

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, 10th May 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 12 APRIL 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 (Davidson / Robb) *that the minutes of the previous Resource Management Committee meeting dated 1 March 2011, be confirmed as correct.*

Carried

Matters Arising

Cr Archer asked what plans are proposed to advise the Reefton community of the changes to air quality standards that will see the banning of new domestic open fires from September 2012 unless compliance is achieved. M. Meehan responded that Council will be reviewing its Air Plan in the coming year but anyone building a new house will be advised of the new requirements. C. Ingle stated that the agency that has set this standard in place, which is the Ministry for the Environment, should be advising the community of the new statutory requirements. It was agreed that this matter would be discussed with the Minister for the Environment next month when he visits the West Coast.

Cr Davidson drew attention to Cr Birchfield's comments in the minutes relating to the dangerous section of State Highway 73, around the Mingha Bluffs area. Cr Davidson stated that he thought this area was on a priority list for improvement. C. Ingle advised Council has tried a number of times to have this section of road improved and minor improvements were made a couple of years ago. C. Ingle stated that Cr Cummings raised this matter with the Ecan Commissioners when they visited the West Coast last week. C. Ingle stated that this council made submissions on the Canterbury Regional Policy Statement a few months ago but it comes down to funding and often the NZTA funding goes to the Christchurch motorway projects, as this is where the greatest congestion happens. C. Ingle stated that this section of road is not inside our region therefore we only have a small amount of influence on this matter. Cr Scarlett advised that he spoke to the Commissioner in charge of this portfolio who is keen to meet with our council to progress this ongoing concern.

4. CHAIRMAN'S REPORT

Cr Chinn reported that it has been a quiet month. He has fielded some inquiries relating to quarries, dairy effluent and the Animal Health Board.

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

Carried

5. REPORTS

5.1 PLANNING AND ENVIRONMENTAL GROUP

5.1.1 WAIVER OF TIME FOR LODGING FURTHER SUBMISSIONS ON PROPOSED LAND AND WATER PLAN

M. Meehan spoke to this report advising that the Friends of Shearer Swamp have made a further late submission on the Proposed Land and Water Plan. M. Meehan advised that Sections 37 and 37A of the RMA tests for the waiving of the timeframe for this submission are met so council can therefore accept this late submission. M. Meehan advised that this late submission does not impact on any submitters or on council in preparing the recommending report.

Cr Archer stated that he is happy to move the recommendation but he feels that it is a little odd that Council is receiving a submission two months after the closure time and he would not like this to become the norm. Cr Archer accepted that no one is adversely affected by this late submission.

Moved (Archer / Davidson) *that the Council accept the Friends of Shearer Swamp late further submission.*

Carried

5.1.2 DRAFT REGIONAL LAND TRANSPORT STRATEGY

C. Ingle spoke to this report advising that the transport strategy was notified on the 14th of February. C. Ingle reported that 14 submissions have been received and staff are currently preparing a recommending report, which will receive input from the district councils and NZTA. C. Ingle advised that Crs Chinn and Scarlett have been appointed to the Hearing Panel, the hearing is due to be held on the 17th of May.

Moved (Archer / Birchfield)

1. *That the Council receives this report.*
2. *That the Council accept the late addition to the Department of Conservation submission.*

Carried

5.1.3 UPDATE ON RECENT CIVIL DEFENCE WORK

C. Ingle spoke to this report advising that following the February Christchurch he offered staff from this council to Civil Defence to assist Canterbury. He stated that this event was and still remains a national emergency. C. Ingle advised that Cr Archer also assisted in Canterbury as a Building Inspector. C. Ingle stated he was very impressed with the level of organisation both here and from other civil defence groups around the country. C. Ingle said that the civil defence structure in Christchurch was put together at very short notice and they were willing to change their structure as needed. C. Ingle stated that it was a good opportunity for our staff to assist and to see what it is like in a real event. He feels this will pay dividends if a civil defence event occurs on the West Coast.

C. Ingle reported that there are ongoing problems with flood warning in the Franz Josef catchment, which is causing concern for the Westland District Council Civil Defence Controller. C. Ingle advised that Waiho River gravel bed has risen to the point where the river is in permanent alarm level. The second problem is the concern with potential landslide / dam scenario / flood break in the Callery River that could cause a wall of water to come down and wash across the bridge and into the motels on the other side. C. Ingle advised that because the bed of the Callery River has risen so high there is no longer a warning system in place because the recorder now does not work. C. Ingle clarified that there is recording site on the main stem of the Waiho River Bridge so there is floodwarning in place for a regular flood event. C. Ingle explained how the recording device worked that was in place under the Callery Swingbridge. He advised that other options are being investigated. C. Ingle advised that the Ministry of Civil Defence has

picked up on this matter and they consider the Callery River to be quite a serious risk. Cr Davidson stated that area was being monitored on a daily basis. Cr Archer asked if the graph in the Flood Warning Update report indicating that the current bed level is a metre above the trigger level is correct. It was confirmed that this is correct. C. Ingle advised that this council is not the lead agency in terms of civil defence for this area, Westland District Council is. M. Meehan advised that a worker from DoC checks the Callery River every day and reports back to the Westland District Council each day. C. Ingle stated that this Council's role is to be the flood warning operator and to provide information to Westland District Council who then follow the civil defence plan. Cr Archer asked if there is a known correlation between water levels and downstream impacts for when water gets to a specific height. M. Meehan responded that recent surveys done over the last year show that 1.8 million cubic metres of gravel has been brought down. He stated that the Waiho is a constantly changing river and at the moment gravel is building up at a faster rate than previous years. C. Ingle advised that the Waiho River is difficult to manage and is changing on a monthly basis. He stated that floodwall upgrade the community has approved to go ahead has now had to be resurveyed as previous assumptions as to how high to build the wall need to be relooked at as the river has changed so much. C. Ingle advised that Mr Bob Hall completed a report some years ago, which predicted that the river would burst its banks and migrate south. C. Ingle advised that Mr Hall has now been asked to have a second look at the Waiho River, ten years on from his first report. C. Ingle stated he has been communicating with the Chief Executive of Westland District Council to discuss how best to manage the issue of civil defence in particular, how to relocate the motel. C. Ingle stated that there is a landslide risk in the Callery River, there is now no warning system in place, and if there were people in the motels at the time of a landslide dam failure then there could be loss of life. C. Ingle advised that the camping ground was moved around 10 years ago. Cr Scarlett asked that if the motels were gone, would the Callery River then be allowed to take its own course. T. Scott stated that if the river blew it could go down the main highway. Cr Davidson stated that the initial idea from Mr Hall's report was to let the river meander on the south side. Cr Scarlett asked if that were to happen would it take out farmland. Cr Chinn responded that the river would take out farmland and the main highway. Cr Chinn stated that he has been told that there is over 1000 tonne of gravel going into the Waiho River each day.

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

Carried

5.1.4 FLOOD WARNING UPDATE

M. Meehan stated that he would take this report as read and the Waiho and Callery matters were already discussed in the previous report. He drew attention to the photograph on page 9, which illustrates the changes in the Callery River and why council can no longer provide a warning service for this river. M. Meehan stated that the main issue for staff is with the Waiho River being in alarm mode constantly and staff having to keep in contact with the agencies per the Flood Manual procedures. M. Meehan reported that an alarm was missed on the 17th of March but measures have been put in place so this does not happen again. M. Meehan reported that a Waiho River Working Group has been set up and consists of our staff and staff from NZTA, DoC and Westland District Council. This group shares information and is working with NZTA to raise the Waiho River Bridge by two metres.

M. Meehan reported that a new rain gauge has been set up on the Garibaldi Range to provide rainfall information in the Karamea catchment. Cr Scarlett expressed his concern that this range gets a lot of snow on it in the winter. M. Meehan agreed to follow up Cr Scarlett's concern with council's Hydrologist. Cr Archer asked M. Meehan how long it would take to interpret the data that will now be able to be gathered from this rain gauge and to correlate the data against actual river flows to assist with predictions. M. Meehan that the new rain gauge is in place to enable staff to advise residents of what is happening in the mid range areas during a heavy rainfall event. The rainfall information does not require to be directly correlated to river flows.

M. Meehan drew attention to the graph in this report that showed the effect of the Japan Tsunami on the tide gauge at Greymouth.

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

Carried

5.1.5 SURFACE WATER QUALITY UPDATE

M. Meehan spoke to this report advising that this report shows the contact recreation water quality sampling results for the summer period. M. Meehan stated that the last two readings showing a moderate to high risk at Shingle Beach and Marrs Beach should be disregarded. Buller District Council provided these samples for compliance at a time when an overflow from the pump station occurred. They should not have been used for this report.

M. Meehan reported that two staff members are involved with the ongoing aquatic weed survey training, which has been run by DoC. Cr Cummings asked for the results of his query as to whether or not Largarosiphon is in Lake Mapourika. M. Meehan responded that staff have emailed Cr Cummings to inform him that sampling areas in this lake are clear. T. Scott asked how far to the south are lakes monitored for contact recreation water quality. C. Ingle responded that only lakes in populous areas were monitored, as previous monitoring of southern lakes over the years has been clear.

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

Carried

5.2 CONSENTS AND COMPLIANCE GROUP

5.2.1 CONSENTS MONTHLY REPORT

C. Dall spoke to this report advising that the first consent has been granted for a discharge of phosphorous fertiliser in the Lake Brunner catchment. C. Dall reported that the intention is for this consent to only be used a few times then the consent holder will be changing to slow release Phosphorus fertiliser.

C. Dall reported that agreement has now been reached regarding Solid Energy's appeal against the signoff regarding their notified consent application for the Proposed Stockton Plateau Hydro Power Scheme. C. Dall reported that a draft Consent Order has been filed with the Environment Court for approval. It is hoped that outstanding issues will be resolved and a formal court hearing can be avoided as this will be very costly.

C. Dall reported that a request for information has been received from the Royal Commission regarding the Pike River Mine disaster. He advised that the information sought relates to consents and compliance monitoring requirements for the Pike River Mine since its inception.

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

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

C. Dall spoke to this report advising that Westroads Ltd have supplied beach profiles for their licence areas, which includes the Blaketown Beach licence area. C. Dall advised the company would not commence gravel extraction at the Blaketown Beach site until there has been sufficient gravel build up and once this occurs then further surveying will be carried out. Cr Scarlett asked if the agreement in place between council and Westroads Ltd relating to the beach profiles is based on science or consultation with the public. C. Dall responded that the agreement is based on historic survey information and an acceptable baseline which was agreed to in 2005. C. Dall confirmed that the baseline is based on science. Cr Birchfield commented that the serial complainant at Awatuna is again listed in the complaints / incidents report. C. Dall responded that this is one of these situations where sometimes these incidents are sporadic and sometimes by the time council staff get to the site the problem may not be occurring and sometimes it can be difficult to substantiate what is causing the problem.

C. Dall reported that a meeting has been held with Solid Energy Ltd to find a way of avoiding further sediment discharges such the one in Granity Creek in December. C. Dall reported that a more robust way of assessing and approving work programmes is being sought with experts being contracted to do peer reviews of what is proposed by Solid Energy Ltd in terms of sediment control. C. Dall reported that a workshop would be held on the Cypress Mine in May.

Cr Scarlett asked C. Dall why was an abatement notice and infringement notice issued for the same offences but in different areas and why weren't they both the same. C. Dall clarified that an abatement notice is issued when council is seeking the discharger to take some form of action

and this formalises the request and puts a set timeframe on it. An abatement notice does not carry a fine but it could lead to an infringement notice if they fail to meet the abatement notice requirements. C. Dall advised that an infringement notice means that a fine is issued relating to some kind of activity that is unauthorised and may have been a one off and could relate to a break down of equipment or a deficiency in an effluent system.

Moved (Archer / Robb)

1. *That the April 2011 report of the Compliance Group be received.*
2. *That Council release the bond held for Resource Consents RC02260, RC03204, RC05181. RC006058.*

Carried

6.0 GENERAL BUSINESS

There was no general business.

The meeting closed at 11.24 a.m.

.....
Chairman

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Date

5.1.1

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 10 May 2011
 Prepared by: Michael Meehan – Planning & Environmental Manager
 Date: 29 April 2011

Subject: PLANNING & ENVIRONMENTAL MANAGER'S MONTHLY REPORT

PLANNING

Wetlands Appeal

Following the disruption to the planners caucusing due to the Christchurch earthquake in February, a new date of 5 and 6 May has been scheduled for this to be finalised. Due to the delay, a new Environment Court date was also scheduled for the week starting 1 August 2011.

National Policy Statement on Indigenous Biodiversity

The Ministry for the Environment released a draft National Policy Statement on Indigenous Biodiversity (NPS) to assist with maintaining New Zealand's indigenous biodiversity. The NPS applies only to private land. A submission has been made on the NPS and is attached at the end of this report. The submissions period closed on 2 May 2011.

Biodiversity Fund

Council has been successful in an application to the fund on behalf of a landowner in Lake Poerua for a project to fence off the Lake and plant riparian plants. Council are working on further applications for the next funding round and received a good response to its newsletter article.

Marine and Coastal Area Bill

The Marine and Coastal Area Bill has passed its third and final reading and will soon become law. The Bill replaces the Foreshore and Seabed Act 2004. Owners of private freehold title will be unaffected. Current consents, leases, licences and permits can continue unaffected until they expire or are due for renewal. Renewed or new consent applications will only be affected if customary title is sought for that particular area.

NPS on Renewable Electricity Generation

The new National Policy Statement on Renewable Electricity Generation will come into effect on 13 May 2011. This latest NPS is linked to the Government's target of 90% renewable electricity generation by 2025 in the Energy Strategy. It identifies developing, operating, maintaining and upgrading renewable electricity generation activities as a matter of national significance. The NPS requires regional and district councils to recognise and have regard to a number of aspects of renewable electricity generation in regional policy statements and plans, including:

- the benefits of renewable electricity generation;
- the need to protect existing electrical generation assets, and the need for new generation facilities;
- the need to locate where the energy source is;
- considering compensation that benefits affected local environments or communities;
- avoiding reverse sensitivity effects on consented and existing generation activities;
- providing for various types of renewable energy sources where applicable;
- providing for small and community-scale distributed generation where applicable;

- providing for investigation activities for potential new energy sites and sources.

