

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

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

TUESDAY, 14 AUGUST 2012

The programme for the day is:

10.30 a.m: Resource Management Committee Meeting

On completion of RMC Meeting: Council Meeting

Councillors Private Meeting with Audit NZ Director, Mr John Mackey

Councillor Workshop: Reefton Air Quality

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, 14th August 2012**

B.CHINN
CHAIRPERSON

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

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THE WEST COAST REGIONAL COUNCIL**MINUTES OF THE MEETING OF THE RESOURCE MANAGEMENT COMMITTEE
HELD ON 10 JULY 2012 AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL,
388 MAIN SOUTH ROAD, GREYMOOUTH, COMMENCING AT 10.30 A.M.****PRESENT:**

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

IN ATTENDANCE:

C. Ingle (Chief Executive Officer), R. Mallinson (Corporate Services Manager) (arrived 10.35), M. Meehan (Planning & 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.

1. MINUTES

Moved (Robb / Davidson) *that the minutes of the previous Resource Management Committee meeting dated 12 June 2012, be confirmed as correct.*

Carried

Matters Arising

There were no matters arising.

2. CHAIRMAN'S REPORT

Cr Chinn reported that he attended the hearing for the Land and Water Plan over four days in June along with his fellow councillors.

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

Carried

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

M. Meehan spoke to his report advising that the Land and Water Plan hearings were held during the report period with 15 submitters presenting to the hearing panel. M. Meehan advised that the hearing panel undertook deliberations the same week as the hearing and staff are currently halfway through writing up the Decisions Report.

M. Meehan reported that a joint Consent Order has been filed this week in response to the Minute that came back from the Environment Court regarding Variation 1 – Wetlands Management. M. Meehan advised that the Minute addressed minor grammatical changes and he is hopeful that a decision from the Court is not too far away and these decisions can then be incorporated into the Land and Water Plan.

M. Meehan reported that the Ministry of Primary Industries has released its Aquaculture Strategy and Five Year Action Plan. He advised that this talks about working with Regional Councils to ensure planning to identify new growing areas in appropriate places with this being a target of the strategy and action plan. M. Meehan reported that there are targets around research and innovation. He stated that there is no specific mention of research on deep-sea aquaculture which maybe suitable for West Coast coastal waters.

M. Meehan reported that notification has been received from the Department of Conservation under the Marine Reserves Act 1971 to establish five marine reserves on the West Coast. M. Meehan advised that staff have been reviewing this application in detail and it does not seem to differ from what was originally discussed when the late Cr Denis Shannahan was involved in this process.

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

Carried

5.1.2 HYDROLOGY AND FLOOD WARNING UPDATE

M. Meehan spoke to this report advising that there was one heavy rainfall event during the reporting period with affected both the Grey and Buller Rivers.

Moved (Robb / Davidson) *That Council receive this report.*

Carried

5.1.3 REEFTON AIR QUALITY SUMMARY

M. Meehan spoke to this report and advised that since this report was written there have been more exceedences of the National Environment Standard (NES) for PM₁₀ in Reefton. The highest exceedence was 115, and two exceedences in the 90's. M. Meehan stated that the cold, still weather has pushed the readings up. The monitoring equipment has recently been reinstalled and repaired again as it was been intermittently out of action.

M. Meehan advised that due to these exceedences Council has had to place advertisements in the local newspapers, under regulation 16 and 24A of the NES advising that open fires will no longer be allowed to be installed in Reefton. This will come into effect a year after the first breach, on the 17 June 2013. M. Meehan reported that each month Council has to notify the exceedences in the local papers during the winter months. M. Meehan advised that the targets in the Long Term Plan with the Warm West Coast initiatives are timely. C. Ingle suggested that a council workshop be held to discuss the type of approach that needs to be taken with the Air Plan for Reefton.

Cr Archer suggested that in view of today's short agenda it would be good to make a head start on this at the conclusion of today's meeting. Cr Birchfield asked if the advertisement that says "open fires installed on or after the 17th of June 2013" will be prohibited, means that existing fires are not affected. M. Meehan confirmed that it is only new open fires installed after 17 June 2013. Cr Birchfield feels that there would not be many people installing open fires anyway. M. Meehan agreed with this.

Moved (Archer / Robb) *That Council receives this report.*

Carried

5.2 CONSENTS AND COMPLIANCE GROUP

5.2.1 CONSENTS MONTHLY REPORT

C. Dall spoke to his report advising that it has been a typical month with the usual range of resource consents granted during the reporting period. C. Dall reported that the hearing for TrustPower Limited's consent applications for replacement consents for its Kaniere and McKay's Hydro Power Schemes was held in Hokitika. C. Dall reported that the hearing has since been closed and the hearing committee now has 15 working days to release its decision on the consent applications. He stated that the hearing committee is on target for this.

Moved (Robb / Archer) *That the July 2012 report of the Consents Group be received.*

Carried

5.2.2 COMPLIANCE & ENFORCEMENT MONTHLY REPORT

C. Dall spoke to this report advising that five dairy sheds were inspected during the reporting period, due to it being the tail end of the dairy season. He advised that one of the five dairy sheds was rated as being significantly non-compliant due to a lack of effluent storage. C. Dall reported that overall the statistics for compliance for the entire dairy season are relatively good with 76% of dairy sheds being inspected and 85% of those inspected were compliant. C. Dall stated that this figure stacks up well compared with other regions around the country.

C. Dall reported that he and council staff attended a public meeting on the Cypress Coal Mine Project which was also attended by the Peer Review Panel for the mine project. C. Dall advised that the project is progressing a little slower than anticipated.

C. Dall reported that 12 complaints were received during the reporting period covering a typical range of activities with no formal enforcement action being taken during the reporting period.

C. Dall reported that 10 work programmes for mining were received during the reporting period, which emphasises that despite the global recession, mining is still in a good state on the West Coast. C. Dall advised that he received confirmation this morning that Solid Energy NZ Ltd has secured surety bonds to replace the \$1.1M and \$100,000 cash bonds held for the consents for the Pike River Coal Mine. C. Dall requested that he would like to add these two surety bonds to the bond releases included in his report. Cr Birchfield stated that it is pleasing to see work programmes being processed so quickly.

Moved (Archer / Davidson)

1. *That the July 2012 report for the Compliance Group be received.*
2. *That the Council releases the bonds held for Resource Consent RC10061, RC99008/RC10218, RC09047, RC98021 and RC02020.*

Carried

6.0 GENERAL BUSINESS

Cr Archer asked if the Regional Council has undertaken any liaison with the District Councils regarding consents being issued for solid fuel burning appliances, recognising that the district councils are responsible for issuing consents for solid fuel burning appliances. Cr Archer stated it would not be good to see the scenario of a district council issuing a consent for an open air fire and the regional council being engaged in monitoring or enforcement for non-compliance. M. Meehan responded that he has had discussions with Buller District Council and would continue to liaise with them.

The meeting closed at 10.48 a.m.

.....
Chairman

.....
Date

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting 14 August 2012
 Prepared by: Michael Meehan, Planning and Environment Manager
 Date: 2 August 2012
Subject: Planning and Environment Manager's Monthly Report

Proposed Land and Water Plan

Staff are finalising the decisions report following the Proposed Land and Water Plan hearings.

In relation to wetlands variation 1, staff have responded to minutes from the court seeking clarification around the policies and rules which have been submitted following mediation. It is expected that a final decision on variation 1 from the court will be released soon.

Council is required to release its decisions report on the Proposed Land and Water Plan before 17 September 2012.

Marine Reserves Applications for West Coast Sites

The Director-General of Conservation has applied to government for five marine reserve sites on the West Coast. The five areas were chosen from seven areas that were recommended to the Ministers of Conservation and Fisheries by the West Coast Marine Protection Forum in 2010. The West Coast Regional Council was represented on the Forum by the late Councilor Dennis Shannahan. The five areas are in the localities of:

- Kahurangi (8,466 ha)
- Punakaiki (3,558 ha)
- Okarito (4,641 ha)
- Ship Creek (16 ha)
- Gorge (847 ha)

Attached at the end of this report are maps showing the locations of the proposed marine reserves.

The landward boundary of the marine reserves is the coastal marine area boundary at the Mean High Water Spring mark.

The marine reserves being applied for are exactly the same size and location as what the Forum recommended, with one exception. The length of the Ship Creek reserve is reduced at the northern end by 70 metres so it does not overlap with an adjoining proposed mataitai reserve.

The application proposes that the following activities should be allowed to continue in the marine reserves:

- Non-commercial removal by hand (including fossicking) of any beach stones, pounamu, shells, and driftwood;
- Use of quad bikes, and horse riding on the beach, provided it does not disturb any bird nesting or roosting sites;
- Gold mining operations on the foreshore at the same scale and extent as existing operations provided they are authorised or there is a reasonable excuse for carrying them out (pursuant to Section 181 of the Marine Reserves Act 1971);
- For the proposed Punakaiki Marine Reserve, use of farm machinery along, and the entry of farm animals on to, the foreshore south of Hibernia Creek (Barrytown) by the registered owner of the freehold land adjoining the proposed reserve;
- Use of machinery for opening the Hibernia Creek mouth when it blocks, in accordance with the Regional Coastal Plan permitted Rule 9.5.3.1A.

The Ministers also accepted the Forum's recommendation for some Type 2 Marine Protected Area's which are protected under fishing regulations under the Fisheries Act 1996. These will be publicly notified for submissions in a separate process.

The public can now make submissions objecting to the making of Orders-in-Council establishing the marine reserves, and specifying the reasons for objecting. The submission period closes on 22 August.

Review of Anti-fouling Paint

The Environmental Protection Authority (EPA) is conducting a reassessment of all biocides in anti-fouling paints approved for use in New Zealand. Anti-fouling paints are used to reduce the buildup of microorganisms, plants and algae on surfaces submerged in water, mainly boat hulls. To help with the reassessment, the EPA has asked for information on the benefits of specific biocides that seem to pose a high risk to human health or the environment, feedback on EPA's draft risk assessment options, or technical data that could help refine the risk assessment.

RECOMMENDATION

That this report is received.

Michael Meehan
Planning and Environment Manager

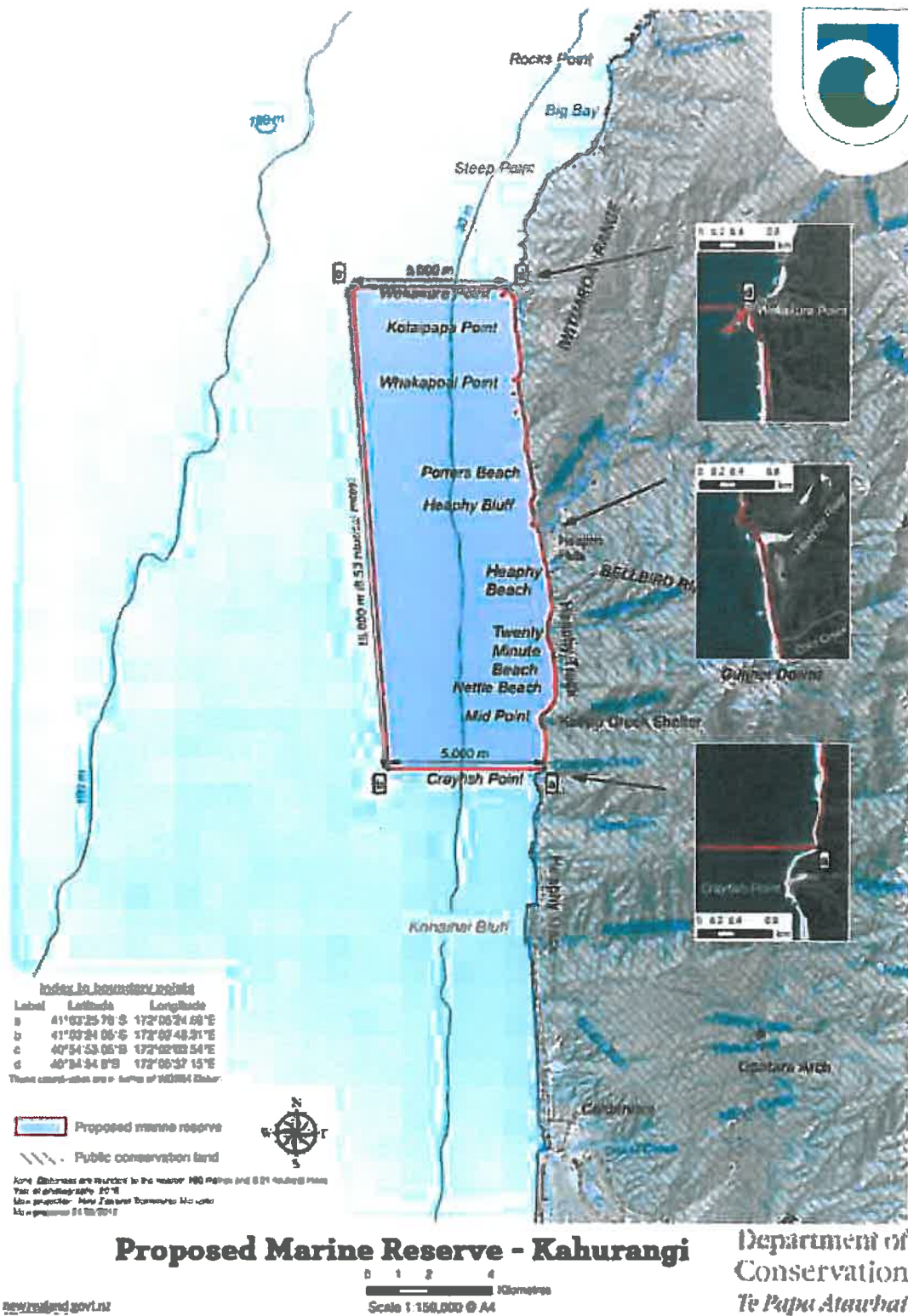
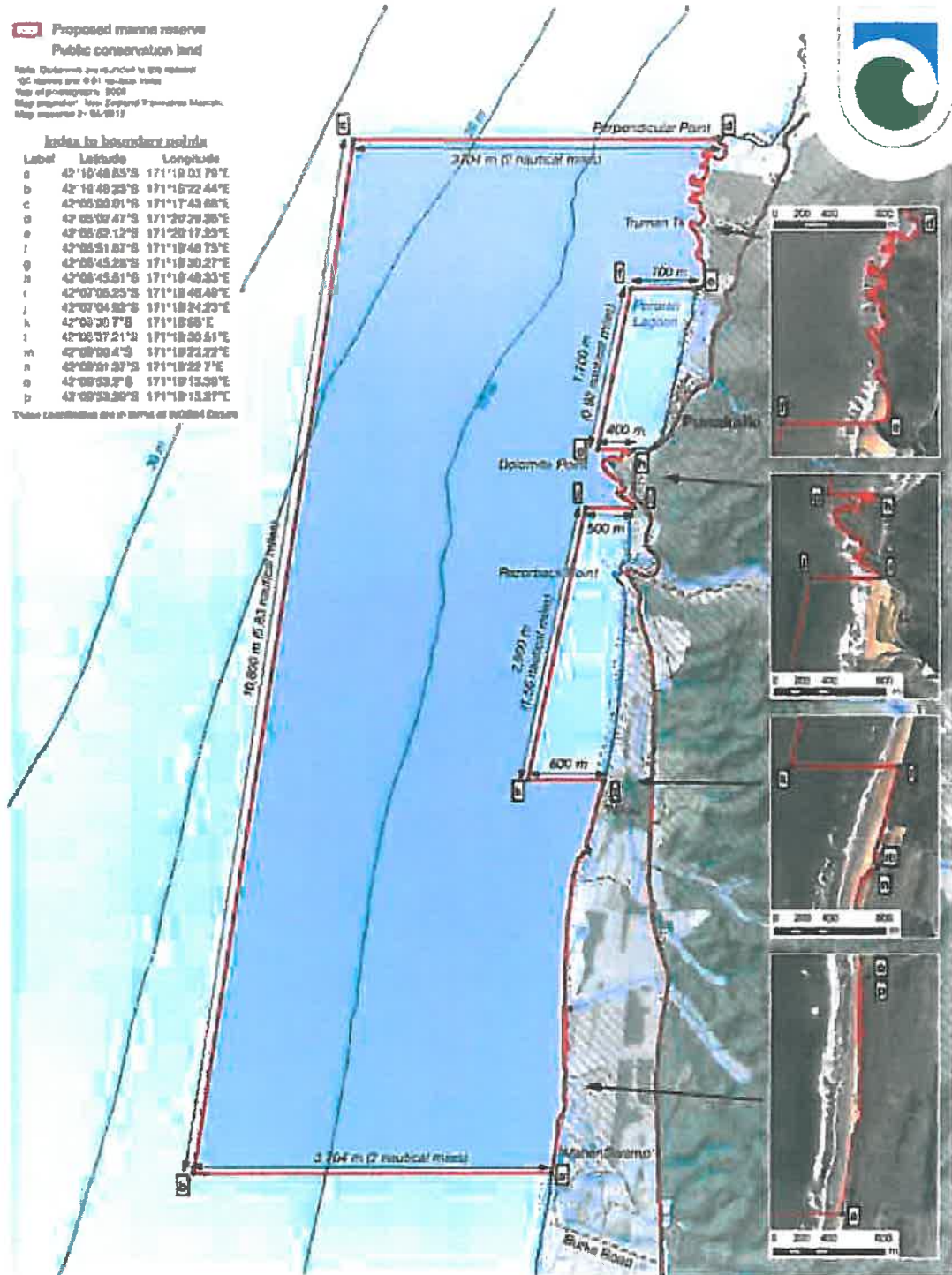


