

THE WEST COAST REGIONAL COUNCIL

MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE HELD ON 26 JULY 2021, AT THE GREY DISTRICT COUNCIL & VIA ZOOM, COMMENCING AT 10.30 A.M.

PRESENT:

R. Williams (Chairman), T. Gibson, B. Smith, L. Martin 10:41am, L. Coll McLaughlin via Zoom, A. Becker, A. Birchfield 10:38, P. Madgwick

IN ATTENDANCE:

J. Armstrong (Project Manager), L. Easton, E. Bretherton (WCRC), N. Selman (WCRC), H. Mabin (WCRC) 10:46am, T. Ramage (WCRC)

WELCOME

The Chairman welcomed everyone to the meeting. He reminded those present that this is a public meeting and members of the public as well as media are welcome to attend. The Chairman welcomed any members of the public who may be viewing the meeting via Council's Facebook page.

APOLOGIES:

Moved (Smith / Martin) that the apologies from Cr Roche, Mayor Cleine, and F. Tumahai be accepted along with a lateness apology from L. Martin and A. Birchfield.

Carried

CONFIRMATION OF MINUTES

Moved (Gibson / Becker) that the minutes of the meeting dated 29 June 2021, be confirmed as correct.

Carried

MATTERS ARISING

Cr Coll McLaughlin noted two corrections in previous minutes.
Page one, S. Bastion made the query and Cr Coll McLaughlin followed it up.
Page three, third line down, hydrology should read 'hydro-electric potential rivers.'

Moved (Gibson / Becker) that the changes be accepted.

Carried

Declarations of Interest

The Chairman advised that the routine register of interests from Local Authorities will come through automatically to this committee.

There were no Declarations of Interest.

LATE ITEM

Contracting Research and Legal Services for Te Tai o Poutini Plan

Moved (Madgwick / Gibson) that the late item be accepted.

Carried

J. Armstrong spoke to this report and advised there are three contracts that need signing to meet the fast-track timeline and must be signed by the appropriate WCRC staff. J. Armstrong offered to answer questions.

Moved (Becker / Smith)

1. That the Committee receives the report.
2. That the Committee authorise that the Contract for NIWA for Coastal Hazard Mapping is signed by the Acting Chief Executive of the West Coast Regional Council.
3. That the Committee authorise that the contracts for Flood Mapping and Legal Services be signed by the Acting Chief Executive of the West Coast Regional Council once suppliers have been selected.

Carried

Financial Report

N. Selman spoke to this report and advised it was early for the June report to be produced and highlighted the fact it was a draft. The year's financials aligned well with the budget. The increase in research costs was unbudgeted for but was largely offset by the DOC contribution. The budget did not consider the superannuation contribution that is made to employees and the impact of outstanding leave.

Cr Becker thanked N. Selman for getting the accounts out even if they are provisional and said it was a good sign of credibility when the accounts are out early.

J. Armstrong explained that staff will seek to offset the unbudgeted staff expenses in 2021/22 against the research expense, as the GIS contract came in under budget.

Moved (Coll McLaughlin / Birchfield)

1. That the financial report is received.
2. That the Committee acknowledges the unbudgeted Superannuation cost, and that staff will seek to offset the impact by reducing research expenditure.

Carried

Technical Update: Short-Term Residential Visitor Accommodation Approach in the Plan

L. Easton spoke to this report and acknowledged there are different views across the board. L. Easton advised to leave this lying on the table so the Buller representatives unable to attend can contribute. Chairman Williams offered to have some discussion now and leave it open so at the next meeting a decision can be made based off discussion today. Cr Birchfield communicated he didn't want too much bureaucracy put in the path of people regarding Air BnB's and accommodation. Cr Coll McLaughlin's views remain the same stating the residential housing crisis has increased and the long-term tenants need priority. Cr Coll McLaughlin supports P. Madgwick and is in favour of controlling the Unhosted Residential Visitor Accommodation and would like to see pathways in place. Mayor Smith observed all Air BnB's in Hokitika are full as Westland Dairy have their maintenance programme every winter. Chairman Williams commented that noise issues need to be considered. Cr Birchfield queried if the committee was still open to different rules for different towns. L. Easton advised that it would be better moving forward for different provisions for different locales. P. Madgwick voiced concern on the effect on long term accommodation. It was agreed that L. Easton will circulate a table of options for split rules prior to the next meeting.

Moved (Gibson / Becker)

1. That the information be received.
2. *That the item be left on the table.*

Carried

Technical Update: Ecosystems and Indigenous Biodiversity Objectives and Policies

L. Easton spoke to this report and advised that the report looks specifically at the matters around the ecosystems and biodiversity natural heritage 'matters of national importance' under the RMA, and the approach as to how they are managed in the Te Tai o Poutini Plan focusing strong recognition on kaitiakitanga and stewardship of the land.

