

Non-notified resource consent application report and decision

Summary of decision

Activity:	To undertake works in the bed of the Wainuiomata River to remedy and avoid future erosion and scouring caused by flood flows.
File Reference:	WGN080503
Date Granted:	21 November 2008
Commencement date:	21 November 2008
Applicant:	Shayne Edwards Totara Downs 1044 Coast Road RD 1 Wainuiomata 5373
Decision made under:	Section 104B & 108 of the Resource Management Act (the Act)
Consent Granted:	[26982] : Discretionary Activity Water permit – to permanently divert the flow of secondary channels within the bed of the Wainuiomata River. [27332] : Discretionary Activity Land use consent - to construct rock rip-rap bank protection structures, to temporarily place bunds in, and to drain and reclaim secondary channels within the bed of the Wainuiomata River, including the associated disturbance of the river.
Location:	Approximately a 2 kilometre (km) stretch of the Wainuiomata River located within the boundary of Totara Downs, 1044 Coast Road, Wainuiomata
Map Reference:	Upstream boundary: At or about map reference NZMS 260: R27:2670268, 5983090

Downstream boundary: At or about map reference NZMS
260: R27:2669103, 5982135

Legal Description: Lot 1 DP 323093

Duration of Consent: [26982]: 20 years

Subject to conditions: Attachment 1

Decision recommended by:	Luke Faithfull	Resource Advisor, Environmental Regulation	
Decision peer reviewed by:	Sean Lisle	Resource Advisor, Environmental Regulation	
Decision approved by:	Alistair Cross	Manager, Environmental Regulation	

Reasons for decision: resource consent WGN080503 [26982] & [27332]

1. Background

Shayne Edwards (the applicant) has applied to Greater Wellington Regional Council (GW) for resource consents to undertake various works in a section of the Wainuiomata River that passes through his property. The section of the river is approximately 2 km in length and the consent will allow the applicant to implement different measures to assist in avoiding, remedying and mitigating flood and erosion damage to his land adjacent to the river. While the specific methodology can only be determined at the time of the works, the applicant has stated in the application that the river works will potentially involve the creation of bunds in the wetbed of the river, the reclamation of side channels, the permanent diversion of those side channels back into the main flow of the river and the movement of river gravels to create bank protection in erosion prone areas.

In the past, the applicant has had a long history of flooding and erosion issues on the property. In 2004, the applicant purchased the property and it was soon evident that the lack of river maintenance in the past had resulted in substantial erosion of the banks. Flooding that occurred in the subsequent years caused further damage to the applicant's property resulting in the loss of large amounts of land and stock.

This year the Wellington region experienced a number of significantly large rainfall events which resulted in increased high flow events in the Wainuiomata River. During these events, the river has eroded a considerable amount of the applicant's land. The applicant feels that if it is not remedied the river will continue to erode his land and eventually, this would cause similar issues further downstream, both on the applicant's property and neighbouring properties. While this has been an on-going issue, the applicant is aware that erosion protection must be addressed.

As illustrated in the following photos, substantial erosion can occur in a relatively short time frame.



Figure 1: The Wainuiomata River as it flows through the applicant's property. This photo was taken on 8 July 2008.



Figure 2: The same section of river as figure 1 but after a high flow event caused bank erosion and undermined a stock fence. This photo was taken on 28 July 2008.

2. Proposal

Given the variation of flooding and erosion along the stretch of the river, the location of the works will be determined by the applicant and be identified

through visual inspections of the river. As the location of works cannot be specified at the time of considering this resource consent application, I am recommending the granting of a global resource consent for the works.

As with the location, the duration of the works cannot be determined at the time of considering the resource consent application. However, the applicant has indicated that each set of works should take approximately half a day to a day to complete.

The applicant intends to undertake numerous methods to avoid, remedy and mitigate the effects of erosion on his property. These are discussed in section 2.1.1 of this report.