FIGURE 2a: PROPOSED MARINE RESERVES (a) KAHURANGI

West Coast, Tai Poutini Marine Reserve application

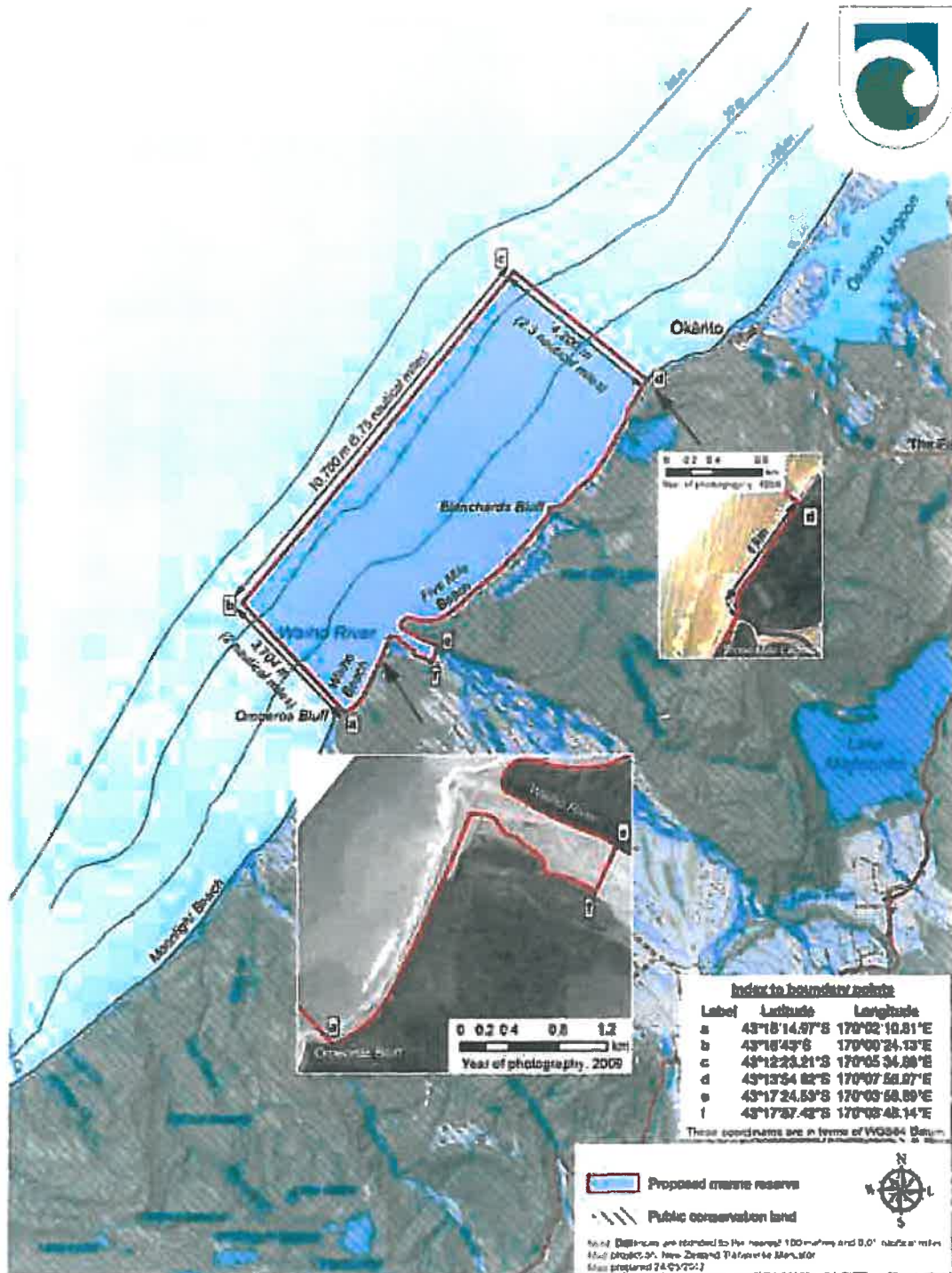


Proposed Marine Reserve - Punakaiki

Department of Conservation
Te Papa Atawhai

FIGURE 2b: PROPOSED MARINE RESERVES (b) PUNAKAIKI

Wetland and Marine Reserves Application



Proposed Marine Reserve - Ōkārito

Department of Conservation
Te Papa Ataturangi

newzealand.govt.nz

Scale: 1:120,000 @ A4

FIGURE 2c: PROPOSED MARINE RESERVES (c) ŌKĀRITO

Wāhi Kōwhiri Tai Poutini Marine Reserves application



Proposed Marine Reserve - Ship Creek

Department of Conservation
Te Papa Atuawhai

0 20 40 80 120 160 200
Metres
Scale: 1:5000 G A4

www.doc.govt.nz

FIGURE 2d: PROPOSED MARINE RESERVES (d) SHIP CREEK

West Coast Tai Pomini Marine Reserves application

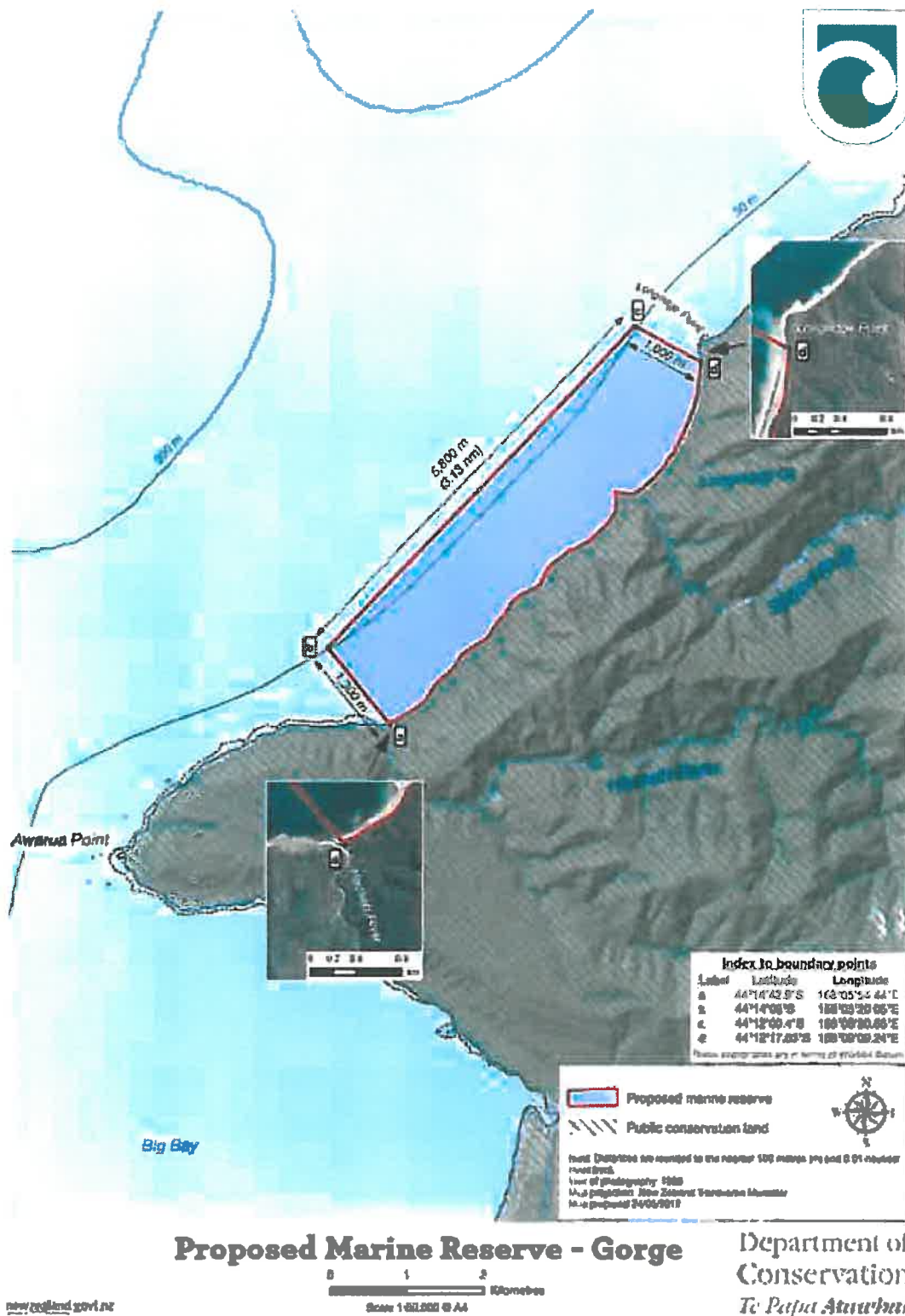


FIGURE 2e: PROPOSED MARINE RESERVES (e) GORGE

West Coast Tai Poutini Marine Reserve Application

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting 14 August 2012
 Prepared by: Stefan Beaumont, Hydrologist
 Date: 2 August 2012
Subject: HYDROLOGY & FLOOD WARNING UPDATE

Flood Warning

A large frontal system blocked by an anticyclone to the north east of the country resulted in flood alarms for the Karamea, Buller, Grey and Hokitika Rivers from 14-15 July 2012.

The event resulted in 24 hour totals of between 90-130mm in the lower altitude and 200-300mm in the ranges of the above catchments.

The Buller River at Te Kuha site recorded the flow at 7,516m³/s and level of 11,488mm which is around a 1 in 18 year return period flood. This is comparable to the flood in 1971 when a level of 11,800mm was recorded.

The Grey River reached 5,000mm at Dobson which resulted in an initial flood committee meeting. With the peak occurring at 5,201mm no further meetings were needed.

Site	Time of peak	Peak level	Warning Issued	Alarm threshold
Karamea River at Gorge	15/07/2012 12:15	5,008mm	14/07/2012 15:00	4000mm
Buller River at Te Kuha	15/07/2012 12:50	11,488mm	14/07/2012 13:15	7400mm
Grey River at Dobson	15/07/2012 14:00	5,201mm	15/07/2012 01:15	3300mm
Hokitika River at Gorge	15/07/2012 02:15	4,531mm	15/07/2012 07:40	3750mm

During the event engineering staff flew over the Buller catchment at the peak flow to capture photographs of the areas under water and to inspect areas of concern. The photographs will be used for future flood protection plans for Westport.



View from upstream of Westport



Orowaiti River



Lagoon/harbour area



Immediately downstream of the Buller Bridge



View from near the mouth of the Buller River looking towards Westport



Lagoon and surrounding areas



Stephen Road bridge over the Orowaiti River near Sergeants Hill



Hawks Crag



Hawks Crag





Organ Island

RECOMMENDATION

That this report is received.

Michael Meehan
Planning and Environment Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting 14 August 2012
 Prepared by: Emma Chaney, Resource Science Technician
 Date: 02 August 2012
Subject: REEFTON AIR QUALITY SUMMARY

There have been 25 exceedances of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (NES) for PM₁₀ in Reefton from 1 May to 1 August 2012 (Figure 1).

The maximum number of exceedances recorded since continuous monitoring began in 2006, was 25 in 2007. The highest 24hr average PM₁₀ so far this winter was 115 micrograms/m³ on 28 June and 5 July.

The Council's BAM monitoring device was re-installed, following repairs, on 4 July.

Amendments to the NES in June 2011 introduced a new requirement for open fires in airsheds that breach the PM₁₀ standard. No new installations of open fires will be allowed within the Reefton airshed, after 17 June 2013, according to regulation 24A of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004.

A notice was published in the Westport News (9 July) and the Reefton Clarion (16 July) advising Reefton residents of this. A further notice must be advertised in the same publications highlighting the exceedances for the month of July.

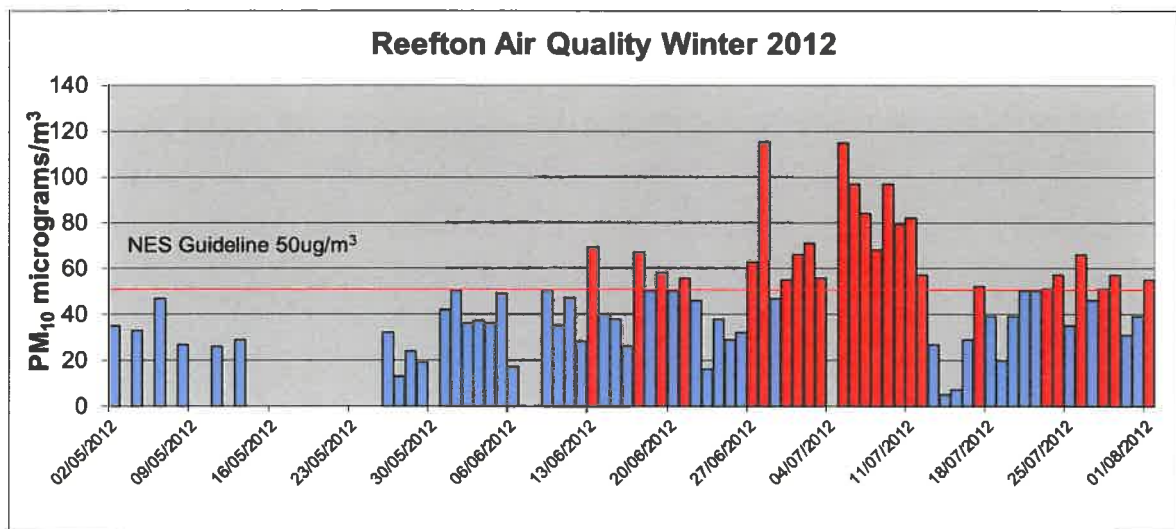


Figure 1. Graph showing daily average PM₁₀ for Reefton Winter 2012 with exceedances of the national guideline in red (NB: missing data due to machine failure).

RECOMMENDATION

That this report is received.

Michael Meehan
Planning and Environment Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting – 14 August 2012
 Prepared by: Nichola Costley – Regional Planner
 Subject: **CIVIL DEFENCE & REGIONAL TRANSPORT REPORT**

Civil Defence Emergency Management Update

Exercise Cruickshank Minor

Exercise Cruickshank Minor, based on a pandemic (influenza) scenario, was held on the 19th of July. The Exercise involved all four Councils, the District Health Board, Community Public Health, Police and a range of other emergency service and welfare organisations. The Exercise also provided the opportunity for each of the District Councils to trial the use of the Emergency Management Information System (EMIS) with the development of Situation Reports, as well as for the Group. While EMIS experienced some technical issues nationally on the day, Westland, Grey and the Group all used EMIS in this respect successfully.

South Island Exercise

A South Island wide exercise is in the early stages of planning for May 2013. It is likely that this exercise will be based on an Alpine Fault rupture in order to fully involve all South Island Groups and the National Crisis Management Centre to the appropriate level. This is similar to Exercise Ru Whenua of which the West Coast CDEM Group was involved in during 2009.

Regional Transport Update

New Zealand Transport Agency Statement of Intent

The NZ Transport Agency have released their Statement of Intent 2012-2015 (SOI). The SOI sets out an approach and course of action for the next three years that is to contribute to the delivery of the government's land transport objectives and wider transport vision. The government's overall goal is to "*grow the New Zealand economy to deliver greater prosperity, security and opportunities for all New Zealanders*". The government's long term goal for transport is to maximise the contribution that transport makes to economic growth. Similarly to other government agencies, the NZ Transport Agency is seeking to improve the performance of every dollar that is spent and invested in the transport network. The National Land Transport Programme was oversubscribed for 2012-15 and the amounts sought by approved organisations exceeded the funding bands indicated in the Government Policy Statement. This has resulted in a squeeze on funding for activities such as road maintenance.

For the West Coast, the pressure on funding inherent in the SOI is likely to result in only the minimum being undertaken in the region. Funding nationally is still being pushed towards key deliverables such as the Roads of National Significance, and while the transport goal and objectives of government match those in the Regional Land Transport Strategy regarding efficient freight movement and safety, the West Coast total vehicle movements do not provide justification for that funding to spent here on regional projects. How this funding is expected to be apportioned will become clearer following the release of the National Land Transport Programme at the end of August.

Canterbury Regional Land Transport Programme – Mingha Bluff to Rough Creek

Cr Scarlett spoke to the Canterbury Regional Transport Committee (RTC) in support of a submission made on the inclusion of the Rough Creek to Mingha Bluff improvement project in the 2012-15 Canterbury Regional Land Transport Programme (RLTP) in June. This submission has been made many times over the past several years in order to see this project progressed as unfortunately it has kept slipping down the prioritisation list.

The Canterbury RTC have responded in regards to the submission and made several changes to the RLTP as a result. The Canterbury RTC have included the Mingha Bluff to Rough Creek project

within the 2012-15 RLTP at a priority ranking of 10 in recognition of its important inter-regional link. While this is a successful outcome for the West Coast there is no guarantee that this will result in the project going ahead. Similarly to the West Coast's RLTP, while projects are prioritised regionally, they are then reviewed by the NZ Transport Agency and this regional prioritisation is subject to change. Funding nationally is under pressure, and as a result not all projects listed by a region will meet the criteria for funding.

An offer of a contribution of West Coast R Funds has been made several times in support of the submissions made on this improvement project in order to initiate some progress. The Canterbury RTC have requested that the NZ Transport Agency consider funding the Mingha Bluff to Rough Creek improvement project with a contribution of R Funds from the West Coast. Initial discussions held with the NZ Transport Agency indicate that there are projects that the Agency rank higher on the West Coast than the Mingha Bluff to Rough Creek improvement project and therefore funding regionally will go to these projects first. Final decisions on funding will be determined shortly by the NZ Transport Agency and released in the National Land Transport Programme at the end of August.

Future of Regional (R) Funding

The current Regional (R) Funds system, which allocates a specific portion of transport revenue to each region on a population basis, is due to expire in April 2015. The purpose of this ten-year system of R Funds (derived from a 5c per litre tax added to fuel sales and an equivalent increase in road user charges for light vehicles) was to provide a minimum dedicated spend in each region for land transport improvement projects that were important to the region. These projects however, still have to be economically viable and are subject to a final prioritisation ranking by the NZ Transport Agency.

National Funds are used for the highest priorities from a national perspective. These are currently focused on the Roads of National Significance (RONS) activities and the main urban areas on the basis that they involve the greatest traffic and freight volumes. The outcome of this focus is that for regions such as the West Coast it is extremely difficult to secure central government funding support for other projects considered regionally worthwhile as they have to compete with projects that have a higher 'national' priority. The eventual outcome is that once the R Funds have expired, it is most unlikely that there will be any funding available for transport improvements of any significance on the West Coast. This is further compounded with the constraints around road maintenance budgets resulting in a bleak outlook for the wider transport network.

This problem has been recognised by Basil Chamberlain, Chief Executive for Taranaki Regional Council, who is seeking the collective support of the other regions to progress an 'R Fund equivalent' in order to ensure that some measure of funding is still available to provincial regions such as the West Coast. This ongoing funding would continue to progress worthwhile projects that fall too far down the national priority list. These projects assist with securing the incremental improvement of the transport network on the West Coast and will provide for further resilience, safety and efficiency as well as assisting with the movement of product for economic growth; all goals of the current government. An example of the projects funded by R include the improvement work undertaken at McKendries Corner, the award winning pedestrian and cycle access to the Glaciers, road improvements through Atarau as well as a number of seismic and safety retrofits through the region.

In light of the future loss of a committed regional spend, staff have responded to Mr. Chamberlain supporting Taranaki in obtaining a future R Fund equivalent.

RECOMMENDATION

That this report be received.

Chris Ingle
Chief Executive

5 July 2012
Document: 1066607

Mr C Ingle
Chief Executive
West Coast Regional Council
P O Box 66
GREYMOUTH

3 JUL 2012
WEST COAST
REGIONAL COUNCIL

Dear Chris

Regional funding scheme for transport improvement projects beyond 2014/15

As you will be aware, the current Regional (R) Funds system, which allocates a specific portion of transport revenue to each region on a population basis, is due to expire in April 2015. The purpose of this ten-year system of R Funds (derived from a 5c per litre tax added to fuel sales and an equivalent increase in road user charges for light vehicles) was to provide a minimum dedicated spend in each region for land transport improvement projects that were important to the region. These projects however, still have to be economically viable projects.

It is accepted that National (N) Funds are used for the highest national priorities from a national perspective; which are currently focused on RONS activities and the main metro areas on the basis that they involve the greatest traffic and freight volumes. However, this focus means that it is near on impossible for regions to access central government funding support for other worthwhile projects, as they have to compete with projects of higher 'national' priority.

