative of this work.

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

Carried

4.2. CORPORATE SERVICES MANAGERS MONTHLY REPORT

R. Mallinson spoke to his report and stated that due to his commitments with the end of year audit and responsibilities with the Acting CE role, he has not had time to finalise the two monthly financials to 31 August. He advised that he will be preparing a full quarterly report for the three months to 30 September and will bring this to the November meeting.

R. Mallinson advised that the income to the investment portfolio during August was \$214,539 and the closing balance was in excess of \$10.5M. He advised that total increase in value of the investment portfolio was \$356,000.

R. Mallinson reported that the NEMA have recently approved the fourth claim of \$250,000, relating to the 26 March 2019 weather event, he stated that there is one more claim to be received. R. Mallinson advised that as soon as this money is received he will arrange for the Catastrophe Fund to be reinstated for the full \$1M.

R. Mallinson advised that he is in final negotiations with Council's insurers for a final settlement for all claims regarding this weather event, and is expecting a final payout which is separate from the NEMA payout.

R. Mallinson confirmed that the date for the inaugural meeting of the Audit and Risk Committee is 20 October 2020.

R. Mallinson advised that he will be LTP Project Plan will go to audit and risk committee meeting next week.

R. Mallinson confirmed that the Audit & Risk Committee meeting is a public meeting.

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

Carried

4.3 TRANSFER OF BUILDING ACT FUNCTIONS IN RELATION TO DAMS

H. McKay spoke to this report and advised that Councillors had previously agreed to transfer this function to ECAN. She advised there was only one submission received which was in support, therefore a hearing was not required. H. McKay advised that the next step is finalising the arrangement with ECAN, and other councils that are transferring. She is hoping to bring a final paper to December Council meeting.

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

Carried

5.0 CHAIRMANS REPORT

The Chairman reported that he has been contacted by various constituents and has attended to matters relating to this.

The Chairman also attended the opening of the new hospital on 25 September.

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

Carried

GENERAL BUSINESS

There was no general business.

The meeting closed at 11.07 a.m.

.....
Chairman

.....
Date

THE WEST COAST REGIONAL COUNCIL

MINUTES OF A SPECIAL MEETING OF THE COUNCIL HELD ON 22 OCTOBER 2020, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 2.03 P.M.

PRESENT:

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

IN ATTENDANCE:

V. Smith (Chief Executive Officer), R. Mallinson (Corporate Services Manager), R. Beal (Operations Director), N. Costley (Strategy & Communications Manager), T. Jellyman (Minutes Clerk), M. Schumacher (IT Technician)

1. APOLOGY:

There were no apologies.

2. PUBLIC FORUM

There was no public forum.

R. Beal thanked staff and councillors for their work on these projects. He stated that it is important to future proof communities as much as possible.

2.1 CONSULTATION REPORT – WESTPORT RATING DISTRICT

R. Beal spoke to this report and advised that Council submitted for two projects. He stated that the first project was for a flood protection scheme with \$8M being sought from central government funding. R. Beal advised that the second project was for an advanced flood warning system worth \$0.5M. He stated that the flood warning system was the number one priority from the Westport 2100 Working Group.

R. Beal advised that public drop in sessions were positive and well attended.

Cr Coll McLaughlin stated that a continual comment heard at the drop in session, was "what is the future of this rating district beyond this proposal?" Cr Coll McLaughlin stated that she and Cr Hill did a lot of explaining to members of the public on the statutory requirements that would protect the community from having to rate for a project that they do not want or could not afford. Cr Coll McLaughlin stated that in view of the concerns raised by the community she would like a further recommendation reflecting the consultation letter that was sent out around further consultation.

Cr Coll McLaughlin moved a further recommendation to the report. She stated that it is important that the public know that these concerns have been heard and that Councillors are totally committed to acting in good faith with the community. This will become recommendation number 6.

