



**THE WEST COAST**  
REGIONAL COUNCIL

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CONFIDENTIAL

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

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

**TUESDAY, 8 MAY 2012**

**The programme for the day is:**

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

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

# **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 **Tuesday, 8<sup>th</sup> May 2012**

**B.CHINN**  
CHAIRPERSON

**M. MEEHAN**  
Planning and Environmental Manager  
**C. DALL**  
Consents and Compliance Manager

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<b>3.</b>		<b>PRESENTATION</b>
<b>4.</b>		<b>CHAIRMAN'S REPORT</b>
<b>5.</b>		<b>REPORTS</b>
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**THE WEST COAST REGIONAL COUNCIL****MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE  
HELD ON 10 APRIL 2012 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL,  
388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.333 A.M.****PRESENT:**

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

**IN ATTENDANCE:**

C. Ingle (Chief Executive Officer), M. Meehan (Planning & Environmental Manager), C. Dall (Consents & Compliance Manager), T. Jellyman (Minutes Clerk)

**1. APOLOGIES**

**Moved** (Archer / Davidson) *that the apology from F. Tumahai be accepted.*

*Carried*

**2. PUBLIC FORUM**

There was no public forum.

**3. MINUTES**

**Moved** (Davidson / Cummings) *that the minutes of the previous Resource Management Committee meeting dated 13 March 2012, be confirmed as correct.*

*Carried*

**Matters Arising**

M. Meehan tabled a graph illustrating the longterm water quality E Coli trends in the Buller River sites at Marrs Beach and Shingle Beach. M. Meehan reported there have been some improvements at the Shingle Beach site but not at the Marrs Beach site. Cr Archer thanked M. Meehan for providing this additional report.

**4. CHAIRMAN'S REPORT**

Cr Chinn reported that he chaired a meeting of the Whataroa rating district on the 14<sup>th</sup> of March. He reported that this meeting was called to gauge interest from the rating district to ascertain whether or not the rating district would be extended further downstream from the current boundary of 1.5kms downstream of the bridge. Cr Chinn reported that this option was put to the vote and the majority decided not to extend the rating district. Cr Chinn advised that the mover of the motion was Mr Keith Kelly, who farms right next to the Whataroa River and Mr Des Routhan seconded the motion. Cr Chinn confirmed that the vote revealed an overwhelming majority not in favour of extending the rating district. Cr Archer asked for management views on whether or not there are any potential ramifications if the rating district is not extended. M. Meehan responded that landowners who have flood protection structures on their properties would continue to maintain these structures themselves. M. Meehan stated that one of the reasons why the rating district decided not to extend further downstream is that they are fearful that the rating district will become unaffordable. Cr Chinn stated that four river frontage farmers were against extending the rating district. M. Meehan advised that now that Council knows that the rating district only wants to maintain the area 1.5kms from the bridge, Mr Bob Reid would be asked to review the rating classifications to check the rating arrangements are fair for all ratepayers.

**Moved** (Chinn / Davidson) *that the Council receive this report.*

*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 tender for Coastal Plan Review for the identification of areas of Outstanding Natural Features and Landscapes, and Outstanding Natural Character has been awarded to Brown NZ Ltd. M. Meehan advised that a meeting is being held with Brown NZ Ltd, the district councils and this council on the 20<sup>th</sup> of April to scope the project and work through timeframes.

M. Meehan reported that staff have provided input to Westland District Council's District Plan change. He advised that main changes are as a result of work done on the Alpine Fault Avoidance Zone.

M. Meehan advised that several small Envirolink grant projects are currently underway with some projects relating to gold mining and projects in the Lake Brunner catchment.

Cr Archer asked what is the timeline for the Coastal Plan Review. M. Meehan advised that a good indication of the timeline would be to hand following the meeting on the 20<sup>th</sup> of April. He stated that desktop analysis and costs will be discussed at this meeting.

Cr Archer asked M. Meehan if the concept of the Westland District Council's Proposed Plan Change is that council is proposing to provide some sort of restriction on development in close proximity to the alpine fault line. M. Meehan confirmed this is correct and that Westland District Council is looking at making development a prohibited activity within the alpine fault avoidance zone.

Cr Birchfield asked M. Meehan what are the costs involved for the Coastal Plan Review and is this budgeted for. M. Meehan responded that the tender was for \$84,000 and there is money set aside in the budget for the Regional Council's share of this work. Cr Birchfield asked if this money came from government or ratepayers. M. Meehan confirmed that the work is ratepayer funded. Cr Birchfield stated he does not approve of this project and feels that it will be another restriction on development, just like the wetlands matter. M. Meehan advised that this process does need to go ahead as it is part of the statutory requirements of the Coastal Plan Review.

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

*Carried*

#### 5.1.2 BATHING BEACH WATER QUALITY SAMPLING RESULTS 2011 – 12

M. Meehan spoke to this report advising that some samples taken during November and December period, which exceeded the moderate to high risk threshold, were associated with moderate to heavy rainfalls. M. Meehan advised that the rest of the results are looking pretty good.

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

*Carried*

#### 5.1.3 CIVIL DEFENCE & REGIONAL TRANSPORT REPORT

C. Ingle spoke to this report. He reported that he and M. Meehan attended the Controllers Forum which was hosted by this council. C. Ingle reported that Mr Douglas Marshall, a Local Controller for the Selwyn District attended this forum and spoke of his experiences with both of the Christchurch earthquakes. C. Ingle advised that four staff from the Ministry of Civil Defence also attended and took people through different scenarios. C. Ingle advised that a few minor issues were identified, which need to be resolved for Civil Defence on the West Coast.

C. Ingle reported that a copy of council's submission on the Draft Canterbury Regional Land Transport Programme is attached to his report. C. Ingle advised that the main point of our submission is that the Mingha Bluff to Rough Creek upgrade has been deferred in the Canterbury programme and this council would like this deferral to be reversed. Cr Scarlett stated that he would present the submission in person.

**Moved** (Scarlett / Davidson)

1. *That this report be received.*
2. *That Council adopts the submission on the draft Canterbury Regional Land Transport Programme 2012 / 15.*

*Carried*

**5.2 CONSENTS AND COMPLIANCE GROUP**

**5.2.1 CONSENTS MONTHLY REPORT**

C. Dall spoke to his report advising that a high number of consents have been granted over the past month. He advised that many of these resource consents relate to roading infrastructure and a number of these consents are retrospective and relate to flooding events.

C. Dall reported that he attended the hearing for applications for declarations sought in relation to the consents lodged by Buller Coal Ltd and Solid Energy NZ Ltd for the proposed Escarpment and Mt William North coalmines. C. Dall reported that this hearing is in relation to effects of burning coal on climate change. He stated that this is a significant question that has been put to the Environment Court. He is hopeful of an answer in a month's time and stated that Buller Coal Ltd, Solid Energy NZ, Buller District Council and this council support the declarations. C. Dall stated that these consents relate to mining coal and not burning coal. Discussion took place on this. C. Dall advised that central government has made it clear that this is international, and not a regional matter, which is also our view. He advised that this is not the view of the parties opposing this. Cr Archer advised that the opponents are saying that because the coal is being taken out (mined) then it is going to be burnt and therefore discharges need to be taken into account. Cr Scarlett stated that this coal might not be burnt in New Zealand. Cr Archer stated that one of the concerns is that the Resource Management Act does not extend outside the territorial boundaries of New Zealand.

**Moved** (Scarlett / Cummings) *that the April 2012 report of the Consents Group be received.*

*Carried*

**5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

C. Dall spoke to this report advising that it has been a fairly typical month in this area. C. Dall reported that it is pleasing to see that over the past couple of months there has again been a good compliance rate in relation to dairy shed inspections.

C. Dall reported that the normal amount of complaints were received during the reporting period. C. Dall reported that the sentencing hearing for Council's prosecution against Mr Barry Foster for an unauthorised discharge of sediment from a mining operation was held on the 26<sup>th</sup> of March and Mr Foster was fined \$34,000. C. Dall reported that a significant part of the Court findings was that consent holders who are allowing others to operate under their consents still have responsibility to ensure that that operators are aware of the site and the constraints of the consent to ensure that the operator complies with the consent conditions.

C. Dall reported that Council staff are still continuing to support the Rena operation in Tauranga.

**Moved** (Archer / Robb) *That the April 2012 report for the Compliance Group be received.*

*Carried*

**6.0 GENERAL BUSINESS**

There was no general business.

The meeting closed at 11.08 a.m.

.....  
Chairman

.....  
Date

## 5.1.1

### **THE WEST COAST REGIONAL COUNCIL**

Prepared for: Resource Management Committee Meeting 8 May 2012  
Prepared by: Michael Meehan, Planning and Environment Manager  
Date: 27 April 2012  
**Subject: PLANNING AND ENVIRONMENT MANAGER'S MONTHLY REPORT**

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#### **PLANNING**

##### Coastal Plan Review

Council hosted a meeting with Brown New Zealand Ltd and planning staff of the three District Councils to discuss the Outstanding Natural Features and Landscapes (ONFL) project.

The meeting was a good opportunity to discuss the project expected outcomes and the methodology that will be used. Brown NZ have done similar work for the Buller region as part of a resource consent application. The work that they have done in this area is of a high standard and means that little work will be required in the Buller District.

Of note is that the work undertaken in the Buller has recommended reducing the size of the current ONFLs in the Coastal area.

Brown NZ is undertaking desktop work and is advising Councils of the cost divisions by mid May. It is envisioned that the project will be completed by July 2012.

##### Wetlands

Staff have participated in another 2 days of mediation with the other parties involved in the wetlands appeals. General agreement has been reached on the majority of rules and policies. Council is circulating a consent order which will be presented to the court in May.

##### Land and Water Plan

Staff have completed the recommending report and are in contacting submitters to ask whether they wish to be heard. Hearings will be held 18-22 June which will involve all the Councillors. Staff will be able to advise Councillors at the next meeting how many submitters wish to be heard and more detailed times.

##### Farm Planning Work

A small project was undertaken in partnership with the Department of Conservation and Westland Milk Products investigating riparian margin management in the lower Waitangitona River catchment. The results indicate that farming activities in this catchment are generally undertaken in a manner which has little impact on the riparian margins of the river. The results will be presented to the community.

A meeting was held with the Gloriavale community with a view to undertaking farm planning work in the Lake Haupiri catchment. The meeting was informative, more work will be undertaken in this catchment involving all landowners who wish to participate.

Council hosted a representative from Landcare Trust to discuss the potential for a Landcare group in the Lake Brunner catchment. This follows on from the Council meeting with Ministry for the Environment (MfE) staff, regarding its application to the Fresh Start to Freshwater Fund on behalf of farmers in the Lake Brunner catchment. MfE staff advised Council that in order to gain funding for work in the catchment, a more collaborative approach among stakeholders in the catchment needed to be achieved. They recommended forming the Landcare group to achieve this and potentially bringing in more landowners to achieve community goals.

The representative met with farmers in the catchment and plans to arrange a meeting with a wider group are underway. Following this meeting Council will resubmit an amended application to the MfE fund.

## **RESOURCE SCIENCE**

Winter Air quality reporting has been delayed by a machine malfunction which requires parts from overseas. This should be resolved within the next two weeks and the machine transported back to site. Once this is back up and running air quality monitoring will commence.

As part of a small Envirolink grant, Gil Zemansky from GNS visited to discuss lining effluent oxidation ponds. The importance of lining ponds depends largely on the immediate uses of groundwater surrounding the ponds. Nitrate and pathogens are potential contaminants associated with effluent pond discharges to groundwater, but the focus of Gil's evaluation will on phosphorus.

The Contaminated Land NES has resulted in more requests for information from the District Council's, from the Councils 'Sites Associated with Hazardous Substances' database. Council is investigating more efficient ways of sharing this information with the District Council's.

No floods occurred during the reporting period.

## **RECOMMENDATION**

*That this report is received.*

Michael Meehan  
**Planning and Environment Manager**



**THE WEST COAST REGIONAL COUNCIL**

Prepared for: Resource Management Committee – 8 May 2012  
Prepared by: Nichola Costley – Regional Planner  
Date: 24 April 2012  
**Subject: CIVIL DEFENCE & REGIONAL TRANSPORT REPORT**

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**Civil Defence Emergency Management Update**Appointment of New Controllers

The Civil Defence Emergency Management (CDEM) Group, made up of the Mayors from the Region and the Chair of the Regional Council, met on 23 April 2012.

The CDEM Group approved two new Controllers; Ian Davidson-Watts for Grey District, and Michael Meehan for the Group. The CDEM Group also noted the departure of two former Controllers Gary Murphy (Buller District), and Kevin Beams (Grey District).

Exercise Cruickshank Minor

An exercise date has been set for Exercise Cruickshank Minor of 12 July 2012. Based on the national Exercise Cruickshank held in 2007 involving a pandemic scenario, Cruickshank Minor will only involve agencies on the West Coast. As the exercise in this case is expected to be much slower moving than the earthquake or tsunami scenarios used in the past, this will provide an opportunity for staff to better understand the functionality of the Emergency Management Information System.

**Regional Transport Update**Regional Land Transport Programme 2012 – 2015

Submissions closed on the draft West Coast Regional Land Transport Programme 2012 – 2015 (RLTP) on 13 April 2012. Seventeen submissions were received by that date with one late submission received on 18 April.

The Hearing has been scheduled for 16 May 2012 where two submitters have indicated that they wish to be heard. Following the hearing, the Hearing Panel will consider the submissions made, make decisions and approve the final RLTP to be submitted to the Regional Council for adoption at its June meeting.

Road Safety Coordinator Contract

Tai Poutini Polytechnic has agreed to continue providing road safety co-ordination for the region for the next three financial years. The new contract links closely to the funding cycle of the RLTP.