The overall effect is that, past the expiring of the R Funds system, it is most unlikely that there will be funding available for transport improvements of any significance in Taranaki. Added to this the ongoing erosion into road maintenance budgets, and the future outlook for the wider transport network is concerning.

While the R Funds system has its imperfections, it has nevertheless been critical in ensuring that provincial regions such as Taranaki have been able to progress some worthwhile projects, helping to underpin growth and respond to increasing demands. Such incremental improvements are vital to both the resilience of the individual regions, as well as to facilitating the movement of products from the provinces through to national and international markets – thereby supporting national economic growth.

It is Taranaki's view that a mechanism is needed to ensure that there is ongoing incremental improvement in the transport networks of regions such as ours beyond 2015. An 'R Fund equivalent' type source will therefore be essential.

I seek from you your view as to whether this is also an issue for your region. And, if so, are you prepared to join with Taranaki in progressing this matter.

Yours faithfully



Basil Chamberlain
Chief Executive



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26 July 2012

Basil Chamberlain
Chief Executive
Taranaki Regional Council
Private Bag 713
Stratford 4352

Dear Basil

Regional funding scheme for transport improvement projects beyond 2014/15

The West Coast finds itself in a similar situation to that described in your letter dated 5 July 2012 for Taranaki. Regional (R) Funds have contributed to a number of projects on the West Coast which would otherwise have remained uncompleted if left on the 'national priority list'. As a result we are very keen to see that some form of R Fund equivalent be made available to regions following April 2015 in order for further improvement, however minor, to continue on the provincial transport network.

The West Coast Regional Council supports the Taranaki Regional Council in lobbying for the development of an 'R Fund equivalent'. Securing a future funding option is essential to continued network improvements for all of us without Roads of National Significance or major metropolitan areas.

Yours faithfully

Chris Ingle
Chief Executive

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee – 14 August 2012
 Prepared by: Nichola Costley – Regional Planner
 Subject: **End of Year Report for the Total Mobility Programme**

Purpose

To provide Council with the end of year report on passenger satisfaction with the Total Mobility programme.

Total Mobility Passenger Survey

The Regional Council is required by the New Zealand Transport Agency to undertake a survey on passenger satisfaction on the Total Mobility service biennially. The Total Mobility Scheme is the only passenger transport function undertaken by the Regional Council (apart from maintaining a database of passenger services operating in the region).

A total of 148 survey forms were sent to Total Mobility patrons who had received a new book within the last 12 months. Of this, 100 surveys were returned (68% response rate), and 4 returned due to the patron no longer residing at that address.

The following table outlines the quality of the service running in the three districts. Overall the service quality level is generally at a very good to excellent level with several noting their appreciation of the service. A copy of these results will also be forwarded to the three taxi services.

Table 1: Total Mobility Survey Results (shown in percentages)

	Dreadful	Very Poor	Poor	Good	Very Good	Excellent
Overall Service – Overall, how do you rate the service?				10	30	60
Service value for money – Overall, how do you rate the value for money of the service?				14	28	58
Service availability – Is the service available when you need it?				15	28	57
Service reliability – How do you rate the reliability and punctuality of Total Mobility taxis?				20	25	55
Safety and security - How do you rate your safety and security during the trip?		1		11	20	68
Vehicle accessibility – Is the right equipment available to get in/out of the vehicle?		2	1	22	27	48
Vehicle quality/comfort – Overall, how do you rate vehicle?				16	27	57

n = 100

Total Mobility Users

There were a total of 14,344 total mobility trips undertaken in the 2011/2012 year (slightly down on those made in 2010/11 where 14,795 trips were made). There are currently 451 people registered for the service with 54 new users registered in the 2011/12 year.

The Council was able to secure funding from the NZ Transport Agency for a taxi hoist to be installed in a vehicle for Greymouth Taxi's. It is hoped that this will further improve accessibility for those people reliant on a wheelchair to access the taxi's services.

Total Mobility Shuttle Service

In 2007/08-year the Council contacted shuttle companies to investigate the provision of Total Mobility services between regions for West Coast users. West Coast Shuttle continues to provide this return service to Canterbury. A total of 35 trips were made by Total Mobility users on this service for 2011/12. These trip numbers remain at a relatively steady rate now.

RECOMMENDATION

That this report is received.

Chris Ingle
Chief Executive Officer

THE WEST COAST REGIONAL COUNCIL

Prepared For: Resource Management Committee – 14 August 2012
 Prepared By: Nichola Costley – Regional Planner
 Date: 2 August 2012

Subject: **Technical Advisory Group Report on Resource Management Act 1991 Principles**

Purpose

To provide an update to Council on the Technical Advisory Group's Report to the Minister for the Environment on any changes needed to sections 6 and 7 of the Resource Management Act 1991 (RMA) and its potential implications for this Council.

The proposed changes are included in Appendix 1. The full report can be viewed on the Ministry for Environment's website www.mfe.govt.nz/publications/rma under General RMA Improvement and Implementation.

Background

In October 2011, the Government established an independent technical advisory group (TAG) to review the principles in sections 6 and 7 of the RMA. Section 6 currently lists 'matters of national importance' that must be recognised and provided for, and section 7 'other matters' that particular regard must be had to when carrying out functions under the Act. These sections strongly influence how the RMA's purpose is given effect to through both planning and decision-making processes.

The Terms of Reference for the TAG required it to focus on whether sections 6 and 7 could be improved to:

- Give greater attention to managing issues of natural hazards noting the RMA issues arising from the recent Canterbury earthquakes;
- Consider the recommendations for changes to sections 6 and 7 from the urban and infrastructure technical advisory groups in a broader context;
- Consider changes that would enable the incorporation of the Land Drainage Act 1908, Rivers Board Act 1908 and the Soil Conservation and Rivers Control Act 1941;
- Reflect on the provisions relative to the resource management challenges facing new Zealand 20 years on from the RMA's enactment; and
- Promote consistency of interpretation through clear and modern drafting.

The TAG did not consider any other matters that could affect other sections of Part 2 of the RMA, principally section 5 - the purpose of sustainable management, and section 8 - regarding the principles of the Treaty of Waitangi.

While the Minister for the Environment has made it clear that the report is not Government Policy, the outcomes of the Report sit within the Government's resource management Phase Two reform work programme which has the intention, amongst other things, to provide for greater central government direction on resource management and improving economic efficiency of implementation without compromising underlying environmental integrity. The Government is not intending to formally consult on the Report but the Ministry for the Environment has indicated it would be interested in receiving feedback.

Outcomes of the Report

As a result of the review, the TAG has recommended significant changes to sections 6 and 7. These changes can be viewed in Appendix 1. As the TAG noted, sections 6 and 7 are 'overwhelmingly biophysical in character' and most significantly, contain no specific reference to the social, economic, cultural or health and safety principles referred to in the purpose statement in section 5(2) of the RMA. The TAG states that the reason for this is a 'fundamental

mismatch or disconnect' between the stated intentions of the Government at the time the RMA was enacted and the interpretation then given by the Courts.

The TAG comments that:

The position of the Government at the time was an economically liberal one in which the market was to be relatively free to undertake activities, so long as certain "environmental bottom lines" (namely those contained in s.5 (2)(a), (b) and (c)) were met. However the Courts have interpreted the Act as requiring decision-makers to adopt an "overall broad judgement" approach to decision-making. The mismatch or disconnect which we have identified thus sees that "overall broad judgement" being informed by matters of national importance and other matters that do not reflect the broad scope of issues inherent in the scope of sustainable management as defined in section 5 and interpreted by the Courts.

In the TAG's opinion, this has led to the legislation being unnecessarily complex, with a lack of flexibility and a lack of clarity resulting in uncertainty for both RMA users and decision makers. Most apparent to the TAG is that ecological, economic, social and cultural values are not given equal consideration and in some cases section 6 and 7 matters appear to have been treated as objectives in their own right.

Section 6 - Sustainable Management Principles

The TAG has recommended a single list of 'principles' in a revised section 6 that includes a wider range of matters which decision-makers must recognise and provide for in coming to an overall judgment about what constitutes sustainable management (refer Appendix 1). This is principally made up of the provisions from the current sections 6 and 7 but new additions to section 6 would include specific reference to natural hazards, economic principles, urban and infrastructure issues and biodiversity. A number of deletions from the current sections 6 and 7 are recommended as the TAG considers that they no longer require particular mention in Part 2 or would be encapsulated in the new provisions. Amongst these deletions are references to stewardship (s.7(aa)), efficiency of the end use of energy (s.7(ba)), the maintenance and enhancement of amenity values (s.7(c)), intrinsic values (s.7(d)), the maintenance and enhancement of the quality of the environment (s.7(f)), any finite characteristics of natural and physical resources (s.7(g)), and the protection of the habitat of trout and salmon (s.7(h)).

It is inevitable that there will be considerable debate as to whether the wording of the new provisions as set out in the TAG report will adequately capture the intent of what is being sought or whether different or additional wording is required. What it has done is modernised the language and created a consistently worded set of provisions noting that amendments to this section over 20 years has resulted in somewhat ad hoc and mismatched wording. It is also likely that there would be concern from some parties that the 'principles' would carry less weight than expressions of 'national importance' and that the absence of words such as 'protection' will result in a loss of environmental protection. In contrast, the TAG noted that retaining words such as 'protection' and 'maintenance and enhancement' has resulted in leading some RMA decision-makers to place 'undue emphasis' on section 6 at the expense of the sustainable management purpose of the Act.

The TAG has taken a principles based approach to the redrafting of section 6. The TAG believes that a principles-based approach is appropriate for New Zealand resource management in that it expresses a clear purpose and outcomes to be achieved but leaves discretion to others how they will comply with the principles without necessarily having to follow detailed rules or directions. National Policy Statements (NPS) and National Environmental Standards (NES) are considered by the TAG as more appropriate mechanisms to provide direction for national planning priorities than through the statute itself.

Section 7 – Sustainable Management Methods

In addition to the list of principles, the TAG proposes that Part 2 of the RMA also include a new section 7 dealing with specific process-related methods to be adhered to by decision makers.

A new section 7 – Sustainable management methods, would require all persons performing functions and exercising powers under the RMA to, among other things, achieve timely, efficient

and cost-effective resource management processes; use concise and plain language; avoid repetition; promote collaboration between local authorities on common resource management issues and achieve an appropriate balance between public and private interests in the use of land (refer Appendix 1 for proposed wording of section 7).

Essentially the matters identified by the TAG are all matters of good practice and cannot be legislated for as such. It is expected that whether these method and process issues should be included will be subject to debate, however the TAG has noted numerous examples across the country of what it considers to be poor practice, with excessive delay and significant imposition of costs, to conclude that some form of legislative direction on these issues is warranted. This also reflects one of the objectives in the TAG's Terms of Reference 'improving economic efficiency of implementation' of which the section 7 proposal is consistent with.

Natural hazards

The TAG correctly notes that natural hazard issues are not reflected in either the current section 6 or 7. Therefore the TAG recommends the inclusion of a new principle in section 6 'managing the significant risks associated with natural hazards.'

The TAG has also recommended a number of additional amendments to the RMA to more clearly allocate responsibility for natural hazard planning. The key amendments include:

- Amending the RMA to give regional councils the lead function of managing all the effects of natural hazards (while retaining the usual ability to delegate to territorial authorities as and when appropriate). Territorial authorities are to retain their current functions in regard to natural hazards for example subdivision control.
- Having one combined regional and district natural hazards plan to address natural hazards on a region wide basis. The plan should be required to be operative within three years of enactment of the empowering legislation. The Regional Council is to be the lead agency in the preparation of the combined plan.
- Requiring local authorities to make information about natural hazards available to all other local authorities within their region.
- Amending section 106 (to do with subdivision consents) to include other hazards, expressly liquefaction and lateral spreading, along with any other consequences of the events included in the definition of 'natural hazard' in section 2. The section would also reflect the risk associated with any natural hazard, rather than the likelihood of the event.
- The promulgation of a NPS or NES on the management of natural hazards.

Other key amendments

In order to further inform the principles of section 6, the TAG have proposed new definitions for:

- Outstanding natural features
- Outstanding natural landscapes
- Areas of significant indigenous biodiversity
- Areas of significant indigenous terrestrial habitats
- Areas of significant aquatic habitats

The definitions of these matters is that they are what are identified in a regional policy statement as 'outstanding' or 'significant'. For example, 'Outstanding natural features and outstanding natural landscapes are defined as features and landscapes that are identified in an operative regional policy statement (RPS) as being outstanding on a national or regional scale.' As a consequence of the new definitions, regional council functions under section 30 would be amended to include the identification of these areas. Section 62 (contents of regional policy statements) would also be amended to require the RPS to clearly depict or describe the locality or boundaries of these areas.

As a result of the proposed new section 6(j), it is proposed to give regional councils the function of identifying the land required for reasonable foreseeable urban use and development and provide for significant infrastructure, and add 'the planning, design and functioning of the built environment as a function of both regional and territorial authorities'. Similarly to the above, the

RPS would be required to identify the land required for reasonably foreseeable urban use and development.

Changes to the RPS and relative Plans would be required to be made operative within 5 years. However, at this time there is no direction per se, on what any of the above are. As mentioned previously, the TAG considered that national direction is more effective through the promulgation of NPS's and NES's. It may be through this format that further direction is provided though noting the time requirements for enacting the changes, this may be problematic.

Review of other Acts

The Terms of Reference for the TAG required it to consider whether sections 6 and 7 could be improved by enabling the incorporation of the Land Drainage Act 1908, River Boards Act 1908 and the Soil Conservation and Rivers Control Act 1941. Due to the operational nature of these Acts, the TAG concluded that given the existing provisions being operational in nature, they are more suited for repeal and inclusion within the Local Government Act 2002.

Implications for Council

There are several key implications for this Council should the recommendations, as proposed by the TAG, be enacted. The primary implication is the significant additional workload to identify the areas listed in the previous section. While Council has good information on wetlands and is currently undertaking a review of outstanding natural features and landscapes in the region, identifying how the wetland work fits into the three ecosystem type areas and what additional information, identification and mapping is required here, as well as identifying land use for urban expansion, would require substantial new work to be undertaken by this Council in some areas traditionally considered to be the responsibility of district councils.

There would also be a considerable workload required to address the recommendations relating to natural hazards. Note that the regional natural hazards plan was recommended to be operative within three years of the enacting legislation.

Furthermore, if these changes are made, then subsequent change is also required to the First Schedule process in the RMA to enable efficient and effective policy statement and plan review processes to take place. This is to ensure that these processes are not held up through appeals and at the Environment Court as has been this Council's experience with the Proposed Land and Riverbed Plan and the Proposed Water Plan. 'Plan agility', or the ease with which plans may be changed, has been recognised by the TAG following on from other work done in this area by the Ministry for the Environment and previous TAG's.

The TAG considers a review of the Environment Court's role is appropriate in the Phase Two reform with the appropriate reference to establish how the Courts can support and add value to the resource management system to achieve least cost delivery of good environmental outcomes. The Waikato Regional Council proposed some alternatives of which the TAG have commended for further consideration including:

- A single hearing procedure from which appeals are available only on points of law;
- The hearing to be chaired by an independent commissioner appointed by the Minister for the Environment from a nationwide pool, who is suitably qualified to manage complex RMA hearings with rights of cross examination;
- The composition of the hearing panel to be determined based on the policy issues under consideration (for example, technically complex issues may be best dealt with by a panel with increased numbers of independent experts); and
- In all cases the hearing panel should include appropriate iwi membership.

The TAG also recognises that while some amendments to give effect to NPS and RPS will warrant a full Schedule 1 process, this is both unnecessary and inefficient in respect of new provisions which simply repeat the NPS and RPS provisions.

A further implication of the TAG report is on this Council's current work programme. Council is currently in the process of reviewing the Regional Coastal Plan and Regional Air Quality Plan as

well as the RPS, with hearings recently held on the Proposed Land and Water Plan. With amendment to the RMA highly likely in some form at least, it is appropriate to consider how work on these documents should. Given that decisions are likely to be released shortly on the Proposed Land and Water Plan it is recommended that this plan work continues as programmed. It is also recommended that work continues as programmed on both the Regional Coastal Plan and the Air Quality Plan as the changes to the Act would not affect these Plans to the same degree and there are some fundamental changes required to Air Quality Plan to meet the National Environmental Standard.

However, the proposed changes recommended by the TAG would have a significant effect on the RPS. In light of this, and due to the uncertainty as to what the final outcome would be, it is recommended that the review of the RPS be put on hold until there is more certainty around what will be required within this document. Advice from the Ministry for the Environment is that they have also put on hold the development of any new National Policy Statement until Phase Two of the reform of local government is clear.

Summary

The TAG have recommended fundamental changes to sections 6 and 7 of the RMA to support improved policy and plan making functions. The changes recommended for section 6 'balance' the current bio-physical provisions with the other social, economic, cultural and health and safety principles identified in section 5 of the RMA. The recommended changes to section 7 promote a move towards achieving timely, efficient and cost effective resource management processes. New natural hazards provisions seek to provide greater statutory direction to managing issues of natural hazards.

While the changes recommended by the TAG are not Government Policy, it is possible that these amendments, or some of them, may be taken further through the Phase Two reform programme. As identified there are some positive outcomes to the modernising and updating of these sections of the RMA. In balance however, there would also be financial implications for all councils.

Staff will continue to monitor this work area, and what happens from here, keeping Council informed of the progress made in the Government's reform programme. At this time it is appropriate to continue with the current regional plan work while putting on hold the RPS review until more certainty is gained on future changes to section 6 and 7.

Recommendations

- 1. That Council receives this Report;*
- 2. That Council continue with the review of the Regional Coastal and Air Quality Plans; and*
- 3. That Council delay the review of the Regional Policy Statement until further clarification on whether the recommendations of the TAG Report will be adopted by Government through its Phase Two reform work.*

Michael Meehan

Planning and Environmental Manager

Appendix 1 – Proposed Changes to Section 6 and 7, new definitions and recommendations for natural hazards.

New definitions are proposed for those terms underlined.

6. Sustainable management principles

- (1) In making the overall broad judgment to achieve the purpose of this Act, all persons performing functions and exercising powers under it must recognise and provide for:
- (a) The:
 - (i) natural character values of the coastal environment, wetlands, and lakes and rivers and their margins; and,
 - (ii) value of public access to and along, the coastal marine area, wetlands, lakes and rivers.
 - (b) The:
 - (i) physical qualities of outstanding natural features; and
 - (ii) visual qualities of outstanding natural landscapes.
 - (c) The physical qualities of:
 - (i) areas of significant indigenous biodiversity;
 - (ii) areas of significant indigenous terrestrial habitats; and
 - (iii) areas of significant aquatic habitats.
 - (d) In relation to climate change:
 - (i) managing the significant risks of climate change effects; and,
 - (ii) the benefits to be derived from the use and development of renewable energy.
 - (e) In relation to Maori:
 - (i) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, taonga species and other taonga;
 - (ii) the exercise by Maori of kaitiakitanga; and,
 - (iii) protected customary rights.
 - (f) Significant values of archaeological sites, historic places and historic areas;
 - (g) The efficient use of natural and physical resources;
 - (h) The significant benefits to be derived from the use and development of natural and physical resources;
 - (i) Managing the significant risks associated with natural hazards;
 - (j) The planning, design and functioning of the built environment, including the reasonably foreseeable availability of land for urban expansion, use and development; and
 - (k) The planning, design and functioning of significant infrastructure:
- (2) For the avoidance of doubt, subsection (1) has no internal hierarchy.

