

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

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

TUESDAY, 1 MARCH 2011

The programme for the day is:

10.30 a.m: Resource Management Committee Meeting

On completion of RMC Meeting: Council Meeting

Councillor Workshop: Budget Workshop for 2011 / 2012 Annual Plan

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, 1st March 2011**

B.CHINN
CHAIRPERSON

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

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THE WEST COAST REGIONAL COUNCIL**MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE
HELD ON 8 FEBRUARY 2011 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL,
388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.30 A.M.****PRESENT:**

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

IN ATTENDANCE:

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

1. APOLOGIES

There were no apologies.

2. PUBLIC FORUM

There was no public forum.

3. MINUTES

Moved (Archer / Robb) *that the minutes of the previous Resource Management Committee meeting dated 14th December 2010, be confirmed as correct.*

Carried

Matters Arising

T. Scott stated that the Conservation Board sent a letter to Council complaining about processes and procedures around the hearings and decisions on submissions on the Regional Pest Plant Management Strategy for the West Coast. C. Ingle advised that the Chairman has responded to this letter and noted that this strategy was made operative at the last meeting. He advised that the Conservation Board made a submission on this strategy but they choose not to appeal the decision of council. Cr Archer advised that he was asked to raise this matter at this meeting. He stated that council does not want to create a situation where submitters feel that their views are not being given adequate consideration. Cr Scarlett concurred with this and felt that perhaps this could have been dealt with in softer terms.

4. CHAIRMAN'S REPORT

Cr Chinn reported that he received an enquiry from a farmer in the Kowhitirangi area following a recent flood event where livestock were lost during the flood. The farmer was not affected but he asked if the council operated floodwarning alarms in the upper Hokitika catchment and if Council could contact those further down the valley in future events. C. Ingle advised that staff are preparing a comprehensive report on the flood event of the 28th of December. He advised that the floodwarning service would be looked into to ensure that this service is meeting the needs of the region. C. Ingle advised that when an alarm goes off on a river council staff ring the local civil defence, district council, police and various others but it is only in the Buller district that their civil defence people start to ring people in the communities. This does not happen in Grey or Westland districts. T. Scott asked if all rivers are monitored. C. Ingle responded that the Karamea, Buller, Grey, Hokitika and Waiho Rivers are monitored, as this is where the main centres of the West Coast are. C. Ingle advised that Seddonville and Mokihinui areas might be considered for the future. He advised that a flow monitoring site run by NIWA is already in place on the Mokihinui River and telemetry equipment could be added to monitor the Mokihinui River. C. Ingle explained monitoring methods to the meeting. Cr Archer stated that the ring around process developed between the regional council and the district council in the Buller area is very helpful during heavy rainfall events. C. Ingle advised that the Haast and Whataroa Rivers are monitored via the council website but there is not a warning procedure or trigger

level on either of these rivers. Cr Davidson stated that this will be a good opportunity to look further into the services we offer in the future and could be coordinated in with the Annual Plan performance targets. C. Ingle stated that it would take a couple of months to get this information back to council for their input. M. Meehan advised that advertisements have been placed in all West Coast newspapers requesting information on this flood event. He stated that his staff are following up on these responses from locals. Cr Cummings asked what are the costs involved in setting up a monitoring system on a river. C. Ingle advised that if the flow recording equipment is already in place then he would estimate a rough cost of around \$15,000 but if a new site were to be set up then it would be around \$50,000 to \$60,000. Cr Chinn reported that he and Cr Davidson attended the Lower Waiho reclassification meeting, he stated that there was a very small amount of ratepayers in attendance. Cr Chinn attended the Regional Transport Committee on the 3rd of February.

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

Carried

5. REPORTS

5.1 PLANNING AND ENVIRONMENTAL GROUP

5.1.1 PLANNING AND ENVIRONMENTAL MANAGER'S MONTHLY REPORT

M. Meehan spoke to his report advising that twelve submissions were received on the Proposed Land and Water Plan. He reported that staff are working on a recommending report and a hearing is scheduled for later in the year. M. Meehan reported that staff are involved with the caucusing of planning witnesses for the wetlands appeal and planning evidence is set to be heard on the 4th of April.

M. Meehan reported that the Proposed NES for On-Site Wastewater Systems has been withdrawn as it has been seen as another layer of unnecessary regulation.

M. Meehan reported that following on from the Lakes Workshop work is being done with the Department of Conservation and Fish and Game to look at Largarosiphon which has infested Lake Paringa. M. Meehan advised that options are being looked at to limit the spread to other lakes.

M. Meehan reported that along with the heavy rainfall event of the 27th - 29th of December there were also other major rain events during the reporting period but the 27th - 29th event was a coast wide event which was unusual. M. Meehan reported that the Karamea River reached the same level as the 1998 flood, Seddonville suffered significant flooding and the flood committee was called in for the Grey River, where the floodwalls were put down in Preston Road as a precautionary measure. The Waiho River spent seven days in a row above its alarm threshold. M. Meehan advised that the estimates for the return period for this event were between 10 and 50 years coast wide but more robust data will be provided in the report that is currently being put together. M. Meehan reported that a second event on the 18th and 19th of January revealed rainfall totals that were comparable to the December event and the flood committee for the Grey River was called in again, the floodgates were not lowered but the situation was carefully monitored during this time.

Cr Archer asked if the peak level in the Waiho River graph is in relationship to the mean sea level or flood depths at the monitoring station. M. Meehan responded that the red line is the level at the highway bridge where measuring is done which is based on previous floods. M. Meehan advised that the Waiho is an aggrading river; it is difficult to measure as some of the peaks might not necessarily be because of rainfall events but could be gravel or aggrading under the bridge at the measuring site.

T. Scott asked how bad is the infestation of Largarosiphon in Lake Paringa. M. Meehan responded that this is quite bad and the closest lake to Lake Paringa is Lake Moeraki but this is not affected. M. Meehan confirmed that Largarosiphon is spread by boat transfer and there is no natural dispersion of Largarosiphon. He advised that regulations and education is being worked through with Fish and Game and locals are being encouraged to clean down boats and trailers before entering other lakes. M. Meehan advised that a good eye is being kept on this to avoid infestations of other lakes and staff are working with the Department of Conservation on this matter. T. Scott requested that Makaawhio Runanga is kept informed on this.

Cr Archer asked if a cause has been revealed for the high risk reading for contact recreation at North Beach. Cr Archer stated that he is interested in finding what is the specific cause of this reading at this site. M. Meehan responded that more frequent sampling would be done at this site next year to ascertain the cause of this high risk reading.

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

Carried

5.1.2 RECONVENING OF THE WASTE MANAGEMENT WORKING GROUP

M. Meehan spoke to this report and advised that this working group was established in 1999 in order to promote integrated management of hazardous waste issues between regional and district councils as they have dual roles under the RMA for the management of adverse effects of hazardous substances. M. Meehan advised that this group has staff and councillor representatives from all four local councils. M. Meehan reported that it was agreed to reconvene this working group at the December meeting of the Mayors and Chairs and to make a joint application to the contestable Waste Minimisation Fund. M. Meehan advised that regional council staff would coordinate the preparation of the application. M. Meehan advised that the late Denis Shannahan was this council's previous representative on this working group and a new representative now needs to be appointed. M. Meehan explained what is required of council's representative for the Waste Management Working Group. Cr Cummings stated that he is interested in the problem that we have with the management of waste and he would be prepared to join this group. Cr Scarlett nominated Cr Cummings, Cr Davidson seconded the nomination.

Moved (Scarlett / Davidson)

That the Council appoint Councillor Cummings to the West Coast Waste Management Working Group, for the purpose of making a joint application to the national Waste Minimisation Fund.

Carried

T. Scott asked why there is not a tangata whenua representative on this group. He stated he did not realise that the Waste Management Working Group had gone into abeyance. Cr Chinn stated that there is not been an Iwi representative in the past. Cr Archer advised that this council does not have the ability to appoint to this group but suggested that Cr Cummings could take this request to the first meeting. Cr Cummings asked if T. Scott was asking for two representatives. T. Scott confirmed that was correct.