**RECOMMENDATION**

*That this report be received.*

Chris Ingle  
Chief Executive

**THE WEST COAST REGIONAL COUNCIL**

Prepared For: Resource Management Committee – 8 May 2012  
Prepared By: Chris Ingle & Nichola Costley  
Date: 23 April 2012

Subject: **Freshwater National Policy Statement – Assessment for the West Coast Regional Council**

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**Purpose**

The purpose of the attached report is to assess the Council's existing objectives and policies, including those objectives and policies in the Proposed Land and Water Plan that relate to Lake Brunner, against the new policy requirements in the National Policy Statement (NPS) for Freshwater.

**Background**

A report provided to Council in July 2011 noted that the majority of the Freshwater NPS policies and objectives appeared to already be provided for in the Council's Proposed Land and Water Plan. The July report also noted that further work was required to ensure that the requirements of the Freshwater NPS were all met. The attached report provides this assessment.

**Outcome of Assessment**

The parts of the NPS that are most relevant to the West Coast region are 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 draft Long Term Plan which for the first time establishes a measurable system of reporting annually on water quality improvement.

The water allocation part of the Proposed Land and Water Plan is considered fit for purpose; however to be technically compliant with the NPS a new policy may be needed that identifies criteria by which approvals of transfers of water take permits are to be decided, to improve and maximise the efficient allocation of water. Staff will investigate this issue further and report back to Council with draft criteria.

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 into line with the NPS wording through the review process which has commenced.

**Recommendation**

1. *That Council receives this report.*
2. *That Council note that a new policy may be needed identifying criteria by which approvals of transfers of water take permits are to be decided, to improve and maximise the efficient allocation of water*

Chris Ingle  
Chief Executive Officer

## **The 2011 Freshwater NPS – West Coast Regional Assessment**

### **Background – The Freshwater NPS**

The Freshwater Management National Policy Statement (NPS) was gazetted in May 2011. The West Coast Regional Council's Resource Management Committee received its first report on the NPS in July 2011. That report noted that the majority of policies and objectives appeared to be already provided for in the Council's Proposed Land and Water Plan.

The July report also noted that further work was needed to assess the NPS against existing Council policies, including those proposed objectives and policies within the Proposed Land and Water Plan that relate to Lake Brunner. This report provides that assessment.

### **The Proposed Land and Water Plan**

The Proposed Land and Water Plan is currently in a submissions process that commenced prior to the NPS being gazetted. Following the completion of the Proposed Land and Water Plan process, Council can consider whether developing new objectives and new standards is necessary or desirable, having regard to the clear signals given in the NPS. For example, there may be other catchments that could be prioritised for additional focus, once the highest priority catchment (Lake Brunner) has had its targets finalised. This conversation may be best held around the Regional Policy Statement review process which is currently in preparation, but has been delayed due to awaiting the outcome of the Proposed Biodiversity NPS.

### **How we approached this Assessment**

Based on an initial review of the NPS it seems the NPS objectives appear to align well with the Proposed Land and Water Plan objectives. The latest West Coast water quality results (2011 State of the Environment report) indicate these objectives are being met within our region, except for Lake Brunner. The assessment that follows is therefore intended to formally review each provision of the NPS, line by line, and compare it with the provisions of the Proposed Land and Water Plan, plus the latest State of the Environment results from Council's freshwater monitoring in the region. Also of relevance is the Policy Implications report that examined the 2011 State of Environment results and applied them against the policies and objectives of the Proposed Land and Water Plan (see Appendix A).

### **2012 Long Term Plan – New Performance Targets**

The following assessment also takes into account the new levels of service and performance targets promulgated in the Council's Draft Long Term Plan 2012-2022, which Council has recently developed under the Local Government Act. The draft Long Term Plan incorporates performance targets and levels of service that directly measure the maintenance or improvement of water quality in the lakes and rivers of the West Coast (see Appendix B). By doing this, Council has made it mandatory to report annually on whether water quality is improving, or not, and relate that success or failure back to the activities Council funds to ensure environmental quality is protected. The water quality results measured by our State of the Environment programme are now related back to all Council Resource Management Act (RMA) activities and are reported in our Annual Plan documents. This is a significant step forward in terms of Council accountability for actual, instream results.

## Freshwater Management NPS Part A: Water Quality

### NPS Objectives A1 and A2

**A1:** *To safeguard the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of fresh water, in sustainably managing the use and development of land, and of discharges of contaminants.*

This objective relates to activities involving land use and development, and discharges. By integrating the Discharges to Land Plan and the Proposed Land and Riverbed Plan with the Proposed Regional Water Plan the regulation of discharges and land and riparian management with fresh water management are now combined. This integrated approach is expected to assist with achieving objective A1 of the NPS. Objectives and policies in the Proposed Land and Water Plan that address the safeguarding of life supporting capacity, ecosystem processes and indigenous species include: 6.2.2, 6.3.1 and 6.3.3; and 7.2.1 and 7.2.4 primarily, plus the transitional policies from the NPS which are now part of the Proposed Land and Water Plan. Also relevant are 3.2.1, 3.3.1, 3.3.3, 3.3.5, 3.3.7, 4.2.1, 4.3.2, 5.2.1 and the new wetland policies as a result of a current environment court process. In addition, "To maintain or enhance the life supporting capacity and amenity value of the West Coast's rivers" is a new level of service in Council's draft Long Term Plan (see Appendix B).

The remaining question would be: are there any land uses or discharges that potentially impact water bodies to the extent that these also need to be regulated within the Proposed Land and Water Plan framework? Major new subdivisions are one such potential concern. Intensification of agricultural land uses would be another. However, surface water quality results currently show improvement (other than Lake Brunner) indicating that these activities are not causing any issues of water quality, to date at least. Furthermore, dairy intensification on the West Coast is constrained by rainfall and the resulting ground conditions and growth in land area for dairy farming is expected to remain quite modest over coming years. There is no information to suggest that these activities are impacting either life supporting capacity, ecosystem processes or indigenous species (other than in Lake Brunner).

**A2:** *The overall quality of fresh water within a region is maintained or improved while:*

- (a) protecting the quality of outstanding freshwater bodies;*
- (b) protecting the significant values of wetlands; and*
- (c) improving the quality of fresh water in water bodies that have been degraded by human activities to the point of being over-allocated.*

Certainly the first line of A2 is being achieved already, as the significant river quality improvement reported in our recent State of the Environment sampling programme testifies (except for Lake Brunner).

Regarding A2 (a), Council has not yet decided what waterbodies in the region should be considered outstanding, in terms of this NPS policy<sup>1</sup>. However, water quality in all cases is protected via the various Proposed Land and Water Plan provisions - particularly the objective and policies in the water quality chapter, and policy 6.3.1 which gives priority to avoiding adverse effects, in preference to remedying or mitigating. It is considered that this element of the objective is currently being achieved, except for in the Lake Brunner catchment.

A2 (b) has been addressed by the Council's Wetland Variation and the associated mediation and court processes that are now nearing conclusion.

<sup>1</sup> Note that in terms of picking 'stand-out' water bodies from the current Plan provisions, the obvious 'stand outs' would include Lake Brunner as it has been singled out as a special management area in the Plan, plus those parts of the Buller River and its tributaries protected by the Buller River Water Conservation Order, and those Grey River tributaries protected by the Grey River Water Conservation Order.

A2 (c) is relevant to the West Coast in terms of the Lake Brunner catchment phosphate inputs which have exceeded the capacity of the lake to absorb those inputs without its water quality declining. In the case of Lake Brunner, the changes proposed to the objective, policies and rules in that catchment are expected to achieve objective A2 (c). The concept of over-allocation in the NPS applies to both water takes and water quality.

#### **Freshwater NPS Policies A1 to A4**

**A1:** *By every regional council making or changing regional plans to the extent needed to ensure the plans:*

*(a) establish freshwater objectives and set freshwater quality limits for all bodies of fresh water in their regions to give effect to the objectives in this national policy statement, having regard to at least the following:*

*(i) the reasonably foreseeable impacts of climate change*

*(ii) the connection between water bodies*

*(b) establish methods (including rules) to avoid over-allocation.*

The Proposed Land and Water Plan already has freshwater objectives (8.2.1 in particular) that give effect to both of the NPS objectives, as discussed above.

The Proposed Plan sets freshwater quality limits (standards) under policy 8.3.1 for aquatic ecosystem and contact recreation purposes. This policy applies to all surface water bodies in the region. The purpose of setting such standards is to give effect to the objectives, which as discussed in the section above, are currently being met in the West Coast region. The 2012 draft Long Term Plan also sets, measures and reports annually on water quality targets to ensure Objective A2 is met. The 46 river sites monitored are representative of all the West Coast rivers. The two lake sites measured are the lakes most at risk from human activity and currently the most impacted lakes in the region.

Part (b) of the policy requires the Proposed Land and Water Plan to have methods to avoid over-allocation. In this context 'over-allocation' is understood to refer to inputs of contaminants into a system such that those inputs exceed that system's carrying capacity, and the system begins to degrade. Our example is Lake Brunner, where phosphate inputs exceed outputs and the lake water quality is in slow decline due to increasing phosphate levels. Council has already established rules and other methods to address this decline in its Proposed Land and Water Plan. Of the 46 other water bodies monitored on the West Coast no others are experiencing a decline in water quality according to the measures set in the draft Long Term Plan.

**A2:** *Where water bodies do not meet the freshwater objectives made pursuant to Policy A1, every regional council is to specify targets and implement methods (either or both regulatory and non-regulatory) to assist the improvement of water quality in the water bodies, to meet those targets, and within a defined timeframe.*

Regarding Lake Brunner, targets and timeframes have been set in the Proposed Land and Water Plan through a Plan Change (Objective 9.2.1). A set of new policies, methods and rules are also proposed that are expected to result in an improvement in water quality in the lake. Outside of the Lake Brunner catchment, the West Coast water bodies meet the NPS objectives.

There is also a target being set in the draft Long Term Plan to undertake voluntary catchment farm planning programmes in three 'secondary priority' catchment areas in the region (Lake Haupiri, Baker Creek and La Fontaine) over the next three years. The objective is to try to achieve water quality improvements similar to those obtained for Harris Creek following the voluntary farm plan process completed by farmers in that catchment. While these catchments

are not currently experiencing a decline in water quality, there is some scope for further improvement.

**A3:** *By regional councils:*

- (a) imposing conditions on discharge permits to ensure the limits and targets specified pursuant to Policy A1 and Policy A2 can be met and*
- (b) where permissible, making rules requiring the adoption of the best practicable option to prevent or minimise any actual or likely adverse effect on the environment of any discharge of a contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.*

This policy comes into play when a discharge consent is applied for within the Lake Brunner catchment. The approach is consistent with, and complementary to, the policies proposed for the Lake Brunner catchment in the Proposed Land and Water Plan (see 9.4.5 specifically).

**A4:** *By every regional council amending regional plans (without using the Schedule 1 process) to the extent needed to ensure the plans include the following policy to apply until any changes under schedule 1 to give effect to Policy A1 and A2 have become operative.*

This has been actioned by the Council in February 2012, at which time both of the transitional policies were inserted into the Proposed Land and Water Plan.

## Freshwater NPS Part B: Water Quantity

### Freshwater NPS Objectives B1 to B4

**B1:** *To safeguard the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of freshwater, in sustainably managing the taking, using, damming or diverting of fresh water.*

Chapter 7 of the Proposed Land and Water Plan governs the taking, damming and diversion of water, along with containing a policy framework that governs allocation from water bodies in the region. That policy framework includes a combination of allocation limits and minimum flows that have the over-riding objective (7.2.1) "To retain flows and water levels in water bodies sufficient to maintain their instream values, natural character and life supporting capacity". That chapter also contains the transitional policies from the NPS. While the wording is not identical, it is considered the 'ecosystem processes' mentioned in the NPS objective are appropriately covered within the wording of 7.2.1.

The other chapter of the Proposed Land and Water Plan of relevance is chapter 6, Natural and Human Use Values, which applies to all activities related to water. Objective 6.2.2, and policies 6.3.1 and 6.3.3 are of relevance in protecting specific ecological values in freshwater including habitats of threatened species listed in Schedule 5A of the Plan.

**B2:** *To avoid any further over-allocation of fresh water and phase out existing over-allocation.*

There are no over-allocated water bodies on the West Coast at this time. The chapter 7 policy framework in the Proposed Land and Water Plan prevents any future over-allocation of water, via policy 7.3.6 in particular. Currently there are only a handful of irrigation takes in the drier parts of the region. This may change over time however, and Council is monitoring the extent of irrigation consent applications carefully.

**B3:** *To improve and maximise the efficient allocation and efficient use of water.*

This objective would apply to regions where significant allocation of water for irrigation and other out of stream uses has occurred and where there are opportunities for rationalising those allocations to achieve increased efficiencies. That is not the case in the West Coast region. If demand for water resources were to increase in the future, policy 7.3.6 provides for efficiency in use and for capping allocation in catchments where this activity occurs.

**B4:** *To protect significant values of wetlands.*

The Council's Wetland Variation has addressed this issue and the resulting Plan provisions will be transferred into the Proposed Land and Water Plan, once the Court has made their final determination (likely to be in late 2012).

### Freshwater NPS Policies B1 to B7

**B1:** *By every regional council making or changing regional plans to the extent needed to ensure the plans establish freshwater objectives and set environmental flows and/or levels for all bodies of fresh water in its region (except ponds and naturally ephemeral water bodies) to give effect to the objectives in this national policy statement, having regard to at least the following:*

- (i) the reasonably foreseeable impacts of climate change*
- (ii) the connection between water bodies*

Objectives 7.2.1 - 7.2.5 and policies 7.3.1 - 7.3.7 of the Proposed Land and Water Plan are considered to achieve NPS Policy B1.