MOVED (Coll McLaughlin / Hill)

That the West Coast Regional Council:

- 1. Receives this report.*
- 2. Accepts the co-funding of \$155,000 from the Buller District Council for the Advanced Flood Warning project.*
- 3. Forms a Westport Rating District based on the boundary consulted on with a zero targeted rate for 2021/22 financial year, provided the \$155,000 is received in full.*
- 4. Reconvenes the Westport 2100 Working Group to identify priority recommendations.*

5. *Engages with Buller District Council, Te Rūnanga o Ngāti Waewae and Waka Kotahi to form a Westport Rating District Joint Committee to oversee development of a strategy and action plan for inclusion in Council's 2021-2030 Long Term Plan consultation.*
6. *That any future projects or recommendations from the Westport Rating District Joint Committee, or the Westport 2100 Working Group, would be consulted on with the community at the time of the proposal.*

Carried

2.2 CONSULTATION REPORT – HOKITIKA RATING DISTRICT

R. Beal spoke to this report. He advised that consultation took place on two rating districts, the Hokitika Seawall and the Kaniere rating district as well as an extension of the boundary and merging the two rating districts.

Cr Challenger asked about resource consents, including the resource consent for emergency works carried out last year. R. Beal advised that both have been applied for but are yet to be processed. R. Beal advised that staff are yet to apply for the flood protection proposal as yet as the design is still being worked through.

R. Beal advised that BECA will be providing a report on the alignment and structure of the wall, with the resource consent remaining on hold until this advice is to hand. Cr Challenger stated that as a result of feedback from the community he would like to recommend that Council undertakes consultation on the area up to Hau Hau Road, Shallow Rush Road, round to Kaniere and the area around Seaview. Cr Challenger would also like consultation with residents on the Southside as there maybe impacts in this area. R. Beal advised that consultation can be carried out via the LTP process on extending boundaries and aligning those boundaries with Westland District Council's stormwater infrastructure. R. Beal commented that there are flooding and erosion issues on the south side.

MOVED (Challenger / Magner)

That the West Coast Regional Council:

1. *Receives this report.*
2. *Strikes a rate to meet the required co-funding for the Hokitika flood and coastal erosion IRG "shovel ready" project.*
3. *Merges and extends the boundaries of the Kaniere and Hokitika Rating District as consulted.*
4. *Consults though the LTP process on extending the boundaries identified following recent consultation.*
5. *Consults with the Southside residents via the LTP process on erosion and flood risk.*

Carried

2.3 CONSULTATION REPORT – FRANZ JOSEF RATING DISTRICT

R. Beal spoke to this report. Discussion took place. Cr Magner stated that feedback from the community is that they would like a representative on the Franz Josef rating district committee. R. Beal agreed with this. Cr Challenger expressed concern with not having the majority of submitters in favour of the project and he therefore will be voting against this in its current form. Cr Challenger believes that more work is required on this to try to get more of the locals who will be paying for the work, in favour of the project. Cr Challenger stated he would like the decision delayed, and more consultation undertaken prior to proceeding. R. Beal advised that signed funding agreements are required by 28 October. Cr Hill agreed with Cr Challenger as he feels the if there are not 50% of ratepayers in favour of a project then it should not go ahead. Cr Hill would like this delayed and a special meeting held. Cr Ewen stated he would not like to see \$18M jeopardised. He stated peripheral matters can be worked through. Cr Cummings agreed with Cr Ewen, and stated that rivers change, landowners change and Council needs to think of the community as a whole. Cr Cummings stated this is big picture and there are farmers spending millions of dollars per year protecting their farms and they still have to pay for protection work.

R. Beal stated that submissions received are not a poll or vote, he read out some comments on submissions. He stated that 60% of submitters want the work to go ahead. Cr Magner stated that the community wants a