5.1.3 CIVIL DEFENCE & REGIONAL TRANSPORT REPORT

C. Ingle spoke to this report and advised that the funding bid for the installation of satellite dishes to allow phone and data communication when phone lines are down was successful and has been installed. C. Ingle reported that the final report on the Monitoring and Evaluation Project being carried out by the Ministry of Civil Defence Emergency Management is due at the end of this month. He advised this report would reveal strengths and weaknesses for civil defence in our region.

C. Ingle reported that a Regional Transport Committee was held on the 3rd of February. Cr Scarlett attended this meeting. C. Ingle advised that he supports the new classification of state highways as State Highway 73 has been recognised as one of the major routes in and out of the West Coast along with State Highway 6 to Nelson and down to Haast and Wanaka.

Moved (Scarlett / Archer)

1. *That the Council receives this report.*
2. *That the Council accepts the cultural representatives nominated to the West Coast Regional Transport Committee, and the alternatives for the Environmental Sustainability and Safety and Personal Security objectives.*

Carried

5.2 CONSENTS AND COMPLIANCE GROUP

5.2.1 CONSENTS MONTHLY REPORT

C. Dall spoke to this report. He advised that in the lead up to Christmas it was busy but since the New Year consent processing has been fairly quiet.

Cr Archer referred to RC10252 to extract gravel from the Buller River. He asked should the Mokihinui Dam proceed would the reduced gravel flow impact on this permit. C. Dall responded that the term for this consent is very short and the consent would have expired before any potential hydro scheme would be due to go ahead. Cr Archer asked C. Dall asked for the location of RC10251 and if the application includes issues such as stockpiling and screening of gravel in view of this being close to town. C. Dall responded that he would get back to Cr Archer on the exact location of this site and the information requested.

Moved (Robb / Archer) *that the February 2011 report of the Consents Group be received.*

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

C. Dall reported that this report covers a two month period as there was not a meeting in January. He reported that over 100 site visits were made during the reporting period. C. Dall reported that four dairy farms in the Lake Brunner catchment were found to have poorly maintained effluent ponds, these farms will be inspected again this month to ensure that the required remedial works have been completed.

C. Dall reported that prior to the recent heavy rainfall events gravel levels were low in the Organs Island area and consent holders were requested to cease operations but there has now been replenishment in this area.

C. Dall reported that post season inspections of whitebait stands have been carried out with five stands yet to be removed.

C. Dall reported that due to the current situation at Pike River Coal Mine monitoring has now been tailored down in relation to discharges but this will be reviewed once the future of the mine is known.

C. Dall reported that OceanaGold Ltd notified council of a recent exceedence of a discharge consent limit but this was related to a recent high rainfall event which was statistically greater than a 1 in 100 year event.

C. Dall reported that there were a number of exceedences of trigger limits at the Stockton Coal Mine during the reporting period, staff are working through these to get to the heart of the issues around these discharges.

C. Dall reported that the formal enforcement action taken during the reporting period is related to a matter that was discussed at the December council meeting.

T. Scott asked for further information regarding the unauthorised gold mining at Ross. C. Dall advised that this is in relation to test pitting for gold on a farm, which is allowed under the permitted activity rule in the Regional Plan. C. Dall advised that if gold were found then a resource consent would need to be applied for.

Cr Birchfield asked if the two callouts to the Goldsborough area are unsubstantiated complaints. Cr Birchfield stated that he feels if someone is complaining unnecessarily they should be billed for any visits relating to unsubstantiated complaints.

Moved (Archer / Scarlett) *That the February 2011 report of the Compliance Group be received.*

Carried

6.0 GENERAL BUSINESS

Cr Davidson stated that his understanding of the opening of Saltwater Creek outlet into the sea at Paroa is that there were emergency plans in place for the go ahead to do this if the need arose. Cr Davidson stated that there was also a resource consent application being processed for the opening to be made. Cr Davidson feels that the response to the media by C. Ingle was not printed in the newspapers correctly. Cr Davidson stated that Grey District Council made an objection to the mouth opening and he would like to know more about their objection as the Department of Conservation had approved the consent application. C. Dall advised that the consent application was lodged by the Guardians of Paroa Taramakau Coastal Area Trust, one of the affected parties was the Grey District Council and the other affected party was the Department of Conservation. C. Dall stated that during the early stages of the consent process, Grey District Council were keen to have flexible consent which allow for more frequent opening but in trying to accommodate this, new issues were raised which the Department of Conservation were less happy with and there was a delay caused. C. Ingle advised that the original application was quite a focussed application which said the cut must be opened at a certain location but Grey District Council requested that the proposal be made broader and when the counter proposal went back to Department of Conservation they then dug their heels in and would not accept the consent application for environmental reasons. C. Dall advised that the timing was unfortunate as draft conditions had been circulated between the parties and just before Christmas most issues had been resolved but when the consent was emailed through the staff member dealing with this was on leave and the consent was not granted prior to the Christmas break. C. Ingle advised that the consenting process did not work out as well as it could have but Grey District Council has now made the cut under the emergency powers which as an infrastructure owner they are entitled to do. C. Ingle advised that looking at photographs even with the cut open it is looking like water will still back up from Saltwater Creek around the Paroa Hotel and main road areas because when New River is in flood it tends to take precedent. C. Ingle stated that this is still a live issue and as part of the flood report that is being done, staff want to engage with the community in this area to look for a longterm solution for this

flooding problem. C. Ingle advised that the cut is a good short term solution but a longterm solution needs to be sought. Grey District Council is now applying for a retrospective consent, which is a requirement under the emergency powers and this will be maintained as the outlet for Saltwater Creek. C. Ingle advised that there are still issues outstanding as to who will pay for the work. C. Ingle feels this council needs to step forward and take the lead role in the longterm solution for this area. Cr Davidson asked if C. Ingle thought that a rating district might be formed in this area. C. Ingle confirmed that this is a likely option. Cr Archer asked if the cut was in the location where the permitted activity rule applies. C. Ingle responded no, the permitted activity rule is quite a constrained rule and only allows for a creek to be reopened in the location that it was last flowing and in the case of Saltwater Creek / New River the location was north of the Paroa Hotel. C. Ingle advised that Grey District Council reopened the mouth at the location where the two rivers meet which is the most hydro logically efficient place to get the water out to sea. Cr Birchfield stated that there was more rainfall on the 18th of January than on the 28th of December and the cut did work. C. Dall stated that there would still be the issue of maintaining the outlet, which may require further protection works.

Cr Archer asked if Grey District Council is applying for a retrospective resource consent, C. Ingle confirmed that this is correct. Cr Cummings asked if this council was looking at offsetting some of the costs of the work to the district council and is there a fund to cover this. Cr Cummings stated that he supplied free rock and trucks for this work. He stated that he visited the site a few days ago and the end of the works was starting to "go" but more rock and a further four days work was done to repair this. Cr Cummings asked if this Council had any way of recovering the \$30,000 to \$40,000 that has already been spent. Cr Davidson expressed his concern with creating a precedent as if council spent money in this area then they would need to do the same for other flood affected ratepayers. Cr Robb stated that there were other flood events during the same time and is council going to put money into those as well. Cr Robb stated that this council's role is to set up rating districts and the people that are affected pay and not the general ratepayer of the West Coast. Cr Robb stated that there are over 20 rating district on the West Coast that are already set up and it is not this council's role to pay for repair works in areas that are not rating districts. Cr Robb advised that the Taramakau River breached its banks in three different places during this flood event and the people in that rating district have to fund the repair work themselves. Cr Robb stated that if the Grey District Council carried out the works under the emergency rules then they pay for the repair work. Cr Archer asked if the Paroa area that was affected is part of a special rating district. C. Ingle responded that it is not. He advised that he has discussed costs with Mr Pretorius from Grey District Council. Cr Birchfield stated that he would like this council to make some financial contribution, perhaps in the costs of processing the retrospective resource consent for the works and would like to move a motion for this purpose. Cr Archer called a Point of Order as such a motion is in breach of Standing Orders as there are no reports in front of Council outlining what is being decided on, it is all hearsay, there has been no request from Grey District Council for financial assistance and therefore in terms of Standing Orders this motion cannot proceed. Cr Archer advised that there is the option of discussing this matter as a workshop item. He reminded all Councillors that they were all party to adopting Standing Orders at the Triennial Meeting in October. Cr Chinn stated that this matter could be discussed as a workshop item and placed on the agenda for next month's meeting.