2.1.1 Stream works

The applicant proposed a suite of works that may be undertaken and these will vary depending on what is required for each location within the river. However, the works may involve the following:

- Minor river realignment of side channels (being meanders and secondary flow channels) formed during high flows;
- Diversion of the flow of side channels back into the main flow of the river and reclamation of the channels. Any diversion works will be undertaken by bunding the channels to create dry working areas to minimise the potential for sediment discharge;
- Removal of vegetation on the gravel beaches within the river;
- Excavation and cross blading of the river gravels to recontour beaches and islands within the river channel;
- Moving gravel sourced from within the river to provide additional bank protection for erosion prone areas; and
- Tethering of willows and additional planting along the banks of the river

The applicant would consult GW to determine the methodology of each set of the works to be undertaken prior to works commencing.

The following methodology is an example of how the formation of a side channel causing bank erosion would be addressed. The methodology that would be used is as follows:

- Machinery will ford the newly formed channel to access the gravel beach;
- A bulldozer will create bunds by passing beach gravel material across the side channel, at the upstream and downstream end to create a dry working area;
- The side channel will be reclaimed by pushing beach gravel into the dry channel;

- The area will be recontoured to form, as much as possible, a level area to allow flows to spread over the areas evenly; and
- Grade the bunds to the same height as the recontoured beach.

While the applicant's start date and duration of the works can not be defined it is the applicant's intention to undertake the works on an as required basis. The majority of the works are to be done in the drier months when the river is in low flow. Undertaking the works during this period will minimise the potential for sedimentation and disturbance of the river. The majority of works to be undertaken will be outside the actively flowing channel of the river.

2.2 Resource consents required

- Under section 13(1) of the Resource Management Act 1991 (the Act) no person may, in relation to the bed of any river-, use, erect...place...any structure or any part of any structure in...the bed; excavate...or otherwise disturb the bed; deposit any substance in, on...the bed; or reclaim or drain the bed unless expressly allowed by a rule in a regional plan or a resource consent.

As outlined in Section 2.2.1 of this report, the proposed vegetation removal, beach recontouring and the tethering of willows and associated activities within the river are expressly allowed by rules in a regional plan, and as such no resource consent is required for these activities. However, the reclamation, cross blading and construction of rock rip-rap bank protection structures is not expressly allowed by a rule in the Regional Freshwater Plan for the Wellington Region (RFP) or covered by existing resource consent; therefore, resource consent is required for this activity.

- Under section 14(1)(a) of the Act no person may divert any water unless the diversion is allowed by subsection (3) or is expressly allowed by a rule in a regional plan or a resource consent.

As discussed in Section 2.2.1 of this report, the proposed permanent diversions are not allowed by subsection (3) of the Act, and are not expressly allowed by a rule in the RFP or covered by existing resource consent; therefore, resource consent is required for these diversions.

2.2.1 Rules

Diversions - Rule 9 of the RFP provides for the minor diversion of intermittently flowing streams. The rule states that the diversion of less than 1.5 m³/sec of fresh water from any intermittently flowing river or stream is a permitted activity.

The proposed diversions of the Wainuiomata River do not meet the requirements of rule 9 of the RFP, primarily because the river is not intermittent; therefore, the works default to rule 16 of the RFP.

Rule 16 provides for the taking, use, damming, or diversion of any fresh water, is a **Discretionary Activity**.

Planting - Rule 24 of the RFP allows for the placement of any cabled willow or willow clump for river bank erosion protection that is fixed in, on, or under the bed of any river including any associated disturbance, deposition and temporary diversion is a permitted activity subject to certain conditions, is a **Permitted Activity**.

As the works will be undertaken, as far as practicable, in the dry bed of the river and the works are proposed to mitigate erosion which is the direct result of flooding, the works meet the provisions of rule 24 of the RFP, as a permitted activity.

Disturbance - Rule 36 allows for the disturbance of any river or lake bed associated with clearing flood debris that poses a flood or erosion hazard or for the purposes of protecting structures, is a **Permitted Activity**, provided it complies with certain conditions.

As the works will be undertaken within the stretch of river on the applicant's property and the works are proposed to mitigate erosion which is the direct result of flooding, the works meet the provisions of rule 36 of the RFP, as a permitted activity.

Recontouring - Rule 37 of the RFP provides for the disturbance and recontouring of any part of the bed of any river that is not covered by water (i.e., beach recontouring) to remedy or mitigate the adverse effects of flooding or erosion is a **Permitted Activity**, subject to certain conditions.

As the works will be undertaken to mitigate erosion and the effects of flooding, the works meet the provisions of rule 37 of the RFP, as a permitted activity.