long term joint solution. Cr Magner suggested that an extra recommendation is added, to ensure that Council works with the community as group to further engage as a group. R. Beal stated that Westland District Council is in support of the work going ahead. V. Smith confirmed agreed that Council can work with community representatives via the rating district committee. Cr Challenger stated that he feels the government would rather see the money spent wisely, than just spent. Cr Challenger spoke of areas of concern in Franz Josef and made suggestions relating to future works in this area. R. Beal confirmed that there is not an order of works attached to the funding agreements. R. Beal spoke of how this work will be progressed. Extensive discussion took place. R. Beal stated that it is important that a holistic approach is taken. Cr Ewen reminded his fellow Councillors that they are elected to make decisions. Cr Coll McLaughlin expressed concern that less than 50% of respondents are in favour of the work going ahead, and she agrees with Cr Hill's previous comments. Cr Magner stated with the amendments suggested she is in support of the recommendations. The Chairman advised that he is in favour as it is important that the money is accepted and the project is started. V. Smith suggested additional recommendations. Cr Magner confirmed that the additional recommendations would go a long way to addressing the concerns. Cr Challenger stated he is concerned with how future work in Lower Waiho ties in with the long term picture. R. Beal advised that NZTA are very supportive and have contributed with co-funding of work in the past. R. Beal commented that Cr Challenger's concerns have been clearly identified in the Tonkin & Taylor report, and the Dave Brash report. Cr Challenger stated that this is all part of the One District Plan and a scheme plan is required on how Franz Josef develops. Cr Coll McLaughlin stated that she is very reluctant to vote against a constituency councillor and feels she may need to abstain from the vote on that basis. Recommendations 6 and 7 were added to the amendments.

MOVED (Cummings / Magner)

That the Council agrees to the addition of recommendations 6 and 7.

Carried

MOVED (Cummings / Magner)

That the West Coast Regional Council:

- 1. Receives this report*
- 2. Strikes a targeted rate to meet the co-funding requirements of the IRG "shovel ready" infrastructure project.*
- 3. Merges and extends the Franz Josef and Lower Waiho Rating Districts based on the boundary consulted on.*
- 4. Adds a differential to the "Stony Creek extension" area.*
- 5. Engages with Westland District Council, Te Runanga o Makaawhio, Department of Conservation and Waka Kotahi to form a Franz Josef Rating District Joint Committee to oversee development of a strategy and action plan for inclusion in Council's 2021-2031 Long Term Plan consultation.*
- 6. A community liaison representative, or representatives to the Franz Josef rating district joint committee.*
- 7. Ensures that the strategy and action plans is developed in consult with the Council addressing the concerns raised pertaining to Waka Kotahi (NZTA).*

*Against Crs Hill and Challenger
Abstained Cr Coll McLaughlin
Carried*

2.4 GREYMOUTH FLOODWALL

R. Beal spoke to this report. Cr Cummings commented that the Greymouth Joint floodwall committee met recently and they are in favour of this.

MOVED (Ewen / Cummings)

That the West Coast Regional Council:

1. *Receives this report.*
2. *Allows for the required co-funding within the current rate strike to meet the co-funding requirements of the IRG "shovel ready" infrastructure project.*

Carried

2.5 INFRASTRUCTURE INDUSTRY REFERENCE GROUP (IRG) FUNDING AGREEMENTS

R. Beal spoke to this report. He advised that the Franz Josef funding agreements is a separate agreement and the other three are included in one agreement. Cr Ewen passed on his congratulations to staff for their work on this matter. The Chairman agreed and stated that staff have done a great job to bring this funding into the region.

MOVED (Ewen / Coll McLaughlin)

That the West Coast Regional Council:

1. *Receives this report.*
2. *Approves the signing of the IRG funding agreements when negotiations are complete.*

Carried

The meeting closed at 3.52 p.m.

.....
Chairman

.....
Date

THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE INAUGURAL MEETING OF THE AUDIT & RISK COMMITTEE, HELD ON 20 OCTOBER 2020, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.30 AM

PRESENT:

S. Challenger, D. Magner, B. Cummings, L. Coll McLaughlin

IN ATTENDANCE:

V. Smith (Chief Executive Officer), R. Mallinson (Corporate Services Manager), T. O'Malley (Management Accountant), T. Jellyman (Minutes Clerk), M. Schumacher (IT Support)

Cr Challenger welcomed those present to the inaugural meeting.

APOLOGIES

There were no apologies.

ELECTION OF CHAIRPERSON

Cr Challenger nominated Cr Magner. Cr Coll McLaughlin seconded the nomination. Cr Magner was duly elected Chairperson.