**B2:** *By every regional council making or changing regional plans to the extent needed to provide for the efficient allocation of fresh water to activities, within the limits set to give effect to Policy B1.*

Objective 7.2.3 of the Proposed Land and Water Plan is "to promote the efficient use of water" and Policy 7.3.6 follows a similar theme.

**B3:** *By every regional council making or changing regional plans to the extent needed to ensure the plans state criteria by which applications for approval or transfers of water take permits are to be decided, including to improve and maximise the efficient allocation of water.*

The Proposed Land and Water Plan currently has no policy criteria that governs the transfer of water take permits. This is because there are very few water take permits on the West Coast as the reliable rainfall in the region means that irrigation is very seldom needed. Most takes are for small scale mining or for hydro electricity generation.

It may be sufficient to adopt a policy by Council resolution in the interim, rather than promulgating a potentially expensive Plan Change process for the purpose of technical compliance with the NPS.

Rule 40 of the Proposed Land and Water Plan allows for the transfer of the location of a take as a permitted activity provided the water take is from the same river, and the proposed new location is downstream of the existing take location.

Should Council adopt a policy by resolution, it should mention this permitted activity and also provide guidance for the transfer of water takes upstream of the same river, or to other locations such as to tributaries.

**B4:** *By every regional council identifying methods in regional plans to encourage the efficient use of water.*

Existing rules 37-40 and 49-58 are relevant to this policy. Other methods are not necessary in a high-rainfall region where consumptive use water takes are uncommon.

**B5:** *By every regional council ensuring that no decision will likely result in future over-allocation – including managing fresh water so that the aggregate of all amounts of fresh water in a water body that are authorised to be taken, used, dammed or diverted – does not over-allocate the water in the water body.*

Policies 7.3.5 – 7.3.7 are considered to address this concern adequately.

**B6:** *By every regional council setting a defined timeframe and methods in regional plans by which over-allocation must be phased out, including by reviewing water permits and consents to help ensure the total amount of water allocated in the water body is reduced to the level set to give effect to Policy B1.*



Because there is no over-allocation of water in the West Coast region this policy is not relevant.

**B7:** *By every regional council amending regional plans (without using the Schedule 1 process) to the extent needed to ensure the plans include the following policy to apply until any changes under schedule 1 to give effect to Policy B1, B2 and B6 have become operative.*

This Policy has already been actioned (in February 2012).

## Freshwater NPS Part C: Integrated Management

### Freshwater NPS Objective C1

**C1:** *To improve integrated management of fresh water and the use and development of land in whole catchments, including the interactions between fresh water, land, associated ecosystems and the coastal environment.*

Council's recent Plan Merge process achieves this objective. By integrating the Discharge to Land Plan and Proposed Land and Riverbed Plan with the Proposed Regional Water Plan, the regulation of discharges, and land, riparian and fresh water management have been combined. This integrated approach is expected to assist with achieving objective A1 as well as C1 of the NPS. Integration extends into the coastal environment, but not into the coastal marine area itself. Future integration with the coastal marine area may be possible but was not considered necessary or desirable at this stage.

### Freshwater NPS Policies C1 and C2

**C1:** *By every regional council managing fresh water and land use and development in catchments in an integrated and sustainable way, so as to avoid, remedy or mitigate adverse effects, including cumulative effects.*

As mentioned above, this is being achieved through the Plan Merge process currently underway.

**C2:** *By every regional council making or changing regional policy statements 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.*

The Regional Policy Statement has commenced its ten year review but has not yet been notified for public submissions. Therefore there is an opportunity to build any amendments as a result of this NPS policy into the imminent review proposed. At minimum, an objective and a policy could be drafted that reflect the wording above, applying it to the West Coast setting. That will serve to reinforce what is already current practice in the region (i.e. integrated management of land uses on water). Obviously urban growth is not an issue in the region and the last part of the NPS policy is therefore irrelevant here.

## Freshwater NPS Part D: Tangata Whenua roles and interests

### Freshwater NPS Objective D1

**D1:** *To provide for the involvement of iwi and hapu, and to ensure that tangata whenua values and interests are identified and reflected in the management of freshwater including associated ecosystems, and decision-making regarding freshwater planning, including on how all other objectives of this national policy statement are given effect to.*

The two Ngai Tahu runanga: Makaawhio and Ngati Wae Wae are full voting members of the Regional Council's Resource Management Committee and have been for many years. Therefore all decision-making on freshwater matters involves both runanga at the highest level. All Regional Plans developed by Council have Iwi chapters which ensure the traditional manawhenua values are given appropriate regard. For example, the Proposed Land and Water Plan contains a schedule of 'Spiritual and cultural beliefs, values and uses of significance to Poutini Ngai Tahu' (Schedule 5C).

### Freshwater NPS Policy D1

**D1:** *Local authorities shall take reasonable steps to:*

- a) involve all iwi and hapu in the management of fresh water and freshwater ecosystems in their region*
- b) work with iwi and hapu to identify tangata whenua values and interests in fresh water and freshwater ecosystems in the region and*
- c) reflect tangata whenua values and interests in the management of, and decision-making regarding fresh water and freshwater ecosystems in the region.*

The membership of the two Poutini Runanga on the Council's Resource Management Committee is considered to meet D1 a – c above. In addition, these groups also have the ability to make submissions on plan changes or through the consent process.

## Freshwater NPS Part E: Progressive implementation programme

### Freshwater NPS Policy E1:

- a) *This policy applies to the implementation by a regional council of a policy of this national policy statement*
- b) *Every regional council is to implement the policy as promptly as is reasonable in the circumstances, and so it is fully completed by no later than 31 December 2030.*
- c) *Where a regional council is satisfied that it is impracticable for it to complete implementation of a policy fully 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 by 31 December 2030.*
- d) *Any programme of time-limited stages is to be formally adopted by the council within 18 months of the date of gazetting of this national policy statement, and publicly notified.*
- e) *Where a regional council has adopted a programme of staged implementation, it is to publicly report, in every year, on the extent to which the programme has been implemented.*

It is not considered necessary for Council to adopt a programmed implementation of this NPS. Provided that the current Plan Merge/Lake Brunner Plan Change is concluded satisfactorily, the requirements of this NPS will be satisfied for the West Coast Region. The only outstanding matters are the policy for the transfer of water takes, which can be developed and passed by council resolution in the next month or two, and the integrated management section of the Regional Policy Statement, which can also be adopted in draft form by Council resolution within the next month or two.

## Summary & Conclusions

In summary, the main parts of the Freshwater NPS that are critically relevant to the West Coast region are 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 (our only catchment seeing water quality decline), and the new focus of the draft Long Term Plan which for the first time establishes a measurable system of reporting on 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 other than some minor policy development work around the transfer of takes (which is unlikely ever to be used). 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 into line with the NPS wording via the imminent review process.

The most important matter for Council, and for the NPS, is how effective the new provisions of the Proposed Land and Water Plan will be for delivering enhanced water quality in the Lake Brunner catchment. The real test of Council's effectiveness will be to see if, after a few years has passed, we have actually achieved the improvement in the water quality of the lake that is desired. Once water quality improvement has been achieved in all our water bodies, we can say we have succeeded.

**Appendix A:****2011 State of Environment Report on Surface Water Quality:****Policy Implications****1. Background and Scope of the Report**

This Report reviews the findings of the 2011 State of Environment (SOE) Report on Freshwater Quality, and the implications this has for the objectives and policies in the Proposed Land and Water Plan. This Report will determine if the objectives and policies in the Plan relating to freshwater quality are operating as they were intended to, or if there is a requirement to review them.

This Report follows the performance audit undertaken by the Auditor General who assessed the management of freshwater quality for four Regional Councils: Waikato, Horizons, Taranaki and Southland. That audit emphasised the need to apply SOE results against plan objectives to test if they were being met.

This Report does not test the outcomes of the SOE Report against the National Policy Statement for Freshwater Management (NPS). Further changes may be required to the Plan in the future as a result of the NPS once the implications of that document are fully appreciated.

For the purpose of this report, five chapters of the Plan have been reviewed in order to assess whether the SOE results indicate achievement, or otherwise, of the objectives in the Plan that relate to fresh water quality management. How well Council is meeting each of the objectives in the Chapters is discussed while general comments are made about the policies. The Chapters reviewed include:

- Chapter 3. Land Management
- Chapter 4. Lake and Riverbed Management
- Chapter 6. Natural and Human Use Values
- Chapter 8. Surface Water Quality
- Chapter 12. Agricultural Contaminants

The Lake Brunner Chapter has been excluded from this analysis because that Chapter is already under review via the current Plan change process. The relevant policies and their conditions for freshwater quality have been included in Appendix 1 for ease of reference.

Not all water monitoring sites have data robust enough to present accurate trends and assessments against the objectives and policies due to the length of time they have been monitored for. Council monitors 61 sites throughout the Region. Results from NIWA monitoring sites are also included within the SOE reporting. These are on bigger rivers than those the Council monitors: the Buller, Grey and Haast Rivers.

**2. General Trends**

Freshwater quality is generally improving in the region.

Council water monitoring sites have indicated that there has been statistically significant improvement in clarity, turbidity, and faecal coliforms, with no sites declining other than Lake Brunner. However the NIWA sites on the Grey and Buller Rivers indicate that nitrogen and phosphorus have increased, most likely due to land intensification. At this time the increase in

nitrogen and phosphorus is not causing any adverse effects as periphyton levels remain stable. Periphyton is a useful indicator to assist with monitoring freshwater quality.

### **3. Assessment of Objectives and Policies relating to Freshwater Quality**

#### **3.1 Chapter 3 – Land Management**

Land disturbance activities can impact on water quality through the input of sediment and or nutrients. Stock access can also affect water quality.

##### *Objective 3.2.1*

*To avoid or reduce adverse effects from land disturbance so that the region's water and soil resources are sustainably managed.*

This Objective cannot be measured by applying the SOE results. However, since water quality is generally improving, this can be considered to be consistent with achieving sustainable management.

The policies in this Chapter have been designed to manage the adverse effects that can result from land and vegetation disturbance, earthworks (including mining), the disturbance of riparian margins, and land drainage activities (including humping and hollowing). Land disturbance can adversely affect water quality. Policies relevant to water quality include two policies which seek the promotion of the exclusion of stock from waterbodies and land management being undertaken in regards to best practice management, one policy to encourage riparian management practices, and one monitoring policy to assess whether new rules and other methods are required to manage stock access where water quality is declining, in 2012.

These policies appear to be operating as intended, with several influencing consent processes, and others used in advocacy activities, partnership arrangements around non-regulatory farm plans or promotion activities like clean streams.

It is difficult to differentiate between one-off land disturbance such as humping and hollowing and more frequently occurring activities such as drain clearing or ploughing. Water clarity and turbidity have both improved significantly which indicates the impact of land disturbance on waterways generally has reduced. There are several sites that have poor macroinvertebrate community quality due to reduced habitat quality, which may be as a result of excessive sediment loads (as evidenced when comparing the clarity and semi-quantitative macroinvertebrate community index at each site). This may also be associated with poor riparian management. These waterbodies include Bradshaws Creek, Baker Creek, Sawyers Creek, Unnamed Creek at Adamsons Road and Orowaiti River at their monitoring sites.

Because there are few locations experiencing adverse effects, Objective 3.2.1 is generally considered to be achieving what was sought by Council. To measure progress, normal practice is to use a baseline of when the Objective was first notified. The Proposed Land and Riverbed Plan was notified in 2002.

#### **3.2 Chapter 4 – Lake and Riverbed Management**

The purpose of this Chapter is to manage activities in the beds of lakes or rivers that involve riverbed disturbance or structures, for example alluvial gold mining, gravel extraction, erection and maintenance of bridges and culverts. This chapter is also derived from the Land and Riverbed Plan, notified 2002. Objective 4.2.1 is the only objective in the chapter:

##### *Objective 4.2.1*

*To avoid, remedy, or mitigate the adverse effects of lake and riverbed activities on:*

- (a) The stability of beds, banks, and structures;*
- (b) The flood carrying capacity of rivers;*

- (c) *The natural character of wetlands, lakes and rivers and their margins;*
- (d) *Indigenous biodiversity and ecological values, including fish passage;*
- (e) *Amenity, heritage, and cultural values;*
- (f) *Sports fish habitat values;*
- (g) *Water quality;*
- (h) *Navigation.*

The avoidance, remedy, or mitigation of the effects of activities may well be being achieved in the Region through the application of this Objective and the Policies in Chapter 4 via the consenting process. The improvement observed in water quality would indicate that part (g) of the objective is being met. It is not possible to state this categorically because we do not measure the water quality change that accrues from different activities.

There are two policies in this Chapter relevant to the management of water quality. One policy relates to the management of bed disturbance, reclamation and deposition associated with structures in the beds of lakes or rivers. The second policy, 4.3.6, has been amended in the Plan which now requires the use of bridges, culverts and other methods where stock cross waterways based on the number of stock and the frequency of crossings. This policy has not been assessed as part of this Report as it has been amended through the Plan change process and the outcomes of the amended policy approach are yet to be seen.

It is assumed that the Policies are operating as intended as water quality is generally improving. There is no evidence in the SOE Report to suggest that activities in the beds of lakes and rivers are having a particular adverse effect on water quality, compared to other activities that can contribute to water quality impacts.

### **3.3 Chapter 6 – Natural and Human Use Values of Water**

The purpose of Chapter 6 is to provide protection for the natural and human use values supported by the West Coast's water bodies. This chapter was notified in 2004 in the Regional Water Plan. It is designed as an overarching Chapter for managing water resources in the region. The objectives and policies apply across all the activities that manage water.

