

**AGENDA AND SUPPORTING PAPERS  
FOR COUNCIL'S NOVEMBER MEETINGS**

**TO BE HELD IN THE OFFICES OF THE WEST COAST REGIONAL COUNCIL  
388 MAIN SOUTH ROAD, GREYMOUTH**

**MONDAY, 12 NOVEMBER 2012**

**The programme for the day is:**

**10.30 a.m: Resource Management Committee Meeting**

**On completion of RMC Meeting: Council Meeting**

**Councillor Workshop**

# **RESOURCE MANAGEMENT COMMITTEE**

## **THE WEST COAST REGIONAL COUNCIL**

Notice is hereby given that a meeting of the **RESOURCE MANAGEMENT COMMITTEE** will be held in the Offices of the West Coast Regional Council, 388 Main South Road, Paroa, Greymouth on **Monday, 12<sup>th</sup> November 2012**

B.CHINN  
CHAIRPERSON

M. MEEHAN  
Planning and Environmental Manager  
J. ADAMS  
Consents and Compliance Manager

---

<b><u>AGENDA NUMBERS</u></b>	<b><u>PAGE NUMBERS</u></b>	<b><u>BUSINESS</u></b>
<b>1.</b>		<b>APOLOGIES</b>
<b>2.</b>	1 – 4	<b>MINUTES</b> 2.1 Confirmation of Minutes of Resource Management Committee Meeting – 9 October 2012
<b>3.</b>		<b>PRESENTATION</b>
<b>4.</b>		<b>CHAIRMAN’S REPORT</b>
<b>5.</b>		<b>REPORTS</b>
		<b>5.1 Planning and Environmental Group</b>
	5 – 14	5.1.1 Planning & Environmental Manager’s Monthly Report
	15 – 18	5.1.2 Water Management Plan
	19 – 20	5.1.3 Freshwater National Policy Statement – Implementation of Objectives and Policies
	21	5.1.4 Hydrology & Flood Warning Update Hydrology Report Presentation to Council
	22 – 23	5.1.5 Civil Defence & Regional Transport Report
		<b>5.2 Consents and Compliance Group</b>
	24 – 26	5.2.1 Consents Monthly Report
	27 – 29	5.2.2 Compliance & Enforcement Monthly Report
		<b>6.0 GENERAL BUSINESS</b>

**THE WEST COAST REGIONAL COUNCIL****MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE  
HELD ON 9 OCTOBER 2012 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL,  
388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.43 A.M.****PRESENT:**

B. Chinn (Chairman), R. Scarlett, T. Archer, D. Davidson, A. Birchfield, I. Cummings, F. Tumahai

**IN ATTENDANCE:**

C. Ingle (Chief Executive Officer), R. Mallinson (Corporate Services Manager), M. Meehan (Planning & Environmental Manager), J. Adams (Consents & Compliance Manager), T. Jellyman (Minutes Clerk)

**1. APOLOGIES**

**Moved** (Archer / Davidson) *that the apology from Cr Robb be accepted.*

*Carried*

**2. PUBLIC FORUM**

There was no public forum.

**1. MINUTES**

**Moved** (Birchfield / Cummings) *that the minutes of the previous Resource Management Committee meeting dated 4 September 2012, be confirmed as correct.*

*Carried*

**Matters Arising**

There were no matters arising.

**2. CHAIRMAN'S REPORT**

Cr Chinn reported that he has received phone calls from concerned landowners regarding wetlands on their properties. Cr Chinn stated that one farmer has a farm of 220 acres and the whole 220 acres have been identified as a wetland. Cr Chinn stated that the farmer said to him "never in his wildest dreams did he ever think this could happen in New Zealand, to freehold land without the landowner knowing". Cr Chinn stated that he posted the minutes from last month's council meeting to the landowner. Cr Chinn stated that Arthur Thomson also phoned him about the wetlands on his farm.

**Moved** (Chinn / Scarlett)

*Carried*

**5. REPORTS****5.1 PLANNING AND ENVIRONMENTAL GROUP****5.1.1 PLANNING & ENVIRONMENTAL MANAGER'S MONTHLY REPORT**

M. Meehan spoke to his report advising that the Land and Riverbed Plan became operative on the 24<sup>th</sup> of September. He stated that landowners with Schedule 2 wetlands have been contacted and provided with facts sheets, letters and maps. M. Meehan advised that he has received a lot of phone calls regarding wetlands as there are 270 landowners affected and there are quite a few people upset about the process. M. Meehan advised that there are areas that have been identified that have been developed under

resource consents that are clearly not wetlands anymore. M. Meehan advised that he has visited several sites. There is a lot of work to be done in the next year or so with landowners.

M. Meehan reported that a public meeting is to be held on the 29<sup>th</sup> of October at 7pm in the Reefton Area School Hall to appoint 3 – 4 people from the Reefton community to represent their community on the Reefton Airshed Committee.

M. Meehan reported that progress is being made on the Coastal Plan Review and once the draft is completed a workshop will be held with Councillors and Iwi to go through this Plan.

M. Meehan reported that the Marine Legislation Bill has recently passed its first reading in Parliament and is now open for submissions. M. Meehan advised that this Bill deals with a lot of issues that came out of the Rena disaster including claims on spills and pollution damage and the clean up afterwards. M. Meehan explained this also addresses navigational safety management of inland waterways. M. Meehan advised that Maritime NZ has always managed water safety in our lakes very well and he is unsure of why a change is being sought. C. Ingle advised that the thrust of the submission will be that we do not want a new function to do navigation safety in our region as Maritime NZ are doing a sterling job and they need to continue with this function.

M. Meehan reported that the Exclusive Economic Zone and Continental Shelf Bill has now passed its third reading and was enacted on the 3<sup>rd</sup> of September. He stated that staff are considering what changes need to be made, if any, to the Coastal Plan to be consistent with this new Act.

M. Meehan reported that staff submitted on the Proposed Tasman – Nelson Regional Pest Management Strategy, looking at cross boundary issues and whether we can work together more closely. M. Meehan reported that the committee of Tasman District Council and Nelson City Councillors have declined the recommendation sought regarding the risk of transference of pest plants, as they believe that there is little risk of this occurring.

M. Meehan reported that staff made a short submission on the Westland District Plan – Managing Fault Rupture Risk in Westland. He stated that the main crux of the submission was pointing out what has been done in the region regarding research on the alpine fault zone and identifying minor errors in the document.

Discussion took place on the likelihood of fault rupture and when this could happen.

Cr Archer asked if there are any issues of substance regarding the Regional Pest Management Strategy.

M. Meehan responded that the main issue is Didymo but he is not aware of any big threats regarding pest plants. C. Ingle stated that pests like Old Man's Beard could come through but the gorge is the conduit and DoC have done a lot of work in this area over the years. C. Ingle stated that Didymo is an algae and once it is there, there is no way of getting rid of it.

**Moved** (Archer / Cummings) *that this report is received.*

*Carried*

### 5.1.2 HYDROLOGY AND FLOOD WARNING UPDATE

M. Meehan spoke to this report advising there was a heavy rainfall event on the 7<sup>th</sup> and 8<sup>th</sup> of September which triggered the alarms on the Grey, Buller and Karamea Rivers.

**Moved** (Tumahai / Scarlett) *that Council receive this report.*

*Carried*

### 5.1.3 REEFTON AIR QUALITY WINTER UPDATE

M. Meehan spoke to this report and advised that this report is a wrap up of Reefton Air Quality data for winter 2012. He advised that there were 27 exceedances of the NES for PM<sub>10</sub> in Reefton for the 2012 year and this is the highest on record since monitoring began. M. Meehan advised that maximum and median exceedances have been recorded. He advised that due to the cold winter and the climate conditions in Reefton, this winter was not a good one. M. Meehan advised that the monitoring of air quality in Reefton feeds into what Council is doing for Reefton and the public meeting, which is being held later in the month.

**Moved** (Scarlett / Birchfield) *that Council receive this report.*

*Carried*

### 5.1.4 CIVIL DEFENCE & REGIONAL TRANSPORT UPDATE

C. Ingle spoke to this report and stated that the national earthquake drill, Exercise Shakeout was held on the 26<sup>th</sup> of September. He advised that this was used as a training exercise here at the Regional Council for Emergency Operations Centre (EOC) staff who took the opportunity to use EMIS, which is the new Emergency, Management Information System software system. C. Ingle advised that he and M. Meehan as the Regional Controllers did not attend the training but went to Westland District Council and Grey District Council to observe how District Council EOC's operate. C. Ingle stated that it was good to be with the district councils to observe the response on the ground. C. Ingle stated that there were some problems with the software as it is not perfect but there is now a trainer being employed to help out with the problems with the software system.

C. Ingle reported that the Land Transport Programme for 2012 – 2015 has been released. He also reported on the Land Transport Amendment Bill and advised that at this stage no submission will be made. Cr Chinn stated that he is disappointed that there is no funding for slow passing lanes. Cr Scarlett agreed with Cr Chinn and he feels that the bureaucrats seem to make the decision on what they think should be funded. Cr Scarlett stated that we had a lot of support to upgrade the Mingha Bluffs area at a regional level but when it got beyond the Regional Transport Committee it was relegated right down even though we were prepared to put money into it. Cr Scarlett feels it is almost disingenuous as we attend meetings, consult locally and then they do their own thing. Cr Scarlett stated that he felt certain that Mingha Bluffs would have gone ahead but it was turned down. Cr Birchfield asked what would the chances of doing this upgrade privately. He stated that the worst part is just passed Arthurs Pass and this is only a short section of earthworks. Cr Scarlett stated if someone came up with the money they would do it. Cr Cummings stated that a lot of money was poured into the Rough River Bridge and why is this. C. Ingle commented that was the main route for heavy transport from Nelson to the Buller area.

