



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Te Tai o Poutini Plan Committee Special Meeting

24th May 2023

9am

Live via Facebook

AGENDA

9.00	Welcome and Apologies	Chair
	Confirm previous minutes	Chair
	Matters arising from previous meeting	Chair
9.30	Report - Request to approve extension of time for further submissions	Acting Project Manager
10.00	Report – Consideration of contracts	Acting Project Manager
10.15	Financials – March and April	Acting Project Manager
10.30	Project Manager Update	Acting Project Manager
10.45	Meeting Ends	

Meeting Dates for 2023

Workshop on Natural Hazard Variation Tuesday 20 June 2023



Te Tai o Poutini PLAN

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MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE HELD AT THE OFFICES OF THE WESTLAND DISTRICT COUNCIL AT 9.30AM ON TUESDAY 18TH APRIL 2023

PRESENT:

R. Williams (Chairman), G Neylon (BDC), A. Cassin (WDC), H. Lash (WDC), T. Gibson (GDC), A. Gibson (GDC); P. Haddock (WCRC, Chair) J. Cleine (BDC), R. Townrow (BDC) – via Zoom

IN ATTENDANCE:

R. Vaughan (Acting Project Manager), H. Mabin (WCRC, via Zoom), P. Morris (GDC), S. Bastion (WDC), F. Thomson (WCRC), L. Easton (Consultant), S. Kilkelly (minute taker WCRC).

WELCOME

Chair Williams opened the meeting and welcomed Rachel Vaughan who is stepping into the recently vacated Project Manager position and called for apologies.

APOLOGIES:

F. Tumahai, P Madgwick, B. Cummings.

Moved (A. Gibson/T. Gibson) *that the apologies be accepted*

Carried

Confirmation of Minutes

The minutes of the meeting 21 March 2023 are a true and correct record.

Moved (Cassin/T. Gibson)

Carried

Matters Arising

There were no matters arising.

Request to Approve Contract Variation

It is recommended that a variation be made to the 2022/23 contract with Kereru Consultants increasing the maximum spend by \$30,000.

Rachel Vaughan clarified that the shortfall would be moved from the salary budget.

The Committee approve a variation to the Kereru Consultants 2022/2023 contract increasing the maximum spend by \$30,000 and delegates the Chief Executive West Coast Regional Council authority to sign the variation.

Moved (Cassin/Lash)

Carried

Te Tai o Poutini Plan – Notification of Summary of Submissions

Ms Easton spoke to her report. All of the 15,000 submissions had now been summarised and Ms Armstrong had sent the email access link to the summary of submissions to the Committee.

The next step is to notify the summary and this would be available. There was a check done to see if it was possible to split them up by district but a lot of submissions were not by district as they were across the whole plan, and there was no easy way to tell which district the submissions pertained to.

Given the summary is very large, to give the community good opportunity to see if further submissions were needed or wanted, she is recommending that the submission period is extended from the mandatory 10 working days to 20 working days.

One more thing of note that under the Resource Management Act there are quite a lot of restrictions on who can make a further submission – anyone who made a submission on The Plan can make a further submission but members of the public and other people who have not made a submission need to meet the criteria as set out in Schedule 1 of the RMA.

The Committee to note where people make further submissions they are supposed to serve a copy of the submission on the original submitter.

That the Committee receive the report

That the Summary of Submissions to Te Tai o Poutini Plan is publicly notified for further submissions in accordance with Schedule One of the Resource Management Act on 28 April 2023;

That the further submission closing date is 26 May 2023.

Moved(T. Gibson/A. Gibson);

Carried

Report – Proposed Plan Timing Update

Ms Vaughan took her report as read. The further submission process would close on 26th of May.

The submissions and further submissions would be put into hearing topics and these topics have already been identified.

Cr Cassin asked Ms Vaughan if she would work with those who had communicated a timing issue.

That the Committee receives this report

Moved(Neylon/Lash)

Carried

Te Tai o Poutini Plan – Buller District Designations Amendments

Ms Easton took her report as read. This was a matter that had been brought to her attention by the Buller District Council Staff, as part of their submission to the TTPP in relation to designations.

There were a couple of matters that didn't meet the minor amendment definition, and would have to be a substantive change to the normal designations.

Ms Easton explained the minor amendment process to the Councillors not familiar with it.