Two objectives are particularly relevant to water quality:

#### *Objective 6.2.1*

*To provide for the sustainable use and development of water resources.*

#### *Objective 6.2.2.*

*To protect water bodies from inappropriate use and development by maintaining and where appropriate enhancing their natural and amenity values including natural character and the life supporting capacity of aquatic ecosystems.*

The parameters measured in the SOE report alone cannot determine whether these Objectives have or have not been met. However, to the extent that water quality contributes to the values listed in Objective 6.2.2 and the life supporting capacity of waterways, the objective is being achieved, while in terms of 6.2.1 the sustainable use of these resources is achieved in terms of water quality as it has generally improved.

Objective 6.2.1 refers to the sustainable use and development of water resources. The words "sustainably use and develop" imply that the use and development is occurring without compromising other uses of water bodies (for example recreational uses). The Resource Management Act (RMA) does not state that there must be no adverse effects, and Objective 6.2.1 reflects this approach. Noting that there are no trends to indicate that water quality is declining at the Council water monitoring sites, apart from Lake Brunner, and water quality is in fact improving significantly overall, would suggest Objective 6.2.1 is being achieved. Improving water quality, as shown by the overall monitoring results, is likely to have a flow



on effect in improving the natural and amenity values of the waterbodies. Amenity values can be linked to the ability to use and enjoy waterbodies for angling, kayaking and contact recreation activities. Based on the results of the SOE Report, Council can be considered to be achieving a balance of providing for the sustainable use of water bodies while maintaining and enhancing the natural and human use values of these areas.

There are two policies relevant to the management of freshwater quality in this Chapter. These include avoiding, remedying or mitigating adverse effects on water quality as a result of any activity involving water, as well as recognising and providing for features of water bodies when considering adverse effects on their natural character. Other policies indirectly relate to water quality, but primarily focus on the 'values' supported by waterbodies, such as habitat, cultural and amenity values.

Sites on the much larger Grey and Buller Rivers have shown increasing rates of dissolved reactive phosphorous and nitrates, along with total nitrogen. This is likely to reflect an accumulation of the many catchments which feed into these rivers. However, the size and flow levels of these rivers means there are no adverse effects as a result of this increase in nutrients (for example there is no periphyton build-up) and no indication that such effects are likely. Monitoring of nutrients at the Council sites has not been undertaken for a long enough period to be able to apply appropriate statistical analysis at this time. The trend for ammoniacal nitrogen (which is the nitrogen species toxic to fish) is showing significant improvement. None of the sites monitored have values exceeding 0.9mg/L for the recent monitoring period which is the standard beyond which acute harm to aquatic life could be expected. Based on these results, the policies appear to be achieving what was intended, via the consenting process.

### **3.4 Chapter 8 – Surface Water Quality**

Chapter 8 originated from the Regional Water Plan notified in 2004. The purpose of Chapter 8 is focused on managing discharges to surface water. The objective is:

#### *Objective 8.2.1*

*To maintain or enhance the quality of the West Coast's water.*

The SOE results indicate that this Objective is being achieved as water quality is generally improving, other than Lake Brunner.

Policy 8.3.1 is an important policy regarding water quality. The Policy states that the Council will manage swimming areas in Schedule 7 of the Plan for contact recreation (CR) purposes, and all other surface water bodies in the region for aquatic ecosystem (AE) purposes, as set out in the Third Schedule of the RMA.

For AE purposes, variables important to aquatic ecosystems include turbidity, clarity, ammoniacal nitrogen and faecal coliforms. As outlined in Section 2.1 of this Report, there have been significant improvements in all these water quality variables. Duck Ck and Harris Ck have shown the most improvement with both monitoring sites showing improved ammoniacal nitrogen, faecal coliforms and clarity. Murray Ck and Mawheraiti River showed improvement in faecal coliforms and clarity, and Orowaiti at Excelsior Road showed improved clarity and ammoniacal nitrogen. Better management of point source pollution is the most likely reason for these parameters improving. Some streams on the West Coast are unable to meet the AE standard due to high acidity which is reflected in other policies in the Plan (for example orphan mine sites).

For CR purposes, faecal coliforms are the main indicator for swimming water quality. Although faecal coliforms have improved significantly at some non-contact recreation rivers, at contact recreation sites there is no discernible trend. Lakes have the best water quality for

contact recreation. In 2010-11 (from 1 November 2010 to 30 March 2011) 81% of contact recreation sites met the Ministry for the Environment guidelines.

Both of the guidelines used to indicate how Council will manage water quality state that there shall be no biological growths as a result of any discharge of a contaminant to water. Normally biological growth occurs naturally in our waterbodies. Such growth only becomes a problem if it is substantial enough to cause an ecological or amenity issue. There is no evidence to suggest that this is currently an issue at any location in the region, or that any biological growth is exacerbated by a contaminant discharge.

The SOE results appear to indicate that Objective 8.2.1 and Policy 8.3.1 are being met. The other policies are "process" policies that apply during consent processing and are operating as intended.

### **3.5 Chapter 9 - Special Management Area: Lake Brunner catchment**

Lake Brunner is recognised as the most vulnerable lake in the Region and a policy framework tailored to its unique characteristics and pressures has been in effect since 2004 when the Regional Water Plan was notified. The Lake however, has experienced a declining water quality trend due to development pressures. As a result of this declining water trend this Chapter is under review on the basis that water quality is not being maintained or enhanced, and as such, it is not assessed by this Report (see appendix 1 for the new policy framework).

### **3.6 Chapter 12 - Agricultural contaminants**

This Chapter addresses the various contaminants that enter land and water as a result of agricultural activities. This chapter originates from the Discharges to Land Plan, which was notified in February 1998 and made operative in 2002.

#### *Objective 12.1.1*

*To ensure that the adverse effects from the discharge of agricultural contaminants into or onto land, on water and soil quality, social, cultural, and amenity values, and human health are avoided, remedied, or mitigated.*

The policies in this Chapter have been designed to manage the adverse effects that can result from the treatment or disposal of agricultural contaminants such as agricultural effluent, offal pits, silage stacks, or farm tip activities. Discharges of agricultural effluent to water can also have serious adverse effects on water quality, therefore two policies in this Chapter seek effluent to be discharged to land rather than to water, as well as promoting appropriate land management practices.

The objective and policies do not set any "maintain or enhance" type limit or target. Rather, they seek avoidance, remedy or mitigation of adverse effects, via the consenting process. However, if the objective "maintain or enhance" from Chapter 8 were applied, it could be noted that while Harris Ck and Duck Ck are predominantly agricultural, monitoring indicates an improved trend in ammoniacal nitrogen, faecal coliforms and clarity. Monitoring in other agricultural catchments such as Murray Ck and Mawheraiti River indicated improvement in faecal coliforms and clarity. Monitoring in Orowaiti River at the Excelsior Rd site indicated improvements in clarity and ammoniacal nitrogen.

The improved monitoring results from the above mentioned catchments indicates that farm management practices are likely to be improving, indicating that the treatment or disposal of agricultural contaminants is being conducted in such a way that the adverse affects are being managed to ensure environmental effects are being avoided, remedied or mitigated.

Ammoniacal nitrogen is a by-product of agricultural effluent. The overall trend on the West Coast indicates that this variable has improved significantly. No sites monitored had values

exceeding 0.9mg/L for the recent monitoring period which is the standard beyond which acute harm to aquatic life could be expected.

Based on the monitoring trends in the SOE Report, Council is achieving Objective 12.1.1 through the implementation of the polices in Chapter 12. Changes in land management practices suggest that any potential adverse effects are being avoided, remedied or mitigated.

#### **4. Conclusions**

Objective 8.2.1 is the key objective to measure water quality against, with its goal being the "maintenance and enhancement of the West Coast's water." Policy 8.3.1 in the Surface Water Quality Chapter, and the proposed changes to the objective and policies in the Lake Brunner Chapter, are where SOE results can be compared against specific standards.

There are specific objectives and policies relating to particular activities in the Plan, but there are also broad and overarching objectives and policies which must be applied simultaneously. In some instances policies from other Chapters of the Plan will also apply where the effects of activities will impact water quality (Policy 8.3.1).

The Auditor General suggested in the Managing Freshwater Quality Report (2011) that councils should consider whether objectives should be reworded to be specific, measurable, achievable, relevant and time bound. This approach has been adopted with the changes to the Lake Brunner Chapter in the current Plan review process (Objective 9.2.1) which will provide a useful means of assessing results against in the future. It may be appropriate to consider whether other objectives should be reviewed similarly. Caution needs to be taken with making such changes as an amendment might alter the effect of the objective in its application during resource consent processing. Alternatively, there could be one overarching specific, measurable, achievable, relevant and time bound objective that could be applied for the management of freshwater generally, leaving the 'management' objectives as is.

Council is currently reviewing its Long Term Plan (LTP) under the Local Government Act 2002, which sets out the community outcomes of the region. These outcomes provide a long term focus for the decisions and activities of the Council. The delivery of these outcomes is through Levels of Service, worded similar to objectives, but more measurable. Council's management of freshwater quality, via specific, measurable, achievable, relevant and time bound objectives, may be easier to deliver through the LTP planning framework, while retaining the less measurable objectives as currently written, in the RMA Plan.

The SOE Report considers that the improvement of water quality at the monitoring sites may be a result of reduced point source discharges, which are generally the easy gains to make. The ongoing non-point source discharges may prove more problematic to manage, if Council is going to continue to enhance water quality into the future. It may be that future plan policies may need to take a different approach if we see water quality improvement slowing in the future. However, it is positive to note that, for the present, the majority of West Coast waterbodies are showing improved water quality within the current plan and policy framework.

There are some waterbodies where there have been poor water quality results observed. However, in most cases, these are now improving. In Policy 3.3.8, Council suggests new rules and other methods will be needed where water quality is declining. Council has demonstrated its commitment to do this through the proposed new Plan provisions for the Lake Brunner catchment, the voluntary farm plans programme, and the policy for stock crossings.

## **Appendix 1: Policy Provisions in the Proposed Land and Water Plan relevant to the West Coast Surface Water Quality SOE Report 2011**

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Note: Underlined text indicates proposed new text in the Proposed Land and Water Plan Variation

### **Chapter 3 – Land Management**

#### **Objective 3.2.1**

To avoid or reduce adverse effects from land disturbance so that the region's water and soil resources are sustainably managed.

**Policy 3.3.1** To manage the disturbance of land and vegetation in order to avoid remedy or mitigate and adverse effects on:

b) Water quality, including clarity, turbidity, and temperature changes, and instream values.

**Policy 3.3.2** To manage earthworks (for example, mining) to avoid effects on the environment where the activity may produce any of the following geochemical processes, above background levels:

- (a) Release of acid rock drainage
- (b) Precipitation of iron oxides
- (c) Release of heavy metals.

**Policy 3.3.3** To manage the disturbance of riparian margins to:

(a) Maintain or enhance water quality (including clarity, turbidity, and temperature), and instream values, (including aquatic ecosystems)

**Policy 3.3.5** Manage the development of new land drainage activities (including humping and hollowing) to ensure that:

- (b) Long term water quality (including clarity, turbidity, and temperature changes) in the receiving water and instream values (including aquatic ecosystems) are maintained;
- (c) Sediment deposition is minimised and sediment armouring of the bed of any water body is avoided;

**Policy 3.3.7** To promote the exclusion of farm stock where appropriate from estuaries, wetlands, lakes and rivers and their margins by actively encouraging:

- (a) The establishment, maintenance and enhancement of vegetated riparian buffers;
- (b) Land and riparian management to be undertaken in accordance with industry best practice;
- (c) Fencing of waterways to prevent stock access; and
- (d) Construction of bridges or culverts over regular stock crossing points.

**Policy 3.3.8** To monitor stock access to estuaries, wetlands, lakes and rivers and their margins and to introduce new rules and other methods to control stock access in monitoring shows that the standards for water quality classifications for affected water bodies adjacent to and downstream of farmed land are not being met and/or the condition of riparian margins and stream habitat is declining as a result of stock access.

**Policy 3.3.9** To promote land management being undertaken in accordance with industry best practice, so that leaching of faecal material and nutrients, and loss of sediment to water is avoided, remedied or mitigated.

**Policy 3.3.10** To encourage the retention, maintenance, or planting of appropriate riparian vegetation.

## Chapter 4- Lake and Riverbed Management

### Objective 4.2.1

To avoid, remedy, or mitigate the adverse effects of lake and riverbed activities on:

- (i) The stability of beds, banks, and structures;
- (j) The flood carrying capacity of rivers;
- (k) The natural character of wetlands, lakes and rivers and their margins;
- (l) Indigenous biodiversity and ecological values, including fish passage;
- (m) Amenity, heritage, and cultural values;
- (n) Sports fish habitat values;
- (o) Water quality;
- (p) Navigation.

**Policy 4.3.2** To manage bed disturbance, reclamation, deposition and the use, erection, extension, reconstruction, maintenance, alteration, demolition, or removal of structures in, on, under or over the bed of any lake or river, so that the activity does not cause or contribute to significant adverse effects on:

- (d) Water quality

**Policy 4.3.6** Council will require the use of bridges, culverts, and other methods where a farmer causes a herd of cattle to cross any river or permanently flowing creek, at any farm raceway crossing, more than 10 times in any month for herds larger than 500 cattle, or more than 20 times in any months for herds less than 500 cattle. A crossing is one-way only.

This policy also applies for dry stock where more than 50 animals cross any river or permanently flowing creek more than 20 times per month.

## Chapter 6 – Natural and Human Use Values of Water

### Objective 6.2.1

To provide for the sustainable use and development of water resources.

### Objective 6.2.2.

To protect water bodies from inappropriate use and development by maintaining and where appropriate enhancing their natural and amenity values including natural character and the life supporting capacity of aquatic ecosystems.

**Policy 6.3.3** In the management of any activity involving water, to avoid, remedy, or mitigate adverse effects on:

- (a) Water quality;...

**Policy 6.3.6** To recognise and provide for the following features of water bodies when considering adverse effects on their natural character:

- (d) The natural water colour and clarity
- (e) The ecology
- (f) The extent of use or development within the catchment, including the extent to which that use and development has influenced (a) to (e).

