



MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE HELD AT WEST COAST REGIONAL COUNCIL CHAMBERS AT 10.00AM ON 29 APRIL 2024

Present

R. Williams (Chairman), Mayor T. Gibson (GDC), Cr A. Gibson (GDC), Mayor J. Cleine (BDC) (online), Cr G. Neylon (BDC) (online), Mayor H. Lash (WDC), Cr B. Cummings (WDC), Cr A. Cassin (WDC), F. Tumahai (Ngāti Waewae) (online), Cr P. Haddock (WCRC)

In attendance

S. Bastion (WDC), P. Pretorius (GDC), D. Lew (WCRC) from 10.15am, Simon Pickford (BDC) (online), M. Conland (WCRC), L. Easton (Kereru Consultant on behalf of WCRC), Chu Zhao (WCRC), C. Boserelle (NIWA), S. Hornblow, Natural Hazards Analyst (WCRC)
Via Zoom- Michael McEnaney (GDC), Olivia Anderson (WDC), G. Walsh

Welcome

Apologies

Kaiwhakahaere P. Madgwick (Makaawhio),

Moved (R. Williams/Mayor Gibson) *That the apologies of Kaiwhakahaere P. Madgwick be accepted.*

Carried

Confirm minutes of the previous meeting held 14 February 2024

The draft minutes were amended to refer to 2021 on page 2 of the minutes instead of 2012.

Moved (Cr Gibson/ Mayor Gibson) *That the minutes of the meeting held 14 February 2024 be confirmed.*

Carried

Draft Coastal Natural Hazards Variation – Further information and recommendation to proceed with variation

L. Easton presented to the Committee on the Draft Coastal Natural Hazards Variation – Further Information and Recommendation to Proceed with Variation. L. Easton noted that the management of the significant risks of natural hazards is a matter of national importance under Section 6 of the Resource Management Act (RMA). The RMA sets out the higher order documents that the TTPP must be consistent with in preparing the plan, including the New Zealand Coastal Policy Statement and West Coast Regional Policy Statement. The definition of ‘natural hazard’ in the RMA is ‘Any atmospheric or earth or water-related occurrence ... the action of which adversely affects or may adversely affect human life, property or other aspects of the environment’.

L. Easton noted section 106 of the RMA which gives guidance of significant risk, and that the assessment of the risk from natural hazards requires a combined assessment of 1. The likelihood of natural hazards occurring; 2. The material damage that would result from natural hazards; 3. Whether the use of the land would accelerate or worsen the damage predicted from a natural hazard. L. Easton then pointed out hazards with significant risk managed in TTPP; coastal erosion and coastal inundation were identified as priority hazards to address in the Plan because of the longstanding



issues with these hazards in a range of locations across the West Coast. Alongside these hazards TTPP also manages significant hazards in relation to river flooding, earthquake, landslide and tsunami.

L. Easton noted that a big driver to develop these overlays was the New Zealand Coastal Policy Statement (NZCPS) Policy 24, which states we must consider coastal hazard risks over at least 100 years; the cumulative effects of sea level rise, storm surge and wave height under storm conditions; and the effects of climate change. L. Easton said that the West Coast Regional Policy Statement also provides some directions on significant hazards, which focusses particularly on new subdivision development, and that further development should be restricted where it is already located in hazardous areas.

L. Easton noted that Coastal Hazard Overlays are the Subject of the Draft Variation:

1. Coastal Hazard Severe: Areas subject to coastal inundation and significant erosion risk - locations based on the WCRC Coastal Hazards Areas – risk based.
2. Coastal Hazard Alert: Areas subject to coastal inundation.
3. Coastal Setback: Areas we did not have information - 100m from the coast.

Cr Haddock asked why we need 100 years, when a lot of councils around the country are based on 50 years. 100 years is a long time when compared with the Alpine Fault which has a 50% chance of moving in the next 75 years. Cr P. Haddock noted that 100 years is a really long time when properties could be easily removed and suggested the timeframe could be 50 years.

L. Easton noted that NZCPS says we must take a 100-year view, and that we don't have the option of looking at a shorter timeframe. In terms of the lifespan of buildings, L. Easton thought it is important to recognize that 100 years event, is a requirement of NZCPS. The Council may use a 50-year timeframe in terms of flood hazards, rather than coastal hazards. We don't need the same direction on timeframe for flood hazards.