The meeting closed at 11.30 a.m.

.....
Chairman

.....
Date

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 1 March 2011
Prepared by: Michael Meehan – Planning & Environmental Manager
Date: 22 February 2011

Subject: PLANNING & ENVIRONMENTAL MANAGER'S MONTHLY REPORT

PLANNINGWetlands Appeal

The planners from the Council, Forest and Bird, Department of Conservation, and Solid Energy met on 14 and 15 February to consider the Judges interim decision and to give effect to the decision through review of the relevant wetland provisions in the Proposed Land and Riverbed Management Plan. A second session was held on 22 February to finalise the joint witness statement.

Planning evidence will be heard by the Environment Court in the week commencing 4 April 2011.

Biodiversity Fund

Council staff continue to assist landowners to apply to the Biodiversity fund for fencing and riparian planting of water bodies. Staff are busy preparing applications for the April 2011 funding round.

Update on Coastal Plan Review

The 10 year review of the Coastal Plan is at the pre-consultation stage, staff are collecting information to help assess what parts of the Plan could remain the same and what parts may need to be changed. A revised draft of the Plan will be prepared showing suggested changes, accompanied by an "Issues and Options" report explaining the changes. This will be presented to a workshop with Councilors to discuss the issues, options, and drafted changes to the Plan. The pre-consultation stage will take several months as changes are required as per the national policies such as the New Zealand Coastal Policy Statement, and staff need to consider how these might be applied in the Plan.

Once the revised draft Plan is completed and approved by Council, the next stage is to consult with key stakeholders under the RMA First Schedule process.

RMA Phase II Reforms

In late 2010 the Ministry for the Environment released a discussion document titled: "Building Competitive Cities: Reform of the urban and infrastructure planning system", which is part of the second phase of Resource Management Act reforms. The document outlined a number of options including making spatial planning mandatory for all regions or keeping it voluntary. The closing date for submissions was extended for West Coast submitters, to take account of the Pike River Mine tragedy.

Staff lodged a brief submission supporting spatial planning being kept a voluntary option, (a copy of this submission is attached to this report).

Changes to National Air Quality Standards

On 29 January 2011, Environment Minister Dr Nick Smith announced that changes will be made to the Resource Management (National Environmental Standards Relating to Certain Air Pollutants, Dioxins and other Toxics) Regulations 2004 (the air quality standards). Fifteen airsheds including Auckland, Christchurch and many provincial centres covering 40% of our

population are unlikely to comply by the 2013 deadline under the current Standard. The key changes to the air quality standards are:

- Airsheds with more than 10 exceedances a year must meet three exceedances by 1 September 2016, and one exceedance by 1 September 2020 (this applies to Reefton).
- Airsheds with fewer than 10 exceedances a year must meet one exceedance by 1 September 2016.
- From 1 September 2012, unless compliance is achieved earlier, these airsheds will further be subject to:
 - A ban on new domestic solid fuel burning open fires (gas open fires will still be permitted).
 - A requirement for mandatory offsets for new significant/industrial discharges of PM₁₀. This means that new industries will only be permitted to discharge PM₁₀ if they reduce emissions from elsewhere so that overall emissions in the airshed stay the same (or improve).

Whilst the compliance timeframe has been amended to be more realistic, importantly, the value of the PM₁₀ standard itself will not change.

Councils will need to monitor air quality in these airsheds and plan to meet the national air quality standard by the new target compliance dates.

The amended regulations are expected to be gazetted in March 2011.

RESOURCE SCIENCE

Hydrology / Flood Warning

Data Requests

3 Rainfall and 2 Flow/Water Level

Hydrology/Flood Warning

Several frontal systems resulted in flooding in the region. The 31st of January event produced alarms in both the Grey and Karamea Rivers after 40-90mm on rainfall. With the gravel build up since the 28th of December 2010 floods, the Waiho has been aggrading and the increase in gravel has resulted in more frequent flood alarms in the river, this situation is being monitored closely.

Site	Time of peak	Peak level	Warning Issued	Alarm hold
Karamea Rv @ Gorge	31/1/2011 11:15	4878mm	31/1/2011 09:30	4000mm
Grey Rv @ Dobson	31/1/2011 14:15	4028mm	31/1/2011 10:30	3400mm
Waiho Rv @ SHB*	7/02/2011 12:30	7569mm	6/02/2011 16:15	6900mm
Waiho Rv @ SHB*	14/02/2011 01:00	7397mm	12/2/2011 22:30	6900mm

* Due to gravel build up on the Waiho River the river has remained in alarm mode from the 6th of February onwards, so effectively there was only one event for this period, but with two flood peaks (7 and 14 February). These events were not large heavy rain events, but due to the gravel build up there was damage to infrastructure/roads on the south side of Waiho River and there is an elevated risk of flooding overtopping the stopbank effecting the state highway, the motels on the south side of the Waiho and houses downstream.

Contact Recreation sites

The February 2011 results for West Coast contact recreation monitoring sites are shown in the table below. Please note that sites are sampled twice a month however the second sample results were not available for this report.


Westport sites (North Beach and Carters Beach) were sampled on 2 February. All Greymouth, Lake Brunner and Hokitika sites were sampled on 3 February. Sampling took place mostly in fine/overcast conditions (except for the Hokitika sites where it was drizzling), with light to moderate winds. There was light rainfall (10-30mm) in the week prior to sampling done on the 2nd of February (in the Buller region) and heavy rainfall (>60mm) in the week prior to all other sampling. In the 24 hours prior to the 2 February sampling there was minimal rainfall (0 - 10mm) in the Greymouth and Hokitika areas and moderate rainfall (10-30mm) at Lake Brunner. There was light rainfall in the 24 hours prior to the Westport sampling (3 Feb).


Most samples came under the very low risk category with the exception of the Grey Rv @ Taylorville swimming hole sample, which was in the low risk category.


Risk to Bathers¹

Site	Feb 2011
North Beach	
Carters Beach	
Buller Rv @ Marrs Beach	
Buller Rv @ Shingle Beach	
Rapahoe Beach @ End of Statham St	
Seven Mile Creek @ SH6 Rapahoe	
Nelson Creek @ Swimming Hole Reserve	
Grey River @ Taylorville Swimming Hole	
Cobden Beach @ Bright St West end	
Blaketown Beach @ S Tiphead	
Lake Brunner @ Cashmere Bay Boat Ramp	
Lake Brunner @ Iveagh Bay	
Lake Brunner @ Moana	
Hokitika Beach @ Hokitika	
Kaniere River @ Kaniere Kokatahi Rd	
Lake Mahinapua @ Shanghai Bay	

Key:

 **Moderate to High Risk**
>550 *E.coli*/100ml or
>280 *Enterococci*/100ml

 **Low Risk**
260-550 *E.coli*/100ml or
140-280
Enterococci/100ml

 **Very Low Risk**
<260 *E.coli*/100ml or
<140 *Enterococci*/100ml

¹ Due to the limited number of samples taken the Regional Council suggests the risk status above be used as a guide only. The current risk category assigned to a particular site is made by comparing results of individual samples to National guidelines.

RECOMMENDATION

That this report is received.

Michael Meehan
Planning & Environmental Manager



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8 February 2011

Ministry for the Environment
RM Reform
PO Box 10362
WELLINGTON 6143

Our Reference: 06 230

Enquiries to: Lillie Sadler

Dear Sir/Madam

SUBMISSION ON RMA PHASE II REFORMS

Thank you for the opportunity to make a submission on the discussion document "Building Competitive Cities", about the Resource Management Act Phase II reforms.

Our brief submission is that we support spatial planning being a voluntary option for the West Coast region, and oppose it being made mandatory. Overall we do not have the same scale of development pressures as other regions have. There has been growth in the last 10 years at Lake Brunner and Franz Josef for example, and voluntary strategies have been prepared to manage the impacts of development in these specific areas. This is an effective option that works well.

If spatial planning is made a mandatory requirement, this will place excessive and unnecessary costs on West Coast ratepayers for little benefit.

We support the Local Government New Zealand submission on this matter, and seek that spatial planning be kept not compulsory.