## Chapter 8 – Surface Water Quality

### Objective 8.2.1

To maintain or enhance the quality of the West Coast's water.

**Policy 8.3.1** The West Coast Regional Council will manage the swimming areas identified in Schedule 7 for contact recreation purposes (Class CR) and all other surface water bodies in the region for aquatic ecosystem purposes (class AE).

Class AE Water (being water managed for aquatic ecosystem purposes)

- (1) The natural temperature of the water shall not be changed by more than 3° Celsius.
- (2) The following shall not be allowed if they have an adverse effect on aquatic life;
  - a. Any pH change;
  - b. Any increase in the deposition of matter on the bed of the water body or coastal water;
  - c. Any discharge of a contaminant into the water.
- (3) The concentration of dissolved oxygen shall exceed 80% of saturation concentration.
- (4) There shall be no undesirable biological growths as a result of any discharge of a contaminant into the water.

Class CR water (being water managed for contact recreation purposes)

- (1) the visual clarity of the water shall not be so low as to be unsuitable for bathing.
- (2) The water shall not be rendered unsuitable for bathing by the presence of contaminants
- (3) There shall be no biological growths as a result of any discharges of a contaminant into the water.

**Policy 8.3.2** Rivers which have acid drainage issues will be managed as follows:

- a. Activities that reduce pH of receiving waters must avoid, remedy or mitigate acidity effects and should achieve the natural pH level of the affected river where practicable; and
- b. Activities that increase dissolved iron concentrations or the concentration of any other metal or non-metal in the receiving water must avoid, remedy or mitigate adverse effects and the natural metal/non-metal concentration of the receiving water should be achieved wherever practicable.

**Policy 8.3.3** To encourage remediation of orphan sites as a method to enhance existing water quality and offset adverse effects from new mining developments.

**Policy 8.3.4** When considering applications for new resource consents for existing discharges of contaminants to water, to have regard to opportunities to enhance the existing quality of the receiving water body at any location for which the existing water quality can be considered degraded in terms of its capacity to support its natural and human use values.

**Policy 8.3.5** When considering applications for resource consents to discharge contaminants to water to have regard to:

- (a) The nature of the discharge and the sensitivity of the receiving environment to adverse effects;
- (b) The financial implications, and the effects on the environment of the proposed method of discharge when compared with other options;
- (c) The current environmental mitigation technology and the likelihood that the proposed method can be successfully applied.
- (d) The cumulative effects of discharges of contaminants and the assimilative capacity of the water body and actual or potential effects in the coastal marine area.

## Chapter 9 – Special Management Area: Lake Brunner Catchment

**Objective 9.2.1** To improve the water quality of Lake Brunner by managing the adverse effects of activities in the catchment to reach an average water clarity of 5.3m by 2020, and then maintain or enhance this clarity.

**Policy 9.3.1** The Council will manage schedule 7 swimming areas in the Lake Brunner catchment for contact recreation purposes (Class CR) and all other surface water in the catchment for aquatic ecosystem purposes (Class AE).

**Policy 9.3.3** To reduce the amount of phosphorus discharged in the Lake Brunner catchment.

**Policy 9.3.4** To require discharges of dairy effluent in the Lake Brunner catchment to be to land, rather than directly to water.

**Policy 9.3.5** To prevent stock access to waterways.

**Policy 9.3.6** To reduce the loss of phosphorus to Lake Brunner associated with the intensification of land, by managing phosphate fertilizer use in the catchment so that no net increases in annual use occurs per property.

**Policy 9.3.7** To encourage methods of wintering of stock that will reduce the risk of phosphorus loss in the Lake Brunner catchment, including the management of effluent that results from wintering methods.

## Chapter 12 – Agricultural Contaminants

### Objective 12.1.1

To ensure that the adverse effects from the discharge of agricultural contaminants into or onto land, on water and soil quality, social, cultural, and amenity values, and human health are avoided, remedied, or mitigated.

**Policy 12.3.1** To ensure that the adverse effects from the discharge of agricultural contaminants to land is conducted in such a way that any adverse environmental effects are avoided, remedied, or mitigated.

**Policy 12.3.2** To promote the discharge of agricultural effluent to land, provided any adverse effects on the environment are avoided, remedied, or mitigated.

**Appendix B: The new Levels of Service and Performance Targets from the draft Long Term Plan 2012-2022**

Levels of Service	Measure	Performance Target
<p>To maintain or enhance water quality in the West Coast's rivers</p>	<p>State of the Environment Monitoring: Ammoniacal nitrogen, periphyton, clarity, turbidity and faecal coliforms are measured quarterly at 38 river sites. These parameters characterise the water quality of West Coast rivers and have been measured since 1996.</p> <p>Compliance Monitoring for Discharges: The number of compliant or non-compliant point source discharges to water, or discharges likely to enter water, and council's response to any non-compliance.</p>	<p>Improvement of these parameters, when compared with a baseline of 1996 data on water quality. <i>Latest monitoring results show significantly improving trends for clarity, turbidity, periphyton, faecal coliforms and ammoniacal nitrogen.</i></p> <p>All significant consented discharges<sup>2</sup> are monitored at least annually, or for dairy sheds at least bi-annually depending on each individual compliance record. All non-compliances publicly reported to the Resource Management Committee and responded to using Council's Enforcement Policy. <i>In 2010/11 140 mining inspection visits occurred on a total of 44 operating mine sites in the region; 262 dairy farms were inspected, of a total of 386 farms in the region. All District Council landfills and sewage schemes were monitored. Appropriate enforcement actions were taken when necessary in accordance with the Council's Enforcement Policy.</i></p>
	<p>Farm Plans: Environmental farm plans are produced for each participating farmer in priority catchments. One new catchment is intended to be initiated each year. The costs are shared with our industry partner, Westland Milk Products. The Lake Brunner, Orowaiti and Harris creek catchments have already had farm plan programmes delivered.</p>	<p>A comprehensive environmental farm plan is completed for each participant, within the priority catchment identified for that year. <i>The priority catchments for 2012 – 15 are Lake Haupiri in Grey District, Baker Creek in Buller District, and La Fontaine stream in Westland.</i></p>
<p>To maintain or enhance the water quality in Lake Brunner</p>	<p>The trophic state of Lake Brunner is measured by the Trophic Level Index (TLI) which combines clarity, nutrient and algal measures. The rolling 5-year mean is compared with a 2002-2006 baseline mean.</p>	<p>The annual (rolling 5-year mean) TLI of Lake Brunner is less than the 2002-2006 TLI baseline mean of 2.79. <i>In March 2011 (from 31 March 2006 to 31 March 2011) the mean TLI of Lake Brunner was 2.9 which is slightly worse than the 2.79 baseline.</i></p>

<sup>2</sup> Significant Consented Discharge includes: any consented discharge from a municipal sewage scheme or landfill, any consented discharge from a working mine site, any consented discharge of dairy effluent to water, and any large scale industrial discharge (WMP, Kokiri).



Levels of Service	Measure	Performance Target
<p>To maintain or enhance the life supporting capacity and amenity value of the West Coast's rivers</p>	<p>Stream ecosystem health: Instream macroinvertebrate community health (SQMCI) scores are measured at 29 river sites. The values for each site are calculated using five year rolling means and comparing them to baseline means calculated from data from 2005-2009.</p>	<p>Macroinvertebrate health index<sup>3</sup> (SQMCI) mean is higher, or no more than 20% lower, than the baseline mean. <i>In 2010/11 SQMCI site scores at all sites were either higher than, or no more than 20% lower than, their baseline scores.</i></p>
	<p>Bathing beach sampling: 16 swimming sites are sampled, ten times per summer season (fortnightly) for E coli (moderate-high risk &gt; 550) or Enterococci (moderate-high risk &gt; 280).</p>	<p>Scheduled swimming sites do not exceed the moderate-high risk threshold more than once during the summer sampling season. <i>In 2010/11 only one swimming site (Buller River @ Marrs Beach) had more than one moderate to high risk sampling event in the season.</i></p>
<p>To protect human health from adverse impacts of poor groundwater quality.</p>	<p>28 Wells are monitored at least twice annually, 24 of which are used for human consumption. The guideline of 11.3mg/L of nitrate is used to protect human health, particularly for babies. The data from the year is averaged before comparing against the 11.3mg guideline.</p>	<p>In wells used for human consumption, nitrate levels remain below the health guideline of 11.3 mg/L. <i>In 2010/11 (annual data mean) the nitrate levels in 22 of the 24 wells used for human consumption were below 11.3 mg/L.</i></p>
<p>To protect human health from any adverse impacts of poor air quality in Reefton.</p>	<p>Reefton's air is monitored in accordance with the National Environmental Standard (NES) for air quality by measuring PM<sub>10</sub> (airborne particles smaller than ten micrometers, which affect human respiration). The threshold is a 24hr mean PM<sub>10</sub> of 50 micrograms/m<sup>3</sup>.</p>	<p>NES Requirement: 24hr PM<sub>10</sub> values do not exceed the NES threshold more than three times in one year, between 2016 &amp; 2020; whereas after 2020 only 1 exceedance per year is allowed. <i>In winter 2011 PM<sub>10</sub> in Reefton exceeded the NES threshold 7 times.</i></p>

<sup>3</sup> This macroinvertebrate index uses comparative samples of aquatic invertebrates to evaluate water quality, based on the type and tolerances of invertebrates (bugs) found at that site and how those communities of invertebrates may change over time. Some bug species are pollution tolerant while others are pollution sensitive, so the mix of species tells us a lot about the water quality at the site.

Levels of Service	Measure	Performance Target
Respond to all genuine incident complaints received by the Council and take enforcement action where needed.	Number of complaints received and number of enforcement actions resulting from these.	Operate a 24-hour complaints service, assess and respond to all genuine complaints within 24 hours where necessary. <i>All 223 complaints were responded to in the 10/11 year. Enforcement action was taken where necessary.</i>
Compliance with the consent processing timeframes in the RMA and mining legislation.	Compliance with discounting regulations and mining timeframes	Process all resource consent applications without incurring any cost to Council due to the RMA discounting regulations; and process at least 95% of mining work programmes <sup>4</sup> within 20 working days of receipt. <i>Council incurred no costs due to the RMA discounting regulations in 2010/11 and 98% of mining work programmes were completed on time in the 2010/11 year.</i>
Complete current regional plans to operative stage, and review them to maintain their community acceptability.	Statutory requirements for review	Compliance with statutory requirements for the review of Council's plans and strategies. <i>The proposed Land and Water Plan decisions will be released this year. The operative RPS and Coastal Plans are under review and the Air Plan will commence its review this year. The Pest Plant Strategy review was completed last year. All procedures met Statutory requirements.</i>
Advocate for the West Coast interests when external environmental policymaking may affect the West Coast.	Number of submissions made and number of successful advocacy outcomes.	Submit on all central or local government discussion documents, draft strategies, policies or Bills that may impact on West Coast interests, within required timeframes. <i>Council has successfully advocated for change to the NPS for Freshwater and is now advocating for changes to the Biodiversity NPS</i>
Respond to marine oil spills in coastal waters in accordance with the Tier 2 Oil Spill Response Plan and maintain readiness for spill response.	Timing of responses & number of trained staff	Respond within 4 hours to all spills, using Council or MNZ spill equipment to contain spills; plus ensure at least 25 staff are trained responders. <i>Council staff attended no spills in 10/11. 27 staff are trained as responders.</i>

<sup>4</sup> This target assumes the work programme is submitted with all necessary information provided.

Prepared for: Resource Management Committee  
 Prepared by: Colin Dall - Consents & Compliance Manager  
 Date: 30 March 2012

**Subject: CONSENTS MONTHLY REPORT**

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**CONSENTS**

Consents Site Visits from 1 – 27 March 2012

<b>DATE</b>	<b>NAME, ACTIVITY &amp; LOCATION</b>	<b>PURPOSE</b>
2/03/12	Shaffrey Partnership, Discharge of dairy effluent, Inchbonnie	To investigate the site to gain a better understanding of the discharge.
2/03/12	J Keeney, Discharge of dairy effluent, Inchbonnie	To investigate the site to gain a better understanding of the discharge.
2/03/12	Cashmere Bay Ltd, Discharge of dairy effluent, Rotomanu	To investigate the site to gain a better understanding of the discharge.
6/03/12	P & E Ltd, Discharge of dairy effluent and stock crossing, Inchbonnie	To investigate the site to gain a better understanding of the discharge and stock crossings.
6/03/12	G & R Rooney, Irrigation of Dairy Effluent, Inchbonnie	To investigate the site to gain a better understanding of the discharge.
6/03/12	Lake Brunner Dairy Farm 2005 Ltd, Discharge of dairy effluent, Inchbonnie	To investigate the site to gain a better understanding of the discharge.
7/03/12	RC12041 – Birchfield Coal Mines Ltd, Gravel extraction, Little Grey (Mawheraiti) River at SH7	To investigate the site to assess the available gravel resource.
7/03/12	RC11262 – AA Thomson, Coastal works, Totara River	To discuss the resource consent application for opening the river with the applicant and the Department of Conservation.
9/03/12	W & M Gault, Discharge of dairy effluent, Inchbonnie	To investigate the site to gain a better understanding of the irrigation of dairy effluent.
15/03/12	RC12021 - Whyte Gold Ltd, Gold Mining, Kapitea	To investigate the site to gain a better understanding of the proposed gold mining operation.
21/03/12	D Marley, Discharge of dairy effluent, Rotomanu	To investigate the site to gain a better understanding of the discharge of dairy effluent.
21/03/12	Sueton Kriss Ltd, Discharge of dairy effluent and stock crossings, Rotomanu	To investigate the site to gain a better understanding of the discharge and stock crossings.