7. Sustainable management methods

All persons performing functions and exercising powers under this Act must:

- (a) Achieve timely, efficient and cost-effective resource management processes;
- (b) In the case of policy statements and plans:
 - (i) include only those matters within the scope of this Act;
 - (ii) use concise and plain language; and
 - (iii) avoid repetition.
- (c) Have regard to any voluntary form of environmental compensation, off-setting or similar measure which is not encompassed by section 5(2)(c);
- (d) Promote collaboration between local authorities on common resource management issues; and,
- (e) Achieve an appropriate balance between public and private interests in the use of land.

Definitions

The proposed changes to sections 6 and 7 would be supported by the following definitions:

Natural character means the physical qualities and features created by nature, and may include such matters as:

- (i) natural patterns and processes;
- (ii) biophysical, ecological, geological and geomorphological aspects;
- (iii) natural landforms, such as headlands, peninsulas, cliffs, dunes, wetlands and reefs; and,
- (iv) places or areas that are wild or scenic.

Archaeological site means any place in New Zealand, including any building or structure (or part of a building or structure), that:

- (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
- (ii) is or may be able, through investigation by archaeological methods, to provide evidence relating to the history of New Zealand.

(As per Heritage New Zealand Pouhere Taonga Bill)

Historic place

(a) means any of the following that form a part of the historical and cultural heritage of New Zealand and that lie within the territorial limits of New Zealand:

- (i) land, including an archaeological site;
- (ii) a building or structure (or part of a building or structure); and,
- (iii) any combination of land, buildings, structures, or associated buildings or structures (or parts of buildings, structures, or associated buildings or structures).

(b) Includes anything that is in or fixed to land described in paragraph (a).

(As per Heritage New Zealand Pouhere Taonga Bill)

Historic areas means an area of land that -

- (a) contains an inter-related group of historic places;
- (b) forms part of the historical and cultural heritage of New Zealand; and,
- (c) lies within the territorial limits of New Zealand.

(As per Heritage New Zealand Pouhere Taonga Bill)

Mitigation

- a) means to lessen the rigour or the severity of effects; and,
- b) contemplates that some adverse effects from developments may be considered acceptable, no matter what attributes the site might have. To what extent the adverse effects are acceptable, is, however, a question of fact and degree;
- c) but does not include any form of environmental or financial compensation or similar measure, except to the extent that such measure is to be provided on a voluntary basis.

Outstanding natural features and outstanding natural landscapes means features and landscapes that are identified in an operative provision of a regional policy statement as being outstanding on a national or regional scale.

Areas of significant indigenous biodiversity means areas identified in an operative provision of a regional policy statement which have species compositions or habitat structure or

ecosystem functions, or a combination thereof, that are of significance for the maintenance of biodiversity nationally.

Areas of significant indigenous terrestrial habitats means areas identified in an operative provision of a regional policy statement which have ecological attributes that are regionally significant.

Areas of significant aquatic habitats means areas identified in an operative provision of a regional policy statement which have physical, recreational or ecological attributes that are regionally significant.

Natural Hazards Recommendations

- A provision requiring decision-makers to recognise and provide for issues around natural hazard risks should be incorporated in s.6 of the RMA – the wording of the provision to be, “managing the significant risks associated with natural hazards:”
- Natural hazards:
- Retain the RMA definition of natural hazards. Further work should be undertaken on alignment of the definition across all relevant legislation, in particular to take account of the differing “return periods” for natural hazards.
- Amend provisions specifying matters to be considered in preparing RPS and plans to specifically refer to CDEM Group management plans as a matter which must be considered.
- Regional councils should have the lead function of managing all the effects of natural hazards. Territorial authorities are to retain their current function in regard to natural hazards.
- There should be one combined regional and district natural hazards plan.
- This plan should be required to be operative within three years of enactment of the empowering legislation.
- Require local authorities to make information about natural hazards available to all other local authorities within their region. This requirement should be drafted to expressly override any constraints arising from other legislation on information sharing, including the Privacy Act 1993 and the Local Government Official Information and Meetings Act 1987.
- Section 106 be amended to expressly include liquefaction and lateral spreading, along with any other consequences of the events included in the definition of “natural hazard” in s.2.
- Section 106 be amended to reflect the risk associated with any natural hazard, rather than the likelihood of the event.
- Section 106 be amended so that the consent authority must refuse consent if there will be a significant increase in the risk associated with any natural hazard.
- That the potential to extend the scope of s.106 to include land use consents issued by regional councils be investigated.
- That the Government promulgate a NPS or NES on the management of natural hazards.

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee Meeting – 14 August 2012
Prepared by: Katherine Glasgow – Land Management Officer / Planner
Date: 3 August 2012
Subject: **PROPOSED CANTERBURY REGIONAL POLICY STATEMENT**

Purpose

To inform the Council of the notification of decisions on submissions to the Proposed Canterbury Regional Policy Statement (PCRPS).

Background

The PCRPS was notified on 18 June 2011. The West Coast Regional Council (WCRC) lodged a submission on the PCRPS seeking an additional method be added to Chapter 5 – Land use and Infrastructure, to provide a means of working with other regions where cross boundary issues arise. This was primarily in relation to upgrading existing strategic road links with other regions, including the Mingha Bluff to Rough Creek section of State Highway 73.

Notification of Decisions on Submissions

WCRC have received notification on decisions in which the relief sought by WCRC has been accepted in part. A new method has not been added; instead the existing method has been amended to give consideration to working with other Regional Councils where cross boundary issues arise.

Canterbury Regional Land Transport Programme

Aligned to the attached submission on the PCRPS is the submission made on the Canterbury Regional Land Transport Programme pressing for further work to be done on the Mingha Bluff to Rough Creek section of State Highway 73. The Canterbury Regional Transport Committee has made changes as a result. Please refer to the Regional Transport meeting paper for further detail.

RECOMMENDATION

That the Council receive this report

Michael Meehan
Planning and Environment Manager



THE WEST COAST
REGIONAL COUNCIL

4 August 2011

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Proposed Regional Policy Statement 2011
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Environment Canterbury
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CHRISTCHURCH 8140

Enquiries to: Katherine Glasgow

Dear Sir/Madam

SUBMISSION ON PROPOSED CANTERBURY REGIONAL POLICY STATEMENT 2011

Thank you for the opportunity to make a submission on the Proposed Canterbury Regional Policy Statement 2011 (PRPS).

The West Coast Regional Council (the Council) wishes to note its concern regarding the proposed methods to achieve **Policy 5.3.7 – Strategic land transport network and arterial roads (entire region)**.

The proposed method (1) as currently worded is generic, and fails to encapsulate the means of working with other regions where cross boundary issues may arise. Method (1) as proposed fails to identify any course of action about working with adjoining regions to ensure safe and efficient roading links where these cross regional boundaries.

It must be noted, that links to other regions, and in particular the Canterbury Region, are crucial to the West Coast economy and are important from a lifelines perspective. State Highway 73 forms a critical link between Canterbury and the West Coast for freight, tourism, and domestic travellers. There are so few road links through the Southern Alps to the West Coast that road transport is heavily dependent on the security of these sections of highway, and the Council considers they are of regional and national significance. The New Zealand Transport Agency State Highway classification process has categorised this road as a Regional Strategic Route which reflects its importance in the roading network. State Highway 73 is beneficial not only to this Region for the transport of, goods, services, and visitors to the West Coast, but also to the Canterbury region economy.

The West Coast Regional Council's Regional Land Transport Strategy 2011 - 2041 states:

"Of primary importance to the West Coast is the upgrade and realignment of State Highway 73 from Mingha Bluff to Rough Creek. This project is located in the Canterbury region but is considered critically important to route security and safety on the network. Completion of this project will contribute to the economic wellbeing of both the West Coast and Canterbury regions."

The Mingha Bluff to Rough Creek section is narrow and winding and can create potential difficulties, particularly for larger vehicles, making travel unsafe and increasing the risk of accidents for both trucks and other vehicles. This is one of the last low standard sections of State Highway 73 needing to be upgraded. While Council appreciates that design work has commenced on this project, finalisation of this work, followed by construction of the upgrade is urgently required.

Chapter 3 of the PRPS states that under Section 30 and 31 of the Resource Management Act, 'integrated management is a key function for local authorities.' The Chapter goes on to state in Section 3.1 that Canterbury shares a regional boundary with this Council and that there may be potential for issues to arise. These issues therefore, need to be recognised and provided for in relative Chapters throughout the PRPS.

In addition, the Regional Land Transport Programme 2009-2019 for Canterbury notes on Page 10 that the Mingha Bluff to Rough Creek upgrade is an activity of inter-regional significance. The upgrade will improve route security between the West Coast and Canterbury, this will ultimately result in an improved economic and social well being for both regions, and provisions within the Regional Policy Statement should recognise and provide for this matter.

For these reasons, we ask that a Method be added to Policy 5.3.7, that the Canterbury Regional Council will:

- 1. In the Canterbury Regional Land Transport Strategy; give priority to upgrading existing strategic road links with neighbouring regions.*

We do not wish to be heard in support of this submission.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K. Glasgow', written in a cursive style.

Katherine Glasgow
Planner

Commissioner decision to WCRC submission on the Proposed Canterbury Regional Policy Statement

Provision submission relates to	Submission reference	Submitter details	Relief sought	Commissioner recommendation	Commissioner reasons / comment
Policy 5.3.7	7.1	West Coast Regional Council	<p>The proposed method (1) as currently worded is generic, and fails to encapsulate the means of working with other regions where cross boundary issues may arise. Method (1) as proposed fails to identify any course of action about working with adjoining regions to ensure safe and efficient road links where these cross regional boundaries. Add a new method to policy 5.3.7 that states:</p> <p>"(1) In the Canterbury Regional Land Transport Strategy; give priority to upgrading existing strategic road links with neighbouring regions"</p>	Accept in part	<p>We consider that the priorities for improvements, funding and upgrades are undertaken within the Canterbury Land Transport Programme and National Land Transport Programme (NLTP). It would be inappropriate to circumvent that more comprehensive function through inclusion of the suggested wording within the RPS. However, the issue of collaboration is considered appropriate, whilst recognised in Chapter 3 of the PRPS, more explicit recognition in relation to the transport network can be reflected within Method (5). This would incorporate the following recommended text changes:</p> <p>Local authorities: <i>Should:</i> (4) ... (5) Work together, including with neighbouring territorial authorities and regional councils that adjoin the Canterbury Region to adopt a consistent approach in relation to cross boundary issues for strategic land transport networks.</p>

THE WEST COAST REGIONAL COUNCIL

Prepared For: Resource Management Committee – 14 August 2012
Prepared By: Michael Meehan – Regional On Scene Commander
Date: 6 August 2012
Subject: **Marine Oil Spill Notifications**

Purpose

To report to Council on the response to the three marine oil spill notifications received during the reporting period.

Blaketown Lagoon

On 11 July 2012, Council were alerted by a member of the public to a potential oil spill in the Greymouth Lagoon. Council staff inspected the site immediately and noted a large oil sheen on the water in the lagoon area, which appeared to be diesel.

At the time of the notification, Michael Meehan Regional on Scene Commander (ROSC) was meeting with Grey Port, Westport Harbour and Maritime New Zealand (MNZ) staff in Westport.

The ROSC travelled back to site with MNZ staff and discussed the incident and response options. Given the tide and wind conditions, a plan was formulated to attempt to recover some of the oil from the lagoon using absorbent booms, pumping water over the beach to direct the diesel covering the rocks towards the absorbent booms and some minor beach cleaning using a tractor.

This work began early on 12 July and involved ten staff from Grey District Council, West Coast Regional Council and MNZ. Work continued until the booms were removed on 16 July following a period of very heavy rain.

The torrential rain and northerly gale aided the collection and dispersal of oil as it was directed into the south west corner of the lagoon. Although the weather was poor for responders it was a significant advantage to cleaning up the diesel and preventing it travelling into the wetland area upstream.

Summary

The response was conducted in a safe and effective manner which resulted in approximately 250 litres of diesel recovered from the lagoon.

The investigation found that the spill occurred in the early hours on 10 July, according to the spiller between 500-1000 litres was lost to the lagoon.

The weather conditions aided the response immensely, allowing the diesel to be dispersed naturally and allowing it to be collected in an easily accessible point.

One bird death was noted, with no reports of further impacts on wildlife. Given the activity in responding to the event, wildlife was generally deterred from accessing the area.

The response team worked well and showed that our response capabilities are adequate for this type of event.

A separate investigation is occurring into the spiller and any potential enforcement action.



Coating of diesel on the foreshore of Greymouth Lagoon 11 July



Diesel marking on stones in foreshore area 12 July



Pumps and absorbent booms deployed





Staff operating the pumps on foreshore



Diesel on foreshore



Pumping operation to direct diesel on foreshore towards the absorbent booms



Inlet to the lagoon protected with absorbent booms

HMNZ Taupo sighting of oil

On 22 July 2012 Council received notification from MNZ that the HMNZ Taupo while on routine inspections of foreign fishing vessels had sighted two oil spills located approximately 27 nautical miles west of Hokitika.

Oil Slick (1) Lat 40 degrees 34 south 170 degrees 20 east: 100 metres in diameter.

Oil Slick (2) 42 degrees 30 south 170 degrees 25 east: 50 metres in diameter.

The Taupo put out an alert to other vessels to check their equipment and obtained a sample of the oil.

Council staff carried out an aerial survey of the area and could not locate the spill. Attached are photographs from this flight of the area reported.

MNZ were notified of the aerial survey and are using this information along with the samples obtained by the HMNZ Taupo to make enquiries with vessels which were in the area at the time.



Approximate co-ordinates given by the HMNZ Taupo



Vessels sighted in the approximate area of the sighting.



Albacore sinking – Cascade Point

On 2 August 2012 Council received notification that the cray fishing vessel the Albacore had hit rocks and sunk 3 nautical miles of the coast at Cascade Point.

Council liaised with locals in the area and obtained information regarding the sinking from locals who had flown over the area. The boat was carrying approximately 400 litres of marine diesel along with lubricant oils.

The area comprises of high vertical steep cliff faces along with a high energy coastline. Due to these factors and the natural dispersion of diesel in this environment Council did not undertake a physical response to the spill.



The Albacore drifting off the coast at Cascade Point

RECOMMENDATION

That Council receives this Report

Michael Meehan
Planning and Environmental Manager

THE WEST COAST REGIONAL COUNCIL

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

Subject: CONSENTS MONTHLY REPORT

CONSENTSConsents Site Visits from 27 June – 31 July 2012

DATE	NAME, ACTIVITY & LOCATION	PURPOSE
03/07/12	RC10193 – Buller Coal Ltd, Open cast coal mining, Denniston Plateau	To discuss on site matters pertaining to Environment Court evidence.
17/07/12	Furs Dressers & Dyers Ltd, Discharge from possum fur treatment, Rimu	To gain a better understanding of the resource consent requirements, resource consent not required as activity is considered a permitted activity.
31/07/12	RC12123 - Bonar Farms Ltd, Gold mining, Lake Ianthe	To gain a better understanding of the proposed gold mining operation.

Non-Notified Resource Consents Granted from 27 June – 31 July 2012

CONSENT NO. & HOLDER	PURPOSE OF CONSENT
RC10223 HBF Chinn	To undertake earthworks associated with alluvial gold mining at Ross opposite Donoghues Road within MP 51769. To disturb the bed of Clear Creek associated with water diversion within MP 51769. To divert Clear Creek for alluvial gold mining purposes within MP 51769.
RC11083 Gold Mining (Rimu) Ltd	To discharge sediment-laden water to land in circumstances where it may enter Clear Creek or tributaries associated with gold mining activities within MP 51769. To undertake earthworks associated with alluvial gold mining near Rimu. To disturb the bed of Pine Creek and Craig Creek associated with their diversion. To divert water of Pine Creek and Craig Creek. To take and use water from Pine Creek and Craig Creek for alluvial gold mining activities. To discharge sediment-laden water to land in circumstances where it may enter water (Pine Creek and Craig Creek).
RC12064 New Zealand Transport Agency	To disturb the riparian margins of the Mahitahi River associated with extension and use of a track. To disturb the bed of the Mahitahi River to construct a rock spur. To divert water, Mahitahi River. To discharge sediment to water from the construction of a

RC12079 G T Liddell Contracting Ltd	rock spur, Mahitahi River. To discharge contaminants (lead based paint flakes and garnet waste) to land by burial at Taramakau.
RC12112 Birchfield Ross Mining Ltd	To undertake earthworks associated with the disposal of contaminants at Taramakau (RS3217 Blk VII Waimea SD). To disturb the bed of the Totara River for the purpose of extracting gravel. To erect and maintain a river protection structure in the Totara River.
RC12115 G Turnbull	To divert water as a result of the erection of a river protection structure and gravel extraction in the Totara River.
RC12116 Transpower New Zealand Ltd	To discharge treated domestic sewage effluent to land from a dwelling on 41 Limestone Track. To discharge contaminants to air from the wet abrasive blasting of electricity transmission towers, West Coast Region. To discharge contaminants to land where they may enter water from the wet abrasive blasting of electricity transmission towers, West Coast Region.
RC12118 Westreef Services Ltd	To discharge contaminants to water from the wet abrasive blasting of electricity transmission towers, West Coast Region. To disturb the dry bed of the Maruia River for the purpose of extracting gravel. To disturb the dry bed of the Big Totara River at its confluence with Tailings Creek for the purpose of extracting gravel.
RC12121 Kowhai Farms Ltd	To take water from the Oparara River for irrigation purposes.
RC12122 Infants Creek Resources Ltd	To undertake earthworks associated with alluvial gold mining at Rutherglen, Paroa. To take and use groundwater via seepage into a pond for alluvial gold mining at Rutherglen, Paroa. To discharge water containing contaminants (sediment) to land in circumstances where it may enter groundwater via seepage at Rutherglen, Paroa.

Changes to Consent Conditions Granted from 27 June – 31 July 2012

CONSENT NO, HOLDER & LOCATION	PURPOSE OF CHANGE
RC00323 [v18] Oceana Gold (New Zealand) Ltd Globe Progress Mine, Reefton	Increase in footprints of the Globe Progress pit, Souvenir Pit, Devils waste rock stack, Union Creek waste rock stack and alteration to monitoring requirements for discharge of dust and discharge of contaminants to Devils Creek ("Reefton Phase 2 -2012").
RC07071 [v1] Animal Health Board Inc Te Kinga Operational Area	To change conditions regarding the area of land, notification and display of warning signs for an aerial 1080 discharge operation.
RC07086 [v1] Animal Health Board Inc Hohonu Operational Area	To alter the location and total area of land for aerial discharge of 1080 (sodium monofluoroacetate).

