

## **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.

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<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 "sustainable use and development" 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**

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 Long Term Plan 2012-2022

Levels of Service	Measure	Performance Target
To maintain or enhance water quality in the West Coast's rivers	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.	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>
	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.	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>
	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.	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>
To maintain or enhance the water quality in Lake Brunner	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.	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>

<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
To maintain or enhance the life supporting capacity and amenity value of the West Coast's rivers	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.	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>
	Bathing beach sampling: 16 swimming sites are sampled, ten times per summer season (fortnightly) for E coli (moderate-high risk > 550) or Enterococci (moderate-high risk > 280).	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>
To protect human health from adverse impacts of poor groundwater quality.	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.	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>
To protect human health from any adverse impacts of poor air quality in Reefton.	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> .	NES Requirement: 24hr PM <sub>10</sub> values do not exceed the NES threshold more than three times in one year, between 2016 & 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>

<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.