1. AUDIT NZ MANAGEMENT REPORTS (INTERIM AND FINAL) FOR 2019

R. Mallinson spoke to this report. R. Mallinson referred to Audit comments regarding quarries, rock royalties and infrastructure capitalisation processes. Cr Cummings expressed concern with rock pricing going forward. R. Mallinson advised that rock is not an inventory until it is sitting in a stockpile.

V. Smith spoke of public versus private benefits of Council owned quarries. Extensive discussion took place on matters relating to quarries. R. Mallinson offered to report back to the meeting and provide further information on quarries agreements.

R. Mallinson clarified rating information to the meeting. He answered questions from councillors relating to the procurement policy. V. Smith confirmed that protocols will be reviewed to insure the correct policy is in place.

R. Mallinson referred to the status of previous recommendations from Audit NZ. Cr Magner suggested that the Interest Register declaration is done more often. R. Mallinson advised that there is no reason why this should not be made public. It was agreed there is good guidance on the OAG website. R. Mallinson will bring a paper to the next meeting regarding this.

2. RISK REGISTER

R. Mallinson advised that Council's Risk Register is available on the intranet. He advised that a number of items on the register need to be reviewed and updated. R. Mallinson offered to answer questions.

3. VALUATION OF COUNCIL RIVER, DRAINAGE AND FLOOD PROTECTION INFRASTRUCTURE FOR INSURANCE & FINANCIAL REPORTING PURPOSES

R. Mallinson advised that this whole area was reviewed following the 26 March 2019 severe weather event claims. He stated that there has now been a much closer look at declared insurance values. He stated that Aon NZ prepared a report on insurance values for assets with substantial input from engineering staff.

The Greymouth Floodwall was discussed, with R. Mallinson confirming this asset will be insured by WCRC for \$15.4M. He advised that Grey District Council owns the floodwall with WCRC's function is the structure and maintenance asset. It has been agreed that both insurance and ownership should sit with WCRC and this will be covered in an amended Joint Floodwall agreement.

R. Mallinson reported that ownership of the Mokihiui and Whataroa assets are under review, but all assets in these rating districts are covered by Council's insurance. R. Mallinson advised that further research on the ownership of these assets is required.

R. Mallinson stated that it is important to make sure insurance cover is adequate for Council's assets. He advised that he will be reporting insurance renewal details to this Committee each year.

4. OTHER DESIRABLE WORK

R. Mallinson reported that fraud awareness training has been undertaken, and he would like to do more work on this. Cr Coll McLaughlin stated that Equip Learning have very good courses that would be suitable for staff.

5. HEALTH & SAFETY REPORT

R. Mallinson tabled this report. V. Smith stated that he will work with the People and Capabilities Manager in order to plan reporting methods to this committee.

6. LONG TERM PLAN PROJECT PLAN

R. Mallinson provided a timeline and stated that this is still a draft as he is seeking further input from V. Smith. It was agreed that a number of Councillor workshops with management and senior staff will be scheduled for the near future. R. Mallinson stated that strategic thinking is required. V. Smith stated that a robust plan is required and this needs to be comprehensive, as there are a number of challenges associated with the NPS for freshwater. He stated that a significant amount of work will be needed to identify outcomes and to ensure alignment for our organisation. R. Mallinson advised that substantial work on the LTP project is needed prior to Christmas.

Discussion took place on possible changes following the recent general election especially for the freshwater NPS. V. Smith advised that a very clear steer from Council is required. Cr Coll McLaughlin agreed and stated that this needs to be robust to ensure that outcomes aren't compromised.

Discussion took place with the costs and time associated with the mapping of wetlands. V. Smith advised that the Regional Sector Group have been very active as a collective in this area. He stated that a cognisant and strategic approach is what matters. It was agreed that a series of workshops will be arranged to progress this.

7. OTHER MATTERS THAT COUNCILORS FEEL THAT THE AUDIT & RISK COMMITTEE SHOULD BE UNDERTAKING

Cr Magner stated that a Terms of Reference will be required for this committee and this will be . V. Smith stated that he and R. Mallinson will prepare the TOA and present this back to Council for adoption.

The meeting closed at 11.40 am.

.....

Chairman

.....