Yours faithfully

Lillie Sadler
Policy Analyst

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting – February 2011
 Prepared by: Nichola Costley, Regional Planner
 Date: 17 February 2011
 Subject: **CIVIL DEFENCE & REGIONAL TRANSPORT REPORT**

Civil Defence Emergency Management Update

West Coast Coordinating Executive Group

The West Coast Coordinating Executive Group is scheduled to meet on the 24th February. A summary of the outcomes from the meeting will be provided for the April Council meeting.

National Controllers Forum

The National Controllers Forum will be held in Christchurch on 12 April 2011. Several West Coast Controllers will be present representing each of the four councils. There is an emphasis on the learnings from the Canterbury Earthquake and how this can be better managed by Controllers.

Regional Transport Update

Regional Transport Committee

The Regional Transport Committee (RTC) met on the 3rd of February. Agenda items included:

- Approval of the draft Regional Land Transport Strategy to be released for consultation. The RTC also approved the inclusion of the draft Regional Public Transport Plan as a chapter to the draft RLTS due to the limited scale of public transport on the West Coast. A Hearing Panel was also appointed which is to be made up of the 5 Council representatives and the representative from the NZ Transport Agency. The draft RLTS was notified on 14 February with the submission period to close on 14 March 2011.
- Current government transport initiatives were overviewed by the Ministry of Transport representative. The Government Policy Statement is currently being reviewed. It is likely to be released in July 2011 to assist with the development of the Regional Land Transport Programmes. The Land Transport Management Act is also being reviewed with changes likely for the requirements of the RLTS, and possibly around the membership of the RTC.
- The National Land Transport Programme mid term report was provided. NZTA are currently half way through the programme and assessing how they are tracking against their budgets. NZTA had an enlarged programme due to investment committed to the Roads of National Significance. On the West Coast works have included bridge replacements, McKendries Corner, the first stage of the Atarau Road strengthening, and completion of the replacement of the Arahura Bridge. Improvement works for Mingha Bluff to Rough Creek will not be undertaken in this current 3 year programme. However, design works are underway so once funding is available this project can be progressed quickly.
- The State Highway Classification System was presented. This is being designed to assist NZTA to manage the network effectively and contribute to long term planning regarding land transport. There are 4 types of classification. State Highway 73 has been classified as a Regional Strategic route which is the second highest classification. State Highway 6 from South Westland to Westport and through the Buller Gorge to Tasman District is classified as a Regional Connector Route (third highest classification). State Highway 7 from Greymouth connecting to State Highway 6 and through the Lewis Pass is classified as a Regional Distributor Route, the lowest of the four classifications. Staff have made a submission supporting the classifications, particularly that of State Highway 73 which

aligns with the level of importance accorded to it through in both the draft RLTS and Regional Land Transport Programme.

- National Land Transport Programme (NLTP) and Regional Land Transport Programme (RLTP) draft planning dates were circulated for comment. NZTA intend to publish the NLTP in July 2012. Staff will commence work on the West Coast RLTP following the completion of the RLTS.
- The Glacier Walk and Cycleways have been completed. A presentation was provided by the Department of Conservation. The Department's philosophy is to expand the experience of the Glaciers and to foster alternative methods of accessing the sites. The level of enthusiasm for the paths has been spectacular and visitor monitoring is intended. The Department also extended their thanks to the previous Regional Land Transport Committee for contributing R funds to the project.

The next meeting of the RTC has been scheduled for the 27th of May. This meeting will follow Hearings on the draft RLTS and will seek to endorse the strategy to be presented to the Regional Council for adoption at its June meeting.

Regional Transport Committee Membership

NZTA have advised that Jim Harland is the new Regional Director Southern. This has seen the merge of the Canterbury, and Otago/Southland offices. Mr Harland is to be the NZTA representative on the RTC, with Mark Yaxley who is now the Partnerships and Planning Manager Southern-Christchurch, put forward as the alternate.

RECOMMENDATION

1. *That Council receives this report*
2. *That Council accepts the nominations to the NZ Transport Agency representative, and alternate, on the West Coast Regional Transport Committee.*

Chris Ingle
Chief Executive

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee
 Prepared by: Colin Dall - Consents & Compliance Manager
 Date: 18 February 2011

Subject: CONSENTS MONTHLY REPORT

CONSENTS**Consents Site Visits from 26 January – 16 February 2011**

DATE	DETAILS	PURPOSE
4/02/11	Pre-application advice – river protection works, Westland District Council, Styx River	To investigate the site to gain a better understanding of the river protection works.
8/02/11	Pre-application advice – water diversion, L Kees, Kongahu Swamp	To provide consenting advice for proposed diversion.
8/02/11	RC11013 – R Belcher, Gravel extraction, Buller River at Westport, Organs Island and Berlins	To investigate the sites to gain a better understanding of the available gravel resources.
10/02/11	RC11025 – Little Farms Ltd, Dairy effluent discharge, Kowhitirangi	To investigate the site to gain a better understanding of the discharge.
14/02/11	RC00323v10 – Oceana Gold (NZ) Ltd, Gold mining, Globe Progress mine	To investigate the site to gain a better understanding of the proposed changes to consent conditions.
16/02/11	RC11018 – Westroads Greymouth Ltd, Gravel extraction, Various rivers	To investigate the sites to gain a better understanding of the available gravel resources.

Non-Notified Resource Consents Granted from 26 January – 16 February 2011

CONSENT NO. & HOLDER	PURPOSE OF CONSENT
RC10115 Riverlands Farm Little Wanganui Ltd	To discharge contaminants (cow faecal material and sediment) to water during stock crossing of the Little Wanganui River.
RC10224 GH Growcott	To undertake earthworks associated with alluvial gold mining and associated activities at Waimea Forest, Hatters Ridge within MP52705. To take and use surface water from a dam within MP52705 for alluvial gold mining activities at Waimea Forest, Hatters Ridge. To discharge sediment-laden water to land in circumstances where it may enter Liverpool Bills Gully and its tributaries in Waimea Forest.
RC10245 Canaan Farming Ltd	To disturb the bed of Beehive Creek associated with the widening and straightening of the creek.

	To undertake earthworks within riparian margins of Beehive Creek associated with the widening and straightening of the creek.
	To divert water in Beehive Creek associated with the widening and straightening of the creek.
RC10251 G P Contracting Ltd	To disturb the Coastal Marine Area at North Beach, Westport for the purpose of extracting sand.
RC10252 Pearson Contracting Ltd	To disturb the Coastal Marine Area at North Beach, Westport for the purpose of extracting sand.
RC10257 Lake Kaniere Developments Ltd	To undertake vegetation removal and earthworks within riparian margins, Hans Bay.
	To undertake works on the bed and banks of an unnamed watercourse, Hans Bay.
	To temporarily divert water in an unnamed watercourse, Hans Bay.
	To incidentally discharge sediment to water in an unnamed watercourse, Hans Bay.
RC10278 Humphreys Mining Ltd	To disturb the bed of MacDonalds Creek associated with gold mining.
	To divert the flow of MacDonalds Creek.
RC10280 Solid Energy New Zealand Ltd	To discharge water containing contaminants from drilling operations to land near Burke's Creek, Reefton.
RC11001 Phoenix Mining Ltd	To undertake earthworks associated with alluvial gold mining and associated activities at Nemona State Forest, within MP53100 and RS5181.
	To take and use water for alluvial gold mining activities on MP53100 and RS5181 at Nemona State Forest.
	To discharge sediment-laden water to land in circumstances where it may enter water (tributaries of the New River).
	To discharge water containing contaminants (sediments from an alluvial gold mining operation) to water at Nemona State Forest.
RC11008 AT & P Robins	To discharge treated domestic sewage effluent to land at Lot 6 DP 347064, at Point Elizabeth, Greymouth.
RC11010 Westreef Services Ltd	To disturb the dry bed of Bullock Creek for the purpose of extracting gravel.
RC11013 Roger Belcher	To disturb the dry bed of the Buller River at Berlins for the purpose of gravel extraction.
RC11021 Dymac Farms Ltd	To discharge onsite sewage effluent to land from a milking shed on DS330.
RC11022 Department of Conservation	To discharge contaminants to air associated with abrasive blasting activities, Moonlight bridge.
RC11023 K Hahn	To discharge treated domestic onsite sewage effluent to land from a dwelling at 49D Haydens Road, Greymouth.
WS1226 CT Peek	To erect a whitebait stand and associated disturbance to the Coastal Marine Area.
	To occupy space in the Coastal Marine Area with a whitebait stand.