Non-Notified Resource Consents Granted from 1 – 27 March 2012

<b>CONSENT NO. &amp; HOLDER</b>	<b>PURPOSE OF CONSENT</b>
RC09045 I Whyte	To disturb the bed of Maori Creek associated with its partial diversion.  To divert a section of Maori Creek.
RC10131 Westroads Greymouth Ltd	To disturb the dry bed of the Grey River near Cobden Bridge (SH6) for the purpose of gravel extraction.

RC11063 B.B.C Excavation Ltd	<p>To undertake earthworks associated with alluvial gold mining at Waimangaroa.</p> <p>To disturb the dry bed of the Waimangaroa River associated with alluvial gold mining at Waimangaroa.</p> <p>To take and use surface water from a pond at Waimangaroa for alluvial gold mining.</p> <p>To take and use groundwater via seepage into a pond at Waimangaroa for alluvial gold mining.</p> <p>To discharge sediment-laden water to land at Waimangaroa where it may enter water in the Waimangaroa River.</p>
RC11101 J Subritsky & A Wedding	<p>To disturb the foreshore within the Coastal Marine Area within Mining Permits 52024, 41788 and 52016 for the purpose of undertaking black sand (gold) mining at Hunt Beach.</p> <p>To take sand within the Coastal Marine Area within Mining Permits 52024, 41788 and 52016 associated with gold mining at Hunt Beach.</p> <p>To deposit sand/tailings in the Coastal Marine Area within Mining Permits 52024, 41788 and 52016 associated with gold mining activities at Hunt Beach.</p> <p>To deposit (stockpile) sand adjacent to the Coastal Marine Area within Mining Permits 52024, 41788 and 52016 associated with gold mining at Hunt Beach.</p> <p>To take and use water for gold mining activities within Mining Permits 52024, 41788 and 52016 at Hunt Beach.</p>
RC11218 Department of Conservation	<p>To undertake earthworks and vegetation clearance within the riparian margins of Jamie Creek for the purpose of developing the Lake Paringa camping area.</p>
RC11244 PF Olsen Ltd	<p>To erect a bridge in the bed of Cockeye Creek and the associated disturbance of the bed.</p>
RC11249 New Zealand Transport Agency	<p>To occupy the Coastal Marine Area (CMA) as a result of the placement of rock riprap for State Highway drop out repairs, Woodpecker Bay.</p> <p>To undertake State Highway drop out repairs, Woodpecker Bay.</p>
RC12009 AG & HJ Dawson	<p>To disturb the Coastal Marine Area while constructing a diversion channel, including gravel relocation, New River.</p> <p>To release sediment during the construction of a diversion channel in the Coastal Marine Area, New River.</p> <p>To divert water in the Coastal Marine Area, New River.</p>
RC12011 B.B.C Excavation Ltd	<p>To undertake earthworks associated with alluvial gold mining at Waimangaroa.</p> <p>To take and use surface water from a pond at Waimangaroa for alluvial gold mining.</p> <p>To take and use groundwater via seepage into a pond at Waimangaroa for alluvial gold mining.</p> <p>To discharge sediment-laden water to land at Waimangaroa in circumstances where it may enter groundwater.</p>
RC12022 New Zealand Transport Agency	<p>To disturb the bed of One Mile Creek to undertake stream training works.</p> <p>To disturb the bed of Rough Creek to undertake stream training works.</p> <p>To disturb the bed of Jackson Creek to undertake stream training</p>

works.

To disturb the bed of Casolis Creek to undertake stream training works.

To disturb the bed of Kellys Creek to undertake stream training works.

To divert water, One Mile Creek.

To divert water, Rough Creek.

To divert water, Jackson Creek.

To divert water, Casolis Creek.

To divert water, Kelly's Creek.

To discharge sediment to water from stream training works, One Mile Creek.

To discharge sediment to water from stream training works, Rough Creek.

To discharge sediment to water from stream training works, Jackson Creek.

To discharge sediment to water from stream training works, Casolis Creek.

To discharge sediment to water from stream training works, Kelly's Creek.

RC12028  
PB & DM Langford Ltd

To disturb the dry bed of Granite Creek, Karamea at two sites for the purpose of extracting gravel.

RC12034  
Buller District Council

To take and use surface water from a reservoir for a community water supply at Granity.

RC12041  
Birchfield Coal Mines Ltd

To disturb the dry bed of the Little Grey (Mawheraiti) River, Ikamatua for the purpose of extracting gravel.

RC12042  
New Zealand Transport Agency

To disturb the riparian margins of the Otira River associated with rock protection works.

To disturb the riparian margins of the Rocky Creek associated with rock protection works.

To disturb the riparian margins of the unnamed creek upstream of the SH73 Culvert 19 (Wainihinihi) associated with rock protection works.

To disturb the bed of the Otira River to undertake rock protection works.

To disturb the bed of the Rocky Creek to undertake rock protection works.

To disturb the bed of the unnamed creek upstream of the SH73 Culvert 19 (Wainihinihi) to undertake rock protection works.

To divert water, Otira River.

To divert water, Rocky Creek.

To divert water, the unnamed creek upstream of the SH73 Culvert 19 (Wainihinihi).

To discharge sediment to water from rock protection works, Otira River.

To discharge sediment to water from rock protection works, Rocky Creek.

To discharge sediment to water from rock protection works, the unnamed creek upstream of the SH73 Culvert 19 (Wainihinihi).

RC12044 Westland Milk Products	To disturb the bed of the Hokitika River, at two sites for the purpose of extracting gravel.  To deposit extracted gravel at two sites on the bed of the Hokitika River.  To divert water by the removal of gravel in the Hokitika River.
RC12052 Eco Investments Ltd	To undertake earthworks on slopes greater than 12 degrees associated with road construction, Karamea.
RC12054 RD Robinson	To disturb the dry bed of the Crooked River for the purpose of extracting gravel.
RC12057 S Langridge	To disturb the dry bed of the Taramakau River for the purpose of extracting gravel.
RC12058 Westreef Services Ltd	To disturb the dry bed of the Little Grey (Mawheraiti) River, SH7 Ikamatua for the purpose of extracting gravel.
RC12063 Ferguson Brothers Ltd	To disturb the dry bed of the Mikonui River (SH6) for the purpose of extracting gravel.

#### Changes to Consent Conditions Granted from 1 – 27 March 2012

<b>CONSENT NO, HOLDER &amp; LOCATION</b>	<b>PURPOSE OF CHANGE</b>
RC00323 [v16] Oceana Gold (New Zealand) Ltd Globe Progress Mine, Reefton	To increase the maximum crest height of the embankments of the Fossickers Creek Tailings Storage Facility allowed by the consent.
RC00323 [v17] Oceana Gold (New Zealand) Ltd Globe Progress Mine, Reefton	To increase the maximum footprint area of the Souvenir Pit and Union Creek Waste Rock Stack allowed by the consent.
RC05067 Iain Whyte Dunganville	To allow for extension of the gold mining area.
RC07085 Animal Health Board Kokatahi	To increase the size of the discharge area allowed by the consent.
RC11219 Clayton Farms Ltd Little Grey (Mawheraiti) River	To increase the height of the bridge allowed by the consent.

#### Limited Notified or Notified Resource Consents Granted from 1 – 27 March 2012

<b>CONSENT NO. &amp; HOLDER</b>	<b>PURPOSE OF CONSENT</b>
RC11104 Ross Moore	To discharge treated dairy effluent to land, groundwater and surface water (an unnamed tributary of the Inangahua River) from near DS558, Reefton.

#### Notified Consents Updates

The Consents & Compliance Manager attended the hearing for the applications for declarations jointly lodged by Buller Coal Limited (BCL) and Solid Energy New Zealand Limited (SENZ) relating to the consent applications for the proposed Escarpment and Mt William North Mines. BCL and SENZ seek confirmation that the decision maker must not have regard to the effects on climate change of discharges into the air of greenhouse gases arising from the subsequent combustion of the coal both within New Zealand and overseas. The West Coast Regional Council and Buller District Councils support the declarations whereas West Coast ENT and the Royal Forest and Bird Protection Society Incorporated oppose them, with West Coast ENT lodging counter declarations, which are supported by the Society.

Judge Newhook heard the declarations and is expected to release his decision on them in about a month.

26 written public enquiries and one official information request were responded to during the reporting period. 22 (85%) were answered on the same day and the remaining 4 (15%) the following day. The official information request was responded to within the 20 working day limit.

**RECOMMENDATION**

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

Colin Dall

**Consents & Compliance Manager**

**THE WEST COAST REGIONAL COUNCIL**

Prepared for: Resource Management Committee  
 Prepared by: Colin Dall – Consents & Compliance Manager and Colin Helem – Senior Compliance Officer  
 Date: 27 April 2012  
 Subject: **COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

**Site Visits**

A total of 56 site visits were undertaken during the reporting period, which consisted of:

Activity	Number of Visits	Fully Compliant (%)
Resource consent monitoring	11	55%
Dairy shed inspections	37	86%
Mining compliance & bond release	8	63%

These totals include 4 visits in response to complaints.

**Specific Issues**

**Dairy Effluent Discharges:** 37 dairy sheds were inspected during the reporting period, with 5 discharge systems being rated as "significantly non-compliant" due to a lack of effluent storage and for having poorly maintained effluent treatment ponds.

**Solid Energy New Zealand Limited (SENZ) – Stockton Coal Mine:** Compliance staff visited the mine site on 17 April 2012. Recent improvements to water management infrastructure were viewed and it was also noted that large areas of the mine site are currently being rehabilitated using vegetation direct transfer (VDT) methods. This method allows for mined areas to transform quickly to a natural landscape.

**Alluvial Gold Mining:** No specific incidents to report. However, a number of issues have come to Council's attention regarding multiple tribute miners working under the same resource consent. As the Environment Court has recently reinforced with its findings in relation to the Council's successful prosecution of Barry Foster, the Consent Holder retains the responsibility of ensuring that the conditions of its resource consent are being complied with when it allows a third-party to exercise the consent. Compliance staff are currently reviewing the Council's process for approving mining work programmes to ensure that it take into account the situation where there is more than one miner operating under the same consent.

**Complaints/Incidents between 26 March and 24 April 2012**

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

Activity	Description	Location	Action/Outcome
Unauthorised Landfill	Domestic rubbish and demolition building materials being trucked onto the site and buried.	Westport	Site visited – landfill operator told to cease the activity and obtain consent.
Dead Animal in Water	Complaint regarding a dead dog floating in Westport Harbour.	Westport	Dog removed from the water by a member of the public.
Gravel Extraction	Complaint that gravel had been extracted within 50 metres of a State Highway Bridge in breach of consent conditions.	Westport	Site visited, enforcement action pending.



Creek Diversion	Complaint that there has been works in the bed and possibly diversion of a creek	Kokiri	Site visited, complaint not substantiated.
Discharge to Land	Complaint received that tallow had been spilled onto a road	Otira	Site visited – spill cleaned up by contractors.
Discharge to Air	Complaint that aerial spraying had killed ducks.	Westport	Still under investigation.
Discharge to Air	Complaint that dairy effluent is causing a noxious smell off the property boundary.	Whataroa	Site has been visited on previous occasions after previous odour complaints. Still under investigation.
Earthworks	Complaint that a road is being constructed on erosion prone land without consent.	Nikau	Still under investigation.
Black Sand Mining	Complaint that the discharge from a black sand mining operation has killed fish.	Fairdown	Still under investigation.
Sand Extraction	Complaint regarding beach sand extraction at North Beach.	Westport	Site visited – non compliant with consent conditions, enforcement action pending.
Discharge to Land	Truck accident on the Otira Gorge resulting in cooking oil and food waste deposited onto the river bed	Otira	Site visited – advice given to contractors to recover material and dispose of it at a landfill.
Discharge to Water	Complaint that a creek is discoloured possibly with dairy effluent.	Kokatahi	Still under investigation.
Rubbish Dumping	Complaint that rubbish had been dumped onto the cycle track near the Grey River.	Blaketown	Site visited – rubbish had already been removed.
Discharge to Air	Complaint regarding smoke from a burn-off.	Kaiata	Site visited – no breach of the relevant Regional Rule.

### **Formal Enforcement Action**

No formal enforcement action was undertaken during the reporting period.

## **MINING**

### **Work Programmes**

The Council received the following 6 work programmes during the last reporting period which had yet to be approved at the time of writing this report.

<b>Date</b>	<b>Mining Authorisation</b>	<b>Holder</b>	<b>Location</b>
3/4/12	RC07104	Blacktopp	Rimu
5/4/12	RC09035	Francis Mining Ltd	Garvey Creek
10/4/12	RC10012	Westside Mining Ltd	Notown
12/4/12	RC00323	Oceana Gold	Reefton
16/4/12	RC05172	Fielding	Inangahua
18/4/12	RC07208	Foster	Fox Creek

**Bonds Received & Bond Releases**

No bonds were received during the reporting period and no bonds are recommended for release.

**OIL SPILL RESPONSE**

No significant oil spills were reported during the reporting period.

**RECOMMENDATION**

*That the May 2012 report of the Compliance Group be received.*

Colin Dall

**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 **Tuesday, 8<sup>th</sup> May 2012** commencing on completion of the Resource Management Committee Meeting.