RC09035 [v3] Francis Mining Co Ltd Echo Mine	To change conditions associated with the expansion of the mine, proposed extended East Pit shell, highwall access road and the extended Eastern Overburden Stack.
RC09108 [v1] Francis Mining Co Ltd Echo Mine	To change conditions associated with the expansion of the mine, proposed extended East Pit shell, highwall access road and the extended Eastern Overburden Stack.
RC10258 [v2] Francis Mining Co Ltd Echo Mine	To change conditions associated with the expansion of the mine, proposed extended East Pit shell, highwall access road and the extended Eastern Overburden Stack.
RC11260 [v1] Clive Fairhall Dobson	To change conditions relating to the type of septic tank.
RC97014 [v2] Cascade Coal Ltd Denniston Plateau	To change conditions relating to the total land available for mining under MP 41455.

Limited Notified or Notified Resource Consents Granted from 27 June – 31 July 2012

CONSENT NO. & HOLDER	PURPOSE OF CONSENT
RC12015 West Coast Regional Council	To disturb the bed of the Whataroa River to construct river protection structures. To divert water from river protection structures, Whataroa River.

Notified Consents Updates

The Decision on the consent applications for TrustPower Limited's for the operation and maintenance of the Kanieri Forks Hydro Electric Power Scheme and the operation, enhancement and maintenance of the McKay's Creek Hydro Electric Power Scheme was released on 26 July 2012. The joint Hearing Committee of the West Coast Regional Council and Westland District Council granted the applications subject to various conditions. The appeal period closes on 16 August 2012.

The consent applications for Grey District Council's proposed new Wastewater Treatment Plant at Preston Road were publicly notified on 30 July 2012. Submissions are due to close on 27 August 2012.

Evidence was exchanged for the upcoming Environment Court hearing for the outstanding matters relating to the appeals on the consents granted to Buller Coal Ltd for its proposed Escarpment Coal Mine.

RECOMMENDATION

That the August 2012 report of the Consents Group be received.

Jackie Adams
Consents & Compliance Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Resource Management Committee
 Prepared by: Jackie Adams – Consents & Compliance Manager and Colin Helem – Senior Compliance Officer.
 Date: 1 August 2012
 Subject: **COMPLIANCE & ENFORCEMENT MONTHLY REPORT**

Site Visits

A total of 34 site visits were undertaken during the reporting period, which consisted of:

Activity	Number of Visits	Fully Compliant (%)
Resource consent monitoring	12	83%
Dairy shed inspections	2	100%
Mining compliance & bond release	20	50%

These totals include 9 visits in response to complaints.

Specific Issues

Dairy Effluent Discharges: In early July 2012 Compliance staff undertook the annual dairy flights where the majority of farms in the West Coast Region were flown over to check compliance with the Regional Rules for farm activities such as wintering/stand off pads. The flights revealed a number of actual or potential breaches of rules which are currently being followed up.

Solid Energy New Zealand (SENZ) Mining Operations: On the 19 July 2012 a site visit was undertaken at Stockton to inspect the Number 2 South Cutback operation. There were no issues arising from the visit.

Alluvial Gold Mining: During the Compliance Annual flight a miner was discovered dewatering a large mining pit causing a sediment discharge to a water body. Enquiries were carried out and enforcement action is pending.

White Bait: As the season is approaching there have been more phone enquiries regarding white bait stands and Council staff have begun the marking out of stand locations on the rivers.

Complaints/Incidents between 28 June 2012 and 31 July 2012

The following 18 complaints/incidents were received during the reporting period:

Activity	Description	Location	Action/Outcome
Stock Access	Complaint regarding cows causing pugging to the riparian margin of a creek.	Mokihinui	Farmer contacted by phone and advised to remedy the situation.
Beach Sand Extraction	Complaint that sand was being extracted from out side the consented area.	Westport	Not substantiated by site visit.
Works in the bed of a river	Complaint that a digger was working in the bed of the river without consent.	Blackwater	Site visit established that the operator was working within permitted activity rules reinstating the banks after flood damage.
Gravel Extraction	Complaint regarding gravel extraction.	Canoe Creek	Enquiries established that the gravel was extracted in breach of consent conditions, resulting in a formal warning.

Dumping	Complaint that a car body was dumped at the mouth of the Orawaiti River mouth.	Westport	Enquiries established that the Police were dealing with it and tracking down the owner.
Discharge to Air	Complaint that a person was having a back yard burn off and burning plastic.	Westport	The person was contacted by phone, advised of the relevant rule and requested to extinguish the fire.
Works in the riparian margin of a river	Complaint that unauthorised river protection is being carried out	Whataroa	Not substantiated by site visit.
Discharge to water	Complaint regarding the discharge of diesel from a fishing boat into the Blaketown Lagoon.	Greymouth	Staff undertook an operation over several days to recover the diesel. Enquiries established the identification of the discharger. Enforcement action is pending.
Gold Mining	Complaint regarding the discharge of sediment.	Stafford	Site visited - activity was non compliant with consent conditions. Enforcement action is pending.
Gravel Extraction	Complaint alleging a cause way built by a gravel extractor is preventing water flow.	Hokitika	Site visited – cause way had been removed by flood waters.
Works within the riparian margin of a river	Complaint regarding bank alteration for a white bait stand.	Westport	Site visit carried out. Enquiries are on going.
Works within the riparian margin of a river	Complaint that Willow trees are being removed to create a white bait spot.	Karamea	Phone enquiries established that a willow tree had simply been pruned to allow access to the river.
Gold Mining	Complaint that a creek was discoloured from a gold mining operation	Notown	Site visited and established that the operation was not consented. Enforcement action is pending.
Discharge to water	Complaint that a tannery operation may be discharging to water without consent	Hokitika	Enquiries are on going
Oil Spill	Complaint that a foreign fishing vessel has discharged oil off the coast of Hokitika	Hokitika	The area was flown over and the oil spills were not located, assumed that it has broken up during the day and dispersed.
Works in the bed of a river	An operator was found in a bulldozer carrying out earthworks for river diversion and flood protection.	Greenstone	Enquiries established that the work was being undertaken for the GDC under emergency works.
Stock Access To water	Complaint that cows have heavily pugged the riparian margin of a water way	Kowhitirangi	Site visited and the activity was in breach of the relevant rule. Advice given.
Works in the bed of a river	Complaint that digger work has been undertaken in the bed of a river and cleaned out a channel.	Poerua	Site visited & enquiries established that some of the work was covered by resource consent. Enquiries are continuing.

Formal Enforcement Action

The following 2 abatement notices were issued during the reporting period:

Activity	Location
Discharge of sediment associated with gold mining activities.	Duffers Creek
Unauthorised Gold Mining operation	Blackball

Three formal warnings were also issued, one for unauthorised gold mining and two for gravel extraction in breach of consent conditions.

MINING

Work Programmes

The Council received the following 7 work programmes during the last reporting period, with 5 programmes being processed in the 20 day timeframe. The remaining 2 (shown in italics) were received recently and are still being processed.

Date	Mining Authorisation	Holder	Location
03 July 12	RC08146	Gillman	Kaniere
09July-12	RC10223	Chinn	Ross
13 July-12	CML37159	SENZ Strongman	Greymouth
25-July-12	RC02239	Buller Coal Ltd	Westport
20-July-12	RC09088	Hampton	Atarau
<i>27-July-12</i>	<i>RC12011</i>	<i>BBC Excavations</i>	<i>Waimangaroa</i>
<i>31-July-12</i>	<i>RC12032</i>	<i>BBC Excavations</i>	<i>Waimangaroa</i>

Bonds Received & Bond Releases

The following two bonds were received during the reporting period:

Mining Authorisation	Holder	Location	Amount
RC11057	Little Paddock (2010) Ltd	Blue Spur	\$6000
RC10223	HBF Chinn	Ross	\$50000

RECOMMENDATION

That the August 2012 report of the Compliance Group be received.

Jackie Adams
Consents & Compliance Manager

COUNCIL MEETING

THE WEST COAST REGIONAL COUNCIL

Notice is hereby given that an **ORDINARY MEETING** of the West Coast Regional Council will be held in the Offices of the West Coast Regional Council, 388 Main South Road, Greymouth on **Tuesday, 14th August 2012** commencing on completion of the Resource Management Committee Meeting.

A.R. SCARLETT
CHAIRPERSON

C. INGLE
CHIEF EXECUTIVE OFFICER

<u>AGENDA NUMBER S</u>	<u>PAGE NUMBERS</u>	<u>BUSINESS</u>
1.		APOLOGIES
2.		PUBLIC FORUM
3.		MINUTES
	1 – 4	3.1 Minutes of Council Meeting 10 July 2012
4.		REPORTS
		4.0 Address by Audit NZ Director, Mr John Mackey
	5 – 7	4.1 Planning & Environmental Manager's Report on Engineering Operations
	8 – 10	4.2 Corporate Services Manager's Report
	11 – 19	4.2.1 Twelve Month Performance Review
	20	4.2.3 West Coast Clean Air and Warmer Homes Scheme
	21 – 23	4.2.4 Submission on Local Government Amendment Bill
	24 – 27	4.2.5 Background Report to South Island Strategic Alliance (SISA)
	28 – 32	4.2.6 Productivity Commission – Regulation Inquiry
5.		CHAIRMAN'S REPORT
6.0	33 – 37	CHIEF EXECUTIVE'S REPORT
7.		GENERAL BUSINESS

THE WEST COAST REGIONAL COUNCIL**MINUTES OF THE MEETING OF THE COUNCIL HELD ON 10 JULY 2012,
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH,
COMMENCING AT 10.48 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), C. Dall (Consents & Compliance Manager), M. Meehan (Planning & Environmental Manager), T. Jellyman (Minutes Clerk)

1. APOLOGIES:

There were no apologies

2. PUBLIC FORUM

There was no public forum.

3. CONFIRMATION OF MINUTES

Moved (Birchfield / Davidson) *that the minutes of the Council Meeting dated 12 June 2012, be confirmed as correct.*

Carried

Moved (Archer / Chinn) *that the minutes of the Special Council Meeting dated 21 June 2012, be confirmed as correct.*

Carried

Matters arising

There were no matters arising.

REPORTS:**4.1 ENGINEERING OPERATIONS REPORT**

M. Meehan spoke to this report advising that the stopbank upgrade work for the Coal Creek rating district has commenced and will take about a month to complete and will cost \$135,936. M. Meehan reported that 1,520 tonnes of rockwork has been completed in the Vine Creek rating district and 2,000 tonnes of rockwork has been done in the Taramakau rating district. He reported that work has also been undertaken in the Lower Waiho rating district.

M. Meehan drew attention to the photographs of the blasting done in the Kiwi Quarry. He reported that the blast was carried out on the 20th of June and the staff working on the blast ensured that it went to plan and ran smoothly as per the design from the engineers involved. M. Meehan advised that the road was closed during the blast and for some time after while fly rock was cleaned up and the railway line was cleared. M. Meehan reported that a potential risk in the quarry has now been dealt with and staff are working on the pinnacle to eliminate this risk as well.

M. Meehan reported that work is progressing well in other council owned quarries. In the Okuru Quarry an inquiry has been received for a reasonably large amount of rock to protect a subdivision. He advised that access agreements have been arranged with DoC for the retrieval of this rock. Cr Chinn stated that

prices seem to be quite competitive and jobs are being done at reasonable prices. M. Meehan responded that three for four tenders are being received for most jobs and the prices are very competitive which is good for the rating districts.

Cr Cummings stated that he had checked out the Coal Creek floodwall and there did not seem to be any binding clays and no armoring, he asked if this was satisfactory for a floodwall. M. Meehan responded that the floodwall will be compacted down and rock armoring will be put on in the final stage of the contract.

Cr Davidson asked if there is any progress on where to from here with the Waiho River following the publication of Mr Bob Hall’s engineering report. M. Meehan responded that the Lower Waiho rating district wishes to simply maintain the existing works that are in place but this matter can be discussed at the annual meeting in October. Cr Cummings stated that there seems to be a lot of dissent in the Lower Waiho rating district at the moment. Cr Cummings asked if the River Engineer (Mr Hall) actually attended the rating district meeting. M. Meehan responded that Mr Hall did not attend the annual meeting but met with some members of the rating district committee, he made an aerial inspection and a ground inspection of the river but did not meet with every member of rating district. M. Meehan advised that Mr Hall’s services were engaged in December, after the annual meeting. Cr Davidson asked whether now that the glacier is receding is there a bigger build up of gravel? M. Meehan responded that it is unpredictable what may happen but in the short term there is likely to be more gravel coming down. Cr Archer wondered if there is a market for the gravel that is coming down and if it is of good quality. M. Meehan responded that there are some resource consents for gravel takes in place on the Waiho River but there is very little demand at the moment. Cr Scarlett felt that there would be transport costs involved as it can only be moved by road from this area. Cr Davidson stated that there is a need for a plan for the overall river. M. Meehan responded that council is working with NZTA, Westland District Council and DoC to ensure coordination. He advised that Mr Hall mentions in his report that the Waiho River is heading towards the Tartare River and if this should happen there may be an impact on the downstream properties. C. Ingle advised that the plan at the moment is to monitor the changes in the river and to adapt as the river changes but it is very difficult to have a plan for a river like the Waiho. He stated that the river could stay relatively the same for ten years or it could change quite suddenly. C. Ingle feels that sooner or later the Franz Josef rating district will want to do something about the river upstream of the township but the river will always choose what it wants to do and it is very difficult to have a specific plan for a river such as this. M. Meehan advised that all the agencies that are working on the overall plan for the Waiho River are aware of what the potential impacts could be should the Waiho River meet with the Tartare River with Westland District Council having infrastructure in this area and NZTA being concerned about the state highway infrastructure.

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

Carried

4.1 CORPORATE SERVICES MANAGER’S REPORT

R. Mallinson spoke to this report advising that this is for the 11 months until the end of May with the surplus being \$520,000 and the net positive budget variances amount to \$190,000. R. Mallinson commented that the re-roofing of the council building is included in the expenditure under the building maintenance projects. R. Mallinson reported that the Forsyth Barr and Westpac investment portfolios eased back during May and this reflects the ongoing uncertainty in the international equity markets due to the European sovereign debt crisis and this is the major reason for the overall surplus easing back.

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

Carried

4.2.1 INSURANCE RENEWALS FOR 2012 / 13

R. Mallinson spoke to this report advising that the renewal of council insurances for 2012/13 is in accordance with the Risk Management Policy. He advised that building cover has cost an extra 15% and this is on top of the previous increase last year of 85% but the total cost of insurance cover was less than budgeted though slightly more than last year. R. Mallinson commented that it was very fortunate that Council was able to exit LAPP when it did. Cr Birchfield asked R. Mallinson how much public liability insurance does Council carry? R. Mallinson responded that there is around \$200M worth of cover through Riskpool. Cr Birchfield commented that the premium of \$69,000 seems quite reasonable. R. Mallinson

commented that premium is reasonable but Council has had to pay a series of calls to Riskpool due to weather tight home liabilities incurred by other councils in the past. R. Mallinson stated that it would be very unlikely that the situation of the weather tight homes problems would ever be repeated.

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

Carried

4.2.2 SETTING OF RATES FOR 2012 / 13

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

Moved (Robb / Davidson)

1. *That Council set rates for the period 1 July 2012 to 30 June 2013 as per the Rates Funding Impact statement contained in pages 96 – 102 of the 2012/22 LTP.*
2. *That as per the 2012 / 22 LTP, there will be two instalments:*
 - *The first instalment will be due on 1 September, with a 10% penalty if not paid by 20 October 2012 as per sections 57 and 58 of the LGRA 2002.*
 - *The second instalment will be due on 1 March 2013, with a 10% penalty if not paid by 20 April 2013 as per sections 57 and 58 of the LGRA 2002.*

Carried

6.0 CHIEF EXECUTIVES REPORT

C. Ingle spoke to his report. He stated that he attended the recent Mayors and Chairs Forum, a meeting with Solid Energy Ltd's Board and CEO, the Land and Water Plan hearings and deliberations and the Zone 5 and 6 meeting on the 20th of June. C. Ingle stated that the main item that was discussed at the Zone 5 and 6 meeting was the South Island Strategic Alliance. C. Ingle stated that this is similar to the upper North Island Strategic Alliance where the Northland, Bay of Plenty, Waikato and Auckland regions have grouped together as strategic alliance to lobby Government on issues that are of relevance to their super region. C. Ingle advised that the South Island is wanting to emulate the same thing as this will give a little bit more political power and for all councils in the South Island to speak with one voice. C. Ingle stated that there are over 20 councils in the South Island and those in the top of the south are particularly supportive of this project.

C. Ingle advised that the new Individual Development Programme for Staff is really just a review of something that has been in place for a long time. He stated that the new programme is a performance system for staff and the focus is being changed to develop staff and to identify training needs. C. Ingle stated that the new programme is going well so far.

C. Ingle reported that C. Dall, Consents and Compliance Manager, finishes on Friday. C. Ingle advised that Mr Jackie Adams, a local man, has now accepted the position and will commence work on the 23rd of July. C. Ingle advised that Mr Adams was the head of the CIB in Greymouth and has a military and police background from the UK. C. Ingle advised that while Mr Adams is coming up to speed with his new role both he and M. Meehan have delegations to cover the decision-making role. C. Ingle advised that he is currently negotiating support from Otago Regional Council who have senior consents staff who are happy to support us during the transition period.

C. Ingle reported that there were quite a few inquiries last week regarding the Warm West Coast Programme from Reefton people following the mail out to Reefton residents regarding this opportunity. C. Ingle reported that he called in to Reefton and spoke with staff at the Buller District Council Library to explain the Programme. C. Ingle reported that two contracting providers have now signed up and a likely further two providers may also sign up.

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

Carried

7.0 CHAIRMANS REPORT (VERBAL)

The Chairman reported that he attended the Mayors and Chairs Forum in June and he also attended the Land and Water Plan hearings along with his fellow Councillors. Cr Scarlett also attended the Zone 5 and 6 meeting. Cr Scarlett reported that he attended an RMA writing decisions course which was an interesting course and was well attended by South Island people. He also attended to the usual constituency matters.

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

Carried

GENERAL BUSINESS

The draft meeting dates for the annual rating district meetings were tabled and confirmed and will be now circulated.

The meeting closed at 11.17 a.m.

.....
Chairman

.....
Date

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 14 August 2012
 Prepared by: W. Moen – Rivers Engineer and Paulette Birchfield – Engineering Officer
 Date: 3 August 2012
 Subject: **ENGINEERING OPERATIONS REPORT**

RIVER AND DRAINAGE INSPECTIONS

- Coal Creek RD – Annual Inspection
- Franz Josef RD – Annual Inspection
- Lower Waiho RD – Annual Inspection
- Waitangitaona RD – Annual Inspection
- Whataroa RD – Annual Inspection
- Taramakau RD – Annual Inspection
- Inchbonnie RD – Annual Inspection
- Nelson Creek RD – Annual Inspection
- Karamea RD – Annual Inspection
- Kongahu RD – Annual inspection
- Punakaiki RD – Annual inspection
- Redjacks Creek RD – Annual Inspection
- Buller River – B. O'Connor – Advice
- New River – B.Dawson - Advice
- Westport - Inspection

WORKS COMPLETED & WORKS TENDERED FOR

Coal Creek Rating District – Stopbank Upgrade Works

Work involving the placing of 3,000 tonnes of rockwork and 8,000 m³ of compacted hardfill has been completed by Westland Contractors Ltd. at a final cost of \$135,284 (G.S.T. Exclusive).