CONSENT NO. & HOLDER	PURPOSE OF CHANGE
RC10256 Solid Energy New Zealand Ltd McCabe's Block, Stockton Mine	To amend the monitoring conditions.

No Limited Notified or Notified Resource Consents were granted during this period.

Public Enquiries

24 written public enquiries were responded to during the reporting period. 21 (87.5%) were answered on the same day, 1 (4.2%) the following day, and the remaining 2 (8.3%) no more than 10 working days later.

RECOMMENDATION

That the March 2011 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 Phil McKinnel – Compliance Team Leader
 Date: 18 February 2011
 Subject: **COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

Site Visits

A total of 63 site visits were undertaken during the reporting period, which consisted of:

Activity	Number of Visits	Fully Compliant (%)
Resource consent monitoring	12	58
Dairy shed inspections	31	87
Complaint response*	8	62
Mining compliance & bond release	13	92

*Note that some of the complaint response visits were to mining and dairy farming sites.

Specific Issues

Dairy Effluent Discharges: Compliance staff completed 31 inspections of dairy sheds in the reporting period, including 13 inspections to assess compliance with abatement notices. The abatement notices on 12 of the farms were subsequently cancelled, while the remaining abatement notice had not been complied with and further enforcement action will be taken in relation to the non-complying discharge.

Westland District Council – Franz Josef Oxidation Ponds: A meeting was held between WDC and Council staff regarding the ongoing non-compliance of the oxidation pond treatment system. The WDC has agreed to reconstruct the infiltration gallery for the pond discharge so that effluent will be discharged through the riverbed gravels instead of flowing across the surface of the riverbed. In addition, the WDC is looking at funding for a risk assessment of the current infrastructure and an alternative design for the treatment system.

Gravel Extraction: Inspections of the regularly used gravel extraction sites were undertaken during the reporting period. An unauthorised discharge of sediment to the Buller River from a gravel screening operation at the Organs Island site in Westport was discovered during the inspection of the site and enforcement action was subsequently taken against the discharger.

Oceana Gold Limited (OGL) – Globe Progress Mine: A site visit was undertaken to the mine to view the improvements that have been made in regard to water management on site and further development works that will extend the life of the mine.

Solid Energy New Zealand Limited (SENZ) – Spring Creek: A rehabilitation inspection was undertaken to the Mt Davy site at Rewanui. The mine has been inactive since 1999, but a previous inspection in 2006 had identified several site rehabilitation requirements. SENZ has addressed the outstanding rehabilitation issues and Council staff are now satisfied that all relevant site rehabilitation requirements have been met.

SENZ/Stockton Alliance – Stockton Coal Mine: Work continued on the incident that caused the discharge of coal fines and sediment to Granity Stream in December 2010.

There were no incidents of non compliance reported during February.

Complaints/Incidents between 27 January and 17 February 2011

16

The following 8 complaints/incidents were received during the reporting period:

Activity	Description	Location	Action/Outcome
Gold mining	Complaint about the Grey River being affected by a discharge of sediment from a gold mining operation	Blackball	Inspection undertaken and activity was found to be complying with resource consent at the time of inspection.
Earthworks	Complaint about land development causing flooding on neighbouring property.	Gladstone	Still under investigation.
Black sand mining	Complaint about mining occurring too close to sand dunes	Fairdown	Site visit undertaken, no issues found.
Gravel extraction	Unauthorised discharge of sediment from gravel washing plant to water	Buller River, Westport	Infringement Notice issued.
Riverworks	Excavator working in Fox River.	Fox River	NZTA advised that emergency works were being undertaken.
Gravel extraction	Complaint about Deadmans Creek being discoloured.	Fairdown	Issue resolved after investigating officer spoke with landowner.
Riverworks	Complaint about a bulldozer working in the bed of Canoe Creek	Barrytown	NZTA advised that emergency works were being undertaken.
Gold mining	Complaint about New River being affected by discharge of sediment from a gold mining operation.	Dunganville	Still under investigation.

Formal Enforcement Action

The following 4 Infringement Notices and 1 Abatement Notice were issued during the reporting period:

Notice	Activity	Location
Abatement	Combustion of prohibited materials	Omoto
Infringement	Combustion of prohibited materials	Omoto
Infringement	Unauthorised discharge of dairy effluent	Hokitika
Infringement	Breach of Abatement Notice	Hokitika
Infringement	Unauthorised discharge of sediment-laden water	Buller River, Westport

MINING

Work Programmes

The Council received no work programmes during the reporting period.

Bonds Received & Bond Releases

The following mining bond was received during the reporting period:

Mining Authorisation	Holder	Location	Amount
RC09084	Peter Morrison	Humphreys Gully	\$14,000

The following bonds resource consent bonds are recommended for release:

Resource Consent	Holder	Location	Amount
RC04161	Hardrock Mining & Development Ltd	Greenstone River	\$6,000
RC07054	Sueters Creek Mining Company Ltd	Nelson & Souters Creeks	\$5,000
RC08138	B F C Group Ltd	Kapitea Creek	\$10,000

Council staff are satisfied that the rehabilitation requirements for these consents have been met.

ML321374 – NZG Limited (previously held by L&M Mining Limited): After an inspection of the site at Mikonui mined under this Mining Licence and following consultation with the Department of Conservation, it is recommended that Council notify Crown Minerals that the \$360,000 bond held for this licence can be released.

OIL SPILL RESPONSE

No significant spills occurred during the reporting period.

RECOMMENDATION

1. *That the February 2011 report of the Compliance Group be received.*
2. *That Council release the bond held for Resource Consents RC04161, RC07054 and RC08138.*
3. *That Council notify Crown Minerals that the bond held for Mining Licence ML321374 can be released.*

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, 1ST March 2011** commencing on completion of the Resource Management Committee Meeting.

A.R. SCARLETT
CHAIRPERSON

C. INGLE
CHIEF EXECUTIVE OFFICER

<u>AGENDA NUMBERS</u>	<u>PAGE NUMBERS</u>	<u>BUSINESS</u>
1.		APOLOGIES
2.		PUBLIC FORUM
3.		MINUTES
	1 – 5	3.1 Minutes of Council Meeting 8 February 2011
4.		REPORTS
	6 – 8	4.1 Planning & Environmental Manager's Report on Engineering Operations
	9 – 10	4.2 Funding the Emergency Works at Saltwater Creek
		4.3 Disposal of Council's Quarry Drilling Rig (Cr Chinn)
5.		CHAIRMAN'S REPORT (VERBAL)
6.0	11	CHIEF EXECUTIVE'S REPORT
7.		GENERAL BUSINESS

THE WEST COAST REGIONAL COUNCIL

**MINUTES OF THE MEETING OF THE COUNCIL HELD ON 8 FEBRUARY 2011,
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH,
COMMENCING AT 11.32 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), R. Mallinson (Corporate Services Manager), M. Meehan (Planning and Environmental Manager), C. Dall (Consents & Compliance Manager), T. Jellyman (Minutes Clerk)

1. APOLOGIES:

There were no apologies.

2. PUBLIC FORUM

There was no public forum.

3. CONFIRMATION OF MINUTES

Moved (Archer / Davidson) *that the minutes of the Council Meeting dated 14 December 2010, be confirmed as correct.*

Carried

Matters arising

There were no matters arising.

REPORTS:

4.1 ENGINEERING OPERATIONS REPORT

M. Meehan spoke to his report advising that there was substantial damage sustained at the Taramakau Rating District as a result of the heavy rainfall event on the 28th of December. M. Meehan reported that once costs are to hand for the repair work an application would be made to the LAPP fund for consideration for financial assistance. M. Meehan reported that works were carried out in the Wanganui and Punakaiki rating districts as well. M. Meehan drew attention to the list of future potential works in his report.