These matters must be provided for in regional policy statements and plans, by notifying an appropriate plan change by May 2013. Staff are looking at what changes are needed to our planning documents. It is likely that several changes are necessary.

RESOURCE SCIENCE

Council have recently been granted funding from the Envirolink fund for some new projects. One focuses on measuring in more detail the optical dynamics in Lake Brunner and the behaviour of light penetration and scattering. This will help us understand what drives algal growth and changes to aesthetic and biological values. Another grant aims to build on a recent review of sediment guidelines in the form of a workshop between NIWA experts and WCRC staff. The aim of this is to help us formulate more appropriate thresholds for sediment levels, in future discharge consents.

Jonny Horrox recently attended a short course in statistical analysis with NIWA. The timing of this was excellent given that the WCRC 2011 surface water quality report is currently in the process of being completed for the June 2011 deadline. As part of this course the use and features of some specialist NIWA developed software were discussed. Subsequent additions to this freeware will allow Council to conduct all State of Environment report analysis without purchasing any additional software.

Flood Warning

Since 13 April 2011 the Waiho River has been below its alarm threshold except when heavy rain occurs, this is a far better situation than the past few months where the Waiho River was above its alarm nearly continuously. There was one flood alarm on the Waiho River since 13 April with an event on 14/15 April pushing the river to 7354mm. Even though the normal water level is now below the alarm threshold the Council flood duty team are watching river levels very closely.

Site	Time of peak	Peak level	Warning Issued	Alarm threshold
Waiho River	15/04/2011 02:15	7354mm	14/4/2011 – 19:30	6800mm

Data Requests

2 rainfall, 1 groundwater and 2 water level requests received and processed.

RECOMMENDATION

That this report is received.

Michael Meehan

Planning & Environmental Manager



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26 April 2011

Land and Water Management Team
Ministry for the Environment
P O Box 10362
Wellington 6143

Dear Sir/Madam

Submission on the Proposed National Policy Statement on Indigenous Biodiversity

The West Coast Regional Council (the Council) appreciates the opportunity to submit on the draft National Policy Statement on Indigenous Biodiversity (NPS), and wishes to thank the Ministry of the Environment (MfE) for their consideration of our submission.

In general, the Council is supportive of the draft NPS and supports the added certainty that this can and will bring, particularly to those landowners who have native vegetation on their properties. However, the Council believes that further work is required on the areas outlined below to ensure that the objective of the NPS can be achieved in a more efficient and effective manner that reflects the situations of the different regions.

- The NPS requires the protection of all wetlands in Policy 2(c). This approach conflicts with the objective set in the draft NPS, particularly for the West Coast. Consideration of a more efficient and cost-effective approach is required.
- The inclusion of at risk species to be included in Policy 2(e) will be inappropriate for the West Coast for some common species (e.g. Weka) given the prevalence of these species within the region.
- Policy 4 should provide further clarity on the responsibilities for district and regional councils.
- Further work is required on Schedule 1 before it can be used, in the interests of certainty.

Council is also concerned about the amount of land administered by the Department of Conservation on the West Coast. These concerns have been outlined in this submission, as Council considers that this NPS submissions process is an appropriate opportunity to raise these issues with the Minister and seek resolution to these issues via the NPS process.

Thank you again for the opportunity to make these submissions.

Yours sincerely

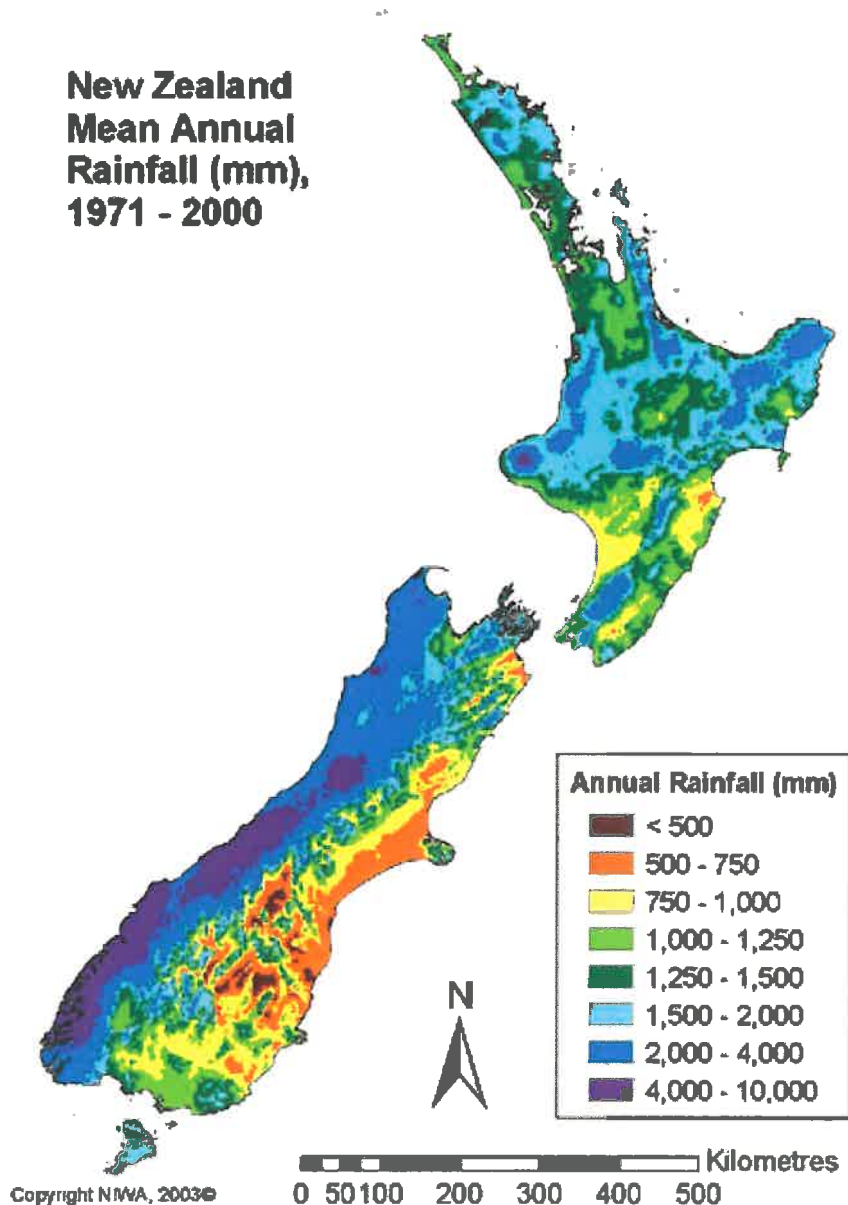
Chris Ingle
Chief Executive

The Draft Biodiversity NPS – A West Coast Perspective

1. Background – The West Coast Environment and Economy

The West Coast has a small population of 32,000, sparsely scattered along a long narrow coastline spanning 600km. The region covers 23,000 km². It is a mountainous region with steep catchments that drain the western side of the Southern Alps. It is easily the wettest region in New Zealand with annual rainfall ranging from 2.5 - 12 metres per annum. Figure 1 (next page) shows the annual rainfall on the West Coast is significantly different to that of the South Island's east coast, and virtually all other parts of New Zealand. There are many lakes and rivers in the region and due to the regular rainfall the soil is also very wet, which is why land drainage is a critical part of farm practice on the West Coast.

Mining for gold and coal is the main economic driver for the West Coast, particularly in the northern parts of the region. Agriculture, which on the West Coast is dominated by dairy farming, is the second most important economic driver. Tourism has more recently become increasingly important to the local economy, more particularly in South Westland. Other, more minor parts of the economy are forestry, fishing, and moss harvesting.



The West Coast Economic Development Strategy (2008) recognises the priority of sustaining the key drivers, including dairy/pastoral. The Environment is also recognised and it is noted the challenge is to find a balance between conservation values, industry impacts and community impacts. The West Coast has a history of boom and bust economic events and ten years ago had problems with high unemployment and a shrinking population.

Of the 23,000 square kilometres¹ or 2,300,000 hectares land area on the West Coast, the Department of Conservation manages 1,937,124 hectares² or 84.2%.

Land drainage is undertaken widely on privately owned land within the region, as a means of realising the economic potential of that land for agricultural purposes. Maintaining well drained pasture is necessary to retain the economic productivity of agricultural land. Agricultural land use is to a large extent dependent on and characterised by these practices, which play a role in the cultural and social values of the West Coast's rural communities.

Removing the ability of farmers to undertake as of right land drainage on land they own will undoubtedly severely restrict the extent to which they can use that land to provide for their own social, economic, and cultural wellbeing. The approach of the Council has therefore been to ensure that it removes this right only in circumstances where there is enough evidence to show that this is necessary to achieve the ecological aims of Part II of the Resource Management Act 1991 (RMA) and can be done in such a way that it does not unacceptably interfere with the West Coast Region's people's ability to provide for their social, economic and cultural wellbeing. Council has concluded that requiring a regional resource consent process every time a farmer needs to attend to land drainage tasks not only restricts property rights to an extent not required to achieve sustainable management of wetlands on a regional basis, but also places a burden on the farm budget that is not justified.

Most of the main land disturbance activities on the West Coast fall into the following three categories:

- Forestry
- Mining
- Farm development

The land disturbance associated with these activities and other activities may be potentially permitted under the Proposed Land and Water Plan subject to conditions and provided that they are **small scale**. This means that by and large the types of large scale land development activities that would present a real risk of significant loss of ecologically important wetlands already require consent.

2. Submission on Policy 2 of the Draft NPS

Policy 2 seeks to provide direction to local authorities and establish a baseline of indigenous biodiversity that should be protected. Establishing a baseline for what Councils are required to protect is an effective means of maintaining indigenous biodiversity, and is an approach that the Council supports, provided that the baseline criteria are appropriate.

As Policy 2 is currently worded, Council are concerned with clauses c and e, "indigenous vegetation or habitats associated with wetlands" and "habitats of threatened and at risk species", being used to establish what is either significant indigenous vegetation or significant habitat of indigenous fauna, particularly for the West Coast. These concerns are discussed in further detail below.

¹ West Coast Regional Policy Statement 2000.

² West Coast *Te Tai O Poutini* Conservation Management Strategy Volume II Draft 2007 – 2017.

2.1 Clause 2(c) – Indigenous vegetation or habitats associated with wetlands

Adding value – by adding certainty for landowners

It is essential that the NPS does in fact add to the certainty for those landowners who may have 'areas of significance' identified under Policy 2, and not inadvertently make it less certain for those people. For example, on the West Coast, much of our semi-developed productive land could, by strict interpretation of the RMA definition of 'wetland' in Section 2, be a wetland.

'Wetland', defined in the Act: "*includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions*".

Given the soils and rainfall of the West Coast, "*permanently or intermittently wet areas*" could apply to most, if not all, of the flat land within the West Coast region suitable for agriculture and other economic uses. Furthermore, the Council is unsure what falls into the 'category' of a "*natural ecosystem of plants and animals that are adapted to wet conditions*". The Act gives no further guidance of this, neither does the draft NPS. Given that wetland is defined to include "*permanently or **intermittently** wet areas*", it is reasonable to assume that the plants and animals in the natural ecosystem do not need to be permanently adapted to wet conditions. In other words, they only need to be tolerant of wet conditions. Given the soils and rainfall of the region, most of the plants and animals that occur on the West Coast can be said to be tolerant of wet conditions (see appendix 1 for photos of 'wet land' that meets the section 2 definition but is clearly not of any biodiversity value).

Currently, the NPS states that **all** wetlands are nationally significant. Surely in promoting certainty, the NPS needs to define more clearly what wetlands are significant and, which areas of "wet land" are not significant. Otherwise it is being unhelpful rather than helpful.

Not all areas of wet land on the West Coast are significant indigenous vegetation or significant habitat of indigenous fauna. The Boffa Miskell ecologists that have been advising the Council on Section 6(c) RMA matters advised Council to apply the Norton Roper-Lindsay criteria. Even the Department of Conservation ecologists accept that many areas of wet land that technically meet the Act's definition are not ecologically significant, and are no more significant than other indigenous vegetation classes on the West Coast. For this reason, Council commenced a mapping process for wetlands in 2004 and applied a modified Norton Roper-Lindsay criterion to assess significance. This **mapping does give certainty** and Council submits that where a Council has conducted such mapping of wetlands or Significant Natural Areas (SNAs) that these mapped areas be endorsed by the NPS as being the significant sites within that region or district, and the NPS should also specifically recognise that any other sites of indigenous vegetation are considered not to be significant (unless they are later found to meet the significance criteria in the Plan). In other words, if the regional or district plan has addressed the biodiversity matter in some detail, its approach should take precedence over the NPS, and the NPS should recognise that certainty in plans via mapped areas is the best practice approach and is endorsed as meeting the requirements of the NPS.

Part II RMA – a balancing approach

This Council has considerable experience in having regard to matters of national importance when processing resource consents and preparing planning documents under the RMA.

Section 6(c) is only one of a number of matters in Section 6. Section 6 does not over-ride Section 5, the purpose of the Act. The purpose of the Act in Section 5 emphasises the need to enable people and communities to provide for their social and economic well being, while ensuring life supporting capacity of ecosystems etc is also provided for. Sections 5 and 6 require a balancing of the enabling socio economic parts of the purpose of the Act with the protective parts that follow (a) – (c), which in turn are informed by the elements in Section 6.

While the Minister has clearly undertaken that balancing exercise when coming up with the 20% figure for land-based ecosystems, such consideration was apparently not given such detailed attention in terms of wetland ecosystems, many of which occur on private land where landowners rightly demand a proper balancing under the RMA before it constrains the lawful use of their land. This is particularly important on the West Coast where indigenous wetland vegetation is no more scarce than other indigenous vegetation types, such as forests.

The Council submits that the Minister needs to apply a Section 5 balancing exercise to clause (c) of Policy 2 – wetlands, in the proposed NPS. The Council submits that a percentage figure be applied to the protection of wetlands, at a sub-national level if necessary. A figure of 100% is not a balanced approach, and as we will discuss below, will not benefit the maintenance of the diversity of our native organisms.