A.R. SCARLETT  
CHAIRPERSON

C. INGLE  
CHIEF EXECUTIVE OFFICER

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<u>AGENDA NUMBER S</u>	<u>PAGE NUMBERS</u>	<u>BUSINESS</u>
<b>1.</b>		<b>APOLOGIES</b>
<b>2.</b>		<b>PUBLIC FORUM</b>
<b>3.</b>		<b>MINUTES</b>
	1 – 4	3.1 Minutes of Council Meeting 10 April 2012
<b>4.</b>		<b>REPORTS</b>
	5 – 8	4.1 Planning & Environmental Manager's Report on Engineering Operations
	9 – 11	4.2 Corporate Services Manager's Report
<b>5.</b>		<b>CHAIRMAN'S REPORT</b>
<b>6.0</b>	12	<b>CHIEF EXECUTIVE'S REPORT</b>
<b>7.</b>		<b>GENERAL BUSINESS</b>

**THE WEST COAST REGIONAL COUNCIL****MINUTES OF THE MEETING OF THE COUNCIL HELD ON 10 APRIL 2012,  
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH,  
COMMENCING AT 11.09 A.M.****PRESENT:**

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

**IN ATTENDANCE:**

C. Ingle (Chief Executive Officer), C. Dall (Consents & Compliance Manager), M. Meehan (Planning & Environmental Manager), T. Jellyman (Minutes Clerk)

**1. APOLOGIES:**

There were no apologies

**2. PUBLIC FORUM**

There was no public forum.

**3. CONFIRMATION OF MINUTES**

**Moved** (Robb / Davidson) *that the minutes of the Council Meeting dated 13 March 2012, be confirmed as correct.*

*Carried*

**Matters arising**

Cr Chinn asked if a reply had been received from Dr Nick Smith's office regarding the letter sent to him regarding the Auditor General's views around Councillors making prosecution decisions. Cr Scarlett responded that he had not yet received a reply and doubted he would, but stated that the reply may now come from the new Environment Minister, Amy Adams.

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

M. Meehan spoke to this report advising that the works carried out on the Last Resort part of the stopbanks at Karamea are complete. M. Meehan reported that work has been tendered out in the Nelson Creek rating district and will begin shortly. Work will also be carried out in the Red Jacks rating district at the same time.

M. Meehan reported that recent storm events have caused problems in the Punakaiki rating district with toe rock slumping, which now requires topping up. M. Meehan reported that a meeting was held with the rating district committee and it was agreed that the tender of \$55,000 from MBD Contracting Ltd would be accepted rock and rock from their quarry at Rapahoe would be used. M. Meehan advised that this rock was \$20,000 cheaper than the rock from Kiwi Quarry. M. Meehan advised that this work has now been completed.

M. Meehan reported that work is steady in the quarries with tenders invited in the four main quarries. These tenders close on the 1<sup>st</sup> of May.

Cr Chinn asked if Wanganui Quarry has been sold. M. Meehan confirmed this quarry was sold to Ferguson Bros Ltd.

Cr Archer stated that the works carried out at Punakaiki were emergency works and they were unbudgeted. Cr Archer is concerned that this rating district does not have enough funds in its account to meet the costs of these unbudgeted works. He stated that this is a good example of why rating districts

need to build up a nest egg in their accounts. M. Meehan advised that Punakaiki rating district balance is \$49,000 before the works are paid for and there will be a shortfall of funds. M. Meehan stated that this highlights the fact that some rating districts are rating themselves too low. C. Ingle advised that council is only out of pocket for a few months until the next rate installment comes in.

Cr Scarlett stated that he has had good reports on the job done at the Last Resort in Karamea.

Cr Birchfield asked management if there is concern regarding the financial situation of the Coal Creek rating district. M. Meehan advised that this is a rating district that struggles to make decisions. M. Meehan advised that during the November floods the bank was very close to overtopping and lately, there has been a lot of discussions with the rating district about raising the stopbank, but no decision. Cr Birchfield feels that council may need to step in and act. Cr Robb stated that he agrees with Cr Birchfield. Cr Robb advised that he was in this area during this flood event, he advised that there were three or four houses that would have been flooded if the river had overtopped or broken through the bank. Cr Robb stated that there were vehicles on the road during this time that were also at risk. Cr Robb suggested that a meeting is held with the Coal Creek rating district so that it is clearly pointed out that something needs to be done and if they don't make a decision then council will. M. Meehan advised that the rating district has close to \$140,000 in their bank account at the moment and the works required are within this amount. Extensive discussion ensued and it was agreed that a meeting would be arranged to progress this matter with the three Grey constituency Councillors attending.

Cr Birchfield stated that he feels that council will need to intervene with the decision making process in the Coal Creek rating district. Cr Birchfield stated that there is lot of small property owners overriding the large property owners and it is the large property owners who make the biggest financial contribution.

C. Ingle reported that a special meeting has been called with the Kongahu rating district for the 16<sup>th</sup> of April. He advised that Cr Archer would chair this meeting. C. Ingle stated that this meeting is in response to some work that has been ongoing in how to stop the floodwaters in the Little Wanganui River entering the Kongahu drainage scheme and going down through this scheme, which is causing problems. C. Ingle advised that the report done by Graeme Smart has been circulated to the rating district with options on where to from here being discussed at this meeting.

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

*Carried*

#### **4.1 CORPORATE SERVICES MANAGER'S REPORT**

C. Ingle spoke to this report in R. Mallinson's absence. C. Ingle reported that the investment portfolio has now come into the positive territory. C. Ingle advised that the surplus is currently \$432,449 with \$186,000 of this coming from general rated funded activities. Cr Birchfield stated that most of the gain in investment has come from Westpac, he asked why isn't all of council's investment with Westpac. Cr Archer stated that council would be looking at alternatives to Forsyth Barr. Cr Archer stated that the LTP shows that councils intended income from investments is 7% and is not sure if the banking institutions will come close to this 7%. Cr Archer wonders if 7% is an appropriate level. C. Ingle advised that Audit NZ felt that 6% might be more realistic. Cr Scarlett stated that council has had some good years and the investment portfolio has done well over the years.

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

*Carried*

#### **4.2.1 ADOPTION OF AUDITED LONG TERM PLAN 2012 / 22 STATEMENT OF PROPOSAL**

C. Ingle spoke to this report advising that there were no fundamental issues raised by Audit NZ. He advised that if Council approves the LTP Statement of Proposal for public consultation today, it would then be publicly notified and people can make submissions on this. C. Ingle asked the meeting to agree on a date for the public hearing of submissions. It was agreed that the hearing of submissions would be on the 29<sup>th</sup> of May at 10.30am. C. Ingle advised that final adoption of the LTP would take place at the council meeting on the 12<sup>th</sup> of June.

Cr Archer stated that the LTP is definitely more readable than it has ever been before and the public could read and understand this well. Cr Archer drew attention to page 32 of the LTP relating to environmental farm plans, he asked if it would be any merit or value in identifying where the current farm plans are in place (Lake Brunner, Orowaiti and a Harris Creek) as well as the new catchments for 2012 – 2015 which are Lake Haupiri, Baker Creek and La Fontaine stream. C. Ingle stated that the practice has

been to have one catchment in each of the three districts participating in the farm plan project. C. Ingle agreed to make this minor change.

**Moved** (Birchfield / Robb)

1. *That Council approve the Draft Long Term Plan Statement of Proposal for public consultation pursuant to sections 83 and 94 of the Local Government Act 2002.*
2. *The Council decided public hearings of submissions would occur at 10.30 on 29 May 2012.*

*Carried*

#### **4.2.2 INDICATIVE REMUNERATION POOL FOR JULY 2012 TO JUNE 2013**

C. Ingle spoke to this report. He asked the report be taken as read.

**Moved** (Birchfield / Robb) *That Council endorse the indicative pool allocations as per above.*

*Carried*

#### **4.2.3 EIGHT MONTH PERFORMANCE REVIEW 1 JULY 2011 TO 29 FEBRUARY 2012**

C. Ingle spoke to this report advising that this is the regular eight month review with most performance targets being achieved or in progress. Cr Archer stated this is a very good report.

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

*Carried*

### **6.0 CHIEF EXECUTIVES REPORT**

C. Ingle advised that the meeting he and R. Mallinson had with Westpac was arranged mainly to discuss borrowing for the Warm West Coast project. He reported that Council's Investment Portfolio was also discussed at this meeting.

C. Ingle reported that the main structural change that Audit NZ wanted included in the LTP was the new financial strategy at the front of the document. C. Ingle reported that the new Warm West Coast Insulation and Home Heating Scheme will be publicised particularly to Reefton residents, to inform them that there will be funding available should they wish to install insulation and upgrade their wood burner and home insulation.

Cr Archer feels it is important to spell it out to the Reefton community in particular, that if the air pollution levels remain high, and above the NES exceedences then the council will have to do something. Cr Archer stated that this is the perfect opportunity to spell out the potential ramifications should there not be improvement in air quality in Reefton. Cr Scarlett is keen for better public relations this time around and to have a concerted effort to promote this concept. Cr Scarlett suggested a meeting and a letter sent to each household. Cr Archer stated that the public meetings were not well attended last time around. C. Ingle stated he feels that a letter to each household is the best approach. Cr Robb asked if there is a figure of what sort of uptake would be needed to make this work. C. Ingle advised that research was done by Emily Wilton, who is an expert in air quality and she looked at the number of households with multi fuel burners, that were burning coal and wood, and she advised you would need to remove quite a high proportion of these multi burners to meet the PM<sup>10</sup> standard consistently. C. Ingle stated that it is important that council is seen to be doing something about air quality in Reefton. He advised that the Air Plan is now under review and the issue of regulating home heating discharges was on the table. Cr Robb asked if there is an indication as to what this will cost people to convert to a compliant wood burner. C. Ingle stated the cost is between \$10 and \$14 per week for the full scheme but for Reefton people it will be cheaper as there is a new subsidy from ECCA for the replacement of their old wood burner. Cr Scarlett feels that it is important that the public is made aware that compliant wood burners will become compulsory sooner or later. Cr Birchfield stated that Reefton is a coal mining area and why aren't multi fuel burners included. C. Ingle responded that there are currently no multi fuel burners that are compliant with the air quality standard.

C. Ingle reported that the latest BERL report has just come through which puts this council at number 4 for regional councils for economic performance. C. Ingle drew attention to page 26 of the report, which

shows various rankings including this council being ranked highly for openness, and regulatory regime, which helps to promote industry and makes it as easy as possible for people to gain the necessary permissions to establish businesses on the West Coast.

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

*Carried*

**7.0 CHAIRMANS REPORT (VERBAL)**

The Chairman reported that on the 20<sup>th</sup> of May Minister Nick Smith summoned all mayors and chairs to Parliament to discuss the reform of the Local Government Act. Cr Scarlett stated that this meeting revealed that if councils want to amalgamate they can, but there is no compulsion to amalgamate. Councils that are not performing within a certain criteria will have go through a three stage process with the third stage being when commissioners would be appointed. Cr Scarlett stated that councils are wanting to get back to core business and to community good. Cr Scarlett stated that he feels the new Local Government Minister, Hon David Carter, will be a good ally to us. Cr Scarlett advised that the day following this meeting, Minister Smith resigned so he is unsure of what road the reform will now take. Cr Scarlett stated that the government is very aware of the role that councilors play and how councils make their decisions. Cr Scarlett feels that this is the reasoning behind the staged approach that government is taking on performance.

Cr Scarlett reported that he attended a meeting regarding crown minerals with Minister Heatley. The Minister advised that there is to be a major shake up in this area and this will not be looked at again for another 15 – 20 years. Cr Scarlett reported that the Minister is very keen to hear from the industry and he wants miners, people in the industry and councils to see him regarding this industry. Cr Scarlett feels the West Coast has a good opportunity to get a levy underway but it needs to be a coordinated approach from the entire West Coast. Cr Scarlett stated that the Australian model is sought, where we workers buy property in the area, and do not fly in and fly out for work but live in the community. Cr Scarlett stated that the Minister is keen to get the economy back on its feet and wants to make it easier to get industries up and going and to attract overseas investment. Cr Scarlett stated that the Minister advised that New Zealand is very mineral rich and oil exploration is very exciting in New Zealand.

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

*Carried*

**GENERAL BUSINESS**

There was no general business.

The meeting closed at 12.06 p.m.

.....  
Chairman

.....  
Date



**THE WEST COAST REGIONAL COUNCIL**

Prepared for: Council Meeting – 8 May 2012  
Prepared by: W. Moen – Rivers Engineer and Paulette Birchfield – Engineering Officer  
Date: 26 April 2012  
Subject: **ENGINEERING OPERATIONS REPORT**

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**RIVER AND DRAINAGE INSPECTIONS**

- Waitahu River – Landcorp Farming – Inspection / Advice
- Nelson Creek RD – Inspection
- Vine Creek – G. Smart – Inspection & Report
- Punakaiki RD – Inspection
- Redjacks Creek RD – Inspection
- Kongahu RD - Inspection & Meeting
- Coal Creek RD – Inspection & Meeting

**WORKS COMPLETED & WORKS TENDERED FOR**Nelson Creek Rating District

This work, involving the topping up of 900 tonnes of rockwork and the placement of 640 m<sup>3</sup> of compacted hardfill, has commenced.

The successful tender was G.H. Foster at a price of \$18,600 (G.S.T. Exclusive).

Vine Creek Rating District.

This work involving the placement of approximately 1,500 tonnes of rockwork has been tendered out. No final decision is available at the time of writing this report.

Redjacks Creek Rating District

This work involving the “topping up” of 350 tonnes of existing rockwork has commenced.

The successful tender was G.H. Foster at a price of \$ 6,300 (G.S.T. Exclusive).

Punakaiki Rating District – Emergency Works

This work involving the replacing of 3,478 tonnes of slumped rockwork has been completed by MBD Contracting Ltd. at a cost of \$76,516 (G.S.T. Exclusive).

This work was completed within a tight time-frame, with an increased budget at the ratepayer committee’s request.

Recent cross section surveys show the beach profile has degraded with a deficit of some 30,000m<sup>3</sup> from the previous years. This leaves the rock protection structure more exposed to the dynamic coastal environment. Potential further damage from king tides is the greatest concern, Council staff will be inspecting the structure on a regular basis and liaising with the local community to keep an eye on the situation.