Date

Action Points

- R. Mallinson to provide further information on quarries agreements.
- V. Smith review the procurement policy and review protocols.
- R. Mallinson to prepare a report on the Interest register for next meeting.
- R. Mallinson to review and update Risk Register.
- R. Mallinson to re-draft the Greymouth Joint Floodwalls agreement.
- R. Mallinson to update insurance cover for Greymouth Floodwall.
- R. Mallinson to follow up on Fraud Awareness training for staff.
- V. Smith review the reporting of Health & Safety for this committee.
- Arrange LTP workshops prior to Christmas.
- R Mallison to establish Gift Register

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting- 10 November 2020
Prepared by: Allan Birchfield – Chairman
Date: 2 November 2020
Subject: **CHAIRMAN'S REPORT**

Meetings Attended:

- I attended the signing of the Mana Whakahono ā Rohe - Iwi Participation Agreement on 22 October.
- I attended a meeting of the Te Tai O Poutini Plan Committee on 29 October.
- I attended the South Island Regional Transport Committee Chairs meeting, via Zoom, on 30 October.

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

RECOMMENDATION

That this report be received.

Allan Birchfield
Chairman

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 10 November 2020
Prepared by: Vin Smith – Chief Executive
Date: 30 October 2020
Subject: **CHIEF EXECUTIVE'S REPORT**

My first day at West Coast Regional Council was 19 October.

Meetings Attended:

- On 20th I attended an introductory meeting with Simon Bastion, Chief Executive Officer of Westland District Council. We discussed areas of mutual interest, opportunities for shared services and the need to work closely together. Regular fortnightly meetings have been arranged.
- I attended a meeting of the Hokitika Freshwater Management Unit (HFMG) on 20 October. At this meeting we received a presentation from Philippa Lynch pertaining to Maori values and objectives. The HFMG discussed the concepts presented towards the development of freshwater outcomes and a vision for the area.
- On 20th I attended an introductory meeting with Mark Davies, Director of Operations for the Department of Conservation. We discussed areas of mutual interest, general activities across the West Coast Tasman area and the need to work closely together forward. Regular meetings are being arranged.
- On the 21st I attended a meeting of the Kotahitanga kit e Uru Alliance. At this meeting funding for a predator free South Westland project was discussed. The use of 1080 was a topic of some discussion before the projects funding was approved.
- On 21st I attended an introductory meeting with Paul Morris, Chief Executive Officer of Greymouth District Council. We discussed areas of mutual interest, opportunities for shared services and the need to work closely together. Regular fortnightly meetings have been arranged.
- I attended the signing of the Mana Whakahono ā Rohe - Iwi Participation Agreement on the 22 October. This meeting was well attended by iwi, councillors and staff alike, where the first agreement of its type in New Zealand was signed. Subsequent meetings have been organised to progress the implementation of the agreement including the appointment of an iwi liaison officer at council.
- I attended the inaugural meeting of Council's Audit and Risk Committee (ARC) on 22 October. Cr Magner was appointed chair of ARC.
- On the 28th I attended an introductory meeting with Sharon Mason, Chief Executive Officer of Buller District Council. We discussed areas of mutual interest, opportunities for shared services and the need to work closely together. Regular meetings will be arranged either in Greymouth or Westport as opportunity presents.
- I attended the West Coast Chief Executive Officers meeting on the 28th in Westport. Discussions revolved around how we could engage with central government once ministerial appointments are known. Development West Coast Chief Executive, Heath Milne showed a video of how the four councils of the West Coast are collaborating. This topic and the video will be further discussed at the Mayors, Chairs and iwi meeting on the 11th of November
- I attended a meeting of the Te Tai O Poutini Committee on 29 October. Progress was made on a number of urban development/form matters that the plan must address including cultural landscapes, medium density residential and historic heritage. Other matters such as mineral extraction and agricultural strategic issues including reverse sensitivity were discussed.
- I attended the South Island Regional Transport Committee Chairs meeting, via Zoom, on 30 October. At this meeting we received a presentation from KiwiRail and discussed their operation across the South Island. It was identified that they are to be funded through the National Land Transport Fund enabling further investment in safety and communication as an example.
- I will be attending the Regional and Unitary Council's Chief Executive's Forum in Wellington on 4 November. Topics to discuss include a Freshwater update, briefings from various Special Interest Groups, Crown Research Institute relationship with the sector and ministry updates as a result of the election results.
- I will be attending the Chief Executive's Environmental Forum in Wellington on 5 November. Areas to be discussed include post-election reflections, freshwater policy implementation,

Aotearoa New Zealand Biodiversity Strategy, Jobs for Nature work programmes and Covid-19 recovery.