That corrections to address the minor Buller District Council Designation errors as identified in this report be made under the Minor Errors provisions in Schedule 1, Section 16 of the Resource Management Act; and

That the amendments to the Buller District Council Designations that do not meet the Minor Errors threshold be considered to inclusion as part of any Variation 1 to the Te Tai o Poutini Plan, should such a variation be developed.

Moved(Cleine/Haddock)

Carried

Report – Te Tai o Poutini Plan – Updates to Coastal Hazards Mapping

Ms Easton spoke to her report.

When the Coastal Hazard Provisions were being prepared for the proposed Plan, there was a decision made that with the absence of the LIDAR that satellite information from the space shuttle would be used as an interim measure. Now that LIDAR is available, the NIWA scientists have re-run the model and there are significant changes to the extent of inundation for coastal flooding.

Seeking Committee approval to start preparing the variations it is not asking for approval of the variations, as that would come back to the Committee.

S. Bastion said that original discussions this change would be severely impacted in Hokitika as it included future protection works by sea and river, and that was taken into account based on the revised rules for the CBD, and won't be impacted because of protection works. Ms Easton replied that this was the modelling output it is not the proposed coastal hazard layers, and she felt that it was the same as the Greymouth Flood protection, although GREYMOUTH did not have its own coastal hazard layer, whereas Buller and Hokitika did. There was discussion on modelling of protection works already in place, and subdivisions.

Ms Easton said this could also be workshopped for Committee members.

Mayor Cleine endorsed the proposed recommendations, and said it was important to take a science-based approach as this was the latest information to hand and it has big implications in the future.

Chair Williams sought that the Committee prepare a brief release stating what the information is, and the fact that it would be workshopped, and there could be some findings come out after that.

1. That the information be received;

2. That staff prepare a draft variation to the proposed Te Tai o Poutini Plan that:

a. Updates the coastal hazard mapping and associated natural hazard overlays in light of the updated coastal inundation modelling from NIWA;

b. Updates the Sites and Areas of Significance to Māori mapping to reflect the amendments provided by Poutini Ngai Tahu; and

c. Includes the amendments to the Buller District Council Designations, as sought by the Buller District Council.

The Summary of Submissions to Te Tai o Poutini Plan is publicly notified for further submissions in accordance with Schedule One of the Resource Management Act on 28 April 2023.

3. That the further submission closing date is 26 May 2023.

Moved (Neylon/Lash)

Carried

Project Managers Update

Ms Vaughan took the report as read and stated that it was prepared by Ms Armstrong before she left last week.

Chair Williams asked that the good and effective work undertaken by Ms Armstrong over the last four years be minuted.

That the Project Manager's update be received

Moved(Williams/Cassin)

Carried

General Business

Chair Williams and Ms Vaughan worked through some discussions over future meetings.

Future meetings in May, July and September and members will be notified.
There being no further business the meeting concluded at 10.20am.



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Committee

Prepared by: Rachel Vaughan, Acting Project Manager

Date: 18 May 2023

Subject: **Te Tai o Poutini Plan – Extension of period for Further Submissions**

OVERVIEW

1. Te Tai o Poutini Plan was publicly notified as a Proposed Plan on 14 July 2022. Submissions closed 11 November 2022.
2. A total of 534 submissions were provided on the plan with over 15,000 submission points.
3. The public notification of the availability and location of the Summary of Submissions complied with Schedule One, Clause 7 of the Resource Management Act (RMA). In accordance with legislation, the Committee also gave notice to anyone who made a submission.
4. There were a number of errors noted by submitters in the online summaries.
5. Schedule One of the RMA specifies a period of 10 working days for further submissions. Under Clause 37 of the RMA the Committee has the discretion to extend this. Given the large number of submission points, the committee agreed in the meeting of 18 April to extend the further submission period to 20 working days.
6. There has now been requests to extend this timeframe, which this report addresses.