West Coast Wetlands

In the West Coast region over 84% of land is administered by the Department of Conservation, and unsurprisingly, the majority of the remaining wetlands are within the conservation estate. The private land wetlands are often not in such good condition, as early settlers attempted to drain most privately owned wetland areas, with mixed results. Because of the generous rainfall on the West Coast, previously drained wetlands have a tendency to revert very quickly to their natural state.

Many native forested areas that have been clear felled are now classed as pakihi wetlands – even though their pre-european state was forest rather than wetland. The Boffa Miskell 2005 report of wetlands for Council (MfE assisted funding this report) found that pakihi type wetland classes on the West Coast had actually increased in area compared to their pre-european estimated extent. I note that there is scientific disagreement over figures of current extent of wetlands versus pre-european extent. A recent Department of Conservation study suggested only 23% of wetlands remain (Waters of National Importance (WONI)). However, the lead Department of Conservation ecologist on the West Coast, Phil Knightbridge, does not accept this figure and believes the actual figure to be somewhere between 23% and the 60% figure the Boffa Miskell assessment arrived at.

We assume the Minister has declared all wetlands to be significant because there are only 10% of wetlands remaining nationally. At first glance this appears to be a rational response if one looks at it from a solely national perspective. However, it is our submission that one needs to look more deeply at the issue of wetland biodiversity, and whether the draft Policy will actually achieve the Objective; and then also apply Section 5, before making a final decision.

The proposed NPS Objective is to promote the maintenance of New Zealand's indigenous biological diversity, or the diversity or range of our native wetland plants and animals. The Council supports this Objective. However, Council does not support the enforced retention of all remaining West Coast wetlands. Council does not support this because the full range of wetland organisms can be retained without protecting every single remaining wetland.

West Coast wetlands are still relatively abundant. The Council's approach to preserve the diversity of wetland organisms was to seek expert ecological advice, and then apply an RMA balancing to this advice, which resulted in a policy that ensures that at least 30% of each wetland type in each district of the region is identified and mapped in the regional plan with stringent (non complying) rules applied to protect those areas.

The national figure for remaining wetlands is around 10% and while it is understandable the government does not want that to fall to single figures, the fact is that retaining an excess of the particular wetland types on the West Coast will not benefit native biodiversity either on the West Coast or nationwide, it just means you end up with an abundance of West Coast wetland examples.

The wetland types that have been lost or reduced in the North Island and on the East Coast of the South Island do not contain the same species mix as the West Coast wetland types. Retaining all remaining examples of West Coast types does not increase biodiversity. Retaining many examples of the 'south western' wetland types simply means there are many examples of the species represented within western wetlands, but that does not equate to a greater diversity of organisms, just many examples of the same species assemblages. Many examples of the same thing does not equal enhanced diversity. This is a critical point that many do not seem to grasp.

What the NPS should seek to achieve is protecting, absolutely, the last 20% of all ecosystem types (including wetlands), but at the same time re-creating wetland habitats in the north and east where there is less than 20% of pre-european wetland types remaining, within any given region. This approach would have a better chance of enhancing biodiversity.

The current draft NPS approach with wetlands will not result in any benefit to the diversity of wetland organisms. But it will penalise West Coast landowners who possess a wet area, for no benefit. These landowners will be forced to forego any economic development of their land, for no benefit to the diversity of organisms regionally or nationally. The genuine risk to losing diversity (e.g. regional extinctions) is within those regions that have less than 20% of wetland types remaining. That is where Government needs to direct the efforts of this NPS.

Clause (c) of Policy 2 is not the most efficient means to achieve the Objective of the Proposed NPS, and requires amendment in order to take a balanced approach to the sustainable management of wet land on the West Coast, and the protection of wetlands generally at a national level.

Therefore, Council submits that Policy 2(c) be replaced with a directive to protect at least 30% of the pre-european wetland types in each district and region, and for government and councils to jointly develop programmes to restore wetland types that have fallen below the 30% threshold.

2.2 Clause (e) – habitats of threatened species

In terms of Policy 2(e), Council would be concerned if all areas supporting 'at risk' threatened species were to be declared significant. Council understands the list of at risk species is very long and includes several species that while they may be in decline in other parts of New Zealand, they are abundant locally on the West Coast.

In addition, the classifications for threatened and at risk organisms are reviewed regularly by the Department of Conservation with no public input invited. When the Boffa Miskell (2005) report was written nearly all native species were classified as threatened by Hitchmough (2002). If the Department of Conservation can amend this list and classification system at its sole discretion, with no right of submission or appeal by affected land owners, this is a classification which should not be recognised in the NPS as being the sole basis for determining significance of threatened species.

A further complication that our Council has grappled with, is to what extent must an area be associated with a threatened species to make it significant? The White Heron (Kotuku) is surely a threatened species but it will land in pasture, creek beds, and trees in developed areas from time to time – does this make such areas significant? A Department of Conservation expert told the Environment Court last year that even if a threatened bird 'flew over' a site then that site should be considered a habitat for that species. To us, this thinking is clearly nonsense and unworkable.

Our Council took the view that a site should be considered significant for a threatened species only if it is critical habitat for the species (e.g. critical feeding/breeding habitat), rather than a casual stopover or flyover site.

It is submitted that

- (a) 'At Risk' species be deleted from clause 2(e), or included only if some qualifier applies; and
- (b) Some recognition is given that threatened species which are locally abundant, though nationally rare, are not to be treated as significant within that region or district; and
- (c) It needs to be specified in the NPS that for habitat to be recognised as significant, the site must be critical breeding or feeding habitat for that species.

3. Submission on Policy 4 of the Draft NPS

Policy 4 defines the processes by which the various regional and district plans should map significant biodiversity areas. In our view, the Policy has not been carefully worded and may cause duplication instead. For example, it would be inefficient for both a regional and district plan to contain maps of the same areas, or to contain similar rules to manage the same values.

On the West Coast the district plans manage 'dry' ecosystem areas such as forest, while the regional plan maps wetlands and other water bodies, reflecting the ecosystem management regime of the RMA. It may be useful for the NPS to follow this protocol – assuming it is similar across New Zealand.

The Council submits that the Policy should state, for the avoidance of doubt, that a regional and district plan are not required to duplicate each other in terms of their protective mechanisms, and that the Regional Policy Statement should define which Council is going to undertake and be responsible for the mapping of significant areas and controlling the various activities that may occur.

4. Submission on Schedule 1 – Naturally uncommon ecosystems

Schedule 1 identifies naturally uncommon ecosystems and is used to inform Policy 2(a) as to what should be considered as significant indigenous vegetation or significant habitat of indigenous fauna. We are unclear as to what extent these 'naturally uncommon ecosystems' occur on the West Coast, but believe that shingle beaches and cloud forest may be present within the region.

The Council seeks information from the Ministry as to how much information has been gathered regarding the extent of the areas identified in Schedule 1, and if these areas have been mapped. If these areas have not been mapped, Council questions how an informed Section 32 test could have been undertaken? Due to this, there is no robust indication as to the effect the draft NPS will have in constraining existing and future uses of land, beaches and riverbeds, and we wonder whether these areas actually support any organisms.

Schedule 1 should sit outside the NPS, similar to other documents or databases that are referred to e.g. Land Environments of New Zealand. This would provide an opportunity for the Ministry to undertake an informed process in mapping the naturally uncommon ecosystems as opposed to an ad hoc inclusion where the economic, social, and cultural impacts of including such areas are yet to be robustly assessed.

Council submits that the Schedule 1 list be removed until further research has been undertaken and these 'naturally uncommon ecosystem types' have been accurately mapped.

5. Biodiversity on Conservation Land

The Council agrees with the approach of the proposed NPS that it is not intended to apply to the protection of biodiversity on land administered by the Department of Conservation. Recently, the Council has been required by the Environment Court to include a schedule of wetlands located on conservation land within its regional plan. The Council believes that the conservation legislation affords sufficient protection of these areas. In some circumstances, activities may affect adjoining land, and in this case identification of such areas may be warranted to ensure ecological values are not adversely affected. However, the duplication of protection mechanisms is unwarranted and inefficient. The Council therefore seeks that there is clear guidance within the NPS that regional and district plans should not be required to identify areas of indigenous biodiversity that are located on land administered by the Department of Conservation, except where activities on private land may adversely affect adjacent conservation reserves.

Is it intended by this draft NPS, that land administered by the Department of Conservation protects for a certain level of biodiversity and the NPS provides for a 'top up' in order to achieve sufficient protection? In the North Island this may be a balanced approach, but in regions where there is a dominance of conservation land, such as the West Coast, then some would say it is the productive land uses that need to be given protection, as productive lands, not biodiversity, are in decline. Certainly it would seem on the West Coast if there is to be an assessment of production land for biodiversity values then at the very least the land administered by the Department of Conservation also needs to be assessed to determine whether they are all required for supporting biodiversity, or whether some lands can instead be used for production purposes.

Our experience of the Department of Conservation making submissions, presenting at Council hearings, and taking appeals to the Environment Court, is that they show little or no balance in their judgement on these matters. They are purely advocates for conservation. They do not consider community needs, the local economy, socio-cultural values, or even community safety. Conservation values and conservation land holdings come first and foremost. In some ways this is understandable as the Conservation Act instructs them to do so. Whereas the RMA has a balancing requirement and the Local Government Act (LGA) has the four wellbeings, the Conservation Act has a single purpose. It is this single purpose that is causing difficulties for local government on the West Coast.

In other regions it may be that having a conservation advocacy group is quite useful, for example to counter balance an aggressive developer. In a region lacking in conservation areas this may assist RMA decision-makers to come to a balanced decision. On the West Coast our experience is that the Department of Conservation and various well organised green groups are almost the sole appellants on most of our planning documents, advocating for more and more conservation elements to be included in the plans. There is very little in the way of developer pressure to counter balance this conservationist thinking and councils end up standing alone as the voice of reason against a better funded government department and their zealous support groups.

Council considers that the Conservation Minister needs to adopt a general Policy under the Conservation Act, whereby all decisions should include an impact assessment on the four well-beings: economic, social, cultural, and environmental. Furthermore, any advocacy actions should have regard to the overall balance between those wellbeings, rather than focussing on conservation outcomes at the expense of all other values.

It is a real constraint to economic growth to have 84% of the land on the West Coast subject to Conservation Act requirements. Council believes the Government needs to assess their land holdings on the West Coast with a view to re-allocating lands where the ecosystem type is well represented in reserve land regionally and nationally. The Ministry of Economic Development may, for example, be allocated Government lands where the Department of

Conservation already holds ample examples of that forest type. For example, if we have more than 20% or 30% of a particular beech forest ecosystem type, at a district, regional and national level, then Government could look at developing some of that land to help address the economic crisis we find ourselves in. It cannot be necessary to have 84% of this region protected under Conservation legislation when the NPS only insists on 20% of each type. This is clearly inefficient. Obviously high value tourist sites need to be retained, but there are vast tracts of native forest on the West Coast that are only a sink for possum control funds and could potentially be put to productive uses (including tourism development).

We have asked the local Department of Conservation to look into this issue through submissions to their Conservation Management Strategy, but they have declined. The Economic Development Ministry may be more inclined to assess this matter impartially and with a view to creating economic benefits to New Zealand as a whole.

With the NPS setting clear bottom lines (i.e. the 20% figure, or the 30% figure this Council recommends for wetlands) the environmental lobby should take some comfort that any rationalisation cannot cause a material loss of native biodiversity.

Council submits that

- (a) The NPS proposes a General Policy that applies to the Conservation Act - whereby all decisions include an impact assessment on the four well-beings: economic, social, cultural, and environmental; and, any advocacy actions have regard to the overall balance between those wellbeings; and
- (b) The NPS includes a new statement that conservation lands on the West Coast be assessed in terms of the abundance of the various ecosystem types, with a view to identifying over-represented ecosystem types.

6. Test Drive Stage – Prior to making the NPS operative

Finally, it is submitted that following consideration of submissions and interim decision-making, the Minister requires a 'test drive' of the various Policies proposed for the NPS to ensure that they work, that they will achieve the objective, and that they do not unduly constrain the lawful activities of the rate paying members of our communities.

It is submitted that such a test drive is essential to avoid creating perverse disincentives, and to ensure that the regulatory footprint is as light as it possibly can be given the tests and requirements in Section 32 of the RMA, as well as providing the relevant balancing of the four well-being's and the balancing required under Section 5 of the RMA.

Given that there will no Board of Inquiry process, we submit that this test drive would give surety to the parties who have submitted on this document that the approach finalised by the Ministry will be a practical and workable solution in each region, to maintaining New Zealand's indigenous biodiversity, and one that does not unduly constrain economic activity.

7. Summary

Overall, the Council supports the intent of the draft NPS for indigenous biodiversity as it has potential to add value by adding certainty for landowners who have indigenous vegetation or habitat on their land. However, as this submission notes, further work is required by the Ministry to ensure that the Policies will actually achieve the Objective.

In summary the Council submits that:

- While the Council supports the Objective, it does not support the enforced retention of all remaining West Coast wetlands (especially given the RMA definition of wetland).

- That Policy 2(c) be replaced with a directive to protect at least 30% of the pre-european extent of each wetland type, in each district and region, and for government and Councils to jointly develop programmes to restore wetland types that have fallen below the 30% threshold.
- That 'at risk' species be deleted from Policy 2(e), and recognition given that threatened species which are locally abundant, though nationally rare, are not to be treated as significant within that region or district.
- Council also recommends, that for habitat to be significant, it needs to be critical breeding or feeding habitat for that species.
- That Policy 4 should state that a regional and district plan are not required to duplicate protective mechanisms, and that the Regional Policy Statement should define which council is going to undertake and be responsible for the mapping of significant areas and controlling the various activities that may occur.
- That Schedule 1 is removed from the NPS until further research has been undertaken and the 'naturally uncommon ecosystems' have been mapped.
- That there is clear guidance within the NPS that regional and district plans should not be required to identify areas of indigenous biodiversity that are located on land administered by the Department of Conservation, except where activities on private land may adversely affect the ecological values of adjacent reserve land.
- That the NPS signals a new General Policy applying to the Conservation Act that directs activities of the Department to have regard to the four wellbeings.
- That the NPS signals a process to assess the Conservation land on the West Coast with a view to reallocating lands where the ecosystem type is well represented in reserve land regionally and nationally.
- That the Minister 'test drives' the revised NPS prior to it coming into effect.