Removal of Vegetation - Rule 40 of the RFP allows for the trimming and removal of vegetation including any associated disturbance, deposition and temporary diversion subject to certain conditions.

As the works will be undertaken to mitigate erosion and the effects of flooding, the works meet the provisions of rule 40 of the RFP, as a permitted activity.

Planting - Rule 41 of the RFP allows for the deliberate introduction or planting of any plant in the bed of any river or lake to remedy or mitigate the adverse effects of flooding, erosion, or non-point source discharges of contaminants, or to restore habitat, is a **Permitted Activity**, subject to certain conditions.

As the works will be undertaken to mitigate erosion and the effects of flooding, the works meet the provisions of rule 41 of the RFP, as a permitted activity.

The remaining works to be undertaken to avoid, remedy and mitigate the effects of flooding and erosion to the applicant's property will be carried out under the provisions of rule 49 of the RFP, as a **Discretionary Activity**.

While the majority of the remedial and mitigation measures are within the permitted activity provisions of the RFP, the responsibility lies with the applicant to ensure that the conditions for each of the permitted activities are complied with. If the conditions of the permitted activity rules cannot be met then resource consent may be required.

3. Consultation

In accordance with Greater Wellington Regional Council's (GW) agreement with tangata whenua regarding consultation on non-notified consents Wellington Tenth's Trust and Ngati Toa were provided with a copy of the application. Neither of these parties chose to comment on the application.

As part of the pre-application process, the applicant consulted with the Department of Conservation (DOC) and the Fish and Game New Zealand (F&G).

Officers of DOC inspected the applicant's site and supported the proposed remediation and mitigation works. Rob Stone, Ponoke Area Manager, provided the written approval on behalf of DOC on 18 September 2008.

F&G officer Corina Jordan, reviewed the application. Ms Jordan raised some minor concerns regarding the permitted and consented activities of the RFP. I advised Ms Jordan that these would be clearly defined within the report. Ms Jordan was happy with this and provided F&G's written approval on 30 October 2008.

Sharyn Westlake of GW's Flood Protection Department was consulted as part of the application process and stated that they were happy with the proposed activities although it is hard to make a full assessment when the extent of the works are unknown; however, she supported the proposed works. Sharyn stated that GW's Flood Protection is happy to provide the applicant advice on river management for the duration of the consent.

Summer Warr of the Environmental Monitoring and Investigations Department of GW was consulted as part of the application process. Miss Warr was happy with the proposal and raised no concerns regarding the proposed works.

No other parties are considered affected by the proposed works.

4. Reasons for waiver of notification

I consider that notification under Section 93(1)(b) of the Act is not required, as the effects of the proposed river works on the environment will be no more than minor, as outlined in section 5.2 of this report.

Section 94(2) of the Act provides that a consent authority is not required to serve notice of an application under subsection (1) if all persons who, in the opinion of the consent authority, may be adversely affected by the activity have given their written approval to the activity. I consider that all the potentially affected parties to this application have provided their approval; therefore, the

provisions of Section 94(2) of the act have been met and the application will be processed non- notified.

The processing time for the application has been extended under Section 37A(2)(b) of the Act. The reason for the extension was to allow the applicant further time to for consultation and negotiation to achieve an environmentally acceptable outcome.

5. Environmental effects

5.1 Existing environment

The Wainuiomata River flows through the applicant's property on its way to the where it discharges into the coast between Baring Head and Turakirae Head. The section of river where the works are to take place is approximately 2km in length. The characteristics of the river through the applicant's property is a typical meander pattern commonly found low lying rural flood plains. There a number of gravel islands and beaches, both vegetated and un-vegetated, located through this section of the river. The surrounding land is dominated by intensive pastoral farming.



Figure 3: The Wainuiomata River as it flows through the applicant's property. Note the large gravel beaches and islands and the eroded banks, both very typical of the river in this section.

5.2 Effects on water quality

Works in the beds of stream can cause a local and temporary increase in turbidity and suspended solids concentration as well as reducing the water

clarity. High suspended solids concentrations can have adverse effects on the in-stream ecology, especially if these conditions are maintained over time.