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

Carried

4.1.2 FRANZ JOSEF FLOODWALL UPGRADE: SURVEY RESULTS

M. Meehan spoke to this report. He advised that council surveyed the ratepayers of the Franz Josef Rating District and held a public meeting which Crs Davidson and Chinn attended to discuss the floodwall upgrade. M. Meehan reported that an 86% response rate in favour of the upgrade was received with 25 ratepayers in favour of the upgrade, four against and one respondent did not indicate either way. M. Meehan stated that only 37% of the rating district responded to the survey this is still relatively high for this type of survey. Cr Chinn stated that he would like the decision deferred for a month so that he can go to Franz Josef and speak to those that are objecting to the upgrade to hear their concerns. Cr

Scarlett suggested that Cr Chinn visit some of the ratepayers who didn't respond to the survey. M. Meehan advised that some of the ratepayers that were against the upgrade stated that there was not an option for a 1 in 50 year event and some comments were based on the river being an aggrading river and they would like to see potential options on clearing out the river rather than building up the stopbanks. C. Ingle advised that these decisions are usually made at the annual rating district meeting and then endorsed by this council but lately the rating district meetings have only attracted three or four people. He stated that at the September rating district it was recommended that a survey be sent out to get a broader indication of whether ratepayers wanted the upgrade. C. Ingle advised that this decision could go back to the rating district for a final decision. It was noted that the rating district's preference was to use money from the existing fund to pay for the upgrade and not to raise a loan. Further discussion took place on the response to the survey. Cr Robb stated that rating districts make their own decisions on what work is to be carried out. Cr Robb spoke of his previous involvement in the Taramakau rating district. Cr Robb asked that based on the results of the survey does this mean that the Franz Josef rating district makes the final decision on the floodwall upgrade or does this council make the decision on their behalf. Cr Archer stated that this Council makes the decision on behalf of the Franz Josef rating district as it is the council's rating district but the ratepayers in that community are the voice of the rating district and the payers. Cr Archer stated that in the past this Council has overturned some decisions made by rating districts in the past. Cr Scarlett stated that ultimately the council is responsible. Cr Robb stated that the same applies to the setting of rates if a rate isn't set high enough to maintain their infrastructure then council can enforce the setting of a higher rate. Cr Cummings expressed his surprise at the low response rate in view of the type of river the Waiho is. Cr Chinn asked if the helipad stopbank is up to a high enough standard to be included in the rating district. M. Meehan stated that it not up to the required standard and therefore it wouldn't be included in the rating district. Cr Chinn stated that in view of this information he is happy now happy to move the recommendation.

Moved (Chinn / Archer) *That the Council note the survey response and approve the commencement of the upgrade.*

Carried

4.1.3 LOWER WAIHO RATING DISTRICT RE-CLASSIFICATION REPORT

M. Meehan spoke to this report advising that Council commissioned a report by Mr Robert Reid regarding the reclassification of the Lower Waiho Rating District. M. Meehan reported that this report was requested by Lower Waiho Rating District at their annual meeting. Concerns have been raised over the boundaries for the rating district. M. Meehan advised that the Canavans Knob rating district which is adjacent to the Lower Waiho Rating District is now in abeyance as the NZTA has enhanced the structure that provides protection for these properties. M. Meehan advised that a public meeting was held on the same day as the Franz Josef Rating District meeting, Crs Chinn and Davidson attended this meeting as well. M. Meehan reported that there was a good attendance at the meeting. M. Meehan reported that eight submissions have been received and are attached to his report. C. Ingle advised that it is only the Lower Waiho Rating District that is recommended for reclassification and Canavans Knob is not included in this reclassification.

Mr Reid was welcomed to the meeting. He confirmed that he has seen the objections to the reclassification. Mr Reid advised that two of the eight submissions are in relation to the same property. Mr Reid advised that the submission from Franz Dairies does not indicate whether or not they are in favour of the reclassification but it does clearly express that they are not happy with the current situation. Mr Reid advised that four of the submitters that are not happy with the proposal with three of the four living in one small area along the Waiho Flats Road. He illustrated areas and boundaries of landowners and submitters on his PowerPoint presentation and the areas and boundaries included the Lower Waiho Rating District, Canavans Knob area, three residential properties, Milton and Others Bank and the Rata Knoll area. Mr Reid stated that in preparing his report he carefully looked at the idea of implementing a differential rating district but advised this river is a very mobile, strong and very unpredictable river and it is unknown in the future where the pressure areas will be in this river. Mr Reid stated that in view of these facts the fairest way of setting a rate would be to set a uniform rate. Cr Archer asked Mr Reid if the rate likely rate to be struck for the very small residential properties is justified. Mr Reid responded that the small residential properties are a significant issue and a differential rate applying to them could be a possibility and it would have the effect of transferring the load onto the balance of the rating district. Mr Reid advised that if the rating district were looking to raise \$100,000 then the annual rates for the residential properties would be between \$1,000 and \$3,000 annually. The highest rating level on the largest dairy farm would be approximately \$30,000 per year. Mr Reid spoke

of the history of the rating district and also of the history of the Canavans Knob rating district. Mr Reid stated that he is quite comfortable with the idea of putting a differential class in for the three residential areas to lower the cost for these three properties. Cr Scarlett stated that the test is, is it fair rating system. Mr Reid responded that the answer to "is it fair" relates to what is the earning capacity of a property and in the case of residential properties they do not have an earning capacity. Mr Reid stated that if he'd had the submissions prior to writing the report he would have been happy to put a differential rating classification on the residential properties.

Cr Chinn asked if the funds from the Canavans Knob rating district would now go into the Lower Waiho rating district account as NZTA is now maintaining the Canavans Knob stopbank. Mr Reid stated that the Canavans Knob rating district is held in abeyance and is not being rated. Cr Chinn advised that one submitter stated that she had paid into the Canavans Knob rating district, her money is still in that account and now she is going to be included in the Lower Waiho rating district. Mr Reid confirmed this is correct but his recommendation is that these properties are included in the Lower Waiho rating district.

Cr Archer asked if Mr Reid was able to quantify what the differential rates would be and how would the rate be struck. R. Mallinson advised that this report could be seen as the preliminary consultation and the information will still need to be fed into the annual plan process with detailed maps to be included as per Section 83 of the Local Government Act. C. Ingle suggested a 50% discount for the three residential ratepayers. C. Ingle asked Mr Reid if it is clear to the rating district community that there are only three residential properties in the Lower Waiho rating district. Mr Reid stated that these properties would be marked on the map. Cr Chinn would like this decision deferred for a month so that he can visit ratepayers in the Lower Waiho rating district to clarify matters further. C. Ingle confirmed that a one month delay would not be a problem. Cr Scarlett thanked Mr Reid for his report and presentation.

Moved (Davidson / Chinn)

1. *That this report and the eight submissions be received by Council.*
 2. *That following consideration of the submissions and the report recommendations that it is Council's intention to formally resolve to re-classify the Lower Waiho Rating District as per the attached Robert Reid report, as amended with 50% discount for the three residential properties.*
- Carried*

5.1 CORPORATE SERVICES MANAGER'S REPORT

R. Mallinson spoke to his report advising that this is the six month financial report until the end of December with a surplus for the six months of just under \$1.5M. He reported that our investment returns are better than budgeted with net positive budget variances of approximately \$63,000 in the general rate funded activities. R. Mallinson requested that a date be set for the budget workshop. He asked if 1 March which is the date of the March council meeting is suitable to Councillors. Councillors agreed on this date.

Moved (Archer / Robb)

1. *That this report be received.*
2. *That the date of 1 March be set for the 2011 / 12 Annual Plan budget workshop be agreed.*

Carried

6.0 CHIEF EXECUTIVES REPORT

C. Ingle spoke to his report noting the meetings he attended including the Karamea rating district meeting. C. Ingle reported that Cr Archer chaired this meeting, there was a very good turnout from locals with Graeme Smart from NIWA taking the meeting through his flood modelling report. C. Ingle reported that there is more work going on with the mapping of the overflow flood paths and how to deal with these in an affordable way for the community. C. Ingle advised that he is waiting for the report from Civil Defence regarding monitoring and evaluation work that he was involved in.