Mayor Smith questioned whether it was worth waiting for the NPS to see what comes out of that. L. Easton advised that it would be preferable, however, there is no guarantee that the NPS for Ecosystems and Indigenous Biodiversity will be available before the draft needs to be ready for community feedback. Once the NPS is out, a paper will be provided to the committee identifying any information that the committee needs to be aware of. Chairman Williams sought clarification that it was better to have a place holder instead of leaving a gap. L. Easton assured it was critical to have something to be fair to the landowners. Mayor Gibson queried the need as it still imposes on landowners. L. Easton advised it is required to include Ecosystems and Biodiversity in the TTPP under the RMA. Cr Birchfield suggested leaving landowners land alone and marking the national parks as outstanding areas. L. Easton advised the topic has been well canvased in the court and if nothing is provided on private land the consequences would be someone else making the rules through the environment court process. There was a discussion on SNA's and the property rights of landowners with concern that smaller communities may not be sustainable with P. Madgwick voicing that the national planning instrument goes against tino rangatiratanga. P. Madgwick confirmed that Cr Coll McLaughlin is correct.

Chairman Williams urged the committee to focus on the detail and Cr Coll McLaughlin agreed.

A discussion was held on threatened species, habitats, mobile fauna, and terrestrial corridors.

Cr Martin felt that the committee was dealing with unknowns and felt the committee was clear on the direction wanting it to be as enabling as possible and protect ownership rights on land and referred to deleting the second sentence in Draft Policy 1.

Chairman Williams noted paragraph 9-15 could be up for compromise.

Cr Martin emphasized that with this item in particular the committee would like it to be as enabling as possible, to meet the legislative requirements while still providing a West Coast flavour for the plan. The Committee is unanimous in wanting the rights of landowners to be protected. Mayor Smith shared concern over the legal property rights of owners.

A decision was made to amend Draft Policy 7 and remove "more than minor" and to directly refer Draft Policy seven to Draft Policy two after Cr Coll McLaughlin queried whether the wording was necessary in Draft Policy 7.

Moved (Martin / Becker)

1. That the Committee receives the report.
2. That the Committee provides feedback on the Objectives and Policies for Ecosystems and Indigenous Biodiversity.

Carried

Technical Update: Natural Character and the Coastal Environment Objectives and Policies

L. Easton spoke to this report and advised that there is strong direction in the RMA and RPS to address these matters. The current three district plans already deal with natural character in relation to fresh water. The coastal provision is new. Discussion on coastal regions.

Cr Martin suggested having a separate objective for freshwater activities that have functional and operational needs. Cr Martin queried if drawing water from rivers and lakes was provided for in the report. L. Easton will capture this in Objective 3. Cr Martin referred to Draft Objective 1 and queried mitigating or avoiding adverse effect if applied to a river run hydro scheme or developments on rivers.

L. Easton agreed it would need a separate objective to specifically address renewable development and water supplies that essentially need to be done in water bodies. Cr Coll McLaughlin questioned if the objective would flow on in Policy 3. L. Easton advised that there will be separate policies as this is an important topic for the West Coast and will be read in conjunction with the draft policies. E. Bretherton advised of other chapters in the Plan that could support the objectives and policies. Discussion on provisions and how to mitigate adverse effects. P. Madgwick addressed the Climate Change Report and if that would incur changes in the report. L. Eason replied that Natural Hazards approach would have greater weight for the present. Objective 3 will mention hydro power, drinking water supply and a catch-all for other things that have a functional and/or operational need to be in a freshwater body or adjacent to a freshwater body capturing fish farming and water-based recreation

and gold mining. Cr Martin queried if there are policies in the document that relate to water discharge like storm water. L. Easton advised this comes under the district council. Chairman Williams asked if the objective and polices would hinder developments within the next 30 years. Policy 5 should enable the ongoing developments on the West Coast. Discussion on the boundary lines for the coastal boundaries.

Moved (Madgwick / Gibson)

1. That the Committee receives the report.
2. That the Committee provides feedback on the Objectives and Policies and rules for Natural Character and the Coastal Environment in Te Tai o Poutini Plan.
3. Update the objectives and policies for waterbodies and Coastal character.

Carried

Technical Update: Activities on the Surface of Water Rules

L. Easton spoke to this report and advised that artificial water bodies are not included in this document. P. Madgwick felt there was an opportunity to add more water bodies that do not need motorized craft. DOC will be regulating access and structures on water bodies if they are the owner. There was a discussion about the different water bodies and activities on the surface of the water. The committee discussed structures on natural water bodies. Chairman Williams suggested refining the definition of motorized watercraft to differentiate between light powered and noisy jet ski and boats. L. Eason replied that is usually regulated by bylaw, but the West Coast doesn't have a bylaw. P. Madgwick asked L. Easton to try DOC again for a response.

Moved (Coll McLaughlin / Gibson)

1. That the Committee receives the report.
2. That the Committee provides feedback on the draft Rules for Activities on the Surface of Water.