Mayor Cleine asked when the Regional Policy Statement was adopted and noted that this was done through a consultation process with the West Coast community by the Regional Council. L. Easton answered that it was drafted through the mid to late 2010s and finalised in 2020.

C. Boserelle spoke about West Coast Region Coastal Hazards mapping methodology. He noted that NIWA is the National Institute for Water and Atmosphere, and that they do a broad range of work, such as forecasting, river and ocean monitoring, and hazard research. In terms of coastal inundation, NIWA uses the bathtub model and a Dynamic Model. Bathtub models are very fast/cheap to apply. It is applied everywhere where the LIDAR exist. Dynamic models take a lot of computer power and time to setup.

L. Easton noted in relation to the Draft Variation:

1. It focused on mapping only of the Coastal Severe, Coastal Alert and Coastal Setback Overlays – there is no proposed changes to the rules;
2. Excludes Greymouth, Westport and Hokitika;
3. Land north of Hector also excluded due to lack of LIDAR;
4. Updated Greymouth modelling is now available and has been shared with Grey District Council staff but is not proposed as part of the Variation.



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Mayor Gibson asked why we didn't have the Greymouth modelling in this agenda. L. Easton explained that she wanted Grey District Council to consider it first.

L. Easton noted that the Variation would identify fewer properties as being subject to coastal hazards in Buller and Grey, but more in Westland.

L. Easton noted that the options going forward are:

1. Do not proceed with the Variation;
2. Proceed with the Variation in the short term;
3. Delay notifying the variation and combine it with a future Greymouth Variation.

L. Easton noted that all options have risks and benefits, but staff consider Option 2 to be the best approach. Option 1 and 3 have significant risks associated with them, in particular, including potential liability issues arising from inaccurate mapping, a confused regulatory environment, and a reduction in confidence from the insurance sector around hazard management on the West Coast.

Cr Neylon asked whether we have got a timeline on the LIDAR information for the north of Hector. S. Hornblow, said yes, they have received the LIDAR data for the whole of the Buller region but is currently being checked. She estimated that it was approximately 6 weeks away. L. Easton noted that once the LIDAR is received, the inundation model would be re-run. R. Williams noted that staff will come back to the Committee in relation to timing for this aspect.

Mayor Cleine asked about the hazard layers at Snodgrass Road. L. Easton answered that Snodgrass Road currently falls within the Westport Hazard Overlay, which is not part of this variation. L. Easton noted that Snodgrass Road will be addressed at the hearings planned for October, as the exact boundaries of the Westport Hazard Overlay will be considered then. L. Easton noted that her understanding is that the new Westport flood control scheme isn't going to protect Snodgrass Road, but all of that will be worked through at the October hearing.

Mayor Cleine asked why Carters Beach would not be treated that way as well. L. Easton noted that Carters Beach is not included in the Westport Hazard Overlay, as the overlay only covers Westport Town.

Mayor Cleine noted that Option 2 is consistent with the TTPP approach of applying the best science or information we have to hand. He noted that currently the plan is capturing properties it should not.

Mayor Gibson noted that there hadn't been time for full engagement with communities, which Cr Gibson agreed with. L. Easton clarified that with Option 2, the work would still be done along with further engagement with the Greymouth community. Any changes for Greymouth would come back to the Committee, within a separate variation. L. Easton noted that the focus of this current variation would be on the coastal mapping that was consulted on last year. In terms of timing for this work, L. Easton noted that until after October, the TTPP team's ability to lead a consultation process with the Grey community is quite limited.

Mayor Cleine suggested an amendment to the substantive motion, as point 5, in relation to the Greymouth and Hector north areas being subject to a further variation to be considered by the Committee at the end of October.