- I will be meeting with Gavin Beattie from the Dept of Internal Affairs on 5 November pertaining to the Te Tai O Poutini Plan development process. Opportunities for central government to partner further on this project will be explored.
- On the afternoon of the 5th I will be meeting with Martin Workman, Deputy Secretary – Sustainable Land Use Delivery, Ministry for the Environment pertaining to the National Policy Statement for Freshwater Management. Opportunities for central government to partner with the West Coast Regional Council will be explored.

Use of Council Seal

The Council seal was affixed to Plan Change 1 following Council resolution at the October Council meeting

RECOMMENDATION

That this report be received.

Vin Smith
Chief Executive

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 10 November 2020
Prepared by: Paulette Birchfield – Engineer, Brendon Russ - Engineer
Date: 30 October 2020
Subject: ENGINEERING OPERATIONS REPORT

Works Report – October 2020

No contracting works were undertaken in October.

Consultation for IRG Projects

During the past month, Operations staff have completed the consultation process for the Westport (Buller River) Advanced Flood Warning System, Hokitika Flood and Coastal Erosion Protection and Franz Josef (Waiho River) Flood Protection projects. These consultations expressed an overall positive response from the West Coast community for these projects to move forward. The consultation reports were presented to Councilors at the October Special Council Meeting.

Through the upcoming LTP process, West Coast Regional Council (WCRC) will include consultation on extending the boundary of the Hokitika Rating District, as identified through community feedback, to include areas such as Seaview and the new Racecourse Subdivision.

Council will also consult with the community on the south side of the Hokitika River to gauge the level of concern on flooding and erosion risk with a view to potentially forming a Rating District to fund future protection works.

New joint committees will be formed for the merged Franz Josef Rating District and the newly formed Westport Rating District. The Hokitika joint committee MOU will also be updated.

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

Production is ongoing at Camelback quarry to establish a stockpile for the delivery of the Hokitika Coastal and flood protection project.

Quarry		Opening Stockpile Balance	Rock Sold	Rock Produced	Closing Stockpile Balance
Camelback	Large	0	1153	8153	7,000
Blackball		670	0	0	670
Inchbonnie		5,000	0	5000	10,000
Kiwi		0	0	0	0
Miedema		0	0	0	0
Okuru		450	0	0	450
Whitehorse		1,334	1334	0	0
Totals		7,454			18,120

Rock Requested

Quarry	Contractor	Amount	Permit Start	Permit Finish
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RECOMMENDATION

That the report is received

Randal Beal
Director of Operations

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 10 November 2020
 Prepared by: Robert Mallinson – Corporate Services Manager
 Date: 29 October 2020
Subject: Corporate Services Manager’s Monthly Report

1. Financial Report

Attached are the results for the Three Months to 30 September 2020

	ACTUAL Year to Date	BUDGET	BUDGET Annual	% ACTUAL vs BUDGET
REVENUES				
General Rates and Penalties	876,924	871,050	3,484,200	25%
Investment Income	288,502	267,170	1,068,680	27%
Resource Management	298,096	367,232	1,470,750	20%
Hydrology	17,000	-	-	0%
Regional Land Transport	23,600	27,250	109,000	22%
Emergency Management	263,139	291,723	1,166,890	23%
River, Drainage, Coastal Protection	526,608	448,602	1,794,407	29%
Warm West Coast	15,677	1,688	6,750	232%
VCS Business Unit	1,664,940	1,231,463	4,925,850	34%
Commercial Property Revaluation	-	-	-	
	3,974,486	3,506,177	14,026,527	
EXPENDITURE				
Governance	191,622	160,533	642,132	30%
Resource Management	1,012,118	1,189,739	4,758,954	21%
Regional Land Transport	42,010	38,621	154,484	27%
Hydrology & Floodwarning Services	155,451	262,774	1,051,096	15%
Emergency Management	188,105	286,874	1,147,494	16%
River, Drainage, Coastal Protection	826,066	449,071	1,796,285	46%
VCS Business Unit	1,286,376	1,101,239	4,404,954	29%
Other	112	7,357	29,426	0%
Warm West Coast	-	846.50	3,386	
	3,701,860	3,497,053	13,988,211	
OPERATING SURPLUS/(DEFICIT)	272,625	9,124	38,316	