As the works will generally be of a short duration (approximately half a day to day at a time), it is considered that the effects on the water quality of the stream will be no more than minor. However, to ensure this, it is a recommended consent condition that the applicant implements measures to ensure that sedimentation is to be minimised.

Where possible, the applicant intends undertake the works during periods of low flow and, where possible, will bund off the work areas to create a dry working environment. As outlined in the application, machinery entry into the watercourse will be minimal; however, some channels will need to be crossed to access the gravel beach/island areas. Any refuelling or maintenance of machinery will be conducted at a safe distance from the watercourse. However, to ensure this, it is a recommended consent condition that no contaminants (including but not limited to oil, petrol, diesel, paint, solvent) shall be released to water from equipment being used for operation, and no refuelling of equipment shall take place on any area river or lake bed.

5.3 Effects on fish

The principal adverse effect on fish will be from the discharge of sediment to water during the proposed works in the active flowing water. However, this will be from natural bed material being disturbed and fish are generally able to avoid zones of highly turbid water while suffering little or no adverse effect.

The proposed works will not have an impact on fish passage in the Wainuiomata River, as the works will generally be taking place outside the main channel of the river; therefore, fish passage will be maintained at all times as the main channel of the river will not be blocked. However, to ensure this, it is a recommended consent condition that fish passage must be provided for at all times. I have also recommended a consent condition to ensure that fish passage is provided and that should fish become stranded by the works that they are placed back into clear water upstream of the working area.

5.4 Flooding

The applicant does not anticipate that the proposed works will inhibit the flood carrying capacity of the river. The proposed works involve the removal of vegetation and the recontouring of the gravel beaches and islands. It is anticipated that when high flow flood events occur, the flows should disperse evenly over the beach area; therefore, the flood capacity of the river should not be inhibited in any way.

As mentioned in section 2 of this report, the GW Flood Protection Department was consulted and no concerns were raised in regard to the impact of the works on the flood carrying capacity of the Wainuiomata River. In addition, I have recommended a consent condition requiring consultation with GW Flood Protection prior to works being undertaken.

5.5 Erosion and scour

The bed recontouring and placement of rock rip-rap in the bed of a stream has the potential to cause erosion and/or scour of the stream bed and banks. The applicant does not anticipate that erosion and scour will occur as a result of the proposed works as the purpose of the works is to mitigate the effects of erosion and scour. However, to ensure that any such issues are addressed, it is a recommend consent condition that the consent holder repairs any erosion or scour that is attributable to the works.

5.6 Summary

Provided the applicant undertakes the works as outlined in the application and complies with the recommended consent conditions, the proposed works in the Wainuiomata River should have a no more than minor effect on the local environment.

6. Statutory assessment

6.1 Resource Management Act 1991

Part II (Section 5) of the Act defines its purpose as the promotion of the sustainable management of natural and physical resources. Sections 6, 7 and 8 of Part II define the matters a consent authority shall consider when achieving this purpose. I consider this proposal is consistent with Part II.

Section 104 of the Act outlines the matters a consent authority must have regard to. These matters include any actual and potential effects on the environment of allowing the activity, relevant objectives, policies and rules of a Regional Plan, the Regional Policy Statement, and any other matter considered relevant and reasonably necessary to determine the application. These matters have been considered in section 4 and 5 of this report.

6.2 Regional Policy Statement

The Regional Policy Statement for the Wellington Region (RPS) contains several objectives and policies aimed at maintaining the quality of the freshwater environment. These objectives and policies are intended to provide for the current and reasonably foreseeable needs of current and future generations. The relevant chapters of the RPS are Chapter 5 (Freshwater), 9 (Ecosystems) and 11 (Natural hazards). I consider that the proposed activities outlined in the application are consistent with the objectives and policies of these chapters.

6.3 Regional plans

The RFP has a number of objectives and policies that relate to the proposed activity. The most relevant objectives and policies to consider is assessing this application are listed below:

Policy 6.2.14 states that it is appropriate to allow minor or temporary diversions where they are associated with authorised works and/or the exercise of resource consent.

Objective 7.1.2 seeks to ensure that the risk of flooding and erosion is not increased by carrying out activities in the beds of rivers. These effects are addressed in section 5 of this report.

Policy 7.2.1 indicates that it is appropriate to allow activities for flood mitigation and erosion protection purposes of any waterbody and its margins.