Te Tai o Poutini PLAN

A combined district plan for the West Coast

Moved (Mayor Cleine/Mayor Gibson)

1. *That the information be received.*
2. *That the proposed Variation for the mapping of Coastal Hazards in TTPP be adopted by the Te Tai o Poutini Plan Committee for legal public notification as a Variation to the Proposed Te o Poutini Plan by 27 June 2024.*
3. *That the mapping for the Variation be that which is shown at <https://wrc.maps.arcgis.com/apps/instant/sidebar/index.html?appid=1ac15f600be544e08dc6bd79539019e0> with the exception that there be no amendment to the hazard layers at Snodgrass Road.*
4. *That the submission period for the proposed Coastal Hazard Maps Variation to Te Tai o Poutini Plan be from the date of notification to 5pm, Friday 16 August 2024.*
5. *That the Committee notes that the Greymouth and Hector north areas will be subject to a further variation to be considered by the Committee at the end of October.*

Carried

Recommendation to Limited Notify Activities on the Surface of Water Variation

L. Easton noted that the Committee has already approved the Variation, however, her recommendation is to now notify it on a limited basis. L. Easton noted that the previous motion to publicly notify variation needs to be rescinded, but there are no other changes to proposed to the detail of the variation.

Moved (Cr Cassin/Mayor Gibson)

1. *That the information be received.*
2. *That the resolutions to publicly notify the proposed Variation for Commercial Activities and Port Activities on the Surface of Water in relation to Port of Greymouth and Westport Harbour Port by Thursday 28 March 2024 and in relation to the submission period be rescinded.*
3. *That the proposed Variation for Commercial Activities and Port Activities on the Surface of Water in relation to Port of Greymouth and Westport Harbour Port be adopted by the Te Tai o Poutini Plan Committee for Limited Notification as a Variation to the Proposed Te o Poutini Plan by Tuesday 28 June 2024.*
4. *That following parties be Limited Notified for the Variation:*
 - a. *The port authorities of Westport and Greymouth*
 - b. *The three West Coast District Councils and the West Coast Regional Council*
 - c. *Te Rūnanga o Ngāi Tahu*
 - d. *Department of Conservation*
 - e. *Ministry for the Environment*



Te Tai o Poutini PLAN

A combined district plan for the West Coast

- f. Maritime New Zealand
- g. Papahaua Resources and Rocky Mining Limited.
- h. TiGa Metals and Minerals
- i. WMS Group
- j. Tai Poutini Resources
- k. Westpower Limited
- l. All landowners of Port Zone land
- m. All other landowners with property abutting Port Zone land
- n. All other landowners with property abutting the Erua Lagoon in Greymouth
- o. All other landowners with property abutting the Grey River between the SH7 Bridge and the Coastal Marine Area boundary; and
- p. All other landowners with property abutting the Buller River between the S67 Bridge and the Coastal Marine Area boundary.

5. That the submission period for the proposed Variation for Commercial Activities and Port Activities on the Surface of Water in relation to Port of Greymouth and Westport Harbour to Te Tai o Poutini Plan be from the date of notification to 5pm Friday 26 July 2024.

Carried

Notification of an Addendum to the Summary of Submissions for Te Tai o Poutini Plan

L. Easton noted that the Committee's approval to notify a summary of submissions addendum is sought. This addendum relates to the summary of Mr Graeme Walsh's submission which was omitted from the summary of submissions notified in 2022.

Moved (Cr Haddock/Mayor Lash)

Carried

Financial statements to the end of January 2024, February 2024 and March 2024

M. Conland noted that there is an issue with the budget for Poutini Ngāi Tahu input as a budget of only \$15,000 was included for the financial year 2023-24. For previous years, a budget of \$50,000 has been allocated. M. Conland noted that from her investigations the reason for this lower amount is not clear. M. Conland noted that the forecast for consultants and contractors has been reduced by \$100,000, and even with the additional \$35,000 for the Poutini Ngāi Tahu budget, the overall spend on technical input to the TTPP process remains below what was originally budgeted.

R. Williams explained that back in 2019, when the principle of supporting Ngāi Tahu was agreed, it was agreed that the amount be \$50,000.

Moved (Cr Neylon/Cr Gibson)

1. The Committee receives the report.
2. The Committee approves \$35,000 additional budget for Poutini Ngāi Tahu involvement.



- 3. The Committee approves the budget for the contract with Pokeka Poutini Ngāi Tahu Limited for \$50,000 for this financial year and delegates the Chief Executive Officer, West Coast Regional Council power to sign a contract on the Committee's behalf.*

Carried

Implications of the proposed changes to the National Policy Statement for Indigenous Biodiversity and Te Tai o Poutini Plan

In support of L. Easton's report, L. de Latour from Wynn Williams noted that the signaled changes from central government relate to both the NPS-IB itself and also potentially an amendment to the RMA. She noted that on basis of the documents provided by the Ministry for the Environment to date there is no indication of any substantive change to the requirements to protect areas of significant indigenous vegetation nor change substantively what the TTPP has to do.