C. Ingle advised that he attended the Society of Local Government Managers retreat which is held every second year in Blenheim. He stated that this was a very useful event. C. Ingle reported that he met with officials from the Ministry for the Environment regarding the Proposed Biodiversity National Policy Statement which has just been released. C. Ingle advised that we have yet to go through this, he advised that MfE are looking at setting a bottom line for mainly district plans to ensure that district plans

map out areas that are significant areas and that they identify the top 20% for different ecosystem types that are not well represented in the DoC estate. C. Ingle advised that the work that Grey District Council has been doing over the last few years is in excess of what it required under the NPS but where there will be problems for the West Coast is with wetlands. C. Ingle advised that this is because a percentage figure has not been applied and they have said that all wetlands are automatically significant. He advised that this will be a serious problem for the West Coast. C. Ingle reported that he has expressed his strong disappointment to MfE that they did not consult with us prior to starting this process. C. Ingle advised that Proposed NPS's do not have any weight until they are actually operative unlike proposed regional and district plans. C. Ingle advised that there is a chance for this council to make submissions by May on this matter. C. Ingle advised that the Minister is not going to appoint a Board of Inquiry and is going to consider the submissions himself. C. Ingle advised that the Hon Nick Smith, Minister for the Environment, is keen to visit the West Coast and is expected here in a couple of months time. Cr Archer stated that the previous government tried to tackle the Proposed NPS for Biodiversity and it was abandoned as it was simply too hard and the impact on private landowners was huge as there is such a large area of land held in conservation estate and it seems likely that private landowners will be affected again just because they have a native tree on their land. Cr Archer stated that in his view, there is already 86% of land that is being reserved and protected and surely that is enough. He feels that this is the message that needs to be sent to the Minister. C. Ingle feels that this matter is not going to affect the district councils as much as it will affect the regional council as this council has taken on the wetlands issue and this draft NPS has dealt with wetlands in a way that has not been well thought through and they have failed to realise that some regions have plenty of wetlands. Cr Archer stated that as far as he is aware none of the district councils have adopted those areas of significance in their plans. C. Ingle feels that the Minister wants all districts plans to have mapped SNA areas. Cr Archer stated that the big issue is that landowners will miss the opportunity to develop their land and there is hardly any land left on the West Coast to provide an economic living. Cr

Scarlett feels there is a matter of equity here and if they want the land then they pay for it. Cr Birchfield feels the same way, that landowners should be compensated. Cr Cummings stated that once land comes out of the rating area and goes to DoC then the land is no longer rated and this is making it harder and harder for councils.

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

Carried

7.0 CHAIRMANS REPORT (VERBAL)

Cr Scarlett stated that January was a reasonably quiet month. He attended the RAC meeting in Wellington where the profile of regional councils was discussed. Cr Scarlett stated that the feeling was that regional councils need to have a higher profile and think about their branding. He advised that some regional councils are called "Horizons" or Ecan and the public does not realise that they are regional councils. He stated that some have gone back to being called regional councils. Cr Scarlett that there is now being a more of economic approach and a focus on economic development within regional councils. Cr Scarlett spoke of the new regional council website that is up and running called Land and Water NZ but most people do not realise that this is a regional council website because of the name that it has been given. Cr Scarlett spoke of the wealth of knowledge in regional councils that needs to be shared. Cr Scarlett feels once the coordination of common goals and work is improved then good progress will be made.

Cr Scarlett advised that he attended the Regional Transport Committee meeting where the draft Regional Land Transport Strategy was approved. Cr Scarlett stated this is a very good document and will now go forward to notified for public consultation.

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

Carried

R. Mallinson asked if Councillors would have any objection if he did not prepare a full financial report for the March meeting as this would enable him to give full priority to annual plan budget work. All Councillors agreed with this request.

Cr Davidson expressed his concern with the direction that Development West Coast is taking. He feels it is going from a development trust to a charitable trust when it was initially set up for the economic development of the West Coast. Cr Davidson gave examples of recent events where Development West Coast have given large donations to the Canterbury earthquake fund and the Pike River Mine disaster but gave nothing at all to the people of Fox Glacier following the recent plane crash. Cr Davidson requested that a meeting be held between the Chairman's and Chief Executives of both organisations to discuss this further. Cr Scarlett suggested that Cr Davidson writes to the Chairman of Development West Coast expressing his concerns. Cr Davidson stated that Canterbury does very well out of the West Coast with the port exporting coal and milk powder that they benefit from. C. Ingle advised that the Chairman of Development West Coast usually comes to the quarterly meetings of the Mayors and Chairs Forum. He is aware that the Trust speaks to the district councils at regular intervals but does not visit this council regularly. Cr Cummings confirmed that the Trust presentations at district councils are requested by those councils. Cr Birchfield stated that he is just written to the Chairman of Development West Coast along a similar line of what Cr Davidson is speaking about. Cr Birchfield stated that everyone has differing views on Development West Coast and he feels that an individual approach is better.

The meeting closed at 12.28 a.m.

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Chairman

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Date

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 1 March 2011
 Prepared by: W. Moen & M. Meehan – Planning & Environmental Manager
 Date: 22 February 2011

Subject: **ENGINEERING OPERATIONS REPORT**

RIVER AND DRAINAGE INSPECTIONS

- Camelback Quarry - Inspection
- Taramakau RD – Inspection
- Kiwi Quarry - Inspection
- Redjacks Creek – Inspection
- Franz Josef RD – Inspection
- Whataroa River – Symington – Inspection
- Vine Creek RD - Inspection
- Hokitika River - McLeod – Inspection
- Blackball Quarry - Inspection
- Crooked River – H. Raymond – Flood Damage Inspection
- Hokitika River – Tranzrail Proposals - WDC
- Inangahua River – Reefton Golf Club - Inspection
- Wanganui RD – Flood Damage
- Whataroa Quarry – Inspection
- Kokatahi River – Staples – Inspection
- Kokatahi River – Sheridan – Flood Damage – Inspection
- Styx River – Sheridan – Flood Damage - Inspection

WORKS**Taramakau Rating District – Emergency Works – December 2011**

On 28 December 2010, the Taramakau River was subject to a major flood event causing 3 breaches in the main stopbank.

Urgent remedial work was carried out at the request of the rating district by Paul Steegh Contracting Ltd. The work involved gravel cartage of 8,526 m³ to reinstate the breaches, 12,250 m³ to raise the stopbank over 1,300 metres and the placement of 540 tonnes of rubble and 340 tonnes of rock to protect the breached areas.

The final cost was \$87,998.00 (G.S.T. Exclusive). Council will make an application on behalf of the rating district to the LAPP Fund for consideration for financial assistance.

FUTURE POTENTIAL WORKS

- a) Kowhitirangi Rating District – Flood Damage
- b) Matainui Creek Rating District – Flood Damage
- c) Lower Waiho Rating District – Flood Damage
- d) Franz Josef Rating District – Upgrade
- e) Raft Creek Rating District – Channel Cleanout
- f) Kongahu Rating District – Maintenance
- g) Mohikinui Rating District – Flood Damage
- h) Wanganui Rating District – Flood Damage
- i) Greymouth Floodwall – Access Gates

OTHER WORKS**Lower Waiho Rating District - Proposed Reclassification**

This reclassification has been completed by Mr. Bob Reid and has been placed on hold for 1 month pending further councilor dialogue with ratepayers.

Franz Josef Rating District – Upgrade

This has been approved by Council, however, given significant severe gravel aggradation over the last 3 months Council is undertaking further cross section survey work to ensure that any work undertaken takes into account the recent aggradation.

Redjacks Creek Rating District

Following recent flooding problems in Redjacks Creek, NZTA have commenced remedial works under Section 330 of the RMA.

Council has met with Grey District Council and NZTA staff and are working on a long term solution which will benefit all parties concerned.

New River – Saltwater Creek

Further work is being undertaken to investigate future remedial options for this area. This work includes possible works and rating district.

QUARRIES

Most quarries have been subject to an unusual high demand for rock over recent months due to recent flood events.

While staff try to ensure that a reasonable stockpile is available at all times on the floors, the demand and availability of blasting contractors has led to delays in making this rock available.

Kiwi Quarry and Blackball Quarry have been blasted to supply minimal rock in the meantime and Camelback Quarry will be blasted in the near future.