**Moved** (Scarlett / Chinn) *that Council request that the Regional Land Transport Advisory Group investigate whether or not the upgrade to Rough River Bridge is still necessary and could this funding could be used for slow passing lanes and the upgrade of the Mingha Bluffs area of State Highway 73.*

*Carried*

Cr Archer asked C. Ingle if Buller District Council did not participate in Exercise Shakeout because they weren't asked. C. Ingle responded that they choose not to be involved but they were aware of it.

**Moved** (Archer / Scarlett) *that Council receive this report.*

*Carried*

## 5.2 CONSENTS AND COMPLIANCE GROUP

### 5.2.1 CONSENTS MONTHLY REPORT

J. Adams spoke to his report advising that nine consent visits were carried out during the reporting period, 11 non-notified resource consents granted and seven consent variations granted. He reported that all written public enquiries were responded to with the required timeframe. Cr Davidson asked if changes to the consent conditions for the Franz Josef and Fox Glacier oxidation ponds are a regional council function or a district council function. J. Adams that variation covers the maximum amount for discharge each day but depending on tourist numbers there are differences in the volume of the discharge. The change is for the volume of wastewater discharged from the Wastewater Treatment Plan from a total daily volume to an average daily volume.

**Moved** (Scarlett / Birchfield) *That the October 2012 report of the Consents Group be received.*

*Carried*

### 5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

J. Adams spoke to this report advising that staff started off the round of inspections with the dairy sheds that had problems meeting the standard last year. J. Adams advised that by carrying out the visits at the start of the dairy season this would give farmers time to resolve problems. Cr Scarlett stated that he had received a phone call from the Grey Star asking him if council had directed staff to get tougher on non-compliant dairy farmers. Cr Scarlett stated that responded that this was definitely not the case.

J. Adams advised that there has been an issue with Westland District Council's effluent ponds discharge. He stated that the discharge was going to ground but reappearing 60 metres away. As a result of this an Abatement Notice was served in order to get the discharge repaired and this has now been done. C.

Ingle advised that around this time last year there were serious issues with the same matter so this was not the first time there have been problems. J. Adams advised that this is the third formal warning that has been issued in three years.

**Moved** (Archer / Scarlett)

- 1. *That the September 2012 report for the Compliance Group be received.*
- 2. *That Council release the bonds held for Resource Consent RC02020/1 and RC09039*

*Carried*

**6.0 GENERAL BUSINESS**

There was no general business.

The meeting closed at 11.21 a.m.

.....  
Chairman

.....  
Date

### THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting 12 November 2012  
 Prepared by: Michael Meehan, Planning and Environment Manager  
 Date: 31 October 2012  
**Subject: Planning and Environment Manager's Monthly Report**

---

#### Land and Water Plan

The appeal period on the Land and Water Plan decisions report closed on 30 October 2012. Council has received two appeals on the plan which it will review and advise Council on the process moving forward.

#### Reefton Airshed Committee

On 29 October at 7pm a public meeting was held at the Reefton Area School. Four Reefton people were selected to be on the Reefton Airshed Committee, the full committee is:

Jimmy Foster  
 Bert Waghorn  
 Graham Gollan  
 Simon Gardiner  
 Dave Hawes (Buller District Council representative)  
 Terry Archer (West Coast Regional Council representative)  
 Francois Tumahai (iwi representative)

The committee will meet monthly and provide a report as per their terms of reference (attached) to Council in October 2013. The committee will update the community via its community newspaper to ensure that they are kept informed of progress.

#### Latest national environmental indicators

In October the Ministry for the Environment published national environmental monitoring results for air quality, ozone, recreational water quality, household consumption expenditure, and solid waste disposal. The key points from monitoring indicators relevant to this Council are:

Air quality: Of the 27 airsheds which need to meet the PM<sub>10</sub> standard in either 2016 or 2020, 22 of these did not meet the standard in 2011. Eighteen per cent of New Zealand's population lives in these 22 airsheds.

#### New climate change research

A new four-year, \$7.2 million project aims to "climate proof" New Zealand with updated climate change predictions and an improved understanding of the impact of the changes. The research will be undertaken by several government agencies, and will include:

- Updating and improving regional-scale projections of climate trends and variability across New Zealand out to 2100 based on the latest global projections.
- Identifying likely impacts for five environment types: alpine and high-elevation native forest ecosystems; high-country and hill-country environments and land use; lowland environments and land use; coastal and estuarine ecosystems; and the ocean food chain.
- Combining climate change modelling with trends in areas such as demographics and economics, to investigate the implications at the national and regional scales, and some local case studies.
- Providing information to support coordinated, evidence-based decision-making and policy development.
- Working with the end users of the research to get a sense of how they might interpret the information.

The research will look at risk factors and the issue is where society settles on the level of risk.



**Marine Legislation Bill**

Following the report to the October meeting Council made a written submission (attached) on the Marine Legislation Bill. On 18 October 2012, Council presented via telephone to the Select Committee, outlining its key concerns and noting support for parts of the Otago Regional Council and Local Government New Zealand submissions.

**RECOMMENDATION**

*That this report is received.*

Michael Meehan  
**Planning and Environment Manager**

12 October 2012

Transport and Industrial Relations  
Committee  
Select Committee Office  
Parliament Buildings  
**Wellington 6011**

Our Reference: 06-230

Dear Sir/Madam

**SUBMISSION ON MARINE LEGISLATION BILL**

The West Coast Regional Council (the Council) appreciates the opportunity to submit on the Marine Legislation Bill (the Bill), and wishes to thank the Select Committee for considering our submission.

Attached is the Councils' submission which generally supports the Bill, but raises concerns with some of the clauses in "Part 3A Local regulation of maritime activity", that appear to give regional councils new functions for maritime safety in waters in their regions.

It is the Council's understanding that Maritime New Zealand (MNZ) was to remain responsible for those waters which are not covered by local government bylaws and that the policy intent was not to result in regional councils becoming responsible for any of the maritime safety functions that currently reside with MNZ.

This Council is not in a position to have an operational role for maritime safety in the West Coast region. We therefore seek a change to the wording of these clauses so that the West Coast Regional Council is exempted from this requirement.

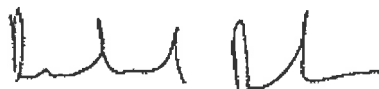
The Council does wish to speak to the Committee at a Hearing.

My contact details are:  
Michael Meehan  
West Coast Regional Council  
PO Box 66  
Greymouth 7840

Ph: 03 768 0466

Email: [mm@wcrc.govt.nz](mailto:mm@wcrc.govt.nz)

Yours faithfully



**Michael Meehan**  
**Planning and Environmental Manager**

## Proposed Amendments to the Maritime Transport Act 1994

### Background

The West Coast Regional Council does not and has never operated the ports within its region. The 1989 local government reorganisation process allocated the region's ports at Greymouth and Westport to the constituent District Councils (Grey District Council and Buller District Council). The West Coast Regional Council has never delivered any harbourmaster, port management, nor navigational safety functions within its region, either within the operational port areas, or within its inland waters.

The Port Managers (the District Councils) have traditionally appointed harbourmasters to oversee harbour safety within their port operational areas, as required. For inland waters, Maritime NZ (MNZ) have traditionally appointed local people to manage safety issues at certain inland lakes during the peak summer period. We understand other waterways in the region are not sufficiently well utilised by watercraft to require any navigational safety administration work.

### General support for Bill

The Council generally supports the parts of the Bill related to improving regional councils' ability to claim liability for clean up and recovery work from contaminant spills and other environmental damage caused by ship wrecks, and we have no further comments about these parts of the Bill. The focus of our submission is the new provisions in Part 3A giving responsibilities to regional councils for maritime safety.

### Proposed new responsibility for Maritime Safety (s33C of the Bill)

The West Coast Regional Council strongly opposes being given the new function in section 33C of the Bill, a function that has never been carried out by this council. Proposed section 33C states that:

*"Regional councils must take all reasonable and practical steps to:*

*(a) Regulate, control and ensure maritime safety in the ports, harbours and waters in their regions; and*

*(b) Regulate maritime-related activities in their regions for the purpose of ensuring maritime safety."*

The proposed new section 33C of the Bill has no equivalent in the current law. This is an entirely new provision that, if enacted, would place unreasonable and unnecessary costs on this Council to take on a navigation safety role in waters in the region both within and outside the two ports.

The West Coast Regional Council has no expertise in maritime safety matters and others have traditionally been carrying out this role in our region: the District Council Port Companies in terms of port operational areas, or MNZ in the case of inland waters, where the level of seasonal water

use activities cause some control to be necessary. MNZ is much better placed to carry out the safety role in West Coast waters. Since 2003 MNZ have implemented the maritime rule Part 91, which covers matters such as speed limits for motor boats, age limit for boat operators, compulsory wearing of life jackets, and anchoring. We understand that Rule 91 is administered on the West Coast by Safe Boating Advisors located in each district, who respond to complaints about breaches of Rule 91. To transfer maritime safety functions to the regional council without our council having any of the necessary staff, skills, experience, equipment or background in this area is not considered to be efficient nor effective.

We agree with the Local Government New Zealand submission point on clause 33C, that although the intention was **not** to require regional councils to ensure maritime safety in all regional waters in their regions, the current wording in the Bill would impose this responsibility onto regional councils.

**We request the following amendments to the Bill:**

1. Section 33C be deleted; or amended to reflect the policy intent of continuing to provide regional councils with powers utilised in managing navigation and safety, and that regional councils can do so where they choose within their regions, as opposed to regional councils being responsible for ensuring maritime safety in all waters of their regions.