Further Submissions

7. Errors were noted in the summaries, this included typographical and formatting errors. These were corrected and updated summaries uploaded. However, there have been further errors identified. Several consultants representing submitters feel that these errors are significant and would like the whole summary reviewed.
8. These errors are unfortunate, but in consultation with staff, our Commissioner Chair and other Councils, it seems it is not unprecedented nor an unusual occurrence during plan preparation. The process allows us time to fix it and I have discussed scheduling below.
9. There have been several requests to extend the period for further submissions. The requests have been from the public, the Technical Advisory Team and to allow sufficient time to correct summary of submissions where errors were identified in the summary.
10. Any extension to the timeframes will need to be considered by this Committee to approve the extension.
11. Staff have now completed an audit to determine how extensive the errors may be. It seems while some of the minor errors are human in origin (misinterpretation or mistyping), the automatic upload of some submissions has been problematic. The software, which is supposed to interpret and automatically categorise the submissions provided on the template, has not correctly read formatting or categorised submissions.
12. As a result of the audit, staff have begun correcting errors and the summary documents will be reprinted. Staff would like sufficient time to review all submissions and ensure summaries are correct. It is considered one week is sufficient to correct summaries.
13. Following the completion of the corrected errors, notification of all submitters advising of the corrected summary documents will occur by 26 May 2023.
14. A further 10 working days should be given to allow sufficient time to comply with further submission timeframes outlined in legislation.

15. This is considered the most prudent approach, particularly as consultants will be advising submitters that the mistakes in the summary are substantial. It is considered necessary to extend timeframes to assure the Community that the process is robust.
16. It is worth noting to the Committee that the summary is prepared for notification purposes only. The reports to the hearings panel, and the hearings panel will consider the whole submission. Not the summary.

Statutory considerations

17. Clause 7(1) of the First Schedule of the Resource Management Act (RMA) outlines the timeframes for further submissions, Clause 8 outlines the process for further submissions.
18. Under Section 37 of the Resource Management Act, local authority may extend of time limits.
19. Under Section 37A A local authority must not extend a time limit or waive compliance with a time limit, a method of service, or the service of a document in accordance with section 37 unless it has taken into account the interests of any person who, in its opinion, may be directly affected by the extension or waiver, the interests of the community in achieving adequate assessment of the effects of a proposal, policy statement, or plan; and its duty under section 21 to avoid unreasonable delay.
20. In this case it is considered that the interests of the community to achieve adequate assessment of the summary of submissions requires the process to be put on hold and the summary corrected. In the interests of avoiding further delay, the summary should be renotified with a period for further submissions of 10 working days.

Next steps

21. Once the further submissions period is closed, these need to be uploaded into the Council submissions system against each original submission.
22. Following that the planning team will continue the drafting of the Hearing Reports. Both further submitters and original submitters are able to speak at hearings and will be considered in the reports.
23. Where there is an identified opportunity to clarify submissions, pre-hearing meetings are proposed to be held.
24. The hearings schedule will be modified to reflect the new timeframe. This has been discussed with planning contractors and the Commissioner Chair. It is considered this new schedule can be accommodated.

RECOMMENDATIONS

1. That the Committee receive the report.
2. That the Summary of Submissions is corrected by staff.
3. That the further submission closing date is 16 June 2023.

Rachel Vaughan

Acting Project Manager



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Committee
Prepared by: Rachel Vaughan, Acting Project Manager
Date: 19 May 2023
Subject: **Te Tai o Poutini Plan – Contract Planning Services**

Background

25. Over the past four years the TTPP has had the benefit of an experienced senior planner. With the position becoming vacant, additional planning services are required to complete the statutory process of consideration of information for each chapter of the Plan.
26. On 28 March 2023 an Request for proposals was released to obtain Planning and Hearings Support. The support was sought for the following chapters:
 - Energy, Infrastructure and Transport
 - General District Wide Matters – Earthworks, Temporary Activities, Light
 - Noise
 - Subdivision and Financial Contributions
 - Commercial and Industrial Zones
 - Designations
27. The deadline for Proposals was 17 April 2023. Three proposals were received from suitably qualified planning consultants. An evaluation was made of the proposals based on the following weighting:
 - Personnel 15%
 - Technical expertise 15%
 - Relevant Experience 20%
 - Price 50%
28. The favoured contractor was Barker and Associates.
29. The Principal Planner functions are carried out by Lois Easton of Kereru Consultants. A contract with Kereru Consultants is required for the 2024 financial year.

Contract Delegations

30. Currently, the West Coast Regional Council delegates functions to the TTPP Committee. It is recommended that the Committee delegates the Chief Executive West Coast Regional Council authority to sign a contract with Barker and Associates to complete the planning work required to progress the statutory process.
31. It is recommended that the Committee delegates the Chief Executive West Coast Regional Council authority to sign a contract with Kereru Consultants to complete the Principal Planner work required to progress the statutory process.