Looking towards the main road



Rock armoring on river side of stopbank, view towards Greymouth (below)



Taramakau Rating District

Emergency work, involving the placement of 260 tonnes of rock, has been completed by MBD Contracting Ltd. at a cost of \$ 2,900 (G.S.T. Exclusive).

Taramakau Rating District

Emergency work, involving the placement of 120 tonnes of rock, has been completed by MBD Contracting Ltd. at a cost of \$1,200 (G.S.T. Exclusive).

Lower Waiho Rating District

Work involving the placing of 800 tonnes of rockwork has been completed by Westland Contractors Ltd. at a final cost of \$20,400 (G.S.T. Exclusive)

Redjacks Creek Rating District

Three tenders were received for the placing of 1,200 tonnes of rock. The successful tender was Westland Contractors Ltd. at a cost of \$22,380 (G.S.T. Exclusive).

FUTURE WORKS

- Inchbonnie Rating District
- Whataroa Rating District
- Taramakau Rating District
- Franz Josef Rating District
- Wanganui Rating District
- Nelson Creek Rating District

QUARRIESQuarry Work Permitted from 20 June 2012

Quarry	Contractor	Tonnage Requested	Permit Start	Permit Finish
Kiwi	Westland Contractors Ltd	3,200	16 July	3 August

Approximate rock in quarry as at 27 July 2012 (in tonnes)

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

RECOMMENDATION

That the report is received

Michael Meehan
Planning and Environment Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting
 Prepared by: Robert Mallinson – Corporate Services Manager
 Date: 3 August 2012
 Subject: Corporate Services Managers Report

1. Financial Report

FOR THE TWELVE MONTHS ENDED 30 JUNE 2012	ACTUAL	YEAR TO DATE BUDGET	ACTUAL % ANNUAL BUDGET	ANNUAL BUDGET
REVENUES				
General Rates	1,982,899	1,980,000	100%	1,980,000
Rates Penalties	66,831	75,000	89%	75,000
Investment Income	165,731	1,046,250	16%	1,046,250
Regulatory	1,496,850	1,033,727	145%	1,033,727
Planning Processes	231,362	204,650	113%	204,650
Environmental Monitoring	0	0	0%	0
Emergency Management	90,288	50,000	181%	50,000
River, Drainage, Coastal Protection	1,466,657	1,222,557	120%	1,222,557
Regional % Share Controls	653,410	650,000	101%	650,000
VCS Business Unit	3,666,132	2,885,000	127%	2,885,000
	9,820,160	9,147,184	107%	9,147,184
EXPENDITURE				
Governance	358,264	385,543	93%	385,543
Regulatory Activities	2,169,280	1,811,878	120%	1,811,878
Planning Processes	778,137	728,157	107%	728,157
Environmental Monitoring	773,277	766,316	101%	766,316
Emergency Management	166,749	144,902	115%	144,902
River, Drainage, Coastal Protection	1,679,941	1,342,779	125%	1,342,779
Regional % Share Controls	902,137	814,523	111%	814,523
VCS Business Unit	2,586,611	2,312,000	112%	2,312,000
Building Maintenance Projects	147,223	0	0%	0
Portfolio Management	58,709	60,000	98%	60,000
	9,620,328	8,366,098	115%	8,366,098
SURPLUS / (DEFICIT)	199,832	781,086		781,086

BREAKDOWN OF SURPLUS (-DEFICIT)	Variance Actual V Budgeted YTD	ACTUAL	BUDGET Year to date	ANNUAL BUDGET
Rating Districts	-253,826	8,932	262,758	262,758
Quarries	17,957	-16,367	-34,324	-34,324
Regional % Share of AHB Programmes	-84,204	-248,727	-164,523	-164,523
Investment Income	-879,228	107,022	986,250	986,250
VCS Business Unit	506,521	1,079,521	573,000	573,000
General Rates Funded Activities	111,528	-730,549	-842,075	-842,075
TOTAL	-581,254	199,832	781,086	781,086

Net Contributors to General Rates Funded	Surplus (-Deficit) Net Variance Actual V YTD	Actual	Budget ytd	Annual Plan
Rates	2,899	1,982,899	1,980,000	1,980,000
Rates Penalties	-8,169	66,831	75,000	75,000
Representation	27,279	-358,264	-385,543	-385,543
Regulatory Activities	105,721	-672,430	-778,151	-778,151
Planning Activities	-23,268	-546,775	-523,507	-523,507
River, Drainage, Coastal Protection (excl.	142,807	-205,849	-348,656	-348,656
Environmental Monitoring	-6,961	-773,277	-766,316	-766,316
Emergency Management	18,441	-76,461	-94,902	-94,902
Building Mtoe projects	-147,223	-147,223	0	0
	111,528	-730,549	-842,075	-842,075

STATEMENT OF FINANCIAL POSITION @ 30 JUNE 2012

	@ 30/06/12	@ 30/06/2011
<u>CURRENT ASSETS</u>		
Cash	71,191	35,009
Deposit - Westpac	884,100	1,502,947
Accounts Receivable - Rates	284,961	286,950
Accounts Receivable - General Debtors	1,214,010	1,747,428
Prepayments	94,431	227,482
Sundry Receivables	98,727	233,453
Stock - VCS	578,215	143,635
Stock - Rock	436,302	31,886
Stock - Office Supplies	14,740	11,232
Accrued Rates Revenue	0	0
Unbilled Revenue	264,683	113,060
	<u>3,941,360</u>	<u>4,333,082</u>
<u>Non Current Assets</u>		
Investments	10,771,904	11,473,175
Investments-Catastrophe Fund	569,713	0
Fixed Assets	4,452,535	4,168,272
Infrastructural Assets	49,180,358	49,007,111
	<u>64,974,510</u>	<u>64,648,558</u>
TOTAL ASSETS	<u>68,915,870</u>	<u>68,981,640</u>
<hr/>		
<u>CURRENT LIABILITIES</u>		
Bank Short Term Loan	857,000	0
Accounts Payable	1,008,759	1,310,545
GST	-22,162	0
Deposits and Bonds	528,645	590,305
Sundry Payables	469,177	480,466
Accrued Annual Leave, Payroll	324,032	294,522
Other Revenue in Advance	495,790	1,070,622
Rates Revenue in Advance	53,627	60,940
	<u>3,714,868</u>	<u>3,807,400</u>
<u>NON CURRENT LIABILITIES</u>		
Future Quarry restoration	60,000	60,000
Greymouth Floodwall	1,993,267	2,048,291
Inchbonnie	64,424	82,877
Punakaiki Loan	167,654	209,856
Office Equipment Leases	21,669	58,060
	<u>2,307,014</u>	<u>2,459,084</u>
TOTAL LIABILITIES	<u>6,021,882</u>	<u>6,266,484</u>
<hr/>		
<u>EQUITY</u>		
Ratepayers Equity	18,577,120 } -----	18,577,120
Surplus Tsfrd.	199,832 }	
Rating District Equity Mvmts	277,069 }	
Rating Districts Equity	1,263,132	1,540,201
Tb Special Rate Balance	1,037	1,037
Revaluation	32,295,638	32,316,638
Quarry Account	379,160	379,160
Investment Growth Reserve	9,901,000	9,901,000
TOTAL EQUITY	<u>62,893,988</u>	<u>62,715,156</u>
LIABILITIES & EQUITY	<u>68,915,870</u>	<u>68,981,640</u>

2. Investment Portfolio

PORTFOLIO @ 30 June 2012 Summary & Reconciliation		Cash	Bonds	Australasian Equities	International Equities	Property Equities	Alternative Asset Classes	Total	
Portfolio Value @ Start	01 July 2011	\$ 2,883,140	\$ 2,186,007	\$ 2,084,788	\$ 3,051,043	\$ 576,726	\$ 659,819	\$ 11,441,524	
Contributions)			\$ 749,827		\$ 250,000		\$ 999,827	-\$ 800,000
Withdrawals)	-\$ 1,366,126	-\$ 30,000		-\$ 435,354	\$ 0	\$ 31,652	-\$ 1,799,828	
Realised Gains/(Losses)		\$ 128,986	-\$ 722	-\$ 173,377	\$ 273,260	\$ 58,500	\$ 40,414	\$ 327,060	\$ 98,729
Unrealised Gains/(Losses)		\$ 12,004	\$ 76,096	-\$ 31,270	-\$ 567,171	-\$ 36,668	-\$ 176,876	-\$ 723,886	
Mgmt Fee		-\$ 809			\$ 1,513			\$ 1,513	
Income		\$ 82,337	\$ 130,287	\$ 107,948	\$ 42,390	\$ 47,143	\$ 70,137	\$ 480,243	
Changes Accrued Interest		\$ 7,170	\$ 7,436					\$ 14,606	
Portfolio Value @ End Period	30 June 2012	\$ 1,746,702	\$ 2,369,104	\$ 2,737,916	\$ 2,365,682	\$ 895,703	\$ 625,146	\$ 10,740,253	
ytd return for	12 months		3.78%	9.74%	-4.53%	-5.64%	9.73%	-0.70%	0.88%

Asset Allocation %'s @ 30 June 2012	Benchmarks	Tactical asset allocation range	
Cash	16%	25%	10% - 50%
Bonds	22%	20%	10% - 50%
Australasian Equities	25%	20%	0% - 30%
International Equities	22%	20%	0% - 30%
Property Equities	8%	5%	0% - 10%
Alternative Asset Classes	6%	10%	0% - 10%
	100%	100%	

3. Total Investments.

This includes:

Westpac Catastrophe Fund Portfolio	\$569,711
Westpac General Portfolio	\$884,102
Ministry Economic Development & DOC Bond Deposits	\$31,651
Forsyth Barr Ltd (as per above table)	10,740,253
Total	\$12,225,717

Investment Income includes:

Forsyth Barr Ltd (as per above table)	\$98,728
Westpac	\$67,003
Total	\$165,731

4. General Comment

This financial report covers the twelve months to 30 June 2012

Highlights

- Surplus of \$200,000. Both the Forsyth Barr Ltd and Westpac portfolio returns continued to ease back during June. The Forsyth Barr portfolio only returned 0.88% for the year to 30 June 2012.
- Net positive budget variances amounting to \$111,526 in general rate funded activities. This is net of the roof project and Jacks Road refurbishment costs.
- As previously reported, Council cash position continues to be tight, with short term borrowing from Westpac amounting to \$857,000 @ 30 June 2012.

RECOMMENDATION

That this report be received.

Robert Mallinson
Corporate Services Manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 14 August 2012
Prepared by: Robert Mallinson – Corporate Services Manager
Date: 4 August 2012

Subject: **12 MONTH REVIEW - 1 JULY 2011 – 30 JUNE 2012**

Attached is the Twelve Month Review of the targets set by the 2011 /2012 Annual Plan.

This report shows achievements as measured against the performance targets in the 2011 / 12 Annual Plan.

RECOMMENDATION

That this report be received.

Robert Mallinson
Corporate Services Manager

Governance (Corporate Services Manager)

Performance Targets	Achieved / Progress																								
<p>Conduct eleven monthly meetings of Council and the Resource Management Committee, plus other scheduled meetings and scheduled workshops during the year with at least 80% attendance by each elected Councillor.</p>	<table border="1"> <thead> <tr> <th data-bbox="904 282 1066 315"><u>Councillor</u></th> <th data-bbox="1066 282 1358 315"><u>Number attended</u></th> <th data-bbox="1358 282 1444 315"><u>%</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="904 344 1066 378">Scarlett</td> <td data-bbox="1066 344 1358 378">13 out of 14</td> <td data-bbox="1358 344 1444 378">93%</td> </tr> <tr> <td data-bbox="904 378 1066 412">Chinn</td> <td data-bbox="1066 378 1358 412">14 out of 14</td> <td data-bbox="1358 378 1444 412">100%</td> </tr> <tr> <td data-bbox="904 412 1066 445">Davidson</td> <td data-bbox="1066 412 1358 445">14 out of 14</td> <td data-bbox="1358 412 1444 445">100%</td> </tr> <tr> <td data-bbox="904 445 1066 479">Robb</td> <td data-bbox="1066 445 1358 479">14 out of 14</td> <td data-bbox="1358 445 1444 479">100%</td> </tr> <tr> <td data-bbox="904 479 1066 512">Birchfield</td> <td data-bbox="1066 479 1358 512">14 out of 14</td> <td data-bbox="1358 479 1444 512">100%</td> </tr> <tr> <td data-bbox="904 512 1066 546">Archer</td> <td data-bbox="1066 512 1358 546">14 out of 14</td> <td data-bbox="1358 512 1444 546">100%</td> </tr> <tr> <td data-bbox="904 546 1066 580">Cummings</td> <td data-bbox="1066 546 1358 580">12 out of 14</td> <td data-bbox="1358 546 1444 580">86%</td> </tr> </tbody> </table> <p>Eleven Council meetings, two special meetings and one Councillor workshop occurred in the reporting period.</p>	<u>Councillor</u>	<u>Number attended</u>	<u>%</u>	Scarlett	13 out of 14	93%	Chinn	14 out of 14	100%	Davidson	14 out of 14	100%	Robb	14 out of 14	100%	Birchfield	14 out of 14	100%	Archer	14 out of 14	100%	Cummings	12 out of 14	86%
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Archer	14 out of 14	100%																							
Cummings	12 out of 14	86%																							
<p>Prepare and notify the 2012/22 Long Term Plan by 31 May 2012 in accordance with the procedures outlined in the Local Government Act 2002.</p>	<p>Achieved. The Draft LTP was released for submissions on 10 April and following the 29 May hearings the LTP was adopted on 21 June 2012.</p>																								
<p>Prepare and notify the Council's 2011 Annual Report by 31 October 2011 in accordance with the procedures outlined in the Local Government Act 2002.</p>	<p>Achieved. The Audited Annual Report was adopted on 11 October 2011</p>																								
<p>Publish an informative Council newsletter twice a year to be circulated to all ratepayers, with their rate demand, in March and September.</p>	<p>Achieved. Newsletters were prepared and sent with the first and second rates instalment in September 2011 and March 2012.</p>																								
<p>Maintain the Council website up-to-date at all times, as the Council's primary information transfer point and an information resource for the community.</p>	<p>Achieved. New material was added to the website throughout the year featuring the new Warm West Coast promotion, The Waiho report, the LTP, notified consents and the Civil Defence Shakeout Exercise.</p>																								
<p>Continue to invite attendance of Makaawhio and Ngati Waewae representatives as appointees to the Council's resource management committee, to enable Maori participation in resource management decision-making.</p>	<p>Achieved. Council has continued to invite attendance by Iwi Representatives.</p>																								

Consent Processing and Compliance Monitoring (Consents & Compliance Manager)

Performance Targets	Achieved / Progress
Process at least 99% of non-notified resource consent applications within the statutory timeframes.	Achieved. 99.15% (582/587) of non-notified consents were processed within the statutory timeframes. Those that exceeded the statutory timeframes did not trigger the discount policy.
Work with consent applicants to seek to reduce the need for formal requests for further information under Section 92 of the RMA.	Achieved. 18 Section 92 requests were made in relation to the consent applications processed in the reporting period.
Complete staff reports for all notified consent applications within 10 working days of receipt of all required information.	Achieved. 13 consent applications were notified during the period, and all staff reports were completed within 10 working days of all the required information being received.
Respond to written enquiries on resource consent processes and requirements within 10 working days and requests for such information made under the Local Government Official Information & Meetings Act no later than the statutory 20 working days.	Achieved. 99.5% (424/426) of written enquiries were responded to within 10 working days. 100% (11/11) of LGOIMA enquiries were responded to within 20 working days.
Process at least 95% of mining work programmes ¹ within 20 working days of receipt.	Achieved. 76 work programmes were received during the reporting period. 19 of these work programmes required further information to be submitted. All the remaining valid work programmes were processed within the 20 day timeframe (100%).
Inspect every consent and/or mining licence for operating mining activities at least once annually, and where problems are identified follow up to ensure compliance is achieved and/or environmental effects are reduced.	Achieved. 175 visits to active mining operations were undertaken in the reporting period.
Inspect all new consents that involve major ² construction works after completion of those works, and follow up to ensure compliance is achieved.	Achieved. Major construction works inspected include the Taramakau bridge, the Amethyst and Kawatiri Hydro schemes.

¹This target assumes the work programme is submitted with all necessary information provided.

² Major, in this situation, means the project costs more than approx. \$200,000.

Performance Targets	Achieved / Progress
Inspect all consents for whitebait stands on the Little Wanganui, Taramakau, Hokitika, Wanganui, Paringa and Waiaototo Rivers annually and the remaining rivers with whitebait stand consents at least once every three years to check consent compliance and ensure that any environmental effects are no more than minor.	Achieved. Visits during the 2011 Whitebait season included – Little Wanganui, Orowaiti, Mokihiui, Taramakau, Hokitika, Waitaha, Wanganui, Karangarua, Jacobs, Ohinemaka, Paringa, Moeraki, Haast, Okuru, Waiaototo and Arawhata.
Inspect every dairy shed effluent discharge at least once every three years, depending on compliance, and work with farmers so that consent compliance is achieved and environmental effects are managed.	Achieved. 296 of the 388 dairy sheds were inspected in the reporting period.
Assess farm compliance in the Lake Brunner catchment annually, in recognition of the need for stricter environmental management in this sensitive lake catchment, and follow up to ensure compliance is achieved.	Achieved. The 21 farms in the catchment were visited in the reporting period. Some enforcement action was undertaken regarding stock access to water ways.
Operate a 24-hour complaints service, responding to all complaints and report all complaints to the monthly Resource Management Committee.	Achieved. All complaints received were responded to and reported to the Resource Management Committee.
Respond to breaches of the RMA, regional plan rules or resource consents by taking enforcement action through abatement notices, infringement notices or recommend prosecution in accordance with Council Enforcement Policy.	Achieved. 32 infringement notices and 22 abatement notices were issued in the reporting period. No prosecutions were recommended.

Spill Response Activities (Consents and Compliance Manager)

Performance Targets	Achieved / Progress
Maintain a team of at least 25 Maritime NZ trained personnel at all times to deal with marine oil spills and terrestrial hazardous substance spills.	Not Achieved. Due to staff leaving we only had 22 staff trained in the second half of the year and due to operation Rena, Maritime NZ were not offering training courses.
Respond within 4 hours to all terrestrial hazardous substance spills, and where necessary use Council or MNZ spill equipment to manage containment and clean up to minimise adverse environmental impacts.	Achieved. No major spills in this region, response times were within the 4 hour window. Staff assisted with the Rena response in Tauranga.
Ensure response equipment is maintained quarterly to a level ready to respond to a Tier 2 marine oil spill response.	Achieved. Maintenance inspections were undertaken at the required quarterly intervals.