Appendix 1

The photographs show developed land that contains some plants that are adapted to wet conditions in areas that will be wet intermittently. Such areas typically occur through the West Coast with the photographs numbered 1 to 5 taken in less than 1 hour, within 10 kilometres of the West Coast Regional Council's offices at Paroa.



1. Greymouth Airport site, east of runway.



2. Greymouth Airport site, north end of runway.



3. Farm land on Marsden Road, Greymouth.



4. Farm land on Marsden Road, Greymouth.



5. Farm land on Marsden Road, Greymouth.



6. Practice rugby ground, north of Hokitika.



7. Humped and hollowed farm land adjacent to SH6 near Arahura.



8. Farm land adjacent to SH6 near New River.

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting – May 2011
Prepared by: Nichola Costley, Regional Planner
Date: 27 April 2011
Subject: **CIVIL DEFENCE & REGIONAL TRANSPORT REPORT**

Civil Defence Emergency Management UpdateWeather Radar

Everything is on track for installing this radar around October. Orders for the radar and its covering radome have been placed with their overseas suppliers, along with the order for installing a mains power cable to the site. Other key aspects, such site agreements and civil works contracts are well in hand.

Resilience Fund

Recent events have, once again, highlighted the importance of the benefits of 'being prepared'. The West Coast Civil Defence Emergency Management (CDEM) Group is seeking to undertake the development of a Public Education Programme to determine a work programme of activities to increase public awareness and preparedness levels. An understanding of the level of knowledge regarding civil defence emergency management, local hazards, and preparedness amongst the local communities is required to effectively establish this programme.

In previous years the Ministry of Civil Defence and Emergency Management (MCDEM) has arranged for Colmar Brunton to undertake surveys on preparedness levels in a national annual survey. Unfortunately, the West Coast has been included within the Canterbury outcomes, which has not been useful to inform decision making processes. However, MCDEM are extending this survey to provide more comprehensive regional information and the West Coast will now be a separate sample group. This is a good opportunity to gain some specific regional information. However, the number of surveys anticipated to be undertaken is between 50 to 100 which is not considered to be large enough to get a comprehensive grasp of the issues on the West Coast.

The West Coast CDEM Group has made an application to the 2011/12 Resilience Fund to establish a public education baseline. The Resilience Fund application seeks funding to increase the numbers of surveys undertaken on the West Coast from 50 to 500. This will provide good information to the four councils on the type of public education initiatives required for our communities.

Applications closed on the 11th of April and decisions on the allocations are likely to be released late May.

Regional Transport UpdateRegional Land Transport Strategy

Staff have been working on the drafting the Recommending Report for Decisions on the draft Regional Land Transport Strategy with the Regional Transport Advisory Group. The Hearing on the Strategy has been scheduled for 17 May with six submitters indicating that they wish to be heard in support of their submission.

Clr Ross Scarlett is unable to attend the Hearing in his capacity as Chairman of the Regional Transport Committee. Therefore Clr Bryan Chinn will chair the Hearing on his behalf.

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.

Government Policy Statement on Land Transport Funding 2012/13 – 2021/22

The Ministry of Transport is seeking feedback on the direction of the next Government Policy Statement (GPS). This document informs the National Land Transport Programme and consequently the West Coast Regional Land Transport Programme for 2012 – 15 (RLTP). The GPS sets the outcomes and priorities the government expects from the investment of the National Land Transport Fund.

The Minister is proposing to broadly continue the overall direction set by the last GPS. The key priorities will be:

- A strong and continuing focus on economic growth and productivity;
- Value-for-money; and,
- Road safety.

The previous GPS also had a focus on using transport investment to provide additional economic stimulus in the short term due to the global economic crisis. This short term focus has worked and this emphasis is intended to shift further out in the new GPS.

Work on the Roads of National Significance (RoNS) has progressed well enough for four more possible RoNS to be included based on the draft State Highway classification project. Only one of these roads is in the South Island – State Highway 1 north and south of the current Christchurch motorway projects.

The GPS sets 'funding ranges' which set out the maximum and minimum that can be spent on each particular activity class. This range enables the NZ Transport Agency some flexibility to adjust actual funding levels in responding to requests set out in Regional Land Transport Programmes and in managing the overall investment under the National Land Transport Programme.

Activity classes proposed to have a similar funding level over the coming three years include:

- Renewal of State Highways;
- Maintenance and operation of State Highways;
- New and improved infrastructure for local roads;
- Renewal of local roads;
- Maintenance and operation of local roads; and,
- Road policing

This would allow for the current levels of activity to be maintained, however the funding ranges have been lowered to encourage efficiency.

The funding range for new and improved infrastructure for State Highways is proposed to be extended to allow progress on all projects including RoNS to be maintained. The activity classes of Road user safety, Sector training and research, Transport planning, and Management of the funding allocation system are all proposed to have their funding ranges lowered to improve efficiencies and reduce duplication.

The Public transport activity class is proposed to be increased to allow for the metro rail, while Public transport infrastructure is proposed to have its upper limit lowered in order to focus on the highest priorities. The Walking and Cycling facilities activity class is proposed to remain unchanged.

Feedback on the proposed direction of the GPS 2012 is required by 27 May 2011. Staff will shortly commence the development of the 2012-15 RLTP for the West Coast. Due to only minor amendment to the priorities and outcomes in the proposed direction of the GPS, and its continued alignment with those identified in the draft Regional Land Transport Strategy

and likely to be carried into the RLTP, there is unlikely to be any significant impact on the development of the programme, and subsequent proposed transport projects for the West Coast.

RECOMMENDATION

That Council receives this report.

Chris Ingle
Chief Executive

5.2.1

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee
 Prepared by: Colin Dall - Consents & Compliance Manager
 Date: 29 April 2011

Subject: CONSENTS MONTHLY REPORT

CONSENTS

Consents Site Visits from 30 March – 26 April 2011

DATE	ACTIVITY, NAME & LOCATION	PURPOSE
5/04/11	RC11055 – Paul Steegh Contracting Ltd, Gravel extraction, Taramakau River	To investigate the sites to assess the availability of the gravel resources and gain a better understanding of the proposed gravel extraction operations.
11/4/2011	RC11062 - Linda Calder Design Consultant Ltd, Onsite sewage wastewater discharge, Omoto	To assess the proposed onsite sewage treatment system against Rules 6 (RPDL) and 77 (PRLWP) and to provide advice resource consent requirements.
19/4/2011	Application pending - Onsite sewage wastewater discharge, Dobson	To assess the proposed onsite sewage treatment system against Rules 6 (RPDL) and 77 (PRLWP).
26/04/11	RC11064 - Graham Ford, Gravel extraction, Cariboo Creek and New River	To investigate the sites to assess the availability of the gravel resources and gain a better understanding of the proposed gravel extraction operations.

Non-Notified Resource Consents Granted from 30 March – 26 April 2011

CONSENT NO. & HOLDER	PURPOSE OF CONSENT
RC07107 PJ & JH O'Connor	To discharge dairy effluent to land where it may enter water, Waimangaroa.
RC09097 PF & LE Berry	To discharge dairy effluent from a stand-off pad to land near Henry Creek and Moores Creek. To discharge dairy effluent from a stand-off pad to land near the Grey River.
RC10024 Tui Trust Mining Ltd	To undertake earthworks within Lot 1 DP 2859 on MP41952 associated with alluvial gold mining and associated activities at Greenstone Valley. To undertake earthworks within the "Three Mile Amenity Area" on MP41952 associated with alluvial gold mining and associated activities at Greenstone Valley. To take and use water for alluvial gold mining activities within MP41952. To discharge sediment-laden water to land within MP41952 in circumstances where it may enter Greenstone River and its tributaries.

RC10253 Blacktopp Mining Ltd	<p>To discharge water containing contaminants to Three Mile Creek and its tributaries.</p> <p>To undertake earthworks associated with alluvial gold mining at Waimea.</p> <p>To take and use surface water from Pretty Woman's Creek and Waimea Creek for alluvial gold mining activities.</p> <p>To discharge sediment-laden water to land where it may enter water.</p> <p>To discharge dust to air associated with alluvial gold mining at Waimea.</p>
RC11013 R Belcher	To disturb the Coastal Marine Area for the purpose of sand removal at North Beach, Westport.
RC11015 New Zealand Transport Agency	<p>To use and maintain an access track (including earthworks and vegetation clearance) within riparian margins, Mahitahi River.</p> <p>To permanently divert water from a rock spur, Mahitahi River.</p>
RC11017 GM & KJ Maisey	<p>To disturb the bed of the Little Man River associated with a channel diversion.</p> <p>To divert flow of the Little Man River.</p>
RC11039 Westpower Ltd	To undertake vegetation clearance within riparian margins, Burton Creek, the Little Grey River and an unnamed overflow channel of Burton Creek, Ikamatua.
RC11040 The Mokihinui-Lyell Backcountry Trust	To undertake earthworks and vegetation clearance on slopes greater than 25 degrees associated with the construction and maintenance of a recreation track, Lyell to Seddonville.
RC11046 PF Olsen Ltd	<p>To disturb land outside riparian margins on slopes in Erosion Prone Area One and Erosion Prone Area Two associated with the harvesting of exotic forest, land preparation, roading and the construction of log processing sites and hauler pads, Victoria Forest (Waitahu Block).</p> <p>To discharge stormwater containing sediment to land from roading, construction of log processing and hauler sites, harvesting and land preparation, Victoria Forest (Waitahu Block).</p> <p>To discharge sediment to water as a result of crossing unnamed creeks during harvesting operations, Victoria Forest (Waitahu Block).</p>
RC11049 Westland District Council	<p>To construct coastal protection works (rock wall) in the coastal marine area at Hokitika.</p> <p>To occupy space in the coastal marine area as a result of the construction of coastal protection works (rock wall) at Hokitika.</p>

RC11051 Department of Conservation	To replace a footbridge, including to cut off the old bridge piers to at least low tide mark, with a new design in the CMA, Three Mile Lagoon.
RC11052 A R & D K Godfrey Family Trust	To discharge dairy effluent to land and water (a farm drain) near DS207, Kowhitirangi.
RC11053 A Baird	To disturb the bed of the Kokatahi River to undertake river protection works.
RC11055 Paul Steegh Contracting Ltd	To disturb the dry bed of the Taramakau River, downstream of the SH6 Bridge for the purpose of gravel extraction.
RC11058 Brightwater Engineers Ltd	To discharge contaminants to air associated with abrasive blasting and painting activities, Westport.

Changes to Consent Conditions Granted from 30 March – 26 April 2011

CONSENT NO, HOLDER & LOCATION	PURPOSE OF CHANGE
RC00398 Jackson Bay Mussels Ltd Jackson Bay	To change conditions relating to the design and implementation of the anchoring system for the farm.
RC01244 Department of Conservation Lewis Pass	To allow the 1080 bait to be used for rat control along with possum control.
RC05003 Department of Conservation Paparoa National Park	To increase the size of the discharge area.

Limited Notified or Notified Resource Consents Granted from 30 March – 26 April 2011

CONSENT NO. & HOLDER	PURPOSE OF CONSENT
RC11012 Solid Energy New Zealand Ltd	<p>To undertake up to 28 ha of vegetation clearance and earthworks, including works within the riparian margins of surface watercourses, within the scheme area defined in Figure A, associated with the construction, operation, use, repair, and maintenance of the St Pats 2 Water Treatment Scheme, including the following structures and works:</p> <ul style="list-style-type: none"> • The SP2 sump, embankment dam, spillway, intake and outfall structures, including structures and works within and adjacent to St Patricks Stream. • Weirs, pipelines, and works necessary to facilitate the diversion of water, including structures located within and adjacent to St Patricks Stream, Fly Creek and Plover Stream. • Limestone-dosing of Fly Creek, Plover Stream, and the Cypress Mine pre-treatment ponds. • Upgrades to the existing Fly Creek Mine Road. • Establishment of a construction haul road between the SP2 sump and Cypress Haul Road. <p>Upgrades to the existing power supply generally following the route of the existing Fly Creek Mine Road.</p> <p>To disturb, excavate and deposit material in the bed of watercourses, and to erect, place, use, repair, and maintain structures within the bed of watercourses, located within the</p>

scheme area defined in Figure A, associated with the construction, operation, use, repair and maintenance of the St Pats 2 Water Treatment Scheme, including the following structures and works:

- The SP2 sump, embankment dam, St Patricks Stream diversion channel and associated structures at or about map reference L29 188 467.
- Sump decant structure at or about map reference L29 187 468 and associated pipelines, and discharge structure at or about map reference L29 187 468.
- Diversion weirs and associated structures in St Patricks Stream at or about map reference L29 187 465 and in Plover Stream/Fly Creek at or about map reference L29 185 469.
- Works to facilitate the diversion of Plover Stream into its natural stream bed at the Plover Dam site, at or about map reference L29 180 464.
- Intake and outlet structures in the bed of St Patricks Stream associated with the St Patrick Stream clean water diversion, at or about map references L29 183 457 and at L29 186 464 respectively.
- Structures for the Cypress transfer pipeline in the bed of St Patrick Stream or about map reference L29 181 453.
- Limestone dosing discharge pipelines and associated structures in at or about map references L29 180 463 (Plover Stream), L29 177 469 (Fly Creek), and L29 179 453 or L29 181 452 (Cypress Mine pre-treatment ponds).
- Culverts and associated inlet and outlet structures on the construction haul road where it crosses St Patricks Stream, at or about map reference L29 184 458.

Any other like structures required for and related to the construction, operation, use, repair, and maintenance of the St Pats 2 Water Treatment Scheme within the scheme area defined in Figure A.