L. de Latour noted that the announcement from the government last week was around changes to the Act which will need to be introduced via Bill, which will mean that there will be a submission period. The bill hasn't been introduced, but when it is it will provide an opportunity to seek changes to address any issues.

Cr Gibson asked that if we progress the SNAs through the TTPP hearings and the government changes the rules, how do we make the changes.

L. Easton answered that this is why the government is not proposing retrospective changes, because about 40% of councils in the country have already identified SNAs in their district plans. L. Easton added that what NPS-IB did is brought in a requirement that all councils must use the same criteria. L. Easton's understanding was that the government wants to unwind the new obligation under the NPS-IB but don't want to complicate the situation by changing existing SNAs in district plans.

Cr Haddock added his understanding that Buller and Westland have some years to identify SNAs, and in that time the government legislation may change which will avoid those councils having to undertake that exercise. Is that correct? L. de Latour noted that it would still be a requirement to identify SNAs at some point in the future. It just doesn't need to be done in the next 3 years. The government may change the Act, but that is speculative at this point in time and in the meantime we have to comply with what it says.

Mayor Cleine asked what the process is to change the RPS, as that seems to be the hierarchical document that's informing the TTPP. He asked if that is something that could be revisited if that's what the region wants. L. de Latour noted that you could amend it, but it won't avoid the obligation under Section 6 of the RMA.

Cr B. Cummings asked whether the 'indigenous criteria' mentioned in both West Coast Regional Policy Statement and NPS were the same or not. L. Easton noted that the criteria in the NPS-IB are exceedingly broad and would probably encapsulate most of the vegetation on West Coast. Staff felt that the criteria in the West Coast Regional Policy Statement were not as broad, and certainly it could be better to use the criteria in West Coast Regional Policy Statement than the NPS-IB.



Mayor Gibson suggested an amendment to the substantive motion in relation to writing to the minister about the requirements under the RPS and the perception that the Government has created in relation to SNAs. Following advice from L. Easton regarding the timing of submissions on any bill in relation to SNAs, a further amendment was proposed to enable a submission of the Committee to be drafted and submitted within time.

Moved (Mayor Gibson/Mayor Lash)

1. *That the Committee receives the report.*
2. *That the Committee writes to Minister Hoggard to say that the Regional Policy Statement is operative and still requires the Councils to continue with the existing Significant Natural Areas which is in direct opposition with the perception created by the Government that Significant Natural Areas are no longer a requirement.*
3. *That, due to there potentially being a short timeframe for submissions on any bill in relation to Significant Natural Areas, a draft submission be circulated between Committee meetings for comment which will then go through as a submission on the bill.*

Carried

Project Manager Update

M. Conland noted the earlier Project Manager's update is the one that was sent by email that discussed the hearing schedule, some of the NPS-IB information, and limited rather than public notification of the Activities on the Surface of Water Variation.

M. Conland said the second Project Manager's update noted that the hearings continue to take less time than originally planned, which is resulting in significant cost savings. We are not quite halfway through topics, with hearing 12 of the 23 topics so far. Of the 73 hearing days that were planned to this point we have only had 32 hearing days, which is almost half the original number of hearing dates proposed.

Moved (R. Williams/Mayor Lash) *That the Committee receives the report.*

Carried

Closing comments

R. Williams pointed out that the next committee meeting date is 19th June at Buller District. The current topics that will be discussed are the budget, and a report on the change to standing orders to allow Zoom participation. R. Williams noted he will not be in person at the meeting.

Cr Neylon noted that he had been asked to chair a pre-hearing meeting regarding Alma Road. L. Easton added that the pre-hearing meeting is essentially trying to get find out the issues from



submitters about the various submissions on the zoning on the Alma Road. The pre-hearing meeting is trying to see if there is any agreement between the parties that could be reached prior to going to a hearing. L. Easton further noted that pre-hearing meetings are not about decision making.

Meeting ended at 12.45pm.