Policy 7.2.8 allows the re-contouring of the beds of rivers provided the activities are necessary to avoid or mitigate the effects of flood hazard.

It is considered that the proposed works are consistent with the relevant policies and objectives of the RFP.

7. Main findings

1. The proposed activities are consistent with the Purposes and Principles of the Act.
2. The proposed activities are consistent with the relevant objectives and policies of the RPS and the RFP.
3. The actual or potential adverse effects of the proposed activities on the environment will be no more than minor.
4. Conditions of the consent will ensure that the potential adverse effects of the activities on the environment will be appropriately avoided, remedied or mitigated.
5. The proposal incorporates appropriate mitigation measures, to ensure the adverse effects are no more than minor.

7.1 Duration of consent

For water permit WGN080503 [26863] and land use consent WGN080503 [27332], it is considered that a duration of 20 years is appropriate, which is the maximum allowable under section 123(c) of the Act, as the mitigation works are of an on-going nature.

8. Monitoring

Annual inspections of the works will be undertaken, as required, in accordance with the *Resource Management Charging Policy (2008)*. Charges relating to this inspection are outlined in the cover letter enclosed with this report.

Application lodged:	06/06/08	Application officially received:	27/06/08
Application stopped:	01/08/08	Application started:	04/11/08
Applicant to be notified of decision by:	21/11/08	Applicant notified of decision on:	21/11/08
Time taken to process application:	40 working days		

9. Attachment 1 WGN080503 [26863]

Water permit – to permanently divert the flow of secondary channels within the bed of the Wainuiomata River.

1. The location, design, construction, implementation and operation of all works shall be carried out in accordance with the application and associated documents and plans, lodged with the Wellington Regional Council on 6 June 2008 and further information received on 16 September 2008.

Note: Any change from the location, design concepts and parameters, and implementation may require a change in consent conditions under section 127 of the Resource Management Act 1991.

2. The Manager, Environmental Regulation, Wellington Regional Council, shall be given least 48 hours notice prior to works commencing, and thereafter shall be notified at least 48 hours prior to further works.
3. The permit holder shall provide a copy of this permit and any documents referred to in this permit to each operator or contractor undertaking works authorised by this permit, before that operator or contractor starts any works.
4. The permit holder shall ensure that a copy of this permit is kept on site at all times and presented to any Wellington Regional Council officer on request.
5. All reasonable steps shall be taken to minimise sediment loading and increased turbidity during implementation of all diversion works. The permit holder shall divert water only for the period necessary to carry out the works.
6. All works shall be undertaken in a manner that provides for fish passage wherever possible. Any fish entrapped by works shall be relocated upstream into clear water as soon as possible.
7. The works shall remain the responsibility of the permit holder and shall be maintained to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council. This shall include the repair of any erosion of the bed and/or banks of the river that is attributable to the works and completing any reshaping of the river bed channel should it be deemed necessary by the Manager, Environmental Regulation, Wellington Regional Council.
8. All works affecting the river, including tidy up on completion of the works, shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

10. Attachment 2 WGN080503 [27332]

Land use consent to construct rock rip-rap bank protection structures, to temporarily place bunds in, and to drain and reclaim secondary channels within the bed of the Wainuiomata River, including the associated disturbance of the river.

1. The location, design, implementation and operation of the works shall be in general accordance with the consent application and its associated plans and documents lodged with the Wellington Regional Council on 6 June 2008 and further information received on 16 September 2008.
2. A copy of this consent shall be held on-site for the duration of the activity/works and be made available to any Wellington Regional Council officer on request.
3. The consent holder shall ensure that, as far as practicable, all works carried out in the dry bed of the stream, including shaping and construction of the banks.
4. The Manager, Environmental Regulation, Wellington Regional Council shall be given least 48 hours notice prior to any works commencing. This notice must include but not be limited to the following:
 - a) description of the works to be undertaken; and
 - b) methodology of the works to be undertaken.
5. The Manager, Flood Protection, Wellington Regional Council shall be given least 48 hours notice prior to any works commencing. This notice must include but not be limited to the following:
 - a) description of the works to be undertaken; and
 - b) methodology of the works to be undertaken.
6. The consent holder shall take all practicable steps to minimise sedimentation and increased turbidity of the stream during the construction, implementation and maintenance of the works, including:
 - a) completing all works in the minimum time practicable;
 - b) minimising the area of disturbance at all times;
 - c) avoiding placement of construction or excavated material in the wetted channel;