To take, use, dam and divert (including temporary activities) associated with the construction, operation, use, repair, and maintenance of the St Pats 2 Water Treatment Scheme, including:

- in St Patrick Stream at or about map reference L29 187 465 associated with the SP2 sump, embankment dam, St Patricks Stream diversion channel and associated structures
- In Plover Stream / Fly Creek at or about map reference L29 185 469 associated with the Plover Stream / Fly Creek diversion weir
- In Plover Stream at the Plover Dam site, at or about map reference L29 180 464 associated with the Plover Stream diversion
- In St Patricks Stream at or about map references L29 183 457 associated with the St Patrick Stream clean water diversion
- unnamed tributaries of St Patrick Stream, Plover Stream and Fly Creek within the scheme area defined in Figure A associated with incidental works.

on land within the scheme area defined in Figure A associated with erosion and sediment control and the management of stormwater and surface runoff, including within sediment ponds and behind coffer dams and dam structures.

To take, divert and use groundwater (including seepage) within the scheme area defined in Figure A associated with the

construction, use, operation, repair, and maintenance of the St Pats 2 Water Treatment Scheme.

To take and use water for construction activities associated with the St Pats 2 Water Treatment Scheme, from surface watercourses within the scheme area defined in Figure A.

To discharge water and contaminants (principally sediment) associated with the construction, use, operation, repair, and maintenance of the St Pats 2 Water Treatment Scheme:

- To land, surface water and groundwater within the scheme area identified in Figure A as a result of sediment, erosion and stormwater management works.

To land, surface water and groundwater within the scheme area identified in Figure A as a result of structural works.

To discharge water and contaminants (including low pH water, trace elements and sediment) associated with the use and operation of the St Pats 2 Water Treatment Scheme:

- To St Patrick Stream (from the SP2 sump) at or about map reference L29 188 468 via the SP2 decant structure,
- To St Patrick Stream (from the SP2 sump) at or about map reference L29 187 468 via the SP2 spillway
- To Fly Creek / Plover Stream (from St Patrick Stream) at or about map reference L29 187 468 via the St Patrick Stream artificial diversion channel (sump bypass)
- To St Patrick Stream (from upper St Patrick Stream) at or about map reference L29 186 464 via the St Patrick Stream clean water diversion pipeline
- To the SP2 sump (from the Fly Creek / Plover Stream diversion) at or about map reference L29 183 457
- To the SP2 sump (from the Cypress Mine pre-treatment ponds) at or about map reference L29 187 465

To ground within the scheme area identified in Figure A, including within the sump footprint.

To discharge water and contaminants (including ultrafine limestone and hydrated limestone) associated with the use and operation of the St Pats 2 Water Treatment Scheme:

- To Fly Creek (from a limestone-dosing pipeline) at or about map reference L29 178 470 (between 500m and 780m upstream of the SP2 sump).
- To Plover Stream (from a limestone-dosing pipeline) at or about map reference L29 180 464 (between 590m and 760m upstream of the SP2 sump).

To the Cypress Mine pre-treatment ponds (from a limestone-dosing pipeline) at or about map reference L29 179 453 or L29 181 452.

To discharge contaminants to air associated with the construction, operation, use, repair, and maintenance of the St Pats 2 Water Treatment Scheme including but not limited to dust associated with the excavation, handling, conveying and processing of gravel, sand, soil, rock and other natural materials; the operation of aggregate crushing and screening and concrete batching plants and stockpiling activities.

Notified Consents Updates & Other Matters

The Consents & Compliance Manager, with the assistance of other Council staff, was busy preparing the Council's evidence for the Royal Commission on the Pike River Coal Mine Tragedy.

Public Enquiries

27 written public enquiries were responded to during the reporting period. 18 (67%) were answered on the same day, 8 (30%) no more than 10 working days later and the remaining enquiry was an official information request, which was responded to within the 20 working day period required under the Local Government Official Information and Meetings Act 1987.

RECOMMENDATION

That the May 2011 Consents report 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: 29 April 2011
 Subject: **COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

Site Visits

A total of 89 site visits were undertaken during the reporting period, which consisted of:

Activity	Number of Visits	Fully Compliant (%)
Resource consent monitoring	13	100
Dairy shed inspections	57	63
Complaint response*	6	100
Mining compliance & bond release	13	62

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

Specific Issues

Dairy Effluent Discharges: Compliance staff continued to carry out regular dairy farm inspections. A number of Infringement Notices were issued in this reporting period to farmers who have not completed remedial work as requested by the Council previously.

Oceana Gold Limited (OGL) – Globe Progress Mine: There were no reports of non compliance throughout the reporting period. Council staff undertook sampling of Devils Creek, with the results showing that the discharges from the mine were within compliance limits at the time of sampling.

Solid Energy New Zealand Limited (SENZ)/Stockton Alliance – Stockton Coal Mine: SENZ notified the Council of one non compliance during the last reporting period. SENZ is investigating the cause of the non compliance and a report on the matter will be forwarded to the Council at the completion of the investigation.

Gold Mining: There continued to be increase in alluvial gold mining operations around the region. The Council's monitoring of those operations has identified that the main issues that are faced by miners surround the management of minewater discharges from their settling ponds, maintenance of these settling ponds and having too much ground disturbed at any one time.

Complaints/Incidents between 30 March 2011 and 28 April 2011

The following 15 complaints/incidents were received during the reporting period:

Activity	Description	Location	Action/Outcome
Discharge to Land	Complaint about burial of equipment associated with the operation of an old pool.	Franz Josef	Compliant
Earthworks	Complaint about flooding due to earthworks on a neighbouring property.	Stafford	Compliant
Earthworks	Complaint about the disturbance of the riparian margin.	Ross	Not substantiated by site visit.
Gold Mining	Complaint about mine water entering water way	Notown	Inspection undertaken, remedial works completed.

Gold Mining	Complaint about minewater entering water and position of settling ponds.	Cariboo	Inspection undertaken and activity ceased.
Discharge to Land	Notification of settling ponds breaching and discharging to land.	Kokiri	Inspection undertaken, effluent contained.
Dairy	Complaint about stock fenced into waterway.	Rotomanu	Still under investigation.
Earthworks	Complaint about discoloured water in a drain caused by earthworks on neighbouring property.	Gillams Gully	Not substantiated by site visit.
Earthworks	Complaint about creek running dirty.	Fairdown	Still under investigation.
Gold Mining	Complaint about management of sediment.	Stafford	Compliant when inspected.
River works	Complaint about river works affecting household water supply.	Franz	Contractor contacted and issue resolved.
Unknown	Complaint about brown substance in river	Karamea	Still under investigation.
Earthworks	Complaint about gravel extraction and riparian margin disturbance.	Seddonville	Still under investigation.
Coal Mining	Notification of a non compliance discovered in Mine Creek.	Stockton	Still under investigation.
Earthworks	Complaint about earthworks causing slips.	Fairdown	Still under investigation.

Formal Enforcement Action

The following 3 Abatement Notices and Infringement Notices were issued during the reporting period:

Notice	Activity	Location
Abatement	Unauthorised flood protection works	Taramakau Settlement
Abatement	Unauthorised gravel extraction	Westport
Abatement	Unauthorised gold mining activities	Kawhaka
Infringement	Discharge of contaminants to water associated with an unauthorised gravel extraction	Westport
Infringement	Discharge of contaminants (dairy effluent) to land where it may enter water	Reefton
Infringement	Discharge of contaminants (dairy effluent) to land where it may enter water	Reefton
Infringement	Discharge of contaminants (dairy effluent) to land where it may enter water	Cronadun
Infringement	Discharge of contaminants (dairy effluent) to land where it may enter water	Reefton
Infringement	Discharge of contaminants (dairy effluent) to land where it may enter water	Reefton
Infringement	Discharge of contaminants (sediment) to land where it may enter water	Ross

There were also 2 formal warnings issued during the reporting period.

MINING

Work Programmes

The Council received the following 5 work programmes during the last reporting period. The 3 work programmes shown in *italics* are waiting on further information or have not been processed while the other 2 were processed and accepted.

Date	Mining Authorisation	Holder	Location
<i>31/3/11</i>	<i>RC07129</i>	<i>Southbrook Holdings Ltd</i>	<i>Darkies Terrace</i>
<i>1/4/11</i>	<i>RC09035</i>	<i>Francis Mining</i>	<i>Reefton</i>
11/4/11	RC09167	Granville Mining Ltd	Nelson Creek
<i>11/4/11</i>	<i>RC10278</i>	<i>Morrison</i>	<i>Humphreys Gully</i>
18/4/11	RC01287	G J Cooper	Duffers Creek

Bonds Received & Bond Releases

The following mining bond was received during the reporting period:

Mining Authorisation	Holder	Location	Amount
RC10224	Grant Henry Growcott	Waimea Forest	\$10,000

The following bond has been released.

Mining Authorisation	Holder	Location	Amount
RC07186	VH Mining Ltd	Totara Flat	\$6,000

OIL SPILL RESPONSE

No significant spills to report.

RECOMMENDATION

That the May 2011 Compliance report be received.

Colin Dall
Consents & Compliance Manager

COUNCIL MEETING

THE WEST COAST REGIONAL COUNCIL

Notice is hereby given that an **ORDINARY MEETING** of the West Coast Regional Council will be held in the Offices of the West Coast Regional Council, 388 Main South Road, Greymouth on **Tuesday, 10TH May 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- 6	3.1 Minutes of Council Meeting 12 April 2011
4.		REPORTS
	7 - 8	4.1 Planning & Environmental Manager's Report on Engineering Operations
	9 – 11	4.2 Corporate Services Manager's Report
	12 - 15	4.2.1 NZ LAPP (Local Authority Protection Programme Disaster Fund)
	16 – 18	4.2.2 Long Term Plan (2012 / 22) Timeline
		4.3 Developing a policy for vexatious complainants
5.		CHAIRMAN'S REPORT (VERBAL)
6.0	19	CHIEF EXECUTIVE'S REPORT
7.		GENERAL BUSINESS

THE WEST COAST REGIONAL COUNCIL**MINUTES OF THE MEETING OF THE COUNCIL HELD ON 12 APRIL 2011,
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH,
COMMENCING AT 11.25 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

Cr Birchfield requested that the comments he made at last month's meeting regarding the workshop that the Chief Executive attended on sea level rise be added to the March minutes. Cr Birchfield comments were that people were starting to question the science behind sea level rise and global warming. Cr Birchfield feels that this whole issue is a load of nonsense and it is good that people are now starting to question this. (see March minutes for the handwritten addition of these comments).

Moved (Archer / Birchfield) *that the minutes of the Council Meeting dated 1 March 2011, be confirmed as correct, with addition of Cr Birchfield's comments regarding sea level rise.*

Carried

Matters arising

There were no matters arising.

REPORTS:**4.1 ENGINEERING OPERATIONS REPORT**

M. Meehan spoke to his report advising that the reclassification work for the Lower Waiho Rating District is now complete and has been included in the Annual Plan process.

M. Meehan reported that the resurveying of cross sections for the Franz Josef Rating District has now been completed. He advised that the recalculation of design floods is currently being carried out and once this is complete revised plans will then be put in place for the upgrade.

M. Meehan reported that further work has been carried out regarding Saltwater Creek.

M. Meehan reported that there is still an ongoing high demand for rock from council quarries and contractors are working hard to keep up with the demand.

M. Meehan reported that the Council's quarry rig is now in the hands of an equipment clearance specialist and is up for tender and due to be advertised in approximately six weeks time. M. Meehan stated that he would advise council of tender prices via email. It is intended that the highest priced tenderer will be sought. Cr Scarlett asked if highest tender comes in and is below what the quarry equipment is worth then what is council's position? C. Ingle advised that he would recommend that

council does not sell if a good price isn't offered. C. Ingle asked if there is a desire from Council to keep this equipment on the Coast. Cr Robb stated that the purchaser could not be forced to keep the equipment on the West Coast even though this would be preferable. Cr Birchfield agreed that it would be good to keep this equipment on the Coast. It was agreed that if would be ideal if a well established contractor on the West Coast was to purchase this equipment.

Discussion ensued on the amount of emergency work and the difficulty quarry contractors are having in keeping up with the demand for rock for these works. M. Meehan advised that if usual contractors can not keep up with this demand then there are other contractors on the West Coast that are able to pick up some of this quarry work. M. Meehan stated that as long as contractors met Council's health and safety requirements to work in quarries then they have the opportunity to submit a price. Cr Chinn stated that there is concern that due to the shortage of rock in the Camelback Quarry, farmers that are not in rating districts but need rock for emergency works are not able to get rock as the rating districts have priority. Cr Chinn asked if Council wants to sell rock from their quarries as a business or do they want someone else to open up a quarry and let private people get in to get emergency rock. M. Meehan responded that the priority for rock in quarries is for rating districts but with better use of contractors and equipment available Council should be able to better serve rating districts and other ratepayers. Cr Chinn stated that he has received feedback from ratepayers that they want to see improvement in this area. Cr Archer asked if there was any impediment for a private operator to open up a quarry apart from applying for resource consent. C. Ingle responded that there is no impediment and there are some locations where there are private quarries right beside council quarries. He stated that Council is trying to increase capacity by drilling and blasting and building up reserves. Cr Davidson stated that it is important to up the rock reserves in council quarries as everyone on the West Coast who owns land is a ratepayer and there should be sufficient rock supply for everyone. C. Ingle advised that some quarries do not have the physical space to stockpile rock. Cr Birchfield stated that Doug Hood Ltd has an extremely good drilling rig and the driver does not need to get out to change the rods and this rig is available. Cr Robb asked stated that all ratepayers, not just those in rating districts, need to take some responsibility for the stockpiling and storage of rock for use in emergencies. Cr Scarlett confirmed that the tender price for the quarry equipment would be emailed to Councillors in around six weeks time.