As an alternative, we also support the amendment proposed by Local Government New Zealand, subject to a minor change:

- b. Clarify in 33C that regional councils are not intended to take over Maritime New Zealand's role in relation to maritime safety in New Zealand's inland waters, in locations where Maritime New Zealand currently undertake the navigational safety role.

Appointment of Harbourmasters (s33D of the Bill)

We are opposed to the requirement for regional councils to appoint harbourmasters. Section 650B of the 1974 Local Government Act currently allows regional councils to appoint harbourmasters and enforcement officers as it thinks necessary. The current wording of the law is that "regional councils *may* appoint such harbourmasters and enforcement officers as it thinks necessary..."

Section 6 of the new Bill would seem to *require* regional councils to appoint harbourmasters. Section 33D of the new Part 3A states that "A regional council must appoint a suitably qualified harbourmaster for every port or harbour, or for waters, in its region..."

In the case of the West Coast Region such compulsion to appoint harbourmasters is entirely inappropriate. The District Councils in our region own and manage the ports, and employ harbourmasters, as necessary. The West Coast Regional Council does not have any staff with experience or expertise in movement of vessels, harbour management or harbour safety. Our only harbour role is with marine oil spill response. Our trained oil spill responders have no training or knowledge in vessel movements or related safety matters.

**We request the following amendments to the Bill:**

We request that section 33D (1) is amended to state: "A regional council, or the relevant District Council, must appoint..."

We request that section 33D (3) is amended to state: "The regional council, or the relevant District Council, must be satisfied..."

We request that section 33D subsection (4) also be similarly modified.

It may be useful for the new legislation to contain a schedule of New Zealand's ports and list the relevant council who manages each port, and reference this schedule in section 33D.

**Definition of 'Harbourmaster' (S5 of the Bill)**

In Section 5 of the Bill, it is proposed the Interpretations section of the Act include a new definition of "harbourmaster":

*"Harbourmaster, in relation to a port means-*

- (a) any person appointed as a harbourmaster of that port under Part 3A; or*
- (b) if no person has been appointed, the regional council within whose region the port is located. "*

Part (b) of this new definition would make the regional council the default harbourmaster for its region. The West Coast Regional Council believes that this is entirely inappropriate for the West Coast region. Currently Maritime NZ act as the default harbourmaster for our region and this is much more appropriate given Maritime NZ has experience and expertise in harbour and vessel management activities. It is Maritime NZ that have staff that have skills and experience in delivering this type of function. The West Coast Regional Council does not have any such staff nor any experience in delivering harbourmaster functions.

**We request the following amendment to the Bill:**

We request that clause (b) of the proposed new definition for "harbourmaster" be deleted.

This concludes our submission.

## **Reefton Airshed Committee Terms of Reference**

### ***Establishment and Status***

The Reefton Airshed Committee is established under the Local Government Act 2002. It has the status of an Advisory Committee of the West Coast Regional Council.

### ***The Committee's Purpose***

The purpose of the Committee is to consult with the Reefton community and then develop recommendations to Council: identifying potential policies, methods and rules for the Regional Air Plan review, so that Council can meet the statutory requirements of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (NES).

The area of the Reefton Airshed is shown on the attached map.

### ***Objectives of the Reefton Airshed Committee***

1. To develop recommendations that seek to manage air quality in Reefton, to meet the NES.
2. To consult with relevant stakeholders throughout the development of the recommendations.
3. To present the recommendations to the West Coast Regional Council, by October 2013.

The RAC is an advisory committee and has no decision-making powers.

### ***Committee Membership***

The Committee will comprise no more than 7 members made up as follows:

- 1 member appointed by the Regional Council who shall be an elected member
- 1 member appointed by the Buller District Council who shall be an elected member
- 1 member appointed by Te Runanga O Ngati Waewae.
- Up to four members appointed from the Reefton community who come from a range of background and interests within the community, preferably living within the airshed.

### ***Chairman and Quorum***

The Regional Council's Reefton Liaison Committee shall appoint the Chair and Deputy Chair from among the appointed membership of the Reefton Airshed Committee.

The quorum at a meeting consists of:

- (i) half of the members if the number of members (including vacancies) is even; or
- (ii) a majority of members if the number of members (including vacancies) is odd.

Proxies or alternates are not permitted. The Committees will at all times operate in accordance with the requirements of the Standing Orders of Council, The Local Government Act 2002, and the Local Government Official Information and Meetings Act.

### ***Term of Appointment and meetings***

Members of the Committee are appointed for a term of 1 year from the date of the inaugural meeting. The Committee is expected to meet monthly, with workshops and additional meetings as required.

### ***General Operating Principles***

The Committee is expected to:

1. Work in a collaborative and co-operative manner using its best endeavours to reach solutions that take account of the interests of all sector of the community.
2. The Committee will seek consensus in its decision-making where at all possible.
3. Where the Committee encounters fundamental disagreements, despite having sought assistance and exhausted all avenues to resolve matters, they will report the matters where agreement was achieved and also those matters where disagreement remained including whether there was a consensus, or a majority view, on each matter.

### ***Principles of Air Quality Management from the Regional Council***

- The National Environmental Standard for Air Quality has set a limit of 3 PM<sub>10</sub> exceedances by 2016 and 1 by 2020; and the Regional Council is legally obliged to take steps they consider to be reasonable to comply with this mandatory government standard.
- Reefton residents need to be able to warm their homes in winter. Having warm homes is just as important to good health and well being as is having good winter air quality outdoors.
- During an emergency event involving power outage, residents may need to use 'non compliant' burners to keep warm. This is considered reasonable.

- Residents need to be given time to change their heating systems, if there is a new capital cost involved. Because Council is offering financing assistance these timeframes do not need to be too long.
- If an individual has recently purchased a new multifuel appliance, they should be entitled to use it for a reasonable time before being required to move towards a MfE compliant wood burner or heat pump.
- Proper insulation of homes is considered just as important as an efficient low emission burner.

### ***Committee Support***



The Committee shall be supported by the West Coast Regional Council, with the primary contact being the Planning and Environment Manager, Michael Meehan.





Notes  
Aerial photograph flown April 2010.

Datum: NZGD2000  
Projection: NZTM  
Date prepared: 30/09/2011

 Reefton Airshed  Cadastral Boundaries



## THE WEST COAST REGIONAL COUNCIL

Prepared For: Resource Management Committee – 12 November 2012  
 Prepared By: Nichola Costley – Regional Planner  
 Date: 29 October 2012

Subject: **Water Management Plan**

---

### Purpose

The purpose of this Report is to advise Councillors on the outcome of Water Management Plan (the Plan) proceedings and to make this Plan operative.

### Background

Council was provided an update at its 24 August 2012 meeting as to the current status of proceedings of the Plan.

Appeals on the Plan were filed in April 2005 and were placed on hold pending the outcome of the appeals in relation to Proposed Land and Riverbed Management Plan regarding the management of wetlands. Following the resolution in regards to the Land and Riverbed Management Plan, the appeals process on the Plan resumed as directed by the Environment Court.

Discussions with the other parties identified that a minor amendment to Rule 12.4.3, and consequentially Rule 12.4.6, would resolve the remaining outstanding matters that were under appeal. The amendments are marked in bold and are as follows:

*12.4.3 The diversion and/or taking of water in a drain, provided the drain is formed in accordance with Rules **6.1.3.2(f)(3) and (4)** and 6.1.3.2(j) of the **Regional Land and Riverbed Management Plan** is a permitted activity.*

*12.4.6 Unless permitted by Rules 12.4.1, 12.4.2, **12.4.3**, 12.4.5, or controlled by Rule 12.6.1, the diversion of water is a discretionary activity.*

The effect of these amendments is to ensure that it is not a permitted activity under Rule 12.4.3 to take or divert water from a drain if that drain is formed within a wetland included in Schedule 1 or 2 of the Land and Riverbed Management Plan, or within 25 metres of such a wetland. The diversion of water is to be managed as a discretionary activity. These amendments are consistent with the approach finalised in the Land and Riverbed Management Plan.

The Court has notified the parties that the appeals have now been withdrawn. A copy of the consent order is attached to this Report.

### Process from here

Now that the remaining appeals on the Plan have been withdrawn it is recommended that Council make this Plan operative and publicly notify this action. The same amendment as outlined above is required to the Land and Water Plan Rule(s), for consistency.

### Recommendations

1. *That Council receives this Report; and*
2. *That Council publicly notify the operative status of the Water Management Plan as per clause 20 of the First Schedule of the RMA; and*
3. *That Council inserts the amendments from the Water Management Plan into the Proposed Land and Water Plan.*

Michael Meehan  
**Planning and Environmental Manager**

**BEFORE THE ENVIRONMENT COURT**

**IN THE MATTER** of the Resource Management Act 1991 (**the Act**) and of an appeal pursuant to clause 14 First Schedule of the Act

**BETWEEN** DIRECTOR-GENERAL OF CONSERVATION

(ENV-2006-CHC-245)

Appellant

**AND** WEST COAST REGIONAL COUNCIL

Respondent

Environment Judge J E Borthwick sitting alone pursuant to section 279 of the Act

In Chambers at Christchurch

**CONSENT ORDER**

**Introduction**

[1] On 19 April 2005 the Director-General of Conservation lodged an appeal against a decision by the West Coast Regional Council in relation to the Proposed Water Management Plan.

[2] The court has now read and considered the consent memorandum of the parties dated 26 September 2012 which proposes to resolve the only remaining topic for this appeal: ENV-2006-312-000052 (Notification/methods/cross-boundary issues- Rule 12.4.3).