All other quarries have adequate supplies at the current time.

Quarry Rock Movements For The Period 31 December 2010 to 31 January 2011

Quarry	Rock In Quarry 31/12/10	Rock Used	Rock Quarried	Rock In Quarry 31/1/11
Blackball	1,017*	1,017	0	0*
Camelback	2,120	2,537	417	0
Inchbonnie	10,922	0	0	10,922
Kiwi	525	630	105	0
Miedema	0	0	0	0
Okuru	2,570	0	0	2,570
Taramakau	0	0	0	0
Wanganui	0	0	0	0
Whataroa	4,730	0	0	4,730
Totals	21,884	4,184	522	18,222

*Note: New balance in Blackball has been corrected as at 31.12.10.

Original stockpiled rock was over-estimated at time of blasting.

Varying amounts of rubble are removed from the quarries on a semi regular basis. The Council defines rubble as any rock weighing less than 500 Kg. These totals are not included in the above rock report.

<u>Quarry</u>	<u>Contractor</u>	<u>Tonnage Requested</u>	<u>Permit Start</u>	<u>Permit Finish</u>
Kiwi	G.H. Foster Contracting	1,000	1 February 2011	15 February 2011
Kiwi	G.H. foster Contracting	600	12 January 2011	20 February 2011
Camelback	Westland Contracting Ltd	500	12 January 2011	12 February 2011
Okuru	J.J. Nolan Contracting Ltd	1,000	8 February 2011	22 February 2011
Inchbonnie	MBD Contracting Ltd	1,000	8 February 2011	22 February 2011
Whataroa	Arnold Contracting Ltd	1,000	18 February 2011	26 February 2011

RECOMMENDATION

That this report is received

Michael Meehan
 Planning and Environment Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 1 March 2011
Prepared by: Chris Ingle – Chief Executive
Date: 14 February 2011
Subject: **FUNDING THE EMERGENCY WORKS AT SALTWATER CREEK**

Background

In June 2010, after receiving a letter from the Paroa Guardians, the Council commissioned a risk assessment relating to the ongoing northward migration of the mouth of the New River/Saltwater Creek. This report was prepared by Dr Graeme Smart who interviewed a number of local Paroa and Gladstone people. The report describes the history of the migration of the river mouth and concludes that all properties east of the main road were at some level of risk.

Following the discussion of this report which was presented at the July Council meeting, I met with Colin Smith of the Paroa Guardians, Mel Sutherland and Paul Pretorius of the District Council, and Shane Hall from the Conservation Department. It was agreed that the river mouth needed to be relocated to manage the risk of flooding or erosion and resulting infrastructure or property damage. Colin Smith agreed to ask the Paroa Guardians to apply for a consent for the work and the GDC agreed they would fund the actual digger work, but within their limited budgets for such works.

As previously discussed, the consenting process was not as swift as it might have been and in the end GDC used their emergency powers under the RMA after the 28 December flood.

The emergency works

The District Council commenced emergency works as soon as possible after the flood event of 28 December inundated several properties in Paroa including the school grounds and the playcentre, and temporarily blocked the state highway and local roads. The District Council is allowed to use Section 330 of the RMA in these situations of urgency, to relieve the threat of further impact on key infrastructure, and within 7 days of the works being completed they applied retrospectively for a resource consent from the Regional Council.

The costs of the emergency works

It is not possible at this stage to place a final cost on the works done in re-opening the combined mouth of the New River/Saltwater Creek, because while the initial work was completed by New Years day 2011, substantial further work has had to be done to strengthen the bund that prevents the river re-establishing back into its old course. This additional work was needed following a second significant flood event on January 18. All this work has been done by the District Council, to date. I understand the total costs to date is now excess of \$70,000 with further cost still to come in.

However, the work the District Council has done may qualify for a subsidy from NZ Transport Agency, because it was done in response to the loss of road access (both local road and state highway). It would be unwise to interfere with the subsidy approval process lest the opportunity to gain subsidy is lost – so I would recommend that the regional council defer any decision on whether it is appropriate to make a contribution to the District Council to assist with meeting the cost of establishing the cut. In the meantime the Council may wish to waive the normal resource consent fee for the retrospective consent for the cut.

Funding Equity in the longer term

In the longer term, the most equitable funding solution for these works is to treat Paroa flood management costs the same as all other flood management costs the regional council controls, by forming a special rating district who can then appoint a local advisory committee to decide what works are required and how to manage any future costs and risks.

Recommendations

1. *That Council receive this report*
2. *That the council defer any further decision on contributing to the District Council's costs until the final costs (less any subsidies) become apparent.*
3. *That the Council prepare to establish a rating district for the Paroa/Gladstone area in order that any costs from this time forward, whether to maintain the cut, or to proceed with other flood protection responses, are met by the local community rather than the Grey District general ratepayer, or the West Coast Region general ratepayer.*

Chris Ingle
Chief Executive

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 1 March 2011
 Prepared by: Chris Ingle – Chief Executive
 Date: 18 February 2011
 Subject: **CHIEF EXECUTIVES REPORT**

Meetings Attended

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

- Attended the Natural Hazards workshop in Wellington on 16th of February.
- Attending the Regional Chief Executive Forum in Wellington on 22nd of February.
- Attending the Chief Executive's Environmental Forum on 23rd of February.
- Attending a meeting with Ministry of Science staff regarding Envirolink scheme on 23rd February, again in Wellington.
- Attending the West Coast Civil Defence Co-ordinating Executive Group Meeting on 24th of February.
- Hosting the Ministry for the Environment presentation of their Proposed National Policy Statement on Indigenous Biodiversity, at our Paroa offices.

Natural Hazards Workshop 16 February

I attended this forum in Wellington to look at best practice in other districts and regions. Steve Griffin of Buller District Council also attended (BDC Assets and Engineering Manager). There were presentations from Professor B Glavovic (EQC chair of Natural Hazards Planning), David Coetzee (National Civil Defence Controller), Hugh Cowan of EQC, Simon Berry (Barrister), Judith Cheyne (Simpson Grierson liability expert), Peter Moreson of Treasury and Chris Cameron from Wellington City Council. Over 70 attendees were present with around a third being elected members.

There was much discussion of the Canterbury earthquake and its social and economic implications. Hugh Cowan compared it with the Chile earthquake which was more intense and is still in a recovery phase - the difference there being individual property owners are seldom insured. Treasury suggested the recent negative GDP results were caused/contributed to by the earthquake in Canterbury. The rebuild phase will cause positive GDP spin offs particularly in 2012. The total damage impact was estimated at \$5 Billion.

Wellington City Council are looking at sea level rise modeling for the city, mainly in terms of how it will affect infrastructure, and in terms of managed retreat. Sea level rise is treated as a 'slow onset hazard'. Some workshop attendees challenged whether sea level rise was actually occurring and others suggested uplift could in many cases match or exceed the predicted slow rise in sea level. There was also much discussion on coastal hazard set backs and Council liability in imposing setbacks for forecasted coastal erosion or sea level rise.

The conclusions of the workshop were that hazard management is an ongoing and a continuous communication with our communities of the risks to each community, and the level of risk communities are accepting by living in given locations. Communities don't necessarily understand all of these risks and it is the Council's role to take them through the various scenarios and discuss responses.

RECOMMENDATION

That this report be received.

Chris Ingle
 Chief Executive

THE WEST COAST REGIONAL COUNCIL

To: Chairperson
West Coast Regional Council

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

Agenda Item No. 8.			
	12 – 14	8.1	Confirmation of Confidential Minutes 8 February 2011
	15 – 18	8.2	Legal Opinion Regarding Enforcement Matters
		8.3	Response to Presentation (if any)
		8.4	In Committee Items to be Released to Media
	19 – 21	8.5	Legal Opinion Regarding Climate Change

Item No.	General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution.
8.			
8.1	Confirmation of Confidential Minutes 9 November 2010		Section 48(1)(a) and in particular Section 9 of 2nd Schedule Local Government Official Information and Meetings Act 1987.
8.2	Legal Opinion Regarding Enforcement Matters		
8.3	Response to Presentation (if any)		
8.4	In Committee Items to be Released to Media		
8.4	Legal Opinion Regarding Climate Change		

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.