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

Carried

4.1.2 SALTWATER CREEK: NEW RATING DISTRICT PROPOSAL

Cr Scarlett welcomed Mr Bob Reid to the meeting. W. Moen (River Engineer) was also in attendance. C. Ingle spoke to this report and advised that Council's role in this matter sits under the Soil and River Control Act. Council delivers this role through funding via rating districts. C. Ingle explained that the system works well as we do not have any subsidy from the general ratepayer. Mr Reid spoke to his report advising that he brief was to work out a possible distribution of payment for works to relieve flooding on the coast side of State Highway six from here to the Paroa Hotel. This includes the area behind the Paroa Hotel and behind Paroa School. Mr Reid noted that there are not many properties that will get direct benefit from engineering works that might be done. Mr Reid advised that his proposal has three rating classes, Class A is the properties that are getting direct benefit and are between Clough Road and Saltwater Creek to the western side of the State Highway. Mr Reid advised that the next classes are contributing to problems. Class B is between Coulsen Road and the State Highway from Clough Road to Rutherglen Road on the eastern side of the State Highway. This area contains the bulk of the rating assessments, which are 200 and where the most recent urban developments have taken place. Mr Reid stated that Class C is the area from the foot of the hills down to Coulsen Road, in between Clough Road and Coulsen Road. Mr Reid stated that he did think of extending the area right up through the whole of the Saltwater Creek catchment but he felt that this would be become too administratively difficult. Mr Reid stated that he rejected the idea of only including the properties that would directly benefit, as they could not afford it. Mr Reid advised that the proportioning of rates is: Class A 30 points, Class B 10 points and Class C two points, this means that the average rate on the Class A properties is a rating level of \$315 per \$100,000 of capital value, Class B is a \$105 per \$100,000 of capital value and Class C will pay \$21 per \$100,000 of capital value. Mr Reid advised that these figures would raise \$100,000 and then would be proportioned upward depending on what the engineering works cost. These works are yet to be designed. Mr Reid advised that the Paroa School and play centre are non-ratable, he feels the School Board should be asked to contribute as a Class A rate. Mr Reid noted that both Grey District Council and NZTA also have significant assets that are at risk of flooding and they could also be asked to contribute.

Cr Robb stated that he was of the understanding that this was a joint New River / Saltwater Creek flood issue and why haven't properties south of Saltwater Creek been taken into account. Cr Birchfield stated that a property at Gladstone was flooded during the flood event of 28 December. Cr Robb feels this is entwined with New River as they both flow out the same mouth. Cr Cummings stated that he is surprised that New River is not mentioned in Mr Reid's report. Mr Reid stated that his brief was only to work out how to fund works to stop or reduce the flooding in the coastal area to the north of Saltwater Creek. The types of works proposed are the construction of a stopbank and floodgate structure and possibly a pumping station. Cr Scarlett asked if the flooding on the 28th of December affected people further south, Cr Birchfield confirmed that it did. Cr Scarlett stated that those further south should then be included. Cr Robb spoke of previous discussions on New River / Saltwater Creek. C. Ingle advised that those options were only for the opening of the mouth. Cr Scarlett asked if the mouth is open, does this area get flooding. Cr Birchfield stated that it doesn't and the problem is the New River mouth. Cr Scarlett asked if the \$40,000 generated by Class A would be enough to cover the costs of opening the mouth in times of flooding. Cr Cummings stated that the initial costs of this were \$30,000 when it was opened the first time. Cr Cummings advised that since the time the mouth was opened there has been over \$100,000 spent on Saltwater Creek / New River mouth. C. Ingle suggested that perhaps Mr Reid has been asked the wrong question and he should have been asked to form a rating district that would contain the beneficiaries of the mouth opening process and not a new scheme to build a flood bank that only protects those north of the hotel. Cr Robb feels that options need to be found that the community is going to be happy with. He feels that community should be asked if they are happy to go with the option of just opening the mouth each time it needs to be opened. Cr Scarlett agreed with Cr Robb. Cr Davidson feels that those in Class B and C are going to be totally opposed to a rating district. M. Meehan advised that a questionnaire similar to the one for the Greymouth Floodwall would be sent out ratepayers seeking their opinions. Cr Cummings stated that the latest problem was the sea pushing the river mouth back into its old channel, this left the access road down to the new sea wall prone to the sea, the sea then came up and started to wash the access road away. Cr Robb stated that this is an example of trying to fight nature and there is a level as to what people are prepared to pay to protect them against this. Further discussion took place, councilors agreed that the mouth blocking causes the flooding problem and a good option would be just to keep the mouth open and if this doesn't work then the community would need to be consulted again. Cr Birchfield stated if this option was taken then most of the houses down towards New River also need to be included. C. Ingle suggested that Option 1 be to fund just the mouth opening, Option 2 could be to look at additional works north of the hotel. C. Ingle advised that Option 3 could be to look at protection for those who got flooded by New River. Mr Reid suggested that another option, over time, could be removing development from the flood prone area, like the school and the hotel, this could be part of the doing nothing option. Cr Archer asked Mr Reid if keeping the mouth open was still going to be an additional cost. Mr Reid confirmed that it would be. Cr Scarlett asked Mr Reid if the mouth is kept open is the flooding problem solved. W. Moen stated that this would not stop flooding. W. Moen advised that he has lived at Gladstone for 40 years, he watched trends in this area. W. Moen stated if New River is in a major flood, it causes Saltwater Creek to back up and even if the mouth to Saltwater Creek is open there will still be back up of floodwater. Cr Archer suggested that it would be better to inform the community of all projected costs on an annual basis so that they have an overall picture as to what the impact would be. Cr Archer stated that if a half scheme is presented to the community that does not work then money has been wasted before work has begun. C. Ingle advised that the major works required would involve building a new bund from where the hotel car park wall ends across to the coast. This would stop the water backing up from Saltwater Creek in towards the buildings at the back of the hotel. C. Ingle stated that this work would be additional to keeping the mouth open. Cr Archer asked if the mouth was blocked and the water still continues to back up, could those work become overtopped and still cause a problem. It was agreed this could still happen but it was unlikely. Cr Birchfield stated that both schemes would need to be done together because if nothing is done with the mouth then the water could take the bank away. C. Ingle agreed that these are accumulative projects with the mouth being opened first and that is number one, with number two is optional, which is protected the properties in the Class A area. C. Ingle stated that option one needs to be considered by Mr Reid before it is presented to the community. C. Ingle commented that it has been suggested by the Mayor that this council needs to contribute to the costs of opening the mouth of the river. Cr Robb commented that clarity is needed on what the costs of maintaining the river mouth opening will be on the ratepayer and whether or not Grey District Council and NZTA will be contributing to this. C. Ingle stated that Grey District Council were prepared to spend up to \$5,000 per year on keeping the mouth open. Cr Cummings asked if the decision to subsidise the current works in Saltwater Creek has been finalised. C. Ingle responded that he is yet to hear what NZTA's decision on this is. Cr Archer asked Mr Reid if based on his report and the sum of \$100,000 that is based on the rate take, for every \$100,000 of costs, per head apportionment, would Mr Reid put a range of costs on this to give an

indication as to what is involved. Mr Reid responded that without a design this is difficult as there are two components involved. One is to bank off Saltwater Creek and put a floodgate structure in place but the difficulty is trying to gauge what the volume of water would be. Mr Reid advised that primarily he was looking at banking off the coastal drain from Saltwater Creek, the cost of banking this off and the floodgate would be around \$150,000. If a pumping station was put in there would need to be discussion on how fast the water would need to be pumped out and this would reflect in the cost of the size of the pump required therefore the cost could be between \$200,000 and \$500,000. Mr Reid commented that the servicing and maintenance of the pumping station would need to be taken into account but the operating costs of a floodgate system would be much less. Mr Reid explained how the floodgate and pumping stations would work. Cr Scarlett stated that the preliminary step is to put a questionnaire out to the community to gauge what the requirements are with proposals included in the questionnaire. Cr Davidson is opposed to putting any structural walls in place, he feels that there are only a few properties involved and he feels it would be unfair to burden the rest of the community with being in a rating district. Cr Robb stated that two focal parts of the community are affected, one is the hotel and the other is the school. He stated that there is a direct affect to the school as pupils that live south of the overhead bridge attend Paroa School. Cr Robb stated people might want to contribute if their school is affected. C. Ingle explained how the postal survey of residents would be done. He advised the survey would have tick boxes with options and comments to be filled in and then returned in a prepaid envelope. This information would then be reported back to council. Cr Robb asked if a public meeting would be held. M. Meehan advised that options would be clear in the survey sent out and there would be an opportunity for ratepayers to meet with staff to discuss any concerns. Cr Birchfield stated that he feels if the mouth was kept open then the flooding problem at Paroa would not be so severe. He feels that spending \$200,000 to \$300,000 on pump stations is not on and he is not in favour of this option. Cr Birchfield stated that the mouth was not moved far enough south and it should have gone straight out at Camerons. Cr Birchfield stated that Saltwater Creek is not strong enough to maintain its own outlet and it has to run out with New River. Cr Chinn asked if New River was put straight out would that stop the flooding at Paroa. W. Moen does not think so. W. Moen advised that the mouth of Saltwater Creek does move up and down the coast and no matter where you try and set the mouth it would require numerous and extensive breakwaters to keep the mouth in one place which would be very expensive. Cr Archer stated that although Paroa School does not pay rates, he queried if there any other processes to access funds such as the Ministry of Education. Cr Robb stated that he is the Chairman of the Board of Trustees at Paroa School and it could be that the Ministry would stump up some money, and the Board would ask them to. Cr Robb feels that the Ministry may look upon this favourably as it is their asset. He advised that the play centre in this area is likely to be demolished as a result of the recent flooding. Mr Reid stated that he now sees this as more of a uniform rate over a significantly larger area. C. Ingle asked Mr Reid if he now sees the new rating assessment area as being the whole catchment of New River plus Saltwater Creek, all the way back into the hinterland area, as a starting point. Mr Reid agreed with this.

Moved (Robb / Birchfield)

1. *That the Council be received.*
2. *That Mr Reid is asked to do further work around a rating proposal for the mouth opening activities.*

Carried

5.1 CORPORATE SERVICES MANAGER'S REPORT

R. Mallinson spoke to his report advising that the surplus for the eight months is \$1.8M. He stated that the Investment Portfolio continues to exceed budgeted expectations and is a very sound result.

R. Mallinson advised that Forsyth Barr would be making their annual presentation this afternoon.

R. Mallinson invited Councillors to attend the SOLGM LTP Seminar for Decision Makers on the 23rd of June at the Council offices.

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

Carried

5.2.1 ADOPTION OF DRAFT ANNUAL PLAN 2011 / 12 STATEMENT OF PROPOSAL FOR PUBLIC CONSULTATION

R. Mallinson spoke to this report and advised that the two page Summary of Information will be published in the Messenger on the 20th of April. Cr Scarlett asked councillors if they would consider changing the date for the public hearings from Tuesday 24th of May to Tuesday 31st of May. It was agreed that the date would be changed to the 31st of May. Cr Chinn queried Page 20 of the Draft Annual Plan that says "council manages quarries to ensure security of supply of rock for rating district protections works". Cr Chinn asked if "private works" could be added. C. Ingle advised that council's function is to primarily serve its rating districts; he asked if the addition of the word "primarily" work satisfy Cr Chinn's concern. It was agreed that "primarily" would be added. Cr Archer requested that the third to last line of the Chairman's foreword be changed to read "Council will increase the existing dairy effluent inspection monitoring charge". It was agreed that this change would be made.

Moved (Cummings / Robb)

That the 2011 / 12 Annual Plan Statement of Proposal be adopted for public consultation pursuant to Section 83 of LGA 2002.

Carried

5.2.2 EIGHT MONTH REVIEW – 1 JULY 2010 – 28 FEBRUARY 2011

R. Mallinson spoke to this report and took it as read. Cr Archer drew attention to page 24 of this report and asked that the word "both" be changed to "all". It was agreed that this change would be made.

Moved (Archer / Davidson) *That this report be received.*

Carried

5.2.3 COUNCILLOR REMUNERATION POOL FOR 2011 / 12

R. Mallinson spoke to this report.

Moved (Birchfield / Robb)

That the Councillor remuneration pool of \$165,342 as set by the Remuneration Authority be allocated as per the table in the report.

Carried

5.2.4 REVIEW OF REPRESENTATION

R. Mallinson spoke to this report and took it as read.

Moved (Robb / Davidson)

That in accordance with section 19I of the Local Electoral Act 2001,

1. *That there will be three constituencies.*
2. *That the three constituencies be called Buller, Grey and Westland and that the boundaries of these constituencies will be the existing boundaries of the Buller District Council, Grey District Council and Westland District Council.*
3. *That the numbers of members proposed to be elected by the electors of each of the three constituencies be:*
 - *Buller constituency shall elect two members.*
 - *Grey constituency shall elect three members.*
 - *Westland constituency shall elect two members.*

4. *That public notice of this to be given pursuant to the requirements of section 19 M of the Local Electoral Act 2001.*

Carried

5.2.5 ANIMAL HEALTH BOARD WEST COAST PROGRAMME MANAGEMNT SIX MONTHLY REPORT JULY – DECEMBER 2010

R. Mallinson took this report as read.

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

Carried

5.2.6 MINERALS ASSESSMENT REPORT

C. Ingle spoke to this report. He drew attention to the content of the Berl Economics report and advised that Cr Scarlett has been asked to attend a meeting relating to Minerals on the 17th of May at Parliament.

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

Carried

6.0 CHIEF EXECUTIVES REPORT

C. Ingle asked for his report to be taken as read and drew attention to the Minister's visit. Cr Chinn asked if the Hon Nick Smith could meet with Mr Arthur Thompson when he visits the Council on the 26th of May. Cr Archer suggested that a strategic discussion paper be put together for the meeting with the Minister on the 26th of May.

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

Carried

7.0 CHAIRMANS REPORT (VERBAL)

Cr Scarlett reported that he attended the Regional Affairs Committee meeting on the 18th of March. He also attended the meeting with the Ecan Commissioners, along with Crs Birchfield and Cummings on the 8th of April. Cr Scarlett stated that the Ecan visit was a neighbourly visit with four of the commissioners attending to discuss transport and other common issues. Cr Scarlett advised that this was a very pleasant visit and that this council would reciprocate in the near future with a visit to Ecan.

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

Carried

GENERAL BUSINESS

There was no general business.

The meeting closed at 12.43 a.m.