Budget

32. The Budget to the end of project was discussed in the Committee meeting on Tuesday 21st March 2023. This budget allowed for \$504,440 for consultant fees for the 2024 financial year, and a further \$242,540 for salaries and wages. There is sufficient budget to cover the contracts outlined in this report.

RECOMMENDATIONS

That the Committee:

1. Delegates the Chief Executive West Coast Regional Council authority to sign a contract with Barker and Associates to complete the planning work required to progress the statutory process.
2. Delegates the Chief Executive West Coast Regional Council authority to sign a contract with Kereru Consultants to complete the Principal Planner work required to progress the statutory process.

Rachel Vaughan

Acting Project Manager

Financial Report

March 2023

Te Tai o Poutini Plan						
Statement of Financial Performance to March 2023						
	Year to date			Full year		
	Actual	Budget	Variance	Forecast	Budget	Variance
INCOME						
Targeted Rate	361,423	375,000	(13,577)	500,000	500,000	-
	361,423	375,000	(13,577)	500,000	500,000	-
EXPENDITURE						
Employee costs	163,064	201,069	38,005	200,000	267,404	67,404
Consultant Planner	67,859	50,000	(17,859)	140,000	70,000	(70,000)
Governance	45,868	50,975	5,107	68,200	68,200	-
Poutini Ngai Tahu	42,000	37,500	(4,500)	70,000	50,000	(20,000)
TTPP Website	7,119	7,500	381	10,000	10,000	-
Isovist e-plan Platform	5,569	8,125	2,556	10,833	10,833	-
Research	52,272	50,000	(2,272)	90,000	60,000	(30,000)
Engagement Travel & Accommod	6,763	8,050	1,287	13,033	13,033	-
Workshops & Events	270	-	(270)	10,000	10,000	-
Design & Printing	-	-	-	-	-	-
Media Costs	30,988	12,500	(18,488)	35,000	25,000	(10,000)
Mail Outs	39,539	40,000	461	40,000	40,000	-
Legal Advice	19,137	62,500	43,363	50,000	100,000	50,000
Hearings	-	(7,500)	(7,500)	25,000	100,000	75,000
Mediation	-	-	-	-	-	-
Environment Court	-	-	-	-	-	-
Interest	25,777	35,219	9,442	46,958	46,958	-
Share of WRC Overhead	112,500	112,500	-	150,000	150,000	-
	618,724	668,437	49,713	959,025	1,021,429	62,404
Net Surplus / (Deficit)	(257,301)	(293,437)	36,136	(459,025)	(521,429)	62,404
Accumulated deficit / borrowing requirement						
Start of year	741,522			741,522		
During period	257,301			459,025		
End of period	998,823			1,200,547		

Financial Report

April 2023

Te Tai o Poutini Plan						
Statement of Financial Performance to April 2023						
	Year to date			Full year		
	Actual	Budget	Variance	Forecast	Budget	Variance
INCOME						
Targeted Rate	401,961	416,667	(14,705)	500,000	500,000	-
	401,961	416,667	(14,705)	500,000	500,000	-
EXPENDITURE						
Employee costs	178,247	221,806	43,559	200,000	267,404	67,404
Consultant Planner	65,497	60,000	(5,497)	140,000	70,000	(70,000)
Governance	50,868	56,600	5,732	68,200	68,200	-
Poutini Ngai Tahu	42,000	37,500	(4,500)	70,000	50,000	(20,000)
TTPP Website	7,119	8,333	1,215	10,000	10,000	-
Isovist e-plan Platform	6,188	9,028	2,840	10,833	10,833	-
Research	54,372	60,000	5,628	90,000	60,000	(30,000)
Engagement Travel & Accommodation	6,945	10,611	3,666	13,033	13,033	-
Workshops & Events	270	5,000	4,730	10,000	10,000	-
Design & Printing	-	-	-	-	-	-
Media Costs	30,988	25,000	(5,988)	35,000	25,000	(10,000)
Mail Outs	39,539	40,000	461	40,000	40,000	-
Legal Advice	21,329	75,000	53,671	50,000	100,000	50,000
Hearings	-	46,667	46,667	25,000	100,000	75,000
Mediation	-	-	-	-	-	-
Environment Court	-	-	-	-	-	-
Interest	25,777	39,132	13,355	46,958	46,958	-
Share of WRC Overhead	125,000	125,000	-	150,000	150,000	-
	654,138	819,676	165,539	959,025	1,021,429	62,404
Net Surplus / (Deficit)	(252,177)	(403,009)	150,834	(459,025)	(521,429)	62,404
Accumulated deficit / borrowing requirement						
Start of year	741,522			741,522		
During period	252,177			459,025		
End of period	993,699			1,200,547		



Te Tai o Poutini

PLAN

A combined district plan for the West Coast

Project Manager Update

18 April 2023 – 19 May 2023

Prepared By: Rachel Vaughan, Acting Project Manager

Date Prepared: 19 May 2023

Accomplishments this Period

The summary of Submission was notified, and the further submission period has been open to receive further submissions. There has been some confusion with the further submission process for the lay submitters in public. I have received several phone calls needing to explain the process and the reasons for further submissions being lodged.