[3] The other topics of the Director-General's appeal had been dealt with by consent orders issued by the court on 27 April 2007 and 21 May 2007.

**Other relevant matters**

[4] Solid Energy NZ Limited, Trustpower Limited and Federated Farmers of NZ Incorporated have given notice of an intention to become a party under section 274 of



the Resource Management Act 1991 (**the Act**) and have signed the memorandum setting out the relief sought.

**Orders**

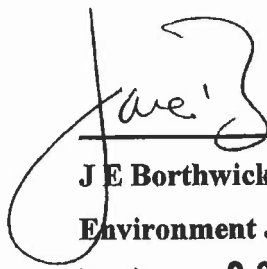
[5] The court is making this order under section 279(1)(b) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. The court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;
- (b) all parties are satisfied that all matters proposed for the court's endorsement fall within the court's jurisdiction, and conform to the relevant requirements and objectives of the Act, including, in particular, Part 2.

[6] The court, by consent, orders under section 279(1)(b) of the Act that:

- (a) the appeal is allowed to the extent that the respondent is directed to amend the Proposed West Coast Management Plan as set out in Appendix A, which attaches to and forms part of this order;
- (b) the appeal is otherwise dismissed;
- (c) there is no order as to costs.

DATED at CHRISTCHURCH this 23<sup>rd</sup> day of October 2012

  
\_\_\_\_\_  
**J E Borthwick**  
**Environment Judge**  
Issued: **23 OCT 2012**



## APPENDIX A

Rule 12.4.3 of the West Coast Regional Water Management Plan shall be amended to read as follows;

12.4.3 The diversion and/or taking of water in a drain, provided the drain is formed in accordance with rule 6.1.3.2(f)(3) and (4) and 6.1.3.2(j) of the Regional Land and Riverbed Management Plan, is a permitted activity.

Rule 12.4.6 of the West Coast Regional Water Management Plan shall be amended to read as follows;

12.4.6 Unless permitted by rules 12.4.1, 12.4.2, 12.4.3, 12.4.5, or controlled by rule 12.6.1, the diversion of water is a discretionary activity.



**THE WEST COAST REGIONAL COUNCIL**

Prepared For: Resource Management Committee – 12 November 2012  
Prepared By: Nichola Costley – Regional Planner  
Date: 23 October 2012

Subject: **Freshwater National Policy Statement – Implementation of Objectives and Policies**

---

**Purpose**

The purpose of this report is to present an implementation programme in order to meet the provisions of the National Policy Statement on Freshwater Management (NPS).

**Background**

A report was provided to Council at its 8 May 2012 meeting which provided an analysis of how the policies and objectives within the NPS were, or were not, being met.

The report found that the main parts of the NPS that are critically relevant to the West Coast region were those provisions relating to water quality maintenance and improvement. These matters are well in hand, both via the current Proposed Land and Water Plan Change process and its focus on the Lake Brunner catchment, as well as the new focus of the Long Term Plan which for the first time establishes a measurable system of reporting on river water quality improvement annually, that reflects the success or otherwise of our Council's resource management efforts.

The water allocation part of the Proposed Land and Water Plan is fit for purpose; however to be technically compliant a new policy was required around the transfer of takes to meet objective B3, although it is not anticipated that this policy will be widely used. Through the submissions process on the Proposed Regional Land and Water Plan a new policy 7.3.8 was included. The policy reads:

- 7.3.8 To approve and application to transfer a consent holder's interest in a resource consent to take and use water in terms of section 136(2)(b)(ii) of the Resource Management Act, providing:*
- (a) The transfer is within the same catchment as the original consent; and*
  - (b) The total take from the water body following transfer does not exceed that occurring prior to the transfer, as a result of the transfer; and*
  - (c) There are no more than minor adverse effects on any other take or on any instream values, as a result of the transfer.*

This is considered appropriate to meet the requirements of the NPS.

The section on integrated management tends to reflect current practice at the Council though there is an opportunity to bring the new Regional Policy Statement (RPS) into line with the NPS wording through the RPS review process. This review has been put on hold awaiting further direction through the Phase Two reforms on the Resource Management Act (the Act) and possible amendments to sections 6 and 7 of the Act in 2013.

**Implementation Programme**

The NPS directs that every Regional Council is to implement the NPS as promptly as is reasonable in the circumstances. Where it is impracticable for the Council to complete the implementation by 31 December 2014, the Council may implement it by a programme of defined time-limited stages by which it is to be fully implemented no later than 31 December 2030. Any programme of time-limited stages is to be formally adopted by the Council within 18 months of the gazetting of the NPS (November 2012) and is to be publicly notified.

While the analysis undertaken on the NPS in May found that the majority of the NPS provisions were already incorporated within the current planning framework, further work will be required to

address the relevant objectives and policies within the RPS during its review. Policy C2 of the NPS requires every regional council to make or change their RPS to the extent needed to provide for the integrated management of the effects of the use and development of land on fresh water, including encouraging the co-ordination and sequencing of regional and/or urban growth, land use and development and the provision of infrastructure.

Given that the RPS review is on hold pending the outcome of the Phase 2 reforms on the Act and possible amendments to sections 6 and 7, these RPS changes may not be made before the 31 December 2014 deadline.

Therefore the implementation programme for this Council will be to ensure that Policy C2 of the NPS is addressed as part of the review process on the RPS, when this commences, and prior to the 2030 deadline.

This implementation programme will be publicly notified as required by the NPS.

### **Recommendations**

- 1. That Council receives this Report.*
- 2. That Council adopt this Report as its implementation programme for the National Policy Statement on Freshwater Management.*

Michael Meehan  
**Planning and Environment Manager**

**THE WEST COAST REGIONAL COUNCIL**

Prepared for: Resource Management Committee Meeting 12 November 2012  
 Prepared by: Stefan Beaumont, Hydrologist  
 Date: 31 October 2012  
**Subject: HYDROLOGY & FLOOD WARNING UPDATE**

---

**Waiho River Alarm Threshold**

Due to the lowering of the bed of the Waiho River (Franz Josef) the alarm threshold has also been lowered. The alarm was raised to 8000mm in early 2011, and has now been reduced back to 7000mm.

**Flood Warning**

A series of frontal systems resulted in flood alarms throughout the region during October.

<b>Site</b>	<b>Time of peak</b>	<b>Peak level</b>	<b>Warning Issued</b>	<b>Alarm threshold</b>
Buller Rv at Te Kuha	13//10/2012 1800	8105mm	13/10/2012 14:30	7400mm
Grey Rv at Dobson	13/10/2012 19:45	4106mm	13/10/2012 12:15	3400mm
Grey Rv at Dobson	18/10/2012 05:00	3883mm	18/10/2012 09:00	3400mm
Grey Rv at Dobson	19/10/2012 00:30	3870mm	18/10/2012 20:00	3400mm
Grey Rv at Dobson	21/10/2012 13:15	3546mm	21/10/2012 11:15	3400mm
Hokitika Rv at Gorge	13/10/2012 09:15	4427mm	13/10/2012 03:45	3800mm
Waiho Rv at SH6	13/10/2012 03:15	7393mm	13/10/2012 00:00	7000mm

**RECOMMENDATION**

*That this report is received.*

Michael Meehan  
**Planning and Environment Manager**



**THE WEST COAST REGIONAL COUNCIL**

Prepared for: Resource Management Committee Meeting – 12 November 2012  
 Prepared by: Nichola Costley – Regional Planner  
 Subject: **CIVIL DEFENCE & REGIONAL TRANSPORT REPORT**

---

**Civil Defence Emergency Management (CDEM) Update**

Welfare Advisory Group Meeting

The Welfare Advisory Group (WAG) met on 24 October 2012. The focus of the WAG in recent months has been the advancement of the Local Welfare Committees in each of the Districts and the development of the Local Welfare Arrangements. These Arrangements set out the roles and responsibilities of agencies in the provision of welfare at a local level and are updated yearly. They are mostly complete with some final work to be completed around registration. The WAG is scheduled to meet again in February 2013.

Engineering Lifelines Group Meeting

The West Coast Engineering Lifelines Group met on 25 October 2012. The main agenda items included:

- Presentation on the Canterbury Earthquake Sequence  
This was presented by two engineers from Tonkin & Taylor Ltd and considered the impact of liquefaction on lifeline utilities and how liquefaction has occurred on the West Coast as a result of previous earthquake events.
- Grey District Recovery Report  
The Grey District have commissioned a report into the recovery aspects resulting from the Canterbury earthquakes and the resulting key lessons and issues and how this would apply to the Grey District. The issues relate to time, money, governance and management, social community and the business community. Many of these issues move past those traditionally associated with lifelines and are applicable to all sectors and agencies involved in a major disaster event including CDEM. Comment is being sought on the draft report from the Lifelines Agencies.
- Draft Aerial Reconnaissance Plan  
The Lifelines Group is working on the development of an Aerial Reconnaissance Plan which will provide coordination of aerial reconnaissance following a major event. The Plan will identify the critical assets in the region and identify some indicative flight paths to be used depending on the location, extent and severity of the event.
- Review of the CDEM Response to the 22 February Christchurch Earthquake  
An extract from the review in relation to lifeline organisations involved in the Christchurch earthquake was provided which also set out a number of individual organisation, and general, recommendations.  
The Engineering Lifelines Group is scheduled to meet again on 30 May 2013.