.....
Chairman

.....
Date

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 10 May 2011
 Prepared by: W. Moen & M. Meehan – Planning & Environmental Manager
 Date: 29 April 2011

Subject: **ENGINEERING OPERATIONS REPORT**

1. RIVER AND DRAINAGE INSPECTIONS

- Karamea Rating District – Flood Damage (Oparara River)
- Hector – Coastal erosion
- Waitangitaona Rating District – Maintenance
- Wanganui Rating District – Capital Works
- Whataroa Quarry
- Taramakau Rating District – Maintenance
- Taramakau River – Electronet – Advice
- Hokitika River – M. Moynihan – Advice
- Punakaiki Rating District – Inspection

2. WORKS COMPLETED OR COMMENCED

- a) **Wanganui Rating District – Capital Works – March 2011 Contract R 2011 /**
 This work, involving the placement of approximately 1,500 tonnes of rock, is still ongoing. At the request of the rating district committee, additional "toe" rock is being placed to strengthen the works. The successful original tenderer was Arnold Contracting Ltd at an overall price of \$46,500 (G.S.T. Exclusive).
- b) **Inchbonnie Rating District – Aerial Spraying**
 This work involving the aerial spraying of the upgraded Inchbonnie Scheme was carried out by Anderson Helicopters at a cost of \$ 5,164 (G.S.T. Exclusive).
- c) **Wanganui Rating District – Capital Works**
 This emergency capital work, involving the placing of 3,900 m³ of fill and 5,000 tonnes of rock over 150 metres has started. The successful tenderer was Westland Contractors at an overall price of \$ 148,850 (G.S.T. Exclusive).

Franz Josef Rating District

This emergency work, involving the partial raising of the left bank Camping Ground stopbank was completed by Ferguson Brothers Ltd at a cost of \$22,640 (G.S.T. Exclusive).

Greymouth Rating District – Cobden Island Spraying

This work involving the ground spraying of the cleared Cobden Island has been completed by Spiers Contracting, however no account has been received at the time of this report.

3. FUTURE POTENTIAL WORKS

- Karamea Rating District – Flood Damage
- Waitangitaona Rating District – Maintenance
- Taramakau Rating District – Maintenance
- Kowhitirangi Rating District – Flood Damage
- Matainui Creek Rating District – Flood Damage
- Lower Waiho Rating District – Flood Damage
- Franz Josef Rating District – Upgrade
- Raft Creek Rating District – Channel Cleanout
- Mokihinui Rating District – Flood Damage
- Greymouth Floodwall – Access Gates

Paroa / New River - Proposed Rating District

Mr Robert Reid has almost completed his report into the potential rating district. Once this is complete a summary of the proposal and works involved will go out to all ratepayers in the proposed rating district for comment. Following this a summary report will be submitted to Council with a recommendation to consider.

Franz Josef Rating District - Upgrade

Good Earth Matters are finalising the recalculated design floods. Once this is complete, construction plans can be upgraded.

5. Quarry Rock Movements 28 February To 31 March

Quarry	Rock In Quarry 28 Feb 2011	Rock Used	Rock Quarried	Rock In Quarry 31 March 2011
Blackball	750	504	2500	2746
Camelback	0	4,977	6000	1023
Inchbonnie	0	0	0	0
Kiwi	500	162	0	338
Miedema	0	0	0	0
Okuru	2,570	1,624	0	946
Taramakau	0	0	0	0
Wanganui	0	0	0	0
Whataroa	4,730	0	0	4,730
Totals	8,550	7,267	8500	9,783

6. Quarry Work Permitted Since 14 March 2011

Quarry	Contractor	Tonnage Requested	Permit Start	Permit Finish
Camelback	Henry Adams Contracting Ltd	1,000	28 March 2011	8 April 2011
Blackball	GH Foster Contracting Ltd	2,000	1 April 2011	22 April 2011
Inchbonnie	Paul Steegh Contracting Ltd	1,600	4 April 2011	20 April 2011
Whataroa	Westland Contractors Ltd	5,000	11 April 2011	11 May 2011
Kiwi	Paul Steegh Contracting Ltd	1,000	13 April 2011	30 April 2011

RECOMMENDATION:

That this report is received.

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 10 May 2011
 Prepared by: Robert Mallinson – Corporate Services Manager
 Date: 29 April 2011

1. Financial Report

FOR THE NINE MONTHS ENDED 31 MARCH 2011	ACTUAL	YEAR TO DATE BUDGET	ACTUAL % ANNUAL BUDGET	ANNUAL BUDGET
REVENUES				
General Rates	1,456,027	1,456,500	75%	1,942,000
Rates Penalties	50,280	56,250	67%	75,000
Investment Income	903,670	615,000	110%	820,000
Regulatory	514,957	714,599	55%	930,898
Planning Processes	128,794	78,075	124%	104,100
Environmental Monitoring	0	0	0%	0
Emergency Management	30,522	30,000	76%	40,000
River, Drainage, Coastal Protection	1,262,654	815,546	116%	1,087,395
Regional % Share Controls	498,025	487,500	77%	650,000
VCS Business Unit	2,711,332	2,962,500	69%	3,950,000
	7,556,261	7,215,970	79%	9,599,393
EXPENDITURE				
Representation	290,569	288,033	76%	384,044
Regulatory Activities	1,121,191	1,262,119	67%	1,673,900
Planning Processes	443,279	464,861	72%	619,814
Environmental Monitoring	542,752	553,558	74%	738,077
Emergency Management	99,475	101,025	74%	134,700
River, Drainage, Coastal Protection	1,088,918	887,651	92%	1,183,535
Regional % Share Controls	631,717	626,174	76%	834,899
VCS Business Unit	1,514,619	2,577,347	44%	3,436,463
Portfolio Management	44,541	0		0
	5,777,061	6,760,768	64%	9,005,432
SURPLUS / (DEFICIT)	1,779,200	455,202		593,961

BREAKDOWN OF SURPLUS (-DEFICIT)	Variance Actual V Budgeted YTD	ACTUAL	BUDGET Year to date	ANNUAL BUDGET
Rating Districts	144,841	238,651	93,810	125,080
Quarries	115,368	129,760	14,393	19,190
Regional % Share of AHB Programmes	4,982	-133,692	-138,674	-184,899
Investment Income	244,129	859,129	615,000	820,000
VCS Business Unit	811,560	1,196,713	385,153	513,537
General Rates Funded Activities	3,118	-511,381	-514,479	-698,947
TOTAL	1,323,998	1,779,200	455,202	593,961

Net Contributors to General Rates Funded	Surplus (-Deficit) Net Variance Actual V YTD	Actual	Budget ytd	Annual Plan
Rates	-473	1,456,027	1,456,500	1,942,000
Rates Penalties	-5,970	50,280	56,250	75,000
Representation	-2,536	-290,569	-288,033	-384,044
Regulatory Activities	-58,714	-606,234	-547,521	-743,002
Planning Activities	72,301	-314,485	-386,786	-515,714
River, Drainage, Coastal Protection (excl.)	-14,368	-194,675	-180,308	-240,410
Environmental Monitoring	10,806	-542,752	-553,558	-738,077
Emergency Management	2,072	-68,953	-71,025	-94,700
	3,118	-511,381	-514,479	-698,947

STATEMENT OF FINANCIAL POSITION @ 31 MARCH 2011

	@ 31/03/11	@ 30/06/2010
<u>CURRENT ASSETS</u>		
Cash	197,316	70,406
Short term Deposit - Westpac	683,865	995
Accounts Receivable - Rates	1,412,217	308,868
Accounts Receivable - General Debtors	768,378	3,077,712
Prepayments	78,148	276,291
Sundry Receivables	454,415	101,014
Stock - VCS	21,937	17,066
Stock - Rock	31,795	89,727
Stock - Office Supplies	17,518	17,518
Accrued Rates Revenue	0	0
Unbilled Revenue	152,795	126,817
	<u>3,818,384</u>	<u>4,086,414</u>
<u>Non Current Assets</u>		
Investments	11,461,238	10,598,000
Fixed Assets	4,147,256	4,092,960
Infrastructural Assets	49,007,111	49,007,111
	<u>64,615,605</u>	<u>63,698,071</u>
TOTAL ASSETS	<u>68,433,989</u>	<u>67,784,485</u>
<hr/>		
<u>CURRENT LIABILITIES</u>		
Bank OD	0	0
Accounts Payable	617,065	1,885,994
GST	179,687	0
Deposits and Bonds	573,968	446,552
Sundry Payables	307,619	374,313
Accrued Annual Leave, Payroll	288,669	284,054
Other Revenue in Advance	0	823,679
Rates Revenue in Advance	885,803	59,145
	<u>2,852,811</u>	<u>3,873,737</u>
<u>NON CURRENT LIABILITIES</u>		
Future Quarry restoration	56,700	56,700
Greymouth Floodwall	2,057,830	2,100,000
Inchbonnie	91,913	100,000
Punakaiki Loan	219,978	248,003
Lower Waiho Loan	0	6,768
Office Equipment Leases	66,472	90,193
	<u>2,492,893</u>	<u>2,601,664</u>
TOTAL LIABILITIES	<u>5,345,704</u>	<u>6,475,401</u>
<u>EQUITY</u>		
Ratepayers Equity	18,157,524 } -----	18,157,524
Surplus Tsfrd.	1,779,200 }	
Rating District Equity Mvmts	-374,821 } -----	
Rating Districts Equity	1,736,281	1,361,459
Tb Special Rate Balance	-34,554	-34,554
Revaluation	32,316,638	32,316,638
Quarry Account	302,017	302,017
Investment Growth Reserve	9,206,000	9,206,000
TOTAL EQUITY	<u>63,088,285</u>	<u>61,309,084</u>
LIABILITIES & EQUITY	<u>68,433,989</u>	<u>67,784,485</u>

2. Investment Portfolio

PORTFOLIO @ 31 MARCH 2011 Summary & Reconciliation		Cash	Bonds	Australasian Equities	International Equities	Property Equities	Alternative Asset Classes	Total	
Portfolio Value @ Start	01 July 2010	\$ 2,547,549	\$ 3,016,744	\$ 1,841,113	\$ 1,958,120	\$ 529,331	\$ 673,961	\$ 10,566,819	
Contributions	)	\$ 143,442		-\$ 8,824	\$ 983,856	-\$ 30,000	-\$ 98,619	\$ 989,854	)-\$ 0
Withdrawals	)		-\$ 989,854					-\$ 989,854)
Realised Gains/(Losses)		-\$ 10,594	-\$ 19,510	-\$ 59,327	\$ 62,146	\$ 1,780	\$ 52,194	\$ 26,690	) \$ 863,239
Unrealised Gains/(Losses)		\$ 25,920	-\$ 4,535	\$ 369,614	\$ 212,251	\$ 20,309	\$ 46,922	\$ 670,481)
Unrealised Hedging Gains/(Losses)		\$ -	\$ -	-\$ 73,296	-\$ 54,706	-\$ 5,485	-\$ 19,626	-\$ 153,113)
Mgmt Fee					\$ 905			\$ 905)
Income		\$ 70,712	\$ 127,529	\$ 54,928	\$ 13,068	\$ 28,296	\$ 11,326	\$ 305,860)
Accrued Interest		-\$ 356	\$ 12,772					\$ 12,416)
Portfolio Value @ End Period	31 March 2011	\$ 2,776,673	\$ 2,143,147	\$ 2,124,209	\$ 3,175,640	\$ 544,232	\$ 666,156	\$ 11,430,058)
ytd return for	9 months	3.46%	4.34%	15.88%	10.83%	8.46%	14.23%	8.28%	

Asset Allocation %'s @ 31 March 2011	Benchmarks	Tactical asset allocation range	
Cash	24%	25%	10% - 50%
Bonds	19%	25%	10% - 50%
Australasian Equities	19%	15%	0% - 20%
International Equities	28%	15%	0% - 20%
Property Equities	5%	5%	0% - 10%
Alternative Asset Classes	6%	15%	0% - 20%
	100%	100%	

Note:

Quarterly Forsyth Barr portfolio report @ 31/3/11 (page 4) shows total portfolio balance \$11,186,565

Marac deposits amounting to \$243,493 were transferred from FB Ltd custodians to WCRC name due to concerns regarding the application of the Crown guarantee. As these deposits mature (14/4/11 and 13/5/11) they are being repaid by Marac to WCRC, then paid back by WCRC into the FB portfolio for reinvestment.

$$\$11,186,565 + \$243,493 = \$11,430,058$$

3. General Comment

The reported surplus for the nine months amounts to \$1.779 million dollars.

The VCS and investment portfolio returns continue to exceed budgeted expectations.

A small net positive budget variances in the general rate funded area amounts to \$3,118.

This continues the trend of strong financial results reported in previous months.

RECOMMENDATION

That this report be received.

Robert Mallinson
Corporate Services Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting
Prepared by: Robert Mallinson – Corporate Services Manager
Date: 29 April 2011
Subject: **NZ LAPP (Local Authority Protection Programme Disaster Fund)**

Background

LAPP is a cash accumulation mutual pool that was created by Trust Deed in 1993 to help local authority members pay for their share of infrastructure repair/replacement costs for "generally uninsurable" essential services damaged by natural disaster.

A big driver in the creation of LAPP was the government 1991 Disaster Recovery Plan was that central government would only pay a maximum of 60% of restoration costs and that this 60% would only be offered on the provision that the damaged assets had been properly maintained and that the local authority could meet the remaining 40% through:

- The use of reserve funds set aside for this purpose; or
- insurance; or
- Participation in a mutual assistance scheme with other local authorities.

The Lapp Fund has performed well over its life to date, meeting a handful of small claims and one medium sized claim (February 2004 Manawatu floods).

This Council made the first ever claim by a local authority on LAPP after the 1998 flood damage to Karamea river flood protection infrastructure.

At 1 July 2010 59 local authorities were members of LAPP.

At 1 July 2010 the net assets of LAPP amounted to \$37.645 million with access to reinsurance amounting to \$96 million.

LAPP No longer providing cover

LAPP advised on 13 April that funds plus available reinsurance were exhausted by the 22/2/11 and 4/9/10 earthquakes. Cover was suspended by LAPP with effect from 13 April.