- d) separating construction activities from the wetted channel, where practicable; and
 - e) minimising time spent by machinery in the wetted channel, and the number and frequency of machine crossings of the wetted channel of the stream, to a practicable minimum at all times.
7. Any excess material from the construction and implementation of the works shall be immediately removed from the bed and banks of the stream on completion of the works, and disposed of in an appropriate manner.
8. The consent holder shall ensure that:
- a) all machinery is thoroughly cleaned of unwanted vegetation (e.g. weeds), seeds or contaminants prior to entering the site;
 - b) no contaminants (including but not limited to oil, petrol, diesel, hydraulic fluid) shall be released into water from equipment being used for the works;
 - c) all contaminant storage or re-fuelling areas are bunded or contained in such a manner so as to prevent the discharge of contaminants;
 - d) all machinery is regularly maintained in such a manner so as to minimise the potential for leakage of contaminants; and
 - e) no machinery is cleaned, stored or refuelled within 10 metres of any ephemeral or permanent watercourse.
9. The consent holder shall ensure that the works are undertaken in a manner that does not impede fish passage and that fish passage is maintained at all times during and on completion of the construction works along the stretches of river affected by the exercise of this consent.
10. Any fish stranded or trapped by the construction works as authorised by this consent shall be immediately relocated by the consent holder to clear, flowing water.
11. No works shall be carried out between 1 May to 31 August inclusive (trout spawning season), unless authorised by the written approval of the Manager Environmental Regulation, Wellington Regional Council.

Note: Manager Environmental Regulation, Wellington Regional Council will consult with Fish and Game New Zealand with regard to any works within trout spawning season.

12. The consent holder shall take all practicable steps to ensure that the works are carried out such that:
 - a) a meander pattern is maintained in the wetted channel of the river;
 - b) the width of the wetted channel of the stream is not reduced by the planting of willows or native plants (i.e. all planting shall be outside the active bed of the river);
 - c) disturbance to the bed of the stream is minimised; and
 - d) areas of complex river habitat (i.e. pool-riffle-run sequences) are maintained.

13. The consent holder shall ensure that any area of native vegetation on the banks of the stream that is damaged or destroyed due to the works is replanted with appropriate native species within one month of works being completed.

14. The consent holder shall ensure that all exposed areas of stream banks are stabilised against erosion by re-vegetating the area, as soon as practicable, upon completion of the works.

Note: For the purposes of this condition “stabilised” means inherently resistant to erosion or rendered resistant, such as by using indurated rock or by the application of basecourse, colluvium, grassing, mulch, or another method to the reasonable satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and as specified in the Erosion and Sediment Control Guidelines for the Wellington Region, September 2002. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once, on reasonable visual inspection by the Manager, Environmental Regulation, Wellington Regional Council, 80% vegetative ground cover has been established.

15. If koiwi, taonga or other artefact material is discovered in any area during the extraction works, the consent holder shall contact the Manager, Environmental Regulation, Wellington Regional Council, Wellington Tenth Trust and Ngati Toa immediately, and works in that area shall cease to allow a site inspection by the Manager and these groups and their advisors. The consent holder shall then consult with Wellington Tenth Trust and Ngati Toa on appropriate steps to recover the artefacts in order that works can resume. If skeletal remains are discovered, works shall also cease and the consent holder shall contact the New Zealand Police.

16. To minimise the potential for erosion, scour and/or instability, the consent holder shall:

- a) only use natural rock and soil material to reclaim the bed of the stream; and
- b) carefully place and sufficiently compact all fill material.

17. The works shall remain the responsibility of the consent holder and shall be regularly inspected and maintained by the consent holder so that any erosion of the stream banks or bed due to the works is remedied by the consent holder

Note: Maintenance works shall not include any works outside of the scope of the application. Any additional works (including structures, reshaping or disturbance to the stream bed) following completion of the construction works as proposed in the application may require further resource consents.

18. All works affecting the stream, including tidy up on completion of the works, shall be completed to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.