Environmental Planning (Planning & Environmental Manager)

Performance Targets	Achieved / Progress
Hold hearings on the submissions on the proposed Wetlands variation 2 as soon as the court proceedings on variation 1 are concluded.	Not achieved. Still waiting for Environment Court to release decision on wetlands variation 1.
Commence hearings on the Proposed Land and Water Plan (merged plan) submissions by April 2012.	Not achieved. Hearings and deliberations were held 18-22 June 2012. Staff are currently preparing the decisions report for Council.
Prepare a report to Council on the proposed new structure and content of the West Coast Regional Policy Statement by May 2012.	Not achieved. Report was not presented to Council due to potentially significant changes anticipated following the Biodiversity NPS and more recently the TAG report on RMA principles. The RPS review is effectively on hold until government direction is clear.
Commence a full review of the Regional Air Quality Plan by July 2012.	Achieved. Review began in February 2012 (reported to March 2012 Council Meeting).
Prepare a Draft Regional Coastal Plan, to be considered by Council, by July 2012.	Not achieved. Natural Character work is underway and should be completed by October 2012. Envirolink funded work examining hazards in the Coastal area has been completed and is being analysed by staff.
Prepare and disseminate information for resource users on rules, and best practice, as detailed in the annual communications programme.	Achieved. Newsletter content was prepared and information boards in the lobby are regularly updated.
Investigate and respond, where appropriate, to central government policies or plans that may impact on West Coast interests, within required timeframes, and provide ongoing policy advice to Council as and when needed.	Achieved. Analysed and submitted on various government initiatives; including the recent Environmental Reporting Bill.

Regional Transport Planning (Chief Executive)

Performance Targets	Achieved / Progress
Facilitate at least two public Regional Transport Committee meetings per year and arrange working group meetings as requested by the Committee.	Achieved. The Regional Transport Committee met on 28 February. The Committee resolved that the Hearing Panel would confirm the Regional Land Transport Programme following the hearing of submissions. A second Regional Transport Committee meeting was not required in 2011/12.
Prepare and submit, by 30 June 2012, a triennial programme to secure funding for West Coast transport projects that meet New Zealand Transport Authority guidelines.	Achieved. The draft Regional Land Transport programme 2012/15 (RLTP) was notified on 13 March 2012. Consultation on the draft RLTP closed on 13 April. A Hearing for the RLTP was held on 16 May. The final RLTP was endorsed by Council on 12 June and the RLTP was submitted to the NZ Transport Agency on 29 June.
Participate, with the three district councils, NZ Police, and others in the West Coast Road Safety Co-ordinating Committee.	Achieved. The Road Safety Coordinating Committee met on 21 July, 8 December and 29 March. Activities undertaken focussed on the risk factors affecting road users on the West Coast under the 'Safer Journeys' approach.
Implement the total mobility programme where taxi services exist, ensuring at least 90% of users rate the overall service and value for money as good, very good or excellent	Achieved. 100% of those surveyed rated the overall service and value for money as good, very good or excellent.

Emergency Management (Chief Executive)

Performance Targets	Achieved / Progress
Prepare and organise the distribution of public information linked to the development and release of the national public information programme.	Achieved. The Get Ready Get Thru booklet was distributed; a community comment question appeared in the Messenger; Council's March newsletter advised of ideal tsunami response. A link to Exercise ShakeOut is on Council's website and various items of information are available at reception.
Maintain a ready-to-operate headquarters in preparation for potential emergencies, in accordance with the Group Plan and Group Controllers Guide.	Achieved. The Group Emergency Operations Centre is ready to operate for potential emergencies. The alternate Emergency Operations Centre at GDC was tested in November during Exercise Pacific Wave and this alternative is now also ready to use at any time.
Train at least 30 Council staff as EOC personnel so that we have three shifts of EOC staff trained and exercised in case of a regional emergency.	Achieved. 30 staff have received training to various levels. 17 staff participated in Exercise Pacific Wave in November including several new staff members.

Environmental Monitoring (Planning & Environmental Manager)

Performance Targets	Achieved / Progress
Complete all regular water sampling programmes and an annual Lake Brunner summary report every December, for Council's web site.	Achieved. Quarterly rounds all completed, Lake Brunner report completed mid December
Report monthly summer contact recreation results to Council, and to media, and complete any follow-up investigations required by Council as they arise.	Achieved. Contact recreation sampling is completed. A system is in place to publish results in local papers.
Continue wintertime ambient air quality monitoring in Reefton and provide monthly summary reports to Council during winter months.	Achieved. All results were reported through the Council meetings and on the website.
Maintain the 'Sites Associated with Hazardous Substances' (SAHS) database, ensure District Councils and land buyers have access to up to date information and assist landowners to securing external funding to investigate or remediate high priority SAHS sites, where landowners are interested and funding is available.	Achieved. Advice and information given to requesters of SAHS information. All sites have been reclassified according to current protocols. Hard files have been scanned so all SAHS files are now electronic.
Provide a continuous flood monitoring service for the five rivers monitored and respond in accordance with the flood-warning manual. Ensure data on these river levels is available on the Council website and Info line (data is updated 12 hourly, and during floods 3 hourly at least).	Achieved. Continuous flood warning service provided, All responses to floods were in accordance with flood-warning manual. Problems have been encountered and resolved with the Buller sites data transfer.
Review the flood-warning manual annually and liaise with work groups as required.	Achieved. Review completed
Publish on the Council web site a Hydrometric and Meteorological Data Summary Report by December 2011.	Not achieved. Deferred due to flood report and other tasks taking precedence.

River, Drainage, and Coastal Protection Work (Planning & Environmental Manager)

Performance Targets	Achieved/ Progress
Review Rating District Asset Management Plans where information indicates a significant change from what is stated in the asset management plan or where communities support an early review of the service levels of existing infrastructure.	Achieved. Mokihinui Asset Management Plan completed. No other communities requested plan reviews and no significant changes occurred. Waiho report may lead to review of Franz Josef AMP next year.
Organise and oversee maintenance of all rating district infrastructural assets to the service level consistent with the Asset Management Plan of each Rating District, or whatever level the community and the Council decide on as an acceptable risk.	Achieved. All assets were maintained to or exceeding the levels set in the Asset Management Plans. Several upgrades have also occurred this year (eg Coal Creek, Karamea).
Complete all annual maintenance works identified in the adopted annual works report for each rating district, and complete all rating district meetings by November.	Achieved. Rating District meetings were completed in October 2011. Annual maintenance work has been completed for most areas while some are still in progress but will be complete before October 2012.
Assist with organising and securing infrastructure loans for major capital works as and when required.	No loans were required during the reporting period.
Provide civil engineering advice on Council's behalf for consent applications and compliance matters within statutory timeframes.	Achieved. Advice is provided as and when required.

Quarry Administration (Planning & Environmental Manager)

Performance Targets	Achieved / Progress
Oversee implementation of the quarry management plans, and review those plans by 2011.	Achieved. All Quarry management plans are current.
Monitor and review quarry contracts and permits and visit sites to ensure Health and Safety and other legal requirements are met.	Achieved. Regular visits are undertaken to quarry sites to ensure compliance.
Obtain rock from quarries to facilitate river protection works within two weeks of any request, and at a cost in line with the relative operating cost of each quarry without subsidy from general rates.	Achieved. Rock has been supplied for requests within the 2 week timeframe. Rock prices may need to be lifted slightly due to a small deficit this year in the quarry account.

Vector Control Services Business Unit (Vector Control Services Manager)

Performance Targets	Achieved / Progress
Tender for, and win, sufficient contracts to provide or exceed the annual budgeted return to Council.	<p>Achieved. Exceeded annual budgeted return to Council.</p> <p>Completed largest ever annual volume of ground control contracts (109,000 hectares).</p>
Meet the performance objectives and contractual obligations set by the Animal Health Board for ground and aerial pest control contracts.	<p>Achieved. 33 contract blocks completed and monitored. Achieved 98% pass rate.</p>
Keep sufficient pest plant work records to assist the review of the Pest Plant Management Strategy.	<p>Achieved. Nodding thistle inspections at Mai Mai on going. Assisted with African feather grass inspection in Westport.</p>
Have staff available as a response unit for marine and terrestrial pollution spill events as per the MOU between the Council's Compliance section, Maritime New Zealand and Vector Control Services dated 11 November 2005.	<p>Achieved. Five staff assisted with the Rena response. Two staff were booked to attend MSA training in November but the training course was cancelled due to Rena incident.</p>
Maintain oil spill response equipment to the level required in the West Coast Tier 2 Oil Spill Response Plan.	<p>Achieved. Quarterly inspections all completed.</p>
Develop new business areas as appropriate, complementary to existing roles.	<p>Achieved.</p> <p>Developed new branch of the VCS business called 'VCS Environmental'. Employed 2 new staff and developed marketing material to attract clients needing RMA advice services.</p> <p>Tendered for aerial work (successfully) in the Tasman, Canterbury & Otago. Won 4 aerial contracts in Tasman & 1 in Canterbury in 2012/13; Won 6 aerial contracts in Otago in 2013/14 and 2014/15. Unsuccessful with winning North Island AHB Aerial tenders.</p>

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting
Prepared by: Robert Mallinson – Corporate Services Manager
Date: 3 August 2012
Subject: WEST COAST CLEAN AIR AND WARMER HOMES SCHEME

Background

The 2012/22 LTP introduced this scheme which involved a voluntary targeted rate (VTR) scheme which would top up the EECA grant funding for insulation and compliant home heating units.

The Energy Efficiency Conservation Authority (EECA) had made submissions last year and this year supporting the introduction of this scheme.

Page 24 of the LTP stated that *"The EECA Warm Up New Zealand scheme is only funded by government to 30 June 2013. At this stage Council's funding scheme will only operate in conjunction with the EECA scheme. Council will continue its scheme only while the EECA grant funding continues."*

EECA recently announced substantial reductions in heating grants (as distinct from insulation grants) this year, with heating grants now only available within the Reefton airshed area.

EECA are asking Council to extend their VTR scheme to include heating units where there is no EECA heating grant.

The advantage of the involvement of the EECA grants is that EECA is closely involved in the Quality Assurance and post implementation audit process. All installations were required to be in accordance with their standards, and 10% of the installations were randomly audited.

To qualify for VTR assistance by Council for a heat pump, the property would still need to be properly insulated.

I am sympathetic to extension of the Council VTR scheme to include heat pumps, even where there is no EECA grant involved. Heat pumps do not require a building consent, but must be installed by a qualified electrician and an electrical certificate of compliance issued.

I would not support extension of the Warm West Coast VTR scheme to compliant solid fuel heating units due to the much more complex installation requirements, consenting processes and quality assurance issues in general. WCRC does not have qualified building inspection staff such as a District or City Council.

The Chief Executive and myself are meeting with Henry Nepia of EECA on Friday 10 August to discuss various aspects of the EECA scheme and the implications of the scaling back of heating grants by EECA.

RECOMMENDATION

1. *That Council note the scaling back of the EECA involvement with regard to Heating grants and the implications for the Warm West Coast Voluntary Targeted Rate scheme.*
2. *That Council agree to extend its involvement to include heat pumps where there is no EECA heating grant, subject to satisfactory quality assurance processes being put in place.*

Robert Mallinson
Corporate Services manager

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 14 August 2012
Prepared by: Chris Ingle – Chief Executive
Date: 24 July 2012
Subject: Submission on the Local Government Amendment Bill

Background

The Council received a report in the July agenda on the proposed changes to the Local Government Act. The Amendment Bill implements the first four points of the Government's eight point reform programme. Last month's report made no recommendation to make any submission, nor did Council resolve to make a submission at that time. However, following the Local Government Conference, the Chairman and I decided it would be prudent to make a simple submission raising a single point.

The risks involved with the 'no poll' approach

The Amendment Bill introduces a Ministerial power to direct the Local Government Commission. The Minister can specify which reorganisation applications are to be given high priority. The Commission will simply need to be satisfied that an application has "significant community support" for it to proceed.

Before developing a final reorganisation proposal, the Commission will again need to satisfy itself that there is "significant community support"; but this time there needs to be "substantial support from a large proportion of the community or the leaders of the community". The Bill provides that a poll will be held only if it is demanded through a petition signed by at least 10% of electors in the affected area. Only 40 working days is allowed for gaining 10% of the votes.

What this means is that the Minister and the Commission could be convinced by a minority grouping of residents that an amalgamation is needed, and could drive the amalgamation process through to final conclusion without having to show it had majority support from the ratepayers of the area. That would be contrary to the principles of democracy. The mandate of the resulting Council could be questioned. Decision-making for the new Council may prove impossible, as it would not have demonstrable majority support.

The Submission on proposed changes to the Act

The attached submission was developed and emailed to Councillors on 20 July. The draft submission only comments on a single point: to ensure proper democratic support for any new proposed council structure (see attached submission).

Councillors were asked to advise by return email if they had any comments. The submission was then sent to Parliament on Tuesday 24 July, in order to meet the deadline for submissions.

RECOMMENDATION

1. *It is recommended that Council formally adopts the attached submission.*

Secretariat,
Local Government and Environment Select Committee
Select Committee Office
Parliament Buildings
WELLINGTON 6011

24 July 2012

Dear Secretary

**The West Coast Regional Council's Submission on the Proposed 2012 Local
Government Act 2002 Amendment Bill**

Enclosed are two copies of the West Coast Regional Council's submission on the Local Government Act 2002 Amendment Bill.

The Council appreciates the opportunity to make these written submissions on the important changes being proposed to the 2002 Local Government Act.

The Council has chosen not to make a comprehensive submission on this occasion, but wishes to focus on a single point only, being that of requiring a mandatory poll of ratepayers, showing a simple majority, before a reorganisation proposal is finally approved.

This ensures the decision is democratic.

The Council does not wish to be heard.

Yours sincerely,

Chris Ingle
Chief Executive

The Chairman,
Local Government and Environment Select Committee

**The West Coast Regional Council's Submission on the Proposed 2012 Local
Government Act 2002 Amendment Bill**

The West Coast Regional Council is concerned at the wording of the Local Government Amendment Bill that relates to the re-organisation of councils.

The wording at present does not appear to require a final poll to be taken, before a proposal for restructuring local or regional councils is approved.

The West Coast Regional Council suggests that a democratic approach to changes to our local government structure is **essential** and is central to New Zealand principles of law. Section 3 of the Local Government Act requires democratic and effective local government. The forming of a new local government agency needs to be based on a transparently democratic decision. Otherwise the newly formed Council's mandate to govern would be questionable.

Reorganising councils within a region against the wishes of the majority of voters in that region could conceivably occur under the current wording of the Bill. That would be anti-democratic and inconsistent with New Zealand's principles of governance.

The West Coast Regional Council strongly suggests that all reorganisation proposals require a final poll across the proposed new region or territory, to ensure there is majority support for the new unit of local governance.

Yours sincerely,

Chris Ingle

Chief Executive

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 14 August 2012
 Prepared by: Chris Ingle – Chief Executive
 Date: 19 July 2012
 Subject: **Background Report to South Island Strategic Alliance (SISA)**

Background

Since mid-2011 the Zone members of the South Island Councils have been discussing the need for the South Island to work more collaboratively:

- On joint projects and procurement where efficiencies or cost savings may be achieved; and
- A need for a combined South Island approach with central government and with other stakeholders.

The outcome of these discussions between Mayors, Chairs and CEO's of the South Island Councils has been a decision to form a South Island Strategic Alliance (SISA). This grouping will be a coalition of the willing, rather than any structured governance or management structure.

The Alliance will include the membership of the combined LGNZ Zone 5 & 6 groups (i.e. Mayors, Chairs, CEO's or their delegates). While SISA is to operate separate to LGNZ there is no intention to operate contrary to LGNZ. It is simply an opportunity to advocate for all councils in the South Island on key issues, as the case arises.

Terms of Reference

Strategic guidance was needed for SISA and a Terms of Reference has been crafted to provide a guiding document for that strategic direction.

At its meeting of 20 June 2012, the Combined LGNZ Zone 5 & 6 members resolved to:

- *Endorse in principal the proposed Terms of Reference for a South Island Strategic Alliance; and*
- *Recommend to the constituent councils that the Terms of Reference be adopted; and*
- *Recommend the respective Mayors and Chairs be authorised to become signatories; and*
- *Advise LGNZ of the intended course of action*

In order to proceed, the attached Terms of Reference now needs to be adopted by the constituent Councils.

RECOMMENDATIONS

1. *That this report is received.*
2. *That Council adopt the attached Terms of Reference, and the Chairman be the authorised signatory.*

Chris Ingle
 Chief Executive

SOUTH ISLAND STRATEGIC ALLIANCE (SISA)

Following are Terms of Reference for a South Island Strategic Alliance consisting of a membership of the Mayors/Chairs, supported by the CEO's, of the combined LGNZ Zone 5 and 6 groups.

Purpose

The purpose of the SISA is to provide for collaboration at a senior level between the LGNZ Zone 5 & 6 groups for responding to and managing a range of common and mutual interests to South Island local authority issues. SISA will facilitate;

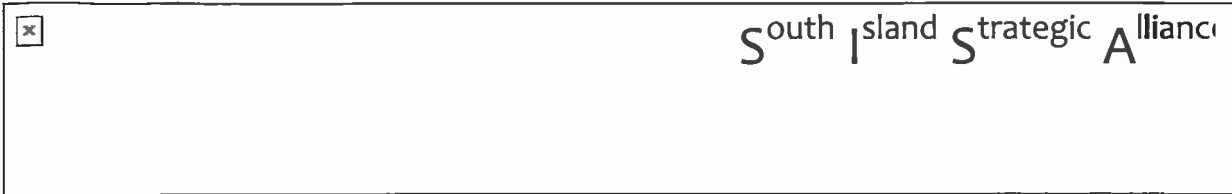
- The ability for these parties to cooperate in areas of mutual benefit
- A combined South Island approach with central government and LGNZ
- The ability to work collaboratively with other Zones to develop local government positions on issues.
- Collaboration which will lead to the identification of strategic opportunities and may lead to sharing of services or shared procurement activity between alliance members.

SISA will be a collaborative body that may make recommendations to constituent councils and central government but holds no decision making authority.

Objectives

The overall objective is to maximise sustainable development opportunities for all of the South Island and its contribution to New Zealand.

- a) Identify strategic opportunities, and to collaborate on joint initiatives, which will support social, economic, environmental and cultural wellbeing across the South Island;
- b) Recognise and utilise the strengths of each region for the greater good of the South Island and New Zealand as a whole;
- c) Help coordinate and encourage beneficial interrelationships and connections between economic activities/services across the alliance;



- d) Share information, expertise, databases and research where there is a mutual interest and benefit;
- e) Encourage integration and consistency of planning across the South Island;
- f) Develop agreed positions as appropriate on matters of national importance and major government initiatives, and to communicate these positions to central government and relevant national organisations;
- g) Investigate opportunities for achieving cost efficiencies by sharing responsibilities and services, such as through one-stop shops and centres of excellence.