The photos that follow show the damage caused by the recent high seas and the completed seawall repair work.



Material which has overtopped the seawall during the high seas



Damage to fences from recent high seas



The completed Punakaiki seawall repair works

## **OTHER WORKS**

### Coal Creek Rating District

An on-site meeting with Councilors, staff and the committee to decide on the raising of the upper threatened section of stopbank was held on 26 April 2012.

The rating district was presented with the costs involved with raising the wall by various heights. The decision was made to raise the wall by 1.5m. Staff will now invite tenders for this work. Staff will also investigate and report back to the rating district regarding the erosion that is occurring upstream of the protection structure.

### **FUTURE WORKS**

- Vine Creek Rating District
- Coal Creek Rating District
- Inchbonnie Rating District

## **QUARRIES**

Work is steady in the majority of the quarries with work being undertaken according to the quarry management plans recently supplied by John Ellis.

Survey work has been undertaken in Kiwi Quarry to assess the amount of rock available to blast. In addition to this Council has sought advice from a geotechnical engineer regarding the rock which forms the pinnacle to the north west of the quarry. The advice will outline a plan to safely remove this rock.

The closing date for tenders for the quarry contract end on 1 May 2012, staff will advise Council of the outcome of this at the June meeting.

Council invited tenders for the Wanganui Quarry earlier in the year, and selected the highest of these (\$40,503 excl GST) from Ferguson Brothers Ltd. The sale is awaiting sign off from the buyer's legal counsel.

Quarry Work Permitted from 29 March 2012

Quarry	Contractor	Tonnage Requested	Permit Start	Permit Finish
Camelback	Westland Contractors Ltd	200+ (rubble)	29 March	29 April
Camelback	Westland Contractors Ltd	1000 (rubble)	29 March	29 April
Kiwi	GH Foster Contracting	1,350	16 April	4 May
Inchbonnie	Paul Steegh Contracting	3,000	24 April	20 May
Camelback	Westland Contractors Ltd	200	20 April	20 June

Approximate rock in quarry as at 26 April 2012 (in tonnes)

Quarry	Rock Available	Emergency Stockpile
Blackball	300	
Camelback	300	2,000
Inchbonnie	11,000	
Kiwi	2,000	-
Whataroa	1,000	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 – 8 May 2012  
 Prepared by: Robert Mallinson – Corporate Services Manager  
 Date: 30 April 2012

## 1. Financial Report

FOR THE NINE MONTHS ENDED 31 MARCH 2012	ACTUAL	YEAR TO DATE BUDGET	ACTUAL % ANNUAL BUDGET	ANNUAL BUDGET
<b>REVENUES</b>				
General Rates	1,485,764	1,485,000	75%	1,980,000
Rates Penalties	48,390	56,250	65%	75,000
Investment Income	287,618	784,688	27%	1,046,250
Regulatory	1,026,942	791,720	99%	1,033,727
Planning Processes	229,361	153,488	112%	204,650
Environmental Monitoring	0	0	0%	0
Emergency Management	64,518	37,500	129%	50,000
River, Drainage, Coastal Protection	1,083,392	916,918	89%	1,222,557
Regional % Share Controls	490,057	487,500	75%	650,000
VCS Business Unit	3,119,635	2,163,750	108%	2,885,000
	<b>7,835,677</b>	<b>6,876,813</b>	<b>86%</b>	<b>9,147,184</b>
<b>EXPENDITURE</b>				
Governance	265,049	289,157	69%	385,543
Regulatory Activities	1,622,634	1,368,702	90%	1,811,878
Planning Processes	579,803	546,118	80%	728,157
Environmental Monitoring	585,587	574,737	76%	766,316
Emergency Management	136,933	108,677	95%	144,902
River, Drainage, Coastal Protection	1,538,670	1,007,084	115%	1,342,779
Regional % Share Controls	670,381	610,892	82%	814,523
VCS Business Unit	1,964,490	1,734,000	85%	2,312,000
Portfolio Management	43,858	45,000	73%	60,000
	<b>7,407,405</b>	<b>6,284,367</b>	<b>89%</b>	<b>8,366,098</b>
<b>SURPLUS / (DEFICIT)</b>	<b>428,272</b>	<b>592,446</b>		<b>781,086</b>

BREAKDOWN OF SURPLUS (-DEFICIT)	Variance Actual V Budgeted YTD	ACTUAL	BUDGET Year to date	ANNUAL BUDGET
Rating Districts	-379,270	-182,201	197,069	262,758
Quarries	-107,171	-132,914	-25,743	-34,324
Regional % Share of AHB Programmes	-56,932	-180,324	-123,392	-164,523
Investment Income	-495,928	243,760	739,688	986,250
VCS Business Unit	725,395	1,155,145	429,750	573,000
General Rates Funded Activities	<del>149,731</del>	<del>-475,194</del>	<del>-624,925</del>	<del>-842,075</del>
<b>TOTAL</b>	<b>-164,174</b>	<b>428,272</b>	<b>592,446</b>	<b>781,086</b>

Net Contributors to General Rates Funded	Surplus (-Deficit) Net Variance Actual V YTD	Actual	Budet ytd	Annual Plan
Rates	764	1,485,764	1,485,000	1,980,000
Rates Penalties	-7,860	48,390	56,250	75,000
Representation	24,108	-265,049	-289,157	-385,543
Regulatory Activities	-18,710	-595,692	-576,982	-778,151
Planning Activities	42,188	-350,442	-392,630	-523,507
River, Drainage, Coastal Protection (excl.	121,329	-140,163	-261,492	-348,656
Environmental Monitoring	-10,850	-585,587	-574,737	-766,316
Emergency Management	-1,239	-72,415	-71,177	-94,902
	<del>149,731</del>	<del>-475,194</del>	<del>-624,925</del>	<del>-842,075</del>

**STATEMENT OF FINANCIAL POSITION @ 31 MARCH 2012**

	@ 31/03/12	@ 30/06/2011
<b><u>CURRENT ASSETS</u></b>		
Cash	-24,623	35,009
Short term Deposit - Westpac		1,502,947
Accounts Receivable - Rates	1,375,309	286,950
Accounts Receivable - General Debtors	269,274	1,747,428
Prepayments	98,945	227,482
Sundry Receivables	414,303	233,453
Stock - VCS	24,133	143,635
Stock - Rock	299,070	31,886
Stock - Office Supplies	11,232	11,232
Accrued Rates Revenue		0
Unbilled Revenue	264,910	113,060
	<u>2,732,553</u>	<u>4,333,082</u>
<b><u>Non Current Assets</u></b>		
Investments	12,224,747	11,473,175
Investments-Catastrophe Fund	522,877	0
Fixed Assets	4,386,369	4,168,272
Infrastructural Assets	49,007,111	49,007,111
	<u>66,141,104</u>	<u>64,648,558</u>
<b>TOTAL ASSETS</b>	<b><u>68,873,657</u></b>	<b><u>68,981,640</u></b>
<b><u>CURRENT LIABILITIES</u></b>		
Bank Short Term Loan	600,000	0
Accounts Payable	602,613	1,310,545
GST	102,547	0
Deposits and Bonds	521,464	590,305
Sundry Payables	367,302	480,466
Accrued Annual Leave, Payroll	279,779	294,522
Other Revenue in Advance		1,070,622
Rates Revenue in Advance	910,347	60,940
	<u>3,384,052</u>	<u>3,807,400</u>
<b><u>NON CURRENT LIABILITIES</u></b>		
Future Quarry restoration	60,000	60,000
Greymouth Floodwall	2,007,348	2,048,291
Inchbonnie	69,167	82,877
Punakaiki Loan	178,468	209,856
Office Equipment Leases	31,195	58,060
	<u>2,346,178</u>	<u>2,459,084</u>
<b>TOTAL LIABILITIES</b>	<b><u>5,730,230</u></b>	<b><u>6,266,484</u></b>
<b><u>EQUITY</u></b>		
Ratepayers Equity	18,577,120 }	18,577,120
Surplus Tsfrd.	428,272 }	
Rating District Equity Mvmnts	30,478 }	
Rating Districts Equity	<u>1,509,723</u>	1,540,201
Tb Special Rate Balance	1,037	1,037
Revaluation	32,316,638	32,316,638
Quarry Account	379,160	379,160
Investment Growth Reserve	9,901,000	9,901,000
<b>TOTAL EQUITY</b>	<b><u>63,143,428</u></b>	<b><u>62,715,156</u></b>
<b>LIABILITIES &amp; EQUITY</b>	<b><u>68,873,658</u></b>	<b><u>68,981,640</u></b>

**2. Investment Portfolio**

PORTFOLIO @ 31 March 2012 Summary & Reconciliation		Cash	Bonds	Australasian Equities	International Equities	Property Equities	Alternative Asset Classes	Total
Portfolio Value @ Start	01 July 2011	\$ 2,883,140	\$ 2,186,007	\$ 2,084,788	\$ 3,051,043	\$ 576,726	\$ 659,819	\$ 11,441,524
Contributions				\$ 749,827		\$ 250,000		\$ 999,827
Withdrawals		-\$ 1,257,180			-\$ 274,299	\$ 0	\$ 31,652	-\$ 1,499,827
Realised Gains/(Losses)		\$ 133,591	-\$ 722	-\$ 103,788	\$ 273,653	\$ 60,149	\$ 40,414	\$ 403,298
Unrealised Gains/(Losses)		\$ 6,186	\$ 15,112	\$ 15,336	-\$ 449,601	-\$ 46,750	-\$ 162,732	-\$ 622,448
Mgmt Fee		-\$ 809			\$ 978			\$ 169
Income		\$ 70,217	\$ 82,087	\$ 91,425	\$ 42,390	\$ 29,510	\$ 70,137	\$ 385,767
Changes Accrued Interest		\$ 3,614	\$ 31,179					\$ 34,793
Portfolio Value @ End Period	31 March 2012	\$ 1,838,759.80	\$ 2,313,663	\$ 2,837,589	\$ 2,644,165	\$ 869,636	\$ 639,290	\$ 11,143,103
yld return for 9 months		2.82%	5.81%	-1.05%	-1.05%	6.53%	1.55%	1.84%

Asset Allocation %'s @ 31 March 2012	Benchmarks	Tactical asset allocation range	
Cash	17%	25%	10% - 50%
Bonds	21%	25%	10% - 50%
Australasian Equities	25%	15%	0% - 20%
International Equities	24%	15%	0% - 20%
Property Equities	8%	5%	0% - 10%
Alternative Asset Classes	6%	15%	0% - 20%
	100%	100%	

### 3. Total Investments.

This includes:

Westpac Catastrophe Fund Portfolio	\$522,877
Westpac General Portfolio	\$1,049,993
Ministry Economic Development & DOC Bond Deposits	\$31,651
Forsyth Barr Ltd (as per above table)	\$11,143,103
<b>Total</b>	<b>\$12,517,305</b>

Investment Income includes

Forsyth Barr Ltd (as per above table)	\$201,579
Westpac	\$86,039
<b>Total</b>	<b>\$287,618</b>

### 4. General Comment

This financial report covers the nine months to 31 March 2012.

#### Highlights

- Surplus of \$428,000.
- Positive budget variances amounting to \$149,000 in general rate funded activities.
- Forsyth Barr Ltd portfolio returns improved by \$210,000 during March.
- Expenditure in the Rating Districts and Quarries continues to be high. This reflects the continuing demand for remedial work following various flood events over the last 18 months.

### RECOMMENDATION

*That this report be received.*

Robert Mallinson  
Corporate Services Manager

**THE WEST COAST REGIONAL COUNCIL**

Prepared for: Council Meeting 8 May 2012  
Prepared by: Chris Ingle – Chief Executive  
Date: 27 April 2012  
Subject: **CHIEF EXECUTIVES REPORT**

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**Meetings Attended**

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

- Attended the South Island Strategic Alliance Shared Services Core Group meeting in Christchurch on 12 April.
- Attended a Special Meeting of the Kongahu Rating District at Little Wanganui on 16 April.
- Visited Greater Wellington Regional Council on 18 April to discuss the Warm Greater Wellington funding scheme.
- Attended the Regional Council Chief Executive's Forum in Wellington on 18 April and the Chief Executives Environmental Forum on the following day.
- Hosted the West Coast Mayors and Chair Forum on 23 April.
- Attending the Civil Defence Co-ordinating Executive Group meeting on 1 May.

**Warm West Coast Programme**

I visited the Greater Wellington Regional Council recently to discuss the practical aspects of running the proposed Warm West Coast scheme here. Greater Wellington staff advised that they have seen significant growth in the scheme in the two years it has been running in their region. The demand there has doubled in the second year compared with the first year.

I am preparing to mail information out to Reefton residents regarding the Warm West Coast scheme and in particular I will be emphasising the additional EECA grant that is available for homeowners within the Reefton airshed, related to replacing wood burners. The additional grant pays \$2,000 towards replacing your existing burner with a new compliant woodburner (or heatpump) or \$1,000 for those without a community services card. Outside of Reefton the equivalent grant amount is \$800, or \$500 for those without a community services card.

The Council's Warm West Coast scheme will top up these EECA grants to cover the full cost of an EECA insulation and clean heat upgrade. The Council-funded amount is recovered via the home owner's rates account (over ten years), whereas the EECA grant portion is not recoverable. Reefton residents need to consider upgrading their home heating and insulation using this funding scheme, while these generous EECA grants are still on offer.

**RECOMMENDATIONS**

*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.  
13 – 14
- 8.1 Confirmation of Confidential Minutes 10 April 2012
  - 8.2 Overdue Debtors Report (to be tabled)
  - 8.3 Response to Presentation (if any)
  - 8.4 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 10 April 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	Response to Presentation (if any)		
8.4	In Committee Items to be Released to Media		

I also move that:

- Chris Ingle
- Robert Mallinson
- Michael Meehan
- Colin Dall

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.