Coordinating Executive Group Meeting

The Coordinating Executive Group (CEG) met on 1 November 2012. The main agenda items included:

- District Health Board – provision of services following an event  
A presentation was made to the CEG which looked at the potential redevelopment of the Grey Base Hospital and the services that would be available following a significant event. This included discussion on the District, South Island and National health emergency planning processes.
- Regional Resources and the Principles of Management  
Key regional resources of the West Coast were identified and their management discussed for possible inclusion in the Group Plan when it undergoes its next review. This includes assets such as Grey Base Hospital, ports and airports. Further work on how to manage large numbers of tourists following an event also was identified as a task.
- Group Plan and Monitoring and Evaluation Progress Report  
A progress report combining the actions of the Group Plan as well as the recommendations from the Monitoring and Evaluation Report has been developed. It sets out the action that has been

made and the tasks that are currently in progress and those that are still to commence. This item will continue to be a standing item on the Agenda to monitor progress and will be used to update the Civil Defence Emergency Management Group.

- **Review of the CDEM Response to the 22 February Christchurch Earthquake**

This review contains 108 recommendations including 6 major recommendations. Two of the major recommendations including the removal of Local Controllers and managing events through a Group Controller only and moving the Ministry from the Department of Internal Affairs into the Department of Prime Minister and Cabinet have been rejected. The corrective action plan addressing the remaining recommendations is to go to Cabinet in December 2012. This is likely to drive work in the sector over the next five years.

- **South Island Exercise**

A planning team to work on the development of the South Island Exercise (29 May 2013) was formed. This will include representatives from each of the Councils, Emergency Services and Health. Key objectives include:

- Practicing critical response procedures e.g. Emergency Operations Centre;
- Exercising relationships and communications with key stakeholders;
- Using EMIS over a 12 hour period for notifications, Situation Reports and Incident Action Plans
- Accessing national processes e.g. resourcing and logistics, and health, welfare and lifeline groups at the national level; and
- Evaluating welfare arrangements at a local level including the set up of welfare centres where this takes place.

The CEG is scheduled to meet again on 6 June 2013.

## **Regional Transport Update**

### NZ Transport Agency – Funding Assistance Rates (FAR) Review

Last year the NZ Transport Agency made some changes to the FARs for land transport activities. For this Council it had the most impact on the Transport Planning activity class whereby the FAR changed from an administration grant of 0.15% total cost of the transport programme on the West Coast to a 25% FAR. At that same time the NZ Transport Agency said that they would be undertaking a more comprehensive review in order for these to be finalised for the 2015 – 2018 Regional Land Transport Programme development.

The scope of the review is to be circulated in November with discussions on FAR arrangements to be undertaken until March 2013. The NZ Transport Agency will then present some options around future FAR arrangements and seek feedback on them with the outcomes to be release from August 2013 onwards.

At this stage the activity classes likely to be affected by the FAR review are unknown and therefore the eventual financial implication on this Council. Staff will update Council as this review progresses.

## **RECOMMENDATION**

*That this report be received.*

Chris Ingle  
**Chief Executive**

# 5.2.1

## THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee  
Prepared by: John Adams - Consents & Compliance Manager  
Date: 1 November 2012

**Subject: CONSENTS MONTHLY REPORT**

---

### CONSENTS

#### Consents Site Visits from 29 September – 31 October 2012

DATE	NAME, ACTIVITY & LOCATION	PURPOSE
30/10/12	Application to be lodged – G Williams & J Highman, River protection, New River	To gain a better understanding of the bank erosion.

#### Non-Notified Resource Consents Granted 29 September – 31 October 2012

CONSENT NO. & HOLDER	PURPOSE OF CONSENT
RC08033 PJ Fitzgerald	To undertake earthworks associated with quarrying activities, Mt Turiwhate, Wainihinihi.  To discharge stormwater to land that may contain sediment, associated with quarrying activities in circumstances where it may enter water.
RC08051 Weststone 2012 Ltd	To disturb the dry bed of the Grey River at "Beynons Beach" for the purpose of extracting gravel.
RC10124 Moir Farms Maimai Ltd	To discharge treated dairy effluent to land, groundwater and surface water (an unnamed tributary of Burton Creek) near DS509, Mawheraiti.
RC10125 Moir Farms Maimai Ltd	To discharge treated dairy effluent from a milking shed and standoff pad to land, groundwater and surface water (an unnamed tributary of Casoli Creek) near DS529, Maimai.
RC12113 Birchfield Minerals Ltd	To disturb the dry bed of the Grey River associated with the anchoring of the Grey River Dredge.  To undertake earthworks and vegetation clearance within the riparian margin of the Grey River associated with tracking and anchoring of the Grey River Dredge.
RC12120 MD Blair	To disturb the bed of the Grey River associated with a channel diversion.  To disturb the bed of the Grey River associated with the construction of rock spurs.  To disturb the bed of Moonlight Creek associated with the placement of rock.  To divert flow of the Grey River.  To divert flow of Moonlight Creek.
RC12148 PF Olsen Ltd	To disturb land, including on slopes greater than 25 degrees, associated with the harvesting of exotic forest, land preparation, upgrading sections of road, constructing log processing sites and hauler pads, Mikonui Forest.  To disturb the bed of the Kakapotahi River for the purpose of gravel extraction.

	To discharge stormwater containing sediment to land from roading, construction of log processing and hauler sites and harvesting and land preparation activities, Mikonui Forest.
	To discharge sediment to water as a result of forest harvesting activities, Mikonui Forest.
RC12152 Mill Creek Mining Ltd	To undertake earthworks associated with alluvial gold mining near Marsden.
	To take and use water from Card Creek for alluvial gold mining near Marsden.
	To discharge sediment-laden water to land in circumstances where it may enter water (Card Creek) near Marsden.
RC12153 KR & KR Smith	To undertake earthworks within 50 metres of the coastal marine area at Awatuna associated with the construction and maintenance of coastal erosion protection bunds.
RC12154 Department of Conservation	To authorise the aerial discharge of 1080 (sodium monofluoroacetate) possum control cereal pellets (at a sowing rate of up to 3 kg per hectare) containing up to 0.15% weight/weight of 1080, to land in the Roaring Meg Discharge Area.
RC12156 Shamroc Minerals Ltd	To undertake earthworks associated with alluvial gold mining near Goldsborough.
	To take and use groundwater for alluvial gold mining near Goldsborough.
	To discharge sediment-laden water to land in circumstances where it may enter water (Duffers Creek) near Goldsborough.
RC12161 The Christian Church Community Trust and Canaan Farming Ltd	To disturb the bed of the Haupiri River to undertake river channel realignment protection works and wet bed gravel extraction.
	To disturb the dry bed of the Haupiri River and its tributaries for gravel extraction.
	To divert water through diversion channels, Haupiri River.
RC12165 Mangawaro Enterprises (2004) Ltd	To discharge dairy effluent to land where it may enter water and groundwater (Brown Creek) near DS642, Inangahua.
RC12166 Department of Conservation	To undertake earthworks and vegetation disturbance near the confluence of the Haast River and Pyke Creek associated with the construction of a car park, footpath and rock riprap.
	To disturb the bed of the Haast River associated with its diversion and formation of a car park, footpath and rock riprap.
	To disturb the dry bed of the Haast River and Pyke Creek at their confluence for the purpose of gravel extraction.
	To divert flow of the Haast River to allow construction of a car park, footpath and rock riprap.
	To discharge sediment-laden water to land and water (the Haast River) associated with the construction of a car park, footpath and rock riprap.
RC12174 D Edgar	To discharge treated domestic sewage effluent to land from a dwelling on 1109 Marsden Road.
RC12176 Cooks Stud Farms Ltd	To disturb the bed of the Taramakau River to construct spurs.
	To divert water from rock spurs, Taramakau River.
RC12178 HT Croft	To disturb the dry bed of the Grey River at Kiwi Point for the purpose of extracting gravel.

RC12181 Westreef Services Ltd	To undertake earthworks and vegetation clearance on slopes greater than 25 degrees associated with gravel extraction.
RC12182 Logburn Farm (2005) Ltd	To discharge treated dairy effluent to land and surface water (Logburn Creek) near DS439, Blackball.
RC12189 Lake Brunner Station Ltd	To disturb the dry bed of the Eastern Hohonu River at three sites for the purpose of extracting gravel.
RC12190 Longview Farm Ltd	To take and use groundwater for the purpose of irrigation, Ahaura.

No Changes to Consent Conditions were granted 29 September – 31 October 2012.

Limited Notified or Notified Resource Consents granted 29 September – 31 October 2012

<b>CONSENT NO, HOLDER &amp; LOCATION</b>	<b>PURPOSE OF CHANGE</b>
RC10220 Westpower Ltd	To disturb the bed of the Inangahua River for the purpose of constructing rock protection.  To divert water in the Inangahua River.
RC12024 Allan Spriggs Contractors Ltd	To undertake earthworks associated with alluvial gold mining near Blackball.  To take and use water from Langdon Creek for alluvial gold mining near Blackball.  To take and use groundwater from Langdon Creek for alluvial gold mining near Blackball.  To discharge sediment-laden water to land and water (Langdon Creek) near Blackball.

Notified Consents Updates

The Buller Coal Ltd Denniston Plateau application commenced its Environment Court hearing in Christchurch. The appellants are ENT West Coast and Forest and Bird. The media have been covering the proceedings. Parties were told by court to provide evidence for the hearing on the accumulative effects associated with the possibility of an adjoining opencast coal mine within an adjoining Solid Energy mining licence, Sullivan's Mine. The hearing is likely to close 16 November in Greymouth.

The notified hearing for the proposed new sewage treatment plant at Preston Road, Greymouth occurred on 1 November. The hearing was reported in the Greymouth Star. Several submitters presented their concerns. The applicant has been allowed more time to put forward proposed new conditions in relation to odour monitoring. An extension of five working days has been provided.