Benefits

- A means to better meet our statutory obligation to evaluate, plan for and manage inter authority issues as they affect our functions and responsibilities.
- Provide a means for efficient administration of Local Government legislation to support South Island economic development in a sustainable manner and meet the requirements of the local authorities and regional councils as outlined in the LGA and RMA Acts.
- A stronger and more unified voice into central government initiatives.
- Access to sharing specialist/professional services strengthening the autonomous role of individual members within the alliance.
- The opportunity to decrease costs in the provision of ratepayer services.

How this will work

- SISA will meet twice a year.
- The meeting will be attended by where possible the Chairperson/Mayor and Chief Executive of each alliance partner or his/her nominee.
- Each partner will fund their own participation
- Chief Executive's will identify officer resource to support SISA projects.
- SISA compliments LGNZ processes or structures.
- SISA will support the continued growth and development of shared services and shared procurement initiatives.

Principles

- The parties will work in good faith in a pragmatic, workable, collaborative relationship at the governance and management levels
- The primary strategic and major issues are at the inter-authority level.
- The parties recognise each council's right to make decisions for their region, city or district, and that these decisions may not always be in the interests of neighbouring councils
- Each party will seek to communicate on matters of mutual interest in an open, honest, respectful and proactive way.
- Where a party to this agreement has a significant disagreement with the position of another, each party will seek to accommodate, acknowledge or at least fairly represent the dissenting view of the other.
- Nothing in this agreement alters any statutory rights or obligations under any Act.
- This agreement neither precludes nor constitutes a joint venture, pooling arrangement, partnership or formal business organisation of any kind, nor an obligation to perform a contract with any other party.
- SISA administration and projects will be funded by agreement with participating councils.

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 14 August 2012
Prepared by: Chris Ingle – Chief Executive
Date: 1 August 2012
Subject: Productivity Commission – Regulation Inquiry

Background

The Government has asked the Productivity Commission - an independent crown entity - to undertake an inquiry into local government regulatory performance, including the appropriate split between local and central government regulatory functions and opportunities to improve regulatory performance in the local government sector.

Issues paper

The summary of the Commission's issues paper on local government regulatory performance is attached. This issues paper is intended to assist individuals and organisations to prepare submissions to the inquiry. It outlines the background to the inquiry and the matters which the Commission is seeking comment and information on.

Opportunity for submissions

The due date for submissions is 31 August 2012. No submission has been prepared to date. However, it may be helpful to the commission if Council were to prepare some information on our functions and how they have been delivered over the last decade and highlight in particular those where we believe we have delivered functions with particular efficiency.

RECOMMENDATION

That this report is received

Chris Ingle
Chief Executive



Local government regulation inquiry – July 2012

The Productivity Commission's inquiry into local government regulation is about three broad areas:

- How could the allocation of regulatory functions between central and local government be improved?
- How can central and local government improve regulatory performance in the local government sector?
- How can the regulatory performance of the local government sector be measured in order to make improvements in the future?

Common local body regulations include: liquor licensing, dog and noise control, planning, resource management, building consents, food safety, pokies, litter and freedom camping.

The Commission's approach

The challenge for both central and local government is to deliver regulation that helps achieve the economic, social and environmental outcomes that underpin community wellbeing, while minimising negative impacts on individuals, business and the wider economy.

In considering where regulatory functions should be located, and looking to opportunities to improve the regulatory performance of the local government sector, the Commission will aim to identify principles that assist in meeting that challenge.

Who should look after what?

The Commission has been asked to develop principles to guide judgements on which regulatory functions are best undertaken at either local or central government levels. For example, applications for liquor licenses and the monitoring of compliance is carried out locally. However, gambling licenses are issued by the Department of Internal Affairs (central government).

Deciding 'who should look after what' often involves a trade-off between the efficiencies and consistency which can come from operating at a larger national level, and the potential loss of flexibility and local 'customisation' and the intimacy and sense of ownership that can come with regulating locally.

Depending on what the regulatory issue is, these trade-offs are more or less important. The Commission would like to hear submitters' views on what considerations are most important when you think about whether a regulatory function should be done by central government or a local body.

Improving regulatory performance in the local government sector

Does variation matter?

The Commission has been asked to assess whether there is significant variation in the way local councils administer regulations. For example, a Wellington architect designing a house will face different planning rules in the Kapiti district compared to the Hutt City council area.

On one hand, variation can be expected due to the different characteristics of local communities around New Zealand. On the other hand, variation might create extra costs, especially for a business operating in different regions across the country. Do you have experience of how different councils administer and enforce regulations around New Zealand?

Quality of design and implementation

Regulation needs to be carefully designed if it is to be implemented successfully and achieve its desired outcome.

Concerns have been raised that in designing regulations central government does not adequately consider the impact on local government; including cost and capability constraints. The Commission is interested in how this process can be improved to take better account of the consequences for local government.

Local governments' administration, monitoring and enforcement of regulation is important because poorly run regulation can lead to poor outcomes and higher costs.

Unnecessary and excessive compliance costs can have very real impacts on productivity and wellbeing. For example, a restaurant owner may face extra cost and time in opening a new outlet due to the need to get their resource, building, health and liquor consents approved (in the right order).

Have you experienced streamlined customer-friendly processes when dealing with a council's regulatory processes? Or have you had the opposite experience? The Commission would like to hear from you about your experience, what your costs were, and how you and your business were affected.

Measuring performance

The Commission has been asked to recommend options for assessing local authorities' regulatory performance. These include whether or not improvements in the current performance monitoring system are required and, if so, the areas where improvements would benefit local authorities, central government agencies, businesses and the community.

This is a complex area and the Commission will be working through a considered process, including: identifying the systems and processes currently used to assess the regulatory performance of local governments; assessing the effectiveness, cost and adequacy of these systems; identifying options or models that could improve the efficiency and effectiveness of assessments; and reviewing the options identified against qualitative criteria in order to identify preferred models or approaches.

To see the full version of the issues paper – including information on how to make a submission – please visit our website www.productivity.govt.nz or call us on 04 903 5150.

The full terms of reference for this inquiry are available at <http://www.productivity.govt.nz/inquiry-content/1510>

The New Zealand Productivity Commission

The Commission – an independent Crown Entity – completes in-depth inquiry reports on topics selected by the Government, carries out productivity-related research, and promotes understanding of productivity issues.

TERMS OF REFERENCE: NEW ZEALAND PRODUCTIVITY COMMISSION INQUIRY

Local Government Regulatory Performance

Context

1. The Government has launched '*Better Local Government*', an eight point reform programme to improve the legislative framework for New Zealand's councils. It will provide better clarity about councils' roles, stronger governance, improved efficiency and more responsible fiscal management. These local government reforms are part of the Government's broader agenda. We are rebalancing the New Zealand economy away from the increased public spending and debt of the previous decade. We are building a more competitive and productive economy. This requires that both central and local government improve the efficiency of delivering public services.
2. Local government, at both regional and territorial level, is involved in many regulatory roles covering, for example, building, resource management, food safety, and alcohol. There is no consistent approach regarding what regulatory functions are most effectively achieved nationally or locally. There is also a concern in local government that functions are allocated to councils without adequate mechanisms for funding. The issue of what is best regulated at the national and local level is also important to the private sector which, through rates, taxes and fees, funds both. There are opportunities to improve New Zealand's productivity through a more efficient regulatory framework.

Scope

3. Having regard to the context outlined above, the Commission is requested to undertake an inquiry into opportunities to improve regulatory performance in local government. For the purposes of this inquiry, the Commission should:

Regulatory Functions of Local Government

- (a) identify the nature and extent of key regulatory functions exercised by local government;
- (b) perform a stocktake to identify which local government regulatory functions are undertaken on the direction of central government and which are undertaken independently by local government;
- (c) develop principles to guide decisions on which regulatory functions are best undertaken by local or central government;
- (d) identify functions that are likely to benefit from a reconsideration of the balance of delivery between central and local government, or where central government could improve the way in which it allocates these functions to local government;

Improving Regulatory Performance in Local Government

4. Taking into account the principles developed in point (c) above:
 - (e) assess whether there is significant variation in the way local government implements its regulatory responsibilities and functions, and the extent to which such variation is desirable. For example whether variation reflects differences in local resources or preferences or insufficient direction from central government;

- (f) identify opportunities for both central and local government to improve the regulatory performance in the local government sector. For example how to overcome any key capability, resourcing, or regulatory design constraints;
- (g) examine the adequacy of processes used to develop regulations implemented by local government and processes available to review regulations and regulatory decisions made by local government; and
- (h) recommend options to allow for the regular assessment of the regulatory performance of the local government sector, for example whether common performance indicators can be developed to assess performance.

Other matters

- 5. Where possible, the Commission should seek to quantify relevant costs and benefits of recommendations it makes in the inquiry. The Commission should prioritise its effort by using judgement as to the degree of depth and sophistication of analysis it applies to satisfy each part of the Terms of Reference.
- 6. The inquiry should not make recommendations that would directly affect representation or boundary arrangements for local government.

Consultation Requirements

- 7. The Commission should take into account existing and ongoing work in this area to avoid duplication, including the Government's eight point reform programme, resource management reviews, the Local Government Rates Inquiry, and the Auditor General's work on performance management.
- 8. In undertaking this inquiry the Commission should consult with key interest groups and affected parties. To ensure that the inquiry's findings provide practical and tangible ways to improve regulatory performance, the Commission should work closely with Local Government New Zealand, the wider local government sector and government agencies with regulatory regimes that affect local government.

Timeframe

- 9. The Commission must publish a draft report and/or discussion paper(s) on the inquiry for public comment, followed by a final report, which must be submitted to each of the referring Ministers by 1 April 2013.

Hon Bill English, Minister of Finance
Hon David Carter, Minister of Local Government
Hon John Banks, Minister for Regulatory Reform

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 14 August 2012
Prepared by: Chris Ingle – Chief Executive
Date: 6 August 2012

Subject: **CHIEF EXECUTIVES REPORT**

Meetings Attended

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

- Attended potential fund manager presentations on 12 July.
- Met with Minister Heatley following the Minerals West Coast conference on 18 July.
- Met with the new Tai Poutini Polytechnic CEO Allan Sargison on 27 July.
- Attended Group Emergency Management Controllers meeting on 6 August.
- Attending Regional Council CEOs forum and Chief Executive's Environmental Forum in Wellington on 8 and 9 August.

Annual Leave

I am planning to take a few days' annual leave on 16 – 20 August inclusive.

Shared Service arrangement with Otago Regional Council

I have initiated an arrangement with Otago Regional Council to share the services of their senior procedural specialist in resource consents processing. This assists us by providing expert support for our new Consents and Compliance Manager. The service may not need to be used often, but for more complex applications it will add critical depth to our consent processing team.

Local Government Efficiency taskforce

The Minister of Local Government has appointed a taskforce to look into how to streamline consultation, planning and financial reporting requirements under the Local Government Act. Members of the taskforce include Mayor Vanessa Uden of QLDC, Kerry Prendergast, previous Mayor of Wellington City, Bill Bayfield, CEO of ECan and Steve Parry, CEO of Gore District Council. The taskforce reports to the Minister by the end of October, prior to Government commencing the second part of the Local Government reforms. See attached terms of reference.

RECOMMENDATION

That this report be received.

Chris Ingle
Chief Executive

Terms of Reference for the Local Government Efficiency Taskforce

Purpose

The Local Government Efficiency Taskforce (the Taskforce) is appointed to provide independent advice to the Minister of Local Government (the Minister) on how to streamline local government consultation, planning, and financial reporting requirements and practices under the Local Government Act 2002 (LGA02) to be more efficient. The Taskforce will also advise on other opportunities to build efficient local government as specified in this Terms of Reference. The Taskforce will commence on a date set by the Minister.

Context

This work will inform potential legislative changes to the LGA02, and other non-legislative changes, to help local government to be more efficient. This is one work stream of an eight point reform programme called *Better Local Government* to improve the legislative framework for New Zealand's 78 councils.

Scope of Work

The Taskforce will advise on options that would streamline local government consultation, planning, and financial reporting requirements and practices under the LGA02 to be more efficient. The advice of the Taskforce will focus on:

- whether the current consultation requirements and practices need amendment to be more useful, practicable, and effective, and if so, how. This includes if:
 - amendments are required to the processes for making decisions and considering community views; the special consultative procedure; and the policy on significance;
 - current consultation requirements and practices are fit for purpose, particularly in today's technological environment;
 - mayors should have an explicit role of ensuring effective community engagement and powers to establish processes and mechanisms for the council to engage with the district;¹
- whether the current planning requirements and practices (particularly for long-term plans) need amendment to be more useful, practicable, and effective, and if so, how;
- whether the current financial reporting requirements and practices (particularly for auditing long-term plans) need amendment to be more useful, practicable, and effective, and if so, how; and
- whether there is duplication in the consultation, planning and financial reporting requirements and practices under the LGA02 and other relevant legislation.

¹ This power is currently conferred on the Auckland mayor only, under section 9 of the Local Government (Auckland Council) Act 2009.

The Taskforce will also advise on other opportunities (under the LGA02 or non-legislative) to build efficient local government, in relation to:

- how to reduce the costs of procurement; and
- establishing processes to utilise and share good practice and innovation between councils.

The Taskforce will not make recommendations on legislation other than the LGA02, nor make recommendations that affect the Auckland Council model (under the Local Government (Auckland Council) Act 2009).

Deliverables

- The Taskforce will provide advice no later than 31 October 2012 in the form of a report, with recommendations, to the Minister.
- The majority of the Taskforce's report will advise on how the current consultation requirements and practices can be improved.
- The recommendations will focus on actions requiring legislative change under the LGA02 as a first priority, and non-legislative change as a secondary priority. This prioritisation is a practical measure, in order for any legislative changes to be incorporated into the planned local government reform bill.
- In developing recommendations, the Taskforce will consider the impacts on broader local government framework, businesses / other parts of the economy, and Māori. The Taskforce may draw on other government reviews where relevant.
- The Taskforce will have an evidential basis for the advice it provides to the Minister. Specifically, it will explain the problems (including evidence), and the risks, costs and benefits of recommended changes.
- The Taskforce will develop a project plan to meet four stages of work (prior to reporting by 31 October 2012):
 1. problems identified and substantiated by evidence;
 2. the range of potential options are identified;
 3. key options are identified; and
 4. options fully developed and assessed, and recommendations drafted.
- The Taskforce will provide the Minister:
 - an interim report by Friday 24 August 2012 (unless otherwise agreed with the Minister) outlining the analysis undertaken to date under the stages of work outlined above; and
 - a final report by Wednesday 31 October 2012.

- The Taskforce will provide a draft final report to the Department of Internal Affairs by Friday 5 October 2012 (unless otherwise agreed with the Department of Internal Affairs).
- Taskforce members will be available through to the end of December 2012 to provide oral advice to the Minister (unless otherwise agreed with the Minister).

Proceedings

- The Minister will appoint members of the Taskforce, including the chair.
- The Taskforce will determine its own proceedings and meet no more than twice in each month until the Taskforce expires (unless otherwise agreed with the Minister).
- It is not intended that the Taskforce will undertake extensive consultation. However, in undertaking its work the Taskforce may invite focused input from selected organisations (including Local Government New Zealand) and individuals as appropriate.

Working Relationship with Government Officials

The Department of Internal Affairs will:

- provide secretariat support to the Taskforce;
- be available to answer questions and provide advice to the Taskforce, as the Taskforce works through the processes agreed in this Terms of Reference;
- attend all meetings of the Taskforce except where the chair requests a private session;
- manage access to officials from other departments, and to other governmental and external expertise as required;
- provide updates to the Minister on the Taskforce's progress, as requested by the Minister; and
- provide feedback to the Taskforce on the draft final report.

The Taskforce will not communicate or release information publicly. The Minister (supported by the Department of Internal Affairs), will be responsible for all public communications and the release of information related to the considerations and advice of the Taskforce.

Members of the Local Government Efficiency Taskforce

Michael Holm (Chair) is a lawyer from Auckland specialising in environmental and public law (including advising on local government matters). He is a founding partner of Atkins Holm Majurey, and previously a partner at Russell McVeagh. Michael was a member of the 2008 Technical Advisory Group, advising on phase one of the Resource Management Act 1991 (RMA) reforms. He chaired the 1997 Reference Group on the RMA, and provided advice to the Government on the local government reforms of 1980s.

Kerry Prendergast was Mayor of Wellington from 2001 to 2010, Vice President of Local Government New Zealand from 2005 to 2010, and prior to that was Deputy Mayor and Councillor for 15 years. Kerry has substantial governance experience, including as current Chair of the Environmental Protection Authority Board. In 2011 Kerry received a companion of the New Zealand Order of Merit, in honour of her work done for local government and the community.

Michael Barnett is currently Chief Executive of Auckland Regional Chamber of Commerce and Industry, and Director of both the Auckland Chamber and New Zealand Chambers of Commerce & Industry. He is involved in a number of other bodies, including as Chair of the Local Government Forum. Michael is a previous Auckland Regional Councillor, and became an Officer of the New Zealand Order of Merit in 2011 for his services to businesses.

Bill Bayfield was appointed Chief Executive of Canterbury Regional Council (Environment Canterbury) in 2011, and prior to this was Chief Executive of the Bay of Plenty Regional Council since 2006. Bill has also held many other roles in local government, including in planning and operations, working for the Taranaki Regional Council and its predecessor the Catchment Board for 22 years.

Stephen Parry is the current Chief Executive of the Gore District Council, and prior to that Mayor of Waitomo District. He is former National President and Otago / Southland President of the New Zealand Society of Local Government Managers. Stephen has also been involved in a number of voluntary and community roles, including as a member of the Eastern Southland Chamber of Commerce.

Pamela Peters is currently a consultant based in Auckland, and an independent Resource Management Act 1991 Commissioner. Pamela was the Mayor of Whangarei from 2004 to 2007 and was Deputy Mayor and a District Councillor for 9 years prior to this.

Debbie Packer (Ngāti Ruanui and Ngaa Rauru Kīitahi). Debbie Packer has over 20 years' management experience including in Māori development and local government. She is a former Deputy Mayor of the South Taranaki District Council. Her current roles include Director-Chair of Ngāti Ruanui Holdings Ltd, an iwi investment company.

Vanessa van Uden is the first female-elected Mayor of Queenstown Lakes. She is also a former Councillor, and spent six years working as a council contract manager. Vanessa is actively involved in the Queenstown community, including as a member of the St John Wakatipu Area Committee and as a Trustee of the Queenstown Trails and Branches Trusts.

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.			
38 – 39	8.1	Confirmation of Confidential Minutes 10 July 2012	
40	8.2	Overdue Debtors Report (to be tabled)	
41 – 48	8.3	Analysis of Fund Manager Presentations	
	8.4	Response to Presentation (if any)	
	8.5	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 July 2012		Section 48(1)(a) and in particular Section 9 of 2nd Schedule Local Government Official Information and Meetings Act 1987.
8.2	Overdue Debtors Report		
8.3	Analysis of Fund Managers Presentations		
8.4	Response to Presentation (if any)		
8.5	In Committee Items to be Released to Media		

I also move that:

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

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

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