Carried

The meeting adjourned at 12.39 and reconvened at 1.00 pm

Technical Update: Earthworks Rules

L. Easton spoke to this report and advised it was around the amenity and noise not the environmental effect of discharge. The focus is on the earthworks in the urban environment with permissive provision for the rest of the West Coast. L. Easton advised that work involving contaminated sites that they would need a Resource Consent under the National Environmental Standard for Contaminated Land and a Discharge consent under the Regional Land and Water Plan. Discussion on landfills, to include in permitted activity where consented under the Regional provisions, in Rule 3. Cr Coll McLaughlin clarified that landfill only permitted the earthworks and land use effects and noise would need to go through the process. L. Easton replied that it would apply more to traffic generation. Chairman Williams asked for clarification around terminology in the report.

Mayor Smith referred to Rule 3(3) and queried whether the maximum size of 500m² was large enough to build on. L. Easton explained that in the rural lifestyle zone the permitted footprint of buildings is 500m², and she will check to see if it is sufficient to build on a rural lifestyle block. P. Madgwick would like the protocols tightened around the archaeological accidental discovery protocols and earthworks on slopes and something for geothermal.

Moved (Coll McLaughlin / Gibson)

1. That the Committee receives the report.
2. That the Committee provides feedback on the draft Rules for Earthworks.

Carried

Technical Update: Temporary Activities – Objectives, Policies and Rules

L. Easton spoke to this report and advised that the provisions cover temporary military training and FENZ, as well as more common uses like events. Mayor Gibson would like the military training provision extended to 60 days from 31 days. Discussion on Freedom Camping. L. Easton advised that the three councils should have by laws in place as this is how Freedom Camping is regulated, however, those bylaws do not apply on State Highways. Mayor Gibson advised Grey had just looked extensively at their bylaw around Freedom Camping and it seems to be working with restrictions in place. The committee decided L. Easton to take another look. Mayor Smith would like no Freedom Camping unless permitted by council following public consultation. The committee agreed to it should occur in designated areas only.

Chairman Williams raised whether the temporary housing in Buller is provided for. Discussion on Franz Josef using commercial areas for residential. Cr Coll McLaughlin queried having a cross zone rule allowing councils to have temporary housing for post disaster or hazard. E. Bretherton advised that she had written rules allowing for temporary structures in the infrastructure chapter.

Moved (Becker / Smith)

1. That the Committee receives the report.
2. That the Committee provides feedback on the proposed objectives, policies and rules for temporary activities.

Carried

Te Tai o Poutini Plan Draft Chapter Review – Residential Zones

L. Easton spoke to this report and advised this was the complete set of residential zones. Cr Coll McLaughlin wondered if Policy 1 for Residential Zone Policies was limiting the ability to utilize land in the best possible way by having to fit with the surrounding residential character. L. Easton agreed and spoke to the process of writing the rules. Cr Coll McLaughlin referred to Policy 11 arguing that all rohe land is ancestral and referred to the hui held and spoke to Policy 14 referring to Westport and if it was limiting because areas could not be developed because of possible damage from natural disasters. L. Easton agreed and offered to add to the policy. Mayor Gibson advised that Abbyfield being built is for 12 residents. L. Easton offered to take emails in regards to this item.

Moved (Smith / Martin)

1. That the Committee receives the report.
2. That the Committee provides feedback on the draft Residential Zone provisions for Te Tai o Poutini Plan.

Carried

Project Manager's Report

Chairman Williams took the report as read and advised that the first topic is keeping the planning team very busy. J. Armstrong briefly spoke to the report and anticipated more work coming into August and September and reiterated the importance of the discussions.

J. Armstrong reminded the next meeting for August will be held on Thursday 2nd of September at 9 am.

Mayor Smith expressed his thanks to the staff "for working the tightrope that exists in this process between the political reality on the ground and the legislative reality that is your world. I like the way that you do not pack a sad when we pack a sad."

Moved (Madgwick / Gibson) That the report is received.

Carried

GENERAL BUSINESS

Chairman Williams picked up from last meetings matters arising which was around the attendance of councillors at a meeting and referred to the Local Government Reorganisation Scheme Order in Council June 2019 paragraph 11- Parties being able to nominate deputies to attend in the absence of a member. Meeting is open to members of the public but there is a procedure for appointing a deputy. It was confirmed that all councilors are encouraged to attend meetings if they choose to, but workshops are for Committee members only.

The meeting closed at 1:45 p.m.

The Chairman thanked everyone for their attendance.

NEXT MEETING

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Chairman

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Date

Meeting Dates for 2021

	Type of meeting	Day, Date and Time	Venue
August	In Person	Thursday 2 September 9am	Grey District Council
September	In Person	Tuesday 28 9am	West Coast Regional Council
October	In Person	Friday 29	Buller District Council
November	In Person	Tuesday 30	Te Tauraka Waka a Maui Marae
December	In Person	Thursday 16	Grey District Council