Public Enquiries

3 written public enquiries were responded to during the reporting period. 2 (67%) were answered on the same day, 1 (33%) the following day. 2 LGOIMA requests were responded to, all within the required timeframe.

**RECOMMENDATION**

*That the November 2012 report of the Consents Group be received.*

**THE WEST COAST REGIONAL COUNCIL**

Prepared for: Resource Management Committee  
 Prepared by: Jackie Adams – Consents & Compliance Manager and Martina Armstrong - Compliance Officer.  
 Date: 30 October 2012  
 Subject: **COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

**Site Visits**

A total of 35 site visits were undertaken during the reporting period, which consisted of:

Activity	Number of Visits	Fully Compliant (%)
Resource consent monitoring	10	70
Dairy shed inspections	10	50
Mining compliance & bond release	15	73

These totals include 7 visits in response to complaints.

**Specific Issues**

**Dairy farms:** Compliance staff are following up on storage and consenting issues raised over winter. Monitoring for the 2012/13 season has commenced. Compliance officers will carry out inspections at farms considered high risk first.

**Whitebait:** The season has been a wet one, resulting in a quiet period for whitebait compliance.

**Complaints/Incidents between 28 September 2012 and 30 October 2012**

The following 14 complaints/incidents were received during the reporting period:

Activity	Description	Location	Action/Outcome
Diesel spill	Report of diesel spill in Blaketown lagoon.	Blaketown Lagoon	Not substantiated by visit.
Burning rubbish	Complaint regarding the burning of rubbish.	Greymouth	Site visit carried out. No issue with the type of material burnt.
Rubbish dumped	Complaint about rubbish dumped in riparian margin.	Greymouth	Site visit carried out. Material not in riparian margin. Allowed under permitted activity rules.
Work in creek bed	Complaint about unauthorised work in creek bed.	Seddonville	Work is consented and deemed compliant after site inspection was carried out.
Stormwater	Complaint regarding flooding from stormwater runoff.	Rutherglen	Visit carried out. No breaches of rules were found.
Rubbish dumped	Complaint received regarding dumping of rubbish.	Westport	Site visit carried out and letter of direction sent.
Contaminant in creek	Complaint regarding frothy substance in creek.	Hokitika	Site visit carried out. Deemed minor, source of substance undetermined.
Sediment discharge	Complaint received about sediment contamination in creek.	Awatuna	Site visit carried out. Work consented and compliant.

Air discharge	Complaint regarding substance deposited on cars.	Hokitika	Site visit carried out. Substance not confirmed. Enquiries on going.
Sediment discharge	Complaint received about sediment discharge into creek.	Rutherglen	Enforcement action pending.
Sediment discharge	Complaint about sediment discharge into creek.	Westport	Site visit carried out. Instructed to undertake remedial work. Enquires on going.
Coal discharge	Complaint received regarding coal fines in creek.	Reefton	Enquiries on going.
Unauthorised structures in river	Complaint regarding unauthorised structures in river.	Westport	Enquiries on going.
Sediment discharge	Complaint about sediment discharge.	Greymouth	Enquiries on going.

### **Formal Enforcement Action**

One abatement notice was served for the unauthorised discharge of sewage effluent to land where it may enter water at Franz Josef.

## **MINING**

### **Work Programmes**

The Council received the following five work programmes during the last reporting period, with three programmes being processed in the 20 day timeframe. The remaining work programmes (shown in italics) are yet to be processed as more information is required.

<b>Date</b>	<b>Mining Authorisation</b>	<b>Holder</b>	<b>Location</b>
27/09/12	RC11121	Darrin Hampton	Blackball
02/10/12	RC12089	Fahey Contracting Ltd	Red Jacks
12/10/12	CML37159	Solid Energy New Zealand Ltd	Strongman
<i>17/10/12</i>	<i>RC04137</i>	<i>Whyte Gold Ltd</i>	<i>Quinn's Terrace</i>
<i>24/10/12</i>	<i>RC00023</i>	<i>Heaphy Mining Ltd</i>	<i>Berlins</i>

The following bonds were received during the reporting period:

<b>Mining Authorisation</b>	<b>Holder</b>	<b>Location</b>	<b>Amount</b>
RC11117	Amalgamated Mining Ltd	Notown	\$20,000
RC12123	Bonar Farms Ltd	Ianthe	\$18,000
RC11121	Darrin Hampton	Blackball	\$8,000
RC12007	Vortex Minerals	Greenstone River	\$20,000

The following three bonds are recommended for release as Compliance staff are either satisfied that there are no outstanding compliance issues in relation to the relevant resource consents or a replacement bond has been lodged:

<b>Mining Authorisation</b>	<b>Holder</b>	<b>Location</b>	<b>Amount</b>
RC07102	Roa Mining Company Ltd	Blackball	\$5,000
RC99001	Shamroc Minerals Ltd	Greenstone River	\$6,000
RC10224	GH Growcott	Hatters Ridge	\$10,000

## **RECOMMENDATION**

1. *That the October 2012 report of the Compliance Group be received.*
2. *That Council release the bonds held for resource consents RC07102, RC99001 and RC10224.*

Jackie Adams  
**Consents & Compliance Manager**



# **COUNCIL MEETING**

## THE WEST COAST REGIONAL COUNCIL

Notice is hereby given that an **ORDINARY MEETING** of the West Coast Regional Council will be held in the Offices of the West Coast Regional Council, 388 Main South Road, Greymouth on **Monday, 12<sup>th</sup> November 2012** commencing on completion of the Resource Management Committee Meeting.

A.R. SCARLETT  
CHAIRPERSON

C. INGLE  
CHIEF EXECUTIVE OFFICER

---

<u>AGENDA NUMBERS</u>	<u>PAGE NUMBERS</u>	<u>BUSINESS</u>
1.		<b>APOLOGIES</b>
2.		<b>PUBLIC FORUM</b>
3.		<b>MINUTES</b>
	1 - 3	3.1 Minutes of Council Meeting 9 October 2012
4.		<b>REPORTS</b>
	4 – 5	4.1 Planning & Environmental Manager's Report on Engineering Operations
	6 – 8	4.2 Corporate Services Manager's Report
5.		<b>CHAIRMAN'S REPORT</b>
6.	9	<b>CHIEF EXECUTIVE'S REPORT</b>
7.		<b>GENERAL BUSINESS</b>

**THE WEST COAST REGIONAL COUNCIL****MINUTES OF THE MEETING OF THE COUNCIL HELD ON 9 OCTOBER 2012,  
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH,  
COMMENCING AT 11. 22 A.M.****PRESENT:**

R. Scarlett (Chairman), B. Chinn, T. Archer, D. Davidson, A. Birchfield, I Cummings

**IN ATTENDANCE:**

C. Ingle (Chief Executive Officer), R. Mallinson (Corporate Services Manager), J. Adams (Consents & Compliance Manager), M. Meehan (Planning & Environmental Manager), T. Jellyman (Minutes Clerk)

**1. APOLOGIES:**

**Moved** (Davidson / Cummings) *that the apology from Cr Robb be accepted.*

*Carried*

**2. PUBLIC FORUM**

There was no public forum.

**3. CONFIRMATION OF MINUTES**

**Moved** (Davidson / Birchfield) *that the minutes of the Council Meeting dated 4 September 2012, be confirmed as correct.*

*Carried*

**Matters arising**

There were no matters arising.

**REPORTS:****4.1 ENGINEERING OPERATIONS REPORT**

M. Meehan spoke to this report. He advised that very competitive tender prices are currently being received and the rating districts are benefitting from this. M. Meehan reported that the annual rating district meetings are currently taking place over the next few weeks.

M. Meehan reported that staff are working with a contractor to see if a better price for rock can be obtained for the Whataroa rating district. Cr Chinn asked if the Wanganui quarry has been sold. M. Meehan responded that the quarry was sold earlier in the year but the purchaser has been very tardy with the sale documents and the transaction is yet to be completed. M. Meehan stated that Council's lawyer has been putting pressure on the buyer's lawyer to get this matter sorted and finalised.

**Moved** (Birchfield / Archer) *that this report be received.*

*Carried*

**4.2 CORPORATE SERVICES MANAGER'S REPORT**

R. Mallinson spoke to this report and advised that this is the two month financial report to the end of August. He stated that the surplus is \$565,000. R. Mallinson advised the budgeted surplus was \$178,000. He reported that the various investment portfolios have continued their strong upward rebound during August with the total return for the two month period being \$387,000.

**Moved** (Archer / Chinn) *that this report be received.*

*Carried*

#### **4.2.1 ADOPTION OF AUDITED ANNUAL REPORT FOR THE YEAR TO 30 JUNE 2012**

R. Mallinson tabled the Audit Report, which was received yesterday. He stated that he reported an unaudited surplus of \$186,000 this has now been lifted to \$294,000 for the reasons tabled in the report. Cr Birchfield drew attention to the \$68,000 bond release. R. Mallinson advised that the mining company went under but money has not yet been spent of restoration. R. Mallinson stated that he is keeping an eye on this matter. Cr Birchfield stated that the miner adjacent is back filling the pit. C. Ingle advised that the money that is there would be spent on the slope on the other side of the pit. Cr Scarlett asked if the money is not spent does it have to be returned. Cr Archer stated that if the money is not spent it does have to be returned, as the sole purpose of a bond is to rectify the land and do remedial work. C. Ingle stated that it is surprising that Audit NZ call this revenue and have taken this view.