There will be a briefing by LAPP to members on 17 May which I will be attending and I would hope that the situation with regard to government support of 100% (rather than just 60%) of natural disaster costs will be clarified.

Council actually issued a notice of withdrawal from LAPP on 10 June 2010 (12 months notice of withdrawal is required). This was to preserve our rights while we were negotiating with them regarding cover levels and "risk curves". This would be useful if there was any suggestion by LAPP of continuing cover in 2011/12 but at an unaffordable level of premiums.

Where to from here?

Longer term possibilities for cover of our infrastructure could perhaps include identifying a part of our existing investment portfolio (say \$500,000 - \$1,000,000) as a Regional Disaster Fund. We would need to be sure that this met the central government requirements for meeting the local 40% share mentioned above. There would need to be very clear criteria for accessing such a fund. Such a Disaster Fund would earn interest and could also be fed by annual contributions similar to the LAPP premium.

Existing Council Infrastructure (currently valued at \$49 million) was covered by a LAPP premium during 2010/11 (until cover suspended on 13/4/11) of \$28,976. This was rebated by 50%, so if the second Canterbury earthquake had not occurred, then I believe that we would have been looking at premiums in 2011/12 of approximately \$60,000.

Unlike Riskpool, LAPP is unable to make calls on its members to cover a deficit.

Conclusions

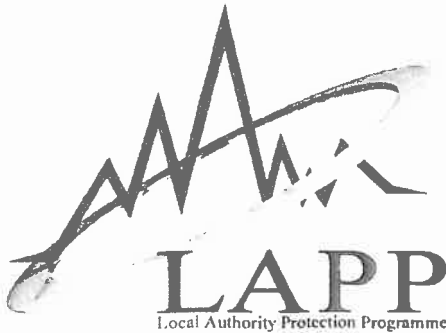
The situation should become clearer after the 17 May briefing. I will advise Council of developments, to enable an appropriate decision to be made with regard to risk management of our infrastructure during 2011/12.

Self insurance by way of a dedicated separate reserve fund remains an option for this Council.

RECOMMENDATION

That this report be received.

Robert Mallinson
Corporate Services Manager



13 April 2011

Mr Member
 Address 1
 Address 2
 City

Dear Name

Important Changes in LAPP's Ability to Provide Protection

On 22 February 2011 at 12:51 pm a 6.3-magnitude earthquake struck ten kilometres south-east of the centre of Christchurch causing widespread damage and multiple fatalities. At least 172 people have been confirmed dead with the final death toll expected to be around 181, making the earthquake the second-deadliest natural disaster recorded in New Zealand (after the 1931 Hawke's Bay earthquake). The following is an extract from Wikipedia about the 22 February Christchurch earthquake:

The peak ground acceleration (PGA) in the Christchurch area exceeded 1.8g (i.e. 1.8 times the acceleration of gravity), with the highest recording 2.2g, at Heathcote Valley Primary School, a shaking intensity equivalent to MM X+. This is the highest PGA ever recorded in New Zealand; the highest reading during the September 2010 event was 1.26g, recorded near Darfield. The PGA is also one of the greatest ever ground accelerations recorded in the world, and was unusually high for a 6.3 quake, and the highest in a vertical direction.

The force of the quake was "statistically unlikely" to occur more than once in 1000 years, according to one seismic engineer, with a PGA greater than many modern buildings were designed to withstand. New Zealand building codes require a building with a 50-year design life to withstand predicted loads of a 500-year event; initial reports by GNS Science suggest ground motion "considerably exceeded even 2500-year design motions" and exceeded "maximum considered events". By comparison, the 2010 quake, in which damage was predominantly to pre-1970s buildings, exerted 65% of the design loading on buildings. The acceleration experienced in February 2011 would "totally flatten" most world cities, causing massive loss of life; in Christchurch, New Zealand's stringent building codes limited the disaster. However, the most severe shaking lasted only 12 seconds, which perhaps prevented more extensive damage.

Analysts have estimated that the earthquake could cost insurers as much as NZ\$16 billion. The cost to Civic before reinsurance recoveries will be of the order of \$300 million and the claim on LAPP from \$100 to \$200 million. These amounts are on top of the 4 September 2010 Christchurch earthquake claims. Civic has full reinsurance for both earthquakes; LAPP may not have enough cover in place for the 22 February earthquake, LAPP's reinsurance being capped at 40% of \$272.5 million per event for reticulation and flood protection works.

New Zealand Local Authority Disaster Fund Trust Board

114 Lambton Quay • PO Box 5521, Wellington • Telephone 64 4 978 1250 • Facsimile 64 4 978 1260

This letter is to advise that with effect from today LAPP is not able to provide any more cover for reticulation and flood protection assets until at least 30 June 2011 or suitable reinsurance cover and/or Government support is in place. The \$40 million disaster fund that LAPP held on 1 July 2010 and its reinsurance protection for reticulation and flood protection assets has been exhausted as a result of the unprecedented two earthquakes.

In addition to essentially having no further reinsurance protection for the period to 30 June 2011 for its reticulation and flood protection assets, LAPP is struggling to find reinsurance from 1 July that is not unacceptably priced (for example: a premium of \$10 million for \$15 million of cover). LAPP's two lead reinsurers, who are two of the biggest reinsurance companies in the world, have declined to offer LAPP further cover. There is some reinsurance cover available to LAPP through other reinsurers, but suitable terms have still to be negotiated.

Central government has been advised of LAPP's position including a meeting with Finance Minister Bill English on Monday, 11 April and discussions are continuing. That this matter has not been given top priority by central government is fully understandable given the situation. Our belief is that in these very unusual and unfortunate circumstances if there was another major event affecting a LAPP member that central government would not leave a community unprotected, but members of course want more certainty than that.

Members with their above-ground covers through LAPP have support from Civic Assurance. Civic Assurance has obviously taken a hit with the two earthquakes, its capital base has fallen from \$19.5 million to \$13.5 million, but its Reserve Bank solvency ratio is still an acceptable 133% of the minimum and Civic's reinsurance programme has unlimited reinstatements.

The LAPP trustees wish to continue the Fund to ensure members have the necessary cover in place to be able to access the 60% Government contribution, but LAPP will have to tailor the protection it offers to members and the contributions required from members according to the funds and reinsurance it has available. A LAPP member meeting to discuss these matters further will be held on Tuesday, 17 May at 10:00 am in Wellington (details to follow), when hopefully we will have agreed with central government a suitable support package going forward to allow LAPP to re-establish itself.

In unprecedented circumstances the LAPP Fund has performed remarkably well – attached is an article describing how well from the New Zealand Herald dated 2 March 2011. The LAPP trustees firmly believe that the LAPP Fund needs to rebuild. LAPP is the lowest long-term cost and most flexible risk-financing vehicle for protecting reticulation and flood protection assets.

If you have any questions please feel free to ring me on one of the numbers below.

Yours sincerely

Tim Sole
Chief Executive Civic Assurance, Fund Administrator
DDI (04) 978 1254
Mob: (029) 846 7653

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 10 May 2011
Prepared by: Robert Mallinson – Corporate Services Manager
Date: 29 April 2011
Subject: **Long Term Plan (2012/22) Timeline**

Council will shortly be commencing the Long Term Plan (LTP) project required under section 93 of the Local Government Act 2002.

This LTP will build on work done in constructing the previous Long Term Council Community Plans (2006/16) and (2009/19).

This is a significant 10 year Plan which will map out proposed Council direction for at least the next 10 years to the public, who will be asked for their feedback and submissions as an important part of the process.

The LTP will require sustained effort by the management team and Councillors to see through to a successful conclusion.

There is a workshop scheduled for 22 June for Councillors (in conjunction with Grey District Council) using a presenter from SOLGM which will focus on the elected member role in this process.

RECOMMENDATION

That the report be received.

Robert Mallinson
Corporate Services Manager

Long Term Plan (LTP) 2012/22 Timeline

	Work Required	Assigned Responsibility	Completion Required By
Audit NZ Required Council Self-Assessment			
1	Completion of Audit NZ Self Assessment	R Mallinson/ CEO	31 May 2011
SOLGM (R Horan)			
2	Workshop with elected members regarding their role in the LTP process.	R Mallinson Councillors	22 June 2011
Review of Existing LTCCP			
3	Review and update of existing pages relating to LTCCP "Community Outcomes" (existing pg's 16 – 20) <i>Need to consider the impact of the TAFM legislation with regard to Community Outcomes</i>	CEO	30 June 2011
4	Updating of Infrastructure Asset Management Plans (River, Drainage, Coastal Schemes)	M Meehan	30 September 2011
5	Review and update of significant forecasting assumptions – pgs 54: 57	R Mallinson	30 June 2011
6	Review and updating of accounting policies – pgs 59: 64	R Mallinson	30 June 2011
7	Review Policy on Appointments to CO's and CCO's – pg 88 (s 47 LGA 2002)	C Ingle	30 September 2011
8	New section required regarding Financial Strategy (s 101A LGA 2002) including; <ul style="list-style-type: none"> • Consideration of the impact of expected changes of population and land use in the region. • quantified limits on rates, rates increases, and borrowing • assessment of ability to maintain existing service levels and meet additional demands for service. • Policy on giving security for borrowing. • Objectives for holding financial investments and quantified targets for returns. 	R Mallinson	30 September 2011
9	Review of Revenue and Financing Policies – pgs 74 : 78 (s 103 LGA 2002)	R Mallinson	30 September 2011
10	Review Policy on Remissions and Postponement of Rates on Maori Freehold land – pg 91	R Mallinson	30 September 2011
11	Review Policy on Financial Contributions – pg 94	M Meehan	31 October 2011
12	Review policy on Significance – pg 95: 96	R Mallinson	30 September 2011
13	Review Rating Remissions and Postponements Policy - pgs 97: 99	R Mallinson	31 October 2011
14	Review of Investment Policy – pg 100: 101	R Mallinson	30 September 2011
15	Review of Borrowing Policy – pgs 102: 104	R Mallinson	30 September 2011
16	Review of Policy on Development of Maori Capacity to Contribute to Decision Making Processes – pg 105	C Ingle	31 October 2011

Review of Performance Management Framework			
Audit NZ will be looking for further improvement in this area.			
There is guidance material available from SOLGM and we also have feedback from Audit NZ with regard to our performance management framework following the 2009/19 LTCCP. This together with other Regional Council best practice examples should serve as a good starting point for a review of our performance management framework.			
17	Review of Performance targets	All Managers/ CEO	30 September 2011
Review of Levels of Service			
Managers / CEO / Councillors should give formal consideration to the matter of Levels of Service for all our activities.			
18	Review Levels of service for All Groups of Activities	All Managers / CEO	30 September 2011
Completion of Budget Worksheets for the 10 Year Period July 2012: June 2022			
19	Completion of Budget Worksheets for all Groups of Activities	All Managers	24 December 2011.
Updating of Budget Model			
20	Updating of budget model with 10 year budget estimates	R Mallinson	20 January 2012
Workshop with Mgmt Team / Councillors			
21	Workshop Financials and document content with Management Team.	All Managers / CEO	February 2012
22	Workshop Financials and document content with Councillors	All managers / CEO / Councillors	February 2012
23	Finalise Draft LTCCP	R Mallinson	February 2012
Audit NZ Audit of Draft Prior to Adoption by Council and Release for Public Consultation			
24	Visit by Audit NZ staff to undertake audit of Draft	Audit NZ/ R Mallinson/ C Ingle	March 2012
Public Consultation Phase			
25	Draft LTCCP Statement of Proposal adopted by Council, advertised and released for public consultation	R Mallinson	April 2012 Council meeting
26	Submissions received	R Mallinson	Mid May 2012
27	Public Hearings	R Mallinson/ CEO/ Councillors	Late May 2012.
28	Councillors make decisions following consideration of submissions.	Councillors/ CEO/ R Mallinson	June 2012
Audit of Final Version by Audit NZ			
29	Final version audited	Audit NZ/ R Mallinson	June 2012
Council Adopts Final Version			
30	Final Version Adopted	R Mallinson/ CEO/ Councillors	June 2012.

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 10 May 2011
Prepared by: Chris Ingle – Chief Executive
Date: 29 April 2011
Subject: **CHIEF EXECUTIVES REPORT**

Meetings Attended

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

- Attended the High Court Hearing in Christchurch for the Wetlands case on 19 April.
- Hosted a meeting on the 20th of April with Grey District Council staff to discuss the Saltwater Creek / New River coastal rivermouth works.
- Attended the Zone 5 & 6 conference in Christchurch on the 26th and 27th of April.
- Speaking at the Federated Farmers Annual General Meeting on the 2nd of May.

BERL Economics 'West Coast Indicators' Report

The latest BERL Economics report (March 2011) summarises recent trends for the West Coast economy. Despite the national recovery being slow, the West Coast region has shown strong growth, at 4% real value added GDP increase. This is cited as being due mainly to the mining sector, which also contributed strongly to recent employment growth.

Looking over the past five years (2005 – 2010), mining on the West Coast has more than doubled its production. This has also led to strong performance in the construction and business services sectors. Employment has also increased, by 15% over the five year period. The annual average per annum increase in GDP over the five year period is 2.5% per capita.

Minister for the Environment's Visit

Environment Minister Hon Dr Nick Smith is visiting the Council on Thursday 26 May at 9am. All Councillors may wish to meet with the Minister at that time to discuss relevant issues such as the Air Quality NES, the Proposed Biodiversity NPS, and what his views are around what makes a wetland qualify as 'significant' under the RMA.

We may also wish to brief the Minister on the Minerals Resource Assessment, and recent water quality trends in our rivers and lakes and how Council is dealing with that. Natural hazards may also be a relevant topic.

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.

- 20 – 21
- 8.1 Confirmation of Confidential Minutes 10 April 2011
 - 8.2 Overdue Debtors Report (to be tabled)
 - 8.3 Response to Presentation (if any)
 - 8.4 In Committee Items to be Released to Media

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 10 April 2011		Section 48(1)(a) and in particular Section 9 of 2nd Schedule Local Government Official Information and Meetings Act 1987.
8.2	Overdue Debtors Report (to be tabled)		
8.3	Response to Presentation (if any)		
8.4	In Committee Items to be Released to Media		

I also move that:

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

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

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