Staff have received further submissions via email and need to manually load these. Most submitters are happy to take advantage of the online portal.

There has been several errors reported in the summary of submissions. This has resulted in the request for an additional week to correct the summaries prior to renotifying for the 10-day statutory period.

The reason being is acknowledging the level of participation the community want to have in the process and preventing the Community feeling isolated from the TTPP process. It is the least we can do to deal with accommodation community concerns. I have four community requests for the further submission period to be extended (some have requested out to August). In addition to the consultant complaints which have been raised with a Councilor. While some are minor, there is some basis for concern. Some of the big submitters have emailed errors, Manawa Energy, Foodstuffs, TiGa minerals, WMS Group.

While I understand this varies the hearing's schedule, I'm confident the delay isn't significant and can be accommodated. In discussions with Commissioners, we are still confident we can meet the hearings schedule from September onwards.

Staff have put communications to the Community and submitters –

- acknowledging the errors,
- outlining a timeframe for corrections and,
- the new timeframe for further submission.

Plans for Next Period





- Respond to queries
- Summarise further submissions period
- Commence pre-hearing meetings
- Commence hearings process

- Update WCRC Resource Management Committee
- Workshops on potential variation to the TTPP

Key Issues, Risks & Concerns

Item	Action/Resolution	Responsible	Completion Date
Decision makers can't agree	Get agreement on pieces of work prior to plan completion	Chairman	Ongoing
Budget insufficient for timely plan delivery	Work with TTPPC to recommend budget, and with WCRC to raise rate to achieve deliverables	Project Manager TTPP Committee CE WCRC	Annually Jan/Feb
Changes to national legislation	Planning team keep selves, Committee and Community updated on changes to legislation and the implications for TTPP	Project Manager Planning Team	Ongoing
Staff safety at public consultation	Committee members to proactively address & redirect aggressive behavior towards staff	TTPP Committee	Ongoing
National emergencies such as Covid-19 lock down and weather events	Staff and Committee ensure personal safety and continue to work remotely as able. Work with contractors to expedite work.	Project Manager TTPP Committee	Ongoing
Time and Cost of Appeals Process	Realistic budget set for best case costs. Awareness that contentious issues such as SNAs, natural hazards, mineral extraction and landscape provisions could see an extended appeals process, increasing costs to reach operative plan status	TTPP Committee TTPP Steering Group Project Manager	Ongoing
Community concerns over proposed Plan content	Respond to queries by phone, email and public meetings. Update information.	TTPP Committee Project Manager	Ongoing

Status

Overall		
Schedule		Summary of submissions renotified.
Resources		Future budgets required to cover hearings and mediation
Scope		Schedule 1 processes leading to updates to Plan to achieve operative status

Schedule

Stage	Target for Completion	Comments
Te Tai o Poutini Plan Notified	14 July 2022	This will be the "Proposed" Plan
Summary of Submissions	28 April 2023	Notified 28 April 2023
Further Submissions	16 June 2023	Further submission will be re-notified by 26 May and 10 further working days has been allowed for further submissions
Pre-hearing meetings/Mediation	July 2023 onwards	Indicative time only
Hearings Te Tai o Poutini Plan	From September 2023	Indicative time only.
Decisions Te Tai o Poutini Plan	2025	Indicative time only
Ongoing Decision Making for TTPP	2025 onward	TTPPC is a permanent Committee. Once the Plan is adopted the ongoing Committee role includes

Stage	Target for Completion	Comments
		monitoring implementation and the need for any amendments, undertaking amendments and reviews, or ensuring these are undertaken, as required.
Appeals and Mediation Te Tai o Poutini Plan	From late 2024	Indicative time only. Any parts of the Plan not appealed are operative from the end of the Appeal Period.
Environment or High Court	2025	Indicative time only.



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