**Moved** (Davidson / Birchfield)

*That Council receives the audit report from Audit NZ and adopts the audited Annual Report for the year to 30 June 2012.*

*Carried*

#### **4.2.2 MULTI OPTION CREDIT LINE (MOCL) WITH WESTPAC**

R. Mallinson spoke to this report and advised that he has renegotiated our MCOL with Westpac from the existing level of \$3M to \$4M. He stated that the reason for this was to fund the Warm West Coast Loans and to increase our overdraft level to a more realistic amount to give us short term flexibility. R. Mallinson advised that Council is well within our quantified limits on borrowing. Cr Scarlett asked what the interest rate that the bank is charging. R. Mallinson advised that the interest rate would be just under 5%.

**Moved** (Archer / Davidson)

1. *That Council note the new financing facility entered into with our bankers Westpac.*
2. *That Councillors note the use of the Council seal.*

*Carried*

#### **4.2.3 REPORT FROM THE ANIMAL HEALTH BOARD JANUARY –0 JUNE 2012**

R. Mallinson spoke to this report. He advised that there are currently 36 infected herds on the West Coast and this is within the AHB's three year plan target of 40.

**Moved** (Cummings / Davidson) *that this report be received.*

*Carried*

### **5.0 CHIEF EXECUTIVE'S REPORT**

C. Ingle reported that he attended the regular meeting for the "Working Together" agreement with Westland Milk Products on the 5<sup>th</sup> of September. C. Ingle advised that he traveled to Westport on the 7<sup>th</sup> of September to attend a meeting with Minister Joyce to discuss RMA issues relating to the Coast. C. Ingle advised that he hosted a meeting with the Mayors and Chairs Appointments Panel meeting which agreed to reappoint Mr John Sturgeon for another three years to Development West Coast.

C. Ingle drew attention to the Productivity Commission submission that is attached to his report. He stated that the submission says that Council feels it is doing a good job and also that Council feels that the RMA is not a good tool to manage biodiversity.

C. Ingle reported that he has drafted a policy on managing conflicts of interest. This was raised by Audit Director, John Mackey last time he visited council. C. Ingle advised that this policy is very simple and acknowledges the potential conflicts of interest for consents decision makes. C. Ingle stated that this is nothing new but we are now just putting this in writing.

C. Ingle reported that Phil Paterson, an anti 1080 protester, has lodged detailed proceeding against us and others in the Environment Court, which is in the form of a declaration. C. Ingle reported that there are a number of parties that are responding to this. C. Ingle advised that he has instructed Council lawyers as

this matter is against the council as a consenting authority, for not enforcing what Mr Paterson feels are breaches of the RMA around aerial 1080 applications. C. Ingle advised that our lawyers will be seeking a strikeout. Cr Chinn stated that he had a phone call from Nelson Cook regarding this matter. C. Ingle advised that the Animal Health Board is acting for landowners involved in this matter. C. Ingle advised that currently there are three sets of lawyers working on this. Cr Scarlett asked if Mr Paterson has a lawyer involved. C. Ingle responded that he doesn't think Mr Paterson has a lawyer. Cr Chinn stated asked C. Ingle if it is likely that this case could proceed to the High Court. C. Ingle responded that he is unsure of this at this stage but all the other parties are working together on this matter. C. Ingle advised that Mr Paterson is also appealing the Long Term Plan to the Environment Court, which has no jurisdiction over the Long Term Plan as this is prepared under the Local Government Act.

**Moved** (Scarlett / Archer)

1. *That this report be received.*
2. *That the letter to the Productivity Commissioner be received.*
3. *That the policy on avoiding conflicts of interests be noted.*

*Carried*

## **6.0 CHAIRMANS REPORT (VERBAL)**

The Chairman reported that he has attended the recent Regional Sector Group meeting. He stated that the Paul Reynolds, CEO of the Ministry for the Environment gave a briefing on the changes to the RMA. Cr Scarlett stated that Murray Sherwin of the Productivity Commission also spoke at this meeting. Cr Scarlett stated that Mr Sherwin understood the role of regional councils well and he gets the message that government can impose things for regional councils to do but forget to fund them. Cr Scarlett stated that he feels Mr Sherwin is on the case.

**Moved** (Scarlett / Chinn) *that this report be received.*

*Carried*

## **7.0 GENERAL BUSINESS**

Cr Birchfield asked Cr Scarlett if during his conversation with Mr Sherwin was there any progress with the move to have major consents called in. Cr Scarlett stated that this was not discussed with Mr Sherwin but the government is keen to do this with major consents. Cr Scarlett stated that the Mokihinui was a classic example of this. C. Ingle advised that this was discussed at meeting with the Chairman of Solid Energy and Mayor Kokshoorn recently, and also with Minister Joyce.

The meeting closed at 11.22 a.m.

.....  
Chairman

.....  
Date

**THE WEST COAST REGIONAL COUNCIL**

Prepared for: Council Meeting – 12 November 2012  
 Prepared by: W. Moen – River Engineer and Paulette Birchfield – Engineering Officer  
 Date: 30 October 2012  
 Subject: **ENGINEERING OPERATIONS REPORT**

---

**RATING DISTRICT ANNUAL LIAISON MEETINGS**

Council has completed its annual round of liaison meetings with the Rating Districts it administers. A detailed report including the minutes from those meetings will be prepared for the December Council meeting.

**RIVER AND DRAINAGE INSPECTIONS**

- Nelson Creek RD – Flood Damage
- Redjacks Creek RD – Inspection
- Wanganui RD – Inspection
- Punakaiki RD – Damage Inspection
- Taramakau RD – Flood Damage

**WORKS COMPLETED & WORKS TENDERED FOR**Taramakau Rating District – Dymac Farms – Flood Damage

Three tenders were received for this maintenance work, involving 2,200 tonnes of rock. The successful tender was Westland Contractors Ltd. at \$24,880 (G.S.T. Exclusive)

Wanganui Rating District

Five tenders were received for capital and maintenance work, involving 1,600 tonnes of rock. The successful tender was MBD Contracting Ltd. at \$21,936 (G.S.T. Exclusive)

Whataroa Rating District

Three tenders were received for maintenance work, involving 1,750 tonnes of rock. The successful tender was MBD Contracting Ltd. at \$32,550 (G.S.T. Exclusive)

Punakaiki Rating District

Two tenders were received for maintenance work, involving 500 tonnes of rock. The successful tender was MBD Contracting Ltd. at \$11,500 (G.S.T. Exclusive)  
 This work has been completed.

**FUTURE WORKS**

- Inchbonnie Rating District
- Franz Josef Rating District
- Lower Waiho Rating District
- Karamea Rating District
- Vine Creek Rating District

**QUARRIES****Quarry Work Permitted from 22 September 2012**

Quarry	Contractor	Tonnage Requested	Permit Start	Permit Finish
Camelback	Westland Contractors Ltd	1,000	3 Sep 2010	1 Oct 2012

Approximate rock in quarry as at 22 October 2012 (in tonnes)

Quarry	Rock Available	Emergency Stockpile
Blackball	2,300	
Camelback	6,500	2,000
Inchbonnie	3,000	
Kiwi	5,000	-
Whataroa	3,500	4,000
Okuru	1,500	-

**RECOMMENDATION**

*That the report is received*

Michael Meehan  
**Planning and Environment Manager**

## THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting  
 Prepared by: Robert Mallinson – Corporate Services Manager  
 Date: 12 November 2012

## 1. Financial Report

FOR THE THREE MONTHS ENDED 30 SEPTEMBER 2012	ACTUAL	YEAR TO DATE BUDGET	ACTUAL % ANNUAL BUDGET	ANNUAL BUDGET
<b>REVENUES</b>				
General Rates	505,038	505,000	25%	2,020,000
Rates Penalties	24,018	17,500	34%	70,000
Investment Income	537,820	241,125	56%	964,500
Resource Management	461,608	317,650	43%	1,073,500
Regional Land Transport	14,448	21,875	17%	87,500
Emergency Management	17,603	18,000	24%	72,000
River, Drainage, Coastal Protection	385,017	313,765	31%	1,255,061
Regional % Share Controls	163,190	162,500	25%	650,000
VCS Business Unit	1,778,083	498,813	89%	1,995,250
	<b>3,886,825</b>	<b>2,096,228</b>	<b>47%</b>	<b>8,187,811</b>
<b>EXPENDITURE</b>				
Governance	92,488	95,878	24%	383,511
Resource Management	893,215	668,724	33%	2,674,895
Regional land Transport	30,430	37,714	20%	150,854
Hydrology & Floodwarming Services	119,404	99,706	30%	398,825
Emergency Management	34,625	33,546	26%	134,185
River, Drainage, Coastal Protection	302,723	315,541	24%	1,262,165
Regional % Share Controls	226,343	221,786	26%	887,144
VCS Business Unit	1,502,448	373,813	100%	1,495,250
Roofing contract	35,520			
Portfolio Management	15,350	15,000	26%	60,000
	<b>3,252,545</b>	<b>1,861,707</b>	<b>44%</b>	<b>7,446,829</b>
<b>SURPLUS / (DEFICIT)</b>	<b>634,279</b>	<b>234,521</b>		<b>740,982</b>

BREAKDOWN OF SURPLUS (-DEFICIT)	Variance Actual V Budgeted YTD	ACTUAL	BUDGET Year to date	ANNUAL BUDGET
Rating Districts	8,308	67,667	59,359	237,436
Quarries	70,171	69,754	-417	-1,668
Regional % Share of AHB Programmes	-3,867	-63,153	-59,286	-237,144
Investment Income	296,345	522,470	226,125	904,500
VCS Business Unit	150,635	275,635	125,000	500,000
General Rates Funded Activities	<del>-58,313</del>	<del>-202,574</del>	<del>-116,261</del>	<del>-662,142</del>
Other (Roofing Contract)	-35,520	-35,520	0	0
<b>TOTAL</b>	<b>399,759</b>	<b>634,279</b>	<b>234,521</b>	<b>740,982</b>