	Net Variance ACTUAL vs BUDGETED Year to Date	ACTUAL	BUDGET Year to Date	ANNUAL BUDGET
BREAKDOWN OF SURPLUS / (DEFICIT)				
Rating Districts	- 254,804	- 32,736	222,068	888,272
Quarries	7,229	16,635	9,406	37,624
Investment Income	21,332	288,502	267,170	1,068,680
VCS Business Unit	248,340	378,564	130,224	520,896
General Rates Funded Activities	218,868	393,905	612,774	2,451,094
Warm West Coast	14,836	15,677	841	3,364
Revaluation Investment Property	-	-	-	-
Other	7,244	112	7,357	29,426
TOTAL	263,046	272,625	9,579	38,316

Net Contributors to General Rates Funded Surplus /(Deficit)	Net Variance ACTUAL vs BUDGETED Year to Date	ACTUAL	BUDGET Year to Date	ANNUAL BUDGET
Rates	5,874	876,924	871,050	3,484,200
Representation	- 31,089	- 191,622	- 160,533	- 642,132
Resource Management	108,028	714,023	822,051	3,288,204
Transport Activity	- 7,039	- 18,410	- 11,371	- 45,484
River, Drainage, Coastal Protection	- 51,414	- 283,357	- 231,944	- 927,774
Hydrology & Floodwarning	124,323	138,451	262,774	1,051,096
Emergency Management	70,184	75,033	4,849	19,396
TOTAL	218,868	393,905	612,774	2,451,094

Operating surplus amounts to \$272,625. This is quite a reasonable result for the quarter.

Key matters relating to the 3 months quarterly financials are:

- a. River, Drainage & Coastal protection expenditure exceeds year to date budget. That's mainly due to the lumpy and irregular pattern of spending in this area, especially Rating district maintenance work.
- b. VCS surplus reflects aerial contracts delivered during the period.
- c. JBWere managed funds portfolio decreased in value by -\$105,000 (-0.82%) during September.

2. JBWere Portfolio Performance One Month to 30 September 2020

3.

30 September 2020		Major Portfolio	
Opening balance	1 September 2020	\$	10,547,851
Income	September 2020	-\$	104,665
Deposit	\$ -	\$	-
Withdrawal	\$ -	\$	-
Closing balance	30 September 2020	\$	10,443,186

Total income year to date to	\$	251,582
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	Actual	Benchmark
Performance 1 - 30 September 20	-0.82%	-0.78%
Performance 1 July 20 - 30 September 20	2.68%	2.20%

RECOMMENDATION

That the report be received.

Robert Mallinson
Corporate Services Manager

THE WEST COAST REGIONAL COUNCIL

To: Chairperson
West Coast Regional Council

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

Agenda Item No. 8.

- 8.1 Confirmation of Confidential Minutes 13 October 2020
- 8.2 Council Investments
- 8.3 Response to Presentation (if any)
- 8.4 In Committee Items to be Released to Media

Item No.	General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 7 of LGOIMA for the passing of this resolution.
8.			
8.1	Confirmation of Confidential Minutes 13 October 2020		Clause 7 subclause 2 (a)
8.2	Council Investments		Clause 7 subclause 2 (a)
8.3	Response to Presentation (if any)		Clause 7 subclause 2 (i)
8.4	In Committee Items to be Released to Media		Clause 7 subclause 2 (a)

I also move that:

- Vin Smith
- 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.