Net Contributors to General Rates Funded Surplus (-Deficit)	Net Variance Actual V YTD	Actual	Budget ytd	Annual Plan
Rates	38	505,038	505,000	2,020,000
Rates Penalties	6,518	24,018	17,500	70,000
Representation	3,390	-92,488	-95,878	-383,511
Resource Management	-80,533	-431,607	-351,074	-1,601,395
Planning Activities	-144	-15,982	-15,839	-63,354
River, Drainage, Coastal Protection	5,591	-55,127	-60,718	-242,872
Hydrology & Floodwarming	-19,698	-119,404	-99,706	-398,825
Emergency Management	-1,476	-17,022	-15,546	-62,185
	<del>-58,313</del>	<del>-202,574</del>	<del>-116,261</del>	<del>-662,142</del>



**STATEMENT OF FINANCIAL POSITION @ 30 SEPTEMBER 2012**

	@ 30/09/12	@ 30/06/2011
<b><u>CURRENT ASSETS</u></b>		
Cash	176,994	71,191
Deposit - Westpac	0	0
Accounts Receivable - Rates	1,783,859	284,961
Accounts Receivable - General Debtors	310,704	1,178,808
Prepayments	237,144	94,431
Sundry Receivables	435,158	146,660
Stock - VCS	42,973	592,585
Stock - Rock	593,631	436,302
Stock - Office Supplies	14,740	14,740
Accrued Rates Revenue	0	0
Unbilled Revenue	374,449	264,683
	<u>3,969,652</u>	<u>3,084,361</u>
<b><u>Non Current Assets</u></b>		
Investments	11,668,712	11,706,004
Investments-Catastrophe Fund	594,826	569,713
Fixed Assets	4,539,943	4,452,535
Infrastructural Assets	49,180,358	49,180,358
	<u>65,983,838</u>	<u>65,908,610</u>
<b>TOTAL ASSETS</b>	<b><u>69,953,490</u></b>	<b><u>68,992,971</u></b>

<b><u>CURRENT LIABILITIES</u></b>		
Bank Short Term Loan	955,000	857,000
Accounts Payable	480,942	951,396
GST	217,573	0
Deposits and Bonds	521,360	460,645
Sundry Payables	646,220	545,161
Accrued Annual Leave, Payroll	305,006	324,032
Other Revenue in Advance	0	495,790
Rates Revenue in Advance	927,753	53,627
	<u>4,053,854</u>	<u>3,687,651</u>
<b><u>NON CURRENT LIABILITIES</u></b>		
Future Quarry restoration	70,000	70,000
Greymouth Floodwall	1,978,962	1,993,267
Inchbonnie	59,590	64,423
Punakaiki Loan	156,632	167,654
Office Equipment Leases	11,866	21,669
	<u>2,277,051</u>	<u>2,317,013</u>
<b>TOTAL LIABILITIES</b>	<b><u>6,330,904</u></b>	<b><u>6,004,664</u></b>

<b><u>EQUITY</u></b>		
Ratepayers Equity	19,004,721	19,004,722
Surplus Tsfrd.	634,279	
Rating District Equity Mvmts	-280,991	
Rating Districts Equity	1,544,123	1,263,132
Tb Special Rate Balance	39,344	39,344
Revaluation	32,295,638	32,295,638
Quarry Account	338,758	338,758
Catastrophe Fund	569,713	569,713
Investment Growth Reserve	9,477,000	9,477,000
<b>TOTAL EQUITY</b>	<b><u>63,622,585</u></b>	<b><u>62,988,307</u></b>
<b>LIABILITIES &amp; EQUITY</b>	<b><u>69,953,490</u></b>	<b><u>68,992,971</u></b>

## 2. Investment Portfolio

PORTFOLIO @ 30 September 2012 Summary & Reconciliation		Cash	Bonds	Australasian Equities	International Equities	Property Equities	Alternative Asset Classes	Total
Portfolio Value @ Start	01 July 2012	\$ 1,746,702	\$ 2,369,104	\$2,737,916	\$ 2,365,682	\$ 896,703	\$ 625,146	\$ 10,740,253
								\$ -
Net withdrawals to Westpac portfolio			-\$ 2,268,223		-\$ 2,506,944			-\$ 4,775,167
Net withdrawals to WCRC		-\$ 275,015			\$ 47,031		\$ 27,984	-\$ 200,000
Realised Gains/(Losses)		-\$ 6,393	\$ 39,859	-\$ 1,767	\$ 507,767		-\$ 122,133	\$ 417,333
Unrealised Gains/(Losses)		\$ 5,449	\$ 1,067	\$ 167,853	-\$ 407,764	\$ 28,239	\$ 170,662	-\$ 34,503
Mgmt Fee					\$ 842			\$ 842
Income		\$ 17,394	\$ 14,271	\$ 26,436	\$ 21,648	\$ 12,855		\$ 92,604
Changes Accrued Interest		-\$ 4,038	-\$ 15,827	\$ 21,731		-\$ 3,191		-\$ 1,325
Portfolio Value @ End Period	30 September 2012	\$ 1,484,101	\$ 140,241	\$2,952,169	\$ 28,262	\$ 933,605	\$ 701,659	\$ 6,240,037
ytd return for	3 months	0.78%	3.52%	7.63%	5.42%	4.23%	7.60%	4.54%

+ Transferred over to Westpac during September 2012

\$ 4,775,167

Total Portfolio as at 30 September 2012

\$ 11,015,203

## 3. Total Investments.

Westpac Catastrophe Fund Portfolio	\$594,827
Westpac General Portfolio	\$571,856
Bond Deposits	\$81,652
Forsyth Barr Ltd (as per above table)	11,015,203
<b>Total</b>	<b>\$12,263,538</b>

### Investment Income includes

Forsyth Barr Ltd (as per above table)	\$474,951
Westpac	\$62,869
<b>Total</b>	<b>\$537,820</b>

## 4. Commentary

Surplus for the three month period amounted to \$634,000 compared to the budgeted \$234,000. The investment portfolio continued its strong performance during September, with a total return of \$537,000 during the three months to 30 September.

Net negative budget variances in the general rate funded activities area amount to \$86,000.

Total funding of \$95,475 has been allocated to 23 ratepayers as part of the new Warm West Coast Voluntary Rate Loan Scheme. Locations of the loans are shown below:

Reefton	7
Westport	3
Hokitika	5
Greymouth	4
Other	4
<b>Total</b>	<b>23</b>

## RECOMMENDATION

*That this report be received.*

Robert Mallinson  
Corporate Services Manager

**THE WEST COAST REGIONAL COUNCIL**

Prepared for: Council Meeting 12 November 2012  
Prepared by: Chris Ingle – Chief Executive  
Date: 1 November 2012

Subject: **CHIEF EXECUTIVES REPORT**

---

**Meetings Attended**

The key meetings I have attended since my last report include:

- Hosted the Mayors and Chairs Forum on the 11<sup>th</sup> of October.
- Attended the Raft Creek, Kowhitirangi, Vine Creek, Kaniere, Southside, Kongahu, Karamea, and Mokihinui rating district meetings and the Greymouth Joint Floodwall Committee meeting.
- Attended the Regional Chief Executive's and Chief Executive's Environmental Forums in Wellington on the 24<sup>th</sup> and 25<sup>th</sup> of October.
- Hosted the Civil Defence Group Controllers meeting on 31 October.
- Chairing the Envirolink Governance Group meeting in Wellington on 6 November.
- Attending the Zone 5 & 6 meeting in Christchurch on 7 November.

**Submission on Civil Fees Review**

I made a very brief comment to the Justice Ministry review team who are looking at increasing fees for environment court fixtures and other court fees. I commented that in terms of the fees set for the Environment Court we consider that the cost recovery target needs to be greater than 5%. Currently its recoveries are less than 2%, and the proposed target is 5%. I noted that Council often finds itself dealing with vexatious litigants, who waste a lot of our time and ratepayers money on matters than are not in the public interest. If the fees for environment court fixtures were more realistic that may deter such litigants.

**Annual Leave**

I took two days annual leave on the 12<sup>th</sup> and 30<sup>th</sup> of October.

**RECOMMENDATION**

*That this report be received.*

Chris Ingle  
Chief Executive

## THE WEST COAST REGIONAL COUNCIL

To: Chairperson  
West Coast Regional Council

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

Agenda Item No. 8.

- |          |     |   |
|----------|-----|---|
| 10 – 11  | 8.1 | Confirmation of Confidential Minutes 9 October 2012 |
| 12       | 8.2 | Overdue Debtors Report                              |
| 13 – 102 | 8.3 | Enforcement Matters                                 |
|          | 8.4 | Response to Presentation (if any)                   |
|          | 8.5 | In Committee Items to be Released to Media          |

<b>Item No.</b>	<b>General Subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution.</b>
8.			
8.1	Confirmation of Confidential Minutes 9 October 2012		Section 48(1)(a) and in particular Section 9 of 2nd Schedule Local Government Official Information and Meetings Act 1987.
8.2	Overdue Debtors Report		
8.3	Enforcement Matters		
8.4	Response to Presentation (if any)		
8.5	In Committee Items to be Released to Media		

I also move that:

- Chris Ingle
- Robert Mallinson
- Michael Meehan
- Jackie Adams

be permitted to remain at this meeting after the public has been excluded, because of their knowledge on the subject. This knowledge, which will be of assistance in relation to the matter to be discussed.

The Minutes Clerk also be permitted